



## FOR INFORMATION

### THIRD ITEM ON THE AGENDA

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

1. The Office has been reporting regularly to the members of the Governing Body on the progress made in the implementation of the Tripartite Agreement on Freedom of Association and Democracy (hereinafter, the “Agreement”), signed by representatives of the Government of Colombia and of Colombian employers’ and workers’ organizations. This Agreement was submitted to the Conference Committee on the Application of Standards at the 95th Session of the International Labour Conference (June 2006) and to the Governing Body at its 297th Session (November 2006). This report describes the latest developments in this area since the last report was presented to the Governing Body in March 2009.
2. In November 2009, the implementation of the four projects financed by the Government of Colombia was concluded. The projects in question were among the commitments made in the Agreement in order to promote the fundamental labour standards and social dialogue, strengthen workplace inspection services, and promote employment of young people and women as well as the development of local economies. About 4,000 people participated in the training activities provided under the first project. Of that total, some 1,230 took part in activities for employers, 1,680 in activities for trade unions, and 1,051 (including 254 judiciary officials) in activities with the Government. There were also numerous tripartite activities at the local level within the framework of the other three projects. According to the final evaluation the projects contributed to a deepening of bipartite and tripartite social dialogue at both the local and national levels, as a means of improving labour relations and promoting decent work in companies and productive sectors, and of reinforcing the labour administration at the local and national levels. Attention was also given to the priority given under the Decent Work Agenda to improving the application of international labour standards ratified by Colombia, which ensure respect for the fundamental rights in general, and in particular for freedom of association and the right to collective bargaining, which are the pillars of social dialogue.
3. Implementation of the project financed by the Government of the United States, which began in October 2008, continues. This project has also contributed to creating the climate and capacity required to apply the fundamental principles and rights at work, and in particular freedom of association and the right to collective bargaining, by documenting good negotiating practices. In 2009, a project financed by the Government of Canada was launched to strengthen institutionalized social dialogue through the Permanent Committee

for Consultation on Wage and Labour Policies. These projects complement those funded by the Government and have supported the development of a diagnostic tool and a map of social dialogue actors at the national level. A plan is also being developed to improve the functioning of the departmental subcommittees, the relevance of the topics they address, and the impact of their agreements.

4. In February 2010, the Office began the implementation of a new project financed by the Government with a contribution of 1.37 billion pesos, with the aim of promoting social dialogue and improving the situation of women in the labour market. It is hoped that project activities will take place in the country's different administrative departments.
5. In addition to project activities, the Office has continued to provide technical assistance through numerous missions involving officials and experts from the Subregional Office for the Andean Countries and from headquarters, in support of the commitments made by the Government and the country's employers' and workers' organizations. It has participated in meetings of the Permanent Committee and in tripartite meetings. The International Labour Standards Department conducted a mission to investigate the progress made in implementing the conclusions of the 2008 meeting of the Conference Committee on the Application of Standards regarding the application of Convention No. 87 and the Agreement. In the course of the mission, discussions focused on progress achieved in combating impunity with the aid of special investigation units and specialist judges, and in the application of standards relating to freedom of association and collective bargaining, with different actors including the Attorney-General's Office, the Prosecution Service, the Higher Council of the Judiciary and the Constitutional Court. The latter already refers to questions raised by the Committee of Experts on the Application of Conventions and Recommendations in its judgements.
6. The Government has undertaken to continue the protection programme for trade unionists and to provide the Attorney-General's Office with the resources it needs to investigate acts of violence. In addition, it will contribute improving the functioning of the Special Committee for the Handling of Conflicts referred to the ILO (CETCOIT) and to facilitate the settlement of pending cases by providing it with a mediator. The Permanent Committee for Consultation on Wage and Labour Policies will examine disputes arising from legislation that are still before the ILO supervisory bodies.
7. It is unanimously agreed that work must continue to improve the consultation and participation machinery available to the social partners, in keeping with the principles of the ILO supervisory bodies, and that further efforts are needed to promote dialogue in all its forms.
8. The Office wishes to emphasize once again the continued cooperation of the Government of Colombia and the goodwill shown by the Colombian employers' and workers' organizations in supporting the implementation of the Agreement. Nevertheless, considerable efforts still need to be made to give effect to the commitments that have been made.

Geneva, 16 February 2010.

*Submitted for information.*