



FOR INFORMATION

FIFTH ITEM ON THE AGENDA

Special technical cooperation programme for Colombia

1. At its 281st Session (June 2001), the Governing Body of the ILO asked the Office to prepare a special technical cooperation programme for Colombia.
2. The special technical cooperation programme for Colombia was submitted to the 282nd Session (November 2001) of the Governing Body by the then Director of the Regional Office for the Americas, Mr. Agustín Muñoz. Since that time, the Office has submitted regular reports to each session of the Governing Body on the activities undertaken under the special programme for Colombia.
3. In accordance with the decision of the Officers of the Governing Body that progress in the implementation of this programme was to be examined by the Committee on Technical Cooperation of the Governing Body, the Office submitted the last progress report on the activities initiated under the special technical cooperation programme for Colombia at the 292nd Session (March 2005) of the Governing Body.
4. The latest progress report, incorporated as an appendix, describes the activities that have been carried out to date since the 292nd Session (March 2005) of the Governing Body.

Geneva, 31 January 2006.

Submitted for information.

Appendix

I. Progress made in activities. Context in which the programme is being implemented

Background

1. Last year, there were some significant developments with regard to respect for the lives and physical integrity of workers, trade union officials and members of workers' organizations. First, in accordance with the information provided by the relevant government bodies and confirmed by Colombian trade union confederations, the trend already observed in 2004, concerning a reduction in the number of attacks against trade union officials and organized workers, has continued. Nonetheless, and as reported on a regular basis, the measures adopted by the State to combat impunity have had limited success. Consequently, the phenomenon of impunity continues to be a cause of concern for trade union organizations, their officials, society in general and the Government itself. In view of the above, as soon as the new Attorney-General took up office he announced the establishment of a special investigation unit within the Office of the Attorney-General to investigate and solve criminal acts perpetrated against workers, officials and members of trade union organizations. That this is one of the achievements resulting from activities undertaken by the International Labour Office in collaboration with the Office of the Attorney-General.
2. On the other hand, organized workers have continued to report the lack of respect, displayed by the Government and employers, for the right to organize and bargain collectively. According to the trade union organizations, workers continue to encounter problems with regard to organizing or to gaining the recognition of duly established trade unions. Similarly, according to organized workers, collective bargaining procedures cannot be conducted properly because of practical or legal obstructions encountered in both the public and private sectors. As far as employers are concerned, they are following the procedures prescribed by law; when a collective agreement ends, they present their corresponding proposals to revise the agreement in question. In the public sector, some cases (for example, in the administrative and academic sector of public universities or the oil sector) have led to specific complaints. Lastly, some trade union organizations still consider that the "associated work cooperatives" promoted by the Government hinder the development of trade union organization of workers and collective bargaining.
3. However, it should be noted that, on 14 December 2005, in an effort made by the Government, employers and workers, the Standing Consultation Committee on Wage and Labour Policies concluded an agreement on an increase in the minimum wage. However, this agreement also addresses other important issues related to social protection, in the broad sense of the term, and the respect for fundamental rights at work. The Government, employers and workers have made a commitment to ensure that the minimum wage established for workers in the formal economy will be respected. To that end, the establishment of an ad hoc mechanism is planned. The agreement also provides the basis for maintaining the purchasing power of wages, for a determined period, by freezing the prices of some essential items and through the establishment of a monitoring mechanism involving employers and trade union confederations. Measures are also envisaged to ensure that minors from vulnerable Colombian families have access to, and remain within, the education system, by, among other things, monitoring education costs, which are directly controlled by the Government, or through education grants.
4. The agreement also envisages giving new impetus to the Standing Consultation Committee, by adopting a committee work plan and holding monthly meetings. Furthermore, it was agreed to establish a bilateral committee for discussing issues of

interest to the public sector, including, among other things, those related to the implementation of ILO Conventions Nos. 87, 98, 151 and 154. This committee held its first meeting on 19 January 2006. Recognizing that trade unionism is an integral part of democracy, the Government, employers and workers have undertaken to respect and promote fundamental rights at work, in accordance with the ILO Conventions ratified by Colombia.

5. As a result of discussions held by the Committee on the Application of Standards of the International Labour Conference (June 2005), a high-level mission, comprising the Chairperson of the Committee on Freedom of Association and the Employer and Worker Vice-Chairpersons of the ILC Committee on the Application of Standards, visited Colombia from 24 to 29 October 2005. It should be noted that the preliminary recommendations of this mission state, among other things, that “in order to combat the current situation of impunity, full commitment is required in the following areas: continual tripartite dialogue on fundamental rights, a clear and wide-reaching political will, and the necessary resources”.
6. Accordingly, the ILO continues to support the action being taken by the Government and employers’ and workers’ organizations to combat impunity, improve labour relations and promote sustained institutional social dialogue, which involves the respect of fundamental rights at work, particularly those concerning freedom of association and collective bargaining.

Human rights and the right to life

7. To protect the lives and physical integrity of threatened trade union officials, the AFL-CIO Solidarity Centre, the Social Assistance Secretariat of Colombia, the Government of Germany and the German Confederation of Trade Unions (DGB) have facilitated the temporary departure of trade union officials and their families, with assistance also provided by the ILO.
8. With a view to increasing the protection of employers threatened by kidnapping, the *Fundación País Libre* (Free Country Foundation) has continued to conduct a series of activities with ILO support. For example, four seminars/workshops were held to analyse, among other things, national and regional statistics on kidnappings and extortion, kidnappings and operational methods, prevention theories, risk analysis and possible action. At the suggestion of the ANDI, other similar workshops are planned for the families of employers and professionals affiliated to the association.

Promotion of fundamental rights at work

9. To enhance the promotion of fundamental rights at work and to follow up the activities that have been under way since 2003, seminars and workshops were held with the Government, the Office of the Attorney-General, the Rodrigo Lara Bonilla School for the Judiciary, and some trade union organizations and various universities of Colombia.
10. The workshop carried out with the Office of the Attorney-General (September 2005) was aimed at assessing the impact and results of the process being implemented since 2003 to disseminate information, raise awareness and provide training on fundamental rights, international labour standards and the follow-up to Case No. 1787 before the Committee on Freedom of Association. This workshop was attended not only by district attorneys from various regions of the country, but also by the representatives of investigative bodies which assist district attorneys (Administrative Department of Security (DAS), the judicial police and the Technical Investigations Unit (CTI)). At this workshop, the Attorney-General announced the establishment of a specialized unit within the Office of the Attorney-General to investigate criminal acts perpetrated against organized workers and their leaders. This decision drew on the recommendations formulated at seminars, sponsored by the ILO, for district attorneys. The conclusions and recommendations

resulting from the assessment workshop will determine the content and scope of future activities undertaken with the Office of the Attorney-General in the area of fundamental rights at work and international labour standards.

11. The new course for judges and magistrates on international labour standards (October 2005), which was co-organized with the Rodrigo Lara Bonilla School for the Judiciary, provided an opportunity to test the teaching materials that will be subsequently used by the school in its training courses. The course on international labour standards has been placed on the regular curriculum of the institution. A new course, sponsored by the ILO, is planned for 2006.
12. Continued support was given to the Ministry of Social Protection for holding forums to disseminate fundamental rights at work (seven in 2005). These forums brought together representatives of local authorities, as well as representatives of employers' and workers' organizations from the same provincial regions. Another six forums are planned for 2006 with continued ILO support.
13. Seminars for workers were organized with two Colombian trade union confederations (CTC and CUT) on fundamental rights at work (September and October 2005). It is hoped that other seminars will be held in 2006, with one of these seminars specifically targeting officials affiliated to the trade union of the Office of the Attorney-General, as requested by the CGT, in March 2006.
14. Given the importance of the Andean Subregional Tripartite Meeting on Labour Administration Systems and the Application of Labour Standards (July 2005), which was organized under the auspices of the subregional project for strengthening labour administration services (FORSAT), an invitation was extended to representatives of the Ministry of Social Protection and of employers' and workers' organizations. It should be noted that Colombia is not encompassed by this project. However, Colombia was invited in view of the content of the meeting, which, among other things, addressed issues relating to the role of labour administrations in respect of fundamental rights at work. Employers' and workers' representatives also participated in the meeting.
15. A new course on fundamental principles and rights at work and international labour standards was organized for students from ten Colombian universities, including six in the provinces (November 2006). It is hoped that this will both increase the knowledge of future law professionals of these issues and institutionalize the course. The students were chosen from the members of legal advisory services at the participating universities.
16. Through the joint action of the Subregional Office for the Andean Countries and the International Labour Standards Department, it is hoped that the promotion and dissemination of fundamental rights at work and international labour standards will be strengthened, standardized and institutionalized, as suggested by the high-level mission in its preliminary recommendations (October 2005).

Freedom of association and collective bargaining

17. With a view to enhancing the understanding and dissemination of the principles and rights concerning freedom of association and collective bargaining, as well as those concerning mechanisms for settling disputes, workshops and seminars continued to be organized for government officials and employers' and workers' representatives.
18. In collaboration with the Mayor's Office of Bogotá, a seminar was held (September 2005) on Conventions Nos. 151 and 154. The ILO/USDOL project contributed to this seminar.
19. More than ten seminars on collective recruitment and collective bargaining in the public sector were organized with trade union organizations (CGT and CUT). Also, to provide a basis for discussions, studies on collective bargaining in the public sector were updated at these seminars. A seminar on the impact of labour reform on employment was organized (May 2005) with trade union confederations, with the participation of representatives of

the Government, employers and academics. The seminar also examined the impact of labour reform on the exercise of the right to freedom of association and collective bargaining. This seminar also examined the employment proposals put to the Government by the combined leadership of the trade union confederations.

20. Under the ILO/USDOL project, over 20 seminars on the prevention and settlement of labour disputes were held between March and September 2005 (when the project came to an end). Many of these seminars were tripartite. On other occasions, seminars were organized for the members of specific sectors (government, employers or workers). In June and August of the same year, two technical workshops were held on the sustainability, development, strengthening and dissemination of methods for preventing and settling labour disputes. Furthermore, with the support of the ILO/USDOL project, the ILO supported a meeting of experts which examined the conclusions and recommendations that were to be submitted to the Government with a view to the adoption of dialogue procedures in the world of work. Adopting such procedures should help speed up the handling and settlement of labour disputes.
21. A number of workshops have been planned to discuss the most appropriate methods and mechanisms for guaranteeing the right to freedom of association and collective bargaining in the public sector. This commitment is clearly reflected in point 8 of the tripartite agreement of 14 December 2005, referred to above.

Promotion of social dialogue

22. With a view to strengthening tripartite social dialogue, support was given to resuming the activities and preparing the respective workplans of six departmental tripartite consultation subcommittees on wage and labour policies, established by the Ministry of Social Protection. Five similar initiatives are planned in order to complete this process in the remaining departments (Amazonas, Córdoba, Meta, Caquetá and Chocó). A commitment is made to this process in point 11 of the tripartite agreement of 14 December 2005. The ILO will continue to support this process. Similarly, support will be given to the resumption of round tables for social dialogue on human rights and the fundamental rights of workers, convened by the Vice-President of the Republic and the Ministry of Social Protection.
23. To follow up the programme envisaged for the Colombian employers' sector, three seminars were organized (in November 2005) for strengthening consultation and social dialogue, with the support of the ANDI. Activities also continued relating to the programme for disseminating the corporate social responsibility. In this regard, reference should be made to the support given to the "ANDI-Junior Chamber for Entrepreneurial Social Development (20-year)" programme and to the promotion of social responsibility and social balance in the Bogotá-Cundinamarca region. As part of efforts to promote social dialogue at the local level, and with a view to strengthening employers' organizations for the purposes of social dialogue, support was given to the establishment of an association for small and medium-sized enterprises in Fontibón (Bogotá, Capital District) which affiliated itself to the ACOPI.
24. In addition, 15 seminars were organized with the workers' sector on trade union strengthening for social dialogue, with particular emphasis on the problems associated with youth employment and women workers. In order to increase knowledge of elements affecting social dialogue processes, a national workshop was organized (April 2005) for members of the CGT, CTC and CUT on the subject of monitoring centres, databases and decent work. Along the same lines, a seminar was organized on the social dimension of globalization. A working paper on this subject was prepared and distributed.
25. In collaboration with the local authorities and under the joint auspices of the International Training Centre of the ILO in Turin, three seminars were held on social dialogue and productivity.

Other activities involving ILO cooperation

26. As part of the ILO/USDOL project, the gender case study in two industries was completed. The study was published and distributed.
27. To follow up the support provided by the ILO/USDOL project, the process for methodology transfer in the area of gender-sensitive enterprise management was consolidated. To that end, support was provided for the establishment of an independent NGO that would ensure the sustainability of the methodology in question through its development and dissemination at the national and regional levels.

IPEC/ILO activities in Colombia

28. Among the numerous activities undertaken as part of IPEC/ILO activities in Colombia, reference should be made to the adoption of the National Plan for the Elimination of the Worst Forms of Child Labour, as well as local plans. Indeed, local plans are being implemented in nine municipalities, as well as in the Capital District. Also, a new Memorandum of Understanding was signed between the Government of Colombia and the ILO to support activities to eliminate child labour, with particular emphasis on its worst forms. Various letters of understanding, with similar objectives to the Memorandum, were also signed with a number of municipalities. The ILO took part in celebrations of the tenth anniversary of the Interinstitutional Committee on the Elimination of Child Labour and Protection of Young Workers in Colombia. This event coincided with the ratification and deposition of the instrument relating to Convention No. 182. At the same time, letters of understanding were signed with the representatives of the municipalities mentioned above. In this regard, it should be noted that trade union confederations requested greater involvement in the implementation of the National Plan; they also formulated a number of observations on its content.
29. To enhance the National System on Child Labour, numerous activities were continued with the support of IPEC/ILO. In this connection, and under the agreement signed with the Office of the Attorney-General, various training activities were held for attorneys with a view to developing the institution's system for preventive and regulatory monitoring.

II. Organization and financial aspects of the special technical cooperation programme for Colombia

30. As envisaged in the previous report on the implementation of the special technical cooperation programme for Colombia, the resources allocated to the programme (US\$905,000) were used up by the end of 2005. In keeping with the decision of the Governing Body, in consultation with the Government and employers' and workers' organizations of Colombia, the Subregional Office for the Andean Countries made four proposals for technical cooperation projects. It is hoped that these projects will ensure the continuation of the programme. In collaboration with the relevant units at headquarters and the Government of Colombia, the Subregional Office held consultations in Bogotá with the representatives of countries that could be potential donors, which had already been identified by the Colombian Government. These projects were subsequently presented at a donor meeting held on 15 November 2005. Both the Director-General of the ILO and the Government of Colombia were invited to the meeting. It is still hoped that the expressions of interest and support displayed by some of the participants will result in the contributions needed to implement one or more of these projects.
31. Pending a favourable response with regard to the above, and given the particular importance and attention accorded by ILO constituents to the need to continue this programme, the Director-General decided to allocate funds from the remaining ILO

surplus in order to continue the special technical cooperation programme for Colombia for another six months.

32. With regard to the ILO/USDOL project, owing to the careful management of the funds allocated to it, the project was able to continue until September instead of ending in April 2005, as initially planned. Therefore, various activities were carried out until September 2005.