

For over forty years, the U.S. has been periodically interested in or lobbying for the inclusion of some form of labour standards provision in the GATT. In 1953, the U.S. made a proposal, which was similar to Article 7 of the Havana Charter, to include a labour standard clause in the GATT. The provision stated that unfair labour conditions "may create difficulties in international trade which nullify or impair benefits under this Agreement."⁵⁵ Unfair labour conditions were defined as the "maintenance of labour conditions below those which the productivity of the industry and economy at large would justify."⁵⁶

During the preparatory phase of the Uruguay Round, November 1985 to September 1986, the U.S. also attempted to have labour standards included in the agenda for the new round of multilateral trade negotiations. The U.S. presented a proposal that the following language be included in the Ministerial Declaration determining the mandate of the Uruguay Round:

"Ministers recognize that [the] denial of worker rights can impede attainment of the objectives of the GATT and can lead to trade distortions, thereby increasing pressures for trade restrictive measures. Accordingly, the negotiations should review the effect of denial of worker rights on contracting parties, and the relationship of worker rights to GATT articles and objectives and related instruments, and consider possible ways of dealing with worker rights issues in the GATT so as to ensure that expanded trade benefits all workers in all countries".⁵⁷

This proposal was not acceptable to the countries participating in the preparatory discussions, and the Ministerial Declaration for the Uruguay Round does not include a reference to workers' rights or standards.

More recently, at the November 1987 meeting of the GATT Council, the U.S. requested the establishment of a GATT Working Party to study the relationship between trade and internationally recognized labour standards. The international labour standards proposed for examination were those relating to: freedom of association; freedom to organize and bargain collectively; freedom from forced or compulsory labour; a minimum age for the employment of children; and measures

⁵⁵ *ibid.*, p. 257.

⁵⁶ *ibid.*

⁵⁷ *ibid.*, p. 280.