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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;

第十六章

劳工

第一千六百零一条：确认

缔约方确认其作为国际劳工组织成员的义务，以及对《国际劳工组织关于工作中基本原则和权利的宣言》（1998年）及其后续行动的承诺，并继续尊重彼此的宪法和法律。

第一千六百零二条：目标

缔约方希望基于各自的国际承诺，加强在劳工领域的合作，特别是：

(a) 改善各缔约方领土内的工作条件和生活水平；(b) 促进其对国际公认的劳工原则和权利的承诺；(c) 促进各缔约方遵守并有效执行其劳工法；(d) 促进工人和雇主、各自工人和雇主组织以及政府之间就劳工事务进行社会对话。(e) 在互利基础上开展劳工相关合作活动；

(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;

(f) 加强负责劳工事务的部门及其他负责管理和执行其领土内劳工法的机构的能力；

(g) 促进此类部委和机构之间就各缔约方领土内的劳工法及其适用进行充分和开放的信息交流。

第1603条：义务

为实现上述目标，缔约方´在《加拿大与秘鲁共和国劳工合作协议》（LCA）中规定了相互义务，该协议特别涉及*inter alia*：

(a) 关于国际公认的劳工原则和权利的一般义务，这些原则和权利应体现在各缔约方的劳工法中；

(b) 为鼓励贸易或投资而减损国内劳动法；

(c) 通过适当的政府行动、私人诉讼权、程序保障、公共信息和意识来有效执行劳动法；

(d) 监督劳工合作协议实施的制度机制，例如设立部长理事会和国家行政办公室，负责接收和审查关于特定劳工法事项的公众沟通，并推动合作活动以促进劳工合作协议目标的实现；

(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.

(e) 关于劳工合作协议实施及其义务的一般性和部长级磋商；

(f) 独立审查小组负责举行听证会并就涉嫌违规劳工合作协议条款的行为作出裁决，若经请求，还可进行金钱评估。