

Congress Submission on the Review of the White Paper on Irish Aid

1. Background:

Irish Aid is the Government's programme of assistance to the poorest people in the world. It is Ireland's contribution to the fight against global poverty and a practical expression of our values as a nation. The aid programme is delivering €639 million in 2012 to help reduce vulnerability and increase opportunity where it is needed most.

Ireland's White Paper on Irish Aid was published by the Government in September 2006. A statement of Government policy, the White Paper places the cause of development at the heart of Ireland's foreign policy and articulates the guiding principles of the aid programme. Back in 2005, Congress did a submission in advance of the publication of the White Paper, making the case that job creation and decent work is an essential part of any sustainable poverty reduction strategy. The submission was based on the belief that increased respect for labour standards is key to poverty reduction and made the case for a strong role for trade unions in helping to solve the developing world's problems. It focused on the role that social dialogue and decent work can play in tackling global poverty. Trade unions have shown, in many countries around the world but in particular in Africa, that they can play a major part in creating and maintaining effective states based on good governance and popular participation. Unions also have a vital role to play in promoting economic progress and decent work, and thus in poverty reduction and the promotion of decent standards of wealth distribution, equality, health and education.

A Review of the White Paper on Irish Aid is one of the commitments contained in the current Programme for Government, and was announced by the Minister of State for Trade and Development in June 2011. Congress has been an active participant in the consultation process and has continually made the case for decent work as a prerequisite for development.

2. Congress and Irish Aid:

Congress has a long established interest in development - a sustainable improvement in the standard of living for all of us. We believe that we all have a moral duty to reach out to those in need, especially, to our sisters and brothers in developing countries. It is also a matter of trade union solidarity - an injury to one is an injury to all, and the problems of poverty in the global south affect us in the global north as well.

Congress has been a long-time supporter of Irish Aid through our involvement in national campaigns to ensure that we keep our promises to the world's poorest people by retaining commitments to reach the 0.7% of GNP for overseas development assistance.

"We must continue to make progress towards the UN target of spending 0.7% of national income on overseas aid by 2015. It is in Ireland's interest to strengthen the foundations of a stable and sustainable international economic order, by investing in overseas aid, Ireland can contribute to such a new global community, and build partnerships that will benefit us now and into the future" Congress Prebudget Submission October 2011.

Irish Aid has also been a long-time supporter of our development education work through support for Global Solidarity. The Global Solidarity programme has maintained and strengthened its good reputation within the trade union movement. The GS Champions' education, the GS summer schools, fringe events at conferences and our public meetings and communications work has made development education and global solidarity issues an integral part of Congress activity and profile.

We continue to take steps towards achieving our strategic aim of the programme; to equip the Irish trade union movement with the knowledge

and skills to be an active player in raising awareness amongst our members of the causes of world poverty and to be an active player in development education initiatives in Ireland and in promoting development worldwide. Congress is in agreement with the Irish Development Education Association that, from a development education perspective, issues of public ownership of the Irish Aid programme and public engagement with development and global justice issues – which are presented in the White Paper as cross-cutting themes – need to be strengthened in the overall Irish Aid programme. Building on the achievements of development education in Ireland Irish Aid needs to build on a strategy to engage the Irish public; a strategy that goes beyond a simple support mechanism for international aid or communicating results. Congress has been seeking to do this for many years and values the continued support of Irish Aid in that regard.

Irish Aid tends to group Trade Unions into a broader category of civil society: “a broad term, encompassing organisations outside the government sector, including community groups, educational institutions, Women’s organisations, faith-based organisations, professional associations, trade unions, employers’ groups, the media and advocacy groups. While they may vary hugely in terms of structures and goals, such organisations are a vital component of healthy democracy in both developed and developing countries”. In 2008 they co-funded with us a capacity building project we ran with the Lesotho Congress of Democratic trade unions (LECODU).

Congress also has a proud history of financial and practical support for trade unions in developing countries, including: Tanzania, Burma, in Tsunami affected regions, Uganda, Colombia and Belize and has been to the forefront in campaigning for the human rights of the Palestinian people. Congress believes that a strong, vibrant and independent civil society – including a strong independent trade union movement - is

essential for development, and that civil society organisations in particular have an important role to play in 'bringing the voices of the poor' to influence government policies, to challenge injustice and to hold governments to account. There is evidence that across many countries the space for civil society is under threat – an examination of the lack of respect for trade union rights around the globe is a stark example.

The publication of the 2011 ITUC Annual Survey of the violation of trade union rights comes at a time of momentous change across the Arab world as people mobilise for their democratic rights. The denial of fundamental rights at work in these countries and the failure of countries to ensure decent jobs for millions of people, especially the young, are documented in the survey report - <http://survey.ituc-csi.org/> .

These trends, especially severe in the Arab countries, have been major drivers of the massive demand for reform there, but the denial of rights at work is by no means limited to the Middle East. Further erosion of the rights to organise unions and to collective bargaining - the process of negotiating mutually acceptable terms and conditions of employment as well as regulating industrial relations between one or more workers' representatives, trade unions, or trade union centres on the one hand and an employer, a group of employers or one or more employers' organisations on the other.

Progress since 2006:

Congress notes the 2009 OECD review of Irish Aid which issued a broadly positive review of the Government's overseas development programme, although cautioning against further cuts that would serve to undermine Ireland's commitment to achieving UN aid spending targets. The report also noted that Ireland is "balancing efforts to meet the best international development standards while dealing with the impact of the global

economic crisis”, something which has since been somewhat taken out of our hands since the arrival of the Troika in November 2010. It described Irish Aid as “a strong, cutting-edge, development co-operation programme”. The DAC praised Ireland as “a champion in making aid more effective”. It noted that poverty reduction is the overriding goal of Irish Aid, and reflecting this programme is “well concentrated” on a limited number of very poor countries in Africa. “Ireland is a predictable and flexible donor, and its attention to local priorities is appreciated by the developing country partners with whom it works.”

It is our view that Irish Aid is quite rightly recognised as a world leader in delivering a high quality aid programme which delivers clear results for the world’s poorest people. Ireland has taken a leadership role in the fight against global hunger; in responding to humanitarian emergencies and developing strong systems of accountability. Irish Aid has also indicated the need to adapt to emerging challenges such as rising food and energy prices, climate change and the global economic crisis and we broadly agree with the identification of key issues that need to be considered, such as hunger, climate change and poverty in particularly fragile states; as well as good governance and human rights.

Congress is pleased with the engagement of Irish Aid in the whole decent work agenda. This includes:

- Support for our development education programme - an important mechanism for engaging trade unions and their members in development discussions;
- Co-financing of our trade union capacity building programme with the Lesotho Congress of Democratic Trade Unions;
- The continued engagement with the ILO including the recent 3 year partnership programme - July 2008 to June 2011- worth 9 million Euro

The aim of the ILO programme was:

"to contribute to the realisation of Decent Work for All, with a focus in a number of selected countries, by promoting and supporting women's entrepreneurship, working to improve employment opportunities for people with disabilities and implementing action against forced and child labour."

We greatly welcome the components of that partnership:

- WEDGE: Women's Entrepreneurship Development and Gender Equality;
- INCLUDE: Promoting Decent Work for People with Disabilities through a Disability Inclusion Support Service;
- PEPDEL: Promoting the Employability and Employment of People with Disabilities through effective Legislation;
- SAP-FL: Special Action Programme against Forced Labour;
- International Programme on the Elimination of Child Labour (IPEC)

The IPEC element aimed to enhance the knowledge base of employers' and workers' organisations to take effective action against child labour; to develop and promote policies, strategies and action plans in employers' and workers' organisations on combating child labour; to enhance the capacity of key national, regional and international workers and employers institutions and networks to be involved in designing policy and programmes to tackle child labour.

We greatly appreciate the level of engagement between Congress and Irish Aid on the programme, including a public launch in the Irish Aid centre, a photographic exhibition of some of the work at same venue and the participation of ILO personnel in some of our events. We are aware that an external evaluation of the Irish Aid-ILO Partnership Programme was completed in August 2011 and that Irish Aid has held discussions with the ILO on the possible form of a new partnership. We understand

that this would seek to more strategically link Irish Aid support to the current results based management approach and priority setting of the ILO and that the framework for a new strategic partnership will focus on providing funding support at the level of the ILO's Decent Work Outcomes. Support for the same thematic areas as in the past will continue. Presuming that all of this comes to pass, Congress is very pleased with these developments and looking forward to continued engagement with Irish Aid, including the possibility of a launch of a new ILO programme so as to increase awareness among trade unions of this important work. Congress welcomes the continued and increased support so that IPEC can do more work supporting the social partners in the informal economy (not least in agriculture and domestic service - and mining), where most child labour is.

3. The Case for Decent Work:

Decent work sums up the aspirations of people in their working lives. It involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men.

Decent work is the key to poverty reduction and trade unions focus on a strategy for fair development, built on four main goals:

- To enable workers to build democratic and accountable unions, states and institutions
- To secure equality and social justice through the trade union movement

- To support vulnerable workers to help to improve their working lives
- To ensure that international trade and investment promote decent work

While Decent Work was not specifically included in the Millennium Development Goals, the UN General Assembly resolution of 2005 states that:

"We strongly support fair globalization and resolve to make the goals of full and productive employment and decent work for all, including for women and young people, a central objective of our relevant national and international policies as well as our national development strategies, including poverty reduction strategies, as part of our efforts to achieve the Millennium Development Goals."

An increasing number of experts on development agree on the fact that employment and decent work are key factors. We believe that the goal of Decent Work for All and the pledges in the Millennium Declaration must go hand in hand. The ILO's Decent Work Agenda, in a context of fair globalisation, is essential to the achievement of these shared aims. In addition, we draw your attention to an extract from the Key Indicators of the Labour Market (ILO 2008) on the new target under MDG 1:

"to make the goals of full and productive employment and decent work for all, including women and young people, a central objective of our relevant national and international policies and our national development strategies"

Also, in 2008, the International Labour Organisation (ILO) conference approved a 'Declaration on social justice for a fair globalisation'. For the first time the definition of Decent Work was set out not just in a document written by the ILO secretariat or the workers group of the ILO, but

approved by workers, employers and governments. The text recognised that all aspects of the Decent Work agenda are essential, but it noted that the core labour standards and in particular the right to join a union and bargain collectively are the key enabling rights that allowed all the rest to be secured. The Core Labour Standards are the 8 ILO conventions (which can be grouped under four headings):

- * Freedom of association and the right to bargain collectively: As trade unionists we have always known that rights are won, not granted, and that without the right to organise and then to use the strength gained by organising to bargain as a collective we will never been able to improve and defend our working conditions.
- * Freedom from discrimination: The right to work and be treated equally regardless of gender, ethnic origin, age, disability or sexuality is again at the very root of our principles as trade unionists.
- * Freedom from forced labour: An issue which is tragically still very much with us, from bonded debt labourers in West Africa or China to the victims of trafficking here in Ireland.
- * Freedom from child labour: Without education children are condemned to a life of poverty - whilst millions of children around the world are forced to work to support themselves and their families they cannot receive the education that will enable them to improve their conditions.

These core standards are universal. The extent of implementation will rightly vary according to a country's state of development or the priorities agreed at a national level but the standards are supported and campaigned for by all trade unionists, north and south. Because unless governments, NGOs and unions place a strong focus on work, all we are doing is providing endless charity. What people in the developing world really want is good jobs at good wages. This is the only long-term solution to global poverty.

We believe that economic growth without workers' rights, social protection and a voice in decision making does not amount to development. Trade Unions have an important role to play in international development. It is essential that any post MDG framework beyond 2015 includes a very specific goal of Decent Work for all and we hope that Ireland would support any such call and redouble its efforts to ensure that decent work is further incorporated into the fight against poverty, the spread of global trade, human rights initiatives and so on. Because only decent work can tackle the problems the world faces - inequality in countries and between countries; insecurity; and the failure to build on democratic progress to build a world free of dictatorship and oppression.

For these reasons, we urge Irish Aid to engage with us on support for trade unions dealing with exceptional situations in countries such as:

Palestine: The Israeli offensive against Hamas in late 2008 and early 2009 resulted in massive rebuilding costs for the Palestinian Authority and reduced the ability of Palestine to provide employment opportunities, further reducing its ability to pay its own officials. The ongoing blockade of Gaza by Israel, termed "collective punishment" by the UN, and the installation of a wall aimed at blocking tunnels between Gaza and Egypt - through which a reported 60% of the economy in the Gaza Strip depends - has added to the economic desperation of most Palestinians. Only around 35% of Gaza's industry is able to function while the number of exit permits approved by Israel is only 1% of the number from 2000. Throughout 2010, as in previous years, many Palestinians were detained during attempts to work illegally in Israel, fined and deported.

Due to the political strife in Gaza between Hamas and Fatah, with each side describing any union activity as politically-motivated, any normal daily exercise of freedom of association or collective bargaining is extremely difficult. Discrimination hinders organising of women workers: Women workers receive some 60% of the wages of their male

counterparts, and wages are the lowest in sectors that are predominantly female, such as agriculture and services. Security issues, legislative discrimination and cultural issues deter more women from entering the labour force. Women make up less than 15% of employees in the Palestinian labour market according to the Palestine General Federation of Trade Unions (PGFTU), and most of them are unorganised.

Some 22,000 Palestinians work in Israeli settlements in construction, agriculture, manufacturing and service industries with another estimated 10,000 working informally. In 2010 it was reported that the Palestinian Authorities (PA) announced a ban prohibiting Palestinians from working in West Bank settlements as part of a wider campaign that included a national boycott of settlements. However, the Palestine General Federation of Trade Unions (PGFTU) stated that they would not stop workers from working in settlements until the PA could provide alternative employment.

Palestinians working in these areas were employed under Jordanian labour law until 2007 when a court ruled that Israeli law applied equally to both Israeli and Palestinian workers, thus affording Palestinians the same conditions. However, the law is not often enforced, is poorly monitored and in the event of abuse, it is very difficult for Palestinian workers to obtain redress and take a case to court. In many instances employers continue to pay Palestinian workers less than the Israeli minimum wage, and they work in poor health and safety conditions. While the legal minimum wage in Israel is approximately USD 5.50 an hour, Palestinians in settlements earn USD 2 an hour or less. Increasingly children are also found working in settlements, often in construction with poor safety conditions and no insurance.

Burma: Congress has recently submitted an application to the Irish Aid Civil Society fund to strengthen the voice of trade unions and workers on the job and in society in order to both improve conditions for members

and workers broadly and to be effective in shaping public policy at the local, national and international levels. Independent trade unions have been unable to operate in Burma for decades. Today, a new legal framework is finally in place which allows for the registration and operation of trade unions. However, as there has been no practice of industrial relations in the lifetime of most workers, there is an obvious and significant need for capacity building as to organizing, collective bargaining, membership representation, union administration, legal support and public advocacy on issues pertaining to human and trade union rights. The expected outcome will be the development of a strong, cohesive and effective trade union movement where none has been permitted to legally exist. This in turn will improve the social and economic position of working people in Burma and contribute to a more broadly-shared, equitable national economic development.

4. Trade and Development and Corporate Social Responsibility

Congress remains somewhat concerned however about the Department of Foreign Affairs and Trade's new Africa Strategy to improve trade linkages with Africa, launched at the first ever Africa-Ireland Economic Forum in 2011. The apparent lack of consultation with trade unions both here and in Africa was uncharacteristic of policy formulation here and unfortunately is reflected in the content of the document and the lack of any reference to trade unions, labour standards, or decent work. Trade unions have been calling for decent work to be put at heart of both Ireland's and the EU's trade and development work. The ETUC submission to the European Commission's 2011 consultation calls on the EU to promote:

- proactive industrial policies, that allow developing countries to move into high valued-added industries generating green and decent jobs;
- stronger tax collection capacity, and macro-economic policies aimed at full employment and the reduction of inequality;

- protection of quality public services, and excluding the liberalisation of the temporary movement of workers from trade policy;
- public procurement that drives decent work;
- enforceable standards for responsible investment;
- strengthening respect for core labour standards including opposing trade agreements with serial labour rights abusers such as Colombia;
- best practice programmes building mature systems of industrial relations in global supply chains; and
- more transparent and consultative trade policy-making including through supporting capacity building and participation of trade unions, especially in the developing world.

Congress hopes that any future developments in this area will reflect such an approach and would be willing to engage on such matters. Labour standards and corporate behaviour in global markets is one of the defining issues of our time. It cuts right across so many of our contemporary debates and is thrown into sharp focus during the current economic crisis a time when the arguments we have been making for some time about the need for global regulations for a global market are now looking more mainstream than ever. At a time when the power, wealth and global reach of business is arguably greater than ever before - with a number of multinationals now worth more than the economies of many developing nations - our argument continues to be that only universal, international standards can effectively regulate the behaviour of Corporations today. There must be clear standards, easily understandable by governments and companies alike, that leave no room for any ambiguity about 'local contexts', and that create the space to establish Decent Work. The trade union movement is willing to work alongside all those who support this agenda - including progressive

companies who understand that Decent Work is good for them too, and who wish to make CSR more than just a glossy corporate brochure.

But for us, the best and most important way of ensuring that core ILO standards are adhered to is through worker organisation, collective bargaining and strong, effective trade unions. We know from bitter experience that companies and indeed governments sometimes fail to comply with the ILO norms. That's why we need an independent trade union presence in workplaces. Across the world, the trade union movement has a long and distinguished history of fighting for workers' rights, for decent work, and freedom from exploitation. Indeed many of the issues now confronting unions in developing nations are similar to those faced by workers after the industrial revolution. Trade unions are also uniquely placed to ensure that basic rights and standards are actually enforced. With enforcement regimes weak or non-existent in the developing world, we are often working people's first, last and only line of defence against unscrupulous practice.

CSR has its place and we need to get the balance right between voluntarism and hard law, recognising that there are occasions when companies need to go beyond local law - for example in India, where child labour remains commonplace, and in China, where freedom of association remains a distant aspiration. However, voluntary codes of practice - even with credible implementation and verification mechanisms - can never substitute for collective bargaining and union organisation.

We see our role as to provide pressure for change from the bottom up, whereas for governments and companies the task is to impose it from the top down. Hopefully, we can meet somewhere in the middle. Initiatives in this area have the chance to improve the lives of millions of people in the developing world and ultimately the opportunity to make globalisation deliver for the many not the few. Irish Aid is in a unique position to

progress this agenda in Ireland and Congress is more than willing to work cooperation with you on this.

5. Aid Effectiveness:

Trade Unions are more than aware of the need for aid effectiveness. Money needs to be properly used if it is to have the intended impact on the lives of those whom we want to help. We supported the Paris Declaration on aid effectiveness and trade unions were active participants at the fourth high-level forum on aid effectiveness in Busan last year.

It is our view that aid flows need to be more predictable and they should not be linked to the purchases from donor countries. We are also in favour of untying aid from economic conditions - although not necessarily from human rights. We share the Irish Government's rights-based approach to development and would like there to be more emphasis on people's rights and people's empowerment in the programmes funded by Irish Aid - and that includes trade union rights. Congress welcomes the positive role that respective Ministers have played during the Aid effectiveness conferences and urges Irish Aid to strive to develop this leadership role in the future. Moreover, we want to see Irish Aid used to improve vital public services - health, education, water and sanitation - in developing countries. It is our view that Aid effectiveness needs decent work and private sector regulation. The International Trade Union Confederation (ITUC) has been pressing for a conclusion to these discussions that promotes pro-poor growth and favours working people and Congress urges Irish Aid to back union arguments for accountable employers and decent work. We are aware that Irish Aid is committed to develop the private sector as a key agent of growth, and hope you will agree that the private sector alone and unregulated is unlikely to deliver the job-rich growth developing and emerging countries need.

While welcoming the Busan Global Partnership for Effective Development Cooperation, in particular, the inclusion of decent work and social protection, the will to address inequality as a development challenge and the promotion of international agreed commitments on human rights, gender equality, environmental sustainability, disability and good governance. We also note the confirmation of the role of civil society organisations as development actors in their own right, the acknowledgement of the Istanbul principles on Civil Society Organisations' (CSO) effectiveness and the commitment to strive towards a rights-based enabling environment for civil society.

We regret however that rights-based approaches (RBA) have been relegated to, and mitigated by, in-country focus and voluntary commitments. The reference related to promoting rights-based approaches by CSOs only is a clear regression with respect to the Accra Agenda for Action and other international commitments on RBA.

Fundamentally however, we in the trade union movement cannot share the underlying economic development model of the Partnership based, nearly exclusively, on growth as driver for development. We regret the limited role for the state primarily seen as the enabler of market and private sector driven policies, and the lack of attention to job creation, local and sustainable entrepreneurship and public sector driven strategies.

We also note with concern the failure to specify a framework for effective and responsible private sector commitment based on internationally agreed standards such as the International Labour Organisations' (ILO) labour standards, the Organisation for Economic Cooperation and Development (OECD) guidelines on multi-national enterprises and the UN Guiding Principles for Business and Human Rights.

In particular we regret the failure to recognise trade unions as key players in their own right and as a social partner in development as well as the omission to include social dialogue as an instrument for engaging the private sector to sustainability in development.

The international trade union movement has however committed to engage in the GPEDC and its governance and working structures in the post Busan processes, in particular in shaping the proposed building blocks on “private sector”, on “results and accountability” and others, such as RBA, in order to meet the agreed ambitions as set out in the preamble, common goals and commitments of the GPEDC. We will actively support the promotion of rights based approaches in development and contribute to establishing relevant indicators on decent work, social protection, democratic ownership and other socially relevant development effectiveness targets.

The international trade union movement reiterates its commitment toward an alternative development paradigm based on social justice and sustainability through fighting inequality, promoting the Decent Work Agenda, social protection and green jobs, and an inclusive and legitimate, standards based, international development architecture.

We were very pleased to see that this month, John Evans, TUAC Secretary General, represented the trade union movement following the first-ever invitation from the DAC Chair, Brian Atwood, to the OECD Development Assistance Committee Senior Level Meeting. The DAC Senior Level Meeting (SLM) brings together the heads of the development agencies of the 24 “donor” countries and is part of the OECD. The Chair welcomed the presence of the social partners (through TUAC and BIAC) and referred to their added value in other debates and arenas such as the OECD and the G20 discussions. It is a welcome development that a trade union voice will be heard in debates on various elements of the current

development agenda: the post 2015 development goals; the upcoming RIO conference, the Follow up to the Busan HLF4, the modernisation of the DAC Peer Reviews and Statistics, and the OECD Development Strategy for the coming years.

Discussion on the Busan commitments was an opportunity for the trade union movement to raise its concern about the unregulated private sector focus, the need for rights-based approaches as well as the role and contribution of the international trade union movement in the post Busan dynamics. Promoting and facilitating Policy Coherence is probably one of the most challenging but needed dimensions of the OECD Development Strategy. Congress hopes that Irish Aid welcomes this development and agrees that a trade union voice in development will enhance all of our poverty eradication goals.