

International Confederation of Free Trade Unions

Campaigning against child labour

Chapter I. The ICFTU Campaign against child labour

1. The long-term objective of the ICFTU campaign against child labour is to fight for the abolition of child labour. The immediate objectives are the following:

- Promotion of the ratification and observance of ILO Convention 138 on the Minimum Age for Employment;
- Initiatives to develop community awareness of child labour; and,
- Promotion of the adoption of multilateral and unilateral instruments to stop trade in goods produced by children.

2. The campaign follows the decision of the 104th ICFTU Executive Board meeting in Brussels, December 1993, and is based on the resolution on child labour, adopted by the 15th ICFTU World Congress (Caracas, 1992) and unanimously endorsed by all ICFTU affiliates (see appendix I). As the launching of this campaign coincides with the celebration of the 75th Anniversary of the ILO, it is worth noting that among the very first conventions adopted by the International Labour Conference in 1919 was Convention No.5 on the Minimum Age for Admission of Children to Industrial Employment.

During the campaign period the ICFTU will be undertaking various activities in co-operation with several of its affiliates and the ITS. These will include:

- Investigating case studies and producing documentation;
- Conducting awareness raising seminars nationally, regionally and internationally;
- Supporting consumer boycott action - with actions against handmade carpets from India, Nepal and Pakistan as a first step;
- Producing a publication explaining in depth the problem of child labour; and,
- Submitting complaints to the ILO on relevant Conventions.

Chapter 2. Child labour and the labour market

3. In several countries, children comprise a substantial proportion of the workforce, while in developing countries the ILO estimates that more than 18% of children between 10 and 14 are working. In the same countries, the number of unemployed adults exceeds the number of child labourers. Although child labour is linked with poverty, it does not necessarily decrease when wealth increases in a given country. It is not the case that the highest numbers of child labourers are found in the poorest countries, and neither is it the case that the most dangerous working conditions for young children are to be found in the poorest countries. There are also big variations inside countries, as well as in the same type of industries

situated in different places.

4. It has been argued that one of the reasons for hiring children is that they are able to perform certain tasks more easily or better than adults. The ICFTU investigations find no support for this argument. In the carpet industry, as in other industries which employ children, adults and children work side by side. In our interviews with weave masters, we asked particularly if the small hands of children were needed for fast, good quality work. The answers were negative. In the match industry, factories employing only adults are competing for the same markets as the factory employing child labour which was investigated by the ICFTU. The same is the case for the construction and textile companies in Bangladesh, and for the subcontractors in the Philippines.

5. The use of child labour provides two comparative advantages for employers; First, it is easier to discipline children and force them to accept hazardous working conditions. In the match industry this means that children ((accept* high risks of illness from exposure to chemicals and, frequently, explosions. In the carpet industry children (accept* working conditions which would be likely to result in severe physical disability before they reach twenty years of age.

6. Second, children are cheaper to employ than adults. In the Nepalese carpet industry child workers are often not paid at all. The only cost to the employer is their accommodation, and the money paid to their parents when the children are recruited in the rural areas and brought to the factories in Kathmandu. In the textile industry in Bangladesh and in the Philippines, the children generally work for half or less of the adult wage, which creates a downward pressure on the adult wage level. Since labour costs make up only a fraction of the total production costs, the ILO has estimated that replacing children with adult workers would only raise the overall production costs by an average of 8% in a country like India. The ICFTU investigations from Nepal tell the same story. An increase in cost of around 8% would not be enough for the industry to loose its market share in industrialised countries.

7. Child labour does not add to a country's wealth, nor is it a step towards a better life for the next generation. Industries will not close down if child labour is abolished nor would the income from exports be lost. All that would be lost would be the devastation of human resources which results from child labour - devastation due to poor health and lack of schooling. The only real beneficiaries of child labour in developing countries are a small number of employers, and officials who turn a blind eye to the practice.

Chapter 3. Combatting child labour

a. Not all at once

8. The ICFTU is aware that it is not possible to eliminate child labour overnight. But this is not an excuse not to take action against the cruel exploitation of children which we have observed in a number of countries and in a number of industries. The ICFTU campaign advocates a ((step-by-step* strategy. It calls for a total ban on

child labour, but targets one industry at a time. It begins by campaigning against the most serious abuse and exploitation of children: in the sex industry and in manufacturing, mining and construction, especially where these are linked to exports and international tourism. Later, attention will be focused on the organised exploitation of children in other sectors of the workforce.

b. International solidarity

9. The ICFTU believes in international solidarity action as an important instrument in the fight against child labour. This paper explains why we believe that a social clause in international trade agreements could be an instrument to help the developing countries in enforcing legislation against child labour. The ICFTU also believes that the application of import regulations in countries where public opinion against child labour is strong can provide vital support to those working against the exploitation of children in other countries where opposition to child labour is not as strong. The Indian Express, in an editorial on 1 February 1994 stated: «The only piece of legislation on child labour that seems to have had a wholesome effect in India is ironically the Child Labour Deterrence Act introduced in the U.S. Senate by Tom Harkin.»

c. Stop the recruitment

10. The number of child labourers in the world today is increasing. It has been estimated that an additional 80,000 children start work each day, so to stop or reduce the recruitment of new children would be a tremendous victory, which is why our campaign is focusing primarily on actions that will effect this recruitment. One important factor to look at is how to stop employers having an economic incentive to employ children. For example, restricting these employers' access to markets or publicly prosecuting them would make the continued recruitment of children into their workforce a loss-making rather than a profit-making activity. We have already mentioned earlier in this paper that the cost of replacing children with adults often only means a marginal increase in an employer's expenditure and is therefore economically possible for them.

11. The individual child who is already working in the industry is the most vulnerable person when *efforts* are made to eliminate child labour. S/he may be the only or major bread winner in a family where the parents are unemployed. Efforts to eliminate child labour must ensure that the transition process for children who are already employed is as easy as possible. Such measures would include returning the children to their village of origin, replacing them with unemployed adults from their own family which would keep a bread winner in the family, and the extension of the availability of primary education, coupled with the provision of school meals.

12. It has been argued that as traditional rural economies disappear and are not replaced by proper opportunities for families to generate income, child labour will continue to increase. This can only be dealt with by tackling the whole range of economic, demographic and social problems associated with child labour.

13. The income that children earn is normally very small and, in addition, because child labour obstructs schooling and damages health, the potential of the child to earn a future income as an adult is also severely restricted, which increases the possibility that *their* children will in turn be forced to work. The ICFTU therefore believes that it is right to fight child labour while at the same time demanding more social justice.

Chapter 4. Preventing the Occurrence of Child Labour

a. Education

14. Provision for proper primary education is probably the most important component in any programme to tackle the problem of child labour - in fact, the lack of educational opportunities can in itself be a reason for child labour. In the state of Kerala in India, where the prevalence of child labour is very low compared to the neighbouring state of Tamil Nadu, the provision of free, compulsory education is a major factor in keeping children out of work and in school. As the Head of the UNICEF New Delhi office, Ms E Watanabe states: «If there is good quality primary education, I am convinced that the great majority of parents would want to send their children to school* (Financial Times, 26 June 1992).

15. The ICFTU believes that primary education should be a government responsibility, since only the government is capable of providing a universal schooling system. One of the main themes in this campaign will be to make primary education a priority task for governments. It is important that the public schools not only enrol children but manage to keep them attending. Drop-out rates from primary schools probably provide the best available statistics on child labour. In the fifties South Korea proved that free education coupled with a free meal was a most effective way to eliminate child labour. The ICFTU will support initiatives by trade unions and other groups and organisations to set up schools in areas where public schools do not exist.

b. Legislation

16. One objective of the ICFTU Campaign against Child Labour is to promote ratification of ILO Convention 138 on Minimum Age, and to install and enforce national legislation in line with this Convention, which only 46 countries had ratified by the end of 1993 (see appendix 2.). The minimum age for employment is set at not less than the age of completion of compulsory schooling and, in any case not less than 15 years)). But the Convention has a flexible approach, setting the minimum age at 18 years for dangerous work and 13 years for light work and training. For developing countries the age limits may be lowered to 14 years in general, 16 years for dangerous work and 12 years for light work.

17. The ILO Convention No. 138, which is a general instrument established in 1973, revised about ten conventions which were applicable to limited economic sectors. However, the Minimum Age (Sea) Convention (Revised), 1936, the Mini-

imum Age (Industry) Convention (Revised), 1937, the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, the Minimum Age (Fisherman) Convention, 1959, or the Minimum Age (Underground Work) Convention, 1956, are still open to further ratification. Where a country has not ratified Convention No. 138, it may at least have committed itself to abandon child labour in some sectors by having ratified some of the above conventions. But one of the main objectives of this present campaign is to promote the ratification and application of Convention 138 which has an overall coverage.

18. The U.N. Convention on the Rights of the Child was adopted by the General Assembly in 1989. Article 32 of the Convention states:

1. State Parties recognise the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

2. State Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:

- a) Provide for a minimum age or minimum ages for admission to employment;
- b) Provide for appropriate regulation of the hours and conditions of employment;
- c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.

19. By October 1993 152 Countries had ratified this convention, which is monitored by the U.N. Committee on the Rights of the Child. Even though the convention does not include a specific minimum age, in its monitoring it refers to the ILO Convention 138 as one of the relevant provisions of other international instruments. The ICFTU sees the U.N. Convention on the Rights of the Child as an important instrument in fighting child labour, and as a universal acceptance of the principles in the ILO Convention 138.

c. Replacement

20. It is often the case that the parents of child labourers are unemployed, and would be ready to replace their children in the workforce if employers were willing to engage adults instead of children. In Bangladesh, as part of the campaign against child labour, some factories have been replacing child labourers with adults from the same family, thus keeping a breadwinner in the family.

21. In manufacturing industry it should be relatively easy to replace child workers with adults. Side by side with the factories using children, there are factories producing the same products for the same market without using children. The production cost-structure in the carpet industry supports this position. The ICFTU is convinced that the carpet industry has the means to hire and pay adult workers, as our study of the carpet industry reveals that the industry has doubled its profits without any increase in wages i.e. labour costs.

d. Community awareness and trade union action

22. It is an old and established tradition that children work to assist their families. But now, in many cases, the changes in society and the organisation of production which are taking place globally are transforming this tradition into the cruel exploitation of young human beings. While traditionally assisting their family was an important means for children to socialise and to be educated, today child labour has serious effects on children's education and health. In building public awareness on the issue, it is important to establish the difference between these two types of child labour.

23. During this campaign the ICFTU will promote trade union actions, such as that undertaken by trade unions in Brazil, which have taken up the problem of child labour when they have negotiated collective agreements. This has led to special paragraphs regulating the work which adolescents may undertake and has led to a greater awareness not to include children in the workforce. The question of contracts based on piece rate working which often results in adults giving their children work to do will also be highlighted.

24. All the discussion so far has centred on child labour in developing countries. However, child labour also exists in industrialised countries, which is why this campaign is also directed at these countries.

25. For example, in the Nordic countries and the Netherlands the trade unions have established a special Job Patrol which visits non-unionised workplaces during the summer months when a lot of adolescents are hired to work during their vacation. During patrol visits special attention is paid to investigating the possible use of child labour, which has led to the discovery of several cases. In the USA, the AFL-CIO has formed the National Child Labour Coalition with other organisations to fight child labour in that country. This coalition has been running awareness campaigns emphasising that the problem of child labour still exists in the U.S.A. and has called for stricter legislation at both federal and state levels.

e. Social clause

26. The ICFTU, in common with many governments and other organisations, strongly believes that competition in world trade must not derive from the exploitation of children or from the violation of other fundamental international standards. Such exploitation not only violates human rights, but also undermines the potential for the countries concerned to make sustainable and equitable economic progress. The right of access to world markets must be balanced by the obligation to ensure respect for human rights.

27. To this end, the ICFTU advocates the inclusion of social clauses in international agreements, particularly the GATT. Such a clause should be a balanced tool including both the threat of actions against countries and products which violate international trade union standards, and support and assistance to countries so that they will be able to comply with international labour regulations.

28. Developing countries would gain from the existence of a social clause as

detailed by the ICFTU. At present, they fear that they would lose their competitiveness on the world market if they implemented strict measures against child labour. Universal labour standards applied throughout the world on the lines proposed by Social Clause could mean that Bangladesh would be able to take action against child labour in its textile sector without the fear that factories would move to neighbouring Burma. Equally, Thailand could do something about the working conditions in its toy industry without the fear that the factory owners would move to China in order to avoid labour regulations.

29. Iran provides a good example of a country which suffered from the lack of a global social clause. In 1976 the country implemented a ban on child labour in their carpet industry, which resulted in India, Pakistan and Nepal taking over part of the world market share of carpet production from Iran.

f. National legislation on trade

30. An example of national legislation supported by this campaign is the ban on importing products made by children put before the United States Congress: the so called *Harkin Bill*, which has had some impact even before debate in the Congress. For example, in Bangladesh the textile exporting industry association has put increased pressure on its affiliates to clean up their factories and come into line with Bangladesh legislation on child labour.

31. The Harkin Bill does not call for a total ban on imports from, nor for an overall increase in trade restrictions on a country. It approaches a whole industry, rather than individual companies, and this has the effect of galvanising local opinion against child labour which is the most effective way of getting results. The bill allows for the establishment of a labelling system, where products guaranteed as being made without child labour will be sheltered from any restrictions.

32. Sex tourism which includes the abuse of children is another area where the ICFTU wants to see legislation. The ICFTU would like to see legislation which makes it possible to prosecute child abusers in their home country, such as the legislation which is at present being discussed in Australia and New Zealand.

g. Boycotts and labelling

33. Through this campaign the ICFTU has given its support to the campaign to boycott handmade carpets made with child labour in India, Pakistan and Nepal, and to the creation of a labelling system for carpets made without child labour. This campaign, which was created by the New Delhi-based organisation South Asian Coalition on Child Servitude (SACCS) together with German NGOs, will be implemented in co-operation with the carpet exporters in the region.

34. At the moment the ICFTU is investigating the toy industry in Thailand and China, and looking into the possibility of a boycott of toys from China. It is also supporting the American "Toycott" campaign.

35. The countries and industries targeted by boycotts have the ability to abandon

child labour, and so would not be kept out of the world market. Boycotts are a useful tool for giving producers an economic incentive to operate within international minimum standards.

h. Multinationals

36. After pressure from trade unions and the public, several multinationals like Levis and IKEA have taken internal action to see that child labour does not occur in their production lines or at the subcontractors' level. Through its campaign the ICFTU will press for more multinationals to take similar actions.

i. ILO complaints

37. During this campaign the ICFTU will intensify its work to ensure that countries ratify ILO Conventions and will be monitoring countries which have already ratified Conventions on child labour.

38. The ICFTU supports the ILO Workers Group in their proposal for more effective mechanisms to deal with possible violations of the Conventions on child labour, including the setting up of a special ILO Governing Body mechanism through which complaints can be presented on child and forced labour. Governments should be subject to these mechanisms whether or not they have ratified the instruments in question, in the same way that they are subject to mechanisms through the Committee on the Freedom of Association.

CHILD LABOUR

The 15th World Congress of the ICFTU, meeting in Caracas from 17 to 24 March 1992:

- CONSIDERING** that, despite growing awareness of this scandalous form of exploitation, child labour persists, exists in many forms and as a result of economic recession, rapid political and economic change and growing poverty, shows signs of increase in an alarming number of countries;
- RECALLING** the resolution on the International Year of the Child, adopted by the ICFTU 12th World Congress in 1979; and the Resolution on Child Labour adopted by the ICFTU 14th World Congress in 1988;
- REAFFIRMS** its utter condemnation of Child Labour as a gross violation of the right of all children to human fulfilment;
- APPLAUDS** the actions taken by ICFTU affiliated organizations to increase awareness of the exploitation of children in employment, and to improve and enforce national legislation prohibiting child labour;
- DENOUNCES** governments which fail to enforce and maintain strict standards against child labour;
- REAFFIRMS** the necessity of programmes of economic and social development, including rural development and access to education and training, focused particularly on the eradication of poverty and exploitation of children;
- RECALLS** that poverty, exploitation and the absence of freedom and democracy cause the emigration of children to industrialized countries in the hope that they will be guaranteed a better future;
- EMPHASIZES** that urgent action is needed by the international community and in developing countries to create appropriate educational opportunities for children who might otherwise become child workers or who are already working, and that special action is also needed in industrialized countries, where child labour, is increasing in the form of many children having full-time or part-time jobs before, during and after school hours;
- CALLS ON** all governments to ratify and apply ILO Convention 138 concerning Minimum Age for the Admission to Employment, and other related Conventions and Recommendations;
- WELCOMES** the adoption by the United Nations of an International Convention on the Rights of the Child, and urges ratifying governments to refrain from taking selective exceptions to its clauses. It further urges that UNICEF play an important role in the implementation of this new Convention in its entirety;
- DEMANDS** the involvement of trade unions at all levels as a prerequisite in the drive to reduce poverty and eradicate child labour;
- RECOMMENDS** that affiliates, regional organizations and International Trade Secretariats extend and intensify efforts to have child labour eliminated through campaigns to expose abuses, through appropriate action against goods produced in such exploitative conditions, and through promoting national legislation and its rigorous enforcement;

REQUESTS

the Executive Board to intensify the ICFTU campaign to eliminate child labour by:

- placing pressure on governments to prohibit the importation of goods produced by child labour or other such forms of exploitation such as bonded labour;
- supporting specific campaigns including boycotts and community action, directed against goods produced by child labour;
- promoting the development of international campaigns to deny favourable terms of trade to those countries *which* tolerate child labour and the inclusion of minimum labour standards, including a. ban on the use of child labour, in international trade and co-operation agreements;
- supporting projects designed to eliminate the conditions *which* give rise to child labour;
- increasing pressure on governments and employers by mobilizing public opinion on the need for urgent and massive action against child labour;
- stepping up ICFTU-sponsored educational and vocational training activities, which are designed: to facilitate eventual integration into the adult labour force;
- developing specific activities directed increasing family awareness of children's rights;
- further developing and promoting economic and social policies against widespread poverty and unemployment *which* are the root causes of child labour;
- sharing experiences and cooperating with other organizations, particularly from the labour movement, in the field of child labour *such* as the International Falcon Movement - Socialist Educational International (IFM-SEI).

CONVENTION No. 138

Convention concerning Minimum Age for Admission to Employment ¹

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Fifty-eighth Session on 6 June 1973, and

Having decided upon the adoption of certain proposals with regard to minimum age for admission to employment, which is the fourth item on the agenda of the session, and

Noting the terms of the Minimum Age (Industry) Convention, 1919, the Minimum Age (Sea) Convention, 1920, the Minimum Age (Agriculture) Convention, 1921, the Minimum Age (Trimmers and Stokers) Convention, 1921, the Minimum Age (Non-Industrial Employment) Convention, 1932, the Minimum Age (Sea) Convention (Revised), 1936, the Minimum Age (Industry) Convention (Revised), 1937, the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, the Minimum Age (Fishermen) Convention, 1959, and the Minimum Age (Underground Work) Convention, 1965, and

Considering that the time has come to establish a general instrument on the subject, which would gradually replace the existing ones applicable to limited economic sectors, with a view to achieving the total abolition of child labour, and

Having determined that these proposals shall take the form of an international Convention,

adopts this twenty-sixth day of June of the year one thousand nine hundred and seventy-three the following Convention, which may be cited as the Minimum Age Convention, 1973

Article 1

Each Member for which this Convention is in force undertakes to pursue a national policy designed to ensure the effective abolition of child labour and to raise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons.

Article 2

1. Each Member which ratifies this Convention shall specify, in a declaration appended to its ratification, a minimum age for admission to employment or work within its territory and on means of transport registered in its territory ; subject to Articles 4 to 8 of this Convention, no one under that age shall be admitted to employment or work in any occupation.

2. Each Member which has ratified this Convention may subsequently notify the Director-General of the International Labour Office, by further declarations, that it specifies a minimum age higher than that previously specified.

¹ Date of coming into force: 19 June 1976.

3. The minimum age specified in pursuance of paragraph 1 of this Article shall not be less than the age of completion of compulsory schooling and in any case, shall not be less than 15 years.

4. Notwithstanding the provisions of paragraph 3 of this Article, a Member whose economy and educational facilities are insufficiently developed may, after consultation with the organisations of employers and workers concerned, where such exist, initially specify a minimum age of 14 years.

5. Each Member which has specified a minimum age of 14 years in pursuance of the provisions of the preceding paragraph shall include in its reports on the application of this Convention submitted under article 22 of the Constitution of the International Labour Organisation a statement

- (a) that its reason for doing so subsists ; or
- (b) that it renounces its right to avail itself of the provisions in question as from a stated date.

Article 3

1. The minimum age for admission to any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardise the health, safety or morals of young persons shall not be less than 18 years.

2. The types of employment or work to which paragraph 1 of this Article applies shall be determined by national laws or regulations or by the competent authority, after consultation with the organisations of employers and workers concerned, where such exist.

3. Notwithstanding the provisions of paragraph 1 of this Article, national laws or regulations or the competent authority may, after consultation with the organisations of employers and workers concerned, where such exist, authorise employment or work as from the age of 16 years on condition that the health, safety and morals of the young persons concerned are fully protected and that the young persons have received adequate specific instruction or vocational training in the relevant branch of activity.

Article 4

1. In so far as necessary, the competent authority, after consultation with the organisations of employers and workers concerned, where such exist, may exclude from the application of this Convention limited categories of employment or work in respect of which special and substantial problems of application arise.

2. Each Member which ratifies this Convention shall list in its first report on the application of the Convention submitted under article 22 of the Constitution of the International Labour Organisation any categories which may have been excluded in pursuance of paragraph 1 of this Article, giving the reasons for such exclusion, and shall state in subsequent reports the position of its law and practice in respect of the categories excluded and the extent to which effect has been given or is proposed to be given to the Convention in respect of such categories.

3. Employment or work covered by Article 3 of this Convention shall not be excluded from the application of the Convention in pursuance of this Article.

Article 5

1. A Member whose economy and administrative facilities are insufficiently developed may, after consultation with the organisations of employers and workers concerned, where such exist, initially limit the scope of application of this Convention.
2. Each Member which avails itself of the provisions of paragraph 1 of this Article shall specify, in a declaration appended to its ratification, the branches of economic activity or types of undertakings to which it will apply the provisions of the Convention.
3. The provisions of the Convention shall be applicable as a minimum to the following : mining and quarrying ; manufacturing ; construction ; electricity, gas and water ; sanitary services ; transport, storage and communication; and plantations and other agricultural undertakings mainly producing for commercial purposes, but excluding family and small-scale holdings producing for local consumption and not regularly employing hired workers.
4. Any Member which has limited the scope of application of this Convention in pursuance of this Article-
 - (a) shall indicate in its reports under article 22 of the Constitution of the International Labour Organisation the general position as regards the employment or work of young persons and children in the branches of activity which are excluded from the scope of application of this Convention and any progress which may have been made towards wider application of the provisions of the Convention ;
 - (b) may at any time formally extend the scope of application by a declaration addressed to the Director-General of the International Labour Office.

Article 6

This Convention does not apply to work done by children and young persons in schools for general, vocational or technical education or in other training institutions, or to work done by persons at least 14 years of age in undertakings, where such work is carried out in accordance with conditions prescribed by the competent authority, after consultation with the organisations of employers and workers concerned, where such exist, and is an integral part of-

- (a) a course of education or training for which a school or training institution is primarily responsible ;
- (b) a programme of training mainly or entirely in an undertaking, which programme has been approved by the competent authority ; or
- (c) a programme of guidance or orientation designed to facilitate the choice of an occupation or of a line of training.

Article 7

1. National laws or regulations may permit the employment or work of persons 13 to 15 years of age on light work which is-
 - (a) not likely to be harmful to their health or development ; and
 - (b) not such as to prejudice their attendance at school, their participation in vocational orientation or training programmes approved by the competent authority or their capacity to benefit from the instruction received.

2. National laws or regulations may also permit the employment or work of persons who are at least 15 years of age but have not yet completed their compulsory schooling on work which meets the requirements set forth in subparagraphs (a) and (b) of paragraph 1 of this Article.

3. The competent authority shall determine the activities in which employment or work may be permitted under paragraphs 1 and 2 of this Article and shall prescribe the number of hours during which and the conditions in which such employment or work may be undertaken.

4. Notwithstanding the provisions of paragraphs 1 and 2 of this Article, a Member which has availed itself of the provisions of paragraph 4 of Article 2 may, for as long as it continues to do so, substitute the ages 12 and 14 for the ages 13 and 15 in paragraph 1 and the age 14 for the age 15 in paragraph 2 of this Article.

Article 8

1. After consultation with the organisations of employers and workers concerned, where such exist, the competent authority may, by permits granted in individual cases, allow exceptions to the prohibition of employment or work provided for in Article 2 of this Convention, for such purposes as participation in artistic performances.

2. Permits so granted shall limit the number of hours during which and prescribe the conditions in which employment or work is allowed.

Article 9

1. All necessary measures, including the provision of appropriate penalties, shall be taken by the competent authority to ensure the effective enforcement of the provisions of this Convention.

2. National laws or regulations or the competent authority shall define the persons responsible for compliance with the provisions giving effect to the Convention.

3. National laws or regulations or the competent authority shall prescribe the registers or other documents which shall be kept and made available by the employer; such registers or documents shall contain the names and ages or dates of birth, duly certified wherever possible, of persons whom he employs or who work for him and who are less than 18 years of age.

Article 10

1. This Convention revises, on the terms set forth in this Article, the Minimum Age (Industry) Convention, 1919, the Minimum Age (Sea) Convention, 1920, the Minimum Age (Agriculture) Convention, 1921, the Minimum Age (Trimmers and Stokers) Convention, 1921, the Minimum Age (Non-Industrial Employment) Convention, 1932, the Minimum Age (Sea) Convention (Revised), 1936, the Minimum Age (Industry) Convention (Revised), 1937, the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, the Minimum Age (Fishermen) Convention, 1959, and the Minimum Age (Underground Work) Convention, 1965.

2. The coming into force of this Convention shall not close the Minimum Age (Sea) Convention (Revised), 1936, the Minimum Age (Industry) Convention (Revised), 1937, the Minimum Age (Non-Industrial Employment) Convention

(Revised), 1937, the Minimum Age (Fishermen) Convention, 1959, or the Minimum Age (Underground Work) Convention, 1965, to further ratification.

3. The Minimum Age (Industry) Convention, 1919, the Minimum Age (Sea) Convention, 1920, the Minimum Age (Agriculture) Convention, 1921, and the Minimum Age (Trimmers and Stokers) Convention, 1921, shall be closed to further ratification when all the parties thereto have consented to such closing by ratification of this Convention or by a declaration communicated to the Director-General of the International Labour Office.

4. When the obligations of this Convention are accepted-

- (a) by a Member which is a party to the Minimum Age (Industry) Convention (Revised), 1937, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention, this shall ipso jure involve the immediate denunciation of that Convention.
- (b) in respect of non-industrial employment as defined in the Minimum Age (Non-Industrial Employment) Convention, 1932, by a Member which is a party to that Convention, this shall ipso jure involve the immediate denunciation of that Convention,
- (c) in respect of non-industrial employment as defined in the Minimum Age (Non-Industrial Employment) Convention (Revised), 1937, by a Member which is a party to that Convention, and a minimum age of . not less than 15 years is specified in pursuance of Article 2 of this Convention, this shall ipso jure involve the immediate denunciation of that Convention,
- (d) in respect of maritime employment, by a Member which is a party to the Minimum Age (Sea) Convention (Revised), 1936, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention or the Member specifies that Article 3 of this Convention applies to maritime employment, this shall ipso jure involve the immediate denunciation of that Convention,
- (e) in respect of employment in maritime fishing, by a Member which is a party to the Minimum Age (Fishermen) Convention, 1959, and a minimum age of not less than 15 years is specified in pursuance of Article 2 of this Convention or the Member specifies that Article 3 of this Convention applies to employment in maritime fishing, this shall ipso jure involve the immediate denunciation of that Convention,
- (f) by a Member which is a party to the Minimum Age (Underground Work) Convention, 1965, and a minimum age of not less than:the age specified in pursuance of that Convention is specified in pursuance of Article 2 of this Convention or the Member specifies that such an age applies to employment underground in mines in virtue of Article 3 of this Convention, this shall ipso jure involve the immediate denunciation of that Convention,

if and when this Convention shall have come into force.

5. Acceptance of the obligations of this Convention--

- (a) shall involve the denunciation of the Minimum Age (Industry) Convention, 1919, in accordance with Article 12 thereof,
- (b) in respect of agriculture shall involve the *denunciation* of the Minimum Age (Agriculture) Convention, 1921, in accordance with Article 9 thereof,

- (c) in respect of maritime employment shall involve the denunciation of the Minimum Age (Sea) Convention, 1920, in accordance with Article 10 thereof, and of the Minimum Age (Trimmers and Stokers) Convention, 1921, in accordance with Article 12 thereof,
- if and when this Convention shall have come into force.



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