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Trade, investment and labour: interactions in international law

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Are states allowed to prohibit the importation of products made by children? Can foreign investors claim compensation when their host state raises the minimum wage? And could trade and investment agreements be used to foster decent work, instead of being mere vehicles for economic liberalization? These questions are at the heart of the debate about the interactions between the international legal regimes for trade, investment and labour.

This dissertation examines the ways in which international trade and investment law enables and constrains the ability of states to regulate labour. It looks at the effects on domestic labour law, the legality of trade measures responding to 'unfair' conditions in exporting countries, and the challenge of fragmentation between the legal framework of the ILO and labour clauses in trade and investment agreements. In addition to analyzing the interactions between the relevant norms, it explains how linkages between international economic law and labour navigate between two notions: fair competition and fundamental rights. This study is agnostic about which of these objectives ought to shape international law, thus allowing a critical examination of the relevant rules of public international law, as well as legal and economic scholarship.

This is a volume in the series of the Meijers Research Institute and Graduate School of the Leiden Law School of Leiden University. It is part of the Law School's research programme 'Exploring the Frontiers of International Law'.

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