

The Right Tool for the Job? Child Labour and Trade Sanctions

This Commentary focuses on one part of the trade and labour nexus.¹ It considers the use of trade sanctions, i.e., a trade instrument, as a response to certain child labour practices. Public pressure to react to child labour practices in foreign countries with which Canada trades, often expressed by advocating trade sanctions, is strong and persistent. For the good of all concerned, however, there is a need to avoid hasty responses. This Commentary sets out some of the characteristics of child labour and suggests that trade sanctions are an ineffective means of addressing the root causes of child labour. The paper highlights that there are many facets to consider in evaluating whether a child's work is either developmental or exploitative in nature, and that the nature of each requires different policy responses. The Canadian public needs to distinguish between these two broad types. While the Canadian government in the formation of its foreign policy needs to take account of both types of child labour, policy responses to the exploitation of children are the most pressing.

Human Rights for Children

The prohibition of the exploitation of children, rather than the abolition of child labour, is the emphasis of the most widely-ratified relevant international instruments.

In September, 1990, the United Nations Convention on the Rights of the Child entered into force, and since that time has received almost universal ratification. The Convention, which defines children as people under the age of 18, sets out that children's "best interests" must be taken into account at all times. It recognizes the right of children to be protected from economic exploitation and from performing work harmful to the child's development, and requires states to take measures to ensure this protection. While there is no formal complaint mechanism under the Convention on the Rights of the Child, a United Nations Committee on the Rights of the Child has

¹ For broader works on international labour standards and trade see: G. Schoepfle and K. Swinnerton, (eds.), International Labor Standards and Global Integration: Proceedings of a Symposium, U.S. Department of Labor, Washington, D.C., 1994; OECD, Trade, Employment and Labour Standards: A study of core worker's rights and international trade, 1996; and, Robert T. Stranks, The New Jerusalem: Globalization, and Some Implications for Canadian Labour Policy, Foreign Affairs and International Trade, Policy Staff Paper No. 94/02, February 1994. The international labour and trade interface is in turn part of the wider question of how economic growth and development may contribute to social development, for example, to the quality of life of children.