

Rail Tram and Bus Union

**Submission to the Standing
Committee on Treaties Inquiry
into Australia's Relations with
the World Trade Organisation**

September 29, 2000



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Terms of Reference

- opportunities for community involvement in developing Australia's negotiating positions on matters with the WTO;
- the transparency and accountability of WTO operations and decision making;
- the effectiveness of the WTO's dispute settlement procedures and the ease of access to these procedures;
- Australia's capacity to undertake WTO advocacy;
- the involvement of peak bodies, industry groups and external lawyers in conducting WTO disputes;
- the relationship between the WTO and regional economic arrangements;
- the relationship between WTO agreements and other multilateral agreements, including those on trade and related matters, and on environmental, human rights and labour standards; and
- the extent to which social, cultural and environmental considerations influence WTO priorities and decision making.

INTRODUCTION

The Rail Tram & Bus Union is a registered industrial organisation under the Workplace Relations Act 1996, which represents 34,000 employees in the rail, tram and government bus services across Australia. These industries have been subject to high-speed change over the last 15 years, and particularly the last four years, through privatisation and national and international competition policy.

The RTBU supports the policy on international trade adopted by the Congress of the Australian Council of Trade Unions held in June this year (See Appendix 1). The RTBU supports the development of trading relationships between all countries and regions, and supports international regulation of trading relationships in a way that promotes democracy, social justice and environmental sustainability.

The OECD negotiations on the draft Multilateral Agreement on Investment (MAI) collapsed in October 1998. In November 1999, the WTO Ministerial Meeting in Seattle failed to launch a new “millennium” negotiating round. These two events show that the sustained trend of applying neo-liberal market theory to all markets on a global scale has over-reached itself, and run into severe political constraints.

The RTBU argues that changes are needed to the international trade negotiating framework. The view that changes are needed is not only held by trade unions and other community organisations in Australia and elsewhere, but is shared by many developing country governments and the European Union.

RTBU members have experienced severe impacts from the application of neo-liberal policies flowing from commitments made in the APEC Bogor Declaration of 1994, and from the bargaining position adopted by Australia in the GATT Uruguay Round and in the World Trade Organisation since 1995.

In particular, the government bus sector in Melbourne, Adelaide and Perth has been franchised out – effectively privatising the management – and the bulk of the tenders went to multinational companies – National Express and Serco.

As well, the Australian National Railways was broken into three parts and sold in November 1997, again to multinational companies – Wisconsin Central, Genesee & Wyoming and Serco. In mid-1999, V/Line Freight was sold to RailAmerica. The rest of the Victorian train and tram systems were franchised in early 2000, again to multinationals – National Express, CGEA and Transdev.

At present, the National Rail Corporation is about to go to tender, Westrail Freight is subject to Final Binding Offers on October 25, 2000, and the NSW Government has announced its intention to privatise FreightCorp.

In these historic changes, RTBU members have suffered 30% - 50% job losses in the rail privatisations, along with the imposition of individual contracts in Tasrail and for the on-train staff on the interstate passenger trains. In South Australia, a 10% reduction in pay and conditions was imposed at the privatisation.

In the bus sector, RTBU members experienced about a 25% cut in pay and conditions such as superannuation, holiday pay, long service leave and sick leave. There is a serious decline in job security in all sectors. These job losses, and the insecurity, have had a particular impact in rural and regional Australia.

The RTBU outlined much of this impact in its submission to Senate Select Committee on the Socio-Economic Consequences of the National Competition Policy, in October 1998.

National Competition Policy is one of the conditions for Australia's participation in World Trade Organisation negotiations and its role in APEC of forcing the pace of international trade and investment liberalisation.

The RTBU strongly objects to this negotiating position by Australia in the WTO and APEC. As well, the RTBU questions the benefits of the liberalised trade and investment agenda being pursued in the WTO and other international forums such as APEC.

The recommendations from the RTBU are set out in the next section.

Recommendations

- That the Australian government hold thorough public consultations on each aspect of negotiations on the WTO agenda, with accessible briefing papers on likely social and environmental impacts of various options. The results should then be part of a full parliamentary discussion about the authorising of a negotiating position.
- That an urgent review of WTO structures, to correct glaring inadequacies in democratic processes and resources of participants, be undertaken before any new negotiating round.
- That an urgent review of the WTO dispute settlement process takes place in the context of a general review of WTO structures. WTO dispute procedures should take into account other international law, and be open, and its decisions should be more accessible.
- That an urgent public review be made of the Australian government's aggressive advocacy of agricultural free trade in the WTO, to enable the government to adopt a policy that takes better care of the whole of Australian society and so that Australia's policy does not lead to social crisis in other countries where the majority of the population rely on farming for subsistence.
- That industry groups or peak bodies should not be able to take complaints to the WTO disputes process. Instead, the WTO disputes procedure should be replaced with a division of the International Court of Justice, which is respected, and which would have the capacity to balance commercial interests with broader principles of fairness and justice, when dealing with commercial disputes in the trade area.
- That the Australian government not use regional trade and investment agreements to advance the WTO agenda which is clearly not acceptable to the majority of WTO member countries, and that the Australian government not join any regional trade and investment agreement without a full public debate, and parliamentary debate and vote, prior to negotiations, and prior to any ratification.
- That the Australian government recognise the super-exploitative dimension to the global trading and investment regime, and change its policy to one that insists on fair labour, human rights and proper environmental protection before any further changes to the global trading and investment system are considered.

- That the government justify in advance to the public why any of the basic service areas should be subject to WTO rules, especially how they could be traded off for market access in areas like agriculture.

Opportunities for community involvement in developing Australia's negotiating positions on matters with the WTO

The Australian government voted to ratify the results of the Uruguay Round of GATT negotiations in 1994, which included creating the WTO, without any reference to the community, except for some specific big business groups, including in agriculture. There has been no consultative character in the Trade Advisory Policy Council and WTO delegations.

In short, the RTBU, like all other Australian community organisations or individual citizens, had no opportunity to contribute to Australia's decision about the outcome of the Uruguay Round of the GATT.

That treaty-making imposed on the Australian community the new concepts of TRIPS (Trade Related Intellectual Property Rights) and TRIMS (Trade Related Investment Measures) and opened up services to negotiation for international trade. These undertakings affect a broad scope of government policy, in ways that are detrimental to the public good, including in rail, tram and bus transport services.

It is therefore essential that government policy be open, publicly discussed and publicly accountable before agreements are signed.

Therefore the Australian government should hold a formal public consultation process about possible positions to take in WTO negotiations, and then hold a formal parliamentary debate on these issues, before sending negotiating teams to specific sessions or to the Ministerial Meetings.

Since there has been no community consultation worthy of the name so far, the government has very significant scope to create a genuine community consultation process.

Efforts in 1999 by the Department of Foreign Affairs and Trade to "consult" were barely disguised efforts in brow-beating and pushing a predetermined neo-liberal policy, and only antagonised community groups seeking to have a genuine dialogue.

The DFAT participation in a post-Seattle community forum in Sydney in February 2000 was an opportunity for the Department to acknowledge a “wake-up call”, but the Department made no effort to spell out just what the “call” meant, or to respond positively to the labour, indigenous and environmental concerns raised by participants.

When asked by participants about the state of negotiations on trade in services (GATS), the Department was uninformative at best.

The RTBU recommends that the Australian government hold thorough public consultations on each aspect of negotiations on the WTO agenda, with accessible briefing papers on likely social and environmental impacts of various options. The results of these formal public consultations should then be part of a full parliamentary discussion about the best negotiating approach to take, after which a negotiating team could begin its work.

The transparency and accountability of WTO operations and decision making

As stated already, under the Uruguay Round agreements, the scope and content of agreements supervised and negotiated through the WTO has greatly expanded, but the WTO is neither transparent nor accountable compared with other international bodies, such as the UN, the ILO or the International Court of Justice.

The WTO has closed meetings, no majority voting, no public debate, no formal NGO observers at debates, and the drafting process is dominated by the big four - the USA, Canada, EU and Japan.

So transparency and accountability in the WTO are a joke, leading to its severe loss of legitimacy since 1994, demonstrated so graphically at Seattle, both on the streets and inside the Ministerial Meeting. Developing Countries are excluded from most drafting meetings, and lack resources. They have made specific requests for structural changes that often parallel the demands of labour, environmental and other grassroots organisations on the outside.

Agreements made at the WTO restrict domestic government policy-making, thus reducing the transparency and accountability of national governments.

By its uncritical support for the WTO process, the Australian government has damaged its own legitimacy, and helped to polarise Australian society around globalisation issues.

A review of WTO structures is urgently needed to address these issues. Such a review should take place before any new negotiating round.

The effectiveness of the WTO's dispute settlement procedures and the ease of access to these procedures

In general, the WTO disputes settling procedures place trade and commercial values above other values in international law. The procedures appear to be very effective in overwhelming domestic government policy on health, the environment and human and cultural rights, because the panels are made up of trade lawyers who have no interest in other vital aspects of life. They meet in secret and use obscure technical language.

The threat of potential complaints as well as actual complaints are now being used to influence domestic government policy, for example, on GMO labelling, labelling hormone-fed beef.

The recent Canadian Government complaint against Australian Quarantine Regulations that restricted the import of fresh salmon led to the degrading of Australian quarantine standards.

The RTBU argues that this is a clear case of short-term commercial values overriding environmental and long-term commercial values, because of the way the WTO is structured, including its disputes procedures.

The dispute settlement process should be reviewed in the context of a general review of WTO structures. It should take into account other international law. It should be open and its decisions should be more accessible.

Australia's capacity to undertake WTO advocacy

Australia is a middle range trading country, and finds it difficult to negotiate effectively on trade in manufactured products, intellectual property rights and cultural products, but has a presence in agricultural and mineral trading markets that gives it some power at the WTO, particularly through the Cairns Group.

This uneven power relationship means that Australian negotiators have been eager to trade off national policy in many areas of economic life in order to gain more global market access for agricultural products.

There are two important aspects of this way that Australia advocates its interests in the WTO framework.

First of all, this negotiating posture assumes that agriculture and agricultural exports are the most important sector of the Australian economy. This is an implied industry policy that has not been subjected to any national debate and the RTBU believes that it is highly unbalanced, leading to insecurity in both rural and urban communities, and contributing to the ongoing decline in manufacturing, infrastructure development, and research.

Secondly, this negotiating posture advocates global free trade in agricultural products as the best pathway for Australian agricultural products to have maximum market access. This posture is a threat to the subsistence agricultural sectors of many developing countries, and has already contributed to reductions in price support for domestic producers in many of these countries. The effect in these countries is large-scale population flows out of rural areas, to deepen the abject poverty of large sections of the population, and to convert fertile lands from farming to other uses. The Australian government continually attacks the 'closed' agricultural markets of Japan, the European Union and the United States, but its policies are damaging many other vulnerable societies.

This form of advocacy in the WTO needs to be urgently reviewed in an informed public debate so that government can adopt a policy that takes better care of the whole of Australian society and so that Australia's aggressive policy in agricultural trade does not lead to social crisis in other countries where the majority of the population rely on farming for subsistence.

The involvement of peak bodies, industry groups and external lawyers in conducting WTO disputes

The recent dispute between Canada and Australia over Australia's quarantine restrictions on the import of fresh salmon showed just how poorly even a state government can fare in the WTO dispute procedures.

This experience and some others have brought the WTO dispute procedure into the public domain, only leading to its de-legitimation, and to damage to the Australian government's image as a representative of Australian interests.

The WTO dispute settling procedure is a major issue in the overall review of the impact of trade and investment liberalisation that should take place before any new WTO negotiating round is commenced.

The RTBU is strongly opposed to the concept of industry groups or peak bodies being able to take complaints to the WTO disputes process. This kind of proposal was a major controversy in the MAI fiasco, and would constitute a major extension of the power of corporations over governments.

Instead, the RTBU believes that the WTO disputes procedure should be replaced with a division of the International Court of Justice, which is respected, and which would have the capacity to balance commercial interests with broader principles of fairness and justice, when dealing with commercial disputes in the trade area.

The relationship between the WTO and regional economic arrangements

The WTO has been a slower vehicle for trade and investment liberalisation than many multinational corporations and some governments would like. However, WTO agreements are enforceable and it has so far been very effective, along with the International Monetary Fund and World Bank, in reshaping global economic affairs to suit big multinational corporations.

Regional economic arrangements like NAFTA and APEC are smaller in scope than the WTO, but can set the pace by adopting radical free trade goals, also backed up by a powerful complaints procedure in the case of NAFTA.

APEC Summits, which have also have a consensus style and adopt voluntary Country Action Plans, have often taken the form of a caucus prior to a WTO Ministerial, often to good effect in some trading sectors, such as computer components, though not all.

As trouble has mounted for ambitious global agendas such as the Multilateral Agreement on Investment and then the Millennium Round of the WTO, new energy has been directed at regional free trade agreements that could help overcome the obstacles.

Australia and New Zealand's exploration of a free trade agreement with Singapore and with AFTA is a good example. It is a highly contentious idea that was launched without any public discussion in Australia or New Zealand, after the Seattle fiasco.

Commitments made under the Closer Economic Relationship between Australia and New Zealand have intersected with New Zealand commitments under the WTO, to produce bizarre outcomes, such as the attempt to classify New Zealand television products as local content for Australian regulatory purposes.

The legal battles over this issue, and the public controversy around it, should encourage caution in the Australian government about any further proceedings in APEC and CER, and between CER and AFTA.

The Rail Tram & Bus Union strongly supports the continued development of the rail industry in Australia, including genuine capacity

to research, develop and manufacture and maintain locomotives and rolling stock, signalling systems, and new processes for track construction and maintenance.

We note the recent decision by the former Kennett government to franchise the public transport system in Victoria, with one condition being that the new operators would use new rolling stock, which the Victorian government would purchase. For the first time, this order was placed outside Australia, while the longstanding and efficient rolling stock manufacturer in Dandenong was ignored.

This is a case of regional free trade goals, as projected in the 1994 Bogor Declaration, undermining local content and industry development commitments in Australia, with serious negative social and economic consequences in both the short and long-term.

The RTBU recommends that the Australian government should not use regional trade and investment agreements to advance the WTO agenda which is clearly not acceptable to the majority of WTO member countries, nor should the Australian government join any regional trade and investment agreement without a full public debate, and parliamentary debate and vote prior to negotiations, and prior to any ratification.

The relationship between WTO agreements and other multilateral agreements, including those on trade and related matters, and on environmental, human rights and labour standards

The WTO agreements are far more easily enforced than UN General Assembly Resolutions or International Labour Organisation Conventions, or important environmental agreements such as the UN Climate Change Convention adopted at Rio de Janeiro in 1992, or decisions of UN Women's Summits.

The effect of this heightened power for WTO rules is that trade considerations consistently win through when there is a conflict between the values upheld by the different Conventions or Treaties.

In general, the UN and ILO Conventions are adopted by a much more public consultation and debating process and a formal vote. Community organisations have a formal presence through NGO accreditation. In contrast, there is no public debate, no formal voting and no recognised role for community organisations in WTO processes.

In short, the WTO is an aggressive anti-democratic force, suffering a huge deficit in legitimacy, and it is in urgent need of a major review.

The RTBU strongly supports the ACTU policy for effective recognition of labour rights, human rights and environmental principles in international trading systems. The ACTU and its affiliates are committed to actively campaign at the national and international level on this issue (See Appendix 1, Points 2 and 3).

In the face of louder and louder criticism of the WTO on this issue, free trade champions have maintained a consistent view that all these issues of human, labour and environment have no place in trade agreements and are best dealt with by other bodies like the ILO.

Apart from a few dissenting voices, the free trade champions allege that all these issues are a thin disguise for 'protectionism', and that free trade is in fact the best policy for the poor peoples and less developed

societies of the world. This message continues to be stridently purveyed after Seattle.

However, the global results of six years of the WTO and fifteen years of trade liberalisation, deregulation, privatisation and labour market reform in Australia, are fairly unambiguous.

The gap between rich and poor is rapidly expanding on a global and national scale. Globally, the absolute number of very poor people, living on less than US\$1 per day, has increased to 1.3 billion. In Australia, the number of poor has not expanded, but it has not contracted either, while the wealth of the top 5% and 1% of people has increased in stratospheric proportions.

A big effect of financial market deregulation in Asia was the 1997 Asian financial crisis, from which the region has barely started to recover. In fact, it can be argued that the region is in danger of descending into a further crisis.

The Asian miracle economies, apart from South Korea, have not industrialised through globalisation, but have become sweatshops for multinational corporations, which rely on authoritarian regimes of the right or left to police very low wage anti-union policies on workers.

While the governments of many of these countries reject efforts to improve their labour laws as a form of rich country protectionism, a huge majority of their workers are totally alienated by the horror of work in the global economy.

This picture is also true in Central and South America, and in Africa.

The RTBU urges the Australian government to recognise this super-exploitative dimension to the global trading regime, and to change its policy to one that insists on fair labour, human rights and proper environmental protection before any further changes to the global trading system are considered.

Extent to which social, cultural and environmental considerations influence WTO decisions

The WTO's one-size-fits-all global rules do not take into account the specific histories, social, cultural and environmental development issues of particular countries.

There are areas that should be excluded from trade and commercial agreements, such as the cultural and land rights of indigenous peoples, other national cultural activities, public health, social security, and public education. Access to essential services like water, electricity, telecommunications and postal services, and public transport should also be guaranteed in advance of any international trading rights.

However, the current round of negotiations under the General Agreement on Trade in Services (GATS) projects that all these services should be open to international investment.

The RTBU warns that any moves in that direction by the Australian government would be vigorously opposed by many parts of Australian society.

Yet an official communique by Australia, New Zealand and Chile at the start of this year stated: "The scope of the [GATS 2000] negotiations should be comprehensive, with no sector excluded as a matter of principle. Comprehensive negotiations offer the best prospect for broad liberalisation and also give Members an opportunity to reach the critical mass and make the trade-offs required to achieve substantial results".

This is an eloquent expression of the disjunction between commercial objectives in the WTO and social, cultural and environmental values.

The government would need to justify in advance to the public why any of the basic service areas should be subject to WTO rules, especially how they could be traded off for market access in areas like agriculture.

Appendix 1

ACTU Congress 2000

GLOBALISATION AND LABOUR RIGHTS POLICY

- 1.1 The ACTU globalisation and labour rights policy and actions will give priority to the development of independent, democratic and effective trade unions in our region; building international solidarity; the defence of human rights; the provision of humanitarian assistance; building on our participation in international bodies such as ICFTU and the ILO; and the encouragement to affiliates to incorporate a higher level of international effort and understanding in their organising and industrial strategies.
- 1.2 Increased trade and economic growth is necessary for Australia's future. However globalisation and its associated elements of trade liberalisation, technological change, financial and labour market deregulation and the development of a huge speculative capital market are placing serious pressures on the ability of national economies to act independently and to balance the increasing gulf between winners and losers. In many countries there is downward pressure on living standards, reduced government services, job losses and efforts to deny workers fundamental rights as governments are forced to compete with each other through the lowering of standards.
- 1.3 This policy outlines the key areas of activity for the ACTU over the next period in regard to:
 - i) Globalisation and labour rights
 - ii) International campaigning
 - iii) Trade union development
 - iv) Defence of human and trade union rights
 - v) Promotion of humanitarian and development assistance
 - vi) Working with other institutions
 - vii) Peace and disarmament
 - viii) Support and promotion of APHEDA - Union Aid Abroad
 - ix) Broadening Australia's international involvement

2. GLOBALISATION AND LABOUR RIGHTS

- 2.1 The ACTU notes the development of a growing international coalition of trade unions, non-government organisations and progressive churches which is expressing grave concern as to the effects of globalisation on nation states, communities and workers. The defeat of the OECD's proposal for a Multilateral Agreement on Investment and the broad-based opposition

to the WTO's "Seattle Round" of trade negotiations are evidence of widespread community discontent with the policies and institutions that are promoting the dismantling of the social contract in nations around the world.

2.2 Globalisation involving trade liberalisation, financial and labour market deregulation, technological change, privatisation and reducing social expenditures is putting serious pressure on workers in many countries. As part of the process of change workers must have fundamental rights respected by governments and employers. These rights include those contained in ILO conventions regarding:

- i) Freedom of association
- ii) Collective bargaining
- iii) Protection from discrimination
- iv) Freedom from child labour
- v) The elimination of forced labour

Australian trade unions will act to defend and achieve those rights for all workers.

2.3 The success or otherwise of trade liberalisation should be seen in the context of social progress and not simply in narrow economic outcomes. The ACTU recognises the importance of international trade to improving living standards in trading countries and supports a system of fair trade which promotes reform of the current free trade environment. Fair trade does not involve protectionism but means trade carried out in a manner which benefits civil society and delivers progress for all countries in terms of:

- i) employment growth
- ii) improved social protections
- iii) implementation of core labour standards
- iv) sustainable environmental standards
- v) elimination of forced labour/child labour
- vi) adherence to human rights and democratic values

The ACTU believes we must put the community and civil society at the centre of the economy. There must be values that guide and underpin the trading system so that it provides the mechanisms, incentives and opportunity for all nations to engage in a race to the top not a race to the bottom.

2.4 In regard to the ACTU's activity in the area of globalisation and core labour standards in summary we will:

- i) Seek to have the Australian government support the ICFTU policy in regard to the WTO incorporating labour rights issues into its deliberations and establishing a permanent working group which provides for the participation of the ILO. The Working Group must have a defined work program to report on issues relating to achieving the

adoption of core labour standards as part of the process of reaching trade agreements

- ii) Actively participate in ILO activity designed to promote the Declaration of Fundamental Principles and Rights at Work. We will support activity to have the core labour standards incorporated into the work of other international institutions including the WTO, UNCTAD, the IMF and the World Bank
- iii) Support representations to provide debt relief and additional development funds to developing countries to assist in raising living standards and implementing labour and environmental standards
- iv) Support a restructuring of the WTO and other international trade and financial institutions to establish full transparency and openness, to involve representatives of civil society and to ensure that the process of trade liberalisation reduces developmental inequalities, improves the environment, opposes exploitation of workers and reduces gender imbalances
- v) Oppose any treaty governing trade in services which restricts the capacity of Australian governments to confine government funding grants to public institutions, or to limit coastal freight to Australian ships, foreign equity in telecommunications companies and financial institutions, and the proportion of programs broadcast on domestic television stations which are produced overseas
- vi) Campaign against trade treaties which remove government powers to regulate the conditions of entry for foreign investment
- vii) Support the proposal for a Tobin tax to be imposed to inhibit speculative capital flows between economies
- viii) Engage in the analytical work and political debate in order to effectively represent the interests of Australian working people in the face of globalisation and the current "free trade" environment. In particular we will:
 - a) Monitor developments in the debate on social tariffs and effective linkages between the trade and social policies;
 - b) Expose the tendency to overstate the evidence in favour of free trade;
 - c) Campaign to build strong community support for Australia's manufacturing base;
 - d) Support a freeze on all tariffs as they currently apply (as at June 2000). This will apply to both the actual tariff and the bound tariff. The 2003 Congress will review this position to determine whether any change is required;
 - e) We note that OECD Economic Outlook analysis of tariff and non-tariff barriers shows the following levels of protection in key economies:
Australia - 0.7%

Japan - 10.7%

USA - 16.8%

Canada - 10.4%

European Union - 19.1%;

- f) Analyse the economic and social effects of actions intended to enhance our economic integration with those countries in our immediate neighbourhood;
- g) Monitor and analyse the level of social and environmental standards internationally and the effect of free trade policies on them.

2.5 Future moves involving trade liberalisation need to be accompanied by economic and social policies in Australia which ensure that:

- i) Australia builds a competitive, sustainable and balanced base of service and manufacturing industries
- ii) Employment opportunities are available in decent, full-time jobs
- iii) Training and retraining opportunities are available for workers whose employment is affected
- iv) Any opening-up of the Australian economy must be matched by reciprocal access being available to other markets
- v) There is an on-going policy commitment matched by practical actions to sustaining a viable and competitive manufacturing industry
- vi) Social audits are carried out to establish comprehensive assessments of the social effects of free trade.

2.6 The ICFTU's campaign for the inclusion of international labour standards in new rules for the global market has won widespread support for action to ensure that basic human rights at the workplace are universally observed. Congress resolves to continue to support the campaign until fundamental workers' rights are respected everywhere.

3 INTERNATIONAL CAMPAIGNING

3.1 The ACTU will encourage affiliates to become more involved in campaigning at international level in regard to matters such as Australian priorities, globalisation and trade union rights. Particular areas for attention will include:

- i) International corporate campaigns such as the struggle against Rio Tinto which is being co-ordinated by a network of unions in many countries. Development of strengthened solidarity links with ITS's and direct union to union relationships, particularly in our region
- ii) Participation in developing codes of conduct consistent with core labour standards in areas such as sporting goods, surgical instruments, events such as the Olympics and with large multinational companies operating in our region

- iii) Contributing actively to the effort designed to strengthen the provisions of the OECD/ILO guidelines on multinational enterprises
- iv) Campaigning against the use of non-union Export Processing Zones to undercut the position of unionised workers
- vi) Call for an Inquiry to be established to undertake a social audit into the key policy planks of trade liberalisation and globalisation. The Inquiry to make recommendations on the regulatory mechanisms for ensuring international corporate governance adopts socially responsible standards as part of the process of Globalisation

4. UNION DEVELOPMENT

4.1 The ACTU will attach a high priority to activity designed to achieve the development of effective, independent and democratic unions in our region. These actions will include:

- i) Further support and development of the ACTU/APHEDA funded Union Training Centre in Indonesia
- ii) Developing a closer relationship with the PNG TUC
- iii) Continuing our efforts in East Timor in association with the ILO and ICFTU-APRO and ITS's to assist with the development of unions for East Timorese workers
- iv) Participating in the development of unions in the South Pacific area and working with ICFTU-APRO, SPOCTU, APHEDA and CTUC to meet the needs of the region

4.2 Congress renews its appeal for continued support by all affiliates and their members, delegates and staff to the work of APHEDA.

4.3 Developments in modern technology, particularly in global communications, have raised the question of the very kind of international trade union cooperation required to allow our movement to achieve its objectives in a modern and ever changing world, in particular:

- i) Building union organisation world-wide and ensuring international trade union solidarity;
- ii) Influencing the inter-governmental institutions internationally and regionally;
- iii) Influencing behaviour of multinational enterprises; and
- iv) Campaigning at international level to promote the policies and objectives of the trade union movement.

4.4 Congress welcomes the initiative of developing a united world trade union body at all levels, that is, internationally, regionally and at industry levels. A process known as the millennium debate has been put in place to consider future international trade union structures. Congress recognises the efficiencies gained from a unified world trade union body.

4.5 Therefore, Congress directs the ACTU to play an active role in this millennium debate, ensuring that any merger of the world trade union bodies is a proper merger achieved through appropriate consultation and agreements."

5. DEFENCE OF UNION AND HUMAN RIGHTS

5.1 In the Asia Pacific region there are many examples of human rights abuses. Unions are repressed, unionists are arrested for attempting to organise and bargain, free speech and rights of protest are either not recognised or are circumscribed by law.

5.2 The most horrific abuse of human rights in our region is the activity of the military junta in Burma which has refused to recognise the results of free elections in 1990 and has imposed military rule on the Burmese people. In relation to Burma, the ACTU and its affiliates:

- i) Condemn the Government (State Peace and Development Council) for its use of forced labour;
- ii) Condemn the Australian Government's plan to assist the junta in the setting up of the National Human Rights Commission, and the provision of Human Rights Training for the military;
- iii) Support the call for severance of all government ties until the convening of the democratically elected parliament;
- iv) Call for the release of all political prisoners;
- v) Support the ILO resolution calling for the end of forced labour by 30 November. Further if the junta fails to comply, the ACTU and its affiliates resolve to consider actions against the regime; and
- vi) Support the call for a free and independent Burma.

5.3 ACTU actions in defence of human rights will include:

- i) Working with supportive organisations to secure the restoration of democracy in Burma
- ii) Co-operating with human rights bodies such as Amnesty International to address specific instances of human rights' abuses
- iii) Paying particular attention to cases of human rights which involve unionists throughout our region
- iv) The ACTU will continue to support human rights and independence struggles including those in Zimbabwe and the Western Sahara. Specifically the ACTU in Western Sahara supports a free and fair referendum in accord with UN resolutions.

6. HUMANITARIAN DEVELOPMENT ASSISTANCE

6.1 Australia's aid budget has failed to increase to reflect the growth of the economy. Our contribution to foreign aid is now only 0.25% of GNP. The ACTU will support actions designed to:

- i) Increase Australia's foreign aid to 0.7% of GNP in line with UN targets
- ii) Call for the cancellation of debts by the world's 52 poorest countries with the requirement that monies saved are expended on health, education and building a sound economy. Support the Jubilee 2000 International Debt relief campaign
- iii) Campaign to have the Australian government allocate at least 10% of its overseas aid budget through Australian international development NGO's

7. WORKING WITH OTHER INSTITUTIONS

7.1 The ACTU international work must necessarily be undertaken with a range of international bodies including unions, tripartite forums and NGO's. The ACTU will continue to build linkages with relevant bodies at the international level. This will include:

- i) Strengthening our relationship with the ICFTU, especially at the regional level through ICFTU-APRO
- ii) Continuing to play an active role in the ILO
- iii) Calling on the Australian government to restore the level of Australia's involvement in the ILO and to ratify conventions related to OH&S, Child Labour and Homeworkers
- iv) Working to strengthen the national centre to national centre relationships with the key national centres in the region

7.2 The ACTU will also participate in the union bodies Asia Pacific Labour Network (APLN), TUAC, South Pacific and Oceanic Council of Free Trade Unions (SPOCTU), Southern Initiative on Globalisation and Trade Union Rights (SIGTUR) and CTUC paying particular regard to campaigns which affect our region.

7.3 The ACTU will again call on the government to bring its Workplace Relations and Trade Practices Act into conformity with our obligations under ILO Conventions.

7.4 The international work of the ACTU will continue to be resourced by the activities of the two nominated full-time officers and an Industrial Officer. We will be active in the range of international organisations with which we are affiliated and associated - these include ICFTU, ICFTU-APRO, ILO, CTUC, APHEDA, SPOCTU, TUAC and APLN. This work will be supplemented by affiliate activity in a range of areas to enable the limited ACTU resources to be utilised as effectively as possible.

8. PEACE AND DISARMAMENT

8.1 The ACTU will seek to have a higher level of attention paid to peace and disarmament issues. This will include:

- i) Press the Australian Government and Parliament to continue to support the negotiation, ratification and implementation of UN treaties

on peace including the Nuclear non-Proliferation Treaty, the Comprehensive Nuclear Test Ban Treaty, the Chemicals Weapons Treaty and the Mine (Landmines) Ban Treaty

- ii) Taking whatever action is appropriate to contribute to the cessation of hostilities in conflicts throughout our region and beyond
- iii) Supporting and encouraging greater priority for the ICFTU's activities to achieve reductions in expenditure on armaments
- iv) Support the Olympic Peace Truce to coincide with the Summer Olympic Games in Sydney, 2000 as part of a campaign for the International Year for a Culture of Peace and promote the Global Movement for a Culture of Peace and Non-Violence by encouraging affiliates and their members to sign the Manifesto 2000 for a culture of peace and non-violence

9. SUPPORT AND PROMOTION OF APHEDA - UNION AID ABROAD

- 9.1 APHEDA is the ACTU's international humanitarian aid agency. Its programs support overseas education, training and union development projects.
- 9.2 The ACTU will be continuing to support the valued work of APHEDA and encouraging all affiliates to associate and involve themselves with the work of the organisation.
- 9.3 The ACTU notes the development of state based APHEDA activist groups and will :
 - i) Continue to provide core funding to APHEDA
 - ii) Promote APHEDA to all affiliates
 - iii) Continue to work actively to support APHEDA projects in the region including such initiatives as overseas study tours for union members
 - iv) Support greater public resources being made available for APHEDA projects
- 9.4 Build the capacity of the ACTU's aid arm APHEDA to provide direct humanitarian assistance

10. AUSTRALIA'S INTERNATIONAL INVOLVEMENT

- 10.1 The ACTU believes that there is a need for greater efforts and public resources to enable a better understanding of and improved relations with the people of the countries in our region.
- 10.2 The ACTU will develop a proposal for the establishment by the Federal Government of a publicly funded program to promote greater opportunities for study visits and development training of trade unionists from the region and for Australian workers to obtain a greater understanding of union, social and political developments in the Asia-Pacific region.

11. INVOLVEMENT OF WOMEN AND YOUTH

11.1 In promoting the involvement of women and young members in issues relating to Globalisation and Labour Rights the ACTU will take action which includes:

- i) Within the limits of the international budget, participate in ICFTU and ILO activities which relate to women and young people
- ii) Seek to develop networks between Australia and other national centres involving women and young members
- iii) Seek the ratification of ILO Conventions which have specific reference to women and youth for example, Maternity Protection and Child Labour
- iv) Encourage the formation of support groups from women and young members to become active in pursuing ACTU policy objectives in the area of Peace and Disarmament

12. CONCLUSION

12.1 The ACTU will continue to work with affiliates on the priority areas of international activity. Our priorities are:

- i) Union development
- ii) Defence of Human Rights
- iii) Participation in the globalisation debate
- iv) Support for poverty eradication and humanitarian needs
- v) Action in support of peace and disarmament
- vi) Building international solidarity

12.2 The key countries and regions for our activities will be :

- i) East Timor
- ii) Indonesia
- iii) South Pacific
- iv) Papua New Guinea
- v) Burma
- vi) Cambodia
- vii) Other South-East Asian countries

12.3 The institutions and organisations we will work with include :

- i) APHEDA
- ii) ICFTU
- iii) ICFTU-APRO and the ITS's
- iv) APLN
- v) TUAC

- vi) ILO
- vii) SPOCTU
- viii) CTUC
- ix) SIGTUR

12.4 We will also seek to develop closer relations with the International Confederation of Free Trade Unions - Asia Pacific Regional Organisation (ICFTU-APRO) and key national union centres in our region.

12.5 We will work with other supportive organisations in Australia such as Amnesty International and ACFOA to further the aims of greater understanding between countries of the region, international development, human rights and peace.