

CHAPTER NINETEEN

LABOUR

Article 19.1: Affirmations

The Parties affirm their respect for their Constitutions and their rights to establish their own level of domestic labour protection under their respective domestic law, consistent with 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).

Article 19.2: Objectives

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

- (a) improve working conditions and living standards in each Party's territory;
- (b) promote their commitment to internationally recognized labour principles and rights;
- (c) promote compliance with and effective enforcement by each Party of its domestic labour law;
- (d) promote social dialogue on labour matters among workers, employers, their organizations, and governments;
- (e) pursue cooperative labour-related activities for the Parties' mutual benefit;
- (f) strengthen the capacity of the ministries responsible for labour affairs, and the capacity of other institutions responsible for administering and enforcing domestic labour law in their respective territories; and

- (g) foster a full and open exchange of information between those ministries and institutions in regard to domestic labour law and its application in each Party's territory.

Article 19.3: Obligations

In order to further the foregoing objectives, the Parties' mutual obligations are set out in the *Agreement on Labour Cooperation between Canada and the Republic of Honduras* (the "Agreement on Labour Cooperation") that addresses, among other things:

- (a) general obligations concerning internationally recognized labour principles and rights to be embodied in each Party's domestic labour law;
- (b) a commitment not to derogate from domestic labour law in order to encourage trade or investment;
- (c) effective enforcement of domestic 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 Agreement on Labour Cooperation, such as a Ministerial Council and National Points of Contact, to receive and review public communications on specific labour law matters and to enable cooperative activities to further the objectives of the Agreement on Labour Cooperation;
- (e) general and ministerial consultations regarding the implementation of the Agreement on Labour Cooperation and its obligations; and

- (f) independent review panels to hold hearings and make determinations regarding alleged non-compliance with the terms of the Agreement on Labour Cooperation and, if requested by a Party, monetary assessments.

Article 19.4: Cooperative Activities

The Parties recognize that labour cooperation plays an important role in advancing the level of compliance with labour principles and rights and that the Agreement on Labour Cooperation provides for the development of a plan of action for cooperative labour activities to promote the objectives of the Agreement on Labour Cooperation. An indicative list of areas of possible cooperation between the Parties is set out in the Agreement on Labour Cooperation.