International Conference on Child Labour
Oslo, 27-30 October 1997

Legislation and Enforcement

INTERNATIONAL LABOUR OFFICE GENEVA
<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.</td>
<td>The Place of Legislation and Enforcement in the Fight Against Child Labour</td>
<td>1</td>
</tr>
<tr>
<td>II.</td>
<td>International Standards and Child Labour</td>
<td>2</td>
</tr>
<tr>
<td>III.</td>
<td>National Legislation on Child Labour</td>
<td>4</td>
</tr>
<tr>
<td>A.</td>
<td>National Legislation on Minimum Age</td>
<td>4</td>
</tr>
<tr>
<td>B.</td>
<td>National Legislation on Compulsory Education</td>
<td>5</td>
</tr>
<tr>
<td>C.</td>
<td>National Legislation on Hazardous Work</td>
<td>6</td>
</tr>
<tr>
<td>D.</td>
<td>National Legislation Attacking the Most Serious Forms of Exploitation of Children</td>
<td>6</td>
</tr>
<tr>
<td>IV.</td>
<td>Problems of Enforcement</td>
<td>7</td>
</tr>
<tr>
<td>V.</td>
<td>The Way Forward</td>
<td>9</td>
</tr>
</tbody>
</table>
I. THE PLACE OF LEGISLATION AND ENFORCEMENT IN THE FIGHT AGAINST CHILD LABOUR.

1. Until recently, countries have relied extensively - indeed almost exclusively - on legislation to regulate and eradicate child labour. But experience has shown that child labour cannot be eliminated by legislation alone. In spite of the existence in virtually all countries of the world of laws and regulations which prohibit or place severe restrictions on any or many forms of child labour, the problem has not disappeared. Far from it; some 120 million children between the ages of 5 and 14 are estimated to be engaged in economic activities, many of them in the most unacceptable conditions and in violation of or outside of the law. It is all too obvious that child labour is a complex phenomenon deeply rooted in the economic, social and cultural characteristics of the society in which it exists. Legislation alone cannot bring about the societal changes that are necessary to tackle the problem. It can only be effectively tackled through a comprehensive strategy, involving many types of action, aiming to create the conditions in which child labour ceases to be accepted as a regrettable but inescapable fact of life, and is progressively eliminated. The various papers for this meeting will be dealing with some of the key elements of such a strategy.

2. Nevertheless, legislative action is important and must clearly form the backbone of any strategy to combat child labour. In the area of child labour, as in any other area of social policy, a solid legislative framework has an essential role to play in bringing about social change and social progress based on universally accepted values concerning the dignity of the human person, respect for human rights and the protection of the weak and vulnerable. It must provide a yardstick for what is and is not permissible in the world of work, and a framework for establishing a fair and just employment relationship. Children are particularly in need of the protection of the law, since they have virtually no negotiating power in the labour market, and are therefore least able to protect themselves. And the legislation must be enforced - and enforceable; nothing is more damaging to the credibility of legislation, and to the rule of law, than the lack or the weakness of enforcement mechanisms.

3. This paper will provide a brief overview of the current state of national and international legislation relating to child labour and of the problems of enforcement. It will begin with a review of international instruments (Chapter II), before turning in Chapter III to some of the more salient trends in national legislation. Chapter IV will examine the effectiveness of enforcement mechanisms, and a final Chapter will contain some reflections on the main lessons to be learned in making both law and enforcement more effective.

4. The present paper is essentially a condensed version of a report prepared for a discussion of child labour at the 86th Session of the International Labour Conference (1998) which will be considering the adoption of new international instruments on the subject.1 More detailed information can be found in that report.

II. INTERNATIONAL STANDARDS AND CHILD LABOUR

5. A good number of ILO Conventions and other international treaties are relevant to child labour and the protection of children against the most intolerable forms of exploitation and abuse. The most significant of these are reviewed below.

6. The United Nations Convention on the Rights of the Child, 1989, is the most comprehensive international treaty on the rights of children, whom it defines as persons under the age of 18 unless the age of majority is attained earlier. It seeks to protect a wide range of children's rights, including the right to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with their education, or to be harmful to their health or physical, mental, spiritual or social development. It requires States Parties, with indirect reference to international labour standards, to provide for a minimum age or minimum ages for admission to employment, to regulate hours and conditions of employment, and to apply appropriate penalties or other sanctions to ensure the effective enforcement of its provisions. The International Labour Office regularly sends information relating to the application of the relevant provisions of the instrument to the Committee on the rights of the child, which examines the reports of States Parties on the application of the Convention.

7. Since its establishment the ILO has adopted numerous Conventions on child labour. The approach adopted in the ILO's standards has been to set a specific minimum age for admission to employment or work, either for a particular sector of the economy or for the whole of it, while allowing for certain exceptions. The very first child labour Convention, adopted in 1919, prohibited the work of children under the age of 14 in industrial establishments. Subsequently, nine further Conventions were adopted on the minimum age for admission to employment in specific sectors. The most recent and the most comprehensive ILO Convention on the subject - the Minimum Age Convention, 1973 (No. 138) - obliges ratifying States to fix a minimum age for admission to employment or work and to pursue a national policy designed to ensure the effective abolition of child labour. The accompanying Recommendation (No. 146) sets out the broad policy framework and essential policy measures for the prevention of child labour and its elimination.

8. Convention No. 138 and Recommendation No. 146 represent important advances in international legislation on child labour for several reasons. They are the first ILO standards to recognize that legislation fixing a minimum age for admission to employment or work needs to be part of a comprehensive national policy aimed at the complete abolition of child labour. They represent a dynamic approach to the problem, encouraging the progressive improvement of standards and sustained action to attain the objective of the ultimate elimination of child labour. They require a minimum age for employment or work which, unlike previous instruments on the subject, applies to all sectors of activity, whether or not children are employed for wages. But a considerable amount of flexibility is built in to allow for progressive implementation.

9. Thus, the Convention lays down the basic principle that the minimum age for admission to employment or work should not be less than the age for completing compulsory schooling and in no event less than age 15; it also provides that the minimum age should be progressively raised to a level consistent with the fullest physical and mental development of young persons. But it permits the employment of young persons between the ages of 13 and 15 on light work - i.e. work that is not likely to be harmful to the health or development of young persons, and not
such as to prejudice their attendance at school or vocational training programmes or diminish
their capacity to benefit from the instruction received. It also allows an element of flexibility for
countries whose economy and educational facilities are insufficiently developed; such countries
can initially specify a general minimum age of 14 instead of 15, and a minimum age for light
work of 12 instead of 13. On the other hand, the Convention sets a higher minimum age of 18
for hazardous work, defined as work “which by its nature or the circumstances in which it is
carried out is likely to jeopardize the health, safety or morals of young persons”.

10. The Convention makes it possible to exclude from its scope limited categories of
employment and work which raise special problems of application - for example, where there
would be practical difficulties of enforcement (although not specified in the Convention,
examples such as domestic service and home work were given during the discussions). The
Convention also gives developing countries the possibility of limiting initially the scope of its
application by specifying the branches of activity or types of undertakings to which the
Convention will apply - but it lists seven sectors that must be covered.  

11. Finally, the Convention requires that all necessary measures be taken to ensure the
effective enforcement of its provisions - including the provision of appropriate penalties.

12. Mention should also be made of another ILO Convention that is crucial to the protection
of children against the worst forms of exploitation - the Forced Labour Convention, 1930
(No. 29), which aims at suppressing the use of forced or compulsory labour - defined as “work
or service which is exacted from any person under the menace of any penalty and for which the
said person has not offered himself voluntarily”. Since it applies to everyone, whatever age, it
protects children from forced and compulsory labour and is applied to some of the most
intolerable forms of child labour, such as children in bondage and their exploitation in
prostitution and pornography.

13. These Conventions have undoubtedly had considerable impact on national legislation and
practice. The United Nations Convention on the Rights of the Child has achieved virtually
universal ratification. The great majority of ILO member States (133 out of 173) have ratified
at least one of the ILO’s Conventions on minimum age for admission to employment, and 139
of them have ratified the Forced Labour Convention, 1930 (No. 29). A large majority of the
countries of the world have therefore committed themselves to combating the worst forms of
exploitation, and to adopting measures to deal with child labour in at least certain branches of
activity. Convention No. 138 which, as noted above, is the most comprehensive of the ILO’s
Conventions concerning minimum age for admission to employment, and which is of
fundamental importance to the ILO’s action to combat child labour, however, has been ratified
by just 49 countries. Only 21 developing countries have ratified it, and include few in Asia where
over half of all working children are found. However, Nepal and the Philippines recently ratified
the Convention and more than 30 other countries have either begun the ratification procedure or
are seriously considering it. But because this Convention is considered by many countries as
being too complex and too difficult to apply in all its details, the International Labour Office
intends to take more vigorous action to promote ratification by providing technical advisory
services and a better explanation of the instrument and its flexibility clauses.

14. At the same time, there has been growing international consensus that more specific

2Mining and quarrying; manufacturing; construction; electricity, gas and water; sanitary services; transport, storage
and communication; and plantations and other agricultural undertakings (excluding family and small-scale holdings).
attention needs to be given to intolerable forms of child labour. Thus, the International Labour Conference will consider at its forthcoming Session in 1998 the adoption of draft instruments focusing on extreme forms of child labour. The Conference will have before it a text in the form of Proposed Conclusions for its first discussion of the subject. The 1999 Conference will consider the final adoption of a new Convention and Recommendation on extreme forms of child labour.

15. To develop the Proposed Conclusions, a questionnaire was sent to member States seeking their views on the form new instruments should take and the possible content of the instruments. Their replies will be summarized in a report to the Conference.

16. As envisaged in the Questionnaire, a new Convention could require ratifying member States to take measures to secure the immediate suppression of extreme forms of child labour, namely work or activities which are likely to jeopardize the health, safety or morals of children to the extent that under no circumstances should children be engaged in them. This includes all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, forced or compulsory labour including debt bondage and serfdom; and the use, engagement or offering of a child in illegal activities, for prostitution, the production of pornography or pornographic performances.

17. The Convention would also call for effective enforcement measures, including criminal penalties, and emphasize international cooperation and assistance in eliminating extreme forms of child labour. Thus, Convention No. 138 and Recommendation No. 146 remain the fundamental ILO instruments for the abolition of child labour, while new instruments would establish the immediate suppression of extreme forms of child labour as the priority of national and international action to abolish child labour.

III. NATIONAL LEGISLATION ON CHILD LABOUR

A. National Legislation on Minimum Age

18. A review of the legislation of 155 member States shows that virtually all countries have enacted legislation setting a basic minimum age for admission to employment or work, and that many of them conforms to the spirit of Convention No. 138. Some 45 set the minimum age at 15 and 37 at 14. In 23 countries the basic minimum age is 16.

19. However, many have not established a single minimum age for admission to any employment or work as required by Convention No. 138; only 33 (or one-fifth of the countries surveyed) have done so, and only in Europe is this common practice. Outside Europe the practice most frequently encountered is to prescribe a basic minimum age but to limit it to specified sectors or occupations. Another approach, followed in about one-quarter of the countries surveyed, is to prescribe different minimum ages according to sectors of economic activity, while totally excluding from coverage certain sectors or occupations.

20. No country excludes industry, but agriculture is excluded in about a quarter of the countries examined - most of them in Asia. Commerce is excluded from general rules on minimum age in 17 countries and in 13 others exceptions can be enacted by the competent

---

4For further details concerning the possible scope and purpose of this new instrument, and its relationship to existing instruments, see ILO: Child Labour: Targeting the Intolerable, op.cit.
Legislation and Enforcement

21. But equally significant is the fact that certain types of undertaking or categories of work are frequently excluded from the coverage of minimum age legislation. One of the most common exclusions, found in some 60 countries, concerns family undertakings, defined with varying degrees of rigour. Another category widely excluded is domestic service. Moreover, undertakings employing fewer than a specified number of workers (often 10) are excluded from the scope of such legislation in many countries. And in the great majority of the countries surveyed - some 135 - exceptions from general rules may be granted by the competent authority.

22. These exclusions are significant, since they point to major gaps in minimum age legislation - or to major limitations in the potential role of such legislation in combating child labour. The vast majority of working children are found in sectors or occupations which are most frequently excluded from minimum age legislation - in agriculture, domestic service, and the small workshops and family undertakings of the informal sector.

23. In about half the countries examined certain types of light work are permitted for children below the generally prescribed minimum age. The 12-year minimum age for light work dominates in the Americas and Africa, while it is more common in Europe to fix the limit at 13 or 14 years. Only about 20 countries which waive the basic minimum age for light work subject such exceptions to all the conditions laid down in Convention No. 138 - namely that the work should not be harmful to the child’s health or development, should not interfere with the child’s schooling and should not be for more than specifically prescribed hours of work.

B. National Legislation on Compulsory Education

24. Compulsory education has historically been one of the most effective instruments for eliminating child labour in practice. Compulsory education laws and minimum age laws are clearly interdependent; the enforcement of one contributes to the enforcement of the other. That is why Convention No. 138 explicitly links the minimum age for admission to employment with the age of completion of compulsory schooling.

25. While this link is normally well reflected in the legislation of industrialized countries, there is a discrepancy in many other countries between the minimum school-leaving age and the minimum age for admission to employment. In a number of countries the former is higher than the latter, which allows children access to employment or work before they have completed the required minimum number of years of schooling. As soon as the law permits them to work, many children - particularly from deprived families - stop going to school. The converse also creates problems. In countries where the minimum age for admission to employment or work is higher than the minimum school-leaving age, children who leave school at the statutory age have to wait - sometimes for up to three years - before they can lawfully engage in economic activity. Many of them, of course, do not wait, and start to work illegally.

C. National Legislation on Hazardous Work

26. As was mentioned earlier, Convention No. 138 sets a minimum age of 18 for employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety or morals of young persons. The legislation of the vast majority of countries does indeed recognize the need to protect children from hazardous work; most of them fix a
minimum age limit of 18 for such work, but a number prescribe a minimum age of 16 or 17.

27. Few countries provide comprehensive definitions of dangerous or hazardous work in their principal legislation. Usually, it is referred to in general terms as work presenting dangers to the health, safety or morals of children (i.e. the language used in Convention No. 138). Very few countries rely on general prohibitions, however. The most common approach is to list in detail the hazardous industries, occupations or activities in which children should not be employed - including, for instance, underground work, maritime work, work with moving machinery, work with explosives or noxious substances, construction and demolition work, transportation and entertainment. Reference is also frequently made in national legislation to work which is physically arduous for young persons or out of proportion to their strength; and in some cases the concept of hazardous work extends to situations where inexperience or lack of mature judgement could present risks to the safety of others. Another approach is to define hazards in the physical environment to which children should not be exposed, or ergonomic hazards which are especially dangerous for children.

D. National Legislation attacking the most serious Forms of Exploitation of Children

28. Most countries in the world prohibit forced labour in their constitutional texts or in their general labour legislation, and many of these provisions are clearly inspired by the ILO’s Forced Labour Convention, 1930 (No. 29). Two countries, India and Pakistan, have adopted legislation specifically outlawing bonded labour. While very few of these constitutional or legislative provisions make any specific reference to children, they cover children as well as any other sections of the population. In a very large number of countries, therefore, existing texts appear to offer adequate legal protection against the most exploitative forms of child labour. The problem lies in the difficulties of enforcement, to which we shall return later.

29. However, considerable publicity has been given in recent years to particularly serious, brutal and obnoxious forms of abuse of children - namely, child prostitution, child pornography and the sale and trafficking of children. These are recognized to be criminal offences in the laws of most countries of the world. But they are also forms of economic exploitation akin to forced labour and slavery and need therefore to be mentioned in the present report.

30. The predominant approach to combating child prostitution is to rely on the repressive and deterrent effect of criminal law. Some countries have enacted specific provisions on child prostitution or sexual exploitation and abuse, but in most countries general laws concerning prostitution also apply to children, and it is common to provide higher penalties for involving persons below a given age. It is also general practice to criminalize two main aspects of child prostitution: on the one hand taking advantage of the helplessness of children to force them to engage in sexual activities; and on the other hand deriving economic benefit from the sexual activities of the child. Most countries also criminalize sexual relations with minors.

31. Sexual exploitation of children has become a problem with international implications. Sex tourism - i.e. tourists who travel to engage in sexual relations with children - is a growing phenomenon, and a number of countries have recently extended their criminal jurisdiction to cover the criminal acts of their citizens committed against children in other countries. Some are also adopting measures to prohibit the organization of travel for sex tourism.
32. Sale and trafficking of children is dealt with by general legislation in most countries, but special provisions on the sale and trafficking of children have been adopted in a number of countries. According to the United Nations Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography, even though many countries have legislation banning the sale of children, the number of prosecutions that actually take place is generally very low.

33. Most countries have laws containing specific references to child pornography, but laws regulating pornography in general or obscene or indecent publications also cover this form of exploitation of children. It is a common practice to make it a crime both to produce and to disseminate child pornography, with generally higher penalties for commercializing it. Possession of pornographic material depicting children has also recently become a criminal offence in some countries. The use of new technologies to construct and disseminate child pornography, and to make it instantly available to a global audience through Internet, presents a major new challenge to law-makers and law enforcement officials alike, and calls for new forms of international cooperation.

IV. Problems of enforcement

34. Convention No. 138 requires governments to take all necessary measures, including the application of penalties, to ensure effective enforcement of its provisions, and it requires employers to keep registers or other documents showing the names and ages of persons under the age of 18 who work for them. The accompanying Recommendation (No. 146) gives more detailed guidance such as training labour inspectors to detect and correct child labour abuses, focusing on hazardous work and measures to facilitate verification of ages. Most national legislation contains specific measures to facilitate enforcement of minimum age and other provisions relating to child labour. Virtually all countries have some form of labour inspection, and 118 countries have ratified the Labour Inspection Convention, 1947 (No. 81) which specifies that among the primary duties of inspectors is the enforcement of legal provisions relating to the employment of children. Nevertheless, many countries encounter serious problems of enforcement.

35. In the majority of countries the law holds the employer responsible for violations of child labour laws, although some national legislation also places a burden of responsibility on parents or legal guardians. Among the obligations imposed on employers in various countries is to keep records of the young persons employed by them, to obtain work permits for persons below a certain age, or to display notices on the legislation governing the employment of children and young persons. Penalties for violation of the relevant laws can vary from money penalties to imprisonment or even cancellation of licences to operate.

36. But in many countries enforcement is hampered by weaknesses in the labour inspection system. Labour inspectorates, especially in developing countries, are notoriously understaffed and overburdened with many functions besides the enforcement of child labour legislation. A number of countries do not have labour inspectors trained or specialized in child labour matters. Another problem that they face is lack of transportation to reach and inspect establishments outside the major cities, which makes it virtually impossible for them to monitor the situation.

---

Legislation and Enforcement

In rural areas where by far the greatest number of working children are to be found, and where major hazards and bonded labour are common. Other limitations are placed on their action by not having easy access to certain workplaces (e.g. private residences in the case of child domestic workers), and it is obviously difficult if not impossible for them to cover the myriads of small establishments where child labour is particularly prevalent (e.g. family enterprises and the small workshops of the informal sector which generally operate in clandestine conditions and are in any case frequently beyond the scope of much of the legislation relating to child labour).

Moreover, inspectors often operate in a particularly unfavourable environment. They tend to be faced with public indifference, apathy from the public authorities, the hostility of powerful economic interest groups, and the complicity of children and their parents. Parents in particular frequently do not know of the existence of the relevant laws and regulations, and are therefore unaware of the illegal nature of their children’s work. This ignorance, and their need for the income generated by children’s work, may explain why there are so few complaints about the employment of children in exploitative or hazardous conditions.

Yet another problem faced by law enforcement personnel is proving the age of the child. Defaulting employers have been found to have produced dubious age certificates purporting to prove that the child in question is over the minimum age, and parents sometimes support such false statements for fear of losing their own or their children’s jobs. In any case the procedures for filing complaints can be so lengthy and complicated that they deter poor and often illiterate families from using them.

Faced with these obstacles, it is hardly surprising that labour inspectors are frequently frustrated and lack motivation. They tend to be poorly paid, which sometimes makes them susceptible to bribery; they have a low position in the hierarchy; and they are sometimes subjected to political pressure to prevent them from intervening in a particular establishment or to turn a blind eye to illegal and exploitative practices.

Nonetheless, there has been some progress in enforcement through targeted campaigns, training of inspectors, enactment and enforcement of stricter penalties and increased international assistance.

And then there is the special problem of bonded child labour. While almost all countries have legal provisions against bonded labour, enforcement is particularly difficult because of its clandestine nature. This has been a concern of the ILO supervisory bodies which, in examining the application of Convention No. 29, have on many occasions raised doubts about effective enforcement measures to eliminate child bonded labour. Most cases of child bonded labour occur in very remote areas where monitoring by inspectors and law enforcement officers is difficult. Many smaller operations escape the scrutiny of inspection, either because they do not come under the existing regulations or because they are not registered. Public apathy and the presence of powerful vested interests are also major obstacles. The problem has been described by the Indian Commission on Rural Labour in the following terms:

"Debt bondage has its roots in the socio-economic structure of rural areas characterized by feudal and semi-feudal conditions, hierarchical caste system, abject poverty and ignorance coupled with social customs."

The challenge is therefore the far-reaching one of transforming age-old systems of social

---

6For further discussion, see ILO, Child Labour. Targeting the Intolerable, op. cit., chapter 5.
relationships and methods of production which result in bonded labour being tolerated and accepted as a normal and proper state of affairs. Moreover, although in the two countries mentioned there has been sufficient political will at the national level to enact legislation to attack the problem, the political will to enforce it is lacking at the local level. Bond masters are frequently connected, by caste and by the social and political hierarchy of the community, with the local officials, including police officers, factory inspectors, and other local authorities who have a role to play in safeguarding the rights of children. On the other hand, those who stand to gain from the abolition of debt bondage are precisely those who are least able to exert pressure to claim their rights. Bonded labourers who attempt to organize or otherwise press for the enforcement of the law can meet with a violent response.

42. The difficulties of enforcing legislation to combat commercial sexual exploitation of children and the sale and trafficking of children are also daunting. In spite of a few recent highly publicized cases where offenders have been brought to justice, and which have served to arouse public indignation on the matter, these particularly repulsive forms of exploitation of children are not easily detected or repressed. They are for the most part invisible, since children drawn into the net of prostitution are generally hidden from public scrutiny, and are frequently moved from one place to another. It is also a global phenomenon which knows no frontiers, and has become a highly lucrative and profitable business. Moreover, the remarkable advances in computer technology have made the problem of child pornography even more difficult to control. Various national and international approaches are being taken to improve detection and prosecution of offenders including enactment of extra-territorial legislation, exchange of information, judicial assistance and cooperation, awareness raising, protection for victims, and innovative investigative and surveillance methods.

V. The Way Forward

43. The difficulties of enforcing child labour legislation are due not only to deficiencies in the legal system and to weaknesses of the enforcement mechanisms. They are also due to the complexities of the phenomenon of child labour and to the economic and socio-cultural context - particularly in developing countries - in which it is performed. In the combat against child labour the real challenge is to design a coherent programme which tackles the deep-seated economic, social and cultural factors that contribute to the exploitation of children.

44. Nevertheless, an adequate legislative framework and an effective enforcement machinery are essential components of any strategy to combat child labour. And since the problem cannot be solved overnight, it is important to concentrate national and international efforts on the most serious and intolerable forms of child labour - such as slave-like practices, forced and bonded labour, child prostitution and children's work in the most hazardous and insanitary occupations and industries. There needs to be a solid legislative basis for action to banish such practices, as well as effective procedures and mechanisms for enforcing the law.

45. As regards enforcement, much can be done to improve the performance of labour inspectorates in combating child labour, and in many countries renewed efforts have yielded some positive results. In several countries there have been reported increases in the number of inspections carried out to detect child labour violations, in the number of cases registered and in the number of convictions.
46. A strengthened political will is, of course, a prerequisite for more vigorous action by labour inspectorates, and for developing their capacity to undertake such action. In some countries inspectorates have been directed to give special priority to the inspection of establishments employing (or suspected of employing) child labour. But much remains to be done. Labour inspectors and other enforcement personnel clearly need the resources to carry out their tasks adequately, as well as the authority and the political and judicial support necessary to carry out their sometimes delicate mission. They require special training to be able to assess the conditions in which children work, to diagnose the hazards to which they are exposed, and to detect and to deal with the most flagrant violations.

47. Moreover, the aim is not only to remove children from hazardous or harmful work in one sector or establishment, but also to make sure that they are not driven to more clandestine and possibly even more hazardous work in more intolerable conditions elsewhere. A major effort of rehabilitation is therefore just as essential as the removal of children from hazardous work. Combating child labour is therefore not a task for labour inspectors alone; they need to work in close cooperation with other public or community bodies who have a role to play in the rehabilitation, counselling and support of children and their parents.

48. Indeed, a potentially effective way to improve enforcement of laws relating to child labour is to strengthen links between the inspection services and community organizations. Workers' and employers' organizations have a critical role to play. Some have established specialized units with responsibility to address child labour issues and sensitize and mobilize their members. Local communities, social workers and NGOs can be powerful partners in the struggle against child labour; they are more likely than official labour inspectors to have access to, or information about, the conditions of children employed in rural areas, the informal sector or domestic service. Official law enforcement agencies could help to train and support local community bodies to assume a significant role in the protection of working children.

49. Child labour and the exploitation and abuse of children have become major issues of international concern. They should also become important subjects of international cooperation. The task of the international community should not be simply to condemn countries where child labour exists. The aim of international cooperation should be threefold:

- Firstly, to develop a world-wide commitment to the abolition of child labour, and particularly to the adoption of immediate measures to abolish the most hazardous and unacceptable forms of exploitation of children. The new Convention that is expected to emerge from the discussion at the International Labour Conference in the coming two years should help to generate the necessary political will to achieve this aim, and to provide countries with guidance on the legislative and other measures to be adopted.

- Secondly, to support and assist national initiatives for the enforcement of legislation relating to child labour. For example, through its International Programme for the Elimination of Child Labour (IPEC), the ILO is supporting a number of innovative programmes for strengthening the capacity of labour inspectorates to deal with the problem of child labour.

- Thirdly, to overcome the legal and procedural difficulties that arise in dealing with offences committed against children in one country by persons who are nationals of or resident in another country. International agreements need to be developed to facilitate the detection, prosecution and punishment of those responsible for acts involving the sale and trafficking of children, child prostitution and child pornography, and international
cooperation for this purpose among national police forces and law enforcement agencies needs to be encouraged.

50. Much has been done in recent years to strengthen awareness of the extent of child labour, of the ways in which children are exploited and of the consequences for the children concerned, for their families and for society as a whole. It is increasingly accepted that, even though the combat against child labour is difficult because of the complexity of the problem, there is nothing inevitable or irreversible about it, providing there is a political will to attack the problem. The existence of clear and vigorous legislation on the matter and of effective machinery for enforcing the law and bringing offenders to justice is the clearest possible demonstration that such a political will exists.