

ENGLISH VERSION

II TUCA CONGRESS

SUSTAINABLE DEVELOPMENT, DECENT WORK AND DEMOCRACY

Action Program and Resolutions

Foz do Iguacu, 17-20 April 2012






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Building a New Society

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CONFEDERATION OF
THE AMERICAS

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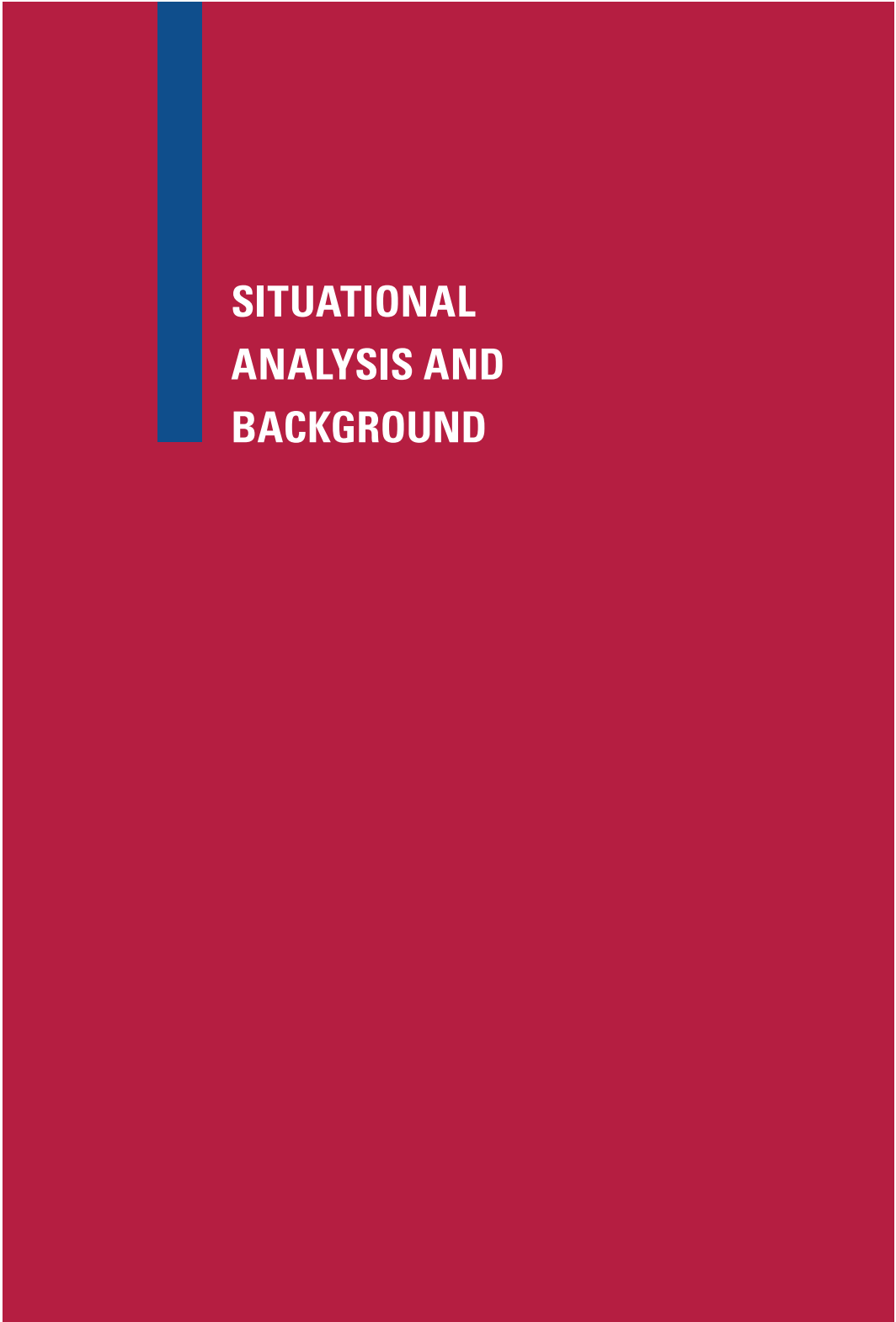
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SITUATIONAL ANALYSIS AND BACKGROUND

THE ECONOMIC CONTEXT OF THE AMERICAS AND THE CRISIS

1 The fundamental element of the economic context to be analyzed is the global economic crisis and how its consequences can affect the future of our region.

2 The crisis began in mid-2007 in the United States as a result of the financial liberalization introduced since the end of the Bretton Woods monetary pattern in the 1970s. Neoliberalism allowed the establishment of unregulated high-earning speculative markets that produce no goods, services or jobs, the so-called virtual capital.

3 These markets based on interest rates and gambling in securities, shares, real estate mortgages and other financial instruments became a real gambling casino. In addition to that, accounting frauds to hide profit, losses and preserve false values became frequent.

4 When the speculative markets collapsed – as foreseen and denounced by national and international trade unions – bank profits were threatened. In turn, banks put pressure on governments to ensure the stability of the system. By doing so, resources that could have been allocated to investments in social policies and in the productive sector were diverted. Therefore, the entire society is paying for the gambling of the global casino speculators.

5 The crisis is deepening in Europe due to the same causes, worsened by the cost of a single currency and the differences in economic, productive and social development between European countries. Without their own currency, nations of lower productivity and scale cannot use the exchange rate to make compensations. Therefore, their public debts have increased over the last years.

6 We should keep in mind that before the actual economic and financial turmoil there were already other crises which are now getting deeper and are still unresolved: the social crisis, the employment crisis, the energy crisis and the environmental crisis.

The Americas

7 In the last years the region has displayed a much-differentiated economic context. If we take the period after 2008 as a reference, two groups can be distinguished: the South American countries growing at a more accelerated pace and the North American, Central American and Caribbean countries growing more slowly, perhaps with the exceptions of Dominican Republic and Panama. The global crisis mostly affected the economies of the region that are dependent to the US market.

8 South America's choice in favor of regional integration, the policies of increasing national minimum wages, the various cash transfer programs and the investments in infrastructure can explain the more positive economic results. On the other hand, it is important to point out that the increases in commodity prices has helped palliating the balance of trade that had traditionally obstructed continuous growth.

9 A possibility in the economic scenario of the region is the continuity of the economic expansion. However, it is important to look carefully into the consequences that the crisis could cause, especially considering the strong financial liberalization undertaken in almost the entire region and - if it materializes - a reduction in commodity prices.

10 Some of our countries still maintain a growth-restrictive fiscal and monetary policy, prioritizing fiscal adjustments or high interest rates. These measures led to their economic growth without the necessary robustness to combine the reduction of social inequalities with the State securing universal and quality public services.

11 The US situation is further deteriorating due to its huge debt, fiscal deficit, dependency on oil imports, unemployment and the cost of wars and military interventions. Investment in production is stagnant and the economy has started to rely mostly on the economic intervention of the State. This however was prevented by the political impasse on fiscal matters.

12 The other possibility is a low-intensity long-lasting chronic crisis with its epicenter in the United States and Europe. If commodity prices do not vary, growth in some South American countries may continue. There is also dependency on the increasing growth of China that has become an important and dynamic market.

13 In any case, the proper approach is to strengthen regional integration to

overcome the crisis. It would be an important change in the strategy applied to date. In turn, it could represent an important advance to solve certain disputes that have been difficult to settle.

14 For the United States, the deepening crisis would call for more expedite definitions and measures and overcoming of the political impasse so that it does not lead to a deeper social and political crisis. This is also important for the immediate future of Latin American and Caribbean countries that are more dependent on the US economies.

15 There is also an important agenda of debates and definitions that are fundamental for a new regional development strategy. The first fundamental point refers to the fiscal issue that requires significant changes. The tax burden in most of our countries is insufficient to cover the costs of the expansion of basic and quality public services for the people. When it is sufficient, most revenues are transferred to the payment of interests and financial services.

16 A tax system focused on consumption rather than earnings still prevails in most countries causing a strongly regressive tax burden. In other words, the poorest pay more proportionally. In addition, taxes on consumption and production – rather than on income, revenue and property interests – obstruct growth and reinforce the concentration of wealth.

17 Furthermore, the elites of countries disseminate the idea that public investment is positive, but current spending is detrimental. For this reason it is important to underscore that government current spending is a driving force of economic activity by encouraging the demand. It is the guarantee of the provision of quality and universal services such as education, health, social protection, among others. It is not enough to build schools and hospitals if teachers and assistants, doctors and nurses, among other professionals, are not hired with decent wages and working conditions.

18 However, economic growth alone does not ensure social and environmental sustainable development. This needs to be accompanied by policies for the generation of decent work, social protection, fair income distribution and environmental policies.

19 The crisis and speculation have made explicit the currency problem faced by the continent. It is necessary to reconfigure the currency issue in the region, taking into account the ongoing regional integration process. It is necessary to develop and provide financial and currency instruments for countries to trade with national currencies or reciprocal compensation instruments.

20 Finally, a return to financial and capital flows regulations are necessary, leaving behind the years of liberalization that exposed countries to such dangers. This system offers advantages to international investors, increasing the costs of productive investment in our countries.

21 The economic deregulation as well as the financial and commercial liberalization are the causes of the current crisis. It is fundamental to revert the instruments that led to this explosive situation to allow the construction of alternatives for economic development in which dynamism and sustainability coexist with growth and income distribution.

The evolution of politics in the Americas

22 Many policies of several governments of the region have achieved a more effective outcome than the conservative measures adopted in developed countries. This is a challenge for the social movement, particularly for the TUCA, in fighting to strengthen the changes accomplished in the continent, with improved income distribution, more social protection, more social justice and more participation in decision-making. We must also propose an alternative development model in international debates in institutions and governments. In some countries of the continent, progressive governments have already inaugurated their second or third mandate.

23 The political, economic and social changes that took place in several Latin American countries represent the opposition to the neoliberal policies implemented since the 80s. This transformation was fundamental to address the current crisis. Those that succeeded in resisting the financial turmoil adopted measures to preserve public investment, employment, consumption and production. However, the recession was profound in countries that adopted conservative measures such as spending cuts and reducing salaries and jobs.

24 The changes indicate the prevalence of political and social forces seeking forms of organization and representation in opposition to the Washington Consensus. The origins of such movements are the struggle against dictatorships. During the peak of the confrontation against neoliberalism, it was made evident the creation of a platform that brought together trade unions, campesinos (peasants), indigenous and women's organizations, non-governmental organizations and political parties. The victorious campaign against the FTAA as well as the groups against the exploitation of natural resources by corporations are some successful examples.

25 Political polarization between the “new” and the “old” was evident in several countries that elected progressive governments. In some of them, Constitutional processes were underway with considerable popular participation and strong opposition from traditional elites. Conservative groups resorted to coups and secession movements, among other illegitimate methods.

26 These campaigns articulated by conservative forces were supported by the mainstream media, which is expanding its capacity as the main “opposition party” to progressive governments in the continent.

27 For the TUCA and its affiliated organizations, the aim is not only to contribute to maintain and strengthen progressive changes in the political scenario, but also to make permanent and structural all the economic, political and social changes. There is still much to be done regarding the democratization of labor relations. Few governments actually carry out policies to strengthen the role of trade unions in society as actors of development, income distribution and strengthening of democracy.

28 There are contradictions between progressive governments on social dialogue. There are governments that consider themselves to be more left-leaning, but at the same time keep a conflictive relationship with unions and other social organizations.

29 In general, the political culture and the labor relations in the Americas are authoritarian. There is no consensus-building tradition and the scarce current experiences in the promotion of social dialogue are fragile. Full freedom of association and the right to collective bargaining are still an utopia in many countries. Union activity involves risking one’s life in places such as Colombia, Honduras and Guatemala. There have also been setbacks in the United States, such as the law that prohibits the unionization of public sector workers in Missouri. 161 There is a democratic deficit to be overcome by the promotion of respect to human rights, freedom of association and participatory consultation mechanisms.

30 The election of several female presidents in Latin America is a very important step forward. However, this does not mean that societies in our countries have overcome its chauvinist, discriminatory and patriarchal essence. It is still necessary to develop affirmative policies to ensure gender equality and equity in society and institutions, as well as to expand the political space of other social sectors such as the youth.

31 Social mobility - which has expanded in several countries of the region -

presents trade unions with the challenge of organizing social groups that now represent an important section of the economy and the labor force.

The social scenario of the Americas

32 There is a positive relationship between economic growth and poverty reduction. The former is linked to national development, the increase in the purchasing power of the population, industrialization and food self-sufficiency. However, these changes are not permanent and sustainable. The economic crisis and lower growth verified in 2009 led to unemployment and poverty increases.

33 The union movement of the Americas must demand the adoption of policies to tackle the poverty that affects a third of the Latin American and Caribbean population. It is also necessary to fight to make social inclusion – which is being accomplished to some extent – become permanent. This goal will only be possible with a stronger development model with income distribution and universal social protection.

34 Poverty is a scourge in Latin America and the Caribbean but now a cycle of re-composition and improvements in most social indicators is underway – or at least poverty has not worsened. The countries in the North of the continent showed a degradation of social conditions caused by the neoliberal policies of the two preceding decades.

35 Our Foundational Congress of April 2008 was held in this scenario. In some cases, the situation was clearly affected by the multiple crises that have shaken the world since then. Meanwhile, problems such as citizen violence and drug-trafficking have led to considerable social and political instability in several subregions of the Americas.

36 According to ECLAC data, poverty in Latin America reached its highest levels in 2002 when 221 million persons lived in poverty or destitution. As of that moment a 6-year cycle of recovery began in 2008 in which the figure decreased to 180 million, as a result of the rise in employment and salaries, as well as general economic stability and GDP growth. The tendency showed a variation in 2009 due to the crisis, but stabilized once again in 2010.

37 Even so, today practically a third of the Latin American population is poor or destitute. In spite of this incipient reduction, inequality continues in the region. In terms of income distribution, at least 10% of the wealthiest pop-

ulation controls a third of total income, while the poorest 40% receives only 15%. Lastly, children, youth and women are still the most vulnerable groups.

38 In the United States the crisis had an unprecedented social impact in the last 52 years. According to the US Census Bureau, in 2010, 46.2 million were living under the poverty line. This number has continued to rise in the last 4 years, reaching the highest poverty rate since 1993. Today in the country three of every twenty persons are poor.

39 Additionally, the lack of health coverage rose to almost 50 million persons and average income decreased 6.5% according to the US government. This situation, together with the reality of employment, indicates the profound impact of the crisis - despite the fact that poverty in the US involves higher levels of welfare in comparison to Latin America.

Violence, citizen insecurity and feminicide

40 One of the main issues affecting workers in the Americas is the situation of violence and citizen insecurity. The causes are structural and relate to the imposition of the neoliberal model and the dismantling of States. It is also the consequence of the policies of exclusion that have eliminated, or drastically reduced, social policies.

41 After 30 years, neoliberalism has caused a strong deficit in decent work in our region. Labor policies of flexibilization, deregulation and outsourcing were implemented, the consequences of which are unemployment and the precarization of jobs, followed by hunger, poverty and destitution.

42 The rise in organized crime is alarming and increases the vulnerability of the population, especially the youth. The tendency is to visualize young persons as subjects of crime. We, the trade union movement, defend the role of youth as active subjects in the construction of the security of our people. We underscore that poverty and the lack of opportunities to access education and decent work have limited their livelihood options.

43 Although citizen insecurity is an issue affecting the entire population, violence against women is not considered as such. Women experience violence, dispossession, trafficking and other insecurity issues in a manner different to men, mainly at the domestic level, due to the construction of social gender roles.

44 We draw attention to, and reject violence against and the harassment of women in society and workplaces. The most extreme form of the continual insecurity suffered by women is feminicide. Worldwide 65,000 women die every year, victims of all kinds of violence. The number has also risen in our region. In Guatemala more than 5,000 women have been murdered in the last decade. This situation has taken root in a culture that justifies it and in a system that allows perpetrators of feminicides to go unpunished, leading to the invisibility of these crimes.

The situation of women workers

46 Women have joined the labor force en masse, but there are still gaps between male and female workers in respect of quality of employment and salary. In addition to that, women continue to carry the burden of housework and double work shifts.

47 There is a positive relationship between the years of study and the possibilities of accessing formal employment for men and women. In general, women need more years of study than men to insert themselves in the formal economy.

48 Meanwhile, we observe two structural phenomena in the situation of women. In the neoliberal State, women complemented the role of the State. Given the absence of hospitals, nurseries and homes and other mechanisms to provide care to senior citizens, women continue taking care of children, sick persons and the elderly. This situation is compounded by the crisis in the care giving economy. Women of the South migrate to the North to supplement these deficiencies in care giving to the elderly, child care and household nursing.

49 Together with the benefits that the social welfare programs have given to the poor populations in Latin America, we observe the challenge of incorporating a vision to strengthen the autonomy of women, not only focusing on their role in child care. This is because women invest more money in the family than men. Cash transfer programs do not provide direct aid to remunerate the work of women in the same way as support infrastructure, such as nurseries, schools and hospitals. In general, such programs reinforce the reproductive role as the exclusive sphere of women.

Health in the absence of protection

50 As described above, the progressive application of the neoliberal model has caused the considerable decline in the role of the State and the participation of social organizations, thus undermining social security systems. A privatization process was undertaken on health, pensions and care for occupational hazards. However, it is important to consider that changes have been made in certain countries and some of these systems have returned to State administration.

51 Although there are certain instruments and agreements at the international level (ILO, OISS, WHO) to prevent accidents and health issues in the workplace, the situation is still cause for concern. Some countries of the region have modernized their national policies for health and safety in the workplace. Systems and legislations have been implemented according to international standards, acknowledging the right to work in a safe and healthy environment as a fundamental human right.

52 The ILO report on global trends in health and safety in the workplace indicates that 2.34 persons died of work-related illnesses or accidents in 2008. About 2 million deaths were caused by different types of illnesses and 317 million workers injured. Work-related accidents caused a loss of about 4% of the GDP. Regarding deadly occupational diseases, these include work-related cancer (29%), circulatory diseases (21%) and transmissible diseases (25%), plus over 900,000 deaths from exposure to hazardous substances.

53 We underscore that in Latin America and the Caribbean, 7 of every 10 persons have no protection whatsoever for injuries, accidents and illnesses related to the workplace. The trade union movement of the Americas continues to defend a comprehensive system of labor hazards and occupational diseases, with prevention and the protection of workers at the forefront, which is merely a buffer behind which companies can hide.

Child Labor

54 According to recent global estimates, child labor is decreasing. However, it still affects 215 million children and adolescents, of which 115 million continue working in hazardous labor. According to ILO data, child labor in Latin America is cause for great concern. Estimates indicate that 17.4 million (i.e. one of every five children and adolescents) work and 90% of this labor force is in the informal economy.

55 Children between 10 and 14 receiving remuneration have an income lower or equal to the legal minimum wage and work an average of 46 hour per week. However, half of them receive no payment whatsoever and are part of the category of non-remunerated family work.

56 According to ECLAC, of the totality of children between 12 and 17 working in the cities, only 25% go to school. The number is barely 15% in rural areas. Lastly, there is a high concentration of child labor in hazardous and extreme activities or occupations. All this proves that combating this scourge will only be successful if joined to a vision of development different to prevailing one and based on human rights.

Labor situation of the Americas

57 There is no full employment in any of the countries of the region, although several have had a stronger economic performance. We continue to struggle in relation to the quality of employment and salaries. In turn, in the countries most affected by the economic crisis the situation is still dramatic and affects mostly women, black and indigenous populations.

58 As of 2008, the labor and social situation has deteriorated considerably in the United States and the countries most dependent on its economy. On the contrary, in several countries of South America the cycle of improvement of working conditions and living conditions was maintained due to three factors: sustained foreign demand for commodities from China, the availability of funds in the global market and a strong redistributive public investment policy.

59 ECLAC and ILO data agree on the fact that the cycle of socio-labor improvements that began 10 years ago still continues (with a year of setback in 2009):

- Unemployment continues to decrease (mainly in Argentina and Uruguay) and also considerably in other countries (10 to 15% in Brazil, Chile, Ecuador, Venezuela).
- Employment has risen especially in the formal economy. For example, in 2009-2010 salaried employment increased between 2 and 4% in Argentina, Brazil, Colombia, Costa Rica, Ecuador, Panama and Dominican Republic. The only exception was Honduras.
- Real average salaries have risen moderately, attaining an actual 10% increase in the last ten years (although decelerating due to inflation).

- Minimum salaries have risen substantially, improving the situation of workers not covered by collective bargaining.

60 At the regulatory level, there are new regulations on outsourced work (Uruguay, Mexico, Chile, Ecuador, Peru) and attempts in the same direction in other countries (Brazil, Argentina). They are attempts to limit these practices that increase precarious work.

61 The main feature of this period has been the strong reduction of abject and relative poverty in certain countries, giving way to social mobility. The same happens with income inequality (Gini coefficient). As of 2002, most countries reverted the negative trend of the previous decade (Brazil, Argentina, Bolivia, Chile, Paraguay, Venezuela, Ecuador, Uruguay, Costa Rica, Nicaragua). However, as indicated above, Latin America is still the most unequal region in the world.

62 During these years the social and labor setbacks in the United States have been a negative factor. In 2011 unemployment was higher than 9% (14 million persons), in addition to another 7% underemployed or inactive workers no longer seeking employment (11 million). Poverty increased by 6 million during the last two years, reaching 46 million. More than 50 million people are not covered by health insurance.

63 In Canada unemployment increased almost 30%, particularly among women (31%), the long-term unemployed (50%) and youth (14%). Lower quality of employment is also recorded. Full-time employment decreased (2%) and part-time or temporary work increased (5 and 13%). Furthermore, collective bargaining coverage decreased (2%) and multiple employments rose (2%).

64 In Mexico, Central America and the Caribbean unemployment has risen between 20 and 50% in the last three years (Mexico, Guatemala, Honduras).

65 There are some tendencies that are cause of concern relating to important social and labor gaps in Latin America and the Caribbean:

- Urban informality (including precarious or non-registered salaried employment) is 50% on average. According to ILO, in Central America, Bolivia and Peru this percentage was 70% or more in 2009.
- permanent and in some cases the breakdown of the labor situation in rural areas. Poverty in rural areas is 52% on average, with only a slight decline in thirty years according to ECLAC.
- there are few data available on youth unemployment in our region but

we can estimate that unemployment is between 20% and 40% depending on the subregion. Young persons who find a job are frequently paid low wages and their employment is precarious or informal. The situation is even worse for young or black women.

66 To what seems a consolidated pattern of growth, we need to bear in mind that salaries increase at a much slower pace than productivity. This may cause the increase of inequalities. There is also a tendency to short-term and unstable contracts, as well as to outsourcing.

TUCA STRATEGY FOR THE UPCOMING PERIOD

SUSTAINABLE DEVELOPMENT, DECENT WORK AND DEMOCRACY: BUILDING A NEW SOCIETY

Sustainable Development

67 The above scenario leads us to the challenge of helping to overcome the existing situation and implement medium and long term-actions to solve the historical scenario of social injustice and inequity in our countries.

68 At its Founding Congress, the TUCA placed the role of trade unionism in the promotion of sustainable development for the Americas as one of the strategic themes of its Program of Action. We, the workers, will fight for the transformation of the economic and social structure, fostering a new development model that enables a decent living standard, respect to our rights and a promising future for the new generations

69 Four years since the Panama Congress, not only do we ratify the importance of our political program, but raise it to the status of a permanent content of our long-term strategy. Our reality as workers, as peoples and as nations, could be different in the future if we commit now to foster economic, social and environmental policies that ensure our essential material needs, promote social inclusion and preserve our planet.

70 As of this moment we will adopt the term 'sustainable development' that comprehensively incorporates all the contents of our commitment to a new model opposed to other hegemonic conceptions. Sustainable develop-

ment entails an ecological, social and political dimension. The ecological dimension entails preserving and enhancing the diversity and complexity of ecosystems, their productivity, natural cycles and biodiversity. The social dimension refers to equitable access to environmental assets, both intra and intergenerational, between genders and between cultures. The economic dimension calls for a redefinition of the economic activity as part of a broader system relating to the environmental space in which human activities are developed. The political dimension refers to the direct participation of people in decision-making, in the definition of their collective future and in the management of environmental assets, through decentralized and democratic government structures.

71 Considering the profoundly negative scenario experienced in the countries of the developed North, the 2nd TUCA Congress considers that the Americas, with all its contradictions and inequalities, can be a geographical, economic and political space where experiences show alternatives to the crisis of the neoliberal capitalist model. For this purpose the union movement must position itself as a fundamental actor in the dispute for a new hegemony in which decent work is at the core of sustainable development policies.

72 The Congress appreciates the opportunity for the peoples of the Americas, led by their progressive social and political forces, to address its voice to the world, pointing to the alternatives available for an increasingly unstable planet at the economic, environmental, social and political levels. Our region needs to consolidate sustainable development, the integration of its peoples, and establish peace and coexistence between the diversity and richness of our national, ethnic and racial origins.

73 The experiences implemented in several countries of the region to address the recent world crisis show the validity of strong State policies ensuring employment, of social policies guaranteeing the rights of the population and of the implementation of fiscal, monetary and budgetary instruments to overcome the crisis.

74 The trade union movement of the Americas must demand governments of the region to proactively address the effects of the global crisis. They must also leverage the current situation to overcome the neoliberal legacy, achieving development with social inclusion, and eliminating excessive dependency on the primary sector of the economy.

75 The countries of South America, Central America and the Caribbean are in charge of building an increasingly integrated space of cooperation and soli-

curity to help overcome the dependency, the backwardness and the limitations imposed by centuries of domination. This is the scenario of dispute of extraregional interests and historical conditionings assigned by the global capitalism exploitation system.

76 Latin American and Caribbean countries account for 6.3 billion dollars in the Gross Domestic Product (GDP), which would make it in global terms the third economic power, one of the main oil reserves, the third electric power producer, the greatest reserve of freshwater of the planet and the largest food-producing economy. Plus its impressive biodiversity and incalculable environmental wealth. This potential gives the region the strength and authority to speak with the rest of the world with the authority to generate a different path to solutions that the planet requires.

77 The Congress appreciates and supports the construction process of different entities and bodies to facilitate the integration of the region and points out that the presence of the trade union movement in these dynamics is fundamental. The architecture of the Union of Nations of the South (UNASUR) and the creation of the Community of Latin American and Caribbean States (CELAC) account for the pursuit of an articulated regional response that is highly advisable in times of crisis and global turbulence. The Congress expresses its concern for the retraction of other traditional processes, such as the Andean Community of Nations (CAN), the Central American Integration System (SICA), the Common Market of the South (MERCOSUR) and the Bolivarian Alliance of Peoples of the Americas (ALBA).

78 There are still substantial social differences that need urgent attention in order to attain a development that is more consistent with the wealth of the region and that the working class deserves. Trade unionism of the Americas wishes to contribute with that project for our continent and readies itself to provide its experience, capacity, efforts and commitment to represent the labor force of this part of the planet.

Decent work at the center of sustainable development

79 The workers of the Americas are still the fundamental force setting our countries in motion. Among others factors, this has allowed the region to better confront the crisis. The data provided above account for this situation. However, the unemployment rate is still high due to the effects of the global economic crisis. This is far more evident in the United States and Canada.

80 It will not be possible to leave behind the crises generated by the neo-liberal model and the big transnational capital by applying the unsuccessful recipes imposed by the International Monetary Fund and the World Bank. The Congress salutes the mobilizations of several affiliates and of the affected populations in defense of their rights and against said policies, as an example to be replicated all over the continent.

81 We have a goal and a path ahead. Urgent policies are required, as well as institutions to generate decent work, rights-based formal employment, guarantees for collective bargaining and freedom of association, social security for all and a true social dialogue. These essential contents have already been included in the Decent Work Agenda adopted by ILO with the commitment of all member states. If our nations really wish to generate prosperity and build less unequal and more inclusive societies, they must change the model that led to the current state of affairs. They must create legislative and administrative conditions, adopting public policies for generation of decent work.

82 The State is fundamentally responsible for the generation of adequate conditions for decent work. This responsibility ranges from the retrieval of their role securing the legality and protection of fundamental labor standards as human rights, also formulating and promoting public policies for generation and protection of decent work. In addition to the above, intervention to ensure that workers and their families are protected in times of crisis or natural disasters.

83 At the TUCA Founding Congress and in the Labor Platform of the Americas, the labor movement had already placed decent work at the center of the sustainable development strategy. The crisis and its effects, as well as the appeal made by ILO (the Global Jobs Pact), have made labor the springboard to overcome the neoliberal model. Trade unionism of the Americas must play a prominent role in the construction of political and social projects promoting the decent work agenda as part of the development strategy of our countries.

84 It is necessary to promote National Decent Work Plans that, as well as Constitutional issues, include the formalization of employment, labor standards for young workers, the strengthening of the Labor Ministries and labor inspection, among others. These initiatives can only be built on spaces of public deliberation and effective social dialogue. Trade unions cannot give up their representation in existing spaces nor in those to be created for the formulation of National Decent Work Plans.

85 A fundamental task of trade unionism of the Americas, together with other union organizations worldwide, is to promote and underscore the role

of the ILO as a body to convey equality to the unequal. The ILO was created to eradicate the reasons of poverty as a source of conflicts and wars in the world and to defend that labor is not a commodity. Many employers and governments have distorted the role of the ILO by giving the same amount of importance to all tripartite actors, even though workers are the weakest link in this relationship. They have undermined its principles and fundamentals by blocking the furthering of standards and making conventions and recommendations unviable. The international union movement must combat this viewpoint by invigorating the regulatory role of the ILO.

Strengthening political participation and fostering participatory democracy

86 The global economic crisis increasingly leads to political crises expressed in the loss of power of the national political institutions of democracy, which are substituted by the power of corporations and other transnational powers. Above and beyond the sovereignty of national States, the market forces impose their measures, their laws and even rulers to safeguard their interests.

87 In the United States, financial corporations are transvestites hidden behind power and imposing their measures to save banks and block public policies favoring the majority. They have influence over national and international policy with increasingly anti-democratic, racist and excluding discourses. Profoundly anti-unionist politicians, opposed to social conquests, have gained ground in local governments and are already putting pressure on the federal government.

88 In Latin America and the Caribbean, after decades of dictatorships and fratricide wars - most of them due to and nourished by the cold war -, a period of stability is now taking place with more established democratic processes, albeit in some countries social struggles are still criminalized.

89 It is important to highlight the serious attack against democracy, human rights and regional stability of the coup d'état in Honduras in June 2009. For trade unionism of the Americas it was clear that the most retrograde interests of our countries and their articulations with their transnational partners will not hesitate to act against democracy and its peoples when their interests are at stake. That shameful act has not been overcome yet. The criminals that overthrew the Honduran democracy are running free and unpunished, and have expanded their power and influence through the illegitimate and accomplice government set up by the de facto regime.

90 Above and beyond the universal vote, government representation and individual guarantees, democracy is most valuable when it encompasses the participation of all society in decisions and protects society from violence, war, militarism and criminality. Democracy must provide social and economic justice and promote freedom of association. It must also ensure gender equity and the influence of the most vulnerable sectors of society, such as youth and ethnic groups among others, in policy-making.

91 Needless to say, the TUCA and its affiliates, representing an extremely important social sector, place respect for sovereignty, the strengthening of politics and democracy at the forefront of their strategy to defend the rights and interests of the working class. For this purpose the five theme areas are as follows:

a) Strengthening of TUCA political participation at the national level, in the reform agenda of the political system in our countries, where legacies of dictatorial times or periods commanded by hegemonic elites persist. The existence of participatory mechanisms developing and complementing representative democracy is of absolute concern for workers. The latter must reflect the vote weight of the majority of the population.

b) Fight for the democratization of communication as a human right and also for the expansion of mechanisms of participatory democracy, such as consultations, referendums and plebiscites, in order to strengthen and legitimize political decisions.

c) Unions are actors of development given its role defending jobs, salaries, social rights and the citizenship of the working class. In countries where higher levels of income and social welfare have been achieved, the role played by trade unions to attain them is indisputable. However, the development process of our countries and of the continent is more complex, especially after the devastating neoliberal policies that undermined the capacity of our States. This calls for more profound elaborations on our part and more training for union leaders to respond to the challenges and contribute to the design of development policies. This will be a task for the Institute for the Development of the Americas (IDEAM), subordinated to the TUCA. It will coordinate the development cooperation policy and promote studies and training of unionists of the continent on the issue of development.

d) The promotion of gender equity in all its dimensions – economic, so-

cial and political. No equality and justice can exist without equal salaries and equal rights for men and women, equal opportunity in political participation and a balanced division of productive and reproductive work. The TUCA defends affirmative policies aiming at these targets, and also raises a special concern in respect of youth, the prospects of which are increasingly limited in terms of employment and education. We must design policies enabling access of youth to the education they wish, as well as to decent work. The fight against discrimination of any kind in workplaces and in society is also part of the strengthening of the equality policy.

e) Although the majority of the countries of the continent have ratified ILO Conventions 87 and 98, in many of them freedom of association and collective bargaining are dead letter either because legislation distorts these conventions, or because of profound and unpunished violence. The full and universal exercise of these rights continues to be a pending assignment of most governments of the region. We draw the attention of governments in Latin America who state they are leftist, but consider labor action and unions themselves as corporative, ignoring freedom of association. These governments seek to co-opt unions or to only deal with those who support them unconditionally. The independence and autonomy of the trade union movement is a necessary condition to further the progressive and leftist projects. The intransigent defense of freedom of association and the right to collective bargaining is an element of unquestionable importance to strengthen policy, democracy and development, and it is urgent to campaign in its defense.

Self-reform and trade union unity

92 To advance in the strategy to strengthen the TUCA vision of policy and democracy, the union movement and its leaders must streamline union functioning expanding and strengthening the representation of all.

93 The trade union self-reform proposed by the TUCA aims at adjusting workers' organizations to the profound change in the labor sphere, the profile of the working class and the emergence of new social strata. It also encompasses mechanisms to incentivize unionization, improve the organization in the workplace and participation. It is fundamental for trade unions to become democratic and transparent for the actions of men, women, youth, unemployed, autonomous workers, workers of the informal economy and social activists, among others. This concern also extends to international organizations.

94 Lastly, the Congress salutes the success accomplished by the TUCA in its first four years of existence. The extremely broad agenda of themes, its contributions based on the trade union vision of the Americas, its inestimable presence in the different regional and global scenarios and the accompaniment of its affiliates at the national level, all confirm the soundness of the unitary commitment that we, the workers of the region, undertook in Panama in 2008.

95 The process of unity that originated the TUCA, in the framework of the global process led by the ITUC, has promptly overcome the initial reticence and difficulties involved in the functioning of an international entity incorporating a wide range of cultures, traditions and long histories. Trade union unity, as enshrined in the TUCA leadership, in its policy articulation and consistency with the program of action adopted at its Foundational Congress, has been an essential component to transform our entity into a fundamental regional actor.

96 This process of unity has had its correlate at the national levels. We have observed and accompanied the difficulties of dropping dynamics of the past, diverse political interests and contradictory projects within our own affiliates. Although the TUCA does not expect to establish a single national unionism supported by a single organization, the TUCA aims at an international policy with more and more consistent correlates at the national level, and that its affiliates increasingly become carriers of our message. The unity of action and programs, which has already shown results in several countries, and organic unity - which is the medium and long-term objective at the national level - should be one of the guiding reference points of TUCA policy. Furthermore, advancing in the coordination of continental mobilizations to confront policies of a model that leads to the precariousness of employment and is profoundly excluding, will further strengthen the unity of workers.

97 In terms of continental organization, a challenge for the immediate future is to assign a strong and defined Program of Action to the TUCA, with a medium and long-term strategy for issues that are substantial for workers and for the region. It is also necessary to provide the organization with material, technical and operational resources to address the increasing demand for responses at all levels. For this purpose, it is important to bear in mind that the Executive Secretariat and its team should be provided with the necessary conditions for their adequate performance.

98 Taking into account this general context and this framework of policy orientations, the Second TUCA Congress will adopt the resolutions that will become the mandate for all its organs and affiliated organizations for the 2012-2016 period.



RESOLUTIONS

RESOLUTION 1

SOCIAL AND ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT

1 The Congress states that, in view of the challenge faced by humanity and the survival of the planet, it is necessary and possible to protect and simultaneously utilize natural resources rationally for the population to live with dignity and with their wellbeing secured for present and future generations. It is not possible to advance towards decent life for all through the increase in indiscriminate consumption and production. This only stresses environmental variables negatively, as the unrestricted use of fossil fuels and disproportionate and irrational consumption are not sustainable and undermine equality and social justice.

2 The Congress affirms that growth is not equivalent to sustainable development. Infinite growth is not possible without jeopardizing future generations. The growth model based on market fundamentalism is not sustainable and it will not be possible to sustain it much longer without compromising life on our planet. Let us affirm the right to development with social and environmental justice. The countries and historically-excluded populations must not pay for the wastefulness and squandering of a model only focused on wealth for a few countries and persons. It is necessary to change the fundamental structures of the hegemonic model of development, production, distribution and consumption.

3 The Congress defends the idea that social and environmentally sustainable development is a much more important objective than simple economic growth. The latter is reduced to the quantitative increase in the size of the economy through the increase of economic activity, the generation of material wealth and more earnings.

4 The priority focus of the vision of development that we defend is the generation of decent work and social protection for all, thereby achieving balanced economic and social progress and development that have a comprehensive respect for the environment, and takes into account the economy, as well as ecological, social and political aspects. In this regard, the dispute for this model of development urgently requires the inclusion of gender, ethnic-racial and generational equality in the building blocks of the vision for egalitarian and anti-patriarchal development.

5 The Congress considers that, in the context of the global debate to address the crises of the recent phase of capitalism, it is evident that market solutions have proven their limits and failures and that the active role of the States is absolutely necessary to introduce equilibrium and limits to the self-destructive disposition of capital and uncontrolled profit-making. It questions the idea that this debate be held on the idea of “green economy”. We appeal to the retrieval of the notion of development launched at the Eco 92 almost 20 years ago and to explicitly add the term “social and environmentally” sustainable, as that where the demand of social inclusion with “reduction of environmental risks and ecological scarcities” becomes a clear priority in the strategy of social advance in our countries.

6 The reality of many countries of Latin America and the Caribbean is that historically they became producers and exporters of raw materials (agricultural, mining, energy) and this trend has escalated in the last decade and partly explains the good times experienced by some countries of the region in spite of the global crisis. However, the consequence is beginning to be felt in the cases which are not firmly regulated by the State and society through processes of democratic consultation, with a huge concentration of income, wealth and power that undermines social relations in detriment of workers, and which fosters the expulsion of communities due to mono-crops, mining or mega-projects, while also causing environmental degradation (desertification, contamination, greenhouse emissions, among others). To overcome this danger of returning to primary production, this Congress deems that it is fundamental to defend the central role of development of diversified and complementary domestic markets, in this way incorporating substantial sectors into consumption and generating jobs that are more stable, always with the horizon of social and environmental justice.

7 The Congress points out that the State must have the necessary autonomy to utilize the instruments of public credit, tariffs, as well as educational and technological innovation policies to favor the establishment of industries and diverse economic activities, and insert themselves directly into sectors where national or transnational private capital has no interest, bearing in mind the objective of expansion of domestic markets of our countries.

8 In the case of the developed countries of the North, the birthplace of the neoliberal vision and of many of the enterprises that reinforce the extractive characteristic, as well as part of the high consumption of raw materials, it is also necessary to advance towards processes that return the leading regulatory function to the State that has been lost in the last two decades and towards a greater democracy and participation of the population affected by the crisis.

9. The Congress specifies the responsibility of the State to promote public policies facilitating shared responsibility of domestic work through services for the elderly, children, persons with disabilities, among others. In this regard, it is necessary to put an end to the traditional vision that separates productive work from reproductive work, making a distinction between the work of men and women. The road to sustainable development demands that we fight against patriarchy.

10 The Congress demands that governments establish rules for direct foreign investment to limit the tendency to primarization of the economy and solely extractive activity. The conditionality of foreign investment relates to national projects for decent work generation that contemplate regional integration and the spheres of local development, as well as the rights of people and nature.

11 The Congress considers that governments must strictly control economic activities with a negative impact on the environment, which disintegrate our societies and which, in fact, produce scarce employment for the labour force. We are referring to extractive activities and the intensive use of soil and water, such as mining, mono-crops and oil activities. Activities of this kind require popular consultation or other mechanisms of participatory democracy involving those who have been most affected. In the same way, we defend the establishment of legal mechanisms at the national and subnational level, where none are available, which determine ownership of a substantial part of the income generated by the exploitation of non-renewable natural resources.

12 The Congress recognizes that the strengthening of domestic markets must be accompanied by an up-scaling that enables the solidarity union of nations. The fundamental issues limiting the development of our countries can only be solved to the extent in which alternatives to the neoliberal model are created, which reinforced the international division of labor of capitalism. Breaking away from that dynamics merits articulated action at the subregional level. Changing the production matrix and the above paradigm requires a component of international policy and this is basically an integration focused on strengthening productive complementation between our countries.

13 The Congress defends the strategic option of our countries aiming at integration with sustainable development as its common denominator. In the context of the crises, the countries of the global South must reinforce regional integration as strategy through our autonomy in respect of global financial

and commercial flows International insertion of our economies cannot be guided by corporate interests, among them the so-called “Latin-transnationals”, which continue to be the largest beneficiaries of public credit and in many cases have reproduced the worst social, environmental and labour practices of the corporations of the North.

14 The Congress ratifies the historical union position, which, upholding resistance in face of free trade agreements, proposes the idea of fair trade at the bilateral, bi-regional and multilateral level and true integration processes of the economies and peoples at the subregional and regional level.

15 The Congress expresses its concern about the fact that, after many years of growth and consolidation of regional integration processes during the first half of the 2000 decade, several reasons have led to a semi-paralysis while the dynamics of the free trade agreements has multiplied. It is a double negative impact: on the one hand, the advance of the free trade of the Americas that led to the crisis of the Andean Community of Nations (CAN) and the stalemate of the Central American Integration System (SICA), and on the other, the retraction caused, among others, by the global economic crisis of processes that were displaying more dynamism, such as the Common Market of the South (MERCOSUR) and the Bolivarian Alliance of Peoples of our America (ALBA).

16 The Congress considers that it is fundamental to resume the integration dynamics of the region, strengthening processes already underway, endowing them with a profile increasingly focused on the challenge of contributing with a more socially and politically inclusive region. Leaving behind economic disputes, many of which are influenced by the logic of competition and domination of national and transnational sectors and groups, requires the mandate of converting social, political and cultural integration into the main task of States and of the diverse organs created for subregional integration. This will differentiate Latin America and the Caribbean from other regions; it will not be a matter of attaining higher economic and commercial competitiveness, but of the extent of the incorporation of national majorities into the economic and social benefits of sustainable development..

17 The Congress applauds the integrationist initiatives that evade the purely commercial logic and seek an identity based on values and common identity of the peoples of the region, such as solidarity, cooperation, respect for differences, autonomy and sovereignty. The Congress values the process and functioning of the Union of Nations of the South (UNASUR) and the recent creation of the Community of Latin American and Caribbean States (CELAC).

18 In this context, for workers of the Americas, UNASUR is one of the most promising platforms, which includes political actions in defense of the independence of the region and its democratic institutions, and innovative mechanisms for health, infrastructure, education and social matters. The way in which social participation of this process will be reinforced is still a pending assignment that has been at the center of the action of the TUCA, the sub-regional trade union coordinating councils and many affiliates in South America and other regions too. This situation is similar to that of the Community of Latin America and Caribbean States (CELAC).

19 The Congress recognizes the trade union dynamics fostered at the Organization of American States (OAS) and its different organs where recently trade union participation has gained more weight. Trade unionism of the Americas considers that the OAS still needs to define the role it will play in the new political geography of the world and the region. The success of the coup d'état in Honduras is proof that the old hegemonic tendencies of the hardcore policy of sectors of the US Administration persist within the OAS and are decisive in its different organs. Therefore, it is necessary to utilize said scenario to question that kind of position and demand the changes that the new regional reality poses to the hemispheric body. Meanwhile, organs such as the Ibero-American Conference of Labour Ministers can function to leverage actions in defense of the interests of trade unionism of the Americas if a clear strategy of political impact is defined.

20 The Congress considers that the mobility of capital and the need to establish financial regulations to combat speculation with commodities that makes our economies vulnerable to external manipulation urgently require the establishment of a new regional and global financial architecture. The creation of Banco del Sur and the implementation of the Single Regional Payment Clearing System (SUCRE) constitute alternative regional mechanisms to address the dependence of traditional centers of global financial control and generate the rationale of protection of the region, meeting the needs of countries, in particular to make non-speculative investments which achieve a positive social and economic impact. As part of these regulatory measures, all the sectors call for financial transactions tax (FTT) as a necessary measure, which is recognized by many governments across the world. It is also advisable to increase the control of tax evasion and contraband.

21 The Congress considers that agriculture is a vital economic space where an upfront battle is fought between development models. In most of our countries agricultural tradition is still important with a massive number of families and workers living on rural activities, which are fundamental eco-

nomically, politically, culturally and environmentally. However, the high concentration of ownership of the land, large estates and scarce promotion and protection policies for rural workers generate a scenario of increasing poverty and social disintegration in rural areas. Furthermore, in the last decades we have observed the investment in agriculture of transnational groups. Monocrops, mostly administrated by transnational enterprises and enormous native and foreign agribusiness conglomerates favor the primary production in our countries, over-exploiting our best resources to the point of rendering them unusable. This policy has led to severe conflicts over the land due to, among others, the absence or complicity of the State, the pressure to expand the agricultural frontier for agribusiness and exports, creating the displacement of native peoples and campesinos..

22 The Congress calls upon governments to undertake real land reform processes and promote stimulus programs for family agriculture, as it generates the highest production for domestic consumption and concentrates the highest number of rural workers and promotes food sovereignty. It is necessary to build a new productive structure, stimulate greater autonomy of farmers, salvage traditional agricultural practices, reduce dependence on agro-toxic substances and seeds produced and commercialized by the large agricultural trading operations, and eliminate the impacts on the health of rural workers and their families. A central issue of alternative policies for rural areas must relate to the democratization of land ownership and the promotion of the solidarity economy. Another important challenge of public policies for rural areas relates to the consolidation of the productive inclusion of women through cash transfer programs, accessible credits aiming at family agriculture..

23 The urban production model must also recognize the role of small-scale production and, within it, the social economy of solidarity as democratizing factor of property and creator of decent work, leaving behind informal autonomous work or family micro-units to which large numbers of the urban population resort.

24 Lastly the Congress underscores that energy is a core matter in the construction of an alternative model for the region as it concentrates a varied energy matrix with considerable bearing in the economies of our countries. The region has the potential to generate alternative sources of energy to produce an increasingly renewable, clean matrix and a low carbon economy. In order to advance towards a sustainable model, factors such as integration of the economic system, productive reactivation, in the framework of social and environmental justice and the limits of the environmental system in terms of the use of renewable and clean sources of energy need to be considered. The

construction of a sustainable energy matrix needs to consider global environmental issues, such as climate change, depletion of energy resources, etc., as well as local issues such as pollution, loss of biodiversity, meeting basic needs of the population, among others.

TUCA Action Program

The Congress mandates the TUCA and its affiliated organizations, working together with the ITUC, to:

- a)** Promote the agenda of social and environmentally sustainable development as the flag guiding the actions of the TUCA and take this debate to each country of the Americas, to each national and international government sphere, where the voice of rural and urban workers will be heard for development in our region to achieve social inclusion and the sustainability of nature;
- b)** Together with the subregional trade union coordinating councils and their affiliates, continue strengthening regional integration processes due to their emancipating political and economic potential in today's globalized world;
- c)** Given the continental character of the TUCA, prioritize the coordination and action on broad processes (UNASUR, CELAC and OAS), seeking to foster trade union participation in them to obtain concrete answers to the demands of workers, expressed in actual changes in their life conditions;
- d)** In the case of UNASUR, strengthen the Trade Union Working Group on UNASUR made up of the Andean and Southern Cone Trade Union Coordinating Councils, in order to materialize institutional participation in this integration body, paying close attention to the debate on Social Development, Infrastructure and Economics & Finances, the effects of which can be significant on workers;
- e)** Maintain the degree of action accomplished in the previous term with COSATE in the framework of OAS and the Inter-American Conference of Labour Ministers, implementing permanent strategies to obtain concrete results that bring the labour reality of the Americas nearer to the ideal of decent work. The issue of freedom of association, trade union democracy and collective bargaining must be themes of constant action in this sphere;
- f)** Continue the support and cooperation of the TUCA to the trade union movement for the defense of workers of the Americas at the subregional level

(MERCOSUR, SICA, CAN, CARICOM), as well as with those innovative or unconventional processes requiring trade union understanding (CELAC, ALBA, ALADI). The Working Group on Hemispheric Integration will continue acting as the instrument to assist the TUCA along this process;

g) Maintain the opposition to the advance of the neoliberal version of globalization and advocate for trade union mobilization in face of free trade initiatives against the wellbeing of workers, such as the Transpacific Partnership or FTAs with United States, European Union, China, Canada and all those that reproduce asymmetrical relationships and are a direct threat to our peoples;

h) Work closely with the ITUC to defend labour rights at WTO, obstructing the Doha Round;

i) Closely follow-up on FTAs and AAs underway because, as shown by NAFTA, their social and labour costs soon started to surface. This is in order to foster trade union and social actions to address their effects through the broadest alliances of workers, national business sectors, academics, students and popular sectors.

RESOLUTION 2

FREEDOM OF ASSOCIATION, COLLECTIVE BARGAINING AND OTHER FUNDAMENTAL RIGHTS

1 The Congress reaffirms that trade union rights are human rights and that the promotion and defense of workers' fundamental rights is, and must continue to be, an essential priority for the TUCA. Ensuring their full and universal respect and application constitutes a necessary guarantee for the enjoyment of the human rights of all workers and an indispensable precondition of any model of sustainable development.

2 The Congress underscores that, in order to consolidate social peace and attain higher levels of human development, it is indispensable to recognize the legitimacy of trade union organizations and their participation in the establishment of working conditions and impact on the adoption, execution and evaluation of public policies. Freedom of association is the instrument of active participation of citizens for non-specific rights (civil and political)

to be applied inside enterprises. It is important to apply democracy in the workplace. Without freedom of association, there is no democracy or access to rights in the workplace.

3 The Congress emphasizes that unionism is based on solidarity and on the pursuit of full respect for freedom of association, collective bargaining and the right to strike. It establishes that each State is responsible for the protection of workers at the national and regional level, and in the framework of international institutions.

4 The Congress states that the American continent is still the most dangerous for trade union activity. Violence against unionism has been covered up and strengthened by grave and systematic impunity, affecting the entirety of workers and violating their rights.

5 The Congress condemns the impunity with which many private and public employers physically, economically and socially abuse workers, their leaders and trade union organizations. Every year hundreds of workers are murdered, incarcerated or brutally repressed, thousands of workers are fired simply because they are union members or wish to become union members, thousands of workers are subjected to repression and retaliation for demanding collective bargaining and for participating in demonstrations or strikes. Millions of workers in the fields or cities, of the public and private sectors, live without daring to exercise their legitimate union rights.

6 The Congress states that trade union organizations have also been hit hard by labor practices and legislations that obstruct trade union organization and collective bargaining, both in the private and public sectors. The dismissal of leaders and/or founders of trade unions, the pretense and cheating of the work relationship, the proliferation of pseudo-trade unions dominated by employers (sometimes called “protection contract unions”), as well as the use of juridical concepts, such as intermediation, outsourcing, cooperatives and social terms on “paper” are devices to circumvent labor and union rights.

7 The Congress deplores the fact that some governments of the region, in spite of the fact that their States have ratified ILO Conventions on freedom of association and collective bargaining (mainly 87, 98, 135, 141, 151 and 154) do not heed the observations and recommendations of ILO regulatory watchdogs in order to adjust their legislation and practice of the principles and postulates of those international standards, nor do they utilize the technical assistance available to help them overcome said obstacles.

8 The Congress rejects the iron-cast opposition of some governments to the recognition of the right to collective bargaining in the public sector, as well as the entrepreneurial stance according to which collective bargaining must take place, in their case, at the business level and not per sector of activity, in an articulated matter and other modalities, including the international one. The Congress also rejects the practice of direct agreements or pacts as they are deeply contrary to trade unionism and also because of their limitations to the legitimate exercise of the right to strike, in violation of ILO principles.

9 Fundamental labor rights are defined in the ILO Conventions 87 and 98 on freedom of association and collective bargaining, 29 and 105 on forced labor, 100 and 111 on discrimination, and 138 and 182 on child labor. The 1998 ILO Declaration on Fundamental Principles and Rights at Work explicitly establishes that all Governments are obliged to respect the principles enshrined in the Fundamental Conventions, and to defend them within multilateral organizations. The Decent Work program, encoded by the ILO in the 2008 Declaration on Social Justice and the 2009 Global Jobs Pact also recognize that the standards are an essential pillar of a concerted strategy to overcome the crisis and achieve sustainable economic development.

10 The Congress reaffirms the position of the ITUC and demands that governments comply with their obligation and ratify these Conventions if they have not done so yet. Governments are responsible for the protection of fundamental human rights through the enactment of laws and their enforcement, as well as for full effectiveness of labor inspection and administration, for the laws already in force. The Congress deplores and condemns persistent and widespread violations of fundamental labor rights where they occur and pledges TUCA efforts to put an end to them.

11 The Congress also deplores the fact that there are still at least 1.3 million persons at present subjected to modern forms of slavery and other forms of forced labor in the Americas, in activities such as livestock production, deforestation, sugar cane crops, coal production and the textile industry. It is also important to note the increase in human trafficking and affirms that this issue calls for urgent efforts for its eradication.

12 The Congress condemns and considers intolerable that over 14 million children between 5 and 17 years in Latin America and the Caribbean work in the most diverse forms of labor, while a high percentage is involved in the worst forms of child labor, such as commercial sexual exploitation of children and adolescents, involvement of children and adolescents in armed conflicts or trafficking, work in agriculture and other activities, the very nature or con-

ditions of which undermine their health, physical and moral safety and security and/or child development. The TUCA affirms that no form of child labor is acceptable, it rejects the arguments explaining child labor as inevitable, economically beneficial, socially admissible or redounding in benefit of the children involved and their families.

13 The Congress commits to continuing the historical fight of the regional and global trade union movement to eliminate all forms of child labor and promote actions to ensure that all children receive schooling. The TUCA calls for a campaign against child labor in all its forms, especially emphasizing its different causes and ramifications; in the formal and informal economy; through the provision of public and universal free, compulsory and quality education; fighting for Decent Work for adults, seeking higher family income; creating and maintaining the awareness and commitment of organized civil society; executing campaigns for the ratification of and compliance with ILO Conventions 138 and 182, and that all employers ensure respect for said Conventions in all their operations.

14 The Congress reaffirms the position of the ITUC that governments showing clear commitment with the elimination of child labor should receive as much international support as possible, in particular through the ILO International Programme on the Elimination of Child Labor (IPSEC) and its action plan for the eradication of all forms of child labor by 2016. Such plan should include the alliance of all trade unions to combat child labor. The TUCA observes with concern that governments and employers condoning or benefiting from the exploitation of child labor must be strictly punished, including by commercial penalties.

TUCA Action Program

The Congress mandates the TUCA and its affiliated organizations, working together with the ITUC and Global Unions partners, to:

a) Execute a resolute campaign in the Americas for the promotion and defense of freedom of association and the right to collective bargaining, calling for a prominent role of the ILO in such campaign, to combat all kinds of anti-trade union practices; contributing to the strengthening of the Social Rule of Law to abolish impunity, eliminate the interference obstructing trade union unity and raising the number of workers joining unions and coverage of collective bargaining, promoting respect for and implementation of ILO Conventions 87 and 98;

- b)** Campaign in favor of the universal ratification of fundamental ILO Conventions by 2015 and ensure that the universality of ILO standards is not undermined by judicial policies or decisions adopted at the national or regional level;
- c)** Intervene through all the appropriate means to oppose the violation of fundamental labor rights, wherever they occur, and call for the solidarity of all affiliated organizations in these efforts. Furthermore, report and make public all violations of the fundamental rights of workers;
- d)** Enhance the capacity of affiliated organizations to combat the violation of fundamental labor rights, using the Human Rights Network of the Americas and the Continental Juridical Team, as pillar of our work in the defense of human and labor rights with ACTRAV support;
- e)** Work to put an end to the violation of union and human rights in export processing zones and for the incorporation of fundamental labor rights in national legislation or the guidelines for the establishment of such areas;
- f)** Continue working for the elimination of pseudo-trade unions dominated by employers, in collaboration with the campaign of the Global Unions Federations, the TUCA and the ITUC against Protection Contracts;
- g)** Promote the right to unionize, to collective bargain and to undertake collective actions for all workers of the public sector, including the police and armed forces, working closely with the Public Services International and other Global Unions Federations. Reinforce the campaign for the ratification of ILO Conventions 151 and 154 in all countries of the Americas;
- h)** Actively contribute to ensure the right of workers to undertake cross-border industrial actions in order to promote respect for fundamental labor rights across the world;
- i)** Collaborate with the Global Unions Federations to achieve a more efficient international coordination and a common strategy with a view to ensuring the promotion and respect of fundamental labor rights;
- j)** Fully utilize the ILO supervisory system and follow-up mechanism of the ILO Declaration on Fundamental Principles and Rights at Work, protecting the integrity of their work methods and jurisprudence, and take avail of any opportunity to reinforce their efficacy, also publicizing the actions of the governments identified by the International Labor Conference as the worst violators of labor rights;

- k)** Work closely with the ITUC in its program on the Global Trade Union Alliance against Forced Labor and Human Trafficking, to promote respect for fundamental labor rights and eradicate forced labor;
- l)** Work closely with human rights organizations to establish alliances with progressive actors to hold events, mobilizations, meetings, forums and other initiatives aimed at defending fundamental labor rights and promoting such engagement on the part of affiliated organizations;
- m)** Promote greater specialization in the training of union leaders in order to prevent and eradicate child labor; share information and statistics to foster permanent trade union mobilization on the issue; follow up and monitor national development actions for compliance of ILO Conventions 138 and 182 and their respective recommendations (146 and 190);
- n)** Promote actions to prevent and eradicate child labor and domestic child labor through the ratification of ILO Convention 189 and its Recommendation 201;
- o)** Foster the intensification of trade union actions for the elimination of commercial sexual exploitation of children and adolescents, child labor in agriculture, domestic child labor and child trafficking.

RESOLUTION 3

ON TRADE UNION ORGANIZATION AND SELF-REFORM

- 1** The Congress points out that the origin of the issues currently affecting trade union organization are diverse and their effects can be felt in the loss of organizational and mobilization power of trade unions for the majority of workers within and beyond their structures. The assaults on trade union organization, as part of the neoliberal policies, have damaged trade union organization and this will be difficult to overcome in the short-term and will require different internal and external strategies.
- 2** The Congress also recognizes that in part the situation is due to intra-trade union practices, dynamics and cultures which need to be overcome in order to present trade unions and unionism as a valid option and a decisive actor in the realm of labour and society. In our region, most trade unions are fulfilling

a role that is transparent and consistent with the principles of trade unionism and are recognized by society as such. However, it is necessary to recognize that there are situation in which some union members and trade unions have distorted the role and social function of the workers' organization, which has generated a very negative reaction in the public opinion and among workers themselves. Honesty, transparency and democracy are assets and principles of our trade union culture that we must strengthen so as to enhance the action of our organizations.

3 Given these internal and external realities, it is fundamental to bring about changes in the orientation, management and actions of trade union and retrieve our role as main instrument of the working class to materialize their aspirations, dreams and projects, to be an actor with standing in the construction of an alternative project for society that overcomes the individualist and predatory logic of the neoliberal capitalist project. Trade unions must be actors in the dispute for the new hegemony, based on participatory democracy and models with economic, social and environmental sustainability, building, in conjunction with broad sectors of society, a new democratic public opinion in which the entire population defends the values of equality, solidarity, anti-patriarchalism, respect for sexual orientations and individual freedom.

4 The Congress values the advances of the TUCA trade union self-reform strategy and the drive given by the Working Group on Trade Union Self-Reform created in 2009, with the support of FSAL project (Strengthening Trade Unionism in the Americas) of the ILO, which defined four levels and advanced in their development: internal organization, collective bargaining, unity/coordination and alliances. It has also advanced in a definition specifying that the process of Trade Union Self-Reform seeks greater strength in the organization, representation and representativeness, legitimacy and influence at all levels involving labour rights and working conditions, employment and life, particularly at the level of the collective contracting of workers of any condition or labour modality. The trade union self-reform process takes into account each reality and the autonomous decisions of each trade union organization.

5 The Congress underscores that, in this period, the work of the Working Group on Trade Union Self-Reform has developed knowledge on the different processes of trade union restructuring underway in TUCA affiliated and fraternal organizations, as well as beyond the region, generating synthesizing forms to be transformed into models of action.

6 The Congress indicates that, as a key element for the future of self-reform, in-depth comparative studies are required on labor rules and regulations and

the legal restrictions stemming from regulations in effect must be addressed in most countries of the region and such tasks will involve an articulation of trade unionism with other social and political actors of our countries.

TUCA Program of Action

The Congress indicates that the same theme areas will be maintained for the upcoming inter-Congress period, once again with ILO support, with a second phase of the FSAL project with special emphasis on outsourced, subcontracted sectors and non-registered workers. There are three specific objectives, itemized as follows, expressed in expected outcomes:

a) Expand the capacity of trade union organization in terms of functioning, structures and representation:

- Availability of diagnoses made by the trade union organization itself on this self-reform theme.
- Reduction of legal restrictions to the development of this self-reform theme.
- Trade union policies to enhance internal functioning, incorporate new areas into its structures to reduce dispersal, and expand the coverage of the trade union movement through unionization.

b) Increase the coverage of collective bargaining and other forms of negotiation

- Availability of diagnoses made by the trade union organization itself on this self-reform theme.
- Collective bargaining in broader spheres (per sector of activity and territories).
- Articulation between broader collective bargaining and bargaining per enterprise, in descending order.
- Collective bargaining of sectors not yet covered.
- Incorporation of new contents into collective bargaining.
- Incorporation of gender-specific content and content on women's participation in the bargaining process.

Other forms of bargaining at the local level to cover autonomous workers.

c) Advance in trade union unity/coordination and the construction of alliances

- Availability of trade union diagnoses on this self-reform theme, underscoring its relationship with sustainable development.
- More concentrated trade union structure at the level of centrals and national confederations.
- National and subregional articulation between centrals and national confederations.
- Broad representativeness of centrals, national confederations and sub-regional trade union coordinating councils.

d) The Working Group on Trade Union Self-Reform will prioritize the following labour collectives which require urgent representation:

- Salaried precarious workers in outsourced, subcontracted or temporal situations;
- Non-registered salaried precarious workers of formal and informal enterprises;
- Non-salaried formal and informal small-scale production workers, including those in rural activities.

The diagnosis and action applied to other collectives will also be explored:

- Workers of industrial duty-free areas.
- Retired workers (to retain them in trade union structures).
- Workers of the solidarity social economy (for utilization of these structures).

e) During this period, the Exchange and Follow-up System of Trade Union Self-Reform will be developed for greater dissemination and exchange of experiences, and the utilization of results-based indicators, for which it will:

- Maintain annual compilations in graphic format.
- Strengthen interrelationship with the different TUCA secretariats and their specific themes.
- Promote a greater exchange with affiliated organizations of North America.

RESOLUTION 4

PLAY FAIR, A SPORTING CHANCE FOR WORKERS

1 The Congress deems that the large sporting events promoted by the International Federation of Football Associations (FIFA) and the International Olympic Committee (IOC) are acquiring more economic and political relevance for the host-countries and regions. Year after year we observe the growing amount of financial resources allocated to the Olympic Games and the World Cup, generating extraordinary earnings for the organizing bodies and transnational sponsors.

2 The Congress points out that the volume of investments and public development contributed by the governments of host-countries has increased, causing considerable urban disruption in the host-cities and affecting the most vulnerable social sectors which, more often than not, are negatively impacted by such events. Many times, national legislations are modified to benefit the entities and enterprises conducting the events around the world.

3 However, in most cases and in spite of the enormous amount of money involved, what can be observed is: **i)** disrespect for decent work in the labor categories most directly related to these competitions **ii)** impossibility of union organization; and **iii)** the lack of transparent and democratic processes.

4 Furthermore, these events have also increased the vulnerability of workers to forced labor and human trafficking. For example, many of FIFA and IOC venues were built by migrant workers in conditions of servitude, involuntary slavery or forced by debts. These events also increase the risk of trafficking for sexual exploitation involving vulnerable groups, such as women of low income, poor urban workers and migrants.

5 Construction, retail, tourism, public services, textiles and transport are affected by the large sporting events, usually in a negative way. It should be highlighted that FIFA decided that Russia (2018) and Qatar (2022) will be the next World Cup hosts. Both countries present serious problems related to freedom of association and the full functioning of democracy. It is important to underscore that both countries have a large number of migrant workers with no labor rights and who are not fully protected.

6 In 2014 and 2016 Brazil will host the World Cup and the Olympic Games, respectively. The result of this combination has an important impact on the economy and working conditions in the production sectors directly or indirectly involved in the preparation for the games, not only in the host country but in the entire region. Unions in the region must focus on this issue due to the impact it will have on the working and life conditions of thousands of workers. Based on the ITUC experience that has already conducted Play Fair in several countries, we must strengthen this initiative in Brazil to articulate similar actions in other countries of the region.

TUCA Action Program

The Congress mandates the TUCA and its affiliated organizations, working together with Global Unions partners, to:

- a)** Increase the pressure on the transnational corporations involved in mega-events such as the World Cup and the Olympic Games, for them to commit to ensuring decent work, freedom of association and the right to collective bargaining;
- b)** Demand that the public resources invested in the competitions or granted to transnational corporations have a clear social counterpart of respect for freedom of association and decent work;
- c)** Support the ITUC and TUCA campaign, in conjunction with the Building and Wood Workers' International (BWI), under the objective of not accepting the Qatar World Cup unless FIFA makes clear commitments to respect workers' rights;
- d)** Demand that FIFA and the IOC make clear commitments to respect working conditions and freedom of association, whether in public works of host-countries or in the supply chain of sponsor corporations;
- e)** In the case of Brazil that will host both international mega-events, support the Play Fair campaign with the Brazilian affiliates and conduct solidarity actions together with unions of the entire continent;
- f)** Working with BWI and ITGLWF to identify the most relevant brands and multinationals participating in the production of goods and services related to these events. Establish alliances for research into these corporations and coordinate with unions and civil society in the country of origin;

g) Demand special attention to vulnerability to forced labor, debt-related servitude and trafficking for sexual exploitation in the context of these sporting events. Special attention should also be given to the rights of migrant workers.

RESOLUTION 5

SOCIAL SECURITY AND HEALTH AT WORK

1 The Congress defends social security as a human right. More than 60 years after the Declaration on Human Rights, the Americas show very serious deficiencies in respect of income distribution, generation of decent work, freedom of association, gender equity, etc.

2 The Congress recognizes that in most countries the economic and socio-labor structure of the Americas is characterized by:

- Economic growth with low levels of productivity and technology, with endemic backwardness of agricultural production and highly inequitable income distribution (with the worst indicators worldwide).
- Very high levels of labor informalization, both among dependent workers and autonomous workers, in conjunction with extensive unemployment, underemployment, outsourcing and poverty. Labor vulnerability is especially high among women, youth, migrants and rural workers.
- Institutional weakness of public policies for social protection, social security and health and safety at work.
- Limitation and including elimination of the exercise of freedom of association, as well as persecution, and even murder, of trade union leaders (Guatemala and Colombia); insufficient development of collective bargaining and scarce utilization of tripartism and social dialogue as instruments of social legitimization.

3 The Congress indicates that the implementation of the right to social security becomes a much more important priority if we consider that five of the Millennium Development Goals (MDGs) defined in the Millennium Declaration by 189 countries in 2000 at the UN Millennium Summit relate directly to social security, such as: eradicate extreme poverty and hunger (goal 1), promote gender equality and women's autonomy (goal 3), reduce child mortality (goal 4), improve maternal health (goal 5), and combat HIV/AIDS, malaria and other diseases (goal 6). This shows the importance of social security as response to

the crisis and tool for social construction, involving all the UN System and its member states in the process.

4 The Congress recognizes the strategic importance of placing gender equality in social security. Most of the social security regimes were established on the basis that men were breadwinners and that there was a (natural) distribution of tasks and functions within the family, of such nature that women were perceived as secondary workers and their competences and abilities were socially undervalued. If we add that the labor background of women is more discontinuous, with fewer options to promotions, with careers interrupted by child raising, we see that women concentrate shorter periods of salaries that are considerably lower than men's. Given all these circumstances, inequalities are reproduced resulting in an insufficient model of social protection for women. It is necessary to identify the differences in the application of social protection systems in terms of gender and debate its causes in order to draft proposals to correct them. The policies to reconcile work and family life and policies on the distribution of family responsibilities among men and women must be considered as one more element of social security. We must demand clear and very specific public policies for women housewives who have suffered imbalance in the distribution of family responsibilities, are unprotected in terms of remuneration and have no social protection.

5 The Congress recognizes that migration, within the American continent and also Spain and Portugal, as well as the repatriation of migrants in the context of the crisis, leads to the great significance of the Ibero-American Multilateral Social Security Agreement for disability, old age and survival that must be approved and enforced by law. A similar agreement already in effect (as of 2005) in Mercosur can facilitate advances in its enforcement, without affecting other eventual supranational agreements. These are indispensable instruments to total the number of years worked by each worker, regardless of their residence, avoiding loss of rights.

6 The Congress insists on the priority of public policies promoting social protection and personal and labor development of youth as collective of vulnerable workers. Said priority is underscored by the Global Jobs Pact (ILO 2009), in which young persons are recognized among the vulnerable persons who have been harshly affected by the crisis. We state that economic recovery must produce new employment opportunities for young persons, with opportunities for decent work and always with social protection guarantees.

7 The Congress underscores that in view of labor deregulation, the violation of labor rights and the high levels of inequality and poverty, it is necessary to

analyze a new model of social security, its form of financing and pooling of resources. Adequate tripartite financing sources need to be established with State resources, stemming from progressive taxes levied on capital and big income, and dues from employers and workers. In particular the participation of workers' organizations is required in the design of social security governance policies for control purposes.

8 The current crisis affects social security with additional negative phenomena: less collection of dues due to lower membership, more arrears, greater abuse by employers and fewer pensions. The crisis also evidences the considerable failings of the individual capitalization regimes operated by private pension funds, which have expanded over the last twenty years in Latin America and the Caribbean as part of the neoliberal reforms for pensions, health and professional hazards. Such regimes carry within a conflict between the principle of profitability that they pursue and high fees and risky placements in the stock exchange, and the promise of coverage in the event of social contingencies, and do not establish sufficient mechanisms to ensure the security of these welfare funds.

9. The Congress denounces that the privatizing structural reforms have not succeeded in expanding the coverage or quality of benefits. With the different crises workers have lost our contributions deposited in pension saving funds. The uncertainty of these systems stimulates the violation of labor rights (in the formal and informal sectors), the deterioration of socio-labor indicators and makes us contemplate new alternative solutions to materialize the indispensable increase in coverage.

10 The Congress identifies social security for all as the result of a sustainable development model achieved through a basic public pillar financed by taxes, free access to health, education and water/sanitation, a better distribution of income and wealth, and consequently a reduction in existing social inequalities. This needs to be accompanied by a contributive public pillar of tripartite financing as the backbone of the system. Severe limitations can be observed in the actual capacity of States to collect, control and punish, leading to high tax evasion and perception of impunity, as well as lack of systems.

11 The crisis in industrialized countries causes additional problems to social protection in Latin America and the Caribbean by generating a return migratory flow that will increase the need for such policies in the countries of origin. The reduction in remittances also has an impact, given the reduced capacity of migrants who remain in the destination country who are frequently more affected by the crisis given their precarious insertion in the labor force.

12 The Congress assumes that the failings already in place cannot be solved overnight. Much work is required, as well as determination and political will to achieve this. It is fundamental to identify the first steps in the right direction, always with clear rules, and therefore we ratify ILO Convention 102 as incontestable point of reference.

13 The Congress ratifies that social security is a strategic and constituent element of decent work, and must be the core objective of all policies. Governments must foster decent work policies to expand opportunities to access employment with high pay, security and productivity, favoring the formalization of work with rights, consistent with the National Decent Work Plans and gender equity. The fundamental point of reference is the *Declaration on Social Justice for Equitable Globalization* (ILO, June 2008) stating that the four strategic objectives (rights, employment, social protection and social dialogue) are inseparable, interrelated and mutually reinforced each other. The lack of promotion of any one them undermines the attainment of the other objectives. This strategy must be accompanied by the defense of the right to freedom of association, strike, collective bargaining, inherent to the *raison d'être* of the trade union movement. In face of the challenge of accomplishing the expansion of social protection, the Declaration on Social Justice for Equitable Globalization urges States to adopt and expand sustainable social protection measures and adapted to national circumstances.

14 The Congress values the lead role of trade unionism of the Americas at the XVII ILO American Regional Meeting in Santiago de Chile, which made clear that social security for all must have two components: a basic public pillar financed with progressive taxes and providing benefits for all, and a contributive public pillar with tripartite financing. Each State must commit a minimum percentage of the GDP to expand the coverage of social protection. A social protection floor can be considered as a complement for an expansion strategy aiming at the most vulnerable population, but must be part of a comprehensive social protection system, paying due attention to gender equity. It must be a tool ensuring rights-based social protection coverage.

15 The Congress affirms that non-contributive benefit programs and services, that UN and ILO have called “social protection floor”, must be considered as a complementary instrument for the expansion of social security coverage to the most vulnerable population. It should be financed by progressive taxes and must necessarily be part of a comprehensive system that has DECENT WORK and DECENT SALARIES at its core. This should be the response for social security, of which “the social security floor” is part, to become the set of rights on which to build citizenship.

16 The Congress recognizes that the trade union social security strategy has advanced in the following dimensions and processes:

- Trade union prominence at the 89th ILO Conference (2001) where a resolution and conclusions were approved on social security, reaching global consensus on fundamental issues and priorities.
- Trade union debate on social security proposals (2007-2009), in the framework of international cooperation. Important international trade union meetings were held in Latin America to debate and define trade union social security priorities and strategies.
- Trade union prominence in the Social Protection Commission of the 100th ILO Conference (2011), where the bases were set for the discussion on a recommendation for the basic social protection floor. It is necessary to reaffirm the centrality of labor in any strategy for the expansion of social protection coverage, with more equitable financing systems, as expressed in paragraph 4 of the Conclusions.

For healthy and safe workplaces

17 The Congress defends health at work as a component of the right to social security. Health and safety in the workplace is indispensable to advance in decent work with equity and justice, and constitutes the cornerstone of sustainable development.

The Congress denounces:

- The lack of decent work is more evident in the informal economy and outsourced or subcontracted work, characterized by small or undefined workplaces, unsafe and unhealthy working conditions, low levels of productivity, low or irregular pay, long working hours and lack of access to information, technology and training. Most workers in the informal economy lack social protection and social protection benefits or receive very few. Many small or very small-scale enterprises that are part of the chains of production of the large-scale enterprises mask work relationships and the responsibility of the contractor for hazardous situations.
- The impact of the new technologies, organizational changes, the escalation of workloads, working hours and pace, as well as the contraction of labor rights, the reduction in the power of trade unions to put pressure, and the increasing fragmentation of workers are detrimental to life and working conditions, and therefore to the health of workers.
- There are very grave estimates on the rate of accidents (tens of thou-

sands of deadly accidents) and morbidity (hundreds of thousands of deaths due to professional diseases per year), particularly due to work-related cancer. In most countries there is a total lack of information systems to provide data on injuries stemming from work accidents and professional diseases.

- Society in general lacks information on work-related hazards and injuries and hence awareness raising is scarce and the culture of prevention is deficient.
- The gravity of statistical invisibility on women workers.
- Psychosocial diseases and muscle-skeletal alterations are common problems affecting a vast majority of women workers.
- Most countries have not ratified or applied international standards and, in many cases, ignore the existence of ILO Convention 155 as reference standard. Policies for health at work are not usually included in governmental work agendas.
- Inspection, surveillance and control systems for compliance of rules and regulations on the Prevention of Labor Hazards, if any, are not effective; this generates extensive impunity, aggravated by anti-trade union practices which impede the organization of workers. Generalized outsourcing and subcontracting dilute employer responsibility.
- The consequences of HIV/AIDS are devastating for workers, their families and dependents, as well as for the enjoyment of human rights. They cause or increase poverty, inequality and social injustice. The workplace is an ideal scenario to provide answers relating to HIV/AIDS where there are structures available for social dialogue and representation, as the majority of persons vulnerable to HIV or living with HIV has reached working age (between 15 and 49 years).
- The hazardous effects of the current economic-financial crisis on health and safety at work are reflected in the reduction of corporate investments in the prevention of labor hazards and the reduction in the allocation of resources for such purpose, as well as in the expansion of the informal economy which increases the number of unprotected workers and other situations.

18 The Congress values the work of the TUCA and its affiliates during these four years, promoting policies for health at work ensuring the full enjoyment of labor rights in safe and healthy conditions. Trade union participation and action has been strengthened in terms of its influence on national and regional public policies for health at work, as in the case of the drafting of the Ibero-American Strategy on Health and Safety at Work, approved by Heads of State in Lisbon in December 2009.

19 The Congress reaffirms the importance including health at work in the trade union agenda at the national level, with the creation of labour health departments or secretariats, the adoption of trade union work agendas, plans for training and the articulation of the different levels of interventions such as delegates in working centers, trade unions, federations or centrals.

20 The Congress ratifies the importance of the approval of the Regional Trade Union Strategy for Health at Work, led by the TUCA and collectively built with its affiliates, as an essential tool to defend the health and life of workers of the region. Furthermore, it entrusts the TUCA to implement said Strategy and its affiliates to incorporate its conceptual and operational content as per their national reality.

21 The Congress also urges the TUCA and its affiliates to support the actions promoted by the ITUC in respect of hazardous substances such as endosulfan and paraquat, as well as to continue seeking to achieve a total global prohibition of the use and commercialization of asbestos.

22 Considering the development and uses of new technologies in the workplace, the Congress entrusts the TUCA and its affiliates to initiate a systematic information and training action on the impact of nanotechnology on workers' health and life.

TUCA Action Program

The Congress mandates the TUCA and its national organizations, working in collaboration with their affiliated and fraternal organizations, to:

- a)** Development of our trade union proposals for the expansion of social security coverage, with the greatest possible participation within the organizations;
- b)** Development of alternative trade union proposals to privatized social security systems (all with the necessary technical rigor), to be submitted to each country's authorities as legal reform projects envisaging universal and solidarity integral public social security systems, with expansion of coverage to persons with no contributive capacity and of the informal economy, and with tripartite financing;
- c)** Build the mobilization capacity of workers for the defense of trade union proposals. Trade unions must also develop their own communication capacity as so-

cial mobilization tool for the construction of an alternative social security system;

d) Each National Directorate of our Trade Union Centrals must make public pronouncements owning the issue and joining the regional campaign to promote and ratify ILO Convention 102;

e) Guide dissemination and awareness raising on the importance of social security as a human right, aiming at workers and civil society as a whole;

f) Use the Tripartite Commission established in countries that have ratified Convention 144 to discuss our positions on these issues;

g) Foster and strengthen the creation of spaces for social dialogue to discuss and improve social security systems in our countries, with ILO accompaniment;

h) Propose the inclusion of Convention 102 among the ILO Fundamental Conventions. It is necessary to schedule concrete trade union actions in the countries which, having ratified Convention 102, the Commission of Experts on the application of ILO Conventions and Recommendations has reported non-compliance;

i) Help establish Trade Union Technical Teams in each national center to provide support at the national and regional level, following up on processes, assisting their own organizations and representatives, preparing assessments, comparative analyses of systems, exchanging experiences as well as feasible and concrete proposals;

j) Contribute to the information, dissemination and education on this fundamental human right, demand and develop greater coordinated participation of and with other national centers;

k) Strengthen an agreed-on position for the ILO Conference in 2012, to achieve regulatory strengthening of the fundamental human right to social security, and uphold a clear position on the autonomous recommendation to be proposed on social protection floors;

l) Collaborate in the organization of retired workers, supporting their organizations and also respecting the different national realities;

m) Help national centers organizing non-unionized workers for them to obtain the benefits of social security, defending their rights and interests in a collective manner;

n) Strengthen the TUCA trade union commission for regional follow-up, made up of social security focal points, to conduct the Continental Union Platform on Social Security (PLACOSS) Action Plan. We must utilize the support of the TUCA-ITUC, the Subregional Trade Union Coordinating Councils, the Global Unions Federations and the ILO to strengthen the local, subregional and regional networks, as well as making alliances with institutions, civil society organizations and schools specializing in social security operating at the national, subregional or regional level;

o) Commit TUCA affiliates to disseminate the Continental Trade Union Platform on Social Security (PLACOSS) as programmatic and substantive guideline for the defense of social security in the region. This Platform must act as reference for the construction of national proposals, prioritizing the aspects that are taken into account in respect of each national and trade union reality;

p) Contribute to the protection of persons infected with HIV/AIDS against any form of discrimination at work and to the expansion of the protection specifically provided for in ILO Convention 111 and other conventions. Promote the full and effective implementation of the new ILO instrument on HIV/AIDS in the realm of labour, both nationally and internationally;

q) In the framework of the Regional Trade Union Strategy on Health at Work, the Congress mandates the TUCA to continue fostering the articulation and implementation of the Action Plan, the main guidelines of which are:

- Strengthen the action of the TUCA and its affiliates, promoting the creation of a trade union space for coordination and articulation of health at work.
- Promote the ratification of and compliance with ILO Conventions 155 and 187.
- Foster compliance with and implementation of the Ibero-American Strategy for Health and Safety at Work at the regional and national level, strengthening the role of union coordination developed by the TUCA.
- Promote the strengthening of spaces for social dialogue and collective bargaining in terms of health at work.
- Design a trade union training plan on health at work with the support of ILO-ACTRAV and trade union technical institutes of the region, and the cooperation of other similar international trade union bodies.
- Foster the creation of information, registration and notification systems for accidents and diseases, as well as surveys on working conditions, as the basis for the design of public policies and to guide

priorities in respect of preventive measures, both generally and in the workplace.

- Stimulate trade union action of affiliates through union networks facilitating access to information and thematic material through the TUCA website, with permanent support for awareness raising campaigns at the national level.

RESOLUTION 6

YOUTH AND DECENT WORK

1 The Congress reiterates the commitment to organize and empower working youth as active, social trade union subjects and as a necessary and urgent condition to strengthen the efforts of the working class in the Americas. Relationship and interaction between working youth and the union movement are key factors both to strengthen and invigorate the union movement and to solve crucial issues affecting working youth of the Americas.

2 The Congress expresses its concern about the high rate of youth unemployment in the region and especially in Latin America and the Caribbean, where the unemployment of young persons is twice as high as that of adults, particularly in the segment of those looking for a job for the first time. This situation has been exacerbated by the global crisis. Youth unemployment rate reaches 10 million persons and represents approximately 46% of total unemployed persons in Latin America, without taking into account the millions of young persons entering the labor force each year. The fight for the first employment with decent work must be a top priority and, for this purpose, it is indispensable to influence public policies on employment.

3 The Congress observes that, as well as unemployment, the precarization of work for young persons in our region is on the rise. Precarious work has become a reality for most young workers. The neoliberal model has established new forms of exploitation and precarization that are the daily reality of young workers who only find part-time work or fixed term work, work at home, temporary work, outsourced work, etc. More than 150 million young persons in developing countries are considered poor workers. Of this group of collectives only 14% have a stable job; 35.1% has health insurance; and 32% has joined some sort of pension system.

4 The Congress indicates that formal education and professional training

is the path to incorporate young persons into the work force. It is urgent to meet the need for education and professional training of young workers of the Americas as a way to advance in decent work for a decent life, an achievement which is also obscured by the lack of new opportunities and jobs. The Congress demands that public policies on formal education and professional training of young persons be fostered with gender equality, so that the young population of your continent can access decent work.

5 The trade union self-reform process must include, among other actions, the transformation of trade union structures making them more flexible to affiliate young persons, and represent and defend their interests. The Congress states that it is fundamental to raise the awareness of national leaderships on the value, importance and urgency of the incorporation and active and systematic participation of young workers in trade union actions. It is necessary to adapt the language and generate processes and mechanisms to attract young persons, as well as encourage their active permanence in the organization, thus strengthening trade unions and the efficacy of the actions to defend and improve political, labour, social and cultural rights, not only for youth but for the entire working class.

6 The Congress mandates support for and utilization of the potential and creativity of the “Y” Generation⁽²⁾. This generation is born into the realm of new technologies and possesses great skills in the management of Information and Communication Technologies (ITCs). The Congress expresses that, although advances have been achieved in the visibility and greater prominence of youth within the organization through these new technologies and “social networks”, the TUCA and its affiliated organizations need to utilize the potential of these collectives and join efforts to provide training to young persons in these technologies, both in educational processes and the management and dissemination of information, as well as in forms of action denouncing abuse at work, unemployment and the different forms of discrimination by race, social status, sexual orientation, religion, etc. in real time.

7 The Congress recognizes and reaffirms its support to the work carried out by the Working Youth Committee of the Americas and its clear and consistent actions defending human, labor and sociopolitical rights of young workers.

(2) Generation born between 1980 and 2000 and which has grown in a context marked by technological innovations. This generation comprises young persons between 15 and 30 years, 90% of which uses the Internet on a daily basis, 60% cannot imagine life without it, and almost half spends at least 20 hours a week “connected”.

The work carried out by this Committee is of utmost importance because it focuses on the active participation of youth in the union movement through communication, awareness raising, affiliation and mobilization campaigns of young persons, and also as an important factor in their ownership of the union self-reform process and in the influence in national and international public spaces, defending the point of view of young workers of the Americas.

TUCA Action Program

The Congress requests the TUCA and its affiliates to:

- a)** Reinforce coverage of trade union training issues benefiting young workers and continue with the development of training programs and organization with emphasis on union self-reform, decent work, collective bargaining, trade unions and youth affiliation;
- b)** Promote the development of strategies and union proposals to achieve greater impact on public policies for decent work with inclusion and gender equality for young workers;
- c)** Influence public policies on formal education and professional training, with gender equity, in order to ensure access of workers of the Americas to decent work;
- d)** Develop trade union training programs promoting the mystique and militancy of youth to generate empowerment of young workers and strengthen the trade union movement;
- e)** Support the campaigns of working youth the objective of which is organization, youth affiliation and defense of the rights of young workers and promotion of the first employment and decent work;
- f)** Influence trade union policy-making on young workers to enable the participation of youth and its empowerment in trade union structures and actions;
- g)** Foster and strengthen the use of the virtual platform of working youth to generate greater interactivity and communication and increase youth affiliation and the growth of the trade union movement;
- h)** Support all the activities of the Young Workers' Committee of the Americas;

- i)** Promote and support the activities carried out by the different affiliated organizations for working youth and foster alliance policies with youth spaces such as the Ibero-American Youth Space, the Ibero-American Youth Organization, among others;
 - j)** Ensure the participation of the representatives of youth of the Americas at the 2012 International Labor Conference, which will specifically focus on the crisis of youth employment;
 - k)** Strengthen the development of tripartite meetings with union organizations and international organizations ensuring the joy of participation of young persons through trade union training, art and culture, communication, sports and essential recreational activities for union youth to remain active in the union movement.
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RESOLUTION 7

EDUCATION AND UNION TRAINING

- 1** The Congress reaffirms its comprehensive approach to education and articulates union training with professional and formal education. Education, in all its manifestations, formal, technical-professional, union and citizen training, is a human right developed along life. During childhood, youth and adulthood, human beings are entitled to access education and knowledge. Through public policies, governments must oversee respect for and compliance with this right. The union movement as strategic actor and subject in the pursuit of social justice and democracy will intensify its actions to defend what has already been accomplished, and advance in the universalization of the different expressions of education.
- 2** The Congress rejects the mercantile approach of the neoliberal model to education. Education is not a commodity: education is a fundamental human right of all citizens. The Congress considers that formal education needs to be understood and developed based on a public policy that integrates all the following perspectives of education: lifelong, for life, comprehensive, ongoing, lay, compulsory, free, public, quality, with equal opportunity and access for all.
- 3** The Congress proposes that technical or professional education needs to respond to the strategies for the comprehensive and sustainable development of our societies. We reject the mercantile and instrumental approach,

the strategy of which is to produce machines for the labor market. One of the greatest challenges of professional training is to ensure quality education that also instills values, where the learning subject gains qualifications and empowerment to carry out decent work. In this way, professional training creates the conditions to enjoy better employment opportunities and attain integral human development.

4 The Congress reaffirms the sociopolitical dimension of trade union training by formulating that the strategic objective of such education is to strengthen trade unions and contribute with the working class to fight for the hegemony now in hands of the global neoliberal model. The Congress considers that union training must respond to the interests and needs of workers, of unions and promote strategic processes to strengthen mobilization, pressure and transformation by the union movement in the framework of the historical project of building a sustainable development model.

5 The Congress recognizes that the neoliberal context in which union training is provided is thoroughly adverse and therefore requires that sociopolitical education deepens the analysis on the depredating, inhuman and exploitative characteristics of the neoliberal model. The political dimension of the neoliberal model promotes the dismantling of the State; its economic dimension promotes the dismantling of the control by transnational capital; and labor-wise it promotes flexible and precarious labor to control the strength of workers organized in unions. The neoliberal model promotes the principles and values of individualism, consumerism and speculation. The consequences of this development model are poverty, unemployment, environmental exploitation, exclusion, destruction of unions, and hence the generation of a violent environment based on social insecurity. The alternative proposed by the TUCA is a sustainable development model in which decent work is a fundamental pillar to secure economic, social, political and environmental sustainability.

6 The Congress reiterates the complementary and non-transferable character of union training. The TUCA, as a continental structure, develops its international training programs on Congress-mandated issues. The profile of participants is essential to ensure the success of training programs and processes. The TUCA reaffirms the non-transferability of union training because, through it, workers fortify their identity as working class and also build their sociopolitical project.

7 The Congress notes with concern that some union organizations do not have education as their core strategy for strengthening. Their discourse shows apparent support but has not managed to translate it into lasting programs

and actions. In some cases strategic planning is missing for training purposes and other times there is an absence of training policies for union strengthening. In this situation, some training secretariats do not have a strategic horizon and thus easily give into the variety of isolated proposals offered by some institutions linked to union training.

8 The Congress proposes the challenge of overcoming the vertical and profiting approach to education in general and to union training in particular, as this stance does not favor the trade union self-reform process or union strengthening. It does not facilitate awareness-raising to challenge the hegemony of the global neoliberal model. For the vertical concept of education participants are objects, and therefore their role in the classroom is simply to listen, accept and learn by heart the truths that are presented to them. The mission of the teacher or professional is to be the “transmitter of knowledge” and, above all, defend the established union model. The vertical model also promotes a centralist and individualized leader, and therefore, all attempts at self-criticism, development and collective decision-making are undermined. The result of this vertical training is uncritical workers and a demobilized organization.

9 The Congress deems that it is strategic to promote a methodological concept that promotes the development of the principles, values and themes of action defined by the Congress in its program of action. The TUCA believes that the dialectic methodological concept constitutes a framework of criteria and principles facilitating horizontal, democratic and transforming union training. A principle to be underscored in the dialectic subject-object relationship is that the union organization is the subject of educational processes. Training is provided for participants to strengthen the organization. In the classroom both participants and facilitator are subjects, yet learning is determined by the needs and interests of participants and of the organization. The facilitator’s mission is to help construct and reconstruct knowledge and to help interpret and transform reality. Reality is the object to be changed and transformed. And the second principle stems from the latter, i.e. that the point of departure of the learning process is practice, experience and the context of participants and of the union organization. Therefore it is necessary to confront practice with theory and, guided by theory, practice is once again reviewed to improve it. In this way the new methodological Practice-Theory-Improved Practice (P-T-IPr) emerges.

10 The Congress points out with concern that there is a lack of communication and coordination, in some cases, between education secretariats and the other secretariats making up the executive committee of national centers and confederations. Interaction and coordination between secretariats is of vital importance for organizational consolidation. In particular, communication and coordination among the secretariats working in organizational tasks, i.e. the organization secretariat, women’s secretariat, youth secretariat, informal economy secretariat, among others, are of utmost importance.

TUCA Action Program

The Congress mandates the TUCA and its affiliates to:

- a)** Strengthen the union training process with the strategic common denominator of strengthening unions and helping the working class challenge the hegemony of the global neoliberal model;
- b)** Prioritize those contents in the training program defined as strategic in the framework of the Congress's theme areas or lines of action. Continue with the face-to-face, virtual and distance modalities. Develop the training program as per the methodological dialectic concept and in this way facilitate the process of union self-reform and sociopolitical action to transform reality;
- c)** Articulate union training at the continental level by strengthening the Network of Union Training Schools. All training institutions of affiliated, fraternal unions, universities, NGOs and cooperation agencies linked to union training issues. The Network is a virtual learning classroom, a center of educational resources and a space for interactivity to build union thought and facilitate the drafting of proposals. Trade union tutors will be trained to strengthen the Network of Schools and to expand the scope of the actions of the TUCA aiming at complementary education;
- d)** Create a follow-up program for trainers and specialized cadres trained in the first stage of the first Congress term. Follow-up must continue the train-the-trainer process, the multiplication of processes and the training of specialized cadres at the national level. The Network of Trainers must be created to support the work of the TUCA training program;
- e)** Strengthen the process of the Masters in training of socio-labor trainers developed with the alliance of unionism and academics, i.e. UGT/ISCOD-TUCA and the Universidad Alcalá (UAH) of Spain, with AECID support. The alliance for the development of training programs will also be strengthened with the Universidad Rey Juan Carlos I of Spain, the Universidad de la República de Uruguay, the Universidad Nacional de Colombia and the Universidad Nacional de Costa Rica;
- f)** Continue working on the systematization and preparation of educational materials based on an interactive and user-friendly approach. The production of printed material is being reduced. The aim is to make USB and CD document versions accessible and easily reproduced for the multiplication of union actions;

g) Sustain the gender parity policy developed during the first term of the Congress in respect of the participation of women and men in the TUCA training program. In addition, continue with the high percentage of youth participation in union training courses;

h) Promote the institutionalization and strengthening of educational structures at the continental and national level. Favor the definition of union training at the level of the TUCA. Strengthen the functioning of the TUCA Work Group on Education (WGE-TUCA). In this regard, the TUCA will promote conferences on education so as to create and review the TUCA educational practice and policy;

i) Promote the definition of sustainable training strategies within national unions and influence union policy-making on training. In this context, it is important to influence strategic planning and the programmatic articulation of the different secretariats involved in training and the organization, i.e. women, youth and organization, among others;

j) Develop strategic alliances with educational establishments to have an impact on formal and professional education. An important action is to include the issues of labor and union rights as specific and crosscutting contents in the curriculum of formal and professional education. In this regard the TUCA will promote alliances with EI-LA (Education International), ILO/CINTERFOR and other institutions, to draft proposals enabling the impact of the union movement on education public policies and professional training;

k) Continue with the good practice of coordinating and articulating efforts with union agencies and institutions, such as ILO, ILO/ACTRAV, ILO/CINTERFOR, UOCRA Foundation, INCASUR, ENS, ISACC, UTAL, ASR, ICAES, Escuela Julian Besteiro, UAH and other cooperation agencies involved in union training;

l) Have an impact on the standardization of the curriculum and in the certification of knowledge at the subregional and continental level, for migrant or displaced workers to have greater possibility of finding decent work in their new country of residence. For this purpose, it is necessary to develop a strategy articulated with the subregional union coordinating councils.

RESOLUTION 8

MIGRANT WORKERS

1 The Congress observes that the migration issue is part of the economic, social, cultural and political process of humanity. Migration is part of the dynamics through which millions of human beings seek better forms of life and survival, and move from one place to another, thus contributing to the makeup of nations and countries.

2 The Congress indicates that the migration phenomenon is mainly a labour issue and, as such, both labor and workers and their families play a key role in the dynamics of migration and its definition. During the last decades of neoliberal globalization tens of millions of workers of Latin America and the Caribbean and members of their families have had to migrate to developed countries driven by poverty and the huge socio-economic asymmetries in the continent. In recent years, especially since the crisis that affects mostly the US and Europe, migration between Latin American countries has increased significantly.

3 The Congress reaffirms the defense of the right to free movement of persons. The option to migrate must not face barriers and obstacles and it is the role of the trade union movement to fight for the termination of restrictions and criminalization of migrants. Regional integration processes of our continent must include the strengthening of this right. Furthermore, States must ensure the right to return of migrants who decide to return to their country of origin.

4 The Congress ratifies the vision of the migration phenomenon and the fight for equal rights of migrant workers and members of their families as part of the union agenda. Labour migration occurs especially due to the lack of opportunities in the country of origin. Therefore, we consider that the first obligation of governments is to develop the necessary policies so as to effectively ensure workers' right to not migrate.

5 The Congress warns that human trafficking is an issue that entails relations and effects of a transnational character, affecting different dimensions of development of the migrant population and relates directly to other equally serious impacting issues such as drug-trafficking and document forgery. Therefore, it must be addressed with a strategic and comprehensive perspective.

6 The Congress rejects the use of migrant work force to make labour more precarious by denying migrant workers the rights ensured to national ones. Also rejects the use of migrants as a mechanism to impose poorer working conditions on the national labour force. The Congress takes note of the role of temporary employment agencies in these precarious labor relations. The Congress specifically rejects the argument that the institutionalization of circular migration, through programs such as “guest workers” and others of the like, can be part of sustainable development strategies. Class solidarity is a key issue in the defense of workers’ rights, regardless of nationality or race.

7 The Congress condemns the frequent cases of migrant workers subjected to slavery, forced labor, human trafficking or similar conditions, both in rural areas and in cities. In many of these situations, the manufactured products are sold to large multinationals, which externalize production and do not take responsibility for the use of slave labor in their supply chain. States need to ensure that no migrant workers are subjected to such practices and to punish companies and economic undertakings in an exemplary manner.

8 The Congress condemns the use of the crisis in developed countries to criminalize and persecute migrant workers. Likewise, the adoption of measures restricting the opportunities for decent work, as well as other human rights, of workers. After having contributed to the development and economic boom of those countries, discriminatory and racist measures that exploit populism and xenophobia to blame migrants for the employment crisis caused by neoliberal economic policies, are inadmissible.

9 Socially sustainable development and overcoming the crisis of capitalism is only possible with full rights for all persons. The TUCA migration policy will have a rights-based approach in accordance with international human rights instruments and, therefore, it recognizes the right to migrate, to not migrate, to remain or return in a dignified manner, for migration to be exercised with freedom and wellbeing. Migrants, whether regular or irregular, must have equal rights to other citizens. For this purpose, the Congress points out the importance of ratifying ILO Conventions 97 and 143 and the United Nations International Convention on the Protection of all the Rights of Migrant Workers and Members of their Families.

10 The Congress observes that the issue of migration interrelates with several other agendas of the union movement, such as the fight for universal social security for all, regional integration, the effectiveness of human rights, union self-reform and the gender dimension, among others. It calls upon the TUCA and its affiliates to take into account the need for jointly and compre-

hensively formulated policies, utilizing the capacity and experience of other actors allied with the cause of migrants in the region. For this reason, the Congress highlights the importance of the ratification, by all countries, of ILO Convention 189 on Decent Work for Domestic Workers.

11 The Congress observes that the feminization of migration is the result of the existing sex-gender system in the countries of origin and destination. Migrant women workers fill gaps in caregiving in the countries of destination at the expense of caregiving to their own relatives, whom they leave behind in their countries of origin. In many parts of the world we can clearly see a concentration of migrant women workers in precarious working conditions, such as domestic work and the provision of care to children and the sick. The vulnerability of these women workers stems from their high degree of dependence and subordination on their employer. In spite of this situation, the contribution of migrant women to the societies of destination and their communities is fundamental.

12 The Congress identifies that, due to the demographic characteristics of Latin America and the Caribbean, where basically the population is young and seriously impacted by migration, it is necessary to design migration policies that ensure to workers the possibility of complementarity and solidarity of the working class of all countries for the attainment of Decent Work between countries and regions.

13 The Congress urges affiliated organizations to establish permanent policies for attention to migrants, returned migrants and their families, as well as foreigners in each of our countries. This general principle of this policy will be intervention, priority assistance in situations of vulnerability, regardless of their migratory status.

14 The Congress points out that environmental degradation and climate change are reaching critical levels and are important causes of domestic and international migration. Although these figures are approximations, according to some projections there were about 25 million climate migrants in 1995. At present this figure has been estimated at 50 million and projections for 2050 indicate 200 million to 1 billion persons displaced due to climate-related events. This will cause more and more shortage of regular supplies of food and water, as well as an increase in the frequency and severity of floods and storms, all of which will feed the vicious circle in which climate migrants will be unprotected unless we start acting now.

TUCA Action Program

The Congress mandates the TUCA and its affiliated organizations, working in collaboration with Global Unions Americas partners, to:

- a)** Fight for the rights of migrant workers by law and in practice;
- b)** Undertake actions to provide information, orientation and training to migrant workers on their rights;
- c)** Foster the debate on actions relating to migrants, taking into account the strengthening of the capacities of unions;
- d)** Foster campaigns for the ratification and expansion of ILO Conventions, including the following: C97, on migrant workers; C143, on migrations in abusive conditions and the promotion of equal opportunity and treatment of migrant workers; C111 on discrimination in relation to employment and occupation; C29 on forced and compulsory labor; C105 on the abolition of forced labor. And also promote the ratification of the UN International Convention on the Protection of all the Rights of Migrant Workers and Members of their Families;
- e)** Advance in the construction of a common strategy and union networks (guide-centers, secretariats) on migration, as well as including the issue in the social dialogue agenda;
- f)** Mobilize the working class towards an architecture that protects human and union rights based on a global migration policy that provides the foundations and framework to the establishment of policies, conventions and institutional agreements at the international, regional and national level. Promote bilateral, regional or multilateral agreements to provide health coverage and other social security benefits, as well as the transferability of the social benefits of migrant workers;
- g)** Demand governments of the region to implement sustainable migration policies addressing issues relating to health and the well-being of migrant workers, including health and safety in the workplace and protection in hazardous situations;
- h)** Urge international bodies and agencies to implement a consistent and sustainable model of migration and development policies;

- i)** Oppose any attack on the universality of the principle of equal treatment for all workers, regardless of their migratory status and qualifications;
- j)** Denounce and signal to employment agencies exploiting migrant workers;
- k)** Work for the application of fundamental labor standards for all migrant workers (including domestic workers, workers in the informal economy and in atypical forms of work) and include migrant workers in all national legislations; ensure adequate life and working conditions, fair salaries, etc.;
- l)** Promote educational and awareness raising campaigns on the contribution of migrant workers in the countries of destination;
- m)** Reinforce provisions of the Labour Platform of the Americas regarding the first obligation of governments of our countries to ensure the right not to migrate, and the labour rights of those who decide to migrate (whether on a regular or irregular basis) need to be ensured;
- n)** Support, in relation to the migration of working women, the voice of migrant women, favouring their organization, ensuring the full exercise of their citizenship at the international level and raising awareness on their situation of vulnerability and contributions to the development of the countries of destination. Additionally, foster the promotion of standards, values and non-discriminatory cultural practices towards migrant women;
- o)** Support the initiatives of cooperation and solidarity between national centers in the region, based on South-South union cooperation. The situation faced by South American migrant workers calls for articulated action on the part of national organizations in the countries of origin and destination;
- p)** Demand that international conventions signed in the UN framework – through complementary protocols or alternative reforms – as well as those signed in other spaces such as ALBA, UNASUR or the Community of Latin American and Caribbean States, envisage the definition of climate migrants, both of persons and communities, in such a way that States around the world include the rights of these persons in their definitions and considerations.

RESOLUTION 9

DEMOCRATIZATION OF COMMUNICATION

1 The Congress draws attention to the role and influence of the large media groups and corporations on the functioning of our democracies. These groups increasingly represent the interests of big business in our countries. Additionally they have taken on a lead role in the public debate and now occupy the space of many democratic institutions. They also have fine-tuned their orchestration at the international level.

2 The Congress rejects the formation of monopolies and oligopolies in terms of ownership and control of the communication media, which influence decision-making on the functioning of democracy and act as de facto power. A dictatorship ruled by large economic corporate groups has been created, which governs the media estate in the region. This power allows them to influence the political and social levels and affect the daily life of workers.

3 The Congress reaffirms the need to understand communication as a space of strategic dispute, of fight between ideas and of the future of our democracies. Communication is a fundamental human right which must be exercised by all of society. Likewise, human rights cannot exist without freedom of expression, freedom of the press and freedom of information. It is important to underscore the lead role of the State to ensure freedom of expression for all actors and sectors of society, securing the legal, technological and communicational conditions for such purpose. The fight for the democratization of communication is also part of the reconstruction of quality public media that were directly undermined by the neoliberal offensive.

4 Regional integration agreements must identify communication as a core issue for reunification and solidarity between our countries. The different continental campaigns of social movements have proven the predominant role of networks, of alternative and popular media, of community radios and TVs, of blogs and websites, of social videos and footage, in the promotion of the integration of peoples.

5 The Congress expresses its concern regarding the criminalization of the alternative media and in particular of community radios, in the continent. The diversity of communicators and community media diversify the public debate

agendas and thus strengthen democracy. Community radios are also a space for citizen participation and social development. Therefore, the State must ensure the creation of media channels by popular movements and trade unions.

6 The Congress declares that the radio-electric spectrum is property of humanity and its management is sovereignty of the States. In this regard, the initiatives undertaken by governments of the region are promising in that they establish rules and regulations for radio and television, preserving freedom of expression. In order to avoid concentration it is fundamental to divide the frequencies in three, i.e. a third for commercial media, a third for the government and another third for social organizations. Legal frameworks must also include social auditing mechanisms for commercial and State-controlled media.

7 The Congress points out that the new information and communication technologies (ITCs) have created significant possibilities for unions due to their low cost, scope and structure. The Internet facilitates the dialogue and prominence of workers and undermines the control of the established media. The fight for the democratization of communication also seeks to ensure universal access to information technologies and broadband.

8 The Congress emphasizes that important asymmetries prevail among TUCA affiliates in respect of communication. In some, internal and external communication is part of a general policy strategy and involves an important amount of technical resources and trained staff. In others, persist strategies of low coverage and reduced impact for union actions. In general, unions still consider communication as an instrument restricted to the use of the medium. As part of the self-reform process, communication must become the centerpiece of the strengthening of unions in the Americas and of their overarching influence on society.

9 The growing precarious working conditions of media workers in Latin American is cause for concern. Many so-called “self-employed journalists” are actually workers whose rights have been violated. The job insecurity is promoted precisely by the media corporations that hire self-employed and outsourced staff in order to evade their labor obligations and prevent the creation of unions.

10 The Congress condemns all acts of violence, harassment and murder of journalists in different countries, which turns Latin America the most dangerous region for journalists. The situation is cause for great concern in Mexico, Honduras and Colombia. Meanwhile most of these crimes go unpunished and the attackers or murderers are not prosecuted.

TUCA Action Program

The Congress mandates the TUCA and its member organizations, in collaboration with Global Unions Americas partners, to:

- a)** Confront media concentration, recover the public nature of communication and promote diversity of actors in media ownership. The freedom of expression that we defend is contrary to corporate media interests that only see mass communication as an instrument for profitability and impact on decision-making at the highest levels;
- b)** Struggle for freedom of expression and the full exercise of this right for men and women, as well as the right to information and communication. The union movement will work together to influence the processes relating to changes in communication laws occurring in the region;
- c)** Establish alliances with social and community movements for autonomous and independent communication from the private media or governments to form a popular support and provide sustainability to communication as a public and democratic asset. As well as solidarity, unions must consider the creation of their own radio and TV channels and participate in the defense of community media as important actors seeking the democratization of communication. Condemn all the murders and harassment of journalists, including professionals of the alternative media;
- d)** Reject the mistreatment and impoverishment of workers of the media, promoting unionization and collective bargaining as instrument to defend their rights;
- e)** Make communication a crosscutting theme in all activities and transform it into priority for the development of organizations and self-reforms. Union communication must go beyond the provision of information: it must become a strategy and agent of change for the promotion of the rights of all the working class;
- f)** Strengthen the action and earmark resources to the promotion of the TUCA network of union communicators made up of delegates from affiliates and fraternal organizations. The network must strengthen the action of the working class and promote solidarity and exchange of positive communication experiences between unions of the continent;
- g)** Use all the resources available to provide useful and educational informa-

tion, not only in respect of demands, but also with forms and vocabularies that raise awareness on workers as well as on their lives and history identity. Work for the professionalization of union communicators and the promotion of a movement of workers that produce content themselves;

h) Utilize the new technologies to invigorate communication with affiliates, reach non-unionized workers, communicate with young workers and develop training strategies. Unions must promote the participation of the working class and its leaders in all communication processes and must not treat them as a passive audience.

RESOLUTION 10

TRADE UNIONISM OF THE AMERICAS IN THE ILO

1 The Congress ratifies that the International Labour Organization (ILO) is a fundamental space for the preservation and advance of international labour standards, the defense of fundamental labour human rights and the participation of workers as key players in the promotion of more democratic societies and work relationships. The global crisis underscores the importance of ILO to provide solutions based on a vision that promotes the retrieval of the role of employment and social policies, in opposition to the fundamentalist free market rationale.

2 The inter-Congress period has coincided with the manifestation and greater severity of the economic-financial crisis, leading to ILO playing an active role in the global debate, with highlights of the Declaration on Social Justice and Equitable Globalization, and the Global Jobs Pact.

3 The Congress warns that, in spite of its proven validity as guiding body on international labour policies, the ILO has been attacked by employers and governments intending to reduce or eliminate its influence in terms of regulation and surveillance of the application of labour standards and of promotion of labour and social protection policies. The attack is expressed in efforts to reduce its influence, interfering with its mandate and reducing the role of the ILO Workers' Group.

4 The TUCA is concerned about the growing international private regulations set up as an alternative mechanism to ILO, as is the case of the advance of ISO in regulatory matters at the level of labor relations.

5 At its first Congress, the TUCA called for the reinforcement of the influence of the ILO Workers' Group, with ACTRAV accompaniment, as this is fundamental in these times of crisis and threats to the institution. Representatives of the Workers' Group of the region, in direct coordination with the Workers' Group Secretariat and the ITUC, must articulate and coordinate the response to the challenges faced by workers of the region and the world. Participation in the Administrative Council and the different bodies to which they have access must correspond to jointly defined priorities and strategies to increase the effectiveness of the participation of workers in these bodies.

6 The Congress indicates that in this period there have also been valuable results in terms of regulations with the approval of Convention 189 on decent work for domestic workers.

7 The Congress emphasizes that in 2011 the ITUC, the ILO Workers' Group and ACTRAV defined priorities for the new mandate of the Administrative Council, which will continue with a broader mechanism of regular meetings for exchange of ideas and experiences. The ITUC resolution on the ILO (October 2011) is very clear when it characterizes the main concern of trade unionism at present: a mass campaign aiming at debilitating labour legislation and institutions and social security developed by the IMF, the World Bank, OECD and the European Commission, intending to remedy the crisis through structural adjustment programs as those applied in the past in Latin America and the Caribbean and other emerging regions. This approach violates the Declaration on Social Justice and the Global Jobs Pact, as well as the obligations taken on by countries at the time of ratifying international labour standards.

8 In this framework, the Congress requests a series of general attitudes from the ILO:

- Proactive role in the G-20 debate on the causes of the crisis and global imbalances, and the recovery measures focused on employment.
- More critical approach vis-à-vis the current model of globalization and development.
- More energy on the part of the Office at the time of counteracting the deregulatory agenda.
- Firmer position in respect of the consequences of economic austerity measures on labour legislation, labour institutions and inequality.
- Recommendations of national and international policies, in the framework of an alternative development paradigm. This includes ne• emphasis on growth driven by employment (and not the opposite) and by salaries, applying the minimum wage and collective bargaining.

- More active role in relation to trade and trade-agreements in respect of their impact on employment.
- In the Americas, a campaign with resolute ILO involvement, in conjunction with the labor movement, reinforcing the role of ACTRAV, for the actual effectiveness of the right to freedom of association and collective bargaining, promoting respect for and implementation of ILO Conventions 87 and 98.

9 Specifically in terms of regulations, the TUCA requests greater protection for workers in face of the expansion of precarious and informal work, with freedom of association and collective bargaining as enabling rights, together with the objective of attaining direct and stable labour relations, social protection and decent salaries.

10 In short, the TUCA requests reinforcement of the ILO regulatory mandate, as the cornerstone of activities and means to reach the objectives of the organization.

TUCA Action Program

The Congress requests the TUCA and its affiliates to undertake the following actions:

a) Participate in the plan defined by the ITUC and the Workers' Group in respect of regulations, with the TUCA Human Rights Network and the Continental Juridical Team with the support of ACTRAV. The main contents are:

- Use of the discussion on fundamental labour rights in the framework of the Declaration on Social Justice to promote these standards.
- Campaign for more ratification and implementation of a series of conventions: C102 on social security, C131 on minimum salary, C94 on labour clauses (on contracts with public authorities), C135 on workers' representatives, C158 on termination of the work relationship, C155 and 187 on health and safety at work, conventions on gender (C156 and C183), the standards referring to governance (C122 on employment policy, C81 and C129 on labour inspection, and C144 on tripartite consultation). It also includes sectoral standards (C151) and health and safety at work (C169, C175 and C184, on the construction, mining and agriculture sectors). From the perspective of useful conventions to address labour precarization in specific situations, the Symposium on precarious work has also added: C97 and 143 on migrant workers, C175

on part-time work, C177 on work at home, and C159 on vocational rehabilitation and employment of disabled workers.

- In particular, C144 should help promote further ratification and implementation of international standards and promote supervisory mechanisms and involvement social interlocutors.
- The plan also includes the use of the recommendations linked to the above listed conventions, as well as highlight for R198 on the work relationship • the main instrument in this regard.
- Take into account the particularities of the Americas in relation to the extent of ratification and application of the aforementioned standards. To this list the TUCA adds C169 on indigenous and tribal populations, in respect of which the Regional Workshop on the Trade Union Movement and C169 (Asunción, November 2011, organized by PRO169) have formulated a specific request, taking into account the magnitude of these collectives in Latin America and the Caribbean, which has been decisive at the time of national ratifications (almost 70% of total ratifications are Latin American and Caribbean countries).
- Identification of new issues for standards, including the revision of the strategic objectives in the framework of following up on the Declaration of Social Justice. The TUCA accompanies the proposal of the Symposium of ACTRAV on precarious work regarding the advisability of preparing a convention on temporary employment and analyzing the content of C181 on private employment agencies.
- Better distribution and follow-up of the recommendations of the ILO supervisory system and decisions of its bodies, including at the country level for their best use by affiliates.

b) Other participations of the TUCA and its affiliated organizations in the work of the Group and ACTRAV refer to:

- A new use of the ILO Tripartite Declaration on Multinational Enterprises and Social Policy of the WGTE
- Advance towards the “new generation” Country Decent Work Program, adapting the methodology of the Program on Multinational Enterprises and including issues relating to salary, collective bargaining and gender gaps, and the incorporation of the aforementioned Declaration.
- The general discussion on young workers in 2012.

c) Together with ACTRAV, call for the sharing and multiplication of the experiences of the Multidisciplinary Teams on Decent Work among its affiliates, based on the advances achieved on the issue in Argentina y Brasil.

d) In its goals for the inter-Congress period, advance in interaction and complementation with GUFs, in the framework of Global Unions Americas, following ITUC guidelines on the need to work at the national level between them and affiliated centrals and confederations, providing inputs to the National Decent Work Program. Likewise, TUCA participation, in conjunction with GUFs, in the campaign requested to ILO on freedom of association and the right to collective bargaining in the Americas;

e) Regarding specific countries, highlight those in which affiliates experience serious violations (Guatemala, Honduras, Colombia, Mexico) in respect of protection contracts. Dominican Republic will also receive special treatment in the framework of the ILO-IMF program on responses to the crisis. The TUCA will also participate more actively in the actions of its affiliates in North America.

RESOLUTION 11

TRADE UNIONS AS ACTORS IN INTERNATIONAL COOPERATION, PROMOTING SUSTAINABLE DEVELOPMENT

1 The Congress advocates workers as actors of development. Trade unions are at the center of democracy. This concept is part of the commitment of trade unions to combat poverty, promote sustainable social development and improve the living and working conditions of millions of persons in the Americas and across the world.

2 The Congress expresses its conviction that the change in political circumstances in the Americas, in the pursuit of a paradigm of development different to neoliberalism of certain governments, requires the construction of a proactive trade union agenda in the area of international cooperation, based on the assumption that trade unions are actors of development and of the promotion of democracy.

3 The Congress reaffirms the need to put into practice the Principles and Guidelines for the effectiveness of aid established in the Monterrey Consensus, through the Paris Declaration, as well as in the Accra Agenda for Agenda and the Busan Partnership, which are:

- Sovereignty and democratic participation
- Rights-based development policies
- Transparency and mutual accountability
- Policy consistency
- Inclusion and equality
- Sustainable development

4 The Congress rejects governments that invoke the crisis as justification to reduce international development cooperation and takes note that, increasingly, that same international cooperation is privatized and promotes the private sector as privileged actor. This weakens the role of the States in the compliance of public policies. The Congress sees with concern that the initiatives of the private sector and/or joint ventures do not promote decent work or respect international labor principles and standards. And to make things worse, those programs have increased inequality and the number of precarious and short-term employments in lieu of responding to the objectives of sustainable and equitable development.

5 The Congress expresses its concern on the non-compliance of the International Agreements reached in Paris, Accra and Busan in respect of democratic participation, especially trade unions are not taken into account in decision-making and policy implementation. In addition to this, chronic problems persist such as the retention of most of the cooperation resources by the intermediate structures. Furthermore, the changes proposed by the governments of developed countries through the “Monterrey Consensus” and the prioritization of the support to policies aimed at improving social cohesion have not shown progress to date.

6 The Congress recognizes that both the TUCA, as well as many of its member trade union centrals, have been beneficiaries of international trade union cooperation for a long time and have accrued broad experience in this field.

7 Through research and analysis carried out by the TUCA, in the last decade the Congress has observed the constant reduction and limitation of international trade union cooperation due to changes in government policies, in particular of the European Union, which now only provides aid to countries with least relative development. These government policies are even more restrictive in the short term due to the cuts in public expenditure implemented by the governments of those countries.

8 Regarding the relationship of the TUCA with the international cooperation received, as well as the aforementioned general effects, there are also

difficulties to diversify the sources of cooperation, in particular access to the sources of multilateral.

9 The Congress points out that an increasing number of multinational corporations of Brazil, Argentina, Mexico, Chile and other so-called “multi-Latin” ones are investing in countries of the region and beyond. This requires development of South-South and North-South-South trade union solidarity. We must take advantage of the lessons learned from North-South solidarity relations that supported the strengthening of the trade union fight in Latin America and the Caribbean to put into practice our solidarity and cooperation policy in the countries where these enterprises are investing.

10 The Congress welcomes the fact that some Latin American countries, such as Brazil, are starting to expand their cooperation to relatively less developed countries in the region, as well as in Africa and Asia. The TUCA urges Latin American countries that are able to cooperate to draw up cooperation programs, with trade union participation. In this regard, the TUCA will promote said line of action.

11 The Congress reaffirms the need for urgent action in Haiti. It is cause for concern that the stance of powerful countries is to overcome that natural disaster mainly through material and construction work. It is necessary to build a Haiti what it never had, i.e. the social edifice. Therefore, we ask governments to implement comprehensive solutions with decent work and participation of Haitian workers as the core themes of Haiti’s reconstruction. Reconstruction programs should be based on respect for labor rights, ensuring the right to decent employment and social protection, freedom of association and the right to collective bargaining.

12 The Congress urges the countries of the CELAC to promote a real development program for Haiti, for the construction of a social State that protects the population and overcomes the historical scenario of exclusion and poverty compounded by dictatorial regimes and extreme natural phenomena.

13 The Congress demands international financial institutions and creditor agencies to write off all Haiti’s debt. Haiti needs substantial international aid in the form of non-financial grants for the enormous task of national reconstruction which lies ahead. We call upon EU and LAC countries that have not done so yet, to join this kind of relationship with the Caribbean country

TUCA Program of Action

The Congress mandates the TUCA and its affiliates to improve and strengthen the international cooperation policy and its position vis-à-vis development, as well as to adapt structurally for this purpose. The required measures are:

- a)** Build a trade union vision based on the Americas on the model of development and cooperation;
- b)** Promote and develop the capacities of the TUCA, as well as of affiliated trade union centrals, on the issues of international development cooperation and the knowledge and training of trade union leaders on this issue;
- c)** Promote strategies at the national and regional levels to influence the decision-making on international development cooperation;
- d)** Coordinate trade union initiatives relating to development cooperation policies in the continent;
- e)** Reinforce the dialogue with trade union organizations of developed countries;
- f)** Promote the ongoing presence of the trade unions of the region in cooperation agencies and multilateral institutions, as well as establish bridges between trade union action and the cooperation generated by multilateral organizations;
- g)** Accompany the debate on the application of the Paris Declaration, the Accra Agenda for Action and the Busan Partnership, in conjunction with other actors of civil society to introduce the Decent Work Agenda, social protection and combating inequality as fundamental components of sustainable development;
- h)** Participate in the ITUC cooperation network, expand it to the Americas and promote the strengthening of the Latin American Cooperation Network;
- i)** Support the policies and initiatives of the South-South cooperation and the possibilities of triangular North-South-South cooperation in which the TUCA and its affiliates will participate as cooperating agencies contributing their expertise and techniques in the areas of organization, research and trade union training;

- j) Select and prioritize, as pilot projects, some of the United Nations Agencies with which trade unionism of the Americas can undertake concrete actions;
- k) Incentivize trade union action in respect of the role of the private sector in cooperation and vis-à-vis the tendencies to the privatization of cooperation;
- l) Foster initiatives in conjunction with the international trade union movement to contribute to the development of actions for the implementation of a Decent Work Agenda en Haiti that promotes the creation of decent jobs, social protection, freedom of association and collective bargaining;
- m) The Congress supports the creation of the IDEAM (Institute for the Development of the Americas) subject to the political and financial leadership of the Executive Council of the TUCA to contribute to the attainment of these objectives.

RESOLUTION 12

UNITED NATIONS CONFERENCE ON SUSTAINABLE DEVELOPMENT - RIO +20

- 1 The Congress warns that the crisis of the current model is evident and clearly impacts workers of our region. It is particularly aggressive for those living in situations of greater precariousness and vulnerability.
- 2 The Congress indicates that market solutions have shown their limitations and failure to offer wellbeing to humanity. The active role of the State is absolutely necessary to introduce equilibrium and limit the self-destructiveness of capital. Responses to this multiple-crisis scenario need a comprehensive approach to sustainable development, with fair transition and environmental protection. Additionally, economic needs must be integrated into a framework of democratic governance.
- 3 The Congress argues that the UN Rio+20 Conference, to be held in June 2012, must agree on concrete and viable actions to attain a new sustainable development model. Trade unionism of the Americas supports an agreement which ensures social security, decent work, rational management of natural resources, consultation processes, social and environmentally sustainable development for workers.

4 The Congress reaffirms the need to exercise a true stocktaking of the events that occurred over the last twenty years, since the ECO 92 Conference. Governments must pledge to national sustainable development programs and agendas, respecting targets and indicators that are able to promote new participatory multilateral governance.

5 The Congress deems that the regulation of the financial system is a crucial factor. It is necessary to recover the social function of the economy, contemplating the redistribution of wealth, the fight against unemployment, the promotion of equity and the guarantee of comprehensive social policies. Trade unionism of the Americas supports the Financial Transaction Tax (FTT) as proposal for global financing, setting it up as a secure and stable source of financing, able to reduce the risk of speculative bubbles in financial markets.

6 The Congress draws attention to the concept of development launched at the ECO 92 reaffirming the current importance of its four indissoluble dimensions (ecological, social, economic and political) specially emphasizing the term “environmentally and socially sustainable”. In this way, the demand for social inclusion with the “reduction of environmental risks and ecological scarcity” are transformed into clear priorities of the social advancement strategy in our countries.

7 The Congress states that the “green economy” proposal that is under discussion today, is based on a sound diagnosis of great concern over the impacts of human economic activity. However, the initiatives undertaken as of this verification must be in tune with profound changes in the development system, materializing our right to develop with alternative models, in harmony with nature, with justice and ensuring the rational use of natural resources in consultation with local populations.

8 The Congress defends the creation of green employment as a specific way to contribute to these strategies. However, we believe that green jobs are only those that are decent work and correspond to an environmentally and socially sustainable development at the national, regional and global level. There will be no green jobs without decent work.

9 The Congress identifies the need for a consistent, democratic, transparent and participatory functioning of UN agencies relating to sustainable development, based on the common yet differentiated responsibilities, where those responsible for environmental damage assume the greatest burden. The mechanisms to be used must not be delayed. We recommend greater inter-

agency coordination between United Nations Environment Program (UNEP), the Economic and Social Council (ECOSOC), the Sustainable Development Commission (SDC), the Social Development Council (SocDC) and the United Nations Development Program (UNDP).

10 The Congress draws attention to the consecutive failures of the conferences on climate change (COPs), especially of COPs held from 2009 to 2011 of advancing toward social and climate justice. The mobilization of the working class into alliances with other social movements is fundamental in order to put pressure on governments for the signing of a binding and global agreement that addresses the substance of the issue, in the transition to a model of social and environmentally just development.

11 The Congress reaffirms the need for a new multilateral architecture able to monitor global commitments and coordinate the financing for a developed and sustainable world. Governments must advance in the expansion of innovative financial mechanisms and progressively distribute resources among all countries.

12 The Congress evidences the differentiated impacts of climate change and policies for its mitigation and adaptation on women. Women workers are in charge, for example, of the administration of native seeds and of an important part of the sustainable agriculture processes, as well as of domestic care and social reproduction.

13 The Congress calls for the transfer of technology towards developing countries with impact on the process of climate change. Developed nations must be responsible for the transfer of technology so as to contribute to the sustainable development of countries of the South.

14 The Congress identifies a long-term strategy able to provide new responses to the economic, social, environmental, energy and political challenges of the modern world. Countries need to plan based on their cultural, social, economic and environmental specificities. The Río+20 Conference is the point of departure to strengthen multilateralism with shared, yet differentiated, responsibilities and contemplating participatory governance at several levels.

TUCA Action Program

The Congress mandates the TUCA and its affiliated organizations, working in collaboration with Global Unions Americas partners, to:

- a)** Disseminate the idea of a fiscal reform that establishes the principle of progressiveness and expanding taxation on real estate, earnings and capital yields incorporating environmental protection. Taxation must favour production over financial earnings and promote the distribution of wealth;
- b)** Promote training and awareness raising strategies on the environment for workers as indispensable mechanism to absorb and develop new technologies and leverage the full potential of green jobs;
- c)** Foster the debate on the change of production and consumption patterns. Fair transition is the basis for a development that combines economic growth with socio-environmental sustainability;
- d)** Ensure that social protection is present as key tool for the construction of the resilience of the working class and its communities;
- e)** Defend the social function of the economy with redistribution of wealth, fight against unemployment, promotion of equity, universal and comprehensive social policies as well as food and nutritional security and sovereignty;
- f)** Work to strengthen democracy and expand rights for change and construction of a sustainable, fair and solidarity world;
- g)** Mobilize the working class to demand an ambitious and binding agreement in climate change negotiations that is socially and environmentally just. This fight brings forth fundamental issues relating to social justice, equity and rights in respect of the different countries and generations;
- h)** Demand governments of the region to design and implement plans for the elimination of the causes of climate change and environmental imbalances in the framework of social and environmentally sustainable development. As well as to plan adaptation strategies linked to the ongoing regional integration processes with complementary economies leading to the reduction in vulnerability by means of prevision and diversification;
- i)** Contribute to design and implementation of regional sustainable development strategies of UNASUR, Mercosur, CAN, CARICOM, SICA, CELAC and OAS;
- j)** Call upon trade unions to put pressure nationally and internationally for governments to advance urgently towards a binding and ambitious socially and environmentally just agreement to stop environmental destruction that will jeopardize both the present and our future;

k) Support the drafting of National Appropriate Mitigation Actions (NAMAs) of developing countries in the region. These must be subjected to a follow-up schedule, report and international evaluation;

l) Summon governments of the region to consider investments in infrastructure as more than a simple need for growth and economic opportunities. These plans must be authorized and prepared considering factors of socio-environmental sustainability, as well as ensuring consultation and dialogue with the communities under their impact including society as a whole;

m) Join the debate and contribute to the creation of broad alliances with other actors, networks and social organizations. The joining of forces and knowledge is the only path to break the cultural, political and economic hegemony of the current model. It is also the way to create a region and world that is fairer and environmentally sustainable.

RESOLUTION 13

GENDER EQUITY AND EQUALITY

1 The Congress reaffirms that gender equality and equity and the full participation of women within the unions' highest bodies (Executive Committee or the like) are core objectives of our organizational policy and are mainstreamed into all TUCA policies.

2 The Congress recognizes that trade unions have been making efforts at the national and regional level to mobilize women leaders and have deployed special efforts to organize women and encompass them in their leadership structures. Structures have been created and/or strengthened for the promotion of equality (gender secretariats and women's areas) in national centers and confederations; positive actions have been undertaken to achieve proportionality of affiliation in all spheres in a mandatory manner; equality plans have been developed, among others. However, women still experience difficulties in terms of their participation and representation in executive bodies.

3 The Congress underscores that neoliberal economic policies have aggravated the exclusion, exploitation and discrimination of women. Equality and non-discrimination continue to be a challenge, in spite of important achievements in their social status in comparison with previous generations. The Congress recognizes that women are actually accessing more jobs, but of

questionable quality, are mostly among the population in situation of poverty and are over-represented in jobs that are not regulated by labor rules and regulations. There are wide gaps in terms of income; informality; distribution of non-remunerated tasks relating to family care; social protection, in which only 15% of women between 15 and 65 years of age have social security.

4 The impact of the global crisis on women has expanded negatively due to inequalities that have been built along history. The Congress considers that the financial and economic crisis drastically aggravates inequality, whereby it is urgent to address the different issues linked to gender inequalities. Salary inequality in particular confirms this situation and the unemployment in the region leads to women working in the informal economy, which makes their living conditions difficult and precarious.

5 The Congress demands guarantees for the right of women to equal status, to the enjoyment and protection of all human rights and fundamental liberties recognized by regional and international labor rights instruments. Women are entitled to live in a social system where relations of power are not based on gender, to live with no discrimination whatsoever, to be valued and educated without stereotypes for their behavior, or social and cultural practices based on concepts of inferiority and subordination between the sexes and to contribute to the development and wellbeing of society.

6 In particular there is concern about the violence suffered by women, either privately, publically or at work. Violence against women persists due to the lack or inadequate enforcement of the law and in spite of the obligation of the State to act with resolve and commitment to eliminate all types of violence committed against women. In many societies the government responds to violence against girls and women with silence, apathy or total lack of interest. The Congress believes that the response of governments to rape and other forms of sexual violence continues to be insufficient. Women who suffer abuse, aggression or rape are entitled to the respect of and compliance with laws that protect them; applying them and supporting them, to respond to their specific circumstances in society.

7 Provision of care to the family is considered a private task focused on women, whether they have remunerated work or not, they still carry the brunt of family and household tasks. The Congress calls for compliance with the UN concept of co-responsibility for family life and work equally between men and women, as well as of recognition of this non-remunerated work and its contribution to the wellbeing of families and of countries.

8 The Congress observes that although there are international laws on maternity, it continues to be one of the aspects where gender-based discrimination is evident. There are many women in the region who have no maternity protection. They are subjected to diverse forms of discrimination, ranging from compulsory pregnancy tests at the time

of their employment to dismissals during the pregnancy, experiencing loss or retention of salaries that are vital to ensure the survival of many families.

9 The Congress supports all actions for recognition of the rights of migrant working women, responsible for providing care, who often work in non-regulated labor environments, incapable of unionizing, and therefore extremely vulnerable to exploitation.

10 The greater involvement of women in social dialogue and consensus-building has led to more attention paid to the gender issue. Therefore the Congress recognizes that social dialogue and consensus-building is a fundamental tool to continue promoting gender equality in the realm of labor.

11 The Congress supports and recognizes the importance of the work of the Working Women's Committee of the Americas for the empowerment of women and the strengthening of the trade union movement.

TUCA Action Program

The Congress mandates the TUCA and its affiliates to:

a) Develop and strengthen actions to continue advancing in the integration of the gender approach into union policies, strategies, actions and structures. In this way, continue putting into practice the positive action policy (quotas) of at least 40% women's participation in all training workshops, events, conferences and at all levels of trade unions;

b) Empower women in trade unions, reinforcing union policies and structures in respect of gender equality, through the development of tools such as gender policies, gender indicators, as well as the implementation of participatory gender audits aimed at reinforcing the collective capacity of trade unions;

c) Accompany processes to have an impact on public policies addressing the needs and interests of working women and making an appeal to eradicate all forms of discrimination and violence against working women in the Americas. Intensify the campaign Stop Violence Against Women at Work and at Home;

d) Strengthen the union self-reform process, focusing on organizing – participation of working women in the organizations and in the defense of their rights, promoting awareness raising of women on the benefits of joining a

trade union, union representation in the workplace and collective agreements as important tools to close the gender gap;

e) Adopt and oversee the full compliance with the totality of the ITUC Action Plan on Gender Equality;

f) Intensify the Regional Decent Work Campaign for Household Workers through the ratification of Convention 189, instrument that will help regulate remunerated household work;

g) Promote active mobilization of the union movement on important dates for the fundamental rights of workers in general and of women in particular: March 8, May 1, October 7, November 25, demanding decent work for all women;

h) Intensify actions at the national level to urge States that have not yet ratified ILO Conventions 102, 111, 100, 156, 183 and 189 on gender equality, to do so now, and provide a system to ensure their application and effective supervision;

i) Strengthen strategic alliances and coordination actions with Global Unions Federations and women's networks at the national, regional and international level;

j) Demand public policies and new public social interest services relating to caregiving, to help release women's productive potential;

k) Exercise influence in each country of the region for the adoption of gender-based decent work indicators, with ILO support and technical assistance;

l) Foster the creation and/or strengthening of the Tripartite Commissions on Equal Opportunity between men and women across the region as consultative mechanism and promoter of social dialogue, decent work and maternity protection, among others;

m) Support the activities of the Working Women's Committee of the Americas, which requires political resolve and allocation of resources.

RESOLUTION 14

ON PRECARIOUSNESS AND INFORMALITY

1 The Congress acknowledges that after more than thirty years of the enforcement of neoliberal policies there has been an increase in the number of workers outside the formal sector and in conditions of precariousness. Therefore, much of the population earns its livelihood through autonomous work and indirect contracts.

2 The Congress recognizes that for over thirty years trade unionism of the Americas has placed labor informality in Latin America and the Caribbean as a core issue to be addressed by its direct sociopolitical and trade union action.

3 For the TUCA the location of the small-scale production sector (urban and rural) where the population obtains its livelihood (usually through autonomous labor) in mostly inadequate conditions in terms of decent work, frequently leading to vulnerability, exclusion and poverty and including child labour. The existence of this sector results from the permanence of economic underdevelopment, i.e. the maintenance of important insufficiencies in relation to the paradigm of sustainable development and, in short, of the labor flexibilization policies. These modalities account for 33% of urban employment (excluding rural employment) in 16 countries of the region, according to the 2011 ILO Report. All over the region, governments have failed to address the wide gaps related to sustainable development and to oppose these aggressive neoliberal policies.

4 The TUCA indicates that for the upcoming term it is adding two sets of precarious/informal salaried work that are within the formal sector. Said workers surely carry the same weight as work in the informal sector but, although registered, work in unstable, temporary and part time modalities as a result of laws that are flexibilizing and deregulating labor relations. The State as employer is included in this situation..

5 At the TUCA Foundational Congress, the term coined was “informal economy”, understanding it in this case as all “work carried out in conditions of informality”. But, practice has indicated the concept “informal” is frequently resisted given that it may be taken as the characteristics of the worker him/herself and his/her behavior at work. We need to emphasize that informality is associated with labor conditions and not with workers and agree that other terms such as: autonomous, self-employed, non-dependent, non-salaried, on

his/her own account, used in different countries, are the most appropriate categories to define the essence and role of these workers. For this reason the Congress recommends that national affiliates use the most appropriate term and that responds to their reality.

6 Precariousness includes: **a)** situations stemming from the temporality of contracts, mainly those resulting from outsourcing via contractors/subcontractors and private agencies, extending horizontally to all kinds of activity, as well as the so-called “contracts for works and services”; **b)** workplaces with low visibility and accessibility mainly located in the home(domestic work, work at home, telework), although also for other reasons (industrial duty-free areas, plantations); **c)** discrimination in respect of workers with certain personal characteristics (sex, age, disability, migratory status). A precariousness that crosses both forms is that of salaried labour simulated as independent work in order to evade the cost of labour by denying the labour relationship.

7 The Congress urges the TUCA to address these three forms of precariousness/informality in a comprehensive manner through its respective areas and secretariats.

8 The Congress values the actions implemented by TUCA affiliates to comply with the mandate of the Foundational Congress to foster a policy to organize and unionize these collectives of workers as part of the trade union movement of the Americas, interrelating it with the trade union self-reform process underway.

9 The Congress values that the efforts to unionize workers in conditions of precariousness and informality does not operate against trade unionism per sector of activity, since the self-reform program places collective bargaining per sector of activity as a priority and fosters any action preventing segmentation and atomization of trade unions.

10 From the perspective of advancing in the postulates of the organization and unionization and of the four pillars of decent work for all workers of the Americas, the Congress urges the TUCA and its affiliates to continue strengthening this line of work based the experience developed and the preparation of an action plan coordinated and articulated with the ITUC.

11 The Congress calls upon its affiliates to take the following for reference and guidance: the Resolution “Tackling Precarious and Informal Work” of the ITUC General Council and the conclusions of the Symposium “From Precarious Work to Decent Work” on policies and regulations to fight against precarious

work, organized by ACTRAV and the Workers' Group of the ILO Administration Council, both dated October 2011, ILO Resolution on Decent Work and Informal Economy dated 2002 and ILO Recommendation 198 on the Employment Relationship are also important.

TUCA Program of Action

The Congress requests the TUCA and its affiliates to undertake the following actions:

a) The strategy of the TUCA will combine two plans of action, both articulated with the Trade Union Self-Reform Strategy. The direct trade union level to promote forms of organization and of collective bargaining adapted to the situation of these workers, which has to:

- Promote trade union structures open to the inclusion of these collectives, in order to attain the exercise of fundamental rights, with the logic of equality, respect and the application of decent work.
- Consider the high percentage of women and youth who are part of these collectives and this requires focus on specific aspects of age and gender.
- Strengthen and develop a trade union sociopolitical training strategy for these collectives, considering their realities and needs.
- Promote the participation of trade union organizations of workers in conditions of informality and precariousness in the national commissions on decent work.
- Strengthen the communication and exchanges of organizational experiences between these workers, including the strengthening of networks and social alliances at the national and international levels.
- Foster the unity of these workers at the national, regional and international levels.

b) On the sociopolitical level, to influence public policies on decent work for these collectives aiming at:

- Recognition, based on regulations, of the right to unionization and to collective bargaining.
- Effective labour administration and inspection, including the participation of trade union organizations, to address non-registration, enforcing the regulations in effect. Drastic changes must be realized in the flexibilizing regulations.

- Development of specific policies for the formalization of working conditions that are part of the National Decent Work Plans.
- Strict compliance with working hours in formal enterprises, for the creation of more jobs favoring the insertion of these collectives in conditions of decent work.
- Ratification and application of conventions and recommendations helping address, in a focalized manner, regulated work given precariousness.
- Consideration of the experiences of social security for workers in the conditions of precariousness and informality, as well as advancing in the design of trade union strategies in the framework of the PLACOSS.
- Drafting of regulatory projects for the informal sector aimed at the democratic use of public spaces and the utilization of the approach of social solidarity economics.
- Creation of conditions to ensure primary, secondary and higher education for these collectives, as well as demand for professional training programs in national specialized institutes.
- Adoption of a new taxation system for workers in conditions of informality.

c) The Congress urges the TUCA to establish a close collaboration with the ITUC, the ILO (including the Hemispheric Decent Work Agenda in the Americas) and international trade union cooperation so as to:

- Facilitate cooperation and technical support to organizations in the design of projects specifically for these collectives.
- Promote the adoption of Country Decent Work Programs prioritizing plans for the formalization of workers and specific programs for the informal economy.
- Advance in the drafting of regulations specifically for these collectives and in the compliance with the current one.
- Accompany the legalization process (legal framework) and of changes in the taxation system with specialized technical teams.

RESOLUTION 15

PEACE, DEMOCRACY AND HUMAN RIGHTS

1 The Congress reaffirms that peace is an asset of humanity; it is based on the dignity of persons and built based on the fulfillment and interdepen-

dence of all human rights, respect for the sovereignty of nations and an interrelation between development and democracy. Peace is an ongoing activity, which results from social justice and solidarity between persons, nations and peoples. We reject repression in any place of the world as a threat to freedom and the construction of peace. Only societies with substantive respect for human rights, among them labor rights, are able to build real democracy. Hence, the effects of the disputes between powers to control the markets and natural resources, in order to favor their corporations, undermine world peace, the sovereignty of nations, democracy and human rights in our countries.

2 The Congress states that increasing poverty and inequality have been the breeding ground for the emergence of violent phenomena in our societies. The proliferation of organized crime, linked to drug-trafficking across the region, is a reflection of social exclusion leading to the loss of collective horizons and projects, in particular of young persons. To combat this situation with more violence, this time by the State, will not solve the underlying structural problem that causes violence and separates us further from the culture of peace that we pursue. The union movement demands governments to pay close attention to these realities and apply inclusive public policies and respect for human rights.

3 We reinforce the position of the ITUC regarding conflicts often with roots in economic and social deprivation. Allocating additional resources, including in the framework of development assistance, to generate decent work, particularly for young people, constitutes an essential element to address the causes of instability and social conflict. With their enduring values of solidarity, non-discrimination and tolerance, and through their role and presence at the workplace and in society, unions are in a unique position to work for peace, prevent disputes and address their consequences.

4 The Congress draws attention to labor human rights, especially to trade union rights, which are still the object of multiple violations in our region. In most countries of the Americas there is evidence of growing repression and criminalization of social protests, widespread violence, anti-union policies, and human rights violations. Different States have enacted legislations in violation of the freedom to organize trade unions and to make public demonstrations, and do not accept persons fighting to defend their rights. All of which has translated into a policy that criminalizes social struggles.

5 The Congress condemns the practice of terrorism in any of its forms, but questions the approval by various governments of anti-terror legislations that violate the right to freedom of organization, to public demonstrations and do

not accept citizens using their voice to defend their rights, which has turned into a policy to criminalize social struggles. We condemn the use of the alleged fight against terror to impede the legitimate, democratic and peaceful struggles and social mobilizations of our peoples against the policies and measures affecting their rights and demands.

6 The Congress denounces the high degree of impunity, violence and persecution of unionists. Our region has the highest index of violent crimes against unionists in the entire world and impunity is almost complete. This situation is particularly chronic in countries such as Colombia, Guatemala and Honduras. 122 trade unionists have been murdered, among leaders and defenders of union rights, between April 2008 and December 2011. Of that total, no case has been individualized and prosecuted nor have the perpetrators of the murders been convicted. In Venezuela the situation of violence associated with the disputes between several sectors of economic activity is cause for concern because it has led to a high number of murders of workers, including union leaders, which in general have gone unpunished.

7 The Congress considers that the situation of Honduras is still extremely serious. As of the coup d'état on June 28, 2009 situations of violence, persecution and harassment continue and have cost the lives of union leaders, campesinos, journalists and other social and political activists. These crimes have not been prosecuted and widespread impunity continues with breaches of the Constitution.

8 The scenario has deteriorated further during the government of Porfirio Lobo, heir of the coup d'état, emerging from elections with over 70% abstention, organized by the de facto government in an environment of repression and persecution of all the sectors that condemned the military coup, thereby prolonging instability in the country and the region. The reinsertion of Honduras into international bodies from which it was separated due to the coup d'état has not translated into an improvement of the situation of disregard for the rules of democratic coexistence in the country, on the contrary, social and political violence, the lack of guarantees for union activities and in general the lack of decent work in the country, are deteriorating even more.

9 The Congress warns on the serious situation of Guatemala, a dramatic expression of human rights violations, including labour rights. Flagrant violations of freedom of association and collective bargaining, as well as a high degree of impunity in respect of all types of crime, characterize the country. This calls for unified actions at the regional and international level, beginning at the national level with the government's compliance with its obligation to

respect and guarantee the fundamental rights of its citizens. It is also necessary to start promoting missions of the International Commission against Impunity in Guatemala at all the relevant levels, including United Nations, the European Union and their member states.

10 The Congress affirms that the arms race represents exactly the opposite of a culture of peace and non-violence: the escalation of the military industry entails the escalation of war as business. If international institutions are concerned about peace, they must vehemently condemn this arms race. The labor movement of the Americas believes that this continent must be a space of peace, tolerance and respect for differences. The resources allocated to weapons could be assigned to social development programs.

11 The Congress rejects the existence of foreign military bases in any country of the region as they obstruct regional peace and foster mistrust between our countries, promote the arms race and undermine the principle of self-determination of peoples, as well as national sovereignty over their territories. It is necessary to establish a foreign demilitarization program and the suspension of new military bases in the region.

12 The Congress makes an urgent appeal to the international community to make substantial cuts in military expenditure, and insists on the protection of the livelihood of the workers employed in said industry at the time of shifting from military-based production to social-based production.

13 The Congress condemns the situation of systematic violation of the rights of indigenous and afrodescendent peoples, which have been violated by the States themselves and different stakeholders, among them transnational corporations. The gradual loss of their rights has been rendered invisible by stakeholders who purchase their ancestral lands to exploit their natural resources in an unsustainable manner, jeopardizing the ecosystem and violating their fundamental rights, in particular the right to participate and be consulted on their use and destination of their ancestral territories. We believe that the violation of property rights of indigenous and afrodescendent peoples over their lands and territories cannot be justified with excuses of development or national interest that do not respect the right to a habitat and to natural resources, which are of crucial importance for the cultural and material survival of these peoples.

14 The Congress states, as does the ITUC, that discrimination in all its forms is an offense against the equal rights of all human beings and will oppose any kind of discrimination with resolve, whether based on gender, race, nation-

ality, ethnic origin, religion, political opinion, age, disability, health, sexual orientation or gender identity. In the same way, trade unions have to actively fight against homophobia at work and in society. The Congress unequivocally condemns any form of discrimination and violence or the refusal of rights to lesbian, gay, transsexual and bisexual persons (LGTB), and supports actions to end or prevent the criminalization of homosexuality in all countries and calls upon its affiliates to combat such attitudes through solidarity between all workers and a commitment with coexistence, tolerance and understanding based on the strictest equality.

TUCA Action Program

The Congress mandates the TUCA and its affiliated organizations, working in collaboration with Global Unions Americas partners, to:

- a)** Influence governments of the region to promote policies ensuring social and environmentally sustainable development that generates quality employment and total adherence to the Fundamental Labor Principles and Standards, as well as all those included in the ILO Global Jobs Pact;
- b)** Permanently demand governments to act in an exemplary manner in murder cases of union and social leaders in our region. Once again we demand Colombian, Guatemalan and Honduran authorities to identify and prosecute the perpetrators, secure the integrity and life of unionists, as well as freedom of association and the right to collective bargaining;
- c)** Ensure that countries of the region, in the framework of the measures required to defend our populations from organized crime, terrorism, human trafficking, arms trafficking, among others, avoid the production and acquisition of war material that might incite a regional arms race;
- d)** Advocate for a significant reduction of military expenditure and use the resources to meet urgent social needs, international development cooperation and the conversion of the weapons industry into production for peaceful objectives;
- e)** Demand urgent measures to limit the arms trade, halt illegal weapons trafficking in the region, in particular through strict border controls in producing/exporting countries, foster population disarmament programs, as well as greater restriction of arms commercialization and tenure;

f) Recommend the establishment of a foreign demilitarization program, declaring the suspension of new military facilities, as well as the establishment of a timeline for the withdrawal of military bases, missions and foreign troops from countries of the Americas;

g) Contribute to the establishment of a clear strategy and actions of the union movement in Guatemala against impunity and in favor of human rights, including union rights and the rights of indigenous peoples. The Congress supports the Action Plan adopted at the II Conference Against Impunity in Guatemala and requests all affiliates to support it through the international campaign against impunity and in favor of the right to freedom of association and collective bargaining, which the TUCA, the ITUC and the GUFs have been promoting;

h) Regarding Honduras, support the initiatives designed at the national and international level by national organizations, their local unions, the GUFs, the TUCA and the ITUC in order to advance in a strategy to influence the articulation of a decent work program in Honduras, comprising the visions, priorities and actions defined within the union movement as input to the social and political project to transform the country;

i) Promote respect and consultation with the indigenous and native populations and the full application of ILO Convention 169 on indigenous and tribal peoples in independent territories. The union movement of the Americas defends participatory and decision-making institutions of indigenous peoples. Additionally, these consultations must be binding and respected by governments. Permanent solidarity must be maintained with the fight of indigenous peoples for their rights;

j) Participate in different activities of the UN, OAS and other regional and subregional bodies aiming at the accomplishment of world peace, justice and respect for human rights;

k) Actively support multilateral actions with a view of consolidating and preserving peace, peaceful conflict-resolution, prosecution of those guilty of crimes against humanity;

l) Support the mobilizations organized across the continent in defense of human rights, decent work, and for peace and sovereignty.

m) Regarding Colombia, stating that the situation remains serious trade union freedom and respect for human rights by the denial of decent work and the right of association, collective bargaining and impunity against the mur-

der of trade union leaders and activists, all this ratified the conclusions of the last high-level mission of the ILO. For this reason, the TUCA will continue to offer all its support to the unions of Colombia in their struggle for freedom of association and protection of human rights.

RESOLUTION 16

NEW TAXATION FOR SUSTAINABLE DEVELOPMENT

1 The Congress indicates that most countries of the region suffer the consequences of the weakness of States and the inexistence of instruments and institutions to generate tax and fiscal policies contributing to the social protection of the population and the reduction of inequality. Latin America and the Caribbean is a region of enormous inequality and concentration of income, making it the most unequal worldwide. According to the Gini coefficient (used to calculate the inequality existing in the concentration of wealth of the population) distribution of wealth in Latin America is 70% more concentrated than in Europe. In this region surprisingly the rich pay less taxes and duties than the poor and most taxes are levied on consumption of basic goods, such as foodstuffs, education and health, i. e. extremely regressive for most of the population.

2 The Congress rejects the idea, set up at the international level since the 90s, that the economy improves with tax cuts and that the governments should allow stop playing the role of collectors of wealth and distributors of benefits for the entire the population, based on social policies. This is an approach of rightist parties that adheres to the beliefs of neo-conservatism and has been assimilated by other political sectors, even as a pro-cyclical factor during the economic boom, to strengthen it. As a result the most important economies (Europe, USA, Japan) greatly reduced tax pressure, cutting maximum fiscal demands and favoring the highest income sectors. The present crisis brings about the challenge to resume the previous path to cover public expenditures required to counteract the economic slowdown.

3 The Congress indicates that the situation is both similar and dissimilar in Latin America and the Caribbean. Similar because neoliberal governments of the last thirty years have made their own regressive adjustments to the tax system, and dissimilar because these adjustments have always been regressive, negatively affecting the lowest income sectors through direct taxes such

as the Value-Added Tax, as well as other indirect taxes, and favoring non-taxation of large fortunes, the inexistence of taxes on abundant idle or unproductive lands and not levying taxes on big capital.

4 The Congress rejects the frequent use of regressive “fiscal cost”, stemming from preferential deals, specifically in relation to capital income, by means of exemptions to financial placements, interest of public instruments, profit of investment funds, earnings of real estate capital and stock, favorable treatment for reinvestment of profit, as well as exemptions, credits, deductions, postponements and tax returns. All these expenditures increase the complexity of the tax system and reduce the taxable base (5-8% of the GDP), which means that States reduce their capacity to collect taxes and hence reinvest them in society.

5 The Congress condemns the high tax evasion and avoidance, usually by highly taxed subjects, who use the deficiencies of the State to ensure tax payment, as well as of the lack of a tax culture and distrust in the use governments give to their tax payments. In the case of global tax evasion, in some countries the gap reaches 40%. For income tax, evasion averages 50%, equivalent to 4.5% of the GDP. The Congress also questions the administrative limitations of States that impede a more efficient tax collection.

TUCA Action Program

The Congress invites its affiliates to implement the approach favoring a new taxation developed in 2011 and contained in the Declaration “Equality for the Unequal”.

The Congress supports the creation of a new space for strategic action of the TUCA through the Continental Platform on Taxation.

a) The trade union strategy to be developed, as input at the sociopolitical level, is based on the following challenges:

- the challenge of putting pressure for the expansion and generalization of taxable bases of the different taxes.
- the challenge of fighting for more compliance, i.e. reduce evasion, avoidance and arrears, especially of direct taxes.
- the challenge of reforming the VAT, taking into account recommendations such as: not using the VAT as an instrument to promote or give direction to economic activities, but to generalize it; combine VAT with

selective taxes on certain goods, instead of applying a broad variety of proportional taxes; differentiate between basic goods (food, transport) and luxury goods; not apply tax rate zero for domestic activities; maintain exemptions only in fully justified cases.

- the challenge of reinforcing income and real estate taxes, taking into account recommendations such as: extending the taxable base to other kinds of income which at present are tax-exempt or which have not been clearly defined (financial income, capital earnings, stock dividends), avoid excessive dependence on personal tax based on salaries, protect the taxable base of the corporate income tax, preventing avoidance maneuvers establishing norms on international taxation to avoid detrimental fiscal competition.
- the challenge of accomplishing the elimination of regressive fiscal costs.
- the challenge of strengthening the tax administration, introducing an institutional framework and provisions as per its functions and objectives including: providing sustainability to reforms, elevating the hierarchy of tax administration institutions, creating legal structures with different degrees of functional, administrative, technical and financial autonomy, stabilizing the budget, exercising its functions without giving into external pressure.
- the challenge of introducing new taxes relating to the environment ("green taxes") and the relationship with multinational enterprises and direct foreign investment (taxes on extraction of natural resources, double taxation agreements, taxes on mergers with national enterprises, revision of exceptional regimes in export processing zones).

b) Support the position of the ITUC and the global push to create a Financial Transactions Tax (FTT);

c) Advance in the inter-Congress period in the field of taxation through new events and the materialization of the Continental Platform on Taxation, to put pressure fiscal reforms in each country to overcome inequalities, enable national organizations, subregional coordination committees and the TUCA itself to propose and intervene in the debates on fiscal reforms as the path to sustainable development.

RESOLUTION 17

SUSTAINABLE DEVELOPMENT AND GLOBAL BUSINESS

1 The Congress observes the growing concentration of power of multinational enterprises (MNEs) at the regional and global level, consolidating positions of increasing asymmetric power between workers and employers, and even between States and enterprises. The States lack instruments to control multinationals and, many times, large corporations control political power through electoral financing, lobbying and even corruption of State agents.

2 The above is expressed in the abuse of workers, the environment, indigenous, afro-descendent and campesino populations in the entire continent to favor their interests, as well as in the way they ignore labor rights, especially freedom of association and collective bargaining; in the exploitation of youth and women, especially through export processing zones; the use of unregulated or outsourced forms of contracting workers; the lobby on governments to adapt national laws to their own benefit - particularly tax laws, violating the sovereignty of nations and making their territories the uncontrolled center of power and wealth.

3 The Congress recognizes the role that the TUCA has been developing as of 2008, paying close attention to the actions of global business (including the Latin multinationals and large national companies) and defining an action strategy that will prepare unions of the region to influence social, labor and environmental behavior of such enterprises. It also recognizes the fight and mobilizations that its affiliates have been carrying out in the different countries to ensure respect for workers' rights violated by corporations, but also to accompany the people who have raised their voice against the abuse and to defend their territories, their natural resources, their ancestral traditions, the environment and their sovereignty.

4 The Congress ratifies its critical vision on the concept of Corporate Social Responsibility (CSR), frequently used by enterprises to promote voluntary actions, especially outside business, with the alleged intention of mitigating the social and environmental impact of their actions. We call for an approach to the issue based on the union concept, which emphasizes the "internal" component (workers) and the existence of norms regulating global enterprises and foreign investment (direct and speculative) at the State level or pacts between

the social actors themselves (global international framework agreements). As well as the importance of intergovernmental instruments which seek the generation of international rules and regulations to act as binding umbrellas to protect workers' and human rights as a whole, instead of the current tendency of non-binding codes of conduct.

TUCA Action Program

The Congress mandates the TUCA and its affiliated organizations to:

- a)** Accompany the fight all over the continent to defend workers from the abuse of these corporations, to ensure decent work and respect for international labor standards, especially freedom of association and collective bargaining. Likewise accompany the people in the mobilizations against the devastating action of multinationals working extractive mining and confront the governments that have allowed this activity;
- b)** Strengthen the actions of the TUCA Working Group on Transnational Enterprises, of which the TUCA and regional organizations of the GUFs are part, and which has produced strategic positions for union-sociopolitical and direct action. Additionally, the Congress urges the TUCA to work more closely with the Global Unions Americas Council, the ITUC, the Workers' Group of the ILO Administration Council and social organizations of different character with which cooperation can be generated;
- c)** Increase technical cooperation with ILO-ACTRAV in respect of the ILO Tripartite Declaration on Multinational Enterprises and the set of conventions and associated recommendations, as well as:
 - Case law of the ILO Committee of Experts on the Application of Conventions and Recommendations and its Committee on Freedom of Association regarding the cases of the last twenty years relating to multinational enterprises to identify the use given to them in the Declaration.
 - Resolution "Global Unions, Global Business" dated June 2010 of the ITUC Congress.
 - The work related to private employment agencies and the interpretation of C181.
- d)** Promote and monitor the application of the OECD Guidelines for MNEs which was updated and considerably improved by bringing them in line with

the UN Guiding Principles for Business and Human Rights. Collaborate with the experiences of the regional GUFs in union networks of MNEs and Latin-MNEs;

e) Follow-up on and critically evaluate other instruments applicable to MNEs and Latin-MNEs beyond the ILO sphere that might have an impact on workers' trade union rights;

f) Increase trade union focus on union experiences in respect of Latin-MNEs for joint use of members of Global Unions Americas, and prepare a map of Latin-MNEs for articulated union efforts;

g) Develop, in articulation with the European Trade Union Confederation (ETUC), a special action on European MNEs in Latin America and the Caribbean, on Latin-MNEs in Europe, using the different instruments available. This action includes exploring the possibility of creating European Enterprise Councils corresponding to Latin-MNEs;

h) Follow-up on the application of ISO standard 26000 on Social Responsibility in national and regional legislation, as well as intervene critically in spaces of this kind of private standards, the medium term object of which is to diminish the impact of international regulations, in particular of the ILO, and in the long term impose private rules and regulations on labor relations;

i) The Congress mandates the TUCA to negotiate, before the ITUC, the ILO and ISO, the immediate suspension of Working Committee No.260 on Management of Human Resources which is drafting a labor standard outside its mandate;

j) The Congress urges the creation of specialized technical areas within affiliated organizations for trade union actions to address MNEs and Latin-MNEs, the follow-up of negotiations and the application of global-international framework agreements in Latin America and Caribbean, and the analysis of the experiences of the GUFs of the region on the behavior of MNEs;

k) The Congress urges unions to work with other social allies to materialize binding international regulatory instruments to control the actions of MNEs and protect labor and human rights.

RESOLUTION 18

ON THE FINANCIAL TRANSACTION TAX

1 The Congress recognizes that the 2008 outbreak of a global financial crisis caused by unregulated banks, speculation and the broader financial sector. The subsequent employment and fiscal crises in many countries have generated a range of well substantiated proposals to tax the least productive and most volatile financial transactions. At an earlier stage in globalization many affiliated organizations discussed and supported these proposals. In the current situation, the Financial Transaction Tax (FTT) has become a fundamental part of a reformed financial architecture that regulates banks and generates revenue for productive use. Particularly in the Americas, where regressive value added taxes (VATs) disproportionately affect workers and account for much of tax revenue, the FTT is an overdue step in the right direction, toward progressive taxation. The entire financial sector, including private equity and hedge funds that have benefited from constantly reduced regulation over the last thirty years now must begin to pay its debts after having destroyed over millions of jobs and created widespread fiscal crises worldwide.

2 The Congress concurs with the interventions of the ITUC, its regional bodies and numerous national affiliates that have repeatedly articulated support for the FTT in national, regional and international forums such as the G20. Many countries have already enacted such taxes, usually at rates between 0.02% and 0.05%, that especially target the most speculative and volatile forms of investment and those that have been the root cause of the employment and fiscal crises that have devastated workers and communities in many countries. In addition to reducing the most speculative transactions, the FTT can address a range of goals related to all three pillars of sustainable development: the economic, social and environmental aspects of sustainability. Given the exaggerated weight of the financial sector in some key economies, a declining share of national wealth gained from work rather than investment in many countries, and rising social inequality in many countries, the time has clearly come to embrace the FTT to set right these imbalances. Since 2008, the labor movement, broader civil society and the governments of the majority of the G20 countries have built a wide consensus that the time has come to enact an FTT in as many countries as possible. Its supporters include not only leftist and progressive forces, as well as some governments, institutions, and business figures that are more identified with the models grounded in financial deregulation and reduction of the role of the State. To name only a few examples, Argentina, Brazil, and South Africa, as well as Germany and France have

spoken out clearly in favor of the FTT. The present moment requires the labor movement leverage such advantages while they last and lay the foundations for a reformed financial architecture that is just and sustainable.

3 The Congress notes with concern that despite the broad consensus described above, the FTT has not yet been sufficiently embraced and enacted by some key countries. There is an urgent need for concerted and focused action by the labor movement in the Americas in alliance with those who agree that the FTT is a fair and productive policy. Without such a plan and series of actions in the Americas and the region might fail to take advantage of this opportunity and lay the foundations for building a sustainable financial system and more just society. In addition to national labor movements actions to advance the FTT campaign, the coming months will provide opportunities for coordinated actions at major events such as the G20 meetings in Mexico and Rio+20 Conference in Brazil.

4 Therefore, the Congress proposes that TUCA initiate a series of coordinated and concrete actions, encourage independent national actions, and provide as much information as possible to support campaigns by workers and their allies to enact an FTT in as many countries as possible and monitor the revenue generated and programs funded by such taxes, where they exist.

TUCA Program of Action

The Congress requests the TUCA and its affiliates to undertake the following actions:

- a)** Consistently include FTT as an objective in preparations for Rio+20 as the FTT would positively impact the three pillars of sustainable development: the economic, the social and the environmental, and foster the inclusion of the FTT by United Nations as a core mechanism to finance the policies that coincide with our proposal for sustainable development.
- b)** Create national action plans to enact FTTs and elaborate proposals regarding the use of revenues generated by FTTs. TUCA affiliates should create nationally appropriate outreach materials to educate members tailored to the respective nations in order to train and inform their members.
- c)** Establish broad alliances to support an FTT and actively participate in international campaigns.

RESOLUTION 19

AGRARIAN REFORM: INSTRUMENT OF SUSTAINABLE DEVELOPMENT WITH SOCIAL AND ENVIRONMENTAL JUSTICE

1 The agrarian reform is relevant in the sustainable development project of the TUCA due to its centrality to attain social and environmental justice, the affirmation of labor, the distribution of income and self-reliance in the food production of each country. It also reinforces the prominent role and relevance of the State as motor of economic and social development.

2 The TUCA understands that, by strengthening family agriculture and rural workers and enhancing their link with the land, the agrarian reform becomes an important instrument for generation of employment, democratization of real estate, a more balanced occupation of territories and a more rational use of its resources to expand food production and ensure the wellbeing of the population, as well as food sovereignty. Such measures are necessary to attain a strong and thriving domestic market, a necessary condition for self-sustainable growth and fundamental to address the impacts of the crisis experienced by central capitalist countries and for the survival of the planet.

3 Contrary to the agrarian model of the large, concentrating and excluding landed estates that degrade natural resources and exploit the labor force, we affirm the principle of the social function of property, of the creation of social and economic relations that foster growth and promote balance with an approach privileging native peoples and indigenous communities.

4 The transfer to foreign ownership of the land has become a dangerous cause of hunger, exclusion, forced and precarious labor, due to de-nationalization of huge plots of territory and compounded by the control of transnational enterprises that cover the entire production chain: from the seeds (usually transgenic) to industrialization and distribution. The development of science and technology already enables abundance, with an agrarian model centered on vast properties where mono-crops rule – often times of agrofuels or foods for export and not for domestic consumption – has leveraged the earnings of enterprises that exploit the land and its crops as commodities. This dangerous strategy converts food production into a monopoly at the service of big capital and multinational enterprises which are indifferent to the starvation and poverty of the inhabitants of the countries which they themselves have defined as

production centers, based on the expansion of the global agricultural frontier.

5 In many of our countries a widespread tragedy goes far beyond traditional communities and the pollution of the environment, disseminating the use of agro-toxic substances, converting massive areas into pastures to maximize earnings or simply into deserts. Thus, according to United Nations, while some speculators smile at the stock exchange, one of every six human beings on this planet is hungry. To put it bluntly, more than 1.2 million persons are condemned by this profit-making speculative logic.

TUCA Action Program

The Congress requests the TUCA and its affiliates to undertake the following actions:

- a)** Raise high the flag of agrarian reform and the defense of the food sovereignty of our nations. Denounce multinational enterprises intending to monopolize the chain of food production, to impose mono-crops for agrofuel purposes or simply to produce food as commodities, objects of speculation;
- b)** Call for greater public investment in the sector, with budgets earmarked to scientific and technological training, as well as the funding, for small-scale landowners, with soft credit values and terms, without which the extension of citizens to the rural population is nonviable and the urban population becomes a captive of the large conglomerates;
- c)** Denounce the criminalization of social movements, which this Congress salutes and supports. They fight for the democratization of access to the land in the face of invasive elites and media that prevent the full development of production forces and of social progress.

II TUCA CONGRESS

SUSTAINABLE DEVELOPMENT, DECENT WORK AND DEMOCRACY

Building a New Society

Action Program and Resolutions

This report was developed as part of the decisions of the Second Congress of the Confederation of Workers of the Americas (TUCA), performed on days 17, 18, 19 and 20 of April 2012, in Foz do Iguacu, Brazil. This material may be freely reproduced in whole or in part, whenever for commercial purposes and that the source is mentioned. Also available for digital download on the web of the TUCA.



ENGLISH VERSION

II TUCA CONGRESS

**SUSTAINABLE DEVELOPMENT,
DECENT WORK AND DEMOCRACY**

Building a New Society

Action Program and Resolutions

April 2012

Realization:

