

ITUC-Africa Report to The African Union Labour and Social Affairs Commission, April, 2013

Introduction

1. In the period since the last African Union Labour and Social Affairs Commission (LSAC) in April 2011, ITUC-Africa has been to its 2nd Congress under the theme of *Renewing the African trade union movement towards African emancipation*. Congress adopted resolutions including one that affirmed ITUC-Africa's commitment to the resolutions of the 2nd ITUC Congress held in Vancouver, 2010. Other resolutions focused on specific areas of interest for the trade union movement in Africa.
2. The particular resolutions of Vancouver affirmed by the 2nd Congress were those on decent life for young working women and men; HIV and AIDS; promoting and defending fundamental workers' rights; organizing; gender equality; migrant workers; extending social protection and ensuring good occupational health and sustainable development and climate change. The specific areas of interest on which Congress passed other resolutions were building internal trade union democracy and workers' empowerment; promoting African trade union unity at all levels; promoting peace, security, justice and civilian protection in Africa; advocating for the building of capacity of the African Union for effective continental governance and democracy. Other areas on which the Congress mandated the General Council to adopt resolutions covered international solidarity and the struggle for global justice; world trade organization and economic partnership agreements; job creation and decent work for decent living; promoting organization in the informal economy and solidarity based economy for better development of Africa; new growth path and regional integration for Africa's development; combatting desertification and other forms of environmental degradation; striving towards achieving food security and overcoming the challenges of Africa's health crisis.
3. The concerns of Congress have been translated into a set of priority areas of work for ITUC-Africa covering human and trade union rights, organizing, internal democracy and workers empowerment, trade union unity, gender equality, social protection, occupational safety and health, HIV and AIDS, environment and climate change, youth, African Union, peace and security, trade, employment, informal economy, extractive industries, industrialization, changing globalization, development policies, communication, capacity development and resource mobilization. Out of this range of priority areas, issues have been identified that have led to the formulation of objectives and results for action.
4. ITUC-Africa has engaged in a range of activities since December 2011 towards fulfilling the mandates of the organization. These include promoting a human and trade union rights network for carrying out campaigns against rights violations and other work in the defense and promotion of international labour standards, promotion of collective bargaining and national minimum wages. Other work has included promoting social protection through supporting a study to gather information about existing provision in some countries, training trade union leaders towards effective representation on social security institutions, and implementing pilot schemes for extending social protection to informal economy operators. Work

on gender equality has focused on assisting a number of affiliates to carry out gender audits within their organizations as a means of developing active policies towards gender equality. Work on HIV and AIDS focused on workplace interventions in some countries and also included campaigns against discrimination and stigmatization, for access to prevention and treatment, awareness raising. Work has also been carried out on occupational health and safety as well as the environment. This had mainly to do with education and training and participating in trade union efforts on climate change issues.

5. Organizing has focused on promoting trade union unity at regional and national levels, targeted unionization of workers in export processing zones, promoting unionization of informal economy operators, supporting affiliates for specific organizational activities.
6. ITUC-Africa has also worked on developing capacity for intervention in economic and social issues through research, publication and training. This includes initial work on modeling an alternative development paradigm for Africa and for pursuing regional integration. Meanwhile, progress is underway in securing means of engagement with the AU and its organs.

Human and Trade Union Rights

7. The situation of human and trade union rights continue to witness serious abuses at workplaces, homes and communities. The attacks have led to loss of jobs, incomes, freedom and in some cases, serious physical injuries and loss of lives. Workers and vulnerable groups such as women, children, the elderly and the poor are at the receiving end of these attacks. The rise of terrorism and terrorists' attacks as reported in some cities on the continent represent new threats and developments posing serious threats to safety, security and stability.
8. The on-going global economic recession continues to adversely affect working families. The austerity measures adopted by managers of the economies are exacerbating hardship, poverty and inequality. Public service delivery is nose-diving in terms of quality and coverage as governments continue to cut social spending funds. Unemployment remains high with the greater effects on young persons, women and the poor.
9. The armies of the working poor are growing as wages remain low. The prices of food, particularly staples are skyrocketing as climate change effects are affecting food crops production. These developments have prompted the World Bank and World Food Programme to issue warnings about likely outbreaks of hunger and malnutrition across the globe, but with more adverse impact on the African continent at the later part of this year and early next year.
10. There have also been attacks on the rights of workers and trade unions to effectively organise and unionise. Systematic methods are being used by employers and governments to achieve this. The attacks on the right to strike aim to blunt this workers' and trade union tool for exacting legitimate pressure for the defence and promotion of their interests.

11. As parts of the efforts to deliver on the expected outcomes identified in the ITUC-Africa strategic plan for 2012-2015, some intervention efforts, within the period under review, were deployed to improve the defence, protection and promotion of human and trade union rights¹.
12. This report highlights some infractions on workers' rights to organise and the renewed attack on the right to strike; countries at risk and the need for greater solidarity among affiliates; migrant workers and xenophobic attacks; journalists' safety and the campaign to halt impunity.

threats to the rights to organise, collective bargaining and to strike

13. Employment relations continue to change to the detriment of workers. Employers are opting to use labour brokers to hire and fire. More employment contracts come with reduced benefits that help in employers' quest to profiteer. Flexible labour regimes continue to be on the rise, which are reducing protection for workers. Capital is relentless in the attacks on working peoples' rights so as to continue to extract surplus to satisfy shareholders. They have successfully recruited governments who continue to provide labour regime concessions to employers in the guise of encouraging foreign direct investments and jobs creation.
14. For instance, as part of the broader strategy to continue to profiteer, the Employers' group at the International Labour Conference (2012) stalled the work of the Committee on the Application of Standards. They aggressively attacked the right to strike claiming that this right is not expressly provided for in ILO Conventions 87 and 98. The group, through their Spokesperson also attacked the modus operandi and integrity of the Committee of Experts alleging that their opinions on the relevant statutes and instruments are outside their mandate, particularly as it relates to the understanding of the spirit and letters of ILO Conventions 87 and 98.
15. In similar developments, workers and their trade unions continue to face denial of their rights to organise and to be recognised when they successfully unionise. National legislation and proclamations have been erected to undermine these rights. In some cases, the expansion of the scope of "essential services" is used to deny these rights. There are also instances where the unions have managed to organise, but are denied the right to collectively bargain.
16. Where workers have exercised their right to strike, employers and governments have reacted aggressively using administrative fiats and violent action to undermine legitimate strike actions. Judicial instruments such as injunctions and summons are being used to frustrate and quash legitimate strikes. There are instances where trade

1

¹ International Labour Conference preparatory-19 and 20 March in Lome; media campaign supports to affiliates on child rights, rights to organise; national training support on capacity building for selected affiliates; collaboration with Labour Research Services to develop an African Wage Monitor; HTUR Network meeting on the Common Market Access Protocol of the EAC.

union leaders are threatened with suits for leading strikes. Mass dismissals and sacks have also been used by employers and government to undermine strikes. In extreme cases, repressive actions such as beatings and shooting of strikers have led to serious physical harm and deaths.

17. Governments and politicians in Africa appear not be listening to their citizens and constituents. Rather, they continue to service the interests of big corporations and capital. There is a growing discontent amongst workers and citizens about the current situation where their welfare and wellbeing are superintended largely by the logic of the market.
18. ITUC-Africa has highlighted the need for prioritising and directing solidarity efforts. It has developed certain campaigns on a number of struggles. It has also established a Human and Trade Union Rights Network (HTUR Network) – a rights observatory, to improve reporting on rights violation and to achieve better coordination of interventions. The HTUR Network has focal persons nominated by affiliates. For the campaigns, there is the “Countries at Risk” Campaign, which includes countries like Swaziland (struggle for democracy as well as economic and social justice for workers and peoples of that country); Zimbabwe (struggle for democratisation and the revival of the national economy, and the promotion of workers’ rights). Other countries include Madagascar (struggle for genuine return to constitutional democracy); Guinea (struggle to halt government’s interference in trade union activities and administration).

Defending the rights of migrant workers: halting exploitation and xenophobic attacks

19. Migration is one of the permanent features of the changing global political economy. The effects of neo-liberal globalisation and structural adjustment policies have deepened inequality and poverty in Africa. As part of the response to this, households’ decisions have favoured migration as means of contributing to households’ income and finances. Figures show that remittances from labour migrants are substantial and higher than Overseas Development Assistance (ODA). It is widely held that these remittances have helped households to sustain food consumption, provide medical care and education. However, migration in Africa is largely unregulated with a near absence of policy framework.
20. When workers move to other countries in search of jobs and income, they put an increased pressure on employment and wage earnings. Their entrance increases the supply side of the labour market. The situation of many migrant persons and workers has witnessed developments that are worrying. Instances of discrimination, exploitation, harassment and absence of social protection coverage, forced evictions and displacements are some of the problems migrants and displaced persons face. This intensifies competition among workers, creates bitter divisions, and induces hate and xenophobic sentiments and attacks. This situation undermines the unity of workers’ struggle and the potential for their emancipation. Xenophobic attacks against African labour migrants have been experienced within the continent, in

Europe and lately in Israel. The Middle East has continued to be a strong African labour migrants' destination, especially for domestic and construction workers.

21. Migrant workers lack effective voice and representation. They are mostly not covered under existing national social protection schemes. Undocumented migrants are easy prey for exploitation by employers. Most migrant workers in Africa are not effectively linked and connected to the trade unions in their host countries.
22. Cases of violent conflicts in Africa have exacerbated the plight of migrant workers. Humanitarian crisis around migrant and displaced persons are telling harrowing stories that demand urgent attention.
23. Specifically, two years after the France, United States, Britain and NATO led invasion of Libya, hundreds of thousands of people have had to flee Libya, and among them are many migrant workers and refugees from Sub-Saharan Africa, who were suspected to be Gaddafi's mercenaries. They were settled in Choucha camp in Tunisia opened by the United Nations High Commissioner for Refugees in early 2011. Most of the displaced persons have returned (though not necessarily voluntarily) to their home country. However, 1300 people from different countries, predominantly Sudan, Somalia, Eritrea, Chad and Nigeria still languish in the Choucha camp. These persons are trapped in unbearable conditions. The European Union plans, as a measure consistent with their policy of externalization of refugee management, to integrate these people in Tunisia rather than allow them to go to Europe. The refugees and migrants do not feel safe in Tunisia and are not awarded a legal status because Tunisia does not yet have laws concerning asylum. Clearly, these persons should be resettled in countries with asylum system.
24. The near absence of clear national and regional policy on migration is responsible in part for the abuses suffered by migrant persons and workers. There is also a weak regulation of the existing and growing recruitment agencies, a number of which are reported to engage in sharp and dubious practices. Awareness on the part of potential migrant persons is also low and largely urban area based when it exists. Conscious effort is needed to address these gaps. Urgent action has to be undertaken to defend and promote migrants' rights as well as provide workers' awareness on these rights. Action as a whole needs to be taken for the formulation of progressive policy on migration across Africa.
25. We learn that the United Nation has commissioned a **High Level Dialogue (HLD)** process on migration in Africa to be coordinated by UNECA. This initiative should contribute to achieve an outcome that will secure protection and promotion of the rights of migrant workers. Further, given that migration is largely in search of jobs, discussion on it must place premium on decent job creation. Similarly, the issues of human rights and justice around migration must also be well and sufficiently addressed. Finally, we underline that when it comes to labour migration, the ILO as a specialized UN organisation has the expertise and sufficient knowledge to drive the process at the national, regional and international level.

26. **Rape and sex slavery**: civil conflicts in Africa have exposed women, the elderly, children and migrants to harrowing experiences and painful hardships. Though there continue to be signs of hope that peace and stability will be restored to Somalia, the signs are worrying elsewhere. The plights of women in North and South Kivu are disturbing. Reports show that rape and torture are increasingly used as weapons of war by the warring parties. An average of 200 rape cases is reported per day. The rapes are carried out by the militias and government forces. The women are dehumanised and physically assaulted to the extent of suffering damages to their genital parts. Children are also recruited as soldiers whilst forced labour in the mines continues unabated.

27. For all these abuses, a very negligible number of persons have been prosecuted, thus spreading impunity. For these victims and their families, accountability and justice are things they want to see happen.

A concerted regional intervention in the Congo is needed urgently to rein in these abuses and secure peace and stability in that country. We call for the convocation of an emergency dialogue process on the DRC.

Safety of journalists and end to impunity

28. The power of information in the modern age has resulted in news and journalism having become an increasingly contested domain. Journalists often face attempts at influence or censorship, but to an alarming extent they also find themselves under physical threat. Journalists around the world and those close to them often face physical danger ranging from threats, attempted or actual assaults, abductions, disappearances, and even death – in addition to the dangers posed by being caught in the crossfire of the violent events that they cover.

29. Freedom of expression and the right to receive information are fundamental rights on which the realization of many other rights depends. They are also the cornerstones of democracy, good governance, accountability and a precondition for individuals and society to take informed decisions. The alternative to a world in which journalists are safe is a world in which decision-making is based on ignorance, superstition and rumour. It is therefore not only a personal tragedy but a threat to society as a whole, including workers and trade unions, when journalists are killed or attacked because of their work². The experiences from Africa are worrisome and make the prospects of press freedom bleak.

30. These killings have all gone largely unresolved. This is so because there is the absence of political will to investigate, prosecute and sanction perpetrators. Absence of accountability gives vent to impunity. From the foregoing therefore, the following

² At the last count, figures from the Federation of African Journalists (FAJ) show that 16 journalists were killed in 2010; 18 murdered in 2011, and of the 16 journalists killed in 2010, 11 were victims of targeted attacks. So far, 8 journalists have been killed in 2012 with two failed attempts. Somalia is the deadliest country for journalists in Africa in the past four years, with seven media workers killed so far this year. Eritrea is the worst jailer of journalists in Africa with 32 journalists imprisoned incommunicado for more than a decade. Some 5 journalists are serving more than 10-year jail term in Ethiopia while a radio journalist is serving life in prison in Burundi. Most of the victims are men; women are exposed to other forms of gender specific violence that may not be lethal.

points of actions need to be considered:

- Pushing the State to provide better protective environment for journalists and to conduct prompt and exhaustive investigations into all suspected cases of violations of the right to life of journalists so as to ensure justice and accountability.
- Advocating for the de-linking of new pieces of legislation, particularly those aimed at promoting national security and fighting terrorism from attempts to further censor the press.

Organizing

31. There is an overall decline of trade union membership arising from a number of factors. These include high levels of unemployment, the expansion of the informal sector, subcontracting of labour and various atypical forms of work. The trade union situation is worsened by fragmentation that results from some internal divisions as well as changes in the political landscape that impact on trade unions.
32. ITUC-Africa has placed organizing at the core of its current preoccupations. The components of organizing include recruitment of new members in both formal and informal sectors; promoting internal democracy through encouraging women and youth empowerment in the unions; and promoting unity within the trade union movement.
33. ITUC-Africa's challenge is to strengthen organization in order to increase and broaden the bases of African trade unionism through the recruitment of a greater number of members and more efficient actions.
34. In respect of organizing, however, the main theatre of operation is the national level, where every effort needs to be undertaken to bring more workers into the fold of the union, including workers from the informal economy, women and young workers.
35. Particular focus should target the women and young workers including the hundreds of millions working in the informal economy, or in non-traditional or atypical situations, such as part-time or temporary work, through extension of full rights and protection to those performing precarious and unprotected work.
36. Exploitation of workers mainly women in export processing zones (EPZ) in Africa – There is need to strengthen the organization of working men, women and youth into trade unions in the export processing zones and to then use this as a basis to strengthen both collective bargaining and social dialogue.
37. As a result of the huge problem of unavailability of decent jobs on the continent, many African youth find themselves unemployed or engaged in the informal economy. Workers in this field however have limited protection as unions have not fully grown the ability of organizing in the informal sector. The need to pay particular attention to youth in this sector has to be underscored.

38. Unions have recognized the urgent need to institutionalize youth structures to encourage and promote young people in the labour movement. An on-going programme for supporting affiliates to develop youth policies is a step in that direction.
39. Altogether, African trade unions are committed to pursuing all-inclusive unionization of workers, including informal economy workers as well as paying particular attention to promoting the youth and women within their ranks.
40. ITUC-Africa encourages its affiliates in every country to work together towards developing joint trade union actions and platforms. This is important for ensuring the representativeness and credibility of national union organizations and for assuring their effectiveness.

Gender Equality

41. Considerable work has gone on in the last two decades and more within the African trade union movement towards promoting women's rights and gender equality. This has been geared towards reversing a non-progressive pattern, confirmed by several studies and reports, on the lack of effective participation by women in decision-making and the non-respect for their rights in the world of work. However, this trend has not been successfully reversed. So far the objectives of gender equality, promotion of women's rights and gender mainstreaming are far from being reached. While the African trade union structures are made up of members of both sexes, African trade union organizations (and trade union organizations worldwide) continue to be dominated by men. In spite of the conventions on the promotion of women's rights, gender equality and non-discrimination, African trade union organizations have not been able to translate fully into their internal structures the principles of equality, equity and justice that they push for in the world of work.
42. The African trade union movement continues to pursue affirmative actions in consonance with trade union statutes to push forward the agenda of gender equality. These statutory provisions are helping to show the way towards the empowerment of women within the ranks of the trade unions.

Social Protection

43. The International Labour Organization has revealed that in Africa, 90% of the population are excluded from all social protection systems and that the quality of most social security schemes is no longer in consonance with the realities of the labour market and does not measure up to decent work standards. Wage differences are a basic element which increases inequalities regarding universal access to social security. However, the world has never produced so much wealth as it has currently produced. It had never witnessed so much social inequalities and misery. Women, especially African women in this context, are in a particularly vulnerable situation and face double discrimination in terms of income and social security services. This

situation is directly linked to the structural weakness of African States, which causes them to gradually stop financing basic social services and to drastically cut social expenses.

44. Fortunately, the conclusions of the 101st Session of the ILC made it possible to have Recommendation 202 on the Social Protection Floor which is ILO's response to globalization that has increased inequalities in the world and contributed to the marginalisation and exclusion of the poor from accessing minimum social protection. Recommendation 202 on the Social Protection Floor makes it possible to determine the responsibilities of each social partner in providing minimum social protection.
45. African States should play their primary role which is to provide, facilitate, promote and extend social protection coverage to all. The provision of services should be non-discriminatory, adequate and guaranteed. The financial sustainability of the social protection schemes should be assured. Trade unions and employers' organizations should be involved in the design and the management of social protection schemes. Trade unions should be represented in the various fora of social dialogue where proposals on social protection are made. Social dialogue and tripartite participation under equal conditions are necessary to build a consensus-based, effective and fair model which will make it possible to ensure equity and social justice.
46. **Africa can take a steady step towards providing social protection for all by encouraging all governments to ratify the ILO Convention (102) on social security, and also domesticate Recommendation 202. Work can also begin on generating internal resources to finance a social protection floor for all.**

Occupational Safety and Health (OSH)

Emerging OSH problems

47. Due to globalization, new occupational challenges were introduced into the region through introduction of new technologies and adoption of the capitalist mode of production usually accompanied by anti labour work relations and modes of production. Since then, working conditions in many African countries have deteriorated negating significant and hard-fought gains that unions achieved since our countries became independent in the late 50s and early 60s. On the other hand, the introduction of new occupational safety and health problems did not go hand in hand with upgrading of skills and revision of trade union collective bargaining agreements and training manuals. The region is now facing serious OSH problems such as work related stress, violence at work, drug abuse and alcoholism which were not very common before the era of globalization. Globalization has also opened local markets to dangerous products from developed world including nano manufactured materials, cancer – causing agents, nuclear waste, electronic waste and other forms of products containing health – threatening substances.

Ratification of ILO OSH Conventions

48. The ILO has developed several conventions and recommendations that are directly and indirectly focusing on occupational safety and Health. Among those which directly focus on OSH include those conventions and recommendations covering specific chemical substances such as those pertaining to Lead and Mercury. Others cover specific illnesses such as those covering HIV / AIDS and Cancer. However, the main OSH conventions are C 155, 161 and 187. These are general conventions covering different areas of occupational safety and health. In order to give effect to Conventions, a party (National Government) has to ratify and domesticate it. Trade unions have a role to play in this process as one of the tripartite partner; unfortunately, the state of ratification of these three key OSH conventions is disheartening as indicated in the table.

Convention No.	Year adopted	Date entered into force	Country ratified	Date ratified	Status
155 (OSH)	22 nd June 1981	11 th Aug 1983	Central Africa Republic	5 th June 2006	In force
			Ethiopia	28 th June 1991	In force
			Lesotho	1 st Nov 2001	In force
			Niger	19 th Feb 2009	In force
			Nigeria	3 rd May 1994	In force
			Sao Tome & Principe	4 th May 2005	In force
			Seychelles	28 th Oct 2005	In force
			South Africa	18 th Feb 2003	In force
			Zimbabwe	9 th April 2003	In force
161 (Health Services)	7 th June 1985	17 th Feb 1988	Benin	10 th Nov 1998	In force
			Burkina Faso	25 th Aug 1997	In force
			Niger	19 th Feb 2009	In force
			Seychelles	24 th Nov 2000	In force
			Zimbabwe	9 th April 2003	In force
187 (Promotional Framework for OSH)	15 th June 2006	20 th Feb 2009	Niger	24 th Feb 2009	In force
			Togo	30 th March 2008	In force

49. Based on the emerging OSH challenges such as those related to nanotechnology and nano manufactured materials, electric and electronic products and waste, chemicals in products (CiPs), highly hazardous chemicals, and lead in paint and the low level of ratification of ILO OSH Conventions in the region, We call upon African governments to:

- i. Take all measures to operationalize the Bamako Convention by establishing a functional secretariat at the AU level and appointment of National Focal Points.
- ii. Review national legislations that have direct and indirect impact on OSH in order to mainstream emerging challenges into workplace inspections systems.
- iii. Develop a roadmap for ratification of core ILO conventions particularly Conventions 155 (Occupational Safety and Health), 161 (Health Services), 170 (Safety and Health in the use of chemicals at the workplace), 184 (Health and Safety in Agriculture) and 187 (Promotional Framework for OSH).
- iv. Implement in full the ILO Global Plan of Action (GPA) in collaboration with all stakeholders including tripartite partners.

Climate Change

50. Various studies have shown that climate change can affect employment negatively and does also provide opportunities for jobs creation. ITUC Africa has participated in UNFCCC negotiations and in various regional and national consultations. With the framework of UNFCCC negotiations ITUC Africa in collaboration with other members of the ITUC family across the world have supported science – based evidence

presented by the Intergovernmental Panel on Climate Change (IPCC) as the basis for negotiation. In accordance with these scientific facts ITUC Africa has always demanded for Annex I countries to fulfill their CO₂ emission reductions under the Kyoto Protocol, further strengthening and extension of the Kyoto Protocol, adoption of a legally binding agreement and a limit of temperature rise of between 1.5⁰C – 2.0⁰C.

51. ITUC Africa has submitted proposals that were well received and are now part and parcel of the current negotiating text; these include proposals on the principle of Just Transition and Green and Decent Jobs.
52. ITUC Africa has also implemented a project that aimed at raising awareness and strengthening the participation of trade union leaders in international negotiations such as those under UNFCCC, Cartagena and Montreal Protocols and Chemical Conventions i.e. Stockholm, Rotterdam and Basel Conventions.
53. However many environmental challenges are still confronting the region; ITUC Africa therefore calls upon African governments to:
 - i. Ensure that all national climate change programs particularly those carried out under NAPAs (National Adaptation Plans) take into account the principle of Justice (Just Transition) and allows for creation of not only green but decent jobs as well.
 - ii. Ensure the full involvement of workers and their organizations in all national and regional climate change related programs including NAPAs and CAADP.
 - iii. Ensure that the quest for mitigating climate change does not result into further deterioration of working and living conditions, re-colonization of Africa and its people through selling of land to MNCs and their agents and increase in food insecurity.

HIV and AIDS

Abuja Declaration on Health

54. The Heads of State under the Organisation of African Unity (OAU) met in Abuja, Nigeria from 26-27 April 2001 and adopted a declaration (*Abuja declaration on HIV/AIDS, Tuberculosis and other Related Infectious Diseases*) in accordance with the agreement reached at the Thirty-Sixth Ordinary Session of OAU Assembly in Lomé, Togo from 10 to 12 July 2000. Under Article 26 of the Abuja Declaration the Heads of States committed themselves to allocate 15% of annual budgets for improving the health sector with special focus on HIV/AIDS, Tuberculosis and related infectious diseases.

Article 26: *'WE COMMIT OURSELVES to take all necessary measures to ensure that the needed resources are made available from all sources and that they are efficiently and effectively utilized. In addition, WE PLEDGE to set a target of allocating at least 15% of our annual budget to the improvement of the health sector. WE ALSO PLEDGE to make available the necessary resources for the improvement of the comprehensive multi-sectoral response, and that an appropriate and adequate portion of this amount is put at the disposal of the National Commissions/Councils for the fight against HIV/AIDS, Tuberculosis and Other Related Infectious Diseases'.*

55. In 2006 (2 –4 May), the AU Heads of States met in Abuja and adopted the '*Abuja Call*' on '*Universal Access to HIV/AIDS, Tuberculosis and Malaria Services by A United Africa by 2010*'. In adopting the Abuja Call, the Heads of States mandated the African Union Commission (AUC) to conduct a five year review of progress in 2010 and report back to the Assembly and Ministers of Health.

There is indicative information that only two African States (South Africa and Botswana) are close to setting 15% of their annual budgets to health; little is known about the rest.

Membership in Country Coordinating Mechanisms (CCMs)

56. The emergence of HIV and AIDS in late 1990s compelled the international community to establish a global fund to fight HIV/AIDS and associated diseases i.e. Tuberculosis and Malaria. The Global Fund to fight AIDS, Tuberculosis and Malaria (GFATM) was then established in in 2002 and has become the main financier of programs to fight the three diseases. It is estimated up to 2012, GFATM had approved more than 1,000 programs in 151 countries, has made available USD 22.9 billion and allowed 3.6 million people to access HIV related treatment and 270 million have been provided with insecticide – treated mosquito nets. The financial assistance from GFATM is channelled through institutions known as Country Coordinating Mechanisms (CCMs). Each recipient country is obliged to establish a CCM whose composition included Civil Society Organisations, Trade Unions, Employers' Associations, Private Sectors, and Government representatives. Unfortunately, trade union membership in CCMs across the continent is very low. According to available information, membership has only been secured in Cote d'IVOIRE (UGTCI), Tanzania (TUCTA), Morocco (UGTM), Mauritius (MTUC), Chad (UST), Cameroon (CSTC), Uganda (NOTU), Sierra Leone (SSLC), Zimbabwe (ZCTU), Togo (CSTT), Swaziland (SFTU) and Nigeria (NLC).

Economic and Social Policy Intervention

57. The 2nd Congress of ITUC-Africa underlined the need for a new development model for Africa which is firmly rooted in systematic progress towards regional integration for Africa. The reasons for this commitment are justified by the current development level in Africa which still faces major challenges. In operationalizing the resolution of Congress, ITUC-Africa is focusing on contribution that helps to shape development policies and change the nature of globalization. This is derived from an assessment that current development patterns in Africa face critical challenges, including:

- Acceleration of deregulation, deregulation and privatization of public enterprises and services, rule of financialization at the expense of real sectors of activity and the weakening of the function of economic and social regulation of the State;
- Limited scope of the strategies and programs recommended by the international and regional economic institutions and their inconsistency with national strategies;
- Exacerbated plundering of the continent natural resources coupled with continual environmental degradation in countries and increasing marginalization of African economies in the global economy;
- Lower investment in public and social services (health, education, water, electricity, telecommunications, transport ...) and limited access to services and social protection;
- Weakness of industrialization and regional integration process on the continent, acceleration of informalization of African economies and job insecurity, excessive youth unemployment;
- Glaring deficits in the respect for human and labour rights as well as for social dialogues processes.

58. In striving to fulfill the mandate of contributing to shape development policies and changing globalization, ITUC-Africa work is underway to establish a framework for vigorous engagement by African trade unions. This is being built around five themes, namely :

- a. The major problems associated with current neoliberal economic policies in Africa
 - *What are the current problems?*
 - *How to overcome them?*
- b. Measuring economic performance and social progress
 - *What conclusions should we draw about economic performance and social progress on the continent?*
 - *What can be done to improve this?*
- c. A sustainable model of growth and development
 - *What role for the state in the development process?*
 - *What policies can be initiated to boost growth and development on the continent in terms of industrialization, sectorial transformation, promotion of trade and regional integration, promotion of decent work?*
- d. Fair and inclusive labour market for decent work

- *What is the situation prevailing in the labour market in Africa?*
- *What policies initiated to make decent work a reality for the people of Africa?*

e. Financing Africa's development

- *What types of financing options or should be used for the development of the continent?*
- *How to mobilize the internal resources necessary to achieve sustainability?*

59. Knowing that the continent is rich and her political rulers must be challenged to address the current paradox of a rich but poor continent, some definite ideas have already been thrown up for securing financing for social and labour outcomes that need to be carefully considered, including :

- Redirecting mineral exploration in an effective revenue and employment generating manner. In other words, Africa must strive through the application of the right mix of policies and political will to begin to pursue value addition/transformation to its raw materials, minerals and natural wealth.
- Accountable and transparent governance- sufficient political will to fight corruption, wastage, white-elephant projects, rent-seeking and clientism.

60. Undertaking an aggressive and progressive tax administration system. Public taxation, especially pay-as-you-earn is the most effective in terms of collection and administration on the continent. And workers in the public and private sectors are the main payers of taxes. Corporate taxation is weak and in most cases scandalous as evasion is high and others make peanuts payments. There have even been reported cases where high public earners like politicians consider paying tax as an act of charity- An aggressive and progressive taxation reform is needed. Trade unions will continue to push and advocate for this.

61. Stolen assets repatriation. World Bank estimate shows that the amount of money stolen from developing and transition countries is about \$20 billion to \$40 billion per year³— figures equivalent to 20–40 percent flow of official development assistance. The damage resulting from such thefts includes the destruction of public institutions, the weakening of the private investment climate, and the corruption of social service delivery mechanisms for basic health and education programs.

62. Need to seriously consider the tool of Financial Transaction Tax (FTT) to redirect distribution and also to be able to effectively discipline the financial market. Essentially, FTT means levies imposed on financial transactions relating to shares, bonds, derivatives and currencies. So far, over \$15 billion has been raised through this means. Being aware that the recklessness of private sector financial markets has further exacerbated Africa's economic crisis, which is impacting heavily on the poor through cuts in social spending, FTT will ensure that financial speculations are

³ http://www1.worldbank.org/finance/star_site/stolen-assets.html

discouraged and that productive investments, which create jobs, are encouraged. Revenue generated from FTT can help fund MDGs social services such as education, pipe borne water, health facilities and the fight against the impact of climate change. We must add quickly that this is not new as 40 countries are already applying the FTT, though unilaterally. The trade union demand is for a multilateral approach.

63. Remittances from abroad are higher and more dependable than overseas development assistances. An aggressive and imaginative collection arrangement can be developed put remittances to continuous good use.

Conclusion and Recommendation

64. The 2nd Congress of ITUC-Africa affirmed the contribution of African trade unions towards strengthening the AU and its structures for consolidating democracy and good governance in Africa. This was partly based on the recognition that the AU itself at its inception in 2002, resolved to be a people-centred institution by allowing and encouraging citizens' engagements with its organs. Before then, the OAU Declaration on the Political and Socio-Economic Situation in Africa and the Fundamental Changes taking place in the World (1990), underscored Africa's resolve to seize the initiative to determine its destiny and to address the challenges to peace, democracy and security. This was followed by the Charter on Popular Participation for Transformation and Development adopted in 1990 as a testimony to the renewed determination of the OAU to endeavour to place African peoples at the centre of development and decision-making. It is also held that the creation of organs such as the Pan African Parliament (PAP) and the Economic, Social and Cultural Council (ECOSOCC) are clear indications by the AU to create more spaces for citizens' and popular involvement in the African integration process and in responding to the challenges of development and democracy in Africa.
65. In assessing labour markets and the values and principles that can underpin their operations, ITUC-Africa affirms the particular contribution that the Labour and Social Affairs Commission can make in securing valuable outcomes and in ensuring that labour market practices and institutions in Africa make their due and appropriate contribution to the economic and social development of the continent. Already, the LSAC stands out as the one AU organ that provides room for some engagement among the social partners. Given the experience of all the partners with tripartism in the global arena at the International Labour Organization and tripartism's positive contribution to setting international labour standards as well as instituting mechanisms for their promotion and supervision, it is about time we began a reflection on the modus operandi of the LSAC. This reflection can focus on how to improve the operations of the LSAC, particularly in relation to its tripartite character and the processes of engagement and decision making among the partners within the Commission. This is essential for ensuring that this important organ of the AU can make more meaningful contribution to the respect for rights and the application of international labour standards in the world of work in Africa.