

**WORKER RIGHTS  
AND THE  
GENERALIZED SYSTEM OF  
PREFERENCES**

*Note: 4/7:*

*all these cases are pulled apart  
and separate*

**The AFL-CIO Petition to the  
Office of the United States Trade Representative  
June 1993**



## INTRODUCTION

(1993 AFL-CIO)

The AFL-CIO is pleased to submit its eighth petition under the worker rights provisions in the Trade Act of 1974, as amended. The 1985 adoption of these provisions promised the opportunity to document flagrant abuses of internationally-recognized worker rights. The internationally-recognized worker rights enumerated in the law include:

- o the right of association;
- o the right to organize and bargain collectively;
- o a prohibition on the use of any form of forced or compulsory labor;
- o a minimum age for the employment of children; and,
- o acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health.

Reference was also made to the ILO Conventions, which serve to elucidate precisely what activities are included in each of these basic worker rights.

The AFL-CIO continues to believe there is a critical difference between the law and the practice of governments and that investigations must examine not only whether a particular government has laws in place allowing for worker rights but whether that government in practice executes necessary regulations to support these rights.

### Government Decisions

As of the date of this filing, no results on the 1992 cases have been released. Therefore, the AFL-CIO reiterates its call for termination of GSP benefits for Bahrain, El Salvador, Fiji, Guatemala, Malawi, Oman, Panama and Thailand.

### 1993 Cases

In addition to the eight countries in our 1992 petition, the AFL-CIO believes that violations of internationally-recognized worker rights are found in Costa Rica, Dominican Republic, Haiti, Malaysia, Maldives, Morocco, Pakistan, Paraguay, and Peru. The AFL-CIO believes these countries should not be eligible beneficiaries of the Generalized System of Preferences. Detailed information is provided on the new cases.



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1. "Powerhouse Penang," The Economist, May 22, 1993, p. 39.
2. ILO Report of Committee of Experts, 1992, p. 273.
3. Decision of USTR on Malaysia GSP case, April 1989, p. 10.
4. "Punish MTUC duo, Govt urged," Star, July 7, 1992.
5. "MTUC won't be punished, says Ghafar," New Straits Times, July 9, 1992.
6. "Watch message in Geneva, MTUC told," Star, May 25, 1993.
7. U.S. Department of Labor, Foreign Labor Trends: Malaysia, 1993, p.11.
8. "Towards a Programme of Action Against Child Bondage," Asia Regional Seminar on Children in Bondage, United Nations Centre for Human Rights, Islamabad, Pakistan, November 1992.
9. "Annual Survey on Violations of Trade Union Rights," 1993, International Confederation of Free Trade Unions, p. 62.
10. Report of the Committee on Freedom of Association, International Labour Office Bulletin, Vol. LXX, 1987, pp. 22, 24.
11. Ibid, p. 24.
12. "Country Report on Human Rights Practices for 1992," U.S. Department of State, 1993, p. 1172.
13. "Freedom of Association Digest of Decisions," Third Edition, 1985, pp. 79, 78.
14. ILO Reports of the Committee on Freedom of Association, Vol. LXXV, 1992, p. 49.
15. Ibid, p. 52.
16. Personal letter from M. Zahoor Awan, Secretary General of the All Pakistan Federation of Labour (APFOL) to Enzo Friso, General Secretary, International Confederation of Free Trade Unions (ICFTU), February 22, 1993.
17. Personal letter from M. Zahoor Awan, APFOL Secretary General, to Balan Nair, Regional Representative of the International Federation of Building and Wood Workers, February 2, 1993.





18. Ibid.

19. Personal letter from M. Zahoor Awan to Enzo Friso, General Secretary, ICFTU, February 22, 1993.

This is not far-fetched rhetoric; PM Sharif had personally visited the Daewoo project and had given assurances to Daewoo in the awarding of the contract.

20. Personal letter from M. Zahoor Awan to Enzo Friso, General Secretary, ICFTU, April 13, 1993.

21. "Foreign Labor Trends: Pakistan, 1989-90" prepared by the American Embassy, Islamabad and released by the U.S. Department of Labor, p. 11.

22. "Annual Survey on Violations of Trade Union Rights," 1993, International Confederation of Free Trade Unions, p. 63.

23. "Act No. VII of 1992" (also called "Finance Act, 1992"), The Gazette of Pakistan: Part I, Acts, Ordinances, President's Orders and Regulations, July 1, 1992, p. 135.

24. "Annual Survey on Violations of Trade Union Rights 1993," International Confederation of Free Trade Unions, p. 63.

25. "Country Report on Human Rights Practices for 1992," p. 1171.

26. The Act as amended specifies, "The President shall not designate any country a beneficiary developing country under this section . . . if such country has not taken or is not taking steps to afford internationally recognized worker rights to workers in the country (including any designated zone in the country). (Emphasis added.)

27. "World Labor Report, 1993," International Labor Organization, 1993, p. 11.

28. "Key Indicators of Developing Asia and Pacific Countries," 1992, Asian Development Bank, Oxford University Press, pp. 258, 259.

21. "World Labor Report, 1993," International Labor Organization, p. 11

30. "Report of the Committee of Experts on the Application of Conventions and Recommendations," International Labor Conference 79th Session, 1992, p. 129.



31. "Report of the Committee of Experts on the Applications of Conventions and Recommendations," International Labor Conference 78th Session, 1991, p. 101.
32. "International Labor Conference Provisional Record: Report on the Committee on the Application of Standards," 1992, p.27/38.
33. "Country Report on Human Rights Practices for 1992," p. 1173
34. "Child Workers in Asia," Vol. 8, No. 3, July-September 1992.
35. "Report of the Committee of Experts on the Application of Conventions and Recommendations, International Labor Conference 79th Session," 1992, p. 130.
36. Ibid and "International Labor Conference Provisional Record: Report on the Committee on the Application of Standards," 1991, p. 24/34.
37. "Country Report on Human Rights Practices for 1992," p. 1173
38. "Foreign Labor Trends: Pakistan," U.S. Department of Labor, 1989-1990, p. 9.
39. State Department, p. 1173.
40. Ibid, p. 1173.
41. As reported by the ILO in "Report of the Committee of Experts....," ILO, 1992, p. 129.
42. Ibid p. 129.
43. State Department, p. 1173.
44. Ibid, p. 1173.
45. Ibid, p. 1174.
46. "Foreign Labor Trends: Pakistan," U.S. Department of Labor, p. 13.
47. Ibid, p. 13.

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