

Trade and Sustainable Development

(Version of 29.3.2021, subject to minor revisions)

Semester: Fall semester - HS 2021

Root Number: 457079

ECTS: 3

Lecturers: Dr. Damian Raess & Dora Sari

Dates: 12 - 16 July 2021 (17 July: take-home assessment).

Time: Monday – Friday 9:00 – 11:00; 13:00 – 15:00

Location: In response to the COVID-19 pandemic and following the guidelines established by the University of Bern, all courses of the 2021 WTI Summer Academy will be online. This course will have live sessions on [Zoom](#).

Audience:

- Government officials; Embassy staff; people working for international organisations and NGOs
- Master of Advanced Studies of International Law and Economics (MILE) Students. Joint LL.M. / Diploma of Advanced Studies Trade and Investment Law (TRAIL+) Students - World Trade Institute / Faculty of Law, Unibe
- Certificate of Advanced Studies / Diploma of Advanced Studies in International Law and Economics (CAS ILE & DAS ILE) Students - World Trade Institute, Unibe
- Students from different universities across Switzerland

Course Description

This course will primarily focus on the relationships between international trade and the social dimension of sustainable development. It asks: Is globalization good or bad for social development and the protection of labor rights. Is the level of labor protection a curse or a blessing for economic development? To answer these questions, the course will focus on the interlinkages and potential trade-offs between the economic and social dimensions of sustainable development – an issue that is also at the core of Sustainable Development Goal #8 on decent work and economic growth.

More specifically, the course will address the key avenues through which labor rights are governed and protected in the global economy. The main objective is to provide a better understanding of how international trade (and cooperation) can contribute to achieving the SDG #8, particularly to the promotion of decent work for all. The course will cover public and private approaches to protecting labor standards under globalization, as well as the role of the International Labour Organization. Specifically, it will outline and assess state strategies to link and enforce labor standards through trade agreements, voluntary codes of conduct by multinational enterprises (MNEs) governing labor standards in their supply chains, and the role of the ILO in setting, promoting and upholding international labor standards. Moreover, the course will cover the impact of COVID on workers in global supply chains, as well as refer to the governance, public and private, of the environment through trade.

The course will make extensive use of and make available 2 state-of-the-art datasets (co-) developed by the instructors in recent years: a) the Labor Provisions in Trade Agreements (LABPTA) dataset (Raess and Sari 2018); and b) the Labour Rights Indicators (Kucera and Sari 2019), used as the base methodology for SDG 8.8.2 indicator.

Based on the screening of the documentary *American Factory* (2019), the course will open up the discussion to the new challenges and opportunities for workers and the decent work agenda presented by developing country outward foreign direct investment into advanced economies.

Lecturers

Damian Raess

Damian Raess is SNSF Assistant Professor at the World Trade Institute, University of Bern, where he leads the project 'BRICS globalization and labor protections in advanced and emerging economies'. Trained as a political scientist (BA, University of Lausanne; MA and PhD, University of Amsterdam), he specializes in international and comparative political economy, with particular research interests in the nexus between globalization and labor, the politics of inward foreign direct investment, labor markets and industrial relations, and crisis responses in comparative and historical perspective, especially fiscal policy responses. He has been a visiting scholar in the political science department at MIT and in the Labor and Worklife Program at Harvard University, and a lecturer at the University of Geneva and the University of Reading. He has been visiting lecturer at KU Leuven, the University of Amsterdam, and the Graduate Institute in Geneva. He led a collaborative and interdisciplinary research project on the causes and consequences of labor provisions in trade agreements funded by the Swiss Network for International Studies.

Dora Sari

Dora Sari is a Freedom of Association and Collective Bargaining specialist at the International Labour Organization and currently oversees the work on SDG 8.8.2 indicator. She has close to 15 years of work experience on the field of international labor regulations. She co-developed the Labor Rights Indicators (used as the base methodology for SDG 8.8.2) and has extensive experience working with various international organizations on labor- and social-related issues. She was a research fellow at Harvard University's Labor and Worklife Program and is currently pursuing her PhD degree in political science at the University of Geneva focusing on labor provisions in trade agreements and global labor governance issues.

Learning Outcomes

By the end of the course students should be able to:

- Outline the complex relationships between trade and labor standards, including its history
- Explain and assess the effectiveness of public and private approaches to protecting labor standards under globalization
- Introduce the International Labour Organization (ILO) as a norm-setting and enforcing body
- Conceptualize and analyse labor provisions in trade agreements, and communicate adequately the main findings in a presentation ("deep dive")
- Identify, discuss and use relevant sources of data, particularly the LABPTA dataset and the Labour Rights Indicators
- Raise public awareness on social sustainability, that is students are able to present the aspects of sustainable development in relation to trade and the ILO
- Evaluate recent policy developments in trade (and investment) and social sustainability in Europe and beyond in light of the SDGs
- Reflect upon the interlinkages and potential trade-offs between the economic, social and environmental dimensions of sustainable development and the value orientation of various disciplines involved (economics, law, and political science) based on their respective research questions and findings ("big picture")

Exams and Grades

Take home assignment

- Students' knowledge will be assessed on the basis of an open book, take home exam which needs to be completed on an individual basis. The exam will consist of essay questions.
- Take home assignment made available on Friday after class and to be submitted before Saturday by 20:00
- Carries a 70% weight in final course grade

In-class exercises (assessment criteria to be provided in class)

- Mapping of labor provisions in a PTA followed by short presentation of result
- Carries a 10% weight in the final course grade
- Model ILO simulations, exercise to learn more about the ILO from the viewpoint of the three ILO constituents followed by short presentation of results
- Carries a 10% weight in the final course grade

Quiz

- Quiz questions on reading material
- Carries a 10% weight in the final course grade

Course Overview

Date	Day	Time	Lecturer/s	Topic
12 July	Monday	9:00 11:00	D. Raess	Trade and labor: theoretical and historical considerations
		13:00 15:00	D. Raess	Labor clauses in trade agreements: purpose, design and evolution
13 July	Tuesday	9:00 11:00	D. Raess	Labor clauses in trade agreements: determinants and impact
		13:00 15:00	D. Raess	TSD chapters in trade agreements: in need of reform?
14 July	Wednesday	9:00 11:00	D. Sari	Introduction to the ILO
		13:00 15:00	D. Sari	The ILO and globalization, including its role under the SDGs
15 July	Thursday	9:00 11:00	D. Sari	Freedom of Association and Collective Bargaining Rights and SDG indicator 8.8.2
		13:00 15:20	D. Raess & D. Sari	Screening of 'American Factory', followed by discussion
16 July	Friday	9:00 11:00	D. Raess	Private regulation of labor standards
		14:00 15:40	D. Raess & D. Sari	Impact of COVID on garment workers in global supply chains. Guest lecture by Prof. Mark Anner (Center for Global Workers' Rights, PennState University)
17 July	Saturday			Take-home assignment

MONDAY, JULY 12, 2021

Lecturer: Damian Raess

Morning session

Topic: Trade and labor: theoretical and historical considerations

- Trade – labor nexus: theory and history

Afternoon session

Topic: Labor clauses in trade agreements: purpose, design and evolution

- The purpose and design of labor provisions in trade agreements
- Evolution of the content and stringency of labor provisions over 1990-2019
- Models based on monitoring/capacity building (EU) & sanctions (US, Canada)
- Environmental provisions in trade agreements

Compulsory Reading Material

- Broken Promises: Decades of Failure to Enforce Labor Standards in Free Trade Agreements, prepared by the Staff of Sen. Elizabeth Warren. Available at: <https://www.warren.senate.gov/files/documents/BrokenPromises.pdf>
- Hafner-Burton, E. 2005. Trading human rights: How preferential trade agreements influence government repression. *International Organization* 59(3): 593–629.
- Bastiaens, I. and E. Postnikov 2020. Social standards in trade agreements and free trade preferences: An empirical investigation. *Review of International Organizations* 15(4):793-816.

Optional Reading Material:

Bhagwati, Jagdish. 1995. Trade Liberalization and 'Fair Trade' Demands: Addressing the Environmental and Labour Standards Issues. *World Economy* 18(6):745-759.

Ehrlich, S. D. (2018). *The Politics of Fair Trade: Moving Beyond Free Trade and Protection*. Oxford University Press.

Hafner-Burton, Emilie. 2009. *Forced to Be Good. Why Trade Agreements Boost Human Rights*. Ithaca: Cornell University Press.

Hafner-Burton, Emilie, Layna Mosley, and Robert Galantucci. 2019. Protecting Workers Abroad and Industries at Home: Rights-based Conditionality in Trade Preference Programs. *Journal of Conflict Resolution* 63(5):1253-1282.

ILO. 2013. *Social dimensions of free trade agreements*. Geneva: International Institute for Labour Studies, ILO.

- Orbie, Jan, Lore Van den Putte, and Deborah Martens. 2018. Civil Society Meetings in EU Free Trade Agreements: The Purposes Unravelling. In *Labour Standards in International Economic Law*, edited by Henner Gött. Springer.
- Postnikov, E. and I. Bastiaens 2020. Social protectionist bias: The domestic politics of North-South trade agreements. *The British Journal of Politics and International Relations* 22(2):347-366
- Raess, Damian and Dora Sari. 2018. Labor Provisions in Trade Agreements (LABPTA): Introducing a New Dataset, *Global Policy* 9(4): 451-466.
- Raess, Damian, Andreas Dür and Dora Sari. 2018. Protecting labor rights in preferential trade agreements: The role of trade unions, left governments, and skilled labor. *Review of International Organizations* 13(2):143-162.

On trade-environment nexus:

- Morin JF, Dür A and Lechner L (2018) Mapping the Trade and Environment Nexus: Insights from a New Data Set. *Global Environmental Politics* 18(1), 122-39.

TUESDAY, JULY 13, 2021**Lecturer: Damian Raess****Morning session****Topic: Labor clauses in trade agreements: determinants and impact**

- Determinants of the inclusion of labor provisions in trade agreements
- Social, economic and political impact

Compulsory Reading Material

- Dewan, Sabina and Lucas Ronconi. 2018. U.S. Free Trade Agreements and Enforcement of Labor Law in Latin America. *Industrial Relations* 57(1):35-55.
- Harrison J, Barbu M, Campling, L, Richardson B and Smith A (2019) Governing Labour Standards through Free Trade Agreements: Limits of the European Union's Trade and Sustainable Development Chapters. *Journal of Common Market Studies* 57(2), 260-77.
- Lechner, Lisa. 2016. The domestic battle over the design of non-trade issues in preferential trade agreements. *Review of International Political Economy* 23(5):840-871.

Optional Reading Material:

- Carrère C, Olarreaga M and Raess D (2021, accepted) Labor Clauses in Trade Agreements: hidden protectionism? *Review of International Organizations*.
- Guimelli, F and van Roozendaal G (2016) Trade agreements and labour standards' clauses: Explaining labour standards developments through a qualitative comparative analysis of US free trade agreements. *Global Social Policy*, 1-24.
- ILO. 2016. *Assessment of labor provisions in trade and investment agreements*. Geneva: ILO.
- Kamata I (2018) Can RTA Labor Provisions Prevent the Deterioration of Domestic Labor Standards?: the Cases of Statutory Minimum Wages and Employment Protection Regulations. IDE Discussion Paper No. 716, Institute of Developing Economies, JETRO, Niigata, Japan.
- (2016) *Labor Clauses in Regional Trade Agreements and Effects on Labor Conditions: An Empirical Analysis*. IDE Discussion Paper No. 609
- Kim, Moonhawk. 2012. Ex Ante Due Diligence: Formation of PTAs and Protection of Labor Rights. *International Studies Quarterly* 56(4):704-719.
- Orbie, Jan, Lore Van den Putte, and Deborah Martens. 2017. The Impact of Labour Rights Commitments in EU Trade Agreements: The Case of Peru. *Politics and Governance* 5(4), 6-18.
- Postnikov, Evgeny and Ida Bastiaens. 2014. Does dialogue work? The effectiveness of labor standards in EU preferential trade agreements. *Journal of European Public Policy* 21(6):923-940.

- Raess, Damian and Dora Sari. 2020. Do labor provisions in PTAs reduce labor rights violations? The role of institutionalized cooperation. Working Paper.
- Schrank, Andrew. 2013. From disguised protectionism to rewarding regulation: The impact of trade-related labor standards in the Dominican Republic. *Regulation & Governance* 7(3):299-320.
- Van Roozendaal G (2017) Where Symbolism Prospers: An Analysis of the Impact on Enabling Rights of Labour Standards Provisions in Trade Agreements with South Korea. *Politics and Governance* 5(4), 19-29.

On trade-environment nexus:

- Bastiaens I and Postnikov E (2017) Greening up: the effects of environmental standards in EU and US trade agreements. *Environmental Politics* 26(5), 847-69.
- Berger, Axel, Clara Brandi, Jean-Frédéric Morin and Jacob Schwab. 2020. The Trade Effects of Environmental Provisions in Preferential Trade Agreements. In *International Trade, Investment, and the Sustainable Development Goals*, edited by C. Beverelli, J. Kurtz and D. Raess. Cambridge: Cambridge University Press.
- Baghdadi L, Martinez-Zarzoso I and Zitouna H (2013) Are RTA agreements with environmental provisions reducing emissions? *Journal of International Economics*.

Afternoon session

Topic: Trade and Sustainable Development (TSD) chapters in trade agreements: in need of reform?

- Debate on the effective implementation of TSD chapters in EU trade agreements (2018); EU-Korea labor dispute (2021)
- Dispute settlement in trade-labor matters under US trade agreements (US vs. Guatemala dispute); USMCA (NAFTA 2.0)
- Level playing field rules as a stumbling block in EU-UK trade negotiations / relations (2020-)

Compulsory Reading Material

- Marx, A., Ebert, F., Hachez, N. (2017). Dispute Settlement for Labour Provisions in EU Free Trade Agreements: Rethinking Current Approaches. *Politics and Governance* 5(4): 49-59.
<https://www.cogitatiopress.com/politicsandgovernance/article/view/1070>
- Paiement, P. (2018). Leveraging trade agreements for labor law enforcement: Drawing lessons from the US-Guatemala CAFTA-dispute. *Georgetown Journal of International Law* 49(2), 675-92.
<https://www.law.georgetown.edu/international-law-journal/wp-content/uploads/sites/21/2018/08/GT-GJIL180022.pdf>
- Raess, D. (2020). Level playing field rules and labor protection. Available at: <https://ukandeu.ac.uk/level-playing-field-rules-and-labour-protection/>

Optional Reading Material:

- Abel Patrick. 2018. Comparative Conclusions on Arbitral Dispute Settlement in Trade-Labour Matter under US FTAs. In *Labour Standards in International Economic Law*, edited by Henner Gött. Springer International Publishing AG.
- Drake C (2017) U.S. Trade Policy Fails Workers. See at: <https://aflcio.org/2017/6/26/us-trade-policy-fails-workers>
- Ebert FC (2016) Labour provisions in EU trade agreements: What potential for channelling labour standards-related capacity building? *International Labour Review* 155(3), 407-33.
- Harrison J, Barbu M, Campling, L, Ebert, FC, Martens, D, Marx, A., Orbie, J., Richardson B and Smith A (2019). Labour Standards Provisions in EU Free Trade Agreements: Reflections on the European Commission's Reform Agenda. *World Trade Review* 18(4): 635-657.
- Gött H. 2018. An Individual Labour Complaint Procedure for Workers, Trade Unions, Employers and NGOs in Future Free Trade Agreements. In *Labour Standards in International Economic Law*, edited by Henner Gött. Springer International Publishing AG.
- Polaski S (2017) Twenty Years of Progress at Risk. Labor and Environmental Protections in Trade Agreements. Global Economic Governance Initiative Brief 004. Pardee School of Global Studies, Boston University. https://www.bu.edu/gdp/files/2017/10/Polaski.10-2017.Final_.pdf
- Stoll, Peter-Tobias, Gött Henner, and Abel Patrick. 2018. A Model Chapter for Future EU Trade Agreements. In *Labour Standards in International Economic Law*, edited by Henner Gött. Springer International Publishing AG.

WEDNESDAY, JULY 14, 2021**Lecturer: Dora Sari****Morning session****Topics: Introduction to the International Labour Organization**

The morning session will provide a brief introduction to the International Labour Organization (ILO) both from a historical and institutional perspective. Students will be familiarized with the key historical moments and their relevance to the development of the ILO; the organization's underlying principle of tripartism; its structure and governance and its unique supervisory system. The session will allow for a discussion of the (in)effectiveness of the ILO's supervisory mechanism through various examples and case studies.

Compulsory Reading Material

- International Labour Organization (2019) *The rules of the game: An introduction to the standards-related work of the International Labour Organization*, International Labour Office, Geneva.
Pages 18-30, 104-124. https://www.ilo.org/global/standards/information-resources-and-publications/publications/WCMS_672549/lang--en/index.htm
- Faradj Koliev and James H. Lebovic (2018). "Selecting for Shame: The Monitoring of Workers' Rights by the International Labour Organization, 1989 to 2011", *International Studies Quarterly*, 62:437-452.
<https://academic.oup.com/isq/article/62/2/437/5004644>
- Rodgers, G., E. Lee, L. Swepston and J. Van Daele (2009). *The International Labor Organization and the Quest for Social Justice, 1919–2009*. Geneva: International Labor Office.
Pages 1-25, 50-53 (for cases of Poland and South Africa) and 64-65 (Text box on Myanmar). https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_104643.pdf

Optional Reading Material:

- Baccini, L., & Koenig-Archibugi, M. (2014). Why do States Commit to International Labor Standards? Interdependent Ratification of Core ILO Conventions, 1948–2009. *World Politics*, 66(3):446-490.
- International Labour Organization (2019). *Monitoring compliance with International Labour Standards: The key role of the ILO Committee of Experts on the Application of Conventions and Recommendations*, International Labour Office, Geneva
- Koliev, F. (2019). Shaming and democracy: explaining inter-state shaming in international organizations, *International Political Science Review*, 1-16.

La Hovary, C. (2015). A Challenging Ménage à Trois?, *International Organizations Law Review*, 12(1):204-236.

Peksen, D., Blanton, R.G. (2017). The impact of ILO conventions on worker rights: Are empty promises worse than no promises? *Review of International Organizations* 12:75–94.

Afternoon session

Topics: The ILO and globalization: from the 1998 Declaration to the decent work agenda and sustainable development

The afternoon session will focus on the past 30 years of the ILO and its role in the increasingly globalized world. Students will be familiarized with the historical context and relevance of the ILO 1998 Declaration on Fundamental Principles and Rights at Work, the debate surrounding the role of labor rights in trade and the WTO and the ILO's response to the challenges posed by globalization. The concept of Decent Work Agenda and its role under the broader development framework, including that of the UN's Sustainable Development Goals framework.

Compulsory Reading Material

- Brown, D. K. (2001). Labor Standards: Where Do They Belong on the International Trade Agenda? *The Journal of Economic Perspectives*, 15(3): 89-112. <https://www.aeaweb.org/articles?id=10.1257/jep.15.3.89>
- International Labour Organization (2019) *The rules of the game: An introduction to the standards-related work of the International Labour Organization*, International Labour Office, Geneva.
Pages 7-17. https://www.ilo.org/global/standards/information-resources-and-publications/publications/WCMS_672549/lang--en/index.htm
- Langille, B. A. (2009). 'What is International Labour Law For?', *Law & Ethics of Human Rights*, 3 (1): 46-82.
- Novitz T. (2018). Labour Standards and Trade: Need we choose between 'Human Right' and 'Sustainable Development'?, in: Gött Henner (ed), *Labour Standards in International Economic Law*. Springer International Publishing. Pp. 113-134.
- Rodgers, G., E. Lee, L. Swepston and J. Van Daele (2009), *The International Labor Organization and the Quest for Social Justice, 1919–2009*. Geneva: International Labor Office.
Pages 37-40, 205-235. https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_104643.pdf
- Rodrik, D. (2017). The Trouble With Globalization. Undermined by the false narratives that have destabilized it, globalization is at risk. Milken Institute Review. <https://www.milkenreview.org/articles/the-trouble-with-globalization?IssueID=26>
- United Nations. *Transforming Our World: The 2030 Agenda for Sustainable Development*. A/RES/70/1, 41 pages

- United Nations General Assembly. 2019. International Labour Organization Centenary Declaration for the Future of Work. 2 pages.
- ILO. ILO Implementation Plan 2030 Agenda for Sustainable Development. 30 pages.

Optional Reading Material:

- Alben, E. (2011). GATT and the fair wage: historical perspective on the labor-trade link. *Columbia Law Review*, 101(6):1410-1447.
- Allston, P. (2004). 'Core Labour Standards' and the Transformation of the International Labour Rights Regime. *European Journal of International Law*, 15(3):457-521.
- Amartya Sen (1999). *Development as Freedom*. Oxford University Press. UK.
- Anner, M. (2001). The International Trade Union Campaign for Core Labor Standards in the WTO, *Working USA*, 5(1):43-63.
- Bellace, J. R. (2001). ILO declaration of fundamental principles and rights at work, *The International Journal of Comparative Labour Law and Industrial Relations*, 17(3): 269-288.
- Busse, M. (2002), 'Do Labor Standards Affect Comparative Advantage in Developing Countries?', *World Development*, 30 (11):1921-1932.
- Davies, R. B. and K. C. Vadlamannati (2013). 'A Race to the Bottom in Labour Standards? An Empirical Investigation'. *Journal of Development Economics*, 103 (C):1-14.
- Dehejia, V. H. and Y. Samy (2004). 'Trade and labour standards: theory and new empirical evidence', *The Journal of International Trade and Economic Development*, 13 (2):179-198.
- Elliott, Kimberly Ann and Richard Freeman (2003). *Can Labor Standards Improve under Globalization?* Washington, D.C.: Institute for International Economics.
- Fudge, J. (2007). The New Discourse of Labour Rights: From Social to Fundamental Rights?, *Comparative Labor Law and Policy Journal*, 29(1).
- Greenhill, B., L. Mosley and A. Prakash (2009), 'Trade-based Diffusion of Labor Rights: A Panel Study, 1986-2002', *The American Political Science Review*, 103 (4):669-690.
- Kagan, J. M. (2011). Making free trade fair: How the WTO could incorporate labor rights and why it should. *Georgetown Journal of International Law*, 43(1): 195-224.
- Kucera, D. (2007), *Measuring trade union rights by violations of these rights*, in David Kucera (ed.), *Qualitative indicators of labour standards: Comparative methods and applications*. Dordrecht, Springer, pp. 145-181.
- Kucera, D. and R. Sarna (2006), *Trade Union Rights, Democracy, and Exports: a Gravity Model Approach*, *Review of International Economics*, 14, 859-882.
- Langille, B. A. (2005). Core Labour Rights – The True Story (Reply to Alston). *The European Journal of International Law*, 16(3): 409-437.
- Maskus, K. E. (2004), *Trade and Competitiveness Aspects of Environmental and Labor Standards in East Asia*, in Kathie Krumm and Homi Kharas (eds), *East Asia integrates: a trade policy agenda for shared growth* (English). Washington, DC: World Bank.

- Mosley, L. and S. Uno (2007), Racing to the Bottom or Climbing to the Top? Economic Globalization and Collective Labor Rights, *Comparative Political Studies*, 40 (8), 923–948.
- Neumayer, E. and I. de Soysa (2006), Globalization and the Right to Free Association and Collective Bargaining: An Empirical Analysis, *World Development*, 34 (1), 31-49.
- Vogt, J. (2015). A Little Less Conversation: The EU and the (Non) Application of Labour Conditionality in the Generalized System of Preferences (GSP), *International Journal of Comparative Labour Law and Industrial Relations*, 31(3):285-304,
- Wang, Z. (2017), Democracy, Policy Interdependence, and Labor Rights. *Political Research Quarterly*, 70 (3), 549–563.

United Nations Sustainable Development Goals:

<https://www.un.org/sustainabledevelopment/sustainable-development-goals/>

<https://www.un.org/sustainabledevelopment/economic-growth/>

ILO SDG8

<https://www.ilo.org/global/topics/sdg-2030/goal-8/lang--en/index.htm>

THURSDAY, JULY 15, 2021**Lecturer: Dora Sari****Morning session****Topics: Freedom of association and collective bargaining rights and SDG 8.8.2 indicator**

Building on the previous day, the morning session will focus on the right to freedom of association and collective bargaining (FACB) and the methodology developed to measure countries' compliance with those rights. Students will gain a better understanding concerning the importance of those rights, often referred to as enabling rights and will be provided with a short summary of the data and current trends of trade union rights in the world.

Compulsory Reading Material

- Kucera, D. and D. Sari (2019), 'New Labor Rights Indicators: Method and Trends for 2000-2015', *International Labor Review*, 158 (3), 419–46. <https://onlinelibrary.wiley.com/doi/full/10.1111/ilr.12084>
- Lee Sweptson (1998). "Human rights law and freedom of association: Development through ILO supervision", *International Labour Review*, 137(2):169-194.
- Novitz, T. (2019), 'Freedom of association: its emergence and the case for prevention of its decline', in Janice R. Bellace and Samuel Blank (eds), *Research Handbook on Labour, Business and Human Rights Law*. Cheltenham, UK: Edward Elgar Publishing, pp. 231-252.
- Report of the Conference 20th International Conference of Labour Statisticians. 2018. International Labour Organization. Report III. (ICLS/20/2018/3), International Labour Office, Geneva.

Pages 69-86 (only skim through requested pages).

https://www.ilo.org/wcmsp5/groups/public/---dgreports/---stat/documents/publication/wcms_651209.pdf

- Rodgers, G., E. Lee, L. Swepston and J. Van Daele (2009), *The International Labor Organization and the Quest for Social Justice, 1919–2009*. Geneva: International Labor Office. https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_104643.pdf

Pages 45-53.

Optional Reading Material:

Bellace, J. R. (2015). 'Pushback on the right to strike: Resisting the thickening of soft law', in Adelle Blackett and Anne Trebilcock (eds), *Research Handbook on Transnational Labour Law*. Cheltenham, UK: Edward Elgar Publishing, pp. 181-193.

- Caraway, T. (2006). Freedom of association: Battering ram or Trojan horse? *Review of International Political Economy* 13(2): 210-232
- Hovary, C. L. (2016). 'The ILO's Employers' Group and the right to strike', *Transfer: European Review of Labour and Research*, 22 (3), 401–404.
- OHCH (2016) Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, A/71/385, available at: https://www.un.org/ga/search/view_doc.asp?symbol=A/71/385&referer=/english/&Lang=E
- Palley T. I. (2004), 'The economic case for international labour standards', *Cambridge Journal of Economics*, 28 (1), 21–36.
- (2001), 'The Economic Case for Labor Standards: A Layman's Guide', *Richmond Journal of Global Law and Business*, 2 (2), 183-195.

Afternoon session

Presentation of documentary 'American Factory', followed by discussion

FRIDAY, JULY 16, 2021**Morning session****Lecturer: Damian Raess****Topic: Private regulation of labor standards**

- The rise of MNEs' voluntary codes of conduct governing labor standards in their supply chains
- Under what conditions does factory compliance with voluntary initiatives lead to the improvement of labor standards? Does social auditing of factories help protect workers?
- Is there a business case for social compliance with voluntary initiatives?

Compulsory Reading Material

- Ahlquist, J.S. and Mosley L. (2021). Firm participation in voluntary regulatory initiatives: The Accord, Alliance, and US garment importers from Bangladesh. *Review of International Organizations* 16: 317-343.
- Anner, M. (2020). Squeezing workers' rights in global supply chains: purchasing practices in the Bangladesh garment export sector in comparative perspective. *Review of International Political Economy* 27(2): 320-347.

Optional Reading Material:

- Anner, M. (2018), 'CSR Participation Committees, Wildcat Strikes and the Sourcing Squeeze in Global Supply Chains', *British Journal of Industrial Relations*, 56(1), 75-98
- (2017), 'Monitoring Workers' Rights: The Limits of Voluntary Social Compliance initiatives in Labor Repressive Regimes', *Global Policy*, 8, 56-65.
- (2012) Corporate Social Responsibility and Freedom of Association Rights: The Precarious Quest for Legitimacy and Control in Global Supply Chain. *Politics & Society* 40(4), 609-44.
- Amengual M and Distelhorst G (2019) Can Sourcing Help Enforce Global Labor Standards? Evidence from the GAP Inc Supply Chain. Working Paper.
- Amengual M., Distelhorst G. & Tobin D. 2020. Global Purchasing as Labor Regulation: The Missing Middle. *Industrial and Labor Relations Review* 73(4):817-40.
- Barrientos, S. and S. Smith (2007), 'Do Workers Benefit from Ethical Trade? Assessing Codes of Labour Practice in Global Production Systems', *Third World Quarterly*, 28 (4), 713-729.
- Bartley, Tim. 2018. *Rules without Rights: Land, Labor, and Private Authority in the Global Economy*. Oxford: Oxford University Press.
- Bartley T. & Curtis C. 2014. Shaming the Corporation: The Social Production of Targets and the Anti-Sweatshop Movement. *American Sociological Review* 79: 653-79.

- Bird Y., Short J. & Toffel M. 2019. Coupling Labor Codes of Conduct and Supplier Labor Practices: The Role of Internal Structural Conditions. *Organization Science*
- Boudreau L (2020) Multinational enforcement of labor law: Experimental evidence from Bangladesh's apparel sector. Working Paper.
- Brown, Drusilla, Rajeev Dehejia, and Raymond Robertson. 2013. Is there an efficiency case for international labour standards? Better Work DP Series No. 12.
- Caro, Felipe, Lane, Leonard and Anna Sáez de Tejada Cuenca (2020, online first). Can Brands Claim Ignorance? Unauthorized Subcontracting in Apparel Supply Chains, *Management Science*
- Clean Clothes Campaign (2019). *Fig leaf for fashion: How social auditing protects brands and fails workers.*
- Dai R., Liang H. & Ng L. *Forthcoming*. Socially Responsible Corporate Customers. *Journal of Financial Economics*
- Distelhorst, Greg and Richard M. Locke. 2018. Does Compliance Pay? Social Standards and Firm-level Trade. *American Journal of Political Science* 62(3):695-711.
- Distelhorst G., Hainmueller J. & Locke R. 2017. Does lean improve labor standards? Management and social performance in the Nike supply chain. *Management Science* 63:707-28.
- Distelhorst G., Locke R., Pal T. & Samel H. 2015. Production goes global, compliance stays local: Private regulation in the global electronics industry. *Regulation & Governance* 9: 224-42.
- Egels-Zandén, N., and J. Merk (2014), 'Private Regulation and Trade Union Rights: Why Codes of Conduct Have Limited Impact on Trade Union Rights', *Journal of Business Ethics*, 123 (3), 461-473.
- Locke, Richard M. 2013. *The Promise and Limits of Private Power: Promoting Labor Standards in a Global Economy*. Cambridge: Cambridge University Press.
- Hugill A., Short J. & Toffel M. 2016. Beyond Symbolic Responses to Private Politics: Examining Labor Standards Improvement in Global Supply Chains. Harvard Business School Working Paper 17-001.
- Oka C. 2012. Does Better Labour Standard Compliance Pay? Linking Labour Standard Compliance and Supplier Competitiveness. Better Work DP Series No. 5
- Thorlakson T., Hainmueller J. & Lambin E. 2018. Improving environmental practices in agricultural supply chains: The role of company-led standards. *Global environmental change* 48:32-42.

Afternoon session

Topic: Impact of COVID on garment workers in global supply chains.

Guest lecturer: Professor Mark Anner

Professor, Labor and Employment Relations at PennState University
Director of Center for Global Workers' Rights

SATURDAY, JULY 17, 2021

Take-home assignment due at 20:00 pm CET.