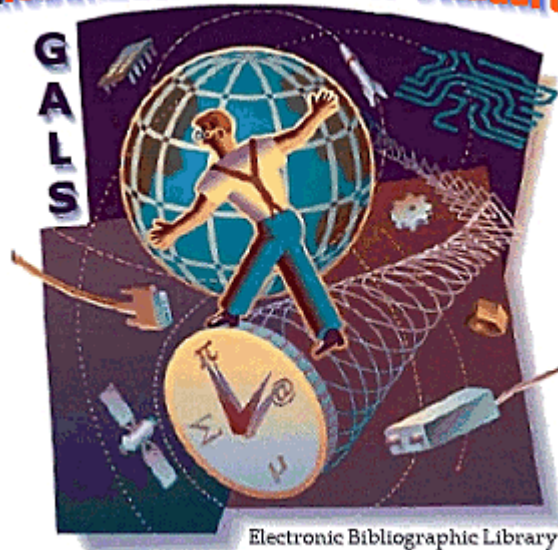


# Globalization and Labor Standards



## GALS Newsletter

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serve. Information about how to sign up for this free service is [available below](#).

**NEW** The Globalization and Labor Standards Project has initiated a Working Papers Series. GALS Working Papers can be found at in PDF format at [www.laborstandards.org](http://www.laborstandards.org). They are listed separately as well as cross-referenced and integrated into the GALS library. The library contains links to the full text of the Working Paper. GALS Working Papers are also listed in the newsletter.

## World Trade Organization

**Thomas, Chantal, "Should the World Trade Organization Incorporate Labor and Environmental Standards?", *Washington and Lee Law Review* v. 61 (2004) p. 347-403**

**Abstract:**

This article contrasts legislative with judicial modes of linking international trade, environmental and labor law in order to evaluate possibilities for incorporating environmental and labor protections into the WTO. The author explores several Public Choice arguments for not doing so, including arguments that to do so would undermine the legitimacy of the WTO, a deep suspicion of "non-trade" legislation, the problem of enforceability, developing countries' opposition, and the idea that the WTO has a "breaking point" in breadth. Section II reviews extant international labor and environmental regimes and their limited enforceability. Section III examines cases brought before the WTO's Appellate Body in order to address the possibilities and limitations for legislative and judicial measures. Section IV examines the TRIPS (Trade-Related Intellectual Property Rights) Agreement as an example of successful "non-trade" WTO legislation which was possible despite the high costs of lawmaking and its potential threat to WTO legitimacy as an enforceable, focused code. The author concludes ambivalently that while new legislation may be costly and pose challenges to legitimacy, there is much potential for linking environmental and labor codes into trade law.

**Subjects:** [Labor Rights in General \(Misc.\)](#), [World Trade Organization \(WTO\)](#)

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

## Labor Rights in General

**Kamil, Admed Par, "International Labor Rights - A Categorical Imperative?", *Les Editions Revue de Droit University de Sherbrooke* v. 35 (2004) p. 185-145**

**Abstract:**

The author discusses the capacities of the ILO, the WTO and corporate codes of conduct (CCCs) to protect labor rights. The author reviews labor rights debates in international trade law, noting the theory of comparative advantage and differences between more and less developed countries (sections II and III). While the ILO has been criticized as outdated, lacking enforcement power, and US-dominated, it retains international clout and can back labor rights by cooperating with the WTO and CCCs (section IV). Enforceable WTO law is the ultimate goal, but this is unlikely for now because, according to WTO anti-protectionism provisions, products fabricated in different manners cannot receive dissimilar treatment. Also, less developed countries lobby against WTO labor provisions. Thus, the author argues that CCCs are a viable interim strategy (Section IV, E). Corporations favor them because they create consumer markets, represent the privatization of regulation, strengthen management, and are unenforceable by outside agencies. As such, CCCs are substantively toothless, yet to their credit they are as flexible, transnational and international as corporations themselves. Thus, he concludes that CCCs can supplement the protective capacities of the ILO and WTO such as they are.

**Subjects:** [Codes of Conduct](#), [International Labour Organization \(ILO\)](#), [Labor Rights in General \(Misc.\)](#), [World Trade Organization \(WTO\)](#)

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

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## Links to Related Projects

**The International Labour Organization's (ILO) Informal Economy Resource Database:**  
<http://www.ilo.org/dyn/infoecon/iebrowse.home>

The Informal Economy Resource Database contains a myriad of ILO activities, research or tools directly or indirectly related to the informal economy and decent work. This source is a "living" and dynamic inventory of information on labour issues relating to the informal economy, such as access to finance, data and statistics, employment, gender equality, policy, rights, social protection and working conditions. It is a valuable tool for anyone undertaking research or working on labour issues and the informal economy.

**Asian Law Center:** <http://www.law.unimelb.edu.au/alc/bibliography/browse.asp?s=45>

The Asian Law Centre, an initiative of the University of Melbourne Law School, devoted to the development of understanding of Asian law, offers an extensive bibliography of Asian labor law articles and reports.

**Centre for Employment and Labour Relations Law:** <http://www.law.unimelb.edu.au/celrl/>

Centre for Employment and Labour Relations Law is a research and teaching center devoted to the development of an understanding of labor law at the University of Melbourne. The Center's website describes the activities of the Center and contains links to several databases that are of interest to labor law scholars and practitioners. For example, the Center's Work Relations Law Project contains extensive information about Australian labor law that can be accessed directly at <http://www.austlii.edu.au/au/special/industrial/>.

**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.

**Globalization Bulletin:** <http://www.rci.rutgers.edu/~dbensman/bulletin.html>

The Globalization Bulletin is a weekly e-newsletter providing linked access to the latest articles, research, and web resources on a range of global labor issues—ranging from union organizing and labor markets to immigrations and trade agreements. The Bulletin is produced by the Globalization Task Force of the New Jersey Division of the United Nations Association-USA and the Department of Labor Studies and Employment Relations School of Management

and Labor Relations, Rutgers University. To subscribe, email David Bensman at [dbensman@smlr.rutgers.edu](mailto:dbensman@smlr.rutgers.edu).

**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.

**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.

**The Marco Biagi Centre for International and Comparative Studies:**  
<http://www.csmb.unimo.it>

The Marco Biagi Centre for International and Comparative Studies at the University of Modena and Reggio Emilia, Italy, functions as policy resource center on comparative labor issues. Besides publishing books and law journals, the Center provides a clearinghouse of international law journals, including the International Journal of Comparative Labour Law and Industrial Relations (<http://www.csmb.unimo.it/journal.html>). Currently only in Italian, the Center's website will soon offer an English version.

**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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For any problems or questions, please email to Brendan Smith, at [GALS@laborstandards.org](mailto:GALS@laborstandards.org).

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*Project Director:*

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