



gLAWcal
Global Law Initiatives for Sustainable Development
可持续发展的全球法律倡议

NEWSLETTER

GLAWCAL

Issue 10, 2014

Focus on:

Respect of Human Rights. Insights on Labour Law and Its Violations

INDEX

Focus on

Human Rights

Business and Human Rights	pag. 2
USA Tobacco Farms	pag. 4
Development Policy and Human Rights	pag. 5
Indian Pharmaceutical Sector	pag. 7
Migrant Domestic Workers	pag. 8
Indian Economic Development	pag. 10
Yemen: Child Marriage and FGM	pag. 11
Yemen: Human Rights	pag. 12

Forced Labor

Increasing Forced Labor	pag. 13
Forced Labor as International Crime	pag. 14
Qatar Needs to Reform Labor Laws	pag. 16
Labor Rights in South Asia	pag. 18
Urgency to Reform Qatari Labor Laws	pag. 20
gLAWcal activities	pag. 21



Human Rights

BUSINESS-RELATED HUMAN RIGHTS' ABUSES ARE STRONGLY AFFECTING EUROPE AND CENTRAL ASIA

F

forced labour represents one of the most urgent issues that affect Europe and central Asia. Recently, significant cases have been recorded in UK: Lithuanian migrants forced to work in a chicken farm under threats of violence and intimidation, elderly Polish men employed in a meat-packaging factory subjected to beatings, long working hours and withholding of wages.

Moreover, just to make an example, Uzbekistan is experiencing a situation characterized by a state-sponsored forced labour system in cotton harvests that continues despite strong protests.

The International Trade Union Confederation has strongly highlighted the lack of adequate worker law protections, in order to avoid further abuses of Russian and migrant workers in preparation for the 2018 World Cup in Russia.

In this context, migrants and minorities are vulnerable groups, routinely discriminated. Roma people are often met with working discrimination in Eastern Europe. Religious and ethnic minorities face crippling abuses in many countries, including France and UK.

Human Rights Watch has recently documented alleged mistreatments against migrants who have worked for the Sochi Olympics in Russia this February, that is lacks of wages' payments, withholding of identity documents, and excessive working hours. Some companies nominated by the report declared that they were not aware of abuses.



Modern-Day Slavery

Forced labor is one of the most urgent issues that affect EU and Central Asia



Human Rights

In addition to this, business is a central factor in order to guarantee citizen's privacy and freedom of expression. Internet and communication technologies are employed for mass surveillance by governments, raising debates about the consequent abuses of privacy rights.

European governments play a significant role in this context of continued human rights abuse. But only UK, Netherlands and Denmark have kept their promise to adopt a National Action Plan for the UN Guiding Principles on Business and Human Rights, almost three years after the endorsement by the UN Human Rights Council.

Moreover, Russia, that is one of the sponsors in the UN Human Rights Council resolution endorsing the Guiding Principles, have undertaken inadequate measures to establish such Principles.

On the other side, the inertia of the governments is balanced by the policies of some European companies such as Nestlé and Unilever that have launched concrete measures to implement the respect of human rights.

The European Parliament has recently established non-financial requirements for companies, as a step forward to overcome this complex issue, with the objective to improve protection against business-related human rights exploitation including on data protection.

Europe is experiencing severe business-related human rights abuses, under civil society's eyes. European governments' and enterprises' efforts strongly affected many sectors around the world, being the leading actors in the struggle to eliminate human rights abuses.

The EU Parliament has stressed the urgency to undertake stricter measures to stop human rights abuses.





Human Rights

CHILDREN ARE EXPOSED TO SEVERE RISKS CAUSED BY TOXIC PESTICIDES AND NICOTINE IN USA TOBACCO FARMS

A recent report of Human Rights Watch has revealed that children working on tobacco farms in the United States are exposed to nicotine, toxic pesticides and other dangers.

Although the world's biggest tobacco companies buy tobacco from US farms, none have child labor policies to protect children from hazardous work.

The report outlines the conditions of children who work on tobacco farms in four states which represent the 90 percent of US tobacco production: North Carolina, Kentucky, Tennessee, and Virginia.

*A 16-year-old worker
harvests tobacco on a farm
in Kentucky.*



The report shows that children suffer from diseases such as nausea and headaches while working on tobacco farms: experts warn that these symptoms are the sign of a high degree of nicotine poisoning.

Moreover, the report documents that children are forced to work long hours without overtime pay, in extreme heat without shade or sufficient breaks, and without adequate protective gear, exposed to dangerous nicotine.

Human Rights Watch says that pesticides used in tobacco production, known as neurotoxins, represent one of the major threats for children health. Experts reveal that these pesticides can strongly alter the nervous system.

In addition to that, recent data show that agriculture represents the most dangerous industry open to young workers. Children interviewed by Human Rights Watch described that they had no access to minimum services or a place to wash their hands at worksites. That means leaving them with tobacco or pesticides residue on their hands, even during mealtimes.

In the light of this report, Human Rights Watch has called for global tobacco companies to adopt concrete policies to avoid hazardous child labor in their supply chains, urging companies to prohibit children from engaging in all activities that pose risks to their health and safety, including any work that involves direct contact with tobacco, due to the severe risk of nicotine exposure.



Human Rights

HUMAN RIGHTS SHOULD BE AT CORE OF DEVELOPMENT POLICY

Respecting human rights can make a real difference and not only mitigate harmful practices.

According to the Nobel prize-winner economist Amartya Sen, development can be defined as freedom and enlargement of people's substantive choices. It can only be accomplished if people in the Third World can fully realize their civil, political, cultural and economic rights as well. Material improvements of their lives have to develop hand in hand with human rights ensuring an ending to abuse and discrimination.

A broader definition of development can be applied in the case of Tunisia, which experienced a persistent economic growth of approximately 4 % each year before 2010, resulting in 90% of children attending primary school and a life expectancy close to that of the European average.

However, higher incomes and a better provision of services could not compensate for the cost of corruption, repression and inequality in society. The aftermaths resulted in the aspiration for greater justice, freedom and dignity and demonstrations led to the President Zine al-Abidine Ben Ali stepping down after 23 years in power.

Greater respect of human rights have several advantages for societies and can contribute to the success of development policy. First of all, it can facilitate to make development more just and inclusive which is one of the main pillars of sustainable development. Despite the considerable economic progress achieved by developing countries, millions of people have been left behind with marginal or no improvement in their lives.



Development can be defined as freedom of people's substantive choice.

Human Rights

These people often come from unprivileged groups, such as minorities, women, children, disabled people, indigenous people. The existing social structures preserve the present plight which cannot make it possible for vulnerable social groups to challenge their status or to improve their circumstances. Greater respect for human rights can lift up people from their disadvantaged status and facilitate better access to services, while acquiring land and property.

Secondly, economic modernization should not outperform the significance of human rights. For example, in Ethiopia's Lower Omo Valley, Human Right Watch has perceived that the government displaced indigenous people in order to make way for sugar plantations. This abusive development can happen due to the lack of fair treatment, consultation, legal representation and trade unions and because of the fact that unprivileged groups are not able to demonstrate their interests effectively.



Economic progress should not result in abusive practices. The responsibility of Western governments and corporations is apparent, as their activities and investment can also be harmful for local communities. Consequently, multinational companies and financial institutions have to adhere to international human rights and enhance the transparency and accountability of their operation in poor countries. It should be mandatory to report publicly on human rights and the social and environmental impacts of their work.

Aid conditionality is the final factor which is discussed here. The withdrawal of aid in response to human rights abuses is not an effective solution to the problems, as this action punishes the poorest twice for others' failings (most of the time their governments'). Rather, the channels which are used to deliver the aids should be reconsidered.

One of the solutions can be to re-channel this assistance through NGOs and international organizations. However, delivering aid gearing to correct application of international human rights can be an effective weapon in the hands of wealthy countries.



Human Rights

INDIAN PHARMACEUTICAL SECTOR SPLIT BETWEEN INTELLECTUAL PROPERTY RIGHTS AND ACCESS TO MEDICINES FOR ALL

Indian pharmaceutical sector is largely driven by exports, the country is the biggest foreign supplier of generic medicines to the US, the world's largest drug market. The latest report by the US Trade Representative (USTR) on intellectual property rights (IPR), termed Special 301, retained India on its Priority Watch List of alleged violators of the US patents law.

India's intellectual property rights (IPR) have profoundly affected the pharmaceutical industry. Effective patent protection is necessary to allow investments in innovative lifesaving drugs. If countries do not respect intellectual property (IP) protection, the future of new medicines is at risk, because incentives for the research-based pharmaceutical industry to invest large amount of money in the development of a single new medicine will be undermined.

Pharmaceutical Research and Manufacturers of America's (PhRMA) members want strong patent laws in India. Companies believe that detailed laws will encourage and sustain innovation in the research-based and technology-intensive pharmaceuticals industry.

To improve the access to medicines in India, it is needed to advance sustainable policy solutions.

The strain between the two nations, related to the IPR issue in the pharmaceutical sector, increased after the apex court denied patent protection to Swiss multinational Novartis for its Glivec (an important drug in the treatment of myeloid leukaemia) in India.

Novartis lost a seven-year legal battle after the court ruled that small changes and improvements to the drug Glivec did not amount to innovation deserving a patent. The ruling opens the way for generic companies in India to manufacture and to sell cheap copies of the drug in the developing world.

Such a decision represents a big step forward in enabling poor people to access medicines in the developing world, even though it can discourage future innovation in India, as the Swiss company argued.

On the other hand, Indian government must support the pharmaceutical domestic market, the third-largest exporting sector. In order to improve the access to medicines in India, it is needed to advance sustainable policy solutions to healthcare financing, infrastructure, and human resources challenges rather than focusing on compulsory licenses or other ways of undermining patent protection of innovative medicines.





Human Rights

THE INADEQUATE UK LAW ON THE PROTECTION OF MIGRANT DOMESTIC WORKERS FROM SEVERE ABUSES



A report of Human Rights Watch has recently shown the condition of migrant domestic workers that accompany their employers to the United Kingdom, exposed to serious abuses including forced labor.

The report has also stressed the inappropriateness of the UK law in protecting vulnerable workers: the current system makes harder for workers to escape from abuses.

The report has documented that the abuses include the confiscation of passports, home confinement, physical and psychological abuse, lack of rest days, and very low wages or non-payment of wages.

As such, Human Rights Watch has highlighted that the government have not complied with the international target to protect migrant domestic workers and allow them to access justice if they find themselves in a case of mistreatment.

Despite the recommendations of parliament, nongovernmental organizations, and UN experts, in April 2012 the UK government has abolished the right of migrant domestic workers to change employer once they are in the country: in this way domestic workers cannot legally leave their employer to find new job, staying trapped. As consequence, the only choice to overcome the abuses is to escape, becoming undocumented migrants and subjected to further abuse and exploitation.



Human Rights

The majority of the infringement occurs in private households, the report has shown. Human Rights Watch has revealed that workers work up to 18 hours per day for weeks without breaks, not adequately fed, without the possibility to have a mobile phone or contacting their own families, unable to leave their employers' homes unaccompanied. As for salaries, the already scant wages were even withheld, in some cases.

The British Home Secretary has launched a policy to face and overcome the severe labor abuses in the UK, increasing penalties for slavery, servitude, forced labor, and human trafficking. However, the proposed draft bill makes no reference to the alarming issue of domestic workers. In this framework, Human Rights Watch has stressed the pivotal role of the government to guarantee adequate protection for migrant domestic workers, including the right to change employer, in order to avoid abuses against this vulnerable group of workers.

Data show that every year 15,000 migrant domestic workers arrive in the UK, especially women from Asia and Africa who have already worked for their employers in the Gulf, where the lack of appropriate labor laws and the restrictive system strongly contribute to exploitation.

Moreover, the UK was one of only nine countries that did not vote in favor of the International Labour Organization (ILO) Domestic Workers Convention. In relation to this, Human Rights Watch urges the importance for the government to ensure instruments to protect migrant domestic workers from abuses, in line with European and international human rights law, allowing domestic workers to be aware of their fundamental rights.

Workers work up to 18 hours per day for weeks without breaks.





Human Rights

TWO SIDES OF THE SAME COIN: INDIAN ECONOMIC DEVELOPMENT AND HUMAN RIGHTS CONCERNS

Currently, India is a fast growing democracy, that have been experienced a rapid economic growth. Despite this stunning development, human rights abuses still play a significant role in many parts of the country. In this framework, the well-being and the human rights of millions of people have been threatened by political and separatist violence and by the government's heavy-handed response.

Moreover, economic development has had a strong impact, worsening the livelihoods and the condition of lands in many parts of India. Data show that hundreds of millions live in condition of extreme poverty, and the most vulnerable groups such as women and religious minorities often face severe discrimination and shocking violence.

Reports highlight that in northeastern states and rural areas of central India, people have suffered violence and human rights abuses, caught between armed insurgents and Indian security forces.

Additionally, the state has imprisoned human rights defenders on trumped-up charges, while state-militias supported by the state can operate with impunity. In this context, also terrorist attacks by Hindu and Muslim extremists represent a serious threat in northern and western India.

Furthermore, people in many resource-rich parts of India have been compelled to leave their land due to massive industrial projects without adequate compensation.

The country is experiencing other grave human rights concerns that are damaging Indians' economic, cultural and social rights. Data stress that hundreds of millions of people in India have to live in extreme poverty, suffering most from a poor healthcare system, inadequate education, economic exploitation, sexual abuse, an overwhelmed judicial system, and police brutality.

Despite the benefit of economic development, these problems and others such as the extrajudicial killings by the police and the use of the death penalty still make the country retarded about human rights safeguard, far from international standards.

Particularly in the north of the country, women are forced to face discrimination and abuses, often caused by family members through dowry deaths and honor killings. As heritage of the past, although the growing political and economic empowerment, members of lower castes still represent the main victims of violence and social humiliation.

In addition to that, experts warn that climate change will worsen the current Indian situation, due to events such as rising oceans, melting glaciers, unpredictable monsoons, devastating droughts and polluted water sources, with strong consequences for the society.



The country is experiencing grave human rights concerns.



Human Rights

YEMEN'S NEW LAW ON CHILD BRIDES AND FGM CAN MAKE CONSIDERABLE PROGRESS

W

ithin the confines of the comprehensive Yemeni Child Rights Act, the minimum age for marriage would be 18, in line with the international human rights, moreover it would ban female genital mutilation (FGM). The new legislation also would impose fines on guardians, marriage officials and any other witnesses aware of any offense against the law.

The emergence of the official legislation was facilitated by the push of Yemeni human rights minister, Hooria Mashhour and other actors in the government. The main opponents of the law are the traditional and religious leaders and the parliament's sharia committee.

However, due to the power of the president Abd Rabbuh Mansur Hadi, he is able to overrule their decisions, and it is certain that the growing support for protecting girls from early marriage will shape his decision considerably.

Early marriage and FGM are among the serious problems of Yemen. According to the UN, more than half of Yemeni girls are married by the age of 18, which can impose harmful impacts on their physical, psychological and educational development. In addition, early marriage is only a part of a problem, as abuse often continues in the form of sexual violence and FGM. The new legislation would ban FGM and violence against children, including child labour.

Yemen also recognized the significance of an interlinked approach which is a necessary condition to ensuring those at risk are protected early on from the prospect of a lifetime of abuse. Furthermore, effective implementation and well-resourced health, education and justice systems are also crucial aspects to reach the desired goals.

Stepping forward regarding the rights of girls is also perceptible in other countries in the Arab world. For instance, one of the Pakistani local assembly voted to create a law to introduce a minimum age of 18 for marriage.

Hopefully, Yemeni authorities will seize the moment to achieve major advances which is not only beneficial for the female population but for the entire society. This can mean a huge step toward a future for Yemen where the rights of girls are better respected.





Human Rights

YEMEN: SIGNIFICANT STEPS FORWARD IN THE PROTECTION OF HUMAN RIGHTS

Yemen is expected to vote on a comprehensive Child Rights Act over the coming months, a turning point that would ban child marriage and female genital mutilation (FGM).

The new law represents a breakthrough in the struggle to protect human rights, establishing the minimum age for marriage at eighteen and making Yemen in line with international standards. Additionally, guardians, signatories, marriage officials and any other witnesses aware of any contravention will face stronger sanctions.

In case of endorsement by the prime minister and cabinet, the next step for legislation would be the parliamentary vote. However, the path to achieve concrete and significant results is still controversial.

In 2009, traditional and religious leaders and the parliament's sharia committee strongly opposed the proposal to make 17 the minimum age of marriage for girls. However, the growing support for protecting girls from early marriage is playing a pivotal role, influencing political decisions.

Half of Yemeni girls are married by the age of 18, and this fact can have serious physical, psychological and educational repercussions, the UN has revealed.

A report by Equality Now has portrayed child marriage as a complex phenomenon, that entails a cycle of abuse and discrimination that often includes sexual violence and FGM, a scourge that affects 23% of Yemen's female population.

In this way, the new law represents a fundamental instrument in order to avoid these forms of violence against women and children, including also child labour. However, this challenging approach requires adequate health, education and justice systems and sufficient financial resources. In addition to this, it is important that each actor involved knows their responsibility, ensuring the effective implementation of the law and the proper education of girls about their rights.

Child marriage represents a widespread issue. Some neighbor countries such as Pakistan and Saudi Arabia have recently undertaken some measures in order to guarantee human rights, as a step towards not only for the female population, but for the entire country.

*Schoolgirls in Sana'a,
Yemen*





Forced Labor

COMMITMENTS TO FIGHT THE INCREASING PROBLEM OF FORCED LABOUR

Although forced labour, human trafficking and other forms of modern-day exploitation are often seen as problems related to countries characterized by poverty, crime and corruption, the International Labour Organization (ILO) has recently estimated that 880,000 women, men and children are victims of forced labour in the European Union.

Data alarmingly show that the majority of forced labour victims are European citizens who have migrated between member states. Additionally, the ILO's analysis has outlined cases of domestic servitude in almost all Western European countries.

In addition to this, the studies highlight that almost 21 million people are trapped in forced labour all over the world, and the effects of globalization make difficult to understand if goods are made by workers trapped in exploitative and violent conditions abroad.

In this way, forced labour represents a pivotal human rights issue on international agenda. However, this matter also entails huge financial costs. According to the ILO, workers in forced labour lose about \$21 billion in salaries each year, creating nearly \$44 billion in illegal profits.



International
Labour
Organization

The European Union is playing a fundamental role in order to establish regional mechanisms to protect human rights. However, the differences among states represent an obstacle because some European countries are reluctant to undertake a strong stand to improve global standards preventing forced labour and protecting victims.

In this framework, the ILO Convention 29 on Forced Labour of 1930 represents one of the most important treaties in international labour law, due to its great influence to shape national and international standards.

Governments, trade unions and employers' groups will meet in June to modernise and strengthen the Convention, in order to overcome the blanks about prevention, victim protection, and compensation, establishing also measures to address contemporary patterns including forced labour that takes place in the private economy.

ILO members will also vote on the possibility to include the new supplementary standards in a legally binding protocol that countries could ratify. However, some European countries such as Spain, Sweden, and the United Kingdom have said they prefer a non-binding recommendation.

This choice would mean a step backwards: the spread and the gravity of forced labour requires effective obligations, concrete national action programs and international cooperation. In this way, governments will be able to guarantee a global basis of minimum standards, as a significant breakthrough in the increasingly interconnected world.

ILO's logo



Forced Labor

FORCED LABOUR REPRESENTS THE FASTEST GROWING FORM OF INTERNATIONAL CRIME

A report by the International Labour Organisation (ILO) has recently revealed that forced labour in the global private economy generates illegal profits of \$150 billion a year, at the detriment of millions of people forced to face commercial abuses as sexual exploitation and forced economic labour as domestic work, construction and mining.

Data show that currently 21 million people are suffering from forced labour, trafficking and modern-day slavery. According to the ILO, more than half of these people are women and girls compelled to commercial sexual exploitation and domestic work, while men are usually exploited in agriculture, construction, manufacturing and mining: these sectors account for \$43 billion of the annual illegal profits, the report says.



Moreover, the study stresses that annual profits per victim are among the highest in developed economies and the European Union, followed by countries in the Middle East, Asia-Pacific region and Africa.

Poverty and sudden income shocks represent the principal factors that give rise to forced labour, while lack of education, gender and migration are contributory factors, the study says.

According to this report, the ILO strongly highlights that forced labour is one of the most urgent issue that governments have to address with immediate actions. In this way leaders have to redouble their efforts to face this scourge, strengthening law and policies in order to undertake collaboration with employers to reinforce their commitment against forced labour.

The ILO has recently revealed that forced labour in the global private economy generates illegal profits of \$150 billion a year.





Forced Labor



The UN global initiative to fight human trafficking has alarmingly shown that the trafficking of people represents the fastest-growing form of international crime and also the third-largest criminal industry after drugs and arms trafficking.

In line with that, the ILO has also called for international community to establish stricter measures, focusing on the socioeconomic factors that make people more vulnerable to forced labour especially in the private sector.

To achieve concrete results, governments should take preventive measures, such as reinforce social security guarantees to protect poor households from abusive lending or indenture or investing in education and training in order to increase job opportunities for vulnerable workers.



The ILO highlights that forced labour is one of the most urgent issue that governments have to address with immediate actions



Forced Labor

INTERNATIONAL TRADE UNION WARNED QATAR TO REFORM LABOUR LAWS AS WORLD CUP NEARS

Arrangements on World Cup has highlighted the fact that 4000 migrant workers could die if necessary steps are not taken.

Several countries put pressure on Qatar in order to reform its labour laws to prevent abuse of migrant employees working prepare for the 2022 World Cup.

After the scrutiny of Qatar's human rights, many of the 84 countries speaking at the UN Human Rights Council called on the Gulf state to make an end to its kafala sponsorship system that compels each of its 1.4 million migrant workers to be a single employer.

International Labour Organization also joined this action to enforce Qatar to reform labour laws. The initiative was founded on the facts that there are several reports on the violations of the rights of migrant workers who work in the preparations for the 2022 FIFA World Cup.

Consequently, some recommendations have emerged in order to improve the plight, including scrapping visas which can prevent migrant workers leaving, and receiving legal protection.

Moreover, the UK delegation is fighting for the introduction of a clear timetable on scrapping the sponsorship system and for new rules to protect domestic workers who are not protected by the existing labour law.

Migrant workers in Qatar





Forced Labor

Unfortunately, countries which are the main suppliers of migrant workers to Qatar and hence depend on the jobs provided by the construction boom in the country were less ambitious.

The Qatari authorities have received a report from a law firm DLA Oiper. This report was commissioned in the wake of the global indignation which was induced by the treatment of migrant workers. In addition, human rights organizations put additional pressure on Qatar.

The above mentioned International Trade Union has warned the public that 4000 workers could die before the start of the World Cup in 2022 unless the authorities take steps in order to protect them. Moreover, Amnesty International and Human Rights Watch have detailed cases where the immigrants work for little pay and under unsafe and insanitary conditions. It is also revealed that some workers have been prevented from leaving the countries and others have been not paid.

The alteration in the Labour Law, which are based on the recommendations by the DLA Piper's report are expected to be revealed in the coming weeks.

The abuse of rights of migrant workers also has come to the front of the women's rights and the importance of the freedom of expression.

According to the assistant foreign minister, Sheikh Mohammed bin Abdulrahman bin Jassim Al-Thani, Qatar has recognised that there are some issues and challenges regarding migrant workers. As a consequence, the Qatar government will set out an overall work programme which will improve the shortcomings of the labour laws.

Migrant workers in a labour camp in Qatar





Forced Labor

THE DIFFICULT PATH OF LABOUR RIGHTS IN SOUTH ASIA

T

he Punjab Labour Department has organized the first South Asia Labour Conference (SALC) with the aim to foster labour-friendly policies among South Asian countries. The SAARC countries, the International Labour Organization, the European Union and the World Trade Organization have joined the Conference.

The contribute of this important event is the acknowledgement of the various challenges faced by South Asian countries in order to provide jobs in line with international labour targets and better working conditions, enhancing living standards of labourers and better job opportunities.



South Asia is one of the biggest players in the global development, representing the 70 percent of the world's market. This area has also the world's largest working-age population, a quarter of the world's middle class consumers and a growing labour force. Young people represent the key resource for development.

However, the government has to focus on adequate policies to increase better job opportunities. In this framework, the objective to strengthen the level of productivity - that means improving education and skill development - represents the most important challenge that has to be addressed.



South Asia is one of the biggest players in the global development, representing the 70 percent of the world's market.



Forced Labor

In this way, the pivotal aim of the South Asia Labour Conference has been to undertake measures in order to increase the skill level of workers stopping the alarming vicious poverty circle, and giving labourers decent life conditions.

In addition to this, World Bank's data have shown that South Asia houses 42 percent of the world's poor, more than any other area. According to that, poverty and lack of adequate education strongly affects this region. This situation has been exploited by employers who ignored labour laws and standards.

Salaries do not reflect the minimum target established by the governments. Moreover, the situation is even worse in the private sector: peasants do not receive protection in terms of decent income due to the high degree of exploitation and manipulation that characterized the entire sector.

In this context, a concrete land reform and a urgent agricultural policy represent the only way to overcome the disadvantages that significantly affect this area.



The pivotal aim of the South Asia Labour Conference has been to undertake measures to stop the alarming vicious poverty circle.



Forced Labor

UN STRESSES THE URGENCY TO OVERHAUL QATARI LABOUR LAWS

The UN special rapporteur on the human rights of migrants has recently urged Qatar to halt the mistreatment and the trafficking of domestic workers in the Gulf state and to fundamentally reform and properly enforce labour laws, in order to protect workers from abuses.

The report has strongly stressed the urgency for Qatar to overhaul the labour laws, in order to include domestic workers and to abolish the kafala system that binds migrant workers to their employers, with the final aim of creating a regulated open labour market, allowing workers to change employer and establishing fines for employers that fail to pay wages on time or refuse to comply with adequate accommodation standards.

In its report, the UN has strongly recommended Qatar to establish a legislation on domestic workers that protect labour rights, creating adequate standards of working hours, overtime, working conditions and effective compliance mechanisms, indicating a minimum wage for domestic workers without differences about nationality, and composing blacklists for employers who exploit domestic workers. Moreover, in line with change, the UN stresses that this new legislation should deny employers the possibility to confiscate domestic workers' passports, that is one of the most widespread issues that affects the area.

The UN has recommended Qatar to establish a legislation on domestic workers that protect labour rights.

The UN report has documented many cases of physical, mental and sexual abuses endured by workers due to their employers. Additionally, the report has highlighted that many times women escape to return to their countries of origin because of the abuses they have to suffer at work. In relation to this, the UN has called for Qatar to end the detention of workers that have absconded from their employer and the systematic detention of children and pregnant women.

One of the most worrying problems is that migrants are often seen as property by employers rather than human beings with human rights equal to Qatari nationals, the report has outlined.

Data show that there are an estimated 1.2 million migrant workers in Qatar.

The report falls within the realm of criticism about the conditions endured by those working in the establishment of the 2022 World Cup. In relation to this, the International Trade Union Confederation has warned that 4,000 workers could die due to working conditions before 2022 if Qatar does not adequately reform its laws.

The International Labour Organisation (ILO) has also published a critical report calling on Qatar to make changes in line with international targets.

In this way, the UN report said that the hosting of the World Cup could represent a great incentive for change, with Qatari commitment to achieve better conditions protecting human rights.



gLAWcal activities

FP7-PEOPLE-2010 IRSES

Marie Curie Irises

The event is organized by:

gLAWcal – Global Law Initiatives for Sustainable Development (United Kingdom)

Institutions organizing the Workshop within the LIBEAC Consortium:

University Institute of European Studies (IUSE) in Turin, Italy

University of Piemonte Orientale, Novara, Italy

Peking University, School of Government, Center for European Studies (China)

Tsinghua University, Department of Philosophy (China)

Tsinghua University, School of Public Policy and Management (China)

Aix-Marseille University, CEPERC (France)

Project LIBEAC

Liberalism in Between Europe and China

WORKSHOP ON

**SOCIAL, CULTURAL AND LEGAL PERSPECTIVE ON CHINESE –POLITICAL
AND ECONOMIC – LIBERALISM TODAY**

held at

Peking University, School of Government, Center for European Studies (China)

Time: Morning, 8 Aug. 2014

Beijing, China

8:00 - 8:30 Registration

8:30 Welcoming speeches

8:30 – 8:40

Addressing – Paolo Davide FARAH, West Virginia University (WV, USA), LIBEAC Legal Work-package Leader & Research Unit Coordinator at University Institute of European Studies – IUSE (Italy), gLAWcal – Global Law Initiatives for Sustainable Development (United Kingdom)

Addressing – Jean-Yves HEURTEBISE, LIBEAC Vice-coordinator at Aix-Marseille University, CEPERC - Research Center for Comparative Epistemology and Ergology (France); Fu-Jen Catholic University (Taipei), Department of French Language and Culture; Kozmetsky Global Collaboratory in Stanford University (KGC, USA)



The future of Chinese liberalism and the limits of Developmentalism

What is the future of Liberalism in China?

For Henry S. Rowen (2007) When Will the Chinese People Be Free?
Journal of Democracy 18(3):38-52

TABLE—PREDICTIONS FOR CHINA'S FUTURE

Year	Per Capita GDP (2006 PPP)	Average Years of Schooling (≥25)	Predicted Electoral Rights	Predicted Freedom House Rating
2010	\$8,500	6.3	22	Not Free
2015	\$10,000	6.7	43	Partly Free
2020	\$11,000	7.2	61	Partly Free
2025	\$14,000	7.7	76	Free

The United States National Intelligence Council 2012 prospective report on Global Trends 2030: "China is slated to pass the threshold of US \$15,000 per capita purchasing power parity (PPP) in 11 to 15 years, which is often a trigger for democratization".

gLAWcal activities

SESSION ONE

Chair and Moderator: Paolo Davide FARAH, LIBEAC Legal Work-package Leader & Research Unit Coordinator at University Institute of European Studies – IUSE (Italy)

8:45 – 9:25

LI Qiang, Assistant to the President, Peking University, School of Government, Center for European Studies (China), LIBEAC Research Unit Coordinator at Peking University

The Influence of Liberalism in China

9:25 – 9:40 Discussants of the Paper – Vanessa KOPEC, Aix-Marseille University, CEPERC - Research Center for Comparative Epistemology and Ergology (France) & EU Commission Marie Fellow

Questions and Answers

9:40 – 10:20 Cui Zhiyuan, Tsinghua University, School of Public Policy and Management; LIBEAC Research Unit Coordinator at Tsinghua University, School of Public Policy and Management

Understanding Xi Jinping's Grand Strategy".

10:20 – 10:35 Discussants of the Paper – Jean-Yves HEURTEBISE, FuJen Catholic University (Taipei), Department of French Language and Culture; LIBEAC Vice-coordinator at Aix-Marseille University, CEPERC - Research Center for Comparative Epistemology and Ergology (France); Kozmetsky Global Collaboratory in Stanford University (KGC, USA)

10:35 – 11:05 ZHU Tianbiao, Peking University, School of Government

Neoliberalism and China's Compressed Development

11:05 – 11:20 Discussant of the Paper - Paolo Davide FARAH, LIBEAC Legal Work-package Leader & Research Unit Coordinator at University Institute of European Studies – IUSE (Italy)

11:20 - 11:40 Zhang Xiang, Tsinghua University, School of Public Policy and Management

K'ang Yu-wei's Thoughts about the Problem of the Relationship of Politics and Religion

11:40 – 12:00 Roundtable Questions & Answers

12:00 – 12:15 Break







Chair and Moderator: ZHU Tianbiao, Professor of Peking University, School of Government

12:15 – 12:30

Paolo Davide FARAH, West Virginia University (WV, USA), LIBEAC Legal Work-package Leader & Research Unit Coordinator at University Institute of European Studies – IUSE (Italy), gLAWcal – Global Law Initiatives for Sustainable Development (United Kingdom)

Advantages and Disadvantages of Globalization and Liberalism toward Social, Economic, Environmental and Cultural Rights

12:30 – 12:45

Jean-Yves HEURTEBISE, FuJen Catholic University (Taipei), Department of French Language and Culture; Aix-Marseille University, CEPERC - Research Center for Comparative Epistemology and Ergology (France); Kozmetsky Global Collaboratory in Stanford University (KGC, USA)

The future of Chinese liberalism and the limits of Developmentalism

12:45 – 13:00

Fernando DIAS SIMOES, University of Macau, Faculty of Law (China) & Member of the Scientific Committee of gLAWcal – Global Law Initiatives for Sustainable Development (United Kingdom)

From Civic Behaviour to Environmental Citizenship

13:00 – 13:15

Round Table Discussion with all the participants

LI Qiang, Assistant to the President and Professor of Peking University, School of Government, Director of the Center for European Studies (China), LIBEAC Research Unit Coordinator at Peking University

Vanessa KOPEC, Aix-Marseille University, CEPERC - Research Center for Comparative Epistemology and Ergology (France) & EU Commission Marie Fellow

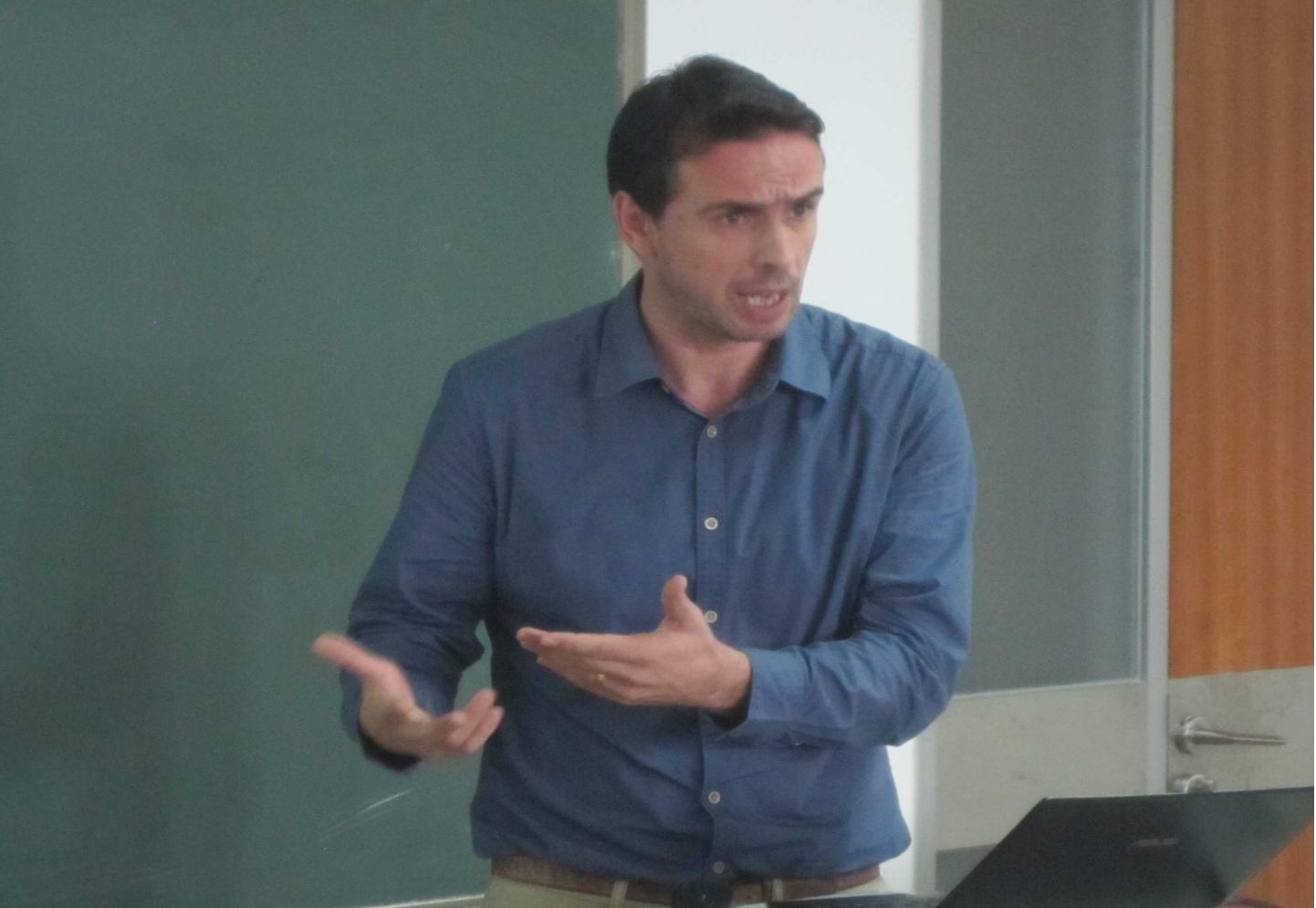
ZHU Tianbiao, Professor of Peking University, School of Government

Jean-Yves HEURTEBISE, FuJen Catholic University (Taipei), Department of French Language and Culture; LIBEAC Vice-coordinator at Aix-Marseille University, CEPERC - Research Center for Comparative Epistemology and Ergology (France); Kozmetsky Global Collaboratory in Stanford University (KGC, USA)

Paolo Davide FARAH, West Virginia University (WV, USA), LIBEAC Legal Work-package Leader & Research Unit Coordinator at University Institute of European Studies – IUSE (Italy), gLAWcal – Global Law Initiatives for Sustainable Development (United Kingdom)

Fernando DIAS SIMOES, University of Macau, Faculty of Law (China) & Member of the Scientific Committee of gLAWcal – Global Law Initiatives for Sustainable Development (United Kingdom)

The event is organized by gLAWcal – Global Law Initiatives for Sustainable Development (United Kingdom) in collaboration with the following beneficiaries and partner institutions of the European Union Research Executive Agency IRSES Project “Liberalism in Between Europe And China” (LIBEAC) coordinated by Aix-Marseille University (CEPERC): University Institute of European Studies (IUSE) in Turin, Italy and University of Piemonte Orientale, Novara, Italy Peking University, School of Government, Center for European Studies (China), Tsinghua University, Department of Philosophy (China). Workpackages 2 and 4





This Special Issue of the Newsletter of gLAWcal with focus on: **"Respect of Human Rights. Insights on Labour Law and Its Violations"** has been realized by gLAWcal—Global Law Initiatives for Sustainable Development in collaboration with the University Institute of European Studies (IUSE) in Turin, Italy and the University of Piemonte Orientale, Novara, Italy which are both beneficiaries of the European Union Research Executive Agency IRSES Project "Liberalism in Between Europe And China" (LIBEAC) coordinated by Aix-Marseille University. This work has been realized in the framework of Workpackages 2 and 4, coordinated by Aix-Marseille University (CEPERC)

GLAWCAL

GLOBAL LAW INITIATIVES FOR SUSTAINABLE DEVELOPMENT

WHO ARE WE

gLAWcal is an independent non-profit research organization (think tank) that aims at providing a new focus on issues related to economic law, globalization and development, namely the relationship between international economy and trade, with special attention to a number of non-trade-related values and concerns.

Through research and policy analysis, gLAWcal sheds a new light on issues such as good governance, human rights, right to water, rights to food, social, economic and cultural rights, labour rights, access to knowledge, public health, social welfare, consumer interests and animal welfare, climate change, energy, environmental protection and sustainable development, product safety, food safety and security.

All these values are directly affected by the global expansion of world trade and should be upheld to balance the excesses of globalization.

Owner and Editor: gLAWcal - Global Law Initiatives for Sustainable Development

Editorial staff: United Kingdom, United States and Italy

Collaborators based in: United States, United Kingdom, Italy, France, Czech Republic, Slovakia, Germany, Spain, Belgium, Switzerland, China, Lebanon, Armenia, Israel

Editorial Project: All unauthorized reproduction, even partial or for internal use, is forbidden.

Contact us: research@glawcal.org.uk