



## Governing Body

310th Session, Geneva, March 2011

GB.310/TC/4

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Committee on Technical Cooperation

TC

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## FOR INFORMATION

### FOURTH ITEM ON THE AGENDA

## Report on the Implementation of the Tripartite Agreement on Freedom of Association and Democracy in Colombia

1. The Office has been reporting regularly to the members of the Governing Body on the progress made in the implementation of the **Tripartite Agreement on Freedom of Association and Democracy** (hereinafter, the “Tripartite Agreement”), signed by representatives of the Government of Colombia and Colombian employers’ and workers’ organizations.
2. The Tripartite Agreement, which was submitted to the Conference Committee on the Application of Standards at the 95th Session of the International Labour Conference (2006)<sup>1</sup> and to the Governing Body at its 297th Session (November 2006),<sup>2</sup> includes an undertaking to promote decent work and the defence of the fundamental rights of workers, their trade union leaders and their organizations, specifically as regards their physical integrity, trade union freedoms, freedom of association and of speech and collective bargaining, as well as free enterprise for employers.
3. In order to comply with the Tripartite Agreement, the Government of Colombia undertook to provide funding to guarantee the achievement of the proposals set out. The constituents requested the Office to take the necessary steps to obtain additional technical cooperation resources.
4. As in previous years, the Office wishes to highlight the continued and immediate cooperation of the Government of Colombia and the readiness of the representatives of the workers’ and employers’ organizations to tackle the issues covered by the Tripartite Agreement. Likewise, it is recognized that the Government of Colombia has been providing significant economic support – which for 2010 amounted to US\$1,122,621 – for the achievement of the objectives set. As a result of its efforts to secure other donors, the ILO has been implementing initiatives that for the period 2009–12 have so far involved the mobilization of US\$2,238,171.

<sup>1</sup> *Provisional Record* No. 24, International Labour Conference, 95th Session, 2006, para. 8.

<sup>2</sup> GB.297/TC/5/2.

5. Within the framework of the objectives of the Tripartite Agreement, and through the various initiatives, the dissemination of the **decent work** concept has been promoted at large-scale events, reaching over 9,000 people in five Colombian cities (Antioquia, Bogotá, Cali, Cartagena and Montería); 1,381 members of workers' and employers' organizations have received training; and technical assistance has been provided to the Permanent Committee for Consultation on Wage and Labour Policies and the departmental subcommittees, with the aim of enhancing the relevance and effectiveness of **social dialogue** in the country. All this has enabled the constituents to identify opportunities whereby, through social dialogue, decent work plans can be developed in certain municipalities, with priority being given to those where there may be a positive impact on labour relations and working conditions in a relatively short period of time. At the same time, the training of local decent work teams is being encouraged. It is hoped that this strategy will serve to stimulate local processes and strengthen the social partners' capacity to achieve results that are relevant to their current situation.
6. In order to promote **fundamental rights at work**, the technical cooperation strategy has focused on activities to train officials of the judiciary on the application of international labour standards in the context of court decisions and to promote the teaching of these standards in the law schools of the main Colombian universities. Thus, a strong working relationship has been built up with the Judicial Training College, with 169 officials of the judiciary and academics receiving training in 2010. For 2011, within the framework of the visit of the high-level tripartite mission to Colombia, the Ministry of Social Protection signed a letter of commitment under which US\$300,000 was set aside to ensure the continuity of this component and support the functioning of the Special Committee for the Handling of Conflicts referred to the ILO (CETCOIT).
7. With regard to **social dialogue**, a manual has been published on building confidence between the social partners and a catalogue of useful practices developed at the local level has been drawn up as a working instrument. In addition, social and labour profiles for most of the country's departments have been issued, which will play an important role in promoting the relevance of social dialogue within the departmental subcommittees.
8. Taking into account that the promotion of **collective bargaining** continues to be one of the main challenges of the Tripartite Agreement, the Office has developed activities to disseminate certain practices that have allowed workers and employers to reach agreement through negotiation and which have demonstrated that progress can be made in this regard.
9. With regard to the **promotion of enterprises**, and at the request of the National Business Association of Colombia (ANDI), a study has been conducted to analyse the competitiveness of enterprises within the framework of the fundamental rights at work. Furthermore, the members of ANDI have received training, at both the national and departmental levels, on issues linked to enterprise development and decent work.
10. As to the **sectoral components**, which strengthen social dialogue with regard to specific issues, work is being carried out on the *promotion of sustainable and responsible enterprises* in the flower-growing sector in Cundinamarca and the textile sector in Antioquia. Furthermore, action is being taken to promote the drafting of *migration policies in the field of labour* and support continues to be provided for the national strategy for the *elimination of child labour* through the International Programme on the Elimination of Child Labour (IPEC).
11. The Office is currently negotiating **new technical cooperation initiatives** which will allow for the provision of technical assistance and support with regard to: the strengthening of national and departmental social dialogue forums; the drafting of decent work plans at the municipal level; the drafting and implementation of a strategy to tackle the labour

relations situation in the mining sector in the departments of Cesar, La Guajira and Magdalena; and the preparation of employment policies with a local focus. Within the framework of the Tripartite Agreement, the Government has reaffirmed its readiness to provide additional resources and the Ministry of Labour of Canada has also offered further support. These contributions are estimated at US\$1,500,000 for 2011.

12. As has been reflected in various documents and statements, the efforts to support the progress that has been achieved to date must be maintained and increased in order to ensure that advances continue to be made towards the fulfilment of the commitments set out in the **Tripartite Agreement**.

Geneva, 10 March 2011

*Submitted for information*



## Appendix

Projects in Colombia	Dates of implementation	Aim/impact	Source of funding	Amount in US\$
Strengthening Social Dialogue and Consultation in Colombia	2010	<p>The ILO constituents in Colombia improved their knowledge of and capacity to follow up the application of international labour standards within the framework of decent work in the country. Selected universities incorporated a fundamental rights and decent work focus into the study programmes of a number of law faculties.</p> <p>The capacity of officials working in the administration of justice to apply international labour standards in court decisions was strengthened.</p> <p>The institutional framework of social dialogue has been strengthened, in particular at the local level, by upgrading the technical skills of social actors for interaction, bargaining and the adoption of tripartite agendas.</p>	Colombian Ministry of Social Protection	1 122 621
Strengthening the Social Dialogue of the Permanent Committee for Consultation on Wage and Labour Policies and its related bodies in Colombia	2009–March 2011	<p>The institutional framework of social dialogue has been strengthened at the local level, through improvements to the functioning, harmonization and knowledge of technical and operational tools for the planning and management of departmental subcommittees for consultation.</p> <p>Social actors at the local level have upgraded their technical capacities for social dialogue and bargaining.</p>	Ministry of Labour of Canada	267 615
Promoting the Fundamental Principles and Rights at Work	2009–11	<p>The institutional framework of social dialogue has been promoted through the technical assistance and support provided to the Permanent Committee for Consultation on Wage and Labour Policies and the Special Committee for the Handling of Conflicts referred to the ILO (CETCOIT).</p> <p>As a result of training workshops and the dissemination of ILO material, the judicial system is better equipped to resolve cases involving the violation of labour legislation and international labour standards.</p> <p>Training has been provided to government officials and social partners to ensure that they are better prepared to resolve labour disputes and are able to negotiate collective agreements.</p>	United States Department of State	950 000
Promotion of Sustainable and Responsible Enterprises	2010–12	The aim of the programme (which was launched recently) is to ensure that small and medium-sized enterprises in the flower-growing sector (Cundinamarca) and the textile sector (Antioquia) become more sustainable by reducing environmental pollution and increasing productivity and competitiveness, thus enabling them to offer more sustainable and decent work.	Government of Switzerland	526 119
Decentralization of the national strategy against child labour in Tolima	2010–March 2011	Work is being carried out to improve the capacity of ten municipalities in the department of Tolima in order to allow them to restore the fundamental rights, participation and gender equality of 1,000 children subject to some of the worst forms of child labour, in particular street trading, commercial agriculture and the sexual exploitation of children. Services provided by the education system and family networks are strengthened through the project.	Government of Canada	494 437

