

## *Social and Economic Justice*

### **11. INTERNATIONAL – THE WORLD WE WANT**

#### **INTRODUCTION**

1. The warning that the global trade union movement had been raising about the dangerous effects of unfettered trade and investment liberalisation, the deregulation of the labour market and the growing power of corporations ultimately causing great disruption has materialised. We are now witnessing the results of this potent mix with three decades of unparalleled economic inequality. This increased concentration of earning power and wealth has made the top 10 percent of the world's population immensely richer while the middleclass has been hollowed out and increasingly squeezed.
2. This kind of global inequality has contributed to many other crises in the world from ethnic conflict and wars, through to the denial of human rights and democracy. Peace, democracy and rights are collateral damage in an increasingly fractured world. The displacement of people is higher than any time in history, the threat of nuclear war is very real and our democracies are increasingly powerless against rising authoritarianism and dictatorship. Congress is committed to a world free of weapons of mass destruction beginning with the full implementation of the Nuclear Non-Proliferation Treaty, and reducing the proliferation of arms by calling on the Government to reducing military spending and invest in vital public services, decent jobs and renewable energy instead. Congress commits to standing on the front lines of struggles for peace and democratic rights and against autocratic governments and associated militarism.

#### **WORKERS' RIGHTS**

3. Congress asserts the need for strong, independent, representative and democratic unions in all nations. We salute the courage of workers facing conflict, struggles for liberation and democracy, the fight against starvation, discrimination and exploitation in every quarter of the globe.
4. Congress maintains that unions, workers' organisations and social justice movements are essential to protecting the rights of all of the world's working people and lifting people out of poverty. We stand in solidarity with the global labour movement for decent work, against exploitation and precarious work. Forced and slave labour in global supply chains is a scourge to be eliminated everywhere.
5. Key to this should be the recognition that freedom of association and the right to collectively bargain play an important role in lifting wages and conditions, improving the safety of workplaces and increasing productivity. Evidence from a large sample of countries suggests

that labour market regulations (such as minimum wages, unionisation, and social security contributions), on average, tend to improve the income distribution.

6. Today, an estimated 60.7 per cent of the world's workers labour in the informal economy, where employment relationships are not legally regulated. In some developing countries, informal jobs comprise up to 90 per cent of available work. Millions of informal workers labour in global supply chains, where some of the worst abuses of freedoms of association and peaceful assembly are found and where migrant workers are often concentrated.
7. Both trade unions and the right to strike are fundamental tools to achieving workers' rights, as they provide mechanisms through which workers can stand up for their interests collectively, and engage with big business and government on a more equal footing. The State is obligated to protect these rights for all workers. The right to strike is enshrined in the constitutions of at least 90 countries and has become customary international law.
8. However, workers' ability to exercise these rights is in dangerous decline. Many countries restrict workers' rights or fail to enforce laws protecting those rights. The International Trade Union Confederation found that 50 of 141 countries surveyed had such restrictions. Some States ban all legitimate unions, including Saudi Arabia and the United Arab Emirates. Countries such as China which own or operate enterprises do not permit the formation of independent unions, thus violating association and assembly rights both as a government and employer.
9. The number of countries in which workers were killed for their trade union activity rose from 10 to 11 (Italy, Bangladesh, the Philippines, Brazil, Colombia, Guatemala, Honduras, Mexico, Peru, Venezuela and Mauritania) and the number of countries where workers were exposed to violence increased from 52 countries in 2016 to 59 countries in 2017. This violence included threats, kidnappings and physical violence from state security forces and gangs working on behalf of companies. There were 44 countries where the arrests and detentions of trade unionists were recorded. There is a trend which is being used as a method seeking to control the activism of trade unionists, particularly in repressive regimes. In 31 of these countries, trade union leaders were targeted, suggesting that governments (often in collaboration with employers) are attempting to undermine the organising capacity of trade unions.
10. In addition, states that allow the use of precarious and informal labour to avoid legal employment obligations, such as minimum wage rates, benefits and unionisation, are failing to respect workers' assembly and association rights. These violations of basic labour rights are on the rise. As the UN Rapporteur on Freedom of Assembly and Association notes 'States' failure to enforce laws and regulations has strongly contributed to the inability of workers to exercise their assembly and association rights. Without any realistic legal or democratic political recourse, workers are condemned to a new poverty'.
11. In order to ensure that people are able to work their way out of poverty, insecurity and inequality, Congress calls on the Australian Government through domestic and international institutions, and in its bilateral relationships to genuinely support, promote and enforce:
  - a) Freedom of association and collective bargaining as key to raising wages and dealing with the race to the bottom;

- b) Creating a living-wage floor for all workers, in both formal and informal employment, regardless of the nature or structure of the work;
- c) Regulations to deal with insecure work due to casualisation, the so-called gig-economy and other forms of non-standard work;
- d) The provision of social protection to those in the informal economy;
- e) The ratification of all 8 core ILO Labour Conventions throughout the Asia Pacific region being
  - Freedom of association and the effective recognition of the right to collective bargaining (Convention No. 87 & No. 98)
  - The elimination of all forms of forced and compulsory labour (Convention No. 29 & No. 105)
  - The effective abolition of child labour (Convention No. 138 & No. 182)
  - The elimination of discrimination in respect of employment and occupation (Convention No. 100 & No. 111)
- f) Ratification and subsequent promotion in the Asia Pacific Region of the following: the UN Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, 2003; ILO Maternity Protection Convention, 2000 (No. 183); ILO Convention on Indigenous and Tribal People (C.169); ILO Domestic Workers Convention, 2011 (No. 189); ILO Home Work Convention, 1996 (No. 177); ILO Safety and Health in Mines Convention, 1995 (No. 176); IMO Convention on Safe and Environmentally Sound Recycling of Ships 2009; ILO Labour Relations (Public Service) Convention, 1978 (No. 151); ILO Collective Bargaining Convention, 1981 (No. 154);

## **CORPORATE POWER AND HUMAN RIGHTS**

12. While it is difficult to estimate the exact number of workers engaged in global supply chains (GSCs) considering the overwhelming number of workers in the informal economy who may be linked to GSCs, there is consensus that the number of jobs linked to GSCs is growing. UNCTAD estimates that around 80% of global trade is linked to the international production networks of multinational corporations (MNCs). Whilst they have contributed to economic growth, job creation, and in the case of China and India poverty reduction, modern supply chains are riddled with problems and are yet another reason behind growing inequality. As the ILO notes:

*“Failures at all levels within global supply chains have contributed to decent work deficits for working conditions such as in the areas of occupational safety and health, wages, working time, and which impact on the employment relationship and the protections it can offer. ...The presence of child labour and forced labour in some global supply chains is acute in the lower segments of the chain. Migrant workers and homeworkers are found in many global supply chains and may face various forms of discrimination and limited or no legal protection.”*

13. These issues arise out of a combination of factors including purchasing practices with an unequal bargaining power between multinational companies/lead firms and suppliers, one which is further aggravated with increasing mergers and acquisitions. Some ten automobile companies control 77% of the global automobile market<sup>1</sup>, while the global market of personal computers is controlled by 4 companies. In a similar vein, agri-business and tech companies hold greater and greater control over food and data supply chains threatening food security and privacy.
14. At the end of the chain, small suppliers and workers are paying the price of this unequal distribution with a small share of the retail price that goes to these lower layers. Global competitive pressures (just in time/lean production models and prices) are also at the basis of the downward pressures on wages, working conditions and respect of labour rights in supply chains. Collective bargaining is almost absent and health and safety laws are often flouted. Supply chains are also associated with significant levels of migrant employment recruited through third party labour contractors and through intermediaries/labour hire agencies. Recent cases in Australia clearly show that whilst abuses in supply chains are a global problem they are also very much a domestic problem.
15. The International Trade Union Confederation (ITUC) and the Global Unions Council bring together national councils and confederations with the Global Union Federations (GUFs) to jointly tackle agreed priorities for the global union movement. Congress is committed to regional and global organising, and will work with affiliates and their GUFs to co-ordinate action plans in strategic industries, along global manufacturing and transport/logistics supply chains and in regions.
16. Congress commits to:
  - a) supporting rights at work and secure fair labour laws in other countries;
  - b) organising workers in global corporations and their supply chains through international collective bargaining and the use of our leverage with Australian companies;
  - c) organising in economic processing zones (EPZs);
  - d) holding governments to account for their effective commitment and a comprehensive suite of effective Sustainable Development Goals (SDGs), incorporating commitments to a decent life and decent work

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<sup>1</sup> Deloitte, *A new era – Accelerating towards 2020 – An automotive industry transformed*, 2015, p.5  
<https://www2.deloitte.com/content/dam/Deloitte/in/Documents/manufacturing/a-new-era-auto-transformation-report-online.pdf>

## UN GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS

17. In 2011, the Government co-sponsored the UN Human Rights Council resolution endorsing the UN Guiding Principle on Business and Human Rights (UNGPs). The UN Guiding Principles are grounded in recognition of: (a) States' existing obligations to respect, protect and fulfil human rights and fundamental freedoms; (b) the role of business enterprises as specialized organs of society performing specialized functions, required to comply with all applicable laws and to respect human rights; and (c) the need for rights and obligations to be matched to appropriate and effective remedies when breached.
18. In 2017, the Government created a Working Group to translate the UNGPs into the domestic legal and policy framework in the form of a National Action Plan. The NAP sets out the concrete steps the Government will take to implement the UNGPs, including its expectations of business and other stakeholders regarding their conduct in Australia and abroad. The Working Group wrote a report which they gave to the Government. In October 2017, one day after starting their term on the UN Human Rights Council, the Government decided that they would not proceed with a National Action Plan
19. In order to deal with supply chain issues, the Australian Government should look to swiftly implement a National Action Plan (NAP) by:
  - a) Conducting a thorough, consultative and efficient national baseline assessment to identify gaps in Australian legislation for the purposes of implementing the UNGP
  - b) Ensure the NAP development process is highly transparent, engages with trade unions and civil society,
  - c) Ensure the NAP is action-orientated, with forward-looking targets which address the interests of all groups in society (including the most marginalised) and includes adequate access to remedy measures;
  - d) Amend the Commonwealth procurement rules to develop mandatory minimum criteria prioritising access to Commonwealth procurement contracts for those businesses with identifiable human rights due diligence, reporting frameworks, and positive human rights records.
  - e) Strengthen human rights performance standards and monitoring procedures used by the Australian Government in its business relationships.
  - f) Develop legislation mandating human rights due diligence, considering the approaches in, for example, the *Illegal Logging Prohibition Act and Regulations* (2013) which prioritises at-risk sectors, or the French Corporate Duty of Vigilance Law 2017, which requires large French companies to identify and prevent adverse human rights (and environmental) impacts.
  - g) Review Australian corporations law to clarify whether the duty to act in the best interests of the corporation contained in s.181(1) of the Corps Act permits directors to give effect to business enterprises' responsibility to respect human rights.
  - h) Establish an inquiry to consider how to reduce the procedural and substantive

barriers to accessing remedy through judicial and administrative mechanisms.

- i) Consider ways to reduce the procedural and substantive barriers to remedy for domestic and overseas business-related human rights abuses through judicial and administrative mechanisms, considering the recommendations set out by the Office of the United Nations High Commissioner for Human Rights.
- j) Lobby Australia's States and Territories, who have adopted the Model Work Health and Safety Act and their Work Health and Safety Regulators, to start prosecuting breaches of their health and safety legislation in overseas supply chains, where the person controlling the business or undertaking is based within Australia. Including extending the inspection powers of Australia's Work Health and Safety Act Regulators, to match the overseas reach of the duties in sections 19 to 27 of the relevant Work Health and Safety Act. To take similar action in Victoria & Western Australia, who have yet to adopt the Model WHS Act.
- k) Commit adequate resources to implementing the UNGPs.
- l) Stop the practice of Australia's export credit agency, the Export Finance and Insurance Corporation (EFIC) providing loans to Australian corporations which abuse human rights.
- m) Support a UN Treaty on Business and Human Rights

#### **AUSTRALIA'S PERFORMANCE UNDER THE OECD GUIDELINES FOR MULTINATIONAL ENTERPRISES**

- 20. The OECD Guidelines for Multinational Enterprises are one of the world's leading standards with respect to human rights including workplace rights, and have additional impetus as being endorsed by the developed nations of the world including Australia. The Guidelines are consistent with the core labour standards of the International Labour Organisation and the UN Guiding Principles for Business and Human Rights.
- 21. The Guidelines create expectations of company performance that are in many cases over and above that which is required by law. This is the case in Australia, where our workplace laws fall short of international minimum human rights standards. The Guidelines also create expectations about the performance of Australian companies in other nations where our laws generally do not apply.
- 22. The problem with the OECD Guidelines in Australia is that they are almost invisible – very few have heard of them, they are not promoted by government and attempts to use the Guidelines' tools for making complaints about companies do not result in effective redress.
- 23. The key fault lies with the National Contact Point for the Guidelines – which Australia is required to have under the Guidelines. It is very poorly resourced (with no full-time staff), located in federal Treasury which is uncomfortable with the role, and is difficult for stakeholders who see to utilise it.

24. There has been an independent Review of the Australian NCP conducted in 2017. Congress supports the recommendations of the Review calling for the NCP to:
- a) be an independent body that is separate from other government authorities;
  - b) be adequately resourced with full time staff and a budget;
  - c) have mechanisms to consult and integrate stakeholder views, including those of trade unions;
  - d) have timelines for dealing with complaints, and make findings whether or not companies choose to participate in complaints resolution processes; and
  - e) effectively promote the Guidelines to Australian business.

## **SUPPLY CHAINS**

25. The proliferation of global supply chains has profoundly transformed the nature of cross-border production, investment, trade and employment. Trade in today's global economy is typically coordinated by lead firms through their global supply chains. The lead firm controls the global supply chain and sets the parameters with which other firms in the chain must comply. The intense price competition has led to larger profits for lead companies and ongoing exploitation of workers at the end of the supply chain. In many cases, victims of labour and human rights abuse are unable to investigate and pursue legal claims due to lack of access to information.
26. At the same time whilst governance over labour markets is a state issue, companies have been able to get around local laws, particularly in weak states that don't have strong unions or enforcement agencies. Supply chains have in effect created governance gaps which can only be rectified through more regulation. This regulation needs to apply domestically and abroad and ensure companies are held to account for their actions.
27. Australia is so much further behind other countries in our efforts to stop labour rights abuses and exploitation in supply chains. We have seen a range of initiatives in other countries, the UK Modern Slavery Act and California's Transparency in Supply Chains but they have always been somewhat stifled by either their voluntary aspects or lack of enforcement. Even the new French law which mandates due diligence had the penalties for non-compliance removed. However, this is still an important recognition that we have to move beyond just Corporate Social Responsibility and into government intervention.
28. Whilst the Coalition Government has committed to introducing a Modern Slavery Act which seeks to create transparency by companies providing information about their supply chains, the current draft has many problems. It does not include the requirement that companies do due diligence reporting, nor can Australian companies be held to account if the crimes are committed outside of Australia. As it currently doesn't prescribe penalties for those that don't comply, the Act will be ineffective, as the UK experience has proven. In addition, the Act looks to deal with criminal offences only whilst a lot of labour exploitation is in the grey area between crime and breaches of civil law.
29. In order to deal with these issues, Congress calls on the Government to:

- a) Reform the *Fair Work Act 2009* regarding 'arm's length' arrangements such as the use of labour hire firms and subcontractors
  - b) Establish a licensing and regulation scheme for the labour hire industry
  - c) Create public procurement legislation which commits companies in tendering processes to include compliance with ILO Core Conventions at home and abroad
  - d) Ensure the Modern Slavery Act includes:
    - e) due diligence requirements on companies ensuring they identify risks of violations, put in place a system to prevent them and provide an effective remedy when they occur.
    - f) provisions for subsidiaries of overseas companies to be covered by the legislative obligations as well as Australian companies acting abroad
    - g) penalties for failure to issue a statement, or having an appropriate policy on forced labour and human trafficking
    - h) Take stock of current developments in the area of regulation of supply chains (such as the French Corporate Duty of Vigilance Law, the Transparency in Supply Chains Act (California) and the Dutch Child Labour Due Diligence Law), and look at models that can be implemented to broaden supply chain regulation.
30. In addition, Congress commits to lobbying state governments and territories to implement supply chains legislation.

## **GENDER EQUALITY**

31. Economic policy is a critical tool that can promote or hinder gender equality and theoretically share the spoils of increased growth. Industrial and trade policies have both ignored and reinforced the structural barriers that impact women's ability to compete fairly in the labor market. Structural barriers include the gender wage gap, occupational segregation, women's over-representation in the informal economy and often women's double burden of paid work and unpaid care work. There is a common assumption that economic growth will automatically increase women's economic and social rights, however, this carries an inherent gender blindness. For example, economists and policymakers often point to short term jobs growth from trade policies. However short-term jobs growth often hides gender inequality in wages further entrenching historical wage discrimination in export-manufacturing industries such as garment work and electronic assembly.
32. Globally, women tend to be concentrated in the bottom levels of the global supply chain, in sectors with lower pay, less prestige and fewer benefits, such as the garment, electronic assembly and service sectors. More women than men work in agriculture, where they comprise approximately 70 per cent of the informal workforce. Further, women usually constitute 60 to 90 per cent of the workforce in special economic zones, where worker protections and right to collective bargaining are sharply reduced or eliminated in order to attract foreign investment.

33. Only about half of women globally are in the labour force, compared to more than three-quarters of men. Three-quarters of their employment is in informal and unprotected work. Discrimination, abuse and relegation to jobs at the bottom of the global economy undermine women workers' ability to join and form organizations that defend their interests. The global gender wage gap, currently estimated at 77 per cent, is a further indicator of discrimination against women workers.
34. Gender inequality plays out in both the public sphere and in the private sphere as women often have a double burden of paid work and a primary caretaker role in the home. The disproportionate burden of household work and care work often falls to women across cultures, inhibiting their mobility and limiting employment opportunities that often need to be balanced with family obligations. Across developed and developing countries this forces women into part-time, on-call, at-home or underpaid and under-valued care labour.
35. Whilst gender-based violence, which affects more than 35 per cent of women globally has increasingly come under the spotlight through the social media campaigns of #MeToo and #TimesUp, its occurrence at work continues to be neglected or ignored by policy-makers. Gender-based violence at work includes a spectrum of abuse from verbal abuse and threats, physical abuse; sexual violence; bullying; psychological abuse and intimidation; sexual harassment; economic and financial abuse; stalking; attempted murder and murder.
36. In order to achieve women's economic empowerment, we need a radical transformation of women's interaction with labor markets. Our domestic and international policies must be reoriented toward an explicit focus on gender equality that is focused on increasing women's economic and social rights, with a commitment to creating decent work for all women.
37. The Australian Government needs to shift from solely endorsing international frameworks to fully implementing and monitoring progress of international frameworks regarding gender and economic and social rights. Australia's current seat on the UN Human Rights Council gives Australia the opportunity to be a leader in promoting gender equality in the region and in the world. Being a leader on women's empowerment includes implementing and monitoring the progress of the:
  - a) UN Women's recommendations regarding economic empowerment from the 2015 Progress of the World's Women Report;
  - b) United Nations 2030 Agenda for Sustainable Development;
  - c) ILO Conventions on Discrimination (No. 111), Equal Remuneration (No. 100), Workers with Family Responsibilities (No. 156) and Maternity Protection (No. 183); and Recommendation 204 concerning the Transition from the Informal to the Formal Economy;
  - d) The Convention on the Elimination of all Forms of Discrimination Against Women;
38. Addressing structural barriers to decent work and equal participation in the labor market by:
  - a) ensuring access to basic social protections for all women, without regard to employment or migration status;

- b) creating robust and gender-inclusive labour rights inspection, monitoring and adjudication systems capable of identifying and addressing gender-specific labour rights violations, particularly gender-based violence and discrimination;
- c) providing full and equal access to education, skills and employment training programs, and addressing gender-specific barriers to inclusion;
- d) providing quality health care throughout women's lifecycles, parental leave, sick leave and other measures to reduce the burden of unpaid care and household work on women and households
- e) Increasing the historical under valuation of care work and domestic work traditionally done by women by including what is considered social reproductive work in a GDP measurement
- f) Increasing the support for sexual and reproductive health and rights within the aid program and in policy engagement with partner governments;
- g) Endorsing the call for an ILO Convention on Violence and Harassment Against Women and Men in the World of Work

#### **MULTILATERAL INSTITUTIONS AND AUSTRALIA'S HUMAN RIGHTS OBLIGATIONS**

- 39. Global inequality is one of the big reasons behind the rise of isolationist and xenophobic sentiments. In order to fight this trend we need to turn to rights advocated by the multilateral institutions such as the United Nations and the ILO and ensure those rights are enforced, protected and promoted.
- 40. Institutions such as the International Monetary Fund, the World Bank and the Asian Development Bank, despite some recent showing of awareness of human rights, including labour rights, are yet to come to the party and ensure that their lending standards promote the advancement of human rights, as opposed to undermine them.
- 41. Congress supports the work being undertaken by the ITUC in this area and calls on all international financial and development institutions:
  - a) to honour and respect the 2008 ILO Social Justice Declaration for a Fair Globalisation, which provides the framework for implementation of decent work built on core labour standards, social protection and safety;
  - b) to adopt effective social and environmental safeguards that require all investments and projects to comply with all ILO core labour standards, including freedom of association and right to collective bargaining, irrespective of their status in national law;
  - c) to create contracts which fully cover government workers, contract and sub-contract workers directly and in the supply chain, and to cover workers in the informal sector.

## INTERNATIONAL SOLIDARITY

42. International solidarity is a key part of our movement, and we will continue to stand with the unions and the people in those countries subject to conflict, occupation or dictatorship where there is no rule of law or no guarantee of democratic freedoms. Congress affirms the long-standing priorities for action for Australian unions through the ACTU are:

- a) to uphold the rights of workers everywhere and, in particular, in our immediate neighbourhood in the Asia-Pacific region;
- b) to work to eliminate discrimination, xenophobia and racism;
- c) to promote democratic reform and the peaceful resolution of conflict;
- d) to support an independent Australian foreign policy;
- e) to drive support for nuclear disarmaments and non-proliferation and abolition of weapons of mass destruction
- f) to monitor and seek to influence democratic, peaceful outcomes to support workers and unions especially in countries and areas of the Asia-Pacific region including:
  - Fiji, where the 2014 general election ended decades of overt military dictatorship. The repression of unions and systematic violations of human and worker rights under the military regime's Decrees are still yet to be resolved, Congress reiterates its solidarity with the Fiji Trades Union Congress and encourages all moves towards ending division and building unity across the Fiji union movement.
  - The Republic of Korea, where the Government is highly repressive of the right to join and establish trade unions and carry out legitimate union activities. In the past few years, the Korean Government has acted repeatedly to limit the basic freedoms of unions. We are particularly concerned with the arrest and prosecution of many trade unionists, the refusal to register and attempts to de-register unions, raids of trade union premises, the criminalisation of strikes and other trade union activities, and excessive damages claims against workers. The ACTU confirms its solidarity with the Korean Confederation of Trade Unions.
  - Cambodia, where the Hun Sen Government is attempting to silence political opposition and outlaw legitimate civil society and media scrutiny. The rights of free independent unions continue to be suppressed. Dozens of unions have had their official registration blocked, which has led to them being unable to conclude collective bargaining for their members. Informal workers, who represent 90% of the workforce, continue to be excluded from the Labour Law and the Trade Union Law.

- Burma/Myanmar, where progress towards true democracy has been halted by sustained state-backed violence perpetrated against the Rohingya people. The scale of murder and displacement of this minority group constitutes ethnic cleansing. Congress urges the CTUM and the broader Burmese labour movement to extend their solidarity to the people of Rakhine and seek to build an inclusive and tolerant nation in which strong democratic institutions serve all Burmese citizens.
- West Papua, where violations of human and trade union rights are endemic and reports of atrocities chillingly frequent. Congress supports the right of the West Papuan people to self-determination consistent with UN principles; recognises the Federal Republic of West Papua; and further supports the application by United Liberation Movement for West Papua for full membership of the Melanesian Spearhead Group.
- The Republic of the Philippines, where over 20,000 extrajudicial killings, including trade unionists, have taken place since President Duterte took office in June last year. Congress supports the Philippine trade union movement and applauds the ITUC in documenting the assassination, disappearance, and filing of false criminal charges against trade unionists, as well as cases of picketing workers being shot at.
- Turkey, where the Erdogan regime continues to persecute trade unionists in an attempt to silence the voice of workers. Freedom of opinion, expression and association are being systematically undermined, most recently with the arrest of union leader Elif Cuhadar. Police raided her home on February 6<sup>th</sup>, and jailed her for taking part of in a panel discussion 4 years ago. Along with the ITUC and ETUC Australian workers demand freedom and justice for the Turkish union movement.
- Iran, where independent trade unions are banned, and trade unionists are often imprisoned for attempting to exercise their right to freedom of assembly and association. During mass anti-poverty protests organised by workers earlier this year, independent labour organisations released a joint statement demanding “an end to poverty and misery”, urging the government to enact economic reforms. As a response, state repression of workers has been stepped up with arrests, arbitrary detention and lengthy prison sentences for trade association members. Australian unions add their support and solidarity to our Iranian comrades.
- The Kingdom of Thailand, where despite some positive legislative changes, modern slavery in the fishing and sex industries remains rife. Tens of thousands of people are kidnapped, suffer forced labour, and endure physical violence and the threat of death each year. Congress supports the ITF and ILO in their work to document and address the issues. Congress also calls on for the end of the military dictatorship.
- Syria, whose conflict has entered its 8th year. More than 465,000 Syrians have been killed in the fighting, over a million injured, and over 12 million -

half the country's pre-war population - have been displaced. Australian unions call on the Australian Government to use every means available, including using its position as member of the Human Rights Council, to coordinate protection and relief for Syrian children, women and men trapped in the ongoing conflict, and to seek a peaceful and lasting resolution.

- Afrin region of Turkey, where Turkey's invaded the mainly Kurdish region. The Turkish and Syrian Kurds and their allies were instrumental in crushing the Islamic State, at the cost of thousands of lives. We demand that the Australian Government do all in its power to protest and stop Turkey's brazen aggression.
- East Timor, which has reached an agreement for a treaty on disputed maritime borders with Australia and is on a "pathway" to develop the giant Greater Sunrise offshore gas fields. We support the news that up to 80% of the gas and oil revenues will go to our youngest neighbouring country.
- Support for independent, representative and democratic unions in other countries including China, Brunei, Iran, Iraq, United Arab Emirates and Saudi Arabia.
- Support for the work of the ITUC and GUF's to continue their efforts to ensure that the Qatari Government ends the kafala system of modern slavery, and spread the campaign to the UAE and Saudi Arabia.
- Support for ending the 50 years of occupation of Palestine and a just and sustainable peace in accordance with resolutions 242 and 338 of the UN Security Council, with the removal of illegal settlements, the withdrawal of Israel from all Palestinian lands along with the dismantling of the separation wall. In line with our commitment to a two-state solution with the security of borders for both nations, we call on all countries to recognise, without delay, Palestine as a sovereign state with East Jerusalem as its capital. This will confirm the right of the Palestinian people to self-determination in a free and independent Palestine.
- Support for the ACTU, APHEDA and NZCTU work jointly in coordinating and providing funding for the various trade unions in the South Pacific Region.
- Support for Western Sahara, where around 165,000 Saharawis continue to live in dire conditions in refugee camps in South West of Algeria, the Congress strongly supports the right of the Saharawi people to self-determination and independence; in accordance with UN resolutions and relevant UN decolonisation doctrines; and calls on the Australian Government to recognize the Saharawi Republic.
- Support the demands of people for peace and security in other nations ravaged by conflict including Afghanistan, Burundi, Central African Republic, Eritrea, Iraq, Libya, Somalia, Sudan, and Yemen.

- Support ongoing work in Bangladesh, where Labour law is still not compliant with core ILO Conventions, especially Conventions 87 and 98 with respect to the right to organize: for example, the ability to form unions is constrained (30% of factory workforce required to be members before a union can be registered), OHS laws are very weak, with no legal right to elect OHS representatives or committees and there is no legislated right for workers to stop work in dangerous situations; Congress calls on the ILO to pressure the Bangladesh Government through all means available to stop trade union rights violations and to further reform the labour law and for the Australian Government to register its concerns with the Bangladesh Government over the slow progress of the Safety Accord.

## OVERSEAS AID

44. Congress condemns the Australian government's appalling budget cuts to overseas aid and the merging of AusAID with DFAT. The aid budget for 2016-2017 fell to just 0.22% of GNI. Congress calls on the government to re-establish a fit for purpose AusAID Department, reverse the cuts and restore Australia's good standing in providing aid and assistance to countries in need. Australian aid should focus on addressing the climate crisis and widening inequalities within low and middle income countries, and in benefiting poor people and poor countries rather than assisting Australian business or linking aid with offshore processing of asylum seekers. Congress urges the Australian Government to focus on the Decent Work agenda and on sustainable development in the Indo-Pacific region, working with other governments and social partners to effectively meet internationally agreed Sustainable Development Goals and realise peace and democracy in countries experiencing conflict.
45. Congress believes the Australian government should honour international commitments to raise international development expenditure to 0.7 per cent of GNI, with at least 10 per cent of the aid program delivered by non-profit Australian NGOs in partnership with local civil society organisations. The current situation in which such a significant proportion of the aid budget goes to a handful of for-profit companies is unacceptable. Congress calls on the Australian government to adopt the policies of most other OECD donors in consciously earmarking ongoing funding for the development of the international trade union movement, as key contributor to social and economic development, and as leading component of democratic civil society. Congress further calls on the Australian government to hold an inquiry into the transparency, accountability, effectiveness, value for money and profit margins in the large commercial contracts in the aid program.
46. Congress further rejects the Government attempt to prevent NGOs from receiving foreign donations. International philanthropy is a vital source of revenue for Australian NGOs. The Electoral Amendment (Banning Foreign Political Donations) Bill 2017 would limit NGOs from carrying out their day to day business in promoting human rights, environmental protection and social development both in Australia and overseas.
47. Congress commits the ACTU to press the Australian Government to substantially refocus aspects of its international development assistance programs so that:
  - a) Recipient nations commit to internationally accepted labour standards as part of acceptance of Australian aid;

- b) Programs involving employment contain a component requiring independent trade union participation;
  - c) Privatisation of public and community services is reversed and that public sector programs assist recipient nations develop regulatory structures capable of ensuring those nations have the capability to ratify and comply with core ILO Conventions; and
  - d) The objectives of overseas aid-funded programmes reflect our internationally agreed targets set within the Sustainable Development Goals and other relation international treaties and conventions.
  - e) A component of aid program funding is set aside to ensure that in all significant infrastructure and resource development projects the local population is trained in skills to enable them to be employed in these projects, to ensure these jobs respect workers' rights as espoused by the ILO's Core Conventions, and to ensure that the government of that country receives a fair share of the wealth being generated from their resources to provide public goods.
48. Congress reaffirms support for Union Aid Abroad-APHEDA as the global justice organisation of the Australian union movement, advancing international solidarity in support of equality, justice and human rights for all. Union Aid Abroad works to support the building of strong union and social movements, in particular along four priority areas: trade union and workers rights' and safety; rights of migrant workers and refugees against exploitation; women's rights and feminist movement development; climate justice, just transition and energy democracy.