



CONFEDERACIÓN SINDICAL DE TRABAJADORES/AS DE LAS AMÉRICAS

CONFEDERACIÓN SINDICAL INTERNACIONAL



São Paulo, 4 September 2009.

Organization of American States
Department of Social Development and Employment
Director Francisco Pilotti
cc: Ministers of Labor of the Americas

Dear Francisco:

We are pleased to address you with regard to the upcoming XVI Inter-American Conference of Ministers of Labor (IACML) of the Organization of American States and some issues we wish to discuss in the context thereof.

We have proceeded with the preparations for the IACML and are very appreciative of the openness and the permanent invitation to the preparatory meetings, which we have attended through COSATE, the advisory council representing the trade union movement of the Americas before the IACML. The possibility of participation granted by the OAS, coupled with the will of the TUCA and its affiliates, which constitute the great majority of COSATE members, is the ideal framework for the labor movement to express its proposals, ideals and demands with calls for dynamism and active engagement.

At the last preparatory meeting (Buenos Aires, July 2009), we presented our concerns regarding COSATE. Yet, we were informed that that was not the body where to do so, given its technical nature, despite that same meeting's discussions of the draft resolution, which is primarily political. Hence, we once again would like to mention some of the themes focused and formally bring our request before the Director of the Department of Social Development and Employment in charge of the Technical Secretariat of the IACML and COSATE.

To us, this IACML is particularly important, as it is held in the context of the worst global economic turbulence since the crisis of 1929, one which has impacted very strongly on the working class. Therefore, the TUCA and its affiliates deem it of the utmost urgency to produce multilateral and regional responses to mitigate the effects of the crisis on our countries.

The Conference is equally important in that, in connection with the crisis, it has adopted "decent work" as its main theme, which is part of our demand, including in the context of the recent proposal that we built in the framework of the ILO's "Global Jobs Pact". Ultimately, what is at stake is the role of the OAS and the likelihood that it will become an active forum for the joint action of our countries in defense of peace, democracy and social justice in the Americas.

Thereby, once again we request that the IACML take measures with regard to the
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themes that follow, as we consider them vital to deepening the engagement of working women and men in the OAS debates, further strengthening its democratic spirit.

- Social Charter

We insist on the importance of the Social Charter and request that deliberations be resumed by the Joint Working Group of the Permanent Council and the Inter-American Council for Integral Development regarding the project of a Social Charter of the Americas. We wish to participate directly in the Charter's discussion and are concerned with the fact that the process was halted.

- Status of COSATE

We insist again that the status of COSATE – and CEATAL – should be reviewed and that the need be considered, as we requested jointly in 2003 and 2005, of transforming such bodies in “permanent consultative” IACML bodies. That should strengthen and boost COSATE's participation, and increase its institutionalization and the democraticity of the inter-American system as a whole. We would like to have a written reply of your view on this matter.

- Participation in OAS worker-related initiatives

On the RIAL Agreements/Projects, and resuming the dialog produced by the letter we sent you on 18 September 2008 regarding our concern about project “Promoting a Culture of Compliance: Awareness, Capacity Building and Advocacy in the CAFTA-DR Countries”, we wish to know what is its present status, as its renewal, according to the information we received in reply to the letter, is imminent. We consider it extremely useful to have a general conversation on all the agreements and projects that involve the IACML and its steering mechanisms.

- Funding of women and men workers' participation

This is a critical theme for us, for without funding COSATE's feasibility is rendered impossible, as this participation depends on the Confederation's financial capacity, which prompts unfair representation asymmetries, as only those who are financially capable can participate. In a recent study we conducted together with the CLC, we have confirmed that originally the primary responsibility for COSATE funding was the OAS's (COSATE First Rules of Procedure, 1972). At a later stage such responsibility was transferred to the national States and later on participation started to be funded by the trade union delegates themselves. More recently, RIAL, through its development projects (in this regard the aid of the Canadian government played a key role), funded the participation of the Canadian chair and delegate in its activities, including in the IACML, to attend a COSATE meeting, during which it was informed that such funding was limited to two delegates, thus never reaching the quorum required for a session to function.

In the forty years of existence of the Council, the lack of guaranteed funding for participation has been one of the causes for its unstable functioning. The TUCA and the members of COSATE have undertaken to pursue a solution to this problem, just as we expressed it in our letter dated 10 June 2009 to Secretary José Miguel Insulza, in which



we state our acceptance of his “offer to help, jointly seek the resources that will allow the organization of preparatory meetings with the workers’ representatives, at key moments of the Inter-American process, for instance the General Assembly and the Summits and Conferences”. However, we have only received in reply an acknowledgment of the reading of our letter, and are awaiting your proposals to initiate a debate regarding a theme that constrains our participation.

- Role of the TUCA

Lastly, during the existence of COSATE, yet with greater insistence over the last years, first the ORIT and later the TUCA have played a fundamental role in lending informal support to the Council, often guaranteeing its functioning and funding many of its meetings. Analysis of the history of COSATE has also shown us that the fact that coordinating function that firstly the ORIT and then the TUCA have taken up had not been institutionalized has been an obstacle to the continuity of such role, for it not only generates informality in the relations but also the informality of the status lacks legitimacy before the institutionality of the OAS. By virtue of the representativeness of the TUCA as expressed for instance in the fact that the great majority of the members of COSATE are TUCA-affiliated and whereas the TUCA is the “most representative” trade union organization of the Americas, we consider there are no impediments to formalize such role in the “COSATE Rules of Procedure”. As we knew this is an attribution of the IACML, we found it natural to discuss the theme in the preliminary meetings. As such seemed not to be the case, we kindly ask you, as the Secretary of the IACML, to submit our request to the ministers attending the Conference.

Brother Stanley Gacek, the vice-chair of COSATE and AFL-CIO’s assistant director for international affairs, will follow up on these negotiations from Washington, while our affiliates will contact the Ministries of Labor at the country level.

We kindly thank you for your help and look forward to hearing from you.

Yours respectfully,

Marta Pujadas
COSATE Vice-chair
CGT - Argentina

Hassan Yussuf
COSATE Coordinator
Canadian Labor Congress - Canada

Víctor Báez Mosqueira
General Secretary
TUCA

Stanley Gacek
COSATE Vice-chair
AFL-CIO - United States

Unsigned, sent by electronic mail



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Ms. Marta Pujadas, Vice President of COSATE
Mr. Stanley Gacek, Vice President of COSATE
Mr. Hassan Yussuf, Coordinator of COSATE
Mr. Victor Baez, Secretary General, TUCA

Distinguished authorities of COSATE and Secretary General of TUCA,

I am pleased to write in response to your letter of the 4th of this month, in which you put forward a series of issues that you consider essential for enhancing the involvement of workers in the framework of the IACML and the OAS.

In that regard, I should point out that this Secretariat concurs fully with the need to strengthen the role of COSATE in the activities of the IACML as well as in the various policy dialogue forums in the inter-American system. The XVI IACML in Buenos Aires will provide an appropriate framework for joint analysis and adoption of concrete measures to move forward on these matters. As a prelude to those discussions, allow me to respond below to the specific points included in your note:

1. **Social Charter:** The Joint Working Group of the Permanent Council and CEPICIDI entrusted with its preparation has not interrupted its activities and at present is discussing the contents of chapter IV of the Charter.
2. **Status of COSATE:** The Technical Secretariat supports COSATE and CEATAL having the status of permanent consultative bodies and, therefore, will recommend to the XVI IACML that it amends Article 29 of its Rules of Procedure. This matter will be addressed at the meeting of COTPAL.
3. **“DR-CAFTA” Project:** Accompanying this letter you will find a progress report on this project and a list of all the organizations taking part. As we mentioned in the letter of September 23, 2008, this project is not carried out in the framework of the IACML/RIAL and is not implemented by the Department of Social Development and Employment, but by the Trust for the Americas
4. **Financing for COSATE participation:** We are ready to provide detailed information in Buenos Aires on the funding mechanisms used in the OAS.
5. **Role of TUCA:** The Technical Secretariat values and appreciates the advisory and mentoring role of the CSA in COSATE and is eager to find an appropriate formula for its formalization in the COSATE system. The IACML has the final decision on this matter, which should be examined at the meeting of COTPAL.

I look forward to seeing you in Buenos Aires next week.

Sincerely,

Francisco Pilotti
Director, Department of Social Development and Employment

Buenos Aires, September 28, 2009

Dear Mr. Chair:

I am writing to underscore the important role played by CEATAL and COSATE in the Inter-American Conference of Ministers of Labor, as permanent advisory bodies to it, in promoting the effective participation of employers organizations and trade unions in the labor area.

In that connection, Article 29 of the Rules of Procedure of the Conference establishes that “[t]he Trade Union Technical Advisory Council (COSATE) and the Business Technical Advisory Committee on Labor Matters (CEATAL) are permanent advisory bodies of the Inter-American Conference of Ministers of Labor, whose goals are to promote the participation of trade unions and employers organizations, respectively, in the process of the Conference. COSATE and CEATAL shall function in accordance with their own organizational plans.”

This permanent opportunity afforded by CEATAL and COSATE for social dialogue and consultation at the hemispheric level is essential to achieving consensus, defining common action, consolidating cooperation, and legitimizing policies designed to meet the needs of the countries of the Hemisphere.

Accordingly, we maintain that CEATAL and COSATE participation as permanent advisory bodies is necessary, and therefore we support any governmental initiative intended to clarify that Article 29 of the Rules of Procedure of the Conference makes consultation with CEATAL and COSATE as permanent advisory bodies compulsory.

Sincerely yours,

Daniel Funes de Rioja
Chair of CEATAL

President of the
XVI Inter-American Conference
of Ministers of Labor of the OAS