

# INTERNATIONAL TRANSPORT WORKERS' FEDERATION

## 43<sup>rd</sup> Congress

Sofia, 10-16 August 2014

### 2<sup>nd</sup> REPORT OF THE RESOLUTIONS COMMITTEE

1. The Resolutions Committee met on 13 August 2014. Members are:

Africa/Arab World	George Turkieh, LCCA, Lebanon Tabudi Abner Ramakgolo, SATAWU, South Africa
Asia/Pacific	George Abraham, AEIG, India Mich-Elle Myers, MUA, Australia Jose Raul Lamug, AMOSUP, Philippines
Europe	Mark Dickinson, NI, Great Britain (chair) Brigitta Paas, FNV, Netherlands Katrien Verwimp, ACV-Transcom, Belgium Jan Villadsen, 3F, Denmark Fatima Aguado Queipo, FSC-CCOO, Spain Katarina Mindum, RTUC, Croatia
Latin America/Caribbean	Ivan de la Guardia, UCOC, Panama
North America	Owen Herrnstadt, IAM, United States Travis Harrison, UNIFOR, Canada

2. The Committee noted that following discussion between members of the Resolutions Committee and the movers of motions 7, 8 and 9, the Resolutions Committee proposed a new motion for consideration (attached as **annex 1**) by the Congress plenary. The Committee further noted that although the movers of motion 9 had agreed to the deletion of paragraph 5, their motion stood as amended and a revised version (attached as **annex 2**) would still be discussed by the Congress plenary.
3. The Committee also noted that motion 13 had been withdrawn by the mover.
4. The Committee referred the following emergency motions (attached as **annex 3**), which had been received by the deadline set by the Executive Board, to Congress plenary:

Motion	Title
Emergency 4	ITF Position on the Transatlantic Trade and Investment Partnership (TTIP)
Emergency 5	Condemnation of vulture funds' actions to undermine Argentina's economy

5. The Committee agreed that three other emergency motions that had been received by the deadline did not meet the criteria of being of a truly urgent nature, and would therefore not be discussed.
6. The Committee noted that following discussion with the movers of motions 6, 12 and 26, some changes to the text had been agreed. The revised motions are attached as **annex 4**.
7. The Committee agreed to mandate the Chair to deal with any other matters that arose following the meeting.
8. The Committee noted that, at its meeting held immediately prior to the Congress, the Executive Board had **agreed** to extend the mandate of the Resolutions Committee elected at Congress with terms of reference to be developed that included conducting a review of the resolutions process, to look at best practice, make recommendations to the Executive Board and support the achievement of the four year work programmes adopted at Congress.

## Motion from the Resolutions Committee: Palestine

The 43rd Congress of the ITF, meeting in Sofia, Bulgaria from 10-16 August 2014:

1. Is horrified by the continuing conflict in Gaza which has resulted in 1,962 deaths mainly of civilians.
2. Commits its support to the ITUC Call to Action on Gaza, which states that:

“The overwhelming majority of the dead and injured in Gaza are civilians, trapped with absolutely nowhere to run. In recent days, civilian and UN infrastructure, including homes, schools, hospitals and the territory’s only power plant, have been destroyed, which will have grave ramifications for the Palestinian population now and long after this latest military operation ceases. There is nothing that can justify these excessive and indiscriminate attacks.

Workers and their families are joining the gathering voices around the world which are calling for an immediate negotiated ceasefire and an end to the blockade imprisoning 1.9 million people. We also call on the international community to provide urgently needed humanitarian aid to Gaza, including food, water, medical aid and generators. However the only way for there to be a lasting peace and mutual understanding between the people of Israel and Palestine is for the occupation of the Palestinian territories to end.

We therefore call on all governments to help broker an immediate negotiated ceasefire. The attacks on civilians are against international law and we support the call of the UN for accountability and justice. Therefore, we call for an immediate ban on all transfer of weapons, directly or indirectly. But it can’t end there. The international community, not just the US and Egypt, must take immediate action to force the parties to the table and conclude a negotiated settlement that ends the occupation and that instills in both sides confidence in security and respect.”

3. Congratulates the ITF and its affiliates for its rapid response in providing medical and humanitarian supplies to Gaza, and calls on all affiliates to support the ITF-Gaza fund.
4. Endorses the ITUC Berlin congress statement, May 2014, Building Workers Power: Peace and Democracy, which states:

“We denounce the occupation of Palestine by Israel, and will mobilize for a just and sustainable peace between Israel and Palestine, in accordance with the legitimacy of international law, and in particular Resolutions 242 and 338 of the UN Security Council.

We call for:

- An end to the construction of illegal Israeli settlements and removal of existing settlements, Israel’s withdrawal from all Palestinian lands, in line with the 4th of June 1967 borders and the dismantling of the illegal separation wall.
- These demands will support equity, justice, and the achievement of a comprehensive peace, confirming the right of the Palestinian people to self determination and the establishment of a free and independent Palestinian state with east Jerusalem as its capital.”

5. Commits itself to fully endorse the ITUC congress resolution with an active international TU campaign.

**Submitted by:**  
**Resolutions Committee**

## **Motion 9: World Peace**

The 43rd Congress of the ITF, meeting in Sofia, Bulgaria from 10-16 August 2014:

1. Recognises that the current crisis of capitalism has brought a deep period of instability to the world.
2. Believes that the growing rivalries between imperialist powers have intensified as a result of the crisis and that this has led to those powers seeking to expand the territories under their economic and financial dominance through wars of aggression.
3. Notes that the wars on Libya and Mali were undertaken against the wishes of the people of those countries, in direct contradiction to the interests of the membership of ITF affiliates and in the interests of a particular class.
4. Further notes the continued aggression shown towards Syria, and calls for an end to imperialist aggression of all kinds.
5. Rejects aggressive military alliances such as NATO and calls for a world of peace, based on mutual respect, and free cooperation amongst sovereign nations.

**Submitted by:**

**National Union of Rail, Maritime and Transport Workers (RMT), Great Britain**

## Emergency motion 4: ITF Position on the Transatlantic Trade and Investment Partnership (TTIP)

The 43rd Congress of the ITF, meeting in Sofia, Bulgaria from 10-16 August 2014:

1. Notes that the International Transport Workers Federation (ITF) represents 700 national trade unions from 150 countries, and defends the interests of more than 4.7 million members all over the globe.
2. In response to the negotiating mandate given to the parties (EU and USA) to negotiate a Transatlantic Trade and Investment Partnership (TTIP), with the aim of further liberalising trade between the EU and US, ITF adopts the following position.
3. ITF takes note of reports on the potential benefits of an agreement of this magnitude, including enhanced diversity, an improved global regulatory framework, investment flows and growth that could help improve the situation for workers in the aftermath of the financial crisis, and for regaining the momentum of stalled multilateral talks. However, ITF notes that even the most ambitious projections released by the European Commission about job creation and growth are modest. Moreover, ITF notes that the EU and US are already relatively open towards each other in terms of investment and trade, as reflected in existing low tariffs. ITF also advocates fair trade and sustainable globalisation and calls for negotiators to mitigate negative consequences should the TTIP reduce trade within the EU internal market with southern Member States or with other EU trading partners from the African, Caribbean and Pacific Group of States (ACP) or least developed countries (LDC).
4. ITF demands that the following two conditions are fulfilled before the negotiations proceed. Firstly, the investor-state dispute settlement mechanism (ISDS) must be excluded from the negotiations, given that both the EU and US have mature legal systems. Companies should not be given so much power over national law and politics. The countries themselves must be able to take political decisions without being afraid of a multi-national companies taking the state to court. Secondly, ITF calls for the agreement to include legally binding recognition of ILO core labour standards and minimum EU standards on social and labour rights to avoid social dumping. To this end, EU negotiators should demand that their US counterparts ratify all ILO core labour standards. European and national laws and regulations containing provisions on social security, collective bargaining, working time, employment conditions, public health, information and consultation rights and other protections should not be considered as non-tariff barriers to trade and must not be challenged by the TTIP.
5. ITF calls on the European Commission and their US counterpart to conduct transparent negotiations that include timely and comprehensive consultation of the European social partners for transport, so that they may assess the likely impacts of the TTIP in their sectors.
6. ITF calls for the transport sector to be recognised as a crucial sector that ensures industrial growth and as such must have a special position in the TTIP negotiations.
7. ITF approaches claims made by the European Commission about job gains with caution, in particular as regards the quality of jobs to be created, and holds that market opening offers should not be made until a rigorous sustainability impact assessment including social and environmental criteria has been undertaken in consultation with the social partners.

**Annex 3**

8. ITF opposes further liberalisation of provisions concerning the supply of services through the presence of natural persons (“Mode 4”) as it would risk promoting exploitative labour relations for migrants and put pressure on local wages and working conditions. ITF demands that the negotiations shall not challenge the Community acquis in labour and social laws. The right of all persons to equality before the law and protection against discrimination constitutes a universal right. Provisions to prevent abuses of workers’ rights such as unequal treatment of cross border workers, many of them women, need to be pursued in consultation with trade unions.
9. ITF considers that the TTIP must incorporate strong environmental provisions.
10. ITF maintains that the agreement should not oblige the opening or liberalisation of public procurement. Public authorities should be able to use social and environmental criteria when purchasing goods or services to ensure the use of public money in support of sustainable, local, social and economic development, particularly taking into account ILO Convention 94 concerning labour clauses in public contracts. Such a policy should by no means be considered a barrier to trade.
11. ITF takes a strategic long-term view of the TTIP and calls for negotiators to ensure it is the ‘gold standard’ agreement to influence future bilateral agreements.

**Submitted by:**

**Svenska Transportarbetareförbundet, Sweden**

## **Emergency motion 5: Condemnation of vulture funds' actions to undermine Argentina's economy**

The 43rd Congress of the ITF, meeting in Sofia, Bulgaria from 10-16 August 2014:

1. Considering that the US Supreme Court's 16 June 2014 decision has rejected Argentina's appeal in its case against vulture funds that bought up devalued debt at rock-bottom prices from the original creditors and are pursuing repayment at full value through legal means, in such a way that even a tiny success rate can bring them considerable gains on their small initial "investments";
2. Mindful of the fact that one of these vulture funds, NML Capital, a subsidiary of Elliott Management Corporation, is the largest shareholder (22%) of the passenger transport multinational National Express, whose US division, Durham School Services, is an anti-union firm;
3. Taking into account that NML Capital has purchased Argentine bonds at a value close to US\$50 million in 2008, and the US courts decisions would allow it to cash more than US\$800 million, securing a 1,600% yield in only six years.
4. Recalling that Elliott Management Corporation and its CEO and founder, Paul Singer, has already been condemned by the ITF for the seizure of the Argentine school-ship frigate ARA Libertad in Ghana in 2012;
5. Recalling also that earlier court rulings in favour of vulture funds had already elicited strong criticism from many governments, GUFs and even the IMF;
6. Noting with concern that by upholding the interests of a small minority of rogue speculators, the US courts have endangered the orderly repayment of Argentina's debt to over 90 percent of its creditors, who voluntarily accepted a substantial write-off of their debt following the country's sovereign default over a decade ago;
7. Recognising the importance of not allowing vulture funds to paralyse the debt-restructuring efforts of developing countries or to deny states the right to protect their people under international law;
8. Convinced of the need to prevent a serious threat not only to Argentina and its workers, but to all countries in the world and their capacity to stimulate their economies and create jobs;
9. Condemns the ruthless profit strategy of vulture funds that are aimed at undermining Argentina's economy, with a primary direct effect on the country's workforce;
10. Condemns the US Supreme Court's 16 June 2014 decision rejecting Argentina's appeal in the case against vulture funds;
11. Joins the international call on relevant regulatory bodies to reject the court's decision and begin work to create a fair, independent and transparent arbitration mechanism for sovereign debt that would help the development of national economies, thus improving employment levels.

### **Submitted by:**

**Asociación Argentina de Aeronavegantes (AAA)**

**Asociación del Personal Aeronáutico (APA), Argentina**

**Asociación de Pilotos de Líneas Aéreas (APLA), Argentina**

**Asociación de Señaleros Ferroviarios Argentinos, Argentina**  
**Centro de Capitanes de Ultramar y Oficiales de la Marina Mercante, Argentina**  
**Centro de Jefes y Oficiales Navales de Radiocomunicaciones, Argentina**  
**Sindicato La Fraternidad, Argentina**  
**Sindicato de Obreros Maritimos Unidos (SOMU), Argentina**  
**Unión del Personal Superior de Empresas Aerocomerciales (UPSA), Argentina**  
**Unión Ferroviaria, Argentina**



## **Motion 6: Solidarity with Cuban people**

The 43<sup>rd</sup> Congress of the ITF, meeting in Sofia, Bulgaria from 10-16 August 2014:

1. Acknowledging the important Mexico resolution, in particular it's welcoming that once again Cuba has shown its commitment to international solidarity and believes the ITF must play its part in promoting cooperation and engagement with Cuba and seeking an end to the embargo of Cuba, identified by the United Nations as illegal.
2. Welcomes the symbolic gesture where the President of Cuba, Raul Castro, shook the hand of the President of the USA, Barack Obama, at the recent funeral of Nelson Mandela
3. Recognises the sovereignty of the Cuban people and their right to determine their own destiny free from outside interference.
4. Noting particularly the historic ITF delegation led by the President, Paddy Crumlin, the General Secretary, David Cockroft, together with Bob Crow from the RMT and Antonio Fritz from the ITF regional office that met with the Executive Board of the SNTTP and their subsequent delegation to the ITF Executive Board.
5. Observing the positive links established by initiative of ITF affiliates with Cuban workers, including civil aviation Latin American unions, railway workers, dockers and others and the active implementation of the Mexico City resolution.
6. Noting that one of the impediments to a long term reconciliation is the continued imprisonment of the remaining three members of the Cuban Five imprisoned in the US
7. Calls all affiliates to continue this work at affiliate and Secretariat level to ensure that the Mexico resolution is fully realised.

**Submitted by:**

**National Union of Rail, Maritime and Transport Workers (RMT), Great Britain**

## Motion 12: Young Workers' Activities

The 43rd Congress of the ITF, meeting in Sofia, Bulgaria from 10-16 August 2014:

1. Acknowledges the young transport workers of today as the present and future leaders of the labour movement,
2. Acknowledges the progress which has been made in increasing the participation of young transport workers in the work of the ITF, originally initiated at the 2006 Durban Congress,
3. Acknowledges that the industrial sections have managed to increase young transport workers activities,
4. Acknowledges the increasing level of young transport workers activities in most of the ITF's regions,
5. Acknowledges the successes of organising the young transport workers conference, the two young transport workers summer schools and the other young transport worker programmes,
6. Acknowledges that young transport workers committees in many unions and other organisations in several countries have been successfully formed and recognised.

This Congress also

7. Notes the increasing importance of young activists and the need to train them to take on and hold heavier responsibilities,
8. Notes that the various sections and regions have significantly different issues and needs,
9. Notes that having proper young transport workers structures set up in the individual sections and regions would be important and beneficial in addressing these specific concerns,
10. Notes that there is much potential for the future Young Transport Worker programs to be embarked, but limited resources to do so.

This Congress further

11. Calls on the ITF to promote all affiliates to create youth structures within their Union in order to increase young transport workers activities,
12. Acknowledges that having full time coordination in the secretariat will greatly benefit the call to have greater emphasis on young transport workers matters.
13. Calls on ITF affiliates at ITF Congress to support the secretariat in ensuring that there is a young transport workers coordinator to strictly focus on and continue developing the young transport workers work programme, in order to have more ownership and commitment towards the success of today's and tomorrow's union leaders. Admin support should be provided on a needs-basis. Primary tasks include, yet are not exclusive to:

- contributing to the young transport workers programme in the ITF's industrial sections, departments and its regions both by supporting the work which already is in motion and by promoting the work in areas where there is room for growth and improvement,
- liaising with ITF affiliates and supporting young transport workers organising activities and focusing on organising the young transport workers in all the affiliated unions in a more structured manner,
- liaising between the ITF secretariat, Executive Board, the young transport workers committee and affiliates,
- continuing to map membership statistics in terms of young transport workers members and grow the global young transport workers network,
- support the secretariat in creating the “young transport workers advisory group”, which is designed to continue to engage a number of committee members who have left their committee position behind in the young transport workers programme,
- ensuring the implementation of a young transport workers event at each regional conference and on the global level during the inter-Congress period,
- furthering the young transport workers “global engagement programme”, which aims to make the work of the ITF more relevant to young transport workers and integrate young transport workers issues into the priority work programme of the ITF,
- supporting young transport workers' involvement in measurable organising and campaigning projects, initially through priority projects such as global delivery (SCALOP team), ports of convenience (dockers section), LATAM (civil aviation section), quality of public services (road transport section), and expanding into other industrial work including the women transport workers work programme,
- ensuring the crucial link between the work taking place through ITF headquarters with the regional priority work and supporting young transport workers' involvement regionally,
- developing close cooperation with other Global Union Federations (GUFs), and their respective young workers programmes, initially where cooperation in general already exists (for example UNI, IndustriALL, IUF, PSI) and later expanding into others,
- developing and promoting a pro-active scheme of internships for young transport workers to further support the work programme,
- developing methodology to raise external funding for such young transport workers empowerment work in order to protect the ITF's resources.

14. Calls on the ITF Executive Board and Management Committee to urgently determine the means by which this resolution can be practically implemented and financially sustained, and to receive regular updates from the secretariat on progress at each Executive Board

**Submitted by:**

**Asociación Argentina de Aeronavegantes, Argentina**

**Federación de Servicios a la Ciudadanía de CCOO (FSC-CCOO), Spain**

**Singapore Organisation of Seamen, Singapore**

**ver.di, Germany**

## Motion 26: Fishing Industry

The 43rd Congress of the ITF, meeting in Sofia, Bulgaria from 10-16 August 2014:

1. Notes that:
  1. Fishery resources account for an important part of food protein production. It is worth recalling that the global output of the fishing catch was 16.8 million tonnes in 1950 and its output peaked at 86.4 t in 1996. 2010 global output data: 155 million tonnes, fishing catch: 77.4 million tonnes.
  2. The European Union is the third biggest global power in fishing, behind China and Peru. In 2013 Europe imported more than 70% of the fishery produce that it consumed.
  3. The marine fishing catch is still subject to illegal, unregulated and unreported (IUU) fishing. Only the catch is taken into account, yet Council Regulation (EC) No. 1005/2008 of 29 September 2008 defining IUU fishing does not establish any social requirements.
  4. Growing market demand and difficulties in implementing effective surveillance and control measures are factors that act as incentives to the outlaws of IUU fishing.
  5. On 24th March 2014, the EU Council unveiled a set of measures addressing trade in fishing products with Belize, Cambodia and Guinea, proven practitioners of IUU fishing. It will no longer be permitted for the catch made by vessels flying the flag of any of these three countries to be imported into the EU, while EU vessels will not be allowed to fish in the waters of those countries.
2. Notes further that it is both inadequate and tragic to “protect” marine waters through purely environmental policies while allowing vessels flying a “sub-standard” flag to continue to ply their trade and to achieve legal market penetration with products resulting from human exploitation
3. Moves that in their claims and negotiations, all transport unions must adopt a new approach based on models put forward in the context of Corporate Social Responsibility.
4. That training on the understanding and implementation of this model for activists should be promoted and include the new challenges that are arising alongside continuing globalisation and transport deregulation
5. Further moves that, in order to perfect their image as respected negotiating partners, in the long term unions must also learn to work with the voluntary groups that revolve around transport activities: users/customers, environmental groups, and research and development teams.
6. The ITF Fisheries Committee further notes with deep concern that fishers working in the fishing industry worldwide are suffering intolerable exploitation and/or human rights abuses on a large scale. This is also a major contributory factor to IUU fishing.
7. Denounces the actions of many fishing companies and governments worldwide who are turning a blind eye to such unacceptable practices in the fishing industry.
8. Notes further that the issue of combatting exploitation and abuse, together with raising working conditions to a decent level, should be the primary trade union approach.
9. Observes further that the majority of fishers are not represented by a bona fide trade union

10. Proposes that ITF maintain their “Catcher to Counter” campaign as an industrial tool to be used in organising fishers in target areas.
11. Calls upon the ITF to allocate appropriate resources, including progressing the debate about FOC in fishing and conducting a seminar, or a series of seminars, which would also include continuing the ongoing work to develop the role of the ITF Inspectorate in this industry. This debate must also include a review of the system of support and assistance that fishers may access as part of the ITF family.

**Submitted by:**

**Fédération Générale des Transports et de l'Équipement - CFDT, France**

**Maritime Union of New Zealand (MUNZ), New Zealand**

**New Zealand Merchant Service Guild Industrial Union of Workers (NZMSG), New Zealand**