

Working Seminar on Workers Rights and Trade Agreements

March 18-21, 2002, Manesar, India

Food First, Focus on the Global South, and Economic Research Foundation

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BACKGROUND TO THE MEETING

We live in an era of promise and uncertainty. Economic globalization promoted through free trade agreements, such as through the World Trade Organization (WTO), has created new opportunities for some and has accelerated the accumulation of wealth. At the same time, many people have been left behind and inequalities within and among nations have grown. In Southern countries, demand for jobs, decent livelihoods, land, water, and food security is reaching a new intensity. Trade liberalization has deprived millions of small farmers, fisher folk, and indigenous peoples' access to and control over natural resources, which violates their basic human rights. There is also a "South in the North" phenomenon in developed countries like the United States, where the working poor have been harmed by trade agreements. Despite the fact that the Universal Declaration of Human Rights, the International Covenant on Economic, Social, and Cultural Rights, and other human rights laws recognize workers' rights, these rights have been violated and ignored by trade and investment agreements.

Almost all countries that are currently members of the WTO and other trade agreements have existing workers' rights commitments and obligations under international treaties and conventions. These individual states, as well as the larger community of states, have a legal obligation to ensure their economic policies do not undermine their workers' rights. However, workers' rights obligations have not been on the agenda in negotiating and implementing trade and investment agreements.

Enhancing Global Civil Society Through Human Rights

In this context, there is a critical need for “globalization from below”—of progressive activism on workers’ rights based on the well-established human rights framework. Progressive social actors have begun to adopt a transnational approach. The massive resistance to WTO events in Seattle in November-December 1999; the A-16 mobilization in Washington, DC; the World Social Forums in Porto Alegre; the mobilization against the World Economic Forum; FTAA protests in Quebec; protests in Genoa at the G7 meetings; Doha, Qatar at the WTO ministerial; global solidarity and human shield movement in Palestine; and protest over land reform and right to food at the UN World Food Summit in Rome—all attest to a groundswell of groups and marginalized communities demanding justice in the economic globalization process.

While global coalitions of nongovernmental organizations have coalesced around diverse issues, they have not made effective use of human rights. Moreover, unequal power relations, lack of significant Southern input, and a lack of dialogue between international groups and social movements frequently hamper these coalitions. For example, relations between NGOs and international trade union organizations have been marked by differences on which strategies to adopt. At the Doha WTO Ministerial, some NGOs and trade unions focused on social standards, which would link trade and labor standards inside the WTO system. Trade union organizations like the ICFTU and several NGOS emphasized the need to create a world trading system built on fair rules and respect for core labor standards as defined by the ILO in order to achieve sustainable development. However, other NGOs joined with Third World governments to argue that linking trade and labor standards would lead to protectionism by the North and would further strengthen the WTO.

Solutions to the world’s problems must transcend national or single-issue approaches. Workers’ rights enshrined in the human rights treaties provide an international framework to link these diverse efforts through universal standards for promoting justice within the trade regime. This working seminar was organized to develop such a bridging process—to foster and strengthen alliances between organizations working at the juncture of workers’ rights and trade.

PURPOSE OF THE MEETING

Organized by California-based Food First/Institute for Food and Development Policy, Bangkok-based Focus on the Global South, and India-based Economic Research Foundation, the working seminar had multiple aims to ensure workers’ rights in the global economy:

Build a strategic alliance between trade unions and NGOs working at the juncture of workers’ rights and trade;

Provide a forum to flesh out and clarify issues relating to workers’ rights, trade and investment agreements;

Clarify different positions and opinions and discuss innovative strategies to go beyond the current stalemate over labor standards in the WTO debate;

Look for common ground options for enforcing workers’ rights within the broader context of trade and investment agreements; and

Discuss the possibility of using a human rights approach to move forward the debate

between trade and workers rights.

OUTCOME

See Appendix 1 for points of consensus reached and issues requiring further discussion.

REPORT OF THE MEETING

Opening Session: Introduction and Purpose of the Meeting

This meeting sought to bring together a group of individuals working with trade unions and social movements to explore new theoretical and political frameworks, such as the human rights framework, to move our agendas forward. Several recent developments make this effort at movement building significant.

1. Last March 2001, Focus on the Global South and Friedrich-Ebert Stiftung hosted a roundtable in Bangkok as an effort to bring social movement NGOs and trade unions together. The initiative came from trade unions, especially from the ICFTU, which saw the need to have a dialogue. The meeting started building trust for future discussions.
2. At the Doha Ministerial Meeting, trade unions and social movement NGOs came together to oppose the new issues (i.e. investment). This was a symbolic but important first step, though the Doha process exposed certain limitations, such as the inability of third world governments to withstand pressure from Northern countries.
3. The entry of China into the WTO is very significant. Trade unions in the South have been worried about competition from China's workforce.
4. The events of September 11 have undermined the work of social movements and trade unions in that the U.S. is using September 11 to move forward a trade agenda. This meeting is an essential link to the second roundtable in July in Bangkok.

Expectations of the Meeting, as Expressed by the Participants

Continue critical discussion on social progress and workers' rights in the global economy, Explore the "rights" framework and see if it provides a basis for unity between North and South in confronting the globalization juggernaut.

Learn alternative strategies that help strengthen workers' rights beyond the social clause. Link up grassroots/local movements with each other and with global movements as part of a strategy to build a broader perspective and development strategies.

Reengage in the debate on the social clause in order to find some common ground.

Link movements in the global North and South.

Build a common agenda for workers in the North and South to provide development and environment protection and devise ways to apply it nationally and internationally.

Clarify desirable forms of trade and regulation.

Link trade unions with broader social movements, such as global justice actions.

Discuss the impact of China's entry into the WTO and anti-Chinese sentiment, increasing military control, and worsening conditions for workers in the South.

Articulate reforms of workers' rights and labor law.

Collaborate on labor rights issues, including social protections for both organized and

unorganized sectors.

Use our strength to enforce corporate “codes of conduct.”

Gain a better understanding of how international institutions and mechanisms squeezes out local/national/democratic spaces and constraints of groups in the North and South.

Analyze the issues of international working class versus national sovereignty to pinpoint whose interests are being met.

SESSION 1: POST DOHA CONTEXT IN TERMS OF WORKERS’ RIGHTS

Chair: Christine Ahn, Food First/Institute for Food and Development Policy, U.S.

Moderator: Minar Pimple, Focus on the Global South, India

Workers’ and Employment Rights in the Current Conjecture: Five Working Propositions

Tony Clarke, Polaris Institute, Canada

1. As the governing institution of the global economy, the WTO is designed as a bill of rights and freedoms for transnational corporations to regulate what governments can and cannot do. It works against the Universal Declaration of Human Rights and its accompanying Covenants. The WTO has established a body of rules written and designed by and for transnational corporations. As the former WTO Director General declared, the WTO rules function as a "constitution for the global economy." It amounts to a 'bill of rights and freedoms' for corporations and capital. Meanwhile, the WTO itself has the judicial and legislative powers of a global government. What's more, unlike the UDHR, the WTO has effective binding powers to implement its rules through its dispute settlement system.

2. Our concept of workers’ rights needs to be broadened to include workers in the informal sector as well. The study done by Focus on the Global South points out that the growth of jobs in the informal sector has been huge. At least 50% of the workforce is in the agricultural sector. In Africa, 61% of all jobs are in the informal sector and 90% of all new jobs come from this sector, though both formal and informal sectors exist in North and South alike. We also need to understand what has happened in the formal sector’s “deindustrialization” and its impact on the informal sector.

3. Our concept of workers rights has to be defined in the context of full human rights—rights to food, jobs, housing, water, education, health care, clean environment, etc. Otherwise, we cannot see linkages between labor movements and social movements, informal and formal sectors. Workers, like citizens, have fundamental rights. All rights enshrined in the UDHR, are for all workers. While the Universal Declaration covers individual rights, the Covenants are meant to encompass collective rights as well.

4. The architecture of the trade regimes such as the WTO dictates that social clauses can only be implemented in such a way that workers’ rights would be subordinated to the WTO's hierarchy of corporate and property rights. In other words, a social clause for

workers' rights would provide only limited protection for workers as long as: the core body of WTO rules remains unchanged; its organizing principles, like MFN and NT, are not fundamentally altered; and the Agriculture regime continues to operate in favor of agribusiness interest while the GATS regime operates to punish public sector workers. Perhaps this is why corporations in the North are now prepared to embrace a social clause—they know such a clause will not have real teeth.

5. Our strategic priority should not be simply to codify workers' rights—on the right terms—in trade regimes, but to stimulate and mobilize workers to fight for their fundamental democratic and human rights. What we are dealing with here is a power struggle! Rights, as we all know, are not handed to people on a silver platter. Down through the ages, working people have always had to fight for their basic human and democratic rights. While efforts must be made to do what can be done to codify, on the right terms, workers rights in trade regimes, it is equally, if not more important, to put priority on the task of conscientizing workers [both South and the North] about their fundamental rights. In short, we need a new form of political literacy in the workplace.

The Nature of Work in the Global Economy

Jayati Ghosh, Economic Research Foundation, India

The global economy is facing an unemployment equilibrium. The new form of imperialism expressed in corporate globalization has been associated with lower levels of employment generation in both the North and the South. While there is a perception that manufacturing jobs have been moving from North to South, that is not the case in the aggregate. Rather, manufacturing jobs are simply disappearing, because of a combination of labor-saving technological change, greater industrial concentration and competition between capitalists, and low aggregate demand in the world economy as a whole.

In this context, what causes the deterioration in workers' rights? First, patterns of liberalized trade have not generated the expected large increases in manufacturing capacity and employment. While certain kinds of manufacturing capacity have eroded in developed countries, in the South as a whole the manufacturing trade balance still remains negative and many jobs are lost in this sector. Second, the greater freedom for large capital to move (even if it doesn't) has substantial effects:

For productive capital, or foreign direct investment, even the threat of relocation has undermined workers' bargaining power to a significant degree.

New government legislation tends to undermine workers' rights. Governments vie with each other for capital that plays increasingly hard to get, providing tax sops, fiscal carrots (including guaranteed rates of profit), and various other incentives. Workers are told to become "flexible," to make themselves attractive to choosy employers.

Industrial concentration is associated with the destruction of smaller sized capital—a problem because small businesses employ the bulk of workers across the world.

Financial capital mobility has been associated with the destruction of jobs. This is clearly evident when economies face financial crisis (as in Turkey and Argentina recently), but also because of the effects on government expenditure of the requirement of fiscal

“discipline.” Since mobile finance capital dislikes higher taxes and large deficits, governments that wish to placate them are forced to cut down on their provision of basic goods and services to citizens, including food, health care and public utilities. Preferring to please capital than be responsible to the bulk of their own citizens reflects a political choice by governments, and is a political failure that goes hand-in-hand with the lessening of bargaining power.

The real problem is corporate globalization and the associated greater concentration of capital. The agreements operated through the WTO and the functioning of the IMF and World Bank tend to reinforce such concentration and its negative results. Workers’ movements have to realize that focusing on trade alone is counterproductive; it does not address workers’ bargaining power.

It is wrong to see China’s entry into the WTO only in terms of the effects on other countries of China’s potential role as a trade competitor. But Chinese workers may face the worst effects: one estimate is that more open imports will destroy over 100,000 million jobs in manufacturing alone in China, and agriculture is also likely to be affected. The Chinese government expects that increases in other manufacturing exports (such as in textiles and consumer items) will make up for this loss, but this may be overly optimistic. Chinese workers’ rights are likely to be adversely affected; they have already substantially lost some economic and social rights, such as housing and health. Rural-urban migrant workers especially are taken for granted. China’s entry is being played up as a threat in the rest of the world to further reduce workers’ bargaining power elsewhere. It is crucial to link up with workers there to build the movement for workers’ rights.

Roundtable Discussion

The roundtable discussion following the first session fell into the following categories: analysis of the problem; the need to organize the unorganized and agricultural sectors; use of the human rights framework to protect workers’ rights; and current events that affect movement building.

Participants explored reasons why workers rights have declined in the global economy, looking particularly at how the nature of the state has changed, as has the flow of capital. Some participants stressed the importance of looking at the structural causes of poverty that drives people to seek employment in the unorganized sector, namely the national debts of Third World nations that force them into unfair trade agreements. It was also expressed by several participants that trade unions in the North need to address how their struggles could in some cases undermine workers’ rights in the South. In sharing perspectives on the analysis of the problem, participants stressed a common need to mobilize workers and build their capacity, particularly in some key countries where workers are a largely unorganized group facing loss of jobs. Some participants felt that many unions and NGOs have failed by not overcoming their differences and by not accepting their failure—all actions that have precluded both groups from being more proactive in seeking alternatives. However, participants acknowledged that joint trade

union–NGO campaigns are growing in number and effectiveness. For example, education awareness campaigns affect both groups significantly.

Another area of discussion revolved around organizing the unorganized sectors, particularly the need to extend workers' rights to the informal and agricultural sector. For example, in many developing countries, big agribusiness dominates medium and large farms that employ unprotected workers.

The loss in workers' rights and protections stem from the ability of capital to move freely, which has resulted in the growth of the unorganized sector without social protections. Human rights treaties are universal and indivisible, they enjoy primacy over economic and financial treaties, and they seek to protect individual and communal rights with no distinction of non-citizens. Therefore, participants argued that using the human rights framework would be one strategy to include unorganized and migrant workers in the struggle for workers' rights.

There are, however, both positive and negative aspects of human rights. The states' role is to ensure that there are no human rights violations, but how do we use human rights treaties to strengthen the nation state to enforce workers' rights? One participant highlighted how the disadvantaged can campaign for human rights, but the courts in the North—controlled by moneyed interests—often determine human rights.

Participants also discussed recent world events that would affect workers' rights and movement building. In the aftermath of September 11, participants discussed how anti-terrorist legislation has been used to oppress workers and to criminalize dissent. China's entry into the WTO will also have broad implications, which brought participants to stress the importance of standing in solidarity with Chinese workers. China is a strong state born out of revolution and an economic rival to the U.S., which has used the rights language to erode rival states. Participants also stressed the need to question if corporate interests control China.

SESSION II: PROPOSALS TO ENSURE WORKERS RIGHTS IN THE GLOBAL ECONOMY

Chair: Kjeld Jacobsen, CUT, Brazil

Moderator: Meena Menon, Girmi Kamgar Sangharsh Samiti (Textile Workers Action Committee), India

Merits of and Social Concerns with Social Clause

Christopher Ng, UNI Asia Pacific, Singapore

Linking workers' rights to trade in the form of a social clause is ideal. Unfortunately there is still no consensus, even among trade unions. The phrase social clause is now used less

often, and the concept is being described in various ways. There also appears to be a slight shift toward more emphasis on strengthening both the mechanism for monitoring core labor standards and the involvement of the ILO in the WTO process.

In the meantime, infringements of trade union rights are increasing in many countries. We should not wait for the social clause, but must continue exploring other means of ensuring respect for core labor standards in all countries. One alternative is framework agreements with multinationals at the regional and/or world level; some have been concluded and others are still being negotiated. Another alternative is social dialogue with employers as a basis for sound industrial relations. UNI Apro is exploring such alternatives and others that will ensure that our members' rights are respected and that they will be able to effectively represent the interests of workers.

But, it must be clear that such initiatives, including the social clause, can at best facilitate the work of trade unions. Ultimately, the effectiveness of the trade unions will depend on the committed support of all workers. Thus, organizing the largest majority of workers into trade unions and converting them to committed unionists must be the highest priority for unions, supplemented by developing union officials' ability to effectively represent workers and deal with new challenges. The trade union movement is generally weak. We should honestly seek to understand why and take measures to revitalize it.

Strengthen Workers' Rights Without Strengthening the WTO

Walden Bello, Focus on the Global South, Thailand

Multilateral institutions can be strengthened to support workers' rights. Strengthening the institution without fundamentally changing it might yield a few tactical gains and benefit a few sectors and workers, but it is very limited. Other strategies need to be considered.

The current period is one of speculative capital. The theory of waves holds that capitalism moves in fifty-year waves. However, normal business cycles show we are not in the period of contraction. In the North, workers are facing conditions very similar to those faced by those in the South: conditions of misery are universalizing and instability is increasing. We are starting to see responses to the urgent need for an international strategy that will work to benefit workers.

The change in the structure of global capital coincides with crises of the environment and legitimacy of political systems. Anti-globalization movements started in the mid 1980s. The labor movement is also moving in response to this crisis. A burgeoning movement at the international level includes very diverse organizations and locations—the sum is greater than its parts. The crisis of legitimacy of these institutions will get much deeper. The crisis of legitimacy needs to move toward a crisis of structure. We do not need to pay attention to short-term mechanisms.

The labor movement in the South and North, tied to its leadership, still does not understand these movements. It must be innovative to organize its working class. Political leadership is quite important—it might not be possible to move forward without

conscious leadership—but it is up to the national political parties to capture the demands of this fast growing movement. We need to identify a comprehensive set of values through political leadership, by defining alternatives, and by articulating a vision.

UN Human Rights Framework for Advancing Workers' Rights

Anuradha Mittal, Food First/Institute for Food and Development Policy, U.S.

All countries who are members of the WTO have existing human rights commitments and obligations under international treaties and conventions. These individual states, as well as the larger community of states, have an important regulatory role, and a responsibility to ensure that economic policies and practices do not undermine and conflict with human rights obligations, which includes workers' rights. This is a legal obligation and not a mere policy option. However, these human rights obligations have not been taken into account in negotiating and implementing WTO rules and trade agreements.

Our struggles for workers' rights in the global economy should be based on the premise that economic human rights offer a critical way to recast issues—like the impact of trade—in a light which is more favorable to social justice than is the business-as-usual language of cost/benefit and efficiency.

The Universal Declaration of Human Rights (UDHR) guarantees a full range of economic human rights, including workers' rights. Yet the crisis caused by free trade agreements shows how far the U.S. and other governments have fallen short of their commitments under the UDHR, and how far from acceptable free trade agreements really are. The urgency to implement economic and social human rights for workers has never been more acute.

The range of international human rights instruments that are relevant to international trade, finance and investment policy and practice is extensive. The starting point must be the Charter of the United Nations, Article 1, which defines the purpose of the organization to include, "cooperation...in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion." Article 55 stipulates that the United Nations will promote, inter alia, higher standards of living, full employment, and conditions of economic and social progress and development, as well as...universal respect for, and observance of human rights and fundamental freedoms for all." Article 56 commits all members "to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55."

The International Bill of Rights (comprising the Universal Declaration of Human Rights [UDHR], the International Covenant on Civil and Political Rights [ICCPR] and the International Covenant on Economic, Social and Cultural Rights [ICESCR], also contain relevant provisions. In addition, there are the Declaration on the Right to Development; the Charter of Economic Rights and Duties of States; the Convention on the Elimination of All Forms of Discrimination against Women; the International Convention on the

Elimination of Racial Discrimination; the Convention on the Rights of the Child; several conventions promulgated by the International Labor Organization (ILO); the declarations of several world conferences (including those held in Rio de Janeiro, Copenhagen, Cairo, Istanbul and Beijing); and a host of regional instruments.

Those engaged in the process of international economic policy formulation invariably seek to erect a wall between economic policy and social or human rights policy, on the basis that these matters are logically and practically separate, and that economic policy processes should not be “overloaded” with extraneous considerations such as workers’ rights. It is vital that we tear down that artificial and insubstantial wall using the following series of arguments:

- The human rights and fundamental freedoms set out in the major human rights instruments are a comprehensive, internationally agreed upon set of norms and standards cataloguing fundamental elements of human dignity and well-being.
- These rights and freedoms have, by and large, the status of international law and are binding upon states.
- The promotion and protection of human rights is (as declared by the vast majority of states of the world at the 1993 World Conference on Human Rights) the first responsibility of governments, and cannot be subordinated to other priorities.
- Any economic policy, which benefits a small minority at the expense of the working poor, does not promote human dignity and well-being, and is contrary to the principles of human rights and fundamental freedoms.
- Accordingly, the policies and practices of economic globalization and its impact on workers globally need to be constantly tested against, and guided by, the legal obligations contained in the international human rights instruments.

This international human rights agenda presents a valuable approach to protecting and ensuring workers’ rights. It is strengthening civil society efforts that challenge the global economic regime. Our movement should not merely seek to formulate a list of new policy solutions, but rather reframe the basic terms on which international public debate takes place—using the framework of human rights. The message is clear: trade agreements must be tested first and foremost in economic human rights terms, not just in narrow economic terms. Fortunately, there exists an overarching framework of legal principles and commitments against which those policies and agreements can and must be tested—the body of international human rights law.

Roundtable Discussion

Given that the International Labor Organization already serves as the international governing body on labor rights, participants supported the idea of the ILO as the

governing multilateral institution. It was also discussed, however, that the ILO, as well as the nation-state, would need to be strengthened and empowered to represent their constituents. Several participants stressed the need to make multilateral agreements more functional, while using as many mechanisms as possible to make the World Bank, IMF, and WTO difficult to operate. Within this governance process, a pluralistic system of checks and balances is needed.

Participants agreed that the climate of anti-terrorism legislation and sentiment would drastically affect labor and social movements, particularly since dissent has become criminalized and the rights of organizing and association has been threatened. Many governments used September 11 as a way to press forward with Doha and to interrogate global justice activists. For example, the intelligence arm of the U.S., the Federal Bureau of Investigations, visited organizers of the World Economic Forum last fall. While it has created a more hostile environment, it has also created a unique opportunity for peace and human rights activists to link causes. Participants posed the question of how our movements could prune away the powers of the WTO, WB, and IMF under this climate. Participants stressed the need to connect anti-terrorism legislation to the repression of human rights and to use the human rights framework.

Participants also discussed the need for labor and social movements to work together within a sustainable structure. Some participants suggested the need for a political party, though not in the traditional sense. The old movement was highly centralized, whereas the new movement prefers direct democracy. One participant suggested the need for a progressive political alternative that draws from the new movement's energy and spontaneity, while avoiding its inchoateness. This political alternative would articulate all these different economic and social struggles into a political movement, and would be more lasting than a Porto Alegre.

Participants also discussed the need to evaluate contemporary strategies. One, the movement needs to evaluate more critically the proliferation of employer-generated social initiatives, such as the SA8000 certification and push for corporate social responsibility. In addition, in some countries, the tactics of trade unions are based on compromise, as are those of some NGOs. We assume that everything can be done by compromise and negotiations, but we have to be wary.

The group also discussed the challenges that both human rights and labor groups need to overcome before there is sufficient trust to build a movement. There is a danger that the human rights movement will be used and co-opted by multinational corporations. Human rights groups are concerned about big unions willingness to join, which are sometimes willing to join only on their own terms. One participant asked whether trade unions were willing to give up their special rights as spokespersons for workers to take into account the broader focus, particularly when they are trying to defend the little that is left. Traditionally, skilled workers are the most unionized, which has shouldered on them the responsibility to act for the world's workers, but sometimes excluding migrant workers. For example, in 1997, some unions did not denounce national policies to drive out migrant workers in the aftermath of the Asian financial crisis. Another participant shared

how in the Philippines, several developments, such as the Cold War and the introduction of business initiatives, have made unions realize that they have no choice but to take on the broader issues of democracy.

Despite limitations, the groups also discussed how human rights provide the banner under which diverse movements can come together. When accused that human rights are coming from the North, one participant asked others to remember that all countries have agreed upon these rights and that these rights that are being violated by the country that acts as the human rights champion—the U.S. The human rights approach can be used to strengthen the position of states—not for creating anti-state activity—but to make states more responsible and to uphold their obligations. For example, social clause, codes of conduct, and social responsibility schemes are different tactics defending different interests, but they are not sufficient individually, nor do they cover informal workers. This is why the promotion of human rights is so powerful.

The group also discussed larger theoretical analyses to develop a shared analysis of the problems driving the loss in workers' rights. One participant argued that the conservative movement has hijacked the progressive movement globally. The Indian government, as an example, has given no legitimacy to unions, and the result is that 92% of the Indian workforce is not organized. Indian labor unions are facing a crisis because most of the companies have closed and moved, giving workers the impression that unions are not effective. The participant stressed that to really confront the challenges of economic globalization, unity must be built among organized and unorganized workers and NGOs.

Another branch of theory dealt with the role of capital in the global economy. One participant argued that capital seeks to dismantle the social role of the state, and it is therefore necessary to understand what has happened to the state. Capital is moving to replace the state through privatization, which brings in other actors and broadens the base. Participants then asked about the vanguard of the dispossessed and the working class, which has forced us to look at issues of class. As a result of the changing role of state and capital, participants stressed the need for public sector unions to join coalitions with social movements as their integrity and livelihood is being threatened. Capital has been very good at technocratizing states and in limiting democratization. The state that is most democratized is the state that will resist global capital.

SESSION III: KEY CHALLENGES FOR WORKERS ORGANIZATIONS AND THIRD WORLD STATES IN THE GLOBAL ECONOMY

Chair: Junya Yimprasert, Thai Labour Campaign, Thailand

Moderator: Nicola Bullard, Focus on the Global South, Thailand

This session aimed to explore political challenges for social movements, trade unions, and Third World countries; especially the implications of casualization and feminization of workers arising from the global economy.

Josua Mata, Alliance for Progressive Labor, Philippines

- 1. One of the key challenges facing workers organization and the Third world states has been the impact of the September 11th. We should not discount its impact, especially with regards to our strategy. September 11 has ushered in a new era, a more vicious form of post-Vietnam, with its wave of anti-terrorist legislations passed in all countries. We need a clear picture of its impact in order to pull together our work. Undoubtedly, it will roll back our work at least 10-15 years. What is the reason for anti-terrorist legislation when it is already illegal and a criminal offense to do what terrorists do – to kill? Clearly, the aim of the new legislation is to criminalize dissent, and this is the context in which we need to work. We need to focus our attention to workers’ rights, both at the national level and international levels. The ILO may be the proper venue for this issue, but we need to discuss this further.
- 2. We also need to brace ourselves for a second round of ideological attack from the international financial institutions (IFIs) and the WTO. They have seen our impact in criticizing their institutions; therefore, we need to mount a counter-attack. The World Bank, for example, is now attempting to use their studies to de-legitimize our work. In response, we need studies that show that globalization might work for some, but not for the majority. We should be wary of the fact that they are resurrecting proposals that have already been defeated, such as the Multilateral Agreement on Investment (MAI). For example, in Doha, MAI was repackaged as an investment proposal.
- 3. The third point has to do with contending with transnational corporations (TNCs). The global framework agreements are important, and therefore, labor and trade unions need to build their struggles for workers’ rights along international lines. We need to also define areas where labor can intervene. What we should be wary of is being co-opted by the TNCs, especially as they repackage themselves as socially responsible citizens. The UN Global Compact and other codes of conduct are not enough – they are basically public relations arms of the corporations. There are more effective ways to enforce good corporate conduct at the grassroots level.
- 4. The fourth point is that we need to build workers’ organizational capacity. First, we need more effective political literacy. We need to have massive grassroots education to challenge globalization. Workers’ organizations need to have an activist research program. One of the main problems faced by unions is that we do not have enough research conducted by our own. While Walden Bello and Tony Clarke have produced effective social research, we need to have these materials translated in a language that is more accessible to trade union activists in the grassroots level, as well as a far more effective way of sharing such materials. We need to bridge the digital divide: only half of our affiliates have email addresses. We need to educate and encourage them to use this form of communication, information, and experience sharing. Clearly, trade unions in the South need assistance for their various development and empowerment advocacies, especially from the NGOs in the North. But we still need to be “critical” and not to become dependent on these aids. After all, there are types of development aid that help and there are those that don’t. Development assistance must really be geared towards empowering the workers and other basic sectors; and that the beneficiaries must have clear and increasing “counterpart” in the entire implementation of these programs.
- 5. Finally, while unions are the biggest organization in the world with the greatest

potential of being democratic, they need to become more effective. Unions have to evolve into an organization that can embrace all types of workers and workers' organizations; lest they will fail to transform themselves. Thus, there is also a need for a certain political party of the workers. For example, Brazil has CUT in addition to a workers' party. *Comrade D. Thankappan, National Centre for Labour, India*

The media, along with corporations, supports the government. It does not report on workers struggles, but on murders and mafias. Unless the working class resorts to violence, there is no space for their struggles. If 100,000 workers protest, the media would not portray it accurately.

India should have been a central point of resistance to economic globalization with all the multinational corporations located here. The unions were opposed to globalization, raising issues of the working class, and resisting the WTO. They failed to counter the economic policy of the government and the WTO.

We had a meeting to build alliances based on local, sectoral, and national unity in the union movement. New strategy will have to be on building capacity of sectoral-based unions. Changes to corporate law also need to take place. A nontraditional approach will have to be developed by the unions to engage unorganized workers. When we deal with unorganized workers, we have to consider the issues they face such as water, land, raw materials, and maintaining their livelihood. Training is important, not only education and skill development, but also technology to sustain them. Contracting and downsizing is really hurting workers, especially in the steel and chemical industries.

Meena Menon, Girni Kamgar Sangharsh Samiti (Textile Workers Action Committee), India Governments and trade unions usually do not have common interests. One thing that is significant in the current context is that the two share some common spaces. Some common spaces exist, but we have to see where we must confront and where, perhaps, we may have to work together. We come from trade unions that are confrontational with business and government. With globalization, IFIs, and structural adjustment, some common spaces have been created. On the question of sovereignty, government and labor finds itself on the same side. On the issue of rights, they find themselves on opposing sides. This is a situation that requires strategies. The Indian state lacks the political will to defend its own sovereignty so there is need for pressure even to see that they do.

Trade unions, with its tradition of fighting visible enemies like management or government are finding it difficult to evolve a perspective that takes the changes in the global market into consideration and become relevant and effective. Many civil society organisations pay little attention to the systemic roots of the problem and are engaged in philanthropic work, which is mostly cosmetic in nature. The need for a new way of thinking, a clear theoretical framework and a practical strategy, has never been more imperative than today. It is also necessary to evolve an effective movement accommodating our differences and uniting on the issues facing the working class in the current context. The capacity to organize and fight is extremely crucial. Any battle

cannot be won without harnessing that energy.

Insecurity, poverty, and dispossession still exist, but in our country and in most Third World countries, what is called a labor aristocracy still exists. After the advent of imperialist globalization, even the workers of the formal sector are dwindling in numbers- those who held comparatively 'permanent' jobs. What is important is the consciousness. Insofar as trade unions are concerned, they have become bureaucrats. Most working class is not working. Workers are not working simply because they have no work. Because there is no work, there are no members, and now no more funds, which should get trade unions to think. As money is no longer available, trade unions will have to assess the decreasing number of members. There is huge retrenchment of workers. We need to organize informal workers, but we also need a new ideological framework. We need to provide a theoretical framework with philosophical and cultural ideas that change the consciousness. I don't mean altruism, but an enlightened collective and inclusive self-interest.

Our experience of organizing informal sector workers is that the traditional trade union structures and strategy do not work. It is necessary to take up the demands of minimum wage, security of employment, 8 hour day, safety etc. as an industry wide association of workers. Nontraditional methods of organizing will have to be used to engage the informal sector, as well as internationalizing the struggle.

Linking of trade and labor standards cannot be a solution to this problem simply because trade has nothing to do with rights. Labor rights cannot be linked to the vagaries of international trade. The two issues have to be de-linked. The issue of labor standards and the thrust of the social clause has to be viewed in the broader context of globalization and its impact and also the narrow interests of national governments which have as little interest in labor as the developing countries, in general and the US in particular.

Sanctions against lack of labor standards are the last thing that would help. For example, sanctions against child labor do not guarantee education for children. Instead of just enforcing labor standards, we need to understand the root problems. What are the things that we need to fight for? Sharing of information and sharing of strategies are important ways to promote internationalism. There is so much information, but at the top it has stayed so centralized. How exactly is our struggle going to be helped by the anti-globalization movement? What is perceived, as international unity, needs to be made real.

Apo Leung, Asia Monitor Resource Center, Hong Kong

There has been a decline in trade union membership across many countries, with growth in membership in some sectors and some places. The new formation of a social union movement has become very important. In Taiwan, we see a labor and NGO conflict. The union wants DuPont in place, but the environmentalists want them to leave. This creates a no win situation for both movements, and no compromise.

Next, there is a need for new human resources management. The Economist Magazine is full of advertisements for MBA and public administration programs. There are fewer and fewer schools for labor; what were once Marxist-Leninist colleges in the People's Republic of China are now MBA schools. Despite my antagonism, we have to learn from the enemy so that we can fight in their territory.

The privatization of public sector is another factor faced by the labor movement. The Hong Kong government contracted out their public services. Are we willing to give up our sovereignty by using codes of conduct and other forms of corporate social responsibility gimmicks to give up our real power? We need to write our own book *Who Has Stolen My Cheese?* (The book is about dealing with change and restructuring. Labor and trade unions are the mouse. When the cheese is gradually gone, one mouse says to be patient and wait because the cheese will come back. Some unions think this way, whereas others say we need to reorganize ourselves.)

In closing, we are divided by external and internal environment. We really need some space to come together to discuss various means. There are 1001 various approaches. We should have better and subtle ways to organize ourselves. We need to empower the grassroots membership to represent themselves. We need to have more mass mobilization. We can still make a difference.

I have two stories to share. One story is about a Korean worker, Jeon. In the 1970s, workers had no rights under the Korean dictatorship. One day, a worker got a copy of the labor law. He was holding the book of labor laws when he burned himself to death. His battle cry was "Let me not die in vain." This started an independent labor movement that is still strong today.

Another story is about women workers in China who were dozing off after working long hours. The Korean owner was so mad that she forced all the girls to kneel down for their mistakes. The girls wept and obeyed by the harsh conditions, except one worker who refused to do so. She was dismissed. This has set off a labor movement where the workers are saying that we are not talking about wages and hours but basic dignity.

Roundtable Discussion

Participants expressed the urgent need for unions and NGOs to come together to think about long-term benefits instead of short-term gains. Thinking in these terms will enable the global justice movement to determine the agenda instead of always reacting to crisis. Several participants recognized that unions could use self-criticism, but to also acknowledge that they have grown.

One point of discussion addressed for change within the labor movement. Unions need to have administration and bureaucracy balanced with accountability and flexibility, particularly since opponents have much more efficient bureaucracies. Trade unions

may know how to fight on the national level, but they are limited in their ability to address immediately the challenges brought by globalization and in building international solidarity. Therefore, it is important to build networks of unions in different countries, especially against multinational corporations. Internationally, core labor standards exist, but these protections cover only formal workers, which is why a human rights framework is so essential because of its universality.

One participant expressed a need for both a common ideological framework and practical connections between labor and social movements. In South Africa, for example, the privatization of water and electricity has affected everyone. These resources are being cut if people fail to pay user fees. The people in the townships who are a part of the informal economy/unprotected workers are demanding that they have a right to these resources. They are seeing the fundamental rights beyond workers' rights.

Regarding alternative strategies, participants recognized the need to build an international movement between political and labor movements. The relationship between political parties and trade unions has changed. In the past, trade unions grew out of political parties and vice versa, and the common enemy was capital. The political parties have moved from center-left to the enemy lines. International labor movements have helped to create space on the national levels, but action is needed on the international level and in order to effect change, but with troops on the national level. As a consequence, labor now needs to focus on new power, such as the treasury, central bank, and finance ministries. International financial institutions, the WTO, and the over 2000 bilateral investment treaties have not resulted in any meaningful labor standards. There is an assumption that we are not working together, but we are. The TUAC and the ICFTU are now developing global union think tanks, which will enable them to conduct more of their own economic analysis. In addition, trade unions, as part of civil society, are working on the North-South linkage. As part of the alternative framework, participants also acknowledged the need for labor to move beyond the debate over which labor standards as well as to focus on people-centered development.

On transnational corporations, the labor movement needs to keep the pressure on, but to also keep in mind that President Bush is in the White House. One participant argued that the UN Global Compact, the OECD, and socially responsible investment could be vehicles for dialogue and an opportunity for investors and labor to promote soft laws. Some participants expressed concern over how Northern pension funds will help, especially when they have been used to ravage livelihoods and jobs in the South. Several participants argued that new corporate governance mechanisms need further elaboration because of their capacity to be co-opted.

One participant argued that the ICFTU has tried to get trustees to have control over \$12 trillion dollars in pension funds in the financial markets with some success. For example, there is a big move in the U.S. to pressure investors to pull out of Unocal, which creates a situation where civil society in the South cannot merely say no to the

North. However, tactical alliances of governments in the South with governments in the North can be very dodgy. External forces alone do not apply to the Washington consensus; it is also accepted by Southern elites.

Northern unions are already helping those in the South, but there are increasing instances where development aid is being mis-used. Southern campaigns against the TNCs are more successful when assisted by groups and unions in the North. One participant gave an example of how a Nestle and Coke campaign was much more effective when there was international solidarity between workers in the Global North and South. Participants also acknowledged the difference in relationships between the people and workers' parties in Europe and in developing countries. In the Philippines, for example, labor has not been afforded much political space, although they managed to win some seats in Parliament. Elections in the Philippines are a cultural exercise, not just a political one. Nevertheless, Southern trade unions need to build up their own research capacity to identify information such as who sits on boards, where goods are exported, investment policy, etc.

The greatest challenge for third world states is debt. Third world governments, for example China and Malaysia, may stand up to the U.S., but they also stand against their own people. We need to make the distinction between the elites in the South and in the North. While differences clearly exist, one participant stressed the importance of recognizing that there is a North and South within each country.

SESSION IV: INTERNATIONAL FRAMEWORK FOR ALTERNATIVES

Chair: Apo Leung, Asia Monitor Resource Center, Hong Kong
Moderator: Tony Clarke, Polaris institute, Canada
Christophe Aguiton, ATTAC, France

In 2001, there was a tremendous growth of the international movement against neo-liberal globalization and this trend is continuing in 2002 with more than 300,000 protestors in Barcelona for the recent EU Summit. However, September 11 brought new challenges: there is a growing split between the movements in the US and (to a lesser extent) Canada and the movements in the South and Europe, which seem to be strengthening and integrating.

Very schematically, the movement has three currents:

1. Unions and "old" social movements dating back to the turn of the century
2. Non-governmental organizations started to grow in the 1980s, partly due to young activists choosing a more "pure" political form and rejecting traditional political parties and unions.
3. In the 1990s, new social movements started to grow, including movements based on social groups (unemployed, homeless, landless, etc) and also some "new" unions in countries such as South Korea, Brazil, U.S., and France. These unions have new characteristics, such as being much more actively engaged in broader social struggles, and many (such as CTA, CUT, KCTU) are mobilizing and campaigning against

corporate globalization with the strategy of building alliances with other groups and social movements. In this wave of the 1990s, Seattle was a new step with world radicalization of youth.

Seattle was an important symbol, but since then, the movement has continued to gain numbers, depth and momentum as we have seen in Quebec, Genoa, Barcelona and Porto Alegre. The labor movement has, to a greater or lesser extent, been part of these mobilizations. In Genoa, for example, the leadership of the main trade union confederations was not part of the Genoa Social Forum, although many smaller and radical unions were present, as well as tens of thousands of individual members. In Barcelona, however, labor was really in a minority and the vast mass of the 300,000 demonstrators was part of the mass movement against globalization.

September 11 has created new goals and challenges for the movement. It created a split between US/Canada and the rest of the movement, which has been able to rapidly integrate the consequence of 9/11. One of the important consequences of 9/11 is that it created the momentum and indeed the necessity for the anti-corporate globalization movement to link up with anti war movement in a common struggle against violence and the lack of human security.

Yet there are some tensions and difficulties. The demonstration against the World Economic Forum shows that there is still a movement in the US, however the unions did not join the demonstrations. The South and North vision is still disconnected. And the youth movement is still very much in the North.

Although we have seen a growth in the "global movement" (as compared to 1998 and 1999, when it was much more campaign based, such as Jubilee 2000) we still need to give it some roots. At the local level, we need to build struggles and alliances which are based on peoples' rights and their own struggles, and regionally we can start to build our own "social forums." Building the "world movement" is much more difficult because localities, groups and countries have many political and economic differences, and we must talk about different traditions if we are to build the movement.

Katarina Pujiastuti, FNPBI, Indonesia

The casualization of part-time workers is making the unions weak as they lose members. This is a time for labor unions to join other social movements to pull together a larger front. Some of the unions are just economic-minded and too traditional. Having trade unions and NGOs work together on the debt issue is a hard challenge, but not impossible. Trade unions must support democratic movements. The efforts of economic-minded unions will be limited if a democratic climate does not exist. In Indonesia, NGOs and unions formed a coalition against globalization.

T. Rajamoorthy, Third World Network, Malaysia

Although some misgivings have been expressed on the limitations of using the human

rights framework in the fight for workers rights, and to subsuming workers rights within a human rights framework, human rights can be a valuable tool in framing an alternative framework. However, at the outset, it is essential to settle quite clearly what we propose to do with human rights. If we treat it as a sword, it is incumbent upon us to define the policy implications of that right. If we treat it as a shield, the tendency unfortunately is to leave the definition of an alternative policy to the authorities i.e. to the courts and governments. The last course is hazardous. If we allow the state to define an alternative, the danger is that it will do so in a way, which legitimizes the existing order. If instead we turn to the courts to define policy, we must bear in mind that the law does not exist in a vacuum, but broadly reflects the ideas of the ruling class. Any definition of social policy by courts cannot but reflect the social milieu in which it operates.

Allow me to elaborate what I mean. Any alternative framework to protect workers' rights must include, inter alia, the right to work. More than any other right, the right to work provides the crucial component for a common platform with other groups fighting against the current liberalization policies. Yet it makes all the difference how we handle this right. If we treat it as a sword, then we must define clearly the social policy which must be adopted to realize this right. Such a policy can only be a policy of full employment.

The effective promotion of such a policy would constitute a serious challenge to the very foundations of the current liberalization policies ? policies which engender mass employment such as the push to deregulate the labor market and liberalize international trade, investment, and finance.

Secondly, any attempt to realize full employment will require and necessitate full and direct intervention by the State. Governments will have to contemplate resorting to policies such as budgeting for a deficit and increasing public expenditure ? policies, which are anathema in today's political climate.

Thirdly, governments will have to evaluate all other economic policies in the context of the goal of full employment. "Full employment would be the default setting for policy."

Unfortunately, the current tendency is to use human rights as a shield. We leave it to governments and the judiciary to define the alternative. The result has been that all over the world, instead of full employment, there has been a retreat from full employment. Instead of offering full employment, governments are offering workers "employability". The ILO has been a part of this game. Likewise, all the unions have come to accept "employability" as the main policy alternative. This is the result of letting governments define social policy implications of the right to work.

Leaving judicial authorities to define the policy implications also poses hazards. Take for example the European Social Charter (ESC). Article 1 of the ESC states, "Everyone shall have the opportunity to earn his living in an occupation freely entered

upon. With a view to ensuring the effective exercise of the right to work, the Contracting Parties undertake: to accept as one of their primary aims and responsibilities the achievement and maintenance of as high and stable a level of employment as possible, with a view to the attainment of full employment..."

Many years ago, under the supervisory procedure for the ESC, the (Committee of Independent Expert (CIEC), provided the following interpretation of Paragraph 1: "This provision imposes an obligation as to means rather than as to results. If a State at any time abandoned the objective of full employment in favour of an economic system providing for a permanent pool of unemployment, it would be infringing this obligation. The provision requires the existence of a planned policy of employment, and special measures to help those who are at a disadvantage in seeking work, either because of regional imbalance, or of disparities based on sex or age."

Despite this 'progressive' interpretation, it is clear that European governments have quietly abandoned the goal of full employment. Given the constraints of the Maastricht Treaty (e.g. its provisions limiting budget deficits, the complete independence of the European Central Bank etc.) governments would be hard pressed to maintain such a policy even if they wished to do so. Instead, the policy that is being put in practice is 'employability'. In this current changed environment, it is doubtful if the CIEC would provide a similar interpretation of Paragraph 1 today. Almost certainly it will reflect the dominance of the ideology of neo-liberalism.

An alternative framework must also address the issue of the proper forum for international decision-making. International decision making is now carried out by a cabal of 7 ? i.e. the G-7 ? at whose meetings Third World governments don't have even one seat (This is one good reason why any attempt to establish a symmetry between First World 'elites' and Third World 'elites' is wholly misplaced.) From our viewpoint this situation is undemocratic and unacceptable. Unfortunately, Northern trade unions, instead of fighting alongside Third World governments to change this inequitable arrangement, are demanding a seat at the table for themselves. Whatever happened to solidarity with the Third World as encapsulated in the famous slogan, "Workers and oppressed nations unite!"?

The proper forum for international decision-making should be the UN. In this respect it is important to remind oneself (as the late Erskine Childers used to point out) that: "In the original intended architecture of the UN system, its members were to negotiate and adopt global macro-economic, financial and trade policies at the United Nations itself in the General Assembly and Economic and Social Council (ECOSOC).

And: "Contrary to the perennial claim made by the industrial powers, macro-economic policy issues were not mandated away to the agencies. Coherent, multi-disciplinary global policies were to be prepared in high caliber commissions of the UN's Economic and Social Council (ECOSOC) and then adopted by the General Assembly. Under Article 58 (of the UN Charter) (almost forgotten today), the Assembly would then coordinate these policies, and ECOSOC would coordinate the agencies'

implementation of them (under Article 63)."

It is thus the duty of the workers movement to support the struggle of the Third World to restore the process of international economic decision-making to the UN itself, and as an integral part of the reform of that international institution.

Roy Jones, Trade Union Advisory Committee to the OECD (TUAC)

It is vital to broaden the human rights framework. Already the groups who worked on civil and political rights, such as The International Federation of Human Rights League or Amnesty International, are beginning to also work on economic, social and cultural rights.

At Doha, we saw no move forward on implementing labor rights. The broader definition of human rights which will include workers' rights will help move this forward. It will be important for the movement for workers' rights not to allow the executive to define full employment. We will need to have a matrix of economic organizations and apply human rights framework to that. For example, on GATS, we need to look at its implications on the right to education, right to water, health, etc. When we look at the agriculture clauses, we will need to explore the implications on the right to land.

For the implementation of human rights, we do not need new organizations; instead push the primacy of the United Nations framework, while mainstreaming human rights through the policies and practices of all economic organizations.

Roundtable Discussion

The open discussion covered three broad areas: 1) the differences in the global movement, 2) expanding workers rights to go beyond the formal and informal economy, and 3) the relationship of the global movement with unions.

There are differences among unions, so when talking about unions, it is important to not view them in a monolithic framework. Instead of getting hung up on major logjams, participants recognized the need to realize that there are people who are lining up with the global justice movement. However, one thing we need to grapple with is where we stand with the global institutions. There are some who want to reform and some that want to destabilize these institutions, but participants recognized that the larger goal is to replace what already exists. The global justice movement will have to wrestle that tension because it does affect the strategies of labor and social movements. Therefore, participants recognized the need to be looking for a pluralism of other strategies. Either the global powers get rolled back or we will sink it, and this strategy is not far from what the group wanted—strengthening workers rights without strengthening the WTO. Regarding public service unions, the GATS attack on public services can be used to mobilize in common cause. Labor and social movements should be searching for those opportunities to join forces.

One apparent conclusion of the meeting was that the group did not have a common analysis of the problems. Some participants argued for and some argued against the need for this, but more importantly, the need to be critical and recognize that the labor movement is not winning all battles. Because we have an informal working population of 50% and decreasing union membership, unions are not in an offensive movement. Some participants stressed the need to be building little by little and to be appropriating at the local level. Some participants also felt that there wasn't just "two tracks" in strategies. Others felt that the labor movement could afford to have a difference in tactics, but not on strategy. Our strength is in the diversity and focus on defeating the enemy.

Over the last several years, there have been two winds: one that tried to reform the World Bank and another to de-legitimize and weaken these institutions. There have been a number of NGOs who have become too willing to become a part of the process, which has led to no reform. However, the '50 Years Is Enough' wind has successfully in the last five years raised some very popular issues that are now considered as a viable political option. Until Doha, it was not sure if the WTO would survive, and that is why many governments were so desperate to have a declaration. Governments are generally not opposed to labor standards. Some labor and civil society groups have supported the creation of a working group on trade and labor at the WTO to explore the impact of trade on workers rights, but many civil society groups are opposed to this link because they believe it will further strengthen the WTO.

Several participants felt that the World Bank had benefited tremendously from the efforts of civil society groups. For example, the tripartite assessment of the structural adjustment policies resulted in a report that was very critical but also legitimated the credibility of the Bank. Many argued that this insider strategy puts the global justice movement backwards instead of forward.

Several participants argued that instead of emphasizing world governance, the proper emphasis should be placed on people sovereignty and national sovereignty.

Some participants argued against a common analysis, that monolithic thinking is dangerous and that the global justice movement is moving beyond it. One participant said that a pluralistic analysis allows insiders and outsiders to debate each other. Many participants agreed that the 'Fifty Years Is Enough' campaign has benefited the World Bank, going against the concept of 'shrink or sink' the Bank. They also felt that meetings such as the UN Conference on Financing for Development in Monterrey are de-legitimizing their campaigns, and that they must say enough is enough. Conversely, another participant seemed to believe that consultation was the precursor for action, and that change was occurring within the World Bank.

A participant suggested that there was a growing hierarchy within the global justice movement, particularly apparent in Porto Alegre. Another participant argued that instead of a hierarchy in the global justice movement, there is just a difference in

analysis. Regarding the notion that there was a hierarchy emerging at Porto Alegre, one participant argued that a social movement came out of it, a spontaneous direct democracy movement, with more direct action and representative democracy. There are differences between labor movements and with other movements, and we must both capture this and be honest about our differences. Some actors in the international labor movement harbored skepticism towards Porto Alegre, except CUT, which was there from the beginning. By the second Porto Alegre meeting, there was increased trade union participation.

Many argued that world governance can take many forms, such as strengthening sovereignty at the national level. On labor standards and the working group in the WTO, one participant argued that labor and social movements do not need to build coalitions on everything, but that it would not dilute the trade union campaigns or strengthen the WTO by working together to debunk TRIPS. There will always be labor groups opposing NGOs and vice versa; and changing the neo-liberal agenda is a lonely game.

The group discussed the need for workers' right to transcend the formal and informal economy. Although this goal poses interesting challenges, participants agreed that agriculture and unorganized workers needed to be engaged if the global justice movement was to grow and move forward. Participants discussed how to engage agricultural workers, landless peasants, and people outside the formalized workforce. One very important link is between rural and urban, both in terms of the movement of people and the never-ending supply of labor.

Some participants argued for the right to work, which gives the movement a possibility to outline a set of economic policies. However, the right to work must be linked with a right to livelihood, which is associated with the right to land and water. Once this shift has occurred, organizing moves very much outside the traditional organizing structures. It is also important to bear in mind the historical reality: labor comes from the era of industrialization, whereas the agriculture sector has hardly developed any union activity.

Another participant stated that the right to work is a cluster of rights, and the right to work is not the only right we should press. It is not enough to just unionize these unorganized workers, particularly because of recent growth in the number of contract workers. Full employment cannot be a part of this strategy, particularly since we are dealing with the issue of workers' rights in the development strategy without linkages. Others suggested that promoting full employment was meant as a strategy, with the intention of not devaluing human rights. It is important to ask which of these human rights are critical to mobilize workers.

Another participant discussed how the social clause has been creating tension between workers in the Global North and South. For example, there was an interview with the U.S. Steelworkers on BBC and the interviewer was berating the union chief. But the union chief said that workers in the U.S. do not have social security, which inevitably

lifts costs. At the end of the program, the interviewer asked whether steelworkers and unions could get together and discuss how much steel to produce, which seemed like a practical solution. Why can't unions sit together and discuss this issue? The participant did not suggest this as the solution, but it could be an opportunity to bring steel workers together to discuss their own fate.

Unions have focused on core labor standards because they are fearful of the protectionist environment. In the post-Doha framework, labor must ask whether the narrow focus relates to their causes. The labor movement has been mainstreaming labor standards through IFI's, but they must evaluate whether this has worked.

One participant stressed the need for human rights to be realized for workers under globalization, particularly the integration of human rights into labor law. For example, in Asia, more than 50% of the workers are farmers. As a tactical move, investment has been moving to the villages in order to pay piecemeal wages, which is weakening the struggle of organized factory workers.

Many suggested that the time is right to push for human rights, especially with the new focus on economic rights. The tactical question the group needs to address is how to craft this framework. For example, the unemployment rate in Korea is at 3.7, but the new jobs being created do not provide social protections, and the notion of a 40-hour week has become irrelevant.

Participants also explored the relationship between social movement NGOs and labor unions. Some participants felt that trade unions needed to work together with broader social movements by building confidence and a common agenda. This was apparent this year in Porto Alegre, where there were more trade unionists than ever before. Labor should promote civil disobedience, but today, who turn ups for civil disobedience? Some participants acknowledged how critical it is to have a workers' movement, but that they have a long way to go before they can mobilize traditional laborers. As one participant put it, "Only when we represent the majority can we exert our influence." In the interim, NGOs must come in play because today the labor movement does not have the power. Union leaders need to be more aware of the retrenchment and the restructuring taking place in conjunction with the changes taking place in our globalizing world. The labor movement must be able to help people understand why these trade agreements are affecting our people. We could refuse these rules if the people from many countries took a stand.

Closing Remarks

Tony Clarke, Polaris Institute, Canada

"When you break down the anti-corporate movement, there are people involved in the struggle for broader social rights, food rights, ecological rights, and labor rights. This struggle is about our right to livelihood and our right to life and our right to build a better world. A human rights framework could be a foundation of our movement. We never had a flowering of youth participation and mobilization in the fight against the

MAI as we do today. So we need to decide if the rights framework is already the basis of unity.”

Appendix 1

Points of Consensus

- 1.Improve and implement labor rights.
- 2.Framework of human rights, especially economic, social and cultural rights is very important for implementation of workers rights in the global economy.
- 3.Workers rights across the world are being eroded by the processes of financial mobility and concentration of capital which are associated with this phase of globalization. These have reduced the bargaining power of workers and caused governments to abdicate responsibility in terms of recognizing and providing for socio economic rights of all people.
- 4.Trade should be regulated such that it does not work against workers rights and sustainable development.
- 5.Need to look for common ground between unions and social movements. Changing global environment requires progressive social movements including trade unions to work together while respecting each others autonomy.
- 6.Need to make linkages between workers in the formal, informal, new services, and agricultural sectors. Concern for workers rights should cover all including the unemployed.
- 7.Need for capacity building in research activities that will contribute to the greater autonomy and struggles of workers and asocial movements. Need to build alliances between progressive intellectuals and workers and other civil society organizations.
- 8.Need to enrich analysis and critique of economic globalization by considering its effects at both grassroots and macro level. Develop new tools, based on peoples’ struggles to educate, organize and mobilize workers and social movements in the age of economic globalization.
- 9.Develop a new political consciousness drawing upon human rights framework for mobilizing purposes.
- 10.Build international solidarity in a framework that supports local and national workers struggles.
- 11.While national sovereignty is of utmost importance, primacy of people’s sovereignty should be recognized.
- 12.Analysis of China’s entry into the WTO has to be based on support for Chinese workers struggles for their democratic and social and economic rights. In the case of China, reject US government manipulation of the human rights discourse to further its own economic and political interests. In general, reject any use of the human rights language which aimed at furthering sectarian interests while eroding socio/economic rights of workers.
- 13.Need for studying strategic implications of Sept. 11 and Doha. Anti terrorist legislations and state apparatus are being used to criminalize dissent and reduce rights of workers and all people.

14. Rights framework as a basis of unity. If we breakdown the anti corporate movement, people are already involved in the struggle for broader social rights, labor rights, water rights and ecological rights. The struggle is for our right to livelihood, right to life and to build a better world.

Need for further debates and discussion:

1. Social Clause and Labor Working Group.
2. An assessment of the impact of the campaign to reform IFI.
3. No symmetry between the Third World governments and governments of major capitalist powers.
4. An assessment of the nature and implications of the system of global governance and whether existing potential.

Issues for Discussion

1. Informal sector
2. Agricultural workers
3. Migrant workers
4. Role of and relation of workers and social movements to political parties.

Appendix 2

Program for Working Seminar on Workers Rights and Trade Agreements
March 18-21, 2002 The Heritage Village, Manesar, India

Monday, March 18, 2002
7:00 pm: Welcome and dinner

Tuesday, March 19, 2002
9:00 am: Opening Session
Welcome
Anuradha Mittal, Food First, USA
C.P. Chandrashekar, Economic Research Foundation, India
Introduction and Purpose of Meeting
Walden Bello and Nicola Bullard, Focus on the Global South, Thailand
Anuradha Mittal, Food First, USA

10:00 am: Session One: Post Doha Context in Terms of Workers Rights
Chair: Christine Ahn, Food First, U.S.A.
Moderator: Minar Pimple, Focus, India
Tony Clarke, Polaris Institute, Canada: Workers and Employment Rights in the Current Conjuncture
Jayati Ghosh, ERF, India: The Nature of Work in the Global Economy
Presentations are followed by Discussion

11:15 am: Tea/Coffee Break
11:30 am: Session One (Continued)
Open Discussion and summing up by Chair and Moderator
1:00 pm: Lunch

2:00 pm: Session Two: Proposals to Ensure Workers Rights in the Global Economy
Chair: Kjeld Jacobsen, CUT, Brazil
Moderator: Meena Menon, Textile Workers Action Committee, India
Christopher Ng, UNI Asia Pacific: Merits of and Concerns with Social Clause
Walden Bello, Focus on the Global South, Thailand: Strengthen Workers Rights
Without Strengthening the WTO
Anuradha Mittal, Food First, U.S.A.: U.N. Human Rights Framework for Advancing
Workers Rights
Presentations are followed by Discussion

3:45 pm: Tea/Coffee Break
4:00 pm: Session Two (Continued)
Open discussion and summing up by Chair and Moderator
6:00 pm: Close
7:00 pm: Rajasthani Dinner

Wednesday, March 20, 2002

9:30 am: Session Three: Key Challenges for Workers' Organizations and Third World States in the Global Economy This session aims to explore political challenges for social movements, trade unions and Third World countries, especially the implications of casualization and feminization of workers, a result of the global economy. Speakers will be asked to also present alternatives to deal with this challenge.
Chair: Junya Yimprasert, Thai Labor Campaign, Thailand
Moderator: Nicola Bullard, Focus on the Global South, Thailand
Josua Mata, Alliance for Progressive Labor, Philippines
Comrade D. Thankappan, National Centre for Labour, India
Meena Menon, Textile Workers Action Committee, India
Apo Leung, Asia Monitor Resource Center, Hong Kong
Presentations are followed by Discussion

11:30 am: Tea/Coffee Break
11:45 am: Session Three Continued
Open discussion and summing up by Chair and Moderator
1:00 pm: Lunch

2: 00 pm: Session Four: International Framework for Alternatives This session will articulate the international framework for alternatives to ensure workers rights in the global economy. It will specifically address how to build a common agenda on human rights, workers, and development.

Chair: Apo Leung, Asia Monitor Resource Center, Hong Kong
Moderator: Tony Clarke, Polaris Institute, Canada
Christophe Aguiton, ATTAC, France
Katarina Pujiastuti, FNPBI, Indonesia
T. Rajamoorthy, Third World Network, Malaysia
Roy Jones, Trade Union Advisory Committee to the OECD
Presentations are followed by Discussion

3:45 pm: Tea/Coffee Break
4:00 pm: Session Four (Continued)
Open discussion and summing up by Chair and Moderator
6:00 pm: Close
7:00 pm: Dinner

Thursday, March 21, 2002

9:00 am: Report back from the Points of Consensus Drafting Committee
10:00 am: Group Discussion, Evaluation, and Next Steps

Appendix 3 List of Participants

Apo Leung, Asia Monitor Resource Center, Hong Kong
Christophe Aguiton, ATTAC, France
Christopher Ng, UNI Asia Pacific, Singapore
Com. D. Thankappan, General Secretary of National Centre of Labour, India
Joshua Mata, Alliance for Progressive Labour, Phillipines
Junya Yimprasert, Thai Labour Campaign, Thailand
Katarina Pujiastuti, FNPBI, Indonesia
Kjeld Jacobsen, CUT, Brazil
Meena Menon, Girni Kamgar Sangharsh Samiti (Textile Workers Action Committee), India
Minar Pimple, Focus on the Global South, India
Roy Jones, ICFTU Trade Union Advisory Committee to the OECD, France
T. Rajamoorthy, Third World Network, Malaysia
Tony Clarke, Polaris Institute, Canada
Food First/Institute for Food and Development Policy
Anuradha Mittal
Christine Ahn
Focus on the Global South
Nicola Bullard

Walden Bello
Economic Research Foundation
Jayati Ghosh
C.P. Chandrashekar
Sabyasachi Mitra

Participants Unable to Attend
Barbara Shailor, AFL-CIO, USA
Gerard Greenfield, Alternative and Canadian, Canada
Giampiero Alhadeff, Solidar, Belgium
Gita Sen, DAWN, India
Hector De La Cueva, CILAS, Mexico
James Howard, ICFTU, Belgium
John Cavanaugh, IPS, USA
Lori Wallach, Public Citizen, USA
Miloon Kothari, Habitat International Coalition, India
Paul Hawken, Natural Capital Institute, USA
Renena Jhabwala, SEWA, India
Ros Harvey, Public Service International, France
Rosalini Muroyi, SEATINI, Zimbabwe
Simon Boshielo, COSATU, South Africa
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** These participants were unable to attend