
FIRST ANNUAL REPORT

Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Cote d'Ivoire and Ghana

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**Payson Center for International Development and Technology Transfer
Tulane University**

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List of Acronyms

ACRONYM	NAME
ANADER	Agence Nationale à Apui au Développement Rural
ARD	Associates in Rural Development
CRS	Catholic Relief Services
CIM	Center for International Migration and Development (Germany)
CEPRASS	Centre d'Etudes Prospectives et Appliquées sur les politiques sociales et le systems de sécurité sociale
CLASSE	Child Labor Alternatives through Sustainable Systems in Education
CLMS	Child Labor Monitoring System
COCOBOD	Ghana Cocoa Board
CRIG	Cocoa Research Institute of Ghana
LUTRENA	Combating the Trafficking of Children for Labour Exploitation in West and Central Africa
DFID	Department for International Development (UK)
DOL	Department of Labor
ENSEA	Ecole Nationale de Statistique et d'Economie Appliquée
ECOWAS	Economic Community of West African States
EFP	Education First Project
FT	Fair Trade
FHI	Family Health International
FFS	Farmer Field School
FAO	Food and Agriculture Organization of the United Nations
FDA	Food and Drug Administration
FAL	forced adult labor
GAWU	General Agricultural Workers' Union
GTZ	Gesellschaft fur Technische Zusammenarbeit
GIG	Global Issues Group
ISSER	Institute of Statistical, Social And Economic Research
ICMH	International Center of Migration and Health
ICI	International Cocoa Initiative
IFESH	International Foundation for Education and Self Help
IITA	International Institute of Tropical Agriculture
ILO	International Labor Organization
IOM	International Organization for Migration
IPEC	International Programme on the Elimination of Child Labour
IUF	International Union of Food Workers
MMYE	Ministry of Manpower, Youth and Employment
M&E	Monitoring and Evaluation
NCBS	National Centre for Business and Sustainability
NCA	National Confectioners Association
NGO	Nongovernmental organization

OCHA	Office for the Coordination of Humanitarian Affairs
PSI	Population Services International
STRI	Smithsonian Tropical Research Institute
SOCODEVI	Societe du Cooperation pour le Developpement
STCP	Sustainable Tree Crops Program
DFID	UK Department for International Development
UK	United Kingdom
UN	United Nations
UNICEF	United Nations Children's Fund
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees
UNFPA	United Nations Population Fund
USAID	United States Agency for International Development
USDA	United States Department of Agriculture
USA	United States of America
VMB	Verification Management Body
VWG	Verification Working Group
WACAP	West Africa Cocoa/Commercial Agriculture Programme to Combat Hazardous and Exploitative Child Labour
WAHO	West African Health Organization
WCF	World Cocoa Foundation
WFP	World Food Program
WHO	World Health Organization
WFCL	Worst Forms of Child Labor

Executive Summary

The Harkin-Engel Protocol is a voluntary agreement signed in September 2001 by the [REDACTED] and the [REDACTED] and witnessed by US Senator Tom Harkin (D-IA) and US Representative Eliot Engel (D-NY). The Protocol, together with the joint statement of July 1, 2005, calls for action by the chocolate and cocoa industry to address the Worst Forms of Child Labor (WFCL) in Cote d'Ivoire and Ghana. The Protocol includes a commitment by Industry to develop and implement voluntary, industry-wide standards of public certification that cocoa beans and their derivative products have been grown and processed without the WFCL. The first five years were complicated by a civil war in Cote d'Ivoire and slower than anticipated progress on the certification system and investments to improve education and rehabilitation services.

In October 2006, Tulane University initiated work on a Department of Labor contract to provide oversight of public and private initiatives to eliminate the WFCL and to assess progress made to implement the Protocol. Tulane has reviewed literature, completed plans for monitoring and research, established partnership agreements with social research institutions in each country, and began assessing the certification system and examining Industry's efforts to improve education and rehabilitation programs. Tulane implemented pilot research activities, field-tested survey instruments, and reported results of pre-test surveys. Project personnel met with protocol stakeholders, government officials and child labor experts, and, in September 2007, held the first Annual Consultative Meetings in Cote d'Ivoire, Ghana and Washington DC as an information sharing forum.

The Harkin-Engel Protocol has stimulated regulatory reform, the creation of national child labor task forces, the funding of projects to address the WFCL and media attention to human trafficking, forced labor and hazardous working conditions. Both Cote d'Ivoire and Ghana have piloted certification surveys and monitoring systems and produced strategies to combat the WFCL. Government Pilot Surveys and Tulane's preliminary investigation indicate that a large number of children continue working in cocoa production, in other agricultural and economic activities. Some children report involvement in hazardous work and injuries while performing agricultural tasks, including the use of tools and equipment, carrying heavy loads, and exposure to environmental hazards. Operational definitions and the measurement of the WFCL remain conceptual and methodological challenges. In addition, governments are required to develop their own lists of hazardous child labor and exposure remains difficult to quantify. Neither Cote d'Ivoire nor Ghana has yet completed a national survey that accurately describes the nature and scale of the WFCL in the cocoa sector. A government survey covering 60 percent of the cocoa-growing region is planned for the 2007-2008 harvest season in Ghana and a national survey is planned to begin in Cote d'Ivoire in November 2007. Tulane will conduct nationally representative surveys of child labor in the cocoa growing areas in both countries, the first of which will occur from late October to mid-December 2007.

The Protocol calls for a multi-stakeholder approach to the design and implementation of mutually-acceptable, voluntary, industry-wide standards of public certification. This process has moved slowly and has not involved the full range of stakeholders. Tulane

recommends a re-organization and possible expansion of the multi-stakeholder group for the Certification System, and further consideration of targets and indicators. We believe that questions exist with regard to measurement of the “no forced labor” criterion in the Protocol and Industry’s definition of “certification”. Between 2004 and 2006 Industry funded a [REDACTED], which produced options for verification management and sustainable financing; however, funding was discontinued in late 2006. During the summer of 2007, Industry contracted Verité to produce a road map for the verification program.

The Harkin-Engel Protocol appears to have increased attention to exploitative child labor and conditions that are hazardous to children’s health and well-being. Industry and the Governments of Cote d’Ivoire and Ghana have taken steps to investigate the problem and are implementing projects that address issues identified in the Protocol. Tulane University will continue the research and assessment required to determine the scale, effectiveness and sustainability of the certification and verification systems, and other actions taken to achieve the Protocol objectives.

Introduction

West Africa represents the world's major source for cocoa production, accounting for 70 percent of the world market. Cocoa farming is labor intensive and, as part of a centuries old custom of children working in agricultural household environments, thousands of children are involved in work on cocoa farms, including tasks considered to be among the worst forms of child labor. For some of these children, working in the cocoa sector also deprives them of the chance to attend school.

The Harkin-Engel Protocol is a voluntary agreement signed in September 2001 by the [REDACTED] and the [REDACTED] and witnessed by the congressional offices of US Senators Tom Harkin (D-IA) and Herbert Kohl (D-WI), US Representative Eliot Engel (D-NY), the Ambassador of Cote d'Ivoire, Industry and NGO representatives. The Protocol, together with the joint statement of July 1, 2005, calls for action by the chocolate and cocoa industry¹ to address the issue of exploitative child labor, especially the worst forms, in the West African cocoa sector. It includes a commitment by Industry to develop and implement voluntary, industry-wide standards of public certification that cocoa beans and their derivative products have been grown and processed without the worst forms of child labor (WFCL).

The first five years after the signing of the Protocol were complicated by a civil war in Cote d'Ivoire and progress was slower than hoped for by Senator Harkin and Congressman Engel. On July 1, 2005 an extension of the Protocol was agreed upon by all parties, which gave Industry three additional years to effectively implement the original conditions of the agreement. (Harkin-Engel Protocol and Joint Statement are attached to this report as Appendix 1 and Appendix 2, respectively.)

In 2006, the US Department of Labor (DOL) was charged with obtaining a qualified University-based contractor to oversee public and private efforts to eliminate the worst forms of child labor in the cocoa sector in Cote d'Ivoire and Ghana. On the Third of October 2006, Secretary of Labor Elaine L. Chao announced the award of a three-year, \$4.3 million project to the Payson Center for International Development and Technology at Tulane University in New Orleans, Louisiana, after a competitive bidding process:

"The global elimination of exploitative child labor requires a strong and sustained commitment from governments and industry," said Chao. "This \$4.3 million initiative will study the health of exploited children, train public officials in Cote d'Ivoire and Ghana to monitor the incidence of child labor in the cocoa industry and report to the department and Congress on the status of child labor certification, monitoring and verification systems." (DOL press release Oct. 3 2006)

The Payson Center is Tulane University's newest interdisciplinary center for education, research and service with an international focus. The Founder and then Director of the

¹ The chocolate and cocoa industry will be referred to as the Industry throughout the remainder of this report unless the full name is needed for clarification.

Institute, [REDACTED] is the Principal Investigator charged with implementing this project. Tulane University has partnered with the West African Health Organization (WAHO), a regional organization mandated by the Presidents of the Economic Community of West African States (ECOWAS) to safeguard the health of children in the region.

Tulane University has been contracted by DOL to undertake research to generate the information needed to measure progress towards the objectives outlined in the Harkin-Engel Protocol. Tulane University will prepare annual reports for DOL and the US Congress in an effort to validate progress being made toward implementation of "credible, mutually-acceptable, voluntary, industry-wide standards of public certification", covering at least 50 percent of the cocoa growing area in Cote d'Ivoire and Ghana. The Tulane reports, of which this document is the first, will also cover efforts to establish certification, child labor monitoring and verification systems to assess progress made toward meeting obligations under the Harkin-Engel Protocol.

Tulane University will study the health effects on children working under potentially exploitative conditions in the cocoa sector and assist local governments in training government officials. The respective governments will ultimately be responsible for whatever system evolves from the efforts of implementing the Harkin-Engel Protocol.

Over the course of the first year, Payson team members have worked with country and regional representatives to facilitate a comprehensive and transparent review of Industry and national research and assessment activities. Team members have concentrated on identifying existing baseline indicators to measure the complex and contextually defined outcome indicator, the worst forms of child labor. The Payson methodological approach adopts a convergence of evidence perspective, which combines information from survey research, observational case study material as well as secondary observational and survey material. The first year of project activity has been primarily dedicated to collecting and reviewing existing research in all related issues (e.g. child labor, cocoa industry, etc.). Based upon this comprehensive literature and secondary data review combined with a field tested survey methodology, we are reporting, as per contract requirements, a summary of where the Tulane Team is with respect to the state of current knowledge regarding systems of certification and verification.

A strong part of our ethos and we believe a key aspect of verification is the access by all interested parties to data for independent analysis. Thus, Tulane plans to make the data collected under the current contract available to interested parties. Indeed, we strongly encourage the governments of Cote d'Ivoire and Ghana as well as our colleagues from Industry and the non-profit world to do the same. While a major University is a monument to open and transparent inquiry, the arena of child labor and child health, politically and culturally charged as it is, is less open and presents a challenge to us all to redouble our efforts to ensure transparency.

Background

In 2000/01, the use of child labor in the cocoa sector in West African countries came under increased scrutiny. Based on media reports, the cocoa/chocolate industry was accused of profiting from the use of child labor and forced labor on cocoa farms in West Africa. The reports described labor performed by children below legal working age, hazardous work and other WFCL. They also reported on the trafficking of minors for work in cocoa agriculture under slavery-like conditions (ILO/IPEC 2005).

The international cocoa and chocolate industry rejected some early media reports as “false and excessive” (ECA, undated). However, facing the potential risk of boycotts and sanctions, Industry acknowledged that working conditions in the cocoa fields were often unsatisfactory and the rights of children were sometimes violated. A series of negotiations was started among representatives of the cocoa/chocolate industry and stakeholders including US Senator Tom Harkin, US Representative Eliot Engel, US Senator Herb Kohl, the International Labor Organization (ILO), labor unions, consumer rights organizations and other civil society organizations. The discussions resulted in the “Protocol for the growing and processing of cocoa beans and their derivative products in a manner that complies with ILO convention 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labor” – the Harkin-Engel Protocol – signed on September 19, 2001, witnessed by representatives of the Governments of Cote d’Ivoire and Ghana.

In the Harkin-Engel Protocol, the international cocoa/chocolate companies voluntarily committed themselves to pursue key actions and steps to eliminate the worst forms of child labor including:

1. Public Statement of Need for and Terms of an Action Plan –...while the scope of the problem is uncertain, the occurrence of the worst forms of child labor in the growing and processing of cocoa beans and their derivative products is simply unacceptable. Industry will reiterate its acknowledgement of the problem and in a highly-public way will commit itself to this protocol;
2. Formation of Multi-Sectoral Advisory Groups – an advisory group will be constituted with particular responsibility for the on-going investigation of labor practices in West Africa...Industry will constitute a broad consultative group with representatives of major stakeholders to advise in the formulation of appropriate remedies for the elimination of the worst forms of child labor in the growing and processing of cocoa beans and their derivative products;
3. Signed Joint Statement of Child Labor to be Witnessed at the ILO – a joint statement made by the major stakeholders will recognize, as a matter of urgency, the need to end the worst forms of child labor in connection with the growing and processing of West African cocoa beans and their derivative products and the need to identify positive developmental alternatives for the children removed from the worst forms of child labor...;
4. Memorandum of Cooperation – there will be a binding memorandum of cooperation among the major stakeholders that establishes a joint program of

research, information exchange, and action to enforce the internationally-recognized and mutually-agreed upon standards to eliminate the worst forms of child labor in the growing and processing of cocoa beans and their derivative products and to establish independent means of monitoring and public reporting on compliance with those standards;

5. Establishment of Joint Foundation – industry will establish a joint international foundation to oversee and sustain efforts to eliminate the worst forms of child labor in the growing and processing of cocoa beans and their derivative products...The foundation's purposes will include field projects and a clearinghouse on best practices to eliminate the worst forms of child labor; and
6. Building Toward Credible Standards – the industry in partnership with other major stakeholders will develop and implement credible, mutually-acceptable, voluntary, industry-wide standards of public certification, consistent with applicable federal law, that cocoa beans and their derivative products have been grown and/or processed without any of the worst forms of child labor (The Harkin-Engel Protocol).

Over the next years, pilot certification, monitoring and verification systems were tested, a foundation was created – the International Cocoa Initiative (ICI) – and pilot projects and a number of projects activities supported by Industry were initiated in the cocoa growing regions. Following the signing of the Protocol, the [REDACTED] [REDACTED] was tasked with implementing surveys in the cocoa growing regions in Ghana, Cote d'Ivoire and other cocoa producing countries ([REDACTED] 2002). Other quantitative and qualitative studies followed. However, due to the complexity of the subject and methodological problems, it remained unclear how many children were involved in different worst forms of child labor in the cocoa sector. It also remained unclear if the situation on the ground was changing, and the extent and what impact, if any, the Industry-supported activities were having on the population.

The implementation of the Protocol fell behind schedule and a July 2005 deadline for the certification system passed without a functioning system being in place. A joint statement by Senator Harkin, Representative Engel and representatives of the cocoa/chocolate industry was issued on July 1, 2005 to express continuing Industry commitment to implement the Protocol.

Methodology

Managing a complex and extensive research project such as the validation of progress made towards verification and certification of child labor in the cocoa industry in Cote d'Ivoire and Ghana brings into question a number of basic methodological issues. Absolutely key to a successful undertaking of this project are two measurement concerns with major theoretical and practical implications. The first of these has to do with establishing an appropriate denominator for the number of children currently engaged in child labor in the agricultural sector, which is the base number against which to measure the number in the cocoa producing sector.

Eradicating child labor in its worst forms from African agriculture is a difficult task. International and local experts suggest that this is related to the large number of small, dispersed family farms, traditional practices, the low return farmers receive for their cocoa beans and other factors.

What is required to understand progress towards eliminating the WFCL is a concrete baseline denominator against which future measurements can be compared. Therefore, a major research task, not specified in either the Protocol or in the Tulane contract, will be the accurate determination of this denominator figure. To do this, we will start with current estimates derived from the last census in each country. Based upon when the census was undertaken and what kinds of confirmatory data exist from other sources, we will then develop best estimates using life table and other modeling approaches. The denominator figures thus derived will become the baseline against which our sampling framework will be developed and from which we will derive estimates of incidence and prevalence of the WFCL.

It is useful to make the distinction here between the formal definition of the incidence, used in some of the Protocol language, and the epidemiological notion of prevalence, which we believe would be more appropriate in this instance. Incidence refers to the number of new cases in a given time period, which is generally measured on a calendar year basis. Prevalence, the term that we believe is more appropriate in this case, refers to the total number of existing cases in a given population at any point in time. Since elimination of WFCL as established in the Protocol involves progress towards eliminating all cases, not just new cases, we believe that prevalence is a more appropriate term for Protocol language. In either case, our measurement strategy will strive to measure both incidence and prevalence as we move towards more sophisticated and accurate general measures of health outcomes of agricultural labor among children.

The second important issue which must be resolved to advance any of the research concerns and certification, verification, or validation has to do with the operational definition of the WFCL. By operational definition we refer to the actual measurement in the field of the direct physical and/or mental impact of labor in the cocoa sector on the health of children. As has been noted by all actors in the field, this measurement process is a complicated and difficult one. It often involves knowing the physical status of the child involved, his or her age, weight, nutritional status, and general physical fitness in order to assess, for example, what would be considered excessive weight to be carried based on time spent in physical labor. As we note elsewhere in this document there is a relative scarcity of medical involvement in the measurement problem even though it is a distinctly health-related issue. We have tried to address this deficit with our own

methodology and hope to contribute in this fashion to improving the overall measurement strategy.

The most sophisticated and internationally accepted measurement approach to the problem of WFCL has been undertaken by the International Labour Organization's (ILO) International Programme on the Elimination of Child Labour (IPEC), which is based in Geneva and is part of the United Nations system. The problem of operational indicators has been taken on by this office during the current calendar year with the goal of having a technically reviewed and empirically justified measure for approval by the world body charged with legitimizing such international standards in January 2008 at the International Conference of Labor Statisticians.

As part of this process, a conference on the revision of the instruments was held in Istanbul, Turkey, in May 2007 that was attended by Tulane technicians as well as DOL measurement personnel. Tulane's approach has involved separating out the measurement of the WFCL into as detailed separate indicators as possible, which once recorded can be grouped into different categories consistent with different national and international measurement standards until such time when a common measure has been accepted by all parties. We note that in our review of current practice, both Cote d'Ivoire and Ghana have made significant progress in this area and are committed to developing operational indicators for the WFCL. In the case of Ghana, subsequent to legislation that directly addresses child labor, the process is ongoing and will be completed by the end of this calendar year according to government officials.

In the case of Cote d'Ivoire, we have a preliminary set of indicators already identified, which is in the process of field verification and analysis with respect to harmonization with other international definitions. Both cases are significant improvements over current definitions expressed in the Protocol. From a technical perspective, there needs to be at least a preliminary operational definition of WFCL for the Protocol to have any measurable impact over time (an overview of the ILO and UN definitions is attached to this report as Appendix 9).

Our final methodological point has to do with the overall focus of our validation efforts. Our essential charge contractually is to validate the existence of a certification and verification system in place for the assessment of the WFCL in the cocoa-producing sectors in Cote d'Ivoire and Ghana, and in line with the Harkin-Engel Protocol, and the implementation of remediation efforts. In classical evaluation terms, we will be assessing a process or the existence of a process as opposed to measuring the actual impact of the interventions. Nevertheless, in order to verify the measurement process, we will be assessing the level of WFCL in the entire target region. This assessment, which includes agricultural activities other than cocoa, is necessary in order to comment upon the existence of programs targeted at child labor in the cocoa sector as opposed to other parts of the local agricultural economy.

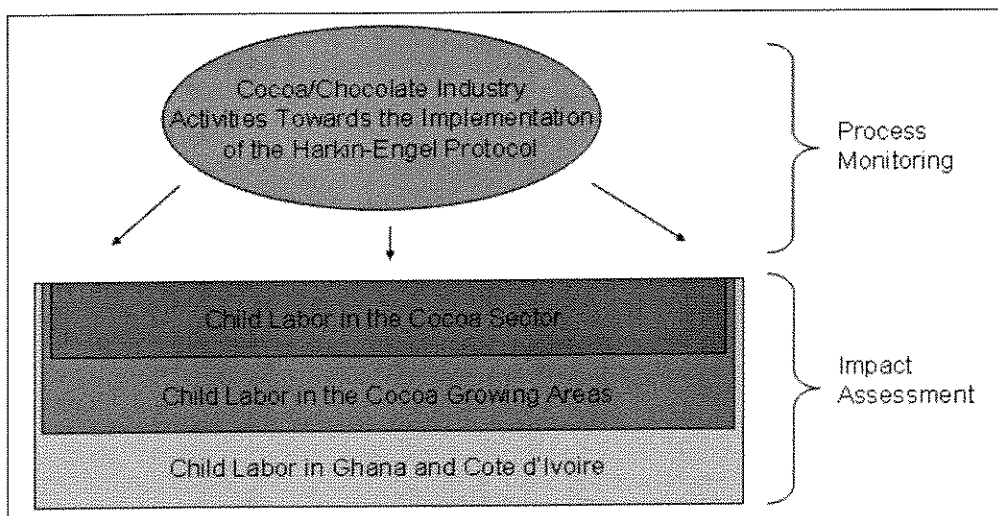
Classically, we would refer to this type of assessment as a process evaluation that seeks to validate and verify the existence of activities proven or hypothesized to be part of the solution to a problem. The clear distinction between validating a process and measuring the impact of such a process needs to be made. We will be collecting information through the major surveys and additional secondary studies that will clarify and hopefully operationalize the existence of the different forms of WFCL and related subjects such as

forced migration. This documentation however will further emphasize those areas that need to be addressed in any certification and verification system.

Our assessment of the existence of interventions will not be able to assess the efficacy of those interventions with any metric except that of coverage. Thus, any attempt to evaluate the effectiveness of national and/or industry-sponsored interventions, or certification and verification programs would be inconsistent with the objectives of our research. Only a long-term longitudinal information and evaluation system with known baseline values could effectively evaluate the impact of such interventions.

While we believe that information generated by our efforts will greatly assist in setting that standard, there is no point of reference against which to measure progress at the current time. Figure 1 below gives a graphical representation of the difference between process and impact evaluation. Our objective is simply to reaffirm our focus on process and underline the complexity of assessing the impact and attribution as part of our efforts.

Figure 1. Assessing efforts to eliminate the worst forms of child labor (WFCL)



Project Organization and Management

As part of Tulane University, the Payson Center for International Development and Technology Transfer is an international, interdisciplinary center with a mission of fostering social and economic development by understanding and using information. Established in 1997 by the Tulane Board of Administrators, the Payson Center focuses on the development of innovative solutions using knowledge management and information technology as an engine for social sector management, capacity building, monitoring and evaluation (M&E), and social and economic development.

The Payson Center has developed numerous interventions and programs within the field of International Development with an emphasis on public policy and development and providing support to the public and private sectors. The Center has participated in initiatives covering a broad spectrum of primary sustainable development program areas including public health and welfare policy promotion, evaluation and information technology support, education, disaster mitigation, and support to higher education in Africa, Asia and Latin America. Specifically in Africa, the Center has a long-standing partnership with WAHO, which is the first sustainable and functional regional entity within the ECOWAS community that is charged with a regional mandate to protect the health of the West African people.

The management structure of the Tulane University oversight project has changed over the first year of activity due to differences encountered in the field as well as changes in the research and political environments. [REDACTED] is the principal investigator of the project. [REDACTED] has focused on the certification and verification tasks, programs and projects to improve education and rehabilitation, the identification and assessment of partner institutions, the organization of consultative meetings, and the production of the quarterly and consultative meeting reports. [REDACTED] is the monitoring/data collection specialist and has concentrated on survey-related activities and other research and monitoring tasks. Administrative activities at Tulane are currently distributed amongst senior administrative personnel, [REDACTED] and [REDACTED].

The most important and positive change in our administrative organization has been the increased involvement and support of our African-based organizations. At our bases of operation in both Cote d'Ivoire and Ghana, we have contracted with institutions that represent the very best in national and regional research expertise. To coordinate activities in both countries and to provide a regional perspective, our long-term partnership with WAHO, our logistic and technical regional partner, has already begun to attract the attention of neighboring countries with similar objectives of improving child health. WAHO has assigned two full-time staff professionals to the project and has made interns available from the regional Fellowship Program that they manage to assist in research and administrative tasks.

On the national scene, our two partners are recognized as the premier research institutions for survey and related social science research in their respective countries. In Ghana, we are working with the Institute of Statistical, Social And Economic Research (ISSER). ISSER is a University of Ghana research institute established in 1962. The professional staff includes investigators with excellent academic credentials and

extensive research experience. ISSER has a strong record of quality policy research in the arena of social science and related issues. The Institute also operates a training program that specializes in issues related to public service statistics.

In Cote d'Ivoire, we have partnered with the Ecole Nationale de Statistique et d'Economie Appliquée (ENSEA). Established in 1961, ENSEA provides graduate degrees in statistics and applied economics. Many of the students and faculty of the School have worked in prior studies in the cocoa sector and are thus experienced and trained in collecting survey information under harsh circumstances. The professional staff has expertise and experience in research design, methodology, field studies, related statistical analyses and data presentation. Their record of prior research studies in collaboration with multiple organizations includes WHO, UNFPA, OCHA, IOM, UNDP, UNICEF, UNHCR, WFP, FAO, and PSI. In addition, ENSEA has a record of training government officials in various aspects of public policy-related statistical issues, which we believe will be particularly useful in the transfer of methods and skills acquired during this research to national government officials.

The final management aspect of this applied research activity relates to consultations with national and international experts on all aspects of methodology. Our initial plan was to augment the research advisory group with individuals who had professional credentials, experience and availability to work with us in developing methods and approaches to respond to these complex questions. This activity has been delayed somewhat due to the understandable desire of the governments of Cote d'Ivoire and Ghana to have greater representation in the technical review process.

In May of this year, a special meeting was called with the ambassadors of the respective countries in order to discuss this issue. At that meeting, it was agreed that Tulane would expand the technical review group to include up to 15 individuals suggested by the countries. The respective countries have not yet presented the official nomination of individuals to participate in the formal reviews of the research methodologies. In the interim, we have consulted individual experts, in particular, the experienced and well-trained team at the ILO on details related specifically to the survey methodology. Our local experts and the partner organizations have also been involved in ongoing reviews and revisions of the material and methods proposed.

A final addition to our management team has been based upon our observation that although the ultimate measure of the worst forms of child labor is dependent upon the impact of the labor upon the health of the child, relatively few medical and public health experts have been consulted regarding measurement issues related to this outcome. We have therefore engaged national consultants, who are medical experts with experience in the measurement of morbidity related to occupation. We believe that this will be a new and positive technical approach to assist in developing the operational definitions so necessary in this project.

Multiple changes in personnel within the US government, national governments, Industry and Industry-supported NGOs have created a constant need to educate and present summaries of project activities that were not programmed as part of our original efforts. Since a fully informed client population is a clear prerequisite to any collaborative project activity, we will necessarily devote more professional time to that activity than had originally been programmed.

In general, we believe that our minor adjustments to the management framework presented in the original proposal have been made in such a way so as not to affect the cost or the functioning of the project. We expect to move forward with an increased emphasis on involving competent and well-trained national personnel as well as expanding our base of individuals who can work in a collaborative and professionally responsible manner on this complex and important problem.

The Certification System

A key component of the Harkin-Engel Protocol is the creation of industry-wide standards of public certification. Task 1 of the DOL–Tulane University contract calls for an assessment of progress made by Industry and the governments of Cote d'Ivoire and Ghana towards development and implementation of credible, mutually-acceptable, voluntary, industry-wide standards of public certification, covering at least 50 percent of the cocoa growing area in each country.

Methodology

Monitoring and assessment activities on certification began in October 2006. Documents included the text of the Harkin-Engel Protocol, Ghanaian and Ivorian policies and surveys, definitions of “certification” produced by Industry, child labor monitoring reports, and NGO reports on Industry-supported interventions. In addition, information was obtained from websites and interviews with representatives² of:

- The cocoa/chocolate industry
- Governments, national, regional and international organizations
- Labor Unions and NGOs
- Universities, research and development organizations
- Certification and Corporate Social Responsibility associations.

Certification systems and/or related remediation actions such as education, farmer training, sensitization and rehabilitation were discussed.

Harkin-Engel Protocol

The media reports in 2001 that led to the passage of Congressman Engel’s Amendment to the FY02 Agriculture Appropriations Bill by the US House of Representatives focused on allegations of forced labor, child labor, trafficked children and other exploitative practices. The Bill called for funding for the Food and Drug Administration (FDA) to create a “no forced labor” certification label – sometimes referred to as a “no child slavery label.” It passed the House of Representatives with large bipartisan support, 291 to 115, but was not voted upon in the US Senate.

The legislative approach was subsequently replaced by a voluntary agreement, the Harkin-Engel Protocol, signed by [REDACTED] and the [REDACTED] and witnessed by Senators Harkin and Kohl, Congressman Engel, the Ambassador of Cote d’Ivoire and representatives of the ILO/IPEC, the [REDACTED], international NGOs, and representatives from major cocoa/chocolate firms and cocoa associations.

² See Appendix 3 for a list of sources

The Protocol is a voluntary, public statement by the cocoa industry acknowledging the problem of forced child labor in West Africa and Industry's intention to continue to commit significant resources to address the problem. It also includes a commitment by Industry to develop and implement voluntary, industry-wide standards of public certification.

While most Protocol requirements were achieved by the July 1, 2005 target date, Industry and other stakeholders did not establish and implement a certification system with "industry-wide standards of public certification." This shortfall was a major factor that contributed to the extension of the Protocol until July 1, 2008 (<http://harkin.senate.gov/issues/issues.cfm?t=2>).

The Harkin-Engel Protocol does not directly refer to a fair trade, ethical trade or another values-based certification system. However, the Protocol does refer to a specific set of conditions: "...that cocoa beans and their derivative products have been grown and/or processed without any of the worst forms of child labor."

A key issue in regard to an assessment of the certification system is the difference between the language in the Protocol and the definition and approach to certification adopted by Industry. The language in the Harkin-Engel Protocol is unambiguous. It states that "industry in partnership with other major stakeholders will develop and implement credible, mutually-acceptable, voluntary, industry-wide standards of public certification, consistent with applicable federal law, that cocoa beans and their derivative products have been grown and/or processed without any of the worst forms of child labor (emphasis added)."

Industry Definition and Approach³

At a meeting with a member of the Tulane University Team in December 2006, Industry included the following definition in its presentation:

Certification:

- A transparent, credible and progressive process that reports on the incidence of the worst forms of child labor (WFCL) and forced adult labor (FAL) in a producing country's cocoa sector and on progress in reducing this incidence, with the goal of eliminating WFCL and FAL from the sector.

Certification includes:

³ The presentation and discussion of certification is based on information obtained by Tulane University between December 2006 and July 2007 and used by Industry in presentations at public forums (i.e. the [REDACTED] Partnership Meeting in Amsterdam, May 2007). On September 21, 2007, Industry sent Tulane a report that has a revised definition of certification and additional information: "Certification for Cocoa Farming: Submission to Tulane University. Submitted on behalf of [REDACTED], [REDACTED] September, 2007." The content of this report will be reviewed and discussed in the Second Annual Report in 2008.

- A statistically representative family, farm and community-based data collection on the incidence of WFCL and FAL in a country's cocoa-growing area.
- Publicly available annual reporting on the nature and impact of remediation efforts focused on the elimination of the WFCL and FAL (including rescue, rehabilitation and repatriation, as needed).
- Independent verification of the data collection and reporting.

Certification does not include:

- Individual reporting on each of the estimated 2 million small-holder farms growing cocoa in West Africa.
- A guarantee that no instances of the WFCL or FAL exist in a country's cocoa sector.

The above definition was developed by Industry and involved discussions with representatives from Ghana and Cote d'Ivoire. It appears to be accepted by the government-led child labor committees in each country. The model frames the background for the pilot certification surveys conducted in Ghana in 2006 and in Cote d'Ivoire in 2007.

Common Certification Models

A large number of "certification," "fair trade" and "ethical trade" initiatives have emerged during the past decade. To understand the context and assess the progress towards meeting the certification requirement in the Harkin-Engel Protocol, Tulane University reviewed a range of voluntary initiatives that address the ethics and standards of production and trade. The most well known initiatives, "fair trade," focus broadly on the promotion of more equitable trading relationships and in particular on support to small producers and farmers (Barrientos and Dolan 2006). A generally accepted definition is:

Fair trade is a trading partnership based on dialogue, transparency and respect that seeks greater equity in international trade. It contributes to sustainable development by offering better trading conditions to, and securing the rights of, marginalized producers and workers – especially in the South (EFTA, nd).

Fair trade agreements consider prices paid to producers, labor conditions, organizational issues (i.e. producer cooperatives), the investment of profits (i.e. community improvements) and environmental sustainability (www.transfairusa.org/content/faq/php).

Several cooperatives in Ghana and the Cote d'Ivoire participate in Fair Trade (FT) Certification for a small percentage of their production. In Ghana, the [REDACTED] producer cooperative (35,000 members) is composed of village level organizations that elect local committees and regional representatives that, in turn, elect representatives to a national union. The cooperative owns 33 percent of the [REDACTED]

which sells FT Certified [REDACTED] chocolates in the UK and the USA. The FT sales enabled members to obtain access to credit and new equipment and to complete community improvement projects.

In Cote d'Ivoire, the [REDACTED] (3,800 members) was Fair Trade Certified in 2004. A percentage of the proceeds from Fair Trade sales are directed towards health care programs, micro-credit, educational scholarships and environmental conservation.

"Ethical trade" refers to a more limited range of issues. It focuses on codes of labor practice and voluntary initiatives that consider employment conditions and compliance with labor standards in food supply chains. They are designed to apply internationally, particularly to the labor practices of suppliers and subcontractors [REDACTED] (2006).

Fair Trade and ethical trade are examples of "values-based certification" models. Broadly defined, they refer to an "independent certification or verification of the social and/or environmental practices underlying a company's products or services for the purposes of communication to consumers or other stakeholders." They include the monitoring of labor practices, agricultural inputs or other content to explicit standards. They are often accompanied by a "seal of approval" such as those seen on organic food products. Examples of values-based certification systems include:

- Organic food;
- Fair-trade coffee, cocoa and other agricultural products;
- Sustainable Agricultural Standard (Sustainable Agricultural Network) used by the Rainforest Alliance. This includes an additional criteria and indicators for cocoa that cover the treatment and conditions for workers and minors.
- Labor practices in developing nations (especially garment & footwear industries).

Consumer movements and values-based certification systems introduce a broader range of social and environmental values into industry, the market place and the public and private sectors in producing countries. They communicate additional information that can be used by consumers in decisions about which product to purchase.

A Fair Trade label informs the consumer that the product was produced in a manner that considers impact on the environment, labor conditions (e.g. without forced and/or child labor) and that the producer (and the group he/she belongs to) received a "fair price" (Skov, J., n.d.). Central to the Certification Systems developed by organizations such as TransFair and the Rainforest Alliance is that they include definitions of principles, criteria and indicators.

Comparison of Models

From the point of view of the Protocol and some stakeholders, there are two key issues in regard to Industry's definition. One is related to the membership and organization of the multi-stakeholder group involved in the design and development of the certification system. The other is related to the criteria for certification.

The “Partnership” issue: The Views of North American NGOs

The Protocol guidelines state that Industry will develop industry-wide standards of certification “in partnership with other major stakeholders.” While Industry appears to have collaborated with government representatives, cocoa boards and other local stakeholders in Ghana and Cote d'Ivoire, three North American NGO stakeholders interviewed about their involvement in the design process stated that they did not participate in the development of the certification model. In meetings and telephone conversations they noted:

- There is no formal structure or organization that includes NGOs in the effort to design and implement a multi-stakeholder certification system;
- The roles and responsibilities of NGO stakeholders in the process are not clearly defined; and
- Meetings between Industry and NGO representatives were essentially “briefing sessions” rather than efforts at collaboration, debate and discussion on the content of a certification system.

Industry’s Definition of Certification

The definition of certification offered by Industry (2006) is a misnomer. The concept of “certification,” the term “certification system” and values-based models imply that there are standards, norms, indicators and/or objectives against which conditions and results can be evaluated.

The Industry-government definition of “certification” (December 2006) is a report of conditions and of progress made to improve them. The certification process does not require Industry or government to establish or meet measurable targets for improvement. It does not include indicators or targets, nor does it call for setting them once a baseline is established. In addition, there is no clear linkage between certification report findings and investments by Industry to ameliorate problems and improve conditions for children in the cocoa growing regions.

In March 2007, Tulane sent Industry, WCF and ICI a formal request for information on projects and partnerships, research and projects, costs and results. This request was made as part of Tulane’s overall effort to describe and assess the level of investment in these projects, their effectiveness in reducing the scale of the WFCL and in ameliorating its harmful effects. In May 2007, the ICI submitted a full list of studies and pilot projects along with cost figures and several project reports (through December 2006; see Appendix 4).

In mid-August 2007, Industry provided Tulane with a report, “Responsible, Sustainable Cocoa Farming: Industry Report ([REDACTED] July, 2007). The report provides summaries of studies, pilot projects, partner and implementing organizations but no information on costs or results (see Appendix 5).

On September 21, 2007, Industry sent Tulane University two additional reports. One report was on Certification ("Certification for Cocoa Farming: Submission to Tulane University") and another was on education and other development interventions supported by individual cocoa/chocolate companies ("Responsible, Sustainable Cocoa Farming: Individual Company Efforts" [REDACTED])

August 2007; see Appendix 6). Financial information was provided for only a few of the more than 50 projects listed. These data will be reviewed and used to plan the next phase of Tulane's monitoring and assessment of certification activities.

Information on major projects and programs supported by the World Cocoa Foundation (WCF) was obtained from the WCF website (www.worldcocoafoundations.org) and in documents, interviews and field visits with its major partners (STCP, Winrock and IFESH). It includes information on companies and organizations supporting the projects and on results (e.g. teachers trained, farmers trained, students trained, schools renovated; see Appendix 7).

Progress Made

In terms of impact of the Harkin-Engel Protocol, the term "sanctions" is often mentioned in discussions about the Protocol, particularly among government officials and others in Cote d'Ivoire and Ghana. The view is that if a cocoa certification system is not established by 2008, access to the US and UK markets for cocoa beans and derivative products will be at risk (e.g. restricted, reduced and/or shut off). This seems to be the message that governments and national stakeholders have understood and it is an issue identified in reports, the media and in discussions in both countries.

The Harkin-Engel Protocol has stimulated regulatory reform, the creation of national child labor task forces and increased media attention to trafficking, forced labor and hazardous working conditions in Cote d'Ivoire and Ghana. It has encouraged the governments and cocoa organizations in both countries to support preventive and remedial action. The task forces in Cote d'Ivoire and Ghana have piloted certification surveys, monitoring systems and produced documents outlining strategies to combat WFCL.

The Protocol also required Industry to establish and fund a joint foundation to oversee and sustain efforts to eliminate WFCL. This condition was met by the creation of the International Cocoa Initiative (ICI) with headquarters in Switzerland. The ICI has funded background surveys, orientation/sensitization programs and pilot projects to address WFCL in both countries. In 2007 the ICI set up a field office in Abidjan and plans to do the same in Accra. In addition to Industry and ICI initiatives, individual cocoa/chocolate firms have funded education and other projects to improve conditions and services.

In short, since the signing of the Protocol, progress has been made by both governments and Industry to implement its requirements. The WFCL and certification issues are now frequently topics discussed at bi-annual World Cocoa Foundation meetings and at other international forums. Highlights of initiatives that illustrate progress made in Cote d'Ivoire and Ghana are outlined below.

Ghana

Public awareness of WFCL and related issues such as trafficking has increased considerably since the Harkin-Engel Protocol was signed. Tulane's tracking of information indicates that conferences and reports of government, development agency and NGO child labor projects are now frequent events and are covered in the print and electronic media. Advertisements for pesticides and fertilizer are accompanied by instructions on safe use and warnings of the dangers of exposure.

Ghana's Government Steering Committee on Child Labor formed in 2000 has expanded the scope and scale of its activities. It is coordinated through the Ministry of Manpower, Youth and Employment (MMYE) and includes representatives from five other ministries, COCOBOD, the Ghana Statistical Service, the DOL-funded ILO-IPEC Time-Bound Programme, the University of Ghana and local NGOs. The Committee's efforts are supported by the Global Issues Group (GIG), WCF and the ICI.

Among its achievements in recent years is the production of a "National Programme for the Elimination of the Worst Forms of Child Labour in the Cocoa Sector 2006 – 2011 (MMYE and COCOBOD). The program includes seven strategic elements including monitoring and research, strengthening the legal framework, mobilization and sensitization of communities, education and training, and capacity-building at all administrative levels. It makes specific reference to international conventions and the Harkin-Engel Protocol.

The Government of Ghana, has in recent years, passed legislation to supplement the Children's Act (Act 560, 1998) including The Human Trafficking Act (Act 694, 2005) and the Domestic Violence Law passed by Parliament in 2007. In addition, the Ghana Poverty Reduction Strategy (GPRS 2) sets the elimination of child labor as a priority and a new education policy calls for free, universal education for primary and junior secondary school levels (Asuming-Brempong *et al.* April 2007).

Ghana is carrying out a Time-Bound Program (TBP) that seeks to eliminate WFCL from all sectors including agriculture. It is supported by ILO/IPEC with funding from the US DOL. Under the WACAP project, 1,200 children were withdrawn from 52 cocoa-growing communities and nine rice-growing communities. Children were enrolled in schools, child labor committees were organized and targeted for education programs.

Between 2004 and 2006, ICI in collaboration with its local NGO partner, Participatory Development Associates (PDA), piloted a community-based dialogue and sensitization program in 24 communities. Three other local NGOs participated in the project at the community level. Other ICI sensitization efforts have targeted district and regional officers, and media personnel working in radio and television (*Ibid*, p. 10).

The MMYE Steering Committee sponsored, coordinated and participated in the "Pilot Labour Survey in Cocoa Production in Ghana – 2006" (Asuming-Brempong *et al.* April 2007). The experience gained from conducting the survey and producing the report represents a major step in the certification process and lays the foundation for the large-scale annual survey to be conducted in October – December 2007.

Cote d'Ivoire

The recent years of conflict between the Northern and Southern parts of Cote d'Ivoire has diverted attention and resources from WFCL and other social programs. In spite of this, actions to address WFCL issues were undertaken and have accelerated in the past nine months.

The ILO and IITA/STCP completed surveys on child labor in the cocoa sector between 2001 and 2003. A major report conducted under the auspices of ICI used these and other documents to analyze the problems within a wider political and socioeconomic context (LeBlanc 2004). The report examines the causes of child labor in Cote d'Ivoire in relation to economic and food insecurity, the land tenure situation, and weaknesses in the legal, educational and other national institutions. The report also examines the work of the DOL-funded ILO-IPEC programs (LUTRENA and WACAP), those of UNICEF, STCP, SOCODEVI, GTZ, labor unions and a large number of NGOs involved in child labor and related children's issues.

The LeBlanc report also outlines strategies and specific actions to address WFCL problems at the national and lower administrative levels. It appears to have established a solid empirical basis for the development of ICI's strategy and programs that are currently being implemented and expanded.

The Government of Cote d'Ivoire designed and piloted a Child Labor Monitoring System that reviewed the institutional framework, legal instruments and programs (e.g. ANADER, WCF, IITA/STCP, Winrock) established to prevent and ameliorate WFCL. It also reports the results of the pilot survey carried out in Oumé District.

In 2007, a new Child Labor in the Cocoa Sector Task Force was established and officially sanctioned within the Office of the Prime Minister. It is composed of a Pilot Committee headed by the Prime Minister and includes several other Ministers and senior government officers as well as a Secretariat that is headed by Madame Amouan Assouan Acquah.

The Task Force implemented and is currently writing the report of a pilot certification study carried out in three departments (two sub-prefectures in each). The questionnaire was designed by an international child labor expert and another expert was involved in the training of the field research team. Publication of the pilot survey results is expected in October 2007.

The Task Force also produced a report, "A National Plan of Action Against Slavery and Child Labor" (2007) that was sent to Tulane University in early October 2007. The document presents the government position in regard to WFCL conditions and acknowledges that instances of the exploitation of children are found in cocoa production as well as in other agricultural sectors, mining and domestic work. It outlines measures undertaken by the government to address the problem including ratification of ILO Conventions 5, 29, 105 and 182.

The national plan outlines legal and institutional steps to investigate, prevent, ameliorate and monitor WFCL. It mentions the ongoing programs of IPEC-LUTRENA, STCP, GTZ

and ICI and the government's support of these efforts. It outlines three major areas for government action: (1) public information and capacity building; (2) support to schools (e.g. free distribution of textbooks and cafeterias) and; (3) alphabetization and other educational programs for children not enrolled in school or who do not have access to schools. The plan also contains a detailed list of actions, activities and organizations within and outside government who will be involved in implementing the plan.

The ICI established an official field office in Abidjan in 2007. ICI is supporting sensitization and capacity building initiatives for government administrators, the police and other officials at the prefecture and lower administrative levels. Industry also supports Winrock (CLASSE), IFESH and STCP projects in Cote d'Ivoire.

An outstanding issue is the current status of a 2007 national certification survey to cover 50 percent of the cocoa growing region in the country. At the time Tulane was preparing this Annual Report, the cocoa industry has informed us that the Government of Cote d'Ivoire has made plans to conduct the survey during the 2007 harvest season (October-December 2007) and that enumerators are being trained. If a harvest season survey is not implemented in Cote d'Ivoire in 2007, the Tulane-WAHO-ENSEA 2007 harvest season survey will not have a parallel Industry-government sponsored survey to compare its results with.

Challenges

According to some reports and interviews with international and local experts on child labor and cocoa production, the criteria for certification in the Harkin-Engel Protocol – *“that cocoa beans and their derivative products have been grown and/or processed without any of the worst forms of child labor”* – is too restrictive and, in practice, impossible to monitor on a farm-by-farm basis. This is a major concern of the governments of Ghana and Cote d'Ivoire, and appears to be shared by African, European and American cocoa research experts. These experts also agree, however, that children's work on cocoa farms can be, and sometimes is, hazardous.

While expert opinion and views expressed in reports raise important questions about the strict criteria of the Protocol, they also support the view that documentation of the nature and scale of WFCL is necessary. They also agree that much needs to be done to reduce children's exposure to harmful conditions, to increase awareness and prevent harmful practices and to increase educational opportunities for children. There appears to be widespread agreement that:

- comprehensive, farm-by-farm monitoring of labor practices on the two million, small, family managed cocoa-producing farms is not possible either administratively or financially;
- risks to children and adults will never be completely be eliminated; and
- based on their experience and research, the percentage of children involved in harmful practices appears to be relatively small.

The reports and experts agree that while children's involvement and/or exposure to hazardous conditions can and should be reduced, it is not technically or administratively

possible to establish a system to certify that the beans sold to buyers and processors are produced without any of the WFCL. They agree that if the criteria in the Protocol were strictly applied, they would be impossible to meet.

In addition to the technical and administrative constraints, international and local experts cite other factors to support their position. These include:

- the fragmented nature of production in more than two million small, remote and mostly family-run farms;
- the low returns for cocoa production that puts pressure on farmers to use their children, young relatives and young migrants (who seek gainful employment);
- children helping parents, relatives and neighbors on farms is universal, traditional and normally not harmful (or willfully harmful);
- bonded, forced labor and “slavery” are either absent or very rare; and
- poverty and lack of economic options in the poorer neighboring countries lead thousands of children and adults to seek employment in Ghana and Cote d’Ivoire.

Most experts, government officials and other observers in both countries recognize that children are sometimes harmed in the performance of agricultural tasks and that more should be done to eliminate hazardous conditions and WFCL. They also support the government and NGO initiatives that address the problem. They concur that the Harkin-Engel Protocol has brought wider attention to the problem and has stimulated action by Industry and government to take corrective measures.

Conclusions

The Harkin-Engel Protocol, the ILO/IPEC initiatives and other events appear to have had a positive impact on the scale and pace of Industry, government and other institutional efforts to address the problem of WFCL in Cote d’Ivoire and Ghana. There has been a marked increase in investment, research papers and public awareness of child labor issues. The heightened public interest underscores the importance of the Protocol and the Congressional mandate to verify progress towards the elimination of child labor in the cocoa/chocolate industry.

Industry, in collaboration with the Governments of Cote d’Ivoire and Ghana and other local partners, have taken steps to develop a model for an industry-wide, public and transparent certification system. The model has been presented at meetings and is included in documents and on the web. It can, therefore, be viewed as “public.”

“Transparency” remains an issue. Some North American NGO partners do not believe they were adequately consulted. It is important, however, to note that a recent meeting of the World Cocoa Foundation in Washington D.C. (October 24 and 25, 2007) included representatives of major certification bodies including TransFair and the Rainforest Alliance. This would suggest that they and/or similarly qualified groups will participate in

future revisions to the certification system. Tulane will monitor the documentation of this process.

The Fair Trade and other values-based certification systems include the “worst forms of child labor” criterion in the Harkin-Engel Protocol. They also contain standards and criteria that require a complex process of social mobilization, organizational development and productive processes that are difficult to achieve and monitor on a large scale. The fact that there are only 1-2 million farms throughout the world – covering all Fair Trade Certified agricultural commodities – is testimony to the complexity of the approach and its limited application to date.

While the strict application of the “no forced labor” requirement in the Harkin-Engel Protocol does not appear feasible, a large gap remains between the core features of a “certification system” – standards, measurable objectives, targets and indicators – and the definition offered by Industry. “Certification” as defined by Industry contains no standards or indicators and avoids any use of the term “certification system.” What it presents is a “certification process” or “certification model” that reports on conditions of WFCL and efforts to address the problem.

A concern that needs to be addressed is whether there is an intermediate position – an alternative to both the Protocol requirement and Industry’s certification report. This is a matter that requires the participation and consideration of all stakeholders and would involve additional complex and detailed negotiations between them.

The Tulane Team will continue to monitor the progress of efforts to establish effective certification systems in each country. The annual consultative meetings in Cote d’Ivoire, Ghana and Washington, DC provided an opportunity for stakeholders to express their views and suggest measures to improve coordination and communication between Tulane University and stakeholders. Tulane has already taken steps to follow-up on issues raised and welcomes additional contributions to its effort to monitor progress of Industry and government initiatives to design and implement meaningful, useful and reliable certification systems in each country.

Recommendations

1. The multi-stakeholder group for certification should review, redefine and reorganize itself as a body with defined objectives, responsibilities and tasks. This would include a schedule of meetings and other communication processes defined by an agenda of issues and questions to be addressed.
2. It may be useful to expand the membership of the multi-stakeholder group to include experts in certification systems and rural development.
3. The multi-stakeholder certification group might also be replicated within each country to give adequate attention to country specific political, administrative and economic conditions.
4. A key issue for the multi-stakeholder group(s) is to re-examine the broad concern of the Protocol – the involvement of Industry and the national governments in efforts to prevent and ameliorate WFCL. This may require long hours of

discussion and negotiation to design a certification system with standards and measurable indicators that will promote this objective.

Note on Revised Industry “Certification Concept”

On September 21, 2007, Industry sent Tulane a report with a revised definition of certification and additional information: “Certification for Cocoa Farming: Submission to Tulane University. Submitted on behalf of CAOBISCO, CMA, CMAC, ECA, NCA and WCF. September, 2007.” The revised definition, referred to as a “certification concept” is:

Certification will provide a clear, statistically valid and representative view of labor conditions across the cocoa sectors of Ghana and the Ivory Coast, on an annual basis. It uses this information to identify both problem areas and the actions required to address them. And it measures the success of efforts to address labor problems and supports the economic and social development of cocoa farming communities (ibid, p. 13)...

While the report was received too late for Tulane University to fully review and analyze, a few differences can be noted between the December 2006 definition of Certification and the one submitted on September 21, 2007. One is that it is referred to as a “certification concept,” not a “certification model,” the term used in December 2006. While the wording has changed, there is still no clear reference to a “certification system” with standards, norms, targets and/or indicators.

The “certification concept” (2007) refers to “statistically valid and representative view of labor conditions.” In contrast, the 2006 definition specifically refers to “reports on the incidence of the worst forms of child labor (WFCL) and forced adult labor (FAL)...and on progress in reducing this incidence...” Since the new “certification concept” does not provide details on “labor conditions,” it appears to be less rigorous than the “model” used by Industry in 2006.

The December 2006 definition requires “publicly available annual reporting on the nature and impact of remediation efforts focused on the elimination of WFCL and FAL (including rescue, rehabilitation and repatriation, as needed). This suggests that both positive and negative findings will be reported. In contrast, the 2007 “certification concept” calls only for measurement of “the success of efforts to address labor problems...” This raises a question about whether negative results or failures will also be reported.

Tulane will request clarification on these issues and other information in the September 2007 report from Industry and will also obtain the views of other stakeholders in the next phase of the project.

Child Labor Monitoring (CLMS) and Verification Systems

Task 2 of the US DOL–Tulane University contract calls for Tulane to assess progress towards the establishment and implementation of a Child Labor Monitoring System and an independent Verification System. The systems should be designed to provide information to verify progress made in Cote d'Ivoire and Ghana to implement the Harkin-Engel Protocol including efforts to certify cocoa as child labor free, to eliminate exploitative child labor from the cocoa sector, and to provide education and rehabilitative services to children withdrawn from exploitative labor.

Monitoring and assessment activities on the CLMS and Verification systems started in October 2006. They included the collection of child labor monitoring reports, Industry, NGO and government documents on plans, activities and results of projects. Additional information was obtained in interviews with representatives of the chocolate/cocoa industry and members of the Verification Working Group (VWG). Many VWG reports are available on its website (www.cocoaverification.org) and were used as the basis for interviews about the organization, financing and progress of verification.

The Child Labor Monitoring System

Progress Made

The CLMS is critical to both the certification and verification systems. It is structured to monitor and provide data on government and Industry-supported efforts to promote safe, child labor free practices, improve education, identify children who require assistance, and track the progress of policies, programs and projects aimed at reducing the incidence of WFCL. The CLMS includes a computerized database programmed in Microsoft-Access (IPEC Evaluation, August 2005). In Ghana it is organized and operated within the Ministry of Manpower, Youth and Employment (MMYE).

According to the ILO, labor monitoring “involves the identification, referral, protection and prevention of child laborers through the development of a coordinated multi-sector monitoring and referral process that aims to cover all children living in a geographical area” (<http://www.ilo.org/public/english/standards/ipec/themes/clm/index.htm>). It includes periodic, repeated direct observations to identify child laborers, the risks they are exposed to, referrals of children to services, verification of removal and tracking them to monitor that they have satisfactory alternatives.

The design, pilot testing and development of a CLMS was initially financed (US \$518,000) by the ILO/IPEC WACAP project. The first pilot test of the CLMS was conducted in Ghana. It covered:

- Five districts;
- The legal framework of child protection;
- Trafficking;
- Children withdrawn from WFCL;
- The organizational and administrative context; and

- IPEC and other programs and projects.

The CLMS instruments include four baseline survey and monitoring questionnaires. The pilot surveys focused mostly on working children who received WACAP support but included others who were not beneficiaries.

The continuation and expansion of the CLMS is included in the National Programme for the Elimination of WFCL in the Cocoa Sector: 2006 - 2011 (MMYE and COCOBOD). It calls for the establishment of community and district registers of all children 0-17 years old, data collection and reporting procedures, a central database and Community Child Labor Monitoring Committees. It includes the generation of data using surveys, rapid assessments and case studies on WFCL, and issues such as school performance and trafficking (*ibid*).

In 2005, the Government of Cote d'Ivoire designed a Child Labor Monitoring System and pilot-tested the instruments and system in Oumé District. The Ivorian CLMS includes components on the institutional framework, legal instruments and programs (e.g. ANADER, WCF, IITA/STCP, Winrock) established to prevent and ameliorate WFCL. The Oumé District survey also reports on demographic characteristics, education, types of children's work, social protection and prevention (Republique de Côte d'Ivoire, Central Coordination Unit, 2005).

The strengthening and expansion of the CLMS is incorporated into Cote d'Ivoire's National Plan of Action Against Slavery and Child Labor (2007). It addresses actions to monitor the effectiveness of laws and regulations, the withdrawal and repatriation of victims of WFCL and the assessment of the capacity of government agencies to implement preventive measures and remedial actions.

Industry contributed to the initial WACAP effort that included funding to develop the CLMS. In 2007, Industry informed Tulane that it did not intend continue to provide financial support for the system. An examination of how this may impact on the scaling-up and improvement of the CLMS will be examined in the next phase of the Tulane monitoring and assessment activities.

Conclusions

The CLMS piloted in each country appears to have made a good start but additional work is needed to expand the system, data collection instruments, strategies to address the full range of WFCL indicators and the programs and projects for prevention and rehabilitation. In addition, it will take time and investments to operationalize and expand data collection and organizational capacity at all administrative levels.

The Verification System

The Verification Working Group

An essential feature of a credible “certification system” is the design and effective implementation of an independent verification system. This principle appears as a component of voluntary certification systems and is included in public documents on certification produced by Industry and the governments of Ghana and the Cote d’Ivoire. For example, a sentence in the Industry statement on certification reads, “Under this definition [of certification], the model being developed will certify that a system is in place to provide...independent verification of the data collection, reporting and remediation efforts.”

In 2004, the VWG was established with representation from the National Consumers League (NCL), the IUF, an Australian university, an independent consultant and the National Centre for Business and Sustainability (NCBS) based in the UK. The group was disbanded at the end of 2005 and a new group was formed. The new VWG retained two of the original members and obtained three new members. The new members included a second person from the NCBS, a US consultant resident in Ghana, and the former Chairman of the Ghana Teachers Association. The activities of the VWG were financed by Industry.

The work of the start-up group focused on:

- The design and testing of a verification system;
- The design of a governance structure; and
- The formulation of recommendations to provide independent and sustainable funding for the VWG and its operations.

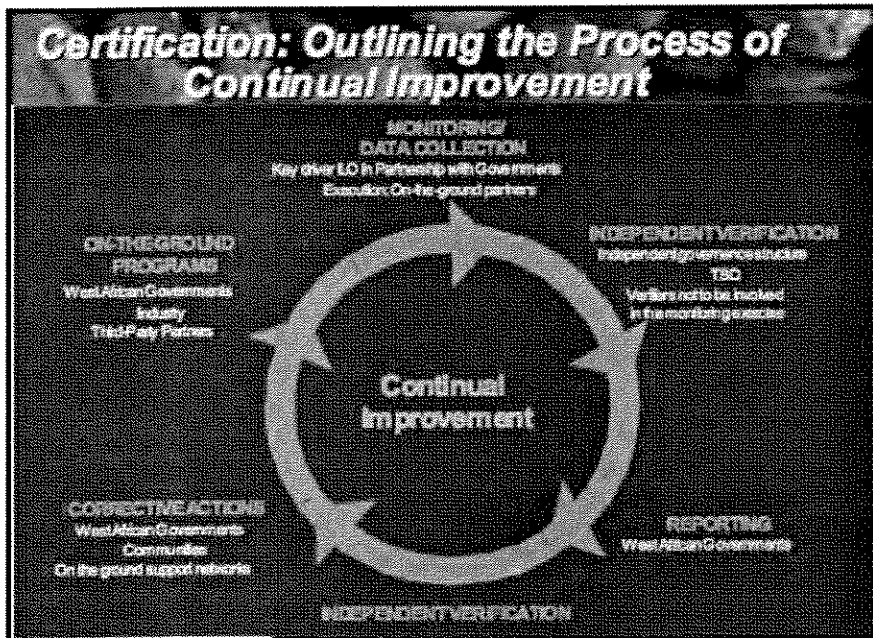
The group applied standard verification principles including clear objectives, objectivity and competence, independence, full access to information and transparent reporting (Roberts 2004). It considered the important social dimension of certification including the fact that producers were mostly small farm owners and the need to have firm government commitments to fulfill obligations once a decision was made to accept the verification system.

The members of the VWG fully understood that in order to be widely applicable, the proposed cocoa certification system would be different from established fair trade and ethical trading certification models. They acknowledged the impossibility of bean or farm certification given the large number of producer holdings and other conditions. They also determined that the certification reports could not lead to a product label. The views of the VWG on the key features of “certification system” for cocoa are that:

- The system is not a “fair trade” labeling system;
- No “product label” is anticipated;
- The system will commit the entire cocoa sector to monitoring and independent verification; and
- The certification system will report on the “progress of the sector.”

In short, their proposed approach includes most of the key features of the “certification process” outlined by industry. It also highlighted the need to have an effective multi-stakeholder CLMS to periodically collect and report on conditions and the progress of efforts to prevent and ameliorate WFCL practices. The major difference between the conclusions of the VWG and those of Industry revolve around the interpretation of “independent.” The view of several members of the VWG is that Industry wants to retain a large measure of control over the verification process.

Figure 2. Model of the Certification Process



Source: Industry PowerPoint, 2007.

Governance

Governance issues and organizational options were periodically addressed by the VWG. It based its approach on models already developed for similar organizations and initiatives. The elements of a proposed governance model included:

- **A Verification Management Body (VMB)** with oversight functions and responsibilities. It would outline tasks, meeting schedules and criteria for membership.
- **A Stakeholder Advisory Council** (12 members) to provide strategic advice and periodically review policies and procedures.
- **An Operational Support Unit** with day-to-day management functions, clear reporting responsibilities to other sections, budgeting, training and supervising verifiers and public information including the communication of results.

- **Internal and External Verifiers** contracted to conduct periodic verification exercises including field verification of the certification system findings.

A key principle of governance that informed all options and discussions was the need for an independent verification structure to ensure the credibility of the reports and “certificates” to be issued by governments describing the WFCL situation and remediation efforts. The VWG sought to balance the need for stakeholder participation and the independence of other actors, particularly those contracted to conduct field verification and an analysis of the CLMS and other data.

Financing

In 2006, the VWG contracted two experts to investigate options for fair and sustainable financing of verification. Their task was to develop sustainable funding options that would enable the VWG to function fairly and effectively, and take into account criteria such as transparency, independence, the impact on farmers and the ease of putting the financing system into practice. Five options were identified and the pros and cons of each examined in terms of these criteria.

1. Government financing via the existing cocoa levy system;
2. Industry levy based on cocoa volumes;
3. Levy based on warehouse stocks;
4. Levy from future market trades; and
5. Grants from consuming countries or international organizations.

The study team recommended three options (numbers 2, 3, and 4) and suggested additional research be conducted on them (Suma and Lajeunesse, June 2006).

Pilot Verification Survey

The VWG conducted a weeklong pilot verification survey in Ghana in 2005. The eight-person team included international and Ghanaian experts. It confirmed that the recommended approach to field verification was satisfactory but also determined:

- Outstanding questions remained about the “certificate;”
- That there was no “certification system in place;” and
- That the approach being used did not include clear objectives or targets for the reduction of WFCL in the cocoa sector.

The VWG met and produced a verification progress report in 2006. They did not receive funds from Industry to continue their work even after scaling down the VWG budget by a substantial percentage. Members of the VWG interviewed by Tulane in 2007 indicated they were uncertain of the status of the group and were not optimistic about its future. They noted that the key issue in their proposal for governance and field verification was the level of participation and/or influence of Industry or Industry-supported representatives. Members consulted indicated they were ready to work out a compromise with Industry on the issue but that there were no signs the discussions would continue.

Verité

The report Industry sent to Tulane University on September 21, 2007 includes an addendum with a “verification update.” It acknowledges the “initial exploratory efforts” and Industry’s commitment to independent verification as being a “critical part of verification.”

The addendum notes that Industry has met with Verité, a nongovernmental organization that works with factories, NGOs, international investors and governments to “improve social and environmental performance of global supply chains.” Industry approached Verité to address:

- The goal of verification;
- The appropriate (“unique”) form of cocoa farming certification;
- How certification would work; and
- The best approach to certification to ensure that it is sustainable.

Verité produced a “Verification Program Roadmap” that appears to address the same issues and recommends a process that is broadly similar to those outlined by the VWG. Verité’s “Verification Program Roadmap” lays out a specific, step-by-step approach to developing and implementing the verification program. Key points in the roadmap include:

- The selection of a “convener” to drive the process – in particular, the establishment of a Verification Board;
- Securing buy-in from key stakeholders – early on – to ensure an effective approach;
- Creating Memorandum of Understanding agreements with the governments of Ghana and the Ivory Coast;
- The formation of the Verification Board, with representation divided equally among NGOs, organized labor/academic experts, West African governments, and Industry;
- The formation of the Verification Board as a legal entity – with funding based on best practice approaches used in other industries;
- Through the Verification Board, once convened, the design of an effective verification effort, by January, 2008;
- Selection of independent, contracted “verifiers” by the Verification Board, in early 2008;
- Commencement of verification audits, from mid to late 2008.

Given the time involved in implementing these steps, Verité also agreed to conduct a “shadow audit” of this fall’s certification work in Ghana and the Cote d’Ivoire.

The Verité document was received by Tulane in mid-October 2007, which did not allow Tulane sufficient time to fully consider the report's contents nor to compare it with the work of the initial VWG.

Conclusions

Significant progress was made by the VWG following accepted procedures and verification guidelines. Recommendations and options for governance and financing were produced. Industry decided to withdraw its support from the VWG and to contract Verité to produce another approach. A careful comparison of the differences between the verification models proposed by each group will be conducted by Tulane during the next phase of the project. This will include interviews with key stakeholders on their views on the different approaches, and the monitoring of Verité's "shadow audit."

First Annual Harvest Season Survey

It is agreed by all partners in the child labor field that statistically representative survey research is the only way to generate the evidence necessary to assess the impact of the Harkin-Engel Protocol and to describe the situation of child labor in the cocoa growing areas of Cote d'Ivoire and Ghana. Therefore, Tulane University will implement annual, nationally representative surveys of child labor in the cocoa growing regions in both countries. The survey research will be representative of children between 5 and 17 years of age living in farming households in the areas where cocoa is grown. Our samples will include children working in cocoa production, children engaged in economic activity other than cocoa production, and non-working children. It is critical that the surveys be carried out during the main cocoa harvest season, October to December, when the need for labor is very high. Because of the timing of the original contract award in October 2007, it was impossible to start a survey during the 2006 harvest season. Due to this seasonally and contractually dictated timeline, only pilot and pre-test survey research activities were carried out in the first contract year. The first full survey will be undertaken from October to December 2007. Follow-up surveys are scheduled for the between-harvest season in spring 2008 and the subsequent main harvest season in fall 2008.

Background

The Tulane University surveys are not the first child labor surveys to be carried out in cocoa growing regions. After the Harkin-Engel Protocol was signed, the International Institute of Tropical Agriculture (IITA) was tasked with implementing surveys in Ghana, Cote d'Ivoire and other cocoa producing countries. The research involved producer surveys, worker surveys, and community surveys. Only cocoa producing households were included in this study and there were no comparison groups. While the sample size was considerable, some aspects of the research methodology have been questioned, and the full report has not been officially released (IITA 2002).

The ILO has supported national child labor surveys in both Ghana and Cote d'Ivoire. The ILO questionnaires cover child economic activities but are not specific to agriculture or cocoa. In Ghana, the data were collected in 2002 and the report has been published in 2003 (Ghana Statistical Service 2003). In Cote d'Ivoire, a child labor survey was implemented in 2005. The final report has not yet been made publicly available. Based on personal communication with senior ILO officials, we know that due to the conflict only the government controlled areas were accessible by the research teams at the time of data collection and that the northern part of the country had to be left out of the otherwise nationally representative study. In addition, the ILO piloted a child trafficking module in Cote d'Ivoire.

The General Agricultural Workers' Union (GAWU) recently released the findings from an independent survey of child labor in the cocoa growing areas of Ghana (GAWU 2006). The GAWU data were collected in 2004 covering both cocoa producing farms and farms not involved in cocoa production. This survey addresses hazardous work but does not attempt to assess the unconditional worst forms of child labor defined by ILO Convention 182 such as child trafficking, debt bondage and serfdom, and forced or compulsory labor.

As part of their certification system, the cocoa/chocolate industry has financed pilot certification surveys in Ghana and Cote d'Ivoire. A pilot certification survey in Ghana was carried out in late 2006 (Asuming-Brempong *et al.* 2007). The pilot certification survey in Cote d'Ivoire was implemented in 2007. The surveys were carried out under the authority of the governments of Ghana and Cote d'Ivoire in cooperation with local partners.

Methodology

Key Concepts and Definitions

Critical indicators to validate efforts undertaken under the Harkin-Engel Protocol are the number of children working in the cocoa sector, the types of activities they perform, their working hours, and their exposure to hazardous work and unconditional worst forms of child labor. To provide a complete picture of the work load of these children, the research has to look beyond cocoa-related activities and cover all economic activities that the children are performing. In addition, by including farms in the cocoa growing regions that produce little or no cocoa, the work load of children on cocoa farms will be compared with and placed into perspective of the general work load experienced by children in the rural cocoa-growing areas of Ghana and Cote d'Ivoire.

In measuring child labor, the primary frames of reference are the conventions of the ILO and the United Nations (UN). These conventions have been agreed upon by international consensus. The protocols are recognized by the world diplomatic community and have been ratified by most countries. Both Ghana and Cote d'Ivoire have ratified the UN Convention on the Rights of the Child, ILO Convention 29 on Forced Labor, ILO Convention 138 on Minimum Age of Work, and ILO Convention 182 on the Elimination of the Worst Forms of Child Labor.

In line with the conventions, we define a child as an individual under 18 years of age. Child labor studies generally cover children between 5 and 17 years since a child under 5 is assumed to be too young for either work or school. Work is defined in terms of economic activity covering "all market production (paid work) and certain types of non-market production (unpaid work), including production of goods for own use" (Hagemann *et al.* 2006).

Table 1. Child labor as defined by the ILO

Age groups	Forms of work			
	<u>Non-hazardous work</u> (in non-hazardous industries & occupations and <43 hrs./week)		<u>Worst forms of child labour</u>	
	<u>Light work</u> (<14 hrs/week)	<u>Regular work</u> (≥14 hrs/week and <43 hrs/week)	<u>Hazardous work</u> (in specified hazardous industries & occupations plus ≥43 hrs/week in other industries and occupations)	<u>Unconditional worst forms</u> (trafficked children; children in forced & bonded labour, armed conflict, prostitution & pornography, and illicit activities)
5-11				
12-14				
15-17				

Note: The blue areas are considered to be forms of child labour in need of elimination as per ILO Conventions Nos. 138 and 182.

Source: Hagemann, F., Diallo, Y., Etienne, A., Mehran, F. (2006). *Global child labour trends 2000 to 2004*. Geneva: International Labour Organization (ILO), Statistical Information and Monitoring Programme on Child Labour (SIMPOC).

In measuring child labor, the ILO distinguishes between light work, regular work, hazardous work and the unconditional worst forms of child labor (see Table 1). Light work of less than 14 hours per week and not of a hazardous nature is considered acceptable for children age 12 and above but unacceptable for younger children. Regular work between 14 and 42 hours is regarded as acceptable for children older than 14 years except if the occupation or industry is classified as hazardous or if the child is exposed to any of the unconditional worst forms of child labor. Hazardous work and the unconditional worst forms are unacceptable for children of any age. Minimum age criteria are discussed in the ILO Minimum Age Convention (C138). Hazardous work and the unconditional worst forms are covered by the ILO Worst Forms of Child Labor Convention (C182). Hazardous activities are further defined in ILO Recommendation 190. Other relevant conventions and protocols are the ILO Forced Labor Convention (C29), the UN Supplemental Convention on the Abolition of Slavery, and the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons.

Ghana and Cote d'Ivoire have signed the relevant conventions and local legislation is oriented at these standards. An example is the Ghana Children's Act from 1998, which "carefully revised most of the laws affecting the rights of children, and reflects international standards as closely as possible" (Casely-Hayford 2004). The Act defines a child as "a person below the age of 18 years." According to the Act, the minimum age for admission to employment is 15 years. Slightly different from the ILO interpretation, the minimum age for light work is 13 years. Light work "constitutes work, which is not likely to be harmful to the health or development of the child, and does not affect the child's attendance at school or the capacity of the child to benefit from schoolwork." The Act prohibits exploitive child labor that deprives the child of health, education or

development. The Act also states that no child can be involved in hazardous work including portage of heavy loads, manufacturing industries where chemicals are produced or used, and work in places where machines are used. In Cote d'Ivoire, the minimum working age is 14 years, and the minimum age for "light agricultural work and domestic work is 12. However, children under the age of 14 must have parental consent and cannot work for more than four and one-half hours a day" (USAID 2002a). As in Ghana, the minimum age for hazardous work is 18 years. In both countries, a large number of laws and regulations have direct implications on child labor. A listing of relevant national legislation is attached to this report as Appendix 10a and 10b.

Any data on child labor, if they are to be used effectively, must be collected in such a way that conclusions can be reached based on the ILO definitions as well as the local standards. Therefore, the methodology used by Tulane will be comparable with all national and international standards and definitions. The component parts of the definitions can be aggregated in such a manner as to enable appropriate indicator construction for comparison with other national or international indicators.

Questionnaires and Pretests

The questionnaires for the Tulane annual surveys were developed based on the work of the ILO. In addition, some items were taken from questionnaires used in prior cocoa sector studies, studies of health and education, and studies of child abuse and trafficking. Several questionnaire items were also taken from the instruments used in the Industry-supported pilot certification surveys to ensure that the survey results are directly comparable. Versions of the DRAFT questionnaires that have been pretested are included as Appendix 11.

The draft Tulane questionnaires were pre-tested in Nankese, Ghana, in May 2007 and in Kagbe, Cote d'Ivoire, in August 2007. In Nankese, 52 children were interviewed in households, 37 caregivers were interviewed in households, 14 children were interviewed at school, and 5 teachers were interviewed at school. In Kagbe, 69 children were interviewed in households, 43 caregivers were interviewed in households, and 2 teachers were interviewed at school. Children from both cocoa farming households and households that do not farm cocoa were included. In the selected households, one caregiver and all available children within the age range were interviewed consistent with ILO methodology. Health Center interviews were also conducted. A child interview took about 45 minutes. Most adult interviews lasted less than 30 minutes. While information data on the pre-test was discussed during the three Consultative Meetings, given the limitations of these data and that they should not be used for comparison or drawing conclusions, Tulane University has decided not to include the data tables in this report.

Research Findings

The purpose of the pretests was to test the questionnaires, check questionnaire flow, interpretation of questions, and other methodological issues. Neither Nankese nor Kagbe is considered "typical" of the cocoa growing areas of Ghana and Cote d'Ivoire. The pretests were carried out at different times of the year and outside the harvest season since they served for testing purposes only and in preparation of the first annual

surveys. While the results of the pretests illustrate general characteristics of child labor in the selected communities, the samples were small and the findings are not representative of any population except those interviewed.

The pretest data however indicate that in both locations a considerable percentage of children perform work in cocoa growing as well as other economic activities. From the pretest, it is also evident that children who are performing work in cocoa growing typically only spent a percentage of their total working hours on work on the cocoa fields, and that they are performing many other agricultural activities, and some perform economic activities outside of agriculture. In both populations, these activities involved collecting firewood and water - both considered economic activities by the ILO - and selling agricultural and other local products. In addition, a majority of the children spent many hours on household work each week.

The pretest findings suggest a level of involvement of children in economic activities that is in line with previous studies of child labor in Ghana and Cote d'Ivoire. For example, the ILO child labor survey in Ghana estimated that 31.2% of all children in the country and 39.5% of all children in the rural areas performed some economic activity in the 7 days preceding the survey. The same survey also estimated that more than 73.5% of the children working in rural areas had performed economic activity in agriculture, hunting or forestry in the 7 days preceding the interview (Ghana Statistical Service 2003). A particular concern are children under 12 years who should not be working at all according to ILO recommendations and national laws but often report involvement in economic activity.

In the pretest populations as well as earlier studies, both injury and exposure to hazards were reported by the interviewed children. For example, cuts with a machete are a common injury, and heavy loads are perceived as problems by many children. However, the previous studies are inconsistent in how "hazardous work" is defined and measured. The Ghana child labor survey examined work related injury and illness, the impact of illness and injury, the type of treatment, the payment for treatment, and the use of protective wear by children (Ghana Statistical Service 2003). The industry-supported Ghana pilot survey assessed exposure to a list of work-related hazards and self-reported health problems from exposure to these hazards (Asuming-Brempong *et al.* 2007). The GAWU study focused on injuries and illnesses and the perceptions of farmers and children of likely adverse effects of farm activities on the children's health (GAWU 2006). The IITA study included measures of illness, exposure, and protective wear (CEPRASS 2002).

Tulane assesses both injury and exposure. The measurement of injury covers a list of injuries that have been reported in agriculture in the two countries (e.g. wounds/deep cuts, fractures, snake and insect bites, different pains, burns, etc.). Based on ILO Recommendation 190, three broad categories of exposures are distinguished:

- a. Carrying of heavy loads in agriculture (e.g. carrying wood during land clearing, carrying water for spraying, gathering and heaping cocoa pods, carting cocoa beans, etc.),
- b. Exposure to environmental hazards (e.g. dust/fumes, fire/gas/flames, extreme heat, exposure to chemicals, etc.); and
- c. Operation of tools, equipment or machinery (e.g. machete, hoe, sprayer, etc.).

If exposure is reported, additional questions on the impact of exposure are asked. The questionnaires also assess the general health of the interviewed children including questions targeted at recent episodes of illness, nutrition, and the subjective well-being of the child.

Similar to hazardous work, the operational definition and measurement of the unconditional worst forms of child labor are a major challenge. Most of the previous studies – including the Tulane pretests – have experimented with collecting information on the unconditional worst forms, in particular, child trafficking, forced labor and debt bondage. The Ghana child labor survey included indicators on some of the unconditional worst forms (Ghana Statistical Service 2003) as did the IITA study (CEPRASS 2002) and the industry-supported survey in Ghana (Asuming-Brempong *et al.* 2007). However, none of these studies arrives at conclusions about the numbers of children exposed to the different unconditional worst forms, their living situation and the conditions of their work.

Planned Activities and Next Steps

The first Tulane annual representative household surveys are scheduled for October to December 2007 and preparatory activities are underway in Ghana and Cote d'Ivoire. In Cote d'Ivoire, Tulane partners with the Ecole Nationale de Statistique et d'Economie Appliquée (ENSEA). In Ghana, the Institute of Statistical, Social and Economic Research (ISSER) is our main partner.

Tulane uses a stratified cluster sampling approach to select a sample of 40 enumeration areas/districts in the cocoa growing regions. In each enumeration area/district, interviews will be conducted with caregivers, children, and with teachers at local elementary and secondary schools. In addition, interviews with nurses at the closest health center about common injuries in children working in agriculture will be carried out. The following instruments will be used: Household questionnaire, caregiver questionnaire, child questionnaire, teacher questionnaire, health center questionnaire, project questionnaire, and infrastructure checklist.

The preliminary survey design and methodology for assessing efforts to eliminate WFCL in the cocoa-growing regions were discussed at the first annual consultative meetings held in Accra, Abidjan, and Washington, DC in September 2007. Methodological questions were also discussed at meetings with ILO in Geneva, US DOL, and with our local and international partners. Input on the survey instruments was provided by Tulane's partners, child labor experts, public health experts, and the Government of Cote d'Ivoire. The Tulane survey research will be supplemented by qualitative methods such as in-depth interviews, focus group discussions and systematic observations.

Conclusions

While previous surveys have been carried out in the cocoa-growing regions, all have some limitations and none on its own provides the information needed to assess progress made towards the elimination of WFCL and the implementation of the Harkin-

Engel Protocol. The main challenge is the development of operational definitions and an accepted methodology. Even though definitions of child labor and the different WFCL are provided by the international conventions, more work needs to be done to find ways to measure these concepts in a representative survey using a methodology that generates data that are both valid and reliable. More than five years after the signing of the Protocol, the scope of the problem is still controversial and representative estimates are lacking. To assess progress in implementing the Protocol, this evidence is needed.

The Tulane research is targeted at addressing some of these gaps. Our methodology and instruments are being developed in consultation with research organizations, ILO, the Governments of Ghana and Cote d'Ivoire, NGOs, the cocoa/chocolate industry, and the US DOL. Our repeated surveys will allow us to test, modify and improve the methodology, and they will result in data on child labor and WFCL that are representative of the population. The survey research will also allow us to compare our results with the Industry-supported certification surveys and serve to validate the efforts underway under the Harkin-Engel Protocol. As part of this process, the data on children in cocoa production will be compared with children working in other sectors and the results from the ILO child labor surveys, placing the cocoa sector in the broader context of child labor in West Africa and the developing world. While it is clear that many children are working in cocoa production and that WFCL remain a problem, the roots of this problem are socio-economic and not limited to cocoa.

Exploitive Child Labor in the Supply Chain

Two distinct research activities are being carried out as part of the study of child labor in the cocoa supply chain. The first study examines the different steps of cocoa production. While the cocoa harvest is a major effort, children are involved in activities that support cocoa production at all times of the year and not just during the harvest season. The work on the farm starts with clearing the forest and planting the cocoa trees, and it ends with transporting the harvested cocoa beans to the selling stations. Child labor activities after the beans have been sold by the farmer may involve transportation and storage activities, and work in ports and local processing. The second study looks at the labor supply chain, the migration of children and their families, and the trafficking of children.

Background

Past survey research relevant to the study of child labor in the cocoa supply chain includes the survey activities carried out by IITA (2002) and GAWU (2006). The pilot certification study implemented by the Government of Ghana and supported by Industry provides some preliminary results (Asuming-Brempong *et al.* 2007). In addition, country reviews have been prepared that did not involve direct survey research. The US Agency for International Development (USAID) published an overview of the situation of child labor in Cote d'Ivoire and Ghana based on an analysis of prior research and data (USAID 2002a, USAID 2002b). A recent overview of cocoa production in both countries is provided by Boas and Huser (2006). Mull and Kirkhorn examine child labor conditions in Ghana based on interviews with agricultural workers, focus group discussions, and direct observation (2005). Child labor supply and trafficking have recently been analyzed by Sissoko and the German Gesellschaft für Technische Zusammenarbeit (GTZ). The GTZ study was carried out in Cote d'Ivoire using primarily qualitative methods. It reports on child labor conditions, trafficking routes, abusive practices, shortcomings in enforcement mechanisms, and constraints to remedy these problems (Sissoko *et al.* 2005).

Methodology

Key Concepts and Definitions

Concepts and definitions relevant to the study of child labor in the supply chain and child trafficking, in particular, are specified by the ILO and UN Protocols. According to the ILO Convention on Worst Forms of Child Labor (C182), exposure of a child to "all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour" are defined as WFCL and have to be eliminated. The UN Protocol to Prevent, Suppress and Punish Trafficking in Persons defines trafficking in persons as "the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation." The UN

Protocol also specifies that with persons under 18 years the consent of a victim of trafficking is irrelevant. Children are considered victims of trafficking even if they agree to the process, and threat, force, coercion, abduction, fraud, deception, etc. are not used. A listing of relevant ILO and UN definitions is attached to this report as Appendix 9.

Child Labor Supply Chain

Most of the studies of prevalence and nature of child labor in the cocoa-growing regions focus on children working in the cocoa fields. This involves many different activities such as land clearing, planting of cocoa trees, weeding, carrying water for spraying, harvesting, carting of pods and beans, transporting the cocoa to buying stations, etc. While only pilot research, the industry-supported Ghana pilot survey - as well as the Tulane pretests - found significant involvement of children in all of these activities (see Table 5).

Table 2. Children reporting involvement in agricultural activities in the cocoa growing regions: Findings from the Industry-supported pilot certification survey in Ghana

<i>Children involved in...</i>	Industry/Government Pilot Certification Survey		
	Ghana	Ghana	Ghana
	5-12 yrs.	13-14 yrs.	15-17 yrs.
	N=290	N=150	N=130
	Last Cocoa Season		
Land clearing	0.7%	5.3%	12.4%
Felling and chopping	1.0%	4.0%	9.2%
Burning	3.1%	13.2%	14.6%
Stumping	2.8%	9.9%	13.0%
Stakes cutting	2.1%	5.3%	6.1%
Lining and pegging	3.1%	7.3%	6.9%
Planting of suckers	14.2%	29.3%	35.1%
Preparation of seedlings	4.5%	4.7%	10.7%
Planting of seedlings	3.8%	9.3%	15.3%
Sowing at stake	18.4%	16.5%	36.9%
Weeding	51.2%	68.6%	75.8%
Spraying insecticides	1.7%	3.9%	12.0%
Applying fertilizer	5.1%	5.2%	15.8%
Applying fungicide/ herbicides/other chemicals	2.7%	4.9%	13.7%
Carrying water for spraying	62.4%	73.9%	73.5%
Sanitation and pruning	5.4%	15.7%	33.8%
Mistletoe control	8.4%	13.7%	33.1%
Plucking of cocoa pods	20.3%	35.9%	53.4%
Gathering and heaping cocoa pods	90.9%	89.5%	84.3%
Cocoa pod breaking and fermentation	35.3%	47.7%	62.4%
Carting fermented cocoa beans	50.7%	70.4%	75.0%
Drying cocoa beans	29.8%	50.0%	64.4%
Carting of dry cocoa beans to shed	21.8%	43.0%	57.6%

Sources: Asuming-Brempong, S., Sarpong, D.B., Amoo, P., Asenso-Okyere, K. (2007). *Pilot labor survey in cocoa production in Ghana - 2006*. Ministry of Manpower, Youth, and Employment. National Programme for the Elimination of Worst Forms of Child Labor in Cocoa.

Much less is known about child labor involvement once the cocoa has been sold by the farmer. It is not clear if (and to what extent) child labor is involved when the cocoa is transported to the ports, stored in warehouses, checked for quality, packed into containers, and loaded onto ships. Supplemental investigative research will examine this question.

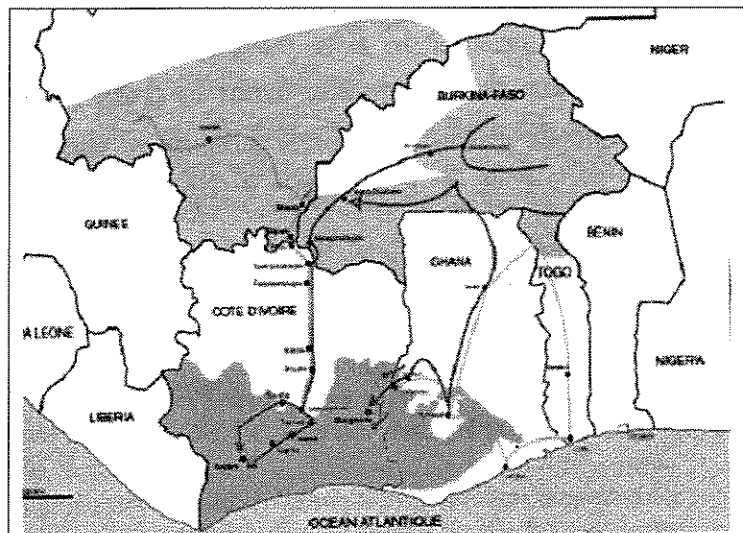
Labor Supply, Migration and Child Trafficking

Incidences of child trafficking are reported in both Cote d'Ivoire and Ghana. Trafficking is reported within national borders and from neighboring countries such as Burkina-Faso and Mali. Trafficking is regarded as more prevalent in Cote d'Ivoire but it is reported to occur in Ghana as well. Based on interviews with local researchers, in Cote d'Ivoire children are often trafficked across borders. Migrant farmers from neighboring countries

sometimes hire children from their region of origin but farmers without a migration history hire children as well. Poor farmers may not be able to afford the cost of an adult. In Ghana, it has been reported that organized traffickers approach villages in the north of the country promising work for children in the cocoa-growing regions. However, much of the evidence is anecdotal, and some forms of trafficking can resemble other forms of migration and cultural traditions of shared responsibility for children within the extended family.

One of the most recent and comprehensive studies of child trafficking to Cote d'Ivoire is the study of Sissoko, Goh and Agbadou (2005). Based on interviews, the authors found that trafficked children typically are between 14 and 18 years old and that they often come from Burkina-Faso, Mali and Togo. Children trafficked for work in agriculture are mostly males, while females are primarily involved in domestic activities (i.e. house help). Many of the children are illiterate and they often come from large and very poor farming families. If a child has been trafficked, the child's presence in a household may be explained by "family ties" even if the child is not related. Trafficked children have been found to be frequently involved in hazardous work. They often have to work long hours and most of them are without access to schooling.

Figure 3. Child trafficking routes for work in cocoa agriculture



Source: Sissoko, A., Goh, D., Agbadou, J. (2005). *La traite et les pires formes de travail des enfants dans les plantations de café-cacao en Côte d'Ivoire*. Gesellschaft fuer Technische Zusammenarbeit (GTZ).

Past research of child trafficking has been mostly qualitative and descriptive. Representative research of child trafficking is challenging and there are no reliable estimates of the number of children that have been trafficked. The Tulane annual surveys will cover some aspects relevant to the study of labor supply, migration and trafficking. This includes the migration history of parents and children, their living situation, employment, payment and debts, and access to schooling. However, this by itself is not enough. Aside from problems of obtaining accurate responses from adults and children on this sensitive subject, the percentage of trafficked children in the population is likely to be small relative to the size of the population. Based on the

available evidence, few of the children will be reached by a survey, and additional research activities will be needed. Activities are planned as part of this project in cooperation with the International Center of Migration and Health (ICMH) in Geneva. This will involve both qualitative and quantitative research but with a focus on quantitative methods.

Planned Activities and Next Steps

Planned research activities targeted at child labor in the cocoa supply chain and child trafficking include the annual harvest season surveys in Ghana and Cote d'Ivoire, which cover many questions relevant to the topic. In addition, the research will include a year-round observation of child labor on cocoa farms. As part of this activity, a sample of farms will be visited periodically over the course of a year during which times interviews and observational research will be carried out. Other supplemental research activities include investigative research at buying stations, along transporting routes and in ports. The research targeted at migration, trafficking, and forced labor will involve survey research, interviews and observation.

Conclusions

There is evidence that child labor is a problem in the cocoa supply chain and that the work of children is being used in Cote d'Ivoire and Ghana in a large number of agricultural tasks and at all times of the year. There is also evidence that children are involved in the transport of cocoa beans from the farms to the selling stations and that children are sometimes trafficked to work on cocoa farms. However, we do not have a clear idea to what extent these activities are taking place and what impact they have on the children. Agricultural activities such as weeding, carrying water for spraying, plucking, gathering, breaking and carting cocoa pods are often performed by children. Some of these activities have been described as dangerous while others may be harmless to older children if they do not exceed a maximum number of working hours or prevent the children from attending school. With regard to child trafficking, it is not known how many children are victims of trafficking. We also know too little about where these children are, how they got there, under what circumstances they live, and how they can be reached. These are the questions that will be the focus of the next phase of the research.

School Enrollment, Retention and Vocational Training Programs

Since the signing of the Harkin-Engel Protocol, Industry and the Governments of Ghana and Cote d'Ivoire have funded projects to educate parents on the need for children to continue their schooling; to improve schools and teacher training, and to increase opportunities for vocational education.

The objective of the study of school enrollment, retention, and vocational training programs is to conduct a review of information on the school enrollment and retention of children withdrawn or prevented from exploitative labor in the cocoa sector as a result of efforts undertaken by signatories of the Harkin-Engel Protocol. This includes an assessment of coverage of project activities in support of children in the cocoa growing regions that are financed by the cocoa/chocolate industry. The research examines the development of activities over time, the number and percentage of children reached and the services provided.

Research activities involve interviews with Industry, government officials and implementing agencies, a review of program documents and other information, and interviews with children who have benefited/are benefiting from the programs. In addition, the annual surveys cover access to schooling and vocational training in the cocoa growing regions, reasons for not attending school, the impact of economic activity on education, and exposure to projects activities in support of children in the cocoa growing regions.

Methodology

Key Concepts and Definitions

Key indicators are the number of children withdrawn from exploitive work, the number of children prevented from entering exploitative child labor, and the direct beneficiaries of project activities.

Children withdrawn from exploitative work are "those children who were found to be working in exploitative child labor and no longer work under such conditions as a result of a direct project intervention. This category includes: a) children who have been completely withdrawn from work, which is required by ILO Convention 182 for unconditional worst forms of child labor, and b) children who were involved in exploitative or hazardous work (Article 3(d) of C.182) or work that impedes their education (ILO Convention 138) but who are no longer working under such conditions due to improved working conditions (i.e. fewer hours or safer workplaces) or because they have moved into another acceptable form of work. To be considered as withdrawn from exploitative child labor, each child must have benefited or be benefiting from services that are provided by projects funded by the international cocoa/chocolate industry, the Governments of Cote d'Ivoire and Ghana, or organizations with whom they may be partnering in this effort" (DOL-Tulane contract).

Children prevented from entering exploitative child labor includes “children not yet working but who are considered to be at high-risk of engaging in exploitative child labor (see definition above), for example, siblings of (ex-) working children. A ‘high-risk’ situation refers to a set of conditions or circumstances (i.e. family environment or situation, vicinity of economic activities prone to employ children, etc.) under which the child lives or to which s/he is exposed. In order to be considered as ‘prevented,’ these children must have benefited or be benefiting from services that are provided by projects funded by the international cocoa industry, the Governments of Cote d’Ivoire and Ghana, or organizations with whom they may be partnering in this effort” (DOL-Tulane contract 2006).

Direct beneficiaries refers to “children who, as a result of a project funded by the international cocoa industry, the Governments of Cote d’Ivoire and Ghana, or organizations with whom they may be partnering in this effort, are withdrawn or prevented from entering exploitative child labor (as defined above)” (DOL-Tulane contract).

Research Findings

Industry-supported Programs

Projects have been initiated in the cocoa growing regions with financial support by the cocoa/chocolate industry since the Harkin-Engel Protocol was signed. Among the organizations that fund projects are international companies such as Archer Daniels Midland (ADM), Armajaro, Barry Callebaut, Cadbury, Cargill, Hershey, Kraft, Mars, and Nestle. In addition, there are Industry-supported initiatives such as the International Cocoa Initiative (ICI) and the World Cocoa Foundation (WCF). More than 100 projects were carried out with Industry funds since the Harkin-Engel Protocol was signed, and about a third of them appear to have an educational focus. Tulane University identified between 30 and 35 projects that are targeted at education and training, from the information Industry provided. These include projects for education and vocational training to children in the cocoa growing regions, others targeted at training teachers and supporting schools, and educational interventions for adults (i.e. Farmers Field Schools). Some of the projects were carried out in both Ghana and Cote d’Ivoire. Overall, similar activities were carried out in both countries.

Among the projects which focus on child education that have been financed in part or entirely by Industry are the International Foundation for Education and Self Help (IFESH) Teacher Training, Winrock International’s Child Labor Alternatives through Sustainable Systems in Education (CLASSE) project, and IITA’s Farmer Field Schools.

IFESH provides “teacher training in order to improve education in cocoa growing regions in both Ghana and the Cote d’Ivoire. It targets the route of education by training teachers of primary and secondary education to better equip them” (WCF website). The IFESH program was initiated in 2005 in Ghana and Cote d’Ivoire supported by ██████████ and the WCF. Based on Industry information, IFESH has trained 793 teachers for 72,913 students in Ghana and equipped 2 teacher resource centers. IFESH has also trained 1,603 teachers for 64,120 students in Cote d’Ivoire, equipped 2 teacher resource

centers, and provided 1,080 residents with literacy training (Industry Report, September 2007).

The CLASSE Project started in 2003 and was originally funded by the US DOL. When this funding ended, Industry began to support the project. According to the WCF, the CLASSE project “works to develop a combined formal and non-formal basic education in community schools in villages each in Mali and in Cote d'Ivoire. Project components include adapting vocational education in community schools, with an emphasis on agriculture and youth mentoring, including quality farming practices and functional literacy for students and community members. Activities include public awareness campaigns, community focus groups, and interaction with government officials, worker groups, and other organizations” (WCF website). Based on statistics provided by Industry, the CLASSE project trained 1,686 youths, and 1,278 youths were sensitized to child labor. In addition, 7,288 youths were sensitized to HIV/AIDS, 9 schools were renovated, and cocoa plots, school gardens and tree nurseries were established (Industry Report, September 2007).

The Sustainable Tree Crops Program, whose primary supporters are USAID and the World Cocoa Foundation (IITA/STCP 2006), instituted The Farmer Field School (FFS) program in Ghana and Cote d'Ivoire in 2003. The program trains “cocoa farming families on sustainable, responsible growing techniques to improve family incomes, while raising awareness of responsible labor practices, pesticide use and other community issues” (Responsible Cocoa website). According to Industry information, 2,437 farmers have been trained at 85 Farmers Field Schools in Ghana and 8,313 farmers have been trained at 236 Farmers Field schools in Cote d'Ivoire. In addition, 17,033 farmers have received farmer-to-farmer training in Cote d'Ivoire and 900 farmers have been trained in Rainforest Alliance Standards (Industry Report September 2007).

Tulane interviewed the Director and senior staff of IITA-STCP in both Ghana and Cote d'Ivoire on the organization's collaboration with, and support from, the cocoa industry. Tulane visited an FFS in a rural community outside Kumasi and conducted interviews with field staff and community members. While the primary objective of the visit was to develop and refine research questions, the results suggest that the FFS program can be an effective component in the effort to improve production methods and reduce the hazardous features of cocoa cultivation for both children and adults.

Other projects supported by Industry include the Ivorian School Canteen Program that reached 257 primary schools and 79,000 children in Cote d'Ivoire. The program started in 2004/05 and is supported by [REDACTED] and the WCF. Among the projects supported by [REDACTED] is the [REDACTED] CARE Rural Education Project. The project was initiated in 2006 and has reached 30,000 farmers in 30 communities and a 17.5% increase in school enrollment in the targeted communities is reported. In a partnership with [REDACTED] Save the Children UK provided educational support to 3,000 children in Cote d'Ivoire to protect, educate and reunite children in conflict areas (Industry Report September 2007).

A major study supported by Industry and carried out under the auspices of ICI includes a comprehensive description and analysis of the education sector and options for alternative and complementary educational initiatives in cocoa farming communities (Odonkor 2007). It includes a wide range of carefully investigated options which, if adopted and funded by Industry and/or the Governments, will improve the quality of

education, provide outreach programs to out-of-school children and strengthen the curriculum for children in the cocoa region.

While other projects have been completed or are in the process of being carried out, financial and other critical information has not been provided by Industry for these initiatives, although this was requested by Tulane in March 2007. Tulane will continue to seek this information, and the next phase of the research will verify the data and assess project results.

Government – Supported Interventions

Beyond the initiatives undertaken by Industry and individual coco/chocolate companies, the Harkin-Engel Protocol also appears to have contributed to the scaling up of government and efforts to improve education and other training programs. It is, however, important to note that the origin of many programs pre-date the Protocol and reflect the long-standing commitment of the Government to invest in education. According to the Government of Ghana, the Government's efforts to improve education and other training programs has "nothing to do with the Harkin-Engel Protocol (Ghana Government Comments of Draft First Annual Report presented to Tulane University, 2007, p.8).

In Ghana, the government has moved towards full implementation of a policy of capitation grants to make attendance at public and primary and junior secondary school free throughout the country beginning in 2005/2006. It has also introduced a two year Early Childhood Development Programme that will reduce the need for parents to take four and five-year olds with them to their workplaces. Other programs include improved infrastructure, the provision of textbooks and school feeding (MMYE 2005). While these are national programs, they include children in cocoa-growing regions and when implemented should contribute to meeting the objectives outlined in the Protocol.

In Cote d'Ivoire, the national action plan to combat the WFCL calls for measures to improve the educational system and reduce dropout rates. It includes the free distribution of textbooks in administrative departments with high rates of children working on cocoa farms and school canteens. It also calls for the establishment of literacy and other alternative education strategies to reach children in these regions who lack access to government schools (Gouvernement de la Republique de Cote d'Ivoire, 2007).

Planned Activities and Next Steps

The annual surveys will generate data on education that are representative of the cocoa growing regions. In addition, our work on compiling a list of project activities financed by Industry will continue and systematic interviews with project staff and beneficiaries will be conducted. The focus will be on the number of children reached by the different interventions, the types of services provided, an assessment of the activities, and the costs of the projects.

Conclusions

Approximately one third of the more than 100 project activities reported by the international cocoa/chocolate industry since the implementation of the Harkin-Engel Protocol appear to be targeted at education and training. They include educational projects for adults as well as for children. Among the most important and visible projects that are supported in part or entirely by Industry are the CLASSE program, the IFESH Teacher Training and the IITA activities. However, the information available from Industry and other sources provides little information on how many of the children in the cocoa growing regions were reached by the interventions and what impact the projects have had on the population. It is also unclear how much Industry has spent on education since few numbers are provided and some of the information may be outdated. While a multitude of activities are reported by Industry as being implemented with thousands of children having benefited in both countries, additional information is needed to offer a clear assessment.

Rehabilitation of Children Withdrawn from Exploitative Child Labor

For the assessment of efforts to offer rehabilitation services to children withdrawn from exploitative labor, Tulane uses an approach similar to the approach described in the chapter on school enrollment, retention and vocational training. Given the small number of children that benefit from rehabilitation services, a case study approach will be used to document the rehabilitation services.

Methodology

Key Concepts and Definitions

Key indicators are the number of children withdrawn from exploitive work and the number of direct beneficiaries of project activities. The definitions given below are the same as those provided in the previous chapter.

Children withdrawn from exploitative work are “those children who were found to be working in exploitative child labor and no longer work under such conditions as a result of a direct project intervention. This category includes: a) children who have been completely withdrawn from work, which is required by ILO Convention 182 for unconditional worst forms of child labor, and b) children who were involved in exploitative or hazardous work (Article 3(d) of C.182) or work that impedes their education (ILO Convention 138) but who are no longer working under such conditions due to improved working conditions (i.e. fewer hours or safer workplaces) or because they have moved into another acceptable form of work. To be considered as withdrawn from exploitative child labor, each child must have benefited or be benefiting from services that are provided by projects funded by the international cocoa industry, the Governments of Cote d'Ivoire and Ghana, or organizations with whom they may be partnering in this effort” (DOL-Tulane contract).

Direct beneficiaries refers to “children who, as a result of a project funded by the international cocoa industry, the Governments of Cote d'Ivoire and Ghana, or organizations with whom they may be partnering in this effort, are withdrawn or prevented from entering exploitative child labor (as defined above)” (DOL-Tulane contract).

Research Findings

Industry-supported Programs

Few of the programs that are supported by the cocoa/chocolate industry appear to be targeted directly at rehabilitation. ICI reports a planned MADINA rehabilitation center in Ghana but details have not been provided. The Government of Ghana reports that this center has now been established. As part of the partnership between [REDACTED] and

Save the Children UK, at least 55 unaccompanied children have been registered and aided in Cote d'Ivoire. Of these children, 60% were reunited with their family and 30% established contact with their families.

Table 3. List of projects financed by Industry targeted at rehabilitation

Name of Project/Program/Consultancy	Start Date	Completion Date	Name of Company	Impact/Output	Implementing Organization	Company Contribution	Country
Support to MADINA Rehab centre			ICI		Government of Ghana	\$22,727	Ghana
Partnership with Save the Children: Protect, educate & reunite children in conflict areas	2005	2006	[REDACTED]	3,000 children in educational support; 55 unaccompanied children registered & aided; 60% reunited with family; 30% established contact with families	SCF UK		Cote d'Ivoire
West Africa Cocoa/Commercial Agriculture Program to Combat Hazardous and Exploitative Child Labour (WACAP)	2002	2006	DOL, Industry	Awareness-raising of families and communities; capacity enhancement of farmers/producers, inspectors and workers; pilot interventions to remove children from work and facilitate their enrolment in education and training programs; pilot projects to improve income generating capacity of families	ILO	DOL:\$5 million Industry:\$1 million	West Africa

Sources: Internal reports and documents submitted to Tulane University; Information published by ICI, WCF, cocoa/chocolate companies, and implementing partners on official websites.

In addition, the West Africa Cocoa/Commercial Agriculture Program to Combat Hazardous and Exploitative Child Labour (WACAP) initiative was managed by ILO/IPEC and funded by the DOL (\$5 million) and Industry (\$1 million). It included "pilot interventions to remove children from work and facilitate their enrolment in education and training programs" (ILO/IPEC 2005a).

In Cote d'Ivoire, the ICI funded the production of three guides dealing with the social protection of children classified as victims of the worst forms of child labor. One is targeted to the local populations, another to professionals in social protection and a third, to officials responsible for the enforcement of legislation to protect children (International Cocoa Initiative 2004). These are now used as part of training and sensitization initiatives carried out through the Industry-funded IFESH project. In Ghana, ICI has supported Participatory Development Associates (PDA) to conduct community-based sensitization activities.

Government and Other Agency Initiatives

Interventions designed to rehabilitate children withdrawn from child labor are included in the National Programme for the Elimination of the WFCL in the Cocoa Sector 2006-2011 in Ghana and the National Action Plan in Cote d'Ivoire (2007). In Ghana, this includes the Human Trafficking Act, the Domestic Violence Bill and a new labor act that strengthens the framework for addressing WFCL. In Cote d'Ivoire, the plan identifies actions to withdrawn children from exploitative situations, facilitates their return to their families inside the country or to neighboring countries, and institution and capacity-building initiatives.

Beyond both Governments and Industry, other organizations have implemented programs in West Africa targeted at children who are victims of trafficking, forced labor, and other WFCL and who are in need of rehabilitation. Among these are the "Sub Regional Project on Eradicating Child Domestic Work and Child Trafficking in West and Central Africa" by Anti-Slavery International, the DOL-funded "Education First Project (EFP)" implemented by Catholic Relief Services/Benin (CRS/Benin), the DOL-funded "Combating the Trafficking of Children for Labour Exploitation in West and Central Africa (LUTRENA)" program implemented by ILO, the "Action Programme against Forced Labour and Trafficking in West Africa" by ILO and the UK Department for International Development (DfID), the "UNESCO Project to Fight Human Trafficking in Africa" by UNESCO, and "Combat against Child Trafficking and the Worst Forms of Child Labour" by GTZ in Cote d'Ivoire.

Planned Activities and Next Steps

Planned activities include a detailed analysis and case studies of the existing and past rehabilitation projects. This will include research in the countries from which many of the trafficked children originated. We will continue to compile a list of project activities financed by Industry. We expect to receive additional information from Industry on rehabilitation projects and rehabilitation components that may be part of programs with an otherwise broader scope. Systematic interviews with project staff and beneficiaries will be conducted.

Conclusions

Few of the Industry-supported programs are directly targeted at rehabilitation or have a clearly identifiable rehabilitation component. In addition, information sent to Tulane by Industry contains few details on the scale of activities, numbers of children reached and costs. The largest rehabilitation/remediation effort to-date appears to be the WACAP initiative that was in part financed by Industry. This does not necessarily mean that children experiencing exploitive child labor and in need of rehabilitation do not benefit from any interventions since they may be enrolled in other programs carried out by Industry partners.

Conclusions

Our conclusions, after slightly more than 12 months of work on the processes described in the Harkin-Engel Protocol, are that the results are mixed and that additional time and research are required before a comprehensive assessment can be completed. We believe that all of the key actors, namely the international cocoa/chocolate industry, the cocoa producing countries of Ghana and Cote d'Ivoire, and the consuming public represented by the US Congress are taking the problem of worst forms of child labor seriously. Steps have been taken to design certification and verification systems but questions remain in regard to the details of the "certification concept," whether it qualifies as a "certification system," and the "independence" of the verification group that has not yet been established.

Industry has established and supported the foundation called for in the Protocol (the ICI) and the organization has funded useful studies and pilot projects. Industry and individual cocoa/chocolate firms provide financial support to NGOs and other agencies but their scale, effectiveness and costs are not adequately documented. A substantial effort is still required to transform the strategies and planning documents produced by Ghana and Cote d'Ivoire into detailed, budgeted program and project plans. In addition, more information is needed on the extent to which Industry intends to financially support the strategies and plans developed in each country to implement certification, monitoring and verification systems.

Establishing operational definitions including the transformation of concepts such as "worst forms of child labor" into quantifiable verifiable definitions is a goal of our efforts to validate the efforts of Industry to "eliminate the worst forms of child labor". There is no controversy or lack of definition regarding the unconditional worst forms of child labor agreed upon at the international level. What has not been agreed upon, however, is the operational definition of hazardous child labor, which must be decided at the national level. Each country is expected to establish its own definition. To-date, Cote d'Ivoire has started this process and has a working definition. Ghana is in the process of developing a definition. While the problem of standardization and operationalization is being addressed at the national level, it will continue to be an issue until there is a comparable set of operational definitions measuring the desired outcome "worst forms of child labor." Without them, it will be difficult to mount a valid certification system.

We have documented the importance of accurate denominator figures to truly estimate the prevalence of occurrence of the worst forms of child labor in any population. Both Ghana and Cote d'Ivoire are well aware of the measurement difficulties inherent in this process and have pledged to make their respective national census and agricultural census efforts more efficient and sophisticated. In both countries, there is a high level of awareness and increasing sophistication in dealing with survey data, random samples, and the generally messy business of establishing appropriate denominators against which numerators of the numbers of children working under conditions of the worst forms of child labor exist. Steps are being taken in both countries to improve the agricultural census process and to make that data available to NGOs and local health organizations.

Industry has made progress in financing intervention projects in the cocoa target areas. Indeed some of the projects have reportedly increased economic output from the small farmer holdings by nearly 50%. Certainly, a good start has been achieved and can only be improved through these additional studies.

The heart of the Protocol is the agreement by Industry to self-regulate and to “eliminate the worst forms of child labor in the cocoa growing industry”. Laudable and consistent with ILO language as that goal is, we believe that it is a standard that is difficult to reach in the near term and as such, systems should be in place to measure progress in incremental steps. Due to the difficult nature of the operational definition, we believe that every possible avenue to further refine definitional and measurement methodology for the terms be encouraged. Without this standard clearly before us, progress towards any of the goals will be difficult to ascertain. From our consultative meetings in the countries and our personal interactions with citizens of both Cote d’Ivoire and Ghana it is clear that an awareness of the problem is present and that there are some steps being taken to both measure and remediate the problem of the worst forms of child labor in both countries.

With reference to the progress of the international cocoa/chocolate industry towards meeting the conditions of the Protocol, we agree with the observations of [REDACTED] President of the Industry-funded World Cocoa Foundation, that: “While progress has been made and we have learned valuable lessons, much more is required” (WCF Industry Update, Feb3, 2006).

Recommendations

As part of the process of moving towards collaborative, transparent and mutually supportive activities to safeguard and improve the health of children, we finish this year's report with a series of recommendations, which we believe will positively impact the process and improve the ultimate result of the Harkin-Engel Protocol. These recommendations are primarily procedural and methodological. The recommendations are drawn from the initial phases of our research and suggest actions that, if implemented, will improve the process and outcome of working towards the elimination of the worst forms of child labor in the cocoa industry. Key recommendations include:

1. The Establishment of a joint committee between the national governments, Industry and other interested partners to identify the best denominators (i.e. population figures) and methods to arrive at those numbers.
2. The creation of a technical working group with representatives from national governments, Industry and other interested parties to carefully review and produce operational definition of worst forms of child labor consistent with national government definitions, the emerging ILO definition and the reality of field measurement procedures.
3. Further efforts by governments and other interested parties to expand the Industry project database to include data on coverage, scope of the project in terms of per capita and individual impact, and to develop a common reporting framework for interventions.
4. The reorganization and expansion of the multi-stakeholder certification group and a consideration of replication of the same in each country.
5. The production of a management plan and agenda for the multi-stakeholder certification group, with a clear definition of goals and objectives, as well as a schedule of meetings and reports.
6. Steps to increase the participation of local and international health experts in the process of producing an operational definition of the "worst forms of child labor."
7. The creation of a case study file using the "positive deviance" approach to examine the success stories among Industry- and Government-sponsored projects as a way of learning from what works.
8. Review the current "Protocol" language and its possible revision with more appropriate language involving the total number of cases of worst forms of child labor or the number of new cases (e.g. prevalence or incidence).
9. Develop a standard for certification, verification and validation processes for the release of documents and data sets collected with reference to the Protocol that encourages open and free exchange of all information relevant to problem resolution.

10. Develop with the countries involved and with regional institutions such as WAHO formal ways of sharing information and technical assistance between and among countries to encourage standardization and reduce duplication of effort.
11. Develop material appropriate for training caregivers in the social welfare and public health community such that they could identify and ultimately report on cases of WCFL when they see them in a clinic or community environment.
12. Develop an expert committee of legal and technical authorities to assist the governments in drafting appropriate regulatory language and laws for issues relating to WCFL.

In summary, we reiterate the observations of Industry that while progress has been made, there is much more to be done to positively impact the health of children working in cocoa production.

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[Sustainable Tree Crops Program \(STCP\)](#)

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The Africa Society of The National Summit on Africa

[REDACTED]

The World Cocoa Foundation

UNICEF

Winrock International

[REDACTED]

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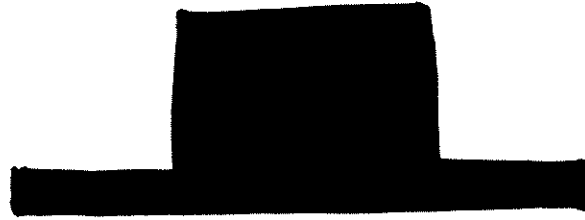
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Appendix 1: Harkin-Engel Protocol



**PROTOCOL FOR THE GROWING AND PROCESSING OF
COCOA BEANS AND THEIR DERIVATIVE PRODUCTS
IN A MANNER THAT COMPLIES WITH ILO CONVENTION 182
CONCERNING THE PROHIBITION AND IMMEDIATE ACTION FOR THE
ELIMINATION OF THE WORST FORMS OF CHILD LABOR**

Guiding Principles:

- * *OBJECTIVE* – Cocoa beans and their derivative products should be grown and processed in a manner that complies with International Labor Organization (ILO) Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor. ILO Convention 182 is attached hereto and incorporated herein by reference.
- * *RESPONSIBILITY* – Achieving this objective is possible only through partnership among the major stakeholders: governments, global industry (comprised of major manufacturers of cocoa and chocolate products as well as other, major cocoa users), cocoa producers, organized labor, non-governmental organizations, and consumers. Each partner has important responsibilities. This protocol evidences industry's commitment to carry out its responsibilities through continuation and expansion of ongoing programs in cocoa-producing countries and through the other steps described in this document.
- * *CREDIBLE, EFFECTIVE PROBLEM SOLVING* – In fashioning a long-term solution, the problem-solving process should involve the major stakeholders in order to maximize both the credibility and effectiveness of the problem-solving action plan that is mutually-agreed upon.
- * *SUSTAINABILITY* – A multi-sectoral infrastructure, including but independent of the industry, should be created to develop the action plan expeditiously.
- * *ILO EXPERTISE* – Consistent with its support for ILO Convention 182, industry recognizes the ILO's unique expertise and welcomes its involvement in addressing this serious problem. The ILO must have a "seat at the table" and an active role in assessing, monitoring, reporting on, and remedying the worst forms of child labor in the growing and processing of cocoa beans and their derivative products.

Key Action Plan and Steps to Eliminate the Worst Forms of Child Labor:

(1) Public Statement of Need for and Terms of an Action Plan – Industry has publicly acknowledged the problem of forced child labor in West Africa and will continue to commit significant resources to address it. West African nations also have acknowledged the problem and have taken steps under their own laws to stop the practice. More is needed because, while the scope of the problem is uncertain, the occurrence of the worst forms of child labor in the growing and processing of cocoa beans and their derivative products is simply unacceptable. Industry will reiterate its acknowledgment of the problem and in a highly-public way will commit itself to this protocol.

(2) Formation of Multi-Sectoral Advisory Groups – By October 1, 2001, an advisory group will be constituted with particular responsibility for the on-going investigation of labor practices in West Africa. By December 1, 2001, industry will constitute a broad consultative group with representatives of major stakeholders to advise in the formulation of appropriate remedies for the elimination of the worst forms of child labor in the growing and processing of cocoa beans and their derivative products.

(3) Signed Joint Statement on Child Labor to Be Witnessed at the ILO – By December 1, 2001, a joint statement made by the major stakeholders will recognize, as a matter of urgency, the need to end the worst forms of child labor in connection with the growing and processing of West African cocoa beans and their derivative products and the need to identify positive developmental alternatives for the children removed from the worst forms of child labor in the growing and processing of cocoa beans and their derivative products.

(4) Memorandum of Cooperation – By May 1, 2002, there will be a binding memorandum of cooperation among the major stakeholders that establishes a joint action program of research, information exchange, and action to enforce the internationally-recognized and mutually-agreed upon standards to eliminate the worst forms of child labor in the growing and processing of cocoa beans and their derivative products and to establish independent means of monitoring and public reporting on compliance with those standards.

(5) Establishment of Joint Foundation – By July 1, 2002, industry will establish a joint international foundation to oversee and sustain efforts to eliminate the worst forms of child labor in the growing and processing of cocoa beans and their derivative products. This private, not-for-profit foundation will be governed by a Board comprised of industry and other, non-governmental stakeholders. Industry will provide initial and on-going, primary financial support for the foundation. The foundation's purposes will include field projects and a clearinghouse on best practices to eliminate the worst forms of child labor.

(6) *Building Toward Credible Standards* — In conjunction with governmental agencies and other parties, industry is currently conducting baseline-investigative surveys of child labor practices in West Africa to be completed by December 31, 2001. Taking into account those surveys and in accordance with the other deadlines prescribed in this action plan, by July 1, 2005, the industry in partnership with other major stakeholders will develop and implement credible, mutually-acceptable, voluntary, industry-wide standards of public certification, consistent with applicable federal law, that cocoa beans and their derivative products have been grown and/or processed without any of the worst forms of child labor.

We, the undersigned, as of September 19, 2001 and henceforth, commit the [REDACTED] the [REDACTED] and all of our members wholeheartedly to work with the other major stakeholders, to fulfill the letter and spirit of this Protocol, and to do so in accordance with the deadlines prescribed herein.

[REDACTED]

[REDACTED]



WITNESSETH

We hereby witness the commitment of leaders of the cocoa and chocolate industry evidenced on September 19, 2001 and henceforth to fulfill the letter and spirit of this Protocol to eliminate the worst forms of child labor from this sector as a matter of urgency and in accordance with the terms and deadlines prescribed herein.

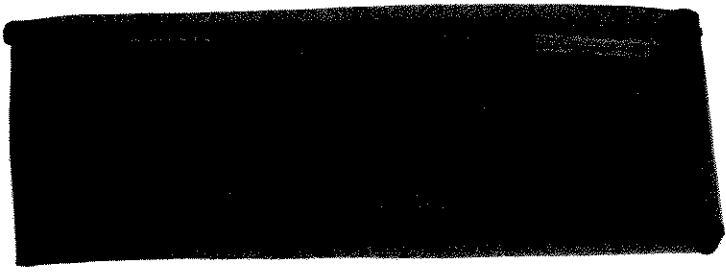
Senator Tom Harkin
US Senate – Iowa

Senator Herbert Kohl
US Senate – Wisconsin

Congressman Eliot Engel
US Congress – New York

Ambassador Youssoufou Bamba
Embassy of the Ivory Coast





WITNESSETH

I hereby witness the commitment of leaders of the cocoa and chocolate industry evidenced on September 19, 2001 and henceforth to fulfill the letter and spirit of this Protocol to eliminate the worst forms of child labor from this sector as a matter of urgency and in accordance with the terms and deadlines prescribed herein.

Mr. Frans Roselaers, Director
International Programme on the Elimination of Child Labour
(IPEC)
International Labor Organization



[REDACTED]

WITNESSETH

I hereby witness the commitment of leaders of the cocoa and chocolate industry evidenced on September 19, 2001 and henceforth to fulfill the letter and spirit of this Protocol to eliminate the worst forms of child labor from this sector as a matter of urgency and in accordance with the terms and deadlines prescribed herein.

[REDACTED]

General Secretary

[REDACTED]

[REDACTED]



WITNESSETH

I hereby witness the commitment of leaders of the cocoa and chocolate industry evidenced on September 19, 2001 and henceforth to fulfill the letter and spirit of this Protocol to eliminate the worst forms of child labor from this sector as a matter of urgency and in accordance with the terms and deadlines prescribed herein.

Mr. Kevin Bales
Executive Director
Free The Slaves



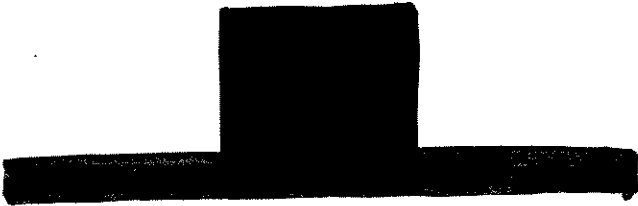


WITNESSETH

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Ms. Linda Golodner
President
National Consumers League



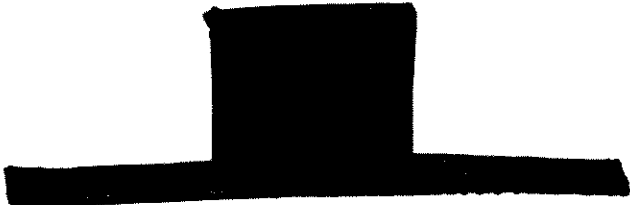


WITNESSETH

I hereby witness the commitment of leaders of the cocoa and chocolate industry evidenced on September 19, 2001 and henceforth to fulfill the letter and spirit of this Protocol to eliminate the worst forms of child labor from this sector as a matter of urgency and in accordance with the terms and deadlines prescribed herein.

Ms. Darlene Adkins
National Coordinator
The Child Labor Coalition





**ATTACHMENT TO
PROTOCOL FOR THE GROWING AND PROCESSING OF
COCOA BEANS AND THEIR DERIVATIVE PRODUCTS
IN A MANNER THAT COMPLIES WITH ILO CONVENTION 182
CONCERNING THE PROHIBITION AND IMMEDIATE ACTION FOR THE
ELIMINATION OF THE WORST FORMS OF CHILD LABOR**

Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.


Convention: C182

Place: Geneva

Session of the Conference: 87

Date of adoption: 17 June 1999

The General Conference of the International Labour Organization:

- Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 87th Session on 1 June 1999.
 - Considering the need to adopt new instruments for the prohibition and elimination of the worst forms of child labour, as the main priority for national and international action, including international cooperation and assistance, to complement the Convention and the Recommendation concerning Minimum Age for Admission to Employment, 1973, which remain fundamental instruments on child labour.
 - Considering that the effective elimination of the worst forms of child labour requires immediate and comprehensive action, taking into account the importance of free basic education and the need to remove the children concerned from all such work and to provide for their rehabilitation and social integration while addressing the needs of their families.
 - Recalling the resolution concerning the elimination of child labour adopted by the International Labour Conference at its 83rd Session in 1996.
 - Recognizing that child labour is to a great extent caused by poverty and that the long-term solution lies in sustained economic growth leading to social progress, in particular poverty alleviation and universal education.
 - Recalling the Convention on the Rights of the Child adopted by the United Nations General Assembly on 20 November 1989.
 - Recalling the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, adopted by the International Labour Conference at its 86th Session in 1998.
 - Recalling that some of the worst forms of child labour are covered by other international instruments, in particular the Forced Labour Convention, 1930, and the United Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956.
- 

- Having decided upon the adoption of certain proposals with regard to child labour, which is the fourth item on the agenda of the session.
- Having determined that these proposals shall take the form of an international Convention adopts this seventeenth day of June of the year one thousand nine hundred and ninety-nine the following Convention, which may be cited as the Worst Forms of Child Labour Convention.

Article 1

Each Member which ratifies this Convention shall take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency.

Article 2

For the purposes of this Convention, the term *child* shall apply to all persons under the age of 18.

Article 3

For the purposes of this Convention, the term *the worst forms of child labour* comprises:

- (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;
- (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
- (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;
- (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

Article 4

1. The types of work referred to under Article 3(d) shall be determined by national laws or regulations or by the competent authority, after consultation with the organizations of employers and workers concerned, taking into consideration relevant international standards, in particular Paragraphs 3 and 4 of the Worst Forms of Child Labour Recommendation, 1999.
2. The competent authority, after consultation with the organizations of employers and workers concerned, shall identify where the types of work so determined exist.
3. The list of the types of work determined under paragraph 1 of this Article shall be periodically examined and revised as necessary, in consultation with the organizations of employers and workers concerned.

Article 5

Each Member shall, after consultation with employers' and workers' organizations, establish or designate appropriate mechanisms to monitor the implementation of the provisions giving effect to this Convention.

Article 6

1. Each Member shall design and implement programmes of action to eliminate as a priority the worst forms of child labour.
2. Such programmes of action shall be designed and implemented in consultation with relevant government institutions and employers' and workers' organizations, taking into consideration the views of other concerned groups as appropriate.

Article 7

1. Each Member shall take all necessary measures to ensure the effective implementation and enforcement of the provisions giving effect to this Convention including the provision and application of penal sanctions or, as appropriate, other sanctions.
2. Each Member shall, taking into account the importance of education in eliminating child labour, take effective and time-bound measures to:
 - (a) prevent the engagement of children in the worst forms of child labour;
 - (b) provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration;
 - (c) ensure access to free basic education, and, wherever possible and appropriate, vocational training, for all children removed from the worst forms of child labour;
 - (d) identify and reach out to children at special risk; and
 - (e) take account of the special situation of girls.
3. Each Member shall designate the competent authority responsible for the implementation of the provisions giving effect to this Convention.

Article 8

Members shall take appropriate steps to assist one another in giving effect to the provisions of this Convention through enhanced international cooperation and/or assistance including support for social and economic development, poverty eradication programmes and universal education.

Article 9

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 10

1. This Convention shall be binding only upon those Members of the International Labour Organization whose ratifications have been registered with the Director-General of the International Labour Office.
2. It shall come into force 12 months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member 12 months after the date on which its ratification has been registered.

Article 11

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 12

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organization of the registration of all ratifications and acts of denunciation communicated by the Members of the Organization.
2. When notifying the Members of the Organization of the registration of the second ratification, the Director-General shall draw the attention of the Members of the Organization to the date upon which the Convention shall come into force.

Article 13

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations, for registration in accordance with article 102 of the Charter of the United Nations, full particulars of all ratifications and acts of denunciation registered by the Director-General in accordance with the provisions of the preceding Articles.

Article 14

At such times as it may consider necessary, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 15

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides --

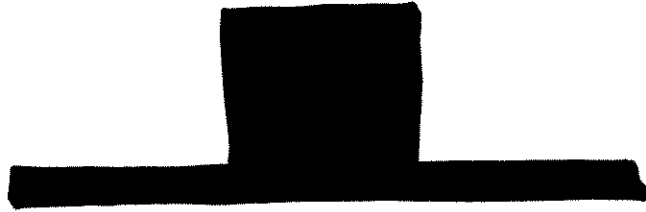
(a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 11 above, if and when the new revising Convention shall have come into force;

(b) as from the date when the new revising Convention comes into force, this Convention shall cease to be open to ratification by the Members.

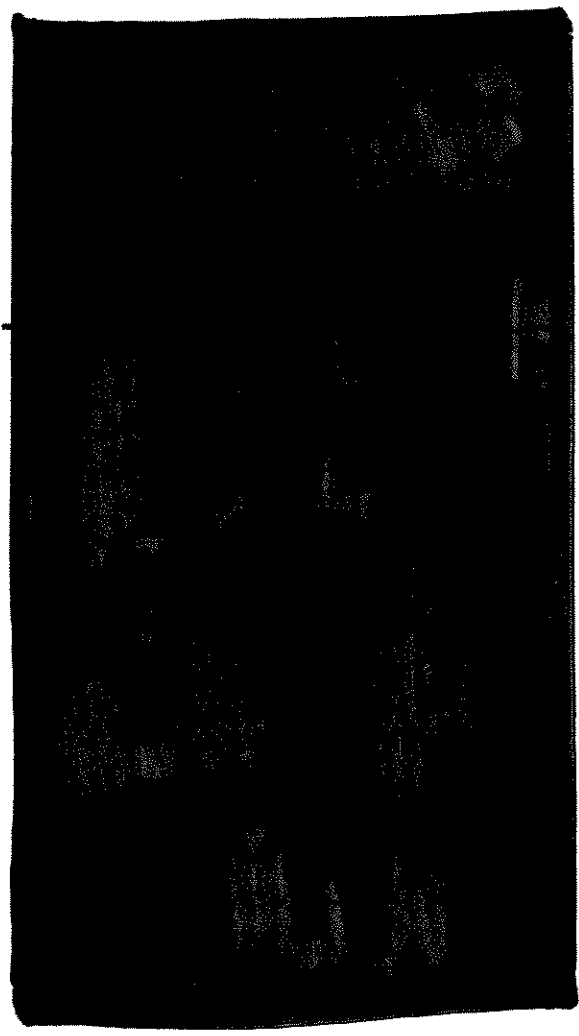
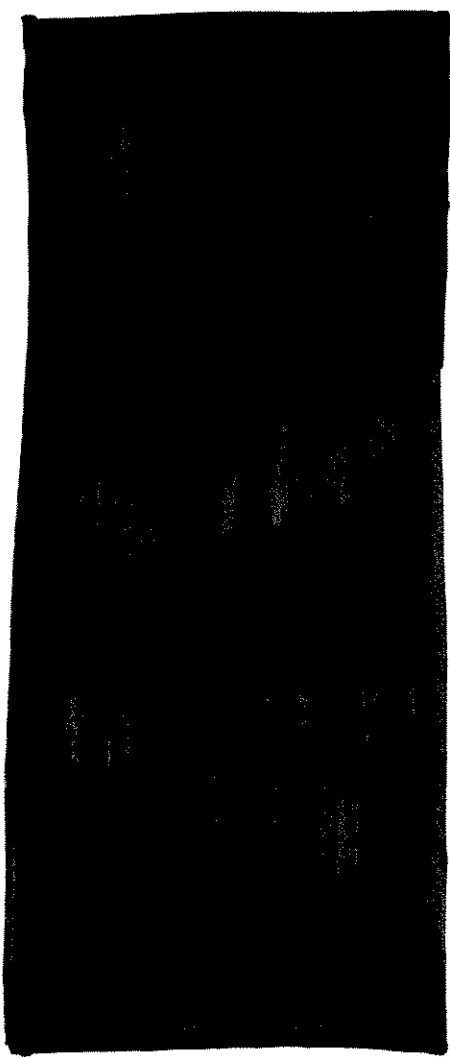
2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

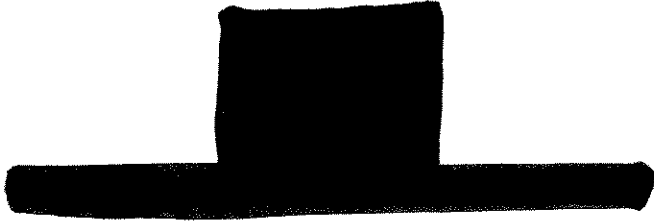
Article 16

The English and French versions of the text of this Convention are equally authoritative.

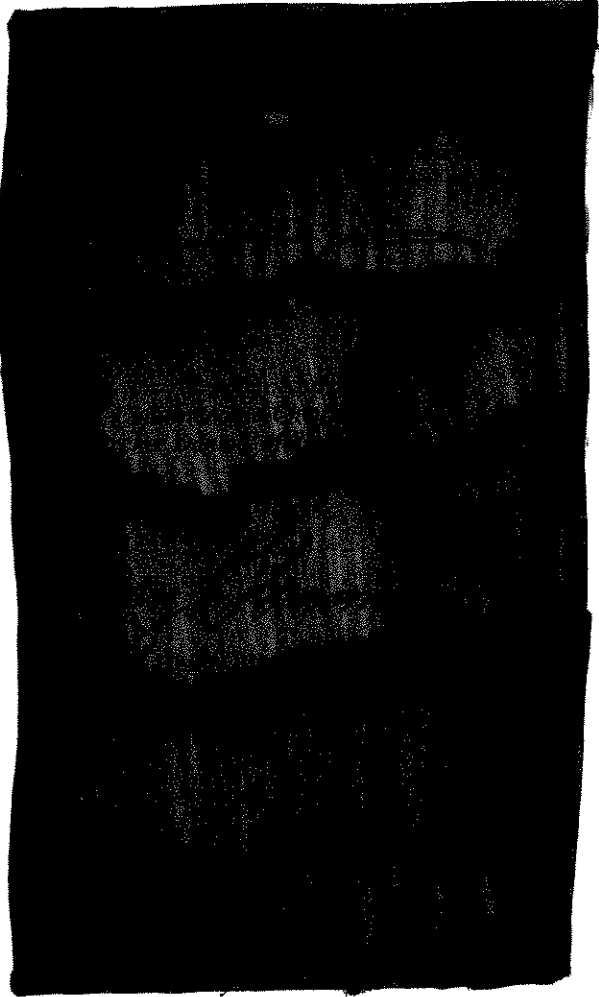
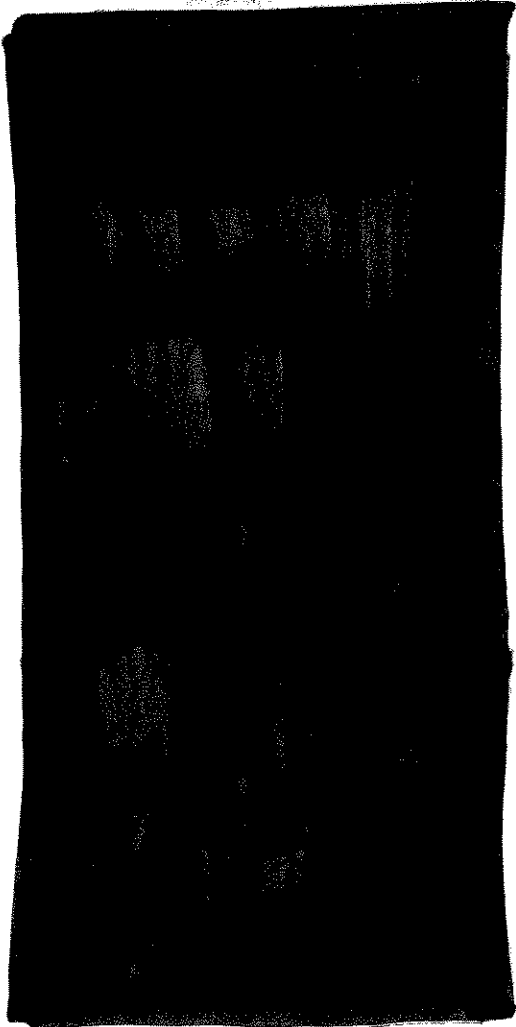


We personally support the protocol entered into by industry *Protocol for the Growing and Processing of Cocoa Beans and their Derivative products In a Manner that Complies with ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor* and look forward to its successful execution which we support wholeheartedly.





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Appendix 2: The Joint Statement

JOINT STATEMENT

November 30, 2001

The [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] the World Cocoa Foundation, the Child Labor Coalition, Free The Slaves, the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers Associations, and the National Consumers League (sometimes hereinafter the "Signatories") recognize the urgent need to identify and eliminate child labour in violation of International Labour Organization ("ILO") Convention 182 with respect to the growing and processing of cocoa beans and their derivative products.

The Signatories also recognize the need to identify and eliminate practices in violation of ILO Convention 29 with equal urgency.

The Signatories affirm their support for the International Labour Organization's (ILO) mission to improve working conditions worldwide, as exemplified in the ILO Declaration on Fundamental Principles and Rights at Work. We also share the view that practices in violation of ILO Conventions 182 (the "worst forms of child labour") and 29 ("forced labour") result from poverty and a complex set of social and economic conditions often faced by small family farmers and agricultural workers, and that effective solutions to address these violations must include action by appropriate parties to improve overall labour standards and access to education.

The Signatories support the framework provided in the Protocol signed by the [REDACTED] and the World Cocoa Foundation on September 19, 2001, which provides for cooperation and for credible, effective problem solving in West Africa, where a specific program of research, information exchange, and action is immediately warranted.

This Joint Statement expresses the shared commitment of the Signatories to work collaboratively toward the goal of eliminating the worst forms of child labour and forced labour in cocoa growing.

The strategies developed as part of this process will only be credible to the public and meet the expectations of consumers if there is committed engagement on the part of governments, global industry (comprised of major manufacturers of cocoa and chocolate products as well as other, major cocoa users), cocoa producers, labour representatives, non-governmental organizations, and consumers that have joined this process.

The Signatories recognize the need to work in concert with the ILO because the ILO will play an important role in identifying positive strategies, including developmental alternatives for children engaged in the worst forms of child labour and adults engaged in forced labour in the growing and processing of cocoa beans and their derivative products.

The strategies to be developed will be effective only if they are comprehensive and part of a durable initiative. The steps to be taken to sustain this initiative include:

- (i) execution of a binding memorandum of cooperation among the Signatories that establishes a joint action program of research, information exchange, and action to enforce the internationally-recognized and mutually-agreed upon standards to

eliminate the worst forms of child labour in the growing and processing of cocoa beans and their derivative products;

- (ii) incorporation of this research that will include efforts to determine the most appropriate and practicable independent means of monitoring and public reporting in compliance with those standards; and
- (iii) establishment of a joint foundation to oversee and sustain efforts to eliminate the worst forms of child labour and forced labour in the growing and processing of cocoa beans and their derivative products. The Signatories welcome industry's commitment to provide initial and ongoing, primary financial support for the foundation.

We anticipate that other parties may be able to play a positive role in our important work.

Subject to mutual consent by the Signatories, additional parties may be invited to sign onto this statement in the future.

Witnessed by the International Labour Organization this 30th day of November, 2001.

Geneva, Switzerland

By:



Mr. Frans Roselaers, Director
International Programme on the Elimination of Child Labour
(IPEC)
International Labor Organization

[REDACTED]

OF THE EU

By: [REDACTED]

[REDACTED]
Secretary General
[REDACTED]

[REDACTED]

By: [REDACTED]

[REDACTED]
President
[REDACTED]

[REDACTED]

By: [REDACTED]

[REDACTED]
President
[REDACTED]

[REDACTED]

By: [REDACTED]

[REDACTED]
Chief Executive
[REDACTED]
[REDACTED]

[Redacted]

By:

[Redacted Signature]

[Redacted]
Chairman, Board of Directors
Cocoa Merchants Association of America

EUROPEAN COCOA ASSOCIATION

By:

[Redacted Signature]

[Redacted]
Secretary General
European Cocoa Association

INTERNATIONAL OFFICE OF COCOA, CHOCOLATE AND CONFECTIONERY

By:

[Redacted Signature]

[Redacted]
President
International Office of Cocoa, Chocolate and Confectionery

WORLD COCOA FOUNDATION

By:

Bill Guyton

Mr. Bill Guyton
Executive Director
World Cocoa Foundation

CHILD LABOR COALITION

By: 

Ms. Darlene Adkins
National Coordinator
The Child Labor Coalition

FREE THE SLAVES

By: 

Mr. Kevin Bales
Executive Director
Free the Slaves

INTERNATIONAL UNION OF FOOD, AGRICULTURAL, HOTEL, RESTAURANT,
CATERING, TOBACCO AND ALLIED WORKERS ASSOCIATIONS

By: 

Mr. Ron Oswald
General Secretary
International Union of Food, Agriculture, Hotel, Restaurant, Catering, Tobacco and
Allied Workers' Associations (IUF)

NATIONAL CONSUMERS LEAGUE

By: 

Ms. Linda Golodner
President
National Consumers League