

# FOURTH ICEM WORLD CONGRESS

Bangkok, Thailand, 22-24 November 2007



**GLOBAL** UNITY  
**GLOBAL** EQUALITY

รวมใจเป็นหนึ่ง  
เราทั้งโลกเท่าเทียม

**GENERAL  
MOTIONS**



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## **1. Move of Venue**

(Proposed by the ICEM Executive Committee)

### **AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS**

Whereas, in the meeting of the ICEM Executive Committee in May 2006, confirmation was given to the decision of the cooperateurs to sell the building that is the present home to ICEM in Brussels; and

Whereas, the consequence of such a sale will be the need to look for new office space for the ICEM inside or outside of Brussels; and

Whereas, there is an offer by the International Metalworkers' Federation (IMF) to move into the building that is owned by them in Geneva, Switzerland, that would provide sufficient space for ICEM; and

Whereas, in addition to the practical and physical aspect this would offer, it also offers the opportunity to strengthen and further develop opportunities for cooperation with the IMF and other Global Union Federations, of which the majority already have office locations in or around Geneva, and

Whereas, such a move to Geneva would also improve conditions and participation for ICEM cooperation with the International Labour Organisation (ILO), as well as strengthen the influence that ICEM may wish to exercise regarding the ILO's policy and initiatives; and

Whereas, the ICEM must not be ignorant of the associated costs in such a move to Geneva, of which the ICEM General Secretary gave a first report at the May 2007 meeting of the Executive Committee, as well as to the consequences that it will have for the staff in Brussels, the ICEM must develop a clear view of the chances and the positive political effects of stronger cooperation with other GUFs, and the opportunity for costs savings in the long-term of such cooperation; and

Whereas, there is a decision by the cooperateurs and the present owners of the ICEM building in Brussels to donate the proceeds of the sale of the building to the ICEM, thus creating for the ICEM a solid base for covering short-term costs; now

Therefore, Be It Resolved, that the ICEM's Fourth Congress in Bangkok, Thailand, in November 2007 it executes its statutory obligations to move the headquarters of the ICEM from Brussels, Belgium, to Geneva, Switzerland, and

Be It Further Resolved, that the ICEM General Secretary continue discussions with the IMF in order to ensure that ICEM gets adequate physical space and leasing arrangements in the IMF building at or around April 2008 at the latest; and

Be It Further Resolved, that as part of the move to Geneva, the ICEM General Secretary, together with the Presidium, continues discussions with IMF and possible other partners among Global Union Federations about meaningful and progressive cooperation for the future, and

Be It Further Resolved, that the move to Geneva does not bring a "brain drain" to the ICEM, or a loss of identity for ICEM affiliates or for ICEM sectors; and

Be It Further Resolved, that all questions that come from staff in regard to the move to Geneva are discussed in social dialogue in the relevant bodies and forums, and that such discussions occur in a timely and transparent way with individual staff members, their representatives, and their union with a clear view on reaching socially acceptable solutions in regard to the personal consequences of the move.

## 2. Global Framework Agreements

(Proposed by the ICEM Executive Committee)

### AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS

**Whereas** the ICEM Global Framework Agreements (GFAs), agreements between multinational companies operating within the ICEM sectors and the ICEM, as the company's global counterpart organisation, have proven to be a valuable tool for workers around the world;

**Whereas** GFAs have been successfully used to discuss issues fundamental to both parties, as well as to solve problems;

**Whereas** GFAs are an important instrument to ensure the ethically and socially desirable behaviour of multinational enterprises around the globe. GFAs have, as such, a special role to play in the area of (corporate) social responsibility (CSR);

**Whereas** GFAs are to be seen more as international industrial relations than as CSR, given that, in essence, GFAs are signed agreements between partners on basic shared principles, and not unilateral voluntary guidelines or codes set by companies. As such, they are a basic element of international social dialogue;

**Whereas** GFAs are complementary to other, often governmental, efforts in the area of (corporate) social responsibility, corporate accountability and/or sustainable development, such as the OECD Guidelines for Multinational Enterprises and the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy;

**Whereas** ICEM GFAs have been the result of a democratic process with the involvement of the ICEM and, in most countries, ICEM affiliates from the home country of the multinational company. The signing of GFAs should be a central aspect of the objectives of the trade union in the country in which the multinational company has its headquarters, as an expression of international solidarity and of the understanding of the interest of the workers in the parent company in improving conditions of work at all points in their company's chain of production."

**Whereas** the language of GFAs can be improved to build global trade union power through organizing and prevent abuse of labour rights in those countries where labour laws are insufficient to protect the right to organize and bargain collectively;

**Whereas** GFAs can be improved by involving unions representing workers at the multinational company outside the home country in the negotiating and monitoring process and by requiring key suppliers, subcontractors, licensees to adhere to GFAs; For this purpose, and in order for trade union work itself to contribute to GFAs being established in multinational companies that have signed agreements of Social Responsibility (either through their own Codes of Conduct, or by signing up to wider Codes of Practice, such as the UN's Global Compact, SA8000 or others) procedures will be established for trade unions to monitor and verify that they are being observed throughout the chain of production, for which purpose it will also be necessary to establish concrete forms of trade union coordination and, within this, freedom of action of trade unions. It would also be advisable for there to be outside, independent and reliable verification (audit) procedures, with information concerning their findings."

**Whereas** achieving GFAs through coordinated global campaigns at multinational companies with strong anti-union records should become a strategic objective of the ICEM;

**“Whereas** in order to establish GFAs and commitments to Corporate Social Responsibility, it is vital for there to be trade union action for this purpose throughout the chain of production, particularly at the multinational parent company”

### **Be it resolved**

**That** the work on global agreements is continued and further intensified;

That the ICEM carefully consider mounting a global campaign(s) to achieve a GFA with carefully selected multinational companies that oppose the signing of a GFA.

**That** the signing of GFAs continues to be the result of a democratic process, with the involvement of the ICEM and, in general, the ICEM affiliates from the home country of the multinational company and the affiliates outside the home country where the largest number of the multinational’s employees are located;

**That** all GFAs will be (co-)signed by the ICEM’s General Secretary and the ICEM President, together with the corresponding ICEM affiliates from the country in which the company has its head office,”

**That** before a GFA is signed with a company, the ICEM will, as far as possible, consult with the national unions that may be affected by the GFA and attempt to involve them in the process:

**That** the GFA must be truly global in scope, i.e. applicable to all countries where the company operates;

**That** all ICEM regions and all ICEM unions be involved in the monitoring process of the individual GFAs, where applicable;

**That** the following items should, as a minimum, be part of all future GFAs

- Human and labour rights provisions, such as
  - the right of every employee to be represented by a trade union of his or her own choice as well as the right to engage in collective bargaining;
  - a commitment not to oppose unionization and to remain neutral in any recruitment drive and thereby allow workers to make a democratic choice on unionization without company interference;
  - a commitment not to employ forced or bonded labour;
  - a commitment to employ no child labour;
  - a commitment to the equal treatment of male and female workers;

- a commitment to take a socially responsible approach to restructuring the company's units;
- a commitment to pay fair wages and benefits;
- Health, safety and environmental provisions, such as
  - a commitment to provide a safe and healthy work environment.
  - supporting a precautionary approach to environmental challenges;
  - undertaking initiatives to promote greater environmental responsibility.

**That** special attention will be given to the companies' attitude towards union organising, as well as to clauses on contract and agency labour, HIV-AIDS and training;

**That** all ICEM-signed GFAs will contain language specifying that the agreement covers all activities and operations where the company has direct control, and that the company will exercise its best efforts in order to encourage and secure compliance with the standards and principles, as set out in this agreement, within the activities of its subcontractors, licensees and suppliers;

**That** agreement is sought with the company to facilitate meetings of union representatives of their world-wide operations and develop a social dialogue with management on all levels;

**That** the ICEM and the company, through regular meetings, review the practice and experience of the agreed principles;

**That** the ICEM informs its affiliates about the world-wide locations of the company, as well as on the results and conclusions of its meetings with the management;

**That** affiliates keep the ICEM informed about developments at locations they organise, including on abuses of the GFA agreement, and take up the provided opportunity to organise those plants that are still non-union;

**That** consideration shall be given to include other GUFs, where appropriate, in the negotiation and signing of GFAs;

**That** the ICEM Model Global Framework Agreement forms a good basis for ICEM Global Framework Agreements.

### **3. Contract and Agency Labour** (Proposed by the ICEM Executive Committee)

#### **AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS**

Whereas, since 2004, ICEM has had an active programme to draw attention to, and to campaign against the workplace proliferation over the use of contract labour and the use of agency labour; and

Whereas, the use of contract and agency labour as a substitute for permanent and direct employment has had a detrimental effect on safety, job security, standardised work conditions, and on sustaining communities and family life. Particularly, most of contract and agency workers are women, and their working conditions including wage level compared to those of permanent workers are much lower, which, in fact, triggers the wage level disparities between men and women; and

Whereas, the substitution of permanent workers with contract and agency labourers has become a priority issue for trade unions across the world, resulting in countless labour disputes; and

Whereas, with the exception of only a few countries that have national legislation and/or collective agreements regulating the use of contract and agency labour, most nations do not have such statutes and there are no international standards governing the use of contract or agency labour; and

Whereas, the ICEM's campaign on contract and agency labour demands that employers enter into consultation with their respective trade unions before deciding to outsource (subcontract) any operation and before any contract is let to an agency that provides workers, or prior to employing contract labourers; now

Therefore be it Resolved, that the ICEM continue this campaign to draw attention to the detrimental effects of replacing full-time, permanent workers with limited-term contract workers, or workers from agencies, as well as encouraging trade union affiliates to prioritise this issue with effective language in their collective agreements; and

Be it Further Resolved, that in review meetings with companies signatory to Global Framework Agreements, and in negotiations toward any new Global Framework Agreements, the ICEM seeks to introduce consultation language over the issue of contract and agency labour, guaranteeing to workers so contracted that the corresponding labour standards, laws and conventions will be properly observed, together with full implementation of the basic workers' rights expressed in ILO Conventions, particularly the rights to freedom of association and collective bargaining. Companies will also be required to have signed commitments to Social Responsibility (both company and corporate) or Codes of Conduct, the efficient implementation of which, at all points in the chain of production, can be monitored by the trade unions involved in this chain of production, from the country in which the parent company is located, right up to the end of the chain. This includes international and national trade union federations, from ICEM to that of the country in question, and

Be it Further Resolved that the organisations affiliated to the ICEM promote coordination and solidarity in trade union activity between the workers of the parent companies in the country where the company has its headquarters, and contract and subcontracted workers or those contracted by agencies

Be it Further Resolved that, as most of the contract workers are women workers, they should be educated first to know their duties & rights. The women issues should be raised during negotiation.

Be it Further Resolved, that the ICEM engage other Global Union Federations and the newly-formed Global Unions Council to join with the ICEM in a common campaign to press for effective international standards on this issue before the UN's International Labour Organisation (ILO), the Organisation for Economic Cooperation and Development (OECD), and all other global institutions.

#### **4. HIV/AIDS**

(Proposed by the ICEM Executive Committee)

##### **AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS**

Whereas, the ICEM has an established policy on the HIV/AIDS pandemic, that is to build on the best practices of affiliated trade unions regarding development of effective education, awareness and testing programmes, as well as engagement with employers to develop formal workplace programmes for effective treatments; and

Whereas, the ICEM, as the Global Union Federation representing workers in the pharmaceutical industry, as well as workers inside industries such as mining and energy extraction which has seen workers and family members hardest hit by HIV/AIDS, is strategically positioned to play a direct role in the fight against this deadly disease; and

Whereas, the ICEM has been actively engaged with the major pharmaceutical countries of the world that produce anti-retroviral drug treatments to provide such drugs at no cost or reduced cost to workers, family members and communities at large in the developing world who do suffer from the HIV/AIDS pandemic; and

Whereas, the ICEM, in cooperation with its sub-Saharan African affiliates, has developed a structure of national coordinators and a global coordinator aimed at enhancing the awareness programmes of African affiliates; and

Whereas, the ICEM has commenced a campaign of engaging multinational mining houses in efforts to build fully-staffed and fully-functional health clinics in rural mining areas to treat HIV-infected workers, family members and persons of these communities, as well as to treat other health problems; and

Whereas, the ICEM is adamant that language contained in the ILO's Code of Practice on HIV/AIDS and the World of Work be adopted in all Global Framework Agreements; now

Therefore be it Resolved, that the ICEM, in coordination with its affiliated Trade Unions, continue the appeal, both at the national and international level, to major pharmaceutical companies to join with the ICEM in developing and implementing intervention programmes and drug-treatment programmes, and

Be it Further Resolved, that the ICEM expand relationships with donors, pharmaceutical companies and other multinational companies to assist our Global Union Federation in these programmes; and

Be it Further Resolved, that the ICEM extend its programmes and policies on the HIV/AIDS pandemic in with similar programmes and projects of other Global Union Federations as part of the unified effort of the Global Unions Council; and

Be it Further Resolved, that the ICEM model set in sub-Saharan African be established throughout the developing regions of the world.

## **5. AIDS**

(Proposed by the Centrale Generale, Belgium)

### **AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS**

Congress requests the ICEM to continue to support the introduction of effective education, awareness-raising and screening, including by reinforcing the training of “peer educators” in South Africa, where they conduct awareness-raising and prevention at the workplace.

To date, there is no remedy for HIV/AIDS, and prevention is the only means of restricting its spread.

It is therefore necessary to strengthen the fight against AIDS.

In various enterprises, agreements have been reached on non-discrimination regarding HIV-positive workers and on the provision of healthcare.

The ICEM demands that governments contribute more to the UNAIDS fund. Currently, this fund has 8 billion dollars at its disposal, whereas 16 billion dollars are now needed.

## **6. Social Dialogue/Corporate Campaigns**

(Proposed by the ICEM Executive Committee)

### **AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS**

Whereas, it has been policy of the ICEM to offer social dialogue to companies on the global level to build trust, understanding, and to seek to establish a climate for joint action and initiatives; and

Whereas, ICEM expects companies to adhere to the labour laws and social standards not only stipulated in the respective national law of the countries they operate in, but also in respect to international norms, guidelines, and best practices, including equal opportunities, family responsibilities and maternity protection, ILO Conventions 98, 154, 156 and 183; and

Whereas, there have been successful examples of such cooperation, particularly within the Global Framework Agreements signed by ICEM, its affiliated trade unions and multinational companies, as well as support by some companies of Global Union Networks; and

Whereas, this policy of social dialogue will be continued by the ICEM, it cannot be ignored that some companies are not ready to engage in positive social dialogue with trade unions and, in fact, even reject such good faith by displaying contempt and disrespect for workers' rights by resisting recognised trade union rights either on the global level, in general, or of that in individual countries; and

Whereas, the ICEM's central role is to provide Global Solidarity to its trade union affiliates and their members; now

Therefore be it Resolved, that while social dialogue with companies still is the priority for ICEM, in such cases when it is not possible to engage in such dialogue, the ICEM will assist affiliated trade unions in solving conflicts with companies by giving them support to in actions such as awareness and publicity campaigns, as well as mobilising other global affiliates on their behalf; and

Be it Further Resolved, that ICEM establish a set of procedures for engaging in such campaigns in coordination with affiliates and that these procedures include a formal request on behalf of an affiliate, preferably from the home country of the targeted company; and

Be it Further Resolved, that the primary role of the ICEM be one of coordination, publicity and communication both internal to trade unions and external with the broader public; and

Be it Further Resolved, that any such request for campaign coordination that involves a major expenditure of funds by the ICEM must be discussed and approved by the ICEM's Presidium.

Be it Further Resolved that the gender perspective is clear during the process and that women workers' needs are to be taken into consideration during dialogue/negotiation.

## **7. GUF's Cooperation**

(Proposed by the ICEM Executive Committee)

### **AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS**

Whereas, with the founding of the ITUC and the Global Unions Council, there has been a recent positive development in creating stronger unity and cooperation in the international trade union movement; and

Whereas, ICEM gave and will continue to give all possible support to these processes, including the future integration of WFIW into ICEM;

Whereas, the past decade has led to stronger cooperation and even mergers of Global Union Federations in the public and private services sector, while respective discussions and plans on more structural cooperation between Global Union Federations in the manufacturing sector has never materialized;

Whereas, with rapidly expanding globalisation, and due to restructuring processes of globally-operating companies, the divisions within traditional industry sectors have become ever more blurred; and

Whereas, due to the consequences of these processes for organising and bargaining, at national level, ever more unions – including many ICEM affiliates world-wide – have decided to strengthen their links or even merge; and

Whereas, given that the ICEM in recent years has identified areas of joint interest with other Global Union Federations, and, in addition, entered into a number of joint initiatives, projects and other mechanisms of practical cooperation with these organisations, there are a number of links and many good reasons to increase coordination of activities, and decide on a more structural approach on cooperation; and

Whereas, these links are especially strong with sectors that, at present, are represented by the International Metalworkers Federation (IMF) and the International Textile, Garment, and Leather Workers' Federation (ITGLWF), underlined by the facts that many companies, in these sectors, also have a presence in ICEM sectors, and that a considerable number of affiliates to those organisations are consequently also affiliated to the ICEM; and

Whereas, in addition to the many good reasons for cooperation with these two organisations, if the decision is taken to move into offices in Geneva, this would provide an extra opportunity for pooling resources, services, and expertise to better serve affiliates and the interests of union members across industries; and

Whereas, a discussion, which has started with the General Secretaries of the IMF and ITGLWF, has proven that there is a common understanding of the opportunities and perspectives of such a process, at the same time, other relevant and interested Global Union Federations should not be excluded to join into that dialogue; and

Whereas, in any future discussion and/or decision it needs to be made sure that the development of new structures remains close to current affiliates and their members world-wide, while safe-guarding the identity of the different unions and sectors; and

Whereas, this all gives need for open and transparent discussions, taking into account the views of affiliates from different regions and sectors;

Whereas, the ICEM Executive Committee at its meeting in May 2007 in Brussels set up a Working Group composed of one representative from Africa, one from Asia, one from Latin America, one from North America, two from Europe, plus the General Secretary and the President of the ICEM; and

Having met in Berlin on 18th September 2007, and following subsequent thorough discussions, the working group recommends to congress that

It be resolved that,

- taking into consideration the above mentioned basic principles, the ongoing discussion on possible future cooperation between the ICEM and the IMF and ITGLWF should be continued; and that BWI should be invited to join this discussion;
- as soon as possible, the ICEM aims to agree on a clear understanding with all, or some, of the above-mentioned partners on coordinating administrative tasks, on a framework for joint activities and initiatives, including joint action in certain specific sectoral and/or corporate activities, as well as on the general challenges that our unions face in the global world;
- administrative cooperation first and foremost be sought in terms of closer cooperation between headquarter and other GUF offices' administrative tasks (IT, travel arrangements, translation and interpretation services, conference arrangements, etc.), as well as in areas such as publication and communication, project planning and implementation, gender issues and equality, safety-, health- and environmental issues and regional representation;
- as an integral part of the co-operation effort, the following areas of work should be given special attention: the recognition of trade union rights; industry and corporate affairs; social dialogue and global framework agreements; campaigns and solidarity initiatives; industrial policy and sustainable development; gender issues and equality, safety and health; maintaining and strengthening of ongoing ICEM projects (such as the work on contract and agency labour and on HIV/AIDS); and regional training programs. Specific attention should also go to co-ordination and co-operation of staff functions and activities with the ITUC, other GUFs, the Global Unions Council, the ILO, the Global Compact and other global institutions;
- given the obvious advantages that could be the result of such an effort, special attention is given to look into the possibilities of strengthening co-operation with and between the regional offices of the above-mentioned GUFs;
- reflecting expectations by donor organisations for their partners to be efficient, co-operation between the above-mentioned GUFs should lead to an increased and more effective co-ordination in the area of project work. Of specific concern in this respect is the fact that the suggested increased co-operation should lead to more efficient project work and not be a reason for cuts in funding;
- in addition to the envisaged cooperation with IMF, ITGLWF and, possibly, BWI, other already ongoing cooperations, such as with the ITF on "from the well to the wheel", or any other possible and reasonable future joint initiatives with other Global Union Federations, not be given less priority in the future;

- part of the ongoing process be dedicated to the creation of a greater mutual understanding, unity and cohesion within the ICEM itself, as well as to a further development and strengthening of the relationship with EMCEF, which, in turn, is also involved in a process of strengthening its co-operation with a number of European Industry Federations;
- special attention be given to national and regional developments, by encouraging affiliates to develop themselves through more effective structures at national and regional level which, as a result, should lead to an improved capability to tackle challenges at global level. Efforts to develop a more efficient trade union representation at the global level will be met with limited success as long as there is competition between, or even disunity among trade unions at the national level;
- a working group on cooperation be established, which will consist of one representative each from Africa, Asia/Pacific, Latin America and North America, two representatives from Europe, as well as the President and General Secretary of ICEM;
- That the regions should have their regional meetings between March and April 2008 and do strategic planning to strengthen the chemical, energy and mining sectors for the next 4 years, and at the end of the meeting, invite the regional presidents of IMF, ITGLWF and BWI to present the resolutions and discuss actions aimed at integration
- there be a regular review by the statutory bodies of the ICEM on the progress of cooperation, as well as on the possibilities towards a future merger of all, or some, of the above-mentioned federations, in an effort to make sure that further decisions on this matter can be taken at the ICEM World Congress in 2011 or at an extraordinary ICEM Congress, decided upon by the Executive Committee depending on the dynamics and success of the cooperation process;
- as a first and immediate step after its 2007 World Congress, ICEM proposes the IMF and the ITGLWF, as well as, if the organisation is interested to join in, BWI, to agree, where relevant, on the following time-table, and follow it as best as possible;

#### JANUARY 2008

ICEM President and ICEM General Secretary inform Global Unions Council about conclusions of the ICEM World Congress on future cooperation with other Global Union Federations

Final decision on staff functions and distribution of responsibilities after move of the office to Geneva

#### JAN/FEBR 2008

- ICEM President and General Secretary meet with the Presidents and General Secretaries of IMF, ITGLWF and, possibly, BWI to explain and discuss the conclusions of the ICEM Congress and get a general understanding of their implementation
- Reach agreement on the establishment of joint ad-hoc groups on industry affairs (e.g. mining; car-manufacturing/suppliers), sustainable development, GFAs, CAL, HIV/AIDS, ...

- ICEM General Secretary meets other General Secretaries to discuss and look into the opportunities to coordinate administrative tasks after the move of the office to Geneva
- Meeting of ICEM working group on sustainable development

#### FEB/MARCH 2008

- Meetings of the respective ICEM officers with their counterparts, where these exist

#### MARCH 2008

- Meeting of ICEM working group on cooperation

#### MARCH/APRIL 2008

- Regional ICEM meetings
- Meetings of ICEM regional chairpersons with regional GUF counterparts

#### APRIL 2008

- Move of office

#### MAY 2008

- ICEM Presidium and Executive (Report of working group on cooperation and invitation to General Secretaries of IMF, ITGLWF and, if the organisation is interested, BWI to give their view)
- ICEM conference on “Sustainable Development”

#### MAY-JULY 2008

- ICEM conference on mining/DGOJP (offer to IMF to join in / start joint campaign on ILO convention 176)

#### SEPTEMBER 2008

- Meeting of ICEM working group on cooperation with respective counterparts

#### OCTOBER 2008

- Joint conference on sustainable development
- ICEM Presidium
- Joint meeting of Presidiums (Signing of a cooperation agreement / confirmation of joint working groups)

#### NOVEMBER 2008

- ICEM rubber conference (offer IMF and ITGLWF to join in)
- Joint ICEM/IMF/ITGLWF workshop on “car industry/suppliers”

#### JANUARY 2009

- Meeting of joint working group (stock-taking and agreement on further steps)

#### FEB/MARCH 2009

- Joint conference on Global Framework Agreements and Trade Union Rights

#### MAY 2009

- IMF Congress
- ICEM Presidium and Executive
- ICEM Materials Conference (offer BWI to join in/ establish joint working group)

SPRING 2009

- ITGLWF Congress

OCTOBER 2009 :

- ICEM Paper Conference (offer BWI to join in)
- ICEM Presidium

DECEMBER 2009

- BWI World Congress

MAY 2010

- ICEM Meetings
- Joint Executive committee meeting

JUNE 2010

- ICEM energy conference

OCTOBER 2010

- ICEM Presidium

NOVEMBER 2010

- ICEM conference on the chemical and pharmaceutical industry

MAY 2011

- ICEM statutory meetings (prepare congress discussion on experience with cooperation and possible future merger)

NOVEMBER 2011

- ICEM Women Conference
- ICEM World Congress

## 8. The Organic Link between National and Global union

(Proposed by Petrol-İş, Turkey)

### AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS

The organic link between national and global union work is today a reality and we need to use the strategic opportunities provided by this reality.

In the global context, we can formulate the main challenge as follows: To bargain with a multinational company in one country must be to bargain with that company in every country.

The strategic tools in this respect are:

- Global framework agreements,
- An effective strategic cooperation between GUFs.

To ensure that unions which organise the unorganised are supported in their attempts to gain recognition is a key challenge on the agenda of the world trade union movement. Unions which have organised workers and got the employers to the negotiating table at an enterprise, even if they have been legally authorized to negotiate and conclude a collective agreement, aren't recognised by employers in general.

That attitude by employers which is a violation of the ILO principles and core conventions shows that global framework agreements as a strategic tool have vital significance. Framework agreements can offer important avenues for solving the problem of union recognition.

In this context, we would like to highlight another global strategic tool as well. Today, a considerable number of suppliers in the production chains of automotive multinationals operates within the ICEM sectors (chemical and rubber sectors). The union organising and collective bargaining rights of workers employed by those suppliers are being systematically neutralised and stifled by employers.

In general, framework agreements concluded by the International Metalworkers' Federation (IMF) with automotive multinationals have a "supplier clause". A strategic cooperation between the ICEM and the IMF, can create the conditions for pressuring automotive multinationals and their suppliers in the ICEM sectors to implement the "supplier provisions" in the IMF international framework agreements.

Such an initiative would contribute to both a more effective monitoring and implementation of GFAs and a further widening of the scope of global union solidarity.

These two strategic tools, *global framework agreements* and *strategic alliances between GUFs* (between the ICEM and the IMF) are critical in order to effectively implement global union recognition.

## **9. Sustainable Development**

(Proposed by the ICEM Executive Committee)

### **AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS**

*Whereas* the ICEM World Conference for the Energy Industries, held in Trinidad & Tobago in November 2006, resolved that a sustainability/acceptability policy be submitted to the next ICEM World Congress;

*Whereas* the ICEM Executive Committee, at its May 2007 meeting in Brussels, while agreeing with the general approach of the abovementioned action plan, proposed for the forthcoming World Congress to decide to, as a first step, set up a working group, which would need to submit proposals on policy and action;

*Whereas* the ICEM World Congress is expected to decide for the ICEM to enter into closer, systematic and meaningful cooperation with the IMF and the ITGLWF, and, possibly, with other Global Union Federations;

*Whereas* all abovementioned organisations directly deal with the subject matter on an almost daily basis;

*Whereas*, in spite of the fact that there appears to be a world-wide trend to emphasise the importance of the service-sector as a key segment for economic growth, the role of the industrial sector for a country's economic future and the important role this sector can and should play in the area of sustainable development can not be minimised;

*Whereas* the ICEM and its affiliates should offer to the industry, as a whole, as well as to individual companies, in particular, to cooperate on sustainable development policies and initiatives;

*Whereas* the recognition of workers' and trade union rights by the employer would need to be a clear pre-condition to any such offers;

*Whereas*, even though valid economic arguments by companies cannot be ignored in any debate on sustainable development, questions need to be raised on serious concerns in this area, such as the problems related to private equity investment and the policies of hedge funds;

*Whereas*, as workers have an obvious interest in the future of their and other industries, trade unions need to continue challenging companies to be as progressive as possible in regard to environmental challenges;

*Whereas* governments and international institutions need to make sure that the voice of workers and their unions, including international organisations such as the ICEM, is not ignored in the ongoing global debate on climate change and other environmental issues;

*Whereas* the social aspect is often overlooked in debates on sustainable development;

*The ICEM Fourth World Congress resolves that*

the ICEM will encourage affiliates to promote greater awareness of the behavior of multinational corporations concerning global warming and sustainable energy policies and thereby promote greater corporate responsibility.

the development of a joint multi-GUF policy on sustainable development be a key priority for the immediate future, and that joint multi-GUF initiatives in this area need to be taken;

the ICEM and its affiliates, together with other Global Union Federations, the ITUC and TUAC, need to insist, within the framework of the ILO and other international institutions, that, for any meaningful sustainable development effort to be successful, it needs to, in addition to global poverty eradication, assist in creating decent work for all and respect for the basic human and social rights, including trade union representation;

a working group be established to develop an ICEM policy on sustainable development and make proposals on future initiatives;

the working group be composed of the chairpersons, or other nominated representatives, of the various ICEM industrial sectors, a representative of the women's group, and the President and the General Secretary of the ICEM;

the working group needs to prepare for a global ICEM conference on sustainable development, which should take place in May 2008, at the time of the regular statutory meetings of ICEM;

the ICEM proposes to the IMF and the ITGLWF, as well as to other interested Global Union Federations, to cooperate on developing a joint strategy on sustainable development and organise a joint conference, later in 2008;

Global Framework Agreements and other areas of work are brought into play to achieve more cooperation, and possibly joint initiatives, in the area of sustainable development with companies and international industry federations.

## **10. Making globalisation social Challenges for international trade union work**

(Proposed by IG BCE, Germany and ICEM JAF, Japan)

### **AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS**

#### **Characteristics of the new quality of world trade and production**

A characteristic of globalisation today is the growing integration of the world economy through the expansion and intensification of trading relations. Although worldwide trade in goods and commodities has long existed – more precisely, since the discovery of America 500 years ago – the character of this exchange of wares has changed markedly over the past 25 years.

The key changes are:

- the enormous financial flows which increasingly influence decisions within enterprises (rapid, worldwide financial transactions became possible through the development of the Internet) and
- for example, production transfers to the so-called low-wage countries, in some cases accompanied by inhuman working conditions.

#### **Negative consequences of globalisation**

Within this process of change, the impression is gaining ground that the steering mechanism of national policy has been lost. There is a growing impression that financial investors and multinational enterprises run the world economy, while governments and regions are unable to exert any influence.

Workers and their trade unions are experiencing a sometimes shameless exploitation of competition between sites. Demands for longer working times and lower incomes for workers go hand in hand with the lowering of minimum standards in fields such as environmental protection and occupational health and safety. Day in day out, trade unions face the threat of site transfers. Even if these threats are not automatically implemented, the many individual cases of production transfers to countries with lower labour costs are a means of putting workers and their trade unions under pressure.

Financial investors force firms to pursue the short-term, unbalanced maximisation of profits, taking no account of the longer-term prospects for the enterprise and its employees.

In the process, international structures such as the UN, the ILO, the OECD and the World Bank are increasingly losing influence.

People are gradually losing confidence in national and international politics. Workers no longer understand why decisions are taken. As a result, identification and commitment are waning.

#### **Positive developments**

The expansion of markets - whether through the disappearance of the “Iron Curtain” or through the economic strengthening of many Asian states including China and India, the world’s most populous countries - have given more and more workers and their families

access to consumer goods which, just a few years ago, were beyond their reach. In turn, this development, by ensuring bigger export margins, is safeguarding jobs in other parts of the world.

The Internet and the growing networking among workers and their trade unions are creating greater public pressure on multinational enterprises. Exploitative working conditions and standards are being exposed sooner and, increasingly, are having to be dealt with sooner. More companies are prepared to abide by voluntary declarations on respect for the most important human and trade union rights (codes of conduct, corporate social responsibility etc.).

These self-commitments are a first small step. They gain additional credibility and effectiveness if workers and their trade union representatives are involved. Outstanding examples of this are the ICEM's existing global framework agreements with many multinational corporations. This policy must and will be continued in future and deserves the support of all ICEM affiliates – particularly those organising at the multinationals' headquarters sites.

Some private equity funds have taken over loss-making companies that were on the point of collapse and which after restructuring, while employing fewer people, did achieve economic success and new prospects.

The first financial investors have started thinking aloud about involving trade unions in their acquisition processes. The idea is that trade unions should share responsibility for decisions, particularly on employment developments in the relevant firms, so as to permit greater involvement of those concerned. Although this will not automatically lead to more positive decisions, it does give the trade unions more scope for exerting influence.

### **Central challenges for international trade union work**

Trade unions worldwide have built up experience of the consequences of globalisation. One experience common to all is the need to ensure timely influence by trade unions on the ground, in order to safeguard as many present and future jobs as possible.

However, this also shows that national trade union policy alone will not be enough to meet the challenges of globalisation. This requires a complementary coordination of trade union activities at the international level. But this coordinating role also increasingly entails reporting on various cultural and historical experiences and developments in the individual countries, in order to achieve the greatest possible understanding by all concerned and to make joint action possible.

The delegates to the 4th ICEM World Congress therefore consider the following key areas to be required in future joint work:

1. Support for and implementation of unified rules for world trade, notably including respect for the core ILO Conventions and basic human rights. To this end, jointly with the International Trade Union Confederation (ITUC), influence within the WTO, the OECD and the UN must be used and expanded.
2. Strengthening of the ILO, together with a more strongly binding character for the decisions of the bodies within which the ICEM and its affiliates play a direct part. All affiliates should build their national influence in order to ensure that the above-mentioned international structures have a stronger impact in practice.
3. The emerging discussion about stronger control of private equity funds/hedge funds must be used to establish fair ground rules. It is not acceptable that financial

investors should simply strip a firm of its assets, thus destroying the long-term prospects for the firm and its employees.

4. Building a database which will collect together the experiences of affiliates and other GUFs with various investment funds. In the event of a takeover bid by such a fund, the affiliates concerned could receive, in the shortest possible time, an assessment of the strategy that might be expected.
5. Efforts to influence policy and set the parameters of globalisation should, additionally, be made a central task area for the Council of Global Unions (CGU). Efforts should be made to coordinate the activities of other GUFs with those of the ICEM.
6. Furthermore, rapid data transfer between individual affiliates should be ensured in the event of a production transfer or a takeover by a multinational corporation. The ICEM Secretariat can be helpful in supporting this, particularly in view of the language skills that it has available.
7. The ICEM must, as it has done in the past, contribute to ensuring that bilateral contacts and joint seminars, projects and meetings are possible, so as to improve and extend mutual understanding.

## **11. The influence of private equity and hedge funds, the worker strikes back!**

(Proposed by FNV Bondgenoten, The Netherlands)

### **AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS**

Private equity investors and hedge funds are very active in the Netherlands and other countries all over the world during the last decade.

Hedge funds have invested in large companies. In many cases the companies were reorganized, split and sold within a period of some years. In the short run, this is very profitable for shareholders and investors, but disastrous for the workers within the company. Many workers will lose their jobs.

ICEM and the member unions have the obligation to strengthen the position of the workers as stakeholder in this battlefield.

## **12. Electrical Energy**

(Proposed by the Power Workers Union of Canada)

### **AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS**

WHEREAS the generation of electricity is increasing worldwide as a result of rapid increases in demand in developing countries and due to increasing demand and ageing generators in developed countries;

AND WHEREAS electric power generation is a very highly unionized industry which provides highly skilled and good paying jobs;

AND WHEREAS many ICEM affiliates represent workers in the electrical industry worldwide;

AND WHEREAS unions in the electrical generation industry support the development of renewable energy sources they know that these sources of energy production currently and in the foreseeable future will only provide a very small portion of the increasing electrical energy demands of the world;

AND WHEREAS coal, oil, natural gas, diesel, etc fired power plants; hydroelectric generating plants; nuclear power plants; renewables (such as wind, biomass, solar, etc); etc. currently meet the electrical power demands of the world;

THEREFORE BE IT RESOLVED that the ICEM support a balanced electrical energy production policy which will include all of the above in order to improve the access to electrical energy and create a sustainable livelihood for the people of the world. .

BE IT FURTHER RESOLVED that the ICEM develop an extensive energy policy for affiliates.

### **13. Women in ICEM**

(Proposed by BDSVU, Botswana)

#### **AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS**

The ICEM shall always strive towards gender balance at all levels of its decision making bodies.

Affiliates shall support the women elected and ensure their effective participation in all ICEM bodies/structures/working groups.

The Secretariat shall appoint more women project coordinators to ensure a higher gender profile and greater women's participation in all ICEM activities and projects.

Decisions to provide resources and support shall include considerations of gender representation.

Women must be facilitated to participate as speakers on panels and to chair sessions of conferences and Congress.

ICEM Officers shall meet the women's structures in the regions and reflect gender aspects in their reporting to the Presidium and Executive.

All delegations to represent ICEM shall include women.

Delegations to ICEM events shall include women, and women should be represented proportionate to the union's/country's/region's membership.

To enhance the participation of women, ICEM shall provide support for women's regional activities and encourage the regions to organise the funding.

Gender balance shall also be considered when electing the chair and vice-chairs of the sections and/or regions.

The language in the statutes shall be gender neutral, with chairman replaced each time by chair or chairperson.

The gender dimension in contract and agency labour work, global agreements and ICEM projects shall be strengthened.

The ICEM women's committee shall be in charge of monitoring compliance with these provisions.

## **14. Women in Africa** (Proposed by the NUM)

### **AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS**

#### ***Organisational***

- The constitution and emphasis of fair representation of women within the Continent in all forums of the Union & beyond i.e. in structures, dialogues, almost every strategic forum, meetings, etc. This should be endorsed by the Conference and the practicality accounted in a form of a deliverable.
- Continued effort and acceleration of women mainstreaming through capacity building i.e. training and development and financial support;
- Condemn the subjection of women to poverty, oppression and the violation of their rights by Country's repressive laws in our Unions robustly and seep through to the broader society;
- Launch a Campaign within the Continent aimed at eradicating any form of abuse against women and children with emphasis on condemning Child Labour;
- Continued mass education on the HIV & AIDS pandemic aimed at empowering women to be able to deal with the dynamics surrounding the disease. E.g. Gender & Culture dynamics etc.

#### ***Health and Safety***

- Decent work for women workers and a living wage;
- Proper research be instituted to unpack the physiological challenges that limit the progression of women into Mining;
- Mobilizations of sister unions to participate in the project through introduction into their agenda's with employers and have consistency and uniformity within the Continent and the Mining houses
- Campaign for proper ablution systems in all Mining houses where the Federation has members and set a criterion for every employer to comply. This will in return show the preparedness of employers for the initiative and not only a matter of complying as they do with the Mining Charter in South Africa
- Condemn the subjection of women workers to discriminatory policies within the Industry that seclude them from other workers i.e. FWC & PWC, Heart tolerance test, pregnancy policies, functional work capacity and physical work capacity

## 15. The Situation in Zimbabwe

(Proposed by ZEEWU, Zimbabwe)

### AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS

Workers in Zimbabwe are facing a lot of challenges and as such we would urge ICEM and other affiliates to support and show Solidarity in the hard times the workers are going through.

- Workers still earn below PDL to the extent that what they earn can not sustain them
- Workers are being paid a slave wage for their labour and have been turned into paupers if not outright beggars
- CBAs which are being attained are quickly eroded due to inflation
- Inflation is going up on a monthly basis viz:
  - 🇿🇼 January 1593.60 %
  - 🇿🇼 April 3713.90 %
  - 🇿🇼 May 4500.00 %
- Cost of medication is beyond affordability as salaries are low and this makes the worker less productive and this has affected even trade union participation as the workers are beginning to doubt the ability of trade unions to bargain for a living wage.
- ARVs are not adequate, if accessible at all
- Cost of education is too high, making it very difficult for most workers to invest in their children's education
- Shortages of basic commodities is now the order of the day, due to the deteriorating economy.
- Shortages of foreign currency and fuel is promoting the parallel market such that everything is bought from the alternative market.

Resolve:

- ✓ That ICEM and other sister organizations try at international gatherings like ILO to push for real tripartite engagement in Zimbabwe.
- ✓ The international Community put pressure and support for the SADC initiative on Zimbabwe.
- ✓ The trade union movement and other donor organizations not to leave Zimbabwe during these challenging times.

## **16. Support for SYNASEG, Ivory Coast (Côte D'Ivoire)**

(Proposed by the Sub-Saharan Africa Region of the ICEM)

### **AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS**

In view of the report by SYNASEG to the ICEM Sub-Saharan Africa Regional Conference, notably concerning the crisis existing since August 2005 between SYNASEG and one of the employers in its sector, the CIE (Compagnie Ivoirienne de l'Electricité – Ivory Coast Electricity Company), a subsidiary of the French Bouygues Group – a crisis concerning the confiscation of all union dues, the plan to unfairly dismiss trade union leaders, the ostracism practised against SYNASEG, and the unilateral, opaque management of the various Funds into which the contributions imposed on workers are paid ;

Considering the CIE's clear, enduring wish to "crush SYNASEG", on account of its trade union independence and its determination to truly defend workers' interests; the CIE's wish being marked by the flagrant and intentional violation of freedom and of the exercise of trade union rights, interference in union business and discrimination between trade unions present within the CIE;

Considering the judicious and positive involvement of members of the Government, resulting in notable advances towards a resolution of the crisis;

In view of the results already obtained by SYNASEG through the struggle currently underway, to the benefit of the workers (the updating of wages and a ceiling on electricity charges);

In view of the cases currently pending before the courts (co-management of Funds, confiscation of dues and the plan for unfair dismissals);

The delegates to the ICEM Sub-Saharan Africa Regional Conference:

1. Fully appreciate and unreservedly support the noble combat and struggle waged by SYNASEG to defend its independence, which is non-negotiable, and to defend the workers' interests, and congratulate the leaders of SYNASEG and encourage them to continue the struggle until it is finally resolved;
2. Congratulate the Government on its involvement in resolving the dispute, and call upon it to persevere in this task, in order to end once and for all the current crisis in a highly strategic, sensitive sector;
3. Firmly condemn the anti-union behaviour of the CIE towards SYNASEG, call upon the CIE to respect the legal and collective agreement provisions in force in the Ivory Coast concerning freedom and the exercise of trade union rights, and demand that the CIE embark without delay on frank, good faith negotiations with SYNASEG in order to finally resolve the current crisis, which could seriously disrupt the social climate within the enterprise, and indeed the Social Peace, as there can be no Peace without Justice.

With faith and confidence in the power of dialogue to resolve any conflict, of whatever kind, the ICEM Sub-Saharan Africa Regional Organisation hopes for the establishment of a real "win-win" partnership between the social partners in general, and more particularly between the CIE and SYNASEG, so as to promote the reputation of the company and the happiness of the workers.

Long live Trade Union Solidarity, so that the ICEM may live.

## **17. Trade union rights worldwide**

(Proposed by the Centrale Générale, Belgium)

### **AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS**

The ICEM Congress salutes the trade unionists worldwide, both women and men, who are taking a stand against social injustice and are organising workers to defend their rights and make society more human.

Congress notes that, in very many parts of the world, assaults on trade union rights are continuing in various forms, the most serious of which are murder, violence, detention and violations of people's most basic rights as human beings.

Congress denounces the direct attacks made upon the trade union movement and trade unionists in very many countries by governments, political groups and national and multinational employers.

Congress recalls that an attack on one trade unionist anywhere on the planet is an attack on all.

The ICEM confirms that it stands shoulder to shoulder with the men and women who are resisting, particularly within the world of work.

In this respect, and without excluding action in other cases, it has embarked upon, and will continue, concrete action in the face of the particularly unacceptable situations existing in Colombia and Palestine.

#### **Colombia**

In Colombia, the very survival of trade unionists and the existence of the trade union movement are at stake, and our action is in support of that survival, particularly in the oil and electricity sector, which is falling prey to privatisation and systematic anti-unionism.

Congress declares its solidarity with all of Colombia's trade unionists, 72 of whom were murdered in 2006 because of their action in the workers' service. It denounces the impunity enjoyed by the murderers and believes that the Colombian authorities are neglecting their duty by not taking the necessary measures, notably with regard to the paramilitary groups who are responsible for numerous crimes.

It also denounces the policies pursued by these authorities, who have reformed labour legislation in an anti-social sense, paving the way for longer working hours and a flexibility that will lead to growing precarity, and who have opted for privatisations that are having the effect of eliminating collective agreements and annihilating trade union structures.

It welcomes the agreement reached in Geneva on 1 June 2006, within the framework of the International Labour Conference, between the three Colombian trade union centres (CUT, CGT, CTC) and the employer and government representatives, ensuring a permanent presence of the International Labour Organisation (ILO) in Colombia.

It is the wish of Congress that this agreement, by enabling continuous monitoring of the situation in Colombia, may lead to a noticeable improvement in that situation, particularly as regards the right to life, trade union freedom and the right to freedom of association

and collective bargaining. Congress calls upon the ICEM to support the Colombian trade unionists' action, so that this agreement may secure significant advances.

Congress demands the rapid release of all trade unionists and democrats, men and women alike, and in particular of Ingrid Betancourt.

## 18. Solidarity without frontiers

(Proposed by the Centrale Générale, Belgium)

### AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS

All over the world, men and women are battling, facing danger and dying to secure respect for what are sometimes the most basic of rights.

All over the world, trade unionists are at the forefront of this combat.

More than ever, capitalist globalisation is linking the destinies, interests and struggles of all workers, wherever they are. In the name of profit, it is shifting the balance of power against a political, economic, social and cultural development based on human needs.

Our response is to build a global trade union counterpower. The ICEM's international action contributes to this.

The priorities that it sets itself are :

- *The promotion and active defence of trade union rights, which are an essential part of basic human rights*
- *Support for the creation and development of independent, free, democratic, campaigning trade unions*
- *Active participation in the International Trade Union Confederation (ITUC), so that the international trade union movement may be an independent power, able to achieve its aims by its own means*
- *The promotion of the International Labour Organisation (ILO) as a social legislator within the framework of a democratic global governance*
- *An active presence in the international institutions and social forums that discuss, and sometimes decide, issues concerning the living and working conditions of the majority of humankind*
- *Support for all trade union initiatives aimed at maintaining or restoring peace through democracy, social justice and the establishment of positive relations between peoples*
- *Working, through the promotion of global agreements and trade union networks within multinational enterprises, towards a fair economy and a just distribution of wealth*
- *Continuing to develop and disseminate concrete projects within the framework of international solidarity.*

The ICEM mobilises and organises the human, financial and material means needed to conduct all the activities that can contribute to achieving these priorities, on the basis of its own criteria.

To ensure its trade union independence in relation to any outside power, it gives preference to using its own resources, without neglecting those that can be obtained through other channels.

The ICEM gives absolute priority to direct cooperation between trade unions. It works with other groups and organisations which share its values and objectives, on the basis of its own values and priorities and its own complete freedom of action.

To ensure the broad involvement of its membership in this action, the ICEM carries out information, awareness-raising, training and mobilisation work.

## **19. COLOMBIA**

(Proposed by The Latin American and the Caribbean Region as agreed at Regional Conference in Salvador)

### **AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS**

The World Congress of the International Federation of Chemical, Energy, Mine and General of Workers' Unions (ICEM), meeting in Bangkok, Thailand, in November 2007, demands the government of Colombia, represented by the President Alvaro Uribe Velez, to give proper guarantees to outsourced, subcontracted and temporary workers, enabling them to exercise the right of association and assembly.

We also request truth, justice and reparation for the crimes committed against the trade union movement as a social organisation.

## **20. Cuba**

(Proposed by the Centrale Générale, Belgium)

### **AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS**

Congress demands an immediate end to the trade embargo against Cuba, decreed unilaterally by the US.

This American embargo constitutes an obstacle to the development of both the economic and the social basic rights of the Cuban population.

## **E. 1. Motion on Solidarity with the Thai Workers' Struggle for Democracy and Trade Union Rights**

### **AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS**

The 4<sup>th</sup> World Congress of the International Federation of Chemical, Energy, Mine and General Workers' Unions (ICEM), meeting in Bangkok, Thailand, on 22-24 November 2007,

*Concerned* about the current political situation and the lack of democracy under the unlawful military rule,

*Considering* that the right to freedom of speech and expression has been severely violated since the military coup,

*Noting* that EGAT-LU is renewing its anti-privatisation campaigning efforts, thereby putting pressure on the government to revoke the draft law on privatisation,

*Realising* that privatisations in Thailand would affect all people in the country and that such important decisions can not be left to a handful non-elected individuals,

*Considering* the position by Goodyear in Thailand to prevent short term contract workers from organising with the Petroleum and Chemical Workers' Federation of Thailand (PCFT)

*Considering* that Thai Industrial Gases, now a subsidiary of Linde, prevented workers from organising with PCFT and dismissed leaders of the organising effort

*Considering* that American based Almond Jewellery dismissed leaders of the Ornament Industry Workers' Union, and further, Siam Stars, controlled by the Belgian IGC Group, engaged in anti-union behaviour with the same union,

*Considering* that SIG Combibloc, now owned by New Zealand based Rank Group, fired a trade union branch leader of the Paper and Printing Federation of Thailand,

*Recognising* the efforts by ICEM Thai affiliates to build stronger unions, and recognising the positive role played in this by the ICEM Thai Affiliates' Committee,

*Urges* to immediate end the martial law in the 179 districts in 31 provinces where it is still in force,

*Calls* for a free and transparent election process ahead of the general election, scheduled for December 23, 2007,

*Demands* the respect of freedom of expression,

*Strongly* condemns the fact that the military leadership is pushing for a new National Security Act, which aims to further restrict democratic movements in the country,

*Demands* to drop all court cases that the military have filed against human rights defenders that protested against the military,

*Demands* that Thai authorities postpone all activity in the area of labour law reform, leaving this task for the newly elected democratic government, which is to be formed after the general election,

*Strongly* defends the position of EGAT-LU to oppose the new draft Thai privatisation law,

*Calls* upon all social partners in Thailand to firmly adopt the principle of 'social dialogue', as well as to comply with all relevant international labour standards,

*Demands* for all multinational companies in Thailand, including Goodyear, Linde, Almond Jewellery, the IGC Group and the Rank group, to refrain from unfair labour practices and to bargain with unions in good faith,

*Pledges* to continue to fully support all efforts by ICEM Thai affiliates towards building strong and democratic unions.

## **E. 2. Motion on Burma**

### **AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS**

ICEM 4th World Congress, meeting in Bangkok, Thailand, on 22-24 November, 2007,

#### Recalling

that in spite of international efforts made by UN, many governments and organizations including the international trade union movement for the past 15 years, there has been no big progress in restoration of democracy in Burma,

#### Noting

that the declaration adopted by the 4th International trade union conference on Burma held in Kathmandu, Nepal on 3-4 April 2007, which called on the Burmese military regime to engage in genuine dialogue with NLD (the National League for Democracy) and the ethnic nationalities' organizations for the restoration of democracy and peace and to implement all the Recommendations of the ILO Commission of inquiry, to immediately end the use of forced labour and to prosecute those responsible for this crime against humanity,

#### Deploring

the crackdown of peaceful demonstration and arrests of those who exercised their rights to express their desire for democracy since the end of September 2007,

#### Fully noting

the important meaning of U.N. Security Council Statement on 11 October, 2007, which strongly deplored the use of violence against peaceful demonstrators and called on the military regime and all other parties concerned to work together toward a de-escalation of the situation and a peaceful solution,

#### Concerned

that the detention of Nobel Peace Laureate, Daw Aung San Suu Kyi was extend for another one year in June 2007 despite of strong international calls for release of the NLD leader and other political prisoners without any condition,

#### Further noting

that any form of investment and trade with Burma without democracy are only benefiting military regime directly or indirectly, but not the people in general,

#### Recognizing

that trade unions of Burma, such as the FTUB (Federation of trade Unions – Burma), operating in exile, are making unstinting efforts to seek freedom of association and to prepare to start trade union movement inside of Burma once democracy is restored,

#### Demands

that the government resumes its efforts for national reconciliation and democracy including dialogue with NLD, NCUB(National Council of the Union of Burma) and FTUB,

#### Requests

that the UN and ILO continues to pressurize the SPDC (State Peace and Development Council) for respect of human and trade union rights,

#### Calls

ILO to explore all possibilities of prosecution in the International Criminal Court of those responsible for forced labour and other crimes against humanity in Burma,

#### Further calls upon

that all the affiliates of ICEM to exert their influence together with national centers and fraternal unions and to approach their governments so that the international community could jointly pressurize the military regime to restore democracy,

#### Requests

that ICEM and its affiliates to urge multinational companies in our sector not to engage in trade and invest in Burma,

#### Reaffirms

determination of ICEM and its affiliates to continue our support to FTUB and other organizations which share our common goal, until restoration of democracy in Burma is achieved.

### **E. 3. Motion in support of peace in the Middle East and in support of the Palestinian trade union movement.**

#### **AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS**

The 4<sup>th</sup> ICEM World Congress, meeting in Bangkok Thailand, November 22-24, 2007 approves the following motion expressing support and solidarity to the Palestinian trade union movement, our affiliated trade union and the PGFTU.

Whereas ICEM strongly believes that a just peace in the Middle East will only be achieved with the peaceful negotiated resolution of conflict between Israel and Palestine with both sides committing to a peaceful resolution of the conflict.

Whereas ICEM continues to support a resolution based on a “two State” solution. This presupposes the recognition of the right of Israel to exist in peace and security. This also presupposes the creation of a viable Palestinian state. Such a State must have complete freedom of movement throughout its internal territory and land borders with other countries as well as with Israel. There will also need to be extensive international financial support to assist in the creation of such a Palestinian State.

Therefore resolves that:

ICEM gives full support to the right of the Palestinian people to self-determination; the right of Palestinian refugees to return to their homeland; the withdrawal of Israeli troops from all occupied territories; and the immediate removal of the illegally constructed separation wall.

ICEM gives full support to the right of the State of Israel to exist with genuine peace and security for its population.

ICEM calls for the restitution by the Government of Israel of revenue payments to the Palestinian Authority (PA) and the reintroduction of aid to the PA by the European Union, the United States Administration and others.

ICEM joins calls, such as that of the European Parliament, on October 11, 2007, for the immediate lifting of the blockade in Gaza and for the free movement for people and goods throughout the Occupied Palestinian Territories as well as guarantees regarding the flow of humanitarian aid, humanitarian assistance and essential services, such as electricity and fuel.

ICEM calls on the Palestinian people to unite around a program of action to build a lasting and secure peace in the Middle East.

ICEM will make every effort to promote dialogue between Palestinian and Israeli trade unionists and the building of direct links with Palestinian trade unions.

ICEM will intensify our work with our affiliated trade union in Palestine and with their federation, the PGFTU and calls on affiliates to assist us in this work.

## **E. 4. Motion in Solidarity with the emerging trade union movement of Iraq**

### **AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS**

The 4<sup>th</sup> ICEM World Congress, meeting in Bangkok Thailand, November 22-24, 2007 approves the following motion expressing support and solidarity to the emerging trade union movement of Iraq.

Whereas although welcoming the end of the dictatorial Baathist regime of Saddam Hussein, ICEM believes that the occupation of Iraq has been a disaster and its continuation is bringing suffering to the Iraqi people as well as leading to the unnecessary loss of coalition soldiers' lives.

Whereas future efforts to rebuild the country are hampered by the weight of the massive foreign debt accumulated under the Saddam Hussein regime. ICEM agrees with the calls for cancellation of Saddam's foreign debt without any conditions imposed upon the people of Iraq, who suffered under the regime that was supported by these loans and the calls for the cancellation of reparations imposed as a result of wars waged by Saddam Hussein's regime and the return of all Iraqi property and antiquities taken during the war and occupation.

Whereas oil revenues constitute the major part of the Iraqi economy and Iraq has the world's third largest oil reserves, it is clear that control of the Iraqi economy will be in the hands of whoever controls oil production. This also gives the ICEM a duty and obligation to be at the forefront of assisting the emerging trade union movement of Iraq.

Whereas new hydrocarbons legislation is being debated inside Iraq and it is clear that the draft legislation was heavily influenced by the governments of the occupation powers and the International Financial Institutions as well as major multinational oil companies. In particular, Production Sharing Agreements (PSAs) are being promoted within Iraq by the US government and by multi-national oil companies in "risk-free" oil exploitation and exploration.

Whereas new independent unions and women's organisations have emerged since the fall of Saddam's brutal regime and these organisations are central to any prospect of a democratic, secular Iraq.

Whereas the bedrock of any democracy is a strong, independent and democratic labour movement.

Whereas the Iraqi government has not repealed Saddam's decree No. 150 issued in 1987 that abolished union rights for workers in the extensive Iraqi public sector, including the oil and gas industry, and that under current laws, payroll deductions for union dues are not even permitted. Furthermore decree No. 8750 of the Council of Ministers has the potential to confiscate all funds held by trade unions and is preventing them from operating bank accounts and routinely collecting membership dues as well as drastically limiting their ability to function normally.

Whereas despite legal obstacles, Iraq's workers and their unions are in the forefront of the struggle for democracy and many trade unionists are being targeted for their activism, with some having been subject to intimidation, kidnapping, torture and murder.

Whereas ICEM has initiated work with the emerging Iraqi trade union movement and given support, solidarity and publicity to their struggles, including strike actions and in particular the oil unions fight against an inequitable hydrocarbons law.

Resolves that:

There must be the swiftest possible withdrawal of the coalition troops from Iraq and the dismantling of their military bases in favour of the Iraqi people being left free to build their country's infrastructure.

ICEM demands that the Iraqi government, as well as domestic and international companies operating in Iraq respect internationally recognized International Labour Organization standards that call for protecting the right of workers to organize free from all government and employer interference and the right to organize and bargain collectively in both the public and private sectors. These rights must be extended to include full equality for working women.

ICEM calls on the Iraqi government to place as a top priority the adoption of a new labour law that conforms to international labour standards to replace the old anti-worker laws and decrees.

ICEM condemns all acts of intimidation against Iraqi workers and their trade unions.

ICEM salutes the bravery of Iraqi workers and their trade unions and expresses full support to their struggle against the privatisation of the energy industries in Iraq and in particular their struggle to ensure that the oil and gas resources of the country remain the property of all the people of Iraq and that the industry is developed in a democratic way that maximises the benefits to all Iraqi society.

ICEM will intensify its work with and in support of the emerging trade union movement. ICEM will continue to work with all trade union organisations in Iraq that have an industrial structure we can relate to and a real presence in the workplace and calls on all affiliates to assist us in this work.

## **E. 5. Motion on Health and Safety in the Mining Sector**

### **AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS**

The 4<sup>th</sup> World Congress of the International Federation of Chemical, Energy, Mine and General Workers' Unions (ICEM), meeting in Bangkok, Thailand, on 22-24 November 2007,

*Considering* that the share of all Extractive industries in global Foreign Direct Investment (FDI) increased between 2000 and 2005, for the first time since the Second World War,

*Considering* the high price of natural resources globally,

*Considering* that a growing part of the increasing global profits of companies in the Extractive industries goes to shareholders and other parties, and not to workers, who, in many companies and countries, are denied their fair share in the booming mining business,

*Realising* that, generally as a result of pressure by energy-hungry world markets, as well as by financial stakeholders, including private equity firms, companies across the world are increasing production while, at the same time, cutting costs without putting the proper proportion of profits into health and safety,

*Concerned* about the pressure being put on workers world-wide in the mining sector to meet increased and often unrealistically high production targets,

*Noting* that, in many developing countries, companies and workers often operate with old and ineffective equipment,

*Considering* that, in many countries, salaries and benefits are increasingly linked to production targets or output, putting pressure on mineworkers to disregard safety procedures,

*Considering* that mining operations increasingly operate in isolated places as well as under technically more challenging conditions, such as shafts deeper and deeper into the earth, for example in the gold mining sector,

*Noting* that, in several countries, older and unsafe mines have been reopened to face the increasing energy demand,

*Noting* that there is a world-wide escalation in the use of contract and agency labour, also in the mining sector, causing an even further deterioration of the health and safety situation in mines,

*Noting* that the number of fatal accidents in the mining sector continues to be extremely high in many countries, including in China, which is responsible for 80 % of all fatalities, but also in other countries, such as Colombia, Chile, India, Mexico, Peru, Poland, Russia, South Africa and Ukraine,

*Believing* that not only companies, but also governments have an extremely important role to play, including through the adoption of relevant international standards, *Believing* that the principles brought forward in the ILO Convention 176,

including independent inspection, independent investigation and security procedures are essential issues,

*Noting* that 22 countries have already ratified the ILO Convention 176,

*Stressing* that a strong trade union representation is an extremely important requirement for having high-quality health and safety conditions in the mining sector,

*Calls* on the ICEM and all its affiliates to increase efforts towards a safer and healthier environment in the mining sector

*Further requests* the ICEM to continue to campaign globally for more health and safety in the mining sector, including through an extensive effort towards the ratification of ILO Convention 176,

*Further calls* on the ICEM to use the health and safety language in the global framework agreement with AngloGold as a good example for future work,

*Further calls* on the ICEM to continue to expand the ongoing good cooperation with the International Council on Mining & Metals (ICMM) on health and safety in mines,

*Further calls* on companies in the mining sector to make the health and safety of mine workers their number one priority,

*Further demands* companies in the mining sector to engage in extensive dialogue with its workers on the issue of health and safety in mines, with stronger and better protections of mineworkers in mind,

*Further calls* on all companies and governments to recognise that trade unions are much needed partners in order to reduce the health and safety dangers and risks in the mining sector,

*Further calls* on those governments world-wide that have not done so, to ratify ILO Convention 176 on Safety and Health in Mines.

*Further demands*, as called for in the ILO Convention 176, that a national policy on mine safety and health is installed in all countries; that national agencies be created that thoroughly and regularly can inspect and investigate all mining activity; that safe and reliable emergency procedures be put in place in the event of accidents; that miners are allowed to freely, and without prejudice, notify authorities and management of unsafe conditions; that miners have the right to call for expedited inspections or investigations, and that they have full access to all information and data concerning mine safety and health; that they have the right to leave a mining operation in the event of serious risk; and that worker representation backing these rights is guaranteed.

Further believing that, equally in line with the ILO Convention 176, mining employers seek to eliminate all mining deaths and accidents by controlling and reducing inherent mining risks; that they provide the necessary equipment and communication systems to guarantee full security; and that they preserve the land and the environment, as well as the well-being of the communities and the people who reside in those communities near their mining holdings.

## E. 6. Decent Work – Decent Life

### AS ACCEPTED BY THE 4<sup>th</sup> ICEM WORLD CONGRESS

*Considering* the ‘Decent Work, Decent Life’ campaign, led by the International Trade Union Confederation, Solidar, the Global Progressive Forum, Social Alert International and the European Trade Union Confederation

*Bearing in mind* that many key decision makers from national governments, international institutions and national and international trade unions already signed the Call to Action for ‘Decent Work, Decent Life’ in Lisbon, in October 2007

*Noting* that the call to action has seven key demands, including changing unfair trade rules, protecting the rights of workers to organise, ratifying and implementing the UN and ILO conventions around the protection of migrant workers and providing social protection to the 60% of the world's population who live without it.

*Considering* the special interest for the ICEM industries in the subject matter, in particular in view of the ICEM's campaign on contract and agency labour

*The 4<sup>th</sup> ICEM World Congress*

*Endorses* the principles of the call to action, and asks the ICEM President and General Secretary to sign the call to action in name of the ICEM

*Requests* the ICEM to call on all its affiliates, and their members, in both developing and developed countries, to also sign the call to action, the text of which is attached here below, at <http://www.decentwork.org>,

*Further requests* the ICEM to call on all affiliates and their members to strongly support the principles contained in the call to action, and to widely distribute the call.

*Further requests* the ICEM to call on its affiliates to strongly support the World Day for Decent Work in October 2008.

### **CALL TO ACTION**

*We believe that decent work is central to eradicating poverty, improving the lives of women and men and enabling people to live in peace and dignity. We hence call on decision-makers urgently to:*

**1. Decent work:** *Reaffirm the contribution stable and quality jobs make to a healthy economy and just and equal communities by implementing inclusive strategies for full and productive employment, including for those currently working in the so-called informal economy who need rights and justice to defend their interests. All people have the right to work, to good working conditions and to sufficient income for their basic economic, social and family needs, a right that should be enforced by providing adequate living wages.*

**2. Rights:** *Workers' rights to form and join trade unions and bargain collectively with their employer are fundamental to realising decent work, and all international organisations, governments and businesses must live up to their responsibilities to respect workers' human rights.*

**3. Social protection:** Strengthen and broaden social protection coverage by ensuring access to social security, pensions, unemployment benefits, maternity protection and quality health care to all. These benefits should be available to everyone, including workers in the so-called informal economy.

**4. Trade:** Change unfair trade rules and ensure that trade agreements are used as an instrument for decent work, sustainable development and empowerment of the world's workers, women, the unemployed and the poor. Binding mechanisms for the promotion and enforcement of decent work, including core labour standards, must be included in trade agreements. Governments must stop making trade deals which hurt the poor, create unemployment and lead to exploitation. The demands of workers' organisations and the rest of civil society must be listened to.

**5. Debt:** Ensure that the priorities of the international financial institutions incorporate social and environmental concerns. Particularly, loan and debt conditions which force countries to deregulate labour markets, reduce public spending and privatise public services at the cost of access and quality must be stopped. All projects funded by these institutions must adhere to core labour standards in their implementation.

**6. Aid:** Ensure that governments keep their commitment to increase the level of official development aid of rich countries to at least 0.7% of GDP. Adequate financing for development is imperative if the UN's Millennium Development Goals are to be reached.

**7. Migration:** Ensure that migrant workers are not exploited and enjoy the same rights as other workers by ratifying the relevant ILO Conventions and the 1990 UN Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.