

have the desirable effect of legitimately of attracting investment. International obligations should not bar such democratic and useful innovation. But the coherence agenda – both for its principled reasons and pragmatic virtues – recommends more than investment in local enforcement of domestic law. As we have seen, promotion of the core labour rights is a constitutive part of policies required for just and sustainable societies and economies. This suggests a broader and more principled path than the one currently pursued in the Americas – one which goes beyond the informal failsafe that currently provide regarding the core labour rights.

An idea which has been broached in Canada and in Europe deserves greater study as a possible added dimension to further negotiations in the America. As noted above, the Commission of the European Communities recently recommended:

A system whereby states could enter into voluntary reciprocal commitments to respect core ILO standards In order to provide a market incentive to participate in such a system, some system of public recognition could be envisaged Ratification of the relevant contributions would be a first and easily veritable step.

This interesting idea, which could involve for example, bilateral commitments not only to enforce domestic law but the ILO Declaration and the core ILO Conventions. The most innovative element of this suggestion lies in its idea that ILO core Conventions - and ILO processes - can be invoked through reciprocal bilateral (or regional) agreement. This provides a method of taking advantage of multilateral agreement and well established and credible processes. It also establishes a degree of vertical coherence between bilateral, regional, and multilateral dimensions of the core labour rights agenda. Such a linkage would, in my view, enhance the credibility of, especially, bilateral agreements. The result would be in effect the marrying of the ILO Declaration to these agreements providing exactly the right degree of "non-derogation" commitment. And it provides the correct answer to those who see local enforcement as too weak. It is not too weak in general - but it can be usefully supplemented.

A note needs to be added regarding the nature of "promotion" in connection with the agreements on the America. The coherence agenda takes as its starting point the idea that there is a compelling case for promotion of core labour standards as part of a comprehensive understanding of the project of developing just and sustainable societies and economies. Sanctions are ill-conceived in this context, except in cases of flagrant oppression as evaluated by multilateral processes and standards. Capacity building, and to some extent - political consciousness raising, are at the centre of the agenda. In this context the most critical element of "promotion" must be not marketing but provision of resources and capacity building through technical assistance. But in this regard the capacity of the ILO, particularly in the Americas should be considered as essential to this sort of exercise. It seems clear that the ILO and regional arrangements should pursue integrated agendas in this regard. This is an additional reason for linking regional agreements to the core ILO agenda. Thus, negotiations in the Americas should pursue not simply the enforcement of the domestic, but the proposal of linking to the four core labour rights under the Declaration (with a view to ratification of the