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Peru: Adoption of new labour law fully complying with ILO standards urgently needed

Brussels, 17 October 2007 (ITUC OnLine): It is urgent that a draft general labour law now be discussed at the Parliament and adopted, according to the ITUC's new report on core labour standards in Peru. The report is being released today to coincide with Peru's trade policy review at the WTO on 17 and 19 October.

The report argues that the extreme flexibility of labour markets combined with serious legal obstacles faced by workers seeking to form or join a union has led to a sharp decrease in the number of collective agreements signed in the country. Many aspects of the current Peruvian labour legislation contravene ILO standards and for more than six years, a draft general labour law has been under discussion by the social partners without reaching consensus.

"The adoption of a general labour law in full conformity with ILO standards is urgently necessary to replace the current anti-union legislation, particularly law No. 728 that was put in place during the Fujimori times. The effect of this legislation has deprived workers and their trade unions of their basic rights," said Guy Ryder, ITUC General Secretary.

The report also finds that the sanctions applicable in cases of employers discriminating against trade unionists or interfering in trade union activities are not tough enough to be effective. In addition the slowness of judicial procedures to deal with complaints related to these issues represents another major obstacle to trade union activities in the country. The report further highlights the fact that the six export processing zones of the country 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. The report further tackles child labour. With more than 2 million children working in the country, many in particularly hazardous jobs such as mining, or exploited as domestic servants, child labour remains a serious source of concern in Peru.

Finally the report highlights the findings of an ILO study which shows that 33,000 persons mainly belonging to ethnic groups are victims of forced labour throughout the country, particularly in work related to the unlawful extraction of timber.

To read the full report:

http://www.ituc-csi.org/IMG/pdf/WTO_Peru.oct-2007.finalEN.pdf

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