The Trans-Pacific Partnership: The Latest in a Broken Record of Broken Promises

s negotiations for the mega 12-country Trans-Pacific Partnership (TPP) trade agreement enter a critical stage, supporters are making bigger and bigger promises about its purported benefits. We have heard all these promises before in support of previous free trade agreements (FTAs). A review of the actual impacts of these FTAs proves that these promises are worthless. In fact, trade agreements have failed to deliver on promises to create good U.S. jobs, trade surpluses, improved workers' and human rights, and a cleaner and more sustainable environment. There is nothing in the TPP —or in the contentions of its proponents —to show that it will be different than the previous record of broken promises. Indeed, the TPP will be worse because it expands and extends the failed policies of past trade agreements to a region that accounts for 38% of total world economic activity.

We should look at the facts and not fall for the same litany of broken promises. We do not need any more free trade deals that accelerate a race to the bottom. Instead, we need fair trade deals that create a race to the top where we actually benefit from more and better jobs, an improved quality of life and a strengthening of rights.

The following report includes a brief overview of some of the major broken promises made in support of past FTAs and provides five case studies illustrating the specific broken promises made in relation to labor rights associated with the trade agreements with Mexico, Colombia, Honduras, Guatemala and Bahrain.

Broken Promises for Jobs

One of the central arguments made by proponents is that the TPP will create thousands of U.S. jobs. The promise of jobs is trotted out every time a trade bill is considered. However, the reality is that these FTAs have resulted in a net loss of millions of U.S. jobs.

- President Clinton promised that NAFTA would "create 200,000 jobs in this country by 1995 alone." But, the U.S. actually experienced a net loss of almost 700,000 jobs to Mexico.¹
- President Obama claimed that the U.S.-Korea Free Trade Agreement, which took effect in 2012, would support "70,000 American jobs from increased goods exports alone." But the U.S. has already lost 40,000 jobs to Korea in just over a year.²

■ President Clinton promised that allowing China to join the World Trade Organization in 2001 would create thousands of jobs. Yet, the U.S. has experienced a net loss of 2.7 million jobs.³

Broken Promises for Trade Surpluses

Supporters routinely promise that Free Trade Agreements (FTAs) will boost exports, reduce our trade deficits and lead us into prosperity. These promises often focus solely on exports and conveniently ignore the job-killing impact of imports. Yet, the reality has been that our FTAs have increased imports (which destroy U.S. jobs) significantly more than any increase in exports. As a result, our trade deficits have increased significantly.⁴

- In 1993, the year before NAFTA went into effect, the United States had a \$1.66 billion trade surplus in goods with Mexico; by 1995, just one year after NAFTA went into force, this had changed to a \$15.8 billion deficit. In 2012, the deficit with Mexico was \$62 billion.
- The U.S. had a trade deficit in goods with China of \$83 billion in 2001 when China was admitted into the World Trade Organization. This deficit has ballooned to \$315 billion in 2012.
- Just one year after the U.S.-Korea FTA took effect in March 2012, our trade deficit in goods with South Korea increased by \$5.5 billion or 46 percent.

Broken Promises for Improved Human Rights and Labor Standards

U.S. Trade Representative (USTR) Ambassador Michael Froman claimed that the TPP would "improve adherence to labor rights and working conditions in Vietnam." This is very similar to promises made, and broken, in previous FTA negotiations. A more detailed analysis of the major FTAs that supposedly addressed labor rights follows in the next section. These examples prove that any promises made in support of the TPP and its purported positive impact on rights in Vietnam should not be accepted.

- The NAFTA side agreements on labor standards have failed to improve labor standards and working conditions for workers both in the U.S. and Mexico. Worsening conditions and eroded standards have been documented by Human Rights Watch, Amnesty International and the U.S. Department of State.
- The failure of the Colombia Labor Action Plan (LAP) of 2011 to improve labor rights and reduce violence against labor leaders has been verified by Amnesty International, Human Rights Watch and even the U.S. State Department. In August 2013, hundreds of thousands of Colombians took to the streets to protest a number of issues including the U.S.-Colombia FTA, high fuel prices, and the neglect of rural areas.
- During CAFTA negotiations in 2005, President Bush said, "... CAFTA... means good jobs and higher labor standards for their workers." Yet, worsening conditions and standards have been documented by Human Rights Watch, Amnesty International and the U.S. Department of State.
- In May 2004, the USTR reassured America that Bahrain had reaffirmed "its obligations as members of the International Labor Organization (ILO), and ...that its laws provide for labor standards [would be] consistent with internationally recognized labor rights" as part of FTA negotiations. Yet in April 2011, hundreds of union members and half of the leaders of the General Federation of Bahraini Trade Unions (GFBTU) were dismissed from their jobs for taking part in trade union activities. In a 2012 report, the U.S. State Department concluded that "the government did not respect freedom of association. The right to collective bargaining is not protected by law."

Broken Promises of NAFTA's Labor Side Agreements: United States and Mexico

he North American Free Trade Agreement (NAFTA) provided the model for all subsequent U.S. free trade agreements. It was an economic integration agreement between Canada, Mexico and the United States. It was signed in 1993 and went into effect in 1994. At that time, it was the largest U.S. trade agreement. However, the Trans-Pacific Partnership is much larger since it includes 9 other countries in addition to the NAFTA countries. The TPP has been called "NAFTA on Steroids." The broken promises made in support of NAFTA can serve as a guide to what we can expect from the TPP.

The Promise of Improved Labor Rights and Conditions

President Clinton promised that a labor side agreement would improve labor rights and standards. This side agreement called the North American Agreement on Labor Cooperation included 7 basic objectives, the second of which was "to promote labor principles set forth in the Annex." The Annex itself contained 11 principles including freedom of association and the right to organize; the right to strike; the prohibition of forced labor; the elimination of employment discrimination; equal pay for women and men; and labor protection for children and young people.

- **President Clinton:** "In all of trade history, this is the first agreement that ever really got any teeth in environmental standards, any teeth in what another country had to do with its own workers and its own labor standards...There's never been anything like this before." ⁵
- **President Clinton:** "We will press for workers in all countries to secure rights that we now take for granted, to organize and earn a decent living...I ask those who opposed NAFTA to work with us to guarantee that the labor and side agreements are enforced." ⁶
- **USTR Ambassador Kantor:** "The fundamental objectives of the labor and environment agreements are to work cooperatively to improve conditions for labor and the environment throughout North America and to improve national enforcement of national laws relating to labor and the environment. They commit all three nations to fair, open and equitable administrative and judicial processes for the enforcement of environmental and labor laws." ⁷

UNITED STATES — The Reality of Worsened Labor Rights and Working Conditions

Labor rights and working conditions in the U.S. have eroded since the passage of NAFTA. While there are many factors causing this erosion – deregulation, economic policies that accelerated offshoring, attack on voting rights – trade agreements have had a direct impact on this entire process.

BROKEN: Freedom of Association and the Right to Collectively Bargain

The most comprehensive research study of the impact of NAFTA on labor rights in the U.S. reached the following conclusions ⁸

- Employers are now twice more likely to use ten or more coercive tactics in their anti-union campaigns than they were before the adoption of NAFTA in 1993.
- Employer threats made during organizing campaigns to close plants if workers voted for a union rose from 29% in the mid-1980s to 50% in the two years following the adoption of NAFTA to 57% during the mid-2000s.
- Actual plant closings where these threats were made following union elections rose from 2% to 15% during this period. While there are many reasons for plant closings, the incentives to off-shore jobs and investment due to trade agreements are clearly important.

BROKEN: Prohibition of Child Labor and Minimum Age for Employment

■ Human Rights Watch: "Hundreds of thousands of children work on American farms. The 1938 Fair Labor Standards Act exempts child farmworkers from the minimum age and maximum hour requirements that apply to all other working children, exposing them to work at far younger ages, for longer hours, and under more hazardous conditions. As a result, child farmworkers, most of them Latino, often work 10 or more hours a day and risk pesticide poisoning, heat illness, injuries, life-long disabilities, and death. Of children under age 16 who suffered fatal occupational injuries in 2010, 75 percent worked in crop production. Thousands more are injured each year. Federal protections that do exist are often not enforced." 9

BROKEN: Minimum Employment Standards including Minimum Wage

■ Human Rights Watch: "Millions of US workers, including parents of infants, are harmed by weak or non-existent laws on paid leave, breastfeeding accommodation, and discrimination against workers with family responsibilities. Inadequate leave contributes to delaying babies' immunizations, postpartum depression, and other health problems, and causes mothers to stop breastfeeding early....The Obama administration proposed a regulation to end the exclusion of certain home care workers from minimum wage and hour protections. These workers, most of whom are women, including many immigrants and minorities, provide essential services to people with disabilities and the elderly." ¹⁰

BROKEN: Protection of Migrant Workers

■ Amnesty International: "The proliferation of state laws targeting migrants put them at increased risk of discrimination and impeded access to education and essential health care services. Increased immigration enforcement along certain stretches of the US-Mexico border continued to push irregular migrants to use particularly dangerous routes through the US desert, resulting in hundreds of deaths. Increased collaboration between local law enforcement and immigration authorities put communities living along the US-Mexico border at risk of racial profiling by state and local law enforcement officials. Irregular migrants who were victims of crime, such as human trafficking and domestic violence, faced a range of barriers to justice." ¹¹

MEXICO — The Reality of Worsened Labor Rights and Working Conditions

BROKEN: Freedom of Association & the Right to Collectively Bargain

- Human Rights Watch: "Agreements negotiated between management and pro-management unions continue to obstruct legitimate labor-organizing activity. These agreements often restrict workers' ability to obtain effective representation, undermining their ability to bargain collectively and earn benefits beyond the minimum mandated by Mexican law. Workers who seek to form independent unions risk losing their jobs, as loopholes in labor laws and poor enforcement generally fail to protect them from retaliatory dismissals. In November 2012, Congress passed a far-reaching reform of labor law that imposes onerous preconditions for striking and makes it easier for employers to replace regular employees with workers on short-term contracts supplied by third-party brokers, further undermining fundamental labor rights and protections for workers. ¹²
- US Department of State: In 2012, the Mexican government passed a major labor reform law that "provides workers the right to form and join unions, the right to strike in both the public and private sector and the right to bargain collectively. However the law places several restrictions on these rights... [The Mexican government's] general failure to enforce labor and other laws left workers without much recourse with regard to violations of freedom of association, working conditions or other problems.... The process for official recognition of unions was politicized, and the government occasionally used the process to reward political allies or punish political opponents.... Few formal strikes occurred in part because of the numerous restrictions on strikes... Protection (company-controlled) unions continued to be a problem in all sectors [which is a] violation of International Labor Organization Convention 87 regarding freedom of association....Workers were excluded from official unions for trying to organize their colleagues into separate, independent unions." ¹³

BROKEN: Prohibition of Forced or Compulsory Labor

■ *US Department of State*: "Although the law prohibits all forms of forced or compulsory labor, the government did not effectively enforce such laws. Forced labor persisted in both the agricultural and industrial sectors." ¹⁴

BROKEN: Prohibition of Child Labor and Minimum Age for Employment

■ US Department of State: "The government did not effectively enforce such prohibitions." 15

BROKEN: Discrimination and Violence against Women and Girls

- *U.S. Department of State:* "The law provides women the same rights and obligations as men and 'equal pay for equal work performed in equal jobs, hours of work and conditions of efficiency'... According to the World Economic Forum, women earned 42 percent less than men for comparable work. ¹⁶
- Amnesty International: "Violence against women and girls, including beatings, rape, abduction and murder, was widespread in many states. Legislation to prevent and punish violence was not enforced effectively and the training of officials on dealing appropriately with gender-based crimes was not adequately monitored to ensure compliance. Despite commitments to improve investigation of gender-based violence, new police investigation protocols were not introduced during the year and perpetrators usually evaded justice. Protection orders remained inoperative in many states and victims faced continued threats." ¹⁷

BROKEN: Protection of Migrant Workers

■ Amnesty International: "Migrants in transit continued to face abduction, murder and forced recruitment into criminal gangs. Migrant women and children were at particular risk of abuses. Public officials were often suspected of colluding with criminal gangs and committing other abuses against migrants, such as extortion and arbitrary detention. Despite government commitments to combat all abuses against migrants, measures remained ineffective and state governments failed to prevent and punish crimes against migrants." ¹⁸

Broken Promises: Colombia and The Labor Action Plan

n April 2011, Colombia and the U.S. negotiated the "Colombian Action Plan related to Labor Rights" in an effort to kick-start the stalled Colombia Free Trade Agreement negotiations. The Colombia FTA was passed by Congress in October 2011. The Labor Action Plan (LAP) required Colombia to adopt and maintain in domestic law five fundamental labor rights included in the ILO Declaration including the right to form and join a union; the right to negotiate collective bargaining agreements; the elimination of all forms of compulsory or forced labor; effective abolition of child labor; and the elimination of employment and occupation discrimination based on gender or race. In addition, the Labor Plan required the Colombian government to effectively enforce fundamental labor rights, as well as minimum wage, hours of work, and occupational safety and health laws; to raise labor complaints to the same level as commercial disputes and to improve labor standards as well as cooperate on matters including labor inspection systems, social assistance programs, occupational safety and health, and labor relations.

The Promise of Improved Labor Rights and Conditions

- **President Barack Obama**, **2012**: "This agreement is a win for our workers and environment because of the strong protections it has for both, commitments that we are going to fulfill"
- USTR Ambassador Ron Kirk, 2011: "The plan significantly expands the protections of labor leaders and organizers. It bolsters efforts to punish those who have perpetrated violence against union members, and we think substantially strengthens their laws and enforcement."

The Reality of Worsened Labor Rights and Working Conditions

Broken: Freedom of Association and the Right to Collectively Bargaining

- International Trade Union Confederation: "...figures on violence against trade unionists...vouch for the existence of a human rights crisis not consistent with random and indiscriminant violence. They reflect a policy of extermination, implemented over a sustained period and manifested by the thousands of lives claimed.... Although some progress has been made, the longstanding violence against the Colombian trade union movement continues to plague the country and trade unionists are still being killed, forcibly disappeared and intimidated."
- *US Department of State:* "Violence, threats, harassment and other practices against trade unionists continued to affect the exercise of the right to freedom of association and collective bargaining.
- Human Rights Watch: "The number of trade unionists killed annually....remains high...Threats against trade unionists are widespread: the ENS reported 539 such cases in 2011, and 255 between January and September 15, 2012...No one has been held accountable for the vast majority of the more than 2,900 trade unionists killings...reported since 1986."

■ *U.S. Congressional Monitoring Group on Labor Rights in Colombia:* "The right to organize is denied and a lack of justice prevails. Only four percent of workers in Colombia belong to a union, largely due to anti-union violence and fear of reprisals from employers....Death threats continue to be levied against union leaders and workers attempting to organize." ¹⁹

BROKEN: Inspection System for Effective Enforcement of Labor Rights

■ *U.S. Congressional Monitoring Group on Labor Rights in Colombia:* "A critical provision of the LAP was the implementation of a robust enforcement regime for labor rights through increased inspections and the imposition of fines. [However,] flagrant labor violations often go unpunished with the Government of Colombia failing to collect fines for violations..." ²⁰

BROKEN: Forced or Compulsory Labor

■ *US Department of State:* "The law prohibits all forms of forced or compulsory labor. The government did not effectively enforce the law in all cases..."²¹

BROKEN: Child Labor

■ US Department of State: "Significant incidences of child labor occurred in the production of clay bricks, coal, emeralds, gold, coca and pornography. Commercial sexual exploitation of children also occurred...Prohibitions against children working in mining and construction were largely ignored...There continued to be instances of forced child labor in mines quarries and private homes." ²²

BROKEN: Discrimination against Women

■ *US Department of State:* "Although women enjoy the same legal rights as men, serious discrimination against women persisted. Women faced hiring discrimination, were affected disproportionately by unemployment and received salaries that generally were not commensurate with their education and experience." ²³

BROKEN: Acceptable Conditions of Work

■ *US Department of State*: "While the government undertook administrative actions through its labor inspectors to enforce the minimum wage in the formal sector, the government remained unable to enforce the minimum wage in the informal sector which...accounted for approximately 57.5% of those who earned the minimum wage or less during the year...11.5 million persons." ²⁴

Broken Promises: CAFTA Labor Chapter and Honduras

n 2005, the Central America Free Trade Agreement (CAFTA) was signed by a number of countries including Honduras. In doing so, Honduras agreed to enforce and strengthen its labor laws and standards to meet those of the International Labor Organization's Declaration on Fundamental Principles and Rights at Work. During negotiations, Human Rights Watch and others repeatedly warned of the weaknesses of the labor chapter: "While the accord calls on countries to uphold their own labor laws, which may or may not be consistent with international standards, it provides a weak enforcement mechanism for that limited commitment." In the years since ratification, Honduras has not only failed to meet these standards, but the government seems unconcerned with the repeated labor and human rights abuses committed throughout the country. Direct, retaliatory threats and acts of violence against labor leaders and unionists are prevalent. Unionists in Guatemala have been beaten and intimidated into submission, while Labor leaders have been murdered in cold blood; providing further evidence of FTA labor chapters as ineffectual or, as some call them, proverbial "toothless tigers."

Indeed, conditions for labor rights and workers were significantly worsened after CAFTA went into effect. During the 2009 coup d'etat many labor leaders were killed, labor organizations disbanded, and offices burned. The current regime under President Porfirio Lobo has paid no attention to the crimes committed during the coup and continues to show indifference to workers 'rights. Below are some of the current systemic labor issues facing workers in Honduras.

The Promise of Improved Labor Rights and Conditions

- President George W. Bush, 2005: "To ensure that Central American factories abide by acceptable labor standards, CAFTA insists on stiff fines for violations. And the United States government has committed about \$180 million over five years to ensure that labor laws are enforced. CAFTA is a trade agreement that will be enforced. And we've got the money in the budget to do so."
- President George W. Bush, 2005: "By opening up Central America and the Dominican Republic to U.S. trade and investment, CAFTA will help those countries develop a better life for their citizens...And by helping those economies improve, CAFTA will help the nations strengthen their democracies."

The Reality of Worsened Labor Rights and Working Conditions

Broken: Labor Inspections. The garment and manufacturing workday in Honduras 8 hours by law. 100% of workers interviewed said they regularly work 9-12 hours; some report 12+. Unpaid overtime, payment below minimum wage, and unhealthy/dangerous working conditions are frequent. Weak regulations and inept inspectors combine to a situation where Honduran workers are left stranded; but mostly, the failure comes from the government's failure to enforce labor laws. Many chalk this up to the bribery, corruption, and/or ideological extremity of political figures. In some cases, Labor Inspectors are simply denied access to facilities by employers – the Secretary of Labor rarely fines these companies leading to further violations without recourse.

BROKEN: Union Organizing, Lay-offs and "Collective Agreements." It is common in Honduras for employers to bust union activity through selective lay-offs and selective organization. In addition, mass dismissals of workers seeking to organize, preventing organizer access, and blatant intimidation or workers through threats and "black lists" is frequent. And, even if a union is formed, employers often use "Collective Agreements" with separate groups of workers to offer "perks" to non-union workers, undermining the union.

BROKEN: Subcontracting. Companies often "fragment" their business processes by spinning off assets into independent firms that then get contracted by the original parent. This process allows companies to evade unionization of workforces by making work "temporary" and thus defrauding workers of their non-wage benefits.

BROKEN: Minimum Wage. 36% of Honduran employers refuse to pay at least the minimum wage – approximately \$5.90/hr. And yet, the minimum wage is well below the required rate to cover the basic costs of living.

BROKEN: Social Security. Employers often fail to pay monthly dues, therefore evading their Social Security contributions. And, when they do pay, the amounts sum up to what works for the employer, not the legal requirement. Unlike the U.S., this has direct consequences for employees as well. In some cases, deductions come directly from worker pay to cover the employer's share.

BROKEN: Re-registration of Companies. Often times when companies with unionized workplaces are sold or transferred to new owners/management the operations are "shut down" and "disbanded" only to reopen under a new name. This tactic dissolves unions, and the collective bargaining agreement, upon the "termination" of the original company. Simply, it's a way for prospective business owners to avoid a unionized workforce.

Broken Promises: CAFTA Labor Chapter and Guatemala

n 2005, the Central America Free Trade Agreement (CAFTA) was signed by a number of countries including Guatemala. In doing so, Guatemala agreed to enforce and strengthen its labor laws and standards to meet those of the International Labor Organization's Declaration on Fundamental Principles and Rights at Work. During negotiations, Human Rights Watch and others repeatedly warned of the weaknesses of the labor chapter: "While the accord calls on countries to uphold their own labor laws, which may or may not be consistent with international standards, it provides a weak enforcement mechanism for that limited commitment."

In the years since ratification, Guatemala has not only failed to meet these standards, but the government seems unconcerned with the repeated labor and human rights abuses committed throughout the country. Direct, retaliatory threats and acts of violence against labor leaders and unionists are prevalent. Unionists in Guatemala have been beaten and intimidated into submission, while Labor leaders have been murdered in cold blood; providing further evidence of FTA labor chapters as ineffectual or, as some call them, proverbial "toothless tigers."

The Promise of Improved Labor Rights and Conditions

- USTR Peter Allegier, 2005: "Some in Congress are concerned about labor and environment issues. We are too, and that's why CAFTA includes specific mechanisms for cooperation in the areas of labor and the environment."
- President George W. Bush, 2005: "...I'm also for fair trade. It's one thing to advocate free trade; I believe the government has a role to make sure that trade is fair for all of us. In other words, we want people treating us the way we treat them."

The Reality of Worsened Labor Rights and Working Conditions

BROKEN: Violence Against Labor. Crimes against Labor leaders and workers is commonplace in Guatemala. In recent years, unionists and their leaders have been assassinated, beaten and intimidated. Workers and leaders often face death threats to both themselves and their families. These egregious acts often go uninvestigated by the Government, leaving workers without a basic protection of their human rights. Obviously, this imposes on a workers' freedom to associate, as attempts to organize are met with intense violence and intimidation.

BROKEN: Failure to Enact Labor Laws Consistent w/ ILO Standards. Labor laws in Guatemala are very restricted. In addition, there are significant labor law standards absent from Guatemalan law, while the laws in place lack any sense of strength or protection for workers.

BROKEN: Labor Rights have not been Enforced. The Guatemalan Ministry of Labor has ZERO ability to impose administrative fines on employers. They also lack the ability to procure security forces to force admittance to work sites and inspect for violations of the labor code, resulting in the majority of inspectors being denied access and allowing violations to go unchecked.

BROKEN: Unjust Dismissals. When employers unjustly fire workers there are rarely attempts by the government to seek reinstatement of these workers. And, even if workers win a law suit, the court orders are rarely enforced. As mentioned above, the Ministry of Labor lacks the ability to impose fines on non-compliant employers.

BROKEN: Union Formation. Forming and registering a union in Guatemala is an unreasonably long process – a major impediment to workers who would otherwise form a union. In addition, the Ministry of Labor often grants illegal unions registration. These unions are established and/or supported by the employers.

BROKEN: Re-registration of Companies. Employers often use the loophole of re-registering their companies to dissolve /avoid unions and their collective bargaining agreement. The "new" company rehires temporary workers and/or subcontracts to other "new" employers that are off-shoots of the previous company.

Broken Promises: Bahrain Free Trade Agreement

n early 2006, the U.S.-Bahrain Free Trade Agreement (FTA) was put into effect. The Labor Chapter (15), stated that Parties "shall strive to ensure that ILO standards are recognized and protected by its law." The Government of Bahrain (GoB) has since made NO efforts to implement the ILO standards and has even scaled back/further restricted organizing rights. Meanwhile, the state of Bahrain's poor, working class has worsened due to growing inequality, plummeting wages and eroded standards of living. Furthermore, many people have come to feel disenfranchised since Bahrain is a monarchy in which the majority of positions of power are anointed by the King. In 2012, Bahrain erupted in a series of peaceful protests. While Americans enjoy a protected right of assembly, the peaceful protests in Bahrain – largely led by the country's labor federation – were subjected to brutal reprisals by the GoB security forces (tear gas, beatings, shootings, etc.). The GoB then imposed numerous restrictions on labor and political organizing, including the forced dissolution of the General Federation of Bahraini Trade Unions (BFBTU).

The brutal and murderous actions taken by the GoB are indicative of a nation incapable of respecting the human and labor rights, the role of organized labor, and provide yet another example of the inability of modern FTA labor chapters to effectively protect and empower the rights of workers.

The Promise of Improved Labor Rights and Conditions

- Bahrain Finance Minister Al Khalifa, 2005: "Bahrain recognizes the importance of making progress on labor rights and we are in the process of amending many of our labor laws to be consistent with international standards."
- Former USTR and current U.S. Senator Rob Portman, 2006: The promotion of peaceful commerce...will help end the political turmoil and economic stagnation that has for too long limited the opportunities for people in that region."

The Reality of Worsened Labor Rights and Working Conditions

BROKEN: Brutalizing Peaceful Protesters. To repress protests, GoB riot police moved in using tear gas, batons, and firearms. Many were reported killed or injured. Troops were stationed at hospitals to deny care to wounded protesters, turn away ambulances, and harass doctors and nurses trying to treat the wounded. 30 medical professionals were detained or are still missing. There is no registry for those detained during the protests and many are still unaccounted for.

BROKEN: Child Abuse. Human Rights Watch recently released a report detailing the detention and threats of rape and torture towards child protesters by government security forces.

BROKEN: Ignoring Labor Dialogue. The GFBTU called on the GoB to investigate the attacks committed by their security forces and asked for a national dialogue to commence between the GoB and the people. The GoB agreed but failed to materialize talks.

BROKEN: Blatant Union Busting. The King declared a 3-month state of emergency. This edict allowed the prohibition of public assembly, public political speech, and the operation of NGOs, political societies and unions. The GFBTU countered by calling for a national strike. In early April, security forces surrounded the GFBTU headquarters and blocked all access roads. The GFBTU website was taken down.

BROKEN: Targeted Firings of Workers and Labor Leaders. The months following the protests saw the sacking of some 2000 workers, 6 GFBTU Executive Committee members, and 22 local trade union leaders. In late March, the vice-president, the general secretary, and 4 board members of the Bahraini Teachers Association (BTA) were arrested. The BTA President's home was twice raided by GoB security forces where his wife and children were interrogated.

BROKEN: Major Violations of International Labor Organization (ILO) Standards

- A state of emergency does not give government the right to suspend trade union activity (ILO CFA Digest ¶ 193).
- Workers must not suffer discrimination based on political opinion (Article 1, ILO Convention #111)
- The arrest of trade union leaders and unionists for exercising legitimate activities in relation to their right of association violates the principles of freedom of association. (ILO CFA Digest ¶ 62).
- The rights of workers can only be exercised in an environment free from violence or threats of any kind...and it is the job of government to ensure this principle is respected (ILO CFA Digest ¶ 44).

FOOTNOTES

- Robert Scott, Heading South: U.S.-Mexico trade and job displacement after NAFTA, Economic Policy Institute, May 3, 2011.
- Robert Scott, No Jobs from Trade Pacts: The Trans-Pacific Partnership Could Be Much Worse than the Over-Hyped Korea Deal, Economic Policy Institute, July 18, 2013
- Robert Scott, Trading Away the Manufacturing Advantage: China trade drives down U.S. wages and benefits and eliminates good jobs for U.S. workers, Economic Policy Institute, September 30, 2013
- All the following data is taken from the U.S. Bureau of Economic Analysis and the U.S. Census Bureau.
- Quote of President Bill Clinton in the Los Angeles Times, "New Pacts Break Logjam on Trade" August 14, 1993, http://articles.latimes.com/print/1993-08-14/news/mn-23751_1_trade-pact
- President Bill Clinton, Remarks on the Signing of NAFTA (December 8, 1993), http://millercenter.org/president/speeches/detail/3927
- Testimony of USTR Ambassador Michael Kantor before the House Energy and Commerce Committee, 9/29/1993. Page 13.
- Kate Bronfenbrenner, "No Holds Barred: The Intensification of Employer Opposition to Organizing, American Rights at Work and Economic Policy Institute, 2009
- Human Rights Watch, Country Summary: United States, January 2013. http://www.hrw.org/world-report/2013/country-chapters/united-states
- Human Rights Watch, Country Summary: United States, January 2013. http://www.hrw.org/world-report/2013/country-chapters/united-states
- Amnesty International, 2013 Annual Report: USA, http://www.amnesty.org/en/region/usa/report-2013
- ¹² Human Rights Watch, Country Summary: Mexico, January 2013.
- US Department of State, "Mexico 2012 Human Rights Report," pp. 39-42
- ¹⁴ US Department of State, "Mexico 2012 Human Rights Report," p.43
- US Department of State, "Mexico 2012 Human Rights Report," p. 43
- US Department of State, "Mexico 2012 Human Rights Report," pp. 31-32
- Amnesty International, 2013 Annual Report: Mexico, http://www.amnesty.org/en/region/mexico/report-2013
- Amnesty International, 2013 Annual Report: Mexico, http://www.amnesty.org/en/region/mexico/report-2013
- Congressional Monitoring Group on Labor Rights in Colombia, U.S. House of Representatives, October 2013, p.20
- Congressional Monitoring Group, 2013, pp. 2 and 13-15.
- US Department of State, "Colombia 2012 Human Rights Report," p. 59
- US Department of State, "Colombia 2012 Human Rights Report," p. 62
- US Department of State, "Colombia 2012 Human Rights Report," p. 44
- US Department of State, "Colombia 2012 Human Rights Report," p. 63

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