

protectionist insofar as all States are obliged to enforce such rights. The Havana Charter (1948) recognized the closed relationships between labor standards and international trade. Moreover, the article XX (e) of GATT, dealing with the products of prison labor, could be expanded by including the basic ILO Conventions (no 87, 98, 29 and 105, 100, 111, 138)¹¹. However, insofar as the adoption of a social clause requires a two-third majority and developing countries are reluctant to such a clause and constitute a majority of WTO members¹², the path toward a social clause at the WTO should take "parallel roads"¹³. As to the Americas, we could think about an "Inter-agency Committee for Human Rights", for OAS and ILO, as the basis for a monitoring organization for human rights in the Western hemisphere (to be included in the FTAA process, or in the Action Plan of the Summit of the Americas).

Can higher labor standards be promoted in a non-protectionist way? Charnovitz (1995; 1994) admitted that the potential for protectionist abuse of the linkage of trade privileges with labor standards is quite high. Such a linkage could be used for trade protection. Moreover, enunciating basic labor rights and their observance would become part of what he called "managed trade". The possibility to promote higher labor standards in a non-

¹¹ Herbert MAIER, «International Labor Standards and Economic Integration: The Perspective of the International Labor Organization», *International Labor Standards and Global Economic Integration: Proceedings of a Symposium*, Washington, U.S. Department of Labor, Bureau of International Labor Affairs, July 1994, p. 13.

¹² Such a possibility is endorsed by T.N. SRINIVASAN (Yale University): «International Labor Standards Once Again», *International Labor Standards and Global Economic Integration* (1994), p. 38.

¹³ THE LAWYERS COMMITTEE FOR HUMAN RIGHTS, *The 1996 Quadrennial Report on Human Rights and U.S. Foreign Policy*, New York, p. 31-42.