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Universality of international norms — from trans-cultural perspective

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<Abstract>

The author challenges the generally accepted notion of the universal nature of international norms from a trans-cultural perspective. Taking the International Labor Standards established by the International Labour Organization (ILO) as an example, the author raises serious doubt regarding the universality of international norms in the form of ILO Conventions and Recommendations. Most of these standards are not applicable to the reality of most of the non-Western parts of the world because the majority of these standards are formulated fundamentally based on the ideas and substance of the labor laws of Western countries. On the basis of observation of international labor law, the author provides case studies on the applicability of international legal norms based on Western ideas to Japanese reality by using three different fields as examples: 1. regulations on CO₂ emissions, 2. international regulations on whaling and dolphin hunting, and 3. child abduction and the Hague Treaty.

<Keyword>

Universality of international legal norms, double standard of international norms, principle of tripartism, social clause, core labor standards (core Conventions)