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Trade agreements and decent work

Imagine...
fair globalisation
that works for all

Deborah Greenfield
Deputy Director-General for Policy
International Labour Organization

The beginning of the trade and labour linkage

- **18th and 19th centuries:**
 - **Economic:** Level the playing field
 - **Moral:** charitable urge to constrain *appalling working conditions*
- **1919 ILO Constitution**
 - Economic progress goes hand in hand with **social justice**, prosperity and **peace**.
 - *..the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries”.*



***If you desire peace,
cultivate justice (“si vis
pacem, cole justitiam”)***

Trade and labour standards linkage: Consensus-Instruments



Decent
work
(1999)

World
Summit for
Social
Development
(1995)

Singapore
Ministerial
Declaration
(WTO, 1996)

Declaration
on FPRW and
its follow-up
(ILO, 1998)

World
Summit of
the United
Nations
(2005)

Declaration
on Social
Justice for a
Fair
Globalization
(ILO, 2008)

2030 Agenda
for
Sustainable
Development
and SDGs
(2015)

Definition of Labour Provision (ILO, 2016)



(i) any standard which addresses labour relations (for example, with reference to international labour standards) or minimum working conditions and terms of employment (for example, occupational safety and health (OSH), minimum wages and hours of work);

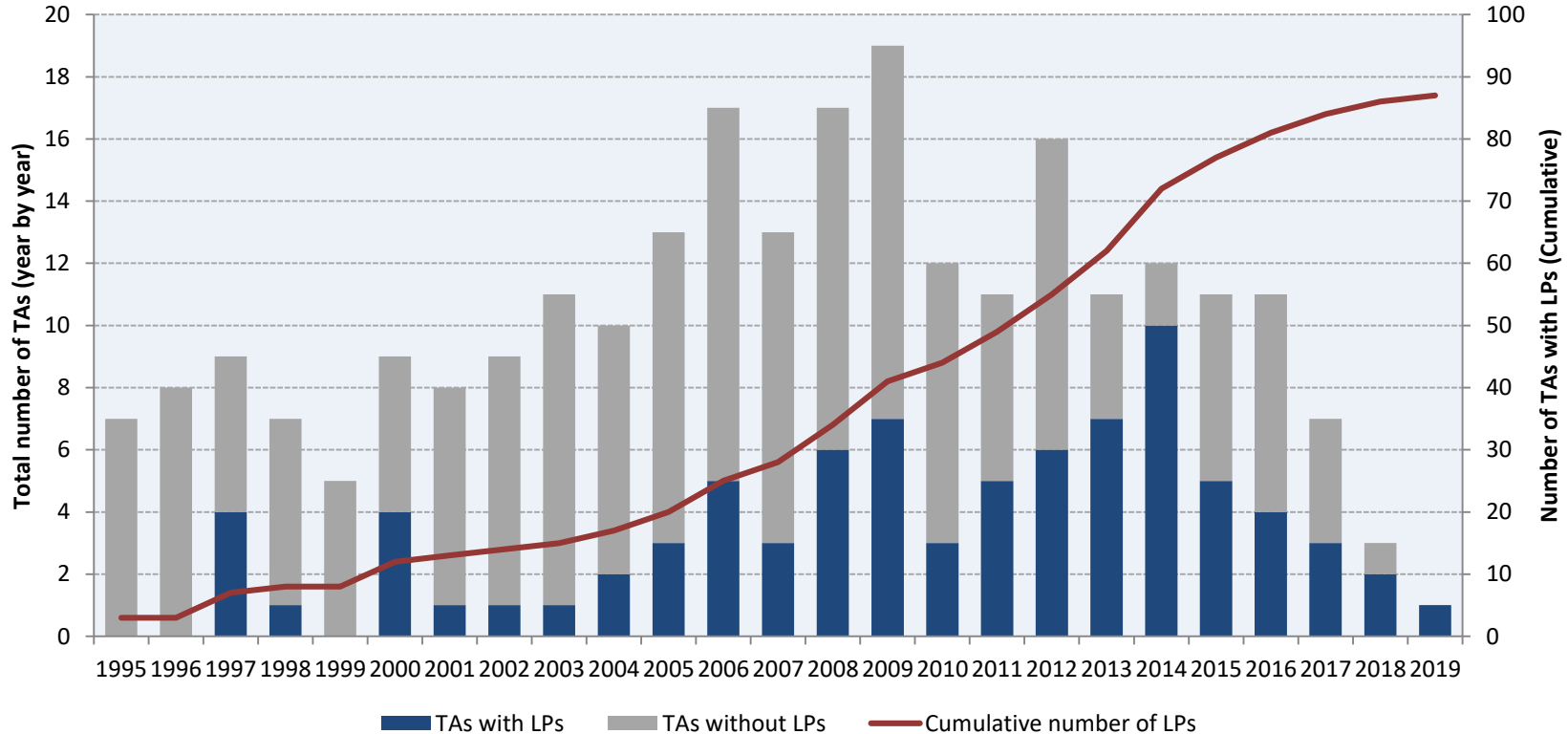


(ii) any mechanism to ensure compliance with the standards set, under national law or in the trade agreement; and



(iii) any framework for cooperative activities, dialogue and/or monitoring of labour issues (for example, development cooperation, established bodies for facilitating consultation between the parties or regular dialogue).

Number of trade agreements notified to the WTO that entered into force, by year



The design of labour provisions



Effective enforcement of labour laws

Adopt, maintain or improve labour standards

Non-derogation

No use of labour standards for protectionist purposes

Transparency on labour laws

Provide access to tribunals and procedural guarantees



Standards/instruments/issues

ILO frameworks or instruments

Acceptable minimum working conditions

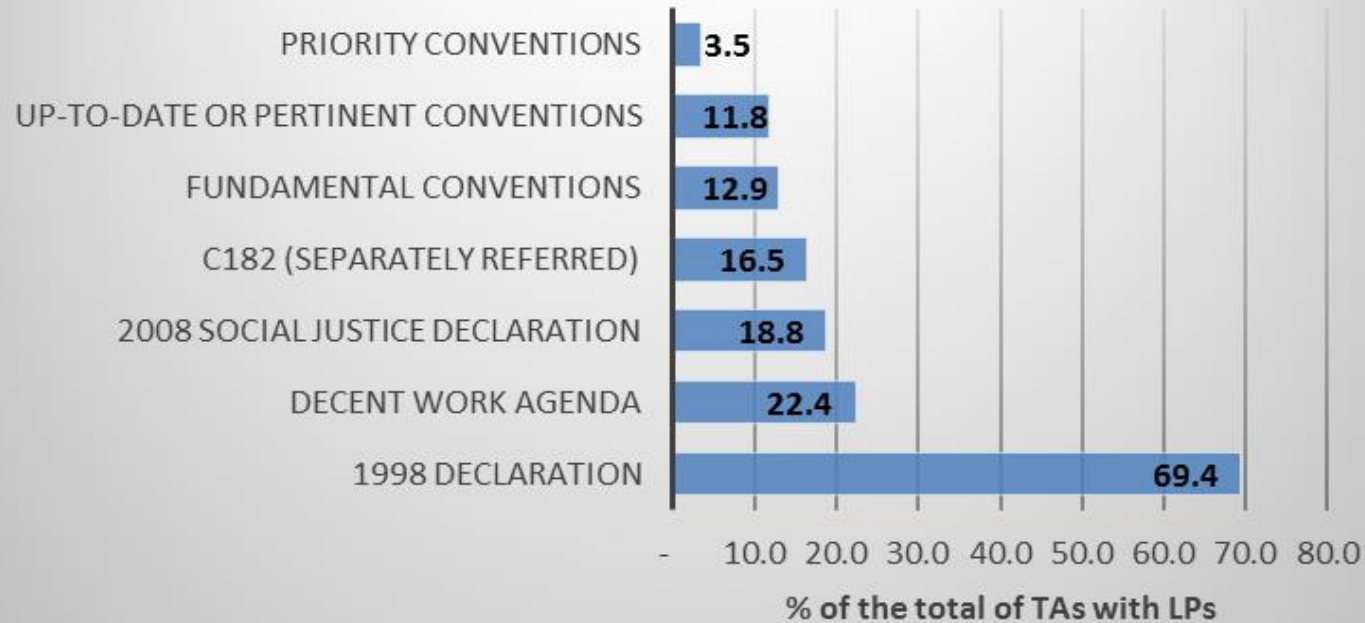
Corporate Social Responsibility

Reference to specific gender issues

Levels of commitment – hortatory to binding



References to ILO instruments, 2019



Assessment of labour provisions

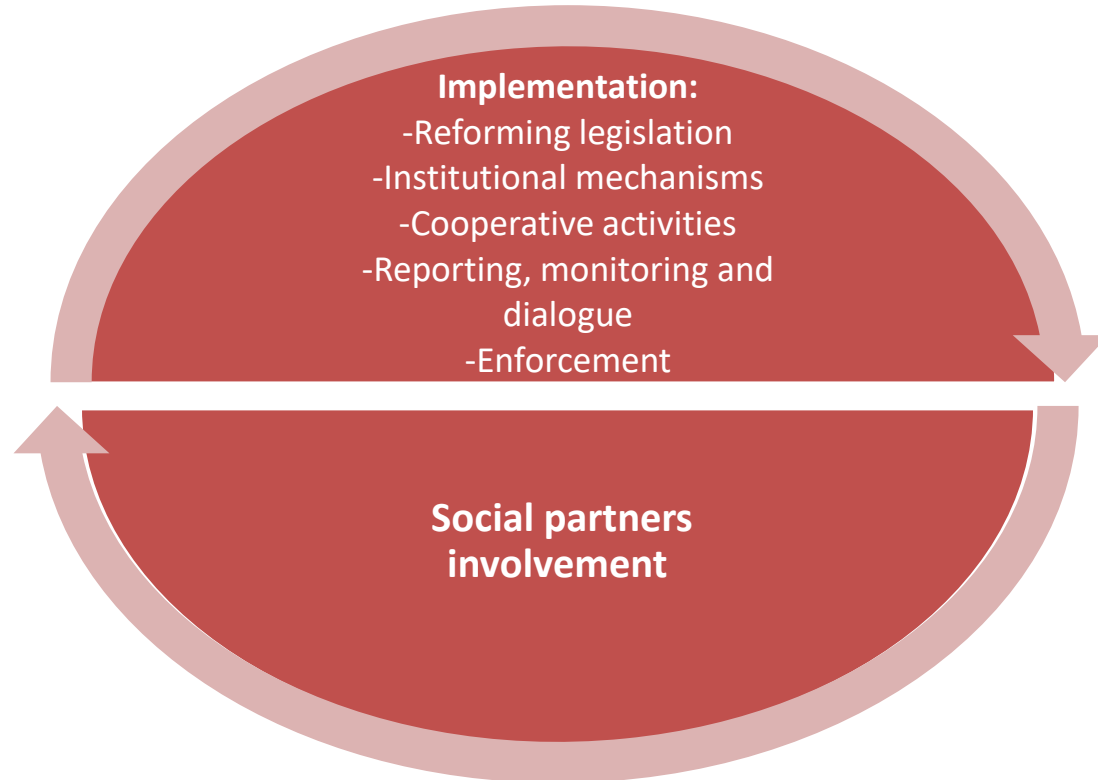
How and whether LPs set framework conditions for decent work?

Key findings:

1. No trade distortion
2. Gender impacts
3. Ratification and work towards ratification of fundamental ILO Conventions
4. Institutional role and stakeholder involvement



Effectiveness of LPs depends on ‘inclusive implementation’



The role of the ILO in Trade Agreements



Advice

- Reference to ILO instruments
- Aligning legislation and practice
- Advice to Governments and Panel of Experts

Implementation
of ILS

- Technical assistance
- Development cooperation activities

Indirectly

- Source of information based on advice and reports of supervisory bodies of the ILO
- Knowledge building and sharing of information