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**Canada  
and  
Colombia**

**Agreement on labour cooperation between Canada and the Republic of Colombia (with annexes and corrections, Bogotá, 18 February 2009 and 20 February 2009). Lima, 21 November 2008**

**Entry into force:** *15 August 2011, in accordance with article 29*

**Authentic texts:** *English, French and Spanish*

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**Canada  
et  
Colombie**

**Accord de coopération dans le domaine du travail entre le Canada et la République de Colombie (avec annexes et corrections, Bogota, 18 février 2009 et 20 février 2009). Lima, 21 novembre 2008**

**Entrée en vigueur :** *15 août 2011, conformément à l'article 29*

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[ ENGLISH TEXT – TEXTE ANGLAIS ]

**AGREEMENT ON LABOUR COOPERATION**

**BETWEEN**

**CANADA**

**AND**

**THE REPUBLIC OF COLOMBIA**

**PREAMBLE**

**CANADA** and **THE REPUBLIC OF COLOMBIA** hereinafter referred to as the  
“Parties”:

**RECALLING** their resolve in the *Free Trade Agreement between Canada and the  
Republic of Colombia* (CCOFTA) to:

- (a) protect, enhance and enforce basic workers' rights,
- (b) strengthen cooperation on labour matters, and
- (c) build on their respective international commitments on labour matters;

**SEEKING** to complement the economic opportunities created by the CCOFTA with the  
human resource development, protection of basic workers' rights, labour-management  
cooperation and continuous learning that characterize high-productivity economies;

**REAFFIRMING** the obligations of both countries as members of the International  
Labour Organization (ILO) and their commitments to the *ILO Declaration on  
Fundamental Principles and Rights at Work* and its Follow-Up (1998) (ILO 1998  
Declaration);

**AFFIRMING** their continuing respect for each other's constitution and law;

**DESIRING** to build on their respective international commitments;

**RECOGNIZING** the importance of mutual cooperation to strengthen actions on labour matters, including by:

- (a) encouraging consultation and dialogue between labour, business and government;
- (b) encouraging employers and employees in each country to comply with labour laws and to work together in maintaining a fair, safe and healthy working environment; and

**RECOGNIZING** the importance of protections for the labour rights of migrant workers;

**RECOGNIZING** the importance of encouraging voluntary practices of corporate social responsibility within their territories or jurisdictions, to ensure coherence between labour and economic objectives; and

**BUILDING** on existing institutions and mechanisms in Canada and Colombia to achieve the preceding economic and social goals;

**HAVE AGREED** as follows:

## **PART ONE**

### **OBLIGATIONS**

#### **Article 1: General Obligations**

1. Each Party shall ensure that its statutes and regulations, and practices thereunder, embody and provide protection for the following internationally recognized labour principles and rights:

- (a) freedom of association and the right to collective bargaining (including protection of the right to organize and the right to strike);
- (b) the elimination of all forms of forced or compulsory labour;
- (c) the effective abolition of child labour (including protections for children and young persons);
- (d) the elimination of discrimination in respect of employment and occupation;
- (e) acceptable conditions of work with respect to minimum wages, hours of work and occupational health and safety; and
- (f) providing migrant workers with the same legal protections as the Party's nationals in respect of working conditions.

2. To the extent that the principles and rights stated above relate to the ILO, subparagraphs (a) to (d) above refer only to the ILO 1998 Declaration, whereas those stated in subparagraphs (e) and (f) more closely relate to the ILO's Decent Work Agenda.

**Article 2: Non-Derogation**

Each Party shall ensure that it does not waive or otherwise derogate from, or offer to waive or otherwise derogate from, its labour laws in a manner that weakens or reduces adherence to the internationally recognized labour principles and rights referred to in Article 1 as an encouragement for trade between the Parties, or as an encouragement for the establishment, acquisition, expansion, or retention of an investment in its territory.

**Article 3: Government Enforcement Action**

1. Each Party shall, subject to Article 22, promote compliance with and effectively enforce its labour law through appropriate government action, such as:
  - (a) establishing and maintaining labour inspection divisions, including by appointing and training inspectors;
  - (b) monitoring compliance and investigating suspected violations, including through on-site inspections;
  - (c) encouraging the establishment of worker-management committees to address labour regulation of the workplace;
  - (d) providing or encouraging mediation, conciliation and arbitration services; and
  - (e) initiating, in a timely manner, proceedings to seek appropriate sanctions or remedies for violations of its labour law.
2. Each Party shall ensure that its competent authorities give due consideration, in accordance with its law, to any request by an employer, employee or their representatives, or other interested person, for an investigation of an alleged violation of the Party's labour law.