



คณะกรรมการสมานฉันท์แรงงานไทย (คสรท.)
Thai Labour Solidarity
Committee (TLSC.)



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**Recommendations to the ASEAN Labour Ministers Meeting:
Decent Work for Vulnerable Workers**

Seminar: Sunday, April 20, 2008, Siam City Hotel, Bangkok

**Organised by:
Ministry of Labour, Thai Labour Solidarity Committee
Employers' Confederation of Thailand and Friedrich-Ebert-Stiftung**

Labour cooperation is part of the ASEAN social development cooperation, aiming at ensuring access to productive employment and social protection for workers in the region. The cooperation is guided by the ASEAN Labour Ministers Meeting (ALMM), which was last held on May 8, 2008 in Bangkok. One objective of this meeting was to provide a forum for consultation and exchange of ideas on labour, including cooperation among members on issues pertaining to labour and human resources. The topic of the 20th ALMM in 2008 was "promotion and enhancement of decent work for the vulnerable categories of labour". Recognising and believing that the participation of employees, employers and civil society groups is crucial for the success of most programmes and initiatives discussed within ASEAN, the four organisations named above jointly organised a seminar on "Recommendations to the ASEAN Labour Ministers Meeting: Decent Work for Vulnerable Workers" in order to contribute to the process.

In the first session, the situation of labour, particularly vulnerable workers, in ASEAN countries and the role of the ALMM in enhancing decent work for vulnerable workers was presented by Mr. Christopher Ng, UNI-APRO Regional Secretary. Regional integration and globalisation have uneven and unequal effects on labour in ASEAN countries. While only a few economic players benefit from these changes, a great number of vulnerable workers face the downsides of "labour flexibility" measures. In order to build a most caring ASEAN community, the labour and social challenges of regional integration would need to be more decisively addressed. The decent work agenda should be based on the promotion of remunerative employment and mechanisms to spread the benefits of growth to the least advantaged. Therefore, it would be crucial to formally accept or adopt the ASEAN Social Charter (ASC) proposed by the trade unions and civil society groups operating in this region. The ASC is perceived as the social counterpart to ASEAN's economic, trade and investment architecture. It is designed to counter the negative impact of globalisation on labour standards, income distribution, and social protection and security. Besides the ASC, the ASEAN countries should also support the ILO global campaign for decent work and global observance of the universal core labour rights. This would need to be supported by a true social partnership, which should include sincere and genuine dialogue and respect between employers and trade unions. Social dialogue is both an end in itself and a means to achieve economic and social developments within countries and internationally. However, one necessary precondition for this social partnership would be the recognition of trade unions as full social partners.

As second speaker in this session, Ms. Elsa Ramos, ILO SRO-Bangkok, stressed the fact, that all members of ASEAN are also members of ILO and that therefore all countries in this region should abide to ILO core labour standards, namely, freedom of association and collective bargaining, non-discrimination at work, prohibition of forced labour and elimination of child labour. Even though there is already cooperation between ILO and ASEAN on issue of migration and the ILO is invited to participate in ALMM and ASLMM, this cooperation would need to be extended. Furthermore, ASEAN countries should pay more attention to gender gaps, working conditions, working poor and labour productivity in order to enhance equity. Enhancing and balancing sustainable economic growth and narrowing development gaps between the countries are the challenging aims, but they would eventually enable migration out of choice and not necessity. To further the idea of an ASEAN caring society, the promotion of social security, more orderly migration for migrant worker, skills recognition, and equal treatment for all workers would be necessary.

In the second session of the seminar the panellists proposed their recommendations for promoting and enhancing decent work for vulnerable workers. Ms. Wilaiwan Saetia, President of Thai Labour Solidarity Committee, proposed that there should be a systematic management and protection of rights of migrant workers, also for informal sector workers. Since hazardous working conditions affect all workers, another mission of the state should be to work out additional laws for the protection of all workers. One of the most important measures to protect the rights and to improve the situation of vulnerable workers is to ratify already worked out conventions, such as conventions 87 and 98. Additional to this, the participation in ALMM and other ASEAN meetings of those directly affected should also be enabled.

Ms. Siriwan Romchatthong, Employers' Confederation of Thailand, recommended that the participation of all stakeholders should be provided for. In order to promote cooperation and free movement of labour within the region, it could be helpful to compare labour laws and their protection, as well as social security systems among ASEAN countries. Furthermore, it would be necessary to develop skills training and occupational safety and health standards for all workers.

Mr. Kovit Burapathanin, Ministry of Labour, pointed out that the group of vulnerable workers also includes women, children, disabled, youth, contributing family members and independent workers. From the 260 million labourers in ASEAN, approximately 150 million people do not earn more than 2 US dollars a day. Short term measures to improve this situation should deal with the protection of fundamental rights, the laws that improve the labour rights and the lack of social security. Long term measures should help labourers to improve productivity, which would in turn improve their standard of life.

Assoc.Prof. Lae Dilokwitayarat, Chulalongkorn University, stated that in Thailand work always has a value. However, whether it has economic value depends on how the work is perceived from the people. Accordingly, the groups of informal workers are missing out on negotiating power. The globalisation of capital and freedom of movement is determined by and directed to where cheap labour is. Even though migrant workers crucially contribute to the economy and they are the base for our development today, these workers do not have the freedom to seek better wages due to security issues. Decent work, also for vulnerable workers, means that the workers would need adequate compensation for their work, trade unions, security and stability in their job situation and also protection of their human dignity. In order to enable decent work, security issues should no longer be used to restrict the movement of these workers.

In the third session, Dr. Surin Pitsuwan, Secretary General ASEAN, and Mr. Nakorn Slipa-Archa, Deputy Permanent Secretary of Ministry of Labour, gave their closing addresses to the seminar. Dr. Surin Pitsuwan stressed the importance of the issue of decent work and decent workplace for the creation of an ASEAN community of caring societies on a national

and an ASEAN level. Since national politics drive the ASEAN agenda, participation of all stakeholders would be a crucial component for the improvement of these issues. Thereby, the demands and pressure from the grassroots are the decisive factor. However, in order to gain bargaining power, this participation would need to be organised. The total number of 59 % of the worker in the informal sector are not protected and not given rights and privileges because they are not organised. This should be changed. The idea of the ASEAN economic community, besides one market, one production base and free flow of capital, also includes a free flow of skilled labour. Also the ASEAN political systems should be more open and accommodating to labourers and issues in order to create a community of caring societies. Without participation of civil society only investors and economy would decide on these issues. To prevent this from happening, social dialogue should be used as an instrument between investors, TU, employers, and ministries. Tripartite, social dialogue is the base for an ASEAN community of caring societies with the economic community as a base that would be inclusive and equitable, also for the vulnerable workers.

Mr. Nakorn Slipa-Archa, Deputy Permanent Secretary of Ministry of Labour (MoL), acknowledged the importance of the disadvantaged and vulnerable workers, since they constitute the majority of labour force. The MoL is already protecting agricultural labour, but law enforcement remains the biggest issue and depends on balance of voices of the engaged tripartite organisations. He further pointed out the importance of participation of all workers for the improvement of their situation and agreed to forward the ideas and recommendations of this seminar to the ALMM on May 8, 2008 in Bangkok.