

CHAPTER SIXTEEN

LABOUR

Article 1601: Affirmations

The Parties affirm their obligations as members of the International Labour Organization (ILO) and their commitments to the *ILO Declaration on Fundamental Principles and Rights at Work* (1998) and its Follow-Up as well as their continuing respect for each other's Constitution and laws.

Article 1602: Objectives

The Parties wish to build on their respective international commitments, strengthen their cooperation on labour and in particular:

- (a) improve working conditions and living standards in each Party's territory;
- (b) promote their commitment to the internationally recognized labour principles and rights;
- (c) promote compliance with and effective enforcement by each Party of its labour laws;
- (d) promote social dialogue on labour matters among workers and employers, their respective workers' and employers' organizations, and governments.
- (e) pursue cooperative labour-related activities on the basis of mutual benefit;

- (f) strengthen the capacity of the ministries responsible for labour affairs and other institutions responsible for administering and enforcing labour laws in their territories; and
- (g) foster full and open exchange of information between such ministries and institutions in regard to labour laws and its application in each Party's territory.

Article 1603: Obligations

In order to further the foregoing objectives, the Parties' mutual obligations are set out in the *Labour Cooperation Agreement between Canada and the Republic of Peru* (LCA) that addresses, *inter alia*:

- (a) general obligations concerning the internationally recognized labour principles and rights that are to be embodied in each Party's labour laws;
- (b) derogation from domestic labour laws in order to encourage trade or investment;
- (c) effective enforcement of labour laws through appropriate government action, private rights of action, procedural guarantees, public information and awareness;
- (d) institutional mechanisms to oversee the implementation of the LCA, such as a Ministerial Council and National Administration Offices to receive and review public communications on specified labour law matters and to enable cooperative activities to further the objectives of the LCA;

- (e) general and ministerial consultations regarding the implementation of the LCA and its obligations; and
- (f) independent review panels to hold hearings and make determinations regarding alleged non-compliance with the terms of the LCA and, if requested, monetary assessments.