

WTO sanctioned trade measures to enforce a right that countries have different views on would be problematic.

"Child labour" is an extremely complex issue. The ILO Conventions that deal with employment of children and young persons appear to be particularly poorly understood. Convention 138, which revises a number of earlier Conventions in the same field, sets out that the minimum age for child labour should not normally be less than 15 years, but does not address child labour exploitation *per se*.¹⁴ Only 46 countries have ratified this convention, and there is increasing recognition that a new convention that addresses exploitation is required.¹⁵ Indeed, the ILO is currently discussing such an initiative. The use of trade sanctions to enforce minimum age requirements could have particularly negative social and economic effects.¹⁶ This view is reflected in a recent OECD analysis which has concluded that:

...part-time work is a fact of life for many children and is neither exploitive nor detrimental to the child's development. It can help young people acquire skills and build confidence. In combating child labour, it is necessary, therefore, to consider carefully its various forms, making a distinction between work and exploitation, and analyzing the developmental and cultural contexts.¹⁷

In short, it is questionable whether linking trade sanctions to the problem of child labour in general or the current ILO "child labour" Convention would be effective.

The ILO Conventions on discrimination and equal remuneration as they stand also appear unsuitable as the basis of engaging in trade actions. Convention 111 aims: "To promote equality of opportunity and treatment in respect of employment and occupation." The goal of Convention 100 is: "Equal remuneration for men and women for work of equal value." These Conventions set down general principles, not

some cases, goes much further than the actual texts of the Conventions, in a manner considered by the employers and many governments to be excessive." Lucile G. Caron, "The ILO, Worker's Rights and 'Core' Labour Standards Within a Globalised Economy.", March 1996.

¹⁴Article 32 of the UN Convention on the Rights of the Child prohibits the economic exploitation of children.

¹⁵Canada has not ratified Convention 138.

¹⁶Also, it is estimated that less than ten percent of child labour is employed in export sectors.

¹⁷OECD, Trade and Labour Standards, COM/DEELSA/TD(96)8, January 1996, p. 21.