As markets have become more dominant and States have stepped back from some of the tasks (some would say responsibilities) that had motivated governments earlier in the post-war era, consideration was rarely given to whether the actions of governments complied with international human rights agreements. Heed was not routinely given in negotiation of trade pacts to whether some terms might violate norms of labour rights, other human rights or environmental regulation. For example, in the North American trade deals, human rights and environmental questions were treated as side issues, while corporations apparently gained new rights to sue governments if they felt that corporate interests were harmed by State policies.

Globalization and Trade

A loud criticism made by segments of civil society in the age of globalization has been that while the "free market" is being globalized, equal efforts are not made to promote the social rights that bring harmony and balance to western market economies. Citizens' groups, and a few governments, opposed the impending Multilateral Agreement on Investment in 1998 because they saw it as a Trojan Horse through which transnational corporations could overwhelm workers' rights, environmental rights and social entitlements. Many felt that governments would be hamstrung if they wished to retain or revitalize national social safety nets in ways that would fulfil ESC rights obligations.

Labour and other civil society thinkers have also felt that worker and environmental rights were shunted aside in negotiations of regional trade deals such as NAFTA and in reworking the rules of the GATT/World Trade Organization.

Q.1 Are these issues that you would like to debate in the Roundtable concerning globalization, ESCR and foreign policy?

Q.2 Should Canada ensure that members of the government personnel dealing with trade in relevant departments and agencies (DFAIT, Justice, Finance, Human Resources and so on), receive appropriate instruction and advice on Canada's international human rights obligations and in particular ESCR?

Q.3 Should Canada support the idea of a review by UN human rights bodies of international law on trade and investment to identify inconsistencies with international human rights law?

Q.4 Should Canada adopt a policy of insisting that trade and investment pacts be designed to avoid violations of workers' and other ESC rights found in ILO conventions and UN treaties?

Canadian Investment Abroad

UN Secretary-General Kofi Annan has challenged the business community to engage in a global compact of shared values and principles. There has been a strong trend in OECD countries toward formulation of voluntary codes of conduct on ethical practices for international investment by private firms. The impetus has come largely from consumer, church, human rights and labour organizations. Some business and regulatory organizations