



ORGANIZATION OF AMERICAN STATES
Inter-American Council for Integral Development
(CIDI)



**TECHNICAL PREPARATORY MEETING OF THE
XV INTER-AMERICAN CONFERENCE OF MINISTERS
OF LABOR (IACML)**

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San Jose, Costa Rica

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DRAFT DECLARATION OF PORT OF SPAIN

*(Proposal presented by the Ministry of Labor and Small and Micro Enterprise Development of
Trinidad & Tobago)*

MAKING DECENT WORK CENTRAL TO SOCIAL AND ECONOMIC DEVELOPMENT

1. We, the Ministers participating in the XV Inter-American Conference of Ministers of Labour (IACML) of the Organization of American States, met in Port of Spain, Trinidad and Tobago on September 11-13, 2007 to address issues related to globalization which affect employment and labour in the Americas.
2. We note that this Conference is the first IACML to follow up on the Declaration and Plan of Action of the Fourth Summit of the Americas held in Mar del Plata, Argentina in November 2005 which adopted as its theme "Creating jobs to fight poverty and strengthen democratic governance." We recall that the Fourth Summit of the Americas assigned the right to work, as articulated in human rights instruments, a central place on the hemispheric agenda, recognizing the essential role of the creation of decent work to fighting poverty, inequality, hunger and social exclusion in order to raise the standard of living of our peoples and strengthen democratic governance in the Americas.
3. We reaffirm our strong commitment to the principles of inter-American solidarity and cooperation enshrined in the Charter of the Organization of American States (OAS) to ensure integral development for our peoples, encompassing the economic, social, educational, cultural, scientific and technological fields. We reaffirm our commitment to devote utmost efforts, to accomplishing, among other goals, the equitable distribution of national income, the payment of fair wages and the provision of employment opportunities and acceptable working conditions for all.
4. We recall the Inter-American Democratic Charter, approved by the OAS in Lima, Peru, in September 2001. In particular, we emphasize our firm commitment to Article 10 which recognizes that the promotion and strengthening of democracy requires the full and effective exercise of workers' rights and the application of core labour standards, as recognized in the Declaration on Fundamental Principles and Rights at Work of the International Labour Organization (1998) and its Follow-up. We also reaffirm our support for Article 12 which requires us to adopt and implement actions needed to generate productive employment taking into account the different economic realities and conditions of the countries of the hemisphere. We support the decision contained in the Declaration of Florida taken at the OAS General

Assembly 2005 to assess the manner in which the Inter-American Democratic Charter has been implemented since coming into force in 2001.

5. We reiterate our interest in the Social Charter of the Americas and its Plan of Action which, pursuant to mandates received from the General Assembly of the OAS, is currently being drafted by a Joint Working Group of the Permanent Council and the Permanent Executive Committee of the Inter-American Council for Integral Development (CEPCIDI); therefore, we also express our disposition to collaborate in this effort, particularly in all matters relevant to IACML concerns.
6. We recall the Declaration of Mexico of the XIV IACML of the OAS, held in Mexico City, Mexico in September 2005, in which we committed to advance a labor agenda in our region that promotes dignified employment, placing the person at the center of all economic activities, and stressed that the future of our democracies will depend in large measure upon their capacity to generate productive, high quality, decent and sustainable jobs.
7. We recall and support the United Nations High Level Segment of the Substantive session of the Economic and Social Council held in Geneva, Switzerland in July, 2006 where we resolved to promote full and productive employment and decent work for all. We encourage Governments and other relevant institutions, where appropriate, to consider the impact of their policies on employment and decent work for all, including ensuring coherence of policies. Additionally, we recognise that full and productive employment and decent work are central to sustainable social and economic development. Aware of the challenges associated with the creation of decent work in the context of globalization, we propose to make decent work a central goal in social and economic planning and policy formulation.
8. We reaffirm our conviction that decent work is the most effective instrument for improving the living conditions of peoples of our Hemisphere and their participation in the benefits of material and human progress. We recommit to pursuing actions related to the four pillars of the Decent Work Agenda: promoting and realizing standards and fundamental principles and rights at work; creating greater opportunities for women and men to secure decent employment and incomes; enhancing the coverage and effectiveness of social protection for all and strengthening tripartism and social dialogue.
9. We welcome the *Decade of promoting Decent Work* which was declared at the Sixteenth Americas Regional Meeting (May 2006). We also recognize the invaluable assistance provided by the ILO in promoting the Decent Work Agenda in the Caribbean through the hosting of the Tripartite Caribbean Employment Forum (TCEF) in October 2006. We support the development of Decent Work Country Programmes as provided for in the *Tripartite Declaration and Plan of Action for Realizing the Decent Work Agenda in the Caribbean*. We commit to adopting employment-promoting macroeconomic policies that foster conditions conducive to increased job opportunities, competitiveness, productivity, trade and investment. In so doing, we will pursue developing national employment policies which are coherent with our economic, social, education, financial, trade and investment policies.
10. We note and commend the high-level international support for the promotion of decent work as a development issue at: the OAS General Assembly (June 2005); the 2005 World Summit (September 2005); the Sixteenth American Regional Meeting (May 2006); the IV European

Union-Latin American and the Caribbean Summit (May 2006) and the 2006 High-level segment of the United Nations Economic and Social Council (ECOSOC) (July 2006).

11. We commit to applying the principles contained in the eight (8) core or fundamental Conventions of the ILO covering the following areas: freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; and the elimination of discrimination in respect of employment and occupation. These provide a social floor of rights to all peoples in the hemisphere. We will strengthen the application of our national labour laws and promote their enforcement so as to uphold these standards.
12. We will strive to improve working conditions for people in all countries of the region, with special attention to our vulnerable groups such as youth, disabled persons, workers in the informal economy, socially displaced persons, persons with HIV/AIDS, migrant workers, recovering substance abusers and ex-offenders.
13. Considering the Inter-American Programme on the Promotion of Women's Human Rights and Gender Equity and Equality, adopted by the OAS General Assembly in Resolution AG/RES.1625 (XXIC-O/99), we recognize that gender is a cross-cutting issue and commit to integrating a gender perspective into the development of all policies, programmes and projects aimed at creating decent work. We will continue to strive to promote gender equality at work where both women and men are afforded equal opportunities to contribute to productive activities.
14. We reaffirm our commitment to protect and promote the labour rights of migrant workers and their families and in so doing be guided by the "Inter-American Program for the Promotion and Protection of the Human Rights of Migrants, including Migrant Workers and Their Families", adopted by the OAS General Assembly in Resolution AG/RES. 2141 (XXXV-O/05). We commend the convening of the United Nations High-level Dialogue on International Migration and Development on September, 2006 which sought to identify ways and means to maximize the developmental benefits of international migration and to reduce its negative impacts. We commit to enforce labor laws and equal treatment in the application of labor standards that are applicable to migrant workers, regardless of their immigration status, in accordance with articles 26, 27 and 28 of the Declaration of Mar del Plata, approved at the Fourth Summit of the Americas.
15. We endorse the position expressed concerning the informal economy in the Declaration of Mexico of the XIV IACML of the OAS and the Fourth Summit of the Americas. The heterogenous and multi-dimensional nature of the informal economy poses a challenge in research and policy formulation. Cognizant of this, we will endeavour to ensure a basic floor of rights for all workers in the informal economy being guided by the core labour standards.
16. We will foster policies that strengthen our social security systems with a view to balancing the need for an efficient labour market with effective protection. We will give consideration to programmes that provide relief to the unemployed and ensure decent work after natural disasters.

17. We recognize that the productive capacity of our workforce is hindered by life-threatening diseases, including but not limited to cancer, diabetes, neurological conditions, heart disease and HIV/AIDS. We commit to developing national policies that will assist in reducing discrimination against workers with life-threatening diseases and ensuring their rights at work with special emphasis on workers infected and affected by HIV/AIDS.
18. We note the significant role of labour policies, regulations and institutions in promoting decent work. We commit to reviewing our national and regional labour legislation, policies and codes to ensure that they are aligned with social and economic objectives and promote decent work and productivity.
19. We recognize that the future of our peoples rest in the hands of the youth. We note that almost half of the unemployed people in the world are youth and express our support for analyzing the specific factors that result in disproportionately high unemployment among youth. We also support programmes and projects that will enhance employability, equal opportunity, entrepreneurship and employment creation for youth including through education, training and lifelong learning that meet labour market requirements. We will continue to take measures to progressively eliminate child labour especially the worst forms.
20. Taking into account the conclusions of the Second Hemispheric Workshop on Occupational Health and Safety held in El Salvador in May, 2006 we agree that the safety and health of our workers are of paramount importance. We commit to undertaking a thorough review of existing laws, regulations and codes as regards occupational safety and health to ensure the causes of accidents and illnesses are covered through the regulatory mechanisms. We will also continue to foster a culture of prevention and control of occupational hazards in the hemisphere.
21. We are committed to the creation of productive and competitive enterprises in the global economy. We recognize the invaluable contribution of small and micro enterprises and other production units to poverty reduction, wealth creation and employment generation and will continue to create an enabling environment for the establishment and growth of these and other enterprises. We will continue to promote decent work in enterprises both in the formal and informal economy.
22. The Declaration and Plan of Action of the Fourth Meeting of Ministers of Education of the hemisphere, held in Scarborough, Trinidad and Tobago, August, 2005 noted that the greatest opportunity to create local and regional capacity for innovation, creativity and increased productivity is a well-educated, well-informed, and democratic workforce. We therefore reiterate our support to lifelong learning and professional training, including technical and vocational training, making full use of information and communications technologies (ICTs). We recognize the need for education and training programmes to be aligned with the needs of the labour market so as to enhance the employability of our peoples and reduce unemployment in the hemisphere. We commit to working closely with the Ministers of Education to develop mechanisms to achieve this. We also commit to developing effective and efficient labour market information systems and public employment services to guide our policies and programmes for a better match between labour demand and labour supply.

23. We commit to working together to advocate for labour issues to be placed at a higher level on the political agenda. We endorse an integrated policy approach in addressing the challenges of free trade and integration and call for closer strategic alliances between Ministries of Labour and other Ministries, in particular, those responsible for social development, finance, trade, health, planning, education and the environment. We believe that this can be achieved through inter-sectoral practices including the implementation of shared budgets and responsibilities and improving horizontal and vertical co-operation beyond Ministries of Labour. This will necessitate the building of capacities in labour issues in other Ministries and in particular their ability to consider the impact of their policies on employment and decent work for all and their ability to ensure coherence of their labour policies with national policies. We underscore the role of ICTs in providing a platform for integrated policy formulation, practices and sharing of information.
24. We follow attentively the development of the different processes of regional and subregional integration as well as bi-lateral and multi-lateral free trade agreements that are implemented in the hemisphere. We commit to cooperating at the national and regional levels to improve the understanding of the labour dimensions of free trade agreements and regional integration processes.
25. We remain committed to the strengthening of Ministries of Labour, trade unions and employers' organizations to allow them to effectively promote decent work. We commend and encourage training initiatives to achieve this end. We will continue to promote free and fair collective bargaining as a means of promoting decent work.
26. We reaffirm our commitment and support to the strengthening and modernization of Ministries of Labour through regional action that take into account the important role of horizontal cooperation and technical assistance. In this regard, we will continue strengthening the Inter-American Network for Labour Administration (RIAL) created after the XIV IACML to strengthen the institutional and human capacities of the Ministries of Labor to respond to common challenges in the region, through an integrating mechanism for dissemination of knowledge and experience.
27. We will continue our efforts to strengthen the capacities of Ministries of Labour in formulating and implementing labour and employment policies and enforcing national labour laws. We will focus special attention on strengthening our labour administration systems including the labour inspection functions.
28. We recognize that social dialogue is important for building and promoting democratic, inclusive societies. We commit ourselves to promote and facilitate social dialogue to achieve policy coherence and to formulate and implement policies, programmes and laws aimed at promoting decent work at the enterprise, national, regional and hemispheric levels. We will continue to promote labour-management co-operation at the enterprise level in order to build trust and mutual respect and enhance productivity. We commit to reviewing the functioning of our existing national consultative bodies, to strengthening these bodies where necessary and to exploring new avenues for collaboration where possible. We resolve to focus attention on strengthening trade unions and employers' organizations to participate effectively in the social dialogue process and to develop stronger partnerships.

29. We express our gratitude to civil society for their contributions in promoting decent work. In particular, we commend the Trade Union Technical Advisory Council (COSATE) and the Business Technical Advisory Committee on Labour Matters (CEATAL) for their continued support at the Inter-American Conference of Ministers of Labour.
30. We agree to keep the implementation of this Declaration under continuous review

WE RESOLVE TO:

- A. Implement a Plan of Action based on this Declaration, on the Declaration and Plan of Action of the Fourth Summit of the Americas, and on the work of the XIV Inter-American Conference of Ministers of Labour of the OAS, and to dedicate the necessary resources to this end.
- B. Establish two Working Groups as follows:
 - Working Group 1....
 - Working Group 2...
- C. Encourage countries of the hemisphere to intensify cooperation and to share knowledge, experiences and achievements in the area of employment and labour and to document best practices in promoting decent work for all.
- D. Intensify the dialogue and cooperation with regional and international institutions that have a critical role to play in the promotion of decent work in the hemisphere, in particular the Organization of American States (OAS), the International Labour Organization (ILO), the Inter-American Commission of Women (CIM), the Inter-American Children's Institute (IIN), the United Nations Economic Commission for Latin America and the Caribbean (ECLAC), the Pan American Health Organization (PAHO), the Inter-American Development Bank (IDB), the Caribbean Development Bank (CDB), the Andean Development Corporation (CAF), the Central American Bank for Economic Integration (CABEI), and the World Bank, among others.
- E. Organize the Sixteenth Inter-American Conference of Ministers of Labour of the OAS in Argentina in 2009.