

INTERNATIONAL TRADE UNION CONFEDERATION (ITUC)
INTERNATIONALLY-RECOGNISED
CORE LABOUR STANDARDS IN PERU
REPORT FOR THE WTO GENERAL COUNCIL REVIEW OF THE
TRADE POLICIES OF PERU
(Geneva, 17 - 19 October 2007)

EXECUTIVE SUMMARY

Despite the ratification by the government of Peru of all eight ILO core labour conventions, numerous violations of those standards continue to take place, particularly with regard to trade union rights. Fundamental changes are required in order to comply fully with the commitments Peru has made at both the ILO and the WTO.

Although Peru has ratified both ILO Conventions on trade union rights, violation of freedom of association and obstruction of collective bargaining are still recurrent practices in Peru. The government often fails to enforce the law and many workers are therefore deprived of their basic rights. After six years of debate, the government must now ensure that the General Labour Law (Ley General del Trabajo) is endorsed and replace the anti-union laws inherited from the Fujimori times. The flexibilisation of both labour markets and labour contracts makes it extremely difficult for trade unions to enter into collective bargaining.

Despite having ratified both ILO Conventions against discrimination, the principle of equal pay for work of equal value is not adequately enshrined in national legislation. The government must redouble its efforts to ensure that women are not discriminated against at work and that more women get access to more senior positions at the workplace. Both Afro-Peruvians and the large population of indigenous people face pervasive societal discrimination and prejudice on the labour markets. The government has failed to respond adequately to this situation.

Although Peru has ratified both ILO Conventions on child labour and despite some initiatives undertaken by the Government, child labour remains a serious problem. More than 2 million children are working and the situation of children working in mines or as domestic servants is particularly worrisome. The government must strengthen its efforts and take effective measures sustained with adequate funding in order to eliminate child labour in the country.

Although Peru has ratified both ILO Conventions on forced labour, it remains a grave problem in the Amazonia region. The ILO reports that 33,000 persons mainly belonging to various ethnic groups are affected, particularly in work related to the unlawful extraction of timber. As a matter of urgency the Peruvian Government need to ensure that penalties are imposed on those found guilty of the exaction of forced labour, and that these penalties are adequate and strictly enforced. Effective and sustained actions must be undertaken to put an end to the practice of forced labour in the country.

INTERNATIONALLY-RECOGNISED CORE LABOUR STANDARDS IN PERU

Introduction

This report on the respect of internationally recognised core labour standards in Peru is one of the series the ITUC is producing in accordance with the Ministerial Declaration adopted at the first Ministerial Conference of the World Trade Organisation (WTO) (Singapore, 9-13 December 1996) in which the Ministers stated: "We renew our commitment to the observance of internationally recognised core labour standards." The fourth Ministerial Conference (Doha, 9-14 November 2001) reaffirmed this commitment. These standards were further upheld in the International Labour Organisation (ILO) Declaration on Fundamental Principles and Rights at Work adopted by the 174 member countries of the ILO at the International Labour Conference in June 1998.

The ITUC's affiliates in Peru are the CATP (Central Autónoma de Trabajadores del Perú) and the CUT (Central Unitaria de Trabajadores del Perú)

Since the beginning of the 1990s, successive governments have sought to restructure Peru's economy. One of the objectives pursued was the improvement of the Government's fiscal position. Public expenditure was hence reduced through the abolition of subsidies and the privatisation of state owned companies. During the same period, Peru has worked at facilitating its integration into the global economy. Trade barriers have been cut, all direct subsidies to exporters and domestic producers have been eliminated, and equal treatment has been granted to foreign and domestic investors. The tariff system on imports comprises three rates: 4%, 12% and 20%, with a weighted average tariff of around 10%.

The Peruvian economy grew by more than 4% per year during the period 2002-2006, with a stable exchange rate and low inflation. This growth has been strongly supported by mining and construction activity. However unemployment and poverty have stayed persistently high.

Services account for more than half of GDP, manufacturing about 15%, agriculture and fishery 9% and mining and hydrocarbons 6%. The growth of the construction sector has been sharp and in 2006 it represented 5.2% of GDP. In 2006 merchandise exports amounted to 23.6 billion US dollars and imports almost 15 billion. The main export products are copper, gold, zinc and fishmeal. The most important export markets in 2006 were the US and China. Imports are made up of intermediate goods (8 billion US dollars in 2006), capital goods (4 billion) and consumer goods (2.5 billion).

Peru has taken an active approach to the regional integration of the Andean Community which brings together Peru, Bolivia, Colombia and Ecuador. A free trade area in the Andean Community is operational since 1993 and a customs union, albeit imperfect, started operating in 1995.

At the bilateral level, Peru has signed free trade agreements (FTA) with Chile, Bolivia and Thailand. Initial negotiations have been announced concerning free trade agreements with China and Mexico.

An FTA with the US was signed in 2006. However due to strong support in the US for the inclusion of both core labour and environmental standards in free trade agreements signed by this country, the US ratification has been delayed. Eventually the governments of Peru and the US agreed on legally-binding amendments concerning labour and environment issues as well as other matters. In June 2007, Peru's Congress voted in favour of these amendments. The US Congress is expected to consider the amended text again soon.

In June 2007 official negotiations were launched for an Association Agreement between the Andean Community and the EU. This Agreement is to set out the conditions for the gradual establishment of a Free Trade Area between the two regions.

I. Freedom of Association and the Right to Collective Bargaining

Peru ratified ILO Convention No. 87 (1948), the Freedom of Association and Protection of the Right to Organise Convention in 1960 and ILO Convention No. 98 (1949), the Right to Organise and Collective Bargaining Convention in 1964.

Freedom of Association

The Constitution recognises the right of public and private sector workers to organise and establishes freedom of association as an indicator of that right. Workers may form unions on the basis of their occupation, employer affiliation or geographic territory. The unions may also affiliate to international workers' organisations.

However there are legal restrictions to the right to join and form a union. The current legislation does not allow federations and confederations of public workers to form part of organisations that represent other categories of workers. According to the legislation in force only trade union organisations whose members include public servants can be established. The ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) has therefore requested the Government to take the necessary measures to amend its legislation to allow federations and confederations of public servants to establish or join organisations of their own choosing.

A minimum of ten members are required to form a union, however in certain occupations the threshold is 20 and the maximum requirement is 50. That requirement is too high by international standards and as a result there are no unions at all in small- and medium-sized enterprises.

Temporary workers are not allowed to join the same union as permanent workers. Some employers hire as many workers as they can on

a temporary basis, to restrict the number of union members. Although the law limits the number of temporary workers in an enterprise to 20% of the total workforce, not all employers respect this limit as enforcement of the law is insufficient.

A recent bill sets mechanisms to ensure transparency in the election of executive boards of trade unions, federations and confederations of public sector workers. Yet in its 2007 Recommendation, the ILO Committee (CEACR) informed the Government that the regulation of procedures and arrangements for the election of trade union leaders is a matter to be addressed in statutes of workers' organisations and not in some body outside the organisation. Further, according to the Conventions any disputes arising in connection with elections should be settled by the judicial authority. The government was requested to amend its legislation accordingly.

There are also some restrictions on foreign workers' membership of trade unions and on their access to leadership posts. Similar restrictions apply to migrant workers.

In practice the implementation of ILO Conventions 87 and 98 has been made more difficult by the legislative changes of the 1990's though which labour law was made more flexible. After these legislative changes were introduced, trade union membership and the number of collective agreements fell drastically.

Although many repressive laws were revoked after the demise of Fujimori, the 1997 Law governing Productivity and Competitiveness, No 728, is still in force. This law impedes the full exercise of the trade union rights to organise, to bargain collectively and to strike. A General Labour Law (Ley General del Trabajo) is supposed to replace Law 728. While the social partners have been invited to discuss the content of this new law within the National Labour Committee, employers have systematically used the consultations to resist any endorsement of the Law. This is why, after six years of debate, the Law still has not been sent to the Parliament.

Law 728, which is still in force, legalises unfair dismissals, i.e. the option of sacking workers without any justification, in return for payment of severance pay fixed by the law. In practice it is a way to put pressure on union members to accept the compensation set by the law. The law renders contractual relationships extremely flexible. Faced with the threat of their contract not being renewed, workers often choose not to join a union. The law also establishes the possibility of collective dismissals in various circumstances. Although that requires prior approval by the administration, the Ministry of Labour authorities have no legal competence to decide whether the collective dismissal includes an unfair number of trade union leaders or members, and the procedure has also been used for anti-union purposes.

One of the consequences of the laws enforced during Fujimori's time has been the deregulation of labour markets. This has left millions of workers deprived of their labour and social rights. This tendency has had particularly damaging effects on trade union representation at the work

place and on the number of collective agreements signed by the social partners.

In 2002 the Law on Collective Dismissals was introduced to counteract the massive job losses in State owned enterprises and local government during the Fujimori era. However when it comes to reinstatement, the trade unions report that union leaders and activists are being discriminated against, and are not being given the chance to return to work.

The situation of the IMI Peru (Sindicato Único de trabajadores Mar y Tierra de IMI del Perú S.A.C) is illustrative of the constraints faced by some trade unions. Following the creation of this union in September 2006, its senior officials were sacked as a means of threatening and coercing the staff. As a way of protesting, workers wrote to the management insisting that their rights be respected. The company replied by stating that it would not recognise the union until it produced the official minutes of its Constituent Assembly including details of the appointment of the members of its executive (the “Comisión de Defensa del Pliego”), and submitted a request to the Labour Authority to take action against the union. Although the Authority rejected that request more than once and ruled that a negotiation process should begin, the company denied the existence of the union, in effect, by refusing to attend any meetings.

As a consequence of the lack of effective protection of trade union rights, working conditions in mines are deplorable, in particular in the Cerro de Pasco, Casapalca, Yanacocha, Shougang and DoeRun mines. Anti-union practices are ongoing. The use of out-contracted workers is the most common way to get rid of trade union actions and it has been calculated that more than 8,500 workers are currently subcontracted. However, even subcontracted, workers continue to fight for their right to collective bargaining and in April 2007 they launched their slogan “We stand for our fight and will never kneel down” (“luchemos de pie y nunca de rodillas”).

Collective bargaining

The Constitution enshrines the right of workers in both the private and public sectors to bargain collectively. It stipulates that a union has to represent at least 20 workers to become an official collective bargaining agent.

Nonetheless, the ILO Committee of Experts on the Application of the Conventions and Recommendations (CEACR) considers that national legislation on collective bargaining is not in conformity with international standards.

For several years the CEACR has pointed to the lack of sanctions against acts of interference by employers in trade union organisations. The slowness of the judicial procedures for dealing with complaints of anti-union discrimination or interference is another source of serious concern. The ILO Committee has on many occasions stated that national legislation must make express provision for prompt and sufficiently dissuasive sanctions

against acts of interference by employers in workers' organisations. In addition, complaints of anti-union discrimination and interference need to be processed promptly for remedial measures to be really effective. The Committee has therefore requested the Government to take steps to bring its legislation fully into conformity with the Convention's requirements

In practice the CUT (Central Unitaria de Trabajadores) reports that collective bargaining is limited both by the aforementioned fear of dismissal amongst employees and by the attitude of employers, who promote the settlement of labour matters through an individual, financially-motivated and ad hoc basis avoiding collective agreements and interfering in trade unions' internal matters; in actuality, employers are opposed to the establishment of negotiating tables where workers would be represented by sector-wide trade unions or confederations, as demonstrated in the case of telecommunication companies.

In the oil company Petro-Tech, discussions on the collective agreement for 2006-07 broke down since the company showed no interest in reaching a solution, but instead repeatedly questioned the union leaders' credentials for representing the workforce, despite the fact that the Ministry of Labour had noted that the union had fulfilled all the legal requirements. In January 2006, two trade union leaders were sacked.

Likewise in August 2006, the iron ore company Shougang Hierro Perú S.A.A. sacked three workers, all of whom were union leaders, without giving a reason. On the next day, the workers called an indefinite strike to demand the reinstatement of the dismissed union leaders and respect of their basic rights, including the right to collective bargaining. On 10 August 2006, a demonstration held by over 600 workers and their families was repressed by the police, resulting in four injuries, one very serious, two disappearances and 28 arrests. The company is known for renewing labour contracts and changes the company's trading name every six months in order to prevent workers from enjoying their rights, especially those relating to organising and collective bargaining.

The right to strike

The law provides for the right to strike, but this right is limited by the fact that unions must have the permission of the Ministry of Labour. It is difficult to get approval for a legal strike.

In addition, national legislation provides that the trade union organisation may declare a strike in the form expressly set out in its statutes, provided that the decision to strike is adopted by a majority of its voting members and that at least two-thirds of the total membership is present at the time of voting. The ILO Committee of Experts on Application of Conventions and Recommendations (CEARC) has noted however that a quorum of two-thirds of the members may be difficult to reach. The CEACR recommends that the Government mend its legislation in order to ensure that the decision made by a trade union to call a strike is adopted by the majority of workers casting a vote and not just by a majority of workers.

Export processing zones (EPZs)

There are six EPZs in the country, in Ilo (Moquegua), Desaguadero (Puno), ZOFRATACNA (Tacna), Matarani (Arequipa), Tumbes and Paita (Piura). They are governed by special regulations which allow for greater flexibility in labour contracts, the widespread use of temporary labour and the setting of wages on the basis of supply and demand, all of which restrict the ability of unions to organise and bargain collectively.

Conclusions:

Violation of freedom of association and obstruction of collective bargaining are still recurrent practices in Peru. The government often fails to enforce the law and many workers are therefore deprived of their basic rights. After six years of debate, the government must now ensure that the General Labour Law (Ley General del Trabajo) is endorsed and replace the anti-union laws inherited from the Fujimori times. The flexibilisation of both labour markets and labour contracts makes it extremely difficult for trade unions to enter into collective bargaining.

II. Discrimination and Equal Remuneration

Peru ratified ILO Convention No. 100 (1951), the Equal Remuneration Convention in 1960 and ILO Convention No. 111 (1958), the Discrimination (Employment and Occupation) Convention in 1970.

The Constitution provides for equality between men and women, and about one hundred amendments to the Employment Promotion Law prohibit discrimination against women. Racial and sexual discrimination in employment advertisements or announcements of educational opportunities are prohibited.

However, on several occasions the CEACR has notified the government that the current constitutional and legal provisions are inadequate for the application of the principle enshrined in ILO Conventions. The ILO principle of equal remuneration for work of equal value is broader than the principle provided for in Peruvian legislation, which refers to equal remuneration for equal work performed under identical conditions for the same employer. In addition the Government has not established any methods for an objective appraisal of jobs on the basis of the tasks they involve, whereas the concept of equal pay for work of equal value necessarily implies the adoption of a suitable method for objectively measuring and comparing the relative value of the tasks performed. In the absence of both legislation to promote the Convention's principle and methods for carrying out an objective appraisal of jobs allowing for the comparison of tasks in different companies and sectors, the

labour inspectorate cannot adequately monitor the application of the principle laid down in the Convention. Consequently, the Committee has urged the Government to adopt appropriate measures to bring its legislation into line with the Convention.

Traditional assumptions and misconceptions often impede access by women to leadership roles in both the public and private sectors. Due to societal prejudice and discrimination, women historically suffer disproportionately from the country's pervasive poverty and unemployment.

The Constitution provides all citizens equality before the law and forbids discrimination, including by reason of race, origin, and language. The law criminalises racial discrimination. The Constitution also provides for the right of all citizens to speak their native language

However, the large population of indigenous people faces pervasive societal discrimination and prejudice. Many indigenous people lack basic identity documents that normally would identify them as full citizens and enable them to play an active part in society.

Afro-Peruvians often face discrimination and social prejudice and are among the poorest groups in the country. Afro-Peruvians generally do not hold leadership positions in government, business, or the military. Both the navy and the air force are believed widely to follow unstated policies that minimise the number of blacks in the officer corps.

The law prohibits discrimination against persons with disabilities and mandates that public spaces be barrier-free and buildings architecturally accessible. However the Government devotes few resources to efforts in this area. Many persons with disabilities remain economically and socially marginalised. Although the law prohibits discrimination in the workplace, it does not specify sources of funding for programs to enable workers with disabilities to be productive. According to officials of the Institute for Social Security, less than 1% of persons with severe disabilities actually work.

Conclusions:

The principle of equal pay for work of equal value is not adequately enshrined in national legislation. The government must redouble its efforts to ensure that women are not discriminated against at work and that more women get access to more senior positions at the workplace. Both Afro-Peruvians and the large population of indigenous people face pervasive societal discrimination and prejudice on the labour markets. The government has failed to respond adequately to this situation.

III. Child Labour

In 2002 Peru ratified both ILO Convention No. 138 (1973), the Minimum Age Convention and Convention No 182 (1999), the Worst Forms of Child Labour Convention.

According to national legislation the legal minimum age for employment is 14 years. However, children aged 12 to 14 may perform certain jobs if they obtain legal permission from the Ministry of Labour and Employment Promotion and can certify that they are attending school. According to the Code, the minimum age for employment in the industrial, commercial or mining sectors is 15 years, while in the industrial fishing sector it is 16. Work that might harm a child's physical, mental and emotional health and development, including underground work or work that involves heavy lifting and carrying, or work that might serve as an obstacle to continued school attendance, is prohibited for youth under the age of 18.

In January 2005 the Ministry of Labour created a special Office of Labour Protection for Minors (PMT). The PMT issues permits authorising persons under the age of 18 to work legally. In 2006 the PMT granted 1,326 permits for jobs in the formal sector to children between 12 and 17. The majority of permits, 1,086, went to children between 16 and 17. Parents must apply for the permits, and employers must have a permit on file to hire a child. The PMT conducts on-site inspections to ensure compliance with the legal codes.

Child labour remains a serious problem in the country. According to national statistics there are 2.3 million children between 6 and 17 years of age engaged in work, 1.9 million of which work in informal activities. About 600,000 children are under the age of 12.

Children are employed in the agricultural sector, fireworks factories, stone quarries, and the brick-making sector. Children are found loading and unloading produce in markets, collecting garbage and working in informal mining sites. In urban areas, children often work shining shoes and perform domestic work.

It is important to note the exploitation of children younger than 18 in mines. In addition, through the pollution they cause, mines are a danger to children's health as found out by the Ministry of Health who discovered abnormal rates of lead in children's blood. The mines of Yanacocha, Antamina and Doe Run are among the most polluting.

According to the law households employing girls as domestic servants are obliged to permit them to attend school and to cover other costs such as social security. But this seldom happens in practice. Employers frequently require longer hours from their live-in charges, compelling them to carry out comprehensive duties, including cooking and childcare, for wages as low as \$20-30 (70-105 soles) per month. Around 100,000 girls aged 6 to 14 work in these slave-like conditions. The Labour Ministry runs a program to provide legal assistance to domestics regarding labour rights. At the end of 2006, 23 practitioners had been trained to register and train domestic workers under this program.

In the informal gold mines, many workers are under the age of 15, and some are as young as 11. These child labourers are pressed into service through a recruitment system known as *enganche*. Under this system, the children are provided free transportation to the mines and allegedly agree to work for at least 90 days before being paid. They work in harsh conditions without proper health care and are often subject to physical and sexual abuse, and at times are deprived of their pay. The government has begun to increase its measures in this regard, and Ministry of Labour inspections have reduced child labour in the mining sector and other high-risk occupations. For example in the department of Madre de Dios campaigns have been implemented to identify the work performed by young persons.

Although there are no reliable statistics on its extent, NGOs and other observers maintain that the country suffers a growing problem with adolescent prostitution, as demonstrated by police raids on clandestine brothels employing adolescent sex workers.

Conclusions:

Despite some initiatives undertaken by the Government, child labour remains a serious concern in Peru. More than 2 million children are working and the situation of children working in mines or as domestic servants is particularly worrisome. The government must strengthen its efforts and take efficient measures sustained with adequate funding in order to eliminate child labour in the country.

IV. Forced Labour

In 1960 Peru ratified both ILO Convention No. 29 (1930), the Forced Labour Convention and ILO Convention No. 105 (1957), the Abolition of Forced Labour Convention.

The Constitution prohibits forced or compulsory labour, including by children; however, such practices continue to occur. In 2004 in the context of the ILO special action programme to combat forced labour, a document entitled "*Forced labour in the extraction of timber in Peruvian Amazonia*", was published by the ILO. Various reports concerning the existence of forced labour are included, particularly in work related to the unlawful extraction of timber in various regions of the Peruvian Amazon basin. According to the report, the two departments most affected by such forms of labour are Ucayali and Madre de Dios. The number of persons affected is reported to be around 33,000, mainly belonging to various ethnic groups of Peruvian Amazonia. The document also confirms the practice of the system of '*habilitacion/enganche*' and describes the situation of workers in areas near to the indigenous communities and in timber camps. In extreme cases, which are less frequent, indigenous workers are captured and forced to work in timber camps. The document also reports that the financing of

timber extraction activities is provided by major international corporations and powerful timber industry groups.

The government has adopted a series of measures to eradicate forced labour. A National Intersectoral Commission for the Eradication of Forced Labour was established to investigate and examine the problem of the Amazonia and formulate a plan of action. A draft National Plan of Action for the Eradication of Forced Labour has been prepared and approved by competent authorities.

In reference to the practices of forced labour in the country, the ILO Committee of Experts on the Application of Conventions and Recommendations (CEARC) noted that the “grave problems which persist merit energetic and sustained action by the authorities”. In particular the Committee noted that the absence of penalties to punish those found guilty of exaction of forced labour is indicative of the incapacity of the judicial system to prosecute such practices. It has therefore requested the Government to take all necessary measures to ensure that the penalties imposed on those found guilty of the exaction of forced labour are adequate and strictly enforced.

Trafficking statutes prohibit trafficking in persons and provide punishments for those who move a person, either within the country or to an area outside the country, for the purposes of sexual exploitation (including prostitution, sexual slavery, or pornography) with 5 to 10 years' imprisonment. If the trafficking victim is under 18 years of age, the punishment is 10 to 15 years' imprisonment.

Although there were no authoritative estimates of its extent, there were isolated reports that persons were trafficked from the country, and trafficking within the country occurred. In March, the Government formed a permanent, ministerial-level Multi-Sectoral Committee (MSC) to work on the issue of trafficking in persons.

NGOs and international organisations maintain that domestic trafficking occurs, particularly to bring underage women from the Amazon district or the Sierras into the cities or into mining areas to work as prostitutes or to work in homes as domestics.

Conclusions:

Forced labour continues to exist, particularly in Peruvian Amazonia. The ILO reports that 33,000 persons mainly belonging to various ethnic groups are affected, particularly in work related to the unlawful extraction of timber. The report confirms the practice of the system of 'habilitacion/enganche' in that region. As a matter of urgency the Peruvian Government need to ensure that penalties are imposed on those found guilty of the exaction of forced labour, and that these penalties are adequate and strictly enforced. Effective and sustained actions must be undertaken to put an end to the practice of forced labour in the country.

RECOMMENDATIONS

1. The government should amend its legislation in order to conform with ILO Convention 87 and 98.
2. The government must ensure the endorsement of the General Labour Law, in full conformity with ILO Conventions .
3. The government must allow workers of the public sector to join trade unions of their choosing.
4. The government must allow temporary workers to join the union of their choosing and better enforce the legal provision according to which there should not be more than 20% of staff employed under temporary contracts.
5. The government must put the legislation concerning the minimum number of workers required to form a union in conformity with ILO jurisprudence.
6. The government must amend the legislation in order to ensure that procedures and arrangements for the election of trade union leaders in the public sector are determined by workers' organisations. In addition any disputes arising in connection with elections should be settled by the judicial authority.
7. The government must lift all restrictions on foreign workers' membership of trade unions or on their access to leadership posts. Similar restrictions applying to migrant workers should also be lifted.
8. The government must amend the legislation so as to include express prohibition of acts of interference by employers in trade union organisations. National legislation must provide for sufficiently dissuasive sanctions to be imposed for such acts of interference.
9. The government must take measures to speed up the administrative and judicial procedures for cases of anti-union discrimination.
10. The government must lift the legal provision according to which unions must have the permission of the Ministry of Labour in order to strike.
11. The government must amend the legislation which stipulates that strikes must be approved by at least two- thirds of the workers.
12. The government should ensure that workers of Export Processing Zones fall under the same labour legislation than other workers.
13. The government must amend its legislation so as to ensure that the principle of equal pay for work of equal value is enshrined in national legislation. The government must develop an objective appraisal of jobs on the basis of the work to be performed in order to be able to objectively measure and compare the relative value of the tasks performed.
14. The government's efforts in the fight against gender discrimination must be stepped up.

15. The government must dedicate more resources to the eradication of racial discrimination at the work place.
16. The government should take all necessary measures to enforce its legislation on child labour. As a matter of urgency legislation on domestic child workers must be enforced.
17. Additional policies and programmes must be devised and funded adequately to eliminate as a priority the worst forms of child labour including work in mines and child prostitution. An end must be put to the system of “enganche”.
18. More programmes and funds should be directed toward assistance to enable children being employed to resume their educational activities.
19. The government must take energetic and sustained action to put an end to the practices of forced labour in the country.
20. The government must ensure that penalties to punish those found guilty of exaction of forced labour are included in the legislation. The penalties must be adequately dissuasive and strictly enforced.
21. The government should devise policies and programmes to tackle the issue of human trafficking.
22. In line with the commitments accepted by Peru at the Singapore WTO Ministerial Conference and its obligations as a member of the ILO, the government of Peru should provide reports to the WTO and the ILO on its legislative changes and implementation programmes with regard to the above areas.
23. The WTO should draw the attention of the authorities of Peru to the commitments they undertook to observe core labour standards at the Singapore and Doha WTO Ministerial Conferences. The WTO should request the ILO to intensify its work with the government of Peru in these areas and provide a report to the WTO General Council on the occasion of the next trade policy review.

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