

International Labour Review

SPECIAL ISSUE

ENFORCING GLOBAL LABOUR RIGHTS

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- 339 **The architecture of global labour governance**
Frank HENDRICKX, Axel MARX, Glenn RAYP and Jan WOUTERS
- In their introduction to this Special Issue, the authors situate the architecture of global labour governance against the background of the challenges posed by globalization. Noting the limitations of a conventional governmental approach to labour governance, they suggest considering new “hybrid” regulatory modes and mechanisms, which involve a combination of public and private actors and initiatives alongside or instead of traditional international labour law. The authors conclude by examining possible explanations for the emergence of gaps in the enforcement of labour rights, looking in particular at the issues of labour-standard “selectivity” and the stringency with which standards are enforced.
- KEYWORDS: WORKERS RIGHTS, INTERNATIONAL LABOUR STANDARDS, APPLICATION, SUPERVISORY MACHINERY.
- 357 **Can labour provisions work beyond the border? Evaluating the effects of EU free trade agreements**
Liam CAMPLING, James HARRISON, Ben RICHARDSON and Adrian SMITH
- The European Union (EU) has concluded close to 50 bilateral free trade agreements (FTAs), with around ten more under negotiation. EU FTAs now include “trade and sustainable development” chapters, which contain labour provisions based on a “promotional” rather than “conditional” approach. In the context of the debate on the purpose and efficacy of the trade–labour linkage, the authors examine the possibilities and limitations of these provisions, drawing attention to the lack of research on their effect “on the ground”. To bridge this gap, they propose a new research agenda for evaluating the effects of labour provisions in EU FTAs.
- KEYWORDS: TRADE AGREEMENT, FREE TRADE, INTERNATIONAL LABOUR STANDARDS, EU.

Promoting labour rights in the global economy: Could the United States' new model trade and investment frameworks advance international labour standards in Bangladesh?

Ronald C. BROWN

International free-trade or investment agreements offer great potential for improving labour standards. But that potential is far from realized. Compared with earlier models, the strengthened labour provisions of the United States' recent trade agreement with the Republic of Korea mark a definite improvement, but the author questions their effectiveness, not least because the rights they purport to protect are specifically framed (somewhat loosely) in terms of the ILO Declaration of 1998 rather than the fundamental Conventions that underpin it. Enforcement mechanisms also are questionable. He considers what would need to be done to ensure that such agreements genuinely contribute to raising labour standards globally.

KEYWORDS: TRADE AGREEMENT, INTERNATIONAL LABOUR STANDARDS, BANGLADESH, KOREA R, USA.

Labour provisions in EU trade agreements: What potential for channelling labour standards-related capacity building?

Franz Christian EBERT

The labour provisions of the EU's trade agreements have been of limited effectiveness as a means of enforcing labour standards within the jurisdictions of the respective parties. However, the author argues, these provisions could serve other useful purposes in this regard. In particular, he focuses on their potential as a framework for channelling capacity-building activities relating to labour standards through the EU's development cooperation instruments. He also considers options for increasing the potential effectiveness of labour provisions in framing capacity-building activities through a change in their design, particularly by reducing the parties' discretion in applying the relevant provisions.

KEYWORDS: TRADE AGREEMENT, INTERNATIONAL LABOUR STANDARDS, EU.

Redesigning enforcement in private labour regulation: Will it work?

Axel MARX and Jan WOUTERS

Private labour regulation has emerged as an international governance tool for the enforcement of international labour standards. Yet, doubts have recently been expressed concerning the potential of such private systems for effectively improving labour conditions in supply chains. Their typical top-down auditing approach to enforcing standards is considered inappropriate when it comes to international labour standards. This article assesses whether the design of these systems can be strengthened in order to ensure better compliance. In particular, the authors draw attention to mechanisms which empower stakeholders, such as complaint mechanisms, whose potential and constraints are discussed.

KEYWORDS: INTERNATIONAL LABOUR STANDARDS, SUPERVISORY MACHINERY, PRIVATE ENTERPRISE, CODE OF CONDUCT, VALUE CHAINS.

Notes and debates

Labour statistics in south-eastern Europe: Similarities and differences across national definitions

Gjergji FILIPI

It is obviously important to harmonize national statistical definitions of employment, unemployment and inactivity – both for general accuracy and for international data comparability. This concise overview compares the statistical practices of Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Kosovo, Macedonia, Montenegro, Serbia, Slovenia and Turkey in this respect. While all of these countries rely on labour force surveys to collect the required data, they exhibit discrepancies as to the definitions, classification and labour market status of specific groups, particularly in regard to the statistical category of unemployment. The paper concludes with a plea for remedying these remaining discrepancies through further harmonization.

KEYWORDS: LABOUR STATISTICS, TERMINOLOGY, DEFINITION, EU COUNTRIES, COMPARATIVE STUDY.

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