

8-18-1993

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### Recommended Citation

Navarro, Carlos. "'alliance For Responsible Trade' Criticizes Labor Parallel Accord In North American Free Trade Agreement (nafta)." (1993). <https://digitalrepository.unm.edu/sourcemex/2934>

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## **"alliance For Responsible Trade" Criticizes Labor Parallel Accord In North American Free Trade Agreement (nafta)**

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*Category/Department: General*

*Published: Wednesday, August 18, 1993*

[Below is the text of an Aug. 13 press release issued by the Alliance for Responsible Trade (ART) on the labor parallel accord for NAFTA. ART is a coalition of labor, environmental, church, women's and public policy groups formed in November 1990. The group, based in Washington DC, has been a vocal critic of NAFTA since its inception. Labor organizations which were consulted by ART in formulating the position included the International Association of Machinists and the International Brotherhood of Electrical Workers.] The labor supplemental agreement to the North American Free Trade Agreement (NAFTA) announced on Aug. 13 leaves labor rights as unprotected as they were under the agreement the Bush administration negotiated. This makes NAFTA completely unacceptable. The side agreement does nothing to protect fundamental worker rights in any of the three countries. With it, NAFTA gives the Salinas administration in Mexico carte blanche to pursue its low-wage strategy. This is harmful not just to Mexican workers but jeopardizes the labor standards of US and Canadian workers as well. This agreement allows for complaints to reach eventual trade sanctions only for matters related to child labor, minimum wage violations and health and safety. While these are important, there are no similar provisions on worker rights. Instead the agreement simply pays lip service to promoting such worker rights as freedom of association, right to organize and bargain collectively, etc., in its preamble. Removing freedom of association and the right of collective bargaining from any effective trade pressures makes Mexico under NAFTA the only developing country in the world to have privileged access to the US market without having to pay attention to these basic human and trade union rights. Our tariff laws require all other countries eligible for the GSP (Generalized System of Preferences) program to be taking steps to afford workers these internationally recognized rights. Furthermore, unlike the environmental side agreement, the labor side agreement does not guarantee any access to the NAFTA administrative or adjudication bodies to individuals or organizations whose members are adversely affected. Without effective trade union rights, Mexican workers cannot defend their own interests. On the other hand, American workers will have to compete with workers earning one tenth of what they earn and who have no real chance of improving their position through the means of collective bargaining. In this side agreement, President Clinton has not kept the commitment that candidate Clinton made in his October 1992, Raleigh, North Carolina, speech. In that speech, Clinton promised not to agree to NAFTA without a supplemental labor agreement that assured workers their basic rights. Those rights include, under the laws of all three countries, the right to organize independent trade unions and to bargain collectively. Under the side agreement, for example, an alleged violation in Mexico of the right to organize or bargain collectively can only be brought to the attention of a National Administration office in either the United States or Canada. If found to be justified, the matter is referred to the US Secretary of Labor. The Secretary of Labor may then raise the alleged violation with his or her Mexican counterpart. However, such alleged violation, under the agreement, may not be taken further in the process: there is no appointment of a Committee of Experts to investigate and make recommendations; no further reference to a dispute settlement panel of experts under the NAFTA; no possibility of fines or sanctions. The

Mexican negotiators, from the beginning of the negotiations, sought to limit the subject matter of the labor side agreement to health and safety and child labor questions; they have sought to shield from the negotiation any consideration of the abusive labor relations practices that are the heart of the Salinas government's low-wage development strategy. That is the position that the American negotiators have now accepted. Beyond the deficiencies in the side agreements themselves, the accords completely fail to deal with many other basic problems in NAFTA. These include provisions establishing an undemocratic dispute resolution mechanism, undermining energy conservation efforts, and threatening the survival of family farms. NAFTA is a fundamentally flawed agreement based on discredited "trickle down" economic policies, and these limited side agreements do not even come close to fixing it. The Alliance for Responsible Trade is committed to the negotiation of trade agreements with Mexico and other nations of the hemisphere that promote rather than undermine democratic institutions, and advance equitable and sustainable development. ART members have, together with Mexican and Canadian counterparts, provided specific suggestions to this end to the negotiators of all three countries, but the end result fails to reflect these goals and principles.

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