



International
Labour
Organization

► Social Dialogue and Labour Relations 2025

Latin America and
the Caribbean



ILO Regional Initiative for the
Strengthening of Social Dialogue
and Collective Labour Relations in
Latin America and the Caribbean



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International Labour Organization
Peru, August 2025

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First published 2025



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ISBN: 9789220424001 (print)

ISBN: 9789220424018 (web PDF)

DOI: <https://doi.org/10.54394/BXAX1712>

Also available in Spanish: *Dialogo social y Relaciones Laborales 2025: América Latina y el Caribe*, ISBN: 9789220423967 (print); 9789220423974 (web PDF)

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Printed in Peru

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Acknowledgements

The publication *Social Dialogue and Labour Relations 2025 - Latin America and the Caribbean* was prepared by the team of the Regional Initiative for the Strengthening of Social Dialogue and Collective Labour Relations in Latin America and the Caribbean (IRDS).

We would like to express our sincere gratitude to the directors of the ILO regional, sub-regional, and country offices in Latin America and the Caribbean for their valuable comments and ongoing support: Ana Virginia Moreira Gomes (Assistant Director-General and Regional Director for Latin America and the Caribbean, ILO Office), Fabio Bertranou (Deputy Regional Director, ILO Regional Office for Latin America and the Caribbean), Pedro Américo Furtado de Oliveira (ILO Office for Mexico and Cuba), Ítalo Cardona (ILO Office for the Andean Countries), Eliel Hasson Nisis (ILO Office for Central America, Haiti, Panama, and the Dominican Republic), Gerson Martínez Ramos, (Officer in Charge of the ILO Office for the Southern Cone), Joni Musabayana (ILO Office for the Caribbean), Sara Luna Camacho (ILO Office for Argentina), Vinicius Pinheiro (ILO Office for Brazil), and Elena Montobbio (ILO/CINTERFOR).

We also wish to extend our gratitude to the directors and heads of branches of the International Labour Standards and Governance Departments at the ILO Office in Geneva, especially: Corinne Vargha (Director of the International Labour Standards Department - NORMES), Vera Paquete-Perdigão (Director of the Governance and Tripartism Department - GOVERNANCE), Horacio Guido (Chief of the Application of Standards Branch - NORMES/APPL), Karen Curtis (Chief of the Freedom of Association Branch - NORMES/LIBSYND), and Lieve Verboven (Chief of the Social Dialogue, Labour Relations, and Governance of Work Branch - LABGOV).

Special thanks are also due to colleagues throughout the ILO who provided comments, information, and essential data for this publication. In particular, we would like to acknowledge the invaluable contributions of (listed in alphabetical order): Paz Arancibia Román, Xavier Beaudonnet, Francesco Carella, Claudia Esperanza Berch, Marialaura Fino, Elizabeth Frantz, Fernando Garcia, Gonzalo Graña, Ambra Migliore, Shingo Miyake, Sergio Paixão Pardo, Blanca Patiño, Blanca Peralta, Efraín Quicaña Navarro, Tzvetomira Radoslavova, Pilar Rodriguez, María Eugenia Sconfienza, and Nancy Varela.

This publication was developed in close collaboration with the Bureau for Employers' Activities (ACT/EMP) and the Bureau for Workers' Activities (ACTRAV). We wish to extend our appreciation to Andrés Yurén (ACT/EMP) and Amanda Claribel Villatoro (ACTRAV) for their continuous collaboration and valuable contributions at every stage of the process, as well as the IRDS team.

We would like to thank Marco Minocri, Regional Communication Officer, and Miguel Aguirre, Senior Communication Assistant at the ILO Regional Office for Latin America and the Caribbean, for their support in disseminating this publication through various communication channels. Finally, we wish to thank Cecilia Barrios Durán for her administrative assistance and coordination of the design and translation into English, carried out by Ana Periche and Mare Gordillo, respectively.

Acronyms

ACTRAV	Bureau for Workers' Activities
ACT/EMP	Bureau of Employers' Activities
CAS	Committee on the Application of Standards of the International Labour Conference
CARICOM	Caribbean Community Secretariat CARICOM
CCL	Caribbean Congress of Labour (CCL)
CDESS	Sustainable Economic and Social Council
CEACR	Committee of Experts on the Application of Conventions and Recommendations
CEATAL	Business Technical Advisory Committee on Labor Matters
ECLAC	Economic Commission for Latin America and the Caribbean.
ESCs	Economic and Social Councils
CETCOIT	Special Committee for the Handling of Conflicts Referred to the ILO (acronym in Spanish, Comisión Especial de Tratamiento de Conflictos ante la OIT)
IACML	Inter-American Conference of Ministers of Labour
ILC	International Labour Conference
CFA	Committee on Freedom of Association
CPCPSL	Standing Commission for the Coordination of Wage and Labour Policies (acronym in Spanish, Comisión Permanente de Concertación de Políticas Salariales y Laborales)
COSATE	Trade Union Technical Advisory Council (acronym in Spanish, Consejo Sindical de Asesoramiento Técnico)
SLC	Superior Labour Council
TUCA	Trade Union Confederation of the Americas
ECLAC	Economic Commission for Latin America and the Caribbean.
IRDS	Regional Initiative for the Strengthening of Social Dialogue and Collective Labour Relations in Latin America and the Caribbean
IMF	International Monetary Fund
GRULAC	Latin American and Caribbean Group
MEPCOIT	Sectoral Committee for the Handling of Disputes referred to the ILO (acronym in Spanish, Mesa Sectorial para la Prevención de Conflictos ante la OIT)
ILS	International Labour Standards
SDGs	Sustainable Development Goals
UNDP	United Nations Development Programme
RIAL	Inter-American Network for Labour Administration
SER	Economic and Social Council of Curaçao
OAS	Organization of American States
ILO/CINTERFOR	Inter-American Centre for the Knowledge Development in Vocational Training



Preface

Social dialogue anchored in strong institutions is essential for strengthening tripartite actors, while building trust and credibility. Effective social dialogue can also contribute to resolving key economic and social issues, driving economic progress, promoting good governance and democracy, preventing conflicts, and supporting peace, social, and labour stability. In this context, social dialogue in Latin America and the Caribbean has historically been dynamic and diverse, closely linked to varying political and socioeconomic circumstances. This diversity is reflected both in the quality and scope of dialogue and regarding its institutions. Nevertheless, challenges persist at the national and regional levels in promoting constructive social dialogue and cultivating collective labour relations that uphold labour rights.

Despite high rates of ratification of international labour standards —particularly those related to fundamental rights— significant obstacles remain in their implementation through the region. These issues are often highlighted through observations and complaints within the ILO supervisory system, primarily concerning freedom of association, the right to organise, and the right to collective bargaining. Additionally, tripartite institutions focused on social dialogue and conflict resolution face ongoing difficulties in maintaining their sustainability and relevance over time. Low union membership rates and limited coverage of collective bargaining, compounded by a high prevalence of informal economy, further hinder the development of effective social dialogue within the region.

In response to these challenges and with an eye toward long-term sustainable solutions, the GRULAC (Latin American and Caribbean Group), a coordination group of governments of the region, formally requested support from the ILO Director-General. This request emphasized the need for increased technical assistance in social dialogue, labour relations, and the prevention and resolution of labour disputes. This need was endorsed within the ILO Programme and Budget for the 2024-2025 biennium, which outlines the strategic objectives and expected outcomes of the Organization's work for that period and is approved by the International Labour Conference. The document highlights that proposals include bolstering Member States' capacity to enhance their influence through social dialogue and to improve the effectiveness of labour relations institutions and processes. It also emphasizes the importance of fostering inclusive and effective social dialogue at all levels, taking into account collective bargaining, and establishing or strengthening systems for the prevention and resolution of individual and collective labour disputes.¹ Within this vein and specifically within Latin America and the Caribbean, the ILO's efforts are directed towards improving conditions for social dialogue and enhancing the institutional capacity of social partner organisations and labour administration, with particular attention to labour relations, labour dispute resolution, and labour law reforms.

In this context, in 2024, the ILO Regional Initiative for the Strengthening of Social Dialogue and Collective Labour Relations (IRDS) was established to support the Office's response to the challenges identified and to enhance technical assistance on social dialogue and labour relations in the region.² To align the potential activities of the IRDS with the needs of the constituents, a regional bipartite consultation was held on 16 October 2024, to gather the views of trade union and employer representatives in the region. This consultation aimed to guide and enrich the technical proposal for the Initiative. Following the bipartite consultation and based on the inputs provided by social partners in the region, the IRDS defined its specific objectives and content guidelines, grounded in two main pillars. The first pillar focuses on promoting, supporting, and strengthening the effective functioning of social dialogue institutions and labour dispute resolution bodies and mechanisms in the region, with a view to contributing to the effective application of international labour standards. The second pillar aims to deepen understanding of the structural causes of labour disputes and the challenges facing social dialogue by documenting the state of social dialogue and labour relations systems in Latin America and the Caribbean, with particular emphasis on freedom of association and collective bargaining.

¹ Paragraph 98 of the Programme and Budget for 2024-2025.

² See: [Regional Initiative for the Strengthening of Social Dialogue and Collective Labour Relations in Latin America and the Caribbean](#) | [International Labour Organization](#)

The publication *Social Dialogue and Labour Relations 2025 - Latin America and the Caribbean* is part of this context and aims to illustrate the current state of social dialogue in the region. It identifies key conditions necessary to achieve sustainable institutionalised social dialogue. Throughout its five chapters, it offers an overview of the relationship between social dialogue and the ILO supervisory system, highlighting opportunities generated by its work, and emphasizing both the importance and the challenges of maintaining and strengthening tripartite institutions for social dialogue and for the prevention and resolution of disputes related to international labour standards. It also examines opportunities and examples of successful practices in social dialogue and labour dispute resolution across Latin America and the Caribbean. While significant challenges remain, the publication notes that governments and social partners across the region have made concerted efforts to foster more effective social dialogue. In this regard, it underscores the relevance and impact of social dialogue in achieving the Sustainable Development Goals (SDGs), participatory democracy, gender equality, occupational health and safety, vocational training, and crisis management.

The promotion of policies based on social dialogue is essential for advancing social justice in Latin America and the Caribbean. It is hoped that the information contained in this publication will contribute to guiding national and regional debates aimed at promoting fairer labour relations and more effective social dialogue. It encourages constituents to strengthen tripartite social dialogue processes and institutions, as well as to reinforce labour dispute prevention and resolution mechanisms, particularly those focused on the application and review of international labour standards, with special emphasis on freedom of association and the right to collective bargaining.

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ILO Regional Director for Latin America and the Caribbean

Presentation

1. In the conclusions of the second recurrent discussion on social dialogue and tripartism in 2018, the International Labour Conference (ILC) at its 107th Session urged the ILO to strengthen the capacity of its constituents and social dialogue institutions to improve the effectiveness and inclusiveness of mechanisms and institutions that promote tripartite social dialogue at the national level, involving governments and social partners. This includes addressing areas related to the future of work and the Sustainable Development Goals (SDGs), as well as striving for equal representation of men and women in social dialogue institutions at both the national and international levels.³

2. At its 108th meeting in 2019, the ILC reaffirmed the crucial importance of social dialogue in its Centenary Declaration for the Future of Work. The Declaration states that social dialogue, including collective bargaining and tripartite cooperation, provides an essential foundation of all ILO action and contributes to successful policy and decision-making in its Member States.⁴ It called the ILO to resort to strong, influential, and inclusive mechanisms of social dialogue to address all fundamental principles and rights at work.⁵ In the face of the rapid and profound changes affecting the world of work, inclusive and effective social dialogue is more necessary than ever, as it empowers governments and social partners⁶ to act as drivers of change and strong advocates of solutions to the many challenges and opportunities they face.

3. The primary objective of social dialogue is to promote consensus and democratic participation among the main partners in the world of work. Social dialogue structures and the processes successfully developed have been able to resolve significant economic and social issues, foster good governance, progress, peace, social justice, and stability, and promote economic development.

4. The publication *Social Dialogue and Labour Relations 2025 - Latin America and the Caribbean* is the result of the work of the Regional Initiative for Strengthening Social Dialogue and Collective Labour Relations in Latin America and the Caribbean (IRDS) in its first year. This Initiative is a strategy created by the Director-General to address the challenges facing social dialogue in the region and reflects the importance that governments, workers' organisations, and employers' organisations attach to social dialogue in promoting a democratic, productive, and equitable world of work. At the same time, the Initiative aligns with the constituents' commitment to promote constructive social dialogue and collective labour relations based on respect for freedom of association and the promotion of collective bargaining.

5. The Initiative seeks to deepen the understanding of the challenges and opportunities within Latin America and the Caribbean, whose countries are characterized by diverse economic contexts but share many common issues, including the realization of fundamental principles and rights at work, with particular emphasis on freedom of association and collective bargaining. It also seeks to contribute to laying the foundations for greater understanding of the structural causes of labour disputes and the difficulties in ensuring effective social dialogue in the region. This involves increasing evidence-based advice on social dialogue and conducting regional and national studies and sistematization of labour relations practices, paying special attention to the comments of the ILO supervisory bodies regarding freedom of association and collective bargaining.

6. This publication is part of this context and aims to provide an initial overview of the situation of social dialogue in the region. It also offers a preliminary review of the different types of tripartite social dialogue, as well as the institutions for the prevention and resolution of labour disputes related to existing international labour standards in various countries within the region. Additionally, it considers collective bargaining processes in both the public and private sectors, highlighting specific examples of

3 ILC, [Resolution concerning the second recurrent discussion on social dialogue and tripartism](#), 107th meeting, 2018, Geneva par. 15, d) e i).

4 ILC, [ILO Centenary Declaration for the Future of Work](#), 108th Session, 2019, Geneva, par. II.B.

5 ILC, [ILO Centenary Declaration for the Future of Work](#), 108th Session, 2019, Geneva, par. IV.C.(iii).

6 The term 'social partners' refers to representative employers' and workers' organisations.

good practices that can serve as references for strengthening social dialogue at the national and regional levels.

7. Social dialogue is an effective and essential instrument for strengthening democracy and social participation. Alongside tripartism, it is a vital tool for promoting social justice through decent work, encompassing its four dimensions linked to universal human rights and capabilities: equal access to opportunities, fair distribution, and just transitions. The Decent Work Agenda, as set out in the ILO Declaration on Social Justice for a Fair Globalization (2008), as amended in 2022, establishes a clear set of objectives for meeting the universal aspiration for social justice. It also promotes social dialogue and the active participation of employers' and workers' organisations in the tripartite governance of labour markets.⁷ Inclusive and effective social dialogue provides the institutional capacity to forge inclusive development paths with fair opportunities for all, to secure just transitions and to tackle future challenges.⁸

8. This publication aims to examine the different characteristics of social dialogue in Latin America and the Caribbean and is divided into five chapters. The first chapter provides an overview of the history of social dialogue and tripartism in the region, its relationship with international labour standards (ILS), and the Sustainable Development Goals (SDGs). The second chapter analyses the relationship between the ILO supervisory system and social dialogue, describing the dialogue mechanisms that have been implemented in the region in this regard. The third chapter highlights that the Office's technical assistance was crucial in enabling some countries in the region to establish various national tripartite bodies for the prevention and resolution of labour disputes related to the application of international labour standards. These bodies promote and facilitate dialogue between governments, workers' organisations, and employers' organisations, enabling the parties to resolve their disputes directly. However, the chapter also underscores the challenges related to the functioning and sustainability of these bodies, emphasizing their importance in strengthening national social dialogue, with a consequent reduction in the number of cases brought before the ILO supervisory system and improved compliance with international labour standards. The fourth chapter explores the relevance and impact of social dialogue in the region, particularly in areas such as participatory democracy, gender equality, and occupational health and safety, vocational training, and crisis scenarios, as means of achieving social justice. It also examines different experiences of social dialogue across various countries. The last chapter discusses the prerequisites for achieving institutionalized sustainable social dialogue in the region.

⁷ ILC, Report 111/I(A)(Rev.), Report of the Director-General, [Advancing Social Justice](#), 111th Session, Geneva: International Labour Organization, 2023, para. 16.

⁸ ILC, Report 111/I(A)(Rev.), Report of the Director-General, [Advancing Social Justice](#), para. 53.



1

Social Dialogue and Tripartism in Latin America and the Caribbean

1. Social Dialogue and Tripartism in Latin America and the Caribbean

9. In 1919, the Treaty of Versailles marked the end of World War I, but it was signed against a backdrop of revolution and civil war in Russia, as well as widespread social unrest in Europe. At the same time, the world of work was undergoing dramatic transformation. The shift of workers from agriculture to industry was accelerating at an unprecedented rate. Working conditions were often precarious, and issues of inequality and exploitation were on the rise. Consequently, labour issues gained central prominence on political agendas around the world, especially in countries experiencing rapid industrial growth. The ILO was created within this context, as part of such Treaty, to reflect the belief that universal and lasting peace can be accomplished only if it is based on social justice.⁹ Alongside the League of Nations, the ILO played a crucial role in the peace process. It was the first major attempt to foster international cooperation through the creation of universal organisations focused on addressing global political, social, and economic issues.

10. The ILO founders recognized the importance of social justice in securing peace, against a background of the exploitation of workers in the industrializing nations of that time. There was also an increasing understanding of the world's economic interdependence and the need for cooperation to obtain similarity of working conditions in countries competing for markets. The preamble of the ILO Constitution, drafted in early 1919 by the Labour Commission —composed of representatives from *Belgium, Cuba, Czechoslovakia, France, Italy, Japan, Poland, the United Kingdom, and the United States*— already recognised that working conditions that generate injustice, misery and deprivation for a large number of human beings could lead to a threat to universal peace and harmony. It further recognised that failure by a country to adopt more humane working conditions could constitute an obstacle to the efforts of other countries wishing to improve the working conditions of their own workers.

11. The ILO was thus founded on the principle of tripartism —dialogue and cooperation among governments, employers, and workers— in the formulation and application of international labour standards. This remains a defining feature of the Organization to this day. Tripartism and social dialogue are key pillars of all ILO activities, contributing significantly to the success of policymaking and decision-making in its Member States.

12. Although its origins are rooted in the socioeconomic and political developments of the northern hemisphere, the foundation and the evolution of the ILO have always been permeated by a strong influence from Latin American and Caribbean countries. Nearly 40 percent of the founder states of the ILO, either because they signed the Treaty initially or because they were invited to do so, were from the region. These include *Argentina, Brazil, Chile, Colombia, Cuba, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, Panama, Paraguay, Peru, and Venezuela*.¹⁰ In addition, the Commission on Legislation responsible for drafting Title XIII of the Treaty of Versailles, which deals with labour, was also composed of members from the American continent and was influenced by the labour legislation in force in the region at the time.¹¹

13. The first ratifications of international conventions in the region did not begin until 1925, when Chile, following the first visit to the region by ILO Director-General Albert Thomas, ratified eight conventions.¹² This marked the start of a sustained process of ratifying ILO conventions¹³, accompanied by an ongoing effort to codify consolidated labour legislation in several countries across the region, an

9 A commission of the Paris Peace Conference drafted the ILO Constitution, which became Part XIII of the Treaty of Versailles.

10 ILO, [Freedom of Association, Social Dialogue and Dispute Resolution: Proceedings of the 2024 Subregional Conference](#), Panama City, Panama, March 18-21, 2024, Panama: International Labour Organization, 2024, p. 23.

11 ILO, [The “Americas” View of 100 Years of the ILO: An Approach to Understanding a Historical Relationship](#), Humberto Villasmil, ILO Office for the Southern Cone of Latin America, December 2019, p. 28. Two years before the Paris Peace Conference on February 5, 1917, the Political Constitution of the United Mexican States was adopted in Querétaro; it was the first constitution in the world to include a section dedicated to labour and social welfare.

12 ILO, [Freedom of Association, Social Dialogue and Dispute Resolution: Proceedings of the 2024 Subregional Conference](#), p. 24.

13 In 1933, Argentina ratified nine conventions and Uruguay 30 conventions. In 1934, Nicaragua ratified 30 conventions.

effort that continues to this day.¹⁴ Latin America and the Caribbean ranks as the region with the second-highest number of ratifications, surpassed only by Europe.¹⁵

14. The importance of international labour standards¹⁶ in the region was also highlighted by the synergy between standards related to fundamental rights and the inter-American legal system.¹⁷ For example, concerning collective and trade union rights, the Inter-American Charter of Social Guarantees, adopted by the Ninth International Conference of American States (Bogotá, Colombia, May 1948), recognised the right to collective labour agreements and contracts, the right of association, and the right to strike-months before the ILO adopted the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).¹⁸

15. In 1946, the Declaration of Philadelphia-adopted in 1944 amidst World War II- became part of the ILO Constitution, recognising the right of expression and association, and affirming that labour is not a commodity.¹⁹ During this period, the Americas continued to exert a profound influence on the work of the ILO. Even prior to the adoption of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98) for example, the Third Conference of American States Members of the ILO in 1946, had already adopted the American Declaration of the Rights and Duties of Man, which referred to the right of association-among other issues subsequently addressed by international labour standards. Similarly, the founding Charter of the Organization of American States - OAS and the Inter-American Charter of Social Guarantees reflected these early trends.²⁰ Moreover, at the Eleventh Conference held in Medellín, Colombia, in 1979, a resolution on international labour standards was adopted, which gave preference to the ratification and application to a series of conventions deemed to be of priority importance at the time²¹, nearly 30 years before the same classification was formalised within the ILO through the 2008 Declaration on Social Justice for a Fair Globalization.

16. Conversely, fundamental and technical conventions related to trade union rights have exerted decisive influence on national legislation and practice across the region. This includes shaping jurisprudence and contributing to modernization of labour laws in Latin America and the Caribbean. The process has been greatly influenced by the opinions of the ILO supervisory bodies for the application of standards²² and by the technical assistance provided by the Office.²³ Latin America and the Caribbean began receiving ILO-supported technical cooperation projects as early as the 1950s.

14 ILO, [Freedom of Association, Social Dialogue and Dispute Resolution: Proceedings of the 2024 Subregional Conference](#), p. 24, and ILO, [The “Americas” View of 100 Years of the ILO: An Approach to Understanding a Historical Relationship](#). Humberto Villasmil. ILO Office for the Southern Cone of Latin America, December 2019, p. 15, 32-33.

15 Despite this, as will be seen in this publication, the region shows very uneven averages regarding the number of ratifications per country, and, generally, has a high number of comments and complaints filed with ILO supervisory bodies, questioning compliance with ratified conventions. Further information on ratifications in Latin American and the Caribbean can be found in the section on [Ratifications by country](#) and throughout this publication.

16 For more information on international labour standards, their supervisory system and their relationship with social dialogue, see Chapter 2 of this publication.

17 Also see the Declaration of Social Principles of the Americas - Inter-American Conference on Problems of War and Peace (Mexico City, 1945) and Article 10 of the Inter-American Democratic Charter (adopted at the first plenary session, held on September 11, 2001).

18 Similarly, the Universal Declaration of Human Rights was adopted by the United Nations General Assembly in December 1948. It was followed by the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights in 1966; the American Convention on Human Rights (Pact of San José, Costa Rica) in 1969; and the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (Protocol of San Salvador) in 1988.

19 The ILO was the first specialized institution to be recognised as such under the terms of Article 57 of the UN Charter.

20 ILO, [The “Americas” View of 100 Years of the ILO: An Approach to Understanding a Historical Relationship](#), p.78-79, 82.

21 ILO, [The “Americas” View of 100 Years of the ILO: An Approach to Understanding a Historical Relationship](#), p.79.

22 According to the Committee of Experts on the Application of Conventions and Recommendations (CEACR) and the Committee on the Application of Standards of the International Labour Conference, in some countries, there are prolonged inadequacy in national labour laws concerning certain ratified conventions. See: [Reports of the Committee of Experts on the Application of Conventions and Recommendations \(since 1944\) | International Labour Organization](#) and [Meetings and reports of the Conference Committee on the Application of Standards | International Labour Organization](#).

23 ILO, [The “Americas” View of 100 Years of the ILO: An Approach to Understanding a Historical Relationship](#), p.45, 51-59, 85-89.

► 1.1. A tradition of Social Dialogue in Latin America and the Caribbean

17. The history of social dialogue in Latin America and the Caribbean is extensive and fruitful, closely intertwined with the history of the ILO. As noted earlier in this chapter, before the creation of the Organization, many countries in the region had already advanced in adopting labour laws rooted in workers' organisations' demands for better working conditions —such as limits on working hours, child labour, and women's employment— and in the need for employers to adapt to the new industrial organisation that emerged around the late 19th and early 20th centuries.²⁴

18. It was also in Latin America and the Caribbean that the regional meetings within the ILO context took place. The inaugural conference was held in Santiago de Chile in 1936.²⁵ This groundbreaking conference was of great importance, representing a novelty in the Organization's geographic and specialized scope, with participation from members of the Governing Body and 19 Member States and one observer state (*Costa Rica*). It was called the Labour Conference of American States Members of the ILO.²⁶

19. The Conference achieved important results through the tripartite work carried out by employers, workers, and governments. Various resolutions were discussed and adopted on broader topics, such as economic issues, social administration, statistics, research, working hours, wages, real wage improvement, social security, and social policies benefiting indigenous peoples.²⁷ Notably, the reports produced at this Conference had a profound impact on subsequent work of the ILO. They served as the basis for tripartite discussions leading to the adoption of key Conventions and Recommendations, including the Indigenous and Tribal Populations Convention, 1957 (No. 107) and the Abolition of Penal Sanctions (Indigenous Workers) Convention, 1955 (No. 104), and, subsequently, of the Indigenous and Tribal Peoples Convention, 1989 (No. 169) and the Social Security (Minimum Standards) Convention, 1952 (No. 102).²⁸

20. The Santiago Conference marked a significant milestone in the evolution of the ILO as an institution, and underscored the influence of Latin American countries within this context. It helped establish a regional tradition of social dialogue and tripartism. Since then, regional tripartite meetings have been convened periodically, following the model initiated in Santiago, to discuss issues pertinent to the region within the framework of ILO policies. At the 2018 American Regional Meeting held in Panama City, tripartite representatives from 35 countries addressed topics such as low productivity, gaps in vocational training, deficiencies in social protection, inequality, new forms of employment, and persistent informality. The dialogue emphasised the importance of respecting labour rights —especially freedom of association and the right to collective bargaining— and highlighted the promotion of social dialogue and good governance.²⁹

24 In this regard, the following examples can be mentioned: Brazil (Decree No. 1313 of 1891, prohibiting employment of children under 12 years of age in factories and establishing rules for the work of minors aged 12-18), and Decree No. 979 of 1903, on the right of association of rural workers); Chile (Law No. 3321 of 1917, on Sunday rest, and Law No. 3186 of 1917, requiring factories, workshops, and industrial establishments employing 50 or more women to have nurseries); Colombia (Law No. 57 of 1915, reducing the working hours).

25 Arellano Ortiz, P., [The importance of the First American Regional Conference on Labour held in Chile in 1936](#). Journal of Historical-Legal Studies, 2019, p. 41.

26 Arellano Ortiz, P., [The importance of the First American Regional Conference on Labour held in Chile in 1936](#). Journal of Historical-Legal Studies, 2019, p. 41.

27 ILO, Resolutions adopted at the Conference. Labour Conference of American States Members of the ILO, Santiago (Chile), January 2-14, 1936, Proceedings, Appendix VII (ILO, Geneva).

28 Arellano Ortiz, P., [The importance of the First American Regional Conference on Labour held in Chile in 1936](#). Journal of Historical-Legal Studies, 2019, p. 41.

29 ILO, 19th American Regional Meeting, Report of the Director-General, [Preparing the Future of Work We Want in the Americas through Social Dialogue](#), (Panama City, 2-5 October, 2018).

21. The 20th American Regional Meeting is scheduled for the second half of 2025, in the Dominican Republic.³⁰ The thematic sessions will focus on i) job creation, social protection, and sustainable development; ii) strengthening democratic institutions, respecting fundamental rights, and fostering institutionalised social dialogue; iii) just transition to resilient societies; and iv) public policy strategies for enhancing skills and vocational training.

► 1.2. Concepts of Social Dialogue and Tripartism

22. As noted, social dialogue and tripartism constitute the governance framework of the ILO for promoting social justice, fair and peaceful labour relations, and decent work. They are means of achieving social³¹ and economic progress and bolster institutional resilience during times of multiple crises.³² Effective social dialogue is also essential for fostering inclusive economic growth, improving working conditions, and ensuring the sustainability of enterprises.

23. In this regard, the International Labour Conference, at its 107th Session in 2018, established that, among its fundamental aspects, social dialogue encompasses all types of negotiations, consultations, and information exchanges between representatives of governments, employers, and workers on matters of common interest related to economic and social policy.³³ Social dialogue was also recognised as a mechanism for dispute resolution and a means to achieve social equity, economic efficiency, and democratic participation. It is equally important for protecting labour rights, facilitating wage setting, improving working conditions, and promoting sustainable enterprises.³⁴

24. Furthermore, social dialogue is considered both a means and an end in itself, as it helps promote opportunities for men and women to obtain decent and productive work. As an end, social dialogue forms one of the four strategic objectives of decent work, alongside the promotion of standards, employment, and social protection. The concepts and theoretical frameworks of social dialogue are directly linked to the origins of tripartism.

25. Tripartism is one of the primary forms of social dialogue. It is a founding principle and a core value of the ILO, and it lies at the heart of the Organization's work. Tripartism can be defined as “the interaction of government, employers, and workers (through their representatives) as equal and independent partners to seek solutions to issues of common concern”. In other words, tripartism refers to the involvement of employers' and workers' organisations, alongside the government, on an equal footing, in decision-making.³⁵ Tripartism brings together and coordinates spaces for autonomous action, while also serving as a form of cooperation that strengthens and promotes relationships aimed at achieving the parties' common and specific objectives. It does not seek to absorb or eliminate any of the parties, as cooperation is not the same as co-optation.³⁶

26. In this context, social dialogue includes collective bargaining, information and consultation mechanisms—whether institutionalized or not—as well as participatory and voluntary means of labour dispute resolution, social participation—either organic or inorganic, at the enterprise level or in sectoral

30 ILO, [GB.351/INS/13 \(Rev. 1\)](#), Governing Body, 351st Session, Geneva, 15 June 2024, para. 17.

31 ILC, [Resolution regarding the recurrent discussion on social dialogue](#), 102nd session, 2013.

32 ILO, [Social Dialogue Report 2022: Collective Bargaining for an Inclusive, Sustainable and Resilient Recovery](#), Geneva, 2022, p. 35.

33 ILC, [Report VI, A recurrent discussion on the strategic objective of social dialogue and tripartism, under the follow-up to the ILO Declaration on Social Justice for a Fair Globalization](#), 107th Session, 2018. Sixth item on the agenda. for. 6.

34 ILC, [Report VI, A recurrent discussion on the strategic objective of social dialogue and tripartism, under the follow-up to the ILO Declaration on Social Justice for a Fair Globalization](#), para. 7.

35 ILO, [National Tripartite Social Dialogue: An ILO Guide for Improved Governance](#), International Labour Office, Social Dialogue and Tripartism Unit, Governance and Tripartism Department. Geneva: ILO (2017).

36 Garcia Femenia, A., Morgado Valenzuela, E., and Rueda Catry, M., [Institutionalised Social Dialogue in Latin America. A comparative study of Argentina, Brazil, Ecuador, Mexico and Peru](#), Working Paper No. 207 (ILO Regional Office for Latin America and the Caribbean), 2007, p. 11.

and national bodies-and social concertation.³⁷ Tripartite social dialogue, which involves the participation of governments, workers, and employers in various forms of interaction, and bipartite social dialogue, which involves two parties —employers or employers' organisations and workers' organisations— that agree to exchange information, hold consultations, or negotiate.³⁸

27. Collective bargaining, as defined in the Collective Bargaining Convention, 1981 (No. 154), extends to all negotiations which take place between an employer, a group of employers or one or more employers' organisation, on the one hand, and one or more workers' organisations, on the other, for: a) determining working conditions and terms of employment; and/or b) regulating relations between employers and workers; and/ or c) regulating relations between employers or their organisations and a workers' organisation or workers' organisations; or achieving all these objectives simultaneously.

28. Collective bargaining has been understood as a unique and distinctive form of social dialogue, owing to the nature of the process and the expected outcome, namely, a collective instrument. It consists of voluntary negotiations between autonomous parties acting in good faith.³⁹ Collective bargaining can occur at various levels, from the enterprise to sectoral and/or national consultations and negotiations that determine employment conditions more broadly and in a coordinated manner. In bipartite social dialogue, the government does not participate directly and has a limited role, primarily to promote the full development of collective bargaining mechanisms, encourage constructive and informed negotiations, support conflict prevention and resolution, and strengthen the capacities of workers and employers in this regard.⁴⁰ While this publication principally provides a broad overview of social dialogue, with particular emphasis on examples of tripartite social dialogue, it also examines relevant experiences of bipartite social dialogue to help understand some of the national labour relations dynamics in the region.

29. Furthermore, tripartite social dialogue, especially at the highest or national level, can take various forms and mechanisms, including —as will be discussed further— tripartite labour councils, national social dialogue councils, economic and social councils, and other similar institutions designated as tripartite social dialogue institutions at the highest level. It may be institutionalised, with a broad or thematic scope (such as specialised wage-setting bodies), or convened in response to specific situations, such as when tripartite partners need to engage in dialogue during an economic or other crisis. Tripartite social dialogue can result in the signing of a social pact or tripartite agreement, joint proposals or recommendations.⁴¹

30. Tripartite dialogue, particularly at the national level, serves as an effective catalyst for successfully addressing complex issues, finding balanced and sustainable solutions, and combating injustice. By providing a vital safeguard against the erosion of democracy in the world of work, it contributes to the realization of fundamental principles and rights at work.⁴² It is also grounded in numerous international labour standards that recognise the role of tripartite consultation at the highest levels as a prerequisite for the proper application of ILO conventions and recommendations.⁴³

31. Likewise, tripartite social dialogue is a means of ensuring the democratic participation of partners in governing social and economic conditions affecting work and employment. It recognises that partners may have divergent interests that must be balanced to reach binding, credible agreements and ensure accountability. It also aims to promote legitimate and broad participation, while respecting fundamental principles and rights at work, particularly freedom of association and the right to collective bargaining. This form of dialogue involves governments and representative organisations of employers

³⁷ Ermida Uriarte, O., [Social Dialogue: Theory and Practice](#), Cinterfor Notes, p. 13.

³⁸ ILC, Report VI, A recurrent discussion on the strategic objective of social dialogue and tripartism, under the follow-up to the ILO Declaration on Social Justice for a Fair Globalization, para. 6.

³⁹ ILO, Social Dialogue Report 2022: Collective bargaining for an inclusive, sustainable and resilient recovery. Geneva: International Labour Organization, 2022, p. 34.

⁴⁰ ILO, Collective bargaining: A policy guide. Lima: ILO, 2016, p.3 20.

⁴¹ ILO, Social Dialogue Report: Peak-Level Social Dialogue for Economic Development and Social Progress, Geneva: International Labour Organization, 2025, p. 7.

⁴² ILC, Report of the Director-General, 112th Session, ILC.112/I(B), [Towards a renewed social contract](#), 2024.

⁴³ ILO, Social Dialogue Report: Peak-Level Social Dialogue for Economic Development and Social Progress, Geneva: International Labour Organization, 2025, p. 5-6.

and workers at the national and/or sectoral level, which possess the necessary representativeness, membership, and mandate-elements essential for effective social dialogue.⁴⁴

32. In this context, 83 per cent of ILO member countries have established national tripartite institutions to address labour-related issues.⁴⁵ In Latin America and the Caribbean, these institutions may vary in structure and purpose, as will be seen below.

► 1.3. Conditions for Social Dialogue

33. The framework for labour relations and effective social dialogue requires specific conditions to achieve its objectives. The first of these is the existence of strong, representative, and independent social partners. Dialogue with weak and unrepresentative organisations tends to be ineffective. To participate constructively in national social dialogue, social partners must have the technical capacity to engage with the government on equal footing, and to comply with and implement agreements once reached.

34. If any of these conditions are absent, dialogue will either not exist, be merely hollow formality lacking real substance, or be so unbalanced that it effectively conceals the imposition of one or more parties.⁴⁶ Therefore, the strength, representativeness, and legitimacy of social partners—enabling meaningful participation—are crucial. When these qualities are in place, the legitimacy of social dialogue sources within the policymaking process will be enhanced.⁴⁷

35. Equally essential is respect for fundamental rights and freedoms. Above all, social dialogue must be grounded in respect for and effective enforcement of freedom of association. Without the ability of workers and employers to organise freely, open debate is impossible. A climate free of violence, pressure, or threats of any kind is imperative. Only where there is genuine respect for freedom of association, effective protection of trade union activity, and the promotion of collective autonomy and self-regulation will the conditions be in place for the development of genuine, substantive and fluid social dialogue.⁴⁸

36. The process of social dialogue also depends on mutual trust—parties must recognize each other as legitimate partners and engage in dialogue in good faith. Political will is essential; the government, in cooperation with social partners, must ensure that the institutions established are effective, inclusive, adequately resourced, and sustainable. Moreover, their regulatory frameworks must guarantee the meaningful participation of representative organisations of workers and employers while respecting their rights of association and representation.

37. Historically, Latin America and the Caribbean have often lacked some or all of these conditions, which has made social dialogue in the region even more challenging.⁴⁹ The region faces issues that weaken dialogue processes, such as high informality rates and low unionization rates, which tend to reduce the sectors represented by trade union organisations. This, in turn, prompts unions to further strengthen internal democratic processes to ensure representativeness and affirm their participation as legitimate partners in social dialogue spaces. Similarly, employers' organisations face difficulties in ensuring representativeness within a highly diverse sector comprising large multinational enterprises, microenterprises, which account for nearly 99 per cent of productive units in the region and, together

⁴⁴ ILO, *Social Dialogue Report: Peak-Level Social Dialogue for Economic Development and Social Progress*, Geneva: International Labour Organization, 2025, p. 7.

⁴⁵ ILO, *Social Dialogue Report: Peak-Level Social Dialogue for Economic Development and Social Progress*, Geneva: International Labour Organization, 2025, p. 7.

⁴⁶ Ermida Uriarte, O., *Social Dialogue: Theory and Practice*, Cinterfor Notes, p. 15.

⁴⁷ ILO, *The Role of Social Dialogue and its Institutions in Combating Inequalities in the World of Work: Report of the ILO-AICESIS Joint International Conference, 23-24 November 2023*, Athens, Greece, Geneva: International Labour Organization, 2024, p. 52.

⁴⁸ Ermida Uriarte, O., *Social Dialogue: Theory and Practice*, Cinterfor Notes, p. 16.

⁴⁹ Ermida Uriarte, O., *Social Dialogue: Theory and Practice*, Cinterfor Notes, p. 16.

with self-employed workers, generate three quarters of all jobs.⁵⁰ In addition, reductions in democratic space, growing mistrust in public institutions,⁵¹ and political polarization end up undermining dialogue spaces.⁵² The absence of enabling conditions at the national level weakens all three social partners and poses a significant obstacle to genuine and effective social dialogue.

► 1.4. International Labour Standards Relating to Social Dialogue

38. Social dialogue and tripartism are central to the ILO's standard-setting functions. All conventions, recommendations, and resolutions are adopted by the International Labour Conference through tripartite dialogue processes, which confer legitimacy and effectiveness. In addition, most international labour standards require consultation or collaboration processes between governments and workers' and employers' organisations in order to implement their provisions in a manner suited to national circumstances and the actual needs of employers and workers.

39. Through regular tripartite consultations, governments can ensure that ILO standards are formulated, applied, and supervised with the active participation of employers and workers. Such consultations can ensure greater cooperation among the social partners and stronger awareness and participation in matters relating to international labour standards, and can lead to better governance and a greater culture of social dialogue on wider social and economic issues.⁵³

40. Additionally, all ILO standards explicitly refer to social dialogue. Respect for their provisions ensures that national processes are effective, representative, and inclusive. As discussed in detail below, the Latin American and Caribbean region has a high rate of ratification of ILO international labour standards, and has also achieved an advanced level of national standards—a reflection of the influence and work of the ILO in the region over the last 100 years.⁵⁴ The impact of ILS is such that, even in the mid-20th century, a significant number of ratifications occurred before countries had formally adopted labour codes.⁵⁵ Information on the region's situation regarding standards directly related to social dialogue is provided below:

50 ILO, [Thematic Labour Overview. Small Enterprises, Large Gaps. Employment and Working Conditions in Micro and Small Enterprises in Latin America and the Caribbean](#), Lima: ILO, Regional Office for Latin America and the Caribbean. 2015, p.13

51 On average, in Latin America, for example, there are twenty percentage points less trust in popularly elected institutions than in Asia, Africa, the Arab countries and Eurasia. See: *Latinobarómetro, 2021 Report*, Santiago de Chile, 2021, p. 62-72.

52 United Nations Development Programme (UNDP), [Democratic Governance, Effective Governance, and Inequality in Latin America](#), Public Policy Paper Series, No 56, 2025, p. 18, 22-23 and 38. See also: [In whom do we trust? Less in the institutions and more in the communities in LAC, January 23, 2024](#), and ["With me or against me": The intensification of political polarization in Latin America and the Caribbean](#), February 28, 2023.

53 ILO, [Rules of the game: An introduction to the standards-related work of the International Labour Organization](#), International Labour Organization, Geneva, 2019, p. 49

54 ILO Influence on National Laws in the Americas see: Moreira Gomes, A.; Rodrigues de Freitas Júnior, A.; and Siqueira Neto, J. (Organizers). *O Centenário da Organização Internacional do Trabalho no Brasil* (100 Years of ILO in Brazil), 1. ed. Belo Horizonte: Editora Virtualis, 2019; Villasmil Prieto, H. and Carballo Mena, C. (Academic Directors).and Torres Tarazona, L. (Publication Director) Ibero-American Labour Law. *Influences of the ILO Regulatory System*, ILO, Universidad Libre (Colombia), Universidad Católica Andrés Bello and Academia de Ciencias Políticas y Sociales (Venezuela), Tirant lo Blanch, Bogotá (Colombia) 2020; Sánchez Castañeda, A. and Arellano Ortiz, P. (Coordinators), *Legal Framework in Latin America. The Legal Framework of Labour in Latin America: Challenges and Tensions in the 100 Years of the ILO*, Tirant lo Blanch, 2020.

55 Villasmil Prieto, H.. Past and Present of Latin American Labour Law and the Vicissitudes of the Employment Relationship (Part Two). *Rev. latinoam. derecho social*. 2016, n. 22, p. 300.

► **Table 1. Key International Labour Standards Related to Social Dialogue in Latin America and the Caribbean** ⁵⁶

Subject	Conventions	Ratifications of Conventions ⁵⁷
Freedom of Association and Protection of the Right to Organize, and Collective Bargaining	C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)	32
	C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98)	33
	C154 - Collective Bargaining Convention, 1981 (No. 154) R163 - Collective Bargaining Recommendation, 1981 (No. 163) R091 - Collective Agreements Recommendation, 1951 (No. 91)	10
Tripartite Consultation	C144 - Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) R152 - Tripartite Consultation (Activities of the International Labour Organization) Recommendation, 1976 (No. 152) R113 - Consultation (Industrial and National Levels) Recommendation, 1960 (No. 113)	28
Labour Relations	C135 - Workers' Representatives Convention, 1971 (No. 135) R143 - Workers' Representatives Recommendation, 1971 (No. 143)	15
	C151 - Labour Relations (Public Service) Convention, 1978 (No. 151) R159 - Labour Relations (Public Service) Recommendation, 1978 (No. 159)	12
Freedom of Association (Agriculture, Non-metropolitan Territories)	C141 - Rural Workers' Organisations Convention, 1975 (No. 141) R149 - Rural Workers' Organisations Recommendation, 1975 (No. 149)	12
Labour Administration Systems	C150 - Labour Administration Convention, 1978 (No. 150) R158 - Labour Administration Recommendation, 1978 (No. 158)	15

41. For the purpose of this publication, it is worth briefly outlining the scope of some of these conventions. The Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) establishes the fundamental principles of freedom of association. These principles include the right of workers and employers to establish and join organisations of their own choosing without previous authorization. Workers and employers may exercise freely the right to organise; Workers' and employers' organisations shall not be liable to be dissolved or suspended by administrative authority; and Workers' and employers' organisations shall have the right to establish and join federations and confederations. Any such organisation, federation or confederation shall have the right to affiliate with international organisations of workers and employers. Workers' and employers' organisations are guaranteed the right to elect their representatives in full freedom.

42. The Right to Organise and Collective Bargaining Convention, 1949 (No. 98) stipulates that workers shall enjoy adequate protection against acts of anti-union discrimination. Such protection shall apply against acts calculated to: make the employment of a worker subject to the condition that he shall not join a union or shall relinquish trade union membership; or cause the dismissal of a worker by reason of union membership or because of participation in union activities. Workers' and employers' organisations shall enjoy adequate protection against any acts of interference by each other. It also enshrines the right to collective bargaining and determines what measures should be adopted to encourage and promote the full development and utilization of machinery for voluntary negotiation between employers or employers' organisations and workers' organisations.

⁵⁶ See more on the types of international labour standards and details on their supervisory system in Chapter 2 of this publication. For ratifications by Member States, see [Conventions and Protocols](#).

⁵⁷ Ratifications registered and deposited as of the 113th International Labour Conference in June 2025 were considered.

43. The Collective Bargaining Convention, 1981 (No. 154) defines collective bargaining and advocates its application across all branches of economic activity, all employers, and all workers. It also establishes parameters for measures to be taken to promote collective bargaining, including procedures for prior consultation and agreement with social partners on this matter.

44. The Labour Relations (Public Service) Convention, 1978 (No. 151) stipulates that public employees, as defined in the Convention, shall enjoy adequate protection against acts of anti-union discrimination in respect of their employment. It also affirms that public employees' organisations shall enjoy complete independence from public authorities and shall enjoy adequate protection against any acts of interference by a public authority in their establishment, functioning or administration.

45. The Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) defines "representative organisations of employers and workers", and requires ratifying Member States to put in place procedures which ensure effective consultations between representatives of government, of employers, and of workers with respect to the matters concerning the activities of the International Labour Conference and international labour standards. These include submissions to competent national authorities of new standards adopted by the ILO; the re-examination of unratified Conventions and Recommendations; reports on ratified Conventions; and proposals for the denunciation of ratified Conventions.⁵⁸ Employers and workers shall be represented on an equal footing on bodies through which consultations are undertaken, and consultations shall be undertaken at least once a year.⁵⁹

► 1.5. Social Dialogue and the Sustainable Development Goals (SDGs)

46. Consultation and social dialogue are fundamental pillars of labour and employment policies, promoting consensus and democratic participation among the main partners in the world of work. Well-structured and effective social dialogue processes can resolve significant economic and social issues and drive economic progress. As an institutional forum for employers, workers, and governments to voice their distinctive interests, social dialogue can serve as an important catalyst for innovative, agile, and effective solutions that promote positive change.⁶⁰ In this sense, a case can be made for its contribution to achieving the Sustainable Development Goals (SDGs).

47. The 17 SDGs, underpinned by 169 targets, emphasise the need to end poverty and other deprivations as a necessary condition for improving health and education, reducing inequality, and spurring economic growth, while tackling climate change and working towards preserving the environment.⁶¹ These targets, including 232 indicators, were formulated and adopted through extensive consultations involving governments, social partners, and other partners around the world. By facilitating consultation, coordination, and negotiation between governments and social partners, social dialogue fosters the enabling environments and policy processes needed to achieve the SDGs. It also ensures responsive, inclusive, participatory, and representative decision-making at all levels.

48. Several SDG targets directly lay down the foundations for sound social dialogue, including mechanisms for peak-level social dialogue (such as national tripartite labour councils), for the prevention and resolution of individual and collective disputes, and for collective bargaining, such as *Goal 8: Decent work and economic growth*, *Goal 10: Reduced inequalities*, *Goal 16: Peace, justice and strong institutions*, and *Goal 17: Partnerships for the goals*.⁶² In this regard, the SDGs play a vital role in promoting social dialogue,

⁵⁸ ILO, [Rules of the game: An introduction to the standards-related work of the International Labour Organization](#). International Labour Office, Geneva,, p. 50.

⁵⁹ [R152 - Tripartite Consultation \(Activities of the International Labour Organization\) Recommendation, 1976 \(No. 152\)](#) provides guidelines on how these consultations can be carried out.

⁶⁰ ILO, [Report on Social Dialogue: Peak-Level Social Dialogue for Economic Development and Social Progress](#), p. 4.

⁶¹ ILO, [Social Dialogue and Sustainable Development Goals: An Essential Synergy for Human-Centered Development and Recovery](#), p. 3.

⁶² ILO, [Social Dialogue and Sustainable Development Goals: An Essential Synergy for Human-Centered Development and Recovery](#), p.1-2.

particularly through collective bargaining. Indicator 8.8.2, for example, measures the level of national compliance with freedom of association and collective bargaining rights—a key precondition of sound social dialogue at any level.⁶³

49. Conversely, social dialogue aimed at formulating social, economic and labour policies is vital for achieving Goal 8, while also contributing to the realization of various targets associated with other SDGs. In this context, social dialogue promotes the improvement of working conditions and protects labour rights, thereby tackling inequalities. Additionally, social dialogue shapes the development of national employment policies and policies on vocational education and training, while promoting an enabling environment for sustainable enterprises and job creation, as well as increased productivity.⁶⁴ Independent and strong employers' and workers' organisations in SDG processes reinforce the chances of forging consensus, ensuring ownership and implementing policies aimed at attaining the SDGs.

50. Moreover, social partners have the opportunity to participate in shaping and evaluating SDG-related processes through social dialogue mechanisms and institutions. This is particularly relevant in relation to the United Nations Sustainable Development Cooperation Frameworks (UNSDCFs), endorsed by UN Member States, which translate into commitments to a broad range of stakeholders, including employers' and workers' organisations. UNSDCFs contain the highest priorities of each country on the SDGs and commitments to attain the SDGs. According to a recent ILO study, the social partners from the world of work participated in around half of all active Cooperation Frameworks globally. Their involvement is more prominent in countries where Decent Work Country Programs align with the priorities outlined in these Frameworks and where ILO efforts focus on building the capacity of social partners in SDG-related policymaking.⁶⁵

51. Since 2018, social partners in Latin America and the Caribbean have actively engaged in SDG-related policies across various countries.⁶⁶ For example, an examination of the Strategic Sustainable Development Cooperation Framework for Argentina 2021-2025 shows that the social partners are included as partners or counterparts across all programmatic dimensions of the framework's implementation plan, in accordance with the National Cooperation Framework Results Matrix.⁶⁷

52. The 2030 Agenda offers a valuable opportunity to improve and revitalise social dialogue processes worldwide and across all sectors. In turn, effective social dialogue can significantly contribute to the implementation of the 2030 Agenda and the attainment of its Sustainable Development Goals. However, social dialogue processes aimed at SDG implementation need to be well-structured and purposefully directed to ensure ownership of public policies, involving truly representative organisations. While the participatory governance model of the 2030 Agenda assigns a role to civil society—including workers' and employers' organisations—it does not include safeguards to guarantee their formal participation in SDG processes. This limits the capacity of social dialogue institutions to formulate relevant policies, review progress, and adjust national plans accordingly.

53. Moreover, despite the absence of standardised measures of the impact of national dialogue institutions on SDG processes and a lack of indicators in this regard⁶⁸, a 2017 survey conducted by the ILO among 83 economic and social councils and similar institutions revealed low or poor effective participation of social partners in SDG-related policies. Only 24 respondents reported examining the

63 ILO, [Social Dialogue and Sustainable Development Goals: An Essential Synergy for Human-Centered Development and Recovery](#), p.4.

64 ILO, [Social Dialogue and Sustainable Development Goals: An Essential Synergy for Human-Centered Development and Recovery](#), p.6.

65 ILO, [Update on the United Nations Reform](#), ILO Governing Body, 346th Session, item 8 on the Agenda, Geneva, October-November 2022.

66 See the [Cooperation Frameworks](#) for Brazil, Chile, Colombia, Costa Rica, Peru, Dominican Republic, and Uruguay, for example.

67 United Nations, [United Nations Country Teams \(UNCTs\) Key Documents](#). See also: [Pampa 2030. Trade Unions View on the Sustainable Development Goals](#); UGT (*União Geral dos Trabalhadores*), a Brazilian trade union, joined CNODS (*Comissão Nacional para os Objetivos de Desenvolvimento Sustentável*) – the Brazilian National Commission for Sustainable Development Goals (SDGs)-to optimise the implementation of the Agenda 2030.

68 Papadakis, K. and Cauqui, R: [Social Dialogue and Sustainable Development Goals: An Essential Synergy for Human-Centered Development and Recovery](#), ILO, February 2023.

SDGs, and of these, only 13 had developed strategies for SDG implementation.⁶⁹ The survey also noted that social dialogue processes are not consistently structured to include social partners on this issue. However, recent data suggest that, despite ongoing challenges regarding effectiveness and inclusion, the influence of social dialogue during the planning and implementation phases of national SDG plans has slightly increased in recent years.⁷⁰

► 1.6. Tripartite Social Dialogue Institutions in Latin America and the Caribbean

54. According to the ILO database, 162 out of the 187 ILO Member States have at least one principal tripartite social dialogue body, namely a permanent tripartite social dialogue body with a mandate to address multiple social and labour market policy areas.⁷¹

55. Latin America and the Caribbean is a diverse region, as are its manifestations and institutions of social dialogue. An ILO study found that, despite the diversity of social dialogue processes in the region throughout the 20th century, it can be affirmed that, at the beginning of the 21st century, there is a clear trend toward institutionalising social dialogue. This trend builds on the legacy of compromise efforts made in some countries in the 1990s and responds to a widespread need across most countries on the continent to sustain democratic consolidation and social consensus, through greater participation of the social partners-employers' and workers' organisations in various decision-making processes.⁷² In fact, most national social dialogue institutions in the region were created after 2000.⁷³

56. Although there is a long-standing tradition of dialogue in the region and a large number of national social dialogue institutions, most of these institutions were established recently. For example, the *Consejo Superior Laboral* (Superior Labour Council), the main tripartite body for social dialogue in Chile was created in 2016⁷⁴, the *Consejo Consultivo Económico y Social* (Economic and Social Advisory Council) of Costa Rica was established in 2019.⁷⁵ Similarly, in Brazil, the Sustainable Economic and Social Council (CDESS) is a collegiate body initially created in 2003 and re-established in 2023.⁷⁶ Furthermore, dispute resolution commissions in the region are even more recent. As will be discussed in Chapter 3 of this publication, with the exception of Colombia, all such tripartite commissions were created after 2016.

57. In the region, tripartite social dialogue institutions are diverse in nature and can be classified into five broad categories: labour councils, wage councils, safety and health councils, economic and social councils, and dispute prevention and resolution commissions.⁷⁷

58. Tripartite labour councils are social dialogue bodies where representatives of the government, employers, and workers meet to address labour and social issues broadly. Wage councils generally have the same composition, but focus primarily on negotiating and setting wages, both minimum and general,

⁶⁹ ILO, [Social Dialogue and Sustainable Development Goals: An Essential Synergy for Human-Centered Development and Recovery](#), p.14.

⁷⁰ ILO, *Social Dialogue Report: Peak-Level Social Dialogue for Economic Development and Social Progress*, p. 189.

⁷¹ ILO, [Report on Social Dialogue: Peak-Level Social Dialogue for Economic Development and Social Progress](#), 2024, p. 30.

⁷² Garcia Femenia, A., Morgado Valenzuela, E., and Rueda Catry, M., [Institutionalising Social Dialogue in Latin America. A Comparative Study of Argentina, Brazil, Ecuador, Mexico and Peru](#), pp. 21-22.

⁷³ ILO, *Report on Social Dialogue: Peak-Level Social Dialogue for Economic Development and Social Progress*, p. 30.

⁷⁴ See [Law No. 20.940](#), of September 8, 2016, which Modernises the Labour Relations System.

⁷⁵ See: [Establishment of the Economic and Social Advisory Council, No. 41439-MP](#).

⁷⁶ See: [O QUE É CDESS \(What is CDESS?\)- Secretaria de Relações Institucionais \(Inter-Agency Relations Secretariat\)](#), [Medida Provisional Núm. 1.154](#), January 1, 2023 and [Decree No.1.154](#), January 1, 2023 and [Decree No. 1.154](#), January 1, 2023. [11,454](#), March 24, 2023.

⁷⁷ Although not discussed in this publication, it should be noted that, in addition to tripartite social dialogue institutions, the region also hosts several spaces for tripartite social dialogue institutions that address specific issues, such as rural social dialogue spaces, roundtables related to work on digital platforms (for example, the [Tripartite Roundtable on Digital Service Platforms in Chile](#)), and on Domestic Work (for example, [the multisectoral tripartite roundtable in Paraguay](#)).

across different sectors or branches of activity. Similarly, tripartite safety and health councils address issues related to promoting prevention, safety, and health policies in the workplace, serving as forums for consultation and participation by social partners in the definition, implementation, and updating of OSH policies and programmes.⁷⁸

59. Conversely, economic and social councils (ESCs) may have a wider composition and mandate, being responsible for addressing broader issues that extend beyond strictly related to the world of work, including environmental action.⁷⁹ Some ESCs in the region are tripartite, while others have a more comprehensive composition that broadly includes civil society. Previously viewed as advisory bodies, in some countries such councils are now involved in shaping national policies and developing strategies to expedite policy implementation, including those associated with enterprise due diligence in supply chains.⁸⁰

60. Regarding tripartite institutions for dispute prevention and resolution, as will be discussed below, these are national tripartite bodies that promote and facilitate dialogue between governments, workers' organisations, and employers' organisations, enabling the parties to resolve their labour disputes directly.⁸¹

61. The long-term sustainability of tripartite social dialogue institutions is one of the main challenges facing the region. The table below shows the countries that have established one or more types of tripartite social dialogue institutions. The purpose of this table is to identify the institutions created through tripartite agreements or regulatory frameworks. However, some of these institutions may, for various reasons, not be operational or active, even if only temporarily.

► **Table 2. Types of Tripartite Social Dialogue Institutions by Country⁸²**

Labour Councils	Wage Councils	Economic and Social Councils	Occupational Safety and Health Councils	Dispute Prevention and Resolution Commissions
Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Brazil, Chile, Costa Rica, Colombia, Dominica, Dominican Republic, Ecuador, Grenada, Guatemala, Guyana, Jamaica, El Salvador, Nicaragua, Peru, Paraguay, St. Kitts and Nevis, St. Vincent and the Grenadines, Suriname, Trinidad and Tobago, Uruguay	Antigua and Barbuda, Argentina, Barbados, Costa Rica, Colombia, Dominica, Ecuador, Guatemala, Honduras, El Salvador, Mexico, Panama, Peru, Saint Lucia, Suriname, Trinidad and Tobago, Uruguay	Antigua and Barbuda, Aruba, Argentina, Barbados, Brazil, Costa Rica, Curaçao, Dominican Republic, Guatemala, Honduras, El Salvador, Mexico, St. Vincent and the Grenadines, Sint Maarten, Suriname, Panama, Uruguay	Argentina, Barbados, Brazil, Chile, Costa Rica, Colombia, Dominican Republic, Ecuador, Guatemala, El Salvador, Nicaragua, Peru, Paraguay, Suriname, Trinidad and Tobago, Uruguay	Argentina, Colombia, Guatemala, Honduras, Panama, Dominican Republic

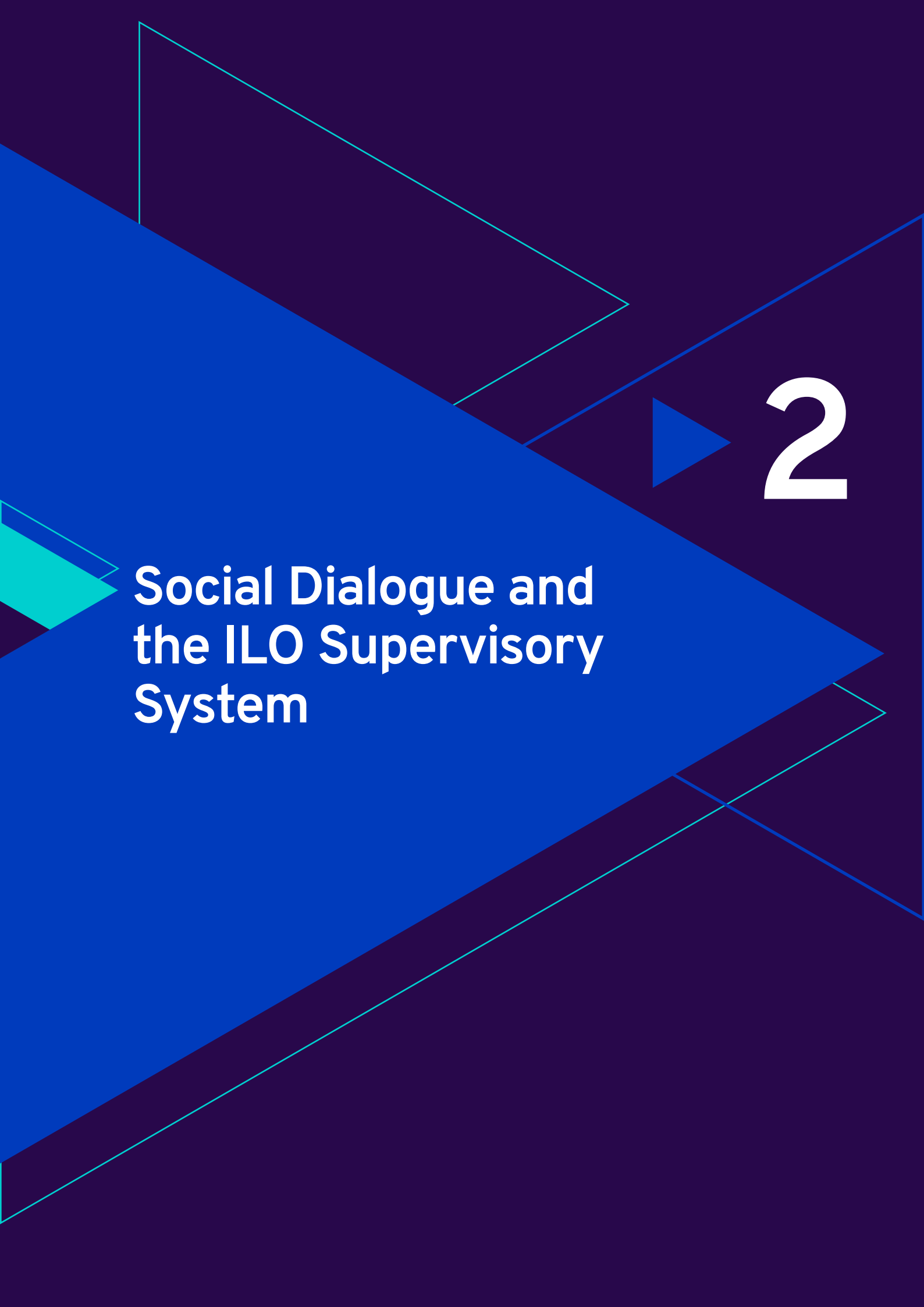
⁷⁸ For further information on tripartite councils on occupational health and safety, see: Radoslavova, T., [Overview of National Occupational Health and Safety Policies and Programmes in Latin America and the Caribbean](#), International Labour Organization, 2024, p. 22.

⁷⁹ ILO, Social Dialogue Report: Peak-Level Social Dialogue for Economic Development and Social Progress, p. 194.

⁸⁰ ILO, Social Dialogue Report: Peak-Level Social Dialogue for Economic Development and Social Progress, p. 81.

⁸¹ See Chapter 3 of this publication, which examines in greater detail the establishment of tripartite institutions and bodies for dispute prevention and resolution in the region.

⁸² These institutions may have different names depending on the country. The classification considers the scope of issues covered by these institutions.



2

Social Dialogue and the ILO Supervisory System

2. Social Dialogue and the ILO Supervisory System

► 2.1. International Labour Standards and their ratification in Latin America and the Caribbean

62. Since its establishment, the ILO has adopted a system of international labour standards (ILS) aimed at promoting opportunities for men and women to obtain decent and productive work in conditions of freedom, equity, security, and dignity.⁸³ This system encompasses all labour issues and establishes fundamental principles and rights at work. ILS are the legal component of the ILO's strategy for governing globalization, promoting sustainable development, eradicating poverty, and ensuring that everyone can work in dignity and safety.⁸⁴

63. ILS are legal instruments drawn up on tripartite basis by the ILO's constituents (governments, employers, and workers), which are adopted at the ILO's International Labour Conference and are divided into: *Conventions* (or *Protocols*), which are legally binding international treaties that can be ratified by Member States, or *Recommendations*, which serve as non-binding guidelines. In many cases, a Convention lays down the basic principles to be implemented by ratifying countries, while a related Recommendation supplements the Convention by providing more detailed guidelines on how it could be applied. Recommendations can also be autonomous, i.e. not linked to a Convention.⁸⁵

64. There are three types of Conventions⁸⁶: i) Fundamental Conventions; ii) Governance (priority) Conventions; and iii) Technical Conventions. Fundamental Conventions cover subjects that are considered to be fundamental principles and rights at work⁸⁷: 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; the elimination of discrimination in respect of employment and occupation; and the promotion of a safe and healthy working environment. Governance Conventions are those that are considered a priority in the international labour standards system and which the ILO Governing Body encourages Member States to ratify them because of their importance for the functioning of the world of work.⁸⁸ Technical Conventions, in turn, establish specific labour rights and obligations and cover a broad range of topics, including working hours, maternity protection, social security, wages, among others.

65. International labour standards evolve from a growing international concern that action needs to be taken on a particular issue or situation in the world of work. Such concern triggers a legislative process involving equal representation of the three tripartite constituents, as well as the technical assistance of the International Labour Office of the ILO which provides the necessary technical reports for the relevant discussions. The following flowchart outlines how an international labour standard is adopted:

83 ILO, [Rules of the game: An introduction to the standards-related work of the International Labour Organization \(Centenary Edition, 2019\)](#), Geneva, International Labour Office, 2019, p. 7.

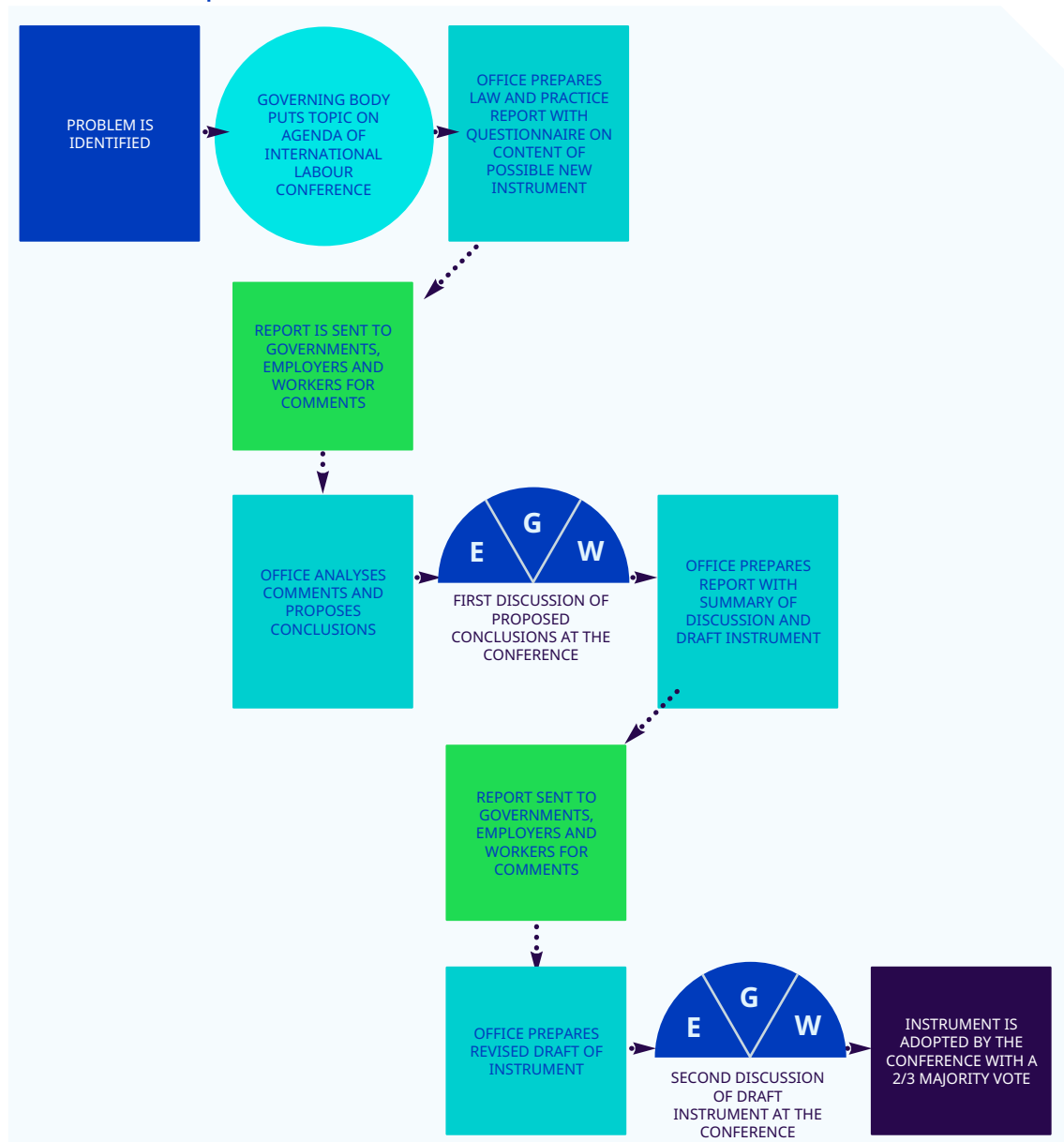
84 ILO, [Rules of the game: An introduction to the standards-related work of the International Labour Organization \(Centenary Edition, 2019\)](#), p. 13.

85 ILO, [Rules of the game: An introduction to the standards-related work of the International Labour Organization \(Centenary Edition, 2019\)](#), p. 18.

86 See all international labour standards in detail at: [NORMLEX - International Labour Standards Information System](#).

87 These principles are also included in the ILO Declaration on Fundamental Principles and Rights at Work (1998).

88 The four Governance (priority) Conventions are: C081 - Labour Inspection Convention, 1947 (No. 81) ([as well as its P081 - Protocol of 1995 to the Labour Inspection Convention, 1947](#)); C122 - Employment Policy Convention, 1964 (No. 122); C129 - Labour Inspection (Agriculture) Convention, 1969 (No. 129); C144 - Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144).

► Flowchart 1. Adoption of an International Labour Standard⁸⁹

66. Once standards have been adopted, Member States shall submit them to the competent national authority for review and, in the case of Conventions, for ratification.⁹⁰ After ratification, a Convention enters into force one year from the date of ratification, at which point Member States are bound to implement it in their national legislation and practice, and to submit regular reports on its application to the Office.

⁸⁹ ILO, *Rules of the game: An introduction to the standards-related work of the International Labour Organization (Centenary Edition, 2019)*, p. 20.

⁹⁰ Article 19(6) of the ILO Constitution.

67. In Latin America and the Caribbean, 33 countries have ratified at least one Convention of each type.⁹¹ The Table below shows ratifications in the region, by country and by type of Convention:

► **Table 3. Ratifications by Type of Convention**⁹²

Country ⁹³	Fundamental Conventions	Governance/Priority Conventions	Technical Conventions
Antigua and Barbuda	10	3	25
Argentina	10	3	46
Bahamas	8	2	17
Barbados*	10	3	21
Belize	9	2	24
Bolivia	8	3	35
Brazil	8	3	55
Chile*	10	2	38
Colombia*	8	3	39
Costa Rica	8	4	34
Cuba	10	2	52
Dominica	8	2	14
Ecuador*	8	3	44
El Salvador	9	4	22
Grenada	9	2	12
Guatemala	8	4	49
Guyana	9	3	26
Haiti	8	1	14
Honduras	8	3	13
Jamaica	8	3	11
Mexico	9	1	53
Nicaragua	8	2	36
Panama	8	4	43
Paraguay	8	2	29
Peru	8	3	51
Dominican Republic	9	3	23
Saint Kittis and Nevis	8	1	1
Saint Vincent and the Grenadines	8	4	10
Santa Lucia*	10	0	14
Surinam*	8	4	20
Trinidad and Tobago	8	3	6
Uruguay*	10	4	63
Venezuela	9	3	35

⁹¹ Only countries with ratifications registered, deposited, and not denounced were considered. Ratifications of repealed conventions were excluded. For further information see: [Ratifications by country](#).

⁹² In addition to Conventions, Protocols are instruments adopted in the same way and which add provisions to existing Conventions, thus linking them. For the purposes of this table, only ratifications of Conventions are considered. Information on Protocols ratified by the countries in the region can also be found in [Ratifications by country](#) and in the following tables.

⁹³ In the case of countries marked with an asterisk, ratified and deposited Conventions that had not yet entered into force (during the period of entry into force) at the time of the publication were also taken into account.

68. Latin America and the Caribbean is the region with the second-highest ratification rate of Fundamental Conventions after Europe, particularly Conventions Nos. 87 and 98. These figures reflect the level of awareness of the social partners of the ILO's regulatory system, as well as their confidence in ILO supervision system and the opportunity for the ILO Office to provide technical assistance to constituents to enhance compliance with standards.

► **Table 4. Ratifications of Fundamental Conventions by Region**

Ratifications of Fundamental Conventions by Region (including P29)											
Region	Freedom of Association/ Collective Bargaining		Forced Labour			Child Labour		Discrimination		Safety and Health	
	C87	C98	C29	P29	C105	C138	C182	C100	C111	C155	C187
Africa	51	54	54	14	54	53	54	53	54	25	19
Americas ⁹⁴	33	34	34	10	35	34	35	34	34	14	9
Asia Pacific	19	23	31	6	25	28	36	29	26	12	12
Arab States	4	6	11	1	11	11	11	7	10	2	2
Europe	51	51	51	29	51	51	51	51	51	34	31

► **Table 5. Ratifications of Fundamental Conventions in Latin American and Caribbean by country**

Ratifications of Fundamental Conventions in Latin America and the Caribbean by country (including P29)											
Country	Freedom of Association/ Collective Bargaining		Forced Labour			Child Labour		Discrimination		Safety and Health	
	C87	C98	C29	P29	C105	C138	C182	C100	C111	C155	C187
Antigua and Barbuda	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Argentina	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Bahamas	✓	✓	✓		✓	✓	✓	✓	✓		
Barbados	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓
Belize	✓	✓	✓		✓	✓	✓	✓	✓	✓	
Bolivia	✓	✓	✓		✓	✓	✓	✓	✓	✓	
Brazil		✓	✓		✓	✓	✓	✓	✓	✓	
Chile	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Colombia	✓	✓	✓		✓	✓	✓	✓	✓		
Costa Rica	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Cuba	✓	✓	✓		✓	✓	✓	✓	✓		
Dominica	✓	✓	✓		✓	✓	✓	✓	✓		
Ecuador	✓	✓	✓		✓	✓	✓	✓	✓		
El Salvador	✓	✓	✓		✓	✓	✓	✓	✓	✓	
Grenada	✓	✓	✓		✓	✓	✓	✓	✓	✓	
Guatemala	✓	✓	✓		✓	✓	✓	✓	✓		
Guyana	✓	✓	✓		✓	✓	✓	✓	✓	✓	

⁹⁴ Including Canada and the United States.

Ratifications of Fundamental Conventions in Latin America and the Caribbean by country (including P29)											
Country	Freedom of Association/ Collective Bargaining		Forced Labour			Child Labour		Discrimination		Safety and Health	
	C87	C98	C29	P29	C105	C138	C182	C100	C111	C155	C187
Haiti	✓	✓	✓		✓	✓	✓	✓	✓		
Honduras	✓	✓	✓		✓	✓	✓	✓	✓		
Jamaica	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Mexico	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Nicaragua	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Panama	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Paraguay	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Peru	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Dominican Republic	✓	✓	✓			✓	✓	✓	✓		✓
Saint Kittis and Nevis	✓	✓	✓		✓	✓	✓	✓	✓		
Saint Vincent and the Grenadines	✓	✓	✓		✓	✓	✓	✓	✓		
Saint Lucia	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓
Surinam	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Trinidad and Tobago	✓	✓	✓		✓	✓	✓	✓	✓		
Uruguay	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓
Venezuela	✓	✓	✓		✓	✓	✓	✓	✓	✓	

69. Despite the region's high ratification rates of Fundamental Conventions, there are considerable challenges in their implementation, often resulting in compliance gaps. These gaps frequently trigger the use of processes and resources available through the ILO supervisory bodies.⁹⁵ This situation is compounded by high levels of informality in most countries in the region⁹⁶, low unionization rates,⁹⁷ and limited coverage of collective bargaining⁹⁸, all of which undermine the effectiveness of social dialogue.

► 2.2. ILO Supervisory System

70. International labour standards (ILS) are backed by a unique supervisory system at the international level designed to assist constituents in fully implementing the Conventions ratified by Member States. To this end, the ILO has two kinds of supervisory mechanisms.⁹⁹ The regular system of supervision is based on the examination of reports on the application of Conventions sent by Member States and on observations sent by workers' and employers' organisations. These reports and observations are reviewed by the Committee of Experts on the Application of Conventions and

⁹⁵ See: [Comments from the supervision bodies for the Americas](#)

⁹⁶ ILO, [2024 Labour Overview of Latin America and the Caribbean](#) Regional Office for Latin America and the Caribbean, 2025, p. 56.

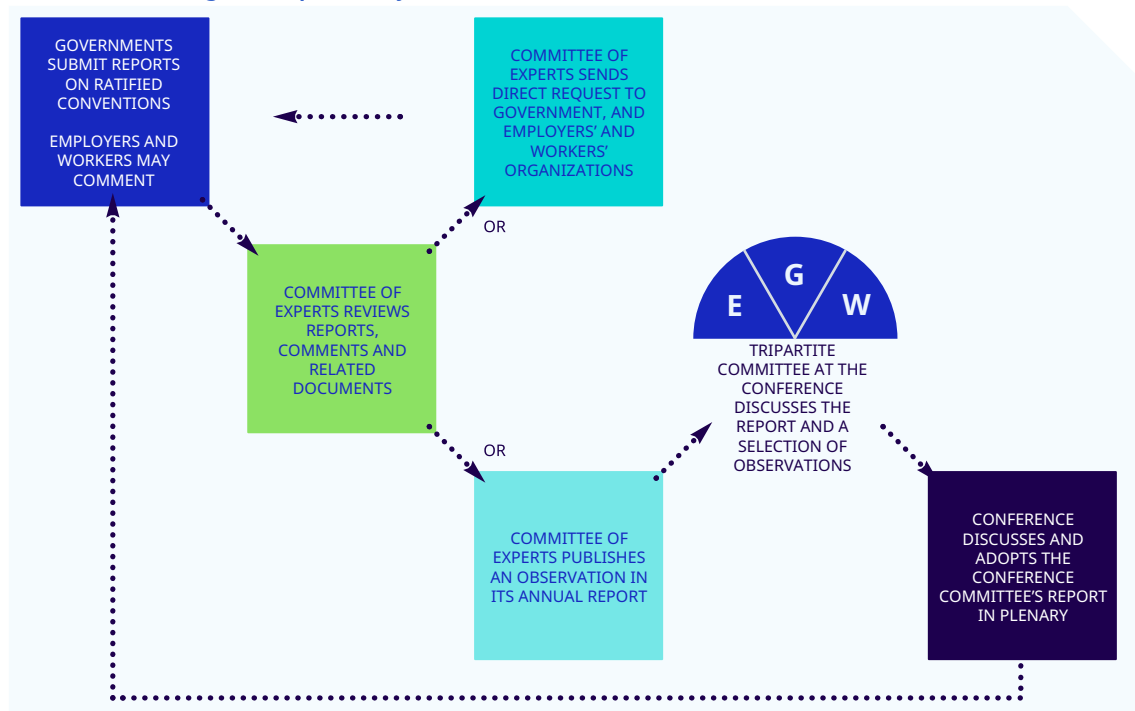
⁹⁷ ILO, [Social Dialogue Report 2022: Collective Bargaining for an Inclusive, Sustainable and Resilient Recovery](#), Geneva, 2022, p. 128.

⁹⁸ In the region, most countries have coverage rates below 25 percent, on average. See: ILO, [Social Dialogue Report 2022: Collective Bargaining for an Inclusive, Sustainable and Resilient Recovery](#), p. 66-67.

⁹⁹ ILO, [Rules of the game: An introduction to the standards-related work of the International Labour Organization.](#), p. 106.

Recommendations (CEACR) and by the Committee on the Application of Standards of the International Labour Conference (CAS).¹⁰⁰

► **Flowchart 2. Regular Supervisory Procedure**¹⁰¹



71. The Committee of Experts on the Application of Conventions and Recommendations (CEACR) is an independent body composed of 20 high-level international legal experts, who are charged with examining the application of ILO Conventions, Protocols, and Recommendations by ILO Member States. Every year, CEACR issues a report containing observations and recommendations regarding the application of Conventions.¹⁰² This annual report is then submitted to the next International Labour Conference (ILC), where it is examined by the CAS. The CAS is a standing tripartite body —comprising delegates from governments, employers, and workers— which reviews the report of the CEACR within a tripartite framework and selects the observations to be discussed. The CAS may adopt conclusions, recommending that governments take specific measures on issues raised in the report or accept missions or technical assistance from the ILO.¹⁰³

72. Moreover, there are special procedures of supervision.¹⁰⁴ One of these special procedures is the special procedures for employers' or workers' organizations to make a representation alleging ineffective observance of a ratified Convention, as per Article 24 of the ILO Constitution. Such representations shall be examined by an ad hoc Tripartite Committee appointed by the Governing Body. The Constitution also provides that complaint may be filed against a Member State for not complying with a ratified Convention by another Member State which has ratified the same Convention. This procedure is governed by Article 26 of the Constitution and is reviewed by a Commission of Inquiry also appointed by the Governing Body. In both cases, prior to examining the representation or complaint, the Governing Body may invite the government concerned to provide any observations it deems appropriate.

¹⁰⁰ See: [ILO Supervisory System: Regular Supervision : International Labour Organization](#).

¹⁰¹ ILO, [Rules of the game: An introduction to the standards-related work of the International Labour Organization](#), p. 107.

¹⁰² The CEACR reports are divided into three parts: (i) progress of the Committee's work and the extent to which Member States have complied with their Constitutional obligations regarding international labour standards, (ii) observations concerning particular countries on the application of international labour standards and on the obligation to submit instruments to the competent authorities, and (iii) the General Survey, in which the Committee of Experts examines the situation of legislative and practice on a specific subject covered by certain Conventions and Recommendations. In section containing observations concerning particular countries, the Committee takes note of the progress of certain cases and identifies areas for improvement in the application of ratified Conventions. For further information see: [Reports of the Committee of Experts on the Application of Conventions and Recommendations](#).

¹⁰³ See: [Meetings and reports of the Conference Committee on the Application of Standards](#).

¹⁰⁴ See: [ILO Supervisory System: Special Procedures | International Labour Organization](#)

73. Special procedures also include complaints submitted to the Committee on Freedom of Association (CFA)-established in 1951 as a committee of the Governing Body to examine cases of alleged infringements of rights related to freedom of association, regardless of whether the Member States have ratified the relevant Conventions.¹⁰⁵

74. For the purpose of this publication, statistical data and more detailed information will be discussed regarding the special mechanisms related to representations under Article 24 of the ILO Constitution and complaints submitted to the Committee on Freedom of Association (CFA).

► 2.3. Background to representations and complaints submitted to the Supervisory System

75. Since the onset of the 21st century, there has been increasing recourse to the ILO's special supervisory mechanism. The Committee on Freedom of Association (CFA) has received approximately 3,500 complaints since its establishment. Since 2013, the CFA has registered 293 complaints from Latin America and the Caribbean, with 77 complaints filed between 2019 and the first half of 2025.¹⁰⁶ Representations under Article 24, examined by ad-hoc Tripartite Committees, have also seen increased use recently across all Conventions, including governance and technical conventions. As of 2019, 42 representations from the region were submitted to the Governing Body, accounting for nearly 60 per cent of the overall total number of representations.¹⁰⁷

76. At its 334th session in November 2018, within the framework of the standards initiative, the Governing Body approved a series of measures to strengthen the supervisory system, including with regard to the operation of the representation procedure under article 24 of the ILO Constitution. These measures include "arrangements to allow for optional voluntary conciliation or other measures at the national level", whereby the concerned parties may, by mutual agreement, request a temporary suspension of the examination of the representation so that they can pursue national conciliation mechanisms to address the issues raised in their respective allegations.¹⁰⁸ Where the parties voluntarily agree to resort to a national conciliation mechanism, the examination of the representation or complaint by the supervisory bodies is suspended temporarily, giving the parties a period of six months-which may be extended exceptionally for the same period of time. During this period, the parties shall attempt to resolve the dispute through dialogue at the national level.¹⁰⁹ Also, the parties may access ILO technical assistance during this period. In 2021, at its 341st meeting, the Governing Body introduced a similar optional voluntary conciliation process for complaints submitted to the Committee on Freedom of Association (CFA).¹¹⁰

77. The details and figures regarding the use of the special procedures-based supervision mechanism under Article 24 and complaints submitted to the Committee on Freedom of Association (CFA) are discussed below.

105 See the [Special procedures for the examination in the International Labour Organization of complaints alleging violations of freedom of association](#). See also: ILO, 70 Years of the ILO Committee on Freedom of Association: A Reliable Compass in Any Weather. International Labour Organization- Geneva: ILO, 2022

106 Methodologically, we decided to restrict the period of analysis and limit the study to cases submitted and admitted by the Governing Body up to June 2025.

107 Data compiled based on information available in Normlex up to June 2025.

108 See: [Proceedings of the 334th Session of the ILO Governing Body \(Oct-Nov 2018\)](#), para. 288.

109 See: [Voluntary conciliation in the context of the ILO's supervisory system | International Labour Organization](#)

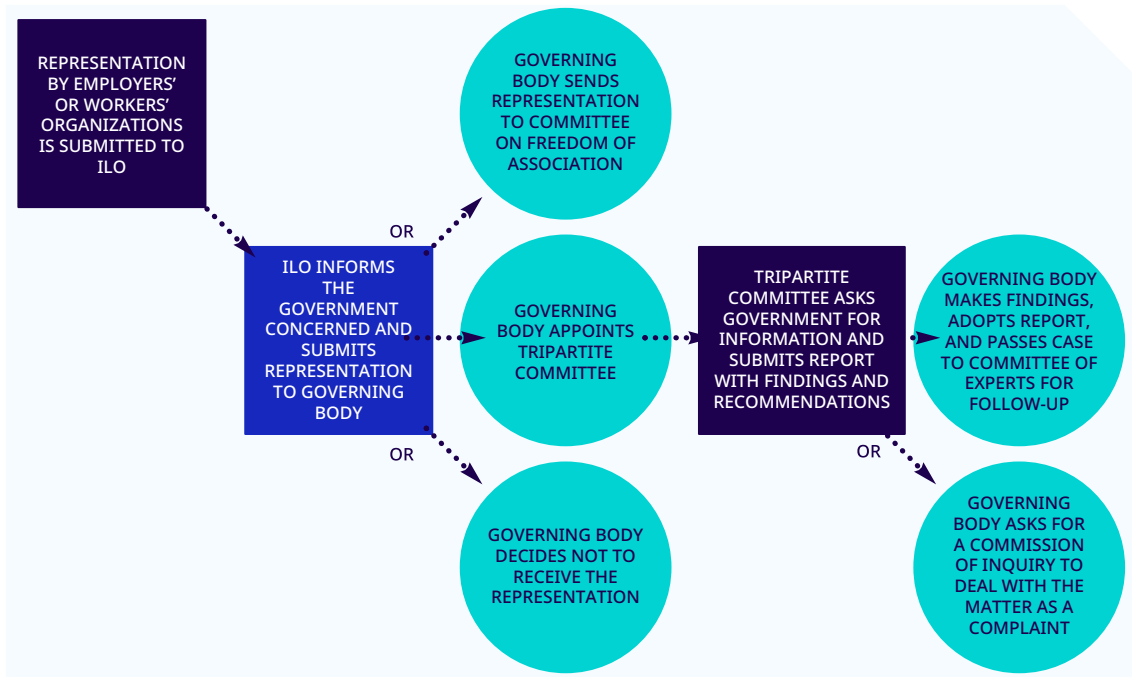
110 See: [Governing Body, 341st Session, Geneva, March 2021, 393rd Report of the Committee on Freedom of Association](#)

► 2.4. Representation procedure (Article 24 of the ILO Constitution)

78. The representation procedure is governed by Article 24 of the ILO Constitution. Under this Article, any employers' or workers' organisations has the right to make a representation against any Member State alleging that the concerned Member State has not taken measures within its jurisdiction to give effect to a Convention to which that Member State is a party.¹¹¹

79. When a representation meets the formal requirements established, the Governing Body admits the representation¹¹² and subsequently appoints an ad-hoc Tripartite Committee composed of three members to examine the representation and the government's response. The Committee's report to the Governing Body details the legal and practical aspects of the case, reviews the information presented, and concludes with recommendations to the parties. The Committee will consider the merits of the allegation(s) raised by the complainant organisation(s), specifically whether the Member State concerned has not satisfactorily ensured observance of the ratified Convention(s) referred to in the representation.

► **Flowchart 3. Representation procedure under Article 24 of the ILO Constitution**¹¹³



80. Recourse to the representation procedure under Article 24 has been on the rise, especially in Latin America and the Caribbean. The graph below illustrates the trend in the presentation of representations since 2013. The significant increase is evident when comparing the period from 2013 to 2018, during which 18 representations were filed in the region, with the period from 2019 to the first half of 2025, when a total of 42 representations were presented under Article 24 concerning nine countries. This upward trend has been consistent and marked between 2023 and 2024, when 20 representations were made.

¹¹¹ Text of Article 24 of the ILO Constitution.

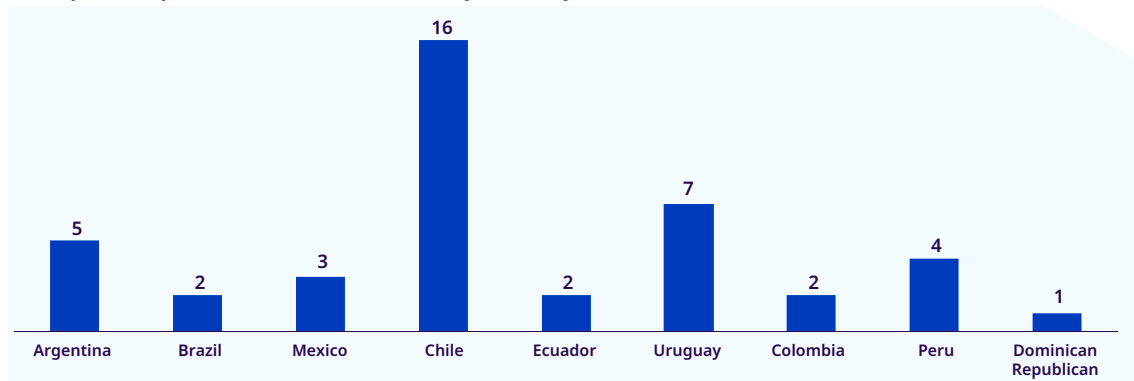
¹¹² Article 2 of the [Rules Governing the Representation Procedure under Articles 24 and 25 of the ILO Constitution](#).

¹¹³ ILO, [Rules of the game: An introduction to the standards-related work of the International Labour Organization \(Centenary Edition, 2019\)](#), p. 111.

► **Graph 1. Representations Presented by Year in Latin America and the Caribbean (2013-June 2025)¹¹⁴**

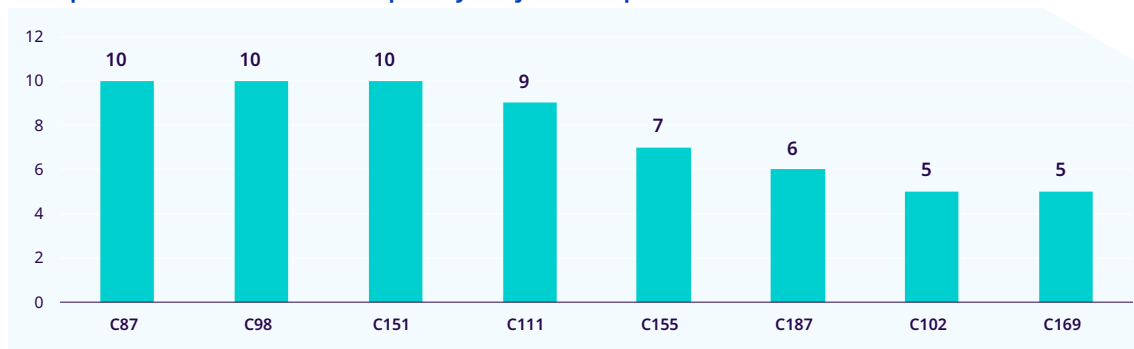


► **Graph 2. Representations Presented by Country (2019-June 2025)¹¹⁵**



81. The geographic distribution of representations is also uneven. More representations were filed against certain countries in the region than others. For example, Argentina, Chile, Peru, and Uruguay accounted for 76 per cent of the representations presented between 2019 and June 2025. Additionally, a representation under Article 24 may refer one or more Conventions. During this period, a total of 36 Conventions and 1 Protocol were referred to in the representations made in the region. However, allegations were most frequently made concerning eight specific Conventions.

► **Graph 3. Conventions Most Frequently Subject to Representations¹¹⁶**



¹¹⁴ Data compiled based on information available in Normlex.

¹¹⁵ Data compiled based on information available in Normlex.

¹¹⁶ Data compiled based on information available in Normlex.

82. While representations alleging violation of freedom of association, the right to organise, and collective bargaining, particularly regarding Conventions Nos. 87, 98, 151 and 154, are usually referred to the Committee on Freedom of Association (CFA) for review, as will be explained in more detail below, numerous complaints have been presented under Article 24 concerning the application of these Conventions. The Governing Body refers representations presented under Article 24 concerning allegations of violations of freedom of association and collective bargaining to the CFA because such complaints concern Conventions handled exclusively by this mechanism. If a representation also relates to other Conventions, only the allegations regarding freedom of association and collective bargaining are referred to the CFA for examination.

83. The table below lists the Conventions most frequently mentioned in connection with the respective countries against which the representations were presented.

► **Table 6. Conventions Most Frequently Subject to Representations by country**

Convention	Countries Subject to Representations
C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)	Argentina, Chile, Uruguay
C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98)	Argentina, Chile, Uruguay
C151 - Labour Relations (Public Service) Convention, 1978 (No. 151)	Argentina, Brazil, Chile, Uruguay
C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111)	Chile, Colombia, Dominican Republic, Peru, Uruguay
C155 - Occupational Safety and Health Convention, 1981 (No. 155)	Argentina, Mexico, Uruguay
C102 - Social Security (Minimum Standards) Convention, 1952 (No. 102)	Dominican Republic, Mexico, Peru, Uruguay
C169 - Indigenous and Tribal Peoples Convention, 1989 (No. 169)	Argentina, Brazil, Chile, Ecuador
C187 - Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)	Argentina, Chile

► 2.5. Complaints Submitted to the Committee on Freedom of Association

84. In 1950, following the adoption of the fundamental Conventions on freedom of association, protection of the right to organise, and collective bargaining, the ILO Governing Body established the Committee on Freedom of Association (CFA)¹¹⁷ to provide a specialised mechanism for examining alleged violations of these rights, regardless of whether these fundamental instruments have been ratified by Member States.¹¹⁸ The Committee reviews allegations of infringement of the principles of freedom of association and the effective recognition of the right to collective bargaining, as enshrined in the Constitution of the International Labour Organization (preamble), the Declaration of Philadelphia, and as expressed in the Resolution of the International Labour Conference of 1970. The Committee meets three times a year and has a total of 18 members—six drawn from governments, employers, and workers—and is chaired by an independent chairperson.¹¹⁹

¹¹⁷ See: [Special procedures for the examination in the International Labour Organization of complaints alleging violations of freedom of association](#)

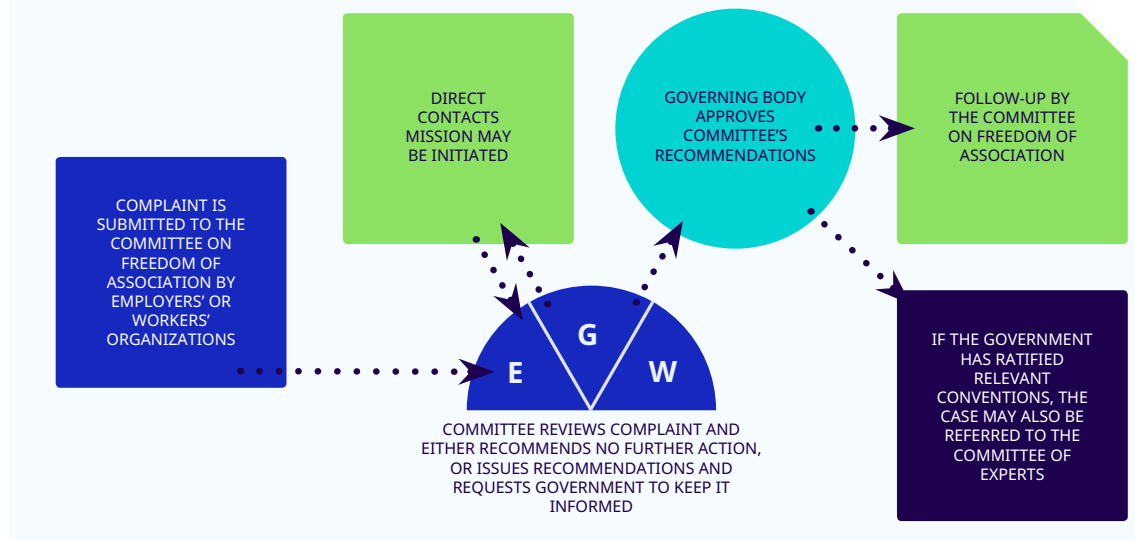
¹¹⁸ ILO, [70 Years of the ILO Committee on Freedom of Association: A Reliable Compass in Any Weather](#). International Labour Organization– Geneva: ILO, 2022

¹¹⁹ ILO, [Annual Report of the Committee on Freedom of Association](#), 2024, p. 5.

85. To make a complaint to the Committee on Freedom of Association (CFA), certain conditions of receivability must be met. The complaint must indicate clearly that it is made to the Committee; it must be made by an employers' or workers' organisation; it must be presented in writing, duly signed by a representative of a body entitled to present them.¹²⁰ The allegations must not be of a purely political nature and must be clearly formulated and supported by evidence. It is not necessary to have exhausted domestic remedies before filing a complaint; however, the Committee may take into account any information in this regard.

86. The Committee examines allegations of alleged violations and decides on their merits. The conclusions formulated by the Committee in each specific case are intended to guide governments and national authorities in their discussions and in taking measures to follow up on its recommendations related to freedom of association and the effective recognition of the right to collective bargaining. The complaint procedure before the Committee is not aimed at assigning blame or punishment, but at engaging in constructive tripartite dialogue to promote respect for freedom of association in law and in practice. In performing this task, the Committee considers different legal systems and national realities.¹²¹ In this sense, the monitoring of a case continues until it is fully closed with a "final report", or in cases where "a report in which the Committee requests to be kept informed of developments", until the follow-up given to its recommendations is complete.¹²²

► **Flowchart 4. Proceedings before the Committee on Freedom of Association**¹²³



2.5.1. Committee on Freedom of Association in Figures

87. Of the 3,500 complaints submitted to the CFA between 1951 and the first half of 2025, 55 per cent came from Latin America and the Caribbean, totalling 1,959 cases¹²⁴, despite this region representing only about eight per cent of the world's population.¹²⁵ Between 2019 and June 2025, 77 complaints were filed with the Committee, compared to 216 complaints during the previous period, from 2013 to 2018. As of June 2025, there were 61 ongoing cases from the region.

¹²⁰ ILO, *Rules of the game: An introduction to the standards-related work of the International Labour Organization (Centenary Edition, 2019)*, p. 115.

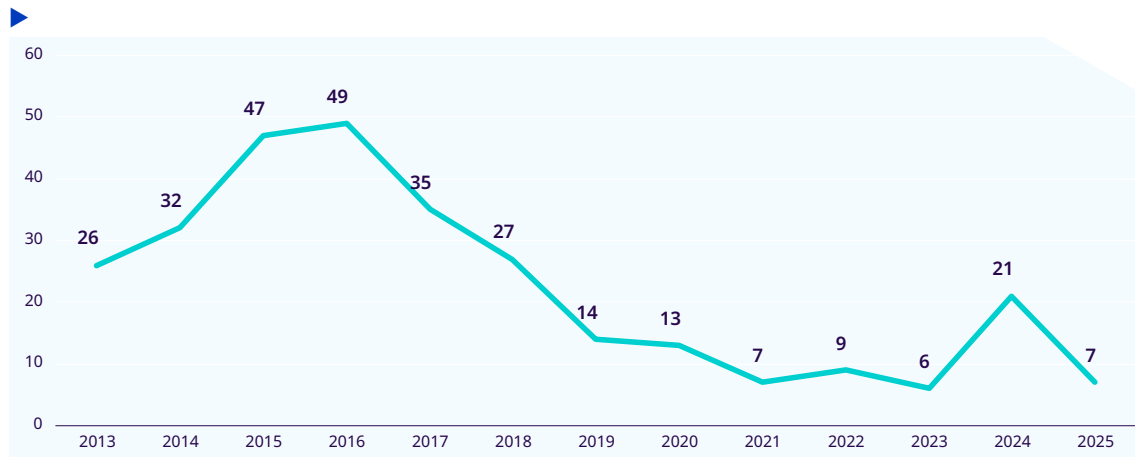
¹²¹ ILO, *Annual Report of the Committee on Freedom of Association*, 2024, p. 5.

¹²² For the purpose of this publication, in the context of the Normlex database, if a case is both under current consideration and under follow-up by the CFA, it is classified as an open case.

¹²³ ILO, *Rules of the game: An introduction to the standards-related work of the International Labour Organization (Centenary Edition, 2019)*, p. 115.

¹²⁴ Data compiled based on information available in Normlex.

¹²⁵ World Bank database [Population, total | Data](#).

► **Graph 4. Complaints Submitted to the Committee on Freedom of Association by Year (2013 - June 2025)¹²⁶**

88. Although the region has historically accounted for a high number of cases before the Committee, there has been a decline in the number of complaints filed between 2016 and 2023. Several factors could explain this decline, including the creation, reform, or strengthening of national tripartite mechanisms for social dialogue and the prevention and resolution of disputes related to international labour standards in some countries. For example, in Colombia, the reform of the Special Committee for the Handling of Conflicts Referred to the ILO (CETCOIT) in 2013.¹²⁷ Between 2013 and 2018, the CFA received 41 complaints from Colombia, compared to just seven complaints received during the period from 2019 to June 2025.¹²⁸

89. Another factor that may have influenced the reduction in the number of complaints submitted during this period is the COVID-19 pandemic. From 2013 to 2019, despite a downward trend, the average number of complaints filed remained high at 32.8 per year. Between 2020 and 2022, this average dropped to 14.5 cases per year, but increased again between 2023 and 2024. During the years of the pandemic and its aftermath, the tripartite constituents intensified social dialogue interactions in order to reach agreements that would mitigate the effects of the health crisis and address challenges in key areas such as employment, occupational safety and health, protection of the most vulnerable workers, working-time flexibility, training, and adaptation to new employment realities.¹²⁹

90. In this context, there was a notable increase in collective bargaining at both the national and company levels. The prioritisation of agreements and the involvement of the social partners in formulating public policy responses to the crisis may have helped reduce conflict.

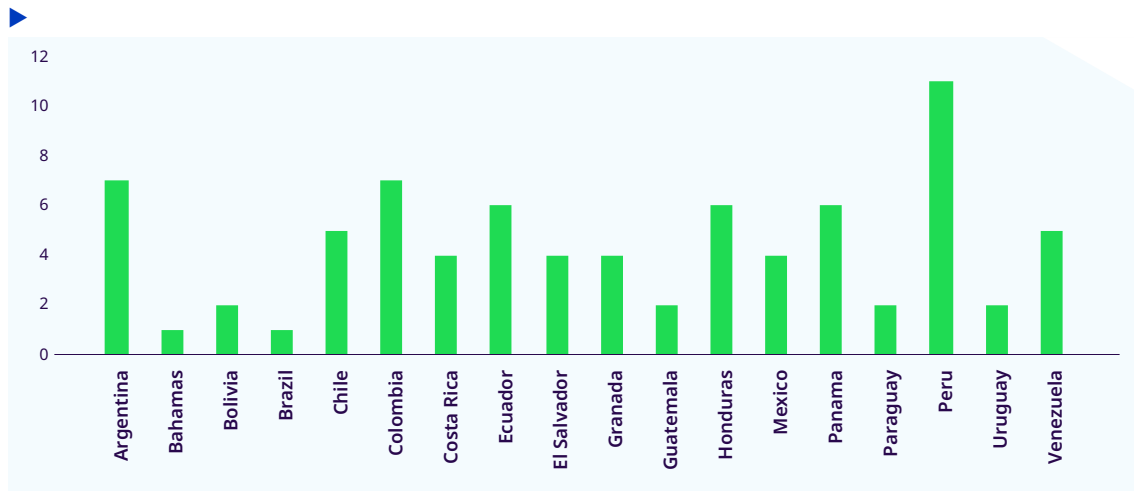
¹²⁶ Data compiled based on information available in Normlex.

¹²⁷ In 2013, CETCOIT underwent reforms that included the approval of the Case Receivability (Admissibility) Manual, which established the requirements and procedures to be followed before the Commission. For further details on CETCOIT, see Chapter 3 of this publication.

¹²⁸ Data compiled based on information available in Normlex.

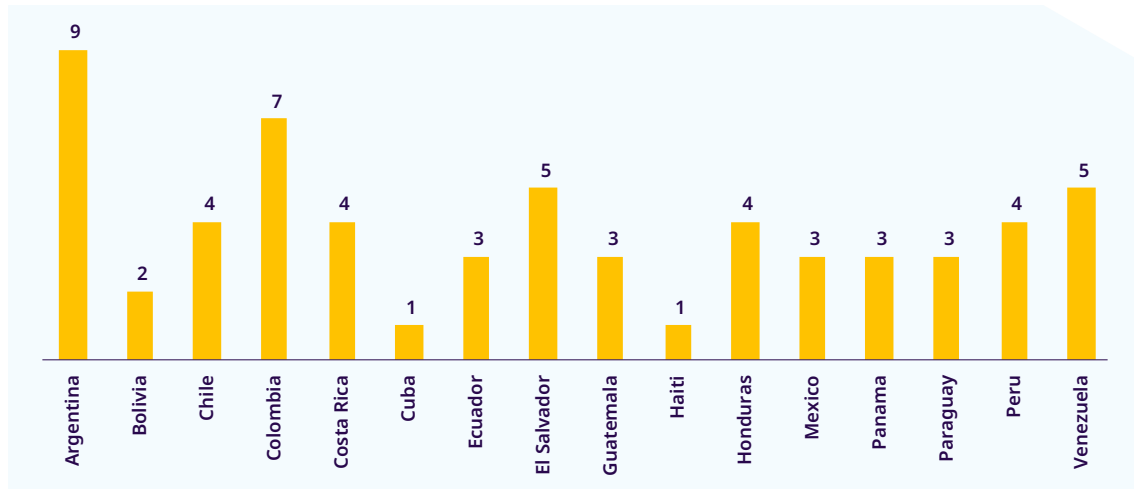
¹²⁹ ILO, [Social Dialogue Report 2022: Collective Bargaining for an Inclusive, Sustainable and Resilient Recovery](#), Geneva, 2022, p. 146.

► **Graph 5. Complaints Submitted to the Committee on Freedom of Association by Country (2019-June 2025)**¹³⁰



91. The cases pending in the Committee on Freedom of Association (CFA) address a variety of issues. As with representations under Article 24, which may concern more than one Convention per case, the Committee can review cases related to different allegations that fall within the scope of core Conventions on freedom of association, the right to organise, and collective bargaining.

► **Graph 6. Active Cases in the Committee on Freedom of Association by Country (June 2025)**¹³¹



2.5.2. Most Common allegations

92. According to the 2025 annual report of the Committee on Freedom of Association, covering the year 2024 and the origin of complaints and nature of allegations examined, it can be concluded that the main causes for filing complaints are threats to trade union rights and civil liberties, and protection against anti-union discrimination and violation of collective bargaining rights.¹³²

93. The most common allegations in pending active cases before the Committee on Freedom of Association as of June 2025 are listed below. In 35 per cent of the cases submitted, allegations concerned acts of harassment, discrimination, persecution, and anti-union violence. In 18 per cent of the cases,

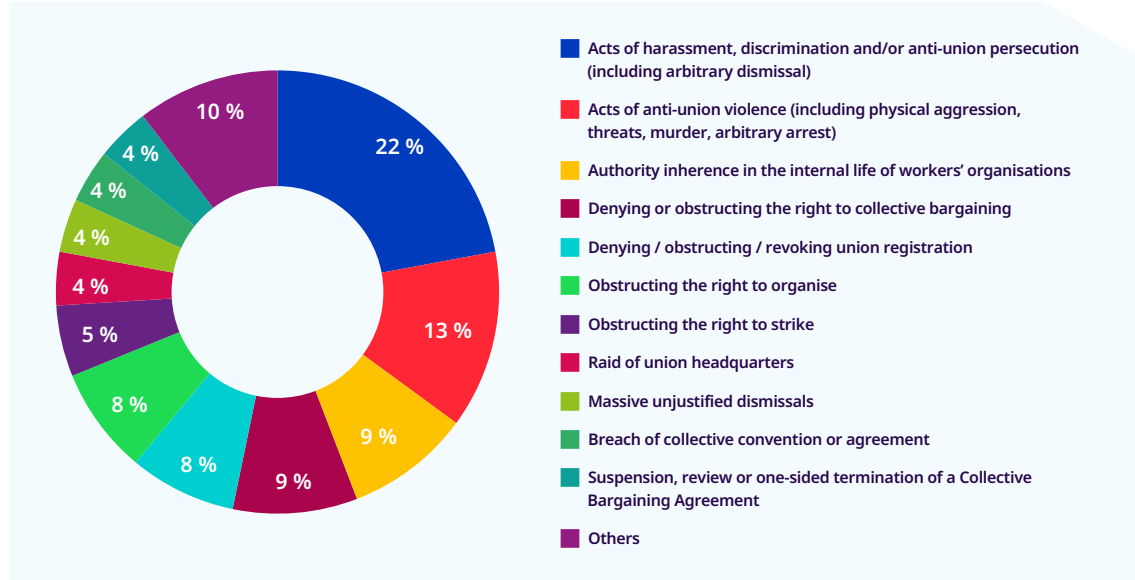
¹³⁰ Data compiled based on information available in Normlex.

¹³¹ Data compiled based on information available in Normlex.

¹³² OIT, [GB.353/INS/14/1 \(Add. 1\)](#), Presentation of the annual report for the period 2024 of the Committee on Freedom of Association; 353rd Session, Geneva, 10-20 March 2025.

there were allegations of denial or obstruction of trade union rights, including union registration.¹³³ These were followed by allegations related to interference in the internal activities of trade unions and their representatives, as well as obstruction of the right to collective bargaining. Some cases may involve more than one allegation.

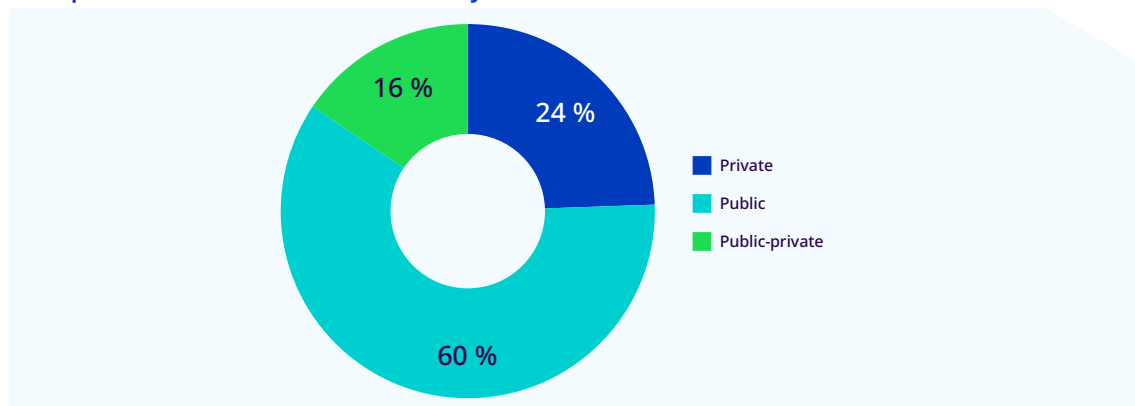
► Graph 7. Common Allegations in Active Cases¹³⁴



2.5.3. Complaints Submitted to the CFA Concerning the Public and Private Sectors

94. Complaints submitted to the Committee on Freedom of Association affect the public and private sectors differently. An examination of the allegations of active cases as of June 2025 shows that 60 per cent of cases were related exclusively to alleged violations in the public sector, while 16 per cent related to both sectors. Allegations related to violations in the private sector alone accounted for 24 per cent of the cases.¹³⁵

► Graph 8. Active Cases Before the CFA by Sector¹³⁶



¹³³ In-house analysis based on data compiled from information available in Normlex.

¹³⁴ In-house analysis based on data compiled from information available in Normlex and the reports of the Committee on Freedom of Association (CFA).

¹³⁵ In-house analysis based on data compiled from information available in Normlex and the reports of the Committee on Freedom of Association (CFA).

¹³⁶ In-house analysis based on data compiled from information available in Normlex and the reports of the Committee on Freedom of Association (CFA).

► 2.6. Voluntary conciliation in the context of the ILO's Supervisory System

95. In cases of complaints submitted under Article 24 of the ILO Constitution, as well as complaints addressed to the Committee on Freedom of Association (CFA), the supervisory bodies may, at the request of the parties, suspend the examination of the merits of the complaint or the representation brought before them at any time. This allows the organisation that brought about the case and the government against which it was brought to resolve the dispute through optional voluntary conciliation or other voluntary measures at the national level, aiming at advancing the resolution of related issues.¹³⁷

96. The option to suspend of the examination of the complaint was introduced in November 2018, during the standards initiative, when the Governing Body approved to a number of measures to strengthen the supervisory system, including improvement to the functioning of the representations under Article 24 of the ILO Constitution.¹³⁸ This measure was subsequently extended to cases submitted to the CFA.¹³⁹ Other national-level measures include the use of institutionalised procedures or bodies with a specific mandate to resolve labour disputes, or ad hoc dialogue forums to facilitate bringing the parties closer together. The suspension of examination, subject to mutual agreement of the parties, can be granted for a maximum of six months, and may be extended once for an additional period not exceeding six months.

97. As of June 2025, five cases in the region had their examination suspended due to voluntary conciliation processes—three of which involved complaints before the CFA and two under Article 24.¹⁴⁰ During the suspension period granted by the Governing Body, agreements were reached in three cases, resulting in the closing the complaints or claims.¹⁴¹ All these cases involved complaints submitted against the government of Chile and benefited from ILO facilitation and technical assistance throughout the conciliation process.

► 2.7. Support to National Tripartite Bodies on Conflict Prevention and Resolution

98. National tripartite bodies for dispute prevention and resolution are crucial institutions not only for settling disputes related to international labour standards, but also for enhancing their application. With this in mind, the ILO has provided technical assistance for the establishment of national tripartite dispute resolution mechanisms, especially concerning freedom of association, at the request of governments against complaints have been submitted to the Committee on Freedom of Association (CFA). The ILO supervisory bodies have noted the use of such mechanisms and have encouraged the Office to continue promoting their appropriate development. These mechanisms have proved to be very useful in preventing and resolving many disputes relating to freedom of association, and have sometimes offered a framework for the conclusion of collective agreements.¹⁴²

99. Colombia and Panama have created commissions of this type with encouraging results. In the Dominican Republic, it was decided to create a tripartite roundtable, the responsibilities of which include the prevention and appropriate treatment of any dispute relating to the application of ratified ILO Conventions with a view to finding solutions and reaching agreements. These cases will be discussed in more detail in the next chapter.

¹³⁷ GB.350/LILS/1, Governing Body, 350th Session, Geneva, 4-14 March 2024, Section on Legal Issues and International Labour Standards, Annex I.

¹³⁸ GB.341/INS/12/1, Governing Body, 341st Session, Geneva, March 2021, 393rd Report of the Committee on Freedom of Association.

¹³⁹ GB.341/INS/12/1, Governing Body, 341st Session, Geneva, March 2021, 393rd Report of the Committee on Freedom of Association.

¹⁴⁰ GB.354/INS/8, Governing Body, 354th Session, 411th Report of the Committee on Freedom of Association, 14 June 2025

¹⁴¹ See: Reports of the Governing Body: [GB.350/INS/18/1, March 2024](#), [GB.353/INS/15/4, March 2025](#) and [GB.354/INS/10/2, June 2025](#).

¹⁴² ILO, Rules of the game: An introduction to the standards-related work of the International Labour Organization. p. 116.



3

National Tripartite Bodies for Labour Disputes Prevention and Resolution:

Application of International Labour
Standards and Social Dialogue

3. National Tripartite Bodies for Labour Disputes Prevention and Resolution: Application of International Labour Standards and Social Dialogue

► 3.1. Background

100. Effective social dialogue institutions and processes are vital tools for preventing and resolving labour disputes. Strong and well-established social dialogue mechanisms foster the strengthening of tripartite partners, building trust, credibility, and social peace.

101. As previously noted, international labour standards form a global framework of instruments related to labour and social policies, supported by a supervisory system that addresses all types of issues arising from their application at the national level. The tripartite structure of surrounding their adoption ensures these standards are endorsed by all stakeholders, establishing the basic minimum social standards agreed upon by all those participating in the global economy.

102. It is important to highlight the role of national tripartite bodies tasked with preventing and resolving labour disputes, particularly those dedicated to ensuring the application of international labour standards. The national tripartite bodies mentioned in this document emerged in response to the increase in the number of complaints submitted to the ILO supervisory bodies, aimed at resolving disputes related to international labour standards at the national level, with constituents seeking technical assistance from the ILO.

103. By the late 1990s, the number of complaints submitted by the CFA against governments in Latin America and the Caribbean had risen significantly, and the time required to handle them had lengthened. Moreover, many of the allegations in these complaints appeared resolvable at the national level, often without the immediate recourse to an international body.¹⁴³ Visits by ILO representatives to various countries frequently revealed the absence of a solid social dialogue capable of fostering solutions and commitments for the full implementation of fundamental Conventions. A lack of trust between tripartite constituents and State institutions was often cited as a key factor prompting reliance on the ILO supervisory bodies.¹⁴⁴

104. In the region, only six countries have established national tripartite bodies for this purpose. Despite their consolidation within their respective national contexts, these mechanisms have faced challenges in maintaining sustainability over time. The following section systematises available information on these bodies in the region, including their composition, governance, and functions. Final reflections address the difficulties faced and opportunities identified to enhance their effective operation.

► 3.2. Implementation of National Tripartite Bodies for Labour Disputes Prevention and Resolution

105. National tripartite bodies for labour disputes prevention and resolution related to the application of ILS are institutions that promote and facilitate dialogue among governments, workers' organisations and employers' organisations. Their purpose is to enable the parties to directly resolve labour disputes concerning the application of international labour Conventions. Such institutions are

143 Guido, H.: [Reasonable Tripartite Dispute Resolution Mechanisms for International Labour Standards \(ILS\) promoted by the ILO](#), Rev. TST, São Paulo, vol. 83, No 3, Jul/Sep 2017, p. 114.

144 Guido, H.: [Reasonable Tripartite Dispute Resolution Mechanisms for International Labour Standards \(ILS\) promoted by the ILO](#), p. 117.

present in Argentina, Colombia, Honduras, Guatemala, Panama, and the Dominican Republic.¹⁴⁵ Although all these bodies are founded on social dialogue processes and decision made by tripartite partners in the countries where they were established, they differ regarding the instrument used to implement and consolidate their governance models. In some countries, their creation was formalised through a national tripartite agreement, whereas in other countries, institutionalisation occurred via a legal framework, based on social dialogue processes that led to their formation.

3.2.1. Bodies Established through a Legal Framework

106. Bodies established through a legal or regulatory framework originate from a legal act issued by a competent authority—whether government or legislative—that regulates and defines specific guidelines for their organisation and operation. Having such bodies institutionalised under a regulatory framework is often considered particularly important because it ensures legal certainty regarding their creation, mandate, and procedure. In Latin America and the Caribbean, three countries have mechanisms for addressing conflicts of this type: Argentina, Guatemala, and Panama.

Argentina: Social Dialogue Commission for the Future of Work

107. In 2019, Resolution No. 225¹⁴⁶ of the Ministry of Production and Labour of Argentina established the Social Dialogue Commission for the Future of Work in Argentina. The purpose of body is to serve as a national body for rapprochement between the social partners and the National Government, and to ensure the proper implementation of ILO Conventions ratified by the Argentine Republic, within the framework of proactive dialogue for the improvement of labour standards.¹⁴⁷

108. The Commission also comprises two subcommittees: one on labour standards, which addresses issues related to periodic monitoring under Articles 19, 22, and 23 of the ILO Constitution, as well as complaints under Article 24; and another on specific cases, which handles complaints concerning freedom of association.¹⁴⁸

Guatemala National Tripartite Commission on Labour Relations and Freedom of Association

109. The Ministerial Agreement No. 45/208, of the Ministry of Labour and Social Welfare of Guatemala established the National Tripartite Commission on Labour Relations and Freedom of Association as a permanent, high-level, tripartite body. The Commission aims at promoting compliance with international labour commitments and foster good labour relations. It is composed of representatives from the employers sector, the workers sector, and the government, on a representative and equitable basis. The body is divided into three sub-commissions that address the needs of workers and employers in the areas of collective bargaining and freedom of association:

► **Roadmap Compliance Subcommittee.** This subcommittee guides the actions necessary to comply with the Roadmap established by virtue of the commitments assumed by Guatemala's constituents in the representation filed with the ILO under Article 26 of its Constitution, for noncompliance with Convention No. 87.¹⁴⁹

¹⁴⁵ See country profiles related to international labour standards: [Country Profiles](#)

¹⁴⁶ See: [Resolution 225/2019](#), published on 05/04/2019.

¹⁴⁷ See: [The Commission of Social Dialogue for the Future of Work was created | Argentina.gob.ar](#)

¹⁴⁸ [C.App./D/Argentina-C.87](#), Committee on the Application of Standards, International Labour Conference, 108th Session, Geneva, June 2019.

¹⁴⁹ For information on the Roadmap and the complaint under Article 26 complaint, see: [GB.334/INS/9 \(Rev.\)](#), Governing Body, 334th Session, Geneva, 25 October - 8 November 2018; [Complaint concerning non-observance by Guatemala of the Freedom of Association and Protection of the Right to Organise Convention, 1948 \(No. 87\), made by delegates to the 101st Session \(2012\) of the International Labour Conference under Article 26 of the ILO Constitution.](#)

- **Mediation and Dispute Resolution Subcommittee.** This subcommittee is responsible for promoting and proposing solutions to disputes and complaints related to freedom of association and collective bargaining that have been submitted for consideration.
- **Subcommittee on Labour Legislation and Policy.** This subcommittee is tasked with issuing tripartite opinions to the Labour Committee of the Congress of the Republic on legislative initiatives concerning labour and social security.

Panama Committee for the Rapid Handling of Complaints concerning Freedom of Association and Collective Bargaining

110. In 2012, the tripartite agreement known as the Panama Tripartite Agreement, signed in Panama City, agreed to initiate, starting February 27, 2012, with the support of the ILO, a dialogue process concerning the comments of the Committee of Experts on the Application of Conventions and Recommendations (CEACR) regarding the implementation of Conventions Nos. 87 and 98. This also included the discussion held in June 2011 at the Standards Committee of the International Labour Conference, with the aim of drafting of a bill that would consider potential amendments to the legal standards under review.

111. Additionally, the agreement established, with the assistance of the ILO, a Tripartite Commission for Rapid Handling of Complaints to examine urgently any reports of violations of freedom of association and collective bargaining. The goal is to find solutions and reach agreements. The Commission could also follow up on the recommendations made by the Committee on Freedom of Association. It was agreed that this Commission would begin its work on March 1, 2012, with the support of an independent Moderator appointed by mutual agreement of the parties. In this context, Decree No. 156/2021 established the Commission for the Tripartite Commission for Rapid Handling of Complaints on Freedom of Association and Collective Bargaining, as well as the Commission of the Tripartite Agreement of Panama responsible for discussing and proposing regulations the align national laws with the criteria established by the ILO supervisory bodies on the Conventions ratified by Panama, starting with those related to freedom of association and collective bargaining.

112. The decree also refers to the appointment of an independent moderator and an alternate. The Commission reviews all complaints of violations of freedom of association and collective bargaining with the aim of finding solutions and reaching agreements. This Commission is also responsible for monitoring the recommendations issued by the ILO's Committee on Freedom of Association.

3.2.2. Bodies Established by Tripartite Agreement

113. The Tripartite Agreement is one of the most powerful expressions of social dialogue, occurring when, through a formal agreement, the three partners of tripartism-governments, workers' organisations, and employers' organisations- establish strategic collaboration to achieve specific objectives and commit to joint efforts to accomplish them. A key value of this type of agreement is that all three parties are committed to fulfilling their obligations and responsibilities. In Colombia, Honduras, and the Dominican Republic, tripartite bodies for dispute prevention and resolution were initially implemented through tripartite agreements.

Colombia Special Committee for the Handling of Conflicts Referred to the ILO(CETCOIT)

114. In Colombia, the Standing Commission for the Coordination of Wage and Labour Policies (CPCPSL) was established by Article 56 of the Political Constitution of Colombia. Its purpose to promote sound labour relations, contribute to resolving collective labour disputes, and coordinate wage and labour policies. This tripartite commission is the main forum for advancing social dialogue on labour and wage issues in the country.¹⁵⁰

150 See: [Labour Jurisprudence Economic Situation. First National Meeting of Technical Secretaries. Regulations. MINIMUM WAGE PROCEEDINGS - Standing Commission for the Coordination - Ministry of Labour \(mintrabajo.gov.co\)](#)

115. The country has a longstanding history of complaints submitted to the ILO supervisory bodies. A complaint under Article 26¹⁵¹ of the ILO Constitution prompted a direct contact mission and the subsequent appointment of a Representative of the ILO Director-General for Colombia. One of his first observations concerned the high volume of complaints received by the ILO supervisory system from Colombia.

116. In response, the Standing Commission for the Coordination of Labour and Wage Policies decided, by agreement concluded on October 31, 2000, to establish the Special Committee for the Handling of Conflicts Referred to the ILO (CETCOIT). The purpose of this Committee is to address disputes arising under the provisions of ILO Conventions ratified by Colombia, with particular emphasis on those related to freedom of association. CETCOIT is composed of three representatives from the employer sector, three representatives from the workers sector, and three representatives from the government. The agreement also indicated that handling a dispute or complaint through CETCOIT does not prevent the parties from resorting to relevant legal bodies or the ILO supervisory system.¹⁵²

Honduras: Sectoral Committee for the Handling of Disputes referred to the ILO (MEPCOIT)

117. In 2018, in response to increasing social unrest and the need to promote sound labour relations, the Economic and Social Council (CES) of Honduras, a forum for dialogue on socio-economic and labour matters of Honduras, agreed to establish the Sectoral Roundtable for the Prevention of Disputes before the ILO - MEPCOIT —as a tripartite technical body. Its main objective is to gather information, study, and evaluate— at the request of interested parties—any complaints submitted to the ILO, and to provide documented technical recommendations. MEPCOIT also examines disputes arising under matters regulated by ILO conventions ratified by Honduras, in order to avoid filing complaints with the ILO and contribute to the reduction of social conflict in the country.¹⁵³

118. The primary purpose of the Roundtable is to create a space for conflicting parties to engage in dialogue and reach agreements that resolve their difference, thereby offering a national alternative to filing of claims before the ILO.

Dominican Republic: Committee for the Handling of Issues related to International Labour Standards

119. The Committee for the Handling of Issues related to International Labour Standards was established by agreement of the representatives of the Ministry of Labour of the Dominican Republic, workers and employers sectors on July 1, 2016. Its purpose is to analyse and discuss compliance with the ILO Conventions ratified by the country, with particular emphasis on fundamental and governance Conventions. The Committee also aims to prevent and appropriately address disputes related to the application of the ILO Conventions ratified by the Dominican Republic, seeking solutions and agreements. Within this framework, it is also possible to monitor the observations of the Committee of Experts (CEACR), the conclusions of the Committee on the Application of Standards (CAS), and the recommendations of the Committee on Freedom of Association (CFA). In the case of the Dominican Republic, the Tripartite Agreement establishing the Committee was signed by the Ministry of Labour, trade union organisations, and employers' organisations, with support from the ILO.

120. However, the Committee remained inactive until 2023, following the departure of the National Confederation of Dominican Workers (CNTD) and the National Confederation of Trade Union Unity

¹⁵¹ See: [Article 24 \(ilo.org\)](https://www.ilo.org/article-24)

¹⁵² Guido, H.: [Reasonable Tripartite Dispute Resolution Mechanisms for International Labour Standards \(ILS\) promoted by the ILO](#), Rev. TST, São Paulo, vol. 83, No 3, Jul/Sep 2017, p. 123.

¹⁵³ ILO, Freedom of Association, Social Dialogue and Dispute Resolution: Proceedings of the 2024 Subregional Conference, Panama City, Panama, March 18-21, 2024, p.39.

(CNUS). An agreement was signed on October 25 of that year to reactivate it.¹⁵⁴ The regulations under the new agreement establish its objectives, functions, and the establishment of a technical secretariat, as well as the creation of the role of mediator. The regulations specify that the Committee has no jurisdiction over rights in disputes subject to statutory limitations, nor is it competent to hear individual labour rights or issues concerning legal entities that do not exist, with the exception of trade unions in the middle of the process of formation. The procedures for submitting requests are also outlined, requiring them to be made in writing.

121. The case handling committee is led by the mediator, who may choose to convene the parties involved either together or separately. Disputes can only be settled with the express consent of the parties. A record of partial or total agreements is drawn up. If no agreement is reached, the Tripartite Committee may present a proposal to the parties after evaluating the case.

► 3.3. Composition and Governance of National Tripartite Bodies for Labour Dispute Prevention and Resolution

122. All existing dispute settlement bodies in the region (Argentina, Colombia, Dominican Republic, Honduras, Guatemala, Panama, and Guatemala) are tripartite in composition. In the bodies established by tripartite agreement, in the cases of Colombia and Honduras, these bodies are hierarchically dependent on a higher-level tripartite structure. Only in the Dominican Republic did the agreement establish such a higher-level structure, granting it autonomy.

123. The Regulatory Subcommittee of Argentina reports to the Social Dialogue Commission for the Future of Work, and is chaired by the government, through the Ministry of Production and Labour. The workers' sector is represented by the Confederación General del Trabajo de los Argentinos (*General Confederation of Labour of Argentina*, CGT), the Unión Argentina de Trabajadores Rurales y Estibadores (*Argentine Union of Rural Workers and Stevedores*, UATRE) —a trade union representing rural workers—, the Central de Trabajadores de la Argentina (*Autonomous Argentine Workers' Central Union*, CTA Autónoma), and the CTA de los Trabajadores (Workers' CTA). Representing the employers are Unión Industrial Argentina (*Argentine Industrial Union*, UIA), Cámara Argentina de Comercio y Servicios (*Argentine Chamber of Commerce and Services*, CAC), Confederación Argentina de la Mediana Empresa (*Argentine Confederation of Medium-Sized Enterprises*, CAME), Asociación Empresaria Argentina (*Argentine Business Association*, AEA), Sociedad Rural Argentina (*Argentine Rural Society*, SRA), Confederaciones Rurales Argentinas (*Argentine Rural Confederations*, CRA), Federación Agraria Argentina (*Argentine Agrarian Federation*, FAA), Confederación Intercooperativa Agropecuaria Limitada (*Limited Inter-cooperative Agricultural Confederation*, CONINAGRO), Cámara Argentina de la Construcción (*Argentine Chamber of Construction*, CAMARCO), Asociación de Bancos Argentinos (*Argentine Bankers Association*, ADEBA), Asociación de Bancos de la Argentina (*Banking Association of Argentina*, ABA), Bolsa de Comercio de Buenos Aires (*Buenos Aires Stock Exchange*, BCBA) and Instituto para el Desarrollo Empresarial de la Argentina (*Business Development Institute of Argentina*, IDEA). The subcommittee has a technical secretariat provided by the Directorate of International Affairs of the Ministry of Production and Labour.

124. In Colombia, CETCOIT reports to the Standing Commission on Labour and Wage Policies (CPCPSL), chaired by the Vice-Minister of Labour Relations and Inspection of the Ministry of Labour. The case body is chaired by a mediator or facilitator appointed by the CPCPSL. CETCOIT is composed of representatives from the Ministry of Labour (representing the government), the workers' sector -represented by Central Unitaria de Trabajadores (*Workers' Central Union*, CUT), the Confederación de Trabajadores de Colombia (*Confederación General del Trabajo*, CGT), and the Confederación de Trabajadores de Colombia (Confederation of Colombian Workers, CTC), and the employers' sector -represented by the Asociación Nacional de Empresarios (National Association of Employers, ANDI), the Asociación Bancaria y de Entidades Financieras de Colombia (*Colombian Association of Banks and Financial Institutions*, Asobancaria) and the Asociación Colombiana de Medianas y Pequeñas (*Colombian Association of Medium and Small Enterprises*, ACOPI). CETCOIT has a technical secretariat managed by

¹⁵⁴ See: [Observation \(CEACR\) - Adoption: 2024, Publication: 113th ILC meeting \(2025\)](#) and [Observation \(CEACR\) - Adoption: 2020, Publication: 109th ILC meeting \(2021\), Convention No. 144.](#)

the Fundamental Rights Directorate of the Ministry of Labour. The agency's powers, composition, and functions are organised both organically and functionally under the Standing Commission, which, as previously noted, has a constitutional basis and is established by Law No. 278 of 1996.

125. The Sub-commission for Mediation and Dispute Resolution of Guatemala reports to the National Tripartite Commission for Labour Relations and Freedom of Association. It is composed of the government-represented by the Ministry of Labour and Social Welfare; one (1) representative and one (1) alternate (1) from each worker sector; and one (1) representative and one (1) alternate (1) from each employer sector. These representatives are appointed for three-year terms. The Ministerial agreement establishing the sub-commission outlines the appointment process, stating that nominations shall be submitted by each sector through its most representative organisations to the Ministry of Labour and Social Welfare. The Ministry of Labour and Social Welfare shall issue credentials to each member and alternate, indicating the position for which they were appointed.

126. In the event of definitive absence of an incumbent or alternate, the appointing entity shall make a new proposal so that the Ministry of Labour and Social Welfare can make the appointment. The newly appointed individual shall complete the term of the person they replace. The subcommittee shall have a mediator, and the technical secretary shall be provided by the International Affairs Unit.

127. The MEPCOIT of Honduras is a tripartite body composed of nine members and their respective alternates, with three representatives from each of the sectors comprising the ESC. Each full member has the right to speak and vote, and shall be automatically replaced by their respective alternate, in cases of absence, as well as in cases of excused absence or recusal accepted by the MEPCOIT.

128. Within its organisational structure, the Council's executive body is the Technical Secretariat, which includes various bodies such as the Sectoral Committees established to address specific issues. The Committee has a coordinator, selected from among its members and proposed by the sector currently presiding over the ESC Assembly. The presidency rotates annually. The Technical Secretariat, part of the Council's organisational structure, is composed of various bodies, including the Sectoral Committees responsible for specific issues. Individuals not involved in a dispute but able to provide information on a particular matter may attend MEPCOIT meetings as guests. Such guests do not have voting rights and attend solely to provide input on the issue for which they may be invited.

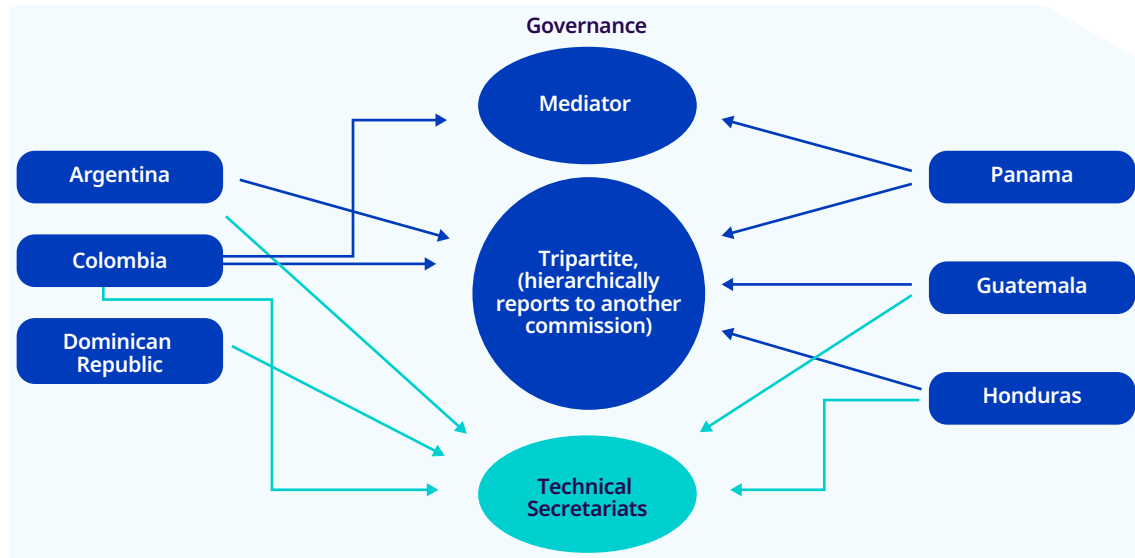
129. Commission for the Tripartite Commission for Rapid Handling of Complaints on Freedom of Association and Collective Bargaining of Panama is composed of the Ministry of Labour, representing the workers' the Consejo Nacional de Trabajadores Organizados (*National Council of Organized Workers*, CONATO), the Confederación de Unidad Sindical Independiente (*Confederation of Independent Trade Union Unity*, CONUSI), the Federación Nacional de Servidores Públicos (*National Federation of Public Servants*, FENASEP); and the employers, the Consejo Nacional de la Empresa Privada (*National Council of Private Enterprise*, CONEP).

130. The Commission has an independent mediator and under Resolution No. 104 of 2024 of the Ministry of Labour, the Directorate of International Affairs of said Ministry was appointed as the technical secretariat. At the 101st International Labour Conference, on June 4, 2012, during a meeting between the members of the Panama Tripartite Agreement Commissions and the ILO, it was agreed to adopt a procedure for the receivability of complaints, establish a schedule of monthly meetings, appoint a Panamanian national as an independent moderator, and request ILO assistance in these tasks. In 2012, the Rules of Procedure and the process for adopting agreements were also approved. All three sectors must be present at every meeting. For the trade union sector, presence is considered when at least one representative of CONATO and one of CONUSI attend. However, each sector-trade union, employer, and government-has only one vote. These Rules of Procedure have remained unchanged.

131. In the Dominican Republic, the Committee for the Handling of Issues Related to International Labour Standards is composed of the governmental sector, represented by three members of the Ministry of Labour, three representatives of the Government. The employer sector is represented by one member of the Consejo Nacional de la Empresa Privada (*National Council of Private Enterprise*, CONEP), a member of the Confederación Patronal de la República Dominicana (*Employers' Confederation of the Dominican Republic*, CAPARDOM), and a third organization selected on a rotating basis and by consensus between CONEP and COPARDOM, depending on the issues to be discussed. The workers' sector includes

one member of the Confederación Nacional de Trabajadores Dominicanos (*National Confederation of Dominican Workers*, CNTD), one member of the Confederación Autónoma Sindical Clasista (*Autonomous Class Union Confederation*, CASC), one member of the Confederación Nacional de Unidad Sindical (*National Confederation of Union Unity*, CNUS). All of these representatives have their respective alternates. Each organisation may be accompanied by an advisor who has a voice, but no vote.

► **Graph 9. Governance of Tripartite Bodies**



132. The technical secretary shall be a civil servant appointed by the Ministry of Labour. The term of office will be determined by each organisation. The agreement establishing the Committee also states it shall convene at least once every three months at the Ministry of Labour headquarters; however, extraordinary meetings are possible upon formal request by any party. A quorum requires at least five members, always including tripartite representation. The rules of procedure specify the rights and obligations of the representatives, who must attend in good faith, actively participate in meetings, keep issues discussed confidential, follow up on agreements, and promote the objectives and functions of the Committee.

► **3.4. Mandates of National Tripartite Bodies for Labour Dispute Prevention and Resolution**

133. The primary functions of the national tripartite bodies are carried out within the framework of compliance with international labour standards and the recommendations of the ILO supervisory bodies.

134. Argentina's Subcommittee on Social Dialogue has the explicit function of examining representations submitted under Article 24 of the ILO Constitution and cases pending before the Committee on Freedom of Association:

- To receive issues for consideration and render decisions on them;
- To mediate with social partners to improve compliance with ILO Conventions ratified by Argentina;
- To promote the prioritisation of social dialogue as a natural dispute resolution mechanism;
- To strengthen and deepen social dialogue, prioritising the fulfilment of commitments made to the ILO, and seeking to address at the national level representations submitted under Article 24 of the ILO Constitution and the cases pending before the Committee on Freedom of Association.

135. In Colombia, CETCOIT has the following functions:

- To gather information, study, and evaluate situations submitted by State institutions, trade union, and employer organisations at all levels regarding freedom of association, with the aim of submitting documented recommendations to the CPCPSL; At the request of the involved parties, to intervene in the handling of disputes and complaints concerning freedom of association, the right to organise, and collective bargaining, especially regarding ILO Conventions Nos. 87 and 98;
- To promote solutions to disputes and complaints concerning freedom of association that have been brought before CETCOIT;
- To handle cases already before the ILO in Geneva or new disputes likely to reach that body.

136. In all cases, CETCOIT shall act only at the request of a party. The handling of a dispute or complaint by CETCOIT does not prevent the parties from resorting at any time during the process to the relevant legal bodies or the ILO.

137. Like Colombia's, Guatemala's Subcommittee on Mediation and Dispute Settlement deals solely with Conventions concerning freedom of association, the right to organise, and collective bargaining. Its responsibilities include:

- To promote and propose solutions to disputes and complaints related to freedom of association and collective bargaining submitted for its consideration; To intervene, as a pro bono mediator, at the request of the parties, in handling disputes and complaints related to freedom of association and collective bargaining, related to ILO Conventions No. 87, 98, and 154.
- To prepare proposals for resolving disputes related to freedom of association and collective bargaining to be submitted to the relevant authorities.

138. The Sectoral Committee for the Dispute Prevention of Disputes before the International Labour Organization of Honduras is responsible for overseeing disputes arising from Conventions ratified by the country before the ILO, as well as for monitoring the follow-up to recommendations from the ILO supervisory bodies:

- To create a space for disputing parties to engage in dialogue and reach agreements to settle discrepancies, gathering information, studying, and evaluating potential complaints submitted to the ILO. It also intervenes at the request of interested parties to handle disputes related to matters governed by ILO Conventions ratified by Honduras, with the aim of preventing complaints from being submitted to the ILO.
- To conduct a technical review of reforms to the Labour Code in light of the conclusions of the Report of the Committee on the Application of Standards of the 107th International Labour Conference (Honduras Case).

139. In Panama, the Commission for the Tripartite Commission for Rapid Handling of Complaints on Freedom of Association and Collective Bargaining only deals with Conventions on freedom of association, right to organise, and collective bargaining. Its powers include:

- To examine all complaints of violation of freedom of association and collective bargaining, with the goal of finding solutions and reaching agreements.
- To follow up on the recommendations issued by the Committee on Freedom of Association of the ILO Governing Body.

140. The Committee for the Handling of Issues Related to International Labour Standards of the Dominican Republic is responsible for addressing disputes arising from matters regulated by the Conventions. It also analyses and discusses compliance with international labour conventions ratified by the country, promotes legislative adaptation and implementation of ratified Conventions and, undertakes the following:

- To analyse and discuss compliance with the ILO Conventions ratified by the Dominican Republic, with particular emphasis on the fundamental and governance Conventions;
- To promote appropriate legislation and practices in line with ratified Conventions.
- To discuss and prepare reports that the government must submit to the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR). It also discusses and, where appropriate, promotes the implementation of recommendations from the CEACR, the Committee on the Application of Standards, and the Committee on Freedom of Association.
- To find solutions and reach agreements through dialogue and consensus to all disputes related to the application of ILS. Parties should address any ILS-related disputes prior to resorting to the ILO supervisory bodies.
- To appoint a mediator to facilitate resolution of the dispute.

► 3.5. Regulations and Functioning of the National Tripartite Bodies for Labour Dispute Prevention and Resolution

3.5.1. Technical Secretariats

141. The technical secretariats are bodies or professionals responsible for planning, organising, and executing administrative activities. These include document management, organising meetings and events, data handling, and assisting in the preparation of reports and presentations for the commissions linked to social dialogue institutions by explicit mandate. They serve as a liaison between the institutions and the members of the commissions.

142. Except for the Commission for the Tripartite Commission for Rapid Handling of Complaints on Freedom of Association and Collective Bargaining of Panama, which does not have a technical secretariat, the commissions of Argentina, Colombia, Honduras, Guatemala, and the Dominican Republic all have such bodies.

143. In Argentina, the technical secretariat is provided by the Directorate of International Affairs under the General Coordination Unit of the Government Secretariat of Labour and Employment of the Ministry of Production and Labour. It is coordinated by a permanent representative of the ILO. The technical secretariat is responsible for convening meetings and preparing the minutes of proceedings.

144. In Colombia, the technical secretariat of CETCOIT is the same as that of the CPCPSL and acts as the information liaison between the two commissions (Directorate of Fundamental Rights of the Ministry of Labour). The role is strictly administrative and operational, providing the logistical and secretarial support necessary for CETCOIT's functioning.

145. In accordance with the regulations, the Technical Secretary shall i) prepare the agenda for the commission's consideration; ii) convene meetings; iii) prepare the minutes of proceedings of the Commission and the Sub-Commissions and keep a record of them; iv) receive and file cases submitted for study by CETCOIT; v) coordinate the meetings of the Sub-Commissions; and vi) monitor their progress, prepare the reports for the CPCPSL-including decisions made by CETCOIT on specific cases-and handle any other relevant duties assigned by the Commission and that fall within its purview. The Receivability Manual also states that the technical secretariat must receive and process submissions, refer cases outside the Commission's competence to the competent authority or entity, convene meetings to discuss cases, follow up on agreements, and may invite parties to submit additional comments in writing to facilitate the mediator's review.

146. In Guatemala, the technical secretariat is managed by the International Affairs Unit of the Ministry of Labour and Social Welfare, which is responsible for convening meetings, receiving mediation requests, analysing them, and drafting minutes of proceedings.

147. In Honduras, the organisational structure designates the technical secretariat as the executive body of the Council, composed of various bodies, including Sectoral Commissions created to address specific issues.

148. In the Dominican Republic, the technical secretariat of the Tripartite Commission is headed by an official appointed by the Ministry of Labour. It provides assistance and support during meetings, has a technical and administrative role, and is responsible for convening sessions, preparing agendas, drafting minutes of proceedings, and following up on agreements and issues discussed.

3.5.2. Mediators-Facilitators

149. Mediators or conciliators are independent and impartial individuals who assist the parties in a dispute to find a mutually acceptable outcome. A conciliator/mediator assists the process of bargaining but has no determinative role. The term conciliator is sometimes distinguished from the term mediator. For example, a distinction might be made between a State-appointed conciliator and a private mediator, but their functions are the same. In some jurisdictions (e.g., USA) there is a clear distinction between a mediator and conciliator. A mediator interacts jointly with the disputing parties to assist them to find a mutually acceptable agreement; a conciliator is solely concerned with conducting separate meetings with the disputing parties and does not bring them together.¹⁵⁵ The tripartite bodies examined use the terms mediator, conciliator, or amiable composer.

150. With the exception of the Argentine Commission, which does not have a mediator, the commissions of Colombia, Honduras, Guatemala, Panama, and the Dominican Republic do have mediators. In Colombia, the facilitator is appointed by consensus within the National Commission for the Coordination of Wage and Labour Policies. Their role is to facilitate the search for solutions, help bring the parties closer to reaching an agreement in each relevant case, and independently convene the parties. They also chair meetings of the Case Handling Sub-commission, hold any necessary meetings to find solutions, and propose settlement formulas, including suggestions for methodological changes to improve CETCOIT's performance.

151. If the Facilitator is unable to act, CETCOIT shall appoint an ad hoc Facilitator. CETCOIT members must ensure that the Facilitator has all the guarantees necessary to perform their duties with autonomy, independence, and impartiality.

152. In Guatemala, the Sub-commission for Mediation and Dispute Resolution provides for the existence of an independent mediator, whose role is to seek solutions and bring parties together to resolve labour disputes that come to their attention. The members of the Sub-commission shall ensure that the mediator has all the guarantees to perform their duties impartially.

153. In Honduras, the MEPCOIT must have a mediator appointed by the commission. The mediator is responsible for directing and holding any necessary meetings to find solutions, proposing settlement formulas, and suggesting methodological changes to the members of the MEPCOIT to enhance its performance.

154. In Panama, the Commission for the Tripartite Commission for Rapid Handling of Complaints on Freedom of Association and Collective Bargaining has an independent moderator and an alternate to replace the former in their absence, both tasked with addressing issues arising from the Panama Tripartite Agreement. The mediators were also responsible for developing a proposal for the procedure to receive complaints.

155. In the Dominican Republic, the Committee for the Handling of Issues Related to International Labour Standards has a mediator appointed by the Committee, the mediator leads the mediation sessions with the goal of bringing the parties together and seeking solutions. The mediator must remain impartial toward the case and the parties involved. The mediator is empowered to conduct meetings, mediate disputes, propose solutions-either jointly or separately-and suggest solutions. The rules of procedure specify the profile that the mediators must possess, including at least experience in areas such as human rights, occupational safety and health, social protection, labour relations, or alternative

155 Labour Dispute System - [LabourDisputeSystems_SP.indb](#)

dispute resolution; the ability to address disputes from a human rights perspective; social sensitivity; and transparent case management.

3.5.3. Regulations and Procedures

156. In the procedures related to the creation of social dialogue and conflict resolution bodies, some countries—such as Panama and the Dominican Republic—note the authority to establish procedures to discharge their functions. However, they do not have an explicit mandate to develop manuals of procedures. Colombia has a manual of complaint admissibility, and Argentina, Honduras, and Guatemala have explored the possibility of establishing operating regulations.

157. CETCOIT in Colombia adopted its receivability manual through a tripartite agreement on October 16, 2013. This manual establishes grounds for rejection, such as when the rights in disputes are barred by the statute of limitations under national laws; when the dispute has been previously adjudicated by a national judicial authority, and the decision has become final-*res judicata*; or when the issues submitted to the commission are unrelated to Conventions No. 87, 98, 151, and 154. The manual also excludes disputes over individual labour rights that do not impact collective rights, unless they concern violations of freedom of association.

158. The manual establishes a written procedure with specific formalities and structure regarding the sequence of facts. It also organises the process into three sub-commissions. The Case Receivability Sub-commission proposes a schedule to process cases based on the order of registration, except for cases that, in the sub-commission's judgment, should be prioritised. Within one month of case receivability, the Commission must be convened, and five days are provided for the parties to request date changes if necessary. The Case Handling Sub-commission conducts the sessions related to facilitation requests submitted to CETCOIT in the following stages:

i. First Stage: To be carried out through a meeting of the members of the Case Handling, the Facilitator, and the Workers' Organisation Sub-commission.

ii. Second Stage: To be held via a meeting of the members of the Case Handling, the Facilitator, and the Workers' Organisation Sub-commission.

iii. Third Stage: To occur through a joint meeting between the parties, when deemed appropriate by the Case Handling, the Facilitator, and the Workers' Organisation Sub-commission.

159. The manual also specifies the role of each member, as well as that of the Facilitator, whose core responsibility is to lead the meetings. According to the regulations, only legal representatives or their delegates may intervene during the sessions. Proxies attending the sessions may only act as observers. When parties need to consult, they may request a five- to ten-minute interruption of the meeting.

160. The manual emphasises the formality of agreements, which must be documented in minutes of proceedings containing at least the agreements reached. When, as part of the agreement, the parties agree that the signed agreement shall have the effect of a settlement agreement, they must specify this in the minutes, and will need to present powers of attorney verifying their representatives' authority to settle. When no agreement is reached, a minutes of proceedings will be signed only by the Facilitator and a government representative, summarising the proposed agreement discussed but without consensus. At the request of any CETCOIT member, the Facilitator shall record in the minutes of proceedings if a party states its unwillingness to participate in the facilitation process or if its absence impedes the process.

161. The minutes of proceedings contain at least the agreements reached. When, as part of the agreement, the parties agree that the signed agreement shall have the effect of a settlement agreement, this must be explicitly stated in the minutes of proceedings, along with the provisions of powers of attorney. There is also a Follow-up Sub-commission responsible for periodically reviewing agreements and convening additional meetings with the parties as deems appropriate.

162. The manual also defines the role of the Facilitator, appointed by consensus within the Wage Policy Coordination Commission, and outlines their responsibilities. The Facilitator's main focus is to find solutions and bring the parties together to reach an agreement in each cases chosen for discussion. It also establishes the role of the CETCOIT members concerning the Facilitator, who must ensure that the facilitator's actions are carried out with autonomy, independence, and impartiality. If the Facilitator is unable to act, CETCOIT shall appoint an ad hoc Facilitator.

163. In Honduras, the Operating Regulations of the MEPCOIT were approved at the technical level within the Commission. The document aims at regulating its organisational and operational functioning.¹⁵⁶ The Commission's meetings may be of two types: ordinary or extraordinary. Ordinary sessions must be scheduled or programmed sufficiently in advance, to review and accept the cases submitted to its consideration, as well to appoint of the respective mediator.

164. Extraordinary sessions can be convened at any time and are intended to manage and resolve previously accepted disputes or cases, as well as to address urgent matters. Moreover, individuals who are not parties to a dispute but can provide the MEPCOIT with information on a specific or technical issue may attend as guests. These individuals do not have voting rights and attend solely to speak on the matter for which they were invited. Regarding the specific handling of disputes, the rules establish requirements for submitting a request for direct intervention in a given dispute or case, which must contain at least: clear identification of the parties involved; a reasoned and justified statement of the facts and legal considerations; an indication of the desired type of action and the points on which intervention is requested; supporting documentation and evidence relevant to the case; and the basis and elements of the proposed settlement.

165. Moreover, to accept such a request, the Commission must certify that the case does not fall under any of the following circumstances: (i) the rights in dispute are barred by the statute of limitations under national laws; (ii) the dispute has been previously adjudicated by a national judicial authority, and the decision has become final-*res judicata*; (iii) the issues submitted to the commission are unrelated to ILO Conventions ratified by Honduras.; (iv) the dispute concerns individual labour rights ; or issues concerning legal entities that do not exist, with the exception of trade unions in the middle of the process of formation.

166. The decisions and agreements reached within the Commission, being a mutual commitment, are binding. To produce effects similar to those of a settlement contract or agreement, they must be formalized before the corresponding labour authority. MEPCOIT is responsible for periodically reviewing compliance with these agreements.

167. In the Dominican Republic, the rules of procedure outline the purpose of the body, its functions, the profile of the mediator, the composition of the body, the duration of the mandate, the rights and duties of representatives, meeting procedures, the technical secretariat, the powers of the mediator, and the process for handling requests. The technical secretariat receives requests, assigns them a registration number, and ensures they contain the identification of the parties, invitations (which may involve different actors) issued by the technical secretariat, holding sessions, and drafting of minutes of proceedings. Requests must be submitted within a maximum of 10 days, and to be received, reviewed within a period not exceeding 15 days. Additionally, further or supplementary information may be requested within 10 days of notice.

168. Once the request is accepted, the technical secretariat includes it in the agenda for the next Tripartite Commission meeting. During this session, the procedure is established, with the participation of the parties-either jointly or separately. The Tripartite Commission may also invite individuals who can provide technical advice or relevant comments, whether from the public or private sector. Additional reports or evidence may also be requested.

¹⁵⁶ ILO, Freedom of Association, Social Dialogue and Dispute Resolution: Proceedings of the 2024 Sub-regional Conference, Panama City, Panama, March 18-21, 2024, p. 40.

► 3.6. Challenges Facing National Tripartite Bodies for Labour Dispute Prevention and Resolution

169. An effective labour dispute prevention and resolution body facilitates access to labour justice and resolves disputes in a manner that is easy, affordable, rapid, and non-discriminatory. It also reinforces the rule of law by providing equitable redress through appropriate enforcement mechanisms. The body must perform its duties with impartiality, independence, and professionalism, in a transparent and accountable manner. Institutional and financial sustainability are also essential pillars for the proper functioning of conflict prevention and resolution bodies. Indeed, a robust dispute prevention and resolution system is a hallmark of good labour market governance and a means of ensuring inclusive access to labour justice in both individual and collective disputes.

170. The tripartite bodies described in this chapter face some challenges to their long-term sustainability. Various reasons hinder their ability to maintain effective and sustainable functioning over time.

171. In Colombia, for example, activity levels in CETCOIT were low between 2002 and 2006.¹⁵⁷ The Commission resumed regular operations following the Tripartite Agreement signed in Geneva in June 2006 between the Colombian government, employers, and workers, with the support of an ILO representative for Colombia, continuing until 2009. Between 2010 and 2011, there was a decrease in the activities of the Commission, due to structural reform, such as, the spin-off process of the then Ministry of Social Protection, which in November 2011 was extinguished and replaced by the Ministries of Health and Social Protection and the Ministry of Labour.

172. In 2011, the ILO conducted a high-level mission to analyse, among other aspects, the functioning of CETCOIT, offering recommendations to establish prior agreement on an independent figure-acceptable to all parties-to chair CETCOIT. It also suggested the possibility of creating departmental structures for the Commission, reviewing its operations, and considering support and reinforcement measures, including a review of its terms of reference. Based on these recommendations, a facilitator for the Commission was appointed in 2012, selected by mutual agreement of all parties.¹⁵⁸ Subsequently, this Commission also adopted, through a tripartite agreement, its manual on receivability of cases.

173. Regarding the Dispute Management Commission set up by tripartite agreement in the Dominican Republic, there was a long period of inactivity, during which no conflicts were addressed, and the Commission was only used to hold informational meetings. In view of its weak functioning, in 2019, the National Confederation of Dominican Workers (CNTD) and the National Confederation of Trade Union Unity (CNUU) withdrew their participation, pending the clarification of responsibilities and concrete solutions to the conflicts raised within its framework. As can be seen, it was not until 2023 that the Commission was reactivated with regard to its main mandate.

174. In this regard, it is important to note that for these bodies to operate effectively, certain criteria must be considered. First, governments, through the Ministries, must allocate adequate human and financial resources to support the coordination of tripartite mechanisms. They must also ensure that other ministries or state institutions can participate in meetings to facilitate case resolution through free and voluntary procedures. Furthermore, mechanisms should be genuinely tripartite, with active participation from social partners through representatives appointed by the most representative workers' and employers' organisations. This participation is crucial for building trust among constituents. It is also advisable to provide training to members of the mechanisms on relevant topics, such as international labour standards and their supervisory systems.¹⁵⁹

157 Guido, H.: [Reasonable Tripartite Dispute Resolution Mechanisms for International Labour Standards \(ILS\) promoted by the ILO](#), Rev. TST, São Paulo, vol. 83, No 3, Jul/Sep 2017, p. 124.

158 Guido, H.: [Reasonable Tripartite Dispute Resolution Mechanisms for International Labour Standards \(ILS\) promoted by the ILO](#), Rev. TST, São Paulo, vol. 83, No 3, Jul/Sep 2017, p. 125.

159 Guido, H.: [Reasonable Tripartite Dispute Resolution Mechanisms for International Labour Standards \(ILS\) promoted by the ILO](#), Rev. TST, São Paulo, vol. 83, No 3, Jul/Sep 2017, p. 136.

175. The institutionalisation of these bodies should also include mechanisms to ensure their long-term sustainability, particularly concerning their budget and regulatory or institutional framework, in order to shield them from political changes that could impede their functioning. Additionally, regulations should be established to ensure that their procedures are swift and effective. The existence of a technical secretariat capable of monitoring case opening and closing, convening meetings, and managing administrative matters can help ensure proper implementation of these regulations.

176. Another key factor for the effective functioning of such bodies is the presence of an independent figure—such as a mediator or facilitator—to support the conflict resolution process. The absence of this component, or the lack of a clear and institutionalised mandate, can weaken the bodies' operations and cause delays or obstacles. In this context, the profile of the person appointed should include strong soft skills and conflict resolution techniques.

177. To support constituents in preventing and resolving labour disputes, the ILO has developed a diagnostic tool for self-assessing the functioning of institutions for dispute prevention and resolution. It is expected that the self-assessment diagnostic tool will help the government and the social partners to get a common understanding of the current situation, identify potential opportunities and challenges, and jointly devise measures to address them.¹⁶⁰

160 ILO, [Access to Labour Justice: A diagnostic tool for self-assessing the effectiveness of labour dispute prevention and resolution](#), Geneva: International Labour Organization, 2023.



4

Social Dialogue at Different Levels and Contexts in the Region

4. Social Dialogue at Different Levels and Contexts in the Region

178. The practice of social dialogue to build consensus or to prevent or reduce social conflicts is not always sufficiently institutionalised. Additionally, workers' and employers' organisations have repeatedly submitted complaints and observations to the ILO supervisory system, indicating that acts of violence against their members have weakened labour relations systems across the region.¹⁶¹ As noted in previous chapters, Latin American and Caribbean is the region with the most complaints before the ILO Committee on Freedom of Association.¹⁶²

179. The fact that more complaints are being submitted to the ILO supervisory system does not imply that the region most frequently violates labour rights or that social dialogue has stagnated. On the contrary, it reflects active national social dialogue and vigorous, active representative organisations that frequently exercise their right to resort to the supervisory system. However, the 2018 International Labour Conference report identified both challenges and opportunities for the Latin American and Caribbean region regarding social dialogue institutions. In many countries, as well as in dispute resolution bodies, it was noted that these institutions do not meet regularly, and when agreements are reached, they are often poorly implemented.

180. This section presents examples selected from different countries within the region, illustrating the diversity of social dialogue practices. These examples demonstrate that, beyond the considerable number of cases monitored by the ILO, there are good practices and significant achievements in managing social dialogue across various aspects of labour relations.

► 4.1. Experiences of Social Dialogue in Latin America and the Caribbean

4.1.1. Dialogue between Employers and Workers within the Framework of the Organization of American States (OAS)

181. Since 1963, the Ministers of Labour of the OAS Member States have met periodically at the Inter-American Conference of Ministers of Labor (IACML) to define priorities and agree on regional measures. At each Conference, labour authorities adopt a Declaration and a Plan of Action, reflecting broad consensus on current priorities and on measures to address both structural and emerging employment challenges in the region. Since 1964, the OAS has enabled fluid dialogue among governments, workers, and employers through two bodies: the Trade Union Technical Advisory Council (COSATE)¹⁶³ and the Business Technical Advisory Committee on Labor Matters (CEATAL)¹⁶⁴, both of which have the status of consultative body within the framework of the Inter-American Conferences of Ministers of Labor (IACML) and the Inter-American Network for Labor Administration (RIAL), a mechanism for cooperation among the Ministries of Labour of the Americas that seeks to build their human and institutional capacities.

182. These consultative bodies bring together the main trade union confederations and business organisations of all OAS Member States, and actively participate in the IACML process: they participate in planning and decision-making meetings, express the voice of workers and employers in the negotiation

¹⁶¹ See: [List of Reports of the Committee on Freedom of Association | International Labour Organization](#)

¹⁶² ILO (2018b). Social Dialogue and Tripartism, Report VI, ILC, 107th Session, Geneva. Para 55. Further information on complaints submitted in relation to countries in the region before the ILO supervisory system can be found in Chapter II of this report.

¹⁶³ See: [Regime of the Business Technical Advisory Committee on Labor Matters \(CEATAL\)](#).

¹⁶⁴ See: [Reformed Regime of the Trade Union Technical Advisory Council \(COSATE\)](#).

of documents and at the time of defining the actions of the Conference in each cycle, and provide technical inputs in all the activities of the Conference.¹⁶⁵ Additionally, they actively participate in the process of the Summit of the Americas and the General Assembly, where they have spaces for dialogue with governments.

183. Among the objectives of this coordination are i) to promote the institutionalization of social dialogue in the hemisphere as a tool for creating consensus and building confidence; ii) to integrate the perspective of workers and employers in the activities, negotiations, and results of the Inter-American Conference of Ministers of Labor and in the framework of the Inter-American Network for Labor Administration (RIAL); iii) to give voice to the workers and employers of the Americas in the highest level forums of the OAS; and iv) to encourage the active participation of workers and employers in the ministerial debate so that the authorities incorporate their priorities. The OAS is also the Technical Secretariat of COSATE and CEATAL.

184. As a result of this dialogue, five Joint Declarations have been adopted that reflect the common visions and priorities of Workers and Employers¹⁶⁶, several separate Declarations of Workers and Employers within the IACML, and inclusion inputs from workers and employers in the Inter-American labour agenda. In the framework of the XXII Inter-American Conference of Ministers of Labor of the Organization of American States (OAS), the employers and workers of the Americas, represented by the Business Technical Advisory Committee on Labor Matters (CEATAL) and the Trade Union Technical Advisory Council (COSATE), issues a joint call to the governments of the Americas to: (i) redouble their efforts to promote real and effective implementation of social dialogue, based on respect for democracy, the rights of association, and effective recognition of the right to collective bargaining of employers and workers, with a view to guaranteeing a culture of dialogue as an expression of democracy and in support of governance offering effective incentives for a work environment focusing on people and mindful of the needs of companies and workers; ii) implement, among other measures, facilities for consulting with the most representative social partners regarding the development and application of national prevention policies and plans for the consolidation of safe and healthy working environments; iii) promote actions at the national and territorial levels aimed at the formalization and creation of decent work, and investment in priority sectors and areas, in order to promote a recovery that generates productive employment; and iv) strengthen the capacities of the labour authorities (ministries and secretariats) to ensure compliance with labour legislation, labour inspection, the full exercise of freedom of association, and the effective recognition of the right to collective bargaining.

185. In this Declaration, COSATE and CEATAL also reaffirmed their commitment to tripartite social dialogue and thanked the OAS General Secretariat and the International Labour Organization (ILO) for their support.

186. Similarly, at the XXII Inter-American Conference of Ministers of Labor, in addressing the challenges and opportunities in the world of work, the governments underscored their commitment to tripartism and social dialogue to achieve a new social contract in the region, for a future of work that is just, equitable, inclusive, environmentally sustainable, and human-centred.¹⁶⁷

4.1.2. Barbados: Social Dialogue Without a Regulatory Framework

187. In the early 1990s, Barbados faced its most severe economic crisis since independence, encountering unprecedented challenges such as dramatic rises in unemployment, negative economic growth, high inflation, critically low foreign exchange reserves, and a high fiscal deficit. During the economic crisis, the government announced that in collaboration with the International Monetary Fund (IMF), a number of structural adjustment programmes would be implemented. These programmes

¹⁶⁵ OAS, [Coordination with Workers and Employers within the framework of the OAS](#).

¹⁶⁶ See, for example, the [Joint Declaration of the Trade Union Technical Advisory Council \(COSATE\) and the Business Technical Advisory Committee on Labour Matters \(CEATAL\)](#) to the XXII Inter-American Conference of Ministers of Labour of the Organization of American States (OAS).

¹⁶⁷ OAS/Ser.K/XII.22.1, Declaration of Bogotá, [The Future of Work in the Americas: Laying the Foundations for Peace, Social Justice, and Climate Action](#), adopted at the Fifth Plenary Session, held on October 24, 2024 in Bogotá, Colombia.

prompted rapid mobilization of trade unions, employers, and civil society organisations. This collective response catalysed the formation of the Social Partnership, anchoring a new governance model based on social dialogue and consensus. The partnership evolved into the Social Partnership through seven successive tripartite agreements called Protocols, which deepened cooperation and broadened the scope of social dialogue, creating an increasingly comprehensive framework for national policy-making.

188. The Barbados Social Partnership exemplifies a model of voluntary tripartite governance that has facilitated dialogue and consensus building on national policy issues among government, employers, and workers for over three decades. The Barbados model operates without a formal legal framework or statutory mandate. Nonetheless, it has played a vital role in addressing macroeconomic challenges and maintaining social stability through joint policy development and implementation.

189. The signing of the Protocol for the Implementation of a Price and Income Policy (Protocol I, 1993-1995) led to the formalisation of the Social Partnership and recognised tripartism as the soundest and most effective strategy for sustained national development. It established that economic adjustment should be shared equitably among all stakeholders.¹⁶⁸ This Protocol was designed to address Barbados' gradual erosion of economic competitiveness and laid down the fundamental principle and practice of information sharing on economic policy issues between the Government and the social partners. All partners committed to sharing relevant information to support transparent and evidence-based policymaking—an essential step toward building trust, promoting accountability, and ensuring that decisions were based on a shared understanding of economic realities. Building on this foundation, the second Protocol for the Implementation of a Prices and Income Policy (Protocol II, 1995-1997), was negotiated in a context of improving the economic climate, building on initial successes and introducing performance-related pay systems, and emphasizing the role of productivity in economic development.¹⁶⁹

190. In the years following the adoption of the initial Protocols, Barbados experienced improvements in several key economic indicators and shifted its policymaking model towards a focus on consensus. This change enhanced social cohesion and political stability, especially during periods of economic adjustment that might otherwise have led to social unrest. Subsequent Protocols expanded the scope of the Social Partnership to address a broader range of socioeconomic issues, with the objective of promoting equitable and participatory development.

191. In this context, the Protocol for the Implementation of a Social Partnership (Protocol III, 1998-2000) institutionalised the Social Partnership as a permanent mechanism of national governance. Its objectives were to maintain stable industrial relations climate, and to ensure that the fruits of improved economy be shared equitably among all sectors of society.¹⁷⁰ The subsequent Social Partnership Protocol (Protocol IV, 2001-2004) aimed at creating a modern efficient economy, able to achieve sustainable economic growth. It sought to facilitated increased employment and to distribute equitably the benefits of economic benefits, while also addressing the challenges of Globalization.¹⁷¹ Similarly, Protocol V of the Social Partnership (Protocol V, 2005-2007) outlined a strategic vision for building a modern, efficient economy grounded in sustainable growth, low inflation, and equitable sharing of economic benefits.¹⁷² Protocol VI of the Social Partnership (Protocol VI, 2011-2013) emphasised policies to improve productivity and efficiency to meet international competitiveness standards. It also introduced new procedures for termination of employment.¹⁷³ Protocol VII (2025-) is currently in force.

192. The Social Partnership operates through a two-tier institutional structure that balances high-level political commitment with technical review and implementation. Plenary sessions are chaired by the Prime Minister, and include key ministers, the Congress of Trade Unions and Staff Associations of Barbados (CTUSAB), the Barbados Private Sector Association (BPSA), and the Third Sector. The Social Partnership Sub-Committee, which also has a tripartite composition, addresses detailed policy issues and prepares recommendations for consideration by senior policymakers. The Ministry of Labour, Social

¹⁶⁸ See: Protocol for the Implementation of a Prices and Income Policy: [PROTOCOL](#)

¹⁶⁹ See: Protocol II for the Implementation of a Prices and Income Policy: [Protocolo 2.pdf](#).

¹⁷⁰ See: Protocol III for the Implementation of a Social Partnership: [Protocolo 3.wpd](#)

¹⁷¹ See: Protocol IV of the Social Partnership: [Microsoft Word - Protocolo 4.doc](#)

¹⁷² See: Protocol V of the Social Partnership: [Working proposal for February 15, 2002](#).

¹⁷³ See: Protocol VI of the Social Partnership: [Protocol VI_Final Document \[1\]](#)

Security and the Third Sector (MLST) serves as the Secretariat for both the Social Partnership and the Subcommittee. Meetings are convened at least every six months, while Subcommittee meetings are held quarterly. The MLST is responsible for coordinating all meetings, including setting the agenda in collaboration with the social partners, drafting the minutes of proceedings of each meeting, and disseminating the final minutes of proceedings to all concerned parties.

193. The Barbados Social Partnership is a tripartite cooperation initiative that has contributed to economic stability and social cohesion for over three decades. It has facilitated tripartite social dialogue at the national level and fostered consensus on complex policy issues-even during times of economic crisis-despite the absence of a formal regulatory framework.

4.1.3. Brazil: MEDIADOR Platform

194. Collective bargaining is the primary mechanism that establishes and sustains social dialogue, involving a voluntary negotiation process conducted in good faith. Collective bargaining is a fundamental right. It is rooted in the ILO Constitution and reaffirmed as such in the ILO Declaration on Fundamental Principles and Rights at Work of 1998.

195. In this context, the measures adopted to publicise and guarantee access to collective bargaining instruments for the concerned parties are important steps in ensuring compliance with the agreements resulting from social dialogue. The Collective Agreement Recommendation, 1951 (No. 91) recommends the registration or deposit of collective agreements.¹⁷⁴ The registration of collective bargaining instruments allows the relevant public authorities to follow collective bargaining developments; generate statistical data on negotiated terms and conditions of employment; and help employers and trade unions in their negotiations. It is also an important feature of coordinated wage policies.¹⁷⁵

196. In 2007, Brazil established a Collective Bargaining System - "Mediator"¹⁷⁶, implemented by the Ministry of Labour and Employment. The system offers free online services for the registration and public consultation of collective bargaining agreements and amending or additional conditions entered into, as well as mediation, in all states of the country. The Mediator System offers three main services: (i) requests for drafting and registering collective agreements; (ii) consultation of existing collective instrument; and (iii) requests for mediation in cases of conflict or impasse in collective bargaining processes, or for issues related to non-compliance with collective instrument or labour legislation.¹⁷⁷

197. The application for registration of a collective instrument with the Mediator must provide the following information: i) details of those representing the workers and those representing the details of the employer or employers bound by the agreement, in the case of a collective agreements concluded at enterprise level; ii) duration of the collective bargaining agreement and its clauses; iii) categories of workers covered; and iv) territorial coverage of the collective bargaining agreement.

198. The system allows the parties to include clauses in the collective bargaining agreement according to a preestablished list of thematic topics divided into groups and subgroups that can be subject to collective bargaining. The subject groups include: (i) salaries, adjustments, and payments; (ii) bonuses, allowances, benefits, and others; (iii) employment contract - admission, dismissal, modalities; (iv) labour relations - working conditions, personnel rules and stability; (v) working hours - duration, distribution, control of working hours, absences; (vi) holidays and leaves; (vii) workers' health and safety; (viii) trade union relations; and (ix) general provisions. Within each group, the applicant can choose from more specialised subgroups.

¹⁷⁴ Paragraph 8 of the ILO Recommendation concerning Collective Bargaining Agreements (no. Collective Agreements Recommendation, 1951 (No. 91).

¹⁷⁵ ILO, [Collective bargaining: a policy guide](#). Governance and Tripartism Department (GOVERNANCE), Conditions of Work and Equality Department (WORKQUALITY) - Geneva: ILO, 2015, p.3 71.

¹⁷⁶ Further information about the Mediator system can be found at: [Registration of collective bargaining instruments: the Brazilian experience with the MEDIADOR platform | International Labour Organization](#)

¹⁷⁷ See: [Ministry of Labour and Employment - Mediator](#)

199. The Mediador has a range of possibilities with regard to the parameters of the consultation of collective bargaining instruments, allowing broad access to the terms and conditions of employment agreed by collective bargaining. Queries can be made by searching for collective instruments signed, the name of the party of representative organisations at any level or employers, by category of workers or economic activity (e.g. pharmaceutical industry, commerce, etc.). The system also allows users to search by type of collective bargaining instrument registered (whether it is a collective bargaining agreement, or respective amending or additional clause), by region covered by the collective instrument and its period of validity. It is also possible to search for instruments by clauses using the thematic groups and subgroups or even by keyword contained in the description of a clause.

200. The system is able to provide a series of statistics on working conditions, employment, and other related data, whether general or specific by economic sector or category of worker. Statistical data is widely used by institutions linked to the world of work. For example, representative entities, labour training and research institutions, and labour judges, prosecutors and lawyers. In 2024, for example, 43,149 collective labour instruments were registered in Brazil, including 6,599 collective bargaining agreements, 33,073 collective agreements at enterprise level, and 3,477 supplementary or modifying clauses. In the first half of 2024, 1,148 collective bargaining instruments were found with clauses relating to equal pay.¹⁷⁸

201. The system also offers mediation services in the event of impasse in collective bargaining processes, or due to non-compliance with a collective bargaining agreement or labour legislation. In either case, the mediation service is offered by the team of the Labour Relations Secretariat of the Ministry of Labour and Employment.

4.1.4. Chile: Superior Labour Council

202. In Chile, as mentioned earlier regarding other countries in the region, social dialogue institutions were established during the transition to democracy. Following some experiences during the *Concertación* administrations, the labour reform proposal promoted by former President Michelle Bachelet in 2014 pointed out the need to balance the labour relationship between employer and workers, strengthening freedom of association within the framework of the treaties signed by the State of Chile.¹⁷⁹ As a result of said reform, the Superior Labour Council (SLC) was established by Law No. 20.940, of September 8, 2016, which modernizes the labour relations system. The SLC is a tripartite consultative body whose mission is to collaborate in the formulation of proposals and recommendations for public policies aimed at strengthening social dialogue and fostering a culture of fair, modern, and collaborative labour relations.¹⁸⁰

203. To fulfil these objectives, the Council has specific functions: (i) to prepare, analyse, and discuss proposals and recommendations concerning public policies on labour relations and the labour market; (ii) to propose initiatives aimed at encouraging job creation, increasing productivity, and improving labour participation among women, young people, persons with disabilities, and vulnerable workers, thereby enhancing their employability; (iii) to carry out, either directly or through third parties, diagnostic studies or research on the state of labour relations and the functioning of the labour market in the country; iv) to formulate proposals regarding the general criteria for allocating resources from the Trade Union Training and Collaborative Labour Relations Fund; v) to report on matters expressly entrusted to it through the Ministry of Labour and Social Welfare; and vi) to submit an annual report on its activities, proposals, and the results thereof to the President of the Republic and the National Congress every April.

204. The Council is composed of nine members: three appointed by the government; three appointed by the most representative employers' organisations in the country, including at least one representative of the organisations of smaller companies; and three appointed by the most representative workers' organisations. Currently, in accordance with Chilean law, the Council includes representatives from the

¹⁷⁸ Data collected through a free search in the Mediador System's Consultation Module.

¹⁷⁹ Bachelet, M. (2014). [Message from H.E. the President of the Republic to initiate a bill aimed at modernizing the Labour relations system, introducing amendments to the Labour Code](#). Library of the National Congress.

¹⁸⁰ Article 2 of [Decree No. 6](#), dated March 3, 2017, which approves the Regulations of the Superior Labour Council.

Confederación de la Producción y el Comercio (Confederation of Production and Trade CPC) and the *Consejo Consultivo de Empresas de Menor Tamaño* (Advisory Council for Small Enterprises), on behalf of employers; of the *Central Unitaria de Trabajadores* (Central Workers' Trade Union, CUT), on behalf of workers; and of the Ministry of Labour and Social Security, the Ministry of Finance, the Office of the Undersecretary of Finance, and the Ministry of Economy, Development, and Tourism, on behalf of the government of Chile.¹⁸¹ Council members serve a four-year term and the chairperson and vice-chairperson serve two-year terms.

205. The SLC may hold both ordinary and extraordinary meetings. Ordinary meetings are convened once a month, while extraordinary meetings are called when the Chairperson deems it appropriate or when at least five of its members in office request a meeting, specifying the reasons and the matters to be discussed by the Council.

206. The Council has been instrumental in Chile's recent labour reforms. It was the body that reached an agreement on guidelines for presenting the government's bill to reduce the working week from 45 to 40 hours.¹⁸² To gather opinions and positions on the issue, 26 public hearings were held across Chile, involving more than 200 organisations representing a wide range of partners from the world of work. In this context, the Council focused its recommendations on a gradual, flexible implementation tailored to the needs of each enterprise and worker, with the objective of guaranteeing a successful transition and a positive impact on the workers' well-being, a consensus was achieved that lent legitimacy to the bill, allowing it to advance urgently in Congress. The Law stipulates a gradual decrease in working hours, reaching 42 hours by April 2026, and fully implementing the 40-hour workweek by 2028.¹⁸³

207. Likewise, the national tripartite body has played a crucial role in discussions concerning the design and implementation of the pension system reform approved in 2025. The Council conducted a diagnosis and held technical consultations on the pension system prior to the reform, based on the outcomes of social dialogues held in different regions of the country. The report resulting from this process served as a basis for building agreements for the proposal submitted by the government to Congress.¹⁸⁴ Within this institution, measures are also being discussed with the goal of reaching tripartite agreements to facilitate the implementation of this reform.¹⁸⁵

208. The SLC may also establish Committees and Sub-Committees to examine issues related to specific economic sectors or specific thematic areas. In this context, as will be seen in more detail later in this report, the Mining Sector Commission was established-a tripartite social dialogue body for the mining sector-with the aim of, among other tasks, advancing the ratification of the Safety and Health in Mines Convention, 1995 (No. 176).

4.1.5. Colombia: Collective Bargaining in the Public Sector

209. Colombia has a high degree of institutionalisation of social dialogue in the public sector. The Public Sector Subcommittee is an advisory body responsible for matters related to social and labour agreements within the Standing Commission for the Negotiation of Labour and Wage Policies. Its functions include studying, evaluating, discussing, and negotiating issues and aspects related to labour relations; working and employment conditions of the public administration within the central government; promoting improvements in labour relations within the public administration; fostering the democratic resolution of labour conflicts that arise in the public sector; enhancing public service delivery; and submitting recommendations to the Standing Commission and the National Government on matters within its purview. The Subcommittee is composed of the Minister of Labour, who presides, along with the Minister of Finance and Public Credit, the Director of the Administrative Department of

¹⁸¹ See: [Superior Labour Council - Ministry of Labour and Social Security](#)

¹⁸² See: [Superior Labour Council ratifies commitments to move forward with the reduction of the working week to 40 hours and pension system reforms- Ministry of Labour and Social Security](#)

¹⁸³ See: [Law 21.561 of April 26, 2023](#). and [40 hours 2 - Ministry of Labour and Social Security](#)que%20apuntan%20en%2"

¹⁸⁴ See: [Informe-Nacional-Dialogos-por-Pensiones-Dignas.pdf](#)

¹⁸⁵ See: [Ministry of Labour and Social Security presented redesign employment subsidies and implementation of the pension reform to the Superior Labour Council - Under-Secretariat of Labour](#).

the Presidency of the Republic, the Director of the National Planning Department, and the Director of the Administrative Department of Public Service. As for the workers, they are represented by five delegates from the most representative public sector trade unions appointed by them.

210. The Subcommittee's most notable achievements have been to foster social dialogue between the Colombian government and trade union representatives on regulatory reforms related to the right to collective bargaining in the public sector. This began with the agreement leading to the promulgation of Decree No. 160 in 2014 and, subsequently, its amendment through Decree No. 243 in 2024.

211. It is important to highlight that in Colombia, although the right to collective bargaining is recognised in Article 55 of the Constitution¹⁸⁶, Article 416 of the Substantive Labour Code limited this right, as public employees could not submit requests nor negotiate collective bargaining agreements. However, these restrictions on the right to collective bargaining of public employees ceased to exist following the ratifications of ILO Conventions Nos. 151 and 154¹⁸⁷ and the respective interpretations developed by the Colombian Constitutional Court regarding their application.¹⁸⁸ In this regard, the Colombian Constitutional Court declared the constitutionality of the law that ratified Convention No. 151, affirming that, in general, public servants enjoy the constitutional rights of all persons, with limitations arising from the exercise of their official functions.¹⁸⁹

212. Following the enactment of Decree No. 1092 of 2012, the first national agreement in Colombia was signed in 2013 through a concerted effort between the national government and trade union organisations, resulting in the issuance of Decree No. 160 in 2014. In 2024, Decree No. 243 (2024) was issued as a result of an agreement among the majority of the country's public sector trade unions, aimed at improving the unification of their claims. This new decree organises the bargaining process, limits the number of negotiators and advisors while respecting minority representation, establishes criteria for representativeness, and broadens the levels at which trade unions can negotiate their terms and conditions of employment.

213. Pursuant to Decree No. 243, the collective bargaining unit includes the list of claims, the unified trade union negotiating committee, the negotiating roundtable, and the collective agreement for four different areas: (i) individual, (ii) sectoral, (iii) territorial, and (iv) national. To determine the number of negotiators and the composition of the unified trade union negotiating committee, the principle of multilevel representation applies, depending on the scope- understood as the representation exercised by the Confederation or Central Trade Union in relation to its federations and trade unions; the representation of federations toward their member unions; and the representation of those unions in relation to their members.

214. The Decree also establishes that the collective bargaining agreement applies to all public sector employees, with the exception of: (a) public employees occupying managerial and advisory positions; (b) official workers; (c) publicly elected public officials and managers elected by the Congress, Departmental Assemblies, Municipal and District Councils; (d) uniformed law enforcement personnel (Armed Forces and the National Police).

215. Regarding the matters subject to negotiation, Decree No. 243 specifies that the following are not subject to negotiation: the parties involved in negotiations; conditions for trade union participation; the number of negotiators; the level of representativeness; and the structure of the unified trade union negotiating committee; and it also includes the members of the Unified Trade Union Committee, characteristics, terms, and stages of the negotiation process, along with the minutes and their enforcement. Finally, it is important to highlight that the decree establishes the Bipartite Committee

¹⁸⁶ Article 55 of the Colombian Constitution "The right of collective bargaining to regulate Labour relations, with the exceptions provided by law, is guaranteed. It is the duty of the State to promote agreement and other measures for the peaceful solution of collective labour disputes".

¹⁸⁷ Conventions Nos. 151 and 154 were ratified by Colombia in 2000. See also: Constitutional Court of Colombia. Decision C-1050 of 2001. Presiding Judge: Manuel José Cepeda

¹⁸⁸ Constitutional Court of Colombia: Decision C-1050 of 2001. Presiding Judge: Manuel José Cepeda and Decision C-161 of 2000. Presiding Judge: Alejandro Martínez Caballero.

¹⁸⁹ Constitutional Court of Colombia: Decision C-377 of 1998.

responsible for monitoring the implementation, application, and compliance with the collective agreement.

216. In Colombia, six collective bargaining negotiations have been held in the public sector in 2013, 2015, 2017, 2019, 2021, and 2023, under the framework of constitutional and legal norms, as well as ILO Conventions. In June 2023, the latest collective bargaining agreement in Colombia was approved, benefiting over one million public servants nationwide.¹⁹⁰

4.1.6. Curaçao: Economic and Social Council (SER)

217. The Economic and Social Council (SER) of Curaçao, formerly the SER Netherlands Antilles, was first established in 1966 as an advisory body to address social and economic issues within its jurisdiction. In 2010, upon the dissolution of the Netherlands Antilles and the ensuing constitutional change that made Curaçao an autonomous country within the Kingdom of the Netherlands, the SER was reestablished to address the specific needs of the island within its new political-administrative framework. Its main objective is to advise the government and the Parliament on the socio-economic policy, promoting sustainable development, and a broad concept of welfare.¹⁹¹ Its mission is to promote social dialogue through non-binding recommendations that significantly influence public policy formulation. Its advice encompasses a broad concept of well-being that integrates economic, social, and environmental dimensions. A key function is to build social consensus on socio-economic policies, achieved through a tripartite model that brings together representatives of employers, workers, and independent experts selected for their specific expertise, as well as civil society partners.

218. The SER's objectives include promoting balanced economic growth that encourages sustainable development; ensuring an inclusive labour market and people's broad participation; maintaining a balanced balance of payments; and promoting equitable and reasonable income distribution. It has also expanded its focus to include issues such as the sustainability of public finances, the viability of social security and pension systems, and universal access to quality and affordable healthcare. In this context, it has issued recommendations on the energy transition to renewable sources, economic diversification, and the implementation of structural reforms in the pension system, aligning with its commitments to achieve the SDGs.

219. In addition to its advisory function, the SER serves as a central platform for discussing relevant socio-economic issues. This platform for dialogue facilitates the development of a common vision among stakeholders. Recently, the SER has led discussions on youth employment, post-pandemic economic recovery, and strategies for tackling climate change challenges. These initiatives not only address immediate concerns, but also establish a long-term agenda for sustainable development.

220. The SER Council consists of nine members appointed on a tripartite basis: three representing the interests of employers, three representing the interests of workers, and three representing broader societal interests not affiliated with the business or labour sector.¹⁹² The SER operates with technical and administrative support from its secretariat, headed by the director/secretary general, and maintains a multidisciplinary team of lawyers, sociologists, economists, documentalists, and clerical staff. The secretariat's responsibilities include i) policy research and analysis; ii) data collection and systematisation; iii) drafting and reviewing recommendations; and iv) logistical and administrative coordination.

221. The SER's activities are organized around a system of monthly and extraordinary meetings, along with procedures designed to ensure well-informed analysis and decision-making. The Council may invite external experts to provide specialized assessments and insights on specific topics. Additionally,

¹⁹⁰ The 2023 Annual Review under the follow-up to the ILO Convention No. 98, the CEACR noted with satisfaction the conclusion of a new State Agreement with 35 trade unions benefiting around 1,300,000 public sector workers. See more details in: [Observation \(CEACR\) - Adoption: 2023, Publication: 112th ILC meeting \(2024\)](#).

¹⁹¹ The SER is based on Article 72 of the Constitution of Curaçao and the Organic Law regulating the Permanent Advisory and Consultative Bodies of the State. The Organic Law of the SER (Official Publications 2010, Number 87, and 2017, Number 70) defines its structure and functioning, while the Government Decree (Official Publication 2018, Number 23) establishes the profiles and selection criteria for its president and members.

¹⁹² Article 3 of the SER Law.

the SER encourages participation from organised civil society groups, which are invited to contribute their perspectives and expertise, depending on the topic. Complex issues or those requiring detailed technical analysis are often delegated to specialized tripartite commissions, whose primary mandate is to prepare recommendations on the assigned topics. By combining technical expertise with tripartite dialogue, these commissions are a vital element of the SER's operations, reinforcing its role as a key advisory body in shaping socio-economic policies for Curaçao.

222. The SER also has the authority to issue opinions, both upon request and on its own initiative, on matters of critical importance. When preparing these opinions, the SER employs a rigorous methodological approach that integrates technical analysis, assessment of empirical data, and examination of social, economic, and regulatory implications.

223. Transparency in the SER's work is a fundamental principle that enhances its legitimacy and fosters public trust in its activities. In this regard, the 2017 Act regulating the publication of its opinions establishes clear criteria to ensure balanced and timely access to information. Opinions addressed to the government are confidential and, except in exceptional cases, are made public six weeks after their official submission. Conversely, opinions addressed to Parliament and those issued on the SER's own initiative are considered immediately accessible to the public. The SER also prepares and publishes detailed annual reports that consolidate its activities and the impact of its recommendations.

224. Beyond its advisory functions, the SER's recommendations have demonstrated tangible influence on institutional processes and the development of public debate. They have effectively affected the progress or broader acceptance of certain issues following the publication of its opinions. Notable examples include its input on the National Bill for establishing the Temporary Tax Revenue Sanitation Regime and amending the 1999 National Sales Tax Law¹⁹³, the prohibition on the State's application of the Ministerial Regulation of August 18, 2022, concerning food and non-food products in the basic basket, and its role in the development of the regulatory framework for gambling.

4.1.7. Peru: Collective Bargaining Agreement in the Construction Industry

225. According to data from the Peruvian Ministry of Labour and Employment Promotion¹⁹⁴, in 2022, there were an average of 3,887,740 salaried jobs in the formal private sector nationwide; 190,956 of which were held by workers affiliated to a trade union, yielding a unionisation rate of 4.9 per cent.

226. In the construction sector, between 2001 and 2016, the number of unionised workers increased from 2,400 to more than 40,000 workers.¹⁹⁵ By 2016, although the unionisation rate in the private sector was just under five per cent, the manufacturing, mining, and construction sectors accounted for 63 per cent of unionised workers in the country, despite these sectors comprising just over 20 per cent of the workforce.¹⁹⁶

227. In Peru, collective bargaining by industry segment in civil construction was institutionalised through Supreme Decree No. 18 of December 4, 1962, and Supreme Decree No. 019 of 1962. These decrees established the National Commission for the Civil Construction Industry, responsible for studying and resolving labour issues affecting construction workers, as well as coordinating regional commissions and a commission on wages and working conditions. This commission includes authorities from engineering and architecture associations, other sectoral organisations, the Labour Authority, and the *Trabajo y la Federación de Trabajadores en Construcción Civil del Perú* (Federation of Civil Construction Workers of Peru, FTCCP).

228. The collective bargaining process in Peru's construction sector has a 21-year history of negotiations involving the Federation of Civil Construction Workers of Peru (FTCCP) and La Cámara

¹⁹³ Case No. 2023/012899, Reference No. 129/2023-SER.

¹⁹⁴ Unionisation in the Formal Private Sector in Peru, 2015-2022. BEL # 55

¹⁹⁵ Unionisation in the Formal Private Sector in Peru, 2015-2022. BEL # 55

¹⁹⁶ Unionisation in the Formal Private Sector in Peru, 2015-2022. BEL # 55, p. 11.

Peruana de la Construcción (Peruvian Chamber of Construction, CAPECO).¹⁹⁷ The Federation of Civil Construction Workers of Peru (FTCCP) was founded on December 19, 1958. It is the representative body for workers covered by the special civil construction regime, established by Supreme Decree of October 23, 1942, and those included in Section “F” of the United Nations International Standard Industrial Classification of All Economic Activities (ISIC). The decision to establish it was made in 1956 at a meeting of leaders from various political tendencies, with the aim of representing workers’ demands at a national level.¹⁹⁸ Meanwhile, the Peruvian Chamber of Construction (CAPECO) was founded on May 9, 1958, with the purpose of grouping and representing all those working in the construction industry across Peru.¹⁹⁹ Throughout their history, both organisations have set examples of social dialogue with tangible results, and this negotiation experience has helped position the construction sector as a key driver of the Peruvian economy.

229. In 2004, the FTCCPA and CAPECO began direct negotiations, emphasising mutual respect between the parties. The collective bargaining process between workers and employers led to the resolution of labour demands and the establishment of a common agenda for the sector’s sustainability and stability. Since the signing of the Final Minute of the Accumulated Collective Bargaining Agreement for Direct Negotiations in the Construction Sector, which was in force from June 1, 2004 to May 31, 2005, all demands have been settled through direct negotiations between the FTCCPA and CAPECO, without the involvement of the labour authority and without a single day of strike action, up to the end of 2024.

230. Within the framework of social dialogue with tangible results, both entities have been jointly promoting legislative, regulatory, and administrative initiatives related to housing, construction, and territorial development in Peru, seeking consensus on public policies undertaken by the different levels of government in these areas.

► 4.2. Relevance of Social Dialogue

231. Social dialogue promotes labour peace and social cohesion through processes of deliberation over the complex challenges facing governments, employers and workers, which pave the way for decisions and action for the long term.²⁰⁰ This is particularly crucial in today’s diverse and often challenging contexts.

232. In this regard, it is evident that maintaining social dialogue is essential for establishing inclusive solutions for all partners that recognise the objectives of democratic rule of law. This framework allows for the peaceful and lawful resolution of diverse interests. Dialogue facilitates the search for consensual solutions to the various issues that arise and impact the world of work.

233. In order to support its constituents in addressing issues that extend beyond national borders, the ILO has promoted tripartite dialogue initiatives at the regional level. These aim at promoting initiatives and strategies related to eradicating child labour, reducing informality and labour migration, and improving occupational safety and health. The goal is to enable cooperation, facilitate the exchange of experiences, and provide a strategic framework for the ILO’s technical assistance activities.

¹⁹⁷ The Constitutional Court of Peru in its ruling of Case No. 0261-2003-AA/TC, recognised the representativeness of CAPECO and the FTCCP to engage in sectoral collective bargaining. It noted that Article 46 of Supreme Decree No. 010-2003-TR states that, for the outcome of industry-wide collective bargaining to have general effects for all workers in the industry, the representing trade union or unions must represent the majority of companies and workers within the industry at the local, regional, or national level. All relevant companies must be invited, directly or indirectly. The ruling also confirmed that the FTCCP handles the representation of civil construction workers.

¹⁹⁸ See: <https://www.ftccperu.com/index.php/es/ftccp/historia>

¹⁹⁹ See: <https://capeco.org/>

²⁰⁰ ILO, Social Dialogue Report 2024: Peak-Level Social Dialogue for Economic Development and Social Progress, p. 10.

► Table 8. ILO-Sponsored Tripartite Dialogue Processes at the Regional Level

THEME	TRIPARTITE STRATEGY/INITIATIVE	TRIPARTITE GOVERNANCE/ MONITORING	OBJECTIVES AND METHODOLOGY
FORMALISATION	FORLAC 2.0 Strategy for the Promotion of Formalisation in Latin America and the Caribbean provides a portfolio of services and technical cooperation to be implemented during the 2024-2030 period. ²⁰¹	Participatory Process: FORLAC 2.0 was designed through a tripartite social dialogue process, with active participation from governments, employers, and workers. A regional tripartite workshop in Lima (February 2024) reviewed the draft and enriched the strategy with diverse contributions. This process ensured legitimacy, relevance, and alignment with national realities. Tripartite Governance: The strategy features a governance model that promotes active involvement of tripartite partners in formulating, implementing, and evaluating formalisation policies. Joint Monitoring: FORLAC 2.0 establishes a tripartite advisory committee to periodically monitor and evaluate progress. This approach ensures transparency, accountability, and ongoing improvement of the strategy.	i) FORLAC aims at structuring and strengthening the ILO's integrated response to promote the transition to the formal economy in Latin America and the Caribbean between 2024 and 2030, with tripartite social dialogue as the core mechanism to achieve decent work and social justice. Its goal is to provide technical assistance, design innovative policies, and foster strategic partnerships tailored to each country's context. ii) FORLAC's central approach is based on tripartite social dialogue, co-creating solutions, and fostering inter-institutional coordination. This approach enables the design of balanced, sustainable strategies adapted to the diverse partners, sectors, and territories affected by informality. iii) The Executive Roundtables are the primary mechanism for implementing FORLAC, facilitating public-private coordination, and the active participation of employers, workers, and governments. These roundtables help identify bottlenecks, prioritise cost-effective solutions, and strengthen the institutional framework for formalisation.
CHILD LABOUR	Regional Initiative Latin America and the Caribbean Free of Child Labour ²⁰² : an alliance composed of 31 countries in the Latin America and the Caribbean region, with the active participation of employers' and workers' organisations. Together they prevent and combat child labour in the region. This initiative was launched in 2014 and has gone through various phases. ²⁰³	i) High Level Meetings: The highest political body bringing together the ILO's Regional Office for the Americas, bringing together labour ministers and representatives from employers' and workers' organisations. ii) Focal Points Regional Network: A tripartite executive steering body that meets in person once a year for strategic decisions and holds monthly virtual meetings to monitor activities and progress. Pro Tempore Tripartite Coordinating Committee: responsible for making short, medium, and long-term decisions in consultation with the Initiatives of the Focal Points Regional Network. It meets quarterly with the Technical Secretariat . The initiative has a technical secretariat provided by the ILO, as mandated by participating countries.	i) Two approaches: one focused on prevention-aiming at creating the first generation free of child labour- and another focused on protection-to uphold the rights of children and adolescents currently in child labour; ii) Four-year Strategic Plans define regional priorities for addressing priority target groups. Based on these priorities, each country develops Accelerated Action Plans tailored to their national realities. iii) A policy acceleration framework aims at optimising existing investments in countries from a social development perspective, strengthening inter-sectoral coordination and collaboration. iv) Child Labour Risk Identification Model (MIRTI) identifies the territories (municipalities, localities) with high probability or vulnerability to child labour, supported by the Regional Observatory, which generates and disseminates key data to guide evidence-based public policies.

²⁰¹ ILO, [Strategy for the Promotion of Formalisation in Latin America and the Caribbean 2024-2030](#), Geneva: International Labour Organization, 2024.

²⁰² See: [ILO-Regional Initiative Latin America and the Caribbean Free of Child Labour](#).

²⁰³ See: [Regional Initiative Latin America and the Caribbean Free of Child Labour | International Labour Organization](#)

THEME	TRIPARTITE STRATEGY/INITIATIVE	TRIPARTITE GOVERNANCE/ MONITORING	OBJECTIVES AND METHODOLOGY
LABOUR MIGRATION	ILO Regional Strategy on Labour Migration and Human Mobility in Latin America and the Caribbean 2023-2030: seeks to provide an illustration, within one document of the strategic horizon for ILO's action in the region and to guide the organization's technical cooperation on labour migration and mobility. ²⁰⁴	The strategy was developed and validated through an 18-month (in 2022 and 2023) consultative process involving constituents from 37 countries and territories, including three tripartite subregional face-to-face meetings. ²⁰⁵ November 2022: Tripartite constituents from Central America, Mexico, Panama, and the Dominican Republic held a meeting to set priorities for action under the Regional Strategy. May 2023: The Regional Strategy was endorsed at the 12th Meeting of Caribbean Labour Ministers, with participation from the Caribbean Congress of Labour (CCL), the Jamaica Employers' Federation (JEF), the Employers' Consultative Association of Trinidad and Tobago (ECATT), as well as the Caribbean Community Secretariat (CARICOM). The region's priorities were defined during this meeting. September 2023: constituents from South American outlined their priorities within the Regional Strategy and validated the thematic and cross-cutting areas of the document.	i) Strengthen the regulatory framework, capacities, and public policies of countries regarding labour migration and human mobility, integrating the issue of labour migration into the spaces for tripartite social dialogue. ii) Improve capacities within the region to advance the implementation of principles and guidelines for fair recruitment. iii) Promote public policies that facilitate migrant and refugee workers' access to decent work opportunities. iv) Enhance the capacities of tripartite constituents to promote measures that support labour mobility, training, and the recognition of skills and qualifications for migrant and refugee workers. ²⁰⁶ v) Improve social protection systems and public policies to include migrant and refugee workers, fostering cohesion between migrant and local populations.
OCCUPATIONAL SAFETY AND HEALTH	Regional Tripartite Collaborative Space on Occupational Safety and Health: Facilitates the exchange of information, knowledge, and experience, raises awareness, and promotes training in OSH. ²⁰⁷	In 2023, internal consultations took place at the ILO between the technical secretariat, the Bureau for Workers' Activities (ACTRAV), and the Bureau for Employers' Activities (ACTEMP). In 2024, two meetings were held—one in May and the other in December 2024—focused on tripartite dialogue regarding the establishment of a regional network or collaborative space on OSH. A survey was conducted to map potential preferences and support discussions during these meetings. In March 2025, the first technical meeting took place, presenting the status of national OSH policies and programs across the region, based on the regional study conducted in 2024. Governance of this space adheres to ILO rules for convening tripartite meetings, which require approval from the Governing Body.	The aim is to promote tripartite dialogue, share information, and foster a community of expertise in OSH, thereby enhancing the implementation of fundamental principles and rights related to occupational safety and health, as well as advancing the development of national systems, policies, and programs in the region.

²⁰⁴ ILO, [ILO Regional Strategy on Labour Migration and Human Mobility in Latin America and the Caribbean 2023-2030](#), 2023.

²⁰⁵ See Annex 6 of the [ILO Regional Strategy on Labour Migration and Human Mobility in Latin America and the Caribbean 2023-2030](#).

²⁰⁶ On this subject, see also: [Talent in Motion: Promoting Group to design a regional mechanism for the mutual recognition of Labour competency certification](#).

²⁰⁷ See: [Regional Tripartite ColLabourative Space for Occupational Safety and Health - International Labour Organization](#).

234. Effective social dialogue can also address the phenomena and challenges of a changing world of work, such as multiple crises, gender gaps, vocational training needs, occupational safety and health issues, and shrinking democratic spaces. The region has gained positive experiences in these areas, guided by effective and successful tripartite social dialogue processes that have yielded satisfactory results.

4.2.1. Social Dialogue and Crisis

235. Social dialogue is widely recognised as a vital tool for mitigating the adverse effects of various types of crises on the world of work. Building trust through dialogue is essential for the effectiveness of related public policy measures. In this context, social dialogue processes have achieved positive results in addressing issues such as employment and unemployment benefits, the cost-of-living crisis, and health emergencies.²⁰⁸

236. During the COVID-19 pandemic, for example, many public health measures adopted to contain the spread of the virus had negative impacts on the world of work, on business continuity, and—depending on the industry and activity—on workers' health. Labour relations systems, which prior to the pandemic had delegated certain social policy issues to employers' organisations and trade unions, had to resort to tripartite and bipartite social dialogue to build resilience during the unprecedented health, economic, and social crisis.

237. In these cases, collective bargaining was used proactively, demonstrating its responsiveness to the health emergency and the worsening economic situation.²⁰⁹ The contribution of social partners through collective bargaining aligned with existing institutional arrangements to support these responses.

238. The ILO has proposed structuring strategies to address the COVID-19 health crisis based on four pillars: stimulating the economy and employment; supporting enterprises, jobs, and workers' incomes; protecting workers in the workplace; and relying on social dialogue for solutions.²¹⁰

239. In these meetings, it has been argued that it is important to achieve social dialogue to reach consensus and approve and legitimize policies aimed at reducing the economic and social impacts of crises, through concerted action of governments and employers' and workers' organisations so that policies and programmes implemented guarantee occupational safety and health, expand social protection coverage, and support enterprises, including small and medium-sized enterprises (SMEs), to adapt to avoid bankruptcy, keep workers in their jobs and ensure their income.²¹¹

208 ILO, Social Dialogue Report 2024: Peak-Level Social Dialogue for Economic Development and Social Progress, p. 33

209 ILO, Social Dialogue Report 2022: Collective Bargaining for an Inclusive, Sustainable and Resilient Recovery, p. 148-149.

210 ILO, The World of Work during the COVID-19 Pandemic and the ILO Response in Latin America and the Caribbean, p. 6

211 ILO, The World of Work during the COVID-19 Pandemic and the ILO Response in Latin America and the Caribbean, p. 7

► **Graph 10. Policy Framework: Four Key Pillars in the fight against COVID-19 based on international labour standards**²¹²



240. Tripartite social dialogue played a key role in Panama's response to the crisis. The *Mesa Tripartita de Diálogo para la Economía y Desarrollo Laboral* (Tripartite Dialogue Roundtable for the Economy and Labour Development) was established, comprising the Ministry of Labour and Labour Development, along with the country's most representative trade unions and business organisations. Its goal was to build consensus to help restore and/or improve the labour relations that existed prior to the COVID-19 pandemic.

241. Bipartite agreements between employers' and workers' representatives, as well as tripartite agreements involving the government, have been reached to mitigating the risk of transmission in the workplace. Responding to a global survey, trade unions indicated that COVID-19 had increased the impact of OSH on their collective bargaining programmes, and that OSH had become a significant element of these agreements.²¹³ Both tripartite and bipartite agreements have addressed a range of issues, from risk assessment requirements and teleworking agreements to provisions on systematic testing. Many countries have engaged in social dialogue concerning the need to make proof of vaccination a precondition for employment or access to the physical workplace.²¹⁴

242. Collaboration among partners in the world of work has been essential to ensure that the measures implemented are acceptable and supported by both employers and workers, thereby facilitating effective practical application.

243. Social dialogue is also crucial for addressing climate change and its impacts on the world of work.²¹⁵ In June 2023, the International Labour Conference urged constituents to implement OSH measures for all workers impacted by climate-related risks and extreme weather events (including

²¹² Table retrieved from the publication: ILO, ILO Observatory: COVID-19 and the World of Work.

²¹³ See ILO (2015). [COVID-19, Collective Bargaining and Social Dialogue: A report on behalf of ILO-ACTRAV](#) (2021).

²¹⁴ See ILO (2015). [COVID-19, Collective Bargaining and Social Dialogue: A report on behalf of ILO-ACTRAV](#) (2021).

²¹⁵ Examples of social dialogue spaces dedicated to discussing climate change and just transition exist in the region. In Suriname, a tripartite committee ([Just Transition Committee](#)) is working to address climate change issues (e.g. [Nationally Determined Contributions](#), NDCs).

excessive heat, solar ultraviolet radiation, extreme weather events, workplace air pollution, vector-borne diseases, and agrochemicals).²¹⁶ Collective bargaining is crucial and a highly relevant tool for the definition of additional measures at sectoral or enterprise level; in fact, many collective agreements are now including provisions related, in some way, to climate change.²¹⁷

244. Effective social dialogue between all affected groups is the basis for an effective health and safety response in a changing world of work. Its aim is to maximize the social and economic benefits of climate action, while minimizing and carefully managing the challenges, through respect for fundamental labour principles and rights-especially in key sectors, such as construction, energy, mining, agriculture.

4.2.2. Social Dialogue and Occupational Safety and Health

245. In Latin America and the Caribbean, although occupational safety and health (OSH) policies and/or programmes are approved or adopted by the competent authority, social partners play a key role in discussing and shaping their direction, focus and content, and in structuring these governance tools.²¹⁸ The fundamental role of employers and workers, from a tripartite perspective, is reflected in the Occupational Safety and Health Convention, 1981 (No. 155), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187). These Conventions state that both national OSH policies and programmes must be developed, implemented, and periodically reviewed in consultation with the most representative employers' and workers' organisations.²¹⁹

246. National tripartite consultative bodies that handle OSH issues are particularly important because they provide an ideal forum for social partner consultation and participation in defining, implementing, and updating of OSH policies and programmes.²²⁰ In the region, there is evidence that almost all policies and programmes adopted since 2010 have been approved and/or discussed by these national tripartite bodies.²²¹

247. In Chile, social dialogue has facilitated significant progress in protecting the health and safety of workers in the mining sector. In August 2022, within the framework of the Superior Labour Council, the Mining Sector Commission was established. This tripartite social dialogue body comprises representatives from relevant government institutions, employers' and workers' organisations in the mining sector, with the aim, among other tasks, of advancing the ratification of the Safety and Health in Mines Convention, 1995 (No. 176). It should be noted that the mining sector is vital to the Chilean economy, accounting for 13.6 per cent of GDP and nearly 10 per cent of employment in the country.²²² After overcoming some initial differences, the tripartite social dialogue process concluded in October 2023 with the adoption of a tripartite commitment to ratify Convention No. 176. This consensus was signed unanimously by all members of the Mining Sector Commission, including the Minister of Labour and Social Security.²²³ In addition, the 2016 National OSH Policy, the 2018 National OSH Program, and the new 2024 National OSH Policy were developed through tripartite processes.²²⁴

216 ILO [Ensuring Safety and Health at Work in a Changing Climate](#), Geneva: International Labour Organization, 2024.

217 ILO [Ensuring Safety and Health at Work in a Changing Climate](#), p. 28, 94 and 102.

218 Radoslavova, T.: [Overview of National Policies and Programmes for Occupational Safety and Health in Latin America and the Caribbean](#), ILO, 2024, p. 19.

219 Radoslavova, T.: [Overview of National Policies and Programmes for Occupational Safety and Health in Latin America and the Caribbean](#), ILO, 2024, p. 19.

220 As mentioned in Chapter 1 of this publication, depending on the country, some of these institutions may be temporarily inactive, have been reactivated over time, or have been fully operational for several decades-such as Peru's National Council of Safety and Health at Work, which celebrated its centenary in 2025, and Costa Rica's Occupational Health Council, which marked its 40th anniversary this year.

221 Radoslavova, T.: [Overview of National Policies and Programmes for Occupational Safety and Health in Latin America and the Caribbean](#), ILO, 2024, p. 22.

222 Bueno, C. [ILO Information Note, Tripartite Social Dialogue in Mining and ILO Convention No. 176](#). The Experience of Chile, November 2023.

223 Bueno, C. [ILO Information Note, Tripartite Social Dialogue in Mining and ILO Convention No. 176](#). The Experience of Chile, November 2023.

224 Radoslavova, T.: [Overview of National Policies and Programmes for Occupational Safety and Health in Latin America and the Caribbean](#), ILO, 2024, p. 20.

248. In Panama, tripartite dialogue on occupational safety and health has made notable progress in recent years. A tripartite agreement addressed the implementation of a teleworking law adopted in 2021, which establishes the voluntary nature of teleworking, the right to disconnect, and other workers' rights.²²⁵ The agreement also included requirements for the establishment of bipartite OSH committees responsible for conducting workplace risk assessments in the context of COVID-19. Another important development is the establishment of the National Council for Health and Safety at Work in the country in 2023.²²⁶

249. In some cases, tripartite dialogue at the national level has been followed by further consultations and bipartite or tripartite agreements at the regional or sectoral level to adapt them to the specific context. In Mexico, dialogue between representatives of workers in the education sector and the Ministry of Education addressed issues such as the regulation of teleworking and training teachers in COVID-19-related technological skills.²²⁷ Additionally, the Mexico National Advisory Committee on Standardization for Occupational Safety and Health and the Mexican Social Security Institute published up to 17 checklists to ensure a safe return to work across different industries.

250. The role of social partners does not end with the formulation of norms; they are key actors in the initiatives, schemes, and activities to promote, monitor, and enforce compliance with relevant OSH laws and regulations at the workplace.²²⁸ Another example of this is the establishment of the Regional Tripartite Cooperation Space on Occupational Safety and Health.

4.2.3. Social Dialogue and Gender

251. The principles of gender equality and non-discrimination are enshrined in international labour standards and in the regulatory and institutional framework of many countries in Latin America and Caribbean. However, their effective implementation remains limited in the region. Despite progress made over recent decades, significant gaps still exist in the quality of employment and the nature of women's participation in the labour market.²²⁹ Women in the region face structural barriers to employment, with labour force participation in 2024 at 52.1 per cent compared to 74.2 per cent for men. Additionally, 47 per cent of women outside the labour force in the region cite caregiving responsibilities as the reason, compared to only 7 per cent of men.²³⁰ Moreover, due to the uneven and unfair distribution of unpaid care work, women often shoulder more than twice the workload-encompassing both paid work and domestic responsibilities- and face higher risks of sexual harassment and violence in the workplace.²³¹

252. Social dialogue is a recognised governance tool for promoting gender equality in the world of work. Over time, the scope of social dialogue, including collective bargaining, has expanded in many countries to encompass topics that are essential to achieving gender parity at work and in the family. These include: equal access for women and men to jobs and skills; women's retention and advancement in the labour market; maternity leave beyond the minimum duration required by law and the promotion of paternity and parental leave; the promotion of equal pay for work of equal value to ensure fair wages for men and women; and prevention of and protection against violence and harassment in the workplace- particularly sexual violence and harassment.²³²

²²⁵ See IOE: [Panama: Outcomes of the Tripartite Dialogue for Labour Economy and Development, including the Regulation on Telework](#) (2021).

²²⁶ See: [Executive Decree 8 of August 14, 2023](#), establishing the National Council of Health and Safety at Work.

²²⁷ See Mexico: COVID-19 issues feature in SNTE demands», in Education International (2021).

²²⁸ ILO, Enhancing social dialogue towards a culture of safety and health: What have we learned from the COVID-19 crisis? International Labour Organization - Geneva: ILO, 2022, p. 17.

²²⁹ ILO, [2024 Labour Outlook of Latin America and the Caribbean](#), p. 80.

²³⁰ Guillén Subirán, C., Arancibia Román, P., and Radoslavova, T: [Occupational Safety and Health with a Gender Perspective: Challenges and Advances in Ibero-America](#), Geneva: International Labour Organization 2025, p. 19.

²³¹ Guillén Subirán, C., Arancibia Román, P., and Radoslavova, T: [Occupational Safety and Health with a Gender Perspective: Challenges and Advances in Ibero-America](#), p. 14.

²³² The Global Deal/International Labour Organization (ILO), [Thematic Brief "The Contribution of Social Dialogue to Gender Equality"](#), revised December 2020, p. 3

253. In this context, the effectiveness of social dialogue on gender equality can be analysed from two perspectives. First, through quantitative data on women's participation and leadership within national social dialogue institutions. Second, through qualitative data that reflects the substance of the debate on gender equality and the measures implemented by governments and social partners.

254. However, increases in women's unionisation rates do not always translate into proportional representation in leadership positions. Therefore, measures are needed to ensure women's participation in decision-making spaces-such as quotas in trade union congresses, reserved seats on executive bodies, proportional representation in decision-making bodies proportional based on membership, and the creation of gender equality departments or gender equality/diversity committees within representative organisations-especially in industries where women are underrepresented in the workforce.

255. According to a recent ILO study, while progress has been made, women's underrepresentation in national social dialogue institutions remains a persistent issue at the global level. A study of 195 countries, including 187 ILO Member States, shows that in 2018 female membership in these institutions was between 20 and 35 per cent, in particular in Africa, the Americas, and Europe.²³³ In Latin America and the Caribbean, the average number of women in executive bodies within trade union organisations barely reaches 30 per cent, according to a recent survey conducted under the framework of the Road Map for Strengthening and Transforming Trade Unions in the Americas approved by the Trade Union Confederation of the Americas (TUCA). The female unionisation rate in the region stands at 41 per cent.²³⁴

256. Additionally, a gradual process of reforming trade union statutes has been observed in the region, with the adoption of quota systems both for routine union activities and access to leadership positions. These quotas generally range from 30 to 40 per cent, and in some cases, commitments have been made to achieve parity.²³⁵

257. Simultaneously, it is essential to deepen understanding and emphasize the significant role that collective bargaining plays in reducing gender gaps. Collective agreements are crucial for narrowing income inequality, addressing issues related to gender-based violence and harassment in the workplace, and establishing measures for shared responsibility and work-family balance²³⁶. These measures are vital for eliminating the double burden women often face from unpaid care work and for enabling full and equal participation in all areas.²³⁷ According to the most recent ECLAC/ILO Gender Equality Bulletin, leaves of absence, regulations and instruments that extend care time are key to promoting social co-responsibility and advancing gender equality.²³⁸

258. In the region, many countries have made progress in negotiating collective agreements that include clauses addressing gender gaps. In Brazil, according to the Mediator²³⁹, collective agreement registration and public consultation system, during the first half of 2024, 1,148 collective agreements

233 The Global Deal/International Labour Organization (ILO), [Thematic Brief "The Contribution of Social Dialogue to Gender Equality"](#), revised December 2020, p. 4

234 Delgado, Didice G., Gender Justice, Trade Union Centres, [Women and the Agenda of Gender Justice in the Latin American and Caribbean Trade Union Movement](#), Regional Report, Friedrich Ebert Foundation (FES), October 2022, p. 12.

235 For example, in Brazil and Chile, the Trade Union Confederation of the Americas (TUCA) adopted the challenge of promoting gender equality within the trade union agenda at its founding congress. By congressional mandate, TUCA has established a goal of 40 per cent participation of women in vice-presidencies the titular and alternate vice-presidencies, aiming at reaching 50 per cent. See: [Decent Work and Gender Equality. Policies to improve employment access and quality for women in Latin America and the Caribbean](#), Santiago, ECLAC, FAO, UN-Women, UNDP, ILO, 2013, p. 179.

236 ILO, [Workers with Care Responsibilities in Latin America: A Regional Perspective on ILO Workers with Family Responsibilities Convention, 1981 \(No. 156\)](#), Geneva: International Labour Organization, 2025, p. 47.

237 The adoption of the C190 - Violence and Harassment Convention, 2019 (No. 190), has been fundamental in ensuring that these issues are included in agendas and social dialogue spaces, especially within collective bargaining. In this context, social partners, particularly trade unions, have promoted the implementation of Convention No. 190 through the negotiation of gender clauses in collective agreements and participation in working groups on gender issues. See: Arancibia, P.: [Building a World of Work Free of Violence and Harassment: ILO Convention No. 190](#), Rule of Law Agenda, 2024/07/02.

238 ECLAC/ILO, [Time for Care in Latin America and the Caribbean: Towards Social and Gender Co-responsibility](#), Gender Equality Bulletin, No 4, Santiago, 2025.

239 See Chapter 4 of this publication for an overview of how social dialogue manifests across different levels and contexts within the region.

explicitly mention equal pay, 3,054 included job security clauses for pregnant or breastfeeding women, and 560 addressed issues related to gender-based harassment and violence in the workplace.²⁴⁰ In Chile, a recent study by the Labour Directorate found that all the reviewed collective agreements contained at least one clause related to gender equality, with the most common clauses addressing family and care responsibilities.²⁴¹

259. It is also important to highlight the significance of high-level tripartite social dialogue institutions. Tripartite commissions on gender equality established in some countries in the region have contributed to greater visibility and legitimacy for issues related to women's equality in the workplace. They have played a crucial role as instruments of high-level social dialogue, helping to develop employment programs and policies that incorporate this perspective.²⁴² Other tripartite social dialogue institutions can also play an important role in shaping these policies. For example, in Barbados, the National Tripartite Council is currently studying recommendations to extend maternity leave, among other related policies.²⁴³

260. In this context, social dialogue and increased women's participation in decision-making in all its forms become essential tools for reducing gender inequalities between men and women in the region. Reinforce the capacities of tripartite constituents to engage in the formulation, implementation and monitoring of national care policies, and strengthen all forms of social dialogue, including collective bargaining and tripartite cooperation.²⁴⁴

4.2.4. Social Dialogue, Skills Development and Lifelong Learning

261. Vocational training and lifelong learning are crucial in Latin America and the Caribbean to address the challenges of a rapidly evolving labour market, driven by automation, digitalisation, and green and demographic transitions. They are also essential for ensuring that skills remain current. In a region characterised by high levels of informal employment and inequality, investing in continuous skills development enhances employability, boosts productivity, and helps reduce social gaps. Additionally, it strengthens individuals' capacity ability to adapt to economic crises and technological changes, fostering a more inclusive, resilient, and globally competitive society.

262. In this context, institutionalised social dialogue in national vocational training systems and institutions becomes a key element in ensuring the relevance, quality, and equity of training opportunities, lifelong learning, and skills certification. The active involvement of employers' and workers' organisations, alongside the States, in the design, implementation, monitoring, and evaluation of public policy on training and lifelong learning (including skills certification) leads to higher levels of ownership, support, and commitment to the outcomes of these policies compared to approaches designed and implemented without social partners participation.

263. Latin America and the Caribbean have a long tradition of tripartism and institutionalised social dialogue in the governance of national vocational training and skills certification systems and institutions. In terms of governance, a model that enshrines tripartism within the highest decision-making and strategic management bodies of national vocational training institutions is widespread across the region.²⁴⁵ In these institutions, the most important and strategic decisions concerning their actions, roles, and impact are made through the ongoing and regular exercise of institutionalised social dialogue.²⁴⁶

240 Data collected through a free search in the Consultation Module of the Mediator system ([Ministry of Labour and Employment-Ministerio do Trabalho e Emprego - Mediator](#)).

241 Diaz, C., Aragón, C. and Tobar, F., [Analysis of Collectively Negotiated Gender Clauses in Chile: The Equality They Promote and the Rights They Claim](#). Research Notebook No. 70, 2024, Labour Directorate, Ministry of Labour and Social Security.

242 Tripartite commissions on gender equality and/or opportunities were established in Argentina (see: [establishment SAIJ - Tripartite Commission for Equal Opportunities - Gender in the Labour Secretariat](#)), Paraguay, and Uruguay.

243 See: [New Session of the National Tripartite Council Begins with an Ambitious Agenda](#) and [Minister: 'Nothing stopping' maternity leave expansion](#) | The Tribune.

244 ILC, ILC.112/Resolution V, [ILO Resolution on Decent Work and the Care Economy](#), 112th Session, Geneva, 2024, para. 31.

245 For example, INFOTEP in the Dominican Republic, INA in Costa Rica, SENA in Colombia, INADEH in Panama, TVET Council in Barbados, among others.

246 A description of the levels and areas of social dialogue on vocational training in the region can be found in this ILO/Cinterfor Technical Note: <https://www.oitcinterfor.org/publicaciones/oitcinterfornotas4>

264. The region also offers notable examples of institutionalised social dialogue in the area of skills certification. In Chile, for instance, the *Comisión para el Sistema Nacional de Certificación de Competencias Laborales – ChileValora* (Commission for the National System on Labour Skills Certification - ChileValora) was established in 2008 as a public institution responsible for formally recognising the skills acquired by individuals throughout their working lives, regardless of how they obtained these skills or whether they possess an academic qualification.²⁴⁷ Social dialogue is at the core of ChileValora's operations and involves tripartite institutional participation: employers and their organisations; workers and their trade unions; and the central government.²⁴⁸ The system comprises three tripartite components: *Comisión para el Sistema Nacional de Certificación de Competencias Laborales – ChileValora* (Commission for the National System on Labour Skills Certification - ChileValora), *Organismos Sectoriales de Competencias Laborales* (OSCL) the Sectoral Labour Competency Bodies (Sectoral Labour Skills Bodies, OSCL) and the Labour Skills Assessment and Certification Centres.

265. With the participation of all three groups, the system identifies the skills associated with various occupations, creating a public catalogue of occupational profiles. These profiles are then used to develop training plans and to certify workers who believe they possess the skills necessary for specific profiles. The system also promotes publicly funded job training based on the available training plans.²⁴⁹

266. In Mexico, a National Competency System (SNC) has been in place since 1995. It comprises a Standardized Labour Competency System (SNCL) and a Labour Competency Certification System (SCCL), both coordinated and regulated by the National Council for Standardisation and Certification of Labour Competencies (CONOCER).²⁵⁰ CONOCER is a parastatal entity attached to the Ministry of Public Education, with a tripartite governing body composed of representatives from workers, employers, and the government. CONOCER's purpose is to assist the Federal Executive Branch in matters of job training and the acquisition of knowledge, skills, and abilities necessary for performing productive activities through skilled occupations or trades. Additionally, CONOCER aims to develop the productive potential of human capital in Mexico to enhance the country's competitiveness through a comprehensive National Competency System.

267. Like ChileValora, CONOCER is also a tripartite body composed of fourteen (14) unpaid representatives from the government, the private sector, and civil society (including employers and workers). The Competency Management Committees (CMC), representing specific productive, social, or government sectors, are responsible for promoting the Competency Management model within organisations of their respective sectors. They also play a strategic role in establishing competency standards, as well as in the dissemination, promotion, and development of competency certification.

268. In regional terms, efforts to promote platforms for social dialogue on issues related to vocational training are noteworthy. The Ibero-American Tripartite Social Dialogue Process on Vocational Training was developed during 2023 and 2024, led by the ILO Inter-American Centre for the Knowledge Development in Vocational Training (ILO/Cinterfor), in collaboration with the State Foundation for Employment Training (FUNDAE) of Spain.

269. This process was established to facilitate the exchange of information and opinions among government representatives and representatives of workers' and employers' organisations in Latin America, the Caribbean and Spain. It aims at mutual consultation and the development of agreements to strengthen the quality and relevance of vocational training policies and programs through social dialogue and tripartism.²⁵¹ Also, in 2021, ILO/Cinterfor, together with the ILO Bureaux for Workers'

²⁴⁷ ChileValora's work is governed by Law No. 20,267, of June 25, 2008 (as amended by Law No. 21,666, of April 20, 2024). See also: [Labour Skills Assessment and Certification Centres](#).

²⁴⁸ ILO/ChileValora, Labour Skills Assessment and Certification Centres: Achievements and Challenges 15 Years After Their Establishment, p. 25.

²⁴⁹ ILO/ChileValora, Labour Skills Assessment and Certification Centres: Achievements and Challenges 15 Years After Their Establishment, p. 26.

²⁵⁰ CONOCER is a Parastatal Public Trust, established by a Trust Agreement entered into on August 2, 1995. It was created, on one hand, by the Ministry of Finance and Public Credit, in its capacity as the Sole Trustee of the Federal Public Administration of the Federal Government, and on the other, by the Nacional Financiera (NAFIN), as Trustee, with participation from the Ministry of Public Education. See: [What is CONOCER? Mission, Vision, Policy, and Quality Objectives. - CONOCER](#)

²⁵¹ See: [Start of the Ibero-American Tripartite Social Dialogue Process on Vocational Training 2024 | ILO/Cinterfor](#) and [Ibero-American Tripartite Meeting on Vocational Training and Social Dialogue | International Labour Organization](#)

Activities (ACTRAV) and for Employers' Activities (ACT/EMP) in the region, promoted and carried out a pioneering regional bipartite social dialogue process on vocational training, which concluded with a document outlining agreements between employer and worker representatives on key aspects and challenges of training policies in the region.²⁵²

4.2.5. Social Dialogue and the Consolidation of Participatory Democracy

270. Social dialogue is also a fundamental pillar supporting democratic societies. The countries of Latin America and the Caribbean have diverse political and economic contexts and face many common challenges in developing effective social dialogue across the region. Together with collective bargaining and freedom of association, social dialogue reflects democracy in action and is essential for strengthening the link between employment, rights, and growth.²⁵³

271. However, the erosion of democratic values and institutions is happening in parallel with the erosion of organisational and political strength of, *i.e.* free and independent employers' and workers' organizations.²⁵⁴ The weakening of labour market governance and social dialogue has been driven by the dramatic increase in the violations of fundamental civil liberties for these organisations.²⁵⁵

272. The reduction of democratic spaces, coupled with rising inequality and structural job insecurity—characterized by high rates of informality—are challenges that all countries in the region must face to varying degrees. According to recent data from the Economic Commission for Latin America and the Caribbean (ECLAC), despite the post-pandemic recovery, in 2024, 170 million people in Latin America and the Caribbean continued to live without sufficient income to meet their basic needs.²⁵⁶ Similarly, the richest 10 per cent of the population accounts for more than 52.8 per cent of the total income, while the most vulnerable half barely has access to 10 per cent.²⁵⁷ Income and opportunity inequality diminish citizen participation, lead to social unrest, and generate conflict and dissatisfaction with the current order, thus threatening democratic systems.

273. The region also continues to grapple with high rates of informal employment. The average informality rate in labour markets, despite a slight improvement compared to 2023, stood at 47.6 per cent in 2024, with some countries reaching as high as 70 per cent.²⁵⁸ Generally, workers in the informal economy are not covered by labour legislation, which limits their rights to freedom of association, unionisation and association, and collective bargaining and, consequently, their participation in social dialogue.

274. Another significant challenge related to the participation of social partners in democratic contexts is the low rate of unionisation rate in the region²⁵⁹, which undermines the independence of trade unions and contributes to a crisis of representation in the world of work. This highlights the urgent need for the effective enshrinement of the fundamental rights such as freedom of association and collective bargaining. The trade union density in Latin America and the Caribbean stands at 12.3 per cent, compared to a global unweighted average of 20 per cent (based on data available for 139 countries, territories, and areas), with some countries in the region having unionisation rates around 3 per cent.²⁶⁰

²⁵² The main results of this process can be read here: <https://www.oitcenterfor.org/node/8470>

²⁵³ ILC, *Jobs, Rights and Growth: Reinforcing the Connection- Report of the Director-General*, Geneva: International Labour Organization, 2025, para. 117.

²⁵⁴ ILC, *Jobs, Rights and Growth: Reinforcing the Connection- Report of the Director-General*, Geneva: International Labour Organization, 2025, para. 114.

²⁵⁵ ILC, *Jobs, Rights and Growth: Reinforcing the Connection- Report of the Director-General*, Geneva: International Labour Organization, 2025.

²⁵⁶ Economic Commission for Latin America and the Caribbean (ECLAC), *Social Panorama of Latin America and the Caribbean*, 2024 (LC/PUB.2024/21-P/Rev.1), Santiago, 2024, p. 44.

²⁵⁷ Economic Commission for Latin America and the Caribbean (ECLAC), *Social Panorama of Latin America and the Caribbean*, p. 74.

²⁵⁸ ILO, *Employment Outlook 2024*, 2025, p. 56.

²⁵⁹ Between 2017 and 2019, the trade union density rate in the region ranged between 12 per cent and 13 per cent, considering countries with available statistics (Source: [ILOSTAT](#)).

²⁶⁰ ILOSTAT. Data for 2020, covering countries in the region for which data were available.

275. In this regard, promoting the organisation, representation, and participation of workers and economic units in informal economy through inclusive social dialogue and its institutions-within the framework of freedom of association and the effective recognition of the right to collective bargaining-is crucial to combating informality and fostering the transition to formality. This involves encouraging representative employers' and workers' organisations to expand their membership, provide services, and, where appropriate, build alliances and partnerships to achieve common objectives.²⁶¹

276. Additionally, the region faces socio-political phenomena that undermine trust in public institutions and hinder the development of effective social dialogue processes, such as political polarization and misinformation. Social dialogue becomes even more challenging when governments and their institutions lack trust and credibility among social partners, particularly during times of political instability or economic crisis, which can erode civil liberties, including the right to freedom of association.

277. Furthermore, social dialogue institutions and mechanisms for preventing and resolving labour disputes in the region may be hampered by inadequate or ineffective legal frameworks, limited institutional capacity, or budget constraints.

► 4.3. Social Dialogue as a Means of Achieving Social Justice in Latin America and the Caribbean

278. The transformation of the world of work poses new challenges and opportunities for the governance of labour relations and institutions. Weak economic growth and low productivity in many countries have resulted in labour market insecurity, high inequality, and multiple crises. The world of work also faces challenges related to new forms of employment, an interconnected global market, digitalisation, artificial intelligence, the robotisation of production processes, climate change, and demographic shifts. Addressing these challenges requires reforms to social protection systems, the formalisation of the economy, and the management of migration flows—especially at a time when there is evidence of shrinking democratic spaces and growing societal polarization. Traditional state measures, based on the conventional concept of work as subordinate to a single employer's control, are no longer sufficient to meet all these challenges.

279. The way societies regulate work lays the foundation for social justice.²⁶² In turn, the governance of labour relations is embedded within a social contract that emerges from the relationship among governments, workers, and employers, including various civil society groups. This reflects a common understanding of how common objectives-such as equity, justice, freedom, and security-are defined and prioritised, and achieved through institutions and procedures that ensure their legitimacy. However, given the scale of these challenges, it is necessary to rebuild and strengthen the social contract around decent work, reestablishing the link between employment, rights, and economic growth.²⁶³ This renewed contract aims at promoting social justice, fostering inclusiveness across economic and social dimensions, and equipping societies with the agility needed to navigate rapid and profound change.

261 ILO, [ILC.113/Resolution IV, Resolution concerning the general discussion on addressing informality and promoting the transition to formality for decent work](#), International Labour Conference, 113th Session, Geneva: International Labour Organization, June 12, 2025.

262 ILO, ILC.111/I(A)(Rev.), International Labour Conference, 111th Session, [Advancing Social Justice](#). Geneva: International Labour Organization, 2023, para. 47.

263 ILO, ILC.111/I(A)(Rev.), International Labour Conference, 111th Session, [Advancing Social Justice](#). Geneva: International Labour Organization, 2023, para. 47.

280. In Our Common Agenda²⁶⁴, the UN Secretary-General emphasised the need to renew the social contract between Governments and their people, and within societies so as to respond to rebuild trust and embrace a comprehensive vision of human rights amidst evolving circumstances.²⁶⁵ He also highlights the importance of updating governance arrangements.²⁶⁶

281. The United Nations definition of social justice is “an underlying principle for peaceful and prosperous coexistence within and among nations”.²⁶⁷ This can be interpreted as a world in which societies are based on the principles of equality and solidarity, understand and value human rights, and recognise the dignity of every human being. The five key principles of social justice are often defined as: the recognition that different people have different needs and circumstances (equity); ensuring that everyone has access to the resources and opportunities they need to succeed (access); enabling all individuals to play a role in the political, economic, and social life of communities (participation); protecting the human rights of all individuals (rights); and valuing and respecting differences between people, such as race, gender, and sexual orientation (diversity).²⁶⁸ One of the primary ways in which the UN advances social justice is through the promotion of decent work and economic opportunities.

282. The 2008 ILO Declaration on Social Justice for a Fair Globalization reaffirms ILO’s values and highlights ILO’s crucial contribution to progress and social justice in the context of globalization. This Declaration serves as a compass for promoting fair globalization based on decent work, as well as a practical tool for accelerating progress in implementing the Decent Work Agenda at the country level. It also reflects a forward-looking perspective that underscores the importance of sustainable enterprises for creating more jobs and income opportunities for all. In this context, it is recognised that social development and social justice are indispensable for achieving and maintaining peace and security within and among nations-and that, in turn, they cannot be realised without peace, security, respect for all human rights, and fundamental freedoms.

283. In this regard, the ILO defines social justice as the pursuit of equitable outcomes in society, ensuring that all people have equal access to the opportunities, rights, and resources necessary to lead a decent life.²⁶⁹ It encompasses concepts such as equal access to work, social protection, social dialogue, and fundamental labour rights.²⁷⁰ As part of this effort, the Organization launched the Global Coalition for Social Justice to foster multilateral cooperation and partnerships, and to accelerate progress towards the achievement of the SDGs. The Coalition serves as a platform for generating political commitments, investments, and concrete measures that support social justice, aligned with national priorities. Initial priorities for advancing the preliminary thematic development of the coalition, based on specific inputs from tripartite constituents and partners, include promoting job creation and universal social protection, reducing inequalities, raising social justice, and decent work on the priority list of other multinational organisations and strengthening social dialogue.

284. The ILO’s approach to promoting social justice and decent work is grounded on the principles of tripartism and social dialogue. These principles are essential tools for achieving social justice

264 The report “Our Common Agenda” is the Secretary-General’s vision for the future of global cooperation. It calls for a multilateralism that is more networked, inclusive, and effective to better respond and deliver outcomes for people and the planet. It also urges the world to resume action toward the Sustainable Development Goals, outlining potential solutions to address the gaps and risks that have emerged since 2015, and proposing a Future in 2024. See: [Our Common Agenda - new-ES | Naciones Unidas](#).

265 UN, Our Common Agenda - [Report of the Secretary-General](#), United Nations, New York, 2021, p.22.

266 UN, Our Common Agenda - [Report of the Secretary-General](#), United Nations, New York, 2021, p.22.

267 See: [What is social justice and how is the UN helping to make it a reality? | UN News](#)

268 See: [What is social justice and how is the UN helping to make it a reality? | UN News](#)

269 ILO, [Global Coalition for Social Justice](#).

270 In this context: i) equitable access to work: ensuring fair access to decent jobs for all, including the promotion of decent jobs, skills development, and “green jobs”, meaning decent jobs that have a positive impact on the environment; ii) social protection: providing access to health care and income security for all, especially in cases of unemployment, illness, disability, work-related accidents, maternity, old age, or loss of the breadwinner; iii) social dialogue: facilitating meaningful participation of governments, employers, and workers’ organisations in addressing the challenges of the world of work and developing labour standards; and iv) fundamental rights at work: recognising and safeguarding the rights of all workers, including freedom of association, the right to collective bargaining, the elimination of forced or compulsory labour, the elimination of child Labour, occupational safety and health.

objectives that foster an equitable and inclusive society. They are particularly important for ensuring the fair participation of all social groups, especially given the cultural diversity of Latin America and the Caribbean, with a view to effectively addressing the multiple economic, social, environmental, and labour challenges within the framework of a just transition.

285. The participation of the three key partners-governments, employers and workers-in decision-making processes leads to greater consensus, trust, and cooperation in tackling labour and economic challenges. At the same time, the challenges identified underscore the need to strengthen existing governance structures to better regulate the world of work in a more effective and inclusive manner. Tripartite social dialogue and its institutions play a vital role in improving labour governance, building resilience, and shaping a democratic and participatory future of work.



5

Towards a Sustainable Institutionalised Social Dialogue in Latin America and the Caribbean

5. Towards a Sustainable Institutionalised Social Dialogue in Latin America and the Caribbean

286. The state of social dialogue in Latin America and the Caribbean is characterised by a high volume of processes and a strong level of commitment from tripartite constituents. Efforts to establish and institutionalise spaces for dialogue in the region are also recognised. However, despite a culture and tradition of social dialogue, challenges remain in ensuring these processes and spaces function effectively or become more effective.

287. As mentioned above, institutionalising social dialogue processes to address key socioeconomic issues can enhance policy legitimacy and effectiveness through consensus, enable more efficient prevention and resolution of labour disputes, support democratic governance and participatory decision-making, and promote social cohesion and economic stability. Sustainable institutionalised social dialogue—marked by structured and continuous communication between governments, employers, and workers—is a cornerstone of democratic governance and inclusive development. In Latin America and the Caribbean, where economic inequality, labour informality, and political polarization continue to pose significant challenges, strengthening social dialogue mechanisms is vital for building more just, resilient, and participatory societies.

288. This publication aims at examining the current situation of social dialogue and its spaces in the region, highlighting the main practices, opportunities, and challenges for strengthening its institutional framework and sustainability. As noted throughout the text, although several countries have developed significant national and/or sectoral dialogue frameworks, their effectiveness and stability vary considerably. Factors such as political instability, the shrinking of democratic spaces in some countries, institutional and budgetary weaknesses, low unionisation rates, limited coverage of collective bargaining, and the exclusion of informal workers, among other challenges, can hinder the effective participation of representative organisations and undermine efforts to establish lasting platforms for dialogue—ultimately reducing the likelihood of reaching agreements.

289. To advance the development of sustainable institutionalised social dialogue mechanisms in the region, it is essential to identify the structural and political challenges hindering their functioning and to propose strategies for improving dialogue among governments, employers, and workers—considering the specific national contexts. Social dialogue can be effective and sustainable when supported by assumptions such as strong representative organisations, clear mandates, political commitment, inclusive participation, and a robust institutional infrastructure. The specific examples examined in this publication—covering countries such as Barbados, Brazil, Chile, Curaçao, Colombia, Panama, and Peru—illustrate how dialogue can serve not only as a tool for preventing and resolving labour disputes, but also as a platform for formulating broader economic and social policies. These include post-crisis resilience and recovery, efforts to reduce gender gaps, and initiatives for a just transition.

290. As noted, fostering institutionalised social dialogue in Latin America and the Caribbean can play a crucial role in promoting inclusive economic growth, democratic governance, and social cohesion. However, to achieve this, dialogue spaces must be supported by inclusive and resilient regulatory frameworks capable of withstand political transitions, economic fluctuations, and social upheavals. This includes integrating social dialogue into national legal and regulatory frameworks, ensuring adequate funding and administrative support for dialogue institutions, promoting inclusive participation—especially of women, youth, informal workers, migrants, and indigenous peoples—strengthening the organisational and training capacities of trade unions and employers' organisations, and harnessing technology to improve transparency and participation.

291. Similarly, promoting regional cooperation among countries can significantly support the sharing of knowledge. Recent experiences in the region demonstrate that sharing best practices and experiences through regional forums and institutions are vital tools to assist countries in better institutionalising spaces where social dialogue is a core pillar.

292. Beyond the experiences described in this publication, other initiatives highlight the importance of this strategy. In the area of social dialogue training, the Latin American Network of Social Dialogue Academies was recently established with the technical support from the ILO. This regional coordination forum aims at promoting the exchange of experiences, knowledge generation, and specialised training in social dialogue, labour relations, and tripartism. The network brings together social dialogue training institutions from Chile, Colombia, Panama, the Dominican Republic, and Venezuela.²⁷¹ Regarding tripartite social dialogue institutions in the field of skills certification, in addition to the experiences highlighted throughout this publication and promoted by the ILO/Cinterfor, it is worth noting that, within the framework of the Triangular Cooperation Project “Optimising Care, Protection and Reintegration of Populations in Human Mobility in El Salvador, Guatemala and Honduras”, the tripartite institutions ChileValora and the National Council for Standardisation and Certification of Labour Competencies (CONOCER) of Mexico will provide advice on conducting a diagnosis of the institutions responsible for certifying labour competencies in these countries.²⁷²

293. It is also important to reinforce the significant role played by regional conferences and meetings in exchanging experiences. In this regard, it is worth recalling that the Subregional Conference on Freedom of Association, Social Dialogue and Dispute Resolution, held from 18 to 21 of March 2024, in Panama City, was attended by 29 official delegates from Honduras, El Salvador, Costa Rica, Guatemala, the Dominican Republic, and Panama. In addition, 68 people linked to labour relations from the host country, as well as from the sub-region and elsewhere attended, fostering in-depth discussions. In total of 11 countries were represented: Mexico, Honduras, El Salvador, Costa Rica, Guatemala, Honduras, the Dominican Republic, Colombia, Panama, Venezuela, South Africa, and the United States of America.²⁷³

294. Regarding institutions for conflict prevention and resolution, the importance of establishing effective bodies grounded in adequate conditions and resources was highlighted. These bodies must be sustainable over time and operate with genuine tripartite participation on equal footing, regardless of their institutional structure, to ensure effective access to labour justice. It is therefore crucial to guarantee participation in good faith and to build confidence among all constituents in their procedures. In this context, in addition to the bodies mentioned earlier, the efforts of constituents in many countries should be recognised. While they may not have institutionalised bodies specifically dedicated to resolving disputes related to the application of International Labour Standards (ILS), they seek alternative and peaceful means to resolve such disputes. As observed in Chile, complaints submitted to the ILO supervisory system are being addressed through the establishment of ad hoc conciliation roundtables at the national level, with technical assistance and facilitation from the ILO, creating an important space for dialogue between the government and social partners.

295. Institutionalised sustainable social dialogue is not only achievable, but also crucial for tackling inequality, fostering economic growth rooted in social justice, and ensuring democratic governance in Latin America and the Caribbean. While challenges remain, targeted reforms and collaborative efforts can substantially strengthen these mechanisms across the region. By committing to a framework of institutionalised, inclusive, and lasting social dialogue, Latin American and Caribbean countries can enhance democratic governance, promote decent work, and manage social and economic transitions more effectively.

271 See: [Latin American Network of Social Dialogue Schools Established | International Labour Organization](#)

272 See: [International Cooperation Agencies from Chile and Mexico Launch Project with ChileValora and CONOCER | Chilevalora](#)

273 ILO, Freedom of Association, Social Dialogue and Dispute Resolution: Proceedings of the 2024 Subregional Conference, Panama City, Panama, March 18-21, 2024, Panama: International Labour Organization, 2024



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