



SEVENTH ITEM ON THE AGENDA

**Special technical cooperation
programme for Colombia (2001-03)**

1. At its 281st Session (June 2001), the Governing Body of the ILO asked the Office to prepare a 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 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.
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 289th Session (March 2004) 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 last session of the Governing Body (March 2004).

Geneva, 20 January 2005.

Appendix

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

Background

1. Since March last year, as regards the situation in Colombia concerning respect for life and the personal safety of workers, trade union leaders and members of workers' organizations, everything has pointed to a decrease in the number of assaults against trade unionists. Nevertheless, despite the drop in the number of violations of the general and personal safety of workers, the lack of success achieved by state measures to locate and punish the perpetrators of such violations remains a source of particular concern. On the one hand, the State has indicated the difficulties involved in investigating these offences, including the silence of witnesses, largely from fear of possible reprisals. Hence the subject of impunity remains a source of concern not only for trade union leaders but also for the Government itself and society in general.
2. On the other hand, the trade union movement considers that government actions are continuing which show, among other things, a lack of due respect towards the exercise of trade unions' right to organize and collective bargaining, which is contrary to the development of freedom of association. According to the trade union confederations, workers are still encountering difficulties in organizing, and in obtaining recognition for unions which have been established. In particular, collective bargaining procedures appear to be experiencing various violations and restrictions in the private sphere and, notably, in the public sector. In order to promote the setting up of "social production cooperatives", the Government is reportedly obstructing the development of trade unions and of collective bargaining.
3. This anti-union policy – according to the trade unions – went so far as to prevent access to the country for a group of trade unionists belonging to various international trade union organizations (ICFTU/ORIT, ITF, UNI and PSI) in September 2004. The aforementioned union leaders were going to participate in activities convened by trade unions in Colombia. The Government, for its part, indicated that this action did not represent state policy but showed an excess of zeal on the part of officials of the Security Administrative Department (DAS) in the performance of their duties.
4. In November 2004, in the context of the work of the Governing Body and, in particular, its Committee on Freedom of Association, a special session was devoted to examining the situation of Colombia in the light of the cases currently before the Committee.
5. Taking account of the above, it is particularly important that the ILO should continue supporting the actions undertaken by the Government and the employers' and workers' organizations with a view to improving labour relations and thereby enhancing respect for the principles of trade union organization, collective bargaining and social dialogue.

Human rights and the right to life

6. The AFL/CIO Solidarity Centre and the Social Assistance Secretariat of Colombia have continued, with the help of financial contributions from the ILO, to facilitate the departure of trade union leaders under threat.
7. With the support of the German Government and the German Confederation of Trade Unions (DGB), the departure of a trade union leader, with his family, was sponsored. Proposals relating to the same context from the Trades Union Congress (TUC) and the Canadian Labour Congress (CLC) are still under consideration.
8. The *Fundación País Libre* (Free Country Foundation) continues to develop its activities to promote respect for personal freedom, not only in relation to members of the business sector – four workshops with the ANDI – but also with regard to society in general.

Promotion of fundamental rights at work

9. As follow-up to the activities undertaken in connection with the Office of the Attorney-General and the Office of the Procurator-General, four more workshops were held, for prosecutors, between May and July 2004 on the promotion of fundamental rights, international labour standards and the follow-up to Case No. 1787 before the Committee on Freedom of Association and, for prosecutors, on fundamental human rights, international labour standards and ILO supervisory mechanisms. Other seminars for prosecutors and procurators are planned for 2005, which will allow the results of the aforementioned workshops to be evaluated. The seminars should also contribute to raising awareness among officials of the participating institutions and members of state security bodies.
10. With ILO support, and in conjunction with the Ministry of Social Protection, forums for the dissemination of fundamental labour rights will continue to be developed. Likewise, the special programme for Colombia will continue to give support to the Office of the Vice-President of the Republic with regard to the organization of round tables for social dialogue and détente.
11. Discussions have begun with the Ministry of Defence in order to set in motion a process for raising awareness among ministry officials with regard to human rights, fundamental labour rights and international labour standards. To this end, five workshops are planned for 2005.

Freedom of association and collective bargaining

12. With a view to reinforcing the dissemination of principles and rights relating to freedom of association and collective bargaining, meetings, seminars and workshops have continued to be held on the stated subjects, not only with trade unions but also with employers' organizations and the Government itself. Mention should be made of ten regional seminars on collective bargaining in the public sector, held since March 2004, with the collaboration of the CUT and CTC.
13. Since March 2004, in the context of the USDOL project, 18 seminars intended for representatives of the business sector, the workers and the Government have been held on the prevention and settlement of labour disputes. Some of the seminars were of a tripartite nature; six others were organized in collaboration with the ANDI for the business sector; two others were intended for trade unions, held in collaboration with the CTC and CGT; and, finally, two other seminars were regional or tripartite in nature, or were concerned with certain economic sectors (for example, banana production) or specific companies. Likewise, the USDOL project sponsored the participation of representatives of employers' and workers' organizations and of the Government in a seminar held in Washington on the prevention and settlement of labour disputes. Similarly, dissemination of the results of seven case studies relating to Colombia was promoted. Support was given to the holding of a tripartite seminar on "Trade union contracts" and a workshop on the "System of registration and statistics on collective agreements".
14. With the support of the Office of the Vice-President of the Republic and in collaboration with the Ministry of Social Protection, a high-level seminar was held for top government officials concerning Conventions Nos. 151 and 154 (July 2004). It is hoped that, as a result of this initial activity, other similar activities may be held for various officials of the state entities concerned. It is also planned to hold a number of tripartite workshops on the abovementioned Conventions, in collaboration with the trade unions concerned.

Promotion of social dialogue

15. In order to strengthen the capacities of the social partners, five regional seminars for workers were held in connection with boosting trade union involvement in social dialogue. Other seminars were held on social dialogue and productivity, with the support of the Subregional Office for the Andean Countries, the International Training Centre of the ILO (Turin) and the national and local authorities in Colombia.
16. In six cities, training workshops intended for the business sector were held for strengthening consultation and social dialogue. Accordingly, a dissemination programme on the social responsibility of companies was also undertaken.
17. With the support of the USDOL project and the Subregional Office for the Andean Countries, and in collaboration with the Ministry of Social Protection, the reactivation of regional subcommittees for consultation on wage and labour policies has continued.

18. Under the USDOL project, other activities are being undertaken relating to social dialogue, gender, and gender perspective in the development of micro-enterprises, with the support of the special programme for Colombia. Also under the special programme for Colombia, a national seminar was held on the theme of “Tripartite social dialogue and gender equity”.

Other activities involving ILO cooperation

19. With the support of the USDOL project and the ANDI, the “System of registration and statistics on collective agreements” was finalized and installed at the Ministry of Social Protection and the ANDI. Also, case studies on the subject of labour relations and gender were launched in the textile industry and banking. At the same time, assistance was given with dissemination of the results of the seven case studies on improving labour relations. Finally, a study was conducted on “Labour dynamics in Colombia 1994-2003”.
20. Under the USDOL project and in collaboration with the Presidential Board for Women, six workshops aimed at methodology transfer were held on the subject of enterprise management with a gender focus.
21. Under the special programme for Colombia, support was given to implementation of activities for young trade unionists from the CGT and CTC. In conjunction with a regional project for workers, activities were held in connection with the “ILO Declaration and the processes of Andean integration” and on the subject of “Trade unions and vocational training in Colombia”.
22. Support was also given to updating the study on “Impact of labour, tax and pension reforms and living and working conditions of the Colombian people”.

IPEC/ILO activities in Colombia

23. Apart from the many activities which continue to take place in the context of IPEC/ILO Colombia, inter alia, with respect to strengthening national policy for the elimination of the worst forms of child labour and regarding mechanisms for measuring and classifying child labour, mention should be made of the memorandum of understanding concluded with the Office of the Procurator-General, with a view to reinforcing activities in conjunction with that entity for combating child labour.
24. A follow-up workshop was also held on the subject “Trade union confederations and domestic child labour”.
25. In the department of Cauca, another experiment in collaboration with the ANDI and the PROPAL Foundation involving the partial removal of various groups of boys and girls from work and placing them in education, was completed successfully.

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

26. The implementation of the programme has continued to be coordinated by the ILO Regional Office for Latin America and the Caribbean and the Subregional Office for the Andean Countries.
27. Of the total allocated for the implementation of the special programme for Colombia (US\$905,000), the sum of US\$137,670 remains, which represents approximately 15 per cent of the assigned total.
28. It is hoped that with its remaining resources the USDOL project can continue its activities until June 2005.
29. In consultation with the Government and employers’ and workers’ organizations, a project proposal is being prepared for continuation of the programme. To this end, the Subregional Office for the Andean Countries has begun the necessary consultations. The project proposes to strengthen the dissemination, knowledge and respect of fundamental rights at work between the various state entities (Government – the relevant ministries and the Offices of the Attorney-General and Procurator-General – the judiciary and the legislature); between employers’ and workers’ organizations; and between academic institutions. In addition, the processes of social dialogue, improvement of labour relations and respect for the rights of freedom of association and collective bargaining should continue to be strengthened. The focus would need to be on continuing the preparation of studies to serve as a basis, in the various contexts referred to above, for future

workshops or seminars. Accordingly, an appeal is made to donor countries to contribute to the continuation of the programme by providing resources.