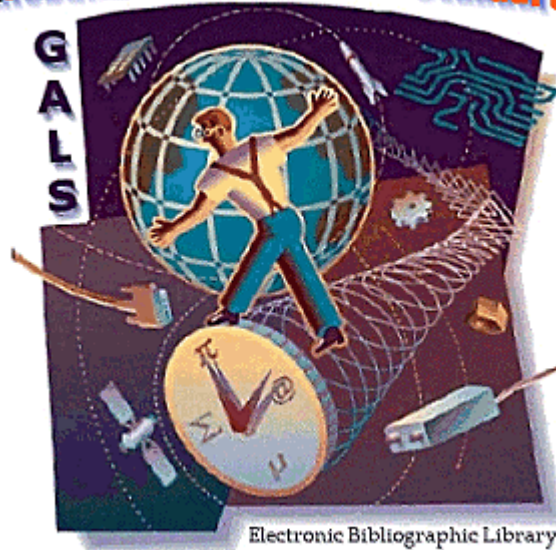


Globalization and Labor Standards



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Child Labor

Silk, James J & Makonnen, Meron, "Economic Exploitation of Children: Ending Child Labor: A Role for International Human Rights Law?", *St. Louis University Public Law Review* v. 22 (2003) p. 359-370

Abstract:

This article discusses the recent rise in the use of private actions to prevent child labor. It begins by noting that private enforcement actions are necessary because international legal standards designed to protect children have weak enforcement mechanisms. After explaining the scope and impact of child labor, the authors detail the various international human rights laws that purport

to protect children from abusive labor practices. The authors then explore the shift from reliance on public international measures to private actions such as boycotts of products made with child labor and public pressures to induce corporations to adopt codes of conduct. The authors present critiques of using private actions to prompt compliance with labor rights, but conclude that international human rights law has a role to play in ending child labor because it sets the standard by which conduct is measured, regardless of whether pressure to comply is exerted by non-governmental or governmental entities.

Subjects: [Child Labor](#), [Codes of Conduct](#), [Labor Rights in General \(Misc.\)](#)

Full-text links: || [WESTLAW](#) ||

Doek, Jaap E, "Overview: The Protection of Children's Rights and the United Nations Convention on the Rights of the Child: Achievements and Challenges", *St. Louis University Public Law Review* v. 22 p. 235-52

Abstract:

In this article, the author considers the extent to which the United Nations Convention on the Rights of the Child (CRC) has succeeded in protecting children's rights under international law, and urges that additional steps be taken to enhance enforcement and protection of these rights. First, the author details achievements in the field of children's rights since the CRC went into effect on September 2, 1990. This section focuses on progress in the areas of children in armed conflict, commercial sexual exploitation of children, and child labor. Next, the author discusses improvements for children in the areas of legal protection, health care and education since 1990 that can be attributed directly or indirectly to the implementation of the CRC. The author then explores the challenges that the international community faces in its attempt to fully implement the CRC, and argues that the elimination of poverty should be the first priority. The author concludes that it is possible to continue to improve the plight of children and urges all concerned entities to continue to take all necessary measures to build a world fit for children.

Subjects: [Child Labor](#), [Labor Rights in General \(Misc.\)](#), [United Nations \(UN\)](#)

Full-text links: || [WESTLAW](#) ||

International Labour Organization (ILO)

Langille, Brian A, "Re-reading the Preamble to the 1919 ILO Constitution in Light of Recent Data on FDI and Worker Rights", *Columbia Journal of Transnational Law* v. 42 (2003) p. 87-99

Abstract:

In this essay, the author reassesses the longstanding articulation of the rationale for the existence of the ILO in light of recent evidence of the positive relationship between a nation's respect for core labor rights and its ability to attract foreign direct investment (FDI). Part I examines the 1919 ILO Preamble's text in pertinent part, highlighting the two initial rationales for the existence of the ILO. Part II reviews the accepted interpretations of the Preamble's provisions. Part III briefly reviews recent evidence of the relationship between respect for labor rights and the attraction of FDI, and argues that this evidence requires a new set of interpretations of the ILO Preamble. Part IV assesses some of the implications of this new understanding of the

rationale for the existence of the ILO, including a much more positive and central role of the ILO within the overall framework of international development.

Subjects: [International Labour Organization \(ILO\)](#)

Full-text links: || [WESTLAW](#) ||

World Trade Organization (WTO)

Howse, Robert, "Back to Court After Shrimp/Turtle? Almost but not Quite Yet: India's Short Lived Challenge to Labor and Environmental Exceptions in the European Union's Generalized System of Preferences", *American University International Law Review* v. 18 (2003) p. 1333-1381

Abstract:

In this article, the author discusses the WTO's Appellate Body ruling in United States – Import Prohibition of Certain Shrimp & Shrimp Products (“Shrimp/Turtle”), in which the WTO panel overruled a previous holding that Article XX prevents exporting countries from restricting imports on policy grounds. The discussion of Shrimp/Turtle occurs in the context of analyzing a claim brought by India against labor and environmental exceptions in the European Union's Generalized System of Preferences. India's claim specifically addressed limitations on market access that the EU imposed on the basis of labor, environmental, and drug enforcement concerns. The author contends that the new ruling created a new baseline for the labor and environment debate at the WTO. The author suggests that the general jurisprudential approach that the Body adopted in this case would likely impact future litigation concerning labor and environmental conditionality in GSP schemes. The conclusion presents various possible outcomes of a challenge to such preferences.

Subjects: [Country-Specific Case Studies](#), [European Union](#), [Generalized System of Preferences](#), [Trade Conditionality](#), [World Trade Organization \(WTO\)](#)

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Links to Related Projects

ETUI Labourline: <http://www.labourline.org/Etui>

ETUI Labourline is a database of European labor information resources covering European, international and comparative aspects of industrial relations and health and safety issues, developed by the Documentation Centres of the European Trade Union Institute and the European Trade Union Institute for Health and Safety (Brussels). The consolidated bibliographic database contains more than 20,000 references to documents focusing on industrial relations, and more than 15,000 references to documents on health and safety issues.

LabourWeb: <http://www.lex.unict.it/eurolabor/en/>

The Labour Web is a comprehensive documentation center for information about European labor law, social law, industrial relations and the welfare state. It contains up-to-date versions of European Union law, directives, pending directives, EU news, press releases, economic statistics and decisions of the European Court of Justice. It also contains a Working Papers series and subject matter reports (dossiers) on issues concerning European integration. The site also provides links to other websites that contain working papers, statistical reports, and other information about social, economic and industrial relations affairs in the European context. It is run by the Massimo D'Antona Centre for the Study of European Labour Law, at the Faculty of Law of the University of Catania.

Labor and Global Change Database: <http://www.ilir.umich.edu/lagn/>

The Labor and Global Change Database provides bibliographies, citation information and (where available) web links to the full text of research exploring connections between labor and globalization. The database aims to provide researchers with an easy means to make the results of their work widely available to other scholars and the interested public. The database is run by and continually updated by the Labor and Global Change Program of the University of Michigan.

Trade Unions and Labor Relations Database: <http://www.polwiss.fu-berlin.de/tu/english/>

The database, produced by the Institute of Labor Relations of the Otto-Suhr-Institute of the Freie University of Berlin, contains almost 7,000 citations of books, articles, working papers, brochures, proceedings etc. The bulk of the citations address aspects of labor relations in Germany, but there is a substantial body of literature in the database covering the EU and Eastern Europe.

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