To face the challenge posed by the FTAs as part of the neoliberal policies in the political context we briefly described, the trade union movement in the Americas developed a set of tools and strategies, sometimes used separately, sometimes together. Most of the time a combination of different elements was used and it would be hard to consider the effectiveness of each element outside of the framework and specific combination designed each time both within national borders and transnationally. The different elements we will consider are: the demand for transparency and participation in the negotiations; the demand for social clauses within FTAs and the connected lobbying campaigns; the building of cross-border alliances with other TUs; the building of alliances outside of the TU movement with other social movements; and, the mobilizations and attempts to promote and develop a vision for a new trading system.

3.1 Participation in negotiations
The first and unanimous demand from the labor movements facing any FTA in the Americas was to obtain transparency and participation in the negotiations. This was consistent with the tripartite model of social relationships, but was also a general demand for the labor movement and for others social movements. According to Gonzalo Berron, Regional Integration Advocate of the Trade Unions Confederation of the Americas (TUCA-CSA), “Many trade unions demanding transparency and participation in the negotiations thought that this could offer the possibility to affect the contents of the agreements, others did not believe that this was really possible. After some experiences most of the trade unions had to realize that mere participation was not going to produce any positive effect for workers”40. To participate in the negotiations would in any event allow better access to information and a better possibility to pressure governments in the political realm and it has always been a common demand when facing negotiations. This issue is nevertheless always conditioned by political strategies of the governments. The different approaches of the Lula government of Brazil are noteworthy: on the one hand in the FTAA negotiation, a wide spectrum of social movements was allowed to participate as observers in the negotiations; on the other hand in the negotiations between MERCOSUR and the EU, the same movements were not allowed to participate. According to the CUT representative Kield Jacobsen, the government allowed movements to participate in the FTAA negotiations because this offered the Brazilian government the opportunity to justify the difficulty it would have gaining approval for the

40 Gonzalo Berron, Interview on March 15th, 2009, by Bruno Ciccaglione
agreement—an agreement the Lula government did not want. But the desire to gain an
agreement with the EU that would grant access to the European market for Brazilian
agricultural products, argues the CUT representative, led Lula to refuse the participation of
these same social movements in the negotiations with the EU because it could compromise
the desired result.

3.2 Social clauses
The idea to include provisions to protect worker rights in trade agreements is very
controversial. Inside and outside the labor movement and in many negotiations different
approaches were finally taken. At the multilateral level, that is to say in the WTO, strong
opposition to the inclusion of social clauses came from different directions as a consequence
of different visions. The main argument against a social clause is nevertheless ideological
and based on the idea that labor rights are non-trade issues and should not be allowed to
“contaminate” trade rules. UN Secretary General Kofi Annan seconded this point of view in
1999. Most of the trade unions, on the contrary, have always argued that it would be
important to have a binding `social clause` in the WTO.

If at the multilateral level the discussion never achieved any inclusion of labor rights
protections in the WTO, a series of bilateral and regional free trade agreements have
included labor provisions, although with different approaches on how to link labor rights and
trade. The US has many FTAs with labor standards conditionalities; Canada includes labor
rights obligations in side agreements to its FTAs; Brazil, Argentina, Uruguay and Paraguay
have included labor commitments and institutions as part of the architecture of the

41 The critique of protectionist motives aiming to maintain competitive advantages or privileged positions for
the northern countries was often joined by neoliberal analysts. See the statement by the notorious pro-free
trade economist Jagdish Bhagwati and 98 other intellectualist: “Third World Intellectuals and NGOs
42 “The developing countries, looking at the Social Clause for instance, cannot but regard it as having therefore
been contaminated by the selectivity imposed by the rich nations” - Joint Statement on the Global Compact
proposed by the Secretary-General of the United Nations, July 5, 1999 -
http://www.ppionline.org/ppi_ci.cfm?knlgAreaID=108&subsecID=128&contentID=649
43 “The rules-based multilateral trading system was not designed to address these non-trade issues [meaning
labor rights, human rights, and environmental protection]. To call on it to do so would expose the trading
system to great strain and the risk of increasing protectionism while failing to produce the desired results” -
Joint Statement on the Global Compact proposed by the Secretary-General of the United Nations, July 5,
44 Both in the labor movement and in social movements worldwide, this is not unanimously accepted. Even
considering the multilateral framework as the appropriate venue where labor and social standards should
be debated and promoted, many have a more radical approach to the WTO, considering the latter
institution not as the right and legitimate place for this discussion.