GALS Newsletter

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Trade Conditionality

Michael P. Malloy "Human Rights and Unintended Consequences: Empirical Analysis of International Economic Sanctions in Contemporary Practice", Boston University International Law Journal, v. 31 (2011) p. 75

Abstract:

The author empirically analyzes the use of sanctions in response to humanitarian crises in four countries: Zimbabwe (then Southern Rhodesia), Belarus, Myanmar, and South Africa. The author finds that whether the sanctions are unilateral or multilateral has little effect on the design or the effectiveness of the sanctions. The author notes that it is difficult to measure the long-term effectiveness of sanctions because nations under sanctions gradually adapt to economic constraints, or develop alternative methods of capitalization. However, the author finds that the biggest predictor of whether the sanctions will be effective in the short term is the purpose of the sanction. Sanctions imposed because of national security concerns tend to be immediately effective, whereas sanctions imposed to remedy human rights abuses, such as child labor or trafficking, are less effective. This is likely because labor and human rights practices are ingrained in economic and political systems, and, in the case of labor abuses, are often perpetrated by non-governmental actors.

Subjects: Trade Conditionality, Labor Rights as Human Rights, **Full-text links: ||**WESTLAW

Country-Specific Case Study: Ghana

Dzodzi Tsikata "Toward a Decent Work Regime for Informal Employment in Ghana: Some Preliminary Considerations", Comparative Labor Law and Policy Journal, v. 32 (Winter, 2011) p. 311

Abstract:
The author outlines the labor regime in Ghana, focusing on the informal labor markets where the majority of Ghanan laborers work. Neoliberal policies, such as the Draft National Employment Policy, the Labour Act, and the Social Security Act, protect entrepreneurship at the expense of workers by making labor crimes difficult to prosecute and limiting the ability of unions to organize. Though the Social Security Act allows informal workers to voluntarily contribute to the scheme so that they may later receive payments, the wage of Ghanans in informal work arrangements is so low that the program is seldom utilized. The author describes in detail the informal labor markets that exist in the fishing, mining, and domestic service industries, and argues that Ghanan policy makers must break from their neoliberal approach and legitimize such work by broadening the legal definition of employment and enforcing a universal minimum wage.

Subjects: Country-Specific Case Studies, Flexibilization, Contingent Work, **Full-text links: || WESTLAW**

Corporate Codes of Conduct

Li-Wen Lin "Legal Transplants through Private Contracting: Codes of Vendor Conduct in Global Supply Chains as an Example", American Journal of Comparative Law, v. 57 (Summer, 2009) p. 711

Abstract:

The author argues that codes of vendor conduct in international supply chains function as legal transplants. Legal transplants occur when laws, rules, or legal structures are transplanted from one country to another. The author identifies two ways in which transplantation occurs: through 'hard' approaches such as the rules that the European Union and World Trade Organization impose upon their members, and through 'soft' approaches such as model codes of conduct. In the globalized economy, non-state actors can also transplant laws. The author argues that vendor codes of conduct, which large corporations such as Gap and Wal-Mart use to determine supplier eligibility, are examples of transplanted laws. These transplanted quasi-legal regulations are especially effective in countries where legal systems are weak and the sanction of losing business is a greater threat than sanctions imposed by law. The author argues that codes of vendor conduct often set the template for labor laws in developing nations, and thus should be strengthened to address the labor issues in such countries.

Subjects: Corporate Codes of Conduct, Trade Conditionality, Industry-Specific Case Studies **Full-text links: || WESTLAW**

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Links to Related Projects

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

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

International Labour Organization's (ILO) Conditions of Work and Employment Laws http://www.ilo.org/travdatabase

The Program maintains a Database of Conditions of Work and Employment Laws, which provides information on laws from around the world. The database covers measures on minimum wages, working hours and holidays, and maternity protection and provides information on around 130 countries from all regions.

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

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

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

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

ETUI Labourline: **http://www.labourline.org/Etui**

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

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

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

International Social Security and Workers Compensation Journal:
http://www.business.curtin.edu.au/business/research/journals/international-journal-of-social-security-and-workers-compensation

The International Social Security and Workers Compensation Journal is an on-line journal that focuses on international scholarship in the areas of social security, workers compensation, and occupational health, and disability support. It is published by the School of Business Law, Curtin Institute of Technology in Perth Australia. The IJSSWC contains inter-disciplinary articles in fields such as law, occupational medicine, health economics, and disability studies.

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

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

LabourWeb: **http://www.lex.unict.it/eurolabor/en/**

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

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

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

Trade Unions and Labor Relations Database:
http://www.polsoz.fu-berlin.de/polwiss/db_unions

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

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