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7th EUROPEAN UNION, LATIN AMERICA AND CARIBBEAN TRADE UNION MEETING

Brussels, 10 - 11 March 2015

Brussels Declaration

The 7th EU-CELAC Trade Union Meeting is once again bringing together an expressive representation of the trade union movement from both regions, which, as on previous occasions, wish to share with the heads of state and government their view of the social, economic and political situation and the perspectives and aspirations of the workers.

In the present climate, the workers of Latin America, the Caribbean and the European Union are united in the same trade union struggle: the defence of social rights, democracy, the action of trade unions and their central role in challenging neoliberalism and the “austerity policies” affecting millions of workers in both regions of the world. These austerity policies are being promoted by conservative sectors linked to financial capital and multinational corporations in response to the prolonged consequences of the great global economic crisis of 2008. The ecological crisis is the latest chapter in the drama of societies driven by the unbridled quest for corporate profit and the irresponsible consumption linked to it.

The workers of Europe, Latin America and the Caribbean support the integration processes in their two continents as part of the process of building economic and social wellbeing. A look at the past shows that we have made vital progress in a number of areas. The European Union and CELAC are, in part, expressions of these victories. But regional integration processes must be part of the solution to our economic, social and environmental problems. If not, they will only serve to bolster the arguments used by reactionary forces to rouse chauvinistic and xenophobic sentiments and to erode the gains already won.

Europe is suffering unrelenting attacks on social rights, on the pretext that people have to make sacrifices to stimulate the economy, from a liberal perspective. In the post World War II era, the region was already an example in terms of social protection systems and human welfare. Now it is the scene of evictions, youth

unemployment and the loss of rights. Trade unions have been sidelined and disavowed as social partners, as the social dialogue structures built up over decades are gradually dismantled.

The so-called austerity policies have imposed serious cuts in wages and social benefits on workers in certain countries. We hope, in this respect, that the EU will reach an agreement with the new government of Greece, to ease the terms of its loans and allow it to improve conditions and recover rights.

In Latin America, after more than 15 years of social progress in various countries under progressive governments, the effects of the global economic recession have been felt and growth has slowed over the last three years. As a result, poverty levels are no longer falling and the fragile social and labour gains made during that time have come under attack from international capital seeking to thwart the shift towards a new model of social democracies.

Democracy is being held back by the de facto powers that seek to impose the interests of the international financial market and multinational companies. In the case of Latin America and the Caribbean, democratically elected governments are under constant, sometimes violent, siege by the elite and the powerful minorities that control the economy and have opted to sow division, resorting, even, to the use of legislative and judicial mechanisms to depose these governments. The media, controlled by national and international oligopolies, acts as the main instigator of these reactionary and anti-democratic offensives against the interests of the majority.

In the negotiations on climate change, we are not seeing progress that rises to the challenges we face. The major corporations are stepping up their lobbies to protect their interest in immediate profit without any regard for the intergenerational cost. The governments of the North do not want to assume their key responsibilities - as already developed societies with heavy environmental liabilities - and to tackle a problem that is common to all societies. And the governments of emerging countries have failed to present a credible plan to combine development efforts with efforts to overturn the predatory practices inherited from the models of the last century.

EU-Latin America and the Caribbean Summits: unfulfilled promises

The path of the EU-LAC Summits has been paved with abundant expressions of good intentions with regard to various key issues for trade unions in the official documents, but a terrible lack of compliance in this area. Since the first editions, we have seen a failure to honour commitments undertaken by heads of state and government, especially those related to social issues. Implementation of the Action Plans adopted has been poor and governments have done little to monitor progress.

In terms of strategy, it is particularly grave that the EU and some Latin American governments, such as Colombia and Peru, have broken their pledge to negotiate between blocs and have signed individual agreements. The underlying intention is, clearly, to weaken integration processes and thus undermine the negotiating position of the weaker Latin American countries. The Roadmaps contained within these agreements have been used to justify the signing of the free trade agreements, but they have, in fact, had little concrete impact on the promotion

of decent work aimed at ensuring workers' rights. The recent agreement signed between the EU and Ecuador was negotiated without civil society participation. We caution against the renewal of the negotiations between the EU and MERCOSUR, which the trade union movement clearly opposes.

We are particularly concerned, given pressure from the international market on countries and blocs in the context of the global economic crisis unleashed in 2008, that the perspective of sustainable development with common but differentiated responsibilities between countries of the North and South is being abandoned.

It is for this reason, without losing sight of previous commitments, that we are pressing for special attention to sustainable development in the new relations between the two continents.

European Union – CELAC relations: towards a new paradigm of North-South relations

Given the quantity and increasing depth of the crises and the emergence of responses that recycle the prescription pad of already failed neoliberal policies, the trade union movement has taken on the task of advocating alternatives to the logic seeking to expand the domination of the markets and the big corporations at the expense of the interests of the world's working majority. Accordingly, in May 2014, the TUCA presented the Development Platform for the Americas (PLADA). The TUCA considers the EU-CELAC Summit to be a crucial arena for the presentation of the PLADA strategies, together with trade union proposals formulated by the European trade union movement, in the interest of promoting structural responses to the present and future challenges of the two regions.

The European, Latin American and Caribbean trade union movement supports the four dimensions of sustainable development (political, economic, social and environmental), articulated to respond to economic challenges in a manner that is balanced and that benefits society as a whole, ensuring respect for full social rights, democratic participation and the preservation of the planet for present and future generations.

Appeal of the EU-CELAC Trade Union Meeting to the Heads of State and Government

The trade union movement of Europe, Latin America and the Caribbean, meeting in Brussels on 10 and 11 March, presents the following proposals and demands to the Heads of State and Government gathered at the EU-CELAC Summit in June 2015 in Brussels.

1. Change the foundations of the trade relations between the two continents

The obvious economic and financial asymmetries between the countries of the North (EU) and the South (LAC) make it impossible for free trade agreements to be of common interest. There is no interest in maintaining trade based on the export of products with low added value and high environmental impact from LAC to the EU

and the import of manufactured goods in the other direction. The trade union movements from both regions defend fair trade relations.

As regards agreements already signed or in force, the participation of civil society and trade unions in the monitoring of these agreements is nonexistent or highly inadequate. Effective mechanisms are needed for the monitoring of the Action Plans, including participation and auditing structures for trade unions and other social actors.

Agreements cannot be simply limited to trade and investment flows, but should always respect and promote decent work and the core conventions of the ILO.

2. Direct investment and sustainable development projects

Conditionality needs to be established for foreign direct investment, linking it to national or regional sustainable development policies that create long-term, decent employment and guarantee technology transfers. It is essential that trade union and social movements be involved in economic policies concerning foreign investment and international trade.

The crisis in the capitalist system has widened the gap between rich and poor and has contributed to higher wealth concentration, leading to higher levels of precariousness, poverty and exclusion. The trade union movement from both regions expresses its total opposition to the fact that the majority of transnational companies do not pay taxes on their income in any country. By exploiting accounting mechanisms, tax havens and loopholes in international laws, they are generating the loss of billions in resources that should be going towards improving the living conditions of the whole population. To boost their high levels of profit, these MNCs have taken control over global governance spaces, promoting ultra liberal trade agreements, which condition the workings of national institutions, and attack democracies in countries ruled by governments that do not fully serve their interests.

We demand that mining projects and mega projects planned on indigenous territories be subject to prior consultation and the approval of indigenous communities, in keeping with ILO Convention 169.

There is an ever more urgent need for a new economic world order, under which the concentration of wealth in the hands of a few is overcome, companies present transparent accounts of the taxes they ought to pay and big fortunes are taxed appropriately, so that states are able to finance social protection systems and implement public policies that promote improvements in the quality of life for society as a whole.

In addition, to overcome the asymmetries between the regions, it is essential that a new international regulatory framework be established, as a matter of priority, to make the financial system more predictable, whilst ensuring respect for the sovereignty of nations in their efforts to resolve critical situations affecting their ability to develop. In this respect, it is fundamental that we make progress “towards establishing a multilateral legal framework for sovereign debt restructuring processes”, which should be discussed this year, as advocated by United Nations

Resolution 68/304, put forward by Argentina in response to the “vulture funds” attack, approved by a wide majority in the General Assembly of September 2014, and unanimously backed by the ITUC General Council.

An essential measure for the development of countries in both regions is the auditing of all external debt, the cancellation of illegitimate debt and the allocation of these resources to tackle poverty and the social debt towards the majority of the population. There cannot be development in our countries whilst generations of citizens are condemned to pay debt contracted irresponsibly to finance the businesses of a few.

3. Bridging the technological gap

To bridge the technology and inequality gaps between nations of the North and South based on patents and registration systems as well as technical and scientific development, guarantees should be established to ensure access to knowledge and to facilitate technology transfer and access for less developed countries. The idea is to counteract the strategies of multinational companies, which dominate global value chains and seek to maintain innovation and development activities in their headquarter countries, thus perpetuating a vicious cycle of asymmetric trade and new forms of dependency.

4. In defence of the citizens of the two continents

Europe, Latin America and the Caribbean have a long history of migratory flows in both directions, which remain in progress. Recognition for the rights of citizens outside of their countries of origin is therefore one of the international trade union movement’s priorities. We defend the recognition of the twofold economic, social and cultural contribution made by migrants to their countries of origin as well as to the host countries. We also believe in guaranteeing the right of people and workers to freedom of movement, the right to migrate or not to migrate, to stay or return with dignity. All migrants, regularised or not, should enjoy the same rights as other citizens. The option of migrating should not be subject to barriers or obstacles, and migrants should not be the object of criminalisation. States should guarantee the right of return for migrants who decide to go back to their country of origin. The principle of non-refoulement should be recognised in the case of victims of terrorism, human trafficking, sexual and labour exploitation, occupational accidents and repression for political and/or trade union activities as well as in cases involving human rights violations in the country of origin.

Migration is a mechanism linked to integration and its positive reach goes beyond its impact on the life of migrants and their families, extending to the economy in general, the enrichment of cultures and the integration of peoples. The governments of both regions should be equipped with legislation that protects, integrates and does not criminalise or discriminate against the migrant population. We call for the adoption of appropriate legislation and the introduction of effective public policies in this direction. In particular, we urge states and governments to ratify ILO Conventions 97 and 143 on migrant workers, as well as the United Nations Convention on the rights of migrant workers and their families.

5. Human rights and trade union rights

In recent years, the ILO has been the target of an offensive by employers and a number of governments seeking to curtail or bring an end to its mandate of establishing international labour standards and overseeing their application, and as a promoter of labour and social protection policies. As part of this offensive, attempts have been made to diminish the role of the Workers' Group within the ILO and to contest the authority of the ILO supervisory bodies to determine the scope of the Conventions internationally. An illustration of this is the aggressive international crusade led by employers to undermine Convention 87 and the right to strike, which resulted in paralysing the work of the ILO Committee on the Application of Standards. This reckless attitude contradicts decades of recognition on the part of employers themselves for the rulings of the ILO.

This attack is clearly part of the neoliberal globalist strategy aimed at repealing the right to strike as a human right for all workers around the world. This is therefore a crucial issue that transcends all territorial boundaries. The impact is already being felt on the European continent, where, on the pretext of tackling the economic crisis, austerity and monetary stability policies have been implemented, placing downward pressure on social and labour rights, especially in the countries of southern Europe (Spain, Greece, Italy and Portugal).

The main focus of the attack on trade union rights in these European countries include measures stripping trade unions of their collective bargaining powers and the criminalisation of trade union action, as seen with the criminal proceedings filed against workers taking part in legitimate strike action against austerity measures and labour reforms. Throughout the region, trade unions are being stripped of their legitimacy as social partners and the social dialogue structures built up over decades are being undermined. The economic authoritarianism ruling over governments and businesses is attacking the key instruments of social democratisation in Europe, that is, trade unions and collective bargaining.

In Latin America and the Caribbean, the vast majority of workers employed by the state are deprived of the right to collective bargaining, leaving them without the protection of a series of rights. We urge governments to ratify Convention 151 on collective bargaining in the public sector and to continuing moving towards the application of collective bargaining in the public service.

Given the offensive being waged by employers and governments against the ILO system, trade union action is essential to defend Conventions 87 and 98 on freedom of association and collective bargaining and Conventions 151 and 154 regarding collective bargaining and union organising in the public sector.

Under the conditions currently prevailing in the world of work, women continue to be increasingly and disproportionately affected by negative impacts, given the multiplicity of disadvantages they face with regard to labour market access and the gender division of labour, which deprives them of the same opportunities as men in terms of employment options and access to better working conditions. This situation

is exacerbated by the traditional social roles that oblige women with domestic, family and care responsibilities to take on low-paid informal employment without social security. The rate of unemployment is also higher among women than men.

Promoting decent work, in accordance with ILO guidelines, is essential to the aim of securing decent living and working conditions. In this respect, the ratification of Convention 189 on decent work for domestic workers should be promoted and governments, employers and society as a whole should assume responsibility for the care work that often falls solely on women. Ratification of ILO Convention 156 regarding shared family responsibilities and equal pay is also necessary. Discrimination and violence against women is widespread and women are faced with more vulnerable conditions in the various areas of society, being threatened and affected by the various types of violence, which constitutes a major human rights violation.

Femicide, an extreme form of violence, is shrouded in impunity and a lack of justice in some countries of Latin America. A degree of progress has been made in the various countries to prevent, eradicate and punish gender-based violence, but the legislation is not always applied. As regards violence at work, few countries have legislation on protection against gender-based violence in the workplace; the introduction of an ILO Convention would therefore contribute to the application of women's human rights.

With regard to human rights, the Euro-Latin American trade union movement firmly condemns the Dominican Republic's serious attack on the human rights of thousands of Haitian migrants and Dominicans of Haitian descent and their families, who have been stripped of their right to nationality and therefore find themselves exposed to imminent and unfair mass deportation and brutal acts of discrimination (confiscation of proof of their presence or birth on Dominican territory, forced deportations). We also condemn the conduct of the Haitian government, which is not taking action to defend its citizens in the Dominican Republic as we as pursuing a policy that disregards labour rights, attacks trade unions and condemns the majority of the Haitian population to precariousness and informality. We welcome the solidarity work carried out by Dominican trade unions to assist and support the Haitian population residing in the Dominican Republic.

6. Climate change and a Just Transition

Following a succession of COPs with disappointing results for workers and society as a whole, we are continuing to mobilise and to build stronger alliances ahead of the COP 21 to be held in Paris in December 2015.

This COP represents a milestone in the international process, as it is essential that a new, ambitious and fair, legally binding agreement is reached, based on common but differentiated responsibilities and the respective capabilities of each country, and signed by all the parties, to ensure the stabilisation of greenhouse gases at levels averting the worst effects of anthropogenic interference with the climate system and to secure the highest chances of ensuring that the average global temperature does not exceed 2°C or 1.5°C, if possible, above preindustrial

levels. The Paris Agreement cannot be reduced to achieving no more than mitigation commitments. The new climate regime must set a target for adaptation, with the technological, financial and human support required, within the framework of a Just Transition that will provide for social and climate justice.

The trade union movement, convinced that effective climate action is not based on the rhetoric of conferences, will continue to press governments to ensure that domestic climate policies are in line with the objectives of the Framework Convention.

We therefore call for national strategies that enable the implementation of concrete measures to ensure the transition needed towards more sustainable societies. Achieving this will necessarily require the democratic ownership of energy resources, the transformation of energy models, guaranteeing a large share of renewable energies, the development of and transformation to cleaner industries, the reduction of deforestation, the promotion of decent work, planning of our territories and economies, which signifies structural changes in our way of producing and consuming, coupled with social justice, equality and participatory democracy, as irreplaceable tools of political change, because without them effectiveness serves no purpose.

We call on the governments of the two continents to make progress in their negotiations to ensure that the pursuit of the common good prevails over policies based on the asymmetries inherited from our shared past. This implies respect for social and human rights, progress in the democratization of our societies, a change in production and consumption models and, above all, a paradigm shift in North-South relations, which we have been advocating for decades.

7. Strengthening peace and democracy

The trade union movement reiterates the need to consolidate democracy and peace throughout the world. Key to this is the strengthening of global governance in all areas, to foster the search for peaceful and negotiated solutions to conflicts within the framework of the United Nations and other international institutions. At country level, dialogue and respect for freely elected governments and authorities needs to be promoted.

We support the peace talks held in Havana between the FARC-EP and the Colombian government, and hope that this process will be expanded to dialogue with the ELN.

We also welcome the dialogue launched between the government of Cuba and the United States to re-establish relations between the two countries, which should be supplemented with a definitive and complete end to the economic, trade and financial embargo on Cuba. We also view as positive the opening of negotiations between the EU and Cuba to overcome the EU's "Common Position", and the launch of talks on a cooperation agreement, for which the support of the ETUC and its affiliates will be fundamental. We welcome the decision of the government of Uruguay to give asylum to six former Guantánamo prisoners and the support

provided by the Uruguayan trade union movement to assist with their full reintegration into society.

At the same time, we reject the recent declaration made by US President Barack Obama regarding the Venezuelan government, as it constitutes an act of interference in the internal affairs of a sovereign country and does not contribute to settling the internal conflict. We believe that the political situation in Venezuela should be resolved internally, through dialogue between the parties, in a democratic manner and without any type of external intervention or threats.

8. Trade in Services Agreement (TiSA)

In their quest to consolidate their total control over the global economy, the big corporations and certain governments in the North have been promoting “new generation” trade agreements, such as the Trade in Services Agreement (TiSA) affecting the European Union and many CELAC countries. These proposed agreements, invariably discussed and negotiated in secret, represent an additional threat to workers and citizens.

The European, Latin American and Caribbean trade union movement demands that all treaties should preserve the basic rights and services of the population and be presented and publically debated before being adopted. We also recall that access to education, health and water are human rights and should be left out of trade negotiations and be guaranteed as universal rights.

We call on the governments of both regions to discuss the future of these negotiations with society. Agreements cannot be limited to trade flows and must always respect decent work and promote the core conventions of the ILO.