

INTERNATIONAL TRADE UNION CONFEDERATION (ITUC)
**INTERNATIONALLY-RECOGNISED CORE
LABOUR STANDARDS IN COSTA RICA**

**REPORT FOR THE WTO GENERAL COUNCIL REVIEW OF
THE TRADE POLICIES OF COSTA RICA**

(Geneva, 16 - 18 April 2007)

EXECUTIVE SUMMARY

Although Costa Rica has ratified all eight ILO core labour conventions, numerous violations continue to take place, particularly with regard to trade union rights, and fundamental changes are required in order to comply fully with the commitments Costa Rica has made at both the ILO and the WTO.

While both ILO Conventions on trade union rights have been ratified, workers are unable to exercise their rights in practice. Trade unionists are not sufficiently protected against anti-union discrimination and employers' anti-union acts generally go without penalty. In the private sector, trade unions continue to be replaced progressively by the so-called solidarity associations or permanent workers' committees which are generally set up by the employers. More than half Costa Rica's exports come from export processing zones (EPZs) and maquilas where trade union rights are seriously violated. Further to rulings of the Constitutional Court in 2000, many collective agreements in the public sector have been dismantled and the right to bargain collectively deprived of meaningful substance. For over a decade the government has claimed to be taking initiatives to address these issues, but as of the time of writing, no improvement is to be observed.

Costa Rica has ratified both ILO conventions on discrimination and equal remuneration and the government's efforts to tackle discrimination have yielded some positive results. These efforts need to be pursued however to ensure that women achieve access to better employment positions in all sectors and to eliminate the gender pay gap. The situation of migrant workers (particularly women) and the indigenous population requires special attention.

Although the government has ratified both ILO Conventions on child labour and implements a range of programmes to prevent children from working under conditions that would be in contradiction with national legislation, child labour remains a problem in Costa Rica especially in domestic work, in unregulated and informal urban economic activities, and in agricultural work and more particularly in coffee harvesting. The number of children being sexually exploited is a source of great concern.

Although Costa Rica has ratified both ILO conventions on forced labour, trafficking in human beings for the purpose of forced labour remains a source of concern.

INTERNATIONALLY-RECOGNISED CORE LABOUR STANDARDS IN COSTA RICA

Introduction

This report on the respect of internationally recognised core labour standards in Costa Rica 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 Costa Rica are the Central del Movimiento de Trabajadores Costarricenses (CMTC) and the Confederación de Trabajadores Rerum Novarum (CTRN).

Costa Rica is a small country with a relatively balanced economy following a successful diversification process over the last two decades. Costa Rica's economy is larger than most of its Central American neighbours, in spite of a small population. The country has a well-educated workforce and a political and economic stability.

Overall the economy has performed reasonably well over the last few years, achieving an average annual GDP growth of 4.1 percent during the period 2002-2005. In 2005 manufacturing & mining accounted for about 30% of GDP, the construction sector for approximately 22% and agriculture contributed up to 9% of GDP. However this growth has not been sufficient to reduce the level of poverty, which still affects over 20 percent of the population - getting on for a million people.

Approximately half of Costa Rica's international trade is with the US. In 2005 the main export markets after the US were other Central American countries, the Netherlands, Germany and Mexico. The biggest importers of goods and services were the US, Venezuela, Mexico, Taiwan and the Central American Countries. In 2005 more than half Costa Rica's exports came from export processing zones (EPZ) and maquilas. Industrial and manufactured products, banana and coffee were the other major exports. However in 2005 Costa Rica's trade deficit was close to two billion US dollars

Costa Rica is a member of the Central American Common Market, and has signed Free Trade Agreements with Mexico, Panama, Dominican Republic, Canada and Chile. In August 2005, the Costa Rican congress ratified a free trade agreement with the 12 nation block of Caribbean Community countries known as CARICOM. Costa Rica has been granted preferential tariffs to access the EU markets thanks to the European Generalised System of Preferences (GSP+) which provides additional benefits for countries implementing certain

international standards in human and labour rights, environmental protection, the fight against drugs, and good governance.

The Free Trade Agreement between the Central American countries, the Dominican Republic and the US (CAFTA) was signed in early 2004 by all countries. The Treaty was subsequently signed into US law in August 2005. It was sent to the Costa Rican Congress in October 2005. In late 2006, it was passed in a close vote in the International Affairs Committee of the Costa Rican Congress. However the Free Trade Agreement has not been debated nor voted on in the full Congress yet. The reason for delay is the degree of active opposition to its passage, with many major demonstrations and strikes against CAFTA having taken place over the last 2 years. Today the Costa Rican government continues to announce its intention to pass the law but with major Congressional parties now opposed to it, ratification remains uncertain.

I. Freedom of Association and the Right to Collective Bargaining

In 1960, Costa Rica ratified both ILO Convention No. 87 (1948), the Freedom of Association and Protection of the Right to Organise Convention and ILO Convention No. 98 (1949), the Right to Organise and Collective Bargaining Convention.

Freedom of association

Article 60 of the Constitution guarantees the right of workers to organise and form a union. The law specifies the right of workers to join unions of their choosing without prior authorisation. Unions may form federations and confederations and affiliate internationally. The law provides protection from dismissal for trade unionists including reinstatement for workers fired for union activities.

However, only a very limited group of trade union leaders is protected from dismissal. In addition, there is no legal obligation on an employer to prove grounds for the dismissal of workers, including those who should be covered by trade union “immunity” to protect unionists from dismissal. Another major obstacle faced by workers is the extremely complicated administrative procedure for the reinstatement of trade unionists claiming unfair dismissal. In addition to the fact that procedure may take many years to be completed, there are no guarantees of reparation for any damages caused and there is no legal mechanism to oblige an employer to comply with a court order to reinstate a worker.

As a result the protection for trade union representatives is not respected in practice, trade unionists are dismissed, intimidated and harassed, and workers are strongly discouraged from joining a union. Complaints to the Ministry of Labour regarding anti-union harassment are continuous but go unmet by any effective response.

It is worth noting that the Constitutional Chamber - created within the Supreme Court of Costa Rica – does not grant the same level of protection to trade union rights as to other human rights. Yet the main task of this Chamber is to protect all fundamental rights established by the Political Constitution and the other international legal instruments ratified by Costa Rica, and to ensure their full implementation. The remedy of “amparo” was designed to provide a means of seeking redress with regard to injury or threat of injury to basic rights

and constitutional guarantees. However in cases of alleged violations of fundamental trade union rights, the Constitutional Chamber has systematically declared amparo procedures without merit, on the argument that ordinary labour procedures were the most suitable way to resolve the matter.

The ILO Committee of Experts of the Application of Conventions and Recommendations has for many years criticised the government for the slowness and ineffectiveness of recourse procedures “*which in cases of anti-union acts can translate to a period of at least four years before a final judgment is obtained*”. The government has argued for many years that important legislative changes are underway to address these problems, but none of these steps have been completed yet and there is increasing questioning of the willingness of the government to address these issues seriously. In its 2007 Observation, the ILO Committee on Experts refers to “*the persistence of important problems regarding the application of the Convention in matters of anti-union discriminations*”.

One of the biggest obstacles to the free exercise of trade union rights is the culture of "solidarismo" which is deeply embedded. Created initially in the 1940s to counter the success workers' organisations were then enjoying, the solidarismo (solidarity) associations provided workers with certain advantages. In exchange, they are required not to strike and to avoid any forms of confrontation. Theoretically, these associations should not carry out activities that are the sole prerogative of trade unions, and membership is voluntary. The reality is very different. Claiming to uphold a national ideology that is opposed to the "foreign" concept of trade unionism, employers try to dismantle existing unions in order to set up the more malleable solidarismo associations. For example, it is reported that representatives from the Escuela Social Juan XXIII are behind the anti-union campaign currently underway in the banana and pineapple sectors. It is noteworthy to observe how employers usually facilitate the work of promoters from this school while trade unionists are faced with many obstacles in the exercise of their right to organise.

Statistics show that in the private sector the number of solidarismo associations is four times higher than the number of trade unions. Solidarismo associations in the private sector even outnumber unions in the public sector in a disproportionate way.

The right to collective bargaining

The right to bargain collectively is enshrined in article 62 of the Constitution. According to labour law, employers are obliged to enter into collective bargaining with a trade union that represents over one third of the workforce if it so requests. In practice, however, collective bargaining in Costa Rica is diminishing and under serious threat.

In the private sector, collective bargaining has been reduced to a bare minimum. The low level of union membership in the wake of employers' repression is partly responsible for this, compounded by the employers' preference for negotiating with solidarity associations. In addition, there are many "direct arrangements" with non-unionised workers who are grouped together in "permanent workers' committees". The legislation allows for the creation of such committees provided there is a minimum of three workers, whereas for a union to be recognised as a bargaining unit, it must have a minimum of 12 workers and represent at least one third of employees. As a result the ILO Committee of Experts in its 2007 Observation notes the “*enormous imbalance in the private sector between the number of collective agreements*

concluded by trade unions and the number of direct agreements". At the beginning of 2006 there were 12 collective agreements concluded by trade unions whereas the number of direct accords reached 130. The unions have been critical of the fact that, in most cases, these "direct arrangements" are favoured by employers as a means of avoiding the creation of trade unions and of promoting "solidarismo".

In the public sector, collective bargaining has been deprived of any meaningful substance as a result of various rulings by the Constitutional Chamber of the Supreme Court.

The Constitutional Court ruling Nos. 2000-04453 of 24 May 2000 declared unconstitutional collective agreements concluded in certain public bodies, institutions and enterprises. This had led the ILO Committee of Experts on the Application of Conventions and Recommendations to express its concern over what constitutes a "*denial of the right to collective bargaining in the public sector, including employees who are not engaged in the administration of the State*" and to conclude that it was "*a serious violation of Convention No. 98 in terms of the right to collective bargaining in the public sector*". The Committee further expressed its concern that this ruling in combination with ruling 7730 of 30 August 2000 represented "*good grounds for believing that the Chamber's rulings totally exclude collective bargaining for all public sector employees with a statutory employment status*".

The decision of the Constitutional Chamber of 30 August 2000 concerned the RECOPE oil refinery, a public enterprise which had certain clauses of its collective agreement declared unconstitutional. These clauses related among others to the vacation bonus, paid and unpaid leave for personal reasons and the attendance bonus for employees who comply with the duty to attend work. The Chamber declared the clauses unconstitutional on the grounds that the benefits contemplated in these clauses were disproportionate and irrational and that they were unreasonable privileges secured with public funds. The ILO Committee of Experts emphasised that such grounds were not in conformity with the Convention and that the "*ruling in question may have very prejudicial effects on the confidence placed in collective bargaining as a means of resolving conflicts and may give rise to a loss of autonomy of the parties and the devaluation of collective bargaining itself*". The Committee further requested the authorities to refrain from striking out clauses of collective agreements on the basis of the criteria of "unique proportionality and rationality".

Although the Government has once again declared that it has taken legislative steps to address these serious concerns about the exercise of the right to bargaining collectively in the public sector, today workers in this sector are still deprived of their right to bargain collectively and the Constitutional Court is still being used to eliminate clauses in collective agreements and more generally to undermine collective bargaining rights. The ILO Committee of Experts on the Application of Conventions and Recommendations in this 2006 Observation stated that "*the problems at issue have persisted for many years and that most of the draft legislative texts referred to by the Government have been under examination for several years.*"

In 2006, the Constitutional Chamber declared that clauses of at least seven collective agreements in the public sector, covering among others workers from the Compañía Nacional de Fuerza y Luz, la Junta de Administración del Puerto de la Vertiente Atlántica, el Instituto Nacional de Seguros, la Junta de Protección

Social de San José, la Caja Costarricense de Seguro Social, el Consejo Nacional de Producción and el Banco Popular, were unconstitutional. In 2005, at least nine new charges of “unconstitutionality” were brought against certain clauses in collective agreements.

In addition it must be emphasised that these declarations of “unconstitutionality” of certain clauses of collective agreements by the Constitutional Chamber at the request of public authorities (the Ombudsperson, the Office of the Public Prosecutor) or by a political party are having an impact on the labour courts, which are being guided by the jurisprudence of the Constitutional Chamber and tend increasingly disregard the rights enshrined in collective agreements in force.

To illustrate the level of degradation of industrial relations in Costa Rica, it is worth mentioning that a Member of Parliament has recently decided to sue leaders of the Costa Rican trade union movement for having lodged a complaint before the ILO for violations of Conventions 87 and 98.

The right to strike

Strikes are officially permitted in the private sector, provided that strict requirements are met. Lengthy legal procedures must be followed and the final decision with regards to the justification for a strike is made by a judge. These requirements are so numerous that in the entire history of Costa Rica, no more than ten strikes have been declared lawful. This has led the Committee of Experts on Application of Conventions and Recommendations to emphasise in its 2004 Observation that “*the exercise of the right to strike should not be subjected to legal or practical requirements which make its lawful exercise very difficult or impossible.*”

The ILO has for many years requested the government to put its legislation concerning the right to strike into conformity with the Convention. The restrictions foreseen by the Labour Code include the requirement that at least 60 per cent of workers at the enterprise must support the strike. To prove this, the unions have to name those workers who support the strike, hence risking victimisation of those workers. In August 2005, the Government announced that a bill on the reform of labour procedures which benefited from ILO technical assistance had been submitted to the Legislative Assembly. According to the government, the bill proposes a level of support of 40 per cent of workers in order to call a strike legally. However once again, this announced measure is not being implemented, since the bill has not been enacted.

Strikes are permitted in the public sector with the exception of essential services, where they are banned. There is a clearly defined list of essential services which include railway, maritime and air transport, as well as in loading and unloading at docks and wharves. This list is not in conformity with the ILO Convention according to which strikes can be restricted only in essential services in the strict sense of the term i.e. in those services whose interruption would endanger the life, health or personal safety of the whole or part of the population.

Plantations and the export processing zones (

The banana industry is one of the worst violators of trade union rights. In recent years, there have been many cases in which falling prices on the banana market have been used as a pretext for the widespread dismissal of unionised workers, who have been harassed and blacklisted. Union members are victims of a series of forms of persecution including unjustified penalties, assignment to

harder tasks and higher production targets. A report published in July 2005 by lawyers from the plantation workers' union (Sindicato de Trabajadores de Plantaciones Agrícolas, SITRAP) stressed the lack of freedom of association and collective bargaining rights in the banana plantations. The report found that workers' conditions are now worse than in the 1970s, when the workers were more organised and the collective agreement was applied. The report concluded that the sheer mass and systematic and continual nature of violations in the banana plantations amounted to a de facto deregulation of the industry.

This anti-union model is repeated in the pineapple industry, which has considerably over recent years. Trade unionists working in this sector are constantly harassed and persecuted. "Blacklists" circulate among employers to avoid recruiting workers who have been members of a union and trade unionists are systematically dismissed or discriminated against.

In export processing zones (EPZ), unions are virtually inexistent. The very few unionised workers face persistent and persuasive harassment and unfair dismissal.

The Costa Rica based Central Social Juanito Mora Porrás has formally requested the European Union to suspend the trade benefits granted to Costa Rica under the Generalised System of Preferences (GSP+) on the basis that ILO core Conventions are systematically violated in this country.

Conclusions:

Although Costa Rica has ratified both ILO Conventions on trade union rights, workers are unable to exercise their rights in practice. Trade unionists are not adequately protected against discrimination and employers' anti-union acts are generally not subject to penalty. In the private sector, to a large extent trade unions are being replaced progressively by the so-called solidarity associations or permanent workers' committees which are generally set up by the employers. Since the rulings of the Constitutional Court in 2000, collective agreements in the public sector have been dismantled and the right to bargain collectively has been deprived of any meaningful substance. For over a decade the government has claimed to be taking initiatives to address these issues, but as of the time of writing, no improvement is to be observed.

II. Discrimination and Equal Remuneration

Costa Rica ratified ILO Convention No. 100 (1951), Equal Remuneration in 1960 and ILO Convention No. 111 (1958), Discrimination (Employment and Occupation) in 1962.

The Constitution and Labour Code require that women and men receive equal pay for equal work; however, the estimated earned income for women is approximately 78 percent of the earned income for men, despite the fact that 20 percent of women in the workforce have some university instruction, compared with 11 percent of men.

In July 2006 the census institute reported that women represented 35 percent of the labour force. Approximately 4.8 percent worked in agriculture, 12.5 percent in manufacturing, and 82.4 percent in the service sector. According to a 2005 UN Development Programme report, women occupied 45 percent of

professional and technical positions and 29 percent of high-level legislative, senior official and managerial positions.

Over the years the country has achieved high net rates of school enrolment for girls in pre-school and primary education. No major gender unbalances are to be found in the statistics covering education coverage.

The Law for the Promotion of the Social Equality of Women prohibits discrimination against women and obliges the Government to promote political, economic, social, and cultural equality. The Government maintains offices for gender issues in almost all ministries and most parastatal organisations, and the Ministry of Labour is responsible for investigating allegations of gender discrimination.

There has been an appreciable reduction in discrimination against women over the last 30 years but cases of gender discrimination in access to employment and in remuneration continue to occur.

The law prohibits sexual harassment in the workplace and educational institutions, and the Ministry of Labour generally enforces this prohibition. The law imposes penalties ranging from a letter of reprimand to dismissal, with more serious incidents subject to criminal prosecution. During the year 2006 the ombudsperson's office received 52 complaints of sexual harassment in the workplace.

Several sources report cases of discrimination against migrant women workers, who are usually concentrated in low-skilled jobs characterised by precariousness and lack of respect for their labour rights. They usually lack access to information and protection allowing them to complain or denounce these situations and exercise their rights. Most of them just keep working out of the fear of losing their jobs or making their situation worse.

The population includes nearly 64,000 indigenous persons among 8 ethnic groups. While indigenous persons are generally not subject to official discrimination, social and health network gaps diminished their quality of life. Approximately 73 percent of the indigenous population live in traditional communities on 24 reserves, which because of their remote locations, often lack access to schools, health care, electricity, and potable water.

Reports on discrimination against persons with disabilities in employment sometimes occur. The law mandates access to buildings for persons with disabilities, but the Government does not enforce this provision in practice, and many buildings remain inaccessible.

Conclusions:

The government's efforts to tackle discrimination in employment and remuneration have yielded some positive results. These efforts need to be pursued to ensure that women achieve access to higher positions in all sectors and to eliminate the gender pay gap. The situations of migrant women workers and of the indigenous population deserve special attention.

III. Child Labour

Costa Rica ratified ILO Convention No. 138 (1973), the Minimum Age Convention in 1976 and Convention No 182 (1999), the Worst Forms of Child Labour Convention in 2001.

The Constitution provides special occupational protection for minors and establishes a minimum working age of 15 years. Adolescents between the ages of 15 and 18 may work for a maximum of 6 hours daily and 36 hours weekly with special permission. The law prohibits night work and overtime for minors. Certain activities considered to be unhealthy or hazardous typically require a minimum age of 18. In addition, minors are entitled to facilities allowing them to attend educational establishments, through school arrangements and timetables adapted to their interests and employment conditions, and to participate in apprenticeship training programmes.

The Labour Ministry generally enforces these regulations in the formal sector. However child labour remains a problem in informal economic activities, in small-scale agriculture, in domestic work, and in family-run enterprises. Although child prostitution was made a criminal offence in 1998, it remains a serious problem as do other types of child sexual exploitation.

The ILO Committee of Experts on the Application of Conventions and Recommendations has on several occasions requested the Government to amend the Labour Code to bring its provisions concerning the minimum age for admission to employment into conformity with the Costa Rican Code of Children and Young Persons. The latter provides for a minimum age of 15 years, while the Labour Code sets the minimum age at 12 years.

According to a 2004 ILO – IPEC survey (*In-depth analysis of child labour and education in Costa Rica*), it is estimated that there are more than 100,000 children between 5 and 17 years old currently working in the country. More than 70% of working children are rural residents. 43.4% of children work in the agriculture and forestry sector, especially in the harvesting of coffee which is one of the biggest exports of Costa Rica. 21.7% of children work in trade and repair of vehicles and appliances, and 9.0% work in the manufacturing industry.

The deficiencies in the enforcement of the national legislation that prohibits children under 15 from working are evidenced in the fact that 43.1% of working children are between 5 and 14 years old, an age range in which it is forbidden to work. The law prohibits boys and girls from work in activities such as mining and fishing that pose risks and threaten children's health and life, but some children still engage in them.

It appears that 45.3 per cent of children who do not attend school do so for reasons related to work. The population of children and adolescents receive wages that are much lower than the minimum legal wages set forth by the law.

The Government, security officials, and child advocacy organisations acknowledge that the commercial sexual exploitation of children remains a serious problem. The National Institute for Children (PANI) estimates that 3,000 children suffer from commercial sexual exploitation.

The government has designed a number of programmes to tackle child labour including the formulation of a National Plan for the Elimination of Child Labour and the Protection of Young Workers; the adoption of an Agenda for Children and Young Persons, whose long-term objective is “*the lasting integration*

of boys and girls under 15 years of age and also young persons between 15 and 18 years of age in the formal education system”; and the recent implementation of projects for the elimination of child labour in agriculture, which target around 2,000 children working in this sector.

In its 2006 Observation, the ILO Committee of Experts on the Application of Conventions and Recommendations welcomed the efforts made by the Government but remained concerned at the situation of children who are compelled to work in Costa Rica. The Committee noted that statistical data “*show that difficulties appear to be encountered in the application of the legislation on child labour and that child labour is widespread in Costa Rica*”. The Committee therefore requested the Government to take the necessary measures to ensure that the legislative provisions on the minimum age for admission to employment or work were enforced effectively.

Conclusions:

Although the government implements several programmes to prevent children from working under conditions that would be in contradiction with the law, child labour remains a problem in Costa Rica especially in domestic work, in informal economic activities, and in agricultural work and more particularly in the harvesting of coffee. The number of children being sexually exploited is a source of great concern.

IV. Forced Labour

Costa Rica ratified ILO Convention No. 29 (1930), the Forced Labour Convention in 1960 and ILO Convention No. 105 (1957), the Abolition of Forced Labour Convention in 1959.

The Constitution prohibits forced or compulsory labour, including by children. However, Costa Rica is a country of source, transit, and destination for men, women, and children trafficked for the purposes of labour and sexual exploitation. Men, women, and children are trafficked internally for forced labour as domestics, agricultural workers, and workers in the fishing industry. Traffickers often recruit victims with a promise of secure employment and good pay.

Although the law prohibits trafficking in women and minors for the purpose of prostitution, comprehensive legislation that addresses all forms of trafficking does not exist. NGO representatives active in this field state that the absence of such legislation hinders the prosecution of trafficking cases.

Hundreds of investigations into the commercial sexual exploitation of children have been initiated, but few have resulted in successful prosecutions as a result of deficiencies in protecting witnesses.

Conclusions:

Trafficking of human beings for the purpose of forced labour is a source of concern.

RECOMMENDATIONS

1. The government should take all necessary measures to ensure that trade unionists are granted effective legal protection to enable them to do their work at the company level. It should promote good labour relations at the national level by all means possible, including through tripartite social dialogue with independent workers' and employers' organisations. In general, it should speed up the passage, and ensure adequate implementation of, the legislative procedures and projects it has initiated in order for workers to have their fundamental rights restored in the shortest possible time.
2. The government should take all necessary measures to ensure that in cases of alleged violations of trade union rights, workers can make use of the "amparo" procedure. The Supreme Court of Costa Rica must treat trade union rights as it does any other fundamental human rights.
3. The legislation on the right to strike must be brought into conformity with ILO Conventions.
4. The government must ensure that "direct agreements" between employers and workers are not permitted when there is a trade union in the workplace. It must take actions to stop employers' tactics aimed at eliminating trade unions at the workplace and contravening the letter or the spirit of ILO Core Conventions.
5. Workers in public services which are not essential in the strict sense of the term must have the right to bargain collectively.
6. The government should ensure that public authorities refrain from striking out clauses of collective agreements on the basis of criteria that are disproportionate and irrational.
7. The legislation concerning solidarismo associations and permanent workers' committees should be revised in order to ensure that they do not undermine the fundamental right of workers to form a union and bargain collectively.
8. The government must address seriously the issue of violations of trade union rights in the banana and pineapple industries as well as in export processing zones. It should reinforce labour inspections in all sectors characterised by poor labour standards.
9. The government's efforts in the fight against gender discrimination must be stepped up and its measures and programmes extended to women migrant workers.
10. The government should take all necessary measures to enforce its legislation on child labour. More programmes and funds should be directed toward assistance for children being employed as domestic workers and those harvesting coffee.
11. Policies and programmes must be devised and funded adequately to eliminate as a priority the worst forms of child labour including child prostitution.
12. In line with the commitments accepted by Costa Rica at the Singapore WTO Ministerial Conference and its obligations as a member of the ILO, the government of Costa Rica should provide reports to the WTO and the ILO on its

legislative changes and implementation programmes with regard to the above areas.

13. The WTO should draw to the attention of the authorities of Costa Rica on the commitments they undertook to observe core labour standards at the Singapore and Geneva WTO Ministerial Conferences. The WTO should request the ILO to intensify its work with the government of Costa Rica 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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