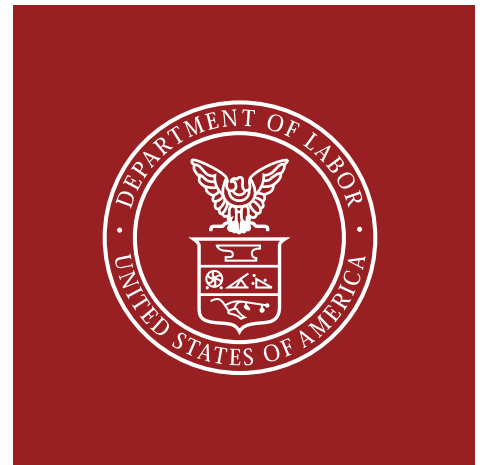
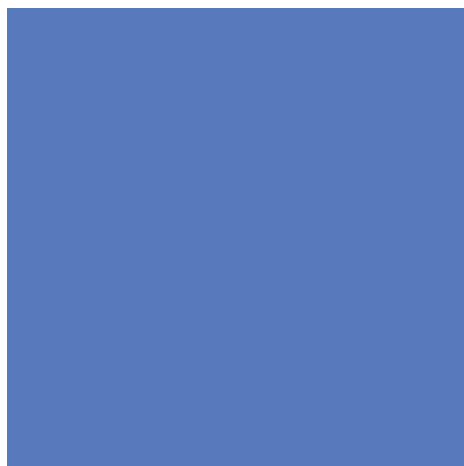


PUBLIC HEARING TO COLLECT INFORMATION TO ASSIST IN THE DEVELOPMENT OF THE LIST OF GOODS FROM COUNTRIES PRODUCED BY CHILD LABOR OR FORCED LABOR

The United States Department of Labor
Bureau of International Labor Affairs
Office of Child Labor, Forced Labor, and Human Trafficking



Wednesday
May 28, 2008



UNITED STATES DEPARTMENT OF LABOR
BUREAU OF INTERNATIONAL LABOR AFFAIRS
OFFICE OF CHILD LABOR, FORCED LABOR AND HUMAN TRAFFICKING

- - -

PUBLIC HEARING

- - -

Wednesday, May 28, 2008

A Public Hearing to Collect Information to Assist in the Development of the List of Goods From Countries Produced by Child Labor or Forced Labor was convened, pursuant to notice, at 10:30 a.m. in the Auditorium of the Frances Perkins Building, U.S. Department of Labor, Washington, D.C.

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1. His Excellency Koffi Y. Charles, Ambassador of Côte d'Ivoire
2. His Excellency Dr. Kwame Bawuah-Edusei, Ambassador of Ghana
3. Thea Lee, Policy Director, AFL-CIO
4. Margaret Ellen Roggensack, Policy Director, Free the Slaves
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2. Prapan Disyatat, First Secretary, Royal Thai Embassy
3. John Williams, Executive Director, Southern Shrimp Alliance
4. Carl Olson, Chairman, State Department Watch

INTRODUCTION

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and Advanced Media Workflow Association, Inc. intends to file additional written notifications disclosing all changes in membership.

On March 28, 2000, Advanced Media Workflow Association, Inc. filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on June 29, 2000 (65 FR 40127).

The last notification was filed with the Department on December 18, 2007. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on January 22, 2008 (73 FR 3755).

Patricia A. Brink,

Deputy Director of Operations, Antitrust Division.

[FR Doc. E8-8628 Filed 4-22-08; 8:45 am]

BILLING CODE 4410-11-M

DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review: Comment Request

April 17, 2008.

The Department of Labor (DOL) hereby announces the submission of the following public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of this ICR, with applicable supporting documentation, including among other things a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site at <http://www.reginfo.gov/public/do/PRAMain> or by contacting Darrin King on 202-693-4129 (this is not a toll-free number)/e-mail: king.darrin@dol.gov.

Interested parties are encouraged to send comments to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Bureau of Labor Statistics (BLS), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202-395-7316/Fax: 202-395-6974 (these are not a toll-free numbers), E-mail: OIRA_submission@omb.eop.gov within 30 days from the date of this publication in the **Federal Register**. In order to ensure the appropriate

consideration, comments should reference the OMB Control Number (see below).

The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: Bureau of Labor Statistics.

Type of Review: Extension without change of a previously approved collection.

Title: Producer Price Index Survey.

OMB Control Number: 1220-0100.

Affected Public: Business or other for-profits.

Estimated Number of Respondents: 6,400.

Total Estimated Annual Burden Hours: 12,800.

Total Estimated Annual Costs Burden: \$0.

Description: The Producer Price Index (PPI), one of the Nation's leading economic indicators, is used as a measure of price movements, as an indicator of inflationary trends, for inventory valuation, and as a measure of purchasing power of the dollar at the primary market level. It also is used for market and economic research and as a basis for escalation in long-term contracts and purchase agreements. The purpose of the PPI collection is to accumulate data for the ongoing monthly publication of the PPI family of indexes. For addition information, see related notice published at 73 FR 15 on January 23, 2008.

Darrin A. King,

Acting Departmental Clearance Officer.

[FR Doc. E8-8703 Filed 4-22-08; 8:45 am]

BILLING CODE 4510-24-P

DEPARTMENT OF LABOR

Office of the Secretary

Notice of Public Hearing To Collect Information To Assist in the Development of the List of Goods From Countries Produced by Child Labor or Forced Labor

AGENCY: Bureau of International Labor Affairs, Department of Labor.

ACTION: Notice of public hearing to collect information to assist in the development of a list of goods from countries produced by child labor or forced labor in violation of international standards; request for submission of testimony.

SUMMARY: The Department of Labor ("DOL") will hold a public hearing for the purpose of gathering factual information regarding the use of child labor and forced labor worldwide in the production of goods at 10:30 a.m. on Wednesday, May 28, 2008. The hearing will take place in the Auditorium of the Frances Perkins Building, U.S. Department of Labor, 200 Constitution Ave., NW., Washington DC 20210, and will be open to the public. This hearing is conducted pursuant to section 105(b)(1) of the Trafficking Victims Protection Reauthorization Act of 2005 ("TVPRA of 2005"), Public Law 109-164 (2006), and as set forth in the Notice of Procedural Guidelines for the Development and Maintenance of the List of Goods From Countries Produced by Child Labor or Forced Labor ("Guidelines"), 72 FR 73374 (December 27, 2007). All members of the public attending the hearing must register by May 14 in order to facilitate building security. DOL is now accepting requests from all interested parties to provide oral and/or written testimony and/or exhibits at the hearing. Each presentation will be limited to 10 minutes and must be submitted in writing to the Office of Child Labor, Forced Labor, and Human Trafficking by May 7. The Department is not able to provide financial assistance to those wishing to travel to attend the hearing. Those unable to attend the hearing are invited to submit written testimony. Please refer to the **DATES, FURTHER INFORMATION,** and "Scope of Interest" sections of this Notice for additional instructions on registration, notification, and submission requirements.

The DOL Office of Child Labor, Forced Labor, and Human Trafficking ("Office") is currently developing a list of goods ("the List") from countries that the Office has reason to believe are produced by child labor or forced labor

in violation of international standards. DOL is required to develop and make available to the public the List pursuant to the TVPRA of 2005. Information provided at the hearing will be considered by the Office in developing the List. Testimony should be confined to the specific topic of the use of child labor and forced labor in the production of goods internationally, as well as information on government, industry, or third-party actions and initiatives to address these problems. The Office is particularly interested in information tending to demonstrate the presence or absence of a significant incidence of child labor or forced labor in the production of a particular good.

DATES: The hearing is scheduled for Wednesday, May 28, 2008. Parties who intend to present testimony at the hearing must notify DOL of their intention to appear, in writing, by 5 p.m., April 30. Presenters will be required to submit four written copies of their full testimony in English and all documentary evidence and/or exhibits to the Office by 5 p.m., May 7. Those attending but not presenting at the hearing must register by May 14. The record will be kept open for additional written testimony until 5 p.m., June 11, 2008. Information received after that date may not be taken into consideration in developing the initial List, but will be considered by the Office as the List is maintained and updated in the future.

To Give Notice of Intention To Appear, Submit Written Testimony, or for Further Information, Contact: Charita Castro, Office of Child Labor, Forced Labor, and Human Trafficking, Bureau of International Labor Affairs, U.S. Department of Labor at (202) 693-4843 (this is not a toll-free number). Written testimony and documentary evidence may be submitted by the following methods:

- *Facsimile (fax):* Permitted for submissions of 10 pages or fewer. ILAB/Office of Child Labor, Forced Labor, and Human Trafficking at 202-693-4830.

- *Mail, Express Delivery, Hand Delivery, and Messenger Service:* Charita Castro/Leyla Strotkamp at U.S. Department of Labor, ILAB/Office of Child Labor, Forced Labor, and Human Trafficking, 200 Constitution Ave., NW., Room S-5317, Washington, DC 20210.

- *E-mail:* ilab-tvptra@dol.gov.

Note that security-related problems may result in significant delays in receiving materials by mail.

To Register To Attend the Hearing, Contact: Leyla Strotkamp, Office of Child Labor, Forced Labor, and Human Trafficking, Bureau of International

Affairs, U.S. Department of Labor at (202) 693-4813 or Strotkamp.Leyla@dol.gov. Please provide Ms. Strotkamp with attendees' contact information, including name, organization, address, phone number, and e-mail address.

Opportunity To Appear: The hearing is open to the public, and all interested parties are welcome to attend. However, only a party who files a complete notice of intention to appear will be able to present at the hearing. The presiding official reserves the right to limit oral statements in the interest of time and to otherwise keep the hearing focused.

Special Accommodations: Persons who wish to request any of the following accommodations should contact Ms. Strotkamp by April 30: a presentation that exceeds 10 minutes; technical assistance for a presentation; submission of exhibits or other physical evidence for the record; or accommodation of a disability.

For presentations that exceed 10 minutes and/or include the submission of evidence, ILAB will review each submission and determine if it warrants the additional time requested. If ILAB believes the requested additional time is excessive, it will allocate an appropriate amount of time to the presentation, and notify the participant before the hearing. ILAB may limit to 10 minutes the presentation of any participant who fails to comply substantially with these procedural requirements; ILAB may request any participant to return for additional questioning at a later time.

Scope of Interest: DOL requests information that is current and directly addresses the nature and extent of child labor or forced labor in the production of goods, or the nature and extent of actions and initiatives to combat child labor and forced labor. Governments that have ratified International Labor Organization ("ILO") Convention 138 (Minimum Age), Convention 182 (Worst Forms of Child Labor), Convention 29 (Forced Labor) and/or Convention 105 (Abolition of Forced Labor) may wish to submit relevant copies of their responses to any Observations or Direct Requests by the ILO's Committee of Experts on the Application of Conventions and Recommendations. Exhibits submitted may include studies, reports, statistics, new articles, electronic media, or other sources, as set forth in section "Information Requested on Child Labor and Forced Labor" of 72 FR 73374 (December 27, 2007).

Submitters of oral or written testimony should take into consideration the "Sources of Information and Factors Considered in the Development and Maintenance of the List" (Section A of

the Procedural Guidelines), as well as the definitions of child labor and forced labor contained in Section C of the Guidelines. Refer to 72 FR 73374 (December 27, 2007).

Where applicable, testimony providing factual information should indicate its source or sources, and copies of the source material should be provided. If primary sources are utilized, such as research studies, interviews, direct observations, or other sources of quantitative or qualitative data, details on the research or data-gathering methodology should be provided.

Written testimony, and written copies of oral testimony, should be submitted to the addresses and by the deadlines set forth above. Submissions made via fax, mail, express delivery, hand delivery, or messenger service should clearly identify the person filing the submission and should be signed and dated. Submissions made via mail, express delivery, hand delivery, or messenger service should include an original plus three copies of all materials and attachments. If possible, submitters should also provide copies of such materials and attachments on a CD-ROM or similar electronic media. Note that security-related screening may result in significant delays in receiving comments and other written materials submitted by regular mail.

Government classified information will not be accepted. The Office may request that classified information brought to its attention be declassified. Submissions containing confidential or personal information may be redacted by the Office before being made available to the public, in accordance with applicable laws and regulations. The Official Record of this Public Hearing, including statements submitted for the record, will be published and made available to the public on the DOL Web site.

SUPPLEMENTARY INFORMATION: Section 105(b)(1) of the TVPRA of 2005, Public Law 109-164 (2006), directed the Secretary of Labor, acting through the Bureau of International Labor Affairs, to "carry out additional activities to monitor and combat forced labor and child labor in foreign countries." Section 105(b)(2) of the TVPRA, 22 U.S.C. 7112(b)(2), listed these activities as:

(A) Monitor the use of forced labor and child labor in violation of international standards;

(B) Provide information regarding trafficking in persons for the purpose of forced labor to the Office to Monitor and Combat Trafficking of the Department of

State for inclusion in [the] trafficking in persons report required by section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b));

(C) Develop and make available to the public a list of goods from countries that the Bureau of International Labor Affairs has reason to believe are produced by forced labor or child labor in violation of international standards;

(D) Work with persons who are involved in the production of goods on the list described in subparagraph (C) to create a standard set of practices that will reduce the likelihood that such persons will produce goods using the labor described in such subparagraph; and

(E) Consult with other departments and agencies of the United States Government to reduce forced labor and child labor internationally and ensure that products made by forced labor and child labor in violation of international standards are not imported into the United States.

The Office carries out the DOL mandates in the TVPRA. The Guidelines provide the framework for ILAB's implementation of the TVPRA mandate, and establish procedures for the submission and review of information and the process for developing and maintaining the List. In addition to the Office's efforts under the TVPRA, the Office conducts and publishes research on child labor and forced labor worldwide. The Office consults such sources as DOL's *Findings on the Worst Forms of Child Labor*; the Department of State's annual *Country Reports on Human Rights Practices* and *Trafficking in Persons Report*; reports by governmental, non-governmental, and international organizations; and reports by academic and research institutions and other sources.

The Office will evaluate all information received according to the processes outlined in the published Guidelines, 72 FR 73374 (December 27, 2007). Goods that meet the criteria outlined in the Guidelines will be placed on an initial List, and published in the **Federal Register** and on the DOL Web site. DOL intends to maintain and update the List over time, through its own research, interagency consultations, and additional public submissions of information.

Signed at Washington, DC, this 17th day of April, 2008.

Charlotte M. Ponticelli,

Deputy Under Secretary for International Affairs.

[FR Doc. E8-8709 Filed 4-22-08; 8:45 am]

BILLING CODE 4510-28-P

DEPARTMENT OF LABOR

Employee Benefits Security Administration

Proposed Extension of Information Collection Request Submitted for Public Comment and Recommendations; PTE 86-128

ACTION: Notice.

SUMMARY: The Department of Labor (Department), as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA 95). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employee Benefits Security Administration is soliciting comments concerning the proposed extension of a currently approved collection of information, Prohibited Transaction Class Exemption 86-128 for certain transactions involving employee benefit plans and securities broker-dealers.

A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed below in the addresses section of this notice.

DATES: Written comments must be submitted to the office listed in the addresses section below on or before June 23, 2008.

ADDRESSES: Interested parties are invited to submit written comments regarding the collection of information. Send comments to Mr. G. Christopher Cosby, Office of Policy and Research, U.S. Department of Labor, Employee Benefits Security Administration, 200 Constitution Avenue, NW., Room N-5718, Washington, DC 20210. Telephone: (202) 693-8410 Fax: (202) 219-4745 (These are not toll-free numbers).

SUPPLEMENTARY INFORMATION:

I. Background

Prohibited Transaction Class Exemption 86-128 permits persons who serve as fiduciaries for employee benefit plans to effect or execute securities transactions on behalf of employee benefit plans. The exemption also allows sponsors of pooled separate

accounts and other pooled investment funds to use their affiliates to effect or execute securities transactions for such accounts in order to recapture brokerage commissions for benefit of employee benefit plans whose assets are maintained in pooled separate accounts managed by the insurance companies. This exemption provides relief from certain prohibitions in section 406(b) of the Employee Retirement Income Security Act of 1974 (ERISA) and from the taxes imposed by section 4975(a) and (b) of the Internal Revenue Code of 1986 (the Code) by reason of Code section 4975(c)(1)(E) or (F).

In order to insure that the exemption is not abused, that the rights of participants and beneficiaries are protected, and that the exemption's conditions are being complied with, the Department has included in the exemption five information collection requirements. The first requirement is written authorization executed in advance by an independent fiduciary of the plan whose assets are involved in the transaction with the broker-fiduciary. The second requirement is, within three months of the authorization, the broker-fiduciary furnish the independent fiduciary with any reasonably available information necessary for the independent fiduciary to determine whether an authorization should be made. The information must include a copy of the exemption, a form for termination, and a description of the broker-fiduciary's brokerage placement practices. The third requirement is that the broker-fiduciary must provide a termination form to the independent fiduciary annually so that the independent fiduciary may terminate the authorization without penalty to the plan; failure to return the form constitutes continuing authorization. The fourth requirement is for the broker-fiduciary to report all transactions to the independent fiduciary, either by confirmation slips or through quarterly reports. The fifth requirement calls for the broker-fiduciary to provide an annual summary of the transactions. The annual summary must contain all security transaction-related charges incurred by the plan, the brokerage placement practices, and a portfolio turnover ratio.

II. Review Focus

The Department is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

**Public Hearing to Collect Information to
Assist in the Development of the List of Goods from
Countries Produced by Child Labor or Forced Labor**

Conducted by the Bureau of International Labor Affairs
U.S. Department of Labor
Washington, DC

Auditorium of the Frances Perkins Building
Wednesday, May 28, 2008
10:30 a.m.

Agenda

Welcome & Announcements

Remarks **Charlotte M. Ponticelli**
Deputy Under Secretary for International Labor Affairs
U.S. Dept. of Labor

Opening Statement **John M. Vittone**
Chief Administrative Law Judge
U.S. Dept. of Labor

Testimony **His Excellency Koffi Y. Charles**
Ambassador of Côte d'Ivoire

His Excellency Dr. Kwame Bawuah-Edusei
Ambassador of Ghana

Meg Roggensack
Policy Director, Free the Slaves

Brian Campbell
Staff Attorney, International Labor Rights Forum

Thea Lee
Policy Director, AFL-CIO Solidarity Center

Larry Graham
President, National Confectioners Association

(Note: order of appearance is subject to change as needed)

**TRANSCRIPT OF ORAL
TESTIMONY**

U.S. DEPARTMENT OF LABOR

BUREAU OF INTERNATIONAL LABOR AFFAIRS

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PUBLIC HEARING TO COLLECT INFORMATION TO
ASSIST IN THE DEVELOPMENT OF THE
LIST OF GOODS FROM COUNTRIES PRODUCED BY
CHILD LABOR OR FORCED LABOR

+ + + + +

WEDNESDAY
MAY 28, 2008

+ + + + +

The public hearing was held in the Auditorium of the
Frances Perkins Building, 200 Constitution Avenue, N.W.,
Washington, D.C., at 10:30 a.m., JOHN M. VITTONI, Chief
Administrative Law Judge, presiding.

PANEL MEMBERS PRESENT:

JOHN M. VITTONI, Chief Administrative Law Judge,
U.S. Department of Labor
CHARLOTTE M. PONTICELLI, Deputy Under Secretary for
International Labor Affairs, U.S. Department of Labor
CHARITA CASTRO, U.S. Department of Labor
MARCIA EUGENIO, U.S. Department of Labor
TANYA RASA, U.S. Department of Labor
RACHEL RIGBY, U.S. Department of Labor

WITNESSES:

KWAME BAWUAH-EDUSEI, Ambassador of Ghana
BRIAN CAMPBELL, Staff Attorney,
International Labor Rights Forum
KOFFI Y. CHARLES, Ambassador of Cote d'Ivoire
LARRY GRAHAM, President, National Confectioners Association
THEA LEE, Policy Director, AFL-CIO
MARGARET ELLEN ROGGENSACK, Policy Director, Free the Slaves

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701 (202) 234-4433

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P-R-O-C-E-E-D-I-N-G-S

(10:33 a.m.)

WELCOME & ANNOUNCEMENTS

JUDGE VITTONI: Good morning. My name is John Vittoni. I am the Chief Administrative Law Judge from the U.S. Department of Labor. I would like to welcome all of you here to the Department of Labor for this very special hearing today.

Today's hearing is being held pursuant to section 105(b)(1) of the Trafficking Victims Protection Reauthorization Act of 2005.

This statute directed that the Secretary of Labor, acting through the Bureau of International Labor Affairs, carry out certain additional activities to monitor and combat forced labor and child labor in foreign countries.

Among the activities mandated by the 2005 act is a requirement that the Secretary of Labor develop and make available to the public a list of goods from countries that the Bureau of International Labor Affairs has reason to believe are produced by forced labor or child labor in violation of international standards.

Pursuant to this mandate, the Department published a notice of procedural guidelines for the development and maintenance of the list of goods from countries produced by child labor or forced labor.

These guidelines were published on December 27th, 2007 and established a process for the public to submit information concerning goods produced with forced labor.

Pursuant to these guidelines, on April 23rd, 2008, in volume 73 of the Federal Register, page 21,985, the Department of Labor published a notice of public hearing for the purpose of gathering factual information regarding the use of child labor and forced labor worldwide in the production of goods in violation of international standards. In the notice of hearing, it was specified that the hearing would take place today at this time and in this

location.

Let me emphasize to all of you this proceeding is not a trial or a formal hearing under the Administrative Procedures Act. There are no formal rules of evidence. There will be no sworn testimony.

There are no formal rules, as I said. And we will follow an informal process to gather as much information as possible. However, there are several guidelines that the notice of hearing asks all interested parties to follow.

One, each oral presentation is limited to ten minutes in length. Each presentation should have been submitted in writing to the Office of Child Labor, Forced Labor, and Human Trafficking by May 7th. And those persons unable to attend today's hearing are invited to submit written testimony to the Department.

There is one other rule, and that is my personal rule. All cell phones and pagers should be turned off.

Now, information submitted at this hearing will be considered in the development of the list of goods from countries that the Department has reason to believe are produced by child labor or forced labor.

Now, testimony should be combined to the specific topic of the use of child labor and forced labor as well as information on government, industry, or third party actions and initiatives to address these problems.

The Department is particularly interested in the information tending to demonstrate the presence or absence of a significant incident of child labor or forced labor in the production of a particular good.

Thank you. This hearing will take place only today. And all persons who have submitted testimony will be given the opportunity to testify publicly.

Now I would like to call on Marcia Eugenio, the Director of the Office of Child Labor, Forced Labor, and Human Trafficking from the Bureau of International Labor Affairs.

MEMBER EUGENIO: Thank you.

Good morning and welcome to the Department of Labor. My name is Marcia Eugenio. And I am the Director of the Office of Child Labor, Forced Labor, and Human Trafficking within the Department's Bureau of International Labor Affairs.

We are very pleased to see so many people here today to learn about issues which are of great importance to us. Our office has been working for 15 years to combat exploitive child labor around the world. And we are know we are working alongside many of you and the organizations you represent in this effort.

I would like to introduce the Deputy Under Secretary for International Labor Affairs, Charlotte Ponticelli, who will give some opening remarks.

Ms. Ponticelli has headed our Bureau since May 2007. This is her first year anniversary. And we are happy to have her with us.

Previously she served for almost four years at the State Department Senior Coordinator for International Women's Issues followed by an additional year at the State Department as Senior Adviser to the Assistant Secretary for Population, Refugees, and Migration.

Ms. Ponticelli has extensive government experience, serving previously at the White House, Director of Congressional Correspondence in the Office of Legislative Affairs; the U.S. Agency for International Development, Congressional Liaison Officer for Latin America and the Caribbean; and the U.S. Commission on Civil Rights.

Please join me in welcoming Deputy Under Secretary Ponticelli.

(Applause.)

MEMBER PONTICELLI: Thank you. Thank you so much. Thank you, Judge Vittone. And thank you, Marcia Eugenio, for your introduction to this hearing.

REMARKS

MEMBER PONTICELLI: We want to welcome all of you to the U.S. Department of Labor and thank you for coming to this very significant event that highlights one of today's most pressing challenges; that is, the use of forced labor and child labor in the production of goods internationally.

For those of us who have the privilege to serve in the Department of Labor's International Affairs Bureau and particularly those of us who work very closely with our colleagues in the Office of Child Labor, Forced Labor, and Human Trafficking, this hearing is an important step forward.

It is an opportunity to receive information that will assist us in fulfilling our mandate under the Trafficking Victims Protection Reauthorization Act, or TVPRA, of 2005.

Judge Vittone has already described some of the process and the procedures that have gone into the organization of this hearing.

And we are very honored to have the Chief Administrative Law Judge. We are honored to have John Vittone preside at this hearing along with our panel from the Office of Child Labor, Forced Labor, and Human Trafficking.

We are also pleased to welcome a distinguished group of witnesses representing the governments of Cote d'Ivoire and Ghana, Free the Slaves, the International Labor Rights Forum, the AFL-CIO Solidarity Center, and the National Confectioners Association.

I also want to recognize that we have here in the audience many representatives of industry and business, of a range of organizations, both U.S. Government and nongovernmental, with whom we have been fortunate to work in the global effort to combat forced

labor and child labor.

We are so pleased to have all of you here. Of course, we recognize that there may be others who have valuable information to share on these subjects but perhaps were not able to join us today. So we do want to emphasize that we will accept additional written testimony for the official record of this hearing until June 11th, 2008.

For those of you who may be watching us by C-SPAN, we would like to encourage you to send any information that you might have. You can e-mail any submissions to the following Web site, which is ilab-tvpra@dol.gov.

In addition, general information about our TVPRA mandates is available on our International Labor Affairs Bureau Web site at www.dol.gov/ilab.

We look forward to hearing today from our expert witnesses and learning from their perspectives on these important issues.

And, with that, I would like to welcome Chief Administrative Law Judge John Vittone to begin our proceedings today. Thank you again and welcome.

JUDGE VITTON: Thank you, Ms. Ponticelli.

OPENING STATEMENT

JUDGE VITTON: The first thing I would like to do is I would like for the panel to identify themselves, please.

MEMBER CASTRO: Good morning. My name is Charita Castro. I am the Operations and Research Division Chief in the Office of Child Labor, Forced Labor, and Human Trafficking.

MEMBER RIGBY: Good morning. I'm Rachel Phillips Rigby, TVPRA Coordinator in the Office of Child Labor, Forced Labor, and Human Trafficking.

MEMBER RASA: Hello. I'm Tanya Rasa. I'm the Africa Division Chief for the Office of Child Labor, Forced Labor, and Human

Trafficking.

JUDGE VITTONI: I would like to call on our first witness, please, His Excellency Koffi Y. Charles, the Ambassador of Cote d'Ivoire.

Mr. Charles, come forward, please. Ambassador, whenever you are ready, you may begin.

AMBASSADOR CHARLES: Yes. Thank you.

TESTIMONY

AMBASSADOR CHARLES: First of all, I would like to present myself. I am Koffi Charles. I am the ambassador of Cote d'Ivoire in the United States. I have been arrived since December of last year, coming from Mexico.

Before starting, I would like to thank you, Mr. Chairman, for leading this meeting and also, Madam Deputy for the Department of International Affairs, and all of you, the panel, and all of my friends here.

I think your presence here is the testimony of the quick emphasis that all of us put on this issue of child labor because the child is the future of mankind and is how we see it in Cote d'Ivoire. Thank you.

Here is my presentation. Child labor is a phenomenon that seems to increasingly affect more and more developing countries. In Cote d'Ivoire, it is observed in cocoa farming, the first national cash crop.

As a matter of fact, the production of cocoa in Cote d'Ivoire, between 1,200,000 and 1,400,000 tons, the country as the first world producer, employs more than 900,000 small farmers using still even manual methods in areas covering 2 to 4 hectares of land, with a limited yielding of 400 kilo per hectare.

Within such family-type manpower, children play a role of learners or hands. The schooling difficulties due to economic

constraints, more particularly a lack of infrastructure, as well as the matter of teaching children the family trade are at stake. In view of this situation, the Government of Cote d'Ivoire undertook several initiatives in order to fight the phenomenon.

This initiative has several aspects. From the moment the government realized the scope of the problem, it immediately decided to create awareness at the national level and among neighboring countries about the danger, the illegality, and the wrongness of child labor. In this respect, meetings, seminars and workshops were organized.

The government designed years ago what we call Oumé pilot plan project, which was completed on December 31st of 2005. The system tends to be spread and ten administrative regions producing cocoa are covered at the rate of three villages within a sub-prefecture. Committees were also set up with the assistance of G.T.Z., German Cooperation Agency, and they are operating fairly well.

The project, drawn up jointly with the World Cocoa Foundation, defines the problem in order to make a diagnosis. The International Organization of Cocoa provided a week training seminar on child labor to 300 producers from eastern Cote d'Ivoire.

Managerial and promotion agencies, such as Anader and the Coffee and Cocoa Exchange, BCC, participated in the training. In the field, preventive as well as curative actions are undertaken by the state and the technical and institutional partners: Local or international.

These measures can be composed in two aspects: The preventive measures which covers a lot of programs, especially with the STCP, which is a Sustainable Tree Crop Program, established in 2003 aims at making farmers more aware of child labor.

The partners involved are the State of Cote d'Ivoire, the cocoa industry, the International Institute for Tropical Agriculture,

and the World Cocoa Foundation.

There is also another project, which is the SERAP Project, initiated by the local cocoa industry in 2006, aimed at making producers more aware of the need to comply with social and environmental standards.

There is also the project of ICI, which is the International Cocoa Initiative, which has been provided for several years as an institutional support to Cote d'Ivoire by training administrative officers and journalists.

Another project, which is the IFESH. Since it was established in 2005, this organization has contributed to eliminate child labor through formal and informal education, training for training officers, and an awareness campaign on the problem.

We cannot forget the LTTE Project, (Fight Against Slave Trade and Trafficking of Children). Set up by G.T.Z., this project is also involved in increasing population and village committees' awareness and training.

As far as the curative actions are concerned, the government has adopted more than 25 laws and ratified the ILO Conventions number 182, 132, 87, and 98.

Besides that, the government signed a bilateral agreement with nine West African countries, which mean to go Benin, Ghana, Burkina Faso, Liberia, up to Nigeria. So the whole region is committing itself through this agreement.

The government through the Ministries of Security, of Territorial Administration, and of Social Affairs arrests and tries individuals who practice child trafficking.

Once the victims are intercepted, local and international organizations like UNICEF and NGOs assist them and help with their repatriation.

We also see this problem not only on a social aspect but

also on the economic aspect. For that reason, the government given the importance of children in the development of a country and aware that the child labor is a consequence of poverty, the state created an investment fund estimated to \$60 million U.S. for cocoa-producing areas in order to finance different projects, such as upgrading rural pathways, roads, building schools, community health centers, and drilling wells.

In the light of the end of the conflict, as you know, my country for the past six years was undergoing a crisis. But we hope that in the end of this conflict, considerable resources might be needed.

Moreover, the Government of Cote d'Ivoire through the Harkin-Engel protocol, which was signed in September 2001, undertook the certification process of a child labor-free cocoa.

According to the terms of this protocol implemented by an inter-ministerial unit chaired by the Prime Minister, the certification process should be carried out in 50 percent of cocoa-producing countries by July 2008, next month.

The process is a continuous improvement cycle of living and working conditions of workers. It involves four stages.

The first stage is the initial diagnosis surveying. The second is survey reporting, the third implementing social protection programs as a response to the results of the survey. And the fourth is the independent monitoring.

For a matter of time, I am not going to go into detail at this stage because you have it in the document that you have, but the most important information that we have to consider is that the Government of Cote d'Ivoire is committed and has assured that it will respect what has been committed.

And this year, the end of next month, the results will be acute. I got this information two days today from the tax port in

Abidjan. So, despite the problem that the council went through, we could be able to achieve this result.

So before coming to my conclusion, I would like to mention that the Government of Cote d'Ivoire did highly appreciate the two American congressmen's visit in Abidjan on 8 and 9 of January this year.

The mission allowed them to better understand the sociological environment of the phenomenon as well as to create awareness among Cote d'Ivoire's decision-makers and stakeholders of the cocoa chain.

They have been received, this delegation has been received, by the president and the prime minister. And they could undertake some trip in the cocoa area, where they have the opportunity to have exchange with the workers and also visit some projects.

Besides this, my government commends the initiative by the Bill and Melinda Gates Foundation to be involved in improving the working and living conditions of children involved in cocoa farming.

To conclude, I wanted to say that Cote d'Ivoire remains actively committed and mobilized on child labor in cocoa farming. As this action is going beyond the cocoa farm, therefore, my government, the Government of Cote d'Ivoire, requests that the sector be not depicted as depending on child labor. We request not to be on the list of countries where such practices prevail.

Such a move could be tantamount to economic and social chaos for a country which draws 40 percent of its gross national product from the sector and which is just emerging from a long social and political crisis.

Thank you very much. Thank you, sir.

JUDGE VITTONI: Thank you, Ambassador Charles.

Do we have any questions from the panel?

MEMBER PONTICELLI: I believe so.

JUDGE VITTON: Ms. Ponticelli?

MEMBER PONTICELLI: Yes. Thank you very much for your testimony, Ambassador Koffi, and taking the time to participate in today's hearing. We really appreciate it and as well the information you have provided on the Government of Cote d'Ivoire's efforts to eliminate exploitive child labor in the cocoa industry.

I would like to begin the questioning, if I could. You pointed out in your testimony that children continue to play a role in the production of cocoa in Cote d'Ivoire. So two very brief questions.

First, can you please describe the type of work activities the children are involved in? And, secondly, what are the ages of the children you describe?

AMBASSADOR CHARLES: Roughly, before coming to your point, the subjects that we have undertaken shows that almost all of the children who are involved in their farm are living with their parents: either father, mother, father, or grandmother or junior/senior brother, uncle, so and so, just to avoid the idea of slavery, that commodity.

The children revolved according to the survey from 13 up to 15. And most of the work that is involved is helping the fathers and the mama to make the weeding.

They are also involved in the spreading the fertilizers. They're also cutting the cocoa pod and also uncovering some root. I'm coming to the use with the action that has been taken.

From that, for example, the spreading of fertilizer is dangerous. This fertilizer is coming. But it's come to us according to the discussion that, even the parents, the parents, are not aware of the fact that these products are dangerous.

For a matter of fact, for example, to make sure that these products are not stolen, they put it under their belt to sleep to make

sure that they can, you know, have a good look at it. They have to sit at -- they themselves, the parents, are not even aware of the fact that this product is dangerous for their health.

So with the initiative that has been taken with the support of the private and national sector, not for more informed that this have it just for themselves [inaudible].

So they have to be not only close to this product and also avoid the children manipulating these things. And there is a big awareness of this special problem. That's to your question.

MEMBER EUGENIO: Thank you.

We commend the Government of Cote d'Ivoire for taking immediate action to create awareness of child labor in the cocoa industry once you realized the scope of the problem and including the creation of a national action plan to combat child labor and trafficking in September 2007.

Would you please describe what the extent of child labor is in Cote d'Ivoire in the cocoa industry?

AMBASSADOR CHARLES: To respond to your -- I mean, the size I cannot tell you exactly. But what has to be clarified is that the impact of the children in this way is very limited because when you see the chain of work to be done in this industry, the children participate in the very critical [inaudible].

And the point is that the children participate only to when there's no school [inaudible]. For some time they have to walk 20 kilometers a day for the nearest school.

So the parents who are not able to have their children in the school have no choice, no alternative than to give them the possibility to learn something.

You know, for a matter of fact, when Harkin-Engel undertook their mission in Cote d'Ivoire, they went to a town, a village town, village, where they had a lengthy discussion with the population.

And the one old lady looks up, "We say to you that children are not to be in the field. They are placed in the school. But look at here. Our school is admitted to three classes. These classes were financed on our own money. And the classes cannot afford to enroll all the children. What are we going to do with those who are without?"

So this is a problem. So we should see this problem, I mean, combined with social economy as a matter of poverty. In the region where the school facilities are there, it's a very limited [inaudible] children who come to school there. They only come to join their parents during recreation and sometimes during weekends.

MEMBER EUGENIO: Thank you.

MEMBER CASTRO: Thank you, Ambassador. Just a few more follow-up questions to the survey that you mentioned.

We note that you had mentioned that the nationwide survey on the cocoa harvest in 18 administrative regions will be completed at the end of this month. You had mentioned preliminary results from some of your surveys.

We are wondering if you knew a little bit more about preliminary estimates that you can share with us; the number of children working on the cocoa farms you mentioned; and if you could tell us when and where the report will be available to the public; and, one final question, if the raw data that is coming out of analyses, if these will also be shared with the public.

AMBASSADOR CHARLES: I want to assure you that in March already, we had a first preliminary result we published on the Web site of www.cacao.ci. You can all see the result, all action that has been undertaken and the result.

And it will be very difficult for me to tell you the number of children involved because depending on the size of the region, depending on the facilities involved in their country, and the surveys

were organized in such a way that even once, once a child had to do something, he is directly involved. So it has, in back [inaudible], all these populations of children.

For someone who has just once cut a cocoa pod, I mean, we cannot say that he is deeply involved in working. So I think that with the survey that is going to be published, we will be able to have all of this information, madam.

MEMBER CASTRO: Thank you.

MEMBER RIGBY: Thank you, Mr. Ambassador.

Your testimony mentions a number of initiatives Government of Cote d'Ivoire is undertaking in partnership with other organizations, such as GTZ and the ICI and IFESH.

What types of services are being provided to children? And how many children have been withdrawn or prevented from working through these projects, approximately?

AMBASSADOR CHARLES: Yes. The impacts of the action is very positive. You can see it when you go to the farms.

The initiative is first to draw the onus of the population on the fact that, for example, using fertilizers is dangerous. Using machetes, cutlasses, can be dangerous after maybe two hours of work for a child.

And carrying roots is not good for the spine. But sometimes in some regions, carrying roots for women is good because it gives them good shape of the buttocks, I mean.

(Laughter.)

AMBASSADOR CHARLES: So, I mean, can you imagine? We have to fight all this way of thinking. But then it has come to the fact that we come to a good result.

And not only helping the parents to draw the children but also the economic aspect, is that we have to improve the conditions of work for the workers to know the basics, for them to increase the

productivity.

You know I mentioned that the area is 400 kilograms per hectare. It's very low. Normally it should be between 900 to 1,000. If in the region where they are training, system training is there, the farmers could increase up to seven to nine hundred kilograms a hectare. That provides more money to, for example, be in the school for your children[inaudible].

So the survey will let you have the impact of the importance of the children in this way, but what I can say is that the campaign has been all over the region. There is a good awareness whenever there is a possibility for children to be induced [inaudible].

The action is mainly on the parents because in our culture, the parents are the highest possibility of having some direct influence on the children than you have in other countries. So the onus is on the parents in order to understand the children's welfare affects the future. And everyone is making an effort.

The action is getting a big impact on the population, and people are more and more aware of the fact that the place of the children is not in the farm but in the school because in the school, they have the good position to prepare themselves for the future and even to contribute better, even coming back to the farm after receiving higher skills for their farming services.

So we have positive and also very - we would like to thank and express our gratitude to all of the organizations who have taken the decision to come and help by a lot of means.

Yesterday or two days ago G.T.Z. provided a very important amount of money for a project to the Ministry of Labor. And that is a process we will keep on doing.

On the radio, on the TV there are some advertisements to draw the attention of people not to put their children in the

hazardous conditions of work.

MEMBER RASA: Thank you, Mr. Ambassador, for including in your testimony steps that Cote d'Ivoire's government is undertaking in support of the Harkin-Engel protocol.

Will you please elaborate for us how the certification process that is described in your testimony will certify that cocoa as a good is child labor-free?

AMBASSADOR CHARLES: The process, madam, the aim of the process, is to make sure that the cocoa in the Cote d'Ivoire is produced in the conditions of child labor-free.

Normally when the agreement was signed in 2001, Cote d'Ivoire's government was supposed to make it implemented by July 2005. But due to the situation in Cote d'Ivoire, as I mentioned, they are allowed to extend it up to this year, I think.

But a pilot project was realized in three administrative regions from 2006 to 2007 on the average cycle. The report was published in November last year. And then there was a reporting, a group of experts, which is in charge of drafting the report, which should be published at the end of May, this month.

Then there was the action. The action is what I have said already. They have decided on a proposed independent monitoring. The committee, including core sectors, the civil society, and the government, was created. And a group of auditors was short listed during the meeting that the committee held in April in London.

The first meeting of the committee on this instrument was used to realize a pilot and national survey is to be established to be held in May, this month.

So I think that the process is a continuing process, is a continuing process. We cannot send out from today on [inaudible]. This is the result. It is a process, with all the parts involved being on pilots so that everyone creates his part.

So I think this independent monitoring, the committee which is set up in London, will play a very important role by making sure that all what has been decided within the agreement has to be implemented.

So that is how we see that. It seems that even some -- I think that on this side, you think that there was a problem of financing this issue. And I think that the private sector has also to play a role in it by providing funds to make sure that this committee will have all the facilities to work properly because its needs, its mission, some trip going by to make sure that everything is going according to plan.

MEMBER PONTICELLI: Thank you.

If I may just kind of follow on that issue of funding and resources? Mr. Ambassador, I think you mentioned that your government has invested about \$60 million for world development and health and education services but that according to your testimony, considerable resources may still be needed.

Could you elaborate just a little bit on that? What are the resources: monetary or otherwise? And what steps is your government taking to secure additional resources?

AMBASSADOR CHARLES: First of all, I would like to say that the Government of Cote d'Ivoire from 1960 up to now allocates 30 percent of the budget to education and has come, from independence, from a very low level of education, to one of the best in West Africa.

But you also know that Cote d'Ivoire due to its position and also its abilities, it has enjoyed for this time [inaudible] has attracted a lot of immigrants from neighboring countries: Mali, Burkina Faso, Niger. Even you will see, I mean, immigrants from Congo. So that creates some need.

And the request is, of course, oftentimes we lose that, the price, of cocoa to the farmers, the producer and the producing country

when compared to the price on the national market, and when you see the margin of benefit that the big company makes, it is ridiculous. So something has to be done for a fair trade.

And the Government of Cote d'Ivoire, as I mentioned, despite the fact that they passed through a very difficult situation, has set up some organization of families, corporate families.

They contribute also in these farmers from the private sector of Cote d'Ivoire and also allocation from the budget. But this allocation has nothing to do with the general budget, annual budget, which is unrelated.

But, as I mentioned, we are confident that when the crisis will be solved, there is a good chance, a big chance that transfer in assistance will improve because since independence, for example, we haven't received any transfer from outside.

Cooperation with Western countries was completely cut. We have been reserved from AGOA. The French cooperation was severed. Only a few countries keep on helping Cote d'Ivoire.

So we hope that when the situation will be solved by the election, the presidential and transfer election on the 30th of November, and when the country will come back to a normal constitutional situation, the transfer, all the systems from IMF, World Bank will come.

And we are confident that more will be done to improve the condition for the farmers because we are aware. And it always what we always point out to the partners from the private international industry, that the future of the cocoa industry, future of chocolate that will hit [inaudible] depends on improving the condition of farmers.

If we don't improve their condition, for example, the children who see the situation over there, the parents, are not in favor of keeping on living in this condition. They will go. When

they have the chance to have an education or do something, they will do something else because life in the condition of working is very strong, very hard. And I think it's a matter of partnership. We have to come close and help those from which this product is produced.

As a matter of fact, the cocoa industry of Cote d'Ivoire is characterized by two trends, a decline of quality and decline in population of the farmers. This is the main trend that we have to face and for us very swiftly if we want to secure not only the life of these people from which cocoa and chocolate are produced but if as a whole we want to save the industry of chocolate in the world.

MEMBER EUGENIO: We have one final question. And we thank you so much for the time that you have taken to respond to all of our questions.

We just wanted to give you an opportunity to perhaps expand on your concluding comments that placing cocoa from Cote d'Ivoire on the TVPRA list could be tantamount to economic and social chaos. And we wanted to ask you if you could elaborate a little bit more on what that would mean in practical terms for Cote d'Ivoire.

AMBASSADOR CHARLES: Madam, I think that's a -- to elaborate, if you ask me to elaborate, I will try it, but the idea is in what I said.

The cocoa contributes 40 percent of the growth national product of the country. The cocoa is directly the base for flat of living [inaudible] of four million people. That is only the farmers.

But when you talk about the others, the transports, the industry, the banking system, who are involved, the ports, so this dependence on chocolate and the importers of chocolate in the economy is very important.

I want to also place emphasis on the fact that Cote d'Ivoire is coming from a very difficult situation. The request is to put the country almost in a dismantling situation but turn to the

contribution in support of international community. African bodies come to an agreement. And the process is on a good path.

The conclusion would be seen on the election, fair election, transparent, open to everybody. So now the country could come out of this mess.

And one point that one has to know, when you do something in Cote d'Ivoire, it affects the population in Guinea, population in Burkina Faso, Mali, Niger, and sometimes in Ghana, our neighbors, who have also helped a lot, Liberia.

You can't imagine the number of refugees from Liberia who came to Cote d'Ivoire. And they were there to take care of without another country.

So the impacts, we have to analyze the impacts of Cote d'Ivoire in the sub-region. This impact in the sub-region is even more important than a country like Nigeria. That is one of the big paths to West Africa.

But due to the amount, big amount, of this population, Nigeria has to face the problem of this population, of Cote d'Ivoire, with 16 million. It has to share whatever it has with another country, hospital, the service hospital, is provided not only for Cote d'Ivoire, but it is also transfer of people from when there is a need from Burkina Faso to Abidjan hospital. So we have to see it as a way, a gateway, to help the country.[inaudible]

And the point on which we should not lose focus is the onus and the big commitment is the authority Cote d'Ivoire has taken to solve and improve this situation. I think they need to be supported and they need from you understanding. And they need your support so that we can come to the conclusion by fighting to eradicate this situation.

You know, in our Constitution, it is mentioned, the importance of our children for the future of mankind. It is something

that we share.

In African countries, believe me, are very many family-minded people. We love our children as we do Chinese, American, and everybody. So there I think we need an understanding to go forward.

That is my conclusion. Thank you very much.

MEMBER EUGENIO: Thank you.

JUDGE VITTONI: Any further questions?

(No response.)

JUDGE VITTONI: Thank you, Mr. Ambassador. We appreciate your time today and your testimony.

AMBASSADOR CHARLES: Thank you, sir.

JUDGE VITTONI: We greatly appreciate it.

AMBASSADOR CHARLES: Thank you, sir.

JUDGE VITTONI: Thank you very much. You may step down. Ambassador, you may step down.

AMBASSADOR CHARLES: Okay. Thank you.

JUDGE VITTONI: Our next witness is His Excellency Dr. Kwame Bawuah-Edusei, the Ambassador of Ghana. Mr. Ambassador?

AMBASSADOR BAWUAH-EDUSEI: Good morning. The government and people of Ghana are pleased about this public hearing on the worst forms of child labor.

We assure all and sundry of our deep commitment to work closely with all stakeholders to resolve completely this developmental challenge. This is because a single child abused cannot be acceptable. They are our own children and our own future.

Cocoa is the economic life blood of Ghana with over 600,000 small farms, averaging 1 to 3 acres, affecting over 23 million Ghanaians. That is to say, every single Ghanaian, in one way or another, is connected to cocoa.

Ghana is conducting a multi-faceted national effort to combat child labor in the cocoa sector. This initiative is well-

grounded in several aspects of national law, national education policy, Ghana's ratification of ILO Convention number 182, a strong partnership with International Labor Organization's International Program on the Elimination of Child Labor, ongoing partnerships with industry and multilateral and bilateral agencies, and NGO programs. And we have called it the National Program for the Elimination of Worst Forms of Child Labor in the Cocoa Sector.

The objective of the National Cocoa Sector Program is to eliminate the worst forms of child labor in cocoa production by 2011 and to contribute to the elimination of other worst forms of child labor by 2015.

It is important to emphasize that this program is a partnership-based effort, funded by the Government of Ghana as well as cocoa industry partners, multilateral and bilateral donors, and NGOs.

The program seeks to accomplish its objectives through the following strategies: improving the knowledge base on child labor in the cocoa industry; strengthening the legal framework; focusing on enforcement of current laws; mobilizing key stakeholders in cocoa-growing areas to collaborate on awareness-raising campaigns and other efforts to eliminate child labor; developing and implementing interventions that will eliminate the worst forms of child labor in cocoa; promoting universal basic education and the development of human capital; developing and implementing interventions that will reduce the need for child labor in cocoa production; and building capacity at the central, regional, district, and community levels to effectively address child labor in Ghana and the worst forms of child labor in cocoa, in particular.

I want to make this particular point very clear, in spite of all the public hoopla. This is the first time Ghana has undertaken a comprehensive scientific study involving the worst forms of child labor.

And, as recently as this year, we have come to the end of one such study, involving 60 percent of cocoa-growing areas with multi-stakeholder participation and independent validation of the worst forms of child labor.

A major finding indicates as recently as this year a 97 percent school enrollment rate and 90 percent school attendance rate. The certification report is in its final stages. Results will be released next week, which is June 6th, 2008 in Accra, Ghana. And I even have the exact address.

A draft hazardous activity framework has been done with clear definitions of activities deemed hazardous and is also in its final validation process. And this will be released by June 5th, 2008.

The implementation phase has also been decentralized to the district level and community level. This involves district action plans with close monitoring of activities, sponsored by the Cocoa Marketing Board and other donor countries.

Ghana has instituted district information service vans going around all districts and communities to inform and educate communities about their civil responsibilities and their rights, including the rights of children.

We have instituted district and community child protection committees to ensure child safety. Ghana has instituted national free and compulsory basic education involving all children, irrespective of nationalities. And this also includes free feeding for all Ghanaian children and every other child in school.

Government is also providing free school logistics and supplies to all schools. We provide free transportation for all school children in areas with public transportation.

In summary, the Government of Ghana is working cooperatively with the global cocoa industry, key civil society

organizations, and the multilateral and bilateral donor community on this important issue while simultaneously creating a solid model of public-private partnerships that can be used in other sectors.

The Government of Ghana was among the early countries to ratify the ILO Convention. The government is not even a signatory of the Harkin-Engel protocol, but we follow it to the letter voluntarily.

Ghana is committed to working with all partners to ensure that its children are protected and afforded every opportunity to receive a sound education and the opportunity for a better life.

The Ghana government would like to make it abundantly clear that we never sought special favors from the U.S. Government or any other source in the evaluation of child labor. We, rather, recognize this as developmental, and we know we need more resources to build capacity in order to eliminate child labor. Let me emphasize here that the key is transparency and cooperation.

Thank you.

JUDGE VITTON: Thank you, Mr. Ambassador.

Any questions from the panel?

MEMBER PONTICELLI: Yes, Your Honor.

And thank you very much for your testimony, Ambassador Bawuah-Edusei. We really appreciate your taking the time and the information you have provided.

We are very interested in your mention of the Government of Ghana's national goal or objective of eliminating the worst forms of child labor in cocoa production by the year 2011. So, again, we're very interested in the type of work activities that children are involved in if you have any information on that.

What are the ages of the children you described, what baseline estimates will you be using to measure the elimination of the child labor situation?

And I think you also mentioned the government's efforts to

assess the problem, that this is the first real comprehensive assessment.

Will the raw data analyzed for this be available to the public? Thank you, sir.

AMBASSADOR BAWUAH-EDUSEI: Yes. Ghana is a very transparent country, very democratic, over 130 FM stations blasting 24/7, over 13 newspapers, and 5 independent TVs.

There is no one that we've got the highest roots [inaudible] when the whole world voted by secret ballot for a country to go into the Human Rights Council. So we are very transparent.

The first pilot study that was done last year, we put it on the Web site. We publicized it. And it is still there. And the same thing will happen next week, when we finalize this comprehensive study involving 60 percent.

We noticed during the pilot study and to some extent during this other comprehensive study involving the 60 percent that there were about 4 million areas where there was the worst forms of child labor.

And the good thing is most of them could be eliminated through intensive education. That's why we are not even waiting for the full results. We have started intensively.

One is children being around when they spray the cocoa farms. We have a national program where they spray cocoa farms. And if you have never been to a cocoa village, this is in the thickest part of the forest.

So the children are not used to hearing these machines. So they go around and just like to be around when they are spraying. And the parents don't really know that when they get close to the chemicals, that it is dangerous to themselves, even as adults, let alone children.

So that is one challenge that we are actively addressing.

But the good thing is the spraying process counts from government [inaudible]. And now we have almost mandated the technicians to ensure that children are not around completely. And we are also actively educating the parents in that arena.

Secondly, in terms of heavy loads -- and that has to be defined by age, as you all know. And that is why we have this draft as adults activity framework, where based upon consultations among all the stakeholders we are trying to define what is small enough for a child of this size and weight. And I don't have the details here, but it is going to be released next week.

Then the other area is spraying of fertilizers. Even though they have organic fertilizers, we are not taking chances. And we have also instituted measures through education that when you are spraying fertilizers, it may be good for the plants. It's not good for human beings to be around if you don't have the necessary protection.

And then in the use of cutlasses depending upon the age because they learn how to do it, but we are not restricting that at a certain age, children will not be using cutlasses. So they learn it to a point.

Now, this is mainly to read very light in a week [inaudible]. And they detail the specific ages [inaudible] is to be released by next week. So I can't really release it because they are still consulting.

But, as in other places, the age that they found ranges from 12 to 18, you know, below 18, 17. That is the age range here. But, trust me, Ghana is very open. So the results should be all over the place. And it should be very easy to get to.

Yes. Thank you.

JUDGE VITTON: Ms. Eugenio?

MEMBER EUGENIO: Thank you.

Your testimony states that the Ministry of Manpower, Youth, and Employment is implementing a five-year national program for the elimination of the worst forms of child labor in the cocoa sector. The strategy includes plans to develop and implement interventions that will eliminate the worst forms of child labor in cocoa.

I know that you mentioned some of the ways in which you plan to address child labor in the cocoa sector, but I was wondering if you can list for us specifically how children will be provided assistance through this national plan and also the number of children that you envision will be provided with assistance.

AMBASSADOR BAWUAH-EDUSEI: Yes. It may not be very easy to be very specific about the number of children that will need assistance, but based upon what we are doing now, I can give you a preview.

What happens is in every community -- and we have community child abuse counselors who will be the first points to intervene, even though in most remote villages, you have the village head or the chief, who is also part of this committee. They are the first group that will intervene if anything happens.

And sometimes if they are in school, then their school teacher or the head mistress or head master will also be involved. And then they will inform the committee, which is a village committee or the town committee. And it goes into the district committee. And as early as they can, they try to resolve it.

In the data collected in this 60 percent, we have about 44 cases of suspected forced adults and 2 cases of child commercial sexual activity. These cases were immediately investigated by the response team at the local sections, which is headed by senior staff of the Department of Social Welfare.

Investigations brought forward that none of these were true cases of forced adult labor or commercial child sexual activity. The

suspicion had arisen out of misinterpretation of the data gathered. So this is a specific example.

What I am trying to say is at the village level and at the town level, they have committees that will deal directly with this. And when they are convinced that, indeed, some action like that has happened, then you will be prosecuted.

We are so good at the monitoring that recently an NGO from Australia, World Vision, staged -- and I really mean staged -- a child abuse. They went to school, tricked the headmaster, picked three kids in school uniforms, took two of them to a farm, and made them change into labor clothes and worked in an individual [inaudible], taped it, and put it on You Tube, www.donttradedeliveries.com.

We immediately picked it up and called them to action. They have apologized in person and in writing. And we have instituted further by asking them to go into details about how they did it. And the foreign ministry in the region is looking at it as we speak. So that is how closely aware that we are. You know, we are trying to replace this situation.

There was one specific case where we suspected a child trafficking. This is in the 60 percent, not that it's 60 percent of cocoa growing areas.

We won't give you specific names, but we will use the name Acos. We found out that he was right out in the first [inaudible]-- he wasn't attending school. So we have taken measures as we speak. This was found in January 2008. And the kid now is in class 3, you know, stage 3, the local primary school, and is attending school regularly.

So we are not only waiting for the result, but as we see them, we resolve them on an ongoing basis.

MEMBER CASTRO: Thank you, Ambassador. Just a few follow-up questions on the survey you mentioned.

We understand that the reports will be published on the Web site, but I just wanted clarification if the raw data will be available on the Web site for download. That's one.

And then the second one. We know from our research that many children combine work and school. You have cited the statistics of 97 percent school enrollment and 97 percent school attendance.

I was wondering if you could give us estimates on the number of children who combine school and work.

AMBASSADOR BAWUAH-EDUSEI: I don't have it with me here, but our schools usually close around 4:00 pm. And in the villages in the thick forests, -- I mean, we are talking real situations, not somebody was here imagining. It's so dark I don't know what that kid will be doing after school, seriously.

But I don't have the numbers here to give you on that.

MEMBER CASTRO: And if the raw data will be available for download on the Web site?

AMBASSADOR BAWUAH-EDUSEI: Yes. I mean, we will provide as much information as we can. And as soon as they have completed the independent validation process, most of the results will be on the Web site. And for the stakeholders and for other interested parties, you can seek for that information.

And I am very proud of that. Ghana is very transparent. We will release anything. We are not hiding anything. We need help to assist us in addressing this situation. So we don't want to hide anything.

MEMBER CASTRO: Thank you.

MEMBER RIGBY: Thank you.

Your testimony mentioned the certification system that is being undertaken in support of the Harkin-Engel protocol. Will you please elaborate for us how the certification system that is described will certify that cocoa as a good is child labor-free?

AMBASSADOR BAWUAH-EDUSEI: The issue about Ghana is the purchasing cocoa and in terms of giving support to cocoa farmers is reasonably centralized by a board, Cocoa Marketing Board. So every village is on their screen. And then the buying agents go to that detail.

We also have village task forces or response teams, as I have already alluded to. So they are the ones who ensure that the child labor, you know, the worst form of child labor, is not happening as low as the village level.

And then we have the Cocoa Marketing Board has also trained some of their buying agents where they go to the remotest parts on child labor issues. And together they will be able to within reason ensure that the cocoa is not affected by the child labor issue.

The fundamental difference is we don't have a plantation, cocoa plantation, in Ghana. And it's not like Texas, where you can easily supervise somebody 24 hours. So we've got to really get real.

This is a perennial crop that they work on, especially seven months of the year, intensively. And that is where we have our monitors of late. Even though most of the monitors will be living within the communities, we have gotten the village heads and the village chiefs involved and educating them.

So they are the level that will then screen. And the buying agents will also screen. And then the people who have been specially trained will be screening, in addition to the school system, even involving the community health workers because if someone gets a cut, usually they will go to a hospital. So if they can ask, "How did you get this cut?"

So, in so doing, using all of these factors, you know, we can within reason pinpoint whether there is something really bad happening. So that is what I think the certification process will be.

Then it will come to the district level before they issue

the cocoa to the ports, yes.

MEMBER RASA: Thank you, Mr. Ambassador.

Could you tell us how much funding both the Government of Ghana and the cocoa industry and your cocoa industry partners have dedicated to the effort of combating exploitive child labor in the cocoa sector in your country?

AMBASSADOR BAWUAH-EDUSEI: I can't give you the exact figures, but I know over 25 percent of my country's budget goes to education. If you consider that we are feeding everybody and everybody is going to school free, with supplies, and transport, that is a huge amount.

And then the cocoa farmers are given a higher percentage, over 72 percent. And the rest is also used to help giving scholarships to people and other logistical support.

I know the cocoa industry has really stepped up, but I may not be able to give you exactly. I know one specific one comes to mind. Cadbury has given about 30 million for the cocoa industries, to help them, you know, develop the infrastructure that it needs, schools and other infrastructures.

But I know other countries are intimately involved. World Cocoa Foundation has been very helpful in addition to other companies, LC, ADM, and Cargill, you know. They have been very helpful. And they are going in on their own, using their own NGOs to help complement. So I will not have those figures.

Ghana is that. You can come in and helpful [inaudible]. You have a rough idea about what you are doing. You can help in this. We don't stop you.

MEMBER CASTRO: Just one final question, Ambassador.

You had mentioned about 25 percent of the government budget is dedicated to education. We are wondering about what percentage of that is specifically for primary education.

AMBASSADOR BAWUAH-EDUSEI: You know, our operation is very young. I will not be able to give you the exact percent, but it's pretty high because the majority of the children aren't very old. More than 55 percent are under the age of 15. So you have 15.

So that gives you an idea. A larger percentage goes to primary education. And that is what is free. You know, the whole group from 1 to 12 is free, yes, in compulsory, yes. Sorry.

MEMBER RASA: And I have one more clarifying question. You said that Cadbury gave 30 million. Is that dollars or CDs?

AMBASSADOR BAWUAH-EDUSEI: No, it's not CDs. So I think it's Euros. I will have to double-check. I know I read that. They recently made an announcement, yes.

That would specifically go to, you know, the cocoa-growing area because they have identified that it is a developmental challenge.

And the more you help people get education, the more you can educate them and inform them and give the basis of infrastructure, the less these negative activities happen and the more you are in a better position to monitor to be sure they don't relocate and prevent. That is also very, very important.

JUDGE VITTONI: Any other questions?

(No response.)

JUDGE VITTONI: Thank you, Mr. Ambassador. We appreciate you coming today and presenting your testimony.

AMBASSADOR BAWUAH-EDUSEI: Thank you. You are very much welcome.

JUDGE VITTONI: Ladies and gentlemen, we are going to take a five-minute break here. Thank you.

(Whereupon, the foregoing matter went off the record at 11:54 a.m. and went back on the record at 12:01 p.m.)

JUDGE VITTONI: Thank you. We will resume receiving

testimony. Our next witness will be Ms. Thea Lee, the Policy Director of the AFL-CIO Solidarity Center.

Ms. Lee? Good morning.

MS. LEE: Thank you very much. Thank you very much for the opportunity to appear today. And I also appreciate you adjusting the schedule for me. I didn't realize it was going to take quite so long.

I just wanted to correct one thing for the record. I am speaking on behalf of the AFL-CIO, not the Solidarity Center. The Solidarity Center is an allied organization, a sister organization of the AFL-CIO, but my remarks today are solely on behalf of the AFL-CIO and not the Solidarity Center.

We really appreciate and commend the efforts of the Labor Department to produce a list of goods produced by child and forced labor, as mandated by the TVPRA.

This is an important and necessary first step towards addressing the underlying problems of child and forced labor. And I think identifying and acknowledging the scope of the problem is where we do need to begin.

One thing I wanted to say in principle about the idea of compiling the list is that this should be a technical exercise and not a political one.

I know there has been some discussion already this morning about what the possible economic or political fallout might be of being placed on the list, of a country or product being placed on the list.

And I guess I would urge you all in doing your work to do an honest technical assessment of the issues and the prevalence and the problem of child and forced labor.

The other impacts, the possible use of trade sanctions, the possible economic fallout, and so on, are a separate issue, one that I would certainly hope that being able to compile this list in a way

which reflects the underlying data will not be a stigma but could be, instead, a good opportunity for addressing the issue in an open and candid and transparent way and hopefully also that there could be the devotion of the appropriate technical resources through the ILO, through ILAB, through the State Department to mitigate the problems that have been addressed but that we not shy away from naming the problem where it is found.

The Labor Department, as you all know, has been very active in fighting for worker rights around the world and at home. Particularly the issues of forced labor and child labor are important and, unfortunately, prevalent.

And I think in the global economy with the kinds of competition that come between countries to attract foreign investment, to reach export markets, to cut costs, we, unfortunately, see this issue.

And I think addressing the problem is going to be one that will require cooperation between government, business, the labor movement, and nongovernmental organizations.

I have submitted my written testimony for the record as well as the Solidarity Center report, *The True Cost of Shrimp*, which is what I have focused on in my testimony.

I would also like to say that the AFL-CIO concurs with the findings of the Environmental Justice Foundation, the International Crisis Group, Save the Children, Anti-Slavery International, and the International Labor Rights Forum regarding the use of child labor and/or bonded child labor in the following countries and sectors: cotton picking and production in Uzbekistan and Tajikistan, hybrid cottonseed production and granite mining in India, sugarcane cultivation and sugar refining in Nicaragua and Guatemala, tobacco cultivation in Malawi, and cocoa production in Ghana and the Cote d'Ivoire.

But we would like to add to the list: forced labor in charcoal production in Brazil; child labor in export agriculture in Mexico; and, finally, forced labor and child labor in shrimp and other seafood processing in Thailand and Bangladesh.

And the bulk of my testimony focused on the problem of forced and child labor in Thailand and Bangladesh in the shrimp industry.

And it's also come to our attention through subsequent research that some of these problems are also found in some other seafood-processing plants, such as tuna, crawfish, and sardines, among others.

The shrimp industry has grown rapidly and particularly the shrimp export and aquaculture industry. Average Americans eat more than 3 pounds of shrimp each year, and about 80 percent of that shrimp is imported.

This shrimp boom has entailed a staggering and largely hidden cost to workers, their families, and their communities. And the true cost of shrimp is far higher than what is visible on a supermarket price tag or a restaurant menu.

And it is workers who have paid the cost in abuses, such as unsafe working conditions, illegally long hours and low pay, employer intimidation, and forced and child labor.

While there are many differences between the Thai and Bangladeshi shrimp industry, there are also several important similarities.

Thailand's shrimp industry is by far the largest in the world and much more established. Bangladesh's shrimp industry is much smaller and younger.

With respect to Bangladesh, shrimp is Bangladesh's second largest export in terms of dollar sales, second only to garment production.

Women workers in Bangladesh are particularly at risk because they often work with no formal contract and low pay. They are pushed by poverty into the workplace but often without access to adequate health care. And they suffer from illness and repetitive strain. Without child care resources, they must often bring their children to work. And so the children work as well.

The child labor remains a common fact of life in many shrimp-processing plants, where it is tightly linked to social and economic pressure on the women workers.

The research for the Solidarity Center report includes eyewitness accounts from lawyers, who have been helping the shrimp workers seek redress for labor law violations.

And they have reported that children in Bangladesh, defined as persons under the age of 14, are often involved in loading finished products onto trucks at processing plants. These children do not appear on company employee lists because subcontractors employ them.

There are also many children between the ages of 14 and 17 that are part of the workforce in Bangladesh. While it is legal to employ these children under Bangladesh's national labor laws, they are supposed to work only a restricted number of hours a day and they are not permitted to do hazardous work.

However, none of the 20 factories observed by researchers obeyed the important legal prohibition of unsafe work for the children under 17. So that was a concern of the research as well.

Thailand, as I said, is the established leader in the global shrimp trade. Roughly one-third of U.S. shrimp imports come from Thailand and account for roughly 2 percent of Thai GDP.

There have been longstanding problems with child and forced labor in the Thai seafood-processing industry, perhaps most dramatically illustrated by the case of the Ranya Paew shrimp-processing factory.

On September 16, 2006, the Thai police and immigration authorities raided the Ranya Paew shrimp-processing factory in Samut Sakhon. And they found truly egregiously awful working conditions, akin to slavery and medieval conditions with abuse, intimidation, and unsafe conditions.

While that was several years ago, as recently as March 10th, 2008, the Thai authorities raided another shrimp-processing factory in the Mahachai Township of central Thailand. And again they found terrible conditions.

"The factory was like a jail," NGO activists noted, "The barracks where the workers lived was locked from the outside. Children were standing on the baskets to work in prawn processing. They are only ten years old. The workers said that they only earned 200 baht a week. The brokers that brought them took the rest of the money."

There are two endemic problems in the shrimp and seafood-processing industries in Thailand and Bangladesh. One is the outsourcing and subcontracting of labor, which lends itself to abuse of the workers, that the factories themselves do not technically employ the workers and, therefore, they don't take responsibility. And the labor laws tend not to be enforced.

The second problem is the problem of widespread migrant labor, where workers come. In particular, in Thailand, many of them come from Burma, Cambodia, and Laos. And they perform much of the labor-intensive work in the Thai shrimp-processing plants.

These working conditions can be truly egregious. The workers live in a form of debt bondage, where they go deeply into debt in order to pay off unscrupulous labor brokers and/or their employers and their official documentation is confiscated. So they don't have the ability to move from job to job or to seek better working conditions.

My testimony today focused on the shrimp industry in Thailand and Bangladesh. But similar problems, unfortunately, of forced and child labor occur in the shrimp industry around the world, including in Vietnam, Indonesia, Ecuador, and China.

The nature of the shrimp supply chain as it is constituted today exacerbates the problem of forced labor and child labor because there is tremendous economic pressure on the processing stage, which is heavily labor intensive.

Let me just summarize there and say one last thing about the role of nongovernmental organizations, in particular, and the potentially positive role that can be played by some organizations.

The International Trade Union Confederation is partnering with unions around the world in the labor sending and destination countries to develop bilateral agreements aimed at protecting migrant workers and reducing their vulnerability to trafficking.

The ITC is also working with these unions to develop migrant centers that provide information to migrant workers to prevent exploitation and to offer support to abused workers.

Let me end there and look forward to your questions and just offer, in conclusion, that the view of the AFL-CIO is that one of the most important tools in the fight against forced labor, child labor, and human trafficking is the role of multinational corporations, buyers, and retailers in leveraging their immense resources and market influence to ensure that their supply chains are free of worker exploitation and that the core ILO labor standards, including, in particular, freedom of association and the freedom from discrimination, are adhered to.

I thank you for your attention. I look forward to your questions.

JUDGE VITTON: Thank you, Ms. Lee.

Any questions from the panel?

MEMBER PONTICELLI: Yes, Your Honor.

And thank you very much for your testimony, Ms. Lee. We are very happy to have you here today.

If we could begin just looking at that part of your testimony that focused on Mexico? Your testimony has made reference to the situation of children working in the production of tomatoes, eggplant, sweet bell peppers, corn, and tobacco.

I would really appreciate any additional light you could shed on the prevalence of child labor in the production of each crop. If we could get an idea of the basis of your statements, what methodologies were used to gather the information? For example, was this field research by AFL-CIO or another organization?

And, again, would you characterize child labor in the production of each of the crops that you mentioned as more than an isolated incident? Again, we're just trying to get some light shed on the prevalence of this situation.

Thank you.

MS. LEE: Thank you, Under Secretary Ponticelli.

And I will need to get back to you with more detail on exactly the sources of that information. I believe that is information that came not from the AFL-CIO research or Solidarity Center research but from a news organization. And so I will submit before the June 11th deadline some additional, more detailed information on the problems in each of those sectors.

MEMBER EUGENIO: Thank you.

Similarly I think we want to ask questions related to some of the other countries and products that you mentioned.

MS. LEE: Okay.

MEMBER EUGENIO: And if I can perhaps ask you if you have information now or would you like to submit additional information by June 11th on Nicaragua, Guatemala, India? And I believe the other

country was Malawi.

And for Nicaragua and Guatemala, you mentioned issues of child labor and bonded labor in sugarcane cultivation and sugar refining. And we would like to know if those indeed were issues of child labor or forced labor.

For India, you mentioned bonded child labor in cotton seed production and granite mining. And for Malawi, you mentioned tobacco cultivation.

Any additional information that you can provide to us on those would be greatly appreciated.

MS. LEE: Okay. Thank you. I will submit all of that information in writing before June 11th.

MEMBER RIGBY: Thank you.

The next question may be a similar case where some follow-up would be more than welcomed. But we also noted -- you know, we had the pleasure of reading the report.

And that contained a lot of information about Bangladesh and Thailand, but, in addition, there were references in the testimony to shrimp production or other seafood production in Vietnam, Indonesia, China, and Ecuador. That caught our attention, and we were interested.

And we have several questions here, but they focus on some of the same issues, how widespread is the use of forced labor or child labor in the production of shrimp or other seafood in those countries, whether it's shrimp or other forms of seafood, whether it's just child labor, forced child labor, forced adult labor, et cetera.

So if you could make any comment on that now or just follow up later on those four countries?

MS. LEE: I will follow up.

MEMBER RIGBY: Thank you.

MEMBER CASTRO: So a bulk of your testimony referred to The

True Cost of Shrimp report that you submitted for the record. So we have a few follow-up questions on that.

The first one is in reading this report, the report is based on interviews conducted at 15 shrimp-processing plants in Thailand and 10 plants in Bangladesh.

Could you tell us a little bit more information about the sample size, meaning approximately how many workers were interviewed per factory and how many in all for this report, how the information was gathered, a little bit more of the methodology?

In addition, it talked about industry research that partners with interviewed workers. And if you can clarify what this industry research consisted of?

MS. LEE: All right. I don't have the details on how many workers were interviewed per factory and the methodology, but I will get back to you on all of that.

As you can see, I am not the primary author of the Solidarity Center report. We have offices, the Solidarity Center has offices, in both Thailand and Bangladesh.

And, as you can see from the report, many of the interviews were conducted over the course of several years. We have worked closely with both the NGOs and the unions in those places.

You also I think will note from the report that many of the interviews are anonymous, that there was concern on the part of the workers that providing their names would subject them to retaliation by their employers. And, therefore, they had requested anonymity.

So I do know that the interviews have been extensive and over a long period of time. And they are at the factories that have been named.

But I will get back to you with the details to the extent that we have all of those records -- and I am sure we do -- about the exact number of interviews conducted per factory and over what period

of time.

MEMBER CASTRO: Okay. I think some of the follow-up questions we have will be similar.

MS. LEE: Sure.

MEMBER CASTRO: But, just for the record, you know, we would like to get more information about the types of hazardous work activities that were cited that children were involved in. We note that the forced labor mentioned was widespread. Was this also including the forced labor of children?

And I think the other clarification question was in reference to migrant workers in general. We want to make sure that this is migrant workers specifically in the shrimp industry. And for those who are cited as migrant children, there is mention of debt bondage. And were these migrant children debt bondage in the shrimp processing? Just clarifications and a little more connection in that.

And then one final question. There was mention of child labor and forced labor in general at seafood-processing plants. And those children are working in fisheries-related jobs, including shrimp.

If there were other types of seafood involved, could we get more information on that?

MS. LEE: Okay. In terms of the hazardous work, I think, actually, the report does go into a fair amount of detail about some of the repetitive injury issues and also the problems that are both environmental and workplace hazard problems involved with the aquaculture industry, the use of antibiotics.

And some of the video that is available -- and some of it was aired on I guess C-SPAN -- shows workers working in very slimy, dirty conditions with inadequate safety equipment.

And I think one of the quotes talks about people being issued the safety equipment just when an inspector was coming to the

factory and then it being taken away the rest of the time.

So I think that the hazardous work is clearly one of the big concerns that we had, both with respect to children and with respect to adult workers.

In terms of the forced labor of children, it is our view that most children cannot adequately give their consent to work. If they're not given the choice to go to school, their parents are in control of them.

Whether some of them have, in fact, been separated from their parents and are being abused and exploited by adults such as these labor brokers and so on is clearly a problem, but we will try to get back to you with the written details to the extent possible about the extent of the problem, but it is clearly an abuse.

MEMBER CASTRO: We'll submit these questions.

JUDGE VITTONI: Any further questions?

(No response.)

JUDGE VITTONI: Thank you very much. Thank you, Ms. Lee, we appreciate your time today. Thank you.

MS. LEE: Thank you so much for the opportunity. And I appreciate your flexibility with respect to the schedule.

JUDGE VITTONI: You're welcome. Thank you.

Ladies and gentlemen, it is about 22 minutes after 12:00. We are going to take a break for lunch. We will resume at 1:30 exactly in this room, please. Thank you.

(Whereupon, a luncheon recess was taken at 12:22 p.m.)

A-F-T-E-R-N-O-O-N S-E-S-S-I-O-N

(1:29 p.m.)

JUDGE VITTONI: Welcome back. I hope everyone had a good lunch in our cafeteria.

We resume the hearing this afternoon into the issue of goods developed by child labor and forced labor. Our first witness this afternoon will be Ms. Meg Roggensack, the Policy Director of Free the Slaves.

Ms. Roggensack, come forward.

MS. ROGGENSACK: Thank you for the opportunity to appear today to discuss the use of child and forced labor in the production of goods internationally.

The Bureau of International Labor Affairs is charged with a near-impossible task. Slavery and forced labor permeate global commerce. No list can adequately encompass this fact. And listing products, as opposed to specific suppliers, can have unintended and often counterproductive consequences.

Free the Slaves recommends that the Bureau formally acknowledge the pervasiveness of slavery and forced labor in the global economy. We would further recommend that the Bureau acknowledge that while it is directed to address overseas production, numerous U.S. products are tainted by slavery and forced labor, as most recently reported oranges, tomatoes, and other farm products.

The list is long, but our ability to catalogue it is hampered by the fact that there are only a handful of U.S. labor inspectors monitoring this situation. And few of them have foreign language skills. And however reasonable the request, the U.S. would likely deny foreign government investigators access to inspect labor conditions here for products they import from us.

Fortunately, there are promising new strategies to address slavery and forced labor in the production chain. Today I would like

to highlight two such strategies: One in West Africa and the other in Brazil.

The most appropriate response from the Bureau is to acknowledge these public-private partnerships are making progress in eradicating child and forced labor and to expand its own funding of community-driven anti-child labor and forced labor programs in the worst affected areas.

The chocolate industry is the only one that as a whole industry has taken the unprecedented step of taking responsibility for its supply chain. In 2001, the chocolate industry committed itself to the eradication of the worst forms of child labor from its production chain and agreed to allocate significant resources to make cocoa-growing communities thriving and viable.

This unprecedented initiative is a multi-stakeholder partnership. Unlike any other sector, in cocoa, all the key players are on board and fully engaged: industry, national governments in West Africa, trade unions, nongovernmental organizations representing consumers, child labor and human rights advocates, and the U.S. Government, both the Legislative and Executive Branches.

You are familiar with the history of the Harkin-Engel protocol. And I won't review it here. Several aspects of West African cocoa production are worth noting, however, because they help to explain the unique approach of the cocoa industry and its success to date.

Strategies that may be appropriate and workable for other, seemingly similar commodities are inappropriate for cocoa. As you have heard, West Africa is the largest producer of cocoa beans that are consistently suitable for cocoa bars.

Cocoa is grown by millions of family farms, on small holdings that are rarely more than ten acres. Children are actively involved in cocoa growing.

While trafficking is present in West Africa, the greater challenge relates to hazardous labor and child labor. Both of these practices point to underlying conditions of poverty, vulnerability, social inequities, and lack of law enforcement.

The partnership represented by the cocoa initiative shows that a forced labor problem can be converted into knowledge and drive change. While fair trade cooperatives have been shown to be effective in stable agricultural communities, labor violations and worst forms of child labor tend to occur in communities in transition, with situations of insecure land tenure and multilingual and/or migrant populations, as is the case in West Africa today.

Free the Slaves believes that community-based, development-oriented programs of the kind undertaken by the International Cocoa Initiative are the key to building stable communities. The best solutions will come from committed and engaged farmers.

The protocol process has had its challenges, among them the establishment of the certification process by the protocol deadline and establishing the verification process, which was complicated by the civil war in Cote d'Ivoire and differences among stakeholders regarding the design of verification.

The certification process, which assesses progress in the sector as a basis for guiding remedial action, has reached the midpoint: coverage of half of the cocoa growing-communities.

This is a key achievement by two sovereign nations for a sector, which is a significant part of their overall economy, accounting for 70 percent of the world's cocoa production.

Verification activities, undertaken by an independent body to assess certification efforts, are beginning, with a final report anticipated later in the year.

The verification work will be extremely valuable in providing a baseline and ensuring that remediation efforts are

targeted appropriately and make the best use of scarce government and outside donor resources.

The elimination of worst forms of child labor from cocoa growing is a long-term process. At a recent multi-stakeholder conference, the attendees acknowledged the nature of that challenge and embraced a vision based on thriving cocoa communities. That means, as the conference report noted, "conditions that will support healthy, appealing and economically viable farms, where children are safe and in school. Promoting the profitability of cocoa farms, using improved tools and methods, is the best way to ensure a sustainable supply of quality cocoa while at the same time encouraging investment in the farm, the family, the community, and the future of their children."

There were several themes that emerged from this meeting about the relative roles and responsibilities at this phase of the process. Of most significance for U.S. policy-makers, "The national governments of Ghana and Cote d'Ivoire are central to providing overall leadership and coordination of efforts for the development of cocoa regions."

The two national governments are working hard to meet the challenge handed them. What they most need and deserve at this point is support in the form of aid and technical assistance.

The U.S. should ensure that its existing support aligns with the national plans of Ghana and Cote d'Ivoire and supplements those efforts with complementary initiatives, particularly as relates to health and nutrition.

The U.S. is already deeply involved in support of the cocoa initiative. Both Congressman Engel and Senator Harkin created the political environment for the protocol and continue to oversee its progress.

The State Department's Bureau of Democracy, Human Rights

and Labor will soon convene a second multi-stakeholder forum to discuss the recent conference's findings and stakeholder action steps.

The Office to Monitor and Combat Trafficking in Persons is supporting important and much needed law enforcement training and victim assistance efforts in the region.

A range of U.S. assistance programs are producing lasting improvements in cocoa community welfare. And the Department of Labor's commissioned study of the process, conducted by Tulane, is well underway. Its first annual report concluded that progress had been made.

Free the Slaves strongly recommends that the Bureau formally recognize the cocoa initiative's progress and consider its utility as a model for addressing child labor and forced labor challenges elsewhere. At a minimum, the Bureau should reserve judgment on this sector at this key moment in the process.

The process has been lengthy and challenging. Its bright promise is only beginning to be realized, and more progress is to be made.

But to list cocoa among commodities for which no similar effort is underway is to deny this progress, and to risk the future of this program at a critical juncture.

The most important contribution that the Bureau can make to this process at this critical time is to allow it to continue and to work in coordination with other parts of the U.S. Government supporting its progress.

The other promising new strategy to address slavery and forced labor in the supply chain comes from Brazil. Brazil is the only country in the world with a national plan to eradicate slavery. Pursuant to that plan, the government conducts raid and rescue operations.

Based on these enforcement actions, the Ministry of Labor

and Employment publishes the names of entities found to be using slave labor.

The listed entities are required to pay workers' back wages and to improve labor conditions. Government inspectors confirm compliance through unscheduled visits. Assuming the conditions are met, companies can be removed from the list after two years. This list, known as the dirty list, is updated every six months.

The National Agreement to Eradicate Slave Labor in Brazil was created in 2005 to ensure that entities on the dirty list were removed from the supply chain.

The agreement rests on extensive research, the first of its kind in Brazil, by the Brazilian nongovernmental organization Reporter Brasil. They trace the entire supply chain from the dirty-listed entities to the ultimate retailer.

The agreement commits companies to cease doing business with suppliers engaged in slave labor, as identified by the dirty list. This approach improves working conditions at the farm, factory, and mill while engaging companies in a solution that preserves important economic activity all along the supply chain. It also raises awareness among all actors in the supply chain and provides a positive outlet for action.

The Ethos Institute, the ILO, and Reporter Brasil monitor the national agreement. It currently includes 160 companies, up from 140 one month ago. And this represents almost a quarter of the nation's GNP.

These innovative approaches bear careful consideration for their potential usefulness by U.S. policy-makers. I would like to comment on one product that has received quite a bit of attention: pig iron.

Pig iron is used to make steel for export. It is often manufactured with slave-made charcoal. Leading pig iron companies and

exporters in Maranhao and Para state founded a citizens' charcoal institute, which produces its own dirty list and decertifies suppliers based on the information obtained from monitoring suppliers.

Last year Reporter Brasil began a pilot oversight and monitoring project to verify that the work the charcoal institute was doing was credible. Just this week, in fact, the institute kicked out one member for failure to comply with its conditions, and that's in the news.

What these two developments show is that this pig iron, the charcoal initiative, is a very dynamic and worthwhile process. It has its flaws, but it is working.

As the AFL-CIO has previously noted, the U.S. should continue to assist "what have proven to be the best and most effective Brazilian public policies to improve labor rights compliance," especially in the fields of child labor eradication, which registered a 50 percent decline in the 10-year period from 1995 to 2005, and their efforts to eliminate forced labor.

This past October, the House Human Trafficking Caucus hosted a briefing on slavery in Brazil, at which representatives from the ILO, the Brazilian government, and Brazilian anti-slavery organizations testified.

The Brazilian witnesses present all warned against the counterproductive impact of trade sanctions on Brazil's evolving anti-slavery program. They recommended support for counterpart efforts to engage relevant U.S. companies to comply with the Brazilian national agreement.

Free the Slaves is currently working toward this goal, in collaboration with civil society and government. We believe that the U.S. could play a very useful role in facilitating those discussions and in continued support for the ILO's work in country.

In conclusion, the Bureau is charged with a near-impossible

task. Slavery and forced labor permeate the global economy. No list can comprehend the scope of this challenge.

Moreover, we know from our work that lasting change comes from community-based solutions, and that suggests a policy of engagement with all stakeholders, including business, whose in-country roots are often deep and broad. Identifying and eradicating forced and child labor will require a range of creative solutions.

We look forward to working with the Bureau to support the promising examples in West Africa and Brazil and to explore other possible avenues for collaboration.

JUDGE VITTON: Thank you, Ms. Roggensack.

Any questions from the panel?

MEMBER PONTICELLI: Yes, Your Honor.

Thank you very much for your testimony, Ms. Roggensack. We are very happy to have you here today. And if I can just take the prerogative of the microphone to mention one of our best products here at the Department of Labor produced by our Office to Combat Child Labor, Forced Labor, and Human Trafficking.

It is our annual report mandated by the Trade and Development Act, which mandates us to do extensive research in the incidence of child labor around the world.

Our report currently encompasses the situation of child labor in approximately 140 countries around the world. So because we have so many experts here today and committed organizations, I did want to mention our TDA report, which you can find online. So I encourage you to go to our Web site.

Our first question. Your testimony notes over 25 specific goods that are, as you describe it, touched by slavery: cocoa, cotton, coffee, et cetera.

We would like to know if you can shed some light on how recent the cases are of documented instances regarding these products.

Are these isolated or widespread instances of forced labor?

And, thirdly, as we're talking about largely hidden populations, could you please describe the research methods that your organization uses to uncover data and findings?

Thank you.

MS. ROGGENSACK: I think you're referring to a paragraph in my formal written testimony from our president, Kevin Bales, who is one of the world's foremost authorities on slavery, forced labor, and child labor. And that particular paragraph is taken from his most recent book, which relates to eradicating modern-day slavery.

He has done his own investigative work. He is a trained social researcher. But he's also catalogued documented cases here and abroad of incidences of slavery and forced labor.

Some of the commodities that you mentioned, to your second question, isolated or widespread, with respect, for example, to some of the commodities, gold, tin, diamonds, et cetera, we know, for example, in coltan, virtually all minerals mined -- and this has been true for several years, unfortunately, are mined using forced and child labor. That is the subject of a recent bill introduced by Senator Brownback and Senator Durbin.

With respect to some of the agricultural commodities, we are looking at reports, both in this country and abroad, that have also been publicly available. We would be happy to make that available to you.

With respect to the extent of the problem, is it isolated or widespread? As other witnesses have documented, for example, with cotton, unfortunately, among the world's largest producers, aside from the U.S., there is forced labor in the production of raw cotton in Uzbekistan, India, China, and Brazil. And that is also true for, for example, a number of these other commodities.

Beef in Brazil, that is among the commodities identified by

Reporter Brasil. They have traced the supply chain. Unfortunately, slavery is prevalent in that particular commodity chain. We could get you the specifics on that if you like.

I don't know if it's productive to take more time today, but with respect to any of these commodities, we would be happy to provide you with both the research that we have done and the information that we have obtained from other sources to document this.

MEMBER EUGENIO: Thank you.

Given that you have graciously agreed to provide us with additional information on some of the other products that were mentioned in your testimony, we won't get into a lot of the details of those. But we will probably follow up with you over e-mail and ask you for some additional information on those.

I do have two questions about the model that you described in Brazil and use of the so-called dirty list to name companies that have used forced labor in the production of their goods.

If you have any additional information on how the system works and the particular products that have been identified, that will be useful for us. But I also wanted to ask you about the informal sector of the economy and how, to your knowledge, the Brazilian government is addressing child labor, forced labor in the informal sector because I suspect that given the situation, that perhaps the list doesn't go to that particular aspect of the economy.

I also would like to ask if, to your knowledge, do you have any information about whether the Brazilian government has encountered any problems with companies perhaps changing their names to avoid being in the dirty list and then establishing operations once again under a different identity.

MS. ROGGENSACK: Actually, the last question you raise is really quite interesting because that happens all of the time. Reporter Brasil has done, actually, a very good job. They take the

public records, which include and are available, actually, online.

It's quite interesting. We would be happy to provide you the Web sites, but when the mobile inspection units make a raid on a farm, which is the principal law enforcement tool that they use, they actually now identify by name all of the individuals associated with the operation.

Frequently they are managers. They are not the owners of the operation. So in a given enforcement report, they will do what they can to identify that.

Reporter Brasil, then, with ECHOES and the ILO has gone into those records and, where necessary, has documented the commercial links. So they will identify "These people are doing business as XYZ Company, ABC Company, CDE Company." And they post that. When they make their supply chain research, they elaborate on whatever information is available from the Brazilian government.

Brazilian government also continuously updates its dirty list every six months. So any information about new ownership, new trade names is incorporated into that process.

It is not, of course, perfect. They can't possibly comprehend the entire problem, but they have made a fairly aggressive effort. It is a pretty good model.

And I should note that the research that Reporter Brasil has done has been, in part, supported by ILO, which, in turn, has been supported by the State Department. So we can take some credit for that effort.

As to the informal sector, it is an interesting question because, again, with respect to a given commodity, they are both official and unofficial channels, but the law enforcement effort doesn't distinguish among them.

So that frequently the inspection rates are informed by good information on the ground. The partner in this with Reporter

Brasil is the Pastoral Lands Commission, the CPT, with which you are familiar. And they have been working for over 20 years in the field, particularly in the Northeast, have developed very good relationships locally regarding incidences of forced labor abuse. And they report them.

Undoubtedly, yes, there are gaps, but they have established a very good track record of identifying and then pursuing these records.

And, again, I would be happy to get you more information about how that strategy relates to the overall law enforcement effort, but it is part of their thinking about how they approach these challenges.

And I think you asked for more information about how this system works. I gather that would be best addressed in a follow-up submission.

MEMBER EUGENIO: Sure. Thank you.

MS. ROGGENSACK: Sure.

MEMBER CASTRO: Thank you, Ms. Roggensack.

I know that you will be following up on many of the similar questions. So our next line of inquiry is regarding coltan in the Congo.

The question that I would just like to ask here is if you could elaborate for us the types of work children perform in the production of coltan?

And the other thing is as far as the forced labor of adults, are adults forced to work in the mining of coltan? And are they free to leave the mines at any time?

MS. ROGGENSACK: With respect to the Democratic Republic of the Congo, which is really the world's principal source of coltan mining, I don't claim any expertise here.

We had begun investigating this as part of a longer-term

project. So I would like to just couch my comments with that caveat.

There are people on the ground that have been working on this for many years and really are much better informed than I am. But much of the abuse relates to artisanal mining.

Artisanal mining has a long history in Africa. Unfortunately, in a situation like this, where the country is in a precarious state, controlled by rebel factions, many of these communities have been either co-opted or dominated by rebel armies or are forced to sell to conduits that are engaged in the conflict and are fueling the conflict. So the line blurs there.

But the U.N. report, special experts report, of some years ago probably provided one of the most detailed and comprehensive explanations with specific place names and individuals of how this occurs. And the pattern really has not changed in all of these years as subsequent reports have been clear.

And I would recommend that particular report to your attention because it lays out a description of how this works and the many different ways in which people can become enslaved, both children and adults, and how that, in turn, is fueling this ongoing conflict and abuse.

MEMBER CASTRO: Thank you.

MEMBER RIGBY: Thank you.

The next questions focus on the cultivation of cotton in Uzbekistan, India, and China, which you just alluded to briefly. We're wondering, in each of these countries, first of all, would you characterize the incidence of child labor in the production of cotton as more than an isolated incident? And in each country, are the children being forced to cultivate cotton crops?

MS. ROGGENSACK: Here again I don't claim any special expertise with Uzbekistan, and both the State Department country human rights reports and the reports in connection with the annual

trafficking reports have detailed the ways in which the Uzbek government effectively conscripts school children during cotton cultivation season.

This is a government that is heavily dependent on a crop that is manually harvested, is very labor-intensive, and that the government has virtually no commercial alternatives.

They also have a vast labor shortage in that country. So if they didn't conscript children, they would have no one to cultivate this crop. So it's widespread. It's egregious. It's regrettable.

I attended a forum last week hosted by State's Democracy, Human Rights, and Labor Bureau to start to address that process. But yes, it is a widespread practice in Uzbekistan.

MEMBER RASA: Thank you for your testimony.

I have a few questions regarding the cocoa sector in Ghana and Cote d'Ivoire. The first question that I have is, since the Harkin-Engel protocol came into being in 2001, has Free the Slaves conducted field research in Ghana and Cote d'Ivoire on child labor or forced labor in the cocoa sector?

And if you have, could you describe the methodology, your findings? And could we receive a copy of the research?

MS. ROGGENSACK: We are a stakeholder in this process. We witnessed the signing of the protocol. We are a member of the International Cocoa Initiative Board. So we are part of the process itself.

We are not associated with the verification board. That is an independent process. And, of course, we are not involved in the government's ongoing certification efforts.

So any assessments that have been done by the cocoa initiative would have been informed by our commentary, but that is where efforts have been placed.

I was part of a board meeting last fall to witness the

events on the ground. We visited communities in both Cote d'Ivoire and Ghana to look at the progress being made.

We visited communities that had not yet been a part of the cocoa initiative process, communities where the program had started but was really at the beginning, and then communities that had been engaged from the start. So we could really see the level of progress and the ways in which this was playing out.

We also met with the NGO partners on the ground, which was very useful. So our information is informed by our very active participation in the initiative and then also our observations on the ground.

MEMBER RASA: Okay. The next question that I have, you mentioned cocoa as one of the 25 goods listed as being touched by slavery. And then later on in the written testimony and in your testimony, you stated that the greater challenge relates to hazardous labor and child labor. I was hoping that you could speak a little bit more in-depth about that.

And if you could talk about the forced labor aspect and what types of activities you are finding with regard to children working in hazardous conditions on cocoa farms?

MS. ROGGENSACK: Thank you.

This process really started as a result of an effort to film segments from Kevin Bales' book *Disposable People*. So the film crew actually went to Cote d'Ivoire thinking that they were going to be looking at an instance of cocoa growing. They had gotten a tip. They were going there.

When they arrived, it turned out that some children from Mali had been rescued from a cocoa farm in Cote d'Ivoire. So that was what they filmed.

So our initial thinking was that the problem was actually a cross-border trafficking problem of children. That was what initially

informed my organization's thinking about this.

As the process developed over time -- of course, both Congressman Engel and Senator Harkin became engaged and really propelled the process along, but as we got involved, our thinking did change and evolve as we got more familiar with this situation on the ground.

And we began to see that the more immediate problem related to forced forms of child labor and as you heard today from the information you're getting, it looks as though most of the children are in family units. There are a few that are not.

There are still migrants coming, particularly the Cote d'Ivoire, but the major challenge relates to families whose children are engaged in farming, as has been true for a very long time. So then it's a question of looking at what is hazardous work, what level of involvement children have in that and how it's defined.

And, as you have heard today, other governments are finalizing their definitions of that. And then we'll be raising awareness. But the cocoa initiative has already begun doing that as part of their intervention.

Does that answer your question?

MEMBER RASA: I believe so. I have one final question. And this is in regards to the written testimony and indicating that the cocoa industry has contributed more than \$35 million since 2005 to address the overall issue of eliminating exploitive child labor in the cocoa sector.

I was wondering if you had information to explain how the funding has been allocated and what activities have been funded under this amount. And I was hoping that you might have information broken down by country.

MS. ROGGENSACK: The international cocoa initiative maintains the information on member contributions. The NGOs do not

contribute financially. We contribute our expertise.

But this is an industry-funded initiative. So I would direct you to the cocoa initiative for that information in terms of the aggregate amounts that are contributed.

Each of the various companies, of course, all have had ongoing activities in these communities. That was true before the cocoa initiative started. It continues to be true.

Cadbury is celebrating a centennial in Ghana. So they have been building a well a day in that country. They are continuing some other activities. So that figure represents the latest figure for combined efforts of the initiative and activities related to it.

As I said earlier, we are really hopeful that the U.S. Government's support will begin to align more closely with the national plan's objectives. And that is becoming true for all of the stakeholders to this.

As Cote d'Ivoire and Ghana begin to define their priorities, it now presents an opportunity for all of us to start to think about what we are doing and how we might align it more closely with those objectives or we re-enforce some of the collateral issues.

As I mentioned health and nutrition, we were disappointed that the d'Ivoire's government funding was slashed for this year. It's a very important program. Obviously children learn much better in school if they are well-fed. You heard both of these governments indicate that while they are doing the best they can, they could use help.

So we are hopeful that as part of this process, you will take on board that there is an ongoing and very important role for your Bureau to play in enforcing this process.

MEMBER RASA: Thank you.

JUDGE VITTON: Any further questions?

(No response.)

JUDGE VITTON: Thank you. Thank you, Ms. Roggensack, we appreciate your time today.

Our next presenter will be Mr. Brian Campbell, the International Labor Rights Forum. Mr. Campbell?

MR. CAMPBELL: My name's Brian Campbell. And I am an attorney with the International Labor Rights Forum.

I would like to start off by thanking the Department of Labor for providing the ILRF an opportunity to testify here today to help the Department in its efforts to educate the American public about the global scourge of child labor.

We are here today to testify requesting the inclusion of particular products on what I will refer to as the child labor product list. We look forward to working with the Department to develop the child labor product list and believe that this is an important opportunity to educate the American consumer about the widespread use of child labor in products that they consume every day.

At this time, I request that the Department of Labor take notice of the products listed in our March 2008 filing, which is available on the DOL Web site, which includes cotton, cotton seed, cocoa, tobacco, sugar, rubber, granite, and surgical instruments.

I would also like to thank the Department for making public every filing concerning child labor-made products as ensuring openness and transparency in this process is vital to achieve the goal of bringing attention to the problems faced by child laborers.

We hope that the Department of Labor when making its final determinations as to which products are included on the list early next year will make publicly available all information and rationale used in assessing each product.

In the interest of time, rather than going through all of the products in our filing, which could take a long time, I would just like to point out three points that really affect the presence of

child labor in many of the products that we submitted for listing.

In particular, when evaluating whether government, industry, or third party actions are effective in significantly reducing child labor or forced labor, we believe the Department of Labor must examine each of the demand drivers that push children into producing products like the ones mentioned before us.

First, when assessing whether national government policies to eliminate child labor are effective, the DOL must fully examine the range of government policies that exacerbate conditions for small farmers and reduce their already meager incomes.

While ILRF supported child labor monitoring systems and time-bound programs are vital for developing a full understanding of the causes of child labor and can give some direction on the national level for national government efforts to eliminate child labor and forced labor, they do not assess or address other structural hurdles in national government policies that promote the worst forms of child labor.

Not all governmental policies pushing children into work are as blatant as the forced child labor scheme in Uzbekistan, where children are marched out of school and into the cotton fields.

For example, in industries that are the life blood of a country, farmers face a heavy tax burden, where in some instances a farmer has to pay nine taxes and numerous other unofficial charges, which is the polite way of saying it, before their product is allowed to exit the court.

The taxes are imposed on a local and a national level and result in the transfer of a significant portion of the farmer's income to the governments. These taxes minimize the struggling farmers' profits to just above production costs and can often lead to families employing their children to reduce labor costs.

The second point I would like to address is that any third

party or industry efforts to significantly reduce child labor must address the industry's role in creating demand for the goods produced by the child labor.

One significant economic constraint that farmers in the developing world face is improved direct access to global markets. Access to these markets requires more than just adequate infrastructure to facilitate farm-to-market transportation. Rather, the farmers need to be actively empowered to capture a larger share of the profits for their products. Instead, farmers are dependent on expensive middle men to access complex trading systems.

I would also add at this point that increasing productivity, while it is a laudable goal, does not necessarily mean that they are going to increase the amount of share captured by the farmers. And the problem here is that farmers need to be able to access more of their share for the products that they produce.

In many industries, initiatives aimed at ending child labor have focused heavily on educating families about the hazards of the child labor and improving children's access to education, both vocational and formal.

Missing from the discourse, however, is a discussion of the role that industry plays in assisting farmers to capture a larger share of the value of the product they grow, which will increase family income and drive down demand for child labor.

As has been noted by development experts in relation to African economic development, "The current form of globalization in Africa and elsewhere in which capital relies on complex systems of subcontracting to shift the burden of production onto groups further along the commodity chain produces devastating effects for economies and societies."

In many cases, industry efforts to eliminate child labor are working in tandem with industry sourcing policies that encourage

or even mandate that workers bring their children to help.

In the case of tobacco, the industry with support from national governments has been increasing contracting directly with tenant farmers in Brazil, Malawi, and Mexico.

These efforts have created a peonage system, trapping farmers into the bondage. As a result, farmers are required to bring their children along to reduce labor costs in an effort to make a living.

Plantation workers in Liberia directly employed by a subsidiary of a multinational corporation had to bring their children to work with them in order to meet increasing production quotas set by corporate management.

Any measure taken to eliminate child labor without also helping farmers improve their share of the profits will only be a half measure.

To improve farmer incomes, industries need to be willing to reform their supply chains and their sourcing policies to ensure that producers are receiving fair compensation for their labor. Any standard set of business practices resulting from this list, at a minimum, must include supply chain reforms.

Finally, we would like to address the importance of ensuring that the process for listing products is insulated from political influence.

As Mrs. Lee noted earlier, this is a technical exercise. This is not a political exercise. You know, in the Federal Register notice, this agency has noted that the primary purpose of the list is to promote ameliorative efforts at the national level.

While this is one of the important purposes of the list, the TVPRA makes clear that the list serves three additional purposes. First, by requiring the list to be public, Congress intended the TVPRA to promote public awareness of the use of child labor in the

production of so many products we find on the shelves of our stores.

One of the fundamental purposes of producing this list is to educate consumers that their economic decisions have significant ramifications in the lives of children around the world.

As one scholar noted in regards to tobacco and production in Malawi, consumers in affluent societies perpetuate the invisibility of laboring classes and corporate power in less developed countries through their unfamiliarity with or disinterest in the circumstances behind the low-priced products that they utilize and their uncritical stance towards industry-controlled structures and practices that have formed consumer behavior.

Once the shroud of invisibility is lifted and consumers are given the information they need to make meaningful choices between purchasing a good made with child labor and one made without child labor, we believe that there will be a strong surge in demand for substitutes for child labor-made goods.

Second, according to the TVPRA, the list is intended to identify industries where the Department of Labor and others will work with those industries to change business practices and end the industries' dependence on child labor.

Finally, the list is intended to focus U.S. Government efforts to end the global trade in child labor-made goods and bring an end to the demand for those goods.

In order to achieve each of these goals, it is imperative that the integrity of the listing process be protected from political considerations. This list must reflect the reality on the ground and not be distracted by well-meaning programs that do not yet have a track record of success in eliminating the worst forms of child labor.

Of particular concern to us is the lessons learned by the DOL after its initial foray into creating a list of countries and products produced by child labor pursuant to President Clinton's

Executive Order 13126 in 1999. At that time, the Department of Labor was ordered to publish a list of goods that the DOL "has a reasonable basis to believe might have been produced by forced or child labor."

However, the DOL failed to uphold the reasonable basis standards established by the executive order, which resulted in the listing of only 11 products from Burma and one product from Pakistan, apparently reflecting predominant political considerations and concerns at the time.

This time around the reasonable basis standard is essentially the same. However, the scope of the list is expanded to include the remaining worst forms of child labor, including the conditional forms that are hazardous to a child's health and welfare.

In order to ensure that the list accurately reflects the current on-the-ground conditions of child labor, a product in a country must be listed if the DOL determines that it has a reason to believe that a pattern or practice of child labor persists in a particular industry.

Whether government or third party has engaged in ameliorative actions may be informative to help the DOL work with industries to establish a standard set of practices. These ameliorative efforts, though, should not by themselves be sufficient to cause the DOL to choose not to list a product in the first place.

In the event that a government or third party initiative is effective in reducing child labor in that industry, the product should remain on the list until the initiative has eliminated child labor or has reduced it to negligible levels.

Simple reduction in child labor should not be enough because, as we have seen in regards to child labor initiatives in the soccer ball industry in Sialkot, ameliorative efforts require constant vigilance or child labor could return to the industry.

While many industries and governments may initially fear

the listing of products made by child labor, in the end we believe that the systematic monitoring and publishing of this information can lead to a change in consumer behavior which can help drive change in the economic systems currently put in place that exacerbate the causes of child labor.

Market-based approaches to change must include the participation of all market actors, including the consumers. And consumers can only actively participate if they are informed.

The child labor product list takes the important step of creating a platform from which consumers and other market actors can fully participate through advocacy or simply through their daily purchasing decisions in informing companies and policy-makers of their desires over how to help meaningfully change the lives of child laborers for the better by promoting sustainable solutions for economic development through their own economic decisions.

Thank you.

JUDGE VITTONI: Thank you, Mr. Campbell.

Questions from the panel?

MEMBER PONTICELLI: Yes, Your Honor.

Thank you for your testimony, Mr. Campbell. We appreciate you being here. I would like to begin, if I may, by asking just a few questions regarding your findings on Liberia.

Your testimony notes that in 2005, ILRF identified forced labor in Liberia's rubber sector. We would like to know how you were able to gather evidence to make this conclusion and if you would be kind enough to describe your research methods.

MR. CAMPBELL: Sure. The ILRF has been working since 2005 with a group of organizations. As we found, the most effective way of gathering information is to work with people on the ground. And in many cases, it's multiple organizations.

In regards to the efforts in rubber, we have been working

with local advocates, local research groups, and the trade union that works on the plantation in order to gather the evidence.

Currently the International Rights Advocates, another organization, has litigation pending. And they're continuing to gather the evidence. And I believe if you go on their Web site, you will find more declarations from the children, but it's direct research on the ground.

MEMBER PONTICELLI: Thank you.

And if I may ask a follow-up question? First of all, does this practice of the forced labor continue at present in the rubber plantations? If so, do you have a sense of whether the use of forced labor on the plantations in Liberia is limited to the plantations noted in your testimony?

Basically what we would like to know, as we have asked from the previous witnesses, how prevalent the practice is according to your findings and to get your thoughts as to whether these are isolated or widespread; and then just a final very quick question, if I may, whether you have any information regarding the ability of the workers on the plantations, adults and/or children, their ability to leave a plantation at any time.

Thank you.

MR. CAMPBELL: Sure. As for whether the forced labor is widespread, you know, the United Nations went down, did an investigation in rubber plantations generally in Liberia and determined that there was a prevalence of child labor. And I believe they included forced labor in their findings.

We have been working with regards to a particular plantation, which happens to be the largest rubber plantation in the world, which is probably the single largest industry in the country that employs the largest amount of people.

With regards to the other large companies that do run

plantations, we do not have direct knowledge, just the knowledge that we have received from the United Nations investigations. But they appear to indicate that it is widespread.

MEMBER PONTICELLI: Thank you.

MR. CAMPBELL: Sorry. What was your second question?

MEMBER PONTICELLI: Yes, and whether you had any information regarding the ability of the workers on the plantation, whether they're adults or children, their ability to leave, their freedom to leave, a plantation at any time.

MR. CAMPBELL: I believe that the workers are free to leave the plantation at any time. I believe that the problem is that they do not have access to the transportation to leave. And they do not have the funding to take the bus. They do not have the ability to get out of what is a very isolated plantation.

These workers live in the middle of a very large plantation that has limited access. And I don't believe that they're held there by force but that they just are not able to escape from their conditions.

MEMBER EUGENIO: Thank you for the testimony, both the oral and the written testimony. I think you provided a lot of useful information to us.

I would like to follow up on a couple of questions regarding Ghana and Cote d'Ivoire and cocoa given in your written testimony and some of the statements that were made there.

In the testimony, you note that you conducted field research in the cocoa sector in Cote d'Ivoire in 2002 and later. We would like to know about the additional research that you conducted after 2002.

And if you can briefly just talk to us about your research methods? And if we can also obtain a copy of the research that you have conducted, the most recent one? And similar research that was

conducted in Ghana.

And I have some additional questions after that.

MR. CAMPBELL: We have not conducted research in Ghana. Our biggest primary area of concern has been Cote d'Ivoire, in particular because of the trafficking. We feel that the trafficking issue has actually been left behind in this whole discussion, that there is a problem with trafficking in Cote d'Ivoire. And I think that everybody recognizes that. I just don't think it's been a focal point of the attempts to address the problem.

With regards to our research that we conducted, the initial 2002 research was conducted by a consultant with the ILRF who is based out of Washington, D.C. And I can look to see if I can find that report for you.

The later research was conducted by a consultant. I will have to check and see if I can get that report to you. But I will say that there are some concerns with regards to the ability of NGOs and simple society organizations to get in and conduct research in the field in areas where there has been a lot of conflict.

As I say that not -- I think that it is possible, but I think that you have to receive sort of official access to get to those areas.

So I'm not so sure if our researchers would like us to divulge their names or their associations at this time.

MEMBER EUGENIO: Sure. I mean, if you can, we would love to have the research. You know, if you need to --

MR. CAMPBELL: Sure.

MEMBER EUGENIO: -- omit the names of the researcher or any additional personal information that you think may put somebody's life at risk, we will --

MR. CAMPBELL: To the extent that we can, I will be happy to provide it.

MEMBER EUGENIO: Some of the additional questions relate to your indication that whether or not the issue of forced labor or even trafficking that you just mentioned in Cote d'Ivoire is more than an isolated incident or do you think it's a prevalent situation?

MR. CAMPBELL: Yes. I would just like to start out by saying that I think the efforts to conduct a sort of broad sense to really get to the heart of what the problems are is important.

I think child labor monitoring systems are important. And so to that extent, I think that there will be a volume of information coming out depending on how the research was conducted that will answer a lot of these questions.

We believe based on the data that was put out by the International Institute of Tropical Agriculture that there is forced child labor and that I think they cited a statistic that there were 12,000 children based on their limited statistical survey that were at risk of having been trafficked or forced to work.

I look forward to more information coming out from the governments. I think that their efforts are important efforts to understand what the problem is.

I don't think they necessarily are efforts that will in all situations lead to a reduction, but it's important to understand what the problem is.

MEMBER EUGENIO: I guess following up on that last statement, you indicated in your written testimony that recent reports by credible independent journalists have verified recent reports from your organization that no systematic program efforts exist that are even relevant or scaleable pilot projects have yet been undertaken in the Ivory Coast and that will have a significant impact on the problem in this particular industry, in the cocoa industry in Cote d'Ivoire.

In other words, what you're saying is that their efforts are ongoing, but I guess you don't feel that those efforts are at this

point at a stage when they are having an impact? I just want a little bit more clarification on that statement.

MR. CAMPBELL: Sure. We don't believe that there is any evidence that these efforts are scaleable or that they will have a widespread effect.

We support the community-based initiatives and programs. We think they are important. If there is no access to school, it is important to give children access to school.

And whether or not the vocational education programs, which I believe a few organizations have put into place, can adequately address the future of the children, I think that there is a possibility there.

I don't believe that we have seen any evidence, though, that this is going to be expanded beyond, say, 50 percent. I don't see that there has been significant enough levels of funding to address the infrastructure problems.

And I don't just mean infrastructure with regards to roads and schools. I mean infrastructure with regards to market access for farmers and the sort of business infrastructure aspects of the problem [inaudible], and that unless there is a systematic way of addressing both the business side but also the government service side in tandem, then I don't think there will be an effective measure here.

And what we have seen is a real focus on the government efforts. And, again, I think that many of the government efforts are laudable and are important. I don't think we have really seen many efforts at all on the business side of addressing the supply chain concerns.

MEMBER EUGENIO: And just briefly, two other questions related to this. When you say we haven't seen the evidence that these efforts are having an impact, did you conduct field research to try to come to that conclusion? How are you reaching that conclusion at this

point?

MR. CAMPBELL: Well, in cooperation with our partners and our researchers, but we have not and I have not personally [inaudible]. And I have gone over to conduct the field research. And I can't talk too much about the research methods. Again, I would be happy to get back with you about that in a more full explanation.

MEMBER EUGENIO: Yes. It would be great if you could tell us how you reached your conclusions, particularly in those statements.

Similarly, you mentioned that the certification system lacks experience and practical application. And we were wondering if you could again explain how you reached this conclusion.

MR. CAMPBELL: Sure. Sorry. What was that? We said that it was --

MEMBER EUGENIO: It's in the testimony. On page 3 of your testimony, you said that the certification system developed on the protocol lacks experience and practical application.

And we just wanted to make sure that we understood what you meant by this statement and if you can also provide us with more information on how you reached that conclusion.

MR. CAMPBELL: Sure. Yes. I would just start out by saying that we don't believe that this is a certification system. And I think that the testimony that was provided earlier today sort of highlights that fact.

I believe we heard two different versions of what certification meant from the national governments. And I think that's really what we're trying to address in our filing, is that certification has a particular meaning, that there are certification systems out there, and there are groups who have expertise in certification.

When the certification system was originally implemented, we did not see that many of the large certification groups were

involved in the discussion. And they have been since.

I will say that there has been an effort recently to reach out to those groups. They have been a part of some multi-stakeholder processes, but not in a formal way, more in just, invite them into the room and get their opinion.

And so I see that there is some discussion moving that way, but as the system was put into place to begin with, it didn't appear that there was that expertise that was brought to the table.

Again, I think that would be a great question to refer back to the folks who were on the decision-making board at the time.

MEMBER EUGENIO: Okay. Thank you.

MEMBER CASTRO: Thank you. Mr. Campbell, we have several questions relating to cotton in Uzbekistan. So I will just go through these.

First, we note that your testimony cites various statistics regarding the number of children working in cotton. Specifically, your testimony noted that one million children, a third of them under 15 years of age, are recruited to pick cotton each year.

We were wondering if you could explain to us, how the one million figure was extrapolated and if you could briefly describe to us what were the methods behind the estimate?

And then also in relation to the statistics, we note that 16 years is the minimum age for employment in Uzbekistan. And are able to provide estimates of the number of children 15 years and under specifically working in hazardous conditions?

MR. CAMPBELL: I do not have that information at hand right now. What I can do is, I can forward to you the research. And I believe a lot of it actually is already online.

And if they didn't talk about their methodology in the research -- these are our partners from Uzbekistan -- I can get back to you with the research methodology and how they extrapolated the

statistics.

With regards to the age, whether they are 15 or 16, again, I can get back to you on that.

MEMBER CASTRO: Okay. And I think, similarly, we note your research conducted in the Ferghana region. We were wondering how many individuals were interviewed-- and not the names of your key informants, but were they from NGOs, governments?

MR. CAMPBELL: Absolutely. I can get back to you with that.

MEMBER CASTRO: Okay. Finally, you indicate that money children received for working during the cotton harvest is often taken by the government as payment for food and housing costs incurred during the harvest, and that this creates a situation of debt bondage.

If you could, provide greater detail on how this constitutes debt bondage and how systematic this is?

MR. CAMPBELL: Okay. I can address that.

MEMBER CASTRO: Yes. Okay. Thank you.

MEMBER EUGENIO: I guess we're asking you for a lot of information.

(Laughter.)

MR. CAMPBELL: Yes. And there was a lot of information in there.

MEMBER CASTRO: We'll submit these questions to you.

MR. CAMPBELL: So I would be happy to do this in writing.

MEMBER CASTRO: Sure. Okay.

JUDGE VITTONI: Any further questions?

(No response.)

JUDGE VITTONI: Thank you very much. Thank you, Mr. Campbell.

MR. CAMPBELL: Thank you.

JUDGE VITTONI: Appreciate your time.

MR. CAMPBELL: Thank you.

JUDGE VITTONI: Our final presenter for the day is Mr. Larry Graham, President of the National Confectioners Association. Mr. Graham, whenever you are ready, sir.

MR. GRAHAM: Thank you. Thank you, Your Honor. And I would also like to thank the panel for having me here today and allowing us to testify. We greatly appreciate it.

My name is Larry Graham. I am President of the National Confectioners Association. And I represent about 650 companies that manufacture, supply, and market the vast majority of chocolate, cocoa, and non-chocolate products in the United States.

In September 2001, along with the World Cocoa Foundation, which is affiliated with us, I was a signatory to what has become known as the Harkin-Engel protocol.

The protocol, I think, as you are all aware, is an industry-wide agreement to ensure that cocoa is farmed responsibly without the worst forms of child labor and forced adult labor.

Again, thank you for the opportunity to testify before you today. I would like to share with you the progress that has been made so far.

As a signatory to the protocol, the NCA has been an active participant in a coalition of chocolate and cocoa-processing and manufacturing companies and trade associations representing the North American and European chocolate and cocoa industry. This coalition has been working with NGOs, the Governments of the Cote d'Ivoire and Ghana, and the U.S. Government to meet the commitments agreed to in the protocol.

In 2001, when we joined with Senator Harkin and Congressman Engel to sign the protocol, we knew the goal: a cocoa supply chain we could all be proud of, where responsible, safe labor practices are the norm.

Addressing labor practices for a crop that is produced anywhere from 1.5 to 2 million small family farms located in some of the most remote regions of the world was an unprecedented undertaking.

Most existing labor monitoring programs, as I am sure you are aware, focused on labor practices in factories or in a finite number of production sites.

As we learned more about labor issues and the realities of cocoa farming, we came to realize that success would require a number of fundamentals. I would like to review a couple of those right now.

Number one, to start, the involvement of all stakeholders is essential: industry, the Governments of Cote d'Ivoire and Ghana, NGOs, the U.S. Government, and cocoa farming communities.

The vast majority of West African cocoa comes from honest, hard-working families who want the best for their children. And I think the surveys reveal that.

Three, real meaningful solutions require patience and a long-term commitment, which this industry is going to do and is doing. Our commitment is broad in scope, tackling not just labor issues, but part of a broader effort to support the social and economic development of cocoa farming communities.

Today, nearly seven years after signing of the protocol, a number of programs initiated and funded by industry are making a real difference we think in the lives of children on cocoa farms and improving conditions for the millions of farm families dependent on cocoa for their livelihood.

From improved farmer incomes and children's education to the labor practices used in cocoa farming, we are seeing real quantifiable change.

Here is why we are seeing the change. One, the International Cocoa Initiative, the ICI, which has been mostly funded by industry, is an independent foundation established as part of the

protocol.

The ICI is working in at least 154 communities in Ghana and 88 communities in the Cote d'Ivoire to improve labor practices and help at-risk children.

In particular, the ICI focuses on encouraging communities to ensure children are not exposed to unsafe labor practices and to ensure that children helping out on the family farm is not at the expense of them attending school.

The ICI also supports shelters to help any child who may have been trafficked or otherwise exploited and works to strengthen law enforcement capacity.

Programs funded by the industry-supported World Cocoa Foundation, the WCF, are improving farm family incomes while reducing children's exposure to unsafe labor practices.

Cocoa farmers attend farmer field schools, where they learn about better farming techniques. Participating farmers earn more, which, in turn, reduces these labor pressures.

The World Cocoa Foundation-supported programs are also improving children's access to quality-relevant education. Industry-supported programs managed through the WCF focus on teacher training, curriculum development, and access to education in some of the most remote areas of Ghana and the Cote d'Ivoire.

The WCF works with leaders in the field, such as Winrock International and the International Foundation for Education and Self-Help, IFESH. A recently launched partnership between WCF and AID, the ECHOES program, is also driving improvements in educational opportunities for children in cocoa farming communities. Together these programs will have improved education for more than 340,000 children in Ghana and the Cote d'Ivoire.

Since 2002, the industry has worked with multiple stakeholders, especially, again, the Governments of Ghana and the Cote

d'Ivoire, to implement an effective, credible sector-wide certification process for cocoa farming, one that would drive ongoing improvement in labor practices and eliminate the worst forms of child and forced adult labor.

The certification process for cocoa farming combines data collection, public reporting, remediation, and independent verification to identify problems, direct response programs, and track progress.

Today the data collection program is operational across more than 50 percent of the cocoa production in Ghana and the Cote d'Ivoire. And by the end of the year, the data collection results will have been verified by independent verifiers recently selected by a verification board.

In addition to the significant achievements on certification, each government, as you heard this morning, has taken measures in a number of other related areas, such as increased law enforcement, mandatory school attendance, free lunch programs at school, to improve lives of children on cocoa farms.

Individual company efforts are also helping cocoa farmers while addressing important community health and well-being issues. These efforts play an important role and account for a sizeable percentage of what has been invested by our industry to date.

In fact, figures on total industry expenditures under the protocol were recently compiled. They show that since January of 2005, the chocolate and cocoa industry has spent more than \$35 million in direct costs and achieving the goals of the protocol. That does not include individual efforts by companies building factories and processing plants and other similar things.

Chocolate and cocoa industry and our partners in government, civil society, and farming communities have achieved exactly the type of public-private partnership envisioned by the House

International Relations Committee when the legislation was enacted.

When the Trafficking Victims Protection Act of 2005 was considered by the House, the International Relations Committee noted that the intention was to create a set of practices that will reduce the likelihood that forced or child labor would be used in the production of a particular product or good.

The Committee highlighted and encouraged public-private partnerships as essential to this task. The improvements in working conditions that Congress seeks under the TVPRA and the activities that listing of a product would trigger are currently underway in our program.

The progress that has been made is a clear and convincing reason that cocoa should not be placed on the list of goods that are produced by child or forced labor.

Given this progress, I wonder what might be the true impact of adding cocoa to the list of goods under the TVPRA. It would be more than unnecessary. We believe it would be counterproductive.

If cocoa were placed on the list, it would serve as discouragement to the cocoa-producing country governments who have made a significant national commitment to combatting the worst forms of child labor, trafficking, and forced adult labor.

Going forward, our industry will continue to work with a range of partners to create a supply chain we're all proud of, a supply chain that is sustainable and responsible.

While there is much work to be done, we have a long-term commitment. And with the programs in place now, we have the opportunity to make a better life for thousands of children and adults on cocoa farms.

I thank you for having me here today.

JUDGE VITTON: Thank you.

MR. GRAHAM: I'd be happy to answer any questions.

JUDGE VITTON: Thank you.

Any questions?

MEMBER PONTICELLI: Yes. Thank you, Your Honor.

Thank you very much, Mr. Graham, for being here with us today. And thank you for your testimony.

I am interested very much in your comments on the certification process. Your testimony refers to the certification process for cocoa farming as being based on transparent publicly available annual reporting on the findings from the data collection.

So our question today is, or one of our questions today is, will the raw data collected under the certification process be made publicly available? And if so, when?

Thank you.

MR. GRAHAM: Thank you.

I think we need to start with saying that yes, this will be a very, very transparent process. The certification process, as you know, as you mentioned, involves data collection. And then it involves making that information that was collected, the results of that, public.

But then it also involves remediation. If the data that is collected indicates or finds that there are some issues, then the best programs to deal with those issues and the best services to deal with those issues would be initiated.

The final thing that would be done is the verification. And that indicates that the data that is collected is accurate, that it is practical, and that it has been acted upon.

The data itself is in the hands of the governments that have collected it, but I do believe that the whole process from beginning to end is very transparent.

It won't work unless it is out there in the public eye for people to see what is working and what is not working.

MEMBER EUGENIO: Thank you.

I have two brief questions. One relates to your written testimony. You mentioned that both surveys found small numbers of children living outside of a direct family relationship. We wanted to know which surveys you were referring to.

MR. GRAHAM: I believe those were both the Ghana and the Cote d'Ivoire surveys.

MEMBER EUGENIO: So the surveys conducted by the government were a pilot?

MR. GRAHAM: Yes.

MEMBER EUGENIO: Okay. I think you mentioned -- and I want to clarify this -- in your testimony that about 340,000 children have been provided with assistance as part of the remediation programs that have been implemented so far.

And we were wondering if we can get additional information on through what programs were those children provided with assistance [inaudible] and on what kind of assistance they received.

MR. GRAHAM: Sure. Many of those programs are through the World Cocoa Foundation, some of which are also through the Farmer Field Schools and various other educational things that I think I mentioned, the AID program and some other programs. But we can break that down for you in more detail.

MEMBER EUGENIO: So we will send you an e-mail and ask you for additional --

MR. GRAHAM: Thank you.

MEMBER EUGENIO: And related to that, we wanted you to, just if you can, briefly explain how the certification process is being linked to the remediation efforts? So what happens after you encounter a child and how that child then provided with the services?

MR. GRAHAM: I think it depends on what the issue is, what the data had found [inaudible]. Again, through the ICI, the

International Cocoa Initiative, and through the World Cocoa Foundation, there are a variety of programs that exist.

If one of the problems is education, then I think the focus would be there. If one of the issues is hazardous work, I think you heard from the ambassadors this morning of some of the programs that the governments had in place to deal with that.

So we can't deal with any of the issues until we have the data and the survey data. Where exactly are these problems occurring? Why are they occurring? And then that would help us figure it out. Here are the best solutions to deal with them.

MEMBER EUGENIO: Thank you.

MR. GRAHAM: Sure.

MEMBER CASTRO: I just have a few more questions. We were wondering if you could provide us a breakdown by country of the 340,000 children. How many were in Ghana and then in Cote d'Ivoire?

MR. GRAHAM: Okay. Yes.

MEMBER CASTRO: Okay. And then I see. Okay. Just as a follow-up, you know, we recognize, as you mentioned, that the services are going to depend whether they're in school or are working. And we wanted to ask a follow-up question in cases where children do combine work and school. How are you ensuring that children are no longer working in hazardous conditions if they're attending schools?

MR. GRAHAM: Sure. Again, I think that's what the data would help us reveal. And I think already through, many of the programs that are already in existence, we know in what communities where some of those problems exist [inaudible].

And it's not an either/or. It could be together, as you mentioned.

MEMBER CASTRO: Maybe just a follow-up. I guess I'm referring currently to the 340,000 --

MR. GRAHAM: Okay.

MEMBER CASTRO: -- children that have been already provided services.

MR. GRAHAM: Right. Okay. Sure.

JUDGE VITTON: Any additional questions?

MEMBER RIGBY: From your testimony today, the certification model being implemented by the ICI and the Governments of Ghana and Cote d'Ivoire seems like a sector-wide process of certification, not product certification.

So could you please explain how under the certification process, the U.S. Government and the public in general can be assured that the cocoa they buy is not produced with exploitive child labor?

MR. GRAHAM: Well, I think our focus and the focus of this whole effort has to be the beginning of the supply chain, not the end of the supply chain. And the beginning of the supply chain is the farming and harvesting of the crops.

So the focus of our programs and the focus of -- again, we're not doing this ourselves. We're partners, of course, with the governments, with NGOs, even with U.S. Government.

So working together, we have to get at the source of the problem and solve it there. So if kids are not being educated or if kids are involved in hazardous work, that is where the focus has to be.

Now, through the certification process and the transparency and the annual reporting, consumers and others will know how we are doing on the supply chain aspect of our producing our products.

So I think from beginning to end, people will be aware of how successful these programs are because, again, in terms of the reporting, it is very public.

MEMBER RASA: I have one question. Regarding the \$35 million that you indicated the industry has invested in the process, could you please indicate to us how much has been allocated for the

remediation programs that you have spoken about as well as for the surveys and certification process?

And if you could also break it down by country how much has been allocated to Ghana and how much has been allocated to Cote d'Ivoire?

MR. GRAHAM: Sure. Much of that money -- and all of that I don't have off the top of my head. So I would get that for you. A lot of that money has gone to the funding of the foundation, certainly the World Cocoa Foundation and the Farmer Field Schools and the ICI working in the various communities, almost 200 communities, in both the Ivory Coast and Ghana. I think in the Ivory Coast, it was 88 communities already the ICI is in. In Ghana, it is over 150.

Some of that money was also money spent by individual companies on their own programs that they're doing to work on all of these issues and problems in the Ivory Coast and Ghana.

But we could break that down. And, as I indicated in my testimony, this is only the funds that we have spent on the child labor situation.

Many of the companies are also building factories. They're building processing plants, spending other business types of investment money in the country. So it will end up being more than 3,500.

MEMBER RASA: As a clarification, are you indicating that because you have more projects in Ghana, that Ghana is receiving more of the funding?

MR. GRAHAM: I think because of the civil strife in the last couple of years in the Ivory Coast, it was more practical to get more done in Ghana. And I think, as time goes on, that will even out.

MEMBER RASA: Thank you.

JUDGE VITTONI: Any additional questions?

(No response.)

JUDGE VITTONO: Thank you very much.

MR. GRAHAM: Thank you.

JUDGE VITTONO: Thank you, Mr. Graham.

MR. GRAHAM: Sure.

JUDGE VITTONO: We appreciate your time today.

MR. GRAHAM: Thank you.

JUDGE VITTONO: That concludes all of the formal presentations that we had scheduled. Ms. Ponticelli, did you want to make any closing remarks?

MEMBER PONTICELLI: Thank you, Judge Vittone.

Thank you all again for being here today on behalf of all of my colleagues in the Bureau of International Labor Affairs. We really appreciate the information we have received from the witnesses who have appeared before us today for their valuable contributions.

I would like to give a special word of thanks to Chief Administrative Law Judge John Vittone for his leadership of this important event. It's really a milestone event for us. It's a step, and it's a great step forward.

I do want to give a special word of thanks also to Leyla Strotkamp of our office. Leyla is standing back here. She is responsible for helping us keep this such an effective and well-organized hearing today. So we really appreciate your efforts, Leyla. Thank you very, very much.

The information that the witnesses have shared with us will be helpful as we move forward in developing a list of goods from countries produced by forced labor or child labor as mandated by the Trafficking Victims Protection Reauthorization Act of 2005.

As I mentioned at the beginning of our hearing today, we recognize that there may be others who have valuable information to share with us on these subjects, but perhaps were not able to be with us today.

Again, we will accept additional written testimony for the official record of this hearing until June 11th, 2008. Again, you may e-mail any such submissions of information to ilab-tvptra@dol.gov. In addition, general information about our TVPRA mandates is available on our ILAB Web site at www.dol.gov/ilab.

In closing, I want to thank the audience for your interest in these important issues of forced labor and child labor around the world. We look forward to continuing to work shoulder to shoulder with you to combat these pressing concerns. Many thanks.

JUDGE VITTON: Thank you, Ms. Ponticelli. I appreciate those very kind remarks. I want to thank the staff from the Bureau of International Affairs for their cooperation. They were very easy to work with.

I would like to thank you especially for the very comfortable chair.

(Laughter.)

JUDGE VITTON: If there's anybody from the Occupational Safety and Health Administration, please take note for future hearings that I hold for you.

Thank you again. We appreciate everybody's coming today and for the time that you have taken. Have a good day.

(Whereupon, the foregoing matter was concluded at 2:53 p.m.)

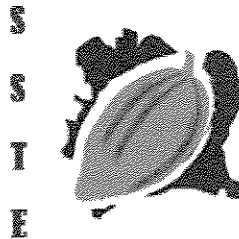
**WRITTEN STATEMENTS
SUBMITTED
FOR HEARING BY WITNESSES**



*His Excellency Koffi Yao Charles
Ambassador of the Republic of Côte d'Ivoire to
The United States of America*

**TESTIMONY AT THE UNITED STATES DEPARTMENT OF LABOR'S PUBLIC HEARING
TO COLLECT INFORMATION TO ASSIST IN THE DEVELOPMENT OF THE LIST
OF GOODS FROM COUNTRIES PRODUCED BY CHILD LABOR
OR FORCED LABOR**

MAY 28, 2008



**Systeme de Suivi du
Travail des Enfants**



EMBASSY OF THE REPUBLIC OF COTE D'IVOIRE
2424 MASSACHUSETTS AVENUE, N. W.
WASHINGTON, D.C. 20008

STATUS OF CHILD LABOR IN COTE D'IVOIRE

Child labor is a phenomenon that seems to increasingly affect more and more developing countries. In Côte d'Ivoire, it is observed in cocoa farming, the first national cash crop.

As a matter of fact, the production of cocoa in Côte d'Ivoire (1,200.000 tons – First world producer) employs more than 900.000 small producers still using traditional, even manual, methods, in areas covering 2 to 4 hectares of land, with a limited yielding of 400kg/ha. Within such family-type manpower, children play a role of learners or hands.

The schooling difficulties due to economic constraints, more particularly a lack of infrastructure, as well as the matter of teaching children the family trade, are at stake.

In view of this situation, the Government of Côte d'Ivoire undertook several initiatives in order to fight the phenomenon.

GOVERNMENT'S ACTIONS AND INITIATIVES

From the moment the government realized the scope of the problem, it immediately decided to create awareness at national level and, among neighboring countries about the danger, the illegality and the wrongness of child labor. In this respect, meetings, seminars and workshops were organized.

The Government designed the Oumé pilot project, which was completed on December 31, 2005.

The system tends to be spreading and ten (ten) administrative regions producing cocoa are covered at the rate of three (3) villages within a sub-prefecture. Committees were also set up with the assistance of G.T.Z. (German cooperation Agency) and they are operating fairly well.

The project, drawn up jointly with the World Cocoa Foundation, defines the problem in order to make a diagnosis.

The International Organization of Cocoa provided a week-training seminar on "child labor" to three hundred (300) producers from Eastern Côte d'Ivoire. Managerial and promotion agencies such as Anader and the Coffee and Cocoa Exchange (BCC) participated in the training.

In the field, preventive as well as curative actions are undertaken by the State and the technical and institutional partners, local or international.

PREVENTIVE MEASURES

- The STCP (Sustainable Tree Crop Program), established in 2003, aims at making farmers more aware of child labor. The partners involved are the State of Côte d'Ivoire, the Cocoa Industry, IITA (International Institute for Tropical Agriculture) and the World Cocoa Foundation.
- The SERAP Project, initiated by the local cocoa industry in 2006, aimed at making producers more aware of the need to comply with social and environmental standards.
- ICI (International Cocoa Initiative) has been provided for several years an institutional support to Côte d'Ivoire by training administrative officers and journalists.
- IFESH since it was set up in Côte d'Ivoire in 2005, this organization has contributed to eliminate child labor through formal and informal education, training for training officers and an awareness campaign on the problem.
- The LTTE Project (Fight against slave trade and trafficking of children) set up by GTZ, is also involved in increasing population and village committees awareness and training.

CURATIVE ACTIONS

As its commitment to resolve this issue, the Government of Côte d'Ivoire adopted more than 25 laws and ratified ILO Conventions N° 182, 138, 98, 87. Besides it signed a bilateral agreement with Mali in September 2000 on fighting across border child trafficking

The Ivorian State, through the Ministries of Security, of Territorial Administration and of Social Affairs, arrests and tries individuals who practice child trafficking.

Once the victims are intercepted, local and international organizations like UNICEF and NGO's assist them and help with their repatriation.

Given the importance of children in the development of a country, and aware that child labor is a consequence of poverty, the State created an investment fund estimated to 60 million U.S. Dollars for cocoa producing areas in order to finance different rural projects such as upgrading rural pathways, building schools, community health centers and drilling wells. In the light of the end of the conflict, considerable resources might be needed.

Moreover, the Ivorian government, through the Harkin-Engel Protocol, which was signed in September 2001, undertook the certification process of a child labor free cocoa.

According to the terms of this protocol implemented by an inter ministerial unit chaired by the Prime Minister, the certification process should be carried out in 50% of cocoa producing areas by July 2008. The process is a **continuous improvement cycle** of living and working conditions of farmers. It involves four stages:

- Initial diagnosis surveying,
- Survey reporting,
- Implementing social protection programs (as a response to the results of the survey) ; and
- Independent monitoring.

On July 1st 2008, a partial assessment of the certification cycle should read as follows:

- **Initial Diagnosis Surveying:** a pilot project was realized in three administrative regions, during the 2006-2007 harvest cycles (the report was published on November 30, 2007) as well as a standard nationwide survey, carried out in 18 administrative regions all selected at random from mid-November to March 2008.
- **Reporting:** a group of three experts is in charge of drafting the report which should be published by the end of May 2008.
- **Actions:** financing child protection and/or prevention measures is underway as well as basic investment in schools, health care centers, roads and drinking water. Following the conclusions drawn by the different stakeholders on the field, a workshop was organized, enabling the government to create the institutional framework conducive to the implementation of new programs of social protection or prevention involving both the private and public sectors. Additional financing is required from the private sector. The report of a field visit organized on April 2008 will be available on June 3, 2008.
- **Independent Monitoring:** a Committee including the cocoa sector, the civil society and the government was created. The group of auditors was short listed during the meeting of the monitoring committee held in London in April.

The first meeting of the Committee on the instruments used to realize both pilot and national surveys is to be held in May 2008.

The government did highly appreciate the two American Congressmen's visit in Abidjan on 8-9 January 2008. The mission allowed them to better understand the sociological environment of the phenomenon as well as to create awareness among Ivorian decision makers and stakeholders of the cocoa chain.

Besides, the government commends the initiative by the Bill and Belinda Gates Foundation to be involved in improving the working and living conditions of children involved cocoa farmers.

To conclude, Côte d'Ivoire remains actively committed and mobilized on child labor in cocoa farming. Therefore, the Government requests that the sector be not depicted as depending on child labor. We request not to be on the list of countries where such practices prevail. Such a move could be tantamount to economic and social chaos for a country which draws 40% of its GDP from the sector and which is just emerging from a long socio political crisis.

**TESTIMONY ON CHILD LABOR IN THE COCOA INDUSTRY IN
GHANA BY AMBASSADOR KWAME BAWUAH EDUSEI,
ON MAY 28, 2008**

Introduction:

The Government and people of Ghana are pleased about this public hearing on the worst form of child labor. We assure all and sundry, of our deep commitment to work closely with all stake holders to resolve completely this developmental challenge, even though the first major scientific study clearly indicates a small percentage. This is because a single child abused cannot be acceptable. They are our own children and our own future.

- Cocoa is the economic life blood of Ghana with over 600, 000 small cocoa farms averaging one to three acres affecting over 23 million Ghanaians.

- Ghana is conducting a multi-faceted national effort to combat child labor in the cocoa sector. This initiative is well grounded in several aspects of national law, national education policy, Ghana's ratification of ILO convention numbered 182, a strong partnership with International Labor Organization's International Program on Elimination of Child Labor ILO-IPEC, ongoing partnerships with industry and multilateral and bilateral agencies and an NGO program called the National Program for the Elimination of Worst Forms of Child Labor in the Cocoa Sector.

- The objective of the National Cocoa Sector Program is to eliminate the worst form of child labor in cocoa production by 2011, and to contribute the elimination of other worst forms of child labor by 2015. It is important to emphasize that this program is a partnership based effort, funded by the Government of Ghana as well as Cocoa Industry partners, multilateral, bilateral donors and NGOs. The program seeks to accomplish its objectives through the following strategies: Improving the knowledge base on child labor in the cocoa industry; Strengthening the legal framework; Focusing on enforcement of current laws; Mobilizing key stakeholders

in cocoa-growing areas to collaborate on awareness raising campaigns and other efforts to eliminate child labor; Developing and implementing interventions that will eliminate the worst forms of child labor in cocoa; Promoting universal basic education and the development of human capital in cocoa growing areas; Developing and implementing interventions that will reduce the need for child labor in cocoa production and Building capacity at the central, regional, district and community levels to effectively address child labor in Ghana, and the worst forms of child labor in cocoa, in particular.

- This is the first time Ghana has undertaken comprehensive scientific studies involving 60% of cocoa growing areas with multi-stakeholder participation and independent validation of the worst form of child labor. A major finding indicates 97% school enrollment rate and 90% school attendance rate. The certification report is in its final stages, results will be released next week, which June 6th 2008.
- A Draft Hazardous Activity Frame work (HAF) with clear definitions of activities deemed hazardous has been developed and is also in its final validation process. This would be released by June 5th 2008.
- The implementation phase has also been decentralized to the district level. This involves district action plans with close monitoring of activities, sponsored by Cocoa Marketing Board and other donor countries.
- Ghana has instituted district information service vans going round all districts to give information to the community about civil responsibilities and the rights of children (*including child labor issues*).
- We have instituted district and community child protection committees, to ensure child safety.

- Ghana has instituted a National Free and Compulsory Basic Education including Free Feeding for all Ghanaian children. Government is also providing free school logistics and supplies to all schools.
- We also provide Free Transportation for all school Children in areas with public transportation.

In summary, the Government of Ghana is working cooperatively with the global cocoa industry, key civil society organizations, and the multilateral and bilateral donor community on this important issue, while simultaneously creating a solid model of public-private partnerships that can be used in other sectors. Ghana is committed to working with all its partners to ensure that its children are protected and afforded every opportunity to receive a sound education and the opportunity for a better life.

The Ghana Government would want to make it abundantly clear that, we never sought special favors from the US Government or any other source in the evaluation of child labor.

We rather recognize this challenge as a developmental issue and we know we need more resources to build capacity in order to eliminate child labor. Let me emphasize here that Transparency and co-operation are key.

Thank you.

Testimony of

**Thea Mei Lee
Policy Director**

American Federation of Labor Congress and Industrial Organizations (AFL-CIO)

Written Testimony: May 7, 2008

Hearing Date: May 28, 2008

Department of Labor

***Public Hearing to Collect Information to Assist in the Development of the List of Goods from
Countries Produced by Child Labor or Forced Labor***

Thank you for the opportunity to present information regarding the use of child labor and forced labor worldwide in the production of goods.

My name is Thea Lee, and I am the Policy Director and Chief International Economist at the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO). The labor movement has a long history of fighting a range of worker rights abuses on a global scale, including forced labor and child labor. We recognize that in today's global economy, with increased competition among countries to attract investment from corporations that are striving to cut production costs, forced labor and child labor continue to be a problem in many countries.

The Department of Labor's efforts to produce a list of goods produced by child labor or forced labor, mandated by the Trafficking Victims Protection Reauthorization Action of 2005, is an important step towards cataloguing the scope of the problem. It is only a first step, however. While some forced labor or child labor occurs under repressive regimes or as part of political conflict, much of the problem is a result of competitive pressures arising from accelerated global economic integration. Investment and sourcing/buying policies may actually encourage abusive labor practices, through, for example, the increased use of un- or under-regulated subcontractors and labor brokers as part of global supply chains, or the competition among countries to provide the cheapest labor force to potential investors.

As noted by Diana Holland, Chair of the International Trade Union Confederation (ITUC) Women's Committee, "subcontracted production and the sourcing of raw materials stretching easily into the informal economy provide entry points into global supply chains of forced labor that is harder to detect and harder to combat. Think for example of the current challenge faced by brands seeking to eliminate child labor from their garment supply chains in India when the cotton comes in large part from Uzbekistan [where there is well documented use of forced labor and child labor in the harvesting of cotton]."¹

The AFL-CIO concurs with the findings of organizations such as the Environmental Justice Foundation, International Crisis Group (ICG), Save the Children, Anti-Slavery International and the International Labor Rights Forum (ILRF) regarding the use of child labor and/or bonded child labor in the following countries and sectors: cotton picking and production in Uzbekistan and Tajikistan, hybrid cottonseed production and granite mining in India, sugarcane cultivation and sugar refining in Nicaragua and Guatemala, tobacco cultivation in Malawi, and cocoa production in Ghana and Cote D'Ivoire. We would like to add to this list:

- Forced labor in charcoal production in Brazil, which is used to make pig iron, a basic ingredient in steel. Such pig iron is "purchased by brokers, sold to steelmakers and foundries and then purchased by some of the world's largest companies for use in cars, tractors, sinks and refrigerators made for U.S. consumers."²
- Child labor in export agriculture in Mexico. A recent Mexican government report funded by UNICEF estimates the number of agricultural laborers in Mexico at 3.1 million, of who 400,00-700,000 are children between 6 and 14.³ Examples abound of the abuse and exploitation of Mexican children in agriculture production. On January 6, 2007, David Salgado Aranda, a nine-year-old worker from Guerrero, was run over by a tractor while harvesting tomatoes on a farm owned by Agrícola Paredes in Sinaloa. The employer has argued that it is not liable for David's death because, according to the death certificate, the death occurred on a public road (this is contradicted by eyewitnesses). The employer offered about \$6,000 in compensation to the family.⁴ Agrícola Paredes is a major supplier of open field and greenhouse products for the North American market, growing 1,200 acres of open field vegetables, and 1,500 acres of corn, which it distributes through H.M. Distributors of Arizona,

and The Oppenheimer Group of British Columbia. Agrícola Paredes produces red, green and salad tomatoes, as well as eggplant and sweet bell peppers, under the Divemex, Chelita, SPV and Paris labels.⁵ The case of David Salgado is far from isolated. An investigation by three reporters for the Mexican newspaper *Excelsior*, Marcela Turati, Lucía Irabien, and Laura Toribio, found that 30 child laborers between the ages of 6 and 14 died in work-related accidents in the state of Sinaloa in 2006 and 2007.⁶ Other media investigations have documented the widespread existence of child labor in export agriculture.⁷ Recent research also describes exposure of child laborers to toxic pesticides in the tobacco industry.⁸

- Forced labor and child labor in shrimp processing in Thailand and Bangladesh.

In April of this year, the Solidarity Center, an allied organization of the AFL-CIO that promotes and protects worker rights in over 60 countries, issued a report entitled, “The True Cost of Shrimp,” in which it documented the abuse of workers in two countries that depend heavily on shrimp aquaculture exports, Thailand and Bangladesh.⁹ Along with arduous conditions such as long hours, low pay, abusive employers, informal work, unsafe and unhealthy working conditions, the report also reveals significant instances of forced labor and child labor in shrimp processing plants. My testimony below highlights the major findings in the report, which I will submit in its entirety for the written record.

Technology has revolutionized the production and distribution of seafood. Today, highly perishable products such as shrimp can be farmed, processed, packed, and shipped worldwide in just a few days. Over the past 30 years, shrimp has become a \$13 billion global industry. Shrimp is now the most popular and widely traded seafood in the world. On average, Americans eat more than three pounds of shrimp each year; about 80 percent of that shrimp is imported. In 2006 alone, U.S. shrimp imports were valued at over \$4 billion, making shrimp the most valuable seafood import into the United States. Aquaculture, the practice of cultivating fish, shrimp, and other marine life in large man-made ponds, has helped to support the global shrimp export boom.

But this “shrimp boom” has entailed a staggering, largely hidden, cost to workers, their families, and their communities. The true cost of shrimp is far higher than what is visible on a supermarket price tag or a restaurant menu. And it is workers who pay the cost in abuses such as sweatshop conditions, employer intimidation, forced labor and child labor.

While Thailand is an established industry leader and Bangladesh is only beginning to grow its shrimp exporting industry, the Solidarity Center found startlingly similar problems at shrimp processing plants in both countries. Shrimp is Bangladesh’s second largest export in terms of dollar sales (second only to garment production). In 2005 Bangladesh sold an estimated 40 percent of its shrimp to the United States, 40 percent to the European Union, and the remainder to Japan.¹⁰ Bangladesh is among the world’s top ten producers of shrimp. In 2006, Bangladesh shrimp exports to the United States totaled almost \$200 million.¹¹ Shrimp processing in Bangladesh is largely concentrated in two general areas: the cities of Chittagong and Cox’s Bazaar, and the districts of Khulna, Satkhira, and Bagerhat.

A number of organizations have identified extensive worker and human rights abuses in Bangladesh’s shrimp industry. Reports from organizations such as the Environmental Justice Foundation (EJF) have identified land grabbing, the use of child and forced labor, and reduced local access to land, water, and other resources as key abuses.¹² Many international NGOs and development agencies remain rightly concerned about the impact of the shrimp trade on local communities and about issues like food safety and environmental preservation. Labor exploitation and defending worker rights, however, have not been primary concerns for those interested in the industry’s long-term sustainability.

In Bangladesh, women workers are particularly at risk, with no formal contracts and low pay. Pushed by poverty into the workplace, but without access to adequate health care, women workers suffer from illness and repetitive strain. Without childcare resources, they must often bring their children to work, and so the children work as well.

A pressing concern about the Bangladesh shrimp industry is its dependence on child labor. Child labor remains a common fact of life in many shrimp processing plants, where it is tightly linked to social and economic pressure on women workers. Eyewitness accounts from lawyers helping shrimp workers seek redress for labor law violations report that children (defined in Bangladesh as persons under the age of 14) are often involved in loading finished products onto trucks at processing plants. These children do not appear on company employee lists, because subcontractors employ them. Children between 14 and 17 are also members of the workforce. While it is legal to employ these older children under Bangladesh's national labor laws, they are allowed to work only a restricted number of hours a day and are not permitted to do hazardous work. However, none of the 20 factories observed by researchers obeyed the important legal prohibition of unsafe work for children under 17.

Thailand is the established leader in the global shrimp trade. Roughly one-third of U.S. shrimp imports come from Thailand. Shrimp exporting is estimated to be a \$2 billion-a-year business, accounting for roughly 2 percent of Thai GDP, which makes it Thailand's third largest source of export revenue. It is estimated that over 40 percent of Thailand's shrimp are processed in the province of Samut Sakhon. Northern Gulf of Thailand ports remain the most important for shrimp fishing and processing.

Several investigative reports have uncovered significant cases of child labor and forced labor throughout the Thai fishing and seafood processing sectors. A 2006 report coauthored by the ILO and researchers from Thailand's Mahidol University "found child labor, excessive work hours, and forced labor to be the norm in seafood processing plants."¹³ Roughly 19 percent of the migrant workers in processing plants interviewed for the report were under 15 years of age, while another 22 percent were between 15 and 17. The persistence of child labor in Thailand's shrimp and seafood sector was further supported by a 2006 study of child labor in Samut Sakhon, led by the Asian Research Center for Migration in cooperation with the Labor Rights Promotion Network (LPN), a Solidarity Center partner organization. The report estimated that 20,000 children under the age of 18 are working in the province. Just under half of these children work in "fisheries-related" jobs that include peeling shrimp, transferring heavy loads, and drying, boiling, and shelling various types of seafood.¹⁴

Since 2005, the Solidarity Center and its partner organizations have conducted interviews with shrimp processing workers, mainly in Samut Sakhon. The interviews identified 15 Thai factories in the region with substandard working conditions. All of these factories export some percentage of their products to the United States.

The case of the Ranya Paew shrimp processing factory in Samut Sakhon provides an illustration of the problems of forced labor and child labor in the industry. Here is a description of the case from the Solidarity Center report:

On September 16, 2006, Thai police and immigration authorities raided the Ranya Paew shrimp processing factory in Samut Sakhon. Working off a tip, police conducted the raid expecting to note a few labor law violations and perhaps round up some undocumented migrant workers. Ranya Paew was more like a fortress than a factory, with 16-foot-high barbed-wire capped walls, an armed guard force, and an extensive internal closed-circuit television system.¹⁵ Behind the walls, the police found a scene that one report described as "little short of medieval," with hundreds of workers literally trapped inside the compound, living in squalid conditions, forced to work long hours, and subjected to

physical, emotional, and sexual intimidation and abuse.¹⁶ Workers who angered the employer were often “put to shame” in front of others by having their hair cut or shaved in patches. Women and girls were stripped naked and publicly beaten as a form of discipline.¹⁷

Most of the workers at Ranya Paew were Burmese migrants who relayed shocking stories about life inside the factory. They told of 16- to 20-hour shifts, filthy conditions, low pay, and forced labor. Police investigators learned that managers demanded months of unpaid work to meet debts to labor agents, or to pay for basic safety equipment, housing, even food and medicine. One worker noted that she worked for three months without pay and even then received only 200 baht (\$5.60) the fourth month, after 500 baht (\$14.10) was deducted from her wages to pay her labor agent’s fee and to cover meals, housing, and safety equipment. She claims she peeled 18-20 kg (about 40 pounds) of shrimp per day.¹⁸

Other workers said that if they made a mistake on the shrimp peeling line, asked for sick leave, or tried to escape, they could expect to be beaten, sexually molested, or publicly tortured. After interviewing more than 280 workers, police took 63 women and three men to a shelter, suspecting that they had been trafficked and/or forced to work against their will. [At the time of the raid, the protection provisions of Thai law did not include males in the definition of trafficking victims]. Another 22 were deported; nearly 80 returned to work at the factory, which remains in operation. Despite widespread worker rights abuses, including child labor and human trafficking, the owner was charged only with employing children under 15 and failing to provide holidays and time off. Though these charges are serious, they were treated as first-time labor code violations. The owner initially only paid a fine of about \$2,100 and has returned to work.

The abuses documented at Ranya Paew are further evidence of the problems worker rights advocates have noted for some time. In addition to long hours, forced labor, and child labor, Ranya Paew opened the lid on many hidden yet systemic worker rights problems of the Thai shrimp industry:

- widespread abuse of migrant workers;
- powerful labor brokers who abet human trafficking and other abuses; and
- extensive subcontracting and outsourcing, which encourages lower workplace standards and wages.

While the Ranya Paew case was from 2006, the types of abuse against Burmese migrant workers found in the shrimp factory continues today. On March 10, 2008, Thai authorities raided a shrimp processing factory in the Mahachai Township of Central Thailand. NGO activists that participated in the raid with police noted, “The factory was like a jail, the barracks where the workers lived was locked from the outside . . . Children were standing on the baskets to work in prawn processing, they are only ten years old. The workers said that they only earned 200 baht a week. The brokers that brought them took the rest of the money.”¹⁹

These cases highlight the widespread system of factory outsourcing, whereby subcontracted firms can easily exploit workers beyond the view of authorities or certification regimes. While about a dozen Thai agribusiness giants financially dominate the overall shrimp industry, the structure of shrimp processing resembles similar production models in the footwear and garment industry — with much of the labor-intensive work contracted out to small independent firms that can quickly produce or process a high volume of shrimp.

Subcontracted factories like Ranya Paew operate on the margin of the regulated formal economy. Orders are short-term, profits are tight, and downward pressure on costs is passed down to workers in the form of long hours, low pay, and lax health and safety standards. Subcontractors may operate in their own factories or even on the premises of a larger, formal operation. Workers at a Samut Sakhon plant owned by a major Thai seafood company reported that of the 5,000 workers inside the factory, subcontractors technically employed 80 percent. Such widespread use of subcontracting and labor agents has led to gradual informalization of labor relations. The result is a system that allows companies to hide real wage levels, skirt responsibilities, and in places like Ranya Paew, commit egregious worker violations like forced labor, debt bondage, and human trafficking.

Migrant workers, from Burma, Cambodia and Laos, perform much of the labor-intensive work in Thailand's shrimp processing plants. The working conditions of migrant workers in Thailand's shrimp processing industry represent the worst forms of abuse. The sustained shrimp boom has increased demand for workers on farms, in boats, and in the processing factories.

Since 1992, a despotic and violent military regime has torn apart the social and economic fabric of Burma, forcing millions to seek work or refuge elsewhere. An estimated 3 million Burmese migrants live and work in Thailand's low-wage, mostly informal sectors such as domestic service, construction, agriculture, fishing, and seafood processing.²⁰ The industrial clusters of shrimp processing factories in Samut Sakhon host about 200,000 Burmese migrants; only about one-third have proper identity and travel documents.²¹

A web of Thai and Burmese labor brokers, complicit authorities, and employers abet a sophisticated system of bribery and migrant worker smuggling in Thailand. A recent UN-sponsored report on the role of labor brokers concluded, "[T]here is systematic and institutional exploitation of Burmese migrants in Samut Sakhon and neighboring provinces, often through debt bondage and exploitation without accountability through subcontracting."²²

Debt bondage is a key method of exploiting migrant workers. Having agreed to pay excessive fees to the agents who smuggle them over the border and/or to the brokers who find them a job, workers are forced to meet their debt through payroll deductions or unpaid labor. This predicament makes migrant workers vulnerable to further extortion and even forced labor for months or years before they can earn any extra money to support their families.

Another way in which employers and labor brokers exploit migrant workers is by controlling their movement, often by depriving them of official documentation. Even those with proper documents regularly have their paperwork taken from them by labor brokers to keep them from leaving or searching for a better job. Deprived of personal identification and travel documents, without social support structures, and deep in debt, migrant workers can be easily manipulated into staying put and performing hazardous and exploitative work. In fact, recent studies found that many Thai employers favor restricting migrant workers' freedom of movement and/or providing fewer social services to migrants than to native Thai workers.²³

While my testimony today has focused on the shrimp industry in Thailand and Bangladesh, similar problems of forced labor and child labor occur in the shrimp industry around the world, including in Vietnam, Indonesia, Ecuador, and China. As I discussed earlier in my testimony, the nature of the shrimp supply chain exacerbates the problem of forced labor and child labor. Processing companies receive raw shrimp from farms or fishing boats. These businesses prepare and move processed shrimp along the value chain to importers. Most processing companies operate in a highly fragmented global market, with thousands of primary processors receiving raw shrimp and conducting initial work such as deheading, peeling, and de-veining. Secondary processing plants convert prepared shrimp into a more

marketable product through cooking, packaging, and other preparations.²⁴ (Initial and secondary processing often take place in separate facilities, though some larger factories do both.) All processing plants are labor-intensive. Many are small operations that take orders from larger firms to process shrimp quickly under tight deadlines.

Importers commonly assemble large orders of shrimp from processing companies (or exporting middlemen) and sell to distributors, food service operators, and other retail outlets. With strong international links and industry ties, importers are major “gatekeepers” in the supply chain. Importers seek out processors that can meet orders quickly, and they wield tremendous power over processors in shrimp-producing countries. In the import markets, most distribution and retail companies prefer to rely on importers to assume the risk of buying and delivering shrimp within their specific price and quality guidelines.²⁵

At the end of the chain are the retail outlets — food service distributors, grocery stores, and restaurants that supply and sell the finished product to other outlets or directly to consumers. Consumers are familiar with supermarkets and major retailers like Wal-Mart, the fastest growing seafood retailer in the United States. Also well known are restaurants like Red Lobster, Darden’s 650-location flagship chain, the largest single seller of seafood in the United States. Sysco Corporation, the largest U.S. food service company, purchases more than \$1 billion worth of seafood annually and is a key distributor of shrimp products to restaurants and institutions such as schools and hospitals.²⁶

As a commodity, the price of shrimp fluctuates according to supply and demand, and price pressure is significant at every stage of the supply chain. Retailers, sensitive to the risk involved with importing fresh food, press import companies for faster distribution, acceptable quality, and the lowest prices. Importers, aware that market fluctuations can affect prices, leverage their bulk purchasing power to demand speedy delivery from producers. Trapped between producers and importers are labor-intensive shrimp factories. Often, the factories’ response to price pressure is to squeeze wages, neglect workplace health and safety regulations, and cut other corners that leave shrimp workers bearing the social cost of affordable shrimp.

The role of labor brokers in the supply chain is also a major factor in increasing the vulnerability of workers to abuse. Labor brokers play an instrumental role in moving workers into jobs in shrimp processing and played a big part in placing workers into Ranya Paew. Recent interviews with shrimp workers also reveal that these labor brokers have increasing influence as a result of the trend toward subcontracting and informal labor relations in the industry. In these instances, brokers agree to provide wages, housing, and registration services for migrant workers. They even agree to handle workplace problems — allowing employers to avoid legal obligations to employees (and to the employment related provisions of any certification programs they may have joined). Factory owners pay the brokers, who are then responsible for paying workers. In most cases, however, the brokers keep a portion of the wages. Often, the brokers fail to arrange proper immigration registration in order to use the migrants’ irregular legal status to extort more money, control their movement, and force them to work. If authorities investigate, employers can simply deny responsibility, blaming the brokers, who in turn hand over the “illegals” for deportation. If caught by police, migrant workers face an extended period of time in Thai deportation centers, along with a return to certain poverty and possible imprisonment or torture in Burma.

Governments and industry groups have failed to respond to the problem with adequate measures in the area of labor law enforcement and workplace standards. Under increased media and consumer scrutiny, the abuse of workers in shrimp processing and other food sectors requires an adequate response beyond unenforced regulations or unenforceable industry codes of conduct.

Information on government, industry or third-party actions and initiatives to address these problems:

As noted by the ILO, “Where labor standards are rigorously adhered to, workers are well unionized and labor laws are monitored and enforced—for all workers, indigenous or migrant—the demand for trafficked people and services is likely to be low.” One of the main factors in the prevention of forced labor, child labor and human trafficking for labor exploitation is adherence to the core ILO labor standards, including the freedom of association and right to organize, for all workers whether migrant or indigenous, temporary or permanent.

Initiatives to combat forced labor and child labor must of course be implemented through partnerships between governments, companies and employers, trade unions and other civil society organizations. As noted by the ITUC, “governments and employers must recognize that effective recognition and protection of the right to organize is an indispensable weapon in the struggle.”²⁷ In turn, trade unions must assert their crucial role in promoting the rights of workers, including migrant workers and the most vulnerable, such as children. Effective measures to end forced labor and child labor should include commitments by brands, buyers, and retailers to pressure governments to increase worker protections and improve conditions of work when violations of labor standards are found in the supply chains, instead of simply moving business elsewhere.

There are numerous examples of effective trade union initiatives to fight forced labor and child labor. For example, the ITUC is partnering with unions in labor sending and destination countries to develop bilateral agreements aimed at protecting migrant worker rights and reducing their vulnerability to trafficking. It is also working with these unions to develop migrant centers that provide information to migrant workers to prevent exploitation and offer support to abused workers. The ITUC is embarking on a new initiative to develop a Global Trade Union Alliance to Combat Forced Labor and Human Trafficking, and is currently implementing a two-year (2008-2010) plan of action on the issue.²⁸

The Coalition of Immokalee Workers (CIW), a Florida community-based worker organization is conducting an Anti-Slavery Campaign, which is a worker-based approach to eliminating modern-day slavery in the agricultural industry. The CIW “helps fight this crime by uncovering, investigating, and assisting in the federal prosecution of slavery rings preying on hundreds of farm workers. In such situations, captive workers are held against their will by their employers through threats and, all too often, the actual use of violence -- including beatings, shootings, and pistol-whippings. In the most recent case to be brought to court, a federal grand jury indicted six people in Immokalee on January 17th, 2008, for their part in what US Attorney Doug Molloy called “*slavery, plain and simple*” (Ft. Myers News-Press, “Group accused of keeping, beating, stealing from Immokalee laborers,” 1/18/08). The employers were charged with beating workers who were unwilling to work or who attempted to leave their employ picking tomatoes, holding their workers in debt, and chaining and locking workers inside u-haul trucks as punishment (“How about a side order of human rights,” Miami Herald, 12/16/07). . . The Anti-Slavery Campaign has resulted in freedom for more than a thousand tomato and orange pickers held in debt bondage, historic sentences for various agricultural employers, the development of a successful model of community-government cooperation, and the growth of an expanding base of aware and committed worker activists. The CIW employs a unique combination of outreach, investigation, and worker-to-worker counseling in order to combat already-existing slavery operations case-by-case.”²⁹

Similarly, the Farm Labor Organizing Committee (FLOC), AFL-CIO, which organizes and supports migrant workers in the U.S. agricultural industry, is another good example of preventing forced labor and child labor in U.S. agriculture by advancing worker rights through organizing and collective bargaining for migrant workers. Migrant farm workers in the United States and Mexico created FLOC in response to severe worker rights abuses, including conditions of forced and child labor. In 2004 FLOC helped Mexican migrant farm workers win a historic first union contract covering more than 1,000 farms

throughout North Carolina. The groundbreaking contract between FLOC and the North Carolina Growers Association gave 8,500 seasonal workers from Mexico a voice on the job. The contract—the first ever signed by farmers in North Carolina—also allows FLOC to recruit and hire the Mexican workers, ensuring their safety and their legal ability to work in the United States. In less than four years, conditions for FLOC workers have changed dramatically. Wages are higher, and housing conditions are much better. Most important, the migrant farm workers have a direct voice in their conditions through a national labor union and an effective process for resolving grievances and problems.³⁰

The Coalition of Immokalee Workers, FLOC, and other worker initiatives based on the freedom of association and the right to organize from around the world, share the view of the AFL-CIO regarding one of the most important tools in the fight against forced labor, child labor and human trafficking: the role of multi-national corporations, buyers, and retailers in leveraging their immense resources and market influence to ensure that their supply chains are free of worker exploitation, and that the core ILO labor standards, including the freedom of association and freedom from discrimination, are adhered to.

¹ Diana Holland, “Is there slavery and forced labour in your supply chain?” Notes for a speech at the Anti-Slavery Conference: “The challenges in contemporary forms of slavery and forced labor in the international supply chain: mitigating risk, promoting abolition,” p. 3.

² Michael Smith and David Voreacos, “The Secret World of Modern Slavery,” Bloomberg.com, December 2006, http://www.bloomberg.com/news/marketsmag/modern_slavery1.html.

³ SEDESOL/UNICEF, Diagnóstico sobre la condición social de las niñas y niños migrantes internos, hijos de jornaleros agrícolas (2006), pp. 9, 77.

⁴ <http://www.tlachinollan.org/english/cases/David%20salgado/david.htm>

⁵ http://www.tlachinollan.org/english/notbp/notbp070314_win.htm

⁶ “Cosecha de dolor y esperanza,” *Excelsior*, 14 October 2007

⁷ E.g., Sagrario Tapia and Ramón García, “Obliga a niños la necesidad,” *El Imparcial*, 30 January 2006.

⁸ J. Gamlin, P. Diaz Romo and T. Hesketh “Exposure of young children working on Mexican tobacco plantations to organophosphorous and carbamic pesticides, indicated by cholinesterase depression,” *Child: care, health and development*, 33, 3, 246–248 (2007).

⁹ The full report is available for download at: http://www.solidaritycenter.org/files/pubs_True_Cost_of_Shrimp.pdf

¹⁰ Afzal Khan, “Bangladesh Shrimp Exports Poised to Soar with U.S. Assistance,” U.S. Department of State, International Information Programs, Washington File, August 10, 2005.

¹¹ Statistics based on online data from the NMFS, Fisheries Statistics Division, <http://www.nmfs.noaa.gov/>.

¹² Environmental Justice Foundation (EJF), *Desert in the Delta: A Report on the Environmental, Human Rights and Social Impacts of Shrimp Production in Bangladesh*, (London, UK: EJF, 2004), p. 4-7;

¹³ International Labor Organization (ILO), Mekong Sub-regional Project to Combat Trafficking in Children and Women. *The Mekong Challenge: Underpaid, Overworked and Overlooked, the Realities of Young Migrant Workers in Thailand* (Bangkok, Thailand: ILO 2006), vol. 1, pp. 7-9, <http://www.ilo.org/public/english/region/asro/bangkok/child/trafficking/downloads/underpaid-eng-volume1.pdf>.

¹⁴ Asian Research Center for Migration, *Assessing the Situation of the Worst Forms of Child Labour in Samutsakhon* (Bangkok, Thailand: ARCM, 2006), p.1, 3-5, <http://www.arcm.ias.chula.ac.th/Downloads/Abstract/B31-AE.pdf>.

¹⁵ Ed Copley, “Child Laborers Toil in Thai Seafood Factories,” Reuters, April 25, 2007.

¹⁶ *Ibid.*

¹⁷ Information based on interviews with Ranya Paew workers conducted by Solidarity Center partner organizations.

¹⁸ Unpublished case report provided to the Solidarity Center by the UN Inter-Agency Trafficking Coordination Program (UNIAP) Regional Office, Bangkok, Thailand, June 19, 2007. The highlighted story is an example of debt bondage that rises to the level of human trafficking. Debt bondage, also known as bonded labor, is defined as demanding a person’s labor as a means of repayment for a loan or other form of debt.

¹⁹ See <http://asiacalling.kbr68h.com/index.php/archives/1367>.

²⁰ Amnesty International, “Thailand: The Plight of Burmese Migrant Workers,” (Amnesty International, June 2005), p. 1, [http://web.amnesty.org/library/pdf/ASA390012005ENGLISH/\\$File/ASA3900105.pdf](http://web.amnesty.org/library/pdf/ASA390012005ENGLISH/$File/ASA3900105.pdf).

²¹ UN Inter-Agency Project on Human Trafficking (UNIAP), Strategic Information Response Network (SIREN): Phase III, *From Facilitation to Trafficking: Labor Recruitment in Samut Sakhon, Thailand* (Bangkok, Thailand: UNIAP, May 2007), p. 3.

²² *Ibid.*, p. 2.

²³ Penchan Charoensuthipan, “More companies using child labour,” *Bangkok Post*, December 21, 2006; ILO, *Mekong Challenge*, p. 44.

²⁴ The David and Lucile Packard Foundation, *Mapping global fisheries and seafood sectors*, (Los Altos, CA: The David and Lucile Packard Foundation, 2007), p. 90.

²⁵ *Ibid.*, p. 94.

²⁶ *Ibid.*, p. 102.

²⁷ Diana Holland, “Is there slavery and forced labour in your supply chain?” Notes for a speech at the Anti-Slavery Conference: “The challenges in contemporary forms of slavery and forced labor in the international supply chain: mitigating risk, promoting abolition,” p. 2.

²⁸ For more information see ITUC web pages on migrant workers forced labor: <http://www.ituc-csi.org/spip.php?rubrique159>; and <http://www.ituc-csi.org/spip.php?rubrique158>.

²⁹ <http://www.ciw-online.org/slavery.html>

³⁰ See Farm Labor Organizing Committee, AFL-CIO web page, <http://www.floc.com/>.

TESTIMONY OF MARGARET ELLEN ROGGENSACK
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BEFORE THE BUREAU OF INTERNATIONAL LABOR AFFAIRS
DEPARTMENT OF LABOR
DEVELOPMENT OF LIST OF GOODS PRODUCED BY CHILD OR
FORCED LABOR

Thank you for the opportunity to appear today to discuss the use of child and forced labor in the production of goods internationally. Free the Slaves is an eight year old non-governmental organization dedicated to ending modern day slavery. We are the sister organization of Anti-Slavery International, the world's oldest international human rights organization. We focus much of our effort on preventing slavery and ending vulnerability to slavery. We have learned that unless we can address root causes of slavery, individuals may be capable of rescue but are never truly free from the threat of re-enslavement.

Modern day slavery is all around us. It's in the clothes we wear, the food we eat, and the cell phones and computers that are hallmarks of our technological century. The world's major cotton supplying countries – India, China and Uzbekistan – use child labor to cultivate their crops. In Thailand, Burmese migrants toil in appalling conditions to cultivate and harvest the shrimp we buy in our local groceries. Congolese families mine columbite-tantalite under dangerous, often life-threatening conditions. Those minerals are processed by U.S. companies into coltan, used to make capacitors for a wide array of consumer electronics. In an average week, there are typically several media stories of forced labor, both near at home and far across the globe.

Slavery continues to exist in virtually every country in the world, and taints many of the things Americans buy, wear and consume. Free the Slaves stands firmly against slavery, no matter where it happens, no matter how it happens, and no matter which goods are affected. Slavery is too high a price to pay for such goods, no matter how cheap, how appealing or how necessary to modern day life.

We know from our outreach and a recent national poll that most Americans will not knowingly purchase slave made goods, even if this means paying more. But simply boycotting slave made goods, while well-intentioned, isn't particularly helpful. The underlying slavery continues, at the level of the farm field, mine or factory.

And this is among the biggest differences, and the thorniest challenges between abolition then and now. In the nineteenth century, the global economy was far simpler.

Abolitionists could easily pinpoint which commodities were produced with slavery, and could as readily identify the financial interests supporting that trade. The majority of American-grown cotton and Congolese rubber was slave-made. Today, the reality is far more complex. Slave-made goods are often raw materials and components that undergo substantial further processing in one or more foreign countries before becoming a traded commodity. Producers may source their raw and component materials through intermediaries, in multi-layered supply chains. Consumers have no ready way of knowing all of the various possible sources of supply that combine to make a final product, let alone the conditions under which those various parts are made.

It is unreasonable to expect the immediate eradication of slavery or forced labor from the global economy. As our president, Kevin Bales, has written, “ The list of slave-touched products is long...We can point to documented cases of slavery in the production of cocoa, cotton, sugar, timber, beef, tomatoes, lettuce, apples and other fruit, shrimp and other fish products, coffee, iron, steel, gold, tin, diamonds and other gemstones, jewelry and bangles, shoes, sporting goods, clothing, fireworks, rope, rugs and carpets, rice, bricks...”

The Bureau of International Labor Affairs is charged with a near-impossible task. Slavery and forced labor permeate global commerce. No list can adequately encompass this fact. And listing products, as opposed to specific suppliers, can have unintended and often counterproductive consequences. Consumers rightly recoil at the thought of purchasing slave made goods. But this is a problem that can't be fixed by the consumer at the point of purchase. As our President, Kevin Bales has observed, “The place to stop slavery is

not at the cash register, but where it happens – on the farm, in the quarry, or in the sweatshop. The \$30 the consumer doesn't spend boycotting the purchase of a shirt is worth little or nothing to the fight against slavery. The slaveholder has already received his profit, and if a boycott leads to a collapse in cotton prices, the slaveholder just moves his slaves to another job or dumps them or worse. Meanwhile, boycott-driven unemployment puts the poorest farmers, mill hands and other workers at risk of enslavement. A boycott is a blunt instrument that sometimes is exactly the right tool but often runs the risk of creating more suffering than it cures.”

At a minimum, Free the Slaves recommends that the Bureau formally acknowledge the pervasiveness of slavery and forced labor in the global economy. We would further recommend that the Bureau acknowledge that while it is directed to address overseas production, numerous U.S. products are tainted by slavery and forced labor -- as most recently reported, oranges, tomatoes and other farm products. The list is long, but our ability to catalogue it is hampered by the fact that there are only a handful of U.S. labor inspectors monitoring the situation and few of them have the needed language foreign language skills. And however reasonable the request, the U.S. would likely deny foreign government investigators access to inspect labor conditions here for products they import from us.

Fortunately, there are promising new strategies to address slavery and forced labor in the production chain. Today, I'd like to highlight two such strategies, one in West Africa and the other in Brazil. The most appropriate response from the Bureau is a formal acknowledgement that these public-private partnerships are making progress in eradicating child and forced labor, in addition to expanding its own funding of community-driven anti-child labor and forced labor programs in the worst affected areas.

As noted, countless products entering the United States are in some way touched by slave or forced labor. But there is only one industry that – as a whole industry – has taken the unprecedented step of taking responsibility for its supply chain. In 2001, the chocolate industry committed itself to the eradication of the worst forms of child labor from its

production chain. As part of this path breaking commitment, the industry agreed to allocate significant resources to make cocoa growing communities thriving and viable.

This unprecedented initiative is a multi-stakeholder partnership. Unlike any other sector, in cocoa, all the key players are on board and fully engaged – industry, national governments in West Africa, trade unions, non-governmental organizations representing consumers, child labor and human rights advocates, and the U.S. government, both the Legislative and Executive branches. Each of the partners provides valuable expertise and perspective and plays a unique role. The process is working and progress has been made. The most important contribution that the Bureau could make to this process is to recognize this progress, and to use this example as a benchmark against which other similar efforts with other commodities or industries may be judged.

The process started with a documentary film, *Slavery: A Global Investigation*, based on our President Kevin Bales' book *Disposable People: New Slavery in the Global Economy*. The filmmakers went to the Ivory Coast based on a U.N. report of child labor in cotton. On arrival, the filmmakers learned of the recent rescue of 19 teenagers from a cocoa farm. The children had come from Mali seeking work. They were “befriended” by labor recruiters and sent to an isolated cocoa farm where they were enslaved. One boy ultimately escaped, and was able to summon help from a local representative of the government of Mali.

This footage shocked the citizens of the United Kingdom, where the film was broadcast. Bales met with the companies to discuss what to do. The chocolate companies struggled to understand the scope of the problem, and to frame an appropriate response within the limits of anti-trust and related laws.

The process accelerated with the threat of an embargo, in the form of a requirement that all chocolate bars be labeled as child labor free. Introduced as an amendment to the agriculture appropriations bill, Congressman Eliot Engel's proposal was included in the House bill.

This requirement would have been impossible to meet, and would have devastated both the West African cocoa growing communities and countries for which cocoa is a key source of income and the chocolate bar makers for which West African cocoa beans are the predominant source of supply. As Bales has observed, “ No one- including the companies, child labor experts, product chain specialists, and anti slavery groups – could figure out an effective way to prove that cocoa was “slave free...so little fair trade cocoa was on the world market that there would be very little chocolate for anyone to enjoy if that were the only source and the companies (and farmers) could have been pushed toward bankruptcy. Much worse might have happened in the Ivory Coast. Since cocoa is the main support of the country’s economy, cutting the Ivory Coast off from the U.S. market could have brought on tremendous hardship and social unrest.”

Congressman Engel and Senator Tom Harkin traded the threat of sanction for a multi-stakeholder initiative to oversee and sustain efforts to eliminate the worst forms of child labor from cocoa growing and processing. The “Harkin-Engel Protocol,” signed on September 19, 2001, has three main action points. All stakeholders would: 1) sign a binding memorandum on a detailed plan, by May 1, 2002; 2) create a non-governmental organization, funded by industry, to “oversee and sustain efforts to eliminate the worst forms of child labor” in cocoa production by July 1, 2002; and 3) put in place “credible, mutually acceptable, voluntary, industry wide standards of public certification.”

This agreement leverages corporate commitment, is informed by civil society, and is backed by national governments to drive lasting change at the community level. The project is sustained, as stipulated by the Protocol, through a non-governmental organization, the International Cocoa Initiative (ICI), based in Geneva. Free the Slaves, together with the National Consumers League, the Child Labor Coalition, the International Labor Organization, and the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Associations witnessed the Protocol. Free the Slaves is also an active member of the ICI Board.

Several aspects of West African cocoa production are worth noting, because they help to explain the unique approach of the cocoa initiative and its success to date. Strategies that may be appropriate and workable for other, seemingly similar commodities are inappropriate for cocoa.

West Africa is the predominant source of cocoa beans used for chocolate bar production. The Ivory Coast alone accounts for half of the world's cocoa production. Though cocoa is grown elsewhere, West Africa is largest producer of cocoa beans that are consistently suitable for chocolate bars.

Cocoa is grown by millions of family farms, on smallholdings. Though the French term for these farms is "plantation", they are anything but, rarely more than 10 acres. Cocoa is not readily grown in large plots, and must be harvested by hand, in contrast to coffee, which has been successfully cultivated on large-scale plots and harvested by machine.

Children are actively involved in cocoa growing. Since the filming of the documentary, *Free the Slaves* has learned more about the nature of forced labor and trafficking as a manifestation of slave labor in the supply chain. We now understand that while trafficking is present in West Africa, the greater challenge relates to hazardous labor and child labor. Both of these practices point to underlying conditions of poverty, vulnerability, social inequities, and the lack of law enforcement. While actions to raise awareness are important, there is a real need to engage in partnership with all relevant stakeholders to solve these problems. The partnership represented by the cocoa initiative shows that a forced labor problem can be converted into knowledge and drive change.

Cocoa growing settlements are not easily organized into cooperatives. They are multi-ethnic, made up of clusters of smaller settlements defined by tribe and language. The ethnic and linguistic differences, together with long standing informal, and often contentious, land owning patterns, cause West African farmers to resist cooperative organization. In Cote d'Ivoire, many cocoa growers are immigrants from neighboring countries. The idea of farmer cooperatives is fairly new in Cote d'Ivoire, and many

farmers are distrustful. An effective cooperative helps farmers get the best price by combining crops and giving sellers more leverage; allows farmers to buy supplies in bulk, often at a discount; and can provide temporary credit between harvests. Very few of the farmer cooperatives in Cote d'Ivoire have attained this level of sophistication, serving mostly as a selling club. Members tend to demand that income from sales be distributed immediately out of fear that someone in the cooperative will abscond with the funds. The advantage of buying supplies in bulk is lost, as is the advantage of basic money management. While fair trade cooperatives have been shown to be effective in stable agricultural communities, labor violations and worst forms of child labor tend to occur in communities in transition, with situations of insecure land tenure and multilingual and/or migrant populations, as is the case in West Africa today. Free the Slaves believes that community-based, development-oriented programs of the kind undertaken by ICI are key to building stable communities. The best solutions will come from committed and engaged farmers.

In West Africa, national governments control the purchase, grading and distribution of cocoa beans, through licensed buying cooperatives. This system is intended to ensure that cocoa farmers get a fair price and to protect brokers. Chocolate companies and processors can't buy cocoa directly from cocoa farmers. There is no direct contractual relationship between cocoa farmers, and cocoa processors and chocolate manufacturers.

The Protocol process has had its challenges, among them the establishment of the certification process by the Protocol deadline, and establishing the verification process, which was complicated by the civil war in Cote d'Ivoire and differences among stakeholders regarding the design of verification. The certification process, which assesses progress in the sector as a basis for guiding remedial action, has reached the midpoint – coverage of half of the cocoa growing communities. This is a key achievement by two sovereign nations for a sector, which is a significant part of the overall economy, accounting for 70% of the world's cocoa production. Verification activities, undertaken by an independent body to assess certification efforts, will begin in May and June, with a final report anticipated later in the year. The verification work will

be extremely valuable in providing a baseline and ensuring that remediation efforts are targeted appropriately and make the best use of scarce government and outside donor resources. Throughout the cocoa initiative process, the stakeholders' focus has been not on simply getting it done, but on getting it done right.

The cocoa initiative has been successful in various ways – bringing together stakeholders around a shared challenge, marshalling significant resources in support of that challenge, engaging cocoa growing communities and their national governments in dialogue around a difficult issue and working together toward responsive solutions, developing and maintaining solid data on community conditions and needs, and ensuring that that data is translated into effective remedies.

The elimination of worst forms of child labor from cocoa growing is a long-term process. At a recent multi-stakeholder conference, attendees acknowledged the nature of that challenge, and embraced a vision based on thriving cocoa growing communities. That means, as the conference report noted, “conditions that will support healthy, appealing and economically viable farms, where children are safe and in school. Promoting the profitability of cocoa farms, using improved tools and methods, is the best way to ensure a sustainable supply of quality cocoa while at the same time encouraging investment in the farm, the family, the community and the future of their children.”

Several themes emerged about the relative roles and responsibilities at this phase of the process:

“The national governments of Ghana and Cote d’Ivoire are central to providing the overall leadership and coordination of efforts for the development of cocoa regions.”

The two national governments are working hard to meet the challenge handed them.

What they most need and deserve at this point is support, in the form of aid and technical assistance, and that support should be better coordinated among donors.

The entire cocoa industry, including local buyers, transporters and processors, as well as manufacturers of cocoa based products, “bear a key part of the shared responsibility for the future of the cocoa supply chain.” The major cocoa processors and chocolate bar manufacturers have contributed more than \$35 million overall since January 2005, including support for ICI and other complementary initiatives. They have also contributed substantial, high-level expertise to the formation and ongoing operation of the ICI. If the ICI is to recognize its full potential, corporate stakeholders with a significant interest in this business that are not currently engaged – the cocoa-using sector – will need to become meaningfully engaged. The two original sponsors of the protocol, Congressman Engel and Senator Harkin, are ideally positioned to encourage participation by additional corporations in the cocoa sector.

The NGOs’ role is vital to ensure that progress in infrastructure and farm profitability is matched with lasting social development. Non-governmental organizations and trade union representatives from West Africa, Europe and the United States have provided expertise to inform training in child labor and trafficking issues, as well as the design of social development programs. Free the Slaves intends to continue efforts to ensure progress against the initiative’s goals, particularly with respect to ending community vulnerability through lasting economic and social development.

Donors have an important role to play. “Underlying all development efforts and in particular the efforts to eliminate child labor, must be substantial investment in quality accessible education for all.” In order for cocoa communities to thrive, they will need improved education programs, to address the needs of children, dropouts and illiterate adults. For its part, the U.S. should ensure that existing support aligns with national plan objectives, and supplements those efforts with complementary initiatives, particularly in health and nutrition.

As noted, the U.S. is deeply involved in support of the cocoa initiative. Both Congressman Engel and Senator Harkin created the political environment for the protocol, and continue to oversee its progress. The State Department’s Bureau of

Democracy, Human Rights and Labor will soon convene a second multi-stakeholder forum to discuss the recent conference's findings and stakeholder action steps. The Office to Monitor and Combat Trafficking in Persons is supporting important and much needed law enforcement training and victim assistance efforts in the region. A range of U.S. assistance programs, notably the Sustainable Tree Crop Program, are producing lasting improvements in cocoa community welfare. The Department of Labor's commissioned study on the Protocol process, conducted by Tulane University, is well underway; its first annual report concluded that progress has been made.

Free the Slaves strongly recommends that the Bureau formally recognize the cocoa initiative's progress and consider its utility as a model for addressing child labor and forced labor challenges elsewhere. At a minimum, the Bureau should reserve judgment on this sector at this key moment in the process. The process has been lengthy and challenging, its bright promise is only beginning to be realized, and more progress is to be made. **To list cocoa among commodities for which no similar effort is underway is to deny this progress, and to risk the future of this program at a critical juncture. The most important contribution that the Bureau can make to this process at this time is to allow it to continue, and to work in coordination with other parts of the U.S. government supporting its progress.**

The other promising new strategy to address slavery and forced labor in the supply chain comes from Brazil.

Brazil is the only country in the world with a national plan to eradicate slavery. Pursuant to that plan, the government conducts raid and rescue operations. Based on these enforcement actions, the Ministry of Labor and Employment publishes the names of entities found to be using slave labor. The listed entities are required to pay workers' back wages and to improve labor conditions. Government inspectors confirm compliance through unscheduled visits. Assuming the conditions are met, companies can be removed

from the list after two years. This list, known as the dirty list, is updated every six months.

The National Agreement to Eradicate Slave Labor in Brazil was created in 2004 to ensure that entities on the dirty list were removed from the supply chain. The agreement rests on extensive research – the first of its kind in Brazil – by the Brazilian non-governmental organization Reporter Brasil, tracing the entire supply chain from the dirty-listed entities to the ultimate retailer. The agreement commits companies to cease doing business with suppliers engaged in slave labor, as identified by the dirty list. This approach improves working conditions at the farm, factory and mill while engaging companies in a solution that preserves important economic activity along the supply chain. It also raises awareness among all actors in the supply chain and provides a positive outlet for action.

The Ethos Institute, the ILO and Reporter Brasil monitor the National Agreement to Eradicate Slave Labor in Brazil. It currently includes 140 companies representing 20% of the nation's GNP.

These innovative approaches bear careful consideration for their potential usefulness by U.S. policymakers.

From 1995, when Brazil created its anti-slavery program, to today, 30,000 people have been rescued from slavery by the Ministry of Labor and Employment. In this same period, the Catholic Church's Pastoral Land Commission (CPT), the Brazilian NGO most actively engaged in this issue, has filed petitions on behalf of 50,000 workers. The majority of victims are men from the north and northeast with little education. This practice pervades the cattle ranching sector; currently the largest number of rescued workers come from labor-intensive sugar cane operations.

There is a close correlation between enslavement and exploitation of the Amazon. Farm owners use temporary, sometimes enslaved labor to clear-cut and create or expand their agribusiness. This is a competitive strategy that depends on relative isolation, the

availability of a natural resource, and near total impunity. The work is temporary, the devastation total. Workers are paid little or nothing and are often physically abused. Still, they frequently become re-enslaved, because the promise of a job is viewed as preferable to no job.

Slavery and abusive labor practices are also associated with established agribusiness outside the Amazon region. The use of slave or forced labor is driven by competitive market dynamics. Agribusiness is supplying to, and dependent on, large industries and traders.

Current enforcement initiatives, now underway, include methodical inspection of all sugar cane farms and charcoal camps in the northeast, and the inauguration of an environmental inspection squad modeled on the mobile labor inspection units that have been so successful at rescuing people from slavery.

Brazil's anti-slavery initiative has managed to target enforcement action within specific industries. Unlike the Department of Labor's proposed list, the Brazilian dirty list identifies and sanctions specific suppliers. It provides a useful tool for the National Agreement, enabling signatories to identify and sever business relations with slave-using operations. It avoids trade – and labor – disruptions by giving companies the choice to trade with clean suppliers. The management committee for the National Agreement to Eradicate Slave Labor – the ILO, Reporter Brasil, and the Ethos Institute – has determined that companies are taking action to avoid doing business with tainted suppliers.

In the pig iron sector, this has included the formation of the Citizen's Charcoal Institute. Pig iron is used to make steel for export; it is often manufactured with slave-made charcoal. The Institute investigates and reports on charcoal supplier compliance with a Labor Ministry code of conduct for the pig iron sector. The Institute produces its own dirty list and decertifies offending suppliers. The founders of the Institute – the leading pig iron companies and exporters in Maranhao and Para state – commit to cease doing

business with listed suppliers. While the effort is not perfect – some Institute founders continue to source from tainted suppliers – it is an important part of an overall effort to eradicate forced labor in pig iron production. As the AFL-CIO has noted, the U.S. should continue to assist “ what have proven to be the best and most effective Brazilian public policies to improve labor rights compliance,” especially in the fields of child labor eradication – which registered a 50% decline in the ten year period from 1995 to 2005 – and the elimination of forced labor.

This past October, the House Human Trafficking Caucus hosted a briefing on slavery in Brazil, at which representatives from the ILO, the Brazilian government, and Brazilian anti-slavery organizations testified. The Brazilian witnesses present warned against the counterproductive impact of trade sanctions on Brazil’s evolving anti-slavery program. They recommended support for counterpart efforts to engage relevant U.S. companies to comply with the Brazilian National Agreement. Free the Slaves is currently working toward this goal, in collaboration with civil society and government. We believe that the U.S. could play a useful role in facilitating those discussions and in continued support for ILO’s work in country.

CONCLUSION

The Bureau of International Labor Affairs is charged with a near-impossible task. Slavery and forced labor permeate global commerce. No list can comprehend the scope of this challenge. Moreover, we know from our work that lasting change comes from community-based solutions, and that suggests a policy of engagement with all stakeholders, including business, whose in country roots are often deep and broad.

Identifying and eradicating forced and child labor will require a range of creative solutions. We look forward to working with the Bureau to support the promising examples in West Africa and Brazil, and to explore other possible avenues for collaboration.

RESPONSE TO FR Doc. E8-8709 Filed 4-22-2008

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RE: Notice of Public Hearing to Collect Information to Assist in the Development of the List of Goods from Countries Produced by Child Labor or Forced Labor

Introduction

The International Labor Rights Forum (ILRF) submits these comments in response to the Department of Labor's (DOL) request for testimony for a public hearing to be held May 28, 2008 to collect information regarding the use of child labor and forced labor worldwide in the production of goods.

ILRF has also submitted more detailed written comments in response to FR Doc. E7-25036 filed 12-26-2007. Each of the industries highlighted in both the written comments and in this testimony demonstrates that the causes of child labor are numerous, but that in many instances, the causes of child labor can be traced directly to the economic decisions of investment, production and retail companies. Each of these economic actors is responsible for establishing terms of trade for the relevant product intended to maximize profits or revenue, which, at the same time, encourages, promotes and, in some instances mandates the use of child labor and forced labor.

ILRF has in the past argued that existing US laws may be interpreted to require individual importers, in industries where there is systematic use of forced and child labor, to affirmatively demonstrate that their imports are not produced by forced or child labor. ILRF has previously petitioned the US Customs Service regarding the importation of hand-knotted carpets from South Asia. That case raised the issue of individual importer responsibility to certify labor practices related to their goods. Building on this exchange, in a subsequent petition to US Customs ILRF provided data related to cocoa shipments from Ivory Coast, and through supply chain documentation showed that prohibited forms

of labor necessarily extend to all importers of cocoa from Ivory Coast because the tainted beans are mixed with all shipments. The petition also demonstrated that the nature of the in-country supply chain in Ivory Coast made it reasonably be possible to institute a system of spot inspections that would effectively verify compliance or non-compliance with US laws prohibiting trade in child or forced labor-made products.

Cocoa Produced in Ghana and Cote D'Ivoire

As the Department is aware, in 2001, chocolate manufacturers, the governments of Ivory Coast and Ghana, and two Congressional offices entered into an agreement to monitor and certify that cocoa beans and their derivative products have been grown and/or processed without any of the worst forms of child labor. In 2002, ILRF conducted field research in Ivory Coast to determine the extent to which cocoa supplied to the United States was tainted by trafficked or forced child labor. On the basis of this investigation, the ILRF submitted a petition to the US Customs Service to request enforcement action under the section 307 of the Tariff Act of 1930, 19 U.S.C. § 1307 (1997). Before the Court of International Trade in 2005, the Chocolate Manufacturers' Association, challenging this petition, did not dispute the basic claims of the petition regarding the failure to eradicate forced child labor in Ivoirian cocoa; rather they challenged the case on the basis that the plaintiffs did not have sufficient standing under US law. In her ruling on this case, the judge chastised the US Customs service for not living up to its commitment to adequately enforce such claims as brought forward by the ILRF petition.

To date, the chocolate industry and West African governments have begun to initiate a so-called "certification" program that will seek to assess with more depth the scope of the child labor problem in West Africa. In brief, data collection on the extent of child labor has only recently commenced, and the credibility of the methodology and findings have yet to be verified. Nor have any significant efforts been undertaken by industry to eradicate child labor, in particular in Ivory Coast. Recent investigative reports by credible independent journalists have verified recent ILRF field findings that no systematic programmatic efforts, or even relevant or scaleable pilot projects, have yet been undertaken in Ivory Coast that would have a significant impact on the problem in this industry.

The system currently being offered by the cocoa industry does not provide any guarantee of impact to eliminate the worst forms of child labor in the growing and processing of cocoa beans. Thus, actions to date cannot be interpreted as constituting sufficient, or indeed any, action toward "significantly reducing if not eliminating child labor and forced labor," and for that reason, ILRF urges the inclusion of West African cocoa on the list of goods from countries produced by child labor or forced labor.

We note that for a small segment of the industry both in Ivory Coast and in Ghana, credible systems exist which would exempt cocoa produced in these segments from any adverse effects resulting from the identification of West African cocoa broadly as a product using child labor or forced labor. Key elements of credible existing certification systems, absent from the existing system developed under the Protocol, include:

- An independent, third-party verification system
- Independence of the certifier and the standards setting body, with certification by ISO 65
- Experience and practical application
- Multi-stakeholder standards-setting and monitoring
- Membership in an ethical voluntary standards-setting organization such as the ISEAL Alliance

While we await the full implementation of the agreed upon activities by the chocolate industry and the Governments of Ghana and Ivory Coast, there is no basis at this time, to determine that the “government, industry, and third-party actions and initiatives” have been “effective in significantly reducing if not eliminating child labor and forced labor.” A finding to the contrary would run counter to the clear statutory directive of the TVPRA that the DOL “develop and make available to the public a list of goods from countries” where there is “reason to believe” the goods are produced by forced or child labor.

Uzbek Cotton Production

Every year hundreds of thousands of Uzbek schoolchildren, some as young as seven, are forced by the Government of Uzbekistan to work in the national cotton harvest for up to three months. It is difficult to quantify the number of children involved. One estimate has been provided by UNICEF, and suggests that 22.6 percent of children ages 5 to 14 years in Uzbekistan were working in 2000. Estimates prepared by Uzbek human rights defenders working regionally suggest that around 200,000 children may be involved in cotton harvesting in the Ferghana region, and 60,000 in Jizzakh provinces. Habib Mamatov, an official responsible for the cotton harvest of Kashkadarya region, in a public interview with Tribune-Uz stated that 39,656 university and college students as well as 44,385 high school and middle school students were involved in the 2004 cotton harvest campaign. Extrapolating from this figure, a rough estimate for the whole country suggests that over one million children, a third of them under 15 years of age, are recruited to pick cotton each year.

For their arduous work children are paid very little or nothing. Some children working in the Ferghana region stated that they worked from 7 a.m. until 5 p.m. in return for 8 to 16 US cents. Others in the same region said they were paid around 3.5 US cents per kilo. Moreover, although these figures represent the official wages, in reality many youths receive no cash at all. Students are assessed the cost of their meals which in practice may leave the students in debt by the end of the harvest season. As one Uzbek human rights activist explained, the small amount of money that children earn through cotton harvesting is taken by the government to compensate for food, transport and accommodation provided, which is charged as debt to the children throughout the period of the harvest. As a result some child workers are in fact placed in debt bondage by the state.

Under pressure to meet centralized cotton production quotas, local administrators shut down rural schools. Head-teachers are issued with cotton harvesting quotas, which are subdivided among teachers and then among the schoolchildren in each class. Children failing to meet their cotton harvesting quotas are threatened with expulsion from schools and their families are subject to pressure and intimidation. Although local authorities say that children are picking cotton voluntarily out of patriotic feelings, university authorities and school principals force students to join farmers in the fields in the beginning of the harvesting season. Failing to show up at the cotton field will result in expulsion from school or a severe financial penalty.

Children's health and safety is also placed in jeopardy by the practices of the Uzbek government in compelling labor for cotton harvests. Children are often housed in temporary barracks, apart from their families. Buildings are often semi-dilapidated, without electricity, and sleeping quarters are commonly overcrowded; in some cases children are reportedly forced to sleep out in the open.

Access to water is also a problem. An investigation conducted by the Karshi city branch of the Uzbekistan Human Rights Society found an almost complete lack of clean drinking water provided to children in the Nishan region. A Jizzakh-based human rights worker explained that in some cases Uzbekistan's child laborers resort to drinking from irrigation ditches. These claims were corroborated by observers from international NGOs.

After weeks of hard labor in the cotton fields, often without access to clean drinking water, adequate nutrition or accommodation, many Uzbek children suffer from illness and malnutrition. Some reportedly acquire chronic diseases such as intestinal and respiratory infections, meningitis and hepatitis. Inadequate clothing renders others susceptible to rheumatism and other problems associated with exposure to damp and cold conditions. According to UNDP's 2006 Human Development Index (HDI) report, indicators of life expectancy, access to improved sanitation and water along with education have been constantly decreasing in Uzbekistan.

In extreme cases children die during the harvest. According to an investigation by the Institute for War and Peace Reporting (IWPR), some local authorities are so desperate to meet regional cotton production targets that they are reluctant to send sick children to the hospital because they need their labor to complete the harvest. In 2005, Komil Ashurov, a human rights defender from Samarkand, published a report of eight deaths among children and students during the previous two years of the government's cotton picking campaign. The same year Ezgulik, a human rights organization in Uzbekistan, released information that Ayubov Bakhodir, a sixteen year old vocational college student from Namangan, died due to severe hot water burns that he received in the field, as well as inadequate follow up medical treatment.

The most disturbing health hazard associated with child labor in the cotton industry is exposure to toxic pesticides. In the summer of 2004, Uzbek human rights monitors and observers from the international NGO community documented cases of children in Ferghana who were set to work applying cotton pesticides. Provided with no protective

clothing of any kind, the children were issued with plastic water bottles containing liquid chemicals and made to douse the crop. The children had reportedly been excused from their end-of-year exams and told that if they refused to apply the chemicals, they would be kept back a year at school. Journalists who interviewed the children recorded one as saying that the chemicals burned his skin upon contact.

A report issued by EJP and the Pesticide Action Network UK (PAN-UK) in February 2007 documented the extensive use of toxic chemicals in cotton production in Uzbekistan. Chronic use of these substances over decades have resulted in extensive contamination of groundwater in cotton growing regions, further exacerbating the problem of lack of access to drinking water. Current toxic chemicals used on the crop include butifos, which affects the central nervous system, heart, liver and kidneys; phosalone, a substance banned by legislation but acknowledged by the Uzbek Ministry of Agriculture to be in use. The government fails to provide safety training or protective equipment to those who apply the pesticides.

Forced child labor also has a substantial negative impact upon the education of the country's rural schoolchildren. From the age of seven, children living in rural areas can expect to lose up to three months of their education every year as they are sent to the fields. This represents a loss of up to one third of the time available for study each year. Rural children are said to lag behind their urban peers in schooling, due to participation in the cotton harvest.

Raw cotton lint is one of Uzbekistan's principal exports, generating more than USD 1 billion per year and constituting approximately 60 percent of the hard currency earnings of the country. A recent report by the US Department of Agriculture's Foreign Agricultural Service listed the biggest buyers of Uzbek cotton as trading companies based in China, Bangladesh, South Korea, Russia, Singapore and the United Arab Emirates. Consumption data for cotton worldwide suggest that the largest importing countries are China, India, Pakistan and Russia. In turn textile and garment exports from China, India and Pakistan to the United States have been increasing since 2005, suggesting that the US market consumes an increasing share of textiles produced with Uzbek cotton.

Rubber from Liberia

ILRF identified systematic use of forced labor in rubber production in Liberia in 2005. Since that time ILRF partners have continued to report on widespread and systematic practices that compel Liberian rubber tappers to bring their children to work alongside them, to meet unrealistic quotas imposed by Bridgestone Firestone corporation, which owns and operates the world's largest rubber plantation in Harbel, Liberia.

Although management of Firestone, LAC and Cavalla (the predominant rubber producing companies in the region) plantations all have stated that child labor is prohibited within their concession areas, human rights organizations based in Liberia frequently visit the plantations and over the past three years have on several occasions spoken directly with a number of children working on each plantation, aged between 10 and 14 years. Both

Firestone and LAC management have admitted that neither they nor the Liberian government are effectively monitoring corporate policies or legal restrictions prohibiting child labor. Concession and management agreements do not specifically mention the prohibition on child labor, although they oblige corporations and management companies to abide by national labor laws. On the other hand, agreements with workers have been admitted by Firestone corporation to be so unrealistic that a single adult male worker, working alone, could not possibly meet these quotas.

According to Liberian human rights organizations, there are several contributing factors to the occurrence of child labor on Liberia's rubber plantations. First, the workload of tappers has increased over the years due to the diminishing productivity of rubber trees, thus obliging all members of the family to assist in meeting the tapper's designated workload. Second, the location of schools is too far for many children to reach on foot and thus parents bring children to work, rather than leaving them unsupervised in company-provided housing. Third, tappers and their dependents do not receive social benefits from the corporations or management companies and therefore cannot afford to pay school fees. Fourth, the financial incentive for tapping more rubber trees drives children to assist their family members in the plantation rather than go to school. Forms of child labor that endanger the health and development of children are recurrent.

In May 2004, the Ministry of Labour established a National Commission on Child Labour. Government representatives, including the Minister of Labour, plantation management and workers were members of the Commission, which was to be assisted by child advocacy groups. However, due to the lack of an adequate operational budget and the absence of political will among certain government officials, the Commission has been unable to fulfill its mandate.

Recommendations for US Government Agencies Related to Implementation of US Law Prohibiting the Importation of Forced and Child Labor Made Goods

Pursuant to the TVPRA, which passed with near unanimous support in the Congress, the United States Government is directed "to develop and make available to the public a list of goods from countries that the Bureau of International Labor Affairs (ILAB) has reason to believe are produced by forced labor or child labor in violation of international standards." Once the list of child labor-made products is issued, the TVPRA directs the US Government to work with industries involved in the production, importation and sale of those products identified by ILAB to develop a "standard set of practices" that will "reduce the likelihood" that their products are produced with forced labor or child labor with the ultimate goal of ending the importation of goods into the US that are produced with forced labor or child labor. (22 U.S.C §7112(b)(2)(D) & (E))

Noting that approximately 70 percent of the world's working children are laboring in agriculture, ILRF has focused particular attention on research and on advocacy to remediate child labor in global commercial agriculture. Recent efforts to address part of the supply-side and demand-side for child labor in the production of agricultural commodities have focused almost entirely on building general awareness among the

producers of the long-term effects of child labor, as well as developing the capacity of national and local governments to address the problems of child labor through education and enforcement of local laws in the countries where the goods are produced. These efforts are important in ending child labor and must continue. However, they fail to address a key component necessary to successfully ending child labor globally: ending the consumer demand for agricultural products produced by child labor in importing countries.

Currently, business and consumers do not have access to the necessary information that will allow them to avoid purchasing child labor-made goods. However, over the past several years certification programs and voluntary multi-stakeholder monitoring programs have been developed that begin to address this problem. One such program is the Rugmark program for certification of hand-knotted carpets from South Asia. Such programs make it possible for businesses and consumers to have the information necessary for them to make educated purchasing decisions that will allow them to avoid child labor-made goods.

In the area of global commercial agriculture, ILRF has supported an approach that draws from the successful National Organics Program and proposes the involvement of the US Department of Agriculture, in consultation with the US Department of Labor and other relevant US government agencies, with the aim of creating guidelines for producers and establishing a voluntary “child labor-free” certification system. To be effective, we believe such a program must provide for monitoring to the farmgate level, and must contain the following elements: 1) require product traceability and inspection at all stages of the supply chain; 2) allow for multi-stakeholder participation in the certification process; 3) provide for annual on-site inspections by a certifying agent, who shall be certified by ISO 65, of each farm and handling operation; 4) incorporate a comprehensive conflict of interest policy for certifiers, and 5) provide an anonymous grievance procedure open to third parties to allow for identification of new and/or continuing violations and that provides protections for whistle-blowers. Some existing systems of certification do meet these criteria, and a proposed new labor standard and certification process that contains all these elements, and that is designed to apply to global commercial agriculture, is currently under a vetting process by the American National Standards Institute.

A child labor-free certification program would provide willing consumers and businesses, as well as the US government, with an effective tool to drive down demand for child labor-made goods by providing full information to the market about which products, and companies, take efforts to avoid using and profiting from child labor.

The elimination of child labor cannot rest solely on the carrot of market incentives, though. Rather, the use of child labor anywhere in the world is a violation of US and international law that carries with it the stick of criminal and civil liabilities. Currently, under the Tariff Act of 1930 (18 U.S.C. §1307) and the TVPRA (22 U.S.C. §7112(b)(2)(E)), the U.S. government has an obligation to bar the importation of goods produced by child labor. A robust set of standards and certification process, however,

will protect participating companies by providing documentation that shows their product was not produced by child labor and will thus facilitate the ability of the US Customs service to effectively enforce this law.

Respectfully submitted this 7th day of May 2008.

Bama Athreya
Executive Director
International Labor Rights Forum

Testimony of the National Confectioners Association of the United States

My name is Larry Graham. I am the President of the National Confectioners Association (NCA). Founded in Chicago in 1884, the National Confectioners Association represents more than 650 companies that manufacture, supply and market the vast majority of chocolate, cocoa and non-chocolate products in the United States. In September 2001, along with the World Cocoa Foundation, NCA was a signatory of 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 – referred to as the Harkin / Engel Protocol or The Protocol. As a signatory, the NCA has been an active participant in a coalition of chocolate and cocoa processing and manufacturing companies and trade associations representing the North American and European chocolate and cocoa industry. This coalition has been working with NGOs, the Governments of Côte d'Ivoire and Ghana, and the U.S. Government to meet the commitments agreed to in the Protocol.

Today, I will describe the industry's activities under the Protocol and their relevance to the Department of Labor's responsibilities under the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2005. My comments today are limited to cocoa production in the Côte d'Ivoire and Ghana.

Subparagraph (c) of Section 105 of the TVPRA requires the Department, acting through the Bureau of International Labor Affairs (ILAB)

to develop and make available to the public a list of goods from countries that the Bureau of International Affairs has reason to believe are produced by forced labor or child labor in violation of international standards.

Subparagraph (d) requires ILAB:

to work with persons who are involved in the production of goods on the list described in subparagraph (c) to create a standard set of practices that will reduce the likelihood that such persons will produce goods using the labor described in such subparagraph.

The legislative history to these provisions is scant, but the House Committee on International Relations explained the intent behind the provisions as follows:

The Committee believes that public-private partnerships are essential to combat the scourge of forced and child labor and encourages such partnerships. Private industry, both domestic and foreign, must be vigilant to ensure that none of its products are created by or use imports from forced or child labor.

Rept. 109-317, Part I, at 23.

In 2000 and again in 2001, reports emerged that children were working in hazardous conditions and being trafficked to work on cocoa farms in West Africa. In partnership with labor experts, including the International Labor Organization, and non-governmental organizations, the chocolate and cocoa industry worked with Senator Tom Harkin and Representative Eliot Engel from the United States Congress to develop the Protocol agreement to ensure that cocoa is grown responsibly and without the worst forms of child labor as defined by the International Labor Organization's Convention 182.

The Protocol outlined six major steps designed to address this important issue. In signing the Protocol, industry committed to executing each of these steps:

- Making a public statement of need for and describing the terms of an action plan
- Forming Multi-sectoral Advisory groups
- Making a joint statement on child labor that would be witnessed by the ILO in Geneva
- Creating a Memorandum of Cooperation which would form a broad consultative group
- Establishing a Joint Foundation to sustain efforts to eliminate the worst forms of child labor in the growing of cocoa beans

- Develop and implement credible, mutually acceptable, voluntary, industry-wide standards of public certification

The chocolate and cocoa industries have completed the first five of these protocol commitments. Today I would like to focus my comments on the progress being made to establish a certification process in the cocoa sectors of Côte d’Ivoire and Ghana – and explain why the progress made in establishing this process is a clear and sound reason that cocoa should not be placed on the list of goods from countries that are produced by child labor or forced labor.

With reference to certification, while the Protocol defined the “destination”, there was far less clarity around how to get there. It is fair to say that no other industry had ever attempted to report on or address labor conditions across an entire agricultural sector in the developing world. Most existing programs focused on labor practices in factories or at a finite number of work sites. In the cocoa sectors of Côte d’Ivoire and Ghana, it is estimated that there are more than 1.5 million cocoa farms stretching across tens of thousands of square miles, in some of the world’s most remote, rural areas – each one typically producing very small amounts of cocoa in a family farm environment.

Recognizing the challenges involved, the chocolate and cocoa industry identified the need for outside expertise to deal with the complex labor issues found in rural West Africa. While the industry was united in its commitment, it lacked the knowledge and experience to ensure that efforts would help – and not inadvertently harm – cocoa farmers and their families.

Following the signing of the Protocol, it was essential to gain greater insight into the realities of cocoa farming in West Africa by fielding an independent, comprehensive survey. Under the leadership of the United States Agency for International Development (USAID), the International Labour Organization (ILO), and the International Institute for Tropical Agriculture

(IITA), researchers visited farm communities to learn more about the issues facing cocoa farming families.

The survey found that “(R)ecruitment and employment of both children and adults from outside the family as permanent, salaried workers was relatively uncommon.”

At the same time, the survey highlighted the economic and social challenges facing cocoa farming communities, and the need to help cocoa farming families earn more for their crop and gain greater access to education for their children.

In addition, that initial survey also documented that children were working in unsafe conditions on cocoa farms. In particular, the report highlighted that too many young children were using machetes in an unsafe manner, carrying heavy loads and/or taking part in the application of pesticides. These conditions fall within the category of Worst Forms of Child Labor.

With data from the IITA survey in hand, the chocolate and cocoa industry focused on three key areas.

First, as part of a broader commitment to the social and economic development of West African cocoa farming communities, industry, working in partnership with developmental experts including USAID, initiated efforts that would improve the quality of life for children, families and villages in the cocoa sector in the near term. This work addressed both labor practices and broader, related issues such as improving farm family incomes and access to education.

The reach and impact of these efforts was (and is) enhanced through “public-private partnerships,” organized between industry associations, individual companies and a range of interested institutions. This combination of public and private expertise has brought greater energy, reach and, ultimately, tangible benefits to farmers and their families.

While industry is involved in many effective “public private partnerships”, one successful example I will mention is helping cocoa farmers earn more for their crop. The Sustainable Tree

Crops Program's "Farmer Field Schools" teach farmers how to grow cocoa more productively and profitably through effective growing techniques and by helping farmers to organize into cooperatives. The more than 76,000 farmers trained through the schools have seen incomes increase by 20 – 55 percent. At the same time, these "schools without walls" help raise awareness of the need to protect children from potentially unsafe working conditions on cocoa farms. An expansion of this effort will help educate 150,000 total farmers by 2010. Another initiative, ECHOES, a partnership with USAID, the World Cocoa Foundation and chocolate companies, seeks to provide quality, relevant and accessible education to cocoa communities in Ghana and Côte d'Ivoire. All together, more than 340,000 children will have benefited by September 2009.

Second, as called for in the Protocol, industry joined with civil society to form a foundation, the International Cocoa Initiative (ICI). Established in 2002, the ICI has become a leading vehicle to promote responsible labor practices on cocoa farms by serving as a clearing house for best practices and conducting community based pilot programs. The ICI employs a community engagement and empowerment approach that works with community members to tackle labor practices and related issues such as school attendance. It is now active in at least 154 communities in Ghana and 88 communities in Côte d'Ivoire. Supported by individual chocolate and cocoa industry members, ICI efforts are led by a board composed of industry and civil society representatives.

Third, industry together with the governments of Côte d'Ivoire and Ghana and other civil society partners began work on what has become a robust, credible process for cocoa farming certification, one that is already making a positive, lasting impact in the lives of children and adults in the cocoa farming sectors of Côte d'Ivoire and Ghana. Both countries are using the initial survey results to better target and strengthen their remediation efforts (for example, instituting community based child monitoring systems at the district level in Ghana). As in other areas, the participation of

partners in the development of certification was essential, bringing expertise, credibility, and the involvement of institutions best suited to address labor and related issues on cocoa farms. Dozens of experts, representing many organizations, worked together to develop the certification process. As sovereign nations, the Governments of Ghana and the Côte d'Ivoire are the true owners of the certification process, with community leaders and experts in such important areas as child labor, migration and agriculture providing critical technical assistance.

Over time, based on extensive consultation, agreement around the key issues emerged, and a strategy for certification came together. Today, the certification process for cocoa farming is based on 4 inter-related elements:

- Because of the very large number of farms and their remote locations, data collection is conducted using a carefully designed sampling procedure that provides a statistically representative view of child and adult labour practices at the community and farm level
- Transparent, publicly available annual reporting on the findings from the data collection, and on what must be done to address the issues raised in the report
- Remediation – a range of programs to improve the well-being of children and address the issues identified in the data collection process
- Independent verification of the certification process

These elements work together to drive continuous improvement in the well-being of children, families and cocoa farming communities across the cocoa sectors of Côte d'Ivoire and Ghana. It is important to note that this approach is a sector wide process of certification which in this context is not used to label product attributes. The effort is directed towards all families in the sector – not to a small, selected group of farms. To do otherwise – to select specific regions or farms to be certified while ignoring others – would ultimately be divisive and is not sustainable.

I would also like to note that on March 19th of this year, industry received a letter from the offices of Senator Harkin and Congressman Engel indicating their “support for the certification currently committed to and being implemented by industry”.

Obviously, the involvement of Governments of Ghana and Côte d'Ivoire was, and continues to be, central to improving conditions on cocoa farms. They alone can pass and enforce laws addressing child labor, tackle broad, country-wide economic and social issues including education, and drive a sustained effort to enhance the well-being of their citizens on cocoa farms.

In 2000, the government of Ghana ratified ILO Convention 182, a milestone international agreement on child labor. The government of the Ivory Coast did the same in 2002.

Shortly thereafter, both Ghana and the Ivory Coast began working with industry and other experts to address labor issues in their respective nation's cocoa sector. Each country established a task force to tackle child labor issues, and each began work on a certification system for cocoa farming. At this time, each country has a National Plan of Action to address child labor issues in the country – with specific programs that impact children on cocoa farms.

The government of Ghana passed several laws to improve the well-being of children, including mandating compulsory, free primary education and establishing a school “hot meals” program. The country's government brought together government officials, NGO representatives, ILO representation, academics and representation from industry in the National Committee on the Elimination of Child Labor to manage the country's efforts to eliminate child labor from all sectors of the economy, by 2015.

As a major first step in the implementation of certification, the Government of Ghana released its first cocoa farming certification report in April 2007. This pilot survey and report covered approximately 12 % of the cocoa production area in the country and set the stage for a much larger survey. The field work for that larger survey, covering more than 50% of the cocoa growing area of Ghana was completed in December 2007. The public reporting of that information is expected before the end of this month. [Timing to be updated prior to testimony]

While the pilot survey results are not representative of practices across the entire cocoa sector, it is noteworthy that the data from the pilot study indicated the following highlights regarding cocoa farming in Ghana:

- Cocoa farming is essentially a family activity. 84% of the children who live on cocoa farms live there with one or both parents. Those who are not with their parents are typically with another family member – an Aunt, Uncle, Brother or Sister.
- 91% of the children interviewed indicated that they were enrolled in school – a very high level for a rural region of Africa and 71% indicated that they had attended school on every day in the previous week.
- In terms of children working, it is true that children are helping their parents in many aspects of work on the family cocoa farm. The survey indicates that in all too many cases, children are taking part in activities that are considered dangerous – and therefore represent working in the Worst Forms of Child Labor.

Children working in the worst forms of child labor are a great concern for the Government of Ghana, for industry and most importantly, as we have learned from our work in cocoa growing communities, it is a concern for the parents and children on these farms.

In Côte d'Ivoire, a prolonged period of civil strife limited the country's work on cocoa certification in the early years of our effort. In 2007, however, the government expanded its work and carried out a pilot survey – similar to the one done the previous year in Ghana. That survey covered approximately 10 % of the cocoa growing areas of that country. The report of that survey was issued publicly in November 2007. Key findings in that pilot survey report are:

- As in Ghana, farming is most typically done in a family setting. 71% of the children indicated that they were living on the farm with one or both parents – while 97% indicated that they were on the farm with a relative.
- In terms of education, this is a very challenging situation. Only 54% of the children surveyed reported that they were in school.
- In terms of working, children reported that they were helping their parents or relatives in many aspects of the farm work and all too often were performing dangerous work – i.e. they were taking part in the Worst Forms of Child Labor.

These results point to several challenges that the Government of Côte d'Ivoire and industry are committed to tackling.

The Côte d'Ivoire has also undertaken a much larger survey of farming practices. A region covering more than 75% of their cocoa production was surveyed during the months of December 2007 through March 2008, a time when the crop harvest was underway. These extensive results are expected to be publicly reported by end of this month. **[Will be updated prior to testimony]**

In both surveys, small numbers of children were found living outside of a direct family relationship. This situation is viewed as an indicator, but not necessarily as proof of trafficking. Industry has been clear on this situation: we abhor any form of trafficking and support the Governments in their efforts to address this issue. Through the International Cocoa Initiative, programs have been and are being carried out to train officials and communities to identify trafficked children and prosecute those who are responsible. We applaud those efforts and continue to seek ways to eliminate this absolutely unacceptable and illegal activity.

Additionally, information from the surveys indicates that challenges exist in each country relative to the overall quality and value of education – especially in rural communities. This situation certainly requires greater attention from all stakeholders.

The certification process is beginning to show the value of its separate elements: the importance of a representative data collection activity, the interest generated by public reporting of this information in a transparent, candid manner and the need for remediation efforts that address the issues existing in the field. The industry looks forward to seeing the results of the recently completed, more extensive surveys, as this information will further guide the efforts of all partners working in the cocoa sectors of these two countries.

The key remaining activity in terms of having a completed certification process in place is the independent verification of the data collection process. Verification is important as it will lend the highest level of credibility to the certification process. Verifiers will also provide the governments with specific recommendations for improving future surveys and remediation activities.

After several delays, the process of verification is now making substantial progress. In January of this year, a nine member board representing a range of civil society participants, the governments of Côte d'Ivoire and Ghana and industry was formed. This International Cocoa Verification Board has selected a team of verifiers to work in country and evaluate the survey methodologies and comment constructively on the survey work done in each country. The Verification Board expects an interim verification report by mid-June from the Verifier team and a final report later in 2008.

[NOTE: this will need updated prior to May 28th]

As you know, the Department of Labor has a contract with Tulane University to study and report on the Harkin-Engel Protocol. While the first Tulane Report issued October 31, 2007 contained numerous suggestions and recommendations, the report reached the following conclusions, relevant to your proceedings today. The Tulane Report said:

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 Côte 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.

Among Tulane's preliminary conclusions were the following observations:

The Harkin-Engel Protocol, the ILO/IPEC initiatives and other events appears 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.

When issuing their first report, the Tulane researchers did not have available to them information on total industry expenditures under the Protocol. Those figures were recently compiled and showed that since January 2005, industry has spent more than US \$ 35 million in direct costs in achieving the goals of the Protocol.

In light of the efforts by the industry, producer governments and civil society partners, the question arises: what purpose is served if cocoa is included on the list of products that ILAB is now compiling pursuant to the TVPRA? The improvements in working conditions that Congress seeks under the TVPRA and the activities that listing of a product would trigger are currently underway and evidenced by the extensive efforts that have been described. Indeed, the industry and its partners have achieved exactly the type of public-private partnership envisioned by the House

International Relations Committee when the TVPA was enacted a few years ago. Listing cocoa at this time runs the very real risk of derailing the efforts currently underway.

Cocoa should not be on ILAB's list. If placed on the list it would serve as a discouragement to the cocoa producing country governments who have made a significant national commitment toward combating the worst forms of child labor, trafficking and forced adult labor. It would send the wrong message to industries and others who work in partnership with them. Indeed, it would lead to the logical question, "if cocoa is on the list despite the enormous resources devoted by the industry, governments and NGO partners, why mount such an effort"?

To be sure, the industry started our efforts before this list was contemplated. Our work to eliminate the worst forms of child labor and forced labor in the cocoa supply chain will continue. But, we respectfully maintain that if the list is to have credibility, and be consistent with its statutory purpose, cocoa should not be included.

Thank you.

**ADDITIONAL INFORMATION
SUBMITTED BY WITNESSES**



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*République de Côte d'Ivoire
Union - Discipline - Travail*

Washington, D.C, June 5, 2008

N° 0 SB/AMBCIW/MG/TN/08

**Ms. Marcia Eugenio
U.S Department of Labor
IBLA, office of Child Labor, Forced and Human Trafficking
Bureau of International Labor Affairs
200 Constitution Avenue NW, Room S-5317
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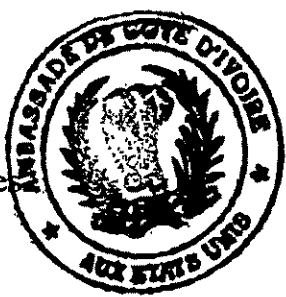
Dear Madam:

I have the honor to acknowledge receipt of your letter of June 4, 2008 regarding the Public Hearing to Collect Information to Assist in the Development of the List of Goods from Countries Produced by Child Labor or Forced Labor.

Attached, please find the answers to your questions.

Sincerely yours,


KOFFI Y. Charle
Ambassador



1. We note from your testimony that data collection and reporting for the nationwide survey on the cocoa harvest in 18 administrative regions will be completed at the end of May 2008.

. When will the report be available for the public?

Due to constraints experienced by experts, the report is not yet available. We completed the first draft which will be first reviewed, then approved during a workshop gathering all parties, and last published. We estimate a delay of two weeks, with the international workshop being held from June 10 to June 12, 2008, the report will be published around the third week of June, definitely before the end of June .

. Will the raw data analyzed for the report be available for the public?

The information is the property of sovereign States. The process includes a verification to be carried out independently then the basic documents are available and given to the field controllers currently in Cote d'Ivoire. Furthermore, basic information without analysis is meaningless. Let us trust the controllers and let them do their job. Let us not forget that US DOL, financed by Congress, put Tulane University in the field thus being able to collect its own data to check against the States'.

2. **Your testimony mentions a number of initiatives the Government of Cote d'Ivoire is undertaking in partnership with other organizations, such as GTZ (German Cooperation Agency), the ICI (International Cocoa Industry), and IFESH. How many children have been withdrawn or prevented from working through these projects?**

While Cote d'Ivoire above all aims at taking care of the children victims of the worst forms of forced labor, its action is not limited to these specific cases. The State considers the overall issue of rural development, tackles the elements which contribute to child labor, i.e. education, training, literacy classes for adults and children, fight against ignorance by awareness campaigns, and provides for the growers' and their children's basic needs (health, access to drinking water, product outlet). Cote d'Ivoire knows that fighting against the worst forms of child labor is the only way to provide farmers with a sustainable and tolerable economic environment.

Counting the withdrawn children is a good thing but preventing child labor is much better and it is precisely what our country struggles to achieve with its own resources and through projects like GTZ, ICI and IFESH among others.

In addition, any action which does not include the overall situation of countries trafficking children is doomed to failure. From 2006 to March 2008, about 284 children, eleven of them Ivorians, were intercepted by police and repatriated to their respective countries thanks to the support of GTZ, and 8 traffickers were jailed. These children were originally from Benin, Burkina Faso, Togo, Mali, Niger and Ghana. Such action was made possible through the awareness program sustained by ICI. As for IFESH, it specializes in literacy classes in rural areas jointly with the Government's education program.

.../...

3. Thank you for including in your testimony steps that the Ivorian Government is undertaking in support of the Harkin-Engel Protocol. Will you please elaborate for us how the certification process that is described will certify that cocoa, as a good, is child labor free?

The next step will be drawn up by the international workshop to be held from June 10 to June 12, 2008 and will sum up four years of work. The workshop will give the guidelines and the project will carry out the implementation.

The certification process does not specify that cocoa is child labor-free, but rather, it does indicate the following :

What is the work status of children in the field ?.

The answer is given by the diagnosis survey.

We work in a transparent way, hence, we do publish the survey report.

We implement programs aimed at banning any factor conducive to child labor (remediation).

Should we discover any existing case, we take action by withdrawing the children followed by inserting them in schools or income earning activities.

Our proactive responses involve outreach programs and training.

Follow-up measures are taken to better explain the problem. Literacy programs, seminars and workshops are organized to uplift living standards of both children and farmers. This is tantamount to affording drinking water, opening up roads and building health centers.

By the end of the day, after all these endeavors, should children be still used in the labor force, this will simply mean that we did not make the right diagnoses.

**Public Hearing to Collect Information to
Assist in the Development of the List of Goods from
Countries Produced by Child Labor or Forced Labor**

Wednesday, May 28, 2008

**Questions for His Excellency Dr. Kwame Bawuah-Edusei
Ambassador of Ghana**

1. In your testimony, you mentioned that the Government of Ghana has undertaken a comprehensive study of the worst forms of child labor in Ghana, and that the latest results of the study would be released to the public in the week following the hearing.
 - Could you please provide the website address at which the results of the most recent phase of the study is or will be published?
 - Will the adult activity framework and the hazardous activity framework produced in response to the study also be available via the website? If not, may we receive a copy of these?
 - What baseline estimates will you use to measure the elimination of the worst forms of child labor in cocoa farming in Ghana?
 - Will the raw data analyzed for the study be available to the public?
2. Your testimony states that the Ministry of Manpower, Youth and Employment is implementing a 5-year National Program for the Elimination of the Worst Forms of Child Labor in the Cocoa Sector. The strategy includes plans to "develop and implement interventions that will eliminate the worst forms of child labor in cocoa." What will be the target number of working children assisted by the Government of Ghana?
3. How many children working in the cocoa sector in Ghana combine school and work?
4. How much funding has the Government of Ghana dedicated to withdrawing and preventing children from the exploitive child labor in the cocoa sector?
5. Will you please elaborate for us how the certification process described in your testimony will certify that cocoa, as a good, is child labor-free?



MINISTRY OF MANPOWER YOUTH AND EMPLOYMENT (MMYE)
National Programme for Elimination of the Worst Forms of Child Labour
in the Cocoa Sector (NPECLC)

Responses to Questions for His Excellency Dr. Kwame Bawuah-Edusei

Ambassador of Ghana

Question 1:

- a. The Scale-up survey will be published on NPECLC website www.childprotection.gov.gh which is being developed; and www.cocobod.gh. But confidential copies could be made available by 13th June 2008.
- b. The Hazardous Child Labour (Activity) Framework (HAF) was validated on 5th June 2008 and it is being finalized. A confidential draft however could be sent by 11th June 2008. It would be available on www.cocobod.gh and later NPECLC website www.childprotection.gov.gh by the end of June 2008. It must be noted that this frame is part of a larger one being developed by the child labour Unit of Ministry of Manpower Youth and Employment (MMYE). After this is developed, it will go through a legislation process to obtain cabinet and parliamentary approvals as protocol to the Children Act 1998 (Act 560)
- c. There are a number of surveys which provide baseline estimates for the measurement of the Worst Forms of Child Labour in the cocoa sector of Ghana. These include the following:
 - i. Children's Involvement in Cocoa Practices in Ghana-Ministry of Women and Children's Affairs, 2005
 - i. Research on Child labour on Cocoa farms in Ghana-General Agriculture Workers' Union of the Trades Union Congress, 2006
 - ii. Labour Practices in Cocoa Production in Ghana (Pilot Survey)-Ministry of Manpower, Youth and Employment, 2007

- d. The raw data cannot be given to the public because, the data was collected on confidentiality basis. The independent verification team (verifiers) appointed by the International Cocoa Verification Board (ICVB), after signing the confidentiality agreement has FULL access to the raw data of both the Ghana pilot and scale-up Cocoa Labour Surveys (2006/2007 & 2007/2008).
- e. The verification of Ghana Efforts on Certification since 2006 is being done by 2 organisations – HedgeGhana, Khulisa, South Africa; Fafo, Norway. These organisations are currently in the country to assess Ghana's Efforts especially pilot and the current scale-up survey as required by Harkin-Engel protocol.

Question 2:

The National Programme for the Elimination of Worst Forms of Child Labour in cocoa (NPECLC) targets all farm families in the cocoa growing areas and especially those who involve their children in the hazardous activities. Nevertheless, the programme has adopted an integrated approach to ensure that all children in communities who need special attention are supported to prevent them from engaging in hazardous child labour.

The reason for targeting families pilot survey indicated that "Cocoa farmers are generally small holder who operates family farms and cultivate acreages that range from about 3 acres or less and 10-20 acres".

Support to children is based on needs identified and assessed by Community Child Protection Committees (CCPCs) in all beneficiary communities. Apart from the assistance NPECLC is given, the Government of Ghana is implementing free compulsory Universal basic Education policy for ALL children in public schools. Pilot school Feeding Programmes in selected communities; Free Bus Ride for ALL school children; National Health Insurance Scheme. Ghana Cocoa board (COCOBOD) scholarship for cocoa farmers' children – 7500 children to benefit during 2008/2009 Academic year. This has been in existence for over 50 years.

Under the National Social Protection Strategy (NSPS), a Livelihood Empowerment Against Poverty (LEAP) programme has been instituted to provide cash (\$8-15 a month) support to the extreme poor in selected districts based on needs assessment and surveys

that provide baseline information (e.g. the Ghana Living Standards Survey). One of the criteria to access the fund is non involvement of children in child labour.

Question 3:

The pilot survey by the Ministry of Manpower, Youth and Employment (2006) which assessed Labour Practices in Cocoa Production in Ghana (Pilot Survey) indicated 91% enrolment rate; 71% attendance which is higher than the national enrolment rate which is 88%. 97.6% of children stay with parents and children (aunts, uncles). 90% assisted their parents during weekends and 85% during school holidays. Children involvement differs by age and by activities as children age, their involvement intensifies. The study reported that for all age groups (50-75%) of children were engaged in weeding, 61-73% in carrying water for spraying, 84-89% in pod gathering and heaping, 58-65% in bean scooping, 50-74% in carting of fermented beans and involvement in pod plucking, drying of beans, and carting dry beans for sale dominate among 13-14 and 15-17 age groups. It should be noted that all the data above are based on a total of 610 children interviewed.

Question 4:

The government of Ghana has committed funds to support children to withdraw and prevent children in exploitative work at different levels. These include support through Ghana Cocoa Board (COCOBOD). The breakdown is as follows:

COCOBOD child Labour Desk	: \$268,000
Support to NPECLC	: \$1,227,000
CODAPEC (free spraying for farmers)	: \$87,488,569
Solar Street light	: \$9,107,350.25
Solar/ powered deep well	: \$13,800,000
Scholarship for children	: \$2,000,000
:	
Total	: \$113,890,919.25

- Question 5:

The cocoa certification process involves 4 key stages. These are Data collection, Reporting, Remediation and Verification. Ghana has adopted a multi-sectoral holistic integrated approach to tackling the child labour situation in the country. The process as is being explained

below involved all the key stakeholders including Government Ministries Department and Agencies; Employers and Workers Associations; International partners such as UNICEF, ILO, Danish Embassy, US Embassy, Cocoa Industry and International Cocoa Initiatives etc. efforts are not only geared towards the elimination of child labour in the cocoa sector.

Data Collection:

The data collection refers to the conduction of well targeted, standardized and acceptable surveys that reveals the actual child labour situation in the cocoa sector. It provides the opportunity to assess the true situation of the extent and nature of child labour in the cocoa sector. It also helps to collect the views of various stakeholders including cocoa farmers and children in cocoa growing communities on the causes and remedial and preventive actions for its elimination. TWO SURVEYS HAVE ALREADY BEEN DONE 1. THE PILOT LABOUR PRACTICES 2006; 2. SCAL-UP COCA LABOUR SURVEY 2007.

A Community-based Child Labour Monitoring (CCLM) system is being developed and implementation expected to start during the later part of 2008.

- o This is viewed as a more effective process of data collection as it can drive more immediate local remediation and prevention efforts related to WFCL, forced labour (FAL) and trafficking.
- o The intention of the NPECLC program is to establish CCLM in districts and communities representing a "sector-wide" coverage of the cocoa producing regions of Ghana. This will be based on the significant experience and learning gained from the pilot and scaled up surveys.
- o NPECLC believes that the CCLM approach is more sustainable at the local level – and it will drive change in labour practices in the most effective manner.

Reporting:

After validation of data collected, results or findings are put into the public domain via website, dissemination forums, distribution of copies and other forms of publication. This allows all interest groups and stakeholders to access the findings for their purposes. THIS HAS BEEN DONE FOR THE PILOT SURVEY AVAILABLE ON www.cocobod.gh. The scaled-up cocoa labour survey will be available on the same website by the end of June 2008

Remediation:

Having known the extent and nature of child labour situation in the cocoa sector, positive remedial actions are instituted to provide support to children identified to be engaging in worst forms of child labour and also to institute preventive measures. Remediation actions are being implemented in all cocoa districts in Ghana. Activities include sensitization/occupational safety and Health (OSH) education; promotion of basic education and vocational training; training /strengthening existing institution that deals with child protection; Department of Social Welfare/Labour Dept. Law enforcement agencies. Traditional authorities, district and sub districts institutions; provision of micro credit, institution of measures that reduce the need for children labour. Civil Society Organisations and Community based organizations are also being supported and trained to implement activities. Apart from these, all CSOs and NGOs that are implementing activities on the grounds are doing them within the framework of NPECLC.

This is where an independent body audits data collected by testing tools and methodology used. The body also independently collects data in communities where data was collected and assesses the remediation efforts in beneficiary communities. CURRENTLY THERE ARE INDEPENDENT VERIFIERS ASSESSING AND AUDITING THE WORK THAT HAS BEEN DONE (ref, 1d above)

**Public Hearing to Collect Information to
Assist in the Development of the List of Goods from
Countries Produced by Child Labor or Forced Labor**

Wednesday, May 28, 2008

**Questions for Thea Lee, Policy Director
AFL-CIO
Follow-up: June 13, 2008**

Mexico

1. It would be useful to have more evidence that supports your statements about children's work in the production of tomatoes, eggplant, sweet bell peppers, corn and tobacco. Can you give us an idea of the basis of your statements – what methodologies were used to gather the information? Was this field research by AFL-CIO or another organization?

For each product can you tell us?

- How widespread is the use of child labor in the production of each crop? Would you characterize the use of child labor in the production of each of these crops as “more than an isolated incident”?
- Do you have information of the proportion of the labor force in each of these crops is made up of children?
- Do you have information of the tasks children are performing in the planting and/or harvesting of the crop, and whether or not these activities are hazardous?
- Do you have any evidence that children are forced to work in the cultivation of these crops, by employers or agents other than their parents?

The information provided in my testimony came from the following sources, as listed in the bibliography:

- **According to the National Institute of Geography and Statistics (INEGI) in 2004, there are approximately 3.3 million working children under 14 in Mexico, of whom one third are under 12.¹ Of these, about half work in agriculture.²**
- “Incorporación prematura al mercado laboral. Trabajo de menores en la industria, trayectoria escolar y capacitación,” cited in Mercedes Gema López Limón, “La Fuerza de Trabajo Infantil en México,” 2006, www.uam.mx/cdi/childwatch2006/pdf/lopezlimon_mx.pdf

¹ Instituto Nacional de Geografía y Estadísticas [INEGI], *El Trabajo Infantil en México*, 2004.

² Id., p. 50.

- “Cosecha de dolor y esperanza,” *Excelsior*, 14 October 2007.
- Sagrario Tapia and Ramón García, “Obliga a niños la necesidad,” *El Imparcial*, 30 January 2006.
- J. Gamlin, P. Diaz Romo and T. Hesketh “Exposure of young children working on Mexican tobacco plantations to organophosphorous and carbamic pesticides, indicated by cholinesterase depression,” *Child care, health and development*, 33, 3, 246–248 (2007)

Currently, we have no other information beyond the citations listed here. However, we believe that the evidence provided in these sources merits further investigation from the Department of Labor into the significance of the problem of child labor in export agriculture in Mexico.

Nicaragua, Guatemala India and Malawi

2. As for Nicaragua and Guatemala, in your written statement, you concur with other organizations’ findings of child labor and/or bonded labor in sugarcane cultivation and sugar refining. For India you mentioned bonded child labor in cottonseed production and granite mining. And in Malawi you mentioned tobacco cultivation. Do you know whether, in each case, there were findings of child labor, forced labor, or both?
3. For each country, can you tell us how widespread is the use of child labor and/or forced labor in the production of each commodity? Would you characterize the use of child labor and/or forced labor as “more than an isolated incident”?
4. Do you have a sense of the tasks children are performing, and whether or not they are hazardous?

Please see: International Labor Rights Forum, “Response to FR Doc E7-25036 Filed 12-26-2007, Re: Request for Information for the Development and Maintenance of the List of Goods from Countries Produced by Child Labor or Forced Labor. Federal Register Notice Vol. 72, No. 247, Pg. 73374,” submitted March 26, 2008. We currently do not have additional information beyond what is in the ILRF comments. We mentioned them, however, to show that there are a number of organizations that agree with ILRF’s findings.

Vietnam, Indonesia, Ecuador, and China

5. Your testimony stated that forced labor and child labor occur in the shrimp industry in Vietnam, Indonesia, and China.
 - What methodologies were used to gather the information upon which this statement is based? Was this field research by AFL-CIO or another organization?
 - Could you verify whether these labor practices are used in the production of shrimp alone, or additional, specific types of seafood?

6. How widespread is the use of child labor and forced labor in the production of shrimp in these three countries? Would you characterize the use of child labor or forced labor as “more than an isolated incident” in this industry in each of these countries?
7. Do you have a sense of the tasks children are performing in shrimp processing, and whether or not these activities are hazardous?
8. Do you have any evidence that children are forced to work in this industry, by employers or agents other than their parents?

There has not been to our knowledge significant research done examining the use of forced labor and child labor in the shrimp industries in these countries. We know that these four countries are major shrimp exporters to the U.S. Based on our understanding of labor conditions and worker rights in these countries, as well as anecdotal evidence, we think that there should be an investigation and more research done about the conditions for workers in the shrimp industry in Vietnam, Indonesia, Ecuador, and China.

Bangladesh and Thailand

Please note that the Solidarity Center has taken necessary steps to protect the anonymity of its sources, for their own protection.

9. Much of the information in your testimony about the shrimp processing industry in Bangladesh and Thailand was based on the Solidarity Center’s report, “The True Cost of Shrimp.” The report is based on interviews conducted at 15 shrimp processing plants in Thailand and 10 plants in Bangladesh, but we would like to get more information about the sample size. Approximately how many workers were interviewed per factory, and/or how many in all for this report?

A Solidarity Center partner organization conducted the research in Thailand. In one set of interviews, the researchers interviewed 193 people from 50 factories - producing both shrimp and other forms of seafood. The 15 factories identified as using child labor were taken from this set of interviews. In another set of interviews, five workers from three factories (all shrimp processing) were interviewed.

In Bangladesh, interviewers from a partner organization spoke with 34 workers from nine factories in one set of interviews and 10 workers from 8 factories in another. Additionally, 6 children, ages 8-13, from two factories were also interviewed.

Some interviews were conducted by a USAID contracted researcher. An excerpt from these interviews can be found on pg. 29 and footnote #67 of the report.

Based on information gathered in the initial interviews, and other sources, 20 factories were found to be using child labor (meaning children under the age of 14 in Bangladesh). Information on the 20 factories was taken from eyewitness accounts given to the Solidarity Center by a partner organization.

10. The report indicates that “in addition to industry research, Solidarity Center partners interviewed workers ...” Please clarify what this industry research consisted of?

Mainly tracking of global supply chains using the Port Import Export Reporting Service (PIERS) database. Please see pg. 4 of the report.

11. Did this research give you a sense of how widespread is the problems of child labor and forced labor in the production of shrimp in Thailand and Bangladesh?

- What were the hazardous work activities undertaken by children 17 and under?

In Thailand, research on the extent of child labor was conducted by Solidarity Center partner organizations and is referenced on pg. 18 of the report. Researchers from the ILO and Thailand’s Mahidol University claimed in 2006 that 19 percent of workers in seafood processing plants were under 15 and 22 percent between 15 and 17.

Another report estimated that 20,000 children (under 18) are working in the province of Samut Sakhon and lists some of the activities, including “peeling shrimp, transferring heavy loads, and drying, boiling, and shelling various types of seafood.” (See footnote in report.). Solidarity Center researchers also noted children peeling shrimp and doing custodial work such as sweeping and moving heavy loads to and from trucks.

Researchers in Bangladesh particularly noted the use of children to move finished products from the processing floor onto trucks. This work involves a certain amount of pushing, packing, and heavy lifting.

- If forced labor is widespread, is it forced labor of children?

Children cannot adequately give consent to labor (under the definition of child labor). As such, we consider all child labor forced labor.

12. In relation to Thailand, the report mentions child labor and forced labor in “seafood processing plants” and those children are working in “fisheries-related jobs” including shrimp. Can you tell us what other kinds of seafood are involved? Is more specific information available on child labor and/or forced labor in the production of these other types of seafood? Is it possible to disaggregate shrimp from the data on “seafood processing” in the report?

The processing plants of Thailand’s Samut Sakhon District handle a range of seafood products, including tuna, surimi, seafood-based cat food and similar products. Thailand is among the world’s leading exporters of canned tuna fish, so many processing plants handle that product. Usually, shrimp and other seafood products are handled in separate facilities.

Though the Solidarity Center separated out shrimp data from that of other types of seafood processing, the complaints voiced by workers were similar.

13. Your testimony referenced a recent UN-sponsored report on the role of labor brokers. Does this refer to labor brokers in general or labor brokers used specifically in the

shrimp industry? Is labor brokering widespread in the industry? If so, what relation does it have to forced and/or child labor?

Labor brokering is a major issue for all seafood processing jobs in Samut Sakhon. An estimated 70-80 percent of workers in Samut Sakhon are migrants who are drawn to the area by the demand for labor-intensive work. Rather than “widespread,” the term the UN chooses to use is “systematic,” meaning that labor brokering involves an intricate web of brokers, employers, and local officials.

Pages 20-22 of the report describe the relationship of labor brokers to issues of debt bondage and forced labor and some of the tactics used to exploit vulnerable workers.

14. You mentioned the use of debt bondage. Does this reference refer to migrant workers in general or migrant workers working in the shrimp industry? Are children in debt bondage?

In the report, the reference is specifically to migrant workers in the shrimp and seafood processing in Samut Sakhon, Thailand.

It's unclear whether children specifically are held in situations of debt bondage or are perhaps working to pay their parents' debt, or simply working to supplement family earnings.

The Degradation of Work

solidarity center



The True Cost of Shrimp

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Cyclone Sidr

In November 2007, Cyclone Sidr, a Category 4 tropical storm, hit the south and southwest coast of Bangladesh. According to the United Nations Food and Agriculture Organization, more than 3,400 people were killed and 8.5 million were affected by the storm. The local shrimp industry sustained severe damage, particularly shrimp farms in the areas of Satkhira, Khulna, and Cox's Bazar districts. Shrimp processing plants and workers' housing in the path of the storm also sustained significant damage. The Solidarity Center office in Bangladesh, in cooperation with local partner organizations, is responding to the disaster with monetary support and program assistance to help workers and their families recover from the devastating impact of the storm.

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Uncredited Photos: Solidarity Center

The Solidarity Center is an international nonprofit allied organization of the AFL-CIO established to provide assistance to workers around the world. Working with trade unions, nongovernmental organizations, community organizations, and governments, the Solidarity Center supports programs and projects to advance worker rights and promote broad-based, sustainable economic and democratic development in 60 countries. The Solidarity Center engages in a wide range of technical assistance, educational, and other activities to help workers build democratic and independent trade unions and promote human and worker rights around the world.

In addition to extensive work with trade unions and community organizations in Thailand and Bangladesh, the Solidarity Center has begun to document worker rights abuses and provide assistance to workers employed in shrimp processing plants. In the course of assisting these workers, the Solidarity Center noticed supply chain pressures and worker rights abuses similar to those associated with other global industries such as garment manufacturing.

The Solidarity Center's shrimp industry programs and research were funded by the United States Agency for International Development and the National Endowment for Democracy. The opinions expressed herein are those of the Solidarity Center and do not necessarily reflect the views of our funders.

This report is the second in the Degradation of Work series.

The Degradation of Work

The True Cost of Shrimp

How Shrimp Industry Workers in Bangladesh and Thailand Pay the Price for Affordable Shrimp

Solidarity Center staff members in Washington, DC, served as the primary authors and editors of this document. Solidarity Center field staff in Bangladesh and Thailand coordinated program activities, relayed research information, and provided critical editorial assistance. Special thanks go to partner unions and civil society organizations in Thailand, Bangladesh, and the United States for their research and editorial advice.



Methodology Statement

Worker Interviews

The Solidarity Center maintains field offices in both Bangladesh and Thailand. Through partnerships with local trade unions and other nongovernmental organizations, the Solidarity Center monitors labor conditions in each country's shrimp industry and develops programs to assist shrimp workers.

Collecting accurate information in Bangladesh and Thailand is challenging. Workers in the shrimp industry work long hours for low pay and are completely dependent on their wages to support not only themselves but also their immediate and extended families. Workers simply cannot afford to lose their jobs and thus fear employer retaliation for speaking with interviewers. For this reason, the names of worker interviewees have been changed or they remain anonymous throughout the report.

In Thailand, the Solidarity Center has worked with partner organizations since 2005 conducting interviews and providing legal and other outreach services to migrant and Thai workers in the shrimp industry. The Solidarity Center's primary partner organizations are the Federation of Trade Unions – Burma (FTUB), the Seafarers' Union of Burma (SUB), and the Labour Rights Promotion Network (LPN).

In Bangladesh, the Solidarity Center's work has built upon long-standing contacts with workers in the garment industry. In cooperation with partners such as the Bangladesh Legal Aid Service Trust (BLAST), the Solidarity Center provides legal aid and outreach to workers in the garment and shrimp industries, as well as workers in Bangladesh's Export Processing Zones. Solidarity Center staff conducted interviews with shrimp workers seeking legal aid and visited workers in shrimp processing hubs such as Chittagong and the Khulna district.

Supply Chain Research

Much of the industry research cited in this report was conducted by the Solidarity Center based on worker interviews and partner organization reports. Factories identified as having substandard labor practices or labor abuses were linked to their broader global supply chain partners by using the Port Import Export Reporting Service (PIERS) — a comprehensive database of import and export information on cargo moving through ports in the United States, Mexico, Latin America, and Asia. PIERS reports on shipments from factories into the United States often included the importing company, the brand name of the shrimp, and/or the retailer. Brand names listed by PIERS were cross-referenced in the U.S. Patent and Trademark Office's Trademark Electronic Business Center (<http://www.uspto.gov/main/trademarks.htm>) to identify the owner of the trademark. Knowing which company owns a trademark also helped link brand names to their retailer.

Solidarity Center research findings should not be taken to imply that all shrimp processed, bought, and/or sold by the Thai, Bangladeshi, and U.S. companies named and listed in this report are tainted by labor abuses.

Foreword

Degradation of Work

The True Cost of Shrimp

Foreword By Ellie Larson, Executive Director

The Solidarity Center promotes workers' rights, the rule of law, and democratic development on the simple premise that dignified work is possible for everyone, everywhere. Sustainable economic development is only achievable in conjunction with respect for worker rights and all human rights. Unfortunately, there are some corporations and employers who have yet to accept the legal, ethical, and moral standards of basic human rights and decent work. These companies are often neglectful of their responsibilities as corporate citizens in the communities where they operate. This report highlights that neglect in the shrimp industry by examining the often-extreme problems facing shrimp processing workers in Bangladesh and Thailand.

As in any modern industry, technology has revolutionized the production and distribution of seafood. Today, highly perishable products, once caught solely in the wild, can be farmed, processed, packed, and shipped to destinations worldwide in a matter of days. One of the most lucrative of those products is shrimp. In little more than 30 years, the shrimp industry has been revolutionized through an unprecedented increase in efficient production, resulting in tremendous profitability for producers. However, the “shrimp boom” is sustained through a staggering, largely hidden, cost to workers, their families, and the environment. Not for the first time, the drive to make a product for the world market quickly and cheaply leaves a trail of abuse, misery, and damaged lives. The true cost of shrimp is not what is seen on a supermarket price tag or a restaurant menu.

Bangladesh and Thailand are both major locales for shrimp production and processing. The Solidarity Center focuses on these two countries in this report. In both, companies use the lack of labor rights and weak labor law enforcement to exploit shrimp processing workers. Yet, it is these workers who make the shrimp industry profitable. Through the work of Solidarity Center partner unions and organizations, we begin to tell their story.

Solidarity Center staff and local allied organizations labored diligently to document concerns about the lack of corporate social responsibility within the shrimp industry. Our research uncovered prevalent labor rights and human rights violations — unpaid wages, unsafe and unhealthy workplaces, and the harsh physical mistreatment of workers. Child labor, forced labor, physical intimidation, and sexual abuse of shrimp industry workers are also carefully documented in these pages.

The purpose of *The Degradation of Work: The True Cost of the Shrimp* is not to overwhelm the reader with depressing details of abuse, but to illustrate through these true stories the real cost of inexpensive seafood. Telling them is one way to encourage companies and governments across the shrimp supply chain to take positive action. We know sustainable economies can only be built on a foundation of adherence to the principle of workers' rights, so we at the Solidarity Center seek to open space for workers to improve their own lives through freedom of association and collective action.



Ranya Paew workers at the Baan Kredtrakarn Protection and Occupational Development Center for Girls, Bangkok, Thailand

In their own words . . .

"None of the workers have gloves or boots or any safety equipment to protect us from injury, or waste, or pollution. Only when foreign buyers come to the factory are we issued boots and gloves, and as soon as they are gone, these are taken away again.

"I make 2,000 taka (\$30) a month. The rent for my room in Chittagong city, including electricity, comes to 1,500 taka a month. This means I have only 500 taka (\$7.40) to spend on food, clothes, and anything else.

"Of course I would like higher wages. But I would also like some kind of leave during the year, either a holiday or anything. After working here for 16 years, I would also like a contract to show that my job is secure."

— From an interview with "Alam," a shrimp processing plant worker in Chittagong, Bangladesh

"Three female migrant workers were picked up by a job broker and taken to the Thai-Burma border, where they joined other Burmese migrants. Forty-three migrants then took a boat to reach Ranong in Thailand, where a Thai guide led them through mountain routes for three days before finding transportation to Bangkok. In Bangkok, they stayed at the broker's sister's house for three days. The broker met them in Bangkok and took the three of them to the Ranya Paew seafood processing factory.

At the factory they learned from the boss that the broker had taken a fee of 13,000 baht (\$366) per person. They were also told that this was to be deducted from their pay. At midnight the next day they started work on their first shift, which lasted 18 hours until 6:00 pm the following evening.

They were beaten if they did not get up or if they were not on time for work. Between the three of them, they peeled around 110 pounds of shrimp a day and received a payment of 600 baht (\$17) every 15 days."

— Taken from testimony given to investigators by female migrant workers following the September 2006 police raid of the Ranya Paew shrimp processing plant in Thailand.

Shrimp Workers' Untold Story

This report, based on interviews with shrimp workers in Thailand and Bangladesh, highlights the arduous conditions that characterize work in their industry — long hours, low pay, abusive employers, informal work, unsafe and unhealthy working conditions, and the vulnerability of migrant workers.*

The common denominator is the \$13 billion global shrimp industry. Over the past 30 years, the rapid development of aquaculture, or seafood farming techniques, has made the mass production of shrimp possible and helped make it more affordable. While shrimp is now the most popular and widely traded seafood in the world, its rise in popularity and profitability is shadowed by its social and environmental costs. (See insert on pages 12 and 13.)

These costs are borne largely by workers in shrimp processing plants. They are integral to the profitability of companies along the shrimp supply chain, yet the world largely ignores their hardships. This report seeks to illuminate the social costs of shrimp by focusing on workers in two countries that depend heavily on shrimp aquaculture exports, Thailand and Bangladesh.

Thailand and Bangladesh are very different countries with different shrimp industries. Thailand is an established leader in the global shrimp trade. Its volume of exports dwarfs that of Bangladesh, a relative newcomer trying to

* The term “**migrant worker**” is the internationally accepted term for a person who migrates for employment, whether temporary, seasonal, or permanent.



Addressing and remedying the industry's labor problems will require tough decisions and a commitment by shrimp businesses and governments to improve industry-wide regulations and enforce fundamental worker rights.

increase its role in the shrimp trade as it seeks to diversify its export base.

While working with garment industry workers in Bangladesh and with migrant workers in Thailand, Solidarity Center field staff and partner organizations became aware of increasing labor problems associated with the shrimp industry, and they noticed similarities between the two countries. These include low-wage sweatshop processing, use of child labor, and similar systems of labor brokering and subcontracting that drive wages down and hide abuses. For example, in Bangladesh, the Solidarity Center interviewed workers receiving monthly wages as low as 1,200 taka (\$17.80), while in Thailand, a recent raid on a processing plant exposed even lower monthly wages (400 baht, \$11.25).

In addition to industry research, Solidarity Center partners interviewed workers in more than 15 shrimp processing plants in Thailand and 10 plants in Bangladesh. With the Solidarity Center's assistance, our partners traced exports from these plants through the complicated supply chains that provide shrimp to major distributors and retailers in the United States. Though international business partnerships are constantly changing, labor exploitation in the shrimp industry is clearly pervasive and touches every organization involved. Addressing and remedying the industry's labor problems will require a commitment by shrimp businesses and governments to improve industry-wide regulations and enforce fundamental worker rights.

Precedents exist for improving labor conditions and worker rights in global industries. Footwear, apparel, and toy manufacturing, with similar business

models and global supply chains, have experienced far more public scrutiny in the area of worker rights. After denying the existence of problems for years, major apparel companies eventually yielded to consumer pressure by creating codes of conduct and allowing independent factory-monitoring programs. Nike has gone so far as to pledge to educate its workforce about unionization, recognizing that worker empowerment is the key to improved working conditions.¹ While the apparel industry is moving forward, the multibillion-dollar shrimp industry has been largely immune to pressure to improve working conditions and verify that worker rights are respected.

Although the global shrimp industry has yet to fully confront these issues, exposure of harsh working conditions and the stories of shrimp workers have started to surface in the international media.² As seafood restaurants, retailers, importers, and processing companies grapple with the challenges of global production, they must acknowledge these issues and advance change in the industry.

The Development of Shrimp Aquaculture

The degradation of work in shrimp processing is rooted in the industry's economic forces and the powerful companies involved. U.S. consumers play a major role in the demand for shrimp. On average, Americans eat more than three pounds of shrimp each year; about 80 percent of that shrimp is imported. In 2006 alone, U.S. shrimp imports were valued at over \$4 billion, making shrimp the most valuable seafood import into the United States.³ Roughly one-third of that shrimp came from

Thailand, followed by China, Ecuador, Indonesia, and Vietnam.⁴

Many consumers do not realize that shrimp is imported over long distances and more likely to be farmed rather than caught in the wild. Aquaculture is the practice of cultivating fish, shrimp, and other marine life in large man-made ponds, as opposed to catching or harvesting them in open waters. Humans have practiced aquaculture for centuries, but it developed rapidly in recent decades, thanks to new technologies and farming techniques.

Dubbed the “Blue Revolution,” it was meant to ease the strain on overfished natural fishery stocks. Some hoped that aquaculture would even help alleviate world hunger through more plentiful, inexpensive seafood.⁵ The United Nations Food and Agriculture Organization (FAO) reported recently that “aquaculture continues to grow more rapidly than all other animal food-producing sectors,” growing from 3.9 percent of global food production (by weight) in 1970 to 32.4 percent in 2004.⁶

While easing world hunger is a noble ideal, export-led development is Blue Revolution’s reality. Commercial seafood farming became a lucrative export industry, as low-cost production in developing countries fueled rising consumer demand in countries such as the United States, Australia, and Japan. As the costs associated with shrimp farming decreased, so did the price. By the mid-1980s, improved trade links and successful marketing in key countries led to a worldwide “shrimp boom” that has accelerated in recent years. Between 1985 and 2006, worldwide

Countries Exporting Shrimp to United States in 2006

Country	Kilograms	Dollars
Thailand	193,764,063	1,277,330,076
China	68,150,423	330,917,988
Ecuador	59,362,672	324,240,865
Indonesia	58,728,864	430,256,779
Vietnam	37,077,553	429,752,580
Mexico	35,377,915	321,855,936
India	27,277,253	252,020,487
Malaysia	20,348,912	136,428,485
Bangladesh	19,442,345	188,743,173

Statistics based on online data from the National Marine Fisheries Service, Fisheries Statistics Division, Silver Spring, MD, <http://www.nmfs.noaa.gov/>.

shrimp farming production grew from 213,635 to 2,675,336 tons per year. The speed of growth has been quite pronounced in the current decade, with global shrimp aquaculture production increasing by 21.7 percent yearly from 2000 to 2005.⁷ In light of lower costs and increased production, the once expensive delicacy steadily has become a ready substitute for other types of seafood and is now a standard item on most restaurant menus and in grocery store freezers.

Companies That Process, Import, and Sell Shrimp to Consumers

In 2002, shrimp overtook tuna as the most popular seafood in American homes and restaurants.⁸ Shrimp’s popularity also makes it very profitable. Many companies import shrimp to the United States, ranging from large firms with annual sales in excess of \$100 million to dozens of small companies with less than \$5 million in sales.⁹ But despite their strength, importers are only one link in the supply chain. A wide array of companies from processors to



retailers are involved in the business of preparing shrimp and selling it to consumers.

Processing companies receive raw shrimp from farms or fishing boats. These businesses prepare and move processed shrimp along the value chain to importers. Most processing companies operate in a highly fragmented global market, with thousands of primary processors receiving raw shrimp and conducting initial work such as de-heading, peeling, and de-veining. Secondary processing plants convert

prepared shrimp into a more marketable product through cooking, packaging, and other preparations.¹⁰ (Initial and secondary processing often take place in separate facilities, though some larger factories do both.) All processing plants are labor intensive. Many are small operations that take orders from larger firms to process shrimp quickly under tight deadlines.

Importers commonly assemble large orders of shrimp from processing companies (or exporting middlemen) and sell to distributors, food service opera-

tors, and other retail outlets. With strong international links and industry ties, importers are major “gatekeepers” in the supply chain. Importers seek out processors that can meet orders quickly, and they wield tremendous power over processors in shrimp-producing countries. In the import markets, most distribution and retail companies prefer to rely on importers to assume the risk of buying and delivering shrimp within their specific price and quality guidelines.¹¹ For example, Red Chamber, a leading U.S. shrimp importer, counts both Wal-Mart and the Long John Silver’s restaurant chain among its primary customers. A notable exception is the Darden Restaurant Group, an Orlando, Florida-based seafood retail company with its own importing operations and annual sales in 2006 of \$5.7 billion.¹²

At the end of the chain are the retail outlets — food service distributors, grocery stores, and restaurants that supply and sell the finished product to other outlets or directly to consumers. Consumers are familiar with supermarkets and major retailers like Wal-Mart, the fastest growing seafood retailer in the United States. Also well known are restaurants like Red Lobster, Darden’s 650-location flagship chain, the largest single seller of seafood in the United States. Sysco Corporation, the largest U.S. food service company, purchases more than \$1 billion worth of seafood annually and is a key distributor of shrimp products to restaurants and institutions such as schools and hospitals.¹³

As a commodity, the price of shrimp fluctuates according to supply and demand, and price pressure is significant all along the supply chain. Retailers, sensitive to the risk involved with

importing fresh food, press import companies for faster distribution, acceptable quality, and the lowest prices.

Importers, aware that market fluctuations can affect prices, leverage their bulk purchasing power to demand speedy delivery from producers. Trapped between producers and importers are labor-intensive shrimp factories. Often, the factories’ response to price pressure is to squeeze wages, neglect workplace health and safety regulations, and cut other corners that leave shrimp workers bearing the social cost of affordable shrimp.

Industry Standards Overlook Labor Conditions

The rapid expansion of aquaculture and the global shrimp boom have created a regulatory vacuum in the area of appropriate food safety, environmental, and labor standards. While numerous calls to address food safety and consumer health issues in the industry have resulted in some attempts at regulation or standardization, they are difficult to enforce, and attempts to address environmental and labor concerns are few or nonexistent.

The U.S. Food and Drug Administration (FDA) has responded to serious concerns about food safety and consumer health by developing the Hazard Analysis and Critical Control Points (HACCP) regulation, which applies to both domestic and imported seafood.¹⁴ To ensure compliance with HACCP, the FDA can inspect food at the point of entry into the United States. It can also inspect importers and overseas firms. But the agency lacks the capacity to inspect the imported food it regulates.¹⁵ In studies released in 2001 and 2004, the

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Health and Environmental Concerns

Labor abuses are only the most recent problem associated with the global shrimp industry. For years, the industry has grappled with health and environmental concerns. In recent months the FDA banned the import of five types of farm-raised seafood, including shrimp, from China. The seafood was contaminated with trace amounts of banned carcinogens and antibiotics.¹ The food safety practices condemned in that case — like the irresponsible use of antibiotics — are not limited to China. They occur in other countries that mass-produce shrimp and other seafood for export. The health and environmental risks to humans and animals include the following:

Disease Outbreaks

A 2006 report by Food and Water Watch notes how densely stocked shrimp ponds — some as dense as 89,000 pounds of shrimp per acre — clog with waste, leading to disease outbreaks and parasite infestations.² Rapidly spreading viruses can have a devastating impact. Taiwan, for instance, lost a harvest in 1988 to an outbreak of *Monodon baculovirus* and its industry never recovered.³

Overuse of Antibiotics

To combat diseases, growers use antibiotic drugs and chemicals. As many as 13 different products are regularly used in a typical shrimp pond; these substances are dangerous to ingest and many are illegal for use in the United States.⁴ Two commonly used antibiotics, cholarmphenicol and nitrofurantoin, have been banned for use in food animals in the United States, because they are potentially carcinogenic.⁵ Between 2002 and 2006, the FDA singled out and returned individual shrimp shipments from China, Malaysia, Peru, Thailand, Venezuela, and Vietnam for unacceptable amounts of cholarmphenicol.⁶

Public Health Threats

Excessive use of antibiotics breeds antibiotic-resistant bacteria. For example, high levels of *Vibrio* bacteria which are resistant to antibiotics have been found in shrimp ponds. One type of *Vibrio* bacteria is the most common cause of food poisoning from seafood in the United States.⁷ A 1991-1995 outbreak of cholera in Ecuador that killed over 10,000 people has been attributed to a virulent *Vibrio cholerae* strain that developed in response to heavy use of antibiotics in Ecuador's shrimp supply.⁸

Photos (clockwise from above): Housing for shrimp processing workers in Khulna, Bangladesh; Coastal mangrove trees; Workers loading shrimp in Samut Sakhon.



Pesticides

Pesticides are used to kill off parasites and other organisms in shrimp ponds. The chemicals are potentially harmful if consumed by humans. Food and Water Watch notes that though the FDA is capable of checking for residues of 360 different pesticides considered harmful to humans, the agency only inspects 1 percent of seafood imports. Of the pesticides used globally, only one, formalin, is FDA approved for use in U.S shrimp farms.⁹

Water Contamination

In localities near shrimp farms, the runoff from ponds, often filled with animal waste products, excessive amounts of salt, or drug and chemical by-products, threatens rivers, streams, and other fresh water sources.¹⁰

Impact on Sea Turtles

The threat to various species of sea turtles by open-water shrimp trawlers has been a concern for decades. Turtle excluder devices (TEDs) have been developed to prevent the drowning of turtles in trawlers' nets. TEDs have been promoted among domestic shrimpers in the United States, and the government now requires countries that export to the United States to certify that their shrimp boats prevent damage to sea turtle populations.¹¹

Destruction of Coastal Areas

Wetlands — especially mangrove forests in countries such as Thailand, Bangladesh, Vietnam, and Ecuador — have undergone large-scale removal to make way for intensive shrimp production. Mangrove forests are a very important part of coastal ecosystems and anchor the coast against tides and major storms. The loss of these forests harms local fishing industries and threatens the physical security of coastal communities.¹²

Community Displacement

In Asia and Latin America, shrimp farming has created economic insecurity by displacing traditional farms or robbing other farms and communities of potable water. Land-use activists in some countries have lost their lives trying to defend their communities from invasion by shrimp farmers, especially when they come into conflict with local elites and complicit authorities.¹³



While numerous calls to address food safety and consumer health issues in the industry have resulted in some attempts at regulation or standardization, attempts to address environmental and labor concerns are few or nonexistent.

U.S. Government Accountability Office (GAO) noted major problems in the FDA's system of seafood inspections.¹⁶ For example, the GAO reports that the FDA made only modest improvements in the proportion of seafood products it tests at U.S. ports of entry, from 1 percent in 1999 to 1.2 percent by 2002.¹⁷ In 2002, the FDA inspected only 108 of roughly 13,000 foreign seafood firms that export seafood to the United States. Of the firms inspected, approximately 40 percent had serious violations that warranted regulatory action. However, the FDA waited an average of 157 days to issue warning letters to these firms, permitting potentially contaminated food to reach the U.S. market. Thus, almost half of the imports it inspected were in violation of HACCP, but the FDA does very little to protect the end consumer.

The FAO issued a set of international guidelines for the aquaculture and fishing industries in its 1995 Code of Conduct for Responsible Fisheries. The code promotes food safety and environmental conservation, but the FAO has no enforcement authority and must rely on UN member states to implement the provisions. In its most recent State of World Fisheries and Aquaculture report, the FAO warns bluntly, “[F]lagging political support for the Code undermines the momentum needed to carry forward initiatives that support its full implementation.”¹⁹

Some shrimp companies promote voluntary international corporate standards set by the International Standards Organization (ISO), such as ISO 9000 for production management, ISO 14000 for environmental management, and ISO 22000 for food safety. According to researchers, some Thai companies have accepted ISO environmental and man-

agement standards to a limited extent, but these instruments remain voluntary for processing plants and farms and are not widely observed.²⁰

In the area of labor standards there are even fewer initiatives. Country-level ratification and implementation of the International Labor Organization's (ILO) Core Labor Standards remain spotty in Bangladesh, Thailand, and the United States. Governments, consumers, and other interested groups have not attempted to link these standards to specific problems in the shrimp industry. (See Appendix 2.) One organization, Social Accountability International (SAI), has developed a general set of voluntary company standards for worker rights (SA8000). However, in its most recent certification report, SAI certified no Thai or Bangladeshi seafood or shrimp factories.²¹

None of these efforts have addressed food safety, environmental protection, or worker rights as part of an attempt to improve the overall sustainability of the shrimp industry. Still, a few consumer groups have had some success in promoting greater awareness of shrimp industry practices. Increased scrutiny of food imports has reopened a dialogue about the industry's long-term sustainability and its social impact.

Aquaculture Certification Council

To counter growing complaints by health and environmental advocates about shrimp farming and to consolidate various industry guidelines, a leading shrimp industry trade association, the Global Aquaculture Alliance (GAA), recently developed a set of best practices guidelines and created a monitor-



ing agency, the Aquaculture Certification Council (ACC). The ACC has developed guidelines, known as Best Aquaculture Practices (BAP), for management of shrimp farms and processing plants. The organization is now working with a number of major retailers, such as Wal-Mart, to ensure that BAP-certified shrimp from ACC-approved facilities are sold in stores.²² The BAP has two sets of standards for farms and for processing facilities. These standards include property rights, community relations, worker safety, employee relations, mangrove and biodiversity protection, effluent and sediment management, soil/water conservation, waste disposal

and sanitation, HACCP standards, and record keeping.

On the surface, the guidelines appear to address many of the problems associated with the industry. For example, in the BAP's general overview of the standards shrimp farms are instructed not to "damage wetlands or reduce the biodiversity of coastal ecosystems." Processing plants are urged to "dispose of process water and sewage in a responsible manner." Both farms and processors are called on "to comply with local and national labor law to assure worker safety and adequate compensation."²³

Labor Guidelines Fall Short

Critics say that despite the BAP's positive tone, the guidelines are too weak — outlining very general and simplistic steps that are not independently evaluated.²⁴ While the ACC's current certification questionnaires for farms and processing plants deal more extensively with issues of water quality, sanitation, and food safety, the sections devoted to labor issues completely fail to address the complex problems involved in a competitive global industry. (See Appendix 1.)

For example, in an industry known for processing plant shifts exceeding 12 hours a day, the BAP guidelines make no mention of working hours. Nor is there mention of how worker rights (much less environmental and food safety standards) are to be monitored in the thousands of small subcontracted facilities that take outsourced orders from larger certified facilities. While factories are generally asked to provide data on basic wage and benefit rates (and asked to self-certify if they pay these rates), there is no mention of whether or how these standards apply to the growing pool of contract, temporary, and otherwise informal workers in countries like Thailand and Bangladesh. And while migrant workers play a major role in shrimp processing in countries like Thailand, the guidelines make no mention of international migrant rights standards or best practices to prevent abuses like debt bondage, forced labor, and human trafficking.

Although the BAP guidelines acknowledge that workers should have safe working environments and receive adequate compensation, they do not ensure these fundamental rights. And though facilities are generally exhorted to

adhere to both national and international labor standards, they are evaluated only according to national and local minimums in the areas of wages, benefits, and child labor through data provided by the facility, not by an independent evaluator. The ability of the ACC's certified inspectors to conduct serious evaluations of labor issues is in some doubt.

Inspectors generally have a wealth of professional expertise in specialties like fisheries management and HACCP standards. However, according to the ACC's website, none of them currently has specific expertise in labor law or ILO labor standards compliance.

Shrimp Processing in Thailand

Shrimp processing in Thailand takes place mainly south of Bangkok in the province of Samut Sakhon. The shipping and seaport hub of Mahachai handles over 40 percent of Thailand's shrimp processing.

More than any other country, Thailand has capitalized on the growth of shrimp farming, and it has been a key player in the shrimp industry's globalization during the past 20 years. Thailand has been the world's leading exporter of fisheries products since 1993, and the leading exporter of shrimp for nearly as long.²⁵ Shrimp exporting is estimated to be a \$2 billion-a-year business, accounting for roughly 2 percent of Thai GDP, which makes it Thailand's third largest source of export revenue.²⁶ Thai shrimp exports are expected to total over 336,000 tons in 2007, about half to retailers in the United States.²⁷

Between 1987 and 2002, the number of shrimp farms in Thailand more than quintupled from 5,889 to 31,179.²⁸ (Though aquaculture now dominates Thailand's shrimp industry, open-water shrimping also increased slightly during this period from roughly 85,000 tons in 1989 to 110,000 tons in 1998; it accounts for approximately 20 percent of all Thai shrimp.) In the past 25 years shrimp farming has grown in coastal areas on the Gulf of Thailand, in Andaman Sea provinces like Phangna and Phuket, and in some inland freshwa-



ter farming areas such as the Chao Phraya River Delta.²⁹ Northern Gulf of Thailand ports remain the most important for shrimp fishing and processing. Of the industrial clusters of shrimp and seafood processing plants in these semi-rural harbor areas, those in Samut Sakhon province are of primary importance to the industry. It is estimated that over 40 percent of Thailand's shrimp are processed in Samut Sakhon alone.³⁰

Map: Shrimp processing in Thailand takes place mainly south of Bangkok in the province of Samut Sakhon. The province's shipping and seaport hub of Mahachai handles over 40 percent of Thailand's shrimp processing.

Supply Chain Research - Thailand

Processing

Interviews conducted by Solidarity Center partner organizations identified 15 Thai factories in Samut Sakhon with substandard working conditions. All of these factories export some percentage of their products to the United States.

Importing

The importers buying from the factories are (in alphabetical order): Aqua Beauty/Charoen Pokphand Foods, Berdex Seafoods, Bumble Bee Seafoods, Daymon Worldwide Global Solutions, Eastern Fish Co., H&N Foods Group/Expac Seafood, Mazzetta Company, National Fish and Seafood Limited/Pacific Andes International, Ocean to Ocean/Icelandic USA, Pafco Importing Co., RT Foods, Supervalu, and Tai Foong USA.

Retailers

The Solidarity Center also identified nine supermarkets that sell these factories' processed shrimp: Costco, Cub Foods, Giant, Giant Eagle, Harris Teeter, IGA, Tops Markets, Trader Joe's, and Wal-Mart. (Other U.S. retailers and food service companies were not directly identified by Solidarity Center research.)

The brand names of the shrimp are: Asian Classic, Bumble Bee, Capt'n's Pack, Camaron Beach, Chef, Condal, Cub Foods, Giant, Giant Eagle, Gulf Classic, Harris Teeter, IGA, Member's Mark, Northern King, Ocean Jewel, Orleans, Royal Thai, Sail, Sam's Club, Seamazz, Tiger Bay, TOPS, Trader Joe's, Yankee Clipper, and Wal-Mart.

**Lists of importers, retailers, and brand names were compiled from data collected by Piers, Inc. on waterborne shipments of frozen seafood to the United States and are based on manifest entries.*

Labor Conditions in the Thai Shrimp Industry

A 2006 report coauthored by the ILO and researchers from Thailand's Mahidol University confirmed widespread labor abuses throughout the Thai fishing and seafood processing sectors. The report found child labor, excessive work hours, and forced labor to be the

norm in seafood processing plants.³¹ Roughly 19 percent of the migrant workers in processing plants interviewed for the report were under 15 years of age, while another 22 percent were between 15 and 17.³² More than 75 percent of all workers put in more than eight hours per day, and 40 percent endured shifts longer than 12 hours.³³ The study found that processing factory workers earned an average of 4,500 baht per month (about \$4.60 per day, assuming a six-day work week).³⁴ Finally, employers lacked important knowledge about worker rights — many employers were unsure whether migrant workers were entitled to leave the workplace without permission during their time off.³⁵

The persistence of child labor in Thailand's shrimp and seafood sector was further supported by a 2006 study of child labor in Samut Sakhon, led by the Asian Research Center for Migration in cooperation with the Labour Rights Promotion Network (LPN), a Solidarity Center partner organization. The report estimated that 20,000 children under the age of 18 are working in the province.³⁶ On the basis of statistical data, just under half of these children work in "fisheries-related" jobs that include peeling shrimp, transferring heavy loads, and drying, boiling, and shelling various types of seafood.³⁷ The report further noted that the children in these jobs "received no safety equipment other than gloves and scissors." Among other abuses, the report found that many children had to work excessive shifts and experienced abusive treatment such as "scolding/condemnation, forced overtime, and being struck."³⁸

In addition to research studies such as this one, more shrimp worker interviews and international media stories about the Thai shrimp industry are beginning to filter out of Thailand, revealing some of the entrenched labor problems that exist.

Since 2005, the Solidarity Center and its partner organization have conducted interviews with shrimp processing workers, mainly in Samut Sakhon. Much of this research lends insight into the actual wage and working hours of shrimp processing workers as well as the adverse working conditions that exist in a number of factories.

For example, in April 2007, workers at a factory owned by a major Thai shrimp processing company spoke with Solidarity Center partners, alleging hazardous working conditions as well as an intimidating and discriminatory work environment. Workers complained of forced overtime and nonpayment of wages if production quotas were missed. They also claimed regular exposure to harsh chemicals, lack of access to first aid or health care, and poor air and drinking water quality. They additionally alleged that they had unexplained deductions from their pay, that they worked without a written contract, and that native Thais and migrant workers were segregated by the use of color-coded uniforms.³⁹

These allegations highlight the many broad and intertwined concerns about work in the Thai shrimp industry. The color-coded uniforms and ethnic segregation point to another key issue — the role of migrant workers in shrimp processing. Migrant workers perform much of the labor-intensive work in Thailand's shrimp processing plants, and it is often difficult to distinguish the labor-related responsibilities of the larger processing

plants from those of the labor brokers that hire workers, as well as the smaller processing plants that receive outsourced orders from larger companies.⁴⁰

In previous years, media sources may not have noticed these problems associated with the Thai shrimp industry. But shrimp companies all along the supply chain are experiencing greater scrutiny of their labor practices, and the press is taking worker allegations seriously. Much of this exposure is due to the events at Ranya Paew.

What Happened at Ranya Paew

On September 16, 2006, Thai police and immigration authorities raided the Ranya Paew shrimp processing factory in Samut Sakhon. Working off a tip, police conducted the raid expecting to note a few labor law violations and perhaps round up some undocumented migrant workers. Ranya Paew was more like a fortress than a factory, with 16-foot-high barbed-wire capped walls, an armed guard force, and an extensive internal closed-circuit television system.⁴¹ Behind the walls, the police found a scene that one report described as “little short of medieval,” with hundreds of workers literally trapped inside the compound, living in squalid conditions, forced to work long hours, and subjected to physical, emo-

Getting Sick is Standard Fare for Workers

In the 15 plants that Solidarity Center partners surveyed there was a common theme: harsh chemicals and ammonia gas are burning workers' skin and causing serious respiratory illnesses.

In one plant, workers said that they had to pay the cost of necessary safety equipment through payroll deductions. All said that it was very difficult to get medical treatment. Most factories have no first aid or medical care stations and few workers have access to medical care outside the factory gates.

Migrant workers often lack proper paperwork and fear harassment if they venture away from their workplace or housing in search of medical care. Some workers note that getting sick means being punished for missed work.

Information based on Solidarity Center interviews with shrimp industry workers in Samut Sakhon province in August 2005, October 2005, and April 2007.

“After being returned to the factory, they were all beaten with a bamboo stick until it broke. The next morning they were further humiliated. They had to stand in front of all the workers and the employer told everyone a lie, that they had been bought back from a brothel. [One woman’s] pants were pulled down and she was beaten. [Another woman] was forced to take off her clothes in front of all the workers. She was then forced to lie down on the ground while the owner stepped on her breast. The owner then took out a gun and threatened that if anyone dared to escape she would shoot them dead.”

Taken from an interview with a former Ranya Paew employee conducted by a Solidarity Center partner organization, September 2006.

Workers said that if they made a mistake on the shrimp peeling line, asked for sick leave, or tried to escape, they could expect to be beaten, sexually molested, or publicly tortured.

tional, and sexual intimidation and abuse.⁴² Workers who angered the employer were often “put to shame” in front of others by having their hair cut or shaved in patches. Women and girls were stripped naked and publicly beaten as a form of discipline.⁴³

Most of the workers at Ranya Paew were Burmese migrants who relayed shocking stories about life inside the factory. They told of 16- to 20-hour shifts, filthy conditions, low pay, and forced labor. Police investigators learned that managers demanded months of unpaid work to meet debts to labor agents, or to pay for basic safety equipment, housing, even food and medicine. One worker noted that she worked for three months without pay and even then received only 200 baht (\$5.60) the fourth month, after 500 baht (\$14.10) was deducted from her wages to pay her labor agent’s fee and to cover meals, housing, and safety equipment. She claims she peeled 18-20 kg. (about 40 pounds) of shrimp per day.⁴⁴

Other workers said that if they made a mistake on the shrimp peeling line, asked for sick leave, or tried to escape, they could expect to be beaten, sexually molested, or publicly tortured. After

interviewing more than 280 workers, police took 63 women and three men to a shelter, suspecting that they had been trafficked and/or forced to work against their will.* Another 22 were deported; nearly 80 returned to work at the factory, which remains in operation. Despite widespread worker rights abuses, including child labor and human trafficking, the owner was charged only with employing children under 15 and failing to provide holidays and time off. Though these charges are serious, they were treated as first-time labor code violations. The owner initially only paid a fine of about \$2,100 and has returned to work.

The abuses documented at Ranya Paew are further evidence of the problems worker rights advocates have noted for some time. In addition to long hours, forced labor, and child labor, Ranya Paew opened the lid on many hidden yet systemic worker rights problems of the Thai shrimp industry:

- widespread abuse of migrant workers;
- powerful labor brokers who abet human trafficking and other abuses; and
- extensive subcontracting and outsourcing, which encourages lower workplace standards and wages.

Role of Migrant Workers

To understand the working conditions of migrant workers in Thailand’s shrimp processing industry is to understand its worst forms of abuse. Most of these workers are Burmese, but many are

* At the time of the raid, the protection provisions of Thai law did not include males in the definition of trafficking victims.

Cambodians and Laotians; together, they make up the bulk of the shrimp processing workforce. Over the past several years, Solidarity Center partners in Thailand — especially those that defend the rights of Burmese migrants — have begun the difficult and dangerous work of investigating labor abuses against migrant workers in the Thai seafood processing industry. Their efforts, as well as limited interventions by authorities on behalf of shrimp processing workers, tell a harrowing tale that governments, international advocacy organizations, and the mainstream media are just beginning to hear.

Thailand's open, export-oriented economy makes it a primary destination for migrant workers. The sustained shrimp boom has strengthened the need for workers on farms, in boats, and in the processing factories. Since 1992, a despotic and violent military regime has torn apart the social and economic fabric of Burma, forcing millions to desperately seek work or refuge elsewhere. An estimated 3 million Burmese migrants live and work in Thailand's low-wage, mostly informal sectors such as domestic service, construction, agriculture, fishing, and seafood processing.⁴⁵ The industrial clusters of shrimp processing factories in Samut Sakhon host about 200,000 Burmese migrants; only about one-third have proper identity and travel documents.⁴⁶

Labor Brokers and Human Trafficking

A web of Thai and Burmese labor brokers, complicit authorities, and employers abet a sophisticated system of bribery and migrant worker smuggling in Thailand. A recent UN-sponsored report on the role of labor brokers con-



Ranya Paew workers being questioned by investigators, September 2006.

cluded, “[T]here is systematic and institutional exploitation of Burmese migrants in Samut Sakhon and neighboring provinces, often through debt bondage and exploitation without accountability through subcontracting.”⁴⁷ The U.S. Department of State’s 2007 *Trafficking in Persons Report* describes how workers’ “voluntary” migration can lead to trafficking into involuntary servitude. It notes that this has become a serious concern for migrant workers in Thailand and worldwide.⁴⁸

Debt bondage is a key method of exploiting migrant workers. Having agreed to pay excessive fees to the agents who smuggle them over the border and/or to the brokers who find them a job, workers are forced to meet their debt through payroll deductions or unpaid labor. This predicament makes migrant workers vulnerable to further extortion and even forced labor for months or years before they can earn any extra money to support their families.

Another way in which employers and labor brokers exploit migrant workers is by controlling their movement, often by depriving them of any official documentation. Even those with proper documents regularly have their paperwork

taken from them by labor brokers to keep them from leaving or searching for a better job. Deprived of their personal identification and travel documents, without social support structures, and deep in debt, migrant workers can be easily manipulated into staying put and performing hazardous and exploitative work. In fact, recent studies found that many Thai employers favor restricting migrant workers' freedom of movement and/or providing fewer social services to migrants than to native Thai workers.⁴⁹

Labor brokers play an instrumental role in moving workers into jobs in shrimp processing and played a big part in placing workers into Ranya Paew. Recent interviews with shrimp workers also reveal that these labor brokers have increasing influence as a result of the trend toward subcontracting and informal labor relations in the industry. In these instances, brokers agree to provide wages, housing, and registration services for migrant workers. They even agree to handle workplace problems — allowing employers to avoid legal obligations to employees (and to the employment-related provisions of any certification programs they may have joined).

Factory owners pay the brokers, who are then responsible for paying workers. In most cases, however, the brokers keep a portion of the wages. Often, the brokers fail to arrange proper immigration registration in order to use the migrants' irregular legal status to extort more money, control their movement, and force them to work. If authorities investigate, employers can simply deny responsibility, blaming the brokers, who in turn hand over the “illegals” for deportation. If caught by police, migrant workers face an extended period of time in Thai deportation centers, along with a return to certain poverty and possible imprisonment or torture in Burma.

Wages and Subcontracting

In early 2007, a Thai seafood industry source estimated that shrimp processing workers earn 191 baht per day (roughly \$5.70) — the minimum daily wage in Bangkok and Samut Sakhon province. Thailand's shrimp industry trade association deems even this amount to be so high as to hinder Thailand's export competitiveness.⁵⁰ Other sources raise questions about real wage level. The ILO put the actual figure around 146 baht (\$4.60) per day, while Amnesty International reports wages closer to 70 to 100 baht (\$2.21 to \$3.16) per day.⁵¹ Interviews with workers clarified how official wage numbers differ from real wages received after company deductions. For example, a pay stub from a worker at the Pattana Seafood Company in Samut Sakhon showed a reported pay of 191 baht per day, but daily take-home pay was closer to 160 baht after deductions for equipment and permits. A similar pay stub from Ongkorn Cold Storage showed that a worker's 152 baht-per-day pay was cut to less than 130 baht after unspecified “administrative deductions” by management.⁵²

As low as these wages are, they do not tell the whole story. Most shrimp processing workers work six days a week with shifts longer than eight hours without paid overtime or leave.⁵³ In addition, many shrimp processing workers are not paid an hourly wage, but in piece rates. Piece rates mean that many workers on shrimp peeling and de-veining lines in Thailand are paid a fixed amount for each kilogram of processed shrimp, which further erodes their real wages by encouraging longer and longer hours. With pay pegged to the amount of shrimp a worker can process, health and safety concerns are put aside in the fast pace of the processing lines. Workers



interviewed noted regular workplace health and safety problems, particularly machine accidents and burns from the harsh chemicals used as disinfectants.

The Ranya Paew case also highlights the widespread system of factory outsourcing, whereby subcontracted firms can easily exploit workers beyond the view of authorities or certification regimes. While about a dozen Thai agribusiness giants financially dominate the overall shrimp industry, the structure of shrimp processing resembles similar production models in the footwear and garment industry — with much of the labor-intensive work contracted out to small independent firms that can quickly produce or process a high volume of shrimp.

Subcontracted factories like Ranya Paew operate on the margin of the regulated formal economy. Orders are short-term,

profits are tight, and downward pressure on costs is passed down to workers in the form of long hours, low pay, and lax health and safety standards.

Subcontractors may operate in their own factories or even on the premises of a larger, formal operation. Workers at a Samut Sakhon plant owned by a major Thai seafood company reported that of the 5,000 workers inside the factory, subcontractors technically employed 80 percent. Such widespread use of subcontracting and labor agents has led to gradual informalization of labor relations. The result is a system that allows companies to hide real wage levels, skirt responsibilities, and in places like Ranya Paew, commit egregious worker violations like forced labor, debt bondage, and human trafficking.

The brokers fail to arrange proper immigration registration in order to use the migrants' lack of legal status to extort more money, control their movement, and force them to work.

Weak System of Justice

Workers, especially migrants, caught up in trafficking, bonded labor, or forced labor schemes, lack meaningful legal recourse. After the Ranya Paew abuses were discovered, the National Human Rights Commission of Thailand instructed provincial officials in Samut Sakhon to bring criminal charges against the factory owners. The case was initially referred to a labor court, where it was essentially treated as a compensation dispute between the employer and the 63 women and three men alleged to have been trafficked. Despite spending months in a government-sponsored shelter without any income to support their families, the plaintiffs pressed ahead and were finally able to state their case before the labor court. In late November 2007, the case was settled out of court, with the owner agreeing to pay 3.6 million baht (\$101,327), to be divided among the 66 workers based on the length of time they worked at Ranya Paew.

Some months after the raid, police brought criminal charges and launched an investigation.⁵⁴ Though the criminal investigation is proceeding slowly, Ranya Paew and another high profile trafficking case can serve as examples for workers to pursue justice through the court system.⁵⁵

Raids such as the one on Ranya Paew are very rare. Reports from Samut Sakhon indicate that some local authorities are complicit in illegal activities such as migrant smuggling and trafficking. Even when human rights abuses are publicized, Thai courts often allow cases to be delayed indefinitely or fail to prosecute them altogether. With regulation of the shrimp and seafood industry, migration policy, and labor relations handled

by different ministries, the Thai government has no unified policy to protect the rights of workers and migrants in the shrimp industry.

Shrimp Processing in Bangladesh

Shrimp is Bangladesh's second largest export in terms of dollar sales. The country is widely known for its garment production, which is the largest export. In 2005 Bangladesh sold an estimated 40 percent of its shrimp to the United States, the same amount to the European Union, and the remainder to Japan.⁵⁶

While its shrimp exports were far less than Thailand's, Bangladesh still was among the world's top ten producers in 2006, accounting for about 3 percent of world sales. As in Thailand, but to a lesser degree, the shrimp industry in Bangladesh rapidly expanded during the global "shrimp boom," with shrimp production increasing from 11,000 to 94,000 tons between 1984 and 2000.⁵⁷ Exports of Bangladesh shrimp to the United States more than doubled from 2005 to 2006 as a result of antidumping duties applied to other large shrimp exporting countries in 2005. In 2006 Bangladesh shrimp exports to the United States totaled almost \$200 million.⁵⁸

Shrimp processing in Bangladesh is largely concentrated in two general areas: the cities of Chittagong and Cox's Bazar, and the districts of Khulna, Satkhira, and Bagerhat. The exact number of workers in the Bangladesh shrimp industry is difficult to estimate. With a high percentage of undocumented workers, as well as unregistered farms and processing plants, many work beyond the reach of official statistics. According to one U.S. Government source, at least 142,000 families, or more than 600,000



people, depend directly on just the shrimp farming portion of the industry for their livelihood.⁵⁹ The industry-associated nonprofit Bangladesh Shrimp and Fish Foundation puts the number at 600,000 direct workers, who support some 3.5 million dependents.⁶⁰

A number of processing facilities in Bangladesh, as in Thailand, are operated by small subcontractors that may not be fully registered. In addition, the actual number of workers employed is probably far greater, since many workers are short-term or "contract" employees. Working on informal, temporary contracts (if any contract at all), they are not direct hires of the employer, are not covered by the labor law, and are often overlooked in official statistics.

Shrimp is expected to be a growth industry in Bangladesh. The government

Shrimp processing in Bangladesh is largely concentrated in two areas: the cities of Chittagong and Cox's Bazar, and the districts of Khulna, Satkhira, and Bagerhat.

Female shrimp processing workers, the report also noted, are more easily victimized by their male supervisors, because there are few job opportunities for women, and they face added social barriers to finding new employment if fired.

and the countries that provide Bangladesh with development assistance have shown great interest in improving and developing the country's seafood and shrimp industries, especially after imports of diseased Bangladesh shrimp were banned by the European Union in 1997.⁶¹ In addition to a desire to overcome lingering health concerns, the interest in shrimp and seafood stems from Bangladesh's perceived need to diversify its narrow export base, which is overwhelmingly dominated by the garment industry.⁶²

The U.S. Agency for International Development (USAID) has played a key role in this export diversification strategy. Noting that "cheap labor and ample water resources" were comparative advantages that Bangladesh held over Thailand and Vietnam, USAID predicted that shrimp exports from Bangladesh would increase to approximately \$1.5 billion annually by 2010 if certain production problems were overcome.⁶³ Most of these problems are rooted in the disease and antibiotic contamination in the 1990s that precipitated the European Union's ban. To address these issues, USAID supported a \$3 million Shrimp Seal of Quality Program (SSOQ), which began in 2002 and focused on increasing Bangladesh's shrimp exports while also developing a certification regime based on strong input from the Aquaculture Certification Council.⁶⁴

While it seems that Bangladesh is falling short of its 2010 export target, the industry has made a number of inroads into the U.S. market, including an agreement with Red Lobster restaurants to buy shrimp from Bangladesh. Red Lobster's parent company, Darden Restaurants Inc., is the largest U.S. importer of Bangladesh shrimp.⁶⁵

Labor Conditions in the Bangladesh Shrimp Industry

A number of organizations have identified extensive worker and human rights abuses in Bangladesh's shrimp industry. Most reports have concentrated on power imbalances in shrimp farming, whereby local power brokers have in effect expropriated land from peasants to set up farms, causing environmental devastation in the process. Reports from organizations such as the Environmental Justice Foundation (EJF) have identified land grabbing, the use of child and forced labor, and reduced local access to land, water, and other resources as key abuses.⁶⁶ USAID's own commissioned report on the industry, published in 2006, reiterated some of EJF's findings on the industry's environmental burden. It contained a stark assessment of attempts to improve processing techniques: "There is evidence that a number of processing plants have failed to implement adequate changes in securing their supply of shrimp and the risk of contamination remains significant."⁶⁷

Many international NGOs and development agencies remain rightly concerned about the impact of the shrimp trade on local communities and about issues like food safety and environmental preservation. However, labor exploitation and defending worker rights have not been primary concerns for those interested in the industry's long-term sustainability. Through research and interviews with shrimp processing workers in Bangladesh, the Solidarity Center and its partner organizations documented many of the same labor abuses that USAID also found. They include shifts over 12 hours a day, forced and unpaid overtime, failure to observe minimum wages, inadequate healthcare and childcare resources, and insufficient health and

safety standards at most facilities.⁶⁸

The abuse in Bangladesh's shrimp processing plants is systemic. It is the result of weak labor laws and a largely unregulated industry that puts downward pressure on wages, benefits, and working conditions. They include:

- widespread informalization of the industry, where cheaper forms of temporary, casual, or otherwise non-contract labor are preferred to long-term, full-time employment with benefits;
- exploitation of female workers;
- the persistence of child labor; and
- failure to implement preventive health and safety standards for workers and inadequate care for workplace injuries.

Wages and Contract Employees

Factory owners pay a bewildering variety of wages to shrimp factory workers, all of which are excessively low and depend on whether the workers are hired directly by the owner or are contracted through a labor broker. The basic pay rate is equivalent to \$23 a month for starting employees. More experienced workers may earn as little as \$26 a month. Still, they are much more fortunate than contract employees, who work for piece rates and are often paid 15 cents for every 22 pounds of shrimp they clean. In addition, some contract employees complain that the weighing process consistently understates the actual weight of shrimp cleaned, but they are powerless to protest.⁶⁹

Pay rates are further obscured by the issue of long hours. In recent interviews with shrimp processing workers, nearly every worker stated the same thing: "I work from 8:00 a.m. to 8:00 p.m."



This rare photo inside a Bangladesh shrimp processing factory shows female-workers under the supervision of a largely male managerial force.

(Some said that they stand the entire time.) Workers at five different processing companies noted an oddly similar practice — a straight 26-hour shift that takes place every other Friday morning and ends on Saturday morning the next day. None of the workers reporting this abusive practice mentioned being paid overtime for the excessively long hours.⁷⁰

In interviews with shrimp processing workers, subcontracting and the informalization of employment relations are dominant concerns. Workers fear a growing trend whereby an employer never signs a formal contract and never submits proper wage documentation. These workers are thus not regular employees but what the industry and law categorize as either "seasonal" or "contract" employees hired through third-party labor contractors. While Bangladesh's labor law provides new protections for seasonal employees, no such protections are in place for contract employees. Once they are effectively invisible to the country's labor laws, the system allows employers to ignore the non-wage benefits generally extended to

Long Hours and the Ends Still Don't Meet

"I am 18 years old. I have 10 years experience in shrimp and seafood processing. I work from 8:00 a.m. to 8:00 p.m. every day. Every other Friday our company makes us start work at 6:00 a.m. on Friday and end at 8:00 a.m. on Saturday. We do not get overtime pay. I am unmarried but I have to take care of my mother who lives with me. I do not have enough money to buy food and sometimes I have to go a whole day without food."

"I have been working in this company for three years. My monthly salary is 1950 taka (\$29). My eldest son is 18 years old. He has been working for four months now. My other two children are in school, but I cannot afford their books, pens, and tuition. To earn money, one of them works after school as a day laborer carrying cartons three or four days a week. He is 11 years old. He earns 20-30 taka (30 to 45 cents) per day."

Taken from Solidarity Center interviews with two women workers at shrimp factories in the Khulna region.

full-time workers. Although the use of contract employees for other than short periods violates the labor law, workers detect no effective enforcement of the law in Bangladesh factories.

Especially Exploited: Women Workers

The replacement of full-time work and benefits by temporary and other informal arrangements hampers achievement of the overall goal of economic development by shutting off thousands of workers from the economic and social benefits of work. Workers state that while they know the companies they work for are growing and profitable, they are not seeing any evidence in their paychecks. In fact, there is a consensus that the standard of living is declining for shrimp processing workers.⁷¹

This situation is especially true for women workers. They outnumber men on the shrimp processing lines, and they bear the brunt of the subcontracting trend. USAID's 2006 report notes, "[W]omen concentrate in temporary, casual, and flexible labor primarily due to their subordinate social and economic status, [and they] are hired as cheap, compliant labor that can be hired and fired more easily."⁷²

At the same time, women workers are expected to fulfill their traditional roles as caregivers and homemakers. It is brutally ironic that while poverty pushes many women into the workplace to make ends meet for their families, their subcontracted status deprives them of many of the non-wage health and pension benefits that would help them balance their dual roles as caregivers and wage earners. One research report notes, "[L]ong work hours takes its toll on women workers' general health condition and well being, making them more susceptible to diseases. The factories have no policy on maternity leave. Employers were uncomfortable when inquired about maternity leave."⁷³

The ILO's 2005 overview of shrimp processing in Bangladesh confirmed the predominance of women in informal and "casual" employment and the lack of health or housing benefits given to casual workers.⁷⁴ In addition, the ILO report focused specifically on the workplace problems women workers face. Some employers confirmed that children work in factories because women workers, lacking care options, must take their children to their workplace.⁷⁵ Female shrimp processing workers, the report also noted, are more easily victimized by their male supervisors, because there are few job opportunities for women, and they face added social barriers to

finding new employment if fired.⁷⁶

An interview by a Solidarity Center partner illustrates one woman's story: "Anjira," a shrimp processor, is 20 years old and has been working in a plant for two years. Before obtaining a job in a shrimp processing plant, Anjira was abandoned by her husband when she was six months pregnant and raising a two-year-old daughter. She worked briefly as a housemaid but was excited at the chance of steady work at a shrimp processing facility. She makes about \$32 a month, does not know her rights under the law, and feels completely at the mercy of her employer. She would like to be paid more but would never think of challenging her employer, because she simply cannot afford to lose her job.⁷⁷

Child Labor in Shrimp Processing

A pressing concern about the Bangladesh shrimp industry is its dependence on child labor. In its most recent report on the worst forms of child labor, the U.S. Department of Labor noted that an estimated 13.4 percent of Bangladesh's children aged 5 to 14 were counted as working and that children are "vulnerable to exploitation in a variety of potentially hazardous occupations and sectors including . . . shrimp-farming."⁷⁸

Research shows that as recently as May 2007 child labor remains a common fact of life in many shrimp processing plants, and is tightly linked to social and economic pressure on women workers. Eyewitness accounts from lawyers helping shrimp workers seek redress for labor law violations report that children

The Invisible Worker

"We are all supposed to be permanent workers at our factory. But this is not true . . . none of us have an ID card."^{*}

Taken from an interview with a woman worker at a shrimp factory in the Khulna region speaking to an interviewer at the Solidarity Center office.

My company runs 24 hours a day, with 2000 company (or permanent) workers per 8-hour shift, 7 days a week.^{**} We work 8 hours with no lunch or dinner break. There are another 1000 "contract" workers, who work 12 hours at a time with only occasional 20-minute breaks. There are about 100-150 child workers, who come with their mothers. The contract and child workers have the lowest and hardest job, shelling the raw shrimp with their bare hands.

Taken from an interview with a male worker at the Khulna factory of one of Bangladesh's largest seafood and shrimp companies. Interview conducted by the Solidarity Center.

^{*} Also noted in Gammage et al, "A Gendered Analysis of the Shrimp Sector in Bangladesh," p. 43.

^{**} Though classified as a "company" employee, the interviewee noted that he and other employees like him do not have a written contract despite their full-time, called "permanent," status.

(defined in Bangladesh as persons under the age of 14) are often involved in loading finished products onto trucks at processing plants. These children do not appear on company employee lists, because subcontractors employ them. Children between 14 and 17 are also members of the workforce. While it is legal to employ these older children under Bangladesh's national labor laws, they are allowed to work only a restricted number of hours a day and are not permitted to do hazardous work. However, none of the 20 factories observed by researchers obeyed the important legal prohibition of unsafe work.

Child Labor: A Fact of Life in Bangladesh Shrimp Processing

In research interviews conducted by Solidarity Center partners with workers at processing factories, 20 facilities in the Khulna region were found to be using child labor:

Atlas Sea Food Limited, Bionic Seafood Exports Limited, Bionic Fish Processing Limited, Fresh Foods Limited, International Shrimp Export (Private) Limited, Jahanabad Seafoods Limited, Khulna Frozen Food Export Limited, Kquality Shrimp Export (Private) Limited, Lockpur Fish Processing Company Limited, Modern Seafood Industry Industries Limited, National Seafood Industries Limited, New Foods Limited, Organic Shrimp Export Limited, Oriental Fish Processing and Culture Limited, Rupali Seafoods Limited, Salam Seafoods Limited, Shahnewaz Seafoods Limited, Sobi Fish Processing Ind. Limited, South Field Fisheries Limited, and Unique Ice and Foods Limited

The brand names of the shrimp processed at these factories are: Asian Classic, Banaful, Food Lion, Captn's Pack, Celine, KFFE, Sea Gold, Mirabel, Sail, Seapride, Sea Star, and Sobi.

The importers buying from the factories for shipment to the United States are: Aqua Beauty/Charoen Pokphand Foods, Eastern Fish Company, Fishery Products Interational, Great American Seafood Imports, H&N Foods/Expac Seafoods, Mazzetta Company, Ocean Fresh Trading, Ocean to Ocean/Icelandic USA, Quirch Foods, Pacific American Fish, Pacific Seafood Group, Sterling Seafood, Southern Foods USA, and Tai Foong International.

This list of brand names and import companies was compiled from data collected by Piers Inc. on waterborne shipments of frozen seafood to the United States and is based upon manifest entries.

Health and Safety Issues

In an industry environment where labor law violations are common, it is not surprising that health and safety regulations are routinely ignored. Reports have noted a number of injuries and health impacts of shrimp processing work, including arthritis, urinary tract infections, back injuries, repetitive strain, muscle inflammation, fungal infections, and diarrhea.⁷⁹ Many long-term back and muscle injuries are due to long periods that workers stand before a shrimp-peeling table. Others, such as the hand and finger cuts and repetitive strain common to most shrimp processing workers, result from long hours doing the same activity and failure to wear gloves or other protective equipment.

With piece rate pay tied to production targets, neither workers nor employers are motivated to provide or use safety equipment that might slow the process.⁸⁰

Research conducted in late 2006 confirms that these health and safety problems not only endanger workers' health but also put food safety at risk. In most factories workers, especially sub-contracted workers, are not provided protective gloves when they de-head and peel shrimp. When they are injured, first aid treatment is largely unavailable. Workers also noted that they had no access to bathrooms and sanitary facilities except when a "buyers visit" is anticipated.⁸¹

Conclusion

Correcting the worker rights abuses found in the shrimp processing industries of Thailand and Bangladesh presents tremendous challenges. While the Thai shrimp industry is much larger than that of Bangladesh, it is not surprising that many of their systemic problems are remarkably similar. As both countries' shrimp industries have boomed and become integrated into a massive global shrimp supply chain, low wages, long hours, and unhealthy, hazardous work form the unfortunate foundation of work in shrimp processing. Migrant workers, women, and children are among the most vulnerable and powerless and continue to be exploited as part of a downward push on costs and a rapid withering of decent, formal employment. Reports of the worst forms of labor exploitation — child labor, human trafficking, debt bondage, and forced labor — are increasingly emerging from the shadows with the help of researchers, journalists, and worker rights advocates.

In both countries, employers skirt national labor laws, often turning to an informal array of labor agents and subcontractors to handle the necessary details of labor relations. Despite the drain of low-wage development and informal employment on public resources, governments in both Thailand and Bangladesh have failed in their responsibilities to uphold the rule of law, either by pressing companies to comply with laws and regulations or by fully prosecuting wrongdoers who abuse workers rights. Regulations are overlooked, loopholes are exploited, and powerless workers remain invisible to employers who steadfastly deny responsibility for these abuses. In instances where workers have made the bold deci-

Legal Enforcement – A Cruel Joke

“Yes, the inspectors come, they have to come at least once a year. But they always inform the management first. The management then arranges everything: they change the shifts and only put people on who agree with them. They prepare a separate salary sheet. The inspectors know the management, they are all friends.”

A shrimp worker from the Khulna region speaking to an interviewer at the Solidarity Center office.

sion to speak out, lax law enforcement or judicial indifference delays cases indefinitely, tilting the scales of justice toward powerful industry players and away from desperate workers with no time or money to spare.

The shrimp industry shares striking similarities to the development of other global industries such as apparel, footwear, and toy manufacturing. Some of the same characteristics are evident: a global supply chain where easy access to public infrastructure, cheap labor, and lax regulations in developing countries meets consumer demand in developed countries. Price pressure from retailers and import suppliers, plus demand for speedier “just-in-time” production, facilitates the development of sweatshop conditions, piece rate payments, subcontracting, and abusive, dangerous work.

For years, companies throughout the supply chains of these global industries fiercely resisted efforts to improve working conditions and make necessary changes to integrate workers into the economic mainstream. With a few notable exceptions, industry resisted (and largely continues to resist) attempts to develop regulations and truly independent certification regimes. While

companies in the global shrimp supply chain have faced serious consumer concerns over environmental degradation and food safety issues, they have not had to look seriously at working conditions, worker rights, and living standards of workers in the industry.

Efforts such as the HACCP food safety standards show that governments can play a stronger role in developing industry standards. But implementation and enforcement of HACCP remains inadequate and incomplete. Effective government-led efforts to improve industry practices in the area of worker rights will require not only more resources but

also a willingness to hold companies accountable for their actions.

Governments also need to accept responsibility for punishing companies that violate labor laws, as well as those with an active role in abuses like forced labor or human trafficking. Not only should governments on both ends of the supply chain step up inspections and commit to the enforcement of labor laws, they must also use the criminal justice system to adequately compensate workers and punish egregious exploiters.

Industry-led codes of conduct have had some success in similar industries. In the



apparel industry, organizations like the Worker Rights Consortium have developed codes of conduct while working with companies, trade unions, and workers to create independent inspection and verification programs that make the codes enforceable. Yet codes of conduct are controversial. Monitoring far-flung supply chains is difficult and requires dedicated resources. Some codes of conduct have been criticized as little more than public relations exercises, with many superficially positive goals but accompanied by little effort to implement or effectively use them to make global industries more sustainable.

Unfortunately, the shrimp industry's most recent attempt at a comprehensive certification plan, the ACC's Best Aquaculture Practices program, is woefully inadequate. Overly simplistic, with little grasp of the complexity of the industry, the standards treat labor issues almost as an afterthought. The industry will need to put much more work into the effort, particularly as governments and international media continue to uncover reports of human trafficking, persistent child labor, and sweatshop conditions in addition to lingering consumer concerns about food safety and environmental degradation.

The Solidarity Center believes that ultimately the only way to guarantee the rights of workers is through the formation of unions that can negotiate with employers for better wages, working conditions, and workplace standards. Unions also serve a vital role in democratic development through their role as industry watchdogs and as advocates for enforcement of the rule of law. Workers in the shrimp industry are in desperate economic circumstances. The power of labor brokers, employers, and subcontractors, coupled with the indifference of

the legal system, prevents any effective worker organizing, public awareness campaigns, or legal advocacy. Governments have shown no inclination to create the neutral legal environment needed for workers to exercise their Freedom of Association rights and to protect workers who speak up from employer retribution. For the Solidarity Center and its union partners, helping shrimp industry workers to organize and defend their rights is a long-term but achievable goal.

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- 36 Asian Research Center for Migration, *Assessing the Situation of the Worst Forms of Child Labour in Samutsakhon*, (Bangkok, Thailand: ARCM, 2006), p. 1, <http://www.arc.m.ias.chula.ac.th/Downloads/Abstract/B31-AE.pdf>.
- 37 *Ibid.*, pp. 4-5.
- 38 *Ibid.*, p. 3.
- 39 Information based on interviews with workers conducted in April 2007 by a Solidarity Center partner organization.
- 40 UN Inter-Agency Project on Human Trafficking (UNIAP), Strategic Information Response Network (SIREN): Phase III, *From Facilitation to Trafficking: Labor Recruitment in Samut Sakhon, Thailand* (Bangkok, Thailand: UNIAP, May 2007), p. 3.
- 41 Cropley, "Child Laborers Toil in Thai Seafood Factories."
- 42 *Ibid.*
- 43 Information based on interviews with Ranya Paew workers conducted by Solidarity Center partner organizations.
- 44 Unpublished case report provided to the Solidarity Center by the UN Inter-Agency Trafficking Coordination Program (UNIAP) Regional Office, Bangkok, Thailand, June 19, 2007. The highlighted story is an example of debt bondage that rises to the level of human trafficking. Debt bondage, also known as bonded labor, is defined as demanding a person's labor as a means of repayment for a loan or other form of debt.
- 45 Amnesty International, "Thailand: The Plight of Burmese Migrant Workers," (Amnesty International, June 2005), p. 1, [http://web.amnesty.org/library/pdf/ASA39012005ENGLISH/\\$File/ASA39010105.pdf](http://web.amnesty.org/library/pdf/ASA39012005ENGLISH/$File/ASA39010105.pdf).
- 46 UNIAP, *From Facilitation to Trafficking*, p. 3.
- 47 *Ibid.*, p. 2.
- 48 U.S. Department of State, Office to Monitor and Combat Trafficking in Persons, *Trafficking in Persons Report* (Washington, DC: U.S. Department of State, June 2007), pp.16-19, 34, 197-198.
- 49 Penchan Charoensuthipan, "More companies using child labour," *Bangkok Post*, December 21, 2006; ILO, *Mekong Challenge*, p. 44.
- 50 Jaiimsin, "Shrimpers Strive to Maintain Edge."
- 51 ILO, *Mekong Challenge*, p. 98; Amnesty International, "Thailand: The Plight of Burmese Migrant Workers," p. 16.
- 52 Information based on Solidarity Center interviews with Burmese migrant shrimp processing plant workers in Samut Sakhon province, October 2005.
- 53 ILO, *Mekong Challenge*, p. 98.
- 54 U.S. Department of State, *Trafficking in Persons Report*, p. 197; Case updates provided by Solidarity Center Thailand Office staff.
- 55 In a separate legal case, known as the "Death Ships" case, survivors of a Thai fishing fleet stranded at sea filed suit against the fleet's owners in early 2007. Thirty-nine men died on the boats and a criminal investigation is underway. See also: U.S. Department of State *Trafficking in Persons Report*, pp. 9, 235; and Darren Schuettler, "Survivors of Thai Death Ships Sue Fishing Operator," Reuters, March 28, 2007.
- 56 Afzal Khan, "Bangladesh Shrimp Exports Poised to Soar with U.S. Assistance," U.S. Department of State, International Information Programs, Washington File, August 10, 2005.
- 57 FAO, Fisheries and Aquaculture Department, "National Aquaculture Sector Overview—Bangladesh, 2000-2007," http://www.fao.org/fi/website/FIRetrieveAction.do?dom=countrysector&xml=naso_bangladesh.xml#tcNF00D1.
- 58 Statistics based on online data from the NMFS, Fisheries Statistics Division, <http://www.nmfs.noaa.gov/>.
- 59 Khan, "Bangladesh Shrimp Exports Poised to Soar with U.S. Assistance."
- 60 U.S. Agency for International Development (USAID), Office of Women in Development, Greater Access to Trade Expansion (GATE) Project, "A Pro-Poor Analysis of the Shrimp Sector in Bangladesh," Development & Training Services (DTS), (Washington DC: USAID, February 2006), p. 17, http://www.usaid.gov/our_work/crosscutting_programs/wid/pubs/Bangladesh_Shrimp_Value_Chain_Feb_2006.pdf.
- 61 Environmental Justice Foundation (EJF), *Desert in the Delta: A Report on the Environmental, Human Rights and Social Impacts of Shrimp Production in Bangladesh*, (London, UK: EJF, 2004), p. 8; Emerging Markets Development Advisers Program (EMDAP), "The Shrimp Seal

of Quality Program,” Cases for Management Education, (Dhaka, Bangladesh: EMDAP, 2005), pp. 10-2, <http://emdapcasebook.iie.org/pdfs/4.10percent20Shrimppercent20Qualitypercent20Certification-Bangladesh.pdf>. The ban was lifted in 1998 after the Bangladesh government instituted the HACCP health monitoring system.

62 The garment industry, which for years had a protected market share based on quota, seems to have survived the first phase of readjustment following the end of the quota system. Nonetheless its future is hardly assured.

63 Khan, “Bangladesh Shrimp Exports Poised to Soar with U.S. Assistance.”

64 EMDAP, “The Shrimp Seal of Quality Program,” pp. 10-6, 10-9, 10-10.

65 Khan, “Bangladesh Shrimp Exports Poised to Soar with U.S. Assistance.”

66 EJF, *Desert in the Delta*” pp. 4-7.

67 USAID, “A Pro-Poor Analysis of the Shrimp Sector in Bangladesh,” p. 23. See also DTS’s initial study conducted for the USAID GATE Project: Sarah Gammage *et al*, “A Gendered Analysis of the Shrimp Sector in Bangladesh,” www.usaid.gov/bd/files/gendered_analysis_shrimp.pdf.

68 USAID, “A Pro-Poor Analysis of the Shrimp Sector in Bangladesh,” 43-45.

69 Wage information based on Solidarity Center interviews with Bangladesh shrimp processing workers in December 2006.

70 Interviews conducted by the Solidarity Center with shrimp processing workers in June/July 2007.

71 Interviews conducted by the Solidarity Center with shrimp process-

ing workers in June/July 2007.

72 USAID, “A Pro-Poor Analysis of the Shrimp Sector in Bangladesh,” pp. 53, 54.

73 Sadeka Halim, “Marginalization or Empowerment? Women’s Involvement in Shrimp Cultivation and Shrimp Processing Plants in Bangladesh,” *Women, Gender and Discrimination*, Ed. Kazi Tobarak Hossain *et al*, (Rajshahi, Bangladesh: University of Rajshahi, 2004), 104.

74 ILO, Women’s Empowerment through Employment and Health (WEEH) Program, *A Socio Economic Overview – Shrimp Processing in Bangladesh*, (Dhaka, Bangladesh: ILO, 2005), pp. 17, 18, 20.

75 *Ibid.*, p. 17.

76 *Ibid.*, p. 19.

77 Taken from an interview conducted by a Solidarity Center partner organization in 2007.

78 The U.S. Department of Labor (DOL), Bureau of International Labor Affairs, *Findings on the Worst Forms of Child Labor*, (Washington DC: DOL, 2005), pp. 33, 86.

79 Gammage *et al*, “A Gendered Analysis of the Shrimp Sector in Bangladesh,” pp. 44-45; Halim, p. 111.

80 Gammage *et al*, “A Gendered Analysis of the Shrimp Sector in Bangladesh,” p. 44; Halim, pp. 110-111.

81 Research gathered during Solidarity Center field interviews conducted in 2006.

Pages 10-11, Aquaculture notes:

1 Erin Allday, "Chinese Fish Import Ban May Affect Markets; Country Supplies Lots of Frozen Shrimp and Catfish to US," *San Francisco Chronicle*, June 29, 2007.

2 Food and Water Watch, "Suspicious Shrimp: The Health Risks of Industrialized Shrimp Production," (Washington DC: Food and Water Watch, December 2006).

3 K. Lin, "Prawn Culture in Taiwan: What Went Wrong?" *World Aquaculture* 2, no. 2, June 1989.

4 Sara Gräslund et al, "A Field Survey of Chemicals and Biological Products Used in Shrimp Farming," *Marine Pollution Bulletin* 46, 2003, pp. 81-90.

5 U.S. Food and Drug Administration (FDA), Center for Veterinary Medicine, "FDA Prohibits Nitrofurans Use in Food-Producing Animals," February 7, 2002, http://www.fda.gov/cvm/CVM_Updates/nitroup.htm; Katrin Holmström et al, "Antibiotic Use in Shrimp Farming and Implications for Environmental Impacts and Human Health," *International Journal of Food Science and Technology* 38, no. 3, March 2003, pp. 255-266.

6 Food and Water Watch, "Suspicious Shrimp," pp. 4-5.

7 Jaime Martinez-Urtaza et al, "Characterization of Pathogenic *Vibrio parahaemolyticus*: Isolates from Clinical Sources in Spain and Comparison with Asian and North American Pandemic Isolates," *Journal of Clinical Microbiology* 42, no. 10, October 2004, pp. 4672-4678.

8 Food and Water Watch, "Suspicious Shrimp," p. 4; J.T. Weber et al, "Epidemic Cholera in Ecuador: Multi-drug Resistance and Transmission by Water and Seafood," *Epidemiology and Infection* 112, 1994, pp. 1-11.

9 Food and Water Watch, "Suspicious Shrimp," pp. 5-6

10 *Ibid.*, pp. 7, 8.

11 U.S. Department of State, Media Note, "Sea Turtle Conservation and Shrimp Imports," May 3, 2007, <http://www.state.gov/r/pa/prs/ps/2007/may/84238.htm>.

12 Environmental Justice Foundation (EJF), *Smash and Grab: Conflict, Corruption and Human Rights Abuses in the Shrimp Farming Industry* (London, UK: EJF, 2003), pp. 7-9.

13 *Ibid.*, pp. 12-18.

Appendix 1:

ACC Worker Safety and Employee Relations Guidelines for Processing Plants

The ACC's Best Aquaculture Practices certification guidelines include two sets of similar sustainability and management standards for both farms and processing plants. Each individual standard requires facilities to answer a set of questions. Facilities' answers are checked and verified during visits by ACC certified auditors.

Facilities must answer "critical" questions affirmatively. ACC auditors assign 0-3 points to responses to scored questions: 0 (unsatisfactory); 1 (needs major improvement); 2 (needs minor improvement); or 3 (satisfactory). (Informational questions are not scored.) Facilities pass if they achieve 70 percent on the scored questions and if they agree to maintain specified production records for traceability purposes for at least three months. After five years, companies must raise their scores to 80 percent to maintain BAP certification.

For example, the third standard in the 14-page BAP application form for processing plants is entitled "Worker Safety and Employee Relations" and is devoted to labor issues. The application questions are as follows:

- 3.1 (**Informational**): What is the minimum wage rate, including benefits, required by local and national labor laws? Rate and currency _____ per time period _____ (e.g., hour, day, week, month)
- 3.2: (**Critical**) Does your facility meet or exceed these wage and benefit requirements? Yes No (Present documentation during audit.)
- 3.3: (**Critical**) Does your facility comply with national child labor laws? Yes No (Present documentation during audit.)
- 3.4: (**Scored**) Are the meals provided at your facility wholesome and commensurate with local eating customs? Yes No Does not apply (Confirmed during inspection of kitchen and menus, and interviews with workers.)
- 3.5: (**Scored**) Is safe drinking water readily available to employees? Yes No (Confirmed during audit.)
- 3.6: (**Scored**) Does your facility provide adequate medical care for employees, including access to or communication with medical authorities in case of emergencies or accidents? Yes No (Confirmed during audit.)
- 3.6.1: (**Informational**) Briefly describe the basic medical care provided by your facility. (Space provided in form.) (Confirmed during audit.)
- 3.7: (**Scored**) Are first aid kits readily available to employees at your facility? Yes No (Confirmed during audit.)
- 3.8: (**Scored**) Are machinery operators (including drivers, refrigeration personnel, etc.) properly trained and licensed, if applicable, in machine operations, maintenance and worker safety at your facility? Yes No
- 3.9: (**Scored**) Is adequate and appropriate protective gear provided to workers according to task at your facility? Yes No (Confirmed during audit.)
- 3.9.1: (**Informational**) Briefly list the protective gear provided to employees (such as eye protection for welding, gloves for shop work and boots for wet areas). (Space provided in form.)
- 3.10: (**Scored**) Does your facility have a training program to orient workers in health, safety, contamination and especially basic hygiene, with workers properly trained to dispose of potentially dangerous compounds such as coolants and toxic substances? Yes No (Confirmed during audit.)
- 3.10.1: (**Informational**) Briefly describe what training in general safety, personal hygiene and first aid is provided to your employees. (Space provided in form.) *

* Source: Aquaculture Certification Council, "Processing Plant Standards," Certification Application Form, accessed December 1, 2007, <http://www.aquaculturecertification.org/index.php>.

Appendix 2: ILO Core Labor Standards

The eight fundamental conventions of the International Labor Organization are often collectively referred to as “core labor standards.”

The standards cover four broad categories spelled out in the ILO’s 1998 Declaration on Fundamental Principles and Rights at Work. The categories are: freedom of association and the right to bargain collectively; the elimination of forced or compulsory labor; the abolition of child labor; and the elimination of discrimination in respect of employment and occupation. Within each category, there are two fundamental conventions.

Freedom of Association

Convention No. 87: Freedom of Association and Protection of the Right to Organize (1948)

Convention No. 98: Right to Organize and Collective Bargaining (1949)

Forced Labor

Convention No. 29: Forced Labor (1930)

Convention No. 105: Abolition of Forced Labor (1957)

Child Labor

Convention No. 138: Minimum Age Convention (1973)

Convention No. 182: Worst Forms of Child Labor (1999)

Discrimination

Convention No. 100: Equal Remuneration (1951)

Convention No. 111: Discrimination — Employment and Occupation (1958)

ILO member states are required to respect and promote the principles set forth in the Declaration, regardless of whether they have ratified the conventions.

The core labor standards speak directly to the labor concerns highlighted in this report, including forced labor among migrant workers, persistent use of child labor, discrimination against women workers, and the complete lack of collective bargaining rights. Yet, neither governments nor industry associations have sought to use these standards as a base to improve working conditions and promote sustainable economic development.

Governments at both ends of the supply chain have failed to translate the obligations of ILO membership and their ratification of core conventions into proper enforcement of labor laws. The shrimp industry’s nascent certification regimes virtually ignore core labor standards — missing an opportunity to fully include worker rights and working conditions with food safety and environmental protection as part of a long-term stability plan for the industry.



**Public Hearing to Collect Information to
Assist in the Development of the List of Goods from
Countries Produced by Child Labor or Forced Labor**

Wednesday, May 28, 2008

**Questions for Meg Roggensack
Policy Director, Free the Slaves
Follow-up: June 13, 2008**

1. Could you please provide the specifics of the information you have on slavery in the beef commodity chain in Brazil and forced labor in other goods and countries to which you alluded during the hearing and in your written testimony?

- o Cotton (Brazil)

Information from the Ministry of Labor confirms that workers in the cotton production chain were among those freed, principally in the states of Mato Grosso and Bahia. Of the cases involving slave labor, cotton is no longer one of the predominant commodities, as was true earlier.

Industry is taking specific steps to combat this problem, like the Instituto Algodão Social, created by the cotton producers of Mato Grosso. The major Brazilian cotton producers, Coteminas and Vicunha, have signed the National Pact for the Eradication of Slave Labor. Coteminas, for example, monitors its production chain and has systematically stopped sourcing from ranches using slave labor.

As for the other commodities referenced, please see the attached document.

- o List of specific goods “touched by slavery” as stated in the written testimony

See attached supplemental statement, prepared by Kevin Bales.

2. In each of these countries and industries, would you characterize the incidence of forced labor as “more than an isolated incident?”

Brazil has approximately 4.5 million farms. Between 1995 and 2006, the Brazilian government liberated workers from approximately 2000 farms, representing 0.04% of the total number of farms. In this same period, 30,000 rural workers were liberated, representing 0.17% of the total of 17.5 million rural workers.

The principal slave labor cases are in cattle ranching (based on the number of farms committing this crime) and sugar cane (based on the number of workers found). The difference is attributable to the fact that sugar cane is extremely labor intensive. In other words, of the 5,999 workers rescued from slave labor in the past year, 3131 were in sugar cane, on 9 farms. By contrast, slave labor was discovered in dozens of cattle ranching operations. These data confirm that slave labor is a serious challenge, but in none of the cases did it influence the price or commercial practices of the sector in issue. This conclusion is supported by established research institutions in Brazil.

Brazil

3. How, to your knowledge, is the Brazilian government addressing child labor and forced labor in the informal sector? Could you please provide more information on how the overall strategy of identifying and pursuing records relates to the overall law enforcement effort?

The Brazilian program to combat slave labor does not distinguish between workers liberated in the formal and informal sector. All of the workers receive the same treatment, in accordance with the law.

Complaints are received by public authorities or civil society and passed on to the Ministry of Labor and Employment to be verified by the Brazilian federal government through the Mobile Inspection Units. The workers are liberated and are guaranteed all of the rights to repayment of wages and benefits provided by law. They also receive unemployment insurance and are registered in the federal Bolsa Família program.

Please see the attached referenced websites for additional information on Brazil's program.

4. The "dirty list" publishes total number of workers freed from forced labor. Are these numbers available disaggregated by age and gender?

Statistics produced by the Ministry of Labor and Employment in partnership with Reporter Brasil show that, for example, between 2003 and 2007, 95.34% of the freed workers were men and 4.66% were women. Of these, 44.61% were illiterate, and 30.64% had minimal education. Of the total, 28.35% were between 18 and 24 years old and 31.79% were between 25 and 34 years of age. These were the major age groupings. Slaves 17 or younger represent 3.72% of the total, and slaves 55 years or older represent 4.05% of the total.

The Ministry of Labor and Employment maintains a data base of all of the rescues of enslaved workers. In addition to age, sex and education level, the data base has numerous additional data fields of information collected at the time of rescue. The data that is gathered is consolidated by the federal government and by entities that work to end slave labor; it is used in shaping public and private sector responses to slave labor.

This system of complaints and rescue of workers and the production of statistical information doesn't exist in any other part of the world, including the United States. If the US government is interested, the Brazilian government and civil society partners would be pleased to provide additional information on this system.

5. In each of these countries and industries, would you characterize the incidence of forced labor as "more than an isolated incident?"

Please see the attached information.

RESPONSES TO QUESTIONS FROM PUBLIC HEARING

This responds to your request for further information regarding points raised in the May 28, 2008 public hearing to discuss the collection of information to assist in the development of a list of goods from countries produced by forced labor.

As noted in the hearing, we are not currently conducting independent or field research on the referenced commodities. We direct your attention to the reports we have referenced, and the conclusions of the reports' authors. We do participate in efforts to better understand the situation in West Africa as a member of the Board of the International Cocoa Initiative, and an active participant in discussions and activities related to the initiative.

Free the Slaves relies on a variety of published sources for information about slavery, forced labor and child labor:

U.S. Department of State: Annual report on foreign governments' efforts to eliminate severe forms of trafficking in persons:

<http://www.state.gov/g/tip/rls/tiprpt>

U.S. Department of State: Annual country human rights report:

<http://www.state.gov/g/drl/rls/hrrpt>

U.S. Department of Labor: Annual report on implementation of commitments to eliminate the worst forms of child labor:

<http://www.dol.gov/ilab/programs/ocft>

International Labor Organization: 2005 Report: A Global Alliance Against Forced Labor:

<http://www.ilo.org/public/english/region/asro/manila/mtgevents/flglobal.htm>

UNICEF: Data on child labor and school attendance from household surveys:

http://www.childinfo.org/files/Child_labor_school/FHuebler_2008.pdf

UN Office of Drugs and Crime: Report: Trafficking in Persons, Global Patterns:

<http://www.unodc.org/documents/human-trafficking/HT-globalpatterns-en/pdf>

In addition to these sources, the following sources may be helpful:

Forced labor in cotton/Uzbekistan:

Environmental Justice Foundation and International Crisis Group reports can be found on their websites.

Coltan and other minerals/Democratic Republic of Congo:

United Nations reports S/2002/1146 (16 October 2002); S/2003/1027 (23 October 2003), S/ 2008/43 (13 February 2008)

Flora and Fauna International: Coltan Mining in the Democratic Republic of Congo, Karen Hayes and Richard Burge (2003)

Brazil:

Dirty list:

Government website: http://www.mte.gov.br/trab_escravo/cadastro_trab_escravo.asp

Reporter Brasil website (in English):

<http://www.reporterbrasil.org.br/listasuja/index.php?lingua=en>

National Pact:

National Pact website: <http://www.reporterbrasil.org.br/pacto/>

List of companies that signed the pact: <http://www.reporterbrasil.com.br/pacto/signatarios>

Slave labor

Reporter Brasil website (information about Mobile Inspection Unit slave labor operations): www.reporterbrasil.org.br

Charcoal Citizenship Institute

<http://www.carvaocidadao.org.br/>

West Africa: The International Cocoa Initiative website includes the reports and research to date by various groups: www.cocoainitiative.org/ici/reference-documents.

Notes on sources for paragraph from Ending Slavery: How We Free Today's Slaves. There are public sources for each of the products listed in this sentence, and for some products there are many sources, including films, narratives, photos, and published works, only an example are given here. The quotation:

"The list of slave-touched products is long, so long that all of us are likely buying, eating, or wearing something that has slavery in it. We can point to documented cases of slavery in the production of cocoa[1], cotton[2], sugar[3], timber[4], beef[5], tomatoes[6], lettuce[7], apples[8] and other fruit, shrimp and other fish products [9], coffee[10], iron[11], steel[12], gold[13], tin[14], diamonds[15] and other gemstones[16], jewelry and bangles[17], shoes[18], sporting goods[19], clothing[20], fireworks[21], rope[22], rugs and carpets [23], rice[24], bricks[25], and on and on."

[1] See: website of International Cocoa Initiative, and the film Slavery: A Global Investigation (TrueVision TV, London UK) [2] Environmental Justice Foundation reports: White Gold: The True Cost of Cotton, and The Children Behind Our Cotton, www.ejfoundation.org.

[3] See, for example, Sugar and Modern Slavery: A Tale of Two Countries, Roger Plant, Zed Books, 1987 [4] See, for example, Michael Smith and David Voreacos, "The Secret World of Modern Slavery" Bloomberg Markets, December 2006, p. 48.

This article also includes some remarkable photographs taken by Claudio Perez.

[5] See, for example, "Trapped like slaves on Brazilian ranches" by Larry Rohter The New York Times Tuesday, March 26, 2002 <**Error! Hyperlink reference not valid.**> [6] See, for example, the work of the Coalition of Immokolee Workers at www.CIWonline.org, who have found slavery in tomatoes, oranges, lettuce, and other agricultural products in the USA.

[7] See footnote 6.

[8] See, for example, MIGRANT CAMP OPERATORS NAMED IN LAWSUIT Buffalo News (New York) September 5, 2002 Thursday, FINAL EDITION [9] See, for example, Smash and Grab: Conflict Corruption and Human Rights Abuses in the Shrimp Farming Industry, Environmental Justice Foundation, www.ejfoundation.org.

[10] See, for example, "Some coffee beans may also be tainted by slavery," By Sumana Chatterjee and Tish Wells, Knight Ridder Newspapers, 2001.

[11] See, for example, Bales, Kevin, Disposable People: New Slavery in the Global Economy, U. of California Press, 1999/2005. (Chapter on Brazil's iron and steel industry) [12] See footnote 11.

[13] See, for example, Michael Smith and David Voreacos, "The Secret World of Modern Slavery" Bloomberg Markets, December 2006. This article also includes some remarkable photographs taken by Claudio Perez.

[14] See, for example, Same Old Story: A Background Study on Natural Resources in the Democratic Republic of Congo, Global Witness, 2004

[15] See, for example, Reforming the DRC Diamond Sector, Global Witness, 2006. There are a large number of other studies concerning "conflict diamonds".

[16] See, for example, Africa Child Labor, The Facts and Faces, Anne Kielland and Maurizia Tovo, 2004; see also: Dept. of Labor, Report on Worst Forms of Child Labor, 2000.

[17] A rapid assessment of bonded labour in hazardous industries in Pakistan: glass bangles, report on tanneries and construction, by the Collective for Social Science Research in Karachi, March 2004.

International Labor Office [18] See, for example, End of Child Labor Within Reach, ILO Global Report 2006 [19] See, for example, The Small Hands of Slavery, Human Rights Watch 1996

[20] See, for example, The Small Hands of Slavery, Human Rights Watch 1996; see also, BBC - Child Slavery - http://news.bbc.co.uk/2/hi/programmes/this_world/6446051.stm.

[21] See, for example, "Child Labor, Slavery and Fireworks," National Campaign for Fireworks Safety, at: <http://www.angelfire.com/co3/NCFS/childlabour/campaigntoeliminatesep1999.html>

[22] See, for example, "Helping Children Reclaim Their Lives," International Education Systems, at: <http://ies.edc.org/news/articles.php?id=44>

[23] A very large number of sources, see www.rugmark.org. For recent narratives of children freed from slavery making carpets, see Bales, Kevin and Zoe Trodd, To Plead Our Own Cause, Cornell U. Press, 2008

[24] See, for example, End of Child Labor Within Reach, ILO Global Report 2006 [25] See, for example, Bales, Kevin, Disposable People: New Slavery in the Global Economy, U. of California Press, 1999/2005. (Chapter on brick making in Pakistan)

**Public Hearing to Collect Information to
Assist in the Development of the List of Goods from
Countries Produced by Child Labor or Forced Labor**

Wednesday, May 28, 2008

**Questions for Brian Campbell, Staff Attorney
International Labor Rights Forum**

Liberia

1. Your testimony notes that in 2005, ILRF identified forced labor in the Liberia's rubber sector through evidence gathered in partnership with other NGOs, research groups, and the trade union working on the plantation. Could you provide more specifics on how this information was gathered?

The ILRF works closely with several allies in Liberia who have staff and representatives on and around the Firestone plantation. While each organization provides different services, each works closely with the workers whose children were forced to work to meet daily production quotas. For example, Green Advocates, one such organization, provides legal services for the workers. The Firestone Agricultural Workers' Union of Liberia (FAWUL) is the recognized bargaining representative of the Firestone Plantation workers and is responsible for representing the workers. IRAdvocates, a U.S.-based human rights NGO, represents the families of children who were forced to work on the plantation and have conducted several interviews with the children victimized by child labor. More information on the labor conditions on the Firestone plantation, including the declarations of several children forced to work on the plantation, is available at IR Advocates web-site, <http://www.iradvocates.org/bfcase.html>.

Much of the work to date on eradicating forced labor, and seeking justice for the victims, grew out of the report, "Firestone: The Mark of Slavery," produced by the Save My Future Foundation (SAMFU) located in Monrovia, Liberia written in March 2005. The report is available online at <http://www.samfu.org/do%20files/A%20Publication%20of%20SAMFU%20on%20The%20World's%20Largest%20Rubber%20Plantation.pdf>.

Each of these organizations spends significant amount of time with the families of victims in Liberia.

2. Could you provide citations for the United Nations reports you mention as primary sources upon which you base a claim that forced labor is widespread in the rubber sector?

"Human Rights in Liberia's Rubber Plantations: Tapping into the Future," United Nations Mission in Liberia (UNMIL). UNMIL Headquarters, Monrovia Liberia: May 2006. Available online at <http://www.laborrights.org/files/UN%20Liberia%20Rubber%20Report-%20May%202006.pdf>.

Joint Government of Liberia – United Nations Rubber Plantations Task Force Report.
Monrovia, Liberia: May 2006. Available online:
http://www.laborrights.org/files/Rubber_TF_Report.pdf.

3. Do you have knowledge as to whether the forced labor involves adults, children, or both? Upon what sources do you rely for this information?

Each of the above reports describes in detail the forced labor performed by children. Regarding adult forced labor, the IR Advocates describes the conditions of work under which adults labor on the plantation. On their website, you will find a description of the labor performed by the adults as well as an explanation as to why it is forced labor. However, in *John Roe I v. Bridgestone Corporation*, CASE NO. 1:06-cv-0627-DFH-JMS, a suit filed in the United States District Court for the Southern District of Indiana, the judge ruled that the facts alleged by the adult laborers did not reach the level of forced labor under international law. However, of immense significance, the judge ruled that the children had stated a claim for forced labor under international law. The case remains pending in the U.S. District Court.

4. If there are children, please clarify what tasks children perform in the production of rubber.

Please see the complaint filed on behalf of the children working on the Firestone Plantation in the United States District Court for the Southern District of Indiana, and available on the IR Advocates website, for a complete description of the work performed by the children. The complaint is available at <http://www.iradvocates.org/Firestone%20Complaint%20Final1105.pdf>

Ghana and Côte d'Ivoire

5. Your testimony notes that research consultants hired by ILRF conducted field research in the cocoa sector in Côte d'Ivoire in 2002 and later.
 - When was follow-up research conducted?
 - With all due precautions taken to protect the safety of the research consultants, may we receive a copy of the initial report, as well as any subsequent reports that resulted from this research?
6. Did ILRF find evidence indicating that forced labor of adults exists in the cocoa sector in Cote d'Ivoire? Could you please describe this evidence, it indicates such practices represent more than isolated incidents?
7. You indicated that "recent investigative reports by credible independent journalists have verified recent ILRF field findings that no systematic program efforts, or even relevant or scaleable pilot projects, have yet been undertaken in

Ivory Coast that would have a significant impact on the problem in this industry.” Could you please provide citations or copies of these investigative reports?

8. In its recent field research, which projects did ILRF visit in Cote d’Ivoire to make its determination that no relevant, scalable or systematic projects have been undertaken? Based upon what evidence ILRF reach this conclusion?

Uzbekistan

9. Will you please describe in more detail the types of hazardous work conditions and activities children working in cotton production are exposed to and involved in?

Please see the voluminous filings presented by the ILRF to the DOL in March 2008. Please also see one additional report entitled “Forced Child Labor in Uzbekistan’s 2007 Cotton Harvest: A Survey Report” written by a group of human rights defenders and journalists of Uzbekistan, created in April 2008, further documenting the use of forced and child labor in Uzbekistan.

10. We note that your testimony cites various statistics regarding the number of children working in cotton. Specifically, the testimony notes that “one million children, a third of them under 15 years of age, are recruited to pick cotton each year”.
 - Could you please provide copies or direct us to the research upon which this statement is based?
 - How was the “one million” extrapolation made? If not mentioned in the research, could you please describe the methodology behind the estimate?
 - As 16 years is the minimum age for employment in Uzbekistan, are you able to provide estimates of the number of children 15 years and under specifically working in hazardous conditions?

Please see the attached report, “Forced Child Labor in Uzbekistan’s 2007 Cotton Harvest: A Survey Report” written by a group of human rights defenders and journalists of Uzbekistan for more information on the number of children forced to work in the cotton fields.

11. Your testimony notes research conducted by ILRF in the Ferghana region.
 - How many individuals were interviewed?
 - Who were your key informants?

At this time, the ILRF will not disclose the names or any other identifying information of their informants in order to protect them from retaliation.

Further, ILRF's allies in Uzbekistan are currently finalizing their reports, which includes research methods information. Unfortunately, the report will not be prepared by the June 11, 2008 deadline for filing.

12. Your testimony states that the money children receive for working during the cotton harvest is often taken by the Government as payment for food and housing costs incurred during the harvest period. You indicate that you believe this creates a situation of "debt bondage."
- Can you provide greater detail about how this constitutes debt bondage?
 - Are some/much children are unable to meet their financial obligations and remain in debt to the state after the harvest period?
 - How many children are trapped in debt bondage situations, what are their ages, and do the children's financial obligations transfer to their parents?
 - Are practices leading to debt bondage and forced child labor systematically applied by the central government throughout all cotton producing regions - or are these practices designed and implemented by local government officials or business agents?

For a full description of the debt faced by farmers and their children, please see the reports filed with our submission in March 2008: *The Curse of Cotton*, *The Children Behind our Cotton*, and *Forced Child Labor in Uzbekistan's 2007 Cotton Harvest: A Survey Report* attached hereto.

One final note of clarification:

We would also like to take this opportunity to address an additional point, not included in USDOL's list of questions, but raised by Meg Roeggensack of Free the Slaves at the May 28 hearing at the USDOL. As Ms. Roeggensack's comment is now a matter of public record, we feel compelled to clarify the record on this point.

We are troubled by Ms. Roeggensack's suggestion that endemic and widespread forced labor in Uzbekistan is a result of 'labor shortages' in that country. That an organization that claims affiliation to Anti-Slavery International, and should be well-versed in the history of slavery in North America and repeated justifications of the continued practice of slavery on the basis of claims of a 'labor shortage' (arguments used in the Caribbean as well) would resort to such a justification under any circumstances is troubling. In this particular circumstance it is entirely inaccurate. The fact is that many able-bodied adults in Uzbekistan flee the country, each harvest season, preferring to provide their labor in cotton fields in next-door Kyrgystan or Kazakhstan; this has been well-documented by the Environmental Justice Foundation and regional journalists. They prefer to labor in cotton in neighboring countries because, meager though the pay for labor may be, it is preferable to laboring for no compensation at all. We would suggest that the fact that able-bodied adults who are capable and willing to labor in cotton harvests for pay choose to escape Uzbekistan's compulsory labor system, if they are at all able to do so, cannot be characterized as a 'labor shortage.'

Group of human rights defenders and journalists of Uzbekistan

FORCED CHILD LABOR IN UZBEKISTAN'S 2007 COTTON HARVEST: SURVEY RESULTS



Tashkent 2008

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Executive Summary

The use of forced child labor in Uzbekistan's cotton harvest is widespread, and violates both Uzbekistan's domestic law and its international legal commitments. This is the conclusion of a group of human rights defenders who monitored the use of forced child labor in two of Uzbekistan's provinces, Kashkadaria and Syr Daria. To protect the authors and their families, they wish to remain anonymous. This report is based on the 141 interviews that resulted, with students, parents, farm and healthcare workers and local residents.

Children beginning in grade five, or at 10 years of age, are ordered out to the fields by their schools, which themselves are transmitting the orders of local government authorities. They will pick cotton until state-mandated quotas are met, often two months or more. They are threatened with expulsion if they do not comply. Parents may also lose their jobs or state welfare benefits for non-compliance. Conditions in the fields, where children are sometimes housed for the duration of the season, are primitive and hazardous. The children are paid sometimes the equivalent of one US dollar per day but most stated that the funds they earned did not cover their expenses of food and clothing over the course of the harvest. In Kashkadaria, 70% of the region's schoolchildren in grades 5 through 8, and in Syr Daria, 98% of such children, were made to pick cotton, with detrimental consequences for their health, not to mention their education.

The drastic decline in farm mechanization since the Uzbekistan's independence was the main reason that the state resorts to forcing schoolchildren to pick cotton, according to the interview subjects. The authors call on the government of Uzbekistan to immediately halt the practice, to carry out reforms in the cotton sector, eliminating state mandated quotas, and to ratify and implement ILO conventions 138 and 182.

Glossary

<i>Brigadir</i>	director of one section of the lands of a <i>shirkat</i> [farm], which consists of several fields
<i>Khashar:</i>	popular tradition of aiding one's neighbors, relatives or the local community. In Soviet times authorities began to use <i>khashar</i> to describe forced labor on days free from one's main work (in Russian—subbotniki and voskresniki, after the last two days of the week). Most often this consisted of street sweeping and other cleaning of public places.
<i>Khokim:</i>	head of the local (regional or provincial) government administration
<i>Khokimiat:</i>	regional or provincial government administration
<i>Mahalla:</i>	neighbourhood community in Uzbekistan
<i>OVD:</i>	provincial Interior Ministry (police) division
RaiONO	regional education department
<i>SES</i>	State sanitary and epidemiological control units
<i>Shirkat:</i>	Agricultural cooperative, very closely corresponding to the Soviet collective farms (sovkhoz or kolkhoz), but usually with less land than before and with a new name.
<i>Sotka:</i>	a parcel of land equal to 100 square meters
<i>Sum</i>	Uzbekistan's national currency, equivalent to [exchange rate for dollars, euro on date]
<i>Tranche</i>	centralized distribution of resources (fuel, seed, machinery) for fixed prices and for specific purposes; used predominantly in the cotton sector which remains the most strictly centralized sector in Uzbekistan's economy
<i>Wahabit:</i>	literally, a follower of the teachings of Ibn Wahab [16 th century imam from the Arabian peninsula who promoted the return to purist Islam of the time of the founder], but in the given context usually referring to a follower of Islamic tendencies not traditional to the area, often associated

with one of the local reformist imams such as Abduvali kori Mirzaev and others.

Village assembly: local citizens' council, a local administrative organ, sometimes also called *mahalla committee*

Introduction

Uzbekistan's independent human rights defenders receive many appeals from citizens regarding forced child labor. Activists have carried out monitoring and established that the government of Uzbekistan widely flouts both domestic laws and international legal prohibitions against exploiting child labor. In the first years after independence Uzbekistan acceded to the Convention on the Rights of the Child, but despite this, minors are still forced to work by the state and coercively recruited for mass "*khashars*" [see glossary]. Though the government of Uzbekistan denies the fact of forced child labor both at home and before the international community, this problem continues to represent one of Uzbekistan's most acute human rights issues.

The practice of forcing children to bring in the cotton harvest which emerged in Soviet times was perfected in the first years after Uzbekistan's independence from the Soviet Union. As a result, around two million schoolchildren from almost nine thousand schools in the republic are doomed to slave in the cotton fields each year. The economic crisis that has seized the country in the past few years and the total impoverishment of the population have contributed to the growth of this form of slavery. The government can force not only children but also segments of the adult population to perform any type of labor, thanks to the population's total lack of rights. In addition, the recent limits set on the activities of international and local non-governmental organizations has left Uzbekistan's government without any check on its repressive activities.

Local news media and public organizations, weapons in the Karimov regime's propaganda war, are fighting to convince the world that the reality of child slavery is all a lie. At a press conference in the spring of 2002, both the minister of education Risboi Juraev and the first deputy minister of higher and secondary specialized education Rustam Kholmurodov admitted the exploitation of child labor in the country. Back in November 2001, the television program *Mavzu* (theme) on the 1st channel, deputy minister Kholmurodov spoke about the exploitation of child labor. But shortly thereafter, the government repudiated these admissions.

During the course of various international forums, Uzbekistani government officials have denied the facts about forced child labor in the cotton harvest, asserting that the state has created a total legal system for the protection of children's rights. These statements are based on the fact that the government has passed a "National Program on the Preparation of Workers" in the education, and has also issued multiple decrees and decisions of the President on Youth policy. The government has likewise ratified international conventions on the rights of the child.

In Uzbekistan, state policy proclaims as its goal the protection of motherhood and childhood, creating conditions for the total development of children in the spirit of humanitarian values. The practical realization of these goals is entrusted to various [state-controlled]

organizations, such as the Healthy Generation Fund, the You are Not Alone Fund, the Kamolot social youth movement, the Ecosan and Mahalla funds, the Women's Committee, the Center for the Study of Public Opinion and the Red Crescent society.

Uzbekistan has signed with UNICEF a Plan of Action for the years 2005-2009, according to which UNICEF will provide 9.26 mln USD of its own funds, in addition to seeking 8.56 million in donor funds in order to carry out with the government programs to guarantee children's rights.

In 2006, Uzbekistan's Cabinet of Ministers created the Coordination Council for wellbeing of Uzbekistan's children, which consists of the heads of ministries, agencies, public organizations as well as the heads of international organizations. The Council is a permanently sitting body called on to coordinate the activities of its constituent agencies in order to protect children's rights and interests.

However, the government ignores the conditions and goals set in the recommendations of the UN Committee on the Rights of the Child, as well as in the Declaration "Uzbekistan—UNICEF," and in several other documents. It pays no attention to the official letters and statements of non-governmental organizations, which document concrete instances in which domestic law on children's rights, as well as international statutes, are violated.

The practice of forced child labor in Uzbekistan is in gross violation of the norms of Uzbekistan's own domestic law in the area of children's and labor rights, as well as the norms of international law—mainly, the 1989 Convention on the Rights of the Child; the ILO Convention on Forced Labor; on the abolition of forced labor (No. 105); on the minimum working age (no. 138); and on the Worst Forms of Child Labor (no. 182).

We human rights defenders view the situation of children in Uzbekistan as a severe crisis, due to the inadequate social conditions, forced labor in the cotton fields, hunger and disease. We are convinced that immediate measures should be taken, both domestic and international, to address this crisis.

Description of the Survey

Monitoring and interviews were conducted by a group of human rights activists and independent journalists in Kashkadaria and Syr Daria provinces. The following categories of persons were interviewed: schoolchildren and their parents, teachers, farmers and agricultural workers, cotton agronomists and those from the agro-chemical service, healthcare workers and others.

The study included so-called qualitative methods, based on non-standardized interviews with open ended questions. We surveyed one hundred forty-one persons. In addition, we

conducted monitoring and gathered statistical data. Table one gives the breakdown of those interviewed across the two provinces.

Table 1: Survey sample

Category of Interviewed Persons	Kashkadaria province	Syr Daria province	Total
Schoolchildren	29	25	54
Parents	8	12	20
Teachers	9	12	21
Farm Workers	7	11	18
Agronomists	3	3	6
Doctors	3	5	18
Local population	6	8	14
Total	65	76	141

As noted, the government of Uzbekistan denies all allegations of forced child labor on the cotton harvest in the country, and has strictly censored efforts to gather evidence of this phenomenon, prohibiting the filming of children in the fields. The state has so energetically attempted to block all information, and so gathering evidence on it naturally involves great difficulties. Journalists and human rights defenders who attempt to do so risk repression.

Activists faced just such difficulties during this investigation. Those who collect and disseminate information that would discredit the Uzbek regime risk of having been detained and tortured. It has been proven by the fact that more than twenty human rights defenders and civil society activists are still being in prison for their criticism of the current political regime. Therefore, for safety reason the identity of researchers and real names of interviewees are not disclosed in this report.

In 2007, the cotton harvest began on September 10. Interviewing began on September 30, and finished on November 30. Each interview lists the date it was taken.

Territorial Subjects of the Study

Two provinces were surveyed during the 2007 cotton harvest season. Below are brief descriptions of each province.

Kashkadaria

- Area 28.4 thousand square kilometers. Population—2.029 million persons. Population density equal to 71 persons per square kilometer. Dry, extreme

continental climate. Kashkadarria is situated on the territory of the Pamir-Alai mountain range and on the Karshi steppe.

- The province contains the following thirteen districts: Shahrasiabs, Mirishkor, Chirakchin, Dehkabad, Guzar, Kasb, Yakkabad, Kamashin, Mubarek, Kasan and Karshi.
- The provincial *hokim* is Nuriddin Zainievich Zainiev.
- The administrative center of the province is the city of Karshi, with 77.1 thousand persons.
- Under the authority of the provincial department of public education are the following:
 - 1099 primary and secondary schools;
 - 559,997 students in those schools;
 - Of those students, 270,223 are students in the fifth through ninth grades [11-15 years of age];
 - In 2007, from September 10 to November 15, 199,223 of those students from 991 schools were forced to take part in the cotton harvest.
- There are 12,591 private farms in the province, 19 collective farms, 3 agricultural complexes, 2 stockholder owned farms specializing in agriculture, 13 livestock collectives and 2 horse farms;
- There were 136.5 thousand hectares sown under cotton. In 2007 the province gathered 467 thousand tons (with an average per hectare productivity of 22 centers). The following sorts of cotton were planted: "Sanjar-8", "luna", "Bukhara-6" and "Okdarie-6".
- *Kashkadariepahtasanoat* (the regional cotton trust) operates 211 cotton delivery stations, 13 cotton processing factories, and 9 seed laboratories .

Syr Daria

- The Area of the province is equal to 5.1 thousand square kilometers; the population is 648.1 thousand persons (density of 127 persons per square kilometer). The main area is located in the steppe, with a continental climate. The province is located on the river plains of the Syr Daria and Jizakh steppe.
- The provincial *hokim* is Abdurakhim Abdurakhimovich Jalolov.
- The province contains nine districts: Baiavut, Gulistan, Mekhnatabad, Akaltin, Mirzaabad, Saikhunabad, Yangier, Mirzachul, and Syrdaria. The administrative center is the town of Gulistan, with 54 thousand persons.
- The public education department of the province has under its administration:

- 303 general education primary and secondary schools
 - 131,272 students are enrolled in these schools;
 - Of these students, 60.928 are in grades 5 through 9;
 - In the 2007-8 school year, 59,886 students were forced to take part in the cotton harvest between September 15 and November 10, 2007, for a total of 55 days.
- In the province there are 1,445 private farms, 13 collective farms and one agricultural complex.
 - 76.6 thousand hectares of land are sown under cotton. A total of 238 thousand tons of cotton were gathered this year, equal to 21 centers per hectare. Varieties of cotton planted in the region were An-Baiavut-2, S-6524, Bukhara-6;
 - “Syrdariepahtasanoat,” the regional cotton enterprise operates 97 cotton purchasing stations, 8 ginning factories and 7 seed laboratories.

Summary of the Findings

The materials gathered over the course of this investigation leave no room to doubt the mass nature of forced child labor in Uzbekistan's cotton sector.

Scale of forced child labor

In the two provinces surveyed it is clear that the vast majority of schoolchildren were forced to harvest cotton in the fall of 2007. In Kashkadaria, as stated above, 911 of 1099 general education schools took part, including 199,223 students (of 270,223, or 70%). The season lasted from September 10 to November 15, or 65 days. In Syr Daria province, the situation was similar: 296 of 303 schools took part, including 59,886 of 60,928 students (98%) in the fifth through ninth grades; the season lasted from September 15 to November 10, or 55 days.

One schoolteacher from the Mirishkor district shares the following information:

Our school closes every year on the eve of the 10th of September, or 10 days after the start of the school year. The exact date depends on how hot the summer was and how mature the cotton crop is. However the end of the cotton season is dependent on how quickly the cotton plan target is fulfilled, not only in the district but in the province and the republic as a whole. For instance, if our district and province fulfills the plan a little early, let's say, in October, then we don't have to go out into the fields any more. In other words, after the plan is fulfilled anyone out picking cotton is doing it to earn some money. But if the plan isn't fulfilled it could be December, there could be cold weather already, but the children still are out in the fields. No one can protest this state of affairs. Therefore, you can't really predict how long the cotton season will last and when it will end. This year the harvest lasted from September 10 to November 10.

A sixth-grade student from Saikhunabad district gave the following testimony:

In our school, the last lesson took place on September 11. Then the principle called a school meeting and announced that all classes for seventh graders and up are called off. Pupils in the fifth and sixth grades will go out to pick cotton after school each day. He said that after school children will go home for lunch and then come back to school to go out to the cotton fields. Our teachers told us that this season should end a little early since the weather was so good. In the previous year, the children had to be out picking cotton until November 15.

Our investigation shows that the period of forced labor can be even longer each year. The harvest alone can stretch out to three months or more, if a particular district has not fulfilled its procurement quota set by the regional government. Besides the harvesting of cotton, children are at times forced out in the spring to prepare the fields. One student in a specialized medical high school in Guzar district told us the following:

Each year the medical high school closes for five months: in the fall for three months, in the winter, for for one month (because the building is not heated) and in the spring for one month, when we work on the cotton plants and weed the fields). How high do you think our level of knowledge is, if we spend half the school year out in the fields?

Since Soviet times, the situation regarding the use of forced child labor has not improved, but in fact has significantly worsened. An elder from a community in Mirzachul district told us that if in Soviet times only college students and high school upperclassmen went out to the harvest, “now I see that even children in the younger grades are out picking cotton.” A student in the ninth grade in the Nishan district confirms that “everyone is obligated to harvest cotton starting in fifth grade.”

What portion of the total harvest is picked by children? Extrapolating from the data on the number of students involved in 2007, the number of days they spent on the harvest and the minimum amount they are required to gather in a day, we can conclude that children are forced to pick over half of Uzbekistan’s cotton:

Table 2. Approximate percentage of the cotton harvest picked by children

	Kashkadaria	Syr Daria
Number of schoolchildren picking cotton	199 223	59 886
Number of days spent in the field	65	55
Average amount picked per day ¹	20 kg.	20 kg
Overall amount of cotton picked by children	259,000 tons	66,000 τ
Amount picked in the province overall	467,000 τ	238,000 τ
Share harvested by children	55%	28%

Means of coercion

Among the methods used to force children out into the fields there is a whole array of pressure points used against the students and their parents, who, on the whole, are not enthusiastic about participation in the cotton campaign. The most common means used to coerce participation is the threat of expulsion from school. One ninth grader from Mirishkor district admitted:

¹ This is an approximation, based on the fact that after the first pass through the fields, the cotton pickers have progressively less cotton to gather and so with each day, the amount gathered declines. In the first days of the harvest when cotton is still abundant, daily picking quotas span from 30 to 50 kilograms.

We are really scared of getting kicked out of school. Our principle tells us each year on September 2, on the first day of the school year, that if we don't go out to the cotton harvest we might as well just not come back to school.

Naturally, no one asks permission either of the students or their parents:

I've been going out to pick cotton for four years now. When they take us out to the harvest, no one shows us a written order or other document. We go out on the oral orders of our principle or of the head of the district education department. The upperclassmen are housed in barracks or shacks out in the fields, but the younger students are brought out to the fields by wagons pulled by tractors. We have to bring our own food, and we eat what we bring, out on the edge of the fields. Our teachers get our pay once every ten days or every two weeks. Otherwise, they raise a fuss with the farmers or with the collective farm bosses. (Ninth grader from Nishan district, Kashkadaria, September 30 2007).

Moreover, law enforcement bodies back up the orders of the school administration:

I've been a teacher for twenty five years now. Of course for all these years I've been bringing children out to the cotton fields. For the last few years our school administrators have been talking about how participation in the cotton harvest is required by law, and is enforced by the prosecutor's office. It is for that reason that they so strictly punish refusal to take part in the harvest. But you can find pupils who will present falsified medical certificates to get out of participating. But not all doctors are empowered to give out these certificates. I have seen cases when students have been expelled for not taking part in the cotton harvest. (Teacher from Kashkadaria province, September 12 2007)

Officials refuse to take into account the actual state of children's health, and often force sick children to take part as well.

It's the fourth year I've been coming out to pick cotton. We've gotten used to buying school uniforms with the money I bring home from the harvest. So it's a way I can help my parents. Last year right after the cotton campaign I got sick with hepatitis. The doctor said I got infected from dirty water. The tractor that was supposed to bring us drinking water broke down, and we had to drink from the irrigation canal. Along the borders of the canal they had spread saltpeter and so many kids got poisoned. Some of them got sick like I did. However no one gave any of us any medical assistance, or medicine. When the chairman of the farm, the district khokim and the auxiliary policeman came out into the cotton fields, they threw stones at the kids who weren't picking because they were sick. And if any of them got hold of you, they would beat you. A few of the students, being afraid of them, would run from field to field and hide. (Tenth grader, Mirzachul district).

Parents often find grounds on which they try to avoid sending their children out to the cotton harvest, but these attempts do not always help:

I didn't allow my youngest daughter to go out to the harvest. The sixth grade head teacher [identifying details omitted] sent me an official letter in which he wrote that if I don't send her out to pick cotton, then she can be expelled from school. The letter even had the official

stamp of the school and the signature of the assistant principal. I was so mad I tore it into pieces. The next morning the teacher comes to our house and demands that I give him back the letter. I told him that I tore it up. He asked where did I throw the pieces, and went out to the garbage and picked out every one. I don't understand why he did this (parent, Shakarbulak village, November 2 2007).

Alongside direct coercive measures, authorities use demagoguery and rabidly patriotic brainwashing:

Before the start of the harvest season our principal always gathers the students and tells them that cotton is our national pride, and it is our duty to gather the harvest. Most of the students understand that our participation in the cotton harvest is obligatory. However there are a few who get out of it somehow. There aren't a lot of them. We don't know about the rights you're telling us about, that we are free to work or not work. We have a lesson in our school on rights, but our teacher for this class has never told us about our rights, and the textbooks don't say that children's rights are guaranteed. (Ninth grader, Saikhunabad district, October 15 2007).

"Unpatriotic" parents may find themselves victims of other forms of blackmail, such as the refusal to pay out social welfare subsidies. One resident of Boiavut district told us the following:

I have six children. A year and a half ago already, my husband and eldest son went off to work in Russia. I married off two of my daughters. Two of my sons study in the district center, one in the seventh grade, the other in the ninth. This year was the first year they forced my seventh grader to go out to pick cotton. He's a weak boy; two years ago he got sick with hepatitis. Next to our house we have a garden plot, where we grow fruits and vegetables to sell and somehow earn a living. This year the chairman of the collective farm insisted that I go out to pick cotton, and my daughter in law and remaining children, otherwise he would take our plot away. How can I go out to pick cotton? (Cries). My daughter in law is pregnant. The chairman said that if we don't go out, I'll have to pay one hundred thousand sum [approximately 80 dollars, or more than three average monthly wages]. When I said there was no way I could pay that kind of money, he started to threaten that in that case we wouldn't get the welfare payment from the mahalla.

Government representatives admit to these kinds of actions. The mahalla chairman from a village in Saikhunabad district makes clear that he uses the payment of social benefits as a lever to pressure disobedient families:

Question: Do you feel under stress?

Answer: I'm going out of my mind. I tell people: time to go out to pick cotton. No, they don't go. They don't get it. I'm not telling them to go out and work in my personal garden! Not long ago I got into an argument with one young woman who has a two month old baby. She

came to the mahalla to get the baby's welfare payment. ² I explained that there is no cash, but she doesn't get it and continues to get on my nerves. So I said that she should leave her baby with her mother in law and go out and pick cotton. Her father in law comes to my house that evening. I got so mad, I threw the application for the welfare payment back at him. Now they won't get any payments for that child for a year. She'll only get them next year if she goes out to pick cotton. Anyway, you can usually only get cash during the harvest season.

Question: How much is the payment?

Answer: Ten thousand sum

Question: So, in the mahalla in order to get social welfare payments for children, you have to take part in the cotton harvest?

Answer: There's no other way to get people to go out and pick cotton. They don't listen to any other authority. It seems like there's no other way. (November 5, 2007)

Matters may become even more serious when parents who keep their children away from the harvest may be charged with a crime. A resident of Boiavut district recounted the following story:

*Don't even ask about that, I'm not going to answer the question. I've lived in this village for thirty five years. All my life, and that of my wife, has been spent out in the fields. We have three children. They go to the *** school across the street. The oldest boy is in the eighth grade. September 5 their teacher told them that they are going out to pick cotton. My son and four or five other boys objected, and said they wouldn't go. The teacher let the other pupils go, but kept my son and the other boys in the classroom and beat them up, badly. My son came home in the evening in tears, with a swollen face and two black eyes. The next day I went to the school and met with the curriculum director. He refused to listen and called me an enemy of the people. I said to him "I've bent my back in these cotton fields my whole life and enough is enough. My son is going to live differently. I want him to study, to become educated, to occupy some responsible position." The curriculum director [name omitted] started to bang his fists on the desk and say that he would call the police, that I should stop lecturing him, and threw me out. He spoke to me in the informal, and really insulted me.³ So even though we didn't have any other food in the house, I packed what food we did have for my son's meal [out in the fields]. What else could I have done? After all, the only thing they give the cotton pickers for lunch is some potatoes, cabbage or macaroni. Last year five or six school kids, from my son's school, broke into houses trying to steal food. Their parents had quite a time trying to get them out of the police station. So, those were my thoughts as I left the school. (October 23, 2007)*

² It is state policy that the income support payments for poor families with children are given out by the local citizens' councils (mahalla committees).

³ Translator's note: similar to the French "vous" and "tu," Uzbek has formal and informal personal pronouns; in Uzbek, however, to speak to another adult who is not extremely close in the informal is considered extremely demeaning.

The shift from *shirkats* to private farms has not affected the use of forced child labor. Firstly, this is because the farms, like the *shirkats* and collective farms before them, remain objects of administrative fiat. In the second place, it does not depend on the wishes of the farmers themselves, as they are forced to accept the children's labor. One farmer from Saikhunabad district explained:

Every year they tell us "You take such and such a high school, and you take such and such." To house the children and students is a huge headache. Some of their parents start to create problems, others come to the harvest sick. Let them give us our tranches on time, and we ourselves will get people to pick the cotton. We don't need schoolchildren and students to do this work.

Living and Working Conditions during the Cotton Harvest

Aside from the coerced nature of the work, the other main problem that schoolchildren and their parents complain about is the horrendous conditions in which they live and work in the cotton fields. Here are several of the complaints we have received:

An eighth grade student from Kashkadaria province describes how she and her classmates were housed in the fields.

This year during the cotton harvest we lived in the fields in one room, more than 25 girls. There was not only no wash room, there wasn't even a decent toilet. The sink had water once every two days. There was no soap or even the elementary conditions to wash your hands or rinse off. Somehow we managed to sleep in the room which was crawling with fleas, bedbugs, cockroaches, ants and other insects. From morning to night we were in the fields and in the evening we collapsed from exhaustion.

Here is the account of a parent from Kashkadaria concerned with the health ramifications for her daughter of work in the fields:

The cotton harvest season takes place in the damp weather. The scratched up parts of their bodies are always prone to getting infected. Only with difficulty can I try to bring my two daughters' hands back in decent condition, using Vaseline and lotion. They are trying to earn money by picking cotton whatever the cost to them. Later on they will regret it. Regarding the slogan "golden hands bring forth white gold," I think that though the hands might be golden, I wouldn't call cotton gold. If the cotton doesn't serve to raise our standard of living, our wellbeing, then what good is it to us? That's not gold, it's a poison which is eating away at the roots of our families (September 20, 2007).

The farmers who make use of the children's labor often admit that they have no time or resources to devote to the children's health:

Each year when the schoolchildren come to pick cotton in my fields, I myself supply them with drinking water. Using special barrels for that purpose from the garage of the farming

association, I bring drinking water from the taps near the district center. In a few cases when there was no water in the pipes, I bring water from the irrigation canal that flows through the district. It's hard to say anything about the quality of that water. After all, I grew up on that water myself. And I'm healthy. However, the doctors from the Central Hospital are always saying that you at least need to chlorinate this water. But not everyone follows this recommendation, because we are sure that this water wouldn't poison anyone. A few doctors have said that from pollution or because the water itself is of low quality one can get kidney stones, or enlarged spleen or liver. There very well might be a dose of truth in this. As a farmer, it's my responsibility to fulfill the production quota and productivity of the harvest. Let their parents worry about the health of children (Farm director, Boevut district Syr Daria province, September 30, 2007).

One of the main problems is the poor diet supplied to the children. One children's nutrition specialist from Kashkadaria recounted the following:

All of what I'm going to tell you is unofficial, of course. Because forcing children to take part in the cotton harvest is against the law, the Ministry of Health gives instructions on the minimum daily rations for the children only orally, and in some cases these don't have the force of normal orders. The finance departments of local governments are supposed to set aside funds from their own budgets to feed the children taking part in mass "khashars." For instance, each child should receive 70 grams of meat or fish, and not less than 30 grams butter and 250 grams of bread or flour products. Taking into account that these are just the minimum levels, the farm administrations or schools should use their funds to fill out those rations.

But in practice the situation is the opposite. Children rarely if at all have any meat, eggs or milk to eat, and no one pays any attention to the quality of the food. An eighth grader from the Mirishkor district related the following:

At the end of September there was an outbreak of an epidemic at a poultry farm near where we were. Many of the birds had to be slaughtered, and they used them to feed us. At that time the pupils were very happy, because otherwise we got just some terrible soup with macaroni or something like that. We were sick to death of cabbage by the end.

Children are at great risk of injury, as they are transported out to the fields in wagons pulled by tractors, which is against all safety regulations. Another eighth grader from the Mirishkor district explained:

Every day at 7 in the morning we pupils gather in the schoolyard. After attendance, we were driven out to the fields in tractor wagons. Sometimes the farmers drive children in their cars, but this depends on the economic conditions of the farm. If the cotton field is nearby we can get their on foot. Everybody is brought out to the fields together.

Our investigation discovered one serious accident, when a tractor ran over a sleeping child:

I wouldn't say that my son became crippled due to cotton. I think that the tractor driver was unqualified, and there was an accident. Children are children, after all. It got a little warm out, and they got tired in the sun so they went to sleep in the field. That is what happened to my son. But the cistern in which the tractor driver was transporting water to the field rolled onto my son's leg. At first they said that the leg would be all right. The tractor driver compensated us by paying half the medical expense. But such is fate: my son became crippled. It's very hard for me so I'd rather not talk about it (cries). (Kashkadaria province, September 27, 2007).

Wages

Some segment of schoolchildren and their families benefit from the cotton harvest insofar as they earn money from it. But there are not many of these families, because often the money received is not enough to compensate damages to the health and education of children, and also to the family budget. A ninth-grader from the Kasb district explains:

Each year we're brought out to harvest cotton. We're used to it. Our fathers and elder brothers also harvested cotton. In general, it's the fate of all our countrymen. But the conditions there are inhuman, and the pay miserly. I don't know about others, but for one cotton season I earn about seventy to eighty thousand sum. This is not enough even to replace the clothes worn out during the campaign.

There is evidence that often children are not paid the full amount due to them. Their payment depends in part on the grade of cotton they pick, which is itself tied to the various stages that the harvest entails.

At the start of the cotton harvest season the government set the price for one harvested kilogram of 50 sum (4 US cents, author's note). However by the middle of the season the local administration lowered this to 40 sum, and by the end of the season, to 30. If on average a pupil receives 40 sum per kilogram, then on average he or she earns 1,200 sum (one US dollar). Over two months of harvesting that amount may grow to about 72,000 sum (58 US dollars). If one takes into account that students spend about 1,000 sum per day just on food, it follows that they are working in the fields practically for free. For instance, all of the textbooks required for seventh grade cost approximately 25,000 sum. A student will not even be able to buy their schoolbooks with the pure profit from their months of labor in the fields. In this sense the students are truly slaves. (Schoolteacher, Kashkadaria, September 17 2007).

It is clear that the cotton processing factories, according to testimony from an employee of "Kashkadariapahtasanoat" themselves sell 96% of their processed fiber as first sort. It turns out that someone is making a lot of money on the price scissors: the state pays the processing factories lower prices [as for inferior grades of cotton], which are passed on to those harvesting it.

Causes

What are the reasons for this massive exploitation of child labor? Those interviewed see the cause as the utter deterioration of the harvesting equipment under the current government. One farm worker from Nishan district put it thusly:

A long time ago I worked as a combine driver. In one season I could harvest over 300 tons of cotton. That's about as much as all of the children in our village gather over the whole season. Therefore I disagree absolutely with the view that without children's labor we couldn't bring in the cotton. They turn to children only because the agricultural industry in our country has totally collapsed, and there is basically no mechanization of farm work at all any more. With just one combine you can harvest as much cotton as all the children in a whole school. I don't know what the government is concerned with, but it's clear that you can't build a great future⁴ by forcing children to work (October 17, 2007).

One accountant from a collective farm agreed:

Backward and uneducated people are responsible for forcing children to harvest cotton. The farmers take on life-long debt just for the expenses associated with the children. At one time just on one collective farm there were more than a hundred combines, cotton harvesters and cotton plant cutters. Those times are long gone; everything has been stolen. And now we're dependent on little children to do the work.

Many tie the de-mechanization of agriculture to corruption at the highest levels of power:

At the present time not one of the ten mechanical harvesters we had in Soviet times is left. Almost all cotton is harvested by hand. Even the mechanical harvesters we have are not useable any more. The machines imported from America have been "sold."⁵ To resolve the overall problem will take a serious analysis of the mechanization problem. After all, farmers themselves also try to avoid any expenses acquiring machine harvesters (Former state farm chairman, Ok Altyn district, Syrdarya province).

Consequences

As noted above, despite the income it provides, the cost of participation in the cotton harvest for children's education and health makes it a loss making proposition. One mother of a girl involved in the harvest explained:

⁴ This is a reference to one of the Karimov government's early slogans after independence: "Uzbekistan — a future great state".

⁵ The subject refers to the government's purchase of cotton harvesters from the U.S. firm Case. *Shirkats* were forced to assume the cost of acquiring this very expensive machinery, which is part of the reason most of them have huge debts both to the state and to private banks, though they themselves were not consulted as to whether to acquire the harvesters or not.

My daughter is in the ninth grade, and my son in the seventh. Every year, both of them are sent by their schools out to pick cotton. Naturally, we don't object, because at least they can bring in a little money to help with the cost of their clothing, schoolbooks and supplies. However, I do object to sending girls who are close to being of age. After all, girls are not so suited to hard physical labor and to those terrible living conditions. Even if I allow my daughter to go out and pick cotton, she earns 100 thousand sum, but when I marry her off I'll have to pay 500 thousand just to treat her various ailments. But my husband has left to work in Russia, and that's why I agreed to let my daughter go. Otherwise, I would have gotten a medical certificate from the district hospital (October 1, 2007).

It is well known that cotton farming in Uzbekistan involves the intensive use of various agricultural chemicals. There are practically no studies done on the effects of these chemicals on children's health. Therefore it is necessary to rely on informed views and anecdotal evidence from relevant professionals. One specialist of an agrochemical firm in Kashkadaria gave this testimony:

In the last few years the productivity of the land in this district and overall in the province has dropped dramatically. The Karshi steppe that was first farmed in Soviet times is again slowly reverting back to steppe. It is as if the lands which were treated with such an excess of chemicals to raise their productivity are in a drugged state. And now chemical fertilizers are expensive. Just to get ordinary saltpeter you have to wait in lines for months at the "Navoiyot" plant or the Almalyk factory. I personally don't care how the chemicals affect children. Me, I'm constantly thinking about the productivity of the land, and the plan. If the plan is not fulfilled, then we'll be the guilty party, and the prosecutor will create a case and skin us alive. As a specialist I can tell you that the herbicides or saltpeter are not only harmful to children's organisms, but to adults too. That very saltpeter is one of the main catalysts of hepatitis C. (October 1, 2007)

Another specialist from an agrochemicals plant in Syrdaria province explained the situation differently:

Cotton only grows here thanks to treatment with mineral fertilizers and various chemicals. The irrigation drainage brings the remnants of these toxic substances into the groundwater. Cotton pickers are vulnerable to poisoning by these substances. Of course the toxins affect young children's growing bodies, when they are involved in plowing, harvesting cotton, or gathering the bushes from the fields. Especially in the Syr Daria steppe, which began to be intensively cultivated in Soviet times, the climatic and geographic conditions take a huge toll on people. At present, an enormous number of Syr Daria's children suffer from infectious diseases, as their immunity level is extremely low. (September 29, 2007).

Finally, a polyclinic doctor from Syr Daria province gave his view:

I was sent to Saikhunabad, Mirzachul and Syr Daria districts to examine children working on the cotton harvest. The children's condition is enough to drive one to tears. The start of the cotton campaign brings disease: whether common colds, or intestinal disorders, hepatitis, accidents, snakebite. Not one of the sick children receives the necessary medical attentions or medicines. If the poor child needs an operation, then he must be taken to the capital, to

Tashkent. In the districts there are neither medicines nor medical equipment. I've had to appeal to all kinds of government agencies...

An official from the state sanitary-epidemiological service of Syr Daria province gave some statistics for the district in which he serves:

In our district there continue to be cases of forced child labor. The sanitary-epidemiological conditions are, to a certain degree, dangerous. This year during the harvest season we registered cases of flu, chronic hepatitis and intestinal typhoid. Despite vaccinations and other preventive medical measures we registered 14 cases of hepatitis C, 10 typhoid cases and around 50 cases of flu. (November 1, 2007)

Extrapolating from these official statistics, keeping in mind that there are nine districts in the province then one can see that there are a great number of cases of hepatitis and typhoid, not to mention the long-lasting negative consequences for children's health from working on the harvest.

One teacher gave his impression of the negative consequences of forced child labor on the cotton harvest for education:

I'm sick and tired of hearing that 'teachers don't teach anymore.' The pupils themselves don't study anymore. During the cotton harvest alone the children aren't in the classroom for three months. It takes another month for them to get used to the rhythms of school. Finally, right before the end of the school year the children are again brought out for fieldwork.

Question: What do people have to say about this?

People have gotten used to it, and say things like "who is going to do the fieldwork if not children?" It is due to cotton that the whole school curriculum is destroyed. You don't know what to start with and where to end. There are other problems, too—there are few textbooks or teaching specialists, so the same teacher runs four different classes. I feel sorry for the children. They are growing up ignorant. I lived through the Soviet period, but I never witnessed a situation in which our own government is promoting illiteracy and ignorance (Syr Daria province, September 30 2007).

Due to the time spent in the cotton fields, rural schoolchildren, and provincial schoolchildren in general are at a great disadvantage compared with children from the major cities when it comes to college admissions. Parents often need to resort to bribes to have their children admitted, which raises the level of corruption in the education system. "And so what should we do? If a child from his very early years is shunted off to the cotton fields, and sees the example of his older brothers and sisters who get into university only with the help of bribes?" (Saikhunabad district resident).

Under these disadvantageous circumstances, rural children see little prospect of obtaining either a higher education or a good job and decent earnings. They therefore more and more often engage in migrant labor. A ninth grader in the Boevut district shared his plans:

This is my second year on the cotton harvest. There's no school anyway. The teachers are gone; there are no textbooks. All the schoolchildren are used to this state of affairs. So when the cotton harvest starts, they think well at least we can help our parents. I'm going off to Kazakhstan anyway, when I finish school. You can earn good money there.

--Have you been to Kazakhstan?

I haven't, but I've heard grownups talking about it. In my school many kids have the same goal—to finish school and to get out of the country (September 16, 2007).

Conclusions and Recommendations

The example of these two provinces shows that the use of forced child labor in Uzbekistan's cotton harvest is practiced on a massive scale. This practice violates Uzbekistan's own domestic law as well as its international human rights commitments. It deeply harms the country's children, poisons their futures, and in general damages the whole national interest, deepening the already existing corruption and de-modernization of the agricultural sector.

We call on the country's leadership to reconsider this practice and to carry out reforms in the cotton sector. These should include allowing farmers to decide labor questions on their own, for which they will need to be given full economic freedom within the bounds of a socially-oriented market economy. It is absolutely necessary to free the schools from the administrative fiat of local governments, and to cease using the schools as one link in the authoritarian chain to mobilize schoolchildren for agricultural work. In cases where they wish to carry out so-called internships and practical work, which, according to law, should not last more than 15 days, children need to be provided with all necessary conditions for safe work, including rest, adequate nutrition and medical care.

Uzbekistan should not only ratify the International Labor Organization's conventions 138 and 182, but carry out its international obligations. For our part, as human rights defenders, we stand ready to work with the government to document violations of these obligations and of our own domestic law.

Interviews transcripts

Kashkadaria Province

Schoolchildren

1. (names and locations omitted to protect identity of subjects)

Question: How many times does a child have to bend down, or how many bolls of cotton does he or she have to gather in order to make up one kilogram of cotton?

One cotton boll weighs about 8-10 grams. Therefore, in order to make up one kilo of cotton a kid has to bend down and bend back up again about one hundred times. So therefore, in order to pick 30 kilograms in a day you have to make about 2500 or 3000 such physical movements. If you consider how much energy that takes then you will see how difficult this work is. For the upperclassmen, this is like a form of exercise, however the poor ecological condition of the fields harms their health. It is for that reason they must stop forcing children to pick the cotton.

2.

Thankfully, the cotton fields are right next to our school. Our daily quota is a little less compared to other schools, so it's not bad. The reason is that our principal is an enterprising kind of guy—his brother is the head of the district education department. Last year a journalist from one of the newspapers came to visit us and promised to publish our picture in the paper. But later he explained to us that it turns out that it's not allowed to publish pictures of children picking cotton. He really got an earful from his boss, he said. His boss told him that our country's leaders are against children being made to go out and pick cotton.

3.

When I was admitted to this [specialized technical] school, my father paid big money so that I wouldn't have to go out and pick cotton. But hey, when it comes to cotton, everyone is equal. Therefore, I was sent out to the fields anyway. They told him let her pick a little cotton just for a month or so, otherwise the other students will start to talk and raise a fuss. It's not a big deal to pick cotton, but the conditions there are intolerable—there's no drinking water, no electricity. When I told my father about how we have to live out there he said, "You'll have to bear with it, my dear. Otherwise I'll be fired. You know that it's no simple feat to get a job in the tax inspectorate."

4. First year university student

This year we were brought out to pick cotton in the Kasb district. They had just whitewashed the field sheds, so the living conditions weren't the worst. But we really suffered from the lack of drinking water, the food, and especially the lack of electricity. If there was light one day, then there wasn't any the next. We got no meat, no high-calorie foods whatsoever. A lot of the girls got sick and went home. Our professors like to tell us that our student years are the best of our lives, and that when we grow up we'll look back fondly on these times. I'd like to know though can it really be true that each citizen of our republic has to go through this hellish torture?

5. Specialized technical high school student

My school closes for five months of the year: In the fall, three months for the harvest, in the winter, for one month because the building is not heated, and another month in the spring for field work and weeding. What do you think our level of knowledge is, when we spend half the academic year in the fields? We too want to believe the fancy slogans we hear on the radio and read in the papers. But why should we deceive ourselves, if our whole lives are spent hungry and we're nothing more than cotton slaves?

6. Male student, professional junior college

There are about 500 students in my school, and most of them will associate their student years with hard labor in the cotton fields, and the inhumane living conditions in the field sheds. Naturally, the student who doesn't go out to pick cotton won't remain a student for long. There aren't even adequate conditions for us guys, not to speak of the girls. There's no place to wash, no doctors. If one of the girls gets really sick she goes home, but if one of the boys falls ill, then he has to suffer right here. Moreover, they say that if we pick less than 70 kilograms per day, we'll have to pay for our own room and board. Each year after the harvest season the girls have to spend two or three weeks healing their hands, coarsened and roughed up picking cotton. When I see the watery eyes and wind-burned faces of my classmates, I feel like setting the cotton fields aflame.

7. Male student, specialized technical junior college.

They don't grow cotton in our district. That's why each year they send us out to the neighboring Kamashin district. The director of our school is a relative of one of the local bigwigs. So at least we get our pay on time. My older brothers have gone off to work in Russia so I'm the only man in the house. That's why I pick my weekly quota in four or five days and on the weekend I get to go home. For the last two years at least we get our pay on time. I've heard that in Kazakhstan they pay cotton pickers many times more. Why couldn't they do that here?

8. Female ninth grader

They bring us out to pick cotton every year. We're used to it. Our fathers and elder brothers also picked cotton. I guess that's the fate of all our countrymen. But the conditions for cotton pickers are really inhumane and the pay is miserly. For instance, I earn only 70-80 thousand sum for the whole season, not even enough to replace the clothes that wear out

during the cotton campaign. Is there really any difference between our living conditions and our food and those of the spindly half dead Afghan children they show us on television?

9. Schoolboy

I feel anxious when autumn comes—where are they going to send us this year to pick cotton? Last year they sent us to Kasb district, and there was neither decent food nor drinking water. They brought us canal water in flasks, or we drank water that had been in sitting in tanks for ten days. In our own district cotton doesn't grow. That's probably why our students don't know how to pick it very well. The pay they give you doesn't even cover your expenses. I don't get just one thing: all of the schoolchildren from our district gather as much cotton as one combine can gather. Why then doesn't our country use combines? Who is it who wants to deprive us of the chance to study and learn?

10. Male ninth grader

We're really afraid of getting expelled from school. Every September 2, the first day of school, the Director warns us that if we don't go out to pick cotton we might as well not come back to school. The school administration does everything to create the impression that the schoolchildren themselves are the ones who have decided to go out to the cotton fields. But just try to "voluntarily" not go out to the harvest! We're all forced to obey this unwritten law. And moreover, the only way to get cash is to go out and pick cotton.⁶ It's painful to see how the kids knock themselves out in the cotton fields to earn this to earn this rotten money. Just think about it: in order to earn 50 sum, a kid who is barely 14 has to bend down to the cotton bush over fifty times. And his earnings from a day of this work won't even buy him a pair of ugly socks.



11. Male ninth grader

Question: are there students who don't have to go out and pick cotton?

I've been out picking cotton four years, but I don't know of any cases where anyone is not obligated to go. However, sometimes kids' parents try to get them medical certificates or other documents attesting to their poor health. Under those circumstances a few kids have been partially freed from going out. But there are very few of those: in one grade level you can only find one or two of them. I'm only talking about students higher than the fifth grade.

12. Male eighth grader

Question: how do they bring children out to the fields?

⁶ Uzbekistan's monetary policy includes draconian limits on the emissions of currency; individuals and enterprises do not have free access to monies they may have in accounts, and salaries are paid often with huge delays due to the lack of access to cash (ed. Note).

Every day at 7 am the pupils gather in the schoolyard. After attendance we are driven out to the fields in a wagon hooked up to a tractor. Sometimes the farmers drive us out in their cars, but that depends on how prosperous the farmer is. If the cotton fields are nearby, then we can walk. Everybody goes out to the fields together. It can be cold in the morning. Especially the last few years, everyone tries not to go out to the fields the last few days of the season [when it is especially cold].

13. Male ninth grader

Question: how many kids have to eat lunch right out in the fields?

My class has thirty students; there are the same number of students in our partner class. The students in the younger classes have lunch at home because they come out to the fields after their lessons. If you take into account that our school goes up to the ninth grade, and the seventh through ninth grades there are seven classes, then you can see that there are about 200 children who eat out in the fields. Once in a while the farmer organizes lunch for us. But most of the time we eat what we've managed to bring from home. Sometimes, when it's very cold, we work up until lunch time and then they let us go home.

14. Male seventh grader

What kinds of problems do the youngest children have out in the fields?

The main problems for the younger children are their weak hands and tender skin. When a cotton picker takes a boll, the sharp edge of the pod scratches his hands. In the damp autumn weather these scratches turn into seeping infected wounds. There is another problem in that it's hard for the young kids to bring all the cotton they've picked to the weighing station. Sometime's it's even too heavy for them to lift. Therefore we always try to help them, and also to help make sure they hit their daily picking targets. It's also not incidental that they're brought out to the fields in tractor wagons. They require constant supervision. And heaven forbid if someone should let their attention flag for one minute, someone might have an accident. There are cases when in the warm weather kids fall asleep in the fields.

15. Male junior professional college student

In the words of our international law teacher, our country has ratified the convention against child labor. But despite this they continue to make schoolchildren go out and harvest cotton. The students of our college protested about this in writing to several government agencies. But we never received one answer with any commentary on the use of child labor. They try to pretend that the pupils themselves voluntarily want to do it. However, just try to "voluntarily" refuse! Therefore, we're all required to follow this unwritten law.

16. Male eighth grader

Question: how would you describe the building in which you live during the cotton harvest?

This season we lived in a field shed which was located in the upper part of one of the cotton fields and consisted of nine rooms of varying sizes. The room I lived in was six meters long by four meters wide. Nineteen of us lived in there. Since there were no beds or mattresses, we slept on the earthen floor. It was pretty damp in the room and so lots of the guys caught cold. We brought blankets and other bedding from home. Right before we arrived they whitewashed the walls, so for a few days it was quite hard to breathe in there. But we got used to it. Right next to the shed there was one of the large irrigation canals. That's where we got our water. Our "cook," whom we chose from our ranks, made our meals. Every day there was one of us who got diarrhea, or some illness that made him terribly weak. In general we just barely lived through the experience somehow. And the money that we earned didn't even cover what we spent during the whole cotton harvest campaign.

17. Female eighth grader

Question: in the field sheds were there any separate washrooms or medical facilities for girls?

This year during the cotton harvest season there were twenty five of us girls in one of the rooms in the field shed. Not only were there no separate wash rooms for girls, there weren't even any normal toilets. There was water only once every two days, and no soap or any other supplies for basic hygiene. Somehow we managed to sleep in the room that was teeming with fleas, bedbugs, cockroaches, ants and other biting insects. From morning to night we were out in the fields, and in the evening we came in and dropped from exhaustion. At the beginning of November we went back to school. Thank God we came back without any illnesses or problems. After I finish my nine years of primary education, I'm not going to continue in school. Or rather, I want to learn sewing at the trade school that's just opened up in the district center.

18. Female ninth grader

Question: When they bring you out to the cotton fields, do they ask the permission of your parents?

At the beginning of the cotton season they announce that school is closed, and that's that. All right-thinking parents understand what that means. Therefore, no parents who want their children to continue to go to school would ever object, although no one ever asks for their permission. If you ask any of the parents about this they will just laugh at you, 'what do you mean, permission, what agreement or contract?' Cotton—that's all that needs to be said. The school is closed, everybody is out in the fields picking. Even on the government buildings you'll see big placards, "Everybody out to the cotton harvest!" All of the students or schoolchildren who are at least half healthy have to be out in the fields. It gets to the point where the traffic police will even stop busses and cars traveling toward the district or provincial centers and force all the passengers who are not invalids or sick out to pick cotton.

19. Male eighth grader

Question: How many times during this cotton season did you eat anything that you liked?

At the end of September there was an outbreak of an epidemic on the poultry farm that was right next to where we were. So they had to slaughter some of the birds. And they used them to make us various meals. That made all the kids really happy. Otherwise it was only tasteless soup with macaroni or something like that. By the end just the sight of cabbage made us sick. We yearned for anything like milk, or sour milk. There were enough melons, though. Every farmer grows melons. So they gave us melons or watermelon often—for lunch, for dinner. On the days when they didn't give us hot food we stuffed our stomachs with tomatoes from the vine, melons and watermelons.

20. Female seventh grader

Question: How were the showers out in the fields?

We spent two weeks out in the field shed on the territory of the farm. One half of the shed was filled with college students, the other half with us, school kids. There were no showers. Across from the shed there were so-called "wash basins," made up empty plastic bottles. A little farther away there were "showers," separated off by a canvas. The water in these "showers" wasn't changed for two weeks so no one went there. The boys washed further down, right in the irrigation ditch, and the girls were allowed to go home once a week, in the center of the farm. Since after two weeks there were quite a lot of participants in this "khashar," we started to come out to the fields from our homes every day. During the harvest season the female college students told us that there still were no showers, and that they got their drinking water from the nearby irrigation canal. Sometimes we asked them to bring us clean drinking water from the tap from their homes.



21. Male eighth grader

Question: did it get to the point during the cotton harvest season that you had to pick up the dirty cotton lint (after-harvest) for the ginning and special receiving stations?

In two of the sections of our farm the cotton was machine harvested. They sent the students of our school out to one of those sections to gather what remained after the combine harvest. Each kilogram of that cotton was worth 15-20 sum. In comparison with the quotas for clean cotton, the daily norm was raised from two to two-and-a-half times. They paid us for this cotton on the eve of Constitution Day. In fact, adult pickers, or at the very least, college students should have picked this cotton, because the schoolchildren's hands got so cut up by the cotton plants. Their faces were also scratched by the branches and cracked from the cold. But nevertheless, we fulfilled the plan. A day or two after the district fulfilled its cotton plan, we were allowed to go home, and school began again.

22. Female eighth grader

Each year we anxiously await the beginning of the cotton harvest. The reason is that there is no other way to earn cash. Yes, some people say that it's bad that students are out in the cotton fields, that they shouldn't have to go, and that they should be in school. But when there is no school, when there are no textbooks, then it is better, naturally, to go out to pick cotton. There at least you can help your parents a little. I'm only sorry that they pay so little. For instance, for all the money I earned during the whole season, I can afford only to buy a school uniform.

23. Male ninth grader

Question: How many years have you been coming out to the cotton harvest?

I've been picking cotton now every year for four years. When they send us out, they don't show us any order or any other document. We go out based on the oral orders or direction of our principal or the head of the local education department. The upperclassmen are housed out in the fields in sheds and barracks, while the pupils from the younger classes are brought out into the fields in wagons pulled by tractors. We eat for lunch what we have brought out on the edge of the fields. We're paid by our teachers once every two weeks or ten days. Otherwise, she raises a fuss with the collective farm administration, or with the private farmer (September 30, 2007).

24. Female ninth grader

I've been coming out to harvest cotton for several years. Sure, the pay for each kilogram we pick is very low. However, one can only earn cash during the cotton harvest. Everyone is obligated to go, starting in the fifth grade. If someone refuses, then he will have problems during the school year. It's an unwritten law that obligates us to go out and pick cotton. During the cotton harvest campaign the upper classmen are housed in field sheds. Conditions are terrible: no drinking water, and no meat, milk or eggs in their meals. (September 29, 2007).

25. Male sixth-grader

I came out for the cotton harvest for the first time this year. There's a lot of cotton, so it's not hard to meet daily quotas. I'm out picking cotton, and so is my sister. My dad says that if I do a good job, I can use the money I earn to buy textbooks. But I want to buy a bicycle instead. What do I need textbooks for, if in school and even in college they bring you out to pick cotton all the time? A bicycle is more useful, because then I can ride it out to the cotton fields instead of walking. Last year, my classmate Atkham was on his way to the fields when he fell under a tractor wheel and was killed. After that I am really afraid of riding to the fields on a tractor wagon (September 29, 2007).

26. Female eighth grader

How much do you earn during the harvest season?

We have a daily quota for our class of 40 kilograms. A pupil who meets that target for the day will earn two thousand sum. They pay us once every ten or fifteen days. The cashier,

who has a tough time getting cash for us, holds back ten percent of each person's pay. I exceed the daily norm and often gather more than 50 kilograms. Therefore, after taking out what the farm withholds, I earn on average two thousand sum a day, or one hundred thousand sum over the whole season. That is enough to buy schoolbooks and some clothes.

27. Female ninth grader

Question: If you don't want to, then don't answer. But how do you, as a young girl, deal with the problem that you face every month? How about your friends?

It will be better if I talk about my friends. For instance, the women teachers at our school allow the girls who have painful periods to go home for a few days. However, many girls are ashamed and will not talk about this. As a result, after the cotton harvest season is over many of them have various illnesses, and some even have to go for treatment to the hospital. For this reason, I should mention, the local clinic gynecologist gives a talk every year about how one shouldn't be ashamed and that this is a natural occurrence that happens to every girl as she comes of age. (October 13, 2007).

28. Male seventh grader



Question: Can you say anything about the quality of the food that you're given during the cotton harvest?

This is my second year going out to pick cotton. Last year, our lunches had everything except meat. This year we have to bring our own lunches from home, and if we're picking cotton not far from home we can go there for lunch. About the quality of the food, well, it's normal food: soup with noodles, sometimes plov...We're not too picky about the food. We can even gather our daily quota without having lunch. Then we go home and fill up on home cooking. So I can't really say anything about the quality of the food. (October 13, 2007)

29. Male junior college student

Once I fell asleep in the cotton field, and a tractor ran over my leg. I had medical treatment later. My college helped me, and sent me to Tashkent for treatment. Now my parents get assistance from our village council due to me. When the tractor crushed my leg everyone panicked. The policemen really tortured the poor tractor driver, they totally fleeced him, forcing him even to sell his property [in order to pay bribes to the police officials to avoid a jail term, not to pay compensation to the victim. Ed. Note] (October 1, 2007).

Parent interviews

1. Father of a seventh grade boy

Question: Do you support children's participation in the cotton harvest?

In this situation no one asks for the agreement of parents or family elders to send children out to pick cotton. Maybe some parents try to get their kids out of it, and maybe somebody succeeds. But there are very few of these cases. The majority of parents just don't consider trying to get their children out of the cotton harvest. Because we all know, including parents, that cotton is our government's policy, and therefore we are obligated to pick cotton. We, the parents, picked it during our own school days. Now our children have to do it. If this government remains, then my grandchildren will have to do it too. In such circumstances it would be ludicrous to ask someone's permission for their children to go out to the cotton fields. However it should be noted that many are not in agreement with this policy. They silently suffer from the knowledge that there is no way out. (October 10, 2007).

2. Mother of two

Question: Do you support your children's participation in the cotton harvest?

I have a daughter in the ninth grade and a son in the seventh. Every year they are taken out of school to pick cotton. Naturally, I'm not against this, because at least they can earn enough money for their school supplies and uniforms. However I'm against sending out girls who are nearly of age. After all, girls are not really suited to hard physical labor and poor living conditions. If I allow my daughter to go out now and she earns one hundred thousand sum, I'm going to have to pay five hundred thousand sum later for medical treatment when it is time for her to get married. [But] my husband has gone to Russia as a migrant laborer. Therefore I have agreed to let my daughter go out. Otherwise I would have gotten her a certificate freeing her from the harvest at the district hospital (October 1, 2007).

3. Mother

Question: They tell me that your child had an accident during the cotton season and was crippled...

I don't believe that my son became crippled due to cotton. I think the tractor driver was unqualified, and there was an accident. Children are children, after all. It was warm, and the sun made him drowsy, so he fell asleep in the field. This is what happened to my son. The water tank ran over one of his legs, the tank that the tractor driver was bringing to the fields for the children. First they told me that his leg would get better. Half the medical expenses were covered by the tractor driver. But such is fate—my son was crippled. It is hard for me so I don't want to talk about it [cries]. (September 27, 2007)

4. Father

Question: Have you ever expressed opposition to the children's obligation to work on the harvest?

You raise an interesting question. But to whom should we complain, if the government itself sends the children out to the harvest? Many people say that President Karimov himself

doesn't know about this. But those people, sadly, just don't listen to the radio, especially Radio Liberty. Many of them don't know that Karimov himself gives the order to send the children out to the fields to pick cotton. Therefore, a few parents raise a fuss so that their children won't have to go, and some give presents to the teachers but it's all useless. Cotton—this is the policy, the categorical decision of our government. That's why any complaint never escapes the confines of the village, district or province. (October 2, 2007).

5. Mother of two daughters

Question: In Soviet times there was a popular slogan "golden hands make the white gold." What do you think—do your daughters hands look golden to you all scratched by the cotton pods?

By the time of the cotton harvest the weather is already damp. Scratches quickly get infected. Only with difficulty can I make my daughters' torn-up hands presentable again using Vaseline, hand cream. They don't think of themselves, just to try to earn some money. After a while they'll regret it. With regard to that slogan, "golden hands create the white gold," I'd say that while the hands may be golden, cotton certainly isn't gold for us. If it doesn't increase our wellbeing, or improve our living conditions, it's no kind of gold to us. This isn't gold, it's a poison, corroding the lives of our sons and daughters. (September 20, 2007).

6. Father

Question: Villagers say that if the cotton plan is not met, then it spoils everyone's mood, even the children's. How true is this?

Of course when the plan is fulfilled everyone is in a good mood. The children come back early from the fields. The *khokimiat* won't look at us like we're guilty of something. And if the cotton harvest targets are not met, then the adults certainly are out of sorts. They take out their discontent on their families. And it's hard for the children, too. Fulfilling the plan makes everyone happier. Especially, children are concerned about when the targets will be met. After all, when the plan is fulfilled, both adults and children can rest easy. (September 27, 2007).

7. Father

Question: What benefit does the government gain from your children's labor?

The benefit accrues to the people, not to the government, because cotton is our national wealth. The more we preserve the cotton during the harvest, the greater wealth there is for the people. After all, our government keeps the peace, and this costs money. Therefore, our children are serving the Motherland, and the cause of peace. I am absolutely in support of the children's participation in the cotton harvest. I think they should go to school in the summer so that they would have the fall free for the cotton season. (October 20, 2007)

8. Father

Question: Do you think that the cotton will go unpicked if there are no children to harvest it? A long time ago I worked as a combine driver. In one season I harvested more than 300 tons of cotton. That's approximately as much as all the children in our village gather in a season. Therefore I really disagree with the view that there will be no one to harvest the cotton. It's only because the local system of agribusiness is totally on its knees that they turn to the children to help. If there were enough harvesters we could bring in as much cotton as a whole school. I don't know what the government is thinking about. But I do know that this is no way to build "a great future," forcing children out to work.⁷

Teacher interviews

1. Male Schoolteacher

Question: How many children in your school are brought out to harvest cotton?

Our school is one of the biggest in the district. In both shifts, the school has about 844 students. 400 of these are students in the fifth grade and up. All of them are brought out to the fields for the harvest. In the fifth through seventh grades, they are under the special supervision of teachers. For the most part they go out to the fields after school is over, or after a truncated school day. During the cotton harvest, therefore, there are about 390-400 students from our school out picking. It is obligatory for everyone. Not one of our students should remain on the sidelines.

2. Female schoolteacher

Question: what proportion of all the cotton harvested in the district is brought in by schoolchildren?

Our school has 799 students. If you consider that about half of them go out to the harvest, then that's 400 pairs of hands picking cotton. Their daily quotas, taking into consideration that the upperclassmen have to pick more average out to be 30 kilograms. So if all of them hit their targets, that adds up to 12 tonnes per day. The season lasts two months, approximately, so over the whole season they pick up to 700 tons. So, if each of the 65 schools in our district takes in 700 tons, then you see that over all, schoolchildren pick over 47 thousand tons of cotton in a season. (September 25, 2007)

3. Male schoolteacher

Question: How much does each household gain from the schoolchildren's participation in the cotton harvest?

At the beginning of the cotton season the government sets a price for each kilogram of cotton picked at 50 sum (.04 USD, author's note). However by mid season the local government administration had lowered that price to 40 sum and by the end of the season

⁷ A reference to a slogan from the early Karimov years, "Uzbekistan is a future great state."

to 30 sum. If the children receive 40 sum on average for each kilogram they pick, then in a day they might make 1200 sum (1 US dollar). And so over the course of a two-month season they would earn 72,000 sum (58 USD). If you take into account the amount the students spend per day on food, approximately 1,000 sum, then you see that they are working essentially for free. For instance, the seventh grade textbooks all together cost about 25,000 sum. With the pure profit from their work over the whole season students can't even buy their textbooks. In that sense you really can call them slaves. (September 17, 2007).

4. Male schoolteacher

Question: How long does the cotton harvest last?

Each year our school closes on the eve of September 10, in other words, ten days after the start of the school year. This is determined in part by how hot the summer was and how quickly the cotton has matured. The end of the season, however, is determined only by the fulfillment of the plan in the district, the province and the republic. For example, if our district and province meets its plan targets a little early, let's say in October, then we are no longer required to go out and pick cotton. In other words, if students are out in the fields after that point they are doing it just to earn money. But if the plan is not fulfilled then it can be December, and the cold weather is here already, and we are still obligated to be out in the fields. No one can protest this state of affairs. Therefore you really don't know ahead of time how long the season will last. This year it was from September 10 to November 10. (September 18, 2007).

5. District education department inspector

I am against schoolgirls going out to the fields. It violates any standards whatsoever for girls to spend a long time out in the fields, living in sheds without water or gas. I've seen plenty of cases while working in the department of girls who have gotten severe colds while out picking cotton, and had to undergo medical treatment. A few even became critically ill. After all, in the near future these girls will become mothers. As far as the boys are concerned, there is not anything too awful about them helping their parents. That is their duty, after all.

6. Male schoolteacher

Question: Do the children have enough food allotted to them over the course of the season?

Our school is not allotted any foodstuffs for our children out on the harvest because the children themselves bring their own supplies from home. However, the farms supply food for the university and college students taking part in the cotton harvest, who live out in the field sheds or barracks. Our school administration bought 35 kilos of meat for the assistants who are taking part in the harvest. Other foodstuffs, such as noodles, oil and bread were bought by the farm. They [students and others provided food by the farms] eat better than we do. According to the students, they always get meat in their food, even if it's only a little. Representatives of the central district hospital and sanitary-epidemiological station and even the prosecutor's office come out to make sure they are getting their allotted rations.

7. Male schoolteacher

Question: Are there children who go out to pick cotton voluntarily?

Of course, there are quite a lot of pupils who go out voluntarily because in today's conditions of unemployment and total poverty even children at a very tender age feel the desire to somehow help their families and their parents. About ten percent of children go out to pick cotton voluntarily, with this goal in mind. These children tend to pick more than the daily norms to earn a bit of money. In addition, there are those children who come out to earn enough to buy their own clothes and textbooks. These children are a good example for the others. (September 12, 2007).

8. Male schoolteacher

Question: Under what circumstances do children refuse to go out and pick cotton? What measures are taken against these "mutineers"?

I've been teaching for twenty five years, and all that time I've taken children out to the cotton fields. Lately, our principal has been stating that the local prosecutor's office is responsible for monitoring the obligatory service of children in the fields. That's why any refusal to pick cotton is punished so severely. But of course there are also those children whose parents get them false medical certificates to excuse them from cotton picking. Not every doctor is authorized to issue these. I have witnessed cases of children being expelled for refusing to go out, but in 2007 there weren't any such cases. (September 12, 2007).

9. Male schoolteacher

Question: What safety measures are taken during the harvest to protect children from accidents?

Children are children. You can never totally protect them from danger. That's why they have to be constantly monitored. During the cotton harvest I can remember cases where children were smothered by the cotton they gathered, or were run over by tractors when they were sleeping in the fields. Unfortunately, due to our national character, whether it is out of carelessness, excessive good-heartedness, or fear, those responsible for these accidents are often forgiven. The press doesn't write about these incidents nor are they shown on television. For instance, I know of a case when six young girls who went off to wash [in a river or canal] were swept away by the current. The prosecutor's office even opened a criminal case on the matter, but later they put the brakes on it and it never went anywhere. I think that any person responsible for a child's accident should bear responsibility, and that these incidents should not be hushed up. (September 19, 2007).

Farm worker interviews

1. *Shirkat* chairman

The times are long past when pupils would get poisoned out working on the [chemical] defoliation, or got sick with various infectious diseases. Those days are gone. Now, after independence, we can't even get such "poisons" anymore [as their prices have rocketed up – author's note]. As an expert I really cannot understand why they force children out to the cotton fields. After all, dozens of schoolchildren can't gather as much cotton as one combine. Instead of using child labor out in the fields we have to work on greater mechanization of agriculture.

1. A. Collective farm accountant

Ignorant and backward people are responsible for forcing children out into the cotton fields. Farmers go into debt for the rest of their lives just to pay for the children's expenses. Before, just one collective farm had almost one hundred combines and pieces of farm machinery. But that was ages ago—everything was stolen. And so we have to pin all our hopes on little children.

2. Village surveyor

I'm grief-stricken when I see little children walking along the dusty road to the cotton fields. They should be in school. What sort of a future will they have—they haven't seen anything of life, and they're out there picking cotton. They don't even wear clothing made of cotton, just cheap synthetics from China! This illiterate, abandoned generation—do you think they're going to build the great future Karimov talks about? I've no one to talk with about this, no one to share my grief. Can you write about this somewhere, in a newspaper?

3. Farm director

Of course there are accidents when children are out picking cotton. Most of the accidents that people learn about really aren't discussed much. Most of the time, the police don't become involved. This is because villagers forgive each other, so the family or the mahalla discuss the cases and that is that. For instance, last year one of our tractor drivers killed his neighbor's daughter, a little third grader, when the wagon full of cotton he was pulling turned over. This year, two children in the older grades were trying to earn money from scrap metal, and were electrocuted when they tried to cut a cotton pipe running through the fields. Such accidents happen all too often. And we rural people are used to it. (September 17, 2007).

4. Farmer

I'm grateful to our local teachers, who stand out in the fields and take charge of the children. I gave the teachers a big party. That's why I met my quotas after the first pass through the fields. The pupils, too, were not demanding either: they brought their own bread for lunch, and drank the canal water. I'm grateful to them. If I had to rely on the government, the cotton would still be in the fields. (September 25, 2007).

5. Cotton receiving station worker

We asked a few of the pupils to come help us in making the bales of cotton (packing it up for transport). They were goofing around and one of them got caught in the conveyor belt and was crippled. We were obligated to pay for his medical care because his parents turned out to be poor. The prosecutor insisted that our receiving station pay for his care. Of course, packing up the cotton is not work for children; adults should be doing it. But what are you going to do—all the adults have left to work in Russia. (October 11, 2007).

6. Machine-tractor station worker

I don't know how it works at other stations, but we follow procedures strictly. We only use passenger vehicles to transport the children to pick cotton in the neighboring district, and happily we have not had any accidents. We are responsible for transporting cotton pickers in busses, cars and tractors. Everything is working fine. Whatever happens in the fields themselves is not our responsibility. We are entrusted with getting the children to the fields, and that is what we do. [REPEATED BY MESTNOE NASELENIE interview below] Each season I keep a record of all the schoolchildren, college students and others who are working on the harvest. I am responsible for bringing them drinking water and for creating good conditions for them. This is our life. In Soviet times all the cotton was taken by Moscow, but now it's all for us. But despite this, we still don't have enough cotton seed oil or household soap. We are grateful to our President, but the people around him are bad. It is they who force the schoolchildren out to pick cotton. (October 11, 2007).

7. Farm director

Question: In Soviet times, there were cases of mass poisonings and hepatitis outbreaks after the fields were treated with chemical defoliants. How do things stand with this now?

I am a farm director, so I know that in the first years of independence there were cases where children and adults were poisoned by defoliants, and outbreaks of viral hepatitis. However in the last few years, not only in Syr Daria province but throughout the republic, farm mechanization has declined to a sorry state. There are very few tractors or combine harvesters. As a result, there is no need to take off the leaves of the cotton plants to prepare them for machine harvesting. Despite the fact that the price of cotton is rising, we continue to pick most of it by hand. Therefore, there are practically no cases in which the children are poisoned with defoliants or other toxic chemicals. However their health does suffer from the lack of drinking water, the poor living conditions, and lack of nutritious food. (September 16, 2007).

Agronomist and agrochemical specialist interviews

1. Official, regional cotton corporation

Question: Does your company make use of scientific and technological advances?

Our province has 13 of the republic's 128 cotton processing factories. All of these factories process the cotton seed to prepare it for sowing. Ninety-six per cent of the cotton sown in the province is of the highest grade. Eighty-five per cent of our harvest comes from private farms. Overall we have 167 thousand hectares of land in our provinces farms. The 12,951 private farms on our territory have land amounting to 136,500 hectares. Our province also has a branch of the "Sifat" organization, which coordinates standards for the different varieties of cotton. The center has HVI equipment, which uses American technology. It can analyze the length, smoothness, strength and other qualities of the cotton fiber. Our processing factories have up to date equipment, including models 30VP, ChKh-3M, 6A-12M and ROV brand cotton fiber regenerators.

2. Agronomist for a farmer's association

Question: Have you witnessed children being poisoned in the fields? Give examples from the 2007 season.

I've been working as an agronomist for several years. It's not just in 2007, but over the last few years there have been cases of poisoning with defoliants, weed-killers, saltpeter and ammoniac. The problem is that in the entire Kashkadaria province, cotton is harvested by machine in only one farm: in Zheinov village, Kasb district. Therefore, that farm requires the use of chemical defoliants before the bushes are harvested by machine. Other farms don't require chemical treatments because all of the harvest is gathered by hand. There is no need to take the leaves off the plants. Therefore in recent times, chemical defoliants, which are expensive, are not much in use. Not just in our farm but in the whole district, there have been no cases of poisoning, with the exception of a few incidents where insecticides were used to treat the cotton pods.

3. Agrochemical complex specialist

Question: Tell us about the role of chemical fertilizers in raising cotton productivity. Aren't those chemicals harmful to children who pick the cotton?

In the last few years the productivity of the land in this district and overall in the province has dropped dramatically. The Karshi steppe that was first farmed in Soviet times is again slowly reverting back to steppe. It is as if the lands which were treated with such an excess of chemicals to raise their productivity are in a drugged state. And now chemical fertilizers are expensive. Just to get ordinary saltpeter you have to wait in lines for months at the "Navoiyazot" plant or the Almalyk factory. I personally don't care how the chemicals affect children. Me, I'm constantly thinking about the productivity of the land, and the plan. If the plan is not fulfilled, then we'll be the guilty party, and the prosecutor will create a case and skin us alive. As a specialist I can tell you that the herbicides or saltpeter are not only harmful to children's organisms, but to adults too. That very saltpeter is one of the main catalysts of hepatitis C. (October 1, 2007)

Healthcare worker interviews

1. Nurse, village outpatient clinic

Each year the district health department sends us out to pick cotton. I understand that cotton is our national wealth and state policy. But chasing children out to pick cotton is a policy of very short-sighted people. Most of the adolescents we see in our clinic, especially girls, have lost their health due to cotton. Now they have to be out of their homes picking cotton, living in sheds without gas or water? The results are lamentable.

2. Doctor, provincial sanitary-epidemiological station

Question: What rules are set by district doctors during the time children are sent out to pick cotton?

Here we need to note the concrete functions of hospitals and other medical institutions that constitute part of the state SES and public health administration. Our organization, the state SES, is responsible for the observation of basic hygiene and sanitation in the locations where the children pick cotton. Therefore, our department doctors are tasked with monitoring the situation. It is for that reason that they constantly monitor the fall weather and the sanitation situation in the fields, as well how well the rules of hygiene are followed in the field sheds. The first obligation of our doctors is of course to be professional, to use their experience and knowledge of rural conditions, and to be able to get along with people. Specialists who fulfill these conditions are allowed to take part in the mass “khashars” or other mass undertakings involved in the cotton harvest (October 17, 2007).

3. Provincial child nutrition specialist

All of what I’m going to tell you is unofficial, of course. Because forcing children to take part in the cotton harvest is against the law, the Ministry of Health gives instructions on the minimum daily rations for the children only orally, and in some cases these don’t have the force of normal orders. The finance departments of local governments are supposed to set aside funds from their own budgets to feed the children taking part in mass “khashars.” For instance, each child should receive 70 grams of meat or fish, and not less than 30 grams butter and 250 grams of bread or flour products. Taking into account that these are just the minimum levels, the farm administrations or schools should use their funds to fill out those rations. Because for the last few years it has become more common for schoolchildren to remain at home while picking cotton, in other words, without being housed in the fields, their nutrition is more and more the responsibility of their parents. We make sure that all of the foodstuffs bought with state monies reach their intended recipients.

Interviews with the local population

1. Village police officer

I understand why they make children go out and harvest cotton, but why bother us with this? They say that it’s because the children run away, or cause mischief. But where are

they going to run from cotton? At home, at school, all our lives are dominated by cotton. After all, there is the district education department whose responsibility it is to hold them accountable, shame them in public opinion and expel them from school if they don't pick cotton. What business is this of ours? I'm not happy with this state of affairs.

2. Village market director

We get really busy as soon as the cotton season starts. A few of us contributed money and got permission to work selling during the day. On the cotton fields next to us one of the students lit a cigarette and all the fields went up in flames. They blamed us, the market traders. Our market was closed. If they bring schoolchildren out to the fields, it's the teachers who should look after them. I don't get what we have to do with it. And in general, why should children be out in the fields anyway? Let their parents who go off to Russia to work bring their kids with them: there the pay is higher and living conditions are better.

3. Field shed security guard

I'm a simple collective farm worker, but I understand things that our government really ought to be thinking of. Take for instance the practice of sending children out to the fields to harvest cotton. People say that it will go unpicked if the children don't do it. But it's not that way at all: there are plenty of people to harvest it. The only explanation for this is that our leaders got used to it during Soviet times, and in their Soviet upbringing. They're used to it. Therefore they automatically think of child and student labor when it comes to the cotton harvest. If we could only explain to them that times have changed, and that there exists modern agricultural technology and the means to mechanize the harvest, to automate production! But these people have it all backwards. (September 20, 2007).

4. District government personnel office worker

I went out to pick cotton during my school years. Now my children also take part in the cotton campaign. It's our duty to pick cotton, as cotton is our national wealth. But it's very aggravating that in the 21st century most of our cotton remains picked by hand, especially by students and schoolchildren. It makes me sad to see how poorly they're dressed when they're out in the fields—they remind me of the African children we see on television. And if you could see the conditions in which they're housed out in the fields, then you'd want to spit on the government that has allowed such outrages, and on its 'great future.' (September 30, 2007)

5. Village *mahalla* committee chairman

I think it's absolutely right that children are made to pick cotton. Through this they get used to hard work, and they help their parents. Some say it's better for them to study, but really what is the use? In our times the ability what is valued is the ability to talk, not to do anything. It's enough to praise the President a couple of times and nobody cares what kind of education you have. Me, for instance, I myself graduated from a technical high school, and work as an elder. I tell my kids and grandkids that nobody ever died from hard work. (October 10, 2007)

Syr Daria Province

Schoolchildren interviews

1. Male tenth grader

This is my fourth year going out to pick cotton. We've gotten used to using the money we earn picking for school clothes. That is the way we help our parents. Last year I got sick with hepatitis during when I was out picking. The doctor said I got it from dirty water. The tractor that was supposed to bring us water broke down and one day we had to drink water from the irrigation canal. Alongside the canal they had spread saltpeter, and so a lot of kids ended up getting poisoned. A few of them also got sick like I did. But not one of us got any kind of medical care, or medicines. The head of the *shirkat*, the district *khokim* and the local policeman go out in the fields and throw stones at the kids who are not picking because they're sick. If they catch hold of them, they might beat them up. Some of the kids are so afraid of them they run away from field to field.

2. Female gymnasium graduate

Question: Are you also a cotton-picker?

I am studying in a college-preparatory lyceum. Unlike the students in the colleges [specialized technical high schools], they don't chase us out to pick cotton. However, that doesn't mean that the cotton season leaves us unaffected. Last year when the plan wasn't fulfilled each one of us was charged with a task: we could either pick 20 kg. of cotton or pay money. The funny thing was that a few pupils took handed in cotton wool from splitting open their quilts at home.



3. Female ninth grader

Question: Who in your class picked the most cotton?

One of my classmates was the one who picked the most cotton in 2007 among the 9 classes. According to her own records she picked 4900

kilograms of cotton. The farm administration recorded that she picked a little over 4800 kilograms. For her active participation in volunteer work the district education department gave her a special certificate, free textbooks and school supplies. They also thanked her parents. (October 3, 2007)

4. Male ninth grader

Question: Do you consider it right that children are made to go out and pick cotton using school as a lever?

In general, the majority of the students are coerced into picking cotton. Therefore a majority of the students try to get out of it, and don't pick the cotton but steal it, so they can turn it in as if they picked it. The fact is over the last several years the productivity of the cotton fields has fallen drastically and so it's quite hard to fulfill the daily quotas set by the school administration. Many of my friends have just about given up hope of getting into any higher educational institution in the future, because as soon as our school year starts, the cotton is ripe and they chase us out to the fields. Even if we someday become university students, they'll make us go out and pick cotton there too. It's for this reason that none of the students care about studying. Their thinking goes like this, "I'll never amount to an educated person." (October 7, 2007).

5. Male eighth grader

Question: How do the teachers treat you out in the fields?

Of course our relationship with the teachers becomes a lot closer out in the fields than it is during the school year. They joke with us, to try to raise our spirits. We all talk about family issues and other problems. Some of the teachers play cards with us, or dance when we hold concerts. Sometimes they even drink alcohol with us. Therefore a lot of the students like the cotton harvest, especially those who don't like to study and are ignorant. What I mean to say is that everyone is equal out in the cotton fields—teachers and students.

6. Female eighth grader

Question: Are you satisfied with the quality of food you've been given during the 2007 harvest season?

My parents tell me about how they picked cotton back in Soviet times, and they got tasty things to eat. Moreover the authorities constantly checked to see if the students were getting enough meat and other foodstuffs. They even remember that there were organized leisure activities in the evening, with actors who gave plays, or films. Nowadays, sadly, not only are there no films, there's usually not electricity. Sometimes you can't even eat the food they give you—there's no meat, no potatoes, just noodles and stale black bread. Therefore a lot of the guys run home at night, because they can't tolerate this. Or sometimes parents or other relatives who live nearby bring their children food from home.

7. Female sixth grader

Question: How long has the cotton season lasted in 2007?

In our school, the last class day was September 11. The principal called a meeting and announced that since the cotton harvest season has begun, all classes for seventh graders and above are canceled. Fifth and sixth graders will be brought out to the fields every day after school. Those pupils can have lunch at home and then go to the school yard to be transported to the fields. The teachers expect the season to be shorter this year because

we've had good weather. Last year the children were out in the fields all the way to November 15. (October 15, 2007).

8. Male ninth grader

Question: Do students know that children are guaranteed protection from exploitation and forced labor?

(Surprised) Every year before the start of the cotton season our principal gathers the students and tells us that cotton is our national wealth, and it is our duty to bring in the harvest. Therefore a majority of the students understand their participation to be obligatory. Of course, there are those who try to get out of it. There aren't many of them. We had no idea about the rights that you mentioned, that we're not obligated to work. We have lessons about rights in our school, but to this day our instructor hasn't told us about our own rights. And our textbooks don't say that children's rights are guaranteed. (October 15, 2007)

9. Male eighth grader

Question: Have you met with any news correspondents from the local press? Have there been any publications or programs about the conditions during this year's cotton harvest season?

Last year a writer from the district paper came. He talked with us and asked us lots of questions about conditions. While we were talking we told him about the drinking water, and the problems. However the article never appeared, for unknown reasons. The teachers said that the correspondent couldn't get it though. He came back and left the teachers photographs of themselves as a souvenir. We often have visits from television crews, who film the cotton fields. The teachers say that our district bosses give money to the TV crews not to show our bad living conditions during the harvest. (October 20, 2007).



10. Male eighth grader

Question: By decree of the Cabinet of Ministers "On additional measures to organize the cotton harvest," each harvested kilogram is supposed to be paid 60 sum (about 5 US cents). According to our information, in the provinces this decree is not being carried out...

This year the cotton season began for us on September 10. The teachers told us then that the Finance department of the district *khokimiat* did not support the government's decision, and so we would only be paid 50 sum. However, after October 1 they paid us only 40 sum, and after mid-October, 35. Because this was already the second pass through the fields, there was no one else out picking but schoolchildren, and so they controlled us very strictly

to make sure we went. Our school opened up again only after the university students went home and the cotton harvest was over, and so classes began again. The government's decisions don't always get carried out, and nobody wrote any letters to any government agency. They know there's no use. (October 17, 2007).

11. Male ninth grader

Question: During the cotton harvest have you ever seen the district mayor or other leaders, education department officials, of the district or provincial level? Have they inquired about your living conditions?

The provincial governor, Abdurakhim Jalolov, came to visit the collective farm where we were picking cotton this year. However he did not meet with us students, and did not get acquainted with our living conditions. He held a meeting then went back. When the district or province bosses come out to the fields, they really never meet with schoolchildren. Most often, the people who come to see us are local police officers and prosecutors. They call on us to keep order, and to explain fire safety rules. (October 29, 2007).

12. Male eighth grader

Question: What kinds of vehicles do they use to transport you to the fields? Can you describe them?

The pupils from our class were brought out in wagons. They are hooked up to a tractor. The pupils climb up into the wagon and get situated, sitting down on their cotton gathering bags, and off they go, playing, or talking. Of course, together with the students, either in the wagon itself or in the cabin of the tractors, one of the teachers rides along. It's about 5-6 kilometers to the cotton fields, sometimes more. The wagons are old, and so sometimes there are holes in them. Though the holes may not be big, they are dangerous for children. Besides, the children are used to it. Sometimes when there is no tractor, we ride in trucks. At least a wagon or a truck is better than if we had to walk (October 30, 2007).

13. Male seventh grader

Question: how much money have you earned this season picking cotton?

I've already gathered and handed in 1,135 kilograms. I've received about 50 thousand sum (around 40 USD, author's note). For this I can buy some clothes, and give the rest to my parents. I have friends who have already earned 100 thousand sum. These are girls who pick a great deal of cotton. They are not even strong enough to lift these bundles up to the scales. The poor girls have their hands all scratched up. They wrap up their faces in scarves to protect from the cold and the wind. But the girls have more expenses. They are always running up to the mobile shops that come to us in the fields. We boys go out to pick only because we have to. Money is not so important, as no one demands any money from me (November 3, 2007).

14. Male ninth grader

Question: Does everyone go out to pick cotton, without exception?

Everyone is supposed to go out to pick cotton. But the son or daughter of the farm chairman, or the children of the teachers in most cases don't go out. If they do, after going with us to the fields they spend their time checking us and monitoring us. Often there are fights because of this. One time the *shirkat* chairman's son was checking up on us, and he told his father that one of the boys was not out picking. The next day, the chairman beat this boy very seriously. From that time that boy hasn't been out here. I hope nothing serious has happened to him (October 16, 2007).

15. Female ninth-grader

Last year was hard, because the cold weather came very early. If they bring electricity and gas to the places we live during the harvest season, then we'll come out to pick cotton in the future, too.

Question: But what about your studies?

What does it matter, if nobody is teaching in the school anyway? The teachers tell us we have to help our parents. Their children are also out here picking cotton, helping their families. When you go into town you look at the townspeople with envy. Every one of them has a cell phone. They're all dressed well, in the modern style. Look around—how are we dressed? If we pick cotton at least with the money we earn we can go into the district center and buy something. (September 30, 2007).

16. Female technical high school student

Every year we go out to pick cotton. Conditions are good. They pay us on time. But it's bad for us girls when they make us spend the night out in the barracks. There's no sanitation, no hygiene. There aren't even outhouses. The homeowners closest to the barracks allow us to use theirs. I'm ashamed to talk about this, but after all, it's a basic physiological need. As a result, several of the girls got sick. They are ashamed to tell their parents. They're afraid to go to the doctor. They wouldn't even know who to go to. If they make us pick the cotton, then they should at least provide humane conditions!

17. Male ninth grader

This is my second year on the cotton harvest. There's no school anyway. The teachers are gone; there are no textbooks. All the schoolchildren are used to this state of affairs. So when the cotton harvest starts, they think well at least we can help our parents. I'm going off to Kazakhstan anyway, when I finish school. You can earn good money there.

Question: Have you been to Kazakhstan?

I haven't, but I've heard grownups talking about it. In my school many kids have the same goal—to finish school and to get out of the country (September 16, 2007).

18. Female eighth grader

Question: How is this year's harvest season going? I've heard that you're far from your home, and living in barracks. How are the conditions there?

It's the same as last year, when we lived in the very same barracks. Last year the teachers promised to install a stove for heating the barracks. It's cold there. We're at our wits end over all the mice and rats. Nights we can't sleep because of all the rustling they make across the whole barracks, all the mice and rates. All of us living there are from one school. There are also school pupils living in the barracks in the neighboring farm, and there, conditions are even worse than ours. Whenever we are back in the shack we complain bitterly about the untenable conditions to our teachers and brigadiers, but no one listens. My girlfriends tell me "Just let it be. After all, the season will be over soon, and we'll get to leave. Don't say anything." That's why we haven't said anything to the chairman of the farm when he came. If we complain, it turns out they might not pay us. Every day I pick between 60 and 80 kilograms of cotton. All the cotton we gather now is registered as grade 1, but they tell us that it's grade 2. For grade 1 they are supposed to pay us 50 sum, but for grade 2 only 40. Soon we'll make the second pass through the fields, and then we'll have to pick up all the bolls that have fallen to the ground. Then for each kilogram they'll pay us only 25 sum. I plan to buy winter clothing with the money I earn this year. (September 25, 2007).

19. Female eighth grader

Question: What are living conditions like and how do they feed you where you are picking cotton this year?

The conditions aren't the worst—they're bearable. At any rate, they're not fatal. We are picking cotton as best we can. They don't pay us much, but at least they do pay us. Last year after the wheat harvest my parents were in debt to the farm, and I have to pay the farm to cover that debt from last year. They feed us regularly, usually boiled noodles, potatoes, cabbage, and rice soup. Often for dinner they give us a packet of "Rolton" or "Maggi" noodles. I really like the Maggi ones. We all eat them with pleasure. We even tell our parents that on Sundays they should bring us these Maggi noodles, or send them to us via someone. You put boiling water on them, and supper is prepared. There are no doctors here, so we have to treat ourselves. All the pupils have brought medicines like painkillers, iodine, antiseptics. Sometimes the teachers even ask us for them. (October 30, 2007).



20. Male eighth grader

Question: Isn't it hard to get down to studying after the cotton harvest ends?

Most of the time there are no studies after the harvest. So we come and go. Sometimes there's class and sometimes not. One teacher teaches several subjects, and even that one teacher often is absent, off in the district center. In the spring time

they bring us out to the fields to harvest the wheat, and in April-May we're also out working on cotton. Only a select few get to go study in Karshi or Tashkent, like the children of the farm chairmen or other officials. Children of these VIPs don't come out to pick cotton.

Question: When you grown up and have a family, will your allow your cotton to come out and pick cotton?

No. I'm going to move away from here. (September 30, 2007).

21. Male seventh grader

Question: How many children from your family are out picking cotton?

I and two of my older brothers are. As you see, the fields are close to our house. My parents pick their own cotton. The farm administration has forcibly assigned us...(thinks), I don't remember how many hectares of cotton. My older brothers are really tired. I'm told that the money I earn is paid out by the farm to my brothers, but my brothers complain that it's very little. It's our teacher who hands out the payment. Often they don't pay us, saying the money will go towards repairing the school building. (October 14, 2007).

22. Male seventh grader

Question: Why don't you demand that they pay you all the money you have earned?

Last week one of the ninth graders from class "A" did that. The brigadier beat him up badly. No one could come to his assistance. And his parents say nothing. So what are we supposed to do?

Question: This year, how many students from your school are out picking cotton?

I don't know exactly. I see almost everyone here. (October 14, 2007).

23. Male eighth grader

Question: What other opportunities to earn money do children have here, besides picking cotton?

Some of our kids go to Kazakhstan to gather scrap metal and sell it. Those kids go through an awful lot from their desire to earn a living. Sometimes people steal their bags, and even beat them up. I myself have witnessed how kids from our district have gone off to Kazakhstan to work. There's always cotton, and where there is cotton you can always earn some money. Otherwise, kids go to work in the markets, pushing wagons with goods. They go to Tashkent or to Kazakhstan. There are those who steal. And if they are caught, they go to jail. No, say what you will, I prefer to pick cotton.

Question: How much do you pick in a day? And, if you don't mind saying, do your parents force you to come out?

I'm in the fields from 7 am. Nobody forces me. I grab my sack and come out myself. In a day I can pick 60-70 kilograms. (October 14, 2007).

24. Male seventh grader

Question: What will you remember about the 2007 harvest season?

This is my first year coming out to pick cotton. Last year I couldn't come because I was sick. Our school has set a 25 kilo per day quota, and I meet it every day. I've helped my parents and contributed to the family budget. I'll remember this season because with the money I earned, I bought myself a soccer ball. Now I can play soccer as much as I like.

25. Female eighth grader

Question: Your friends mentioned you have been sick during the cotton campaign. If you don't mind, tell me about what happened.

It was a while ago that I started to have sharp pains in the lower right stomach. When they brought me out to the harvest it got worse. I began to feel nauseous, and to vomit. A clinic doctor came out to examine me, and said that I have hepatitis. That very day one of the teachers drove me home. I was admitted to the central district hospital. They asked me if any of my classmates were sick, and asked them too. No other cases of hepatitis were discovered. Now I feel ok. The doctors told me not to return to the fields this season.

Parent interviews

1. Mother

Question: You have seven children, five of whom are still in school. Do they go out to pick cotton?

This year I obtained a medical certificate for my son, freeing him from work picking cotton. They force them to go out to the fields and the pay doesn't even cover their expenses. Plus, I can't focus on work if I'm constantly worrying about my son, whether he's hungry. Plus he started to raise a fuss, demanding that I buy him new bedding.

Question: What about your younger children, for instance, in the 5th and 6th grades?

I purposefully did not allow my youngest daughter to go out. Their class director [name and school omitted] sent me an official letter stating that if I don't send my daughter to pick cotton then she can be expelled from school. The letter had the official round stamp of the school and the signature of the vice principal. I was so mad, I tore it up. The next day in the morning that teacher comes rushing to our house, demanding that I give him the letter. I told him that I tore it up. He asked me where I threw the pieces, and he went out to the garbage and picked out each one. I have no idea why he did this. (November 2, 2007).

2. Father

Question: Who is more responsible for the exploitation of children: the population, which doesn't know its own rights, or the government?

In my view, the people, the nation, is never to blame, because if the government is an authoritarian one, naturally it can bend the people to its will. There is no doubt that destitute and helpless people are fated to be slaves. In that sense, even the children of such people are exploited. Children are forced out to pick cotton in mass "khashars." I witnessed something like this recently. I was in Russia to earn some money. There, it turns out, there are underground centers where they take blood and harvest organs from children. And you know what—the children there were from Uzbeks and Tajiks. Parents from their sheer need, from poverty, agree to sell their own children. I consider it no less savage that underage children are forced out to pick cotton. (November 1, 2007).

3. Father

Question: Is it really so bad that children help out their families by earning a little money?

No, it's good that children help their families. However, this should not come at the expense of a chance for children to gain knowledge which is important for his future. On the contrary, nothing will be able to fill up the emptiness in that child's life, his future. I firmly believe that there will be a time that our nation will begin to value educated people again, and that our people will have good times once again. And then, we parents who are now getting such help from our own children will not be able to forgive ourselves that we deprived them of the chance to get an education. In sum, a nation that does not care for the fate of such an abandoned generation will have no future. (September 29, 2007).

4. Father

Question: How do you imagine your children's future? Do you think that they will be able to reach their full potential?

For a child to reach his full potential there must be an outside stimulus, and support for his ambitions. Each person must feel that his future is inextricably tied to the future of his parents, fatherland, nation. Besides this there must be effective education and constant guidance. But what do we observe at present? If from their earliest school days children are out in the cotton fields, and they see the examples of their older brothers and sisters, who can only be admitted to college by paying bribes...Can such a child reach his full potential, when he sees how his destitute parents struggle, and reads or hears only lies in the papers and on TV? In my view, there are certain conditions that have to be met before you can start forcing children out to mass "khashars," or exploiting their labor. Forcing children to work, or condemning them to slavery—this is one of the causes of our illness. Even the simplest, most uneducated person can see that the main cause of this illness is [state] policy. (October 10, 2007)

5. Father

Question: Have you ever expressed dissatisfaction with the fact that your children are sent out to pick cotton?

I drive a tractor. My two children, who are upperclassmen, are out picking cotton. I wouldn't even think about trying to get them out of the harvest, or obstruct their participation in the cotton campaign. After all, in my adult memory I've spent all my life in the cotton or wheat fields. My whole life has been spent in the fields. I don't know, maybe my children will get college degrees and become important people, so maybe my grandchildren won't go out to pick cotton, Now that's impossible, as cotton is a product of state policy. And how can you act against the state? Suppose you tried, they would put you in jail and accuse you of belonging to one of those Islamic tendencies like Hizb ut Takhrir or Wahabism. No, let's drop it. We need to live in peace.

6. Father, farmer

Question: Did either your children or your relatives' children have any accidents during this year's cotton harvest?

Thank god, they weren't involved in any accidents. However I have witnessed frequent accidents with children in the cotton fields. Many children, free from their parents' guidance during the harvest, like to swim in the irrigation canals. I've seen some drown, or get serious injuries due to poisonous insect bites. Some of the main accidents occur in the melon fields adjacent to the cotton. To protect their melons, the farmers spread toxic substances around the fields, and as a result, children are poisoned. (October 24, 2007).

7. Mother

Question: The cotton season has begun. Wouldn't it be better if, instead of picking cotton, your children were to be in school?

I have six children. My husband and eldest son left a year and a half ago for work in Russia. Two of my daughters are married off. Two of my sons study in the district center, in the seventh grade and in the ninth. This is the first year they've ordered my seventh grader out to the fields. He's a weak boy. Two years ago he got hepatitis. Next to our house we have a garden plot of around a tenth of a hectare. We grow vegetables there and somehow try to earn a living. This year the collective farm chairman insisted that I myself, my daughter-in-law and all my children go out to pick cotton, otherwise he would take the plot away from us. How can I go out and pick cotton? (Cries) My daughter in law is pregnant. The chairman said in that case I would have to pay one hundred thousand sum. When I told him that I could never pay that kind of money, he told me I would stop getting my welfare payments from the mahalla. I don't know where to turn to complain. I went to the school but I couldn't find the principal. Then I started to beg the teachers to leave my seventh-grade son home. I didn't let him go out to pick cotton. Now I don't know what will happen after the season ends with his studies in school. I pray that they don't expel him. (September 29, 2007)

8. Mother

Question: Do the children's earnings from cotton help the family budget?

Many parents are unhappy about their children being forced to pick cotton. Sometimes they have to obtain medical treatment for the children for months: they get sick with colds, injured from falls with broken limbs, they get diarrhea. Any money earned this way, let it be damned, comes at too high a cost. I'm a teacher. When the season begins I don't know where to turn. Half of the children miss their studies terribly, and half are happy to be out of school. They think that as long as there is no school they might as well earn a little money. These days it's hard to run a household. And what can one do—it is state policy, after all. I am forced to send my children out to pick cotton too, though it's a little easier on them. Since they are the children of a teacher, they are not obligated to fulfill the daily quotas. Still, at the end of the day, they're tired. Moreover, the weather is damp, and the mornings and evenings are cold. I bring my kids to the fields in the mornings and bring them home in the evenings. All the other children are brought in trucks from the district center at 7 o'clock in the morning. Sometimes they're driven in a tractor-pulled wagon. Seventeen kids this season got medical permission to stay home from the harvest (our school has 585 students). About 200 students went out to the harvest. From our school this year only the seventh, eighth and ninth graders were brought out. Last year they didn't make the seventh graders do it. (October 13, 2007).

9. Mother

Question: Do you think it right that children are made to harvest cotton?

My husband has been in prison for seven years. They tried him on charges of "Wahabism." I have nine children; four are married. Of the rest, two are disabled, and three are still in school. One of them is in the eighth grade. Myself I'm also out in the fields starting in the spring: plowing, sowing—in general, I'm always out in the fields. If I only could, I wouldn't leave the fields at all after the cotton season starts. As soon as the sun rises I'm out there. September 12 they brought out my son to harvest cotton to the neighboring district, and they are putting them up there. Now he will return home only at the end of November. Nevertheless, every Saturday he comes home and leaves me his pay of about 25-30 thousand sum a week. It's not bad, and it really does help. After the cotton is brought in we go out and gather the bushes, so we can use them in the clay oven to bake bread. If I had ten children, I would send them all out to pick cotton because where else can they go and work? At least the fields are nearby, and at least there is the possibility of earning a little money and helping their families and their parents. If they became thieves instead, they'd be sent to jail, so what can you do? (October 14, 2007).

10. Mother

Question: Are you happy with the level of knowledge of your children who are sent out to pick cotton?

No, quite the opposite. How can I be happy when they know nothing except cotton, digging in the earth and taking care of the livestock. I'm not against children picking cotton, but it is so hard for the smallest ones. Last year my daughter got very sick, and the doctors had a devil of a time trying to cure her. She had a kidney infection. Her hands and feet were all swollen. I didn't know where to turn. Usually the farm chairman and the brigadier go around to each house in the morning and chase people out to the cotton fields, but the day my daughter was so ill it was as if they had disappeared from the face of the earth. I couldn't find anyone. No one could help me. My oldest son lives in Tashkent. So I brought my daughter there, and she was treated in the Pediatrics Institute. This year they've brought her out again to pick cotton. She's in the ninth grade now. Though I've given her warm clothes and bedding, but the place where they are living is terrible. The teachers and *khokims* don't care at all about the children's wellbeing. For them the only thing is meeting the cotton plan. I don't need their money—I just want my daughter to stay healthy, so she can be married. Who would take a sick person? (September 30, 2007).

11. Father

Question: Are you aware that you can complain to the leadership of the district or the province? What would you think about appealing to the school to keep your child home from the cotton harvest?

Don't even ask about that, I'm not going to answer the question. I've lived in this village for thirty five years. All my life, and that of my wife, has been spent out in the fields. We have three children. They go to the *** school across the street. The oldest boy is in the eighth grade. September 5 their teacher told them that they are going out to pick cotton. My son and four or five other boys objected, and said they wouldn't go. The teacher let the other pupils go, but kept my son and the other boys in the classroom and beat them up, badly. My son came home in the evening in tears, with a swollen face and two black eyes. The next day I went to the school and met with the curriculum director. He refused to listen and called me an enemy of the people. I said to him "I've bent my back in these cotton fields my whole life and enough is enough. My son is going to live differently. I want him to study, to become educated, to occupy some responsible position." The curriculum director [name omitted] started to bang his fists on the desk and say that he would call the police, that I should stop lecturing him, and threw me out. He spoke to me in the informal, and really insulted me.⁸ So even though we didn't have any other food in the house, I packed what food we did have for my son's meal [out in the fields]. What else could I have done? After all, the only thing they give the cotton pickers for lunch is some potatoes, cabbage or macaroni. Last year five or six school kids, from my son's school, broke into houses trying to steal food. Their parents had quite a time trying to get them out of the police station. So, those were my thoughts as I left the school. (October 23, 2007).

⁸ Translator's note: similar to the French "vous" and "tu," Uzbek has formal and informal personal pronouns; in Uzbek, however, to speak to another adult who is not extremely close in the informal is considered extremely demeaning.

12. Mother

Question: Are you concerned about your children's future, when they are made to go out and pick cotton?

Of course we are concerned. I'm very troubled by the fact that our children are deprived of the chance to gain knowledge because in the spring they are out preparing the fields and sowing, and in the fall, due to the cotton harvest, and in the winter because the school isn't heated and they can't hold classes. People say that you can pay a bribe and get your child into an institution of higher learning. But instead we've hired tutors so that they can work with our children. It won't always be like this, probably. Probably there will be a day when a new government will replace this one... (September 30, 2007).

Teacher interviews

1. Female preschool teacher

Each year they make our preschool teachers go out and pick cotton for 10 or 15 days. As if they need the four or five of us to bring in the harvest! A few of the teachers who have refused to go out have been fired. This year seven people, farmers, have been found guilty of misdemeanor offenses. These people, instead of going out to pick cotton, were working on their own farms, and they didn't send their children out to pick cotton either. They didn't obey the orders of the khokim. One person [name omitted] has even been charged with a criminal offense. It seems that he insulted the head of the *shirkat* when that person came to his house in the middle of the night to demand that he go out and pick cotton. In our little town it's the prosecutor's office that is responsible for overseeing everything having to do with cotton. If the *khokim* points to someone, then the prosecutor or the police will go and get him, and if he says to put them in jail, they will.

2. Teacher in medical vocational high school

Our province has an extreme continental climate, and is located in the steppe zone. Therefore our people require particularly close medical attention, and there shouldn't even be any thought of bringing children out to pick cotton. Sadly, in this era of technological advances, pupils are still made to pick cotton. It is very hard for them. Half the students out in the cotton fields are chronically ill. It's good for them in one sense that they are children, as they face all these difficulties with playfulness. Adults wouldn't be so resilient. The barracks where the children are housed are sometimes old school buildings or stores, or haylofts that could collapse at any moment. There are no sanitary facilities and so all the rules of hygiene are broken. Rats and mice are running all over. And the children find it all interesting; they don't pay attention to it much. After you witness this you are overwhelmed with frustration that it's not possible to do anything about it.

3. University lecturer

Question: Does the fact that the students are made to pick cotton affect their learning?

As a rule, young people between the ages of 16-25 have the highest abilities to absorb knowledge. Precisely at this age they should not be distracted from their studies. The cotton harvest has a very serious negative effect. During exam time the questions from the official bodies cover the whole program of study. But the students have no idea about most of this—how can they, if these classes never took place, so how would they have any knowledge about this part of the course? A few of the professors have a regular schedule of bribes for certain grades in their discipline: a “4” for four thousand sum, a “5” for five thousand, etc. To get grades in all subjects the average bribe fluctuates from 50 to 100 US dollars. All of this, and this attitude toward students is extortion, pure and simple. None of these kids, with the knowledge that they have, can be admitted to an institution of higher learning on their own merits. Despite this, all the universities are full. These are yesterday’s school pupils filling up the universities, and they remain as ignorant as they were before. I don’t know what kind of professionals they can become in the future. The influence of cotton on higher learning is deep and destructive.

Question: So tell us, professor, is there any way out of this situation?
Cotton should be removed from state control. There is more harm that comes from cotton than good. Cotton growing should become purely voluntary, not obligatory. Cotton should be grown by those farms and *shirkats* that can make it profitable. However, who would ever agree to this? (September 16, 2007).

4. Male university lecturer

Question: How do you feel about the use of students in the cotton harvest, coming from a scholarly point of view?

One of the government’s priorities is for the institutions of higher learning to prepare qualified specialists. It is generally accepted that in order to develop as a country, we need such people. Despite the fact that this question gets a lot of attention, I don’t think the goals will be realized.

Question: What is the reason for this?

The qualifications of the teachers who are themselves responsible for preparing these specialists is not up to par. This is the case due to entirely objective reasons. For instance, each year they spend 5 months out of nine in the cotton fields. We all know about this bitter fact, but yet we close our eyes.

Question: Because you are afraid?

Of course. Who wants to be punished? It’s very simple to dismiss someone from their post. They won’t care about your experience, your authority, your length of service. It is for this reason that we all hold back from making statements at important meetings. It is extremely depressing to think that this comes at the cost of our future. (September 25, 2007).

5. Male sociology teacher

Question: Do you think it is useful that children are made to go out and pick cotton?

I see many positive sides to children's participation in the cotton harvest. This forms the habit of socially useful labor? Why is it normal in America and in Europe for children to go out and earn money, why is this a common occurrence? It's only these last few years that they try to hide it. In the USSR people got used to getting money without working, to being freeloaders. Those families where everyone is working, they live well.

Question: What about working conditions, certainly whether or not there are adequate conditions should be taken into account?

Well, these are the conditions that we are capable of providing. What can one do? Our leaders are all doing what they can. It is difficult for them, too. They have lots of expenses. People who have never held managerial positions think it's easy, but they don't know what a balance sheet is. It seems like everything is OK, if only the people wouldn't be so demanding. Take for example Russia, a country where, if the slightest thing goes wrong, they start to write about it in the press and show it on television. However here you can't show those kinds of things. If somebody needs better conditions, then they ought to go out and create them themselves.

6. Female primary school teacher

Question: As someone who is responsible for the lives of your students, have you taken an interest in how they are fed during the cotton harvest?

Of course when they get home in the evening we ask them all about it. I can attest to the fact that this year it was particularly bad. For the midday meal they got some sort of mush, a sort of soup with no meat or with stale noodles. A few parents started to complain about this, but their cries and pleas went unanswered. They went to the local mayor's office, to the district and provincial education departments. None of this had any effect. They were told that the finance department did not allot funds, and supposedly, because the farms did not fulfill their cotton quotas, they had no funds in their accounts. Therefore the conditions for our children are so horrendous. I think that if it will be like this next year, we will try to keep our children away from the harvest, even if they will be expelled.

7. District vocational high school inspector

Of course we can't hide the fact that primary school students are brought out to pick cotton. The administration of our Center has done its work in creating good conditions for our students, in getting them out to the fields and monitoring their work. Keep in mind that whether or not they go out is not a question that is decided by the Center. This is an order we receive from the *khokimiat* and we carry it out.

8. Private girls' tutoring center worker

Question: How can girls grow up to be worthy brides if they are systematically sent out to pick cotton?

Many people know that during the cotton season, adolescent girls are far from their parents' and society's control, which can lead in the future to many negative consequences. This is particularly true in regard to the physiological changes taking place in the girls in the older classes, which can lead to various kinds of illness. They are too ashamed to talk about this and so the illnesses get worse. There should be mobile medical units to monitor them during the cotton harvest if they are to become full-fledged, health mothers. Moreover, there is another important problem of the negative moral influences on the adolescents.

Question: Do you yourself go out to pick cotton?

No, my father doesn't allow me.

Question: And why is that?

My father is the chairman of a *shirkat*. (November 5, 2007).

9. Male schoolteacher

Question: What is it like in school during the cotton campaign?

I'm sick and tired of hearing that 'teachers don't teach anymore.' The pupils themselves don't study anymore. During the cotton harvest alone the children aren't in the classroom for three months. It takes another month for them to get used to the rhythms of school. Finally, right before the end of the school year the children are again brought out for fieldwork.

Question: What do people have to say about this?

People have gotten used to it, and say things like "who is going to do the fieldwork if not children?" It is due to cotton that the whole school curriculum is destroyed. You don't know what to start with and where to end. There are other problems, too—there are few textbooks or teaching specialists, so the same teacher runs four different classes. I feel sorry for the children. They are growing up ignorant. I lived through the Soviet period, but I never witnessed a situation in which our own government is promoting illiteracy and ignorance (Syr Daria province, September 30 2007).

10. Male schoolteacher

Question: Have you learned how much cotton your pupils pick during the season, and how much they can earn for this?

This season two of my sons took part in the harvest. The quota for ninth graders is 50 kilograms, and for seventh graders, 30 kilograms. They both met the targets or even

exceeded them by 5-10%. The school was closed for one and a half months. Over that period both my sons gathered more than four tons of cotton. They earned over 200 thousand sum (approximately 150 USD, author's note). Those funds were not absorbed by the family budget; my sons spent them on their own needs—textbooks, some clothes. But my youngest son got sick after the season.

11. Male schoolteacher

Question: Have you ever compared our children with children of other nationalities? Do you see any great differences between them?

I am a teacher, and so I have had the chance to compare our children with those from other nations. I think that psychologically our children are no different. But the drastic differences in their living conditions are immediately apparent. Setting aside our neighboring countries, I don't think there's another nation that treats its children like such obedient slaves. We use child labor in every possible sector: cotton pickers, market sellers...Such things are much less frequent for children of other countries. That's why you can't believe any of our government's words about children's rights (October 26, 2007).

12. Male schoolteacher

Question: Do they take into consideration the views of teachers before sending the children out to the cotton fields?

In Soviet times, during the cotton season they took into account the opinion of all specialists: agronomists, teachers, even farm workers. Before the harvest started they gathered these people together to discuss things. Before bringing the children out to the fields they considered how useful it would be or how harmful for the health of the children. However, these days during the season the *khokimiat* ignores any agricultural specialists. The cotton is grown and ready to be picked. They force the population, schoolchildren, students. No one else is needed. In fact, there should be specialists out there, carrying out technical work, monitoring the harvest. But it's all backwards. It's the procuracy and police who monitor the harvest, and they have no idea about how cotton is grown—on bushes or trees. Say what you want at meetings, nobody pays the least attention to you. To the contrary. It's all pointless to even bother. With this kind of "unique" policy, with such leaders who don't know which way is up, I doubt our future is going to be great. In the words of Islam Karimov, our children have got to be happier and more knowledgeable—that is, if they can escape slavery in the cotton fields (November 1, 2007).

Farm worker interviews

1. Female farm director

Question: Do you receive any complaints during the cotton harvest?

Currently it's only the schoolchildren who inspire confidence as cotton pickers, and are useful, compared to all the others. Of course, there are negative sides of their participation, but it's the best solution for us. The reason is this: adults wouldn't come out if we didn't provide them with a good lunch, and we simply don't have the means to do this. Our expenses are too great. We have no such problems with schoolchildren. Moreover, the hundreds of town dwellers who used to come out to help are no longer around. Now, everybody gets by as best he can. In such conditions the selfless assistance of schoolchildren is the best thing for us. There are no complaints, no scandals. You don't have to feed them, and they don't complain about the low pay.

2. Female farm director

Question: How do you view forced child labor?

Children must be taught to work from an early age. If they don't pick cotton, then they won't be able to earn money. What's so bad about them bringing home 15-20 bunches of cotton bushes before the plowing is done? Some people say it's not right to bring them out to the fields, but I don't agree. I myself learned to work hard from childhood. And I don't want for anything. In our President's words "We're just as good as other people now, and will continue to be so in the future."

3. Male *shirkat* director

Thank goodness for the schoolchildren, those in the lycees and colleges. Each year they pick the cotton without any loss. As much as we are able we try to create good conditions for them. We serve them hot food twice a day. I am opposed to bringing them out in tractor wagons. There should be busses for them. Last year two kids fell out of a wagon, and one of them died. It was sad and disturbing that the district government did not provide any kind of assistance to those families whatsoever; they didn't even take part in the funerals. Let the children pick cotton, but there have to be the right conditions for them. Because if there aren't, then it's really hard for the kids. This year four of them fell victim to a car that was driving along at great speed. This case was covered up, but even after it happened nothing changed.

4. Female farmer

Every year they tell us "You take such and such a high school, and you take such and such." To house the children and students is a huge headache. Some of their parents start to create problems, others come to the harvest sick. Let them give us our tranches on time, and we ourselves will get people to pick the cotton. We don't need schoolchildren and students to do this work.

5. Male farmer

Question: It seems that you've come out with your whole family to pick cotton.

Each year my self with my wife and children pick cotton in the steppe. But we're not out here until the end of the season, because we're picking only to earn enough money to get

our wheat for the year, and to get that wheat which we have bought. If you look at it from that perspective, it's not bad that children are taking part. What is left for us to do, if there's no other way to earn a decent living?

Question: But many people are dissatisfied that children are made to pick cotton.

What does it matter what people say? What can you do, if picking cotton is a way to survive? What else can a person do—steal, kill others, leave the country to work as hired labor in a foreign land? Our district is practically empty—all the young men have left in search of work. What is there left to do? We have no other options. Whoever wants to should be allowed to be against cotton, but we don't see any use from such discussions. Whoever goes out to pick, an adult or a child, they still get paid (September 30, 2007).

6. Male farmer

Question: There are an increasing number of crimes committed by young people left without parental supervision. How do you think this problem is tied to the exploitation of child labor in the cotton campaign?

I'm a former police officer, now getting a pension after many years of service in the internal affairs ministry. Now I'm a farmer, and in my farm I have children from the upper grades working, those who are already practically of age. They come out to work with their parents. As a specialist I can say that their participation in mass "khashars" in some sense helps them to become grownups. Left without parental supervision, students will start to smoke or commit petty offenses. This is very negative, as it is a bridge to more serious crimes. The use of child labor in the cotton harvest, in mass khashars does create conditions for the growth of youth crime. I'm against forced child labor, and I tell my workers all the time that they should leave their children home. But often they are working on their own plots, so they send their children out to the cotton fields. When it's the parents themselves who are creating the conditions, you can't really do anything—how can you ask a child to fulfill a daily plan? (September 21, 2007).

7. Female farm worker

Question: Do you know of any instances of children leaving for Kazakhstan to pick cotton there?

Teachers in Kazakhstan schools don't take very young children for work. I have witnessed how they allow female school graduates to work in the fields, those with sturdy builds. Naturally every parent wishes for their children to go pick cotton in Kazakhstan's Maktaral district, which is just a few kilometers from us, because they pay so well there. That's why they can pick and choose whom they will to be cotton pickers. It's not every student who wants to go pick cotton in Kazakhstan that is so lucky. However, I have met children who have gone to the harvest in Kazakhstan with their parents and relatives (October 19, 2007).

8. Male farm worker

Question: They say that you are really good at picking cotton, but that you do it in another district. Why is that?

I go to Syrdaria district to pick cotton, where you can live in the farmers' house.

Question: Is there not enough cotton in your district?

It's true, I could pick cotton here. But in that district they pay you 20-25 sum more per kilogram. I heard that in that district their own cotton pickers go off to Kazakhstan where they pay still more. In our district they sent out three schools to pick the cotton. How can anyone pick cotton among all those children? (October 10, 2007)

9. Male tractor station engineer

During the cotton campaign they call on us to create conditions for the pupils, and to send out machines to bring them to the fields. Even though our tractor park is an independent, self-sustaining enterprise, since cotton is our common concern, we go out to the fields. But I'm against sending little children, still yet so immature, out to pick cotton. I too have children, but I don't let them go out to the harvest. I feel that it is enough that I go, and that my children should be at home. Last year my son went out to pick cotton and got hepatitis. He hasn't been himself since. I'm afraid to give him any hard work, as he nearly died. (September 30, 2007)

10. Male farm director

Question: Has anyone made you provide the children participating in the "khashar" with food and drinking water? Can you guarantee the quality of the water and other things that you give them?

Each year when the schoolchildren come to pick cotton in my fields, I myself supply them with drinking water. Using special barrels for that purpose from the garage of the farming association, I bring drinking water from the taps near the district center. In a few cases when there was no water in the pipes, I bring water from the irrigation canal that flows through the district. It's hard to say anything about the quality of that water. After all, I grew up on that water myself. And I'm healthy. However, the doctors from the Central Hospital are always saying that you at least need to chlorinate this water. But not everyone follows this recommendation, because we are sure that this water wouldn't poison anyone. A few doctors have said that from pollution or because the water itself is of low quality one can get kidney stones, or enlarged spleen or liver. There very well might be a dose of truth in this. As a farmer, it's my responsibility to fulfill the production quota and productivity of the harvest. Let their parents worry about the health of children (September 30, 2007).

11. Female farm director

Question: How efficient is it to bring children out to pick cotton?

I am categorically against making children pick cotton. Therefore we have no agreements with any school directors. However, the *khokimiats* of the district and the province give us orders to use child labor, and the farmers have to carry out those orders. As a farm director myself, I would much prefer to hire adult laborers. When you use children, besides your administrative responsibility for them you also have a moral responsibility. For instance, if someone falls asleep in the fields, or if someone has an accident, how are we going to look their parents, our village neighbors, in the eyes? I had just such a case. Therefore, I don't care how effective or how harmful it is for the farmer, I'm categorically against this practice. I don't understand our government: the whole world is more and more relying on technological means, on automation. And here we are using the most ancient method—condemning children to obligatory slavery (September 25, 2007).

Agricultural specialist interviews

1. Former state cotton conglomerate chairman

Question: Has the shift from state-owned business to private property led to any qualitative changes?

By 2001 there were 161 cotton processing enterprises that had been privatized. 122 gins were converted into publicly traded companies. In the process of privatization the capital assets were reviewed and 149 of the companies were left with their previous ownership structure. The remaining 28 enterprises were converted to limited private stock ownership. Total assets were equal to 13 billion sum. Since independence there have been 13 new processing plants opened. In order to introduce new technology, in place of outdated equipment, we've bought the ZKhDD brand of cotton fiber separator, and have introduced 158 separate DP-130 machines. The old 3KV condensers have been replaced with 88 high-productivity fiber separators: 5KV, 7KV. Instead of the old linters, 5LP, which separate the seed from the fiber, we have 176 separate compact 5LP=Ms. In the cleaning ships instead of the 103 UKhK machines we have 66 of the compact ChKh-6M machines. The drying ships are now equipped with new gas generators TZh1.5. And the reason for this is that the volume of exports is growing, as interest in Uzbekistan's cotton fiber is rising.

2. Male administrator for regional cotton conglomerate

Question: What are the indicators for cotton productivity, and profitability, in the Syr daria province, and how does it compare with other provinces?

Our region's farmers plant cotton in lands that are damp and saline. Because they mastered new technical measures, in 2005 for the first time in many years they were able to fulfill their annual plan for delivering raw cotton. We sold to the state 248 thousand tons, which is a significant achievement. Unfortunately after that point despite the acquisition of some new machinery, we have not been able to repeat the experience of two years ago.

3. Farm agronomist

Question: As a specialist, can you say anything about the effects on children of mineral fertilizers, and the chemicals used in the cotton fields in order to grow cotton?

Cotton only grows here thanks to treatment with mineral fertilizers and various chemicals. The irrigation drainage brings the remnants of these toxic substances into the groundwater. Cotton pickers are vulnerable to poisoning by these substances. Of course the toxins affect young children's growing bodies, when they are involved in plowing, harvesting cotton, or gathering the bushes from the fields. Especially in the Syr Daria steppe, which began to be intensively cultivated in Soviet times, the climatic and geographic conditions take a huge toll on people. At present, an enormous number of Syr Daria's children suffer from infectious diseases, as their immunity level is extremely low. This is the influence of cotton. In my view, the sooner we halt this contemporary slavery, the better it will be for everyone (September 29, 2007).

Healthcare worker interviews

1. Central district polyclinic doctor

Cotton is the cross the Uzbek people must bear their whole lives. As a doctor I was sent to Saikhunabad, Mirzachul and Syr Daria districts to examine children working on the cotton harvest. The children's condition is enough to drive one to tears. The start of the cotton campaign brings disease: whether common colds, or intestinal disorders, hepatitis, accidents, snakebite. Not one of the sick children receives the necessary medical attentions or medicines. If the poor child needs an operation, then he must be taken to the capital, to Tashkent. In the districts there are neither medicines nor medical equipment. I've had to appeal to all kinds of government agencies...

2. Private clinic doctor

Question: What kind of complaints do you hear during the cotton campaign?

I've been a doctor for sixteen years. The main cause of illness in rural children is the lack of vitamins and the low caloric value of their food. However during the cotton harvest season, colds and intestinal disorders become much more common in children. Our hospital gives them prescriptions, but they are too poor to fill them. It's rare that someone leaves our hospital actually cured.

Question: Is it not possible to appeal to higher levels of authority about this?

I've appealed to the Ministry of Health itself, but it's all in vain. We've got to create decent conditions at the very least for little children. It appears that there is no possibility to avoid sending them out to the cotton fields, but conditions there are horrendous, especially for girls. At the very least, girls should be freed from the obligation to pick cotton.

3. District epidemiological service doctor

Question: Doctors are not obligated to pick cotton, are they?

Are you kidding me? For us the cotton harvest season is the hardest time of the year. We have to leave all our work to go out and pick cotton. If we don't, they won't pay us, and won't give us any peace.

4. Provincial *khokimiat* health department doctor

Question: Have you observed any mass food poisonings of children during the cotton harvest?

The education department sent out to pick cotton students from approximately 296 schools. According to the monitoring that our department carried out, there were no cases of mass food poisonings or infectious diseases that arose from inadequate nutrition. However there were infectious disease cases that were due to the children not following the rules of hygiene. Thanks to our department's organization of medical posts, we could oversee the rations and the freshness of the food products used. This is the reason why there were only isolated cases of food poisonings in the Syr Daria province this cotton season. However, due to the carelessness of some school and farm administrations, there were cases of acute infectious diseases, like diarrhea and viral hepatitis. (October 30, 2007).

5. Provincial epidemiological service worker

Question: Were there any outbreaks of illness among the pupils harvesting cotton this year?

In our district there continue to be cases of forced child labor. The sanitary-epidemiological conditions are, to a certain degree, dangerous. This year during the harvest season we registered cases of flu, chronic hepatitis and intestinal typhoid. Despite vaccinations and other preventive medical measures we registered 14 cases of hepatitis C, 10 typhoid cases and around 50 cases of flu. Due to the fact that there is a very low level of medical culture among the population, and that most children's diseases are treated at home, we did not register many cases of colds or acute respiratory illness. That is why the cases registered at local state hospitals do not represent the real picture in the area. There were no quarantines established in this district to contain infectious diseases. One can say that there were no truly dangerous epidemiological situations. (November 1, 2007)

Interviews with the local population

1. Mahalla committee chairman

Question: Do you feel under stress?

I'm going out of my mind. I tell people: time to go out to pick cotton. No, they don't go. They don't get it. I'm not telling them to go out and work in my personal garden! Not long ago I got into an argument with one young woman who has a two month old baby. She

came to the mahalla to get the baby's welfare payment.⁹ I explained that there is no cash, but she doesn't get it and continues to get on my nerves. So I said that she should leave her baby with her mother in law and go out and pick cotton. Her father in law comes to my house that evening. I got so mad, I threw the application for the welfare payment back at him. Now they won't get any payments for that child for a year. She'll only get them next year if she goes out to pick cotton. Anyway, you can usually only get cash during the harvest season.

Question: How much is the payment?

Ten thousand sum

Question: So, in the mahalla in order to get social welfare payments for children, you have to take part in the cotton harvest?

There's no other way to get people to go out and pick cotton. They don't listen to any other authority. It seems like there's no other way. (November 5, 2007)

2. Mahalla committee elder

Question: What is the attitude of the people in your mahalla toward cotton?

In the USSR we had to pick cotton right up to December. In those days, university students and upperclassmen took part in the harvest, but today I see that it's even the pupils from the younger grades out picking. This is unfair toward them. What sort of human values allow cotton to be picked by little children? The *shirkat* chairman, the *khokim* of the district and even provincial officials who come to our mahalla hold meetings, and openly demand that people go out and pick cotton. They have made it obligatory to bring out little children to pick cotton. But this is [only through the use of] violence! Nobody could say anything against it. Even I, an elder of the mahalla, cannot demand that people send their children out to the fields. I have no moral right to do this.

3. Female shopkeeper

Question: What do you think about the fact that children are made to go out and pick cotton?

Nowadays, sales are good during the cotton season because people have money. Sure, children are sent out to pick cotton. Now we sell things on credit before the cotton campaign, and after they take part in the harvest, people pay their debts. The children live up the trade with their small purchases of gum, sunflower seeds and other things. It's good for me if the children are out picking cotton. All the rest is of no interest to me. For me the important thing is, when I'm going home do I have money in my pocket or not?

⁹ It is state policy that the income support payments for poor families with children are given out by the local citizens' councils (mahalla committees).

Question: And does your own child go out to the cotton fields?

Yes of course. He sells cigarettes, gum and sunflower seeds to the other pickers. His sales are higher than mine. I'm stuck in one place but he's moving around all the time, with his cotton apron across his shoulder and with bags of goods for sale in his hands.

4. Male handicrafts center employee

There is a lot of money spent these days on building colleges [specialized high schools]. However I don't think the level of education there is very high. The cotton season interrupts the academic year, and so students have to master four months of material, planned for the time when the cotton campaign is going on, in one month. The teachers are forced to do this, to get their salaries. But for the students it's inadequate. Instead of ten shiny, richly appointed colleges, they should build eight, and use the money they save to buy 40 cotton harvesting combines. Today's educational policy is carried out just for show.

5. Handicrafts collective member

The cotton season lowers and impoverishes people's thinking. This is particularly unfortunate for young people, whose base of knowledge in life is just being formed. Until the cotton season is over, all the participants are isolated from books, television, newspapers and in general from any source of information.

6. Former provincial newspaper editor

Question: The newspapers have more work to do during the cotton campaign, don't they?

This depends on the commands we get from on high. Usually it leads to negative consequences if our correspondents have too much time on our hands. However it's bad when they make busy people [go to pick cotton], and idlers are left by the wayside.

Question: What do you think about the use of children and students to pick cotton?

It was students that I had in mind. We need to work out effective means to attract unemployed youth to the cotton harvest.

7. Former state farm chairman

Question: How great a role does machinery play in the planting, growing and harvesting of cotton?

Currently less than one tenth of the Soviet period machinery remains. Almost all cotton is picked by hand. And a lot of the current machines are not in working order. The machines imported from America have been "sold."¹⁰ To resolve the overall problem will take a

¹⁰ The subject refers to the government's purchase of cotton harvesters from the U.S. firm Case. *Shirkats* were forced to assume the cost of acquiring this very expensive machinery, which is part of the reason most of them

serious analysis of the mechanization problem. After all, farmers themselves also try to avoid any expenses acquiring machine harvesters.

Question: Do you see any differences between the current period and that in which you were a farm chairman?

This is the reason that I left my position. We had storehouses full of broken down machinery, and the fields and livestock yards were full of it too. It would have been useful for us to hand them in as scrap metal. Maybe instead of 10 unneeded combines we could have bought one new one. However no one was concerned with this problem. How many "Case" harvesters we were promised! But not one materialized. We could have worked with many different foreign firms, but we were not allowed. We have enough labor, enough raw materials, the soil is good, but agricultural technology is on the most primitive level. This is the real reason I was moved out of the position of chairman.

8. District bank accountant

Question: It seems like the bank doesn't have any problems during the cotton harvest season, as there aren't a lot of workers in the bank?

There are arguments over payments between farmers for the harvest. Somebody pays more, somebody less. Those who try to pay higher to speed up their harvest later will have problems. We will give out as much money as we are told to by the higher authorities. We don't have any problems with the supply of cash.

have huge debts both to the state and to private banks, though they themselves were not consulted as to whether to acquire the harvesters or not.



June 11, 2008

Ms. Marcia Eugenio
Director
Office of Child Labor, Forced Labor, and Trafficking
Bureau of International Labor Affairs
U.S. Department of Labor
Washington D.C. 20210

Dear Ms. Eugenio,

The National Confectioners Association appreciated the opportunity to testify at the Department of Labor's Public Hearing to Collect Information to Assist in the Development of the List of Goods from Countries Produced by Child Labor or Forced Labor on May 28th. As I shared with the panel, the industry and its partners including the governments of Ghana and Cote d'Ivoire, the International Cocoa Initiative, the World Cocoa Foundation, and numerous civil society organizations are extremely proud of the progress being made towards the elimination of the worst forms of child labor from the cocoa supply chain.

I appreciate the opportunity to share additional information on the topics outlined in your follow up note, as well as supplemental materials identified by the industry which describe our financial commitments, our certification model, and our programs on the ground in both countries.

1. On the question of raw data from the certification process being made publicly available.

As I stated in my testimony, the certification process committed to under the Harkin-Engel Protocol has and will continue to yield transparent, publicly available annual reporting on labor practices in rural cocoa communities in Ghana and Cote d'Ivoire. The next two certification survey reports covering in excess of 50% of the cocoa sectors in both countries will be published by the governments of Ghana and Cote d'Ivoire during the month of June.

The raw survey data collected by these two sovereign nations is the property of each government. A key component of the Protocol, verification of the survey data by an independent third party is a commitment that both governments have embraced. The International Cocoa Verification Board (ICVB), comprised of five members of civil society, two from industry, and one representative each from the governments of Ghana and Cote d'Ivoire, have selected two social research and auditing firms of outstanding reputation and recognized expertise to conduct the verification of the survey data: Fafo Institute for Applied International Studies, based in Norway, and Khulisa Management Services, based in South Africa (please see the press release from the ICVB attached).

Working as a team, these two groups will conduct an independent review of the data produced by the surveys, including a review of the survey methodology, in-depth interviews with the enumerators who did the fieldwork, a data quality and statistical sampling assessment, and the implementation of their own sub-sample surveys in cocoa communities in Ghana and Cote d'Ivoire. Their publicly posted evaluations including their recommendations on refinements to the process will be critical in assisting both governments in their approach going forward.

2. On the question of the number of children benefiting from the industry's educational initiatives and the types of services they receive.

A multi-year cooperative agreement between World Cocoa Foundation (WCF) and U.S. AID created the Empowering Cocoa Households with Opportunities and Education Solutions (ECHOES) Alliance, which leverages the expertise of WCF and its member companies, U.S. AID's Africa Education Initiative, and the governments of Ghana and Cote d'Ivoire to create expanded educational opportunities for children in rural cocoa communities. Approximately 200,000 children will be reached through this initiative in Ghana and about 140,000 in Cote d'Ivoire between October 2007 and October 2009.

The project will provide for enhanced teacher training, which improves the children's learning experience, the establishment and outfitting of community education resource centers, youth livelihood education, family support scholarships, and child wellness monitoring. A specific focus of the project is on community awareness programs for in-school and out of school youth that provide safe agricultural training, trafficking and slavery awareness, and HIV/AIDS and malaria preventive education. While ECHOES does not intervene directly in exploitative labor situations, its programs reduce dependency on negative practices by strengthening local knowledge and awareness of appropriate and inappropriate labor practices, which in turn builds the capacity for positive change. The community awareness programs also help foster monitoring activities among community members.

On the number of children withdrawn or prevented from exploitive labor through our partnership efforts, I would like to highlight again the strong commitment of the governments of Ghana and Cote d'Ivoire to protect, nurture and sustain the children living in cocoa communities in both countries. Interventions designed to rehabilitate children withdrawn from child labor are included in the National Programme for the Elimination of the Worst Forms of Child Labor 2006-2011 in Ghana and the 2007 National Action Plan in Cote d'Ivoire, and both countries have ratified ILO Convention 182 and increased training for district officials and local law enforcement. Numerous international aid organizations have also implemented programs targeted at children and the worst forms of child labor including the ILO, GTZ, the International Cocoa Initiative, the World Cocoa Foundation, and other industry civil society partners. Specific numbers are difficult given the multiple stakeholders involved in these efforts, but thousands of families have been sensitized to appropriate and inappropriate labor practices through these programs.

3. On the question of cost allocation of industry's commitments over the last three years.

As you will see in the attached April 8, 2008 Industry Financial Commitments document, the global chocolate and cocoa industry in fact invested approximately \$38.7 million in activities under the Protocol between January 2005 and December 2008; that number does not include the substantial investments made by the industry between 2001 to 2005. A break down of that total \$38.7 million includes \$6.4 million for data collection and reporting under the certification process, and \$1.8 million for verification, a key component of certification. The remaining \$30.5 million has been spent on programs that support the well-being and livelihoods of families in cocoa communities including farmer field schools, child labor sensitization programs, education initiatives, and health and wellness programs, among others. For further information on the scope of these programs, please see the attached Industry Reports to Tulane University, which details projects supported by industry groups as well as those supported by individual companies in both countries.

In conclusion, in addition to the statement from the ICVB on the selection of the independent verifiers, NCA would like to submit for the record the following documents: Letter to industry on its certification model from the Harkin-Engel offices dated March 19th 2008; industry's submission to Tulane on certification and on industry supported programs; and an overview document of the industry's financial investments in this process over the last three years.

The improvements in working conditions that Congress is seeking under the Trafficking Victims Protection Reauthorization Act and the activities that the listing of a product would trigger are currently underway in the cocoa sectors in Ghana and Cote d'Ivoire, and evidenced by the extensive efforts that have been described here and in my previous testimony. We respectfully maintain that if the list of goods that the Department of Labor is developing is to be consistent with its statutory purpose, cocoa should not be included on it. We look forward to continuing conversation with the Department of Labor on our on-going commitment to children in cocoa communities in Ghana and Cote d'Ivoire.

National Confectioners Association to the Department of Labor
June 11, 2008
Page Four

If we can be of additional assistance, please don't hesitate to contact us.

With best regards,

A handwritten signature in blue ink that reads "Larry Graham". The signature is written in a cursive style with a large, looping initial "L".

Lawrence T. Graham



International Cocoa Verification Board

ICVB Secretariat Verité

Contact:

Alexa Roscoe

ICVB Secretariat

44 Belchertown Rd.

Amherst, MA 01002

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www.cocoaverification.net

International Cocoa Verification Board Announces Organizations to Carry Out Independent Verification of Cocoa Sector Certification

The International Cocoa Verification Board (ICVB) announces the formal selection of **Fafo AIS** and **Khulisa Management Services** as the agencies charged with carrying out the verification of certification surveys in Côte d'Ivoire and Ghana. These two agencies will collaborate with in-country organizations Research International (Côte d'Ivoire) and HEDGE (Ghana) to conduct an independent verification process and to make recommendations for strengthening future certification surveys and remediation activities. This verification is a crucial element of fulfilling the Harkin-Engel Protocol and informing policy decisions on the worst forms of child labor and forced adult labor in the cocoa sectors of Côte d'Ivoire and Ghana.

The partners, who were selected by the ICVB after a competitive application process, offer a unique multi-national team, involving experts from Europe, Africa and the United States.

[Fafo Institute for Applied International Studies \(Fafo AIS\)](#) is a Norwegian-based nonprofit with a longstanding reputation for expertise in data collection and analysis, particularly for populations that are often elusive, such as child laborers. Areas of experience in Africa include West and Central Africa, Child Labor and Vulnerability, and Trafficking and Migration. Fafo AIS has worked with UNICEF, UNDP, World Bank, and ILO, among others, to produce "research that matters".

[Khulisa Management Services](#) (Khulisa), is a South African-based firm with 14 years experience in monitoring, evaluation, research and data quality auditing in the fields of child labor, education and public health across numerous African countries. Khulisa's clients include the US Department of Labor (USDOL), US Agency for International Development (USAID), UNICEF, the US State Department, Global Fund, the European Union and others. Khulisa's team of ISO 9001-certified auditors will participate in the assessment activities. In-country organizations Research International (Côte d'Ivoire) and HEDGE (Ghana) will also play a key role in engaging with cocoa producing communities during the representative sample stage of the verification.

Together these organizations have the technical, local and cultural capacities to conduct a rigorous verification process, which they will accomplish in two main stages:

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International Cocoa Verification Board

ICVB Secretariat Verité

- First, an assessment of the certification data collection activities will be carried out in the two countries. This activity will include an assessment of the research objectives and outcomes, the examination of suitability of research techniques, conducting a data quality assessment (DQA) and an assessment of the data analysis and output quality (results).
- Then a representative sample survey will be carried out in the two countries. This will include the creation of a representative sampling design, instrument (questionnaire) development, pilot testing, training, data collection and analysis and report writing.

Based on this approach, an overall synthesis and verification report will be presented, with a particular emphasis on ways to improve future certification surveys and the remediation efforts (both in the public and private sectors) that they inform. Their distinct partnership also allows for an internal peer review process of the data analysis and a final report that fully synthesizes the contributions and observations of the various agencies.

The ICVB made contractual arrangements with the verifiers that allowed them to begin the verification activities in April, prior to the actual signing of contract in May. The Governments of Ghana and Côte d'Ivoire have acted quickly in granting the verifiers the required permissions and the first phase of in-country work is already underway.

For more information regarding the ICVB, please visit www.cocoaverification.net. This site will soon feature an interactive tool that will allow stakeholders worldwide to offer feedback directly to the ICVB.

About the ICVB

The International Cocoa Verification Board (ICVB) was convened in December, 2007. This multi-stakeholder body includes nine representatives from NGOs, academia, trade unions and industry. The nine Board members are: Anthony Fofie, Ghana Cocoa Board; Amouan Assouan Acquah, Special Counselor to the Prime Minister (Côte d'Ivoire); Stephen Ayidiya, University of Ghana-Legon; Andrews Addoquaye Tagoe, General Agricultural Workers Union (Ghana); Alice Koiho Kipre, Afrique Secours et Assistance (Côte d'Ivoire); Diane Mull, International Initiative on Exploitive Child Labor (USA); John Trew, CARE International (USA); Jeff Morgan, Mars, Inc. (USA); and Isabelle Adam, European Cocoa Association (Belgium).

www.cocoaverification.net

Congress of the United States

March 19, 2008

John Claringbould
Chairman
Global Issues Group
c/o Mars Inc.
McLean, VA 22101

Dear Mr. Claringbould:

The Harkin-Engel Protocol has been a positive and important catalyst for change on the important issue of the worst forms of child labor and forced labor in cocoa production. As stated in the Harkin-Engel Protocol, industry has accepted responsibility for developing and implementing a process that ensures that “cocoa beans and their derivative products have been grown and/or processed without any of the worst forms of child labor.” The framework the Protocol established is unprecedented – all parts of a global supply chain working together in a coordinated fashion to address the worst forms of child labor and forced labor in the cocoa growing regions of West Africa.

To that end, we want to state our support for the certification model currently committed to and being implemented by industry. Under the Protocol, industry, in cooperation with the producing country governments, is implementing a process certification that makes available information to inform consumers and stakeholders about the levels of the worst forms of child and forced labor in Ghana and Côte d’Ivoire, rather than a product certification. This should include: (1) representative farm level surveys to evaluate labor practices in the region, (2) public reporting of results, (3) a coordinated set of remediation activities to drive change throughout the cocoa sector, (4) a third party, independent verification that information presented by the certification process is credible and transparent and available to the public. In addition, it is our expectation that the industry fully cooperate with Tulane University’s oversight report team on progress made to implement the Harkin-Engel Protocol.

At the same time, we want to urge industry to meet the upcoming July 1, 2008 deadline for certification and independent verification. It is clear that consumers and stakeholders would expect that the certification model be independently, credibly and transparently verified. Nothing could do more to ensure consumers and stakeholders that industry takes its obligations under the protocol seriously than fully meeting this deadline and providing them with the information they need to make informed choices.

Our hope is that the current certification model being used by industry delivers two key attributes that will drive change throughout the cocoa sector – sector-wide coverage and industry-wide participation. We further hope that the certification model, outlined above, both when it covers 50 percent of the cocoa growing sector and ultimately when it reaches 100 percent will have a positive impact on the cocoa farmers and their families within the cocoa sectors of Ghana and Côte d’Ivoire.

Sincerely,



Tom Harkin
Member of Congress



Eliot Engel
Member of Congress

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Certification for Cocoa Farming: Submission to Tulane University

SUBMITTED ON BEHALF OF:

**Association of the Chocolate, Biscuit and Confectionery
Industries of the EU (CAOBISCO)**

Chocolate Manufacturers Association (CMA)

Confectionery Manufacturers Association of Canada (CMAC)

European Cocoa Association (ECA)

National Confectioners Association (NCA)

World Cocoa Foundation (WCF)

September, 2007

Introduction

"Certification" of cocoa farming labor practices is an important element of the Harkin-Engel Protocol agreement, reached on September 19th, 2001 to address labor issues on cocoa farms in West Africa. An unprecedented effort, certification will support long-term, positive change in cocoa farming labor practices and help achieve the ultimate goal of the elimination of the worst forms of child labor and forced adult labor on cocoa farms.

The purpose of this document is to provide a thorough explanation of certification as it has evolved over the past six years and is being implemented today in cooperation with the Harkin-Engel Protocol - and in support of the industry's long-term commitment to the social and economic development of cocoa farming communities.

Implementation of a certification process that addresses cocoa farming labor practices across often-remote areas of West Africa has been challenging, resource-intensive and groundbreaking. It has involved the participation of numerous experts, non-governmental organizations and West African governments. The efforts have produced a promising and expanding pilot activity in Ghana and the Ivory Coast, with plans on track to implement the certification process across 50 percent of the cocoa growing areas of these two countries by July, 2008.

Equally important, the research and collaborative work to develop certification have generated practical, scaleable and effective on-the-ground programs. These programs are measurably improving the quality of life for thousands of West African cocoa farming families.

Certification for Cocoa Farming Labor Practices

"...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."

– From the Protocol, September 19th, 2001, signed by the Chocolate Manufacturers Association and the World Cocoa Foundation and witnessed by leading chocolate companies and cocoa processors

After reports appeared that children were being harmed on cocoa farms in West Africa, the chocolate and cocoa industry began working with U.S. Senator Tom Harkin and U.S. Representative Eliot Engel to develop an industry-wide agreement to address this problem.

Known as the Harkin-Engel Protocol (and hereinafter referred to as the Protocol), this agreement established a framework for efforts designed to eliminate the worst forms of child labor and forced adult labor from cocoa growing. Certification was one of several key steps called for in the agreement.

Understanding the Issues, "On the Ground" Realities

As the Protocol was finalized, the chocolate and cocoa industry had already begun working with the United States Agency for International Development (USAID) and the International Labour Organization (ILO) on plans for a first-ever, comprehensive survey of cocoa farming labor practices in West Africa. At the time, a definitive, independent and thorough understanding of West African cocoa farming activities and labor practices, and of the challenges facing cocoa farmers, their families and communities, simply did not exist.

For the development of an effective, credible system of certification, such information was essential. First, an independent survey would identify the nature and frequency of labor practices that certification must address. Second, a widespread, farm-level survey would provide valuable information on the number and average size of cocoa farms; their geographical distribution and accessibility, and other factors that might shape the development of certification for cocoa farming.

Simply put, the realities of cocoa farming had to be taken into account in the development of certification. The survey would shed light in this important area.

In early 2002, the International Institute for Tropical Agriculture (IITA), an independent development organization with extensive experience in West Africa, undertook the survey. Researchers visited more than 3,000 farms in West Africa.

Industry's role in the survey itself was limited to providing financial support. No industry representatives were involved in the development, fielding or analysis of the survey in order to avoid any appearance of undue industry influence on the survey results.

Among the findings that would shape the certification strategy:

- Cocoa is farmed primarily on very small, family-run farms (approximately 1.5 to 2 million farms spread across West Africa) of one to three hectares, often in remote, difficult to access areas.
- Children help out as members of the family, as is common in rural areas of the developing world. No "child slaves" were found.
- While the survey found the vast majority of farmers to be growing cocoa responsibly, it did find that large

numbers of children were working on the farm instead of attending school; were exposed to agricultural chemicals during their application, and/or were using machetes.

- At the individual farm and community level, cocoa farming is still a loosely organized, labor intensive effort with little to no technology to assist in its production. Many farmers grow cocoa as they have for generations - with little training in how to improve their productivity and earnings from this critically important cash crop.

Additionally, movement of cocoa from the farm to port (where it is shipped to North America, Europe, etc.) is an extremely complex process, with a large number of middle men purchasing and transporting cocoa from farm gate to local collection points to warehouses to port.

Within this supply chain, small amounts of cocoa from individual farms are combined into ever larger quantities as the cocoa moves from the farm to port, making it impossible to trace individual beans or bags of beans.

Stakeholder Involvement

The Protocol's approach also emphasized the importance of engaging a range of different stakeholders - beyond the chocolate and cocoa industry itself - to address labor issues on cocoa farms. This broad stakeholder engagement would lead to better outcomes than work done by any sector on its own: partners were essential.

These partners included international labor, consumer and advocacy groups, as well as the governments of the Ivory Coast and Ghana, without whose involvement certification could not be implemented. The International Labour Organization (ILO), as the global standard-bearer on labor issues, was another important stakeholder.

In the months following the Protocol's signing, industry began to engage these and other stakeholders in the development of a workable plan for the implementation of a system of certification for cocoa farming. While lengthy and resource-intensive, the effort helped bring together a diverse and expert set of views to ensure that certification would be sustainable and effective, over the long-term.

Learning from Other Industries, "Best Practices"

Cocoa farming was by no means the first sector to tackle labor issues, nor was it the first to consider some form of "certification." Other industries - textiles, apparel, and diamonds - had undertaken efforts to address labor and/or sourcing concerns in their supply chains.

Industry representatives studied a variety of labor programs, across a range of different industries. The labor challenges facing each of these industries, the goals of their respective programs, and the context in which they operated were researched to learn what could be applied to cocoa farming certification.

The differences were clear, and considerable. For example, applying a "factory monitoring" model, used in manufacturing-based industries, to cocoa farms was impossible. In West Africa alone, there are up to two million cocoa farms growing cocoa 12 months of the year, with two lengthy seasonal harvests, in the spring and fall.

Certifying so many farmers was a logistical impossibility; certifying only a few risked dividing millions of innocent cocoa farming families into "certified" and "uncertified" economic winners and losers, with disastrous consequences for West Africa.

A "traceability" model involved tracing a specific product or item back to the labor practices at its point of origin. Industries like diamonds and apparel, with fairly rigid, controlled supply chains, had taken this approach. Here,

cocoa's complex supply chain, with beans literally being "walked out of individual farms" and reaching port through a large number of middle men and in ever-increasing shipment lots, posed an insurmountable obstacle.

While research into other industries did yield some "best practice" insights, it was clear that work to develop certification for cocoa farming would require an entirely new model.

Moving From the Theoretical to the Practical

Knowledge gained from the independent survey of cocoa farms, from work with non-industry stakeholders, and from review of other labor "certification" programs proved tremendously valuable. It helped answer some key questions - and to establish the core "principles" upon which certification would be based.

Why can't industry simply label or "certify" its products?

The IITA survey highlighted the sheer size and geographical expanse of the West African cocoa farming sector, with as many as two million small farms spread across rural, often remote areas of the region, as well as the complex process by which cocoa beans reached port. To be credible, a label certifying mass-market chocolate products as free of any labor abuses would require monitoring of every individual cocoa farm, 12 months of the year. Yet to do so would be impossible.

Why can't industry trace each cocoa bean - to a farm that grows cocoa responsibly?

The length and complexity of the cocoa supply chain in West Africa, including the large numbers of middle men involved in moving more than two million metric tons of cocoa from individual farms to port, makes large-scale, credible traceability a physical impossibility. Further complicating this approach is the practice of combining beans from different farms - and entire villages - in the early stages of the supply chain. And, given the realities of cocoa farming - where, for example, many farms have no actual address - a trace-back program would simply not work.

Why can't the industry simply "force" West African governments to ensure that the worst forms of child labor are not taking place on cocoa farms?

As the IITA survey and subsequent experience showed, the activities of children on family cocoa farms in West Africa are deeply rooted in cultural practices and traditional attitudes at the village and family levels.

They also reflect the economic and social constraints and challenges faced by these countries. Lack of rural infrastructure and available investment funds, limited availability of vocational and academic schooling as alternatives to working on family farms, shortages of qualified teachers: these and other issues contribute to how children spend their time.

It is no more possible or appropriate for an individual industry to dictate policy to sovereign nations in Africa than it is with more advanced nations of Western Europe or North America. Nor is it appropriate, recognizing the challenges these countries face, for industry to place unachievable conditions on them.

Industry recognized early on that improving conditions on cocoa farms would require a collaborative, longer-term approach to raising awareness and changing attitudes at the farm and community level, to working with the West African nations to help improve their capacity to drive change, and, ultimately, to ensuring that cocoa farmers benefited from this process without having their economic survival put at risk.

Why can't the industry simply stop children from working on cocoa farms?

The IITA survey revealed that children often help out on the family farm, as members of their family. What was required was an approach that could distinguish between appropriate child work and unacceptable child labor that

either put the child at physical risk or, for example, limited the child's ability to attend school.

Simply condemning a cocoa farm because a child might be helping out with farm-related activities was neither fair nor helpful. A longer-term, more carefully applied approach was required.

Why shouldn't there be a boycott or import restrictions on cocoa from these countries until this problem is solved?

The IITA survey showed that millions of small farming families depend upon cocoa for their livelihood, and that the vast majority of cocoa farmers grow cocoa responsibly. Punishing the many for the actions of a few would be economically devastating to these farm families, and significantly worsen social and political conditions in West Africa.

Rather than imposing "simple solutions" that would trigger devastating consequences, industry embraced a longer-term, more complicated approach designed to provide, on an ongoing basis over time, a clear picture of actual cocoa farming practices and progress in addressing labor concerns where they exist. It is an approach designed to help West Africans, not punish them.

Can industry monitor labor practices in certain cocoa growing areas - and designate these areas as free of child labor abuses?

If it is not possible to monitor labor practices across an entire country, could certification monitor (and approve) select villages and/or farmer cooperatives? In fact, this approach would create tremendous divisions among participating and non-participating farmers, leading to the impression that the former grew cocoa responsibly and the latter did not, with resulting serious economic consequences for farm families.

Moving Forward

With a better understanding of these issues, industry developed an approach to certification for cocoa farming that is achievable, sustainable and effective in improving the lives of cocoa farming families.

Goal	Improve the lives of children and adults on cocoa farms - with a focus on cocoa farming labor practices
Approach	Collect information from cocoa farms on labor practices, related issues Use this information to direct resources, guide programs - to address problem issues
Output	Individual West African governments issue a certification report which provides a detailed review of labor issues in their cocoa farming sectors, and identifies required actions to address specific issues
Credibility	Employ independent verification to ensure transparency, credibility
Outcome	Continued progress in ensuring that cocoa is grown responsibly, without the worst forms of child labor or forced adult labor; a continued reduction in unacceptable labor practices

Ensuring an Accurate, Credible Picture of Cocoa Farming Labor Practices

Armed with a framework for the certification program, the industry then began work on one of the most important elements - how best to collect accurate data, on an ongoing basis, about actual labor conditions on cocoa farms.

In evaluating different approaches to this challenge, industry worked with the International Labor Organization (ILO), specifically in connection with the ILO's "WACAP"

(West African Cocoa/Commercial Agriculture Project). A pilot version of the program -- which was partially funded by industry - involved intensive work at the farm village level to address labor issues and help at-risk children.

WACAP, which focused primarily on communities with access to schooling and on compensating families for sending their children to school instead of working, was found not to be a practical, scaleable platform for a certification system covering an entire country.

Industry representatives also studied the fixed price plus "social premium" or "Fair Trade" cocoa model, to see what might be learned. As part of their marketing, many Fair Trade chocolate companies state that their chocolate is free from the worst forms of child labor. And while antitrust regulations prohibit the chocolate and cocoa industry, as a whole, from adopting a common purchasing approach, the Fair Trade experience might yield some insights into data collection and certification.

Upon close review, however, there were several aspects to Fair Trade that made such an approach of limited use for certification. Statements that Fair Trade cocoa is guaranteed to be 100 percent free of unacceptable labor practices were based primarily on a pledge made by participating farmers when they joined a Fair Trade cooperative, and on relatively limited farm visits. There was no large-scale effort to collect data on a regular basis, nor were the statements independently verified. Such an approach is not rigorous and reliable enough to satisfy the requirements of cocoa farming certification.

Moreover, the number of West African cocoa farmers participating in Fair Trade was extremely small - less than one percent of the total tonnage of cocoa produced. Any labor certification system for the industry would need to be much more scaleable.

For these reasons, industry began to look for new ways in which reliable, actionable information could be collected on cocoa farming labor practices. Having the best

possible information is essential to an effective cocoa farming certification system...but the process for collecting it had to be scaleable and sustainable.

Industry worked with a number of labor experts to tackle this issue. It also engaged researchers and statisticians - to determine "best practices" that could be applied here. Over time, what emerged was a "data collection" approach that generates in-depth, accurate information on cocoa farming labor issues that was statistically representative of practices across the entire cocoa sector in question.

In particular, this approach involves:

- Visits by trained surveyors to a statistically representative number of farms in a given cocoa growing region
- Collection of information from multiple sources (heads of households, children, adult workers and community leaders) - to provide an accurate, in-depth portrait of labor practices
- Use of the data collected from a statistically representative number of farms to, present a credible, accurate, sector-wide picture of labor conditions and to guide remediation efforts
- Repeating the process, on a regular basis, to track change and progress

Information from the data collection program forms the basis of a certification report, issued by the appropriate West African government. This report includes both a detailed review of labor practices on the country's cocoa farms, and of actions being taken to address problems.

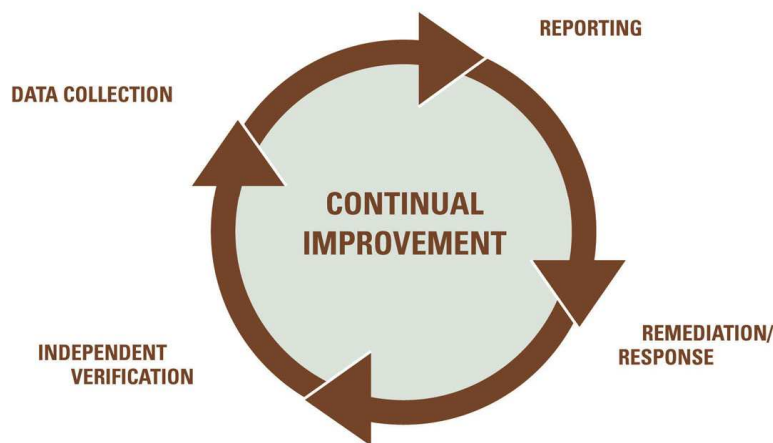
When combined, these elements formed a certification concept that was scaleable and effective:

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.

A process of “continual improvement,” certification operates in an ongoing, cyclical fashion, rather than as a one-off:

Certification:

A unified, continuous improvement process



In Partnership with Producer Governments and Stakeholders

This model offers real promise, on several levels.

- It is scaleable.
- It provides an accurate assessment of labor conditions in a nation’s cocoa sector – and of that country’s commitment to ensuring cocoa is grown responsibly.
- It links the data collection information from farm communities to remediation efforts – to focus resources where they are needed most.
- It provides the public with an annual report on the state of labor practices in a given country – and on what progress is being achieved.

- It ensures that certification of cocoa farming labor practices is credible - by including independent verification as a core part of the process

This model became the basis for all industry efforts to follow. Resources were allocated against specific, individual tasks within the overall program. Partners were recruited to lend expertise.

Most importantly, industry worked closely with the governments of Ghana and the Ivory Coast to secure and expand their active participation. Over time, both governments took on a leadership role in implementing certification within their nations' respective cocoa sectors.

In addition, industry also began work on a credible, robust independent verification component - one that would ensure the accuracy and credibility of the information reported via the certification program. Additional information on this work - where there have been several recent, important developments - is provided in an addendum.

Certification Today

Armed with a workable model and the participation of key stakeholders, the chocolate and cocoa industry, West African governments and many other partners are now moving forward on the rollout of certification in Ghana and the Ivory Coast.

In particular, industry and others involved are working towards having certification cover 50 percent of the cocoa growing regions in the two West African nations by July of 2008.

Work is underway in each of the key areas within certification:

Data Collection/Reporting:

- The government of Ghana issued its first certification report in April of 2007, based on a pilot data collection activity representing 12 percent of the country's cocoa sector. It is now developing plans to scale up the effort and carry out the data collection during the next cocoa crop harvest, which takes place between September, 2007 and January, 2008.
- The government of the Ivory Coast has completed a pilot survey of cocoa farming labor practices, and is working on a report to be issued in late 2007. It also is planning to expand this pilot during the fall 2007 harvest season.

Remediation:

- Efforts underway by the International Cocoa Initiative (ICI), a joint foundation established as part of the Protocol, are helping at-risk children and engaging communities to ensure cocoa is grown responsibly.

- Industry-supported programs are helping farm families earn more; improving access to education, and raising awareness of safe, responsible labor practices.
- Government efforts are tackling labor and related issues at the national level. In Ghana, for example, the Government has established a national task force, devoted to child labor issues. The country has also taken major steps to improve education - an important issue linked closely to child labor practices.
- All of these efforts are being integrated into the certification program - to ensure that certification drives progress towards the elimination of the worst forms of child labor.

Verification:

- Industry has consulted with Verité, a leading expert organization in the field of supply chain review and social auditing, to develop a robust, implement able verification system for certification

Final Thoughts

Six years ago, industry joined with Senator Harkin, Representative Engel and other interested parties to draft the Protocol - as part of a global effort to address labor issues on cocoa farms. Today, many of the groups involved in the Protocol - and many more - are implementing a certification process that is, even in its early stages, already driving change.

Industry and West African governments are working together, with other key stakeholders, to address labor issues on cocoa farms. This joint effort is essential to long-term change, and is a major step forward.

Programs supported by industry are making a real difference in the lives of thousands of children and adults in West African cocoa farming communities. These programs are directly addressing labor issues and helping "at risk" children, while also tackling other, related areas like access to education.

West African governments are taking action - addressing education issues; enforcing labor laws and devoting resources to understanding and improving labor conditions on cocoa farms.

A credible, thorough system to provide information on cocoa farming labor practices has already been deployed in Ghana, and is now being expanded. A similar effort is advancing in the Ivory Coast.

Certification for cocoa farming is bringing energy and resources to the issue of child labor practices on cocoa farms. It is helping to improve conditions on cocoa farms and in cocoa farming communities. And, it is sending a powerful signal that industry, governments and others are working together - to ensure cocoa is grown responsibly.

Addendum: Verification Update

From the beginning, industry has understood that the certification process will only be as effective as it is credible and accurate. Regardless of its final form, certification must deliver trustworthy, reliable information.

Research into how other industries addressed labor issues within their supply chain revealed a common theme: success depends upon transparency and credibility. And credibility comes from the involvement of an independent third party at some point in the process.

Initial concepts of a possible certification process included independent verification. Verification remains a critical part of certification to this day.

After some initial exploratory efforts, industry representatives met with Verité, an international, independent organization that works with multinational brands, factories, nongovernmental organizations, institutional investors and governments to improve social and environmental performance of global supply chains.

Verité currently operates in more than 60 countries and in a range of industries, including electronics, apparel, footwear, food and beverage, and agriculture industries, among others, with a growing network of staff and partners.

Industry approached Verité to solicit its thinking on verification. What should be the goal of a verification effort for the unique form of cocoa farming certification? How should it work? What is the best approach to ensure that verification is sustainable?

After carefully reviewing the issue, and gathering input from different sources, Verité developed an approach to verification that is credible, effective and sustainable. It balances rigorous, independent review of certification

activities, with a governance and decision-making structure that offers a "seat at the table" for important stakeholders - including West African governments, civil society, labor, academia and industry.

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 Ivory Coast...a critical step as we work toward the July, 2008 milestone of deploying certification in 50 percent of the cocoa growing areas of these two countries.

While much hard work remains, the involvement of Verité has brought a tremendous amount of insight and experience to the verification development effort. And, it has yielded a way forward, one that will deliver on the promise of credible, independent verification for cocoa farming certification.

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Responsible, Sustainable Cocoa Farming: Industry Report

SUBMITTED BY:

**Association of the Chocolate, Biscuit and Confectionery
Industries of the EU (CAOBISCO)**

Chocolate Manufacturers Association (CMA)

Confectionery Manufacturers Association of Canada (CMAC)

European Cocoa Association (ECA)

National Confectioners Association (NCA)

World Cocoa Foundation (WCF)

July, 2007

Executive Summary

The chocolate and cocoa industry is working to improve the well-being of children, families and communities in the cocoa farming sector. This work includes a commitment to responsible, safe and sustainable cocoa farming.

These efforts are making a real difference, improving conditions in West African cocoa farming communities. They are offering the promise of a better future for thousands of West African farming families who depend upon cocoa for their livelihood.

In particular, industry-supported programs in West African cocoa farming communities focus on four key areas:

- Ensuring that cocoa is grown responsibly, without the Worst Forms of Child Labor (ILO Conventions 138 and 182) or forced adult labor (ILO Convention 29);
- Improving the economic return for smallholder cocoa farmers growing this important crop;
- Strengthening farming communities by addressing needs such as access to quality academic and vocational education;
- Supporting efforts to manage responsibly the environment in which cocoa farmers grow their crops.

This initial report provides information on the key programs that are supported by the chocolate and cocoa industry, individual companies, partner organizations and governments.

As our work is extensive and continuing, additional information is being collected and we will supplement this report in the future.

The challenges facing cocoa farmers are the broader, longstanding challenges facing much of rural West Africa. The issues involved transcend any one crop or country.

Real, lasting change will depend upon the active, ongoing involvement of industry, governments, donor groups, non-governmental organizations (NGOs) and experts. The range of unique - yet complementary - programs contained in this report reflects the breadth of such an approach.

Within this report, the terms, "cocoa industry" and "industry" refer to the major manufacturers of cocoa and chocolate products based in Europe and North America, and to the various trade associations in these regions that represent these and other cocoa and chocolate companies.

While much work remains to be done, great progress is being made in a number of important areas.

Producing country governments, with the active support of industry and other organizations, are taking steps to ensure that children are not involved in potentially harmful activities on family cocoa farms.

Community and family awareness regarding safe farming activities for children is increasing thanks to the International Cocoa Initiative (ICI) and other efforts. Farm families that participate in industry-sponsored training programs are growing cocoa more profitably and with greater attention to environmental sustainability.

Programs addressing the need for access to quality academic and vocational education are underway and expanding.

In addition, industry is working closely with West African governments and labor experts to implement "certification" for cocoa farming. This effort will improve the lives of children and families on cocoa farms by identifying problem areas and issues, focusing resources to address these issues, and transparently tracking progress.

As of May, 2007, more than 200,000 people in cocoa farming communities in Cameroon, Ghana, Ivory Coast and Nigeria have benefited from programs supported by the industry and/or individual companies. Expanded efforts will reach an even greater number of West Africans in the next five years.

The success of these efforts - past, present and future - is driven by a sustained commitment; a comprehensive, holistic approach; the active engagement of partners, and a focus on driving change at the community level.

The result: the lives of adults and children alike are improving in cocoa farming communities throughout West Africa.

Progress in Helping West African Communities

Then (2001):	Now (2007):
Cocoa farming families face many challenges, including significant crop loss due to pests and disease and low farm productivity	<p>"Farmer Field Schools" help cocoa farming families grow this important crop more productively and profitably. Farmers who participate in the program enjoy double-digit income gains.</p> <p>In the next five years, the "Healthy Communities" program will reach an additional 150,000 farmers in West Africa.</p>
No credible, independently verified reporting on labor conditions in the cocoa sector; little understanding of the issues affecting the well-being of children on cocoa farms	<p>Certification for cocoa farming reports on labor conditions and helps improve the well-being of children, families and cocoa farming communities.</p> <p>Data collected from visits to hundreds of cocoa farms forms the basis for certification reports, guiding efforts to improve conditions in cocoa farming communities.</p>
Few efforts exist at the farm community level to improve the well-being of children, address labor issues	The International Cocoa Initiative (ICI), a joint industry-civil society foundation, engages governments, communities and others in addressing unacceptable labor practices, improving access to education, and addressing other, related issues. The ICI is active in 40+ communities in Ghana and the Ivory Coast.
Children are exposed to potentially unsafe labor practices, working conditions	The "Farmer Field Schools" program has educated thousands of farmers on safe, responsible working practices.
Lacking access to quality, relevant education, children in cocoa farming communities may work on the farm instead of attending school	<p>Industry-supported programs with Winrock and the International Foundation for Education & Self-Help are improving access to education for children in West African cocoa farming communities.</p> <p>Programs improving teacher training, curriculum development and better access to schools benefit thousands of children by the end of 2007.</p>
Little ability to rescue children "at risk" or in an abusive labor situation	The ICI has partnered with a number of local groups to undertake rescue and rehabilitation efforts for children at-risk.

Background

In 2000, reports emerged that children were being harmed on cocoa farms in West Africa. In partnership with labor experts and non-governmental organizations, the chocolate and cocoa industry worked with Senator Tom Harkin and Representative Eliot Engel from the United States Congress to develop an agreement, known today as the "Harkin-Engel Protocol," to ensure that cocoa is grown responsibly and without the worst forms of child labor or forced adult labor as defined by the International Labor Organization's Conventions 138, 182 and 29.

The Protocol outlined a number of steps to address the issue, including the establishment of a foundation devoted to responsible labor practices on cocoa farms and the development of a "certification" system for the cocoa supply chain. Yet while the Protocol defined the "destination," there was far less clarity around how to get there.

No effort had ever attempted to report on or address labor conditions across an entire agricultural sector in the developing world. Most existing programs focused on labor practices in factories or at a finite number of work sites.

Yet in West Africa alone, there are more than two million cocoa farms stretching across tens of thousands of square miles, in some of the world's most remote, rural areas.

Recognizing the challenges involved, the chocolate and cocoa industry identified the need for outside expertise to deal with the complex labor issues found in rural West Africa. While the industry was united in its commitment, it lacked the knowledge and experience to ensure that efforts would help - and not harm - cocoa farmers and their families.

Understanding the Issues

Following the signing of the Protocol, it was essential to gain greater insight into the realities of cocoa farming in West Africa by fielding an independent, comprehensive survey. With the leadership of the United States Agency for International Development (USAID), the International Labour Organization (ILO), and the International Institute for Tropical Agriculture (IITA), researchers visited farm communities to learn more about the issues facing cocoa farming families.

The survey found that "(R)ecruitment and employment of both children and adults from outside the family as permanent, salaried workers was relatively uncommon."

At the same time, the survey highlighted the economic and social challenges facing cocoa farming communities, and the need to help cocoa farming families earn more for their crop and gain access to better education for their children.

In addition, the survey also documented that some children were working in unsafe conditions on cocoa farms. In particular, the report highlighted that some young children were using machetes in an unsafe manner, carrying heavy loads and/or taking part in the application of pesticides.

Moving Forward

With data from the IITA survey in hand, the chocolate and cocoa industry focused on three key areas.

First, as part of a broader commitment to the social and economic development of West African cocoa farming communities, industry began work to improve the quality of life for children, families and villages in the cocoa sector. This work addressed both labor practices and broader, related issues such as improving farm family incomes and access to education.

The reach and impact of these efforts was (and is) enhanced through "public-private partnerships," organized between industry associations, individual companies and a range of interested institutions. This combination of public and private expertise has brought greater energy, reach and, ultimately, tangible benefits to farmers and their families.

One successful effort is helping cocoa farmers earn more for their crop. The Sustainable Tree Crops Program's "Farmer Field Schools" teach farmers how to grow cocoa more productively and profitably. At the same time, these "schools without walls" help raise awareness of the need to protect children from potentially unsafe working conditions on cocoa farms.

Partnerships with Winrock International and the International Foundation for Education & Self-Help (IFESH) are tackling the need for improved access to quality academic and vocational education. Other efforts address farm community issues such as HIV/AIDS and malaria.

Second, industry joined with civil society to form a joint foundation, the International Cocoa Initiative (ICI). Established in 2002, the ICI is the leading vehicle to promote responsible labor practices on cocoa farms, and is active in more than 40 communities in Ghana and the Ivory Coast. Supported by individual chocolate and cocoa industry members, ICI efforts are lead by a board composed of industry and civil society representatives.

Third, industry began work on a robust, credible model for cocoa farming certification, one that would make a positive, lasting impact in the lives of children and adults in the West African cocoa farming sector.

As in other areas, the participation of partners in the development of certification was essential, bringing expertise, credibility, and the involvement of institutions best suited to address labor and related issues on cocoa farms. Dozens of experts, representing many organizations, worked together to develop the certification process.

Government ministries in Ghana and the Ivory Coast participated, as have community leaders and experts in such important areas as child labor, migration and agriculture.

Over time, agreement around the key issues emerged, and a strategy for certification came together. Given the more than two million, geographically dispersed smallholder farms growing cocoa in the region, certification would need to collect information from a statistically representative number of farms to provide an accurate overview of labor conditions in the sector.

Data collected from these visits would form the basis of a certification report. This report would identify problem areas and issues, focus efforts in addressing these problems, and measure progress over time. The system was designed to drive ongoing improvement where needed, without harming millions of innocent West Africans through sanctions or boycotts.

Government Leadership

The involvement of West African governments was - and is - critical to improving conditions on cocoa farms. They alone can pass and enforce laws addressing child labor, tackle broad, country-wide economic and social issues, and drive a sustained effort to enhance the well-being of their citizens on cocoa farms.

In 2000, the government of Ghana ratified ILO Convention 182, a milestone international agreement on child labor. The government of the Ivory Coast did the same in 2002.

Shortly thereafter, both Ghana and the Ivory Coast began working with industry and other experts to address labor issues in their respective nation's cocoa sector. Each country established a task force to tackle child labor issues, and each began work on a certification system for cocoa farming.

The government of Ghana passed a number of laws to improve the well-being of children, including mandating compulsory, free primary education and establishing a school "hot meals" program. The country's government brought together government officials, NGO representatives, ILO representation, academics and representation from industry in the National Committee on the Elimination of Child Labor to manage the country's efforts to eliminate child labor from all sectors of the economy, by 2015.

Ghana also released its first cocoa farming certification report in April of 2007, a major step forward.

In the Ivory Coast, a prolonged period of civil strife limited the country's work on cocoa certification to an initial pilot effort in the Oume region. Now, however, as conditions improve, the government is increasing its work in this important area and is planning to release its own certification report.

2007 Update

The environment surrounding labor issues on West African cocoa farms is markedly different today than it was in 2001.

The combined efforts of industry, NGOs, governments and donor groups are improving conditions in cocoa farming communities in West Africa, with a focus on ensuring safe farming practices, boosting farm productivity and incomes, and improving access to academic and vocational education.

Through the efforts of the ICI, communities in Ghana and the Ivory Coast are tackling labor issues on their own cocoa farms - and making a difference. Children are spending more time in school and less time working on the farm.

The government of Ghana is moving forward with certification for cocoa farming. More importantly, the

government is also making progress on a number of fronts to improve the lives of children and families on cocoa farms.

Looking ahead, the partnerships and programs established in this initial phase will continue to drive positive change in the lives of the millions of West Africans who depend upon cocoa for their livelihood.

Driving Change: the World Cocoa Foundation

The World Cocoa Foundation (WCF) was formed in 2000 to address the issues facing cocoa farmers and their families. Today, the WCF helps cocoa farming families by developing and managing programs, raising funds, and acting as a forum for broad discussion of the cocoa farming sector's needs. Its more than 60 member companies support the Foundation both financially and through active participation in its efforts.

As the industry worked more with cocoa farming communities in West Africa, the WCF played a leading role. It helped secure and provide funding for specific programs. It helped form partnerships to engage the right expertise and experience, and created a means by which individuals and organizations could exchange knowledge and information. It coordinated industry-supported programs with the work of individual companies, development agencies and donor organizations. The WCF created and maintained an ongoing dialogue with cocoa farmers, farming organizations and communities that has driven meaningful, positive change.

And, the WCF continues to play an important role today.

In the pages that follow, we provide an overview of programs on the ground in the West African cocoa farming sector. Some of these programs are directly supported by the WCF. Others are supported by the industry overall or individual stakeholders.

The result is a combined effort that is making a real difference in the lives of thousands of West Africans on cocoa farms - an effort made all the more effective through the ongoing work of the WCF.

A Combined, Comprehensive Approach:



2002 Survey of Cocoa Farming Labor Practices

Following the signing of the Protocol, a comprehensive survey of cocoa farm labor practices in West Africa was undertaken in 2002. The International Institute for Tropical Agriculture (IITA) undertook the survey, with leadership and guidance from the United States Agency for International Development (USAID), and the International Labour Organization (ILO).

The chocolate and cocoa industry's involvement in the IITA survey of cocoa farm labor practices was limited to providing financial support. Industry representatives were not involved in the design, fielding, analysis or reporting of the survey.

A total of 4,586 West African cocoa farms were surveyed, representing a population of 43,600; approximately 23,316 children under age 15 lived on these farms. An independent committee of labor experts analyzed the survey data and drafted the findings and conclusions.

Results from the survey were released in August of 2002 by the IITA. An independent committee of labor experts analyzed the survey data and drafted the findings and conclusions.

Notably, the survey found that, "(R)ecruitment and employment of both children and adults from outside the family as permanent, salaried workers was relatively uncommon."

Yet the survey shed light on several key areas - areas that would play a central role in subsequent industry-supported efforts to help cocoa farming families.

The key findings included:

- Children participating in unsafe farming activities, such as carrying heavy loads or using a machete;
- Children dangerously exposed to pesticide application;
- The need to boost the quality and availability of education as an alternative to working on cocoa farms;
- The overall nature of cocoa farming - farming families, working relatively small plots of land; and
- The economic (and related agricultural) challenges facing cocoa farming families

The IITA survey helped move the discussion from the anecdotal and speculative to a thorough, unbiased research-based view of cocoa farming labor practices. It provided the knowledge needed to launch a number of programs to help cocoa farmers and their families.

To learn more about the IITA survey, please visit www.iita.org.

Improving Farming Family Incomes

Among the information provided by the 2002 IITA survey was insight into the challenges facing cocoa farmers, and labor practices on cocoa farms. Some issues raised in the report were already a priority for the chocolate industry; in other areas, the IITA study revealed new challenges requiring attention.

More than two million families grow cocoa on small farms in West Africa. For many of these farming families (and their communities), cocoa is the major source of income.

Yet each year, these families face significant challenges ranging from crop loss due to pests and disease, outdated farming practices and a lack of adequate rural support services. A typical cocoa farmer, for example, loses at least 30 percent of his or her crop each year to disease. At times, some lose up to 100 percent.

The loss in cocoa farm productivity impacts farmers, their families and the villages in which they live. It creates an economically challenging climate around a crop that holds the potential to provide substantial economic benefits to those who grow it. And, as numerous experts note, economic issues play an important role in labor practices.

As such, helping farming families earn more for their cocoa crop is essential.

"Farmer Field Schools"

One WCF-supported initiative, the Farmer Field Schools program, has made significant progress in addressing economic issues impacting cocoa farming families while improving labor practices.

Developed in partnership with USAID and administered by the International Institute of Tropical Agriculture as part of the Sustainable Tree Crops Program (STCP), the Farmer Field

Schools help cocoa farmers with among the most challenging issues they face - the loss of income due to crop loss and low productivity. The schools seek to empower farmers in this important area through knowledge and education.

Each school takes place "in the field," among the cocoa trees. A class of 15-20 farmers attends the 16-session program. Trained instructors provide hands-on teaching on a range of important topics, including:

- Planting and cultivation techniques that can substantially increase productivity;
- Crop diversification to broaden sources of farm income;
- Reduction of pests and disease in an environmentally responsible manner; and
- Management of potentially challenging tasks like pesticide application - safely and responsibly.

The Farmer Field Schools also raise awareness of safe, responsible labor practices - in particular, the appropriate role of children on the cocoa farm. This important area of focus is discussed later in this document.

Farmer Field School Partners

- Associates in Rural Development
- Canadian International Development Agency
- Center for International Migration and Development (Germany)
- Department of International Development (UK)
- Dutch Ministry of Agriculture
- Federal Ministry of Agriculture and Rural Development (Nigeria)
- Fonds de Developpement et de Promotion des activites des producteurs du café et du cacao (Ivory Coast)
- Forest and Landscape Denmark/Danish Development Agency (DANIDA)
- International Institute of Tropical Agriculture
- SOCODEVI
- TransFair USA
- U.S. Department of Agriculture

Support for Women Farmers

In West Africa, cocoa farming is traditionally undertaken by the male head of the household. Yet, today, women are increasingly running the family cocoa farm.

Despite this important shift, there are few farmer support programs that focus on the unique needs of cocoa farming women and the challenges they face. To address this important issue, industry joined with other organizations to create an extension of the Farmer Field Schools program, tailored to the unique needs of women farmers.

Community-based meetings, educational sessions and an instructional "video club" provided women farmers with advice on planting/crop management, sustainable and safe pest management, and negotiating the best price for their cocoa. The program also educated women farmers on responsible labor practices and the appropriate role children can play on the cocoa farm.

The program was developed based on input from a series of community meetings with women cocoa farmers.

Support for Cocoa Farming Women Partners

- Chocolate Manufacturers Association
- IITA
- Nestle
- SCTP
- SunSpire

Improving Incomes through Farmer Organization

In addition to the Farmer Field Schools, industry-supported programs help farmers both market and sell their cocoa crop more effectively, thereby increasing family incomes.

These programs, administered by the STCP and with the active participation of expert organizations like SOCODEVI (Societe du Cooperation pour le Developpement

International), work directly with farmers in West African cocoa farming communities.

There, they help farmers:

- Organize to sell their crops as a group, which increases their ability to command a higher price; and
- Time the sale of their crop to maximize profits.

Results

Between 2003 and the end of 2006, 16,320 West African cocoa farmers were directly trained through the Farmer Field Schools program and such related efforts as the program for cocoa farming women. An additional, 38,716 West African farmers indirectly benefited as those who participated in the programs shared knowledge with other farmers in their communities.

Farmers participating in the Farmer Field Schools program enjoyed 15 to 40 percent greater cocoa crop yields than those farmers who did not participate.

Efforts to help cocoa farmers sell their crops more effectively have also proven successful, helping participating farmers command prices 5 to 15 percent higher for their cocoa crop.

2007: Program Expands

In late 2006, the World Cocoa Foundation (WCF) announced an expansion of its work to help cocoa farmers, their families and communities in West Africa. The new effort, known as the "Healthy Communities" initiative, is a multi-year partnership with USAID. Building upon the success of the Farmer Field Schools program, the Healthy Communities initiative supports economic, social and environmentally sustainable development at the West African cocoa farm level.

In the next five years, more than 150,000 cocoa farmers will participate in the program, which will, in turn, benefit more than 1.5 million West Africans. The program has set a goal to help participating farmers increase their family income by 15 to 40 percent.

A parallel effort, supported by the WCF and the Canadian International Development Agency, will expand efforts to organize West African cocoa farmers and establish co-operative organizations to help farmers earn more for their crop. The program will work closely with SOCODEVI, a global leader in developing farmer co-operatives.

Building Strong Communities through Improved Education

Thousands of West African children in cocoa farming communities are benefiting from industry-supported efforts to offer them a better education.

Education plays a critical role in social and economic development. In particular, providing children access to quality, relevant education helps address child labor issues within a community. When solid, affordable education is available, parents make attending school a priority.

This is why the industry's commitment to cocoa farming families goes beyond the boundaries of the farm. To address the worst forms of child labor, industry, governments and civil society must address non-farming issues like primary education.

The educational situation in rural West Africa is challenging. Decades of relatively little investment has left many cocoa farming communities with few school facilities and teachers, or even none at all.

In some countries, legacy approaches to education do not meet the needs of the farming community.

And, at times, fees for books, uniforms and related costs can make attending school prohibitive for the average cocoa farming family.

Ultimately, improving education in a nation's cocoa farming sector requires the active leadership and sustained effort of the country's government. However, industry believes it can play an important role in bringing forth new ideas, and then supporting work to implement and test these efforts in cocoa farming communities.

To help improve educational opportunities for children, industry pursues a three-step process.

- FIRST - Industry works with cocoa farming communities and education experts to understand the unique, specific educational issues and needs in the West African cocoa farming sector.
- SECOND - Industry establishes partnerships with leading NGOs and other groups with experience in creating and implementing educational programs in developing countries.
- THIRD - Industry provides support for specific projects that address the most critical issues, like teacher training and curriculum development.

Today, a range of industry-supported educational programs are improving access to quality, relevant education for children in cocoa farming communities and tackling important health issues like HIV/AIDS prevention and malaria.

IFESH "Teacher Training"

One program is offering a better future for children in cocoa farming communities, through better teaching.

With the support of the World Cocoa Foundation (WCF) and funding from The Hershey Company, the International Foundation for Education & Self-Help (IFESH) undertook a multi-year program to improve the quality and accessibility of education in farming communities in Ghana and the Ivory Coast.

Launched in late 2005, the program focuses on teacher training and curriculum development. It has also equipped four teacher resource centers and supplied two large shipments of school supplies.

To date, nearly, 3,400 pre-service and in-service teachers in Ghana and the Ivory Coast have received training through classes and workshops, as well as at the newly established teacher resource centers. IFESH volunteers lead the

classes and workshops, which emphasize development of creative, engaging teaching materials and the use of interactive teaching methods.

The effects are considerable. More than 137,000 primary and secondary school students in cocoa farming communities in Ghana and the Ivory Coast have benefited or will benefit from improved teacher training through this program.

In addition, the program has undertaken a literacy effort, training 36 tutors in Ghana and the Ivory Coast to teach adult literacy in cocoa farming communities. More than 1,000 adults in these communities have already receiving the training.

Teacher Training Program Partners:

- IFESH
- The Hershey Company

Relevant Education for Cocoa Farming Communities

Many children in cocoa communities will grow up to become farmers. High-quality vocational agricultural education provides crucial skills and knowledge for children in these communities and can be a powerful incentive for children to continue their studies.

Unfortunately, few schools in cocoa communities have the resources to provide this type of education. The end result - many children may leave school at a young age to work on the family cocoa farm.

To this end, members of the chocolate and cocoa industry are supporting the Child Labor Alternatives through Sustainable Systems in Education (CLASSE) program via Winrock International. CLASSE is providing children of cocoa farming families with education that encourages school attendance, while remaining relevant to their daily lives.

CLASSE improves basic and agricultural education, with an emphasis on youth mentoring and increased attendance. The program focuses on children ages 11-20, a critical group in terms of school attendance.

The program has made considerable progress in the Ivory Coast. At the end of the 2005-2006 school year more than 1,600 Ivorian young people completed the agricultural training. Students were instructed in farming techniques for cocoa and other crops, child labor prevention, HIV/AIDS awareness, small business training, and leadership skills.

In addition, the CLASSE program has helped cocoa farming families in other, related areas. Micro-credit scholarships provided cocoa farming families with funds equal to three years of school fees. The mother pays her child's school fees for the first year, and then invests the remaining funds back in the family business. She then uses proceeds from the better-funded family business to pay subsequent school fees for years two and three.

While in a preliminary stage, the program has already awarded more than 150 grants to students in the Ivory Coast.

The CLASSE program also educates young people on child labor issues. Using a teaching method developed by the ILO, CLASSE instructors have trained more than 1,275 young Ivorians regarding the worst forms of child labor.

In addition, other CLASSE-related efforts have provided HIV/AIDS education to more than 7,200 students in the Ivory Coast, and have formed agriculture clubs that provide training on all phases of farming, from planting through computer use.

Finally, CLASSE is tackling the quality of school facilities, which is among the most challenging issues. Through inventive approaches, the program has helped renovate nine schools in the Ivory Coast.

CLASSE Partners:

- Cloette Fazer AB
- Mars, Inc.
- Norwegian Association of Chocolate Manufacturers
- Winrock International

ECHOES Alliance Expands Education Opportunities

In May of 2007, the WCF announced a multi-year partnership with USAID to improve education in West African cocoa farming communities. The ECHOES (Empowering Cocoa Households with Opportunities and Education Solutions) Alliance will use teacher training, curriculum development, agricultural education and life-skills training to improve the quality of education in West African cocoa farming communities.

The program seeks to increase school attendance, raise the number of trained teachers, expand livelihood opportunities for young people, and boost literacy levels throughout the region's cocoa sector.

Community Health

As with education, longstanding resource issues have left many West African cocoa farming communities vulnerable. Lack of safe drinking water; insect-borne illnesses and diseases like HIV/AIDS are just some of the health issues impacting cocoa farming communities.

Education and health come together in an industry-supported program developed by Family Health International. The program educates West African cocoa farming communities on HIV/AIDS and malaria prevention - two critical health issues across the continent. In addition, the effort provides communities with mosquito nets and other supplies to boost prevention.

The ICI (discussed later in this document) is organizing communities to improve their public health facilities and boost access to healthy drinking water.

Responsible Labor Practices

In addition to supporting economic and social development in cocoa farming communities, the industry supports a number of efforts that directly address the issue of labor practices on cocoa farms.

This dual focus is essential. Governments, industry and partners need to address both the immediate challenge (labor practices) and the underlying issues involved (farmer incomes; lack of quality, relevant education; community health).

Labor practices on cocoa farms are complex and involve a mix of economic and social issues, longstanding traditions, and the challenges inherent in cocoa farming.

Yet there is nothing confusing or complex about the industry's position. Cocoa must be farmed responsibly, without the worst forms of child labor or forced labor.

Industry-supported efforts to address labor practices on West African cocoa farms include:

- The ICI, a foundation supported by individual chocolate and cocoa companies that works with communities in the West African cocoa sector to improve labor practices;
- Education and awareness-raising through Farmer Field Schools and other teaching programs;
- Certification for cocoa farming, which drives positive change in labor practices through a regular system of transparent reporting and corrective action; and
- A pilot project with the ILO that worked with a small number of communities to understand and address their unique labor issues.

Independent research of several thousand cocoa farms has found that children often help out their families on the

farm, as they do in many rural societies. But, at times, they may do so at the expense of attending school, or may undertake potentially unsafe farming tasks that are not appropriate for children.

In some instances, children may be working on farms away from their families or close relatives. While there are a variety of potential reasons, these situations require close scrutiny and immediate attention.

As industry delved deeper into labor practices on cocoa farms, it recognized the limits of its own knowledge and experience. It also recognized that success would depend upon the active involvement of such key partners as the governments of West African countries where cocoa is grown and farmed.

Input from different experts and key players varied widely. Yet, over time, there emerged a clear consensus view in several areas including:

1. Change begins at the community level. A grassroots, bottom-up approach that empowers communities will best ensure that children are not harmed in cocoa farming. Conversely, a top-down strategy will not succeed.
2. No single approach will do the job. Rather, helping children on cocoa farms requires a "mosaic" of different approaches.
3. The involvement (and, ultimately, leadership) of West African governments is essential. They alone can pass and enforce laws protecting children. They are responsible for related, country-wide issues like education. And, they have a unique understanding of the role cocoa farming plays in their country, and of the issues. No effort to address labor practices can succeed without the active involvement of these governments.

Today, industry-supported programs in Ghana and the Ivory Coast are educating farmers on safe, responsible labor

practices; empowering communities to take action and improve the lives and future prospects of their children; and supporting efforts to identify and help "at risk" children who may be subject to unacceptable labor practices.

At the same time, West African governments are taking action as well. Working with industry, they are implementing certification for cocoa farming; passing laws to protect children from the worst forms of child labor; and tackling closely related issues like education.

The International Cocoa Initiative (ICI)

In 2002, the industry joined with labor experts to establish the International Cocoa Initiative (ICI). The aim of the ICI is "to oversee and sustain efforts to eliminate the worst forms of child labor and forced labor in the growing and processing of cocoa beans and their derivative products."

Today, the ICI is the leading vehicle for efforts to ensure cocoa is grown responsibly and without the worst forms of child labor or forced adult labor. It does so by:

- Building awareness of the need to eliminate abusive labor practices;
- Actively supporting local and community-based initiatives;
- Working with organizations that provide services to, or have commercial relations with, cocoa-producing communities so as to foster positive change;
- Channeling information and report on progress; and
- Encouraging partnerships between industry, activists and governments.

In particular, the ICI works at the cocoa farming community level. There, the foundation engages local leaders in the development and implementation of action plans to address labor issues, as well as other, related challenges facing the community.

This community-based approach drives change in labor practices, improves educational opportunities for children, and encourages a better informed, more actively engaged community.

The ICI has projects underway in more than 40 cocoa farming communities in Ghana and the Ivory Coast. The projects include:

- Partnerships with NGOs in the Ivory Coast to provide a safe haven for children who have been trafficked into cocoa farming areas;
- Support for a government-run shelter for at-risk and trafficked children in Ghana;
- Protecting children from potentially unsafe farming practices through parental education, local community action, and forming community watch groups in Ghana and the Ivory Coast;
- Helping communities build and/or expand their schooling facilities, while at the same time working with parents to create more time for their children to attend school; and
- Organizing cocoa farming communities to improve their public health services and increase access to healthy drinking water.

In April of 2007, the ICI signed an agreement with the government of the Ivory Coast to provide training for the country's police force and cocoa industry regarding child trafficking. In coordination with the national action plan to eliminate the worst forms of child labor in the Ivory

Coast, ICI will implement an intensive training program for the Police department and the Ministry of Agriculture.

April of 2007 also saw the ICI announce an agreement with COCOBOD, the Ghana cocoa board, to launch a radio program educating cocoa farmers on responsible labor practices.

Farmer Education on Labor Practices

The industry-supported Farmer Field Schools not only help farmers earn more for their cocoa crop, but help ensure children are not harmed in cocoa farming.

As part of their instruction, Farmer Field Schools educate farmers on safe, responsible labor practices, and the appropriate role for children on the family farm.

In Ghana, for example, the schools focus on the dangers of children participating in age-inappropriate tasks such as carrying heavy loads, pesticide application and using machetes.

A random sampling of participating farmers, conducted by the Sustainable Tree Crops Program (STCP), found a significant reduction in children's exposure to hazardous tasks among participating farmers. Overall, more than 1,200 children are estimated to no longer be engaged in these hazardous practices as a result of the Farmer Field Schools program.

In May of 2007, the WCF announced an expansion of these educational efforts. With the support of individual chocolate and cocoa companies and USAID, the new effort will continue to leverage the Farmer Field Schools program to address labor issues.

In particular, the expanded program will:

- Launch 20 new farmer field schools in Ghana;

- Develop and distribute videos on farm safety and child labor issues for use in group training sessions in Ghana and the Ivory Coast;
- Develop and distribute visual educational materials such as posters, flip-charts and illustrated guides, all of which provide instruction on farm safety issues for farmers in Ghana and the Ivory Coast; and
- Conduct a study, in cooperation with the Cocoa Research Institute of Ghana and other West African research organizations, to identify labor challenges and how to improve labor safety while reducing the overall need for manual labor.

Certification for Cocoa Farming

What child and adult labor issues exist on cocoa farms in West Africa?

Are steps being taken to address these issues? How are the lives of children and families on cocoa farms improving?

These are the questions that certification for cocoa farming answers - to improve the lives of children in West African cocoa farming communities.

Certification provides a clear, statistically valid view of labor conditions on cocoa farms in Ghana and the Ivory Coast. It evaluates the success of efforts to address labor issues and supports the economic and social development of cocoa farming communities. And, it uses this information to identify both problem issues and the actions required to address them.

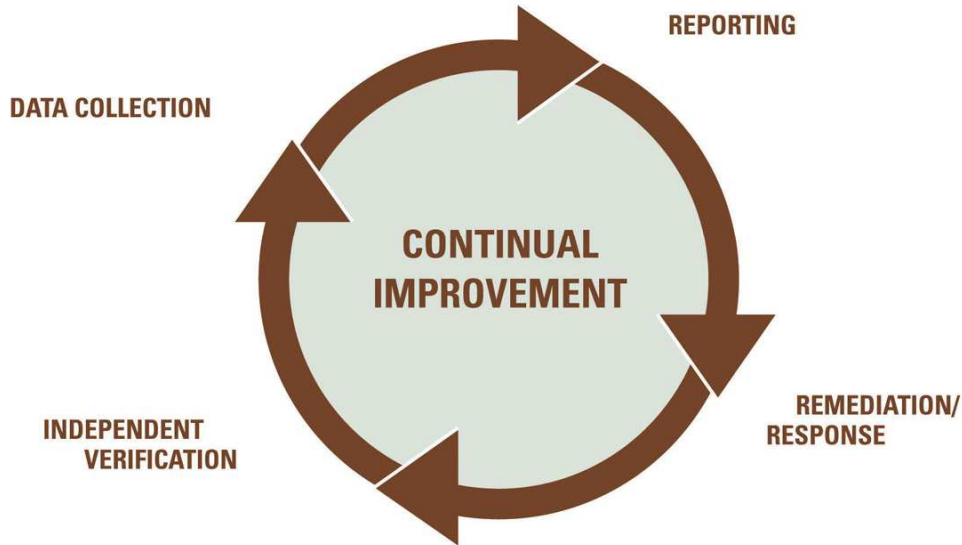
A transparent, credible, and ongoing program, cocoa certification represents a major step forward in efforts to improve the well-being of children, farm families and communities in the cocoa sector. The program is the first ever to address labor issues involving a commodity grown on several million small family farms in the developing world.

Cocoa certification includes:

- Data collection at the community and farm level that provides a statistically representative view of child labor and forced adult labor problems;
- Transparent, publicly available annual reporting on the findings from the data collection and on the impact of efforts to improve labor conditions;
- Remediation - a range of activities designed to improve the well-being of children and address the issues brought to light by the survey; and
- Independent verification of the data collection and reporting.

Certification:

A unified, continuous improvement process



In Partnership with Producer Governments and Stakeholders

These elements work together to drive continuous improvement in the well-being of children, families and cocoa farming communities.

In April of 2007, the Government of Ghana released its first cocoa farming certification report. The release of the report represents a major step forward for Ghana's efforts to address labor issues on cocoa farms, and will help improve the lives of children on cocoa farms.

Industry has contributed to the development of certification by:

- Leading the development of the overall “framework” for the system - what certification will do, how it will work, key elements, roles/responsibilities;
- Obtaining input and advice from labor experts, non-governmental organizations and other stakeholders on the development of the certification system;
- Engaging West African governments - Ghana and the Ivory Coast - to participate in certification and drive its implementation in their respective nation’s cocoa sectors;
- Funding the full-time deployment of a senior industry representative to work full time on the rollout of certification in West Africa; and
- Providing financial support for implementation of the certification program in both Ghana and the Ivory Coast.

The following details the individual elements that, together, make up the certification for cocoa farming program.

Data Collection:

Ensuring that children are not harmed in cocoa farming requires a clear understanding of the nature and extent of labor issues, and where problems exist. The “data collection” component of certification fulfills this important need - by providing a credible, statistically representative assessment of actual labor practices on cocoa farms in West Africa

Through data collection, we will know if children or adults are being harmed in cocoa farming. We will know where

problems are greatest and/or growing, as well as where conditions are improving.

Trained surveyors visit cocoa farms and communities, collecting information on working conditions, labor practices, and related issues such as school attendance and availability. In local languages, they interview community leaders, farmers, and children and adult workers. They focus on both on identifying potential problems and measuring the impact of programs to improve conditions in cocoa farming communities.

With more than two million cocoa farms scattered across tens of thousands of square miles in West Africa, it is impossible for the survey teams to visit every farm. Instead, certification uses a statistically representative sample of farms and communities to compile an accurate picture of the sector's labor practices and related issues.

For surveyors visiting cocoa farming communities, obtaining accurate information can be challenging. Unacceptable child and adult labor practices are not easily detectable, nor can they be measured through a few simple "yes-no" questions. Investigating labor issues requires carefully developed survey questions and extensive training of the surveyors.

The research is undertaken on a country-by-country basis with the active leadership of each country's government.

Information gathered via the data collection process forms the basis of an annual certification report issued by the respective country's government. The primary areas of focus for data collection include:

- Hazardous work (tasks, duration, physical/environmental stress), as defined by ILO 182 and detailed by national governments;
- School availability and attendance;

- Indicators of potential trafficking (living away from home, parents); and
- Indicators of forced adult labor (Are labor agreements in place and understood? Do workers have freedom to leave workplace?).

Reporting:

Public reporting of the data gathered from visits to cocoa farms is important. This provides information regarding the well-being of children, families and communities in the cocoa farming sector, the state of cocoa farming labor practices, and progress in ensuring that cocoa is grown responsibly.

On an annual basis, participating West African governments will make publicly available a certification "report." The report will include results from the data collection visits to cocoa farms and farming communities, an assessment of on-the-ground programs to improve conditions, and recommended remedial actions.

In April of 2007, the government of Ghana released its first certification report. The report, based on visits to farms accounting for 12 percent of the country's cocoa output, provided a comprehensive, detailed assessment of conditions in cocoa farming communities and labor practices.

Remediation, Response:

To help children, families and communities in the cocoa farming sector, certification must do more than simply “report” on the status quo; it must drive change.

Remediation efforts are essential to certification, driving ongoing improvement in the lives of children and adults on cocoa farms. These efforts do so by addressing problems identified through the data collection process.

Through data collection and reporting, certification will identify important issues involving cocoa farming labor practices and the well-being of children and families who live in cocoa farming communities. This will enable West African governments, communities, labor experts, donor groups, industry, and farmers’ families to better focus their efforts to address these issues.

In most cases, these programs will need to address the underlying issues related to child labor, from school attendance to the overall well-being of the cocoa farming community. When necessary, however, response efforts will address immediate, urgent needs such as children facing imminent safety risks or being exploited under unacceptable labor practices.

The goal: to improve the well-being of children and adults in cocoa farming communities, both immediately and on a sustainable, long-term basis.

Remediation and response efforts include:

- Ongoing work to sensitize community leaders, family members and/or farm caretakers to the worst forms of child labor and hazardous work;
- Building community awareness of the importance of school attendance for children and expanding access to quality, relevant education;

- Training and empowering cocoa farming families to identify specific community needs and achieve solutions; and
- Identification of resources for rescue, rehabilitation and repatriation of children and adults found to be in unacceptable labor situations.

These efforts, already underway in the major cocoa growing areas of West Africa, are making a difference now, improving farm family incomes, boosting education and engaging community leaders in ensuring that cocoa is farmed responsibly.

Independent Verification:

The credibility of the annual certification "reports" is critically important to the success of this approach. All parties agree that the data collected, including the underlying survey methodology, and annual "reports" must accurately capture conditions on the ground and be beyond reproach. This is the role of independent verification. Efforts are underway to identify credible "third-party" individuals or organizations with the expertise to undertake this activity and do so in an independent manner.

Understanding Migratory Labor Issues

An industry partnership with UNICEF and the University of Ghana is shedding light on an important issue, namely migratory labor practices.

Understanding migratory labor and cocoa farming in West Africa is important, both in terms of improving labor practices and to support economic development in the region.

Unfortunately, there is limited knowledge or research about such important areas as the number of individuals involved;

their countries or regions of origin; their age, gender and background; and their needs.

Focusing on the needs on children, the industry-sponsored and UNICEF-led study provided information on migratory labor in the Ghana cocoa farming sector. Researchers from the University of Ghana conducted the study.

WACAP Pilot Project

In 2002, industry partnered with the International Labor Organization (ILO) to test new approaches to addressing child labor issues in West African cocoa farming communities. The program, known as WACAP (West Africa Cocoa Agriculture Program to Combat Hazardous and Exploitive Child Labor), identified cocoa farming communities in the Ivory Coast, Cameroon and Ghana that were potentially high-risk for the worst forms of child labor. Children at risk in these communities were placed into school or vocational training.

Environmental Stewardship

Grown properly, cocoa can play a positive role in protecting the environment. Cocoa grows well amidst a mixture of sun and the shade of mature, equatorial trees. A cocoa farm can provide a safe, nurturing home to many different types of birds and animals. But these positive environmental benefits will not happen automatically.

The chocolate and cocoa industry supports efforts to protect and enhance the environment in which cocoa farmers grow their crops. Programs supported by the World Cocoa Foundation (WCF) encourage farmers to increase the use of biological control of pests and diseases and decrease the use of agricultural chemicals. The WCF also works with partners to encourage farmers to help protect the tropical ecosystem by growing cacao trees as one of several crops.

Farmer Field Schools Encourage Sustainable Farming Techniques

In addition to helping farmers improve productivity, the industry-supported Farmer Field Schools also educate West African cocoa farmers on sustainable, environmentally sound farming techniques. Diseases and pests are a major issue for cocoa farmers, with crop losses of anywhere from 30 to 100 percent affecting many farm families.

The Farmer Field Schools work with participants to teach “integrated pest management” techniques that rely less on chemical use and more on pesticide-free approaches. Other sessions focus on teaching farmers how to plant and grow cocoa under taller, equatorial trees, which helps to maintain a diverse tropical ecosystem.

Rainforest Conservation Campaign

Protecting the tropical ecosystem and preventing the harvest of rainforest trees for timber are priorities for another industry-supported program in West Africa, conducted in partnership with Conservation International and the Danish Center for Forest and Landscaping.

Cocoa grows well under the shade of taller, equatorial trees. Farmers can improve their incomes - while protecting the tropical ecosystem - simply by not cutting down these trees and, instead, planting separate trees for timber.

This ongoing campaign works directly with cocoa farmers in Ghana to educate them on the benefits of planting and harvesting timber trees, while at the same time maintaining the rainforest. A series of educational seminars are supplemented by distribution of an easy-to-use manual to help farmers through the process.

Project Reports

The following section includes detailed reports on many of the industry-supported programs helping cocoa farming families in West Africa. The projects detailed here, and throughout this document, are solely those supported by industry and/or individual companies. In addition to what is included here, there are a number of significant initiatives underway by West African governments, donor organizations, international development groups and other stakeholders - all working together to improve the social and economic development of cocoa farming communities and to promote environmental conservation.

Farmer Field Schools/Sustainable Tree Crops Program (STCP)



Project Dates: Pilot Phase 2003–2006;
Phase II 2007–2011

Countries: Cameroon, Ivory Coast, Ghana,
Liberia and Nigeria

Core-Funders: US Agency for
International Development, World Cocoa

Foundation, and industry

Manager: International Institute of Tropical Agriculture

Overview

The Sustainable Tree Crops Program (STCP) is an innovative program to improve the economic and social well being of tree crop farmers and the environmental sustainability of their farms in West and Central Africa.

During the Pilot Phase, 16,320 farmers were directly trained in improved farming practices through the participatory Farmer Field School approach, and 38,716 farmers indirectly benefited through farmer-to-farmer diffusion of knowledge. Trained farmers realized yields 15% to 40% greater than non-trained ones, and farmers participating in group sales arrangements received 5% to 15% higher prices for their cocoa.

The second phase of the program, known as the “Healthy Communities” initiative, will build upon the successes of these initial efforts to help cocoa farmers increase their family incomes through better farming techniques, improved organization and group selling efforts.

Program Objectives

To achieve sustained rural income growth, the Sustainable Tree Crops Program focuses on the achievement of four strategic results and their related specific objectives through the introduction of new tools, methods, approaches, and policies together with public and private partners. They are:

- Improved farmer productivity to increase cocoa farm yields and raise farmer incomes;
- Better organized, more effective marketing efforts in the cocoa sector - to help cocoa farmers secure a better price for their crop;
- Diversification of income for cocoa farmers so that they can supplement their farm family incomes with non-cocoa revenue sources; and
- Better policies in support of cocoa farmers and the cocoa farming sector overall.

For the recently launched Healthy Communities initiative, the effort will:

- Help 125,000 farming families earn more for their cocoa crop;
- Educate those same 125,000 farmers on safe, efficient labor practices;
- Increase the capacity of two local production service providers per country;
- Establish one new institutional arrangement to facilitate farmer access to production inputs and services per country;
- Engage 40 marketing firms, such as cooperatives and licensed buying companies, to participate in marketing efficiency enhancing innovations;
- Increase the capacity of two local business support service providers per country;
- Establish one new institutional arrangement to increase marketing efficiency per country;

- Help 25,000 farmers boost their income through non-cocoa farming opportunities (such as crop diversification);
- Increase the capacity of two local production service providers per country;
- Analyze regional and national policy issues and formulate recommendations;
- Hold public debate and stakeholder consultations on policy issues; and
- Establish a regional innovation network for the cocoa sector.

Funding sources of the Sustainable Tree Crops Program and its contributing partners 2003-2006:

- World Cocoa Foundation
- Cocoa/chocolate industry members
- United States Agency for International Development (USAID)
- United States Department of Agriculture (USDA)
- Federal Ministry of Agriculture and Rural Development/National Cocoa Development Committee (Nigeria)
- Fonds de Développement et de Promotion des activités des producteurs de café et de cacao (Côte d'Ivoire)
- SOCODEVI/Canadian International Development Agency (CIDA)
- Forest and Landscape Denmark/Danish International Development Agency (DANIDA)
- International Institute of Tropical Agriculture (IITA)
- Centre for International Migration and Development (CIM Germany)
- Department for International Development (UK)
- Dutch Ministry of Agriculture
- Associates in Rural Development (ARD USA)
- TransFair USA

Farmer Field Schools/Sustainable Tree Crops Program - Ivory Coast

Project Dates: Pilot Phase 2003-2006, Phase II: 2007-2011

Country: Ivory Coast

Funders: *Core Program* - US Agency for International Development (USAID), World Cocoa Foundation, industry, and FDPCC (Ivorian Cocoa Fund); *Sustainable Production of Certified Cocoa* - USAID and Kraft Foods; *Cocoa Quality Improvement Project* - TransFair USA

Implementers: International Institute of Tropical Agriculture (manager; production; marketing; policy), SOCODEVI (cooperative development), ANADER (Ivorian National Extension Agency/Cocoa Quality Improvement Project), Rainforest Alliance (Sustainable Production of Certified Cocoa Project)

Overview

The Sustainable Tree Crops Program (STCP) in the Ivory Coast is active in 11 districts, mostly in the Eastern Region, and works with 14 cocoa cooperatives. The program focuses on promoting the sustainable production and marketing of quality cocoa, improving marketing channel efficiency, raising incomes for small-scale producers and creating environmentally friendly, socially responsible, and economically sustainable cocoa production systems.

The Sustainable Production of Certified Cocoa Project incorporates Rainforest Alliance standards into the Farmer Field School integrated crop, pest and quality management curriculum; the project began in 2006 and focuses on the Issia and Daloa Districts.

The TransFair USA Cocoa Quality Improvement Project aims to increase incomes for small producers through increased access to the Fair Trade market in the US, Europe and Japan. The project works with two cooperatives in the Daloa and San Pedro Districts.

Program Objectives:

- To develop farmer organizations' capacity as agribusinesses and agricultural enterprises and improve marketing channel efficiency;
- To integrate the production and marketing of certified cocoa; and
- To develop local institutional capacity to provide production and marketing support services.

Progress to Date:

- **8,313 farmers directly trained through 236 Farmer Field Schools.** Through the participatory Farmer Field School approach, farmers were trained in integrated crop and pest management, cocoa regeneration techniques, and quality improvement. The curriculum also includes sensitization to child labor and HIV/AIDS. Training was conducted by 47 facilitators, including 11 extension workers from ANADER and 36 members of the 14 cooperatives partnering on the project. An additional 17,033 farmers were trained through guided farmer-to-farmer training.
- **21 facilitators trained in Rainforest Alliance standards.** The 9 ANADER staff and 11 representatives from 3 cooperatives participating in the Certified Cocoa Project are currently training 900 farmers through Farmer Field Schools, which incorporate Rainforest Alliance quality and agroforestry standards into the integrated crop, pest and quality management curriculum. With the assistance of 8 specially trained facilitators, the farmers set up 13 shade tree nurseries.
- **75 farmers trained through Video Viewing Clubs.** 16 videos covering similar topics to the Farmer Field Schools were produced for the first cycle of Video Viewing Clubs. The Clubs, designed for women cocoa farmers, were held in three communities facilitated by two women and one man.
- **690 farmers participating in mineral fertilizer study.** Through a partnership with Yara, the Farmer Field

School participants are studying and evaluating the impact of mineral fertilizer on cocoa farms using 22 demonstration plots.

- **380 farmers established cocoa nurseries.** After participating in nursery management training, farmers from 14 cooperatives established nurseries for 400 hectares of planting.
- **48 producers trained in cocoa quality.** Members of two cooperatives participating in the Cocoa Quality Improvement Project participated in Video Viewing Clubs on cocoa quality.

STCP-Ivory Coast: Helping Cocoa Farming Families



In the small village of Pascalkro, 20 km from the Daloa district, the Sustainable Tree Crops Program worked with the local cooperative, Coopérative Agricole FIEDIFOUE, to set up a Farmer Field School for the cooperative's members. The cooperative is one of three cooperatives participating in the "Sustainable Production of Certified Cocoa" Project that provides farmers with the skills they need to

successfully complete the Rainforest Alliance certification process.

Mr. Philippe Douaye Traore, a cocoa farmer from the area, was selected to become the Farmer Field School facilitator.



He participated in training sessions on the Farmer Field School approach, Rainforest Alliance standards, and group dynamics.

At the start of the Farmer Field School, the cooperative had only nine members. It now has 30 fully registered members who are proud of their achievements. From the skills gained through the Farmer Field School sessions, members now have better knowledge of their cocoa farms and are able to make sound crop management decisions to improve quality as their farms undergo the Rainforest Alliance certification process.

The farmers will graduate from the Farmer Field School in September. In February 2007, Mr. Martin Meyer of Kraft Foods visited the cooperative with Mr. Robert Yapo Assamoi, STCP-Ivory Coast Country Manager.

Mr. Meyer was impressed by STCP's ability to improve farmers' technical skills and the use of the Farmer Field School methodology as a tool to strengthen farmer groups.

Farmer Field Schools/Sustainable Tree Crops Program - Ghana

Project Dates: Pilot Phase: 2003-2006, Phase II: 2007-2011

Country: Ghana

Funders: US Agency for International Development, World Cocoa Foundation and industry

Implementer: International Institute for Tropical Agriculture

Overview

The Sustainable Tree Crops Program (STCP) Ghana began as a pilot in 2003. Initial programming included farmer training through the Farmer Field School methodology, specialized training for women cocoa farmers through Video Viewing Clubs, and research, on areas such as pest management, tree diversification and fertilizer use, with active farmer participation. The success of the Farmer Field School and Video Viewing Club approaches in the early years of the pilot attracted the interest of local institutions from the public, private, and non-profit sectors. In 2006, the institutions underwent training to develop the capacity to implement their own farmer trainings using one of these approaches. It is anticipated that these and other local institutions will play a prominent role in scaling up farmer training during Phase II. In Phase II, STCP-Ghana will also address community organization development, alternative income opportunities for cocoa farmers, and policy initiatives for a sustainable cocoa economy that contributes to rural transformation and growth.

Program Objectives:

- To increase cocoa farmers income through intensification and promotion of responsible labor use;
- To contribute to rural transformation in the cocoa belt of Ghana;
- To enhance environmental sustainability of cocoa through agroforestry and tree diversification;

- To develop and validate models for improved self-organization capacities of cocoa communities; and
- To contribute to cocoa sector policy change through research and stakeholder dialogue.

Progress to Date:

- **2,437 Farmers trained through 85 Farmer Field Schools.** Farmers were trained in improved crop production and husbandry techniques, as well as HIV/AIDS and child labor sensitization through the participatory Farmer Field School approach. A total of 32 facilitators have been trained at the community and institutional levels. This includes ten facilitators from six local institutions who have since received further training to become master trainers. The local institutions now have the capacity to train facilitators to conduct Farmer Field Schools.
- **180 Farmers trained through 9 Video Viewing Clubs.** Five technical cocoa production videos covering 8 training topics have been developed. Topics covered include cocoa pests and diseases and quality management. Five of the Video Viewing Clubs were designed specifically for women cocoa farmers, and four were conducted for both men and women.
- **Farmer Field School graduates participate in three field research studies.** In the first study, 60 farmer graduates are working with a Cocoa Research Institute of Ghana scientist to test the use of pheromone traps for the monitoring and control of cocoa mirid, a common cocoa pest. In the second study, graduates from 11 communities are working with the STCP regional agroforestry specialist to determine tree diversification options and capitalize on farmers' decision making processes. The study will lead to the development of agroforestry training materials. Lastly, in the final study, approximately 460 graduates from 23 communities are undertaking participatory research on the effects, costs and benefits of using inorganic fertilizer for soil fertility management to intensify production.

- Five farmer organization advisors completed first round of training.** Working in partnership with SOCODEVI, STCP seeks to create local capacity in local institutions for the training of advisors to guide farmers/communities to better organize themselves. Improved farmer organization will enable cocoa farmers to access services, farm inputs and credit for improved farming. The trained advisors will be used in subsequent years to initiate community dialogue, mobilization and associated processes to facilitate the organization of cocoa farmers at the community level.

STCP-Ghana: Woman Farmer says, "Video Viewing Club Adawuruma"



Dorah Mensah is a 41-year old cocoa farmer with seven children who lives in the community of Bomfa in the Ashanti Region. She was a regular participant in the Video Viewing Club in her area where women gather to watch technical videos on cocoa production followed by discussions and field exercises with a trained facilitator.

"I am now the breadwinner of the family. I pay school fees for the children, provide their clothing and see to the upkeep of the household. These responsibilities were hitherto the sole preserve of my husband. Video Viewing Club, adawuruma [thank you]."

An excited Ms. Mensah explains that she and many of her fellow women farmers were gradually abandoning cocoa farming because of dwindling yields. *"Learning how to prune through the Video Viewing Club has helped us remove epiphytes and chupons as well as manage shade on the farm, which has helped us increase our yield and income."*



Farmer Field Schools/Sustainable Tree Crops Program - Cameroon

Project Dates: Pilot Phase 2003-2006, Phase II 2007-2011

Country: Cameroon

Funders: US Department of Agriculture, US Agency for International Development, World Cocoa Foundation and industry, Cocoa Buffer Fund of the Dutch Ministry of Agriculture

Implementers: International Institute of Tropical Agriculture (manager; production, marketing, policy), SOCODEVI (cooperative development), ISCOM (sustainable enterprise and chain management)

Overview

The "Tree Crop Production, Marketing and Livelihoods Project" focuses on the development of mechanisms for marketing and trade, processing of products, and productivity, as well as the building of institutional capacity at the local and national levels. The project is active in the Center and South West Provinces. A new project, UpCocoa will focus on increasing the capacity of cocoa farmers and their organizations to create professional, sustainable cocoa businesses. Now in the start up phase, UpCocoa will initially work with eight cooperatives with a total of 1,600 farmers in the Center Province.

Program objectives:

- To increase rural income in an environmentally and socially responsible manner;
- To promote policy, marketing, processing and production of two tree crops - cocoa and palm oil;
- To promote the production and marketing of cocoa and oil palm by-products and associated products such as plantain and non-timber forest products;
- To develop farmer organizations' capacity as agribusinesses and agricultural enterprises; and
- To develop local institutional capacity to provide production and marketing support services.

Progress to Date

- **2,237 Farmers Trained through Farmer Field Schools.** Farmers receive training through the participatory Farmer Field School approach, which covers topics related to integrated crop and pest management as well as quality improvement. Farmer Field Schools are led by trained facilitators. To date, 172 facilitators from the Ministry of Agriculture and Rural Development (MINADER) and producers from 11 farmer cooperatives in the Centre and the South West provinces have completed training. An additional 5,695 farmers benefited indirectly through farmer-to-farmer dissemination of information.

- **Sustainable farmer cooperative-led seedling production and distribution system developed.** Experts from the National Agricultural Research Institute for Development (IRAD) provide technical supervision while STCP facilitates, leads data collection, and provides basic nursery materials. To date, about 7,000 cocoa pods (covering roughly 100 hectares) and 50,000 pre-germinated oil palm nuts (for roughly 400 hectares) were provided to the cooperatives, while 20 propagator units were built for banana/plantain. A total of about 300 hectares of seedlings are now in nurseries. Cooperative technicians were trained in management of cocoa nurseries (60 people) and oil palm nurseries (70 people).

- **Ten local NGOs and public structures increased capacity of 11 cooperatives.** SOCODEVI's pilot project "Systemization Guide for Strengthening of Farmer Organizations" trained ten local non-governmental organizations and public entities to assist farmers in developing cooperatives. Currently, seven cooperatives are in the emerging stage and one is in the building stage. All are providing the following services to their members: supplying improved planting material, training on production best practices, and marketing of products. An additional 50 farmer groups have benefited from the project.

- **Research highlights:** STCP, IRAD and the National Forestry Agency (ANAFOR) are studying a farmer-developed cocoa agroforestry model with 625 cocoa trees per hectare and 100 associated trees in Center Province. Biological control candidates against black pod disease have been isolated. Participatory field trials are underway and bio-pesticide formation is being improved.

STCP Cameroon: Increasing Yields, Reducing Pesticides



Forty-two year old Mr. Mathias Evouna is a farmer from Nlonboni village in southern Cameroon. In 1995, following the death of his father, he left his undergraduate studies at the University of Yaoundé and returned to his village. He began a new seven hectare cocoa farm of his own and continued to maintain the 45 year old, one hectare farm he inherited from his father.

In the 2004-2005 cropping season, Mr. Evouna heard of an STCP Farmer Field School in the village of Mfida, 15 km from his home, where cocoa farmers were being trained in farm management practices such as pruning, shade management, chupon removal and sanitary harvesting. Mr. Evouna rode his motorbike to Mfida and enrolled in the Farmer Field School. He decided to test the new techniques he was learning on the land he inherited to see if he could achieve the same results he observed on the Farmer Field School demonstration plot. At the end of the season, he realized that his one hectare test plot accounted for approximately one third of his total yield despite using less fungicides and pesticides.

Pleased with the results, Mr. Evouna applied the new techniques to his entire farm for the 2005-2006 season. Although, his new approach requires some additional work, Mr. Evouna is convinced of the economic benefits. His neighbors are impressed with the tidiness and aeration of Mr. Evouna's farm. Inspired by his achievement, they contacted their local farmer cooperative to request a Farmer Field School in Nlonboni for the next season.

Farmer Field Schools/Sustainable Tree Crops Program - Nigeria

Project Dates: Pilot Phase: 2003-2006, Phase II: 2007-2011

Country: Nigeria

Funders: US Agency for International Development, World Cocoa Foundation and industry, Federal Ministry of Agriculture and Rural Development/National Cocoa Development Committee

Implementers: International Institute for Tropical Agriculture and national partners

Overview

Decades of underinvestment in the tree crop sector affected the rural economy of the tree crops belt of Nigeria, and cocoa, a major export-oriented cash crop, suffered a serious setback. From 2003-2006, STCP-Nigeria worked with national partners to demonstrate innovative approaches to improving the productivity of cocoa farms in an environmentally friendly and socially responsible manner. This was accomplished through farmer training using the Farmer Field School approach and the strengthening of farmer organizations for effective member services and profitable trade engagements. STCP-Nigeria Phase II seeks to improve economic and social well-being of smallholder tree crop farmers by building on its prior successes and promoting a resilient and supportive policy environment.

Program Objectives:

- To enhance productivity of cocoa farms in an environmentally and socially responsible manner;
- To improve marketing efficiency in the cocoa sector;
- To promote income alternatives in cocoa farming communities; and
- To promote improvement in policy environment for effective transformation of the rural economy.

Progress to Date:

- **Four States have the capacity to implement Farmer Field Schools.** As a result of the successes of Farmer Field School approach in the Pilot Phase, the National Cocoa Development Committee commissioned STCP-Nigeria to develop the capacity of cocoa producing states to implement Farmer Field Schools through their extension services. Abia, Cross River, Edo and Osun States now have the capacity to develop, implement and manage the participatory Farmer Field School approach to farmer training. The states are expected to begin their first Farmer Field Schools by May 2007.
- **2,984 Farmers trained through Farmer Field Schools.** STCP-Nigeria trained 2,204 farmers through Farmer Field Schools while an additional 6,612 benefited indirectly from farmer-to-farmer diffusion of knowledge. An additional 780 farmers were trained through Farmer Field Schools funded by the Sustainable Practices in Agriculture for Critical Environments (SPACE) Project, and 16 Farmer Field Schools were funded by Cross River State and farming communities. An additional 1,560 farmers benefited from these efforts indirectly through farmer-to-farmer training. In all the schools, farmers received training on topics related to integrated crop and pest management, quality improvement, and farm safety (including the safety of children).
- **Four Nursery Sites Established.** STCP-Nigeria began a project with the state governments, the Cocoa Research Institute of Nigeria, the National Cocoa Development Committee, and the Federal University of Technology Akure, to develop a farmer organization/community-led seedling production and distribution system. One nursery was established in each participating state, and selected communities were trained in nursery management.
- **Cooperative Union adopted Collective Marketing Arrangement.** The Tonikoko Farmers Cooperative Multipurpose Union adopted a collective trading arrangement. The scheme is flexible and being

implemented at the zonal level to allow primary societies to opt out of the agreement if they choose. The Union is being assisted to identify credible buyers and nurture business relationships with them.

STCP-Nigeria: Cocoa Farming Communities Secure Greater Support



One of the challenges facing cocoa production in Nigeria is the low participation of non-public organizations (including private sector entities, non-governmental organizations and farmers) in the packaging and delivery of extension services to help farmers.

Agricultural extension has been the traditional role of government agencies. With dwindling budgets, the sustainability of this role is now questionable.

The Farmer Field School approach has the potential to promote farmers' active involvement, not only in developing appropriate agricultural practices but also in co-financing extension delivery. This is being demonstrated by some cocoa farming communities in Cross River State, Nigeria.

In 2005, STCP-Nigeria implemented a pilot Farmer Field School cycle in Cross River State under the auspices of a USAID-funded project managed by ARD: Sustainable Practices in Agriculture for Critical Environments (SPACE). The success of the pilot scheme stimulated local demand for more Farmer Field Schools.



Participants at a Farmer Field School planning meeting between the communities and government, facilitated by STCP, and attended by nongovernmental organizations such as Development International Nigeria (DIN) and Grassroots Development Organization (GRADO).

In 2006, 16 communities who were not part of the pilot scheme expressed interest, not only to host Farmer Field Schools but also to co-finance them. It was an exciting development and opportunity, which both the SPACE and STCP teams felt should be encouraged and supported.

With complementary financial support from SPACE and technical assistance from STCP-Nigeria, 16 Farmer Field Schools were successfully hosted by the communities to the admiration of their neighbors. In total, the 16 schools "graduated" 480 farmers, apart from those who benefited through farmer-to-farmer knowledge sharing.

Reacting to the development, a Director in the Cross River State Ministry of Agriculture, Mr. Chris Idu, remarked (as translated) "*It is the first time this is happening in Nigeria. It is a pathway that can reduce cost of extension delivery.*" In the 2007 cropping season, about 50 new communities have indicated interest and approached their state government for partnership in establishing Farmer Field Schools in their communities.

The Cross River State Ministry of Agriculture has responded with equal level enthusiasm and willingness to partner with the communities. STCP-Nigeria is helping the communities and the Ministry to develop a protocol of engagement that can be replicated elsewhere in the country. When fully developed, this extension delivery approach, which is a marked departure from the traditional approach, will place farmers in a position to take ownership of extension delivery.

Farmer Field Schools/Sustainable Tree Crops Program - Liberia

Project Dates: 2006-2011

Country: Liberia

Funders: US Agency for International Development, World Cocoa Foundation and industry (through regional core program support)

Implementers: International Institute for Tropical Agriculture (manager, production, marketing, policy), SOCODEVI (cooperative development), University of Tennessee (marketing)

Overview

Liberia is emerging from a devastating long civil war (1989-2003) during which agricultural activities were severely disrupted and the agricultural research system destroyed. Cocoa has traditionally been a key commercial and poverty reduction crop in Liberia. An estimated 28,000 hectares were planted with cocoa by 1987; however recent production levels average around 2 to 3,000 metric tons per year. Nevertheless, cocoa presents an opportunity to start improving the livelihoods of farmers and providing a solid platform for rural development. Production can be restarted, initially through tree rehabilitation and improved management, followed by replanting with appropriate planting material. Cocoa can generate relatively high incomes, particularly with an improved marketing system, while increasing productivity on existing farms can discourage expansion into forests. The Sustainable Tree Crops Program (STCP), building on its experience in the West Africa Region, aims to address these areas. STCP will work in Nimba, Bong and Lofa Counties.

Program Objectives:

- To implement technical packages to raise productivity and product quality;
- To strengthen farmer/community groups to better interface with markets and enhance democracy;
- To develop efficient marketing options associated with relevant information systems; and

- To engage public and private stakeholders to address policy and institutional constraints.

Progress to Date:

- **19 facilitators and one master trainer trained in cocoa Integrated Crop and Pest Management.**
Facilitators were trained in February 2006, followed by the establishment of 15 Farmer Field Schools covering 45 communities in two districts of Nimba County.
- **349 Farmers trained through Farmer Field Schools.** The first cocoa Farmer Field School sessions on integrated crop and pest management and quality improvement ended in November 2006; 41 women cocoa farmers were among the graduates. This participatory approach to farmer training also includes modules on HIV/AIDS and child labor. Most participants expressed an interest in group sales and asked that STCP assist with identifying buyers.
- **Roundtable on Liberian cocoa sector held.** The May 2006 Roundtable identified action points to contribute to the development of the cocoa sector and promote it as an engine for poverty alleviation, job creation and overall economic and social development. Participants included representatives from the local public and private sectors, as well as regional and international experts.
- **Policy consultations conducted.** The STCP country manager participated in discussions with the Liberian Ministry of Agriculture and Liberian Senate Agriculture Committee regarding the role of the Liberia Produce Marketing Corporation. The Minister of Agriculture requested that STCP assist with drafting an act that would recommend the full liberalization of the produce market, including the tree crops market, and establish a regulatory mechanism.

- **Baseline Survey Conducted.** In collaboration with the Ministry of Agriculture and the University of Tennessee, STCP conducted a household and marketing survey in the three counties as a baseline for the program. Results will be discussed at the second Roundtable on the cocoa marketing and policy.
- **Farmer organizations visited.** SOCODEVI visited 35 organizations that are potential participants for its organization strengthening activities; they are currently undergoing the selection and evaluation process.

STCP-Liberia: Liberian Grandmother is a Giant in Farmer Field Schools



"Thank God for STCP [the Sustainable Tree Crops Program] that allowed me to get six large bags of cocoa to sell for the first time since 1990," says (as translated) Farmer Field School graduate Ms. Kartuah Sehweah. The 68-year old widow, with eight children and grandchildren, uses the extra income to pay her grandchildren's school fees.

Ms. Sehweah lives in Nimba County, Liberia, an area hard hit by the civil conflict during which many people left their farms. Ms. Sehweah was the only woman out of 28 participants in her Farmer Field School session, but her male colleagues looked up to her calling her a "giant" in the Farmer Field School. She was eager to learn and apply the new techniques to her 3 acre farm. Reflecting on what she learned she noted (as translated), *"I did not know that the diseases we see on*



the trees could be controlled." Ms. Sehweah was one of 349 farmers in Nimba County to complete ten months of farmer training last year.

Child Labor Alternatives through Sustainable Systems in Education (CLASSE)

Project Dates: June 2004 to December 2007

Country: Ivory Coast

Funders: The World Cocoa Foundation, Mars Inc., the Norwegian Association of Chocolate Manufacturers and Cloetta Fazer AB

Implementer: Winrock International

Overview

The CLASSE program improves agricultural capacity and prevents child labor by strengthening educational relevance for stakeholders in the cocoa farming sector. The program is active in: Adzopé, Affery, Agboville, Alepé, Asseudji, Biéby, Bonahouin, Dabguikoi, Ehouéguié, Offompo, and Yadio.



Program Targets

- 1,140 in-school and 60 out-of-school students will receive vocational agricultural training;
- 115 students and their mothers will receive micro-credit scholarships;
- 8,500 youth will be sensitized to child labor and 8,500 will be sensitized to HIV/AIDS;
- 240 students will participate in agriculture clubs;
- 11 cocoa demonstration plots and 10 school gardens will be established;
- One tree-replication nursery will be established; and
- Ten schools will be renovated.

Progress to Date

- **1,686 children and youth have completed agricultural training.** As of the end of the 2005-2006 school year, 1,682 in-school and four out-of-school youth completed agricultural youth leadership training. Topics covered include farming techniques for cocoa and other crops, child labor prevention, HIV/AIDS awareness, small business training, and leadership skills.

- **156 students and their mothers received micro-credit scholarships.** Micro-credit scholarships are designed to support youth education while increasing the income of the student's mother. Awardees receive funds equal to three years of school fees. The mother recipient pays her child's school fees for the first year and invests the remaining funds in her business. Under the terms of the agreement, the recipient is to pay the child's school fees for the next two years. Of the first mothers to receive the scholarships, 100 percent paid their children's school fees for all three years.
- **1,278 youth sensitized to child labor.** Youth are receiving training through the ILO's SCREAM methodology which uses the arts to teach youth about child labor issues.
- **7,288 youth sensitized to HIV/AIDS.** Youth are receiving training prevention and risk reduction, and have organized World AIDS Day events for other youth in their communities. Events included activities such as a candlelight procession, a talk on HIV prevention, and discussions with people living with HIV/AIDS.
- **219 students participated in agriculture clubs.** Agriculture clubs engage in a variety of activities depending on members' interests including: maintaining school cocoa and vegetable plots, participating in agribusiness training, organizing events and learning to use computers.
- **9 schools renovated; 10 cocoa plots, 11 school gardens, and 1 tree-replication nursery established.** School renovations have included: school buildings, latrines, classrooms, security measures, and a computer lab. The cocoa demonstration plots are used to provide hands-on experience, as appropriate, to complement the agricultural training, and the profits from the plots are used to support the school. The school garden plots provide practical experience with other crops and are a source of fresh fruits and vegetables for the school canteen. The nursery is for

use in demonstrations and research on tree replication.

Success Story: Youth Excels in Leadership Program



Nineteen year old Firmin lives in the village of Yadio, Ivory Coast. Coming from a poor family of low social standing, Firmin left school at age 13.

Life began to change for him when he started to attend CLASSE agricultural leadership classes for out-of-school youth.

Through the program, he learned farming techniques for cocoa and other crops, child labor prevention, HIV/AIDS awareness, small business training and leadership skills.

Upon graduation in November 2006, he began to put his new skills into practice establishing a nursery (pictured at left) and helping his father to modernize his farm. On his own plot of land, negotiated from his father, Firmin planted 1,666 cocoa trees.

Adults and other youth in the community began to visit Firmin asking him for more information on his farming practices and sometimes seeking his assistance to modernize their farms. He notes (as translated), *"People admire my knowledge. They often visit my farm to observe while I work."*



With a desire to help others and his new status as a resource for other farmers, Firmin approached CLASSE about becoming one of the first master youth trainers under a new pilot initiative. As a master youth trainer, Firmin will supervise youth activities in Yadio when a CLASSE agent is unable and visit participants' farms to identify common mistakes and offer suggestions for improvement.

Establishment of Resource Centers at Teacher Training Institutes in Ghana and the Ivory Coast

Project Dates: May 2005–August 2007

Country: Ivory Coast and Ghana

Funders: The World Cocoa Foundation and The Hershey Company

Implementer: International Foundation for Education & Self-Help

Overview

The program's objective is to promote sustainable educational reform in cocoa growing communities of Sub-Saharan Africa through the establishment of teacher resource centers, provision of needed equipment, and the provision of improved teaching methodologies. Activities are based at teacher resource centers established at teacher training colleges. In Ivory Coast, the program is active in Aboisso, Alepé and Yamoussoukro. In Ghana, it is active in Bechem, Berekum, Kumasi and Wiawaso.

Program Objectives:

- To train 2,400 pre-service and in-service teachers in improved teaching methodologies;
- To indirectly benefit 40,000 school children through improved teaching approaches;
- To equip four teacher resource centers and provide two containers of supplies; and
- To train 2,000 people from cocoa growing communities in Ivory Coast in functional literacy.



Progress to Date

- **3,396 Teachers Trained.** Pre-service and in-service teachers receive training through classes and workshops at the teacher resource centers. IFESH Volunteers lead the classes and workshops that emphasize development of creative teaching materials and use of interactive teaching methods for primary and secondary level classrooms. To date, 1,793 teachers in Ghana and 1,603 teachers in Ivory Coast have benefited.
- **137,033 primary and secondary children reached indirectly through Trained Teachers.** Based on the number of teachers trained and average class sizes, approximately 72,913 students in Ghana and 64,120 students in Ivory Coast are benefiting from more interactive approaches to teaching and learning.
- **Four Teacher Resource Centers equipped and two Containers of Supplies provided.** The centers at Bechem and Kumasi in Ghana, and Aboisso and Yamoussoukro in Ivory Coast were each supplied with a laminating machine, a photocopier, two computers, and a scanner/printer. Teachers may use the centers to develop learning materials for their classrooms. To support the maintenance of the center, others are welcome to use the center's resources for a nominal fee.
- **1,080 Residents of Cocoa Communities in Ivory Coast are receiving Literacy Training.** IFESH volunteers developed a functional literacy manual and trained 36 tutors to teach adult literacy to residents of 36 communities in Aboisso, Alepé, and Yamoussoukro, 12 in each area.

Success Story: Literacy Classes improve Community Livelihoods

The residents of Andou M'Batto in Alepé, Ivory Coast, were excited when their community was selected as one of the first communities to participate in the functional literacy project. Both men and women have the opportunity to attend the adult literacy classes, which meet for three to four two-hour sessions per week. The classes are led by a tutor trained in the functional literacy curriculum and manual developed with cocoa growing communities in mind. To complement the project, small project funds are available for community development projects. Ms. Bernadette Ohoussou Sidje and Mr. Marcellin Ohoussou are two of the many literacy students that realized the benefits of their new literacy skills.

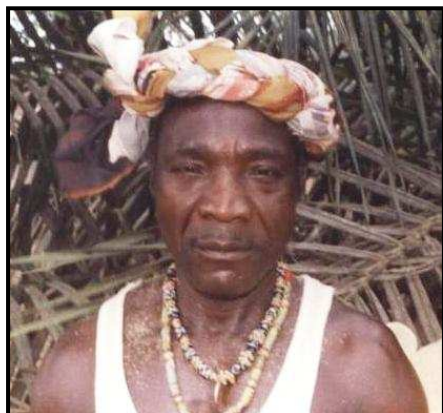
Ms. Ohoussou Sidje (pictured at right), like many of the women of Andou M'Batto, assists her husband on their cocoa farm and is responsible for processing their cassava crop after harvest. Ms. Ohoussou Sidje was interested in attending the literacy classes but knew that her ability to do so would be limited by the time consuming task of rasping the cassava.



At one time the village had a cassava mill, but it had fallen into disrepair and the women had to rasp the cassava by hand. With the small project funds that were available, the community decided to repair the cassava mill to facilitate the women's participation in the classes. With the mill in working order, Ms. Ohoussou Sidje was able to join the literacy class.

"With literacy classes, I can now learn without feeling ashamed. I now feel self-confident," says (as translated) Ms. Ohoussou Sidje also noting that she now has basic numeric skills and is able to read and write her name and simple words. She will soon be able to read letters from

her husband and know when to take her children for vaccinations. She is happy in her new role as manager of the cassava mill, where she works with two other literacy students. The women apply their new knowledge regularly to keep records of mill operations and make projections.



Mr. Ohoussou Marcellin (pictured at left), a 54 year old cocoa farmer with six children, is participating in the Andou M'Batto Farmer Field School offered by the Sustainable Tree Crops Program. Through the Farmer Field School, he has been learning new crop and pest management techniques to increase production and improve quality. He has been applying this knowledge on his farm and is pleased with his farm's new, neat appearance.

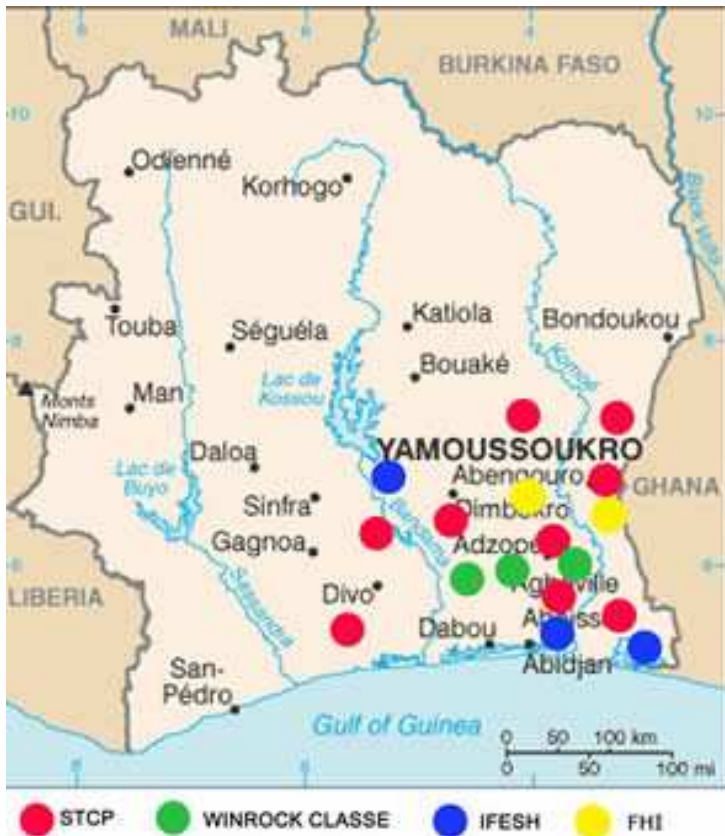
However, he felt that his ability to fully realize the benefits of his training was hindered by his inability to read and write. Now that he is participating in the literacy classes, Mr. Ohoussou reports that he is better able to understand the Farmer Field School training. He plans to apply his literacy and numeric skills to improve his managerial capability, as well as gain a better understanding of cocoa pricing information and engage with the buyers of his cocoa.

APPENDIX

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Appendix B ...	World Cocoa Foundation and Industry Programs in Ghana
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Appendix A: World Cocoa Foundation and Industry Programs in the Ivory Coast



International Institute of Tropical Agriculture:
Sustainable Tree Crops Program (STCP)*

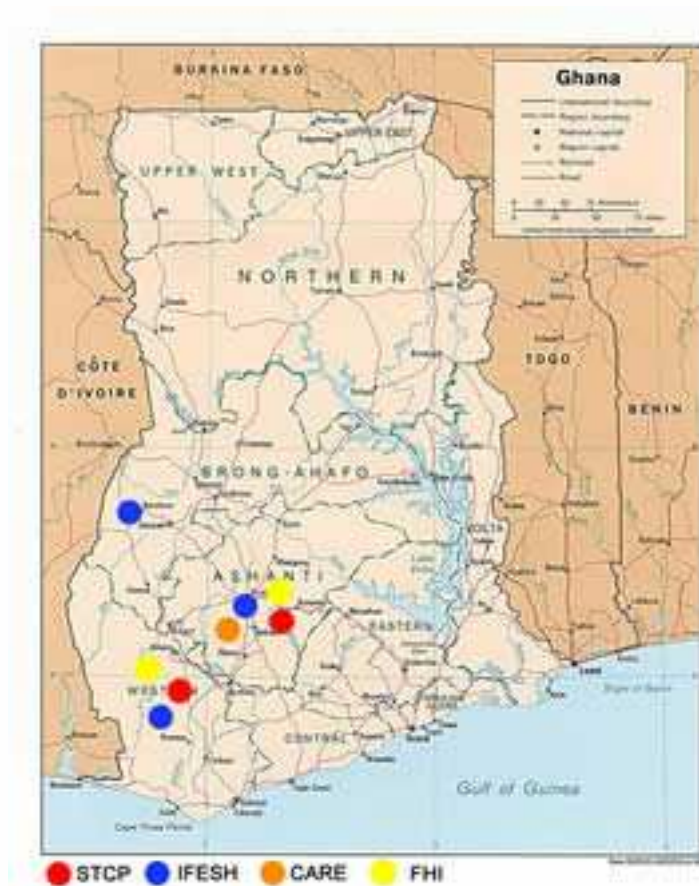
Winrock/CLASSE Program*

International Foundation for Education and Self-Help
(IFESH): Teacher Training and Functional Literacy Projects*

Family Health International: Strengthening Health &
Wellness Activities in Cote d'Ivoire (HIV/AIDS and malaria
sensitization)*

**World Cocoa Foundation supported programs*

Appendix B: World Cocoa Foundation and Industry Programs in Ghana



International Institute of Tropical Agriculture:
Sustainable Tree Crops Program (STCP)*

International Foundation for Education and Self-Help
(IFESH): Teacher Training Project*

Family Health International (FHI): Strengthening Health &
Wellness Activities in Ghana (HIV/AIDS and malaria
sensitization)*

CARE/Rural Education Program

**World Cocoa Foundation supported programs*

Appendix C: ILO "WACAP" Technical Progress Report

(See attached)



Responsible, Sustainable Cocoa Farming: Individual Company Efforts

SUBMITTED ON BEHALF OF:

- **Archer Daniels Midland**
- **Armajaro**
- **Barry Callebaut**
- **Cadbury Schweppes plc**
- **Cargill**
- **Kraft Foods**
- **Mars Incorporated**
- **Nestlé**

September, 2007

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Overview

In July, 2007, the chocolate and cocoa industry submitted an initial report detailing the work that is being done, on an industry-wide basis, to improve the well-being of children, families, and communities in the cocoa farming sector.

This industry-work is done through a number of organizations, such as the World Cocoa Foundation. Yet it is by no means the only work being done in cocoa farming communities in West Africa.

In fact, many individual companies have undertaken extensive work, throughout Africa, to help both the people and the communities that depend upon cocoa for their livelihood.

What follows in this report is an overview of programs, currently underway, supported on an individual company basis by the following:

- Archer Daniels Midland
- Armajaro
- Barry Callebaut
- Cadbury Schweppes plc
- Cargill
- Kraft Foods
- Mars Incorporated
- Nestlé

These programs profiled on the pages that follow are making a real difference, improving conditions in West African cocoa farming communities and the lives of the people who live and work there.

While this is not an exhaustive list of all the activity on the ground, it provides a snapshot of how these eight companies - and others like them - are making a difference.

Archer Daniels Midland Company (ADM)

Archer Daniels Midland Company / ADM Cocoa Sifca

Health & Safety, Compliance & Ethics, HIV/AIDS Programs

Objective

- Provide world-class business operations standards and provide services and training to ADM employees. Beyond compliance with Ivorian social and labor regulation, ADM Cocoa Sifca offers programs to all of its Ivorian operations and participating suppliers.

Programs

- Health & Safety Program - ADM Cocoa Sifca has developed health, safety and security policies and programs at our factories that apply to full-time employees and day laborers, including a permanent staff of medical professionals to assist employees.
- Compliance & Ethics Program - ADM's Cocoa Division (like all divisions of ADM) participates in "The ADM Way" a company-wide Compliance and Ethics Program.
- HIV/AIDS Program - ADM Cocoa Sifca has initiated a public health education, prevention and treatment program available to all full-time staff, their families, day laborers, retired employees and participating farmer co-op suppliers.

Partners

- The HIV/AIDS Program is administered while working closely with the National Agency for Tropical and Infectious Diseases.

Duration

- These programs will remain in place as ADM continues to support the communities in which it operates.

Impact

- These programs impact all 400 permanent and 1000+ temporary and seasonal ADM Cocoa Sifca employees at facilities in Cote d'Ivoire.

ADM Cocoa Sifca: bean sourcing and drying in Abidjan (Anyama, Stocaci)

UNICO: bean drying in San Pedro

UNICAO: bean processing in Abidjan

- The programs have had a positive impact on thousands since their inception.

Cooperative Capacity Building Programs

Objectives

- Positively impact economic, social and environmental practices and outcomes with participating farming cooperatives.
- Management capacity building within farmer co-operatives.

Program

- The Technical Training Program developed by ADM Cocoa Sifca includes specific information and elements on labor, farm safety and HIV/AIDS prevention. The program sensitizes/educates co-op members regarding well established, international conventions relating to the differences between child labor and child work.

- To encourage positive development efforts within farmer co-ops, the ADM Cocoa Sifca Technical Training Programs include training, assistance and incentives:
 - Transparent Quality / Value Scale
 - Transparent Quality Control and Weighing Procedures
 - Financial support: Seed money as crop season begins along with millions of dollars of revolving credit at very low interest rates.
 - Crop End Quality Bonus and Volume Bonus: ADM Cocoa Sifca is recognizing premium co-op deliveries by paying premiums for quality and quantity leading to an increasing share of cocoa sourced from such co-ops.
 - Co-op capacity building
 - Co-op management training
 - Donation of more than 100 computers to co-op partners.

Partners

- ADM Cocoa Sifca developed these programs in-house and now is working with the STCP Program to broaden the impact of both programs.

Duration

- ADM Cocoa Sifca initiated, developed and began conducting Technical Training Programs in 2001. The Training Programs continue as conditions in Cote d'Ivoire (safety, stability, etc.) permit.

Impact

- These programs are operating throughout the cocoa growing regions in the Cote d'Ivoire.
- ADM Cocoa Sifca Technical Training Programs have provided seminars to over 10,000 co-op member attendees. Indirectly, these programs are estimated to have benefited over 100,000 including individual farmers and their immediate families.

Relationship with the Sustainable Tree Crops Program (STCP)

Objectives

- ADM has long supported the Sustainable Tree Crops Program (STCP). Today, ADM Cocoa Sifca helps provide opportunities for farmers from newly enrolled cooperatives to participate in the STCP's Train the Trainer Field Schools.
- ADM Cocoa Sifca contributed funds so that eight co-ops in the Eastern region of Cote d'Ivoire could participate in the STCP's Train the Trainer Field School. These training activities use the co-op channel to train technical advisors to disseminate training among thousands of co-op members.

Program

- ADM Cocoa Sifca entered into a memorandum of understanding with the STCP in October 2003.

Partners

- ADM is actively supporting the STCP and ADM personnel are members of the STCP Steering Committee.

Socially & Environmentally Responsible Agricultural Practices (SERAP) Pilot Program

Objective

- The SERAP Program seeks to transparently amplify economically, socially and environmentally sustainable, responsible practices within participating farming co-operatives.

Program

- The SERAP Program transparently rewards certain co-ops committed to implement Socially & Environmentally Responsible Agriculture Practices.

- Establishes specific criteria for grading participating co-ops.
- Co-ops are scored on their efforts to achieve SERAP objectives.
- Aspects of scoring include:
 - Co-operative Management (judicial and fiscal responsibility; acceptance of SERAP audits; formal commitment to SERAP values and plan; independent audits of compliance).
 - Quality Management criteria.
 - Social Environment Management (sensitizing on international labor conventions and best practices; action plans; HIV/AIDS prevention; security training on pesticide use; respect for labor and contract laws; action plans for continued education).
 - Physical Environment Management (integrated pest management use; safe/ effective insecticide/fertilizer use; forest protection).
 - Respect for Commitment to SERAP premium plan.

Partners

- ADM Cocoa Sifca developed this pilot program to address customer needs.

Duration

- ADM Cocoa Sifca developed and launched the Socially & Environmentally Responsible Agricultural Practices (SERAP) Program in West Africa in 2005.

Impact

- SERAP Program was scaled up (from six co-ops to 10 co-ops) for the 2006/07 growing year.
- 2005-06 growing year: six co-ops participating, involving approximately 10,000 co-op farmer members. Over 4,000MT of cocoa sourced.

- 2006-07 growing year: 10 co-ops participating representing over 15,000 co-op farmer members. Over 10,000 MT of cocoa was sourced.

Ivorian School Canteen Program

Objectives

- Improve nutritional status and health of children through regular inclusion of protein in school meals.
- Provide incentive to parents/caretakers to send children to school.
- Invest in education and nutrition for the general economic well being of the communities and the country.

Partners

- ADM Cocoa Sifca works in conjunction with the World Food Program and the Ivorian School Canteens Program of the Ministry of Education.

Duration

- Pilot program started in school year 2004/05, overlapped into school year 05/06 due to security situation.
- Second phase has just started. (Expected impact will be approx 80,000 children.)

Impact

- Pilot project reached 257 primary schools and 79,000 children in five areas of the country.

UPCOCOA Project - Cameroon

Project web site: <http://www.iscom.nl/upcocoa/>

Objectives

- Improve the upstream trade of cocoa in Cameroon by means of sustainable supply chain management within farmer cooperatives.
- Improve the capacities at co-operatives by addressing marketing, institutional and social capacities, quality management, productivity and sustainable agriculture.

Partners

- Partners represent stakeholders throughout the cocoa value chain: the Institute for Sustainable Commodities (ISCOM); the International Institute of Tropical Agriculture/Sustainable Tree Crops Program (IITA/STCP); ADM Cocoa B.V.; Masterfoods/Mars; Rabo International Advisory Services (RIAS); and the UPCOCOA Consortium of Cocoa Cooperatives in Cameroon (UCCC).

Duration

- UPCOCOA started in October 2006.
- This is a four-year project.

Impact

- The project will initially work with eight cooperatives, comprising about 1,600 farmers.
 - The learning experiences from this project will be available to the Cameroonian cocoa sector and the wider business community.
-

Armajaro

Armajaro

Armajaro has sourcing operations throughout West Africa with its principal activity in Ghana and Ivory Coast. The firm has a strong belief that poverty is the main problem facing West Africa.

Armajaro in Ghana

In Ghana, Armajaro is one of only two international firms active in the domestic market buying cocoa from farmers. It is also the only company able to supply traceable Ghana cocoa to customers after carefully developing a system with the CMC to ensure the integrity of all cocoa categorized as traceable.

With specific regard to child labor, it should be noted that in Ghana the cocoa industry is well regulated and Cocobod is in charge of this issue as it pertains to cocoa. Our district managers have participated in several workshops organized by Cocobod and are actively involved in disseminating such information to the cocoa farmers. Our commitment to traceable cocoa as the ideal model going forward, will intensify our close links to individual farmer groups especially in the Juabeso District where the traceability project first developed.

In collaboration with the Sustainable Tree Crops Program (STCP) we have arranged that farmers receive video training sessions. Such programs emphasize good agricultural practices designed to boost yields and quality, but in the context of encouraging sensitivity to the environment - both physical and social. Particular attention is paid to safety where training involves correct use of tools, equipment and the use of potentially dangerous chemicals on the trees and soil.

In addition, as part of its general corporate tradition, the Armajaro Foundation continues to supply practical assistance to local communities in the form of hand-dug wells, electricity poles and school furniture.

Armajaro in the Ivory Coast

In Abengorou and Daloa, Armajaro is an active partner in a multi-disciplinary project that brings together Kraft, GTZ and USAID as well as the Rainforest Alliance. The objective of the plan, which runs from November 2005 to March 2009, is to increase smallholders' income while simultaneously adding ecological and social benefits to the community.

As in the Ghana model, the program aims to do this by promoting good farming practices whilst also strengthening the existing social infrastructure. ANADER (National Agency for Rural Development) is involved in the provision of extension services.

Armajaro contributes its commercial and marketing expertise with the objective of stabilizing farm income and facilitating medium term planning for participant farmers.

Other parts of the project will focus on management of natural resources e.g. soil fertility and social programs (GTZ) that aim to eliminate any forms of abusive child labor thereby helping restore the reputation of Cote d'Ivoire in the world market.

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Barry Callebaut

Barry Callebaut

Empowering cocoa farmers - Barry Callebaut has long been engaged in activities to support cocoa farmers and cocoa farming communities. We regard these activities as an important factor in ensuring a sustainable cocoa industry.

Ivory Coast:

Barry Callebaut Partenaire de Qualité / Quality Partner Program

Barry Callebaut and its Ivory Coast subsidiaries Société Africaine de Cacao (SACO), Barry Callebaut Négoce and SN Chocodi launched a multi-year initiative with cocoa farmer cooperatives in September 2005.

Called Barry Callebaut - Partenaire de Qualité (Quality Partner), the program aims to create a sustainable, positive spiral in a difficult economic and political environment.

Creating a quality spiral

The goal is to provide farmers with access to better training in agricultural techniques and how to manage their business and personal finances, as well as access to healthcare for themselves and their families, and sensitization about child labor issues and the importance of schooling for their children. The training enables farmers to improve the quality of their farms and business practices and to deliver more and better-quality cocoa beans. Higher crop yields of better-quality beans create opportunities for farmers to earn more. The significant increase in the incomes of farmer families will enable them to improve their living conditions and achieve greater economic security.

Why training is needed

Farmers in Ivory Coast grow cocoa on small family-run farms and do not always have the means or the skills to apply best practices in growing and harvesting their crops.

Working in partnership with cocoa cooperatives and the rural development agency ANADER (Agence Nationale d'Apui au Développement Rural) of Ivory Coast, we have invested in training and health initiatives for farmers. The purpose of the training is to enable farmers to improve the quality of their agricultural and business practices so that they can continually increase their crop yields as well as the quantity and the quality of their beans over time.

Three levels of quality partners

To improve the quality of the cocoa beans can take several years. To ensure that the partnership will have a major and enduring influence on the lives of cocoa farmers and their families, Barry Callebaut has worked to set realistic short-, medium- and long-term goals. These goals correspond to the three levels of partnership in the Quality Partner program.

A cooperative at the first level - "recognized partner" - is required to contribute at least 250 tons of beans, of which more than 20% are quality grade, per season. In addition, the cooperative must have at least one warehouse.

A cooperative at the second level - "preferred partner" - is required to contribute more than 750 tons of beans, of which more than 30% are quality grade, per season. In addition to at least one warehouse, the coop must also own at least one motor truck.

A cooperative at the third level - "privileged partner" - is required to contribute more than 1,500 tons of beans, of which more than 50% are quality grade. In addition to a warehouse and truck, the coop must have a computerized business system.

Barry Callebaut's goal is to provide training and support so that each selected cooperative progresses from the entry level of "recognized partner" to the top level of "privileged partner" ideally within a period of three years.

Learning curve

The Quality Partner program was launched in September 2005 for the bean crop season 2005/06. It started with a training program that covered agricultural techniques, administration and accounting, the cocoa markets and sensitization to child labor issues. After an independent audit in the field by ANADER of 58 cooperatives, 30 cooperatives were selected to participate in the new campaign in 2006/07 and 15 new cooperatives were invited to be partner-candidates. Partner-candidates participate in the program and follow its guidelines, but are not categorized as level 1, 2 or 3 partners. They are observed during the year and may become a partner in the next year if the program guidelines are well-respected.

Working together, Barry Callebaut and ANADER conducted training and audited the performance of participating coops in 2007.

As of July 2007, 45 cooperatives, each representing from 150 to 800 cocoa farmers, were participating in the Quality Partner program. Thirty coops were partners and 15 were partner-candidates. Of the 30 categorized partners, eight cooperatives were partners at the first or entry level ("recognized partner") and four were partners at the second level ("preferred partner"). No cooperatives were yet partners at the third or highest level ("privileged partner"). Eighteen of the 30 participating cooperatives had not yet reached the required qualifications of the first level.

Why quality matters

There are clear economic incentives for the cocoa farmers who participate via their cooperatives in the Quality Partner program. For well-dried beans, a premium price is paid by Barry Callebaut to the cooperatives which then pass on the premium to the farmers. An additional premium is paid for well-cleaned beans, which have foreign matter of less than 1% of the beans delivered. In addition, an extra premium is paid at the end of the each bean campaign if the average quality of the beans supplied fulfils certain quality criteria. These three factors combined can enable farmers to earn more than 10% above current prices.

The Quality Partner program benefits Barry Callebaut in distinct ways. It provides access through our cooperative partners to multiple sources of quality beans. It also improves traceability. All participating cooperatives must agree to an independent audit by ANADER. This helps Barry Callebaut ensure that our Quality Partners comply with our standards for ethical business practices.

Training: an investment in the future

Quality Partner training sessions are held in local villages, at Barry Callebaut's training center at its bean collection center in Abidjan and at the ANADER training centers around the country.

Since the program was launched in September 2005, we have conducted 33 training sessions, attended by more than 850 cocoa farmers.

The training programs are tailored for managers and employees of cooperatives, for union managers and employees, and for delegates and cooperative members. A program to raise awareness about child labor is planned for inclusion in the ANADER training sessions.

Training frequency and schedule

The first audit established the training requirements for each partner. On the basis of these results, a three-stage training program spanning a period of three years has been developed. The first stage of training was held from November 2006 to March 2007. The second stage will start in February 2008 and continue through to May 2008, so that the training does not coincide with the main harvest when farmers are unavailable.

How is progress measured?

Progress is reflected in the tonnage subsequently produced and the quality of the beans delivered. Moreover, an audit is planned to check that the knowledge acquired during training is actually being applied on the ground.

Brazil:

Organic cocoa farming creates new opportunities

Barry Callebaut launched a project in 2001 to develop a source of certified organic quality cocoa in the state of Bahia, Brazil. The south of Bahia was historically known as one of the world's largest cocoa producing regions, but a widespread attack of the Witch's Broom fungus devastated the area in the 1990s. Cocoa bean production plummeted from a high of about 400,000 tons to 100,000 tons in 2000. Production has begun to increase slowly, and was about 170,000 tons in 2004/05. Barry Callebaut's Organic Cocoa Project offers cocoa farmers in Bahia an opportunity to improve their livelihoods as they restore their farms.

To meet international standards for organic farming and manufacturing, a product must be cultivated, produced and processed in a highly responsible social and natural environment, without the use of any artificial fertilizers, genetically manipulated substances or chemical preservatives. The Instituto Biodinâmico (IBD) is the

organization that awards and oversees organic certification in Brazil. It is accredited by the International Federation of Organic Agriculture Movements (IFOAM) and by the Deutsche Akkreditierungspruefwesen (DAP-EP). Organic certification is awarded to eligible cocoa farms following an audit by IBD and then once a year an audit must be passed for re-certification.

The Barry Callebaut Brazil cocoa conversion project involves educating farmers about the benefits and techniques of organic cocoa farming; assisting them to convert from conventional to organic farming; hiring and training field technicians for each buying station; and ensuring compliance with the requirements of organic certification.

We collaborate with an advisory firm, Sertão Verde, which specializes in organic conversion programs. Two employees from Sertão Verde, Richard Charity, director of the company, and Rachel Soraggi, a biologist, provide technical and scientific expertise to field technicians and farmers. They visit participating farms, help with project organization and serve as liaisons with IBD.

Seven target areas have been identified for the program: Ilhéus, Itabuna, Ipiaú, Gandú, Ubaitaba, Coaraci and Camacã/Belmonte. From each area, about 25 local farmers have agreed to participate. Over a period of two to three years, participating farmers learn about organic principles and techniques and gradually implement them at their farms. For support, they meet monthly with a field technician from their buying station. The farmers also meet together regularly to exchange experiences, discuss problems and find solutions.

A first group of 43 cocoa farmers received organic certification from IBD in summer 2004 for approximately 1,500 hectares. These farms were re-certified in 2005, and an additional 800 hectares were certified that same year. To date, about 2,300 hectares of cocoa farms have been certified and are supplying organic beans - about 400 tons per year - to Barry Callebaut buying stations.

One of the conditions of the Brazil Organic Program is that Barry Callebaut maintains priority to buy the certified organic cocoa, which is sold at a higher price than conventional beans. In total, there are about 1,500 people benefiting from the Brazil Organic Program, including a labor force of about 500 workers and their family members. To date, participating farmers are very satisfied with the results of the program, in particular, the absence of significant pest attacks and general healthy appearance of their cocoa trees.

The goal of the project is to attain 3,000 or more hectares of organic cocoa fields, belonging to about 85 to 100 farmers. A series of new objectives were approved by the Barry Callebaut CSR Committee in July 2006. These include focusing on achieving a higher yield per hectare by investing in natural fertilizers and additional labor.

Tanzania:

As part of our commitment to corporate social responsibility, we expect our suppliers to maintain high standards and to conduct business in an ethical and responsible way.

Biolands, our exclusive supplier of premium organic cocoa in Tanzania, is a socially responsible company with whom we are proud to do business.

Biolands - Partnering with farmers to produce quality organic cocoa

Organic cocoa is more and more in demand by discerning customers. The unique flavor characteristics of premium organic cocoa from Tanzania are especially prized. Our supplier for organic cocoa from Tanzania is Biolands, a company that has been working since 1997 with local farmers

in the district of Kyela, Mbeya region, to improve the quality of cocoa - and the farmers' quality of life.

Biolands has provided training, technical advice, supplies of seedlings (more than 600,000 to date) and pruning equipment to 21,000 smallholder cocoa farmers. The first crop of certified organic cocoa was shipped in 2000, and since then approximately 8,500 tons have been produced. The Biolands enterprise is one of the single largest organic smallholder cocoa programs in the world.

Thanks to cooperative efforts and business relationships built on mutual trust, Kyela farmers are producing higher yields of high quality cocoa, and they are receiving a fair price relative to the world market.

"For many farmers, this is the first time they are being treated seriously as partners - partners who are expected to produce a good product in return for a better price. They feel that their cocoa and their work are valued," said Eric Smeets - the founder and managing director of Biolands.

Before Biolands started working with farmers, there was no properly fermented, washed and dried cocoa from the area. Now, up to two-thirds of the cocoa crop is processed according to the highest quality standards. "Tanzania's potential as a producer of fine-flavor cocoa is being restored," Eric Smeets said.

Barry Callebaut purchases 100% of Biolands' top grade organic cocoa. "Without Barry Callebaut's steadfast commitment to buy cocoa from us at a fair price, we would not have been able to achieve our mission in Kyela," said Jeremy Lefroy, Biolands finance director. "Barry Callebaut's support as a reliable business partner makes it possible for us to do our work to empower local farmers."

Organic certification and internal controls

The improvements in quality were achieved as a result of rigorous controls instituted by Biolands. The company developed an Internal Control System to introduce, monitor and maintain the organic farming of cocoa under KRAV certification. It is also undergoing ISO9001 certification and expects to be the first agricultural organization in Tanzania to receive this level of certification.

The 20,400 farmers supply cocoa through 130 village buying posts under the supervision of 175 employees in the villages. Biolands has supplied all the village coordinators with bicycles and mobile phones. The village coordinators use text messaging to report on local production yields.

Fair prices, proper payment for weight

When Biolands started to buy organic cocoa in Kyela in May 2000, the existing cocoa buyers faced almost no competition and payments to farmers were very low. Biolands introduced direct payment to farmers at a higher level - provided that the cocoa was organically produced and of good quality. This is about 10 to 20% above what farmers who sell wet, unfermented cocoa receive, according to Jeremy Lefroy.

There are regulations governing the purchase of cocoa in Kyela, including proper payment for weight, but they are not consistently enforced. Biolands uses the kilogram as the standard unit of measure. Other buyers, however, use the 'kopo' (tin), a local unit of measure. Biolands has championed fair buying practices and is trying to persuade the district council to enforce the regulations for all companies. It regularly checks and recalibrates its scales to ensure accuracy. All weights and measures Biolands uses are inspected and certified by the government.

In Tanzania, one of the poorest countries of the world, agriculture is the main source of income for most of the

population. Farms are small - between one and three hectares. Cocoa is an important source of income for farmers in cocoa-growing regions such as Mbeya. Biolands is one of the biggest employers in the Kyela district in Mbeya. It offers full-time, part-time or seasonal employment to at least 270 people, including office staff, loaders, hand pickers, village coordinators, field supervisors and district supervisors.

Investing in the future

In 2005 the farmers produced 2,300 tons of organic cocoa. Biolands is committed to seeing this volume grow. While it might be possible to cultivate additional available land in Tanzania for cocoa growing, Eric Smeets believes the real way to grow is to make farms more productive by continuing to deliver seedlings and providing tools to clear and maintain fields. "Our investment in the Kyela region is an investment in the future - for the farmers and their incomes, as well as for Biolands."

Assisting employees

Barry Callebaut provides various services, including housing, health care, education, and sports and recreation opportunities, for employees at our facilities in origin countries.

Ghana:

Housing

Barry Callebaut has had active operations in Ghana since November 2001. In 2005 we added a new production line, doubling the capacity of our plant in Tema.

The average annual income in Ghana is about USD 2,500. Most people rent their homes at usually high costs due to complex land ownership laws and high mortgage rates.

Having realized housing projects for employees in Abidjan and San Pedro, Ivory Coast, in 1998 and 2005, respectively, Barry Callebaut made a commitment to provide employees in Ghana with secure and convenient living accommodations close to their place of work. A housing project was launched in December 2004. Barry Callebaut organized the purchase of a tract of land, arranged for mortgage financing and hired an architect to create house models.

On November 25, 2005, we inaugurated Barry Village, the housing development for our employees in Tema. About 70% of our work force took the opportunity to purchase one of 54 homes at subsidized prices.

The inauguration ceremony was attended by the Honorable Minister for Works & Housing, Hackman Owusu-Agyemang. Barry Callebaut CEO Patrick De Maeseneire confirmed the importance of Ghana as a key supplier of cocoa to Barry Callebaut: "The Barry Village, as well as the recently announced doubling of our grinding capacity in Ghana, is evidence of our long-term commitment to this country of origin, which is the Number 2 cocoa producer in the world. Through our actions and investments in origin countries such as Ghana, Ivory Coast, Cameroon and Brazil, we strive to improve the livelihoods of farmers and their families as well as of our employees."

Of the total Barry Village project costs of USD 1,080,000, Barry Callebaut made a contribution of USD 300,000, which reduced the costs for each homebuyer by more than USD 5,000. The average price per house was about USD 15,000. The houses have from one to three bedrooms, are conveniently equipped, and can be expanded to add more rooms.

Health

BC Ghana pays all medical expenses for employees and their spouses and children. The company also provides for an annual medical checkup for all employees. A nurse on site at the plant in Tema is responsible for ensuring that all employees are medically fit and also carries out routine medical screening.

Education

If an employee takes an approved correspondence course, with the aim of enhancing his or her efficiency or performance at work, BC Ghana pays for 50% of the examination fees and textbooks upon registration and the remaining 50% when the employee passes the required examination.

Ivory Coast:

Affordable housing for employees

The shortage of adequate housing with access to water and electricity is an acute problem in Ivory Coast. In 1998, the Barry Callebaut subsidiary SACO was the first local cocoa processor in the country to build houses for its employees. In February 2007, 144 more Barry Callebaut employees in Abidjan and San Pedro received the keys to their new homes. It was the culmination of a second housing development project initiated by our three subsidiaries in 2001, a time of political crisis and instability. With the completion of 'Cité SACO I' in Abidjan in 1998 (102 homes) and 'Cité SACO II' in Abidjan (93 homes) and 'Cité SACO San Pedro' (51 homes) in 2007, two-thirds of our colleagues in Ivory Coast now own a home in one of these residential areas.

Barry Callebaut developed 'Cité Saco II' and 'Cité Saco San Pedro' together with local partners, and contributed 19% of

the costs per house. The personal savings of the buyers covered 13% and a mortgage negotiated by Barry Callebaut on behalf of the buyers the remaining 68% of costs. These initiatives have enabled many employees to take the first major step towards home ownership and to give their families an important sense of stability.

Health

All Barry Callebaut employees and their families in Ivory Coast are provided with free access to healthcare and 80% coverage of major medical costs. A doctor is present at the production sites each day. The doctor offers free examinations for employees and their immediate family members. In cases of malaria or stomach diseases, drugs are given free of charge to the employee and family members. Other health services for employees include free vaccinations once a year. The vaccinations cover the diseases yellow fever, meningitis, cholera, typhoid fever, and tetanus.

SACO continues to make a committed effort to provide education and assistance to employees with HIV/AIDS. An AIDS Committee at the company organizes and conducts educational sessions. Employees have received assistance in getting free tri-therapy treatments. Condoms are distributed on a monthly basis.

Education support and sports

For the 'Cité SACO I' housing project, we provided tables and benches, blackboards and teachers' desks for the school, which has nine primary classes. Furniture and materials will also be provided for new schools in the 'Cité SACO II' and 'Cité San Pedro' housing projects.

Each Barry Callebaut employee in Ivory Coast receives an allowance for the schooling of their children. This allowance is the equivalent of two months' of the employee's salary, of which one month is non-refundable and

one month can be refunded over a period of 10 months. To date, many children of employees have continued their schooling and some have completed higher education after the baccalaureate degree.

Barry Callebaut also supports recreational activities for employees, including informal football and, most recently, biking competitions.

Cameroon:

Health

Barry Callebaut's subsidiaries in Cameroon - SIC Cacaos (Société Industrielle Camerounaise des Cacaos SA) and CHOCOCAM (Chocolaterie Confiserie Camerounaise SA) - began operations in 1952 and 1967, respectively. Today about 390 people are employed at our SIC Cacaos and CHOCOCAM production sites in Douala, Cameroon.

There is no social insurance system in Cameroon. Beyond the legal requirement for each company to have a doctor on site and available for employees, Barry Callebaut took a further step and purchased health insurance for its employees. BC Cameroon covers the cost of all or part of the medical expenses for employees and their families. The company also pays for annual medical checkups for all employees. In addition, there is an infirmary on site where employees can have appointments with a doctor. The factories are open 24 hours a day, and five nurses at both sites ensure that all the shifts have access to medical assistance if necessary.

In 2001, BC Cameroon signed a three-year partnership agreement with the Cameroonian National Committee Against HIV/AIDS. Barry Callebaut received USD 20,000 and made a matching contribution to fund the program. The objectives of the agreement were to create a coordination committee, organize prevention activities, provide training to the members of the coordination committee in order to give them skills for sensitizing others employees and their spouses, and to provide condoms to employees. BC Cameroon wanted to

contribute more than this agreement stipulated, and decided last year to pay all medical expenses related to HIV treatment for employees.

Sports and welfare

BC Cameroon believes that sport and fitness have a great impact on the welfare of its employees. When employees feel fit, this has an impact also on their performance and thus on the performance of the whole company. For this reason, BC Cameroon has established a sports association for employees at each of its production sites. Employees may participate free of charge in a range of activities. At SIC Cacaos, the SIC Sports and Leisure Association offers football (soccer), basketball, gymnastics and other team sports. At CHOCOCAM, the CHOCOSPORTS Association currently offers jogging and football, and plans to add other activities such as swimming and gymnastics. BC Cameroon spends approximately USD 46,000 each year on sports activities for employees. Future plans include the consolidation of the two sports associations into one to serve employees at both sites and reinforce a "One Company" feeling.

Brazil:

Health

BC Brazil provides medical and dental care for employees and their spouse and children, and offers insurance coverage. Working mothers who have children under the age of six months receive a child allowance.

Education

BC Brazil sponsors primary and high school education programs for factory workers. The goal of the Supletivo program, which was developed in partnership with Sesi/Senai, is to provide the means for 100% of Barry Callebaut's workforce to complete high school. At the start

of this program, 60% of the factory workers had not completed high school. In 2006, all workers had completed primary school and the last two high school classes for workers got underway. When these employees finish the program, 100% of the workforce will have a high school diploma.

Ilhéus Social Complex

After the acquisition of the Ilhéus plant in 2003, a climate survey was conducted among the employees covering topics such as group morale, leadership, communication, team spirit, working conditions, benefits and site infrastructure. It became very clear that the community facilities had a negative impact on employee satisfaction.

The existing complex was located in an improvised area. The canteen had no air conditioning and, therefore, was a very hot place, especially during summer time. The kitchen was not properly equipped to conserve meals and had a bad sewage system. The changing room was also in poor condition, with a roof made of wood and a bad drainage.

Together with a local architect a new social complex was designed, including a canteen, changing rooms and a leisure area. The key idea was to build a place that would give employees a sense of comfort and invite them to relax during lunch time.

The inaugural ribbon was cut during a ceremony that took place in September 2006. To demonstrate that the new social complex is dedicated to the employees of Barry Callebaut Brazil, all managers in Brazil got together in Ilhéus and served lunch to employees and guests.

Supporting communities

Poor health conditions, the shortage of clean water, malnutrition and diseases such as malaria, tuberculosis and sexually transmitted diseases such as HIV/AIDS have devastating repercussions on families in rural farming communities in Africa. Children are especially at risk.

Ghana:

Sponsoring local health and education initiatives

BC Ghana set up a trust fund in June 2002. The annual donation to the fund is equivalent to USD 1 per metric ton of beans processed. As of October 2006, USD 35,000 has been donated to fund local community projects in Tema in the areas of health, education or the environment. These projects have included:

- Accra Diamond Lions Club - HIV/AIDS Awareness programs for youth in the local secondary schools. The purpose was to educate the students about HIV/AIDS and the impact it could have on their lives. As a sponsor, Barry Callebaut Ghana was invited to participate in the program.
- College of Health Science - Due to the lack of adequate medical resources in Ghana, health care is a source of worry for many people. We are sponsoring five post-graduate medical students to train and educate themselves in specialized areas, such as cardio vascular diseases.
- Kpone Traditional Council - BC Ghana provided funds for the construction of a secondary school. The BC Ghana factory is located on land that is part of Kpone. Some of our employees are also resident in Kpone.

- Tema Presbyterian Secondary School -
BC Ghana supported the school's Computer Literacy project for students, by donating a PC with accessories.
- Tema Rotary Club -
We contributed funds for a library at the Rotary Center to train the disabled at Tema Community 5.
- Tema Lion's Club -
BC Ghana contributed funds to establish an eye-care center at Tema General Hospital.
- Mother Theresa Senya Brekum
BC Ghana contributed funds to support activities at this center dedicated to child education and welfare.

Ivory Coast:

Improving health and education of cocoa farming communities

Barry Callebaut has launched programs to help improve health and education conditions in cocoa farming communities through the Quality Partner program. Community health initiatives for farmers that included the distribution of mosquito nets and first aid services were started in 2007.

Medical Center in Goh village

To support cocoa farmers and their families in the San Pedro region, in the heart of the cocoa growing area, Barry Callebaut initiated the needs analysis and made a financial contribution to the funding of a medical center in the village of Goh, located about 85 km north of San Pedro. The contribution was made after the completion of the 2007 "Winning Together" Ride for Life program, a Group-wide initiative and biking challenge in which all 8,000 Barry Callebaut employees around the world were encouraged to

take part. The aim of the initiative was two-fold: to promote fitness and a balanced lifestyle and to support cocoa farmers in Ivory Coast.

Cameroon:

Distributing drinking water to local communities

Much of the population in Cameroon does not have access to clean drinking water. This is one of the great challenges the Cameroonian government is facing in its fight against poverty. BC Cameroon decided to contribute to the fight by supplying free drinking water to the people living in the areas around its two production sites, CHOCOCAM and SIC Cacaos, in Douala. Both areas are densely populated. SIC Cacaos, for example, is located near the local university attended by some 15,000 students. Each month, an average of 210 cubic meters of water is distributed to the public at CHOCOCAM and 500 cubic meters at SIC Cacaos, for a total of 8,510 cubic meters of water each year.

Tanzania:

Community service

Biolands, our supplier of premium organic cocoa in Tanzania, works together with the local community on a number of health, education and social welfare projects in the Kyela region, providing financial support and other services. It has a long relationship with the local district hospital in Matema and helps pay for the maintenance of the hospital's only ambulance and administrative services such as e-mail.

Biolands has also assisted local primary schools and provided books and helped to finance educational materials about HIV/AIDS. The company also sponsors an employee football team. In January 2006, Biolands helped transport maize from Tanzania to Malawi to famine areas.

Brazil:**Supporting the children of Iguape district**

BC Brazil has undertaken a project to provide education support for the children of the Iguape district in Ilhéus where our factory is located. The overall objective of the project is to reduce the exposure of children and adolescents of the district to social risk situations including violence, child labor and harassment. The specific aims are to contribute to the process of education and social inclusion of the children and adolescents, and provide leisure and cultural activities to help develop social consciousness and broaden their future expectations.

In 2007, BC Brazil plans to work with 140 children from Iguape, focusing mainly in the following areas:

- Portuguese and math reinforcement classes, including activities that complement work done in school;
- Sports, leisure and culture activities, including workshops for soccer, volleyball, handball, recreational circuits; support for reading; reading workshops; and a puppet theatre; and
- Computer classes.

Partnering with Papa Mel to care for the environment

Papa Mel is a non-government organization (NGO) located in Ipiauí that was formed by volunteers who work in various programs focused on the environmental and social improvement of the cocoa region in Bahia. As a complement to our Organic Cocoa Project, Barry Callebaut Brazil established a partnership with this NGO, aiming to develop the following activities:

- Environmental education through participative lectures

- Selective trash collection services, including social consciousness, training in waste selection and monitoring of activities;
- Creation of a reading workshop for children;
- Planning for the recovery of permanent preservation areas;
- Sanitary education and hygiene notions;
- Training for the utilization of organic waste in the agricultural area;
- Sale of the recycled material to invest in the purchase of books for children; and
- Inspection of child labor violations and children's attendance at school

Permaculture at school and eco-literacy

Aiming to participate actively in the creation of an agricultural model focused on food safety in the home and to combat the problem of undernourishment, Barry Callebaut Brazil will select six schools located in the region where the organic cocoa project has been developed, and will implement vegetable gardens in the "permaculture" standards. In the first phase of the program, teachers will be selected and the education program for the students will begin.

Faz Universitário

This project is being developed in partnership with the Government of Bahia. The objective is to sponsor college scholarships for youngsters who went to public schools in Bahia and who do not have the financial means to pay for their university studies. In 2006, Barry Callebaut Brazil sponsored scholarships for 30 students, and in 2007 we plan to increase this number to 45.

Cadbury Schweppes plc

Cadbury Schweppes plc

Sustainable Cocoa Growing in Ghana

Cadbury Schweppes is the world's largest confectionery company with over 200 years of heritage in responsible business.

Our culture is grounded in good business ethics; our founders were renowned for their fair treatment of employees and efforts in supporting sustainable communities long before the term corporate and social responsibility (CSR) was coined. Today, our commitment to CSR and sustainable development are very much part of the way that we do business.

We have a long history with Ghana: Cadbury helped found Ghana's cocoa industry in 1908, when we ceased to buy cocoa from Sao Tomé due to poor labor conditions. Our many partnerships and initiatives in Ghana over those 100 years have played a part in creating beans so good they command a world price premium, and create the UK's favorite chocolate.

All of our cocoa beans for GBI are sourced from Ghana and Cadbury Schweppes buys around 10% of Ghana's production.

Since the early 1900s we've been investing in Ghana cocoa communities in a number of ways, from agricultural training to develop cocoa farming to building local community centers; from supporting school scholarships to providing funds for the establishment of cocoa research foundations, a library building program with books donated by Cadbury Schweppes employees, from launching a farmers' newspaper and radio program offering technical assistance in cocoa growing to providing funds through The Cadbury Schweppes Foundation. To follow is a brief overview of these programs.

Building Fresh Water Wells

Background

Cocoa farmers often live far from a safe water source. In fact, one in four Ghanaians does not have access to safe drinking water. In rural Ghana, where cocoa is grown, women and children, particularly girls, can spend many hours every day collecting water; time which women could spend with their family or earning an income; or children could spend being educated.

Program Benefits

A community with a water well not only benefits from easy access to clean potable water and a subsequent improvement in sanitation and hygiene; more water also means natural resources can be replenished and crops can be watered which means more food and better nutrition. More time is available for farming, other jobs and education, which leads to an all-round improvement in a community's prosperity.

Program Details

We started our hand dug well building program, Ghana: for the Source, in 2001. Enabled by company financial support and considerable employee fundraising. For this phase of the program our partners were the Kuapa Kokoo Social Development Fund and WaterAid. By the end of 2006, together we had built 375 wells, providing access to clean water for around 50,000 people in cocoa growing communities.

We have recently made a new commitment and in 2007/8 we will be building 365 wells. This project will provide potable water facilities to benefit another 55,000 people in cocoa growing communities in the Western, Brong Ahafo, Central and Ashanti regions of Ghana. Our partners for this are local non-government organizations with the experience to deliver this program to time and to budget.

Biodiversity

Background

Since 2005 we have partnered with Earthwatch, the environmental charity, and the Nature Conservation Research Centre in Ghana in an innovative cocoa biodiversity program with the aim of encouraging sustainable cocoa farming in the future.

Program Benefits

The program examines the production of cocoa in biologically diverse environments, encourages new farming methods to support the production of quality cocoa beans in more ecologically balanced ways, and helps re-establish farming and enhance biodiversity on abandoned farms.

Program Details

Cadbury Schweppes provides financial support to the project, which allows a team of Ghanaian students to take part and gain practical field experience. Cadbury Schweppes also offers employees from around the world the chance to volunteer on the project and gain first hand experience of the environment in which cocoa grows in Ghana as well as the challenges in achieving a truly sustainable supply chain. We call this employee development program Earthshare.

The Earthshare program promotes environmental sustainability and sustainable cocoa growing, the protection of ecosystems and establishes eco-tourism as a potential additional income source.

Improved Productivity – Farmer Newspaper

In July 2006 Cadbury Schweppes was one of the partners who introduced a free newspaper for cocoa farmers.

Program Benefits

The Ghana Cocoa farmers' Newspaper is an initiative by the Cocoa Research Institute of Ghana (CRIG) with assistance from Cadbury Schweppes and CABI. The aim is to convey the CRIG recommended cocoa farming practices/technologies in a simple illustrative format and simple English to the cocoa farmers for adoption to increase cocoa productivity.

Program Details

The paper is distributed by the licensed buying companies (LBCs) who sponsored the paper - the Produce Buying Company (PBC), OLAM, Transroyal, ARMAJARO, Akuafo Adamfo and Kuapa Kokoo.

A sample interview among thirty farmers found that nineteen had applied the ideas in the paper fully or partly. Content and distribution methods for the newspaper have been reviewed to increase the effectiveness of the communication. 75,000 copies of each edition of the newspaper are printed but many are passed from farmer to farmer.

Investing in the Community

Access to water is just one barrier to the sustainability of Ghana's cocoa growing communities, there are many others. We also help farmers improve their livelihoods and the facilities for education in their community in order to maintain a decent standard of living to support their families and communities. This includes:

Enterprise Loans

Cadbury Schweppes Foundation funds an Enterprise Loans program for rural youth in Ghana through the Friends of Africa Foundation. A hundred loans will be given in 2007 along with a small business training package for each loan. Young people receive loans to expand small agricultural enterprises or for apprenticeships such as carpenters, bakers and hairdressers.

Books for Ghana

The Books for Ghana appeal was launched in 2006 and Cadbury staff have already donated 9,000 books. This has been supported by a donation from Cadbury Schweppes to build six community libraries.

The libraries are being built in villages where the International Cocoa Initiative's Yen Daa Kye programs are active. The local partner is Participatory Development Associates.

Future Considerations for Sustainable Cocoa Communities

Working with others in a variety of ways, Cadbury Schweppes has - and will continue to - play an effective and supportive role in developing a sustainable cocoa industry in Ghana.

It is in our interests that we create a better world in which our business and Ghanaian cocoa farming communities will grow and thrive.

We have recently funded a study to map sustainable production in Ghanaian cocoa. This has been undertaken by the Institute of Development Studies, University of Sussex and the Department of Agricultural Economics and Agribusiness, University of Ghana. This work is now drawing to a conclusion and the findings of this research will inform the Cadbury Schweppes' forward investment program and our action in Ghana.

Over recent years the investment made into the programs described above, and the Cadbury Schweppes contribution to the cocoa research fund of BCCCA, is estimated to exceed \$2.6 million. This report focuses on investment in Ghana and Cote d'Ivoire and does not include Cadbury Schweppes' investment in other countries. The investment figure excludes administration, employee donations, employee time and joint industry funded programs. Joint industry programs were covered in the earlier submission - and among others these collective activities include a direct annual investment in ICI and STCP.

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Cargill

Cargill

Supporting responsible and sustainable cocoa growing in West Africa

Cargill is one of the world's major originators and processors of cocoa beans. We manufacture high quality cocoa products such as cocoa powder, cocoa butter, cocoa liquor, as well as industrial chocolate, which are used by food and confectionery companies to produce cakes, biscuits, confectionery and other products for consumers around the world.

High quality cocoa, grown in a sustainable way, is essential to the economies and the livelihoods of farming communities in cocoa growing countries, and for Cargill, our customers and consumers. This is why we are investing in, and supporting, activities to help cocoa farmers to improve agricultural working practices and to deliver benefits to local communities.

We have launched a variety of measures to promote sustainable and responsible cocoa growing in the cocoa growing countries in which we operate. These include:

- providing training and support to farmers to improve the quality of their cocoa, and the price they get for it, through better growing and production practices;
- providing transparent information about international cocoa market prices to help farmers get the best price and reward them for good quality beans; and
- helping farmers transport their cocoa beans from rural villages to buying stations to preserve quality and yields, thus increasing their incomes.

Cargill has joined other members of the global cocoa and chocolate industry to take action to ensure that cocoa is grown responsibly, without the worst forms of child and forced labor. Additionally we have put in place programs in

West Africa to promote better working practices and to help prevent children from forced or dangerous work on farms.

We are committed to enriching the communities where we live and work by investing money, time and the talents of our employees in supporting rural communities, in areas such as health and education, to make a positive difference to their livelihoods and well-being.

The following information provides an overview of the activities Cargill is investing in, and supporting, in cocoa growing regions in West Africa. More information about our activities in other cocoa growing regions where we operate, and those specific to our employees, is available at

http://www.cargill.com/news/issues/cocoa_overview.htm

Cargill-CARE Rural Education Project

Project Dates: 2006-2008

Country: Ghana

Funders: Cargill

Implementer: CARE

Overview

In 2006, Cargill and CARE teamed up to launch the Rural Education Project in Ghana to improve educational opportunities for children in the Ahafo Ano North and South districts of Ashanti region of Ghana.

The project is focused on helping nearly 30,000 farmers and their children in 30 communities gain a better life in a region where farming, particularly cocoa production, is the main occupation for more than 80 percent of families.

The Cargill Rural Education project is designed to remove the barriers that are preventing families from sending their children to school. Some of these barriers include poverty or limited family income which forces parents to send their children to work; misconceptions about the limited value of education; and poor quality of education available to children.

Through training for farmers (to increase their cocoa yield and family income), formation of parent-teacher-community organizations, improved training and resources for teachers and school administrators, as well as increased engagement by education officials, families in the project communities of the Ashanti region are gaining the tools to improve the quality of their schools and standard of living, and ultimately help themselves.

Program objectives

The project works closely alongside farming communities to identify and overcome the barriers that are preventing children from attending school and keeping families in poverty. In particular it is seeking to:

- increase children's opportunities to attend quality schooling;
- reduce exploitative child labor; and
- improve local communities' standard of living through better cocoa production.

Progress to date

As a result of the activities outlined above, the following are some accomplishments within the first year.

- **17.5 percent increase in enrolment in schools.** From November 2006 to June 2007, the number of children withdrawn from farm work and enrolled in schools rose to 4,892 children up from 4,156. Across the two districts this was a total of 736 more children benefiting from education.
- **Farmer and Education committees established.** With recognition from the District Authority, these bodies are the key representatives of the communities in advocating for improved social services especially on agricultural and educational development in both districts.
- **12 district staff in place to provide support.** 6 from each district are equipped with community mobilization skills.
- **Strengthening commitment and action on education in all 30 communities.** All 30 communities have taken steps to improve and strengthen School management committees (SMC), and are identifying the needs and challenges for both schools and farmers, in order to put in place actions plans for better educational opportunities for their children. This is supported by improved teacher-

parents' relationships and an increased commitment and understanding from parents for school development.

- **Construction of kitchen and toilet facilities for schools.** 10 communities have completed kitchen structures in support of the national school feeding program. 5 communities - Bokuruwa, Moframentukwa, Anitenfe, Afreseni and Nsuta Nyamebekyere - have completed the construction of urinal and toilet facilities at local schools. All 30 communities are being supplied between 5 and 10 bags of cement towards community initiated school projects.
- **More children provided with basic school equipment.** Parents in each of the 30 communities are now able to provide basic items including school uniforms, footwear, school bags and stationery (pens, pencils, exercise books, erasers etc.).
- **Establishment of school farms.** In Kunsu Dotiem parents have set up a school farm (maize and palm) as a sustainable fundraising venture for school development.
- **Increased visits by Agricultural Extension Officers** to offer technical support to members of the farmer groups/associations.

Cargill-IECD Farmer Field Schools Program

Project Dates: 2005-2010

Country: Côte d'Ivoire and Cameroon

Funders: Cargill, Dutch Ministry of Agriculture, Nature and Food Quality

Implementer: European Institute for Cooperation and Development (IECD)

Overview

The Farmer Field Schools program being operated by IECD is establishing 40 Family Farm schools in local communities throughout Côte d'Ivoire and Cameroon.

These schools are taking an innovative, dual approach by providing children and adults with education, vocational and practical farming skills. It is promoting a sustainable development model in cocoa growing communities to improve social and economic welfare and help reduce rural migration.

The general literacy rate in these areas is 48 percent; 43 percent of children are primary school age out of school; and 79 percent of children of secondary school age are out of school. This program works closely with local communities to ensure there is local support and full involvement in the establishment and running of each school.

An unused house or building provided by each community to host the school is renovated by IECD; teachers and trainers are recruited from the local population; and local needs are identified to design and deliver best training modules for the community and increase the opportunities for success. In addition to cocoa production, the programs cover other agricultural practices such as growing tomatoes, tomatoes, gumbo, yam, raising livestock, as well skills such as sewing.

Once a student 'graduates' from a Farmer Field School, technical and logistical support continues to be provided

by community students from other Farmer Filed Schools, teachers and their local communities.

Program objectives

- Provide educational and vocational training to children and adults in cocoa growing communities in Côte d'Ivoire and Cameroon through establishment of 40 Family Farm Schools
- Enable youngsters and adults to upgrade or establish their own farm through provision of practical training and support
- Improve the quality of the cocoa production, overall farming practices, and sensitization to child labor
- Promote sustainable development to improve social and economic welfare and help reduce rural migration

Progress to date

- 12 new schools have been opened, and a further 8 revived, around Bouafle, Daloa and Gagnoa in Côte d'Ivoire. 10 schools expected to open in Cameroon and Côte d'Ivoire during 2007
- 6 new schools have been established and are up and running in Cameroon
- Over 300 new students are benefiting from the education and vocational training offered by Family Farm Schools in their local communities
- Train the trainer sessions in each community have been conducted to enable local people to have involvement and take responsibility for the success of their local school
- Training modules have been developed to enable schools to have programs that meet the needs of the local population
- Focus in the Côte d'Ivoire will be in the south west

Cargill Farmer Quality Training Program

Project Dates: Ongoing program established in 2001

Country: Côte d'Ivoire and Nigeria

Funders: Cargill

Implementer: Cargill

Overview

Cargill has established a program of quality training for cocoa farmers in Côte d'Ivoire and Nigeria, which are providing farmers with practical on-the-ground support and advice, encouraging sustainable cocoa farming and helping to prevent children from forced or dangerous work on farms.

These free training sessions are held in local cocoa growing communities with targeted goals of reaching 10,000 farmers per year in Côte d'Ivoire and thousands more in Nigeria. They are sharing agricultural best practices and information with farmers, enabling farmers to learn new techniques to improve both the quantity and quality of their cocoa beans, and thereby directly helping to improve their incomes.

Many farmers are illiterate and formal training has not previously been available. These interactive sessions, held within their own local communities, teach better and safer farming practices, such as using sticks in place of machetes to open cocoa pods especially when children might be involved, and using pesticides only in a prudent manner and never if children are around.

The seminars are also increasing sensitization to social issues, such as child labor and HIV/AIDS. Part of each session is devoted to promoting the importance of school attendance for children, and to emphasize that it is wrong for children to undertake forced or dangerous work on cocoa farms.

Program objectives

- Promote and encourage the adoption of best agricultural working practices amongst cocoa farmers in Côte d'Ivoire and Nigeria
- Enable farmers to improve the quality and quantity of their cocoa, thereby directly enabling them to improve their incomes
- Help prevent children from forced and dangerous work on cocoa farms by increasing awareness amongst farmers and cocoa communities of child labor issues and importance of school attendance

Progress to date

- Quality training programs up and running throughout cocoa growing communities in Côte d'Ivoire and Nigeria
- 10,000 farmers per year receiving training in Côte d'Ivoire

Cargill Cocoa Community Logistics Program

Project Dates: Ongoing program established in 2006

Country: Côte d'Ivoire

Funders: Cargill

Implementer: Cargill

Overview

Cargill has established partnerships with local trucking companies around Daloa and Gagnoa in Côte d'Ivoire to finance a logistic program to transport cocoa beans more quickly and easily at no cost to farmers.

Delivering cocoa beans to local buying stations is critical to the quality of cocoa, and to the revenues of farmers. As cocoa is grown in rural areas, storage conditions are often inadequate, the roads are poor, farmers cannot afford vehicles and the long time it can take to transport the cocoa can damage the quality and value of beans. Additionally, carrying these frequently heavy loads also has health risks for farmers.

The program is supporting a union of 8 cooperatives in the South West region representing 6,500 farmers. It is providing 30 pick-up trucks, which collect and transport cocoa beans from small, rural villages to the warehouses of farmer cooperatives to which farmers can sell their crop.

It is also providing 10 larger, 15 ton trucks to then transport the beans from these warehouses to buying stations. Reducing the time it takes to transport cocoa beans is helping preserve their quality and value, and enabling farmers to directly benefit with an increase in their incomes. At the buying stations farmers are provided with transparent information on international cocoa market prices and are rewarded fairly for their good quality beans.

The transporters have set up their offices at Cargill premises in Daloa and Gagnoa and are providing employment

for 50 local people as drivers, mechanics, controllers and accountants. The program is also providing technical support; training seminars for farmers on good agricultural practices, and sensitization on child labor; as well providing them with finance.

Program objectives

- Enable local cocoa farmers and cooperatives to more easily, and quickly transport their cocoa to local buying stations at no cost to them
- Improve the quality of cocoa beans by reducing the time taken to transport farmers' crops to buying stations and enable farmers to receive better price

Progress to date

- 30 pick-up trucks in operation and collecting and transporting beans from cocoa farmers to cooperatives
- 10 larger, 15 ton trucks in operation and transporting beans from warehouses to buying stations
- Logistics companies have set up their offices at Cargill premises in Daloa and Gagnoa and are providing employment for 50 local people as drivers, mechanics, controllers and accountants

Tema Maternity Clinic, Ghana

Project Dates: 2006-2007

Country: Ghana

Funders: Cargill

Implementer: Mercy Ships and Ghana Health Services

Overview

Cargill and Mercy Ships opened a new maternity wing and theatre in the Tema Polyclinic, Ghana in February 2007, which will be staffed and operated by Ghana Health Services.

The population of the port city of Tema, about 16 miles east of the capital Accra, has grown to 600,000 in recent years, yet healthcare facilities and services have remained limited. In Ghana, more than half of all women give birth at home without the assistance of a medical professional and a devastatingly high maternal and child mortality rate is the result. Until the opening of this new clinic, the Tema Polyclinic had provided antenatal care to more than 8,000 women a year, but had no birthing facilities.

The new 5,000 square foot Polyclinic maternity ward will serve more than 20 communities in both the city of Tema and neighboring districts. The facility consists of a four-bed birthing room, a surgical suite where caesarean sections can be performed, a 14-bed general ward, and toileting facilities.

Program objectives

- Construct and open a new maternity wing and theatre at the Tema Polyclinic to enable maternity services to be provided from this existing healthcare clinic.
- Establish a new maternity facility to allow Ghana Health Services to serve the growing local population in Tema and surrounding districts.

Progress to date

- New 5,000 square foot Polyclinic maternity ward opened in February 2007.
- Facility consists of a four-bed birthing room, a surgical suite where caesarean sections can be performed, a 14-bed general ward, and toileting facilities.
- Ghana Health Services are now staffing and operating clinic and providing antenatal services and care to local population of 600,000.

Ghana Food Bank Network

Project Dates: 2006-2008

Country: Ghana

Funders: Cargill

Implementer: Global Food Bank Network

Overview

Cargill is sponsoring a pilot project in partnership with the Global FoodBank Network to improve storage and distribution for commodities that can be used for foodbanks and to improve the livelihood of farmers in Ghana.

Program Objectives

- Design and implement a food production project to aid small farmers
- Generate a grain surplus for supplying school meals through the Ghana School Feeding Program

Progress to date

Launched the Pukrom Cooperative Farmers Pilot Project to test the feasibility of working with local farmers to produce a surplus of grain corn through:

- Increased acres planted and increased yields per acre through investments in planting season inputs
- Creation of a credit training and lending resource for the farmers for planting and growing season inputs
- Improved post-harvest drying and storage technology (using cocoons) and a warehouse facility to protect from insect infestation losses
- Creation of a harvest purchase and buy back mechanism through the Ghana Food Bank to enable farmers the ability

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to sell some of their harvest during the lean season when market prices are more favorable

- Advocating for hunger response initiatives and the relevance of foodbanking at the national level through effective communication and meetings with government agencies

Habitat for Humanity

Project Dates: 2005

Country: Côte d'Ivoire

Funders: Cargill

Implementer: Cargill and Habitat for Humanity

Overview

Cargill employees in Côte d'Ivoire have helped build more than 20 homes in the Gagnoa region. In partnership with Habitat for Humanity, employee volunteers dedicated their time to build homes for families and are now also providing ongoing support to this area.

Program Objectives

- Build 20 new homes for families in the Gagnoa region of Côte d'Ivoire
- Enable local families and communities to benefit from affordable, secure housing

Progress to date

- 20 new homes constructed in Gagnoa region of Côte d'Ivoire

United Nations World Food Programme

Project Dates: 2005-2008

Country: Côte d'Ivoire

Funders: Cargill

Implementer: United Nations World Food Programme

Overview

Cargill is providing funding to United Nations World Food Programme in Côte d'Ivoire to help prevent and treat intestinal parasites in children in cocoa growing communities, in conjunction with the WFP's school feeding programs.

The activity in Côte d'Ivoire is part of the World Food Programme's effort to reach 250,000 children in 1,630 schools across the country.

Objectives

- Improve the health and welfare of children in communities throughout Côte d'Ivoire
- Train more than 3,200 teachers in WFP assisted schools in health and sanitation practices in addition to receiving de-worming treatment themselves
- Provide essential preventative healthcare and treatment to children for conditions such as intestinal parasites

Progress to date

- More than 340,000 students have received the de-worming treatment
- 3,300 teachers have received health and sanitation training
- WFP in Cote d'Ivoire is preparing for a second round of treatment scheduled for the 2007-2008 school year beginning in October 2007

Chaine Des Tout-Petits Immunization Program

Project Dates: 2004-2006

Country: Côte d'Ivoire

Funders: Cargill

Implementer: Chaine Des Tout-Petits

Overview

Cargill is supporting and providing funding to the Chaine Des Tout-Petits Immunization Program. This program is immunizing and protecting children against meningitis, tetanus and intestinal parasites.

To date this activity has resulted in more than 33,000 children in Abidjan, San Pedro, Daloa and Gagnoa receiving vaccinations.

Objectives

- Improve the health and welfare of children in cocoa communities throughout Côte d'Ivoire
- Provide essential vaccinations and treatment to children to protect against meningitis, tetanus and intestinal parasites

Progress to date

- More than 33,000 children received immunization and protection from meningitis, tetanus and intestinal parasites in Abidjan, San Pedro, Daloa and Gagnoa
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Kraft Foods

Kraft Foods

PPP – Côte d'Ivoire:
Projet de Production Durable de Cacao Certifié,
Cote d'Ivoire (Certified Sustainable Cocoa Project
in Ivory Coast)

Project Name	Projet de Production Durable de Cacao Certifié, Côte d'Ivoire (Certified Sustainable Cocoa Project in Ivory Coast)
Donors	Kraft Foods Global, Inc. US Agency for International Development (USAID) German Agency for Technical Cooperation (GTZ) Armajaro
Location	Côte d'Ivoire regions of Daloa/Issia and Abengourou
Duration	May, 2006-2009
Partners	Anader STCP/IITA (Sustainable Tree Crops Program)* Rainforest Alliance/ACMA EDE Consulting German Agency for Technical Cooperation (GTZ) Armajaro

*Kraft Foods Global contributes to the core funding of the Sustainable Tree Crops Program in partnership with the World Cocoa Foundation, industry members and the US Agency for International Development. More information on this program can be found in the August 2007 Responsible, Sustainable Cocoa Farming: Industry Report.

Objective/Strategy	<p>Improve sustainability of cocoa production in important Côte d'Ivoire growing regions Daloa and Abengourou using an accepted sustainability standard as a yardstick for sustainability.</p> <p>Rainforest Alliance and its partners will provide guidance and technical assistance to about 4,000 farmers in six cooperatives in Côte d'Ivoire over three years to encourage sustainable cocoa production.</p> <p>Farmers will work toward achieving Rainforest Alliance certification by meeting comprehensive environmental and social standards that include conserving natural resources, protecting the welfare of workers and putting into place more efficient management practices.</p> <p>The first deliveries of Rainforest Alliance Certified cocoa from Côte d'Ivoire are expected in 2007.</p> <p>Dissemination of production practices as well as complementary project activities targeting social issues will increase economic, social and ecological benefits for cocoa producers.</p> <p>The project is meant to demonstrate how producers and the private and public sectors work together to reorient mainstream cocoa production to include sustainable agricultural practices using a clear market oriented approach.</p>
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	<p>It is expected to generate best practices which will be used to promote sustainable production schemes in the cocoa industry on the national and international level.</p> <p>The aim of this joint project is to demonstrate how small scale producers can increase economic, social and ecological benefits by growing, harvesting and supplying certified cocoa according to Rainforest Alliance standards.</p>
Benefits/Beneficiaries	<p>Economic Targets</p> <ul style="list-style-type: none"> • adaptation and application of good agricultural practices • stabilized and improved productivity • reach quality parameters as defined by Kraft • traceability of project cocoa beans from farm to Kraft • management plan established and implemented by co-op/farmers • ability to obtain sustainable certification • capacity building on farm and organizational level in technical, management and marketing issues <p>Social Targets</p> <ul style="list-style-type: none"> • ensure children's right for basic education and prevent unacceptable forms of child labor • basic health care, occupational health and safety concerns, HIV, reproductive health, family planning

	<ul style="list-style-type: none"> • adequate living conditions for the farmers, their families and workers • establishment of strategic alliances for identified intervention areas <p>Environmental Targets</p> <ul style="list-style-type: none"> • prevention of deforestation • cocoa production associated with shade trees • no use of internationally recognized "most hazardous" chemical pesticides • soil conservation/conservation of water resources <p>Beneficiaries are smallholder farmers, farm workers and their families.</p>
Results	<ul style="list-style-type: none"> • Increased number of cooperative members to 1,850 from 983 in 2006 • 6 cooperatives involving 350 farms were certified in 2007 • Farmer Field School (FFS) has trained 1,290 farmers, 3 Group administrators and 9 farmer promoters on improved and sustainable cocoa production practices and critical health issues (HIV/AIDS, malaria). Group Administrators and Farm promoters are prepared to take over the internal certification system and training program at the end of the project to ensure compliance with Rainforest Alliance standards.

	<ul style="list-style-type: none">• Integrated Pest Management (IPM) applied at large scale. Pruning of cocoa trees and removing of epiphytes and chupons as well as rational pesticides application are widely applied by FFS participants. Results of FFS are otherwise disseminated during "Farmer's day meetings" which gather tens of farmers including FFS participants and non participants.• Preservation and rehabilitation of ecosystem and natural resources. More than 5,000 shade trees will be planted by the 1,850 producers (candidates) for the next Rainforest Alliance audit. They are also preserving wild seedlings already existing in their farms. Farmers involved in the Project increasingly perceive that planting trees will contribute to stabilizing their production systems and improves resilience during drought periods.• Promote preservation and sustainable use of natural resources by implementing large reforestation program to establish shade trees.
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Other (Milestones)	<ul style="list-style-type: none">• Procedures and content for the dissemination and upgrading process of conventional production systems is agreed upon with farmers' organizations and project partners.• Production, certification and marketing of sustainably produced cocoa are supported.• Armajaro has introduced a traceability system where each cooperative produces export bags that are coded to the co-op and farmer; those bags are not mixed prior to export.• Awareness campaigns and complementary support to address problems with HIV/AIDS, health service provision, family planning and abusive child labor practices are provided for farmer organizations.• Management capacities of farmer organizations have been improved.
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CLASSE (Child Labor Alternatives through Sustainable Systems in Education)

Project Name	CLASSE (Child Labor Alternatives through Sustainable Systems in Education)
Donor	Kraft Foods Nordic (via Norwegian Chocolate Manufacturers Association)
Location	Côte d'Ivoire
Duration	2005-2007
Partners	Winrock International
Objective/Strategy	The CLASSE program seeks to prevent children from becoming involved in the worst forms of child labor through educational economic empowerment in Côte d'Ivoire cocoa growing areas.
Benefits/Beneficiaries	<p>CLASSE gives a new generation of farmers the skills they need to improve production and increase income, raise awareness of child labor, HIV/AIDS, and the concept of environmental sustainability. CLASSE targets children aged 10-18 as they are the most vulnerable to these risks.</p> <ul style="list-style-type: none"> • 240 youth will receive vocational agricultural training. • 30 students and their mothers/guardians will receive microcredit scholarships.

	<ul style="list-style-type: none"> • 3,000 youth will be sensitized to child labor and HIV/AIDS. • 60 students will participate in agriculture clubs. • 5 cocoa demonstration plots and 5 school gardens will be established. • 5 schools will be renovated.
<p>Results (as of May 2007)</p>	<p>80 children and youth have completed agricultural training.</p> <ul style="list-style-type: none"> • Topics include farming techniques for cocoa and other crops, child labor prevention, HIV/AIDS awareness, small business training, and leadership skills. <p>40 students and their mothers/guardians received micro-credit scholarships.</p> <ul style="list-style-type: none"> • Micro-credit scholarships are designed to support youth education while increasing the income of the student's mother. <p>115 youth sensitized to child labor.</p> <ul style="list-style-type: none"> • Youth receive training through the ILO's SCREAM methodology that uses the arts to educate youth on child labor issues. <p>2,119 youth sensitized to HIV/AIDS.</p> <ul style="list-style-type: none"> • Youth receive training prevention and risk reduction, and have organized World AIDS Day events for other youth.

30 students participated in agriculture clubs.

- Agriculture clubs maintain school cocoa and vegetable plots, participate in agribusiness training, and host computer clinics.

5 schools renovated; 5 cocoa plots, and 5 school gardens.

Partnership with Save the Children UK

Project Name	Partnership with Save the Children UK
Donor	Kraft Foods UK, Ltd.
Location	Côte d'Ivoire
Duration	2005-2006
Partners	Save the Children UK
Objective/Strategy	Protect children from recruitment into the armed forces, reunite children separated by the conflict with their families and promote informal education in communities where school systems have been disrupted.
Benefits/Beneficiaries	<p>The program supported children in 7 separate villages on both sides of the Ivorian conflict who were displaced or affected by civil unrest. 55 separated children were aided, 781 other children were provided educational assistance and approximately 3,000 participated in recreational and cultural activities.</p> <ul style="list-style-type: none"> • Reunite separated/unaccompanied children with their parents. • Promote informal education in communities with disrupted schools. • Promote recreational and cultural activities in target areas.

Results	<p>Reunite separated/unaccompanied children with their parents.</p> <ul style="list-style-type: none">• 55 separated children/unaccompanied children aided.• 100% of children registered as separated and documented.• At least 60% of children reunified with families or guardians.• Another 30% of children established contact with their families.• 80% unaccompanied children with unsuccessful tracing placed in foster families.• 100 % of registered children received at least one follow-up visit every 2 months; all placed in databases. <p>Promote informal education in communities with disrupted schools.</p> <ul style="list-style-type: none">• Prevention of conflict recruitment/education on child rights/ sexual/reproductive health issues (HIV/AIDS, STD, family planning).• 781 children aged to 11 to 17 years received education.• Sensitization sessions for 2 villages.• 12 sessions and 48 follow-up sessions on birth certificates.
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	<ul style="list-style-type: none">• 12 birth registers distributed in the villages -- 80% of newborn babies documented.• 5 children's clubs and 5 protection committees appointed and members actively involved in child protection. <p>Provide access to basic education.</p> <ul style="list-style-type: none">• 5 new villages added to non-formal education program. Activities continue in 7 villages from phase one.• Community educators from 12 villages receive teaching materials, technical support and at least four evaluation sessions every year.• 12 sites provided with learning materials and textbooks.• 100% of girls involved in alternative activities.• Boys and girls who are not able to read and write take part in non-formal education activities, recreational activities, sports events and games as well as in the sensitization on sexual and reproductive health in target villages.• 98% of the learners attending the non-formal education receive a training certificate upon completion.
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	<p>Promote recreational and cultural activities in target areas.</p> <ul style="list-style-type: none">• Approximately 3,000 children participated.
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Partnership with Action Contre la Faim

Project Name	Partnership with Action Contre la Faim
Donor	Kraft Foods France, S.A.
Location	Côte d'Ivoire
Duration	2004-2005
Partners	Action Contre la Faim
Objective/Strategy	Support a mobile feeding unit that provides emergency hunger screenings, nutritional kits and rations to children in need in Côte d'Ivoire.
Benefits/Beneficiaries	<p>Program will screen and document children for hunger and malnutrition.</p> <p>Children in need will be provided with emergency food rations.</p> <p>Program benefits hungry and at-risk children from Côte D'Ivoire villages of Dakouigouiné, Zogouiné, Toueupleu, and Ganleu.</p>

Results	<ul style="list-style-type: none">• 1,140 children screened for malnutrition/hunger in one month.• 3,562 children received food aid.• Kraft funding helped recruit additional social workers for the ACF program and enabled an extra feeding vehicle and spare parts to be shipped into the region from France.• Kraft's contribution enabled ACF to buy a car and set up a mobile unit to strengthen its nutritional intervention. The car was also used to refer cases from the Nutritional Therapeutic Feeding Centre to ACF's Supplementary Feeding Centres.• Kraft's donation enabled ACF to finance shipment of emergency nutritional kits between Abidjan and Man in Côte d'Ivoire and Liberia in order to react adequately to an emergency situation.
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Mars Incorporated

Mars Incorporated

Cocoa Sustainability - A Commitment to the Future (extracts from www.cocoasustainability.mars.com)

As a leader in cocoa science in the industry's global effort to achieve COCOA SUSTAINABILITY and an innovator in cocoa knowledge, MARS is making a positive difference for cocoa farmers and their families around the world.

Cocoa sustainability is a holistic, proactive set of activities designed to ensure future supplies of cocoa, and a responsible approach to its production, so that the community and environment in which it is produced can thrive.

For decades, Mars has worked with the cocoa industry and leaders in related fields to create and fund beneficial research programs. Mars has also contributed the time and expertise of many of its scientists to specific programs. These programs include education and training for farmers, development of pest/disease resistant cocoa crops, and other pioneer avenues for cocoa research.

The values by which we have always operated inspire us every day to seek the most responsible methods of cocoa production whereby the entire supply chain shares mutual benefit from the harvesting of this unique and fragile crop. All work supporting truly sustainable cocoa farming practices within sustainable cocoa communities will make a positive contribution to the elimination of child labor. The following summaries provide an overview of Mars' activities across the world's cocoa growing regions, with particular emphasis on programs in West Africa (pages 104 - 109).

THE FIVE PRINCIPLES OF MARS

Quality...Responsibility...Mutuality...Efficiency...Freedom

Child Labor

"Poverty is both the cause and the consequence of child labor."

Norwegian Minister for
Development and Human Rights, Hilde Frafjord
Johnson, host of the Conference on Child Labor

Abusive child labor is a symptom directly related to the problems of poverty in the developing world. Mars is committed to the Harkin-Engel Protocol, which outlines a series of date-specific steps to ensure that cocoa is grown free from abusive child labor. Mars and our public-private partners believe that in order to meet this challenge we must go beyond the Protocol. Along with our industry partners, we are committed to refining and fully implementing a certification process and to improving the lives of West African cocoa farmers and their families. Teaching farmers sustainable growing practices will help to increase their economic return and address the range of problems related to poverty. As these improvements occur, living standards in cocoa-growing communities will improve and social issues such as abusive labor conditions will be more effectively addressed.

Mars is at the forefront of the industry effort to address abusive child labor. This effort includes working with the International Cocoa Initiative (ICI), The United States Agency for International Development (USAID), the International Labor Organization (ILO), the World Cocoa Foundation (WCF) and other interested parties. Together, our goal is to fund programs in West Africa aimed at making a positive difference in the lives of cocoa farmers, their families, communities and the environment. The steps we have taken so far to address cocoa growing conditions in West Africa are evidence of our long-term commitment to improve the well-being of millions of small

farmers. For specific information about our commitment and our progress to date, please visit responsiblecocoa.org or worldcocoafoundation.org.

Cocoa Sustainability

Cocoa sustainability refers to a holistic, proactive global partnership designed to ensure future supplies of cocoa and a responsible approach to its production so that the community in which it is produced can thrive.

Mars' unique investments have launched a new era in cocoa. Today, cocoa is seen as not just a commodity, but also as a potential engine for economic growth, social improvement and environmental stability.

The Cocoa Farmer

Small family farms are the HEART of the cocoa industry, with 5 to 6 million farmers providing more than 90 percent of the world's cocoa crop.

A typical West African farm covers five to eight acres of land and may grow approximately 2,500 cacao trees. But conditions are rarely ideal for the farmer to produce the crop.

An estimated one-third or more of the world's cocoa is lost to pests and diseases every year, having a potentially devastating impact on small farmers whose livelihoods depend on the yields of a healthy crop; sometimes these farmers suffer a total loss of their crop.

Many groups have an interest in addressing the issues facing cocoa farmers:

- The chocolate industry needs a stable supply of raw ingredients;
- Environmental groups seek to preserve the natural habitats that cocoa creates in otherwise fragile tropical regions;
- Donor organizations aim to raise rural incomes;
- Cocoa farmers need a dependable source of income;
- National governments look to support domestic agriculture and raise living standards in the rural communities.

Mars and many others concerned with these issues are now seeking to broaden the scope of these various endeavors and coordinate them in an integrated approach.

Cocoa is Fragile

The genesis of this promising collaboration arose from tragedy in the cocoa sector. By 1994, a fungal plant disease known as Witches' Broom had destroyed 75 percent of the Brazilian cocoa crop.

Brazil, formerly one of the world's major cocoa exporters, became an importer of cocoa to meet its own growing domestic consumption needs.

This loss in production was due to the lack of disease resistant plants and the absence of methods and knowledge to stop the spread of the disease.

At roughly the same time, Malaysia, another major cocoa producer, suffered similar losses in its cocoa sector due to an insect pest, the cocoa pod borer, plaguing the crop. Cocoa stakeholders increasingly recognized that a sustainable agricultural system could meet current and future economic, social and environmental needs. They also

began to recognize that a truly sustainable cocoa supply would require coordinated efforts of all interested parties.

Community Unites

Mars, recognizing the gravity of these crop disasters, began working with the Smithsonian Institution to ORGANIZE the First International Workshop on Sustainable Cocoa Farming.

Held in Panama in 1998 at the Smithsonian Tropical Research Institute (STRI), the workshop featured a select group of ornithologists, plant scientists, environmental advocates and chocolate industry scientists. They embraced the ideal that cocoa grown within a biologically diverse and environmentally sustainable agricultural system is capable of providing long-term economic, social, and environmental benefits to the millions of smallholder farmers who are uniquely suited to cultivate cocoa.

The consensus statement developed at the conference continues to guide efforts by Mars, as well as other members of the chocolate industry, to overcome the challenges facing the cocoa farmers and to better realize the many benefits of the crop.

The principles adopted at the Panama Conference state that a sustainable, biologically diverse system of growing cocoa will:

- Be based on cocoa grown under a diverse shade canopy in a manner that sustains as much biological diversity as is consistent with economically viable yields of cocoa and other products for farmers.
- Use constructive partnerships that involve all stakeholders with special emphasis on small farmers.

- Build effective policy frameworks to support these partnerships and address the particular needs of small farmers for generations to come.
- Encourage future cocoa production that rehabilitates agricultural lands and forms part of a strategy to preserve remnant forests and develop habitat corridors.
- Maximize the judicious use of biological control techniques for integrated management of pests, disease, and other low input management systems. The principles developed at the conference continue to guide efforts by Mars and our industry partners. Mars continues to be a leader in cocoa sustainability research.

Building a Sustainable Future

After little change over the past 100 years, cocoa farming is beginning to evolve through research, training and organization.

For its part as an industry leader, Mars has been at the forefront of cocoa science related to plant breeding and pest and disease control programs.

- Breeding programs around the world are seeking to develop cocoa varieties that are more resistant to various pest and disease problems.
- Newly developed pest and disease resistance and bio-control management strategies make use of natural controls, responsible chemical control and good agronomic practices.

- Farmers are being trained to improve soil nutrient supplies, trim tree canopies to manage light and nutrients, rehabilitate and rejuvenate older trees, reduce post-harvest losses through processing and storage improvements, and diversify their farms to include other crops such as coconut, rubber, oil palm, coffee and fruit.
- Farmers are also improving communication and cooperation as a way to deliver farming information, to improve quality, to better market cocoa, to provide safer farm environments, and to receive a greater percentage of the price of cocoa. By reducing production costs, raising productivity, and removing market and policy inefficiencies, farmers are able to substantially increase their income.

Mars has also worked with other industry leaders to develop programs that seek to raise the overall standard of living of rural cocoa farming families and communities.

The Road Ahead

The global cocoa supply remains fragile, but considerable progress has been made in a very short time to develop programs to sustain the economic, environmental, and social aspects of cocoa.

Thanks to unprecedented cooperation among diverse stakeholders, integrated holistic programs now exist that seek to raise the standard of living for small cocoa farmers, improve cocoa's surrounding ecosystems, create jobs globally for cocoa producers and farmers of associated products, and satisfy consumer demand for chocolate and chocolate products.

Of course, the global cocoa supply remains uncertain in the face of significant challenges, but considerable progress

has been made in a very short time to develop research programs aimed at sustaining the environmental, economic and social benefits of cocoa farming for all involved.

Mars Initiatives

Mars is a leader in organizing industry collaboration and working in the field to ensure that COCOA has a sustainable future

Mars is a leader in the field of cocoa research, and its work encompasses agricultural, economic and health related issues. Working independently, as well as in collaboration with industry partners, governmental agencies such as the United States Department of Agriculture (USDA) and the United States Agency for International Development (USAID), scientific research institutions (The Smithsonian Tropical Research Institute), non-governmental organizations (World Cocoa Foundation, International Cocoa Initiative and Conservation International), academia (Harvard, University of California-Davis and University of Nottingham) and organizations of small cocoa farmers, Mars has established a variety of programs that seek to ensure the long-term sustainability of the cocoa economy, the communities that produce cocoa, and their environments.

Why We're Involved

A sustainable business is committed to helping meet the needs of society today, while respecting the needs of future generations.

In promoting "sustainability," Mars wants to see growth and improvement in:

- The standard of living enjoyed by growers, their families and communities.
- The quality and quantity of the product.

Mars works in partnership with various entities and with cocoa-producing countries to empower the grower. Current efforts include:

- Providing market information processes.
- Supporting growers in developing better production techniques and practices to improve yields and income.
- Research and innovation programs to produce a robust cocoa crop.

These actions contribute to a healthy cocoa supply chain from which all involved can benefit - cocoa farmers, their communities, and the tropical environment in which cocoa is grown.

Importance of Partnerships

Public/private partnerships, including industry, governments, international donor and development organizations, non-governmental organizations (NGOs) and cocoa farmers now exist in which knowledge and resources are shared.

In doing so, the partnerships have set aggressive objectives to:

- Develop effective disease and pest control strategies.
- Raise the standard of living for small-scale cocoa farmers, their families and communities.
- Educate farmers about appropriate cultivation methods.
- Improve the biodiversity of cocoa-based ecosystems.
- Create jobs globally for cocoa producers and farmers of associated products.
- Provide quality raw materials to satisfy consumer demand for chocolate and chocolate products.

Meeting these objectives will improve the sustainability and success of the cocoa supply chain for farmers, their communities and the environment.

West African Case Studies:

Bringing rural skills to the African bush

COUNTRY: Cote d'Ivoire

THEME: Social

If there is one thing that teenage youngsters around the world have in common, it is a tendency to become disinterested in school. Africa is no exception. On any day in any community in West Africa, one will be able to find boys, and some girls, in their early teens that are not in school. There may not be many of them, but any student who leaves school early is not making the most of his or her opportunities.

Add to this the tendency for unskilled rural youth to migrate to the cities, and it is not difficult to see that there may be problems ahead. Some village chiefs have realized that this situation needs to be addressed and Mars, working with Winrock International, an educational non-governmental organization (NGO), has joined with a community in the Agboville area of Cote d'Ivoire to make a difference for some of these students.

The village elder in this settlement identified a plot of land where a vocational school could be located. He then approached Winrock, who was already working with the global chocolate industry, and a partnership emerged. The village provided the land and labor to build the school and Mars, along with the World Cocoa Foundation (WCF), provided the funding. Winrock provided the know-how to make the project work.

With the endorsement of the Ivorian Ministry of Education, there is now a model school program where teenage boys are enrolled to learn relevant vocational skills, including the art of being a cocoa farmer. This is the school's first academic year, but the partnership is hopeful that a sustainable solution has been found in this community, not

only to offer the students further education, but also to help provide a model solution to urban drift.

In addition to this vocational school project, which is under the patronage of the WCF, Mars is working with Winrock to train Ivorian teachers in farming skills for appointments within mainstream schools in the country. The student teachers will be working on an agricultural curriculum, with a focus on cocoa - the main crop grown for export in Cote d'Ivoire. The study program will take them first to the United States where they will visit the United States Department of Agriculture (USDA) to meet some of the world's leading agricultural scientists. After the United States visit, they will travel to the Mars Center for Cocoa Science, in the Bahia province of Brazil, to learn practical skills which they will transfer to tomorrow's cocoa farmers on their return to Cote d'Ivoire.

These two initiatives - the vocational school and the training program for student teachers - are being undertaken in an effort to address the difficulties that young people face as they move through the educational system in Cote d'Ivoire. These classes are not an alternative to the mainstream learning that is provided by the national government. Rather, they are intended to supplement existing facilities and to recognize that vocational training has the potential to make a real difference for the youth in cocoa farming communities, offering them the chance to learn relevant life skills and alternative options to unskilled life in the city. The program has many enthusiastic champions. John Lunde (Mars) described the initiative as "a real demonstration of the commitment that Mars has to contributing to sustainable rural livelihoods", and Vicky Walker (Winrock) said, "Winrock has been working on educational projects in developing countries for years. These developments in Cote d'Ivoire that focus on disengaged youth and offer them alternatives are very encouraging, allowing these youths a better opportunity in life."

In September 2005 the pilot program was completed, and currently, Mars' efforts are focused on expanding this

successful program. This unique industry partnership between Mars, the WCF and Winrock International has made a positive difference in many people's lives.

New trees for old as abandoned cocoa farms are reclaimed

COUNTRY: Cote d'Ivoire

THEME: Environmental

Cocoa is a tropical tree crop that originates from the Amazon Basin but can thrive around the world, anywhere within 15-20 degrees of the equator at low altitudes. Traders introduced the tree to Africa in the nineteenth century, but much of it successfully spread throughout the countries of West Africa during the last century, and many of the cocoa farms in Cote d'Ivoire are now 30-40 years old.

While the trees have a long and productive life, yields do eventually begin to fall, at which time new trees must be established if cocoa farming is to continue to flourish. West Africa is endowed with a plentiful land resource and the habit has been to abandon farms as the trees become old, moving cultivation to new areas. However, with pressure on virgin forest mounting, this is not a sustainable practice. Mars has been looking for ways to encourage farmers to rehabilitate existing farms rather than encroach on the forest.

One of the first challenges in achieving rehabilitation is to demonstrate to farmers that it will be an economically viable solution.

With this background, Mars partnered with a German development agency, Gesellschaft fur Technische Zusammenarbeit (GTZ), on a project in the west of Cote d'Ivoire on the fringes of the Tai Forest. The proposal was to demonstrate to farmers that an abandoned farm could be successfully brought back to production, and that, by making a few changes in basic practices, the farmers could reap tangible economic benefits.

However, significant obstacles existed. Issues like poor soil quality, environmental damage and the advanced age of the cocoa trees all needed to be addressed.

Remedies for these issues include nurturing saplings and growing cocoa trees in shaded areas. Planting leguminous material, which acts as a nitrogen fixer while at the same time providing shade, can help to restore nutrients in the soil. Ensuring that appropriate new cocoa planting stock, either in the form of saplings or as grafting material, is available is also a key to success.

Overall, the Ivorian project was successful not only from the point of view of Mars and GTZ, but more importantly from the standpoint of the farmers. Mars learned the importance of sensitivity to farmers' priorities and the farmers themselves benefited from new planting material and technical know-how.

This successful project has shown smallholders that their existing farms can remain viable into the future, and at the same time has provided an incentive to them to produce cocoa in a more sustainable way.

Stronger cocoa trees reduce vulnerability for farmers in West Africa

COUNTRY: West Africa Region

THEME: Research

West Africa is the source of 70 percent of the world's cocoa. But if someone asks a farmer in Cote d'Ivoire or Ghana where he got his cocoa trees, a likely response is "My parents planted them." While cocoa trees have a long and fruitful life, it is indisputable that the current tree stock is old and has become relatively low yielding. Couple this with threats from pests and diseases, especially the mid-90's fear of Witches' Broom disease spreading from Brazil, and it is not surprising that scientists specializing in cocoa have a growing concern for the future sustainability of the crop.

From this concern has grown an extensive research program to identify the most pest and disease resistant cocoa trees that could be made available for cocoa farmers in West Africa.

Mars' cocoa scientists have been working with a range of partners, including academic institutions such as the University of Reading (UK) and the International Institute for Tropical Agriculture (IITA) based in Younde, Cameroon, to facilitate research that can be shared throughout the West African region.

Breeding and identifying these varieties is a painstaking process that requires patience and attention to detail. Even when the results demonstrate progress, it is still necessary to find ways of sharing the knowledge on a wider basis so that it reaches farm level.

Indications are, however, that progress is being made. Viable planting material with a demonstrable resistance to pests and diseases and good yield potential is now available. Working with IITA and the Sustainable Tree Crops Program (STCP), it is reaching farmers at field level. Considering that there are estimated to be more than one

million smallholders in West Africa, it will be a slow process, but the fight is on to protect African cocoa sources from old age and associated problems, and by so doing, to support African rural cocoa-farming livelihoods. There is every reason to be confident that improvements are being achieved.

Martin Gilmour, a cocoa scientist working for Mars, says "This work could really make a difference to productivity and yields for farmers, even those with very small farms as is most common in West Africa. The challenge is to get the findings of our research into the field quickly so that as many farmers as possible can benefit."

What People Are Saying

- "I consider [the National Academies of Science Cocoa Symposium] a poster child of the way research should be done. We have a sterling example as evidenced by this panel of a wonderful partnership that goes across the federal government in this country, it goes across numerous university collaborators and partners, it goes across the private sector with our partnership with M&M/Mars, and is truly international in scope. Would that all programs were run like this one is run."
- *Judith St. John, Deputy Administrator, United States Department of Agriculture, Beltsville Agricultural Research Center*
- "We've had a very close relationship with Mars for quite a number of years. They have one of their research employees stationed here working at our facility, and we've had a lot of dialogue over the years about issues and cocoa production, diseases and pests."
- *Phyllis Johnson, Director, United States Department of Agriculture, Beltsville Agricultural Research Center*
- "I am pleased that [the industry has] committed to redouble their efforts to create a certification system and eliminate the worst forms of child labor and forced labor in the cocoa fields and throughout the supply chain. The farmers and children in the cocoa growing countries deserve no less."
- *Senator Tom Harkin, Iowa*
- "As a cocoa researcher, with more than twenty years of experience at the Tropical Agriculture Research and Higher Education Center (CATIE), I am highly motivated in participating in the global efforts supported by Mars, Incorporated to improve the living standard of thousands of cocoa smallholder producers under a framework of respect to the environment. The support granted by Mars to our activities has been crucial to implement a sustainable approach to solve the serious disease problems in Latin America through the

development of cacao resistant varieties"

- **Dr. Wilbert Phillips-Mora, Head of Cocoa Breeding Program, CATIE**

- "Mars's efforts to contribute to the development of world cocoa supply sustainability through expanding the frontier of cocoa science and promoting its application and dissemination are key inputs toward achieving a healthy and growing cocoa economy. Focusing on environment, people and economics together as foundation blocks for these efforts is definitively an effective and wise approach to get close to this goal. The identification of new productive clones as well as superior breeding materials, generation of Witches` Broom resistant seedlings as a result of well-designed breeding schemes and the possibility of identifying a new molecular marker to predict resistance to this important cocoa disease, are just examples of the outcomes produced by the cocoa research supported by Mars through INIAP in Ecuador. We look forward to maintaining and enriching this productive relationship."
- **Freddy Amores, Head of the Cocoa Research Program, INIAP**
- "I have worked closely with Mars, Incorporated associates in several countries to educate farmers on sustainable cocoa production methods. I have sent that the Mars Sustainable Cocoa team has a passion for seeing their vision of sustainable cocoa become a reality. And that passion is supported by technical expertise and commitment to seeing the smallholder cocoa farmer succeed."
- **Ross Jaax, ACDI/VOCA**
- "Together, we are trying to create awareness of how important cocoa growing is for the future of West Africa. By promoting sustainable cocoa growing, we are working to liberate people from poverty."
- **Peter Hartmann, IITA**
- "In many ways, agriculture is the key to Africa's economic future. That's why the work of Mars,

Incorporated to encourage sustainable cocoa farming in West Africa is so critically important. From protecting West Africa's fragile ecosystems to helping to provide and develop the tools necessary to aid farmers and their families in overcoming poverty, we're very pleased to have Mars, Incorporated as partners of the Africa Society."

- The Late Leonard Robinson, Past President & CEO, The Africa Society of the National Summit on Africa

- "Thundering against child labor doesn't address the poverty that causes it."
- Jagdish Bhagwati, Trade Economist, Cited from his book In Defense of Globalization
- "Adjusting poverty-reduction strategies and expanding budgets or reallocating resources to social investment would assist millions of children in the poorest countries and communities."
- Executive Summary, UNICEF's State of the World's Children 2006
- "Children are disproportionately represented among the poor, since the least developed countries tend to have the youngest populations, and income-poor families tend to have more children than richer ones. Poor children are more likely to be engaged in labor, which would mean missing out on an education and, as a result, on the opportunity to generate decent income that would allow them escape poverty in the future."
- UNICEF's State of the World's Children 2006
- "We're not paying attention to our future. You look through [The New York Times] and three-quarters of the stories in today's edition are really about this. They're about impoverished places, environmental catastrophe, rebuilding New Orleans, avian flu. Sustainability is actually our real policies right now."
- Dr. Jeffrey Sachs, Head of the Earth Institute, Columbia University, Special Advisor to UN Secretary General Kofi Annan

Frequently Asked Questions

What contributions in sustainability science has Mars made?

With the appropriate focus and scientific know-how, cocoa can be a tool for social, economic, and environmental improvement in developing nations. These combined positive benefits are known as cocoa sustainability.

- Cocoa is a unique crop. About a third of the crop is lost each year due to pests, disease, and poor management, meaning lost effort and income for a farm and community.
- That's why it's important to educate farmers about agricultural best practices to protect the cocoa supply chain and improve the livelihoods of cocoa farmers and their families.
- Through our efforts, we have seen encouraging evidence regarding increased yields and higher incomes, all of which has the capacity to result in a rising standard of living.
- Cocoa can also be an engine for environmental protection.
- Some participants in Farmer Field Schools (managed by the Sustainability Tree Crops Program) have increased yields and income by 20-50%; some have even doubled their income.
- As incomes rise, so do opportunities for children's education and improved infrastructure.
- Diverse rainforests and tall growth trees, which provide shade, are preferred for healthy sustainable cocoa farms.

Why is cocoa so important for the farmers of West Africa?

Almost 70 percent of the world's cocoa comes from West African nations. It is a driving force behind economic growth, which builds the West African economy and is a positive crop for the environment. Cocoa sustainability is essential to the crop in West Africa. Disease and pests can result in the loss of one third of the crop each harvest. Because cocoa is responsible for 50 percent of household income in Cote d'Ivoire, the cocoa community is committed to improving the production and sustainability of the crop.

What is Mars' role in cocoa sustainability?

Cocoa is the lifeblood of many of Mars' most popular brands. It is referred to as an orphan crop that often does not receive sufficient government support in regions where it is grown. Situation analysis in the 1990's indicated that gaps existed in breeding and farming education programs and that little was being done to address the problem. The current situation is more complex and social and environmental issues are driving consumers, NGO's and government officials to become active players.

Mars, Incorporated has initiated programs that have brought the industry together with leaders in related fields, providing education for farmers, conducting research for the development of pest/disease resistant cocoa crops, and much more.

What is Mars doing to stop child labor in cocoa growing?

In 2001, Mars was among the leaders of the global chocolate industry that committed to address allegations of abuse in West Africa. This effort brought together international leaders, human rights experts and child labor advocates to establish and sign an unprecedented Protocol Agreement, in

an effort to eliminate the worst forms of child labor in West African cocoa.

The Harkin-Engel Protocol, however, is one part of our broader effort to support social improvement, economic development and environmental conservation in cocoa farming communities. Long-term, we are committed to ensuring positive change in the lives of cocoa farmers and their families.

What developments in sustainability has Mars made?

Mars, maker of some of the world's best loved confections, is a global leader in the effort to ensure cocoa sustainability. In spite of the many impediments, our long-term approach, along with the industry coalition, is already producing significant and meaningful results. Mars is on the cutting edge of real solutions to the problems faced every day by cocoa farmers.

The industry is proud of its work to meet the obligations of the Protocol, and is committed to refining the certification process and to improving the lives of West African cocoa farmers and their families.

- Mars initiated the first global conference on cocoa sustainability in Panama in 1998. The principles that came out of this conference have been the foundation for Mars' and the industry's work on this issue.
 - Mars owns and operates the world's only privately funded cocoa research facility. Almirante de Cacao in Brazil serves as a development facility for the best practices that can be taught to cocoa farmers around the globe.
 - Mars has developed partnerships with government agencies like the United States Department of Agriculture (USDA) and with development organizations like Winrock International.
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Nestlé

Nestlé

Background:

The August 2007 Responsible, Sustainable Cocoa Farming: Industry Report submission to Tulane University's Payson Center outlined in substantial detail much of the cocoa-related activity that Nestlé is engaged in West Africa. This document does not duplicate the information already provided (see Appendix "A" for information on additional projects). Rather, the purpose of this document is to provide a backdrop of the broader Nestlé engagement across the African continent. While some companies have been engaged on the continent decades longer than Nestlé and others are more highly focused on partnerships in West Africa and still other companies have a broad product portfolio or significant depth to their research & development capacities, Nestlé combines many of those aspects of engagement. Thus, Nestlé has projects and partnerships in Ghana and Cote d'Ivoire, but also in Nigeria, South Africa, Morocco, Ethiopia, Rwanda, Senegal, Kenya, Botswana and other African nations.

What follows are highlights of Nestlé activity on the continent -- not an exhaustive catalogue of individual projects. For example, Nestlé's substantial contributions to a number of the eight United Nations Millennium Development Goals (such as improving maternal health and ensuring environmental sustainability) are either not addressed or are touched on only tangentially.

Provided at the end of this document is a listing of additional website references for more information (see Appendix "B" for website information). It is in these additional resources that wonderful, rich photographs of many of the people, partnerships and projects recounted here can be found. And there too can the reader "go beyond" and get a sense for the "extra-Africa" projects and partnerships that Nestlé is proud to be part of around the globe - from a partnership to empower 5,000 female

livestock workers in Pakistan to the technical assistance to Colombian dairy farmers that increased yield from 2 liters/day/animal to 10 liters/day/animal, from a nutrition education partnership, "Beslenebilirim" (I Know Nutrition), reaching 100,000 children in Turkey, to the education and training of village women in dairy development in India's Moga region.

Nestlé:

Nestlé has become the world's leading food, beverage, nutrition and wellness company, with global sales in 2006 of \$78.7 billion. Founded in 1866 in Switzerland, where it is still based, Nestlé today is the worldwide leader in product categories such as soluble coffee, infant nutrition, bottled water, condensed evaporated milk, ice cream as well as chocolate and malt drinks, and culinary. The Group is also a co-leader in pet care.

Named one of "America's Most Admired Food Companies" in Fortune magazine for the tenth consecutive year, Nestlé USA, with 2006 sales of \$8.5 billion (includes Nestlé Nutrition) provides quality brands and products that bring flavor to life every day. From nutritious meals with Lean Cuisine® to baking traditions with Nestlé® Toll House®, Nestlé USA makes delicious, convenient, and nutritious food and beverage products.

Nestlé in Africa: Our Presence and Our Workforce

Nestlé, with 265,000 employees, presently has 481 factories in 87 countries - with nearly half of those factories and employees in the developing world. Through these factories and facilities, Nestlé makes a long-term commitment to local economies - allowing these developing countries to become producers of finished products, not only producers of raw and packaging materials. Nestlé built its first factory in Africa in 1921, and today has 27 factories on the continent where we directly employ some 11,500 people - with only about 130 of those associates being non-Africans. It is estimated that for every direct Nestlé job created in Africa, another 4 or 5 jobs are created in the economy.

Nestlé consistently invests in training of workers and managers, with about two-thirds of associates receiving formal education every year, ranging from basic literacy training to international business management training. Examples from Africa:

- Many workers, especially older workers, at Nestlé South Africa's Babelegi factory, acquired by the company in 1999, lacked elementary school training and 65% of the workforce were illiterate. A special program, Adult Based Education Training, was implemented. Nestlé now spends approximately 6% of total payroll expenses on training at this factory and in two years the illiteracy rate decreased by 15%.
- Balen Naicker began his employment with Nestlé 19 years ago in the Estcourt Factory in South Africa as a construction worker. Through training courses that included computer skills, management, e-learning curricula and a Nestlé-sponsored diploma from the Institute of Personnel Management at Natal Technikon, Balen became an Assistant in the mechanical workshop, Foreman in a coffee factory, a Human Resources staff developer, a Human Resources Officer, Team Leader, and now is a Team Leader for Industrial Services.

- Queen Zuma, a Regulatory Affairs manager for Nestlé in Kenya, began with Nestlé in South Africa more than a decade and a half ago as a laboratory analyst. Her training has included courses in Business Excellence, Expert Workshops, Production College, an Extended Management Course in Switzerland as well as a variety of visits to other Nestlé markets.
- In South Africa, Nestlé joined with the Umsobomvu Youth Fund, created by the government to help unemployed young people find jobs. The organization contributes to their basic training, including driving lessons, life-style skills, such as how to open a bank account, and elementary business skills. As a result, at this point in 2007, we have 2,000 new Nestlé ice cream vendors on local streets, and plan to have 5,000 by the end of 2008.

Nestlé in Africa: Our Support for the United Nations Millennium Development Goals (MDGs)ⁱ

Nestlé regards the MDGs as important objectives for improving the state of the world. The goals are, among other things, a bold attempt to prioritize what is needed to address the most pressing needs of people in developing countries. They focus on poverty reduction, education, health for women and children and the reduction of pandemics like HIV/AIDS and malaria. They address environmental sustainability and they stress the importance of partnership in order to achieve results.

We believe there is good reason to look at the MDGs in the context of the health of our own business. If we are successful through our long-term investment approach and our commitment to creating shared valueⁱⁱ, we create jobs and income. With these, poverty and hunger are less prevalent. There is greater opportunity for general and nutrition education, meaning that child mortality, illiteracy and epidemic diseases dwindle. With better

access to health care and improved livelihoods, maternal health and the future for youth looks brighter. By managing our business responsibly we help protect the environment. And by creating international and local partnerships with governments and NGOs, we can measurably improve framework conditions.

Globally, Nestlé supports over 150 projects in 66 countries aimed at addressing the most pressing needs of people as outlined by the UN goals. Across Africa, Nestlé supports over 40 programs that contribute to the MDG. A few examples are illustrated below. This is followed by a separate section that focuses on efforts relating to water because, according to the United Nations Development Program (UNDP), water management will be a critical factor in whether we can realistically expect any one of the eight MDGs to be achieved.

Goal: Eradication of Extreme Poverty and Hunger

Nestlé sources our agricultural raw materials, such as milk, coffee, cocoa, cereals, vegetables, fruit, herbs, sugar and spices, either through trade channels or directly from farmers. It is through our core activities with farmers where, perhaps, Nestlé has the most widespread impact on poverty alleviation. Although Nestlé owns no agricultural land and controls no farms, our team of over 850 agronomists, technical advisers and field technicians encourage sustainability in the supply of agricultural raw materials and promote agricultural best practices. On a daily basis they provide free technical assistance to over 500,000 farmers through more than 500 projects in more than 40 countries including China, Pakistan, Ethiopia, Uzbekistan, Mexico, Brazil and Colombia. This win-win approach assures Nestlé of quality ingredients while farmers receive training to improve crops, yields and local incomes.

- In South Africa, WARMTH (War Against Malnutrition, TB & HIV) operates 50 community kitchens run as small businesses by local communities that offer more than

14,000 low-cost, nutritionally balanced meals daily to impoverished portions of the Cape Peninsula.

- In Nigeria, the Nestlé Nutrition Duchess Club, founded in 2003, provides nutrition education and food safety to women - not only mothers and homemakers, but also adolescent girls and women who sell food in open markets. Some 500,000 women have been reached in the Nigerian states of Lagos, Kaduna and Edo. The concept expanded into neighboring Ghana in late 2004 with an initial group of 750 women participating, including Ghana's then-Minister of Women and Children's Affairs.
- In 2001, Nestlé South Africa created the Nestlé Nutrition Institute Africa to further develop African expertise on nutrition. Key areas of focus include malnutrition, obesity, safe infant and young child feeding practices, and breast feeding promotion.
- In rural South Africa, Earthcare, funded by Nestlé through EcoLink, has taught villagers how to grow vegetables using the trench garden method for more than 20 years. Over 150,000 villagers have been taught this method of growing their own food and together with a reliable supply of safe water, and have benefited enormously from the work of EcoLink through the creation of new income opportunities.
- In Cameroon, a partnership with the Ministry of Women's Affairs resulted in opening discussion for women with experts for International Women's Day.
- In South Africa, a small knitting project for illiterate and unemployed women living on Sarie Badenhorst's family farm in 1982 has become a model for rural development. Today, Thusanang Training Center helps establish job creation in baking, vegetable gardening, papermaking, knitting and sewing, with an emphasis on quality control and business skills. Information sharing on parenting and HIV/AIDS awareness is also part of the effort.

Goals: Achieve Universal Primary Education and Promote Gender Equality and Empower Women

In addition to providing training to two-thirds of Nestlé associates globally as outlined above, Nestlé promotes educational opportunity in a number of ways. In Africa, support for education includes:

- In Egypt, a Nestlé-sponsored school educates 580 high school students and provides free evening classes for neighborhood residents (some of whom work in a local Nestlé distribution operation).
- In Morocco, employment in small cottage industries for women was the goal of the Zakoura Foundation, created by the government with Nestlé as a founding partner. Currently, 38 sponsors of the Foundation finance 30 schools, primarily assisting children of dairy suppliers. The 3-year program is a bridge into the public system. For many of the girls age 8-16, they learn reading and writing in Arabic and French. Through programs such as Zakoura, the illiteracy rate has decreased from 56% in 1995 when Zakoura was founded, to 48% in 2004.

Goal: Develop Global Partnerships

- Nestlé has a global relationship with the International Federation of Red Cross (IFRC) and Red Crescent Societies with collaborations in more than 13 countries. In 2002, Nestlé became a founding member of the Federation's new Africa Health Initiative. Over a period of 4 years Nestlé committed CHF 3.4 million to various programs to prevent the spread of HIV/AIDS in Africa. In 2006, Water and Sanitation was added as a new dimension to this partnership. As the first private sector organization to be invited by the Federation, along with the European Union (EU), to support the IFRC Global Water and Sanitation Initiative, Nestlé is dedicating the major part of its

support over 3 years to activities in Africa addressing the immense life-threatening problems resulting from the chronic lack of water and sanitation.

- o In close collaboration with the Mozambique Red Cross and the International Federation, Nestlé has begun a new initiative to assist vulnerable communities in Northern Mozambique in improving their access to safe water and sanitation. The program will assist communities in remote rural areas to establish safe water supplies and improved sanitation, provide all-important training in operation and maintenance, and encourage behavioral change in hygiene practices. The impact will also reduce the time wasted in traveling long distances for safe water, allowing more time for farming and other productive activities, releasing children, especially young girls, to further their education, and reducing the impact of poor water and sanitation among those affected by the HIV/AIDS endemic.
- In 2003, Nestlé began a partnership with the U.N. High Commissioner for Refugees (UNHCR) to address the water needs of 210,000 Somali refugees and local people in Eastern Ethiopia. The partnership was both financial and practical, including on-going technical assistance in the form of a Nestlé Waters hydro geologist and water resources manager. The resulting multi-faceted water system featured rehabilitated wells, an improved pumping and purification station connected to a 22 km pipeline, new water taps in adjacent villages and a new dam to capture rainfall. During 2005, the process of handing over the operation and maintenance of the system to local water authorities was started.
- Through GAIN, the Global Alliance to Improve Nutrition, Nestlé became a founding member of the Business Alliance for Food Fortification (BAFF) in November 2005. The coalition works to reduce vitamin and mineral deficiencies through food fortification.

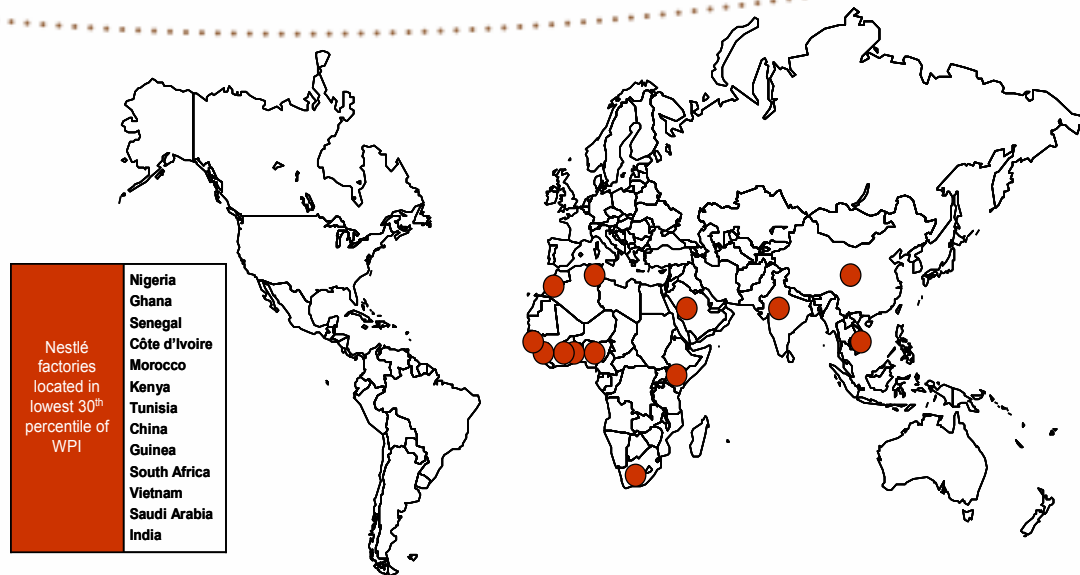
Nestlé is the world's largest producer of manufactured foods fortified with micronutrients.

- In Rwanda, a Nestlé partnership with the Lutheran World Federation provides clean water for up to 50,000 villagers.

Nestlé: A Focus on Water

According to the UNDP, "Water plays a pivotal role for sustainable development, including poverty reduction. Given the importance of water to poverty alleviation, human and ecosystem health, the management of water resources becomes of central importance. Currently, over 1 billion people lack access to water and over 2.4 billion lack access to basic sanitation."

Most of Nestlé's factories are not in water-stressed regions. However, 49 of Nestlé's factories are in 13 countries that are among the most water-stressed countries in the world, as noted by the World Water Council's Water Poverty Index. As a result, an evaluation of the relative performance of factories located in those 13 countries was performed, revealing that additional water-use efficiency is possible. These factories receive special focus, the objective being to assist local factory management to further understand the challenges, to prompt local stress assessments that generate new water-saving projects, and assure that local management is informed about and involved in community activities related to water.



Ghana, Nigeria and Morocco are among the most water-stressed countries in the world. Investments in efficient infrastructure by corporations help to fill the technical and budgetary gaps left by municipalities, as well as to protect local people from the negative side effects of poor infrastructure.

- Nestlé's factory in Southeast Ghana is located in Tema, a city built in the 1960s as a man-made harbour that became Ghana's leading seaport and industrial center. Nestlé's factory is part of an industrial zone with a wastewater treatment plant. An investigation by Nestlé revealed that the local treatment plant was of insufficient quality, so a monitoring program was installed in October 2005 to calculate parameters for a custom-built wastewater treatment plant. This work is ongoing through 2007.
- Nestlé engineers recently built a treatment plant in Nestlé's factory in Agbara, Nigeria. This work in Nigeria earned Nestlé the Most Environmentally Proactive Industry Award from the local governor. Nestlé's El-Jadida factory in Morocco is another example of Nestlé's leadership on wastewater treatment. The El-Jadida factory is showcased by the local government as a leading example of wastewater treatment for other companies and operations.

- South Africa receives little more than half of the worldwide average annual rainfall and is classified as a semi-arid country. The National Water Act was introduced in 1998 with the purpose of protection, optimum usage, development, conservation, management, and control of South Africa's water resources. Nestlé Agricultural Services contributes to fulfilling the objectives of the Water Act in several ways. For example:
 - Working with its milk producers, Nestlé implements the "Work for Water Project" where teams engage with farmers and big dairies to optimize the use of water at all levels. The project is sponsored by the National Department of Water Affairs and Forestry. Nestlé encourages water efficient evening and night irrigation as well as the introduction of computerized irrigation systems and recommends pastures with lower water demand in water-scarce areas. Farmers receive advice on minimum tillage practices with specific tools to keep soil moist. Nestlé also works with farmers to improve efficient and safe effluent removal from their dairy shed areas as a pre-requisite for their registration with the National Health Regulations and compliance with Nestlé's quality management policies for farmers.
- Ethiopia is one of the world's poorest countries, and at the same time the place that first cultivated the coffee tree. Ethiopian coffee farmers are mostly small holders living from subsistence agriculture, and coffee is one of the few cash crops that they can count on as income. Nestlé promoted and financed the installation and operation of an eco-friendly processing facility in Kochere Woreda. Initially, 50% of the 2004/2005 crop processed at this unit was treated in the new facility. Rather than using the water from the river, a dedicated water well was drilled as part of the project. The new technology uses only 6 liters of water per kilogram of green coffee, thus saving about 26 million liters of water

per crop, a 96% reduction of water use. Furthermore, all the pulp and mucilage discarded from the wet mill is treated separately with calcium carbonate and returned to coffee farms as organic fertilizer. Together with the filtration of the remaining process water, this reduced water pollution by 99% when compared to the old technology. As a side effect, energy saved in the new process lowered energy-related costs by 96%, creating savings of more than US\$17,000 per crop.

- In rural areas of South Africa, a large part of the population has no access to piped water. The daily burden of accessing remote water sources, and carrying water over long distances, rests most heavily on rural women. EcoLink, mentioned earlier, is a non-governmental organization based in the Mpumalanga Lowveld, which Nestlé helped establish in 1985, and project LEAP seeks ways to harvest limited water resources and improve water and waste management to help overcome the problems of water-borne diseases. A number of relatively simple and low cost solutions have been identified which involve the community, teach certain basic skills, create jobs and provide a vastly improved water supply. These include the building of rainwater tanks and the capping of natural underground springs.

Nestlé: A Focus on Water - Quality, Yield and Efficiency

In common with many tropical crops, coffee and cocoa are considered "orphan crops" from a Research and Development (R&D) perspective. Because money is earned on the product and not at the seed level and because they are perennial species, investments in innovation of planting material have been very limited. Coffee and cocoa plants were traditionally selected by a few public institutions to optimize yield but not water-related characteristics. Many

varieties are vulnerable even to short periods of drought. The resulting loss of yield is threatening not only to raw material supplies but also the livelihoods of thousands of farmers. In the worst case, water-sensitive plants may not survive prolonged droughts (or produce a very poor crop for 1-2 years before recovering) and many farmers could not afford the investments in time and money required to replant trees (or survive without any crop during the time for recovery).

Nestlé R&D employs a unique set of competencies to create new momentum in raw material innovation of coffee and cocoa. Advanced competencies in molecular and plant biology as well as propagation techniques enable Nestlé R&D to rapidly drive down the time "from science to field."

To overcome the lack of innovation in coffee and cocoa, which are intercropped in some areas, Nestlé R&D has two initiatives that seek to:

- Employ conventional selection and breeding to identify coffee plants that could reduce the amount of water needed to produce high yield and high quality produce.
- Further develop and share propagation capabilities to help farmers grow cocoa plants that are better adapted to an environment of water scarcity than their traditional counterpart from rooted cutting or grafting.

Closing Thoughts:

The images of Africa we see on the nightly news reflect the huge problems facing the African people - armed conflict, HIV/AIDS, poverty, drought and famine. Africa and its more than 830 million people and hundreds of ethnic groups account for about 13% of the world's population, but bear a disproportionate burden of the world's problems. More than 320 million Africans live on less than US \$1 a day and at least 24 nations faced food shortages in 2004. In terms of

per capita incomes, 18 of the 20 bottom-ranking nations are African. More than 25 million people in Africa have HIV/AIDS and by 2010, the workforce in sub-Saharan Africa will shrink by 9% as a result of the pandemic. On top of that, 3,000 people die every day of malaria.

Despite the problems, Africa shows steady economic growth and business opportunity for those able to have a long-term vision and solid business practices. In recent years, a host of governments, UN agencies and others have put poverty alleviation and economic growth in Africa at the top of the development agenda. The private sector, ranging from global companies to local entrepreneurs, is vital to success.

Nestlé supports a number of major projects in Africa aimed at reducing diseases such as HIV/AIDS, reducing malnutrition and poverty. But Nestlé's greatest contribution to the continent is through the impact of our core business, with responsible, sustainable operations that create jobs and catalyze entrepreneurship. We make major investments in infrastructure, industrialization, job creation and human capacity building.

To succeed in Africa requires patience, perseverance and a dedication to long-term economic development that will withstand shifting social circumstances. Through a very long-term business strategy, developing regional and national companies over decades, placing long-term business development over temporary short-term returns, we have become a source of stability and economic growth in Africa.

Appendix "A"

Information submitted to Tulane in the July 2007 document, did not include details of the cocoa project in the Côte d'Ivoire outlined below:

Optimizing Farmer Income via Sustainable and Yield-Increasing Cocoa Husbandry Techniques

Nestlé established this project in the Côte d'Ivoire in 2006 (following a successful prior project), under the auspices of the ICCO program: **Supply Chain Management for Total Quality Cocoa**; with the collaboration of the International Cocoa Initiative (for the child labor aspects) and Ecom/Zamacom Cocoa Department (as local project supervisor).

The project involves a direct collaboration with three cocoa producer cooperatives in the Côte d'Ivoire:

- Coopérative Agricole de Touih (CAT),
- Coopérative Agricole de Groubounou Dan (Coopagro)
- Entreprise Coopérative des Agriculteurs de Méadji (ECAM)

The project goal is to extend sustainable cocoa husbandry practices likely to increase farmer income, protect the environment and decrease the prevalence of child labor on cocoa plantations.

It tries to achieve this via objectives in each of the three pillars of sustainability, namely:

Economic - increasing yields via new materials and better propagation methods; promoting farm diversification; and achieving certifiable quality and traceability to achieve premium prices.

Environmental - promoting IPM and safe/limited pesticide and agrochemical use; soil conservation and infestation avoidance; preserving water resources and reducing erosion; encouraging biodiversity; and providing demonstration plots and extending advice to all cooperative members.

Social - increasing school attendance; teaching environmental protection at primary school level; bringing awareness about child labor risks; and increasing AIDS awareness and prevention.

The methodology involves three phases:

- farmer identification and the collection of baseline data;
- farmer/child education and training
- extension

Following on from previous project engagements in the cocoa supply chain lasting over 4 years, the current project will run for three years from 2006 until 2009.

Briefs of Additional Nestlé Engagement in West Africa

Cameroon - Food donations to 25 orphanages and children's homes

Cameroon - Support for Child Watch

Côte d'Ivoire - Support for Les Amis des Enfants su SIDA, a guesthouse for HIV-positive women and children

Côte d'Ivoire - Support for Association Espoir, a free health care center in one of Abidjan's slums

Ghana - Financial support to the College of Health Sciences of the University of Ghana

Ghana - Partnership with Raleigh International to support improved sanitation in rural communities

Nigeria - Support for the Nutrition Research Library at the University of Agriculture in Abeokuta

Nigeria - Research with Nigerian universities to improve soy bean and cowpea production

Appendix "B"

The content of this report is drawn from publications publicly available on Nestlé's website www.Nestle.com. To view these sources, "The Nestlé Commitment to Africa," and "The Nestlé Concept of Corporate Social Responsibility as Implemented in Latin America" as well as other Nestlé publications on a variety of topics, please see: <http://www.nestle.com/InvestorRelations/Reports/OtherReports/OtherTopics.htm>.

In addition to the "Other" section, please click on the "People" tab to link to the "Nestlé, the Community and The United Nations Millennium Development Goals;" click on the "Environment" tab to link to the "2006 Nestlé Water Management Report."

Nestlé's Management Report 2006 can be found at <http://www.nestle.com/InvestorRelations/Reports/ManagementReports/2006.htm>.

ⁱ The United Nations Millennium Development Goals include:

- Goal 1 - Eradicate extreme poverty and hunger
- Goal 2 - Achieve universal primary education
- Goal 3 - Promote gender equality and empower women
- Goal 4 - Reduce child mortality
- Goal 5 - Improve maternal health
- Goal 6 - Combat HIV/AIDS, malaria and other diseases
- Goal 7 - Ensure environmental sustainability
- Goal 8 - Develop a global partnership for development

ⁱⁱ At Nestlé, Shared Value Creation combines our ambition to meet the needs of consumers and shareholders with our commitment to respect people and the environment. Shared Value Creation is the keystone of our corporate social responsibility and sustainability. Nestlé believes that to create value for our shareholders over the long term, we must also bring long-term value to society. Our investments must be good for both our shareholders and the people of the countries where we operate, as well as good for the company. This is particularly true in developing countries where, to operate successfully, we often need to improve business conditions, increase farmers' capabilities, create a skilled work force and develop better standards. Thus, Nestlé's future success is inextricably linked to the future of the people in the many countries where we operate.

April 9, 2008

Chocolate/Cocoa Industry Information on Financial Support for Responsible Cocoa Farming

Industry Monetary Contributions 2005 -2008

As work to help West African cocoa farmers, their families and their communities advances, the global chocolate and cocoa industry has compiled information on its combined financial contributions from 2005 through 2008.

In July, 2005, the industry joined with U.S. Senator Tom Harkin (D-IA) and U.S. Representative Eliot Engel (D-NY), to make two commitments. Senator Harkin and Representative Engel had previously led the establishment of the Protocol – an industry-wide agreement to address labor issues on cocoa farms.

First, industry pledged to have a system of certification for cocoa farming labor practices, covering 50 percent of the cocoa output of Ghana and the Cote d'Ivoire (Ivory Coast), by July, 2008. That commitment will be met.

In addition, the industry pledged to invest at least \$15 million to address the worst forms of child labor and forced adult labor, and to help cocoa farming families between July, 2005 and July, 2008. According to figures provided by individual chocolate and cocoa companies, and compiled by an independent economic analysis group, that commitment has been more than met – with total industry spending on West African cocoa farming programs exceeding \$38 million between 2005 and 2008.

The certification for cocoa farming model includes several different areas of activity, as part of an ongoing cycle that drives continual improvement in labor practices:



Industry-wide and individual company support for responsible cocoa farming has largely followed the above model, with financial contributions in each of the key areas: data collection; reporting; remediation/response, and independent verification.

Together, industry and individual company investments support more than 20 different programs. Among the efforts is the International Cocoa Initiative (ICI), the leading organization in efforts to tackle unacceptable child labor practices on cocoa farms. Individual companies support the ICI, which is led by a board composed equally of industry and civil society members and co-presidents representing both constituencies.

In addition, industry funding supports a range of programs managed by the World Cocoa Foundation (WCF), which works to support sustainable, responsible cocoa farming.

The following table details industry and individual company support in these areas, from January, 2005 through December, 2008 (to align with the financial reporting of the organizations involved).

Category	Activities	Amount (in US\$)
Data Collection/ Reporting	Work to develop, scale up the certification data collection and reporting efforts in Ghana, Cote d'Ivoire	\$6,418,242
Response/ Remediation	Support for the International Cocoa Initiative (ICI), the leading organization in addressing labor practices on cocoa farms	\$6,794,000
Response/ Remediation	Programs to help improve farmer incomes and educate farmers on safe, responsible labor practices, administered through the Sustainable Tree Crops Program (STCP) and the World Cocoa Foundation (WCF)	\$2,553,000
Response/ Remediation	Programs to address improve social conditions in cocoa farming communities, including access to quality, relevant education, funded through the Initiative for African Cocoa Communities (IACC) and managed by the WCF	\$1,365,000
Response/ Remediation	A partnership between the WCF and the United States Agency for International Development to improve education in West African cocoa farming communities (the "ECHOES" project)	\$674,000
Response/ Remediation	Individual company programs to improve conditions on cocoa farming communities; improve labor practices <ul style="list-style-type: none"> ▪ To learn more about what individual companies are doing to help West African cocoa farming communities, read the Industry Report to Tulane University 	\$19,121,300
Independent Verification	Support for development of a robust, credible independent verification component <ul style="list-style-type: none"> ▪ Includes development of Verification roadmap, in consultation with stakeholders; establishment and support for the International Cocoa Verification Board; hiring of on-the-ground verifiers; ongoing stakeholder engagement 	\$1,835,000
TOTAL		\$38,760,542
Notes:		
<ul style="list-style-type: none"> ▪ The number does <u>not</u> include costs for employees or staff time; in-country investment; corporate personnel costs; local infrastructure costs; costs related to cocoa purchasing. ▪ The period covered is from January, 2005 through December, 2008; it does not reflect the substantial investments made by industry from 2001 to 2005. 		

The information was compiled by the Georgetown Economics Unit, a part of Kelley, Drye, Collier, Shannon, a law firm based in New York, with offices worldwide. Kelley, Drye has worked with the chocolate and cocoa industry on a range of industry-wide, pre-competitive issues.

Industry foundations, associations and individual companies submitted their information on a confidential basis, directly to Kelley Drye, to avoid any competitive issues. After assembling the data, the analysts then carefully reviewed it to ensure that no funds were being “double counted,” or recorded inaccurately.

Organizations submitting information include Archer Daniels Midland; Barry Callebaut; Cargill; Cadbury; Ferrero; the Hershey Company; Kraft; Mars, Nestle and the National Confectioners Association.

For further information on programs supported by the chocolate and cocoa industry to help cocoa farming communities, visit www.worldcocoa.org or www.cocoainitiative.org

For Further Information, Contact:

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**STATEMENTS OF OTHER PARTIES
FOR THE OFFICIAL RECORD**



June 11, 2008

Charita Castro / Leyla Strotkamp
U.S. Department of Labor
ILAB / Office of Child Labor, Forced Labor,
and Human Trafficking
200 Constitution Ave., NW
Room S-5317
Washington, DC 20210
Submitted electronically

Dear Ms. Castro and Ms. Strotkamp:

The National Fisheries Institute (NFI) is submitting this letter as written testimony for the public hearing to collect information to assist in the development of the list of goods from countries produced by child labor or forced labor. As we understand, the Department of Labor (DOL) is seeking information to demonstrate the presence or absence of a significant incidence of child or forced labor, including the nature and extent of actions and initiatives to combat child labor or forced labor.

NFI is the nation's leading advocacy organization for the seafood industry. Its member companies represent every element of the industry, from the fishing vessels at sea to national seafood restaurant chains. The seafood industry is a global industry; approximately eighty percent of the seafood consumed in the United States is imported from countries all around the world. NFI importers, producers, processors and fishermen work hard to ensure the use of practices that promote not only the sustainability, quality and safety of their product but also the health and safety of their workers. **Our members reject any mistreatment of workers or other human rights abuses and we take any such accusations seriously.**

Since the April 23, 2008 release of the Solidarity Center report on labor law violations in the shrimp processing industries in Thailand and Bangladesh, NFI has met with the governments of Thailand and Bangladesh to insist that they investigate the claims and provide a public accounting of their finding. We have also visited the State Department's "Trafficking in Persons" office to recommend that they partner with the seafood community here and overseas to ensure that these violations, if substantiated, are corrected. It is our belief that the industry has a key role in both preventing abuse and stopping it when it is alleged to have occurred.

The National Fisheries Institute's (NFI's) efforts go far beyond mere vigilance. We are actively working to optimize the unique role our community can play in ensuring workers are not abused, in investigating allegations of abuse and in finding facts and answers

rather than generalized anecdotes and accusations. The following list shows some of the NFI actions that began with the release of accusations of worker abuse in the shrimp industry by the AFL-CIO backed Solidarity Center.

- NFI publicly called for local authorities to investigate the accusations in the Solidarity Center report.
- NFI participated in phone call with staff from the Office to Monitor and Combat Trafficking in Persons (TIP) at the State Department, to determine specific situations of which the TIP Office is aware
- NFI requested the Solidarity Center to release details about the locations of alleged abuses, rather than just broad accusations.
- NFI learned that the Bangladesh Shrimp and Fish Federation had launched a project designed to educate shrimp processors about labor laws to ensure they are compliant with the Bangladesh Labor Act.
- NFI met with officials at the embassies of Thailand and Bangladesh to discuss progress of their investigations.
- NFI met with staff at the Office of the United States Trade Representative (USTR) in Washington to discuss the accusations, to learn what action is being taken to investigate and to understand the potential consequences for bilateral trade.
- NFI learned that the Bangladesh Fisheries Ministry wrote to its embassy in Washington to ensure they are aware that the government has taken the following steps: supported an awareness and advocacy campaign about labor laws in the shrimp community, revised evaluations for renewal of licenses to further scrutinize labor compliance issues, formed a three tier monitoring committee under the Ministry of Fisheries & Livestock to monitor any violation of labor right compliance in the shrimp processing industry.
- NFI contacted the Solidarity Center, asking for a meeting in an attempt to gain detailed information (which was not included in their report) to support their accusations, citing the NFI members' ability to drive change where needed.
- Bangladesh Embassy informed NFI that representatives of the international Labour Organization, European Union, the U.S. Embassy and journalists will visit shrimp farms and processing plants as part of its investigation into the allegations.
- NFI staff and several members met with Ambassador Lagon and members of his staff in the Office to Monitor and Combat Trafficking in Persons (TIP) at the State Department, emphasizing the desire to work together with TIP Office to address any issues and suggesting that effort start with detailed explanation of the accusations. Amb. Lagon responds as eager to work together and we have scheduled a follow-up meeting with his staff.
- NFI staff reviewed of status of current labor laws in Bangladesh and Thailand after receiving requested summaries of recent changes in laws from the embassies of Bangladesh and Thailand.
- NFI President John Connelly toured shrimp processing plants in Thailand.
- NFI President John Connelly met with officials from U.S. Immigration and Customs Enforcement (ICE), the Thai Ministry of Labor, Thai government officials from the

departments of Foreign Affairs, as well as Fisheries, in addition to the Thai Frozen Foods Association (TFFA) at the US Embassy in Bangkok.

- NFI President John Connelly met with Deputy Chief of Mission and other US Embassy staff in Bangkok to discuss seafood community's commitments and how the industry plans to help ensure workers are treated fairly.
- NFI President John Connelly toured additional shrimp processing plants in Thailand.
- NFI is arranging a meeting of the Global Aquaculture Alliance and the Aquaculture Accreditation Council with TIP Office, to explain the social justice aspects of the Best Aquaculture Practices initiative.

The point of this list is to demonstrate that the U.S. industry is well positioned to effect change in addressing any immediate labor issues in Thailand and Bangladesh, is already working towards this end and should be called upon by the government and others to help address the issue. Examples of how industry can work with governments include:

1. Provide a list of "best practices" among NFI members with respect to labor conditions in Bangladesh and Thailand.
2. Provide existing guidelines on social issues from the programs being implemented by the Global Aquaculture Alliance (GAA).
3. Assist the two relevant UN specialized agencies, the Food and Agriculture Organization (fisheries) and the International Labour Organization (labor), with expertise to frame solutions to international labor problems in fisheries.
4. Facilitate fishing company engagement with the International Labor Organization (ILO), recognizing that it may be more efficient for the initial exchanges to take place between FAO and ILO.

The seafood community is guided by globally accepted standards when it comes to harvesting and processing. As an example of the seafood community's commitment to social concerns, about twenty percent of the Global Aquaculture Alliance's guidelines for Best Aquaculture Practices (BAP) Standards focus on the community – specifically worker safety and employee relations. The BAP standards currently address environmental and social responsibility, animal welfare, food safety and traceability in a voluntary certification program. The standards direct that processing plants must comply with local and national labor laws to ensure worker safety and adequate compensation. The BAP recognizes that it is the responsibility of plant management to provide safe and healthy working conditions along with worker safety training. Plants will not receive BAP certification unless the management demonstrates compliance with local and national labor laws and commitment to worker safety. In addition, the plants must provide workers with legal wages and safe working environment. Compliance with this standard will be assessed during ACC facility audits. These assessments should include interviews with workers to verify compliance.

Conclusion

We encourage DOL to judiciously review each submission of testimony to determine whether or not the facts support public accusations of child and forced labor. The

decision to list a particular good and country on a list must be based in specific facts, not broad accusations.

We feel the seafood community is uniquely positioned to affect change through certification programs such as the GAA BAP and ACC certification and relationships that are built with suppliers and importing firms, as well as through our participation in international fisheries forums. However, specific information on the companies responsible for alleged abuses is critical to effecting change. Focus needs to be placed on specific operations, not the country as a whole so the industry and local governments, in addition to national governments, can work together to develop plans to eliminate such practices.

Thank you for considering our comments.

Sincerely,



Stetson Tinkham
Director, International Affairs
National Fisheries Institute
7918 Jones Branch Drive, Suite 700
McLean, VA 22102

From: Prapan Disyatat [mailto:prapand@thaiembdc.org]
Sent: Wednesday, June 11, 2008 12:05 PM
To: Piorkowski, Jennifer - ILAB ; Rigby, Rachel - ILAB; ILAB-TVPRA
Subject: Testimony for List of Goods Made from Child and Forced Labor

Dear Jennifer,

Please find attached herewith the written testimony from the Royal Thai Embassy to be included in the record for the Hearing to Collect Information To Assist in the Development of the List of Goods From Countries Produced by Child Labor or Forced Labor.

Prapan Disyatat
First Secretary
Royal Thai Embassy
1024 Wisconsin Ave., NW
Washington, DC 20007
Tel: (202) 298-4789
email: prapand@thaiembdc.org

**Explanation on the Case of Child Labor and Migrant Workers in Thailand's
Shrimp Industry from the Solidarity Center's
"True Cost of Shrimp" Report**

On April 23, 2008 the Solidarity Center released a report alleging that exploitation of child labor and migrant workers are committed in Thailand's (and Bangladesh's) shrimp production factories. On the same day, CNN reported further to imply that mistreatment of labor is the norm in Thailand and urged American consumers to boycott shrimp imports from Thailand.

The Solidarity Center's report briefly concluded the shrimp industry in Thailand and provided a list of U.S. companies and retailers importing Thai shrimp. The report outlined labor conditions in Thailand's shrimp industry as follows:

- The report referred to the International Labour Organization (ILO) and Mahidol University's report on labor abuse in Thailand's fishery and seafood industry.

- The report relied primarily on the case of "Ranyapaew" as a case example of labor exploitation in Thailand. Ranyapaew is a shrimp processing factory which was raided by Thai authorities in September 2006.

- The report stated that because regulations over the shrimp and seafood industry, migration policy, and industrial relations are handled by different ministries, the Thai government has no unified policy to protect the rights of workers and migrants in the shrimp industry.

1. Thailand's policy on the prevention of child labor

Recognizing the importance of preventing and protecting child labor, the Royal Thai Government set up the Commission for Protection of Child Labor under the Ministry of Labor in 1987. In 1992, Thailand ratified the Convention on the Rights of the Child and the International Labor (ILO) Convention No. 182 on the Elimination of All Worst Forms of Child Labor in 2001.

The 2007 Constitution provides for the promotion and protection of children's rights. It recognizes children's rights and freedom enshrined in international conventions to which Thailand is party, as having the same binding effect as those provided for in the previous Constitution. It also guarantees twelve years of free education and special support for persons with disabilities to ensure their equal access to education.

1.1. Laws and Regulations

1.1.1 The 2007 Constitution

Section 40 (6): Children, youths, women and disabled persons are eligible for due protection during judicial procedure.

Section 83 (8) : The state shall promote job opportunities for people in working age, protect women and child labor, promote labor relations and the tripartite system under which workers have the right to elect their own representatives, arrange for social welfare system, and apply a single standard for protection of workers to ensure equal and non-discriminated rights and welfare benefits.

1.1.2 Labor Protection Act (LPA) 1998 includes both preventive and protective measures for child labor as follows:

- LPA states that persons of age 15 or above can engage in employment, but employment of persons under the age of 15 is considered illegal. Employment of a child below the age of 15 carries a penalty of up to 1 year imprisonment or fines of up to 200,000 baht, or both.

- It is prohibited to employ a person below 16 to work in sea fishing, except when a child aged above 15 is employed with his or her parent or guardian employed on the same boat.

- The minimum age for employment has been increased from 13 to 15 years of age, making it possible to keep children in school longer and preventing early entry into the labor market;

- An employer must notify labor inspectors when employing a child below 18 years of age within 15 days of employment. The employer must also record any changes in the employment conditions and keep the record at the workplace ready for official inspection during working hours. The employer must notify labor inspectors of the termination of a child's employment within 7 days of the final employment day. Failure to notify a labor inspector of the employment of a child under 18 years of age carries a penalty of a fine up to 20,000 baht.

- Child labor is prohibited from working during the period of 10pm to 6am, unless permitted by the Director-General of the Department of Labor Protection and Welfare and with exception to child actors/actresses or children in a similar field of work. An employer must provide the child worker with a continuous rest period of no less than 1 hour after four hours of work, and the child employee must be provided with some additional rest periods. Failure to provide rest periods or forcing a child worker to perform prohibited tasks or paying child wages to others or demanding or accepting a deposit from a child worker will result in a 6-month

imprisonment or a fine not exceeding 100,000 baht or both. Forcing a child to work during prohibited hours, which leads to damages in the child's physical or mental health or the child's death, carries a prison term of up to 1 year or a fine of up to 200,000 baht or both in conformity with the principles of the ILO Convention No. 138 concerning the minimum wage for employment.

- A child worker under 18 years of age shall be entitled to take leave with pay of not more than 30 days per year to attend meetings or seminars, obtain education or training, or leave for other matters. Failure to comply with this provision carries a penalty of a fine up to 10,000 baht.

- An employer is prohibited from demanding or accepting a guarantee money for any purposes from a child worker, and from paying the wages of a child worker to any other person. Sexual harassment is also strictly prohibited.

- Article 49 of the LPA clearly states that a safe working environment must be secured for child labor and sets forth types of work prohibited for workers under the age of 18, which is in line with the UN Convention on the Rights of the Child (CRC) regarding the minimum age for employment. The types of work prohibited are as follows:

- i. Smelting, blowing, casting or rolling of metal,
- ii. Metal stamping,
- iii. Work which is directly exposed to heat, cold, vibration, noise, and light at levels exceeding that which is normally acceptable, which could be hazardous as described in the ministerial regulations,
- iv. Work that involves exposure to or contact with poisonous materials, explosives, or inflammable materials, except for work in gas stations as described in the ministerial regulations,
- v. Driving or controlling of forklifts or cranes,
- vi. Work that involves the use of electric or motorized saws,
- vii. Underground, under-water, in a cave/tunnel/shaft work,
- viii. Work involving direct exposure to radiation,
- ix. Machine or engine cleaning while the machines or engines are in operation,
- x. Work performed on a scaffold more than 10 meters from the ground,
- xi. Other works described in the ministerial regulations.

- LPA provides protection for all employees working in Thailand, **including foreign labor**. If the foreign workers are not registered with the Department of Labor Protection and Welfare, the Department will coordinate with

relevant agencies, especially the Department of Employment, the Immigration Office, or the Royal Thai Police to provide assistance as appropriate.

1.1.3 National Policy and Plan of Action for the Prevention and Eradication of the Commercial Sexual Exploitation of Children, 1996 specifies that the Government will take efforts to revise, modify, and draft related laws, ministerial regulations pertaining to the development, assistance, protection, correction and rehabilitation of children.

1.1.4 Ministerial Regulation concerning Wage Rate for Employees, 2004

As of January 2008, the minimum daily wage in Thailand ranges from 144 – 190 baht (approximately USD 4-5), depending on the cost of living in different provinces, while the minimum wage in neighboring countries is around USD 2 per day.

1.1.5 Ministerial Regulation concerning Labor Protection in the Agricultural Sector, 2005 determines the minimum age (it is prohibited to hire children below 15 years of age), welfare, and safe type of works for young workers in the agricultural sector in line with the LPA.

1.1.6 Child Protection Act, 2003 provides for the prohibition and elimination of exploitation of children in slave-like or bonded conditions, illicit activities, hazardous and arduous work, prostitution, pornography, or other similar activities.

1.1.7 The Prevention and Suppression of Human-Trafficking Act B.E. 2551 (2008), effective on 5 June 2008, imposes heavier penalties on all persons involved in human trafficking. This Act gives a broader definition of “exploitation” to cover sexual exploitation, pornography production/distribution, other forms of sexual exploitations, slavery, forced begging, forced labor, trade in organs, or other similar forms of exploitation regardless of consent being given or not. In Section 39, any persons involved in human trafficking will receive a penalty of 4 to 10 years imprisonment and a fine of 80,000 to 200,000 baht. Offenses involving persons aged 15 to 18 years are subject to a penalty of 6 to 12 years imprisonment and a fine of 120,000 to 240,000 baht. Offenses involving persons over 15 years of age are subject to a penalty of 8 to 15 years imprisonment and a fine of 160,000 to 300,000 baht. The victim protection under the Act will cover “all persons” regardless of their genders or nationalities.

1.2. Preventive Measures

1.2.1 Dissemination of knowledge on the prevention and resolution of child labor problems through public campaigns and the media. The Ministry of Education has prepared textbooks on child labor for incorporation into the school curriculum.

1.2.2 Village Labor Volunteer Programs have been established to organize training for community leaders and teachers on local measures for child labor problems.

1.2.3 Provision of vocational training and necessary skills for children to meet labor market requirements.

1.2.4 Establishment of anti-child labor networks

1.2.5 In May 2007, ILO and the Royal Thai Government launched a series of joint efforts to tackle human trafficking and child labor, and endorsed a number of existing ILO-supported initiatives known as “Good Practices”. The new initiatives include a technical assistance program for Thai women who underwent trafficking-related abuses abroad upon their repatriation and a time-bound technical assistance program to strengthen and integrate responses to tackling child labor-related problems in Northern Thailand. The ILO has recognized that the number of child laborers in Thailand has declined during the last decade.

1.3. Coordinating Bodies on Child Labor

In 2006, the Ministry of Labor appointed a **National Committee on the elimination of the worst forms of child labor** to more effectively resolve the child labor problem and eliminate the worst forms of child labor. The National Committee is now drafting the **National Plan of Action for the Elimination of the Worst Forms of Child Labor**, which includes 5 strategies as follows;

1. To decrease the use of child labor;
2. To protect child labor from work that may affect their physical, emotional, or intellectual development;
3. To eliminate the worst forms of child labor, especially in illegal work. This includes giving protection to children who are maltreated by employers;
4. To provide developmental rehabilitation to child victims after they have been rescued;
5. To promote efficient implementation mechanisms to effectively eliminate the worst forms of child labor.

1.4. Cooperation with international organizations

In dealing with child labor and human trafficking issues, the Thai Government has worked closely with international agencies and UN bodies; namely the International Labour Organization (ILO), the International Organization for Migration, United States Agency International Development (USAID), United Nations Inter-Agency Project on Human Trafficking in the Greater Mekong Sub-Region Taskforce and the United Nations Global Initiatives to Fight Human Trafficking (UN-GIFT).

The Ministry of Labor and ILO/IPEC (International Program for the Elimination of Child Labor) have developed a National Plan of Action on ILO Convention No. 182 applicable to all persons under 18 for the enactment and enforcement of laws and for monitoring and reporting on the progress. MOL/ILO/IPEC have succeeded in undertaking projects to fight against child slavery and bondage and the exploitation of children in prostitution or employment in intolerable conditions. All efforts are taken to ensure that children are not involved in work beyond the limits set by the legal frameworks and that they are not involved in the worst forms of child labor.

1.5. International Conventions and Other Instruments concerning Child Labor which Thailand is party to:

- 1.5.1 ILO Convention No. 29, 1930 regarding Forced Labor,
- 1.5.2 ILO Convention No. 123. 1965 on the minimum age for working underground,
- 1.5.3 ILO Convention No. 127, 1967 on the maximum weight,
- 1.5.4 ILO Convention No. 182 on the elimination of the worst forms of child labor,
- 1.5.5 ILO Convention No. 138 on minimum age for admission to employment,
- 1.5.6 The 1998 Covenant on the Principles and Basic Rights for Employment, which Prohibits employment of a child under 15 years of age.

2. Thailand's policy on prevention against the abuse of migrant workers

Thailand has long been a destination country for migrant workers in the region owing largely to the social and economic disparities that exist between Thailand and some of its neighbors. Thailand maintains a lenient policy towards illegal migrant workers from 3 neighboring countries (Myanmar, Lao PDR, Cambodia) who constitute a large part of Thailand's workforce. In 2006, 668,576

migrant workers had their work permits extended. At the same time, the Royal Thai Government through various agencies pressed charges and prosecuted a total of 3,853 workplace owners/employers involved in the trafficking or employment of illegal workers with a total of 65,016 illegal migrant workers having been arrested.

2.1. Laws and Regulations

Generally, migrant workers who are lawfully registered to work in Thailand are entitled to the same rights as Thai workers in accordance with the Labor Protection Act B.E. 2541 (1998) which includes minimum wage equal to Thai labor, holiday and sick leave from work and overtime wages. They can bring complaints against their employers in accordance with the Act in case their employer violates or fails to comply with an Employee's entitlement to those rights prescribed under the Act. Since 2004, irregular migrants from Cambodia, the Lao PDR and Myanmar are given opportunity to regularize their status through country-wide registration processes administered by the Ministry of Labor and the Ministry of the Interior, which resulted in their entitlement to basic health insurance and protection under the Labor Protection Act of 1998. They are also entitled to receive medical treatment and medical services from public hospitals, and their children entitled to basic education at public schools. Thailand's labor protection laws cover both Thai and migrant labor.

The Royal Thai Government has also recently enacted the new **Employment of Aliens Act** B.E. 2551 (2008), which amends the previous **Employment of Aliens Act** B.E. 2521 (1978) due to the continuous influx of migrant workers into the country. The highlights of this law are as follows;

1. Establishment for the first time of the Migrant Workers Repatriation Fund overseen by the Permanent Secretary of Labor to repatriate migrant workers and facilitate their return to their homeland, in line with the immigration laws.

Section 31 - When the amount of money in the Fund is inadequate to cover repatriation expenses, the Government will occasionally subsidize the Fund, as needs be.

Section 32 - A Fund Management Committee will be set up to consist of the Permanent Secretary of the Labor Ministry as Chairman, with the Director-General of the Employment Department as Deputy Chairman, and the Commissioner of the Immigration Bureau, and representatives from other government agencies, such as the Ministry of Foreign Affairs, the Office of the Attorney-General, the Office of

National Budget, and experts from relevant fields, among others.

Section 37 - The Fund Management Committee will be responsible for determining provisions, guidelines, and priorities of the Fund, and for the auditing and monitoring of the Fund according to the Ministry of Finance's rules and regulations.

2. Clear specification of the types of work for migrant workers.

3. Provisions that require the employers of migrant workers to be responsible for setting aside contributions to the Repatriation Fund.

4. Migrant workers are provided with a permission to work in Thailand up to 2 years. The work permit may be renewable.

5. The Migrant Workers Screening Committee chaired by Permanent Secretary of Labor is established to screen and approve employment and work permits of migrant workers, and to propose migrant employment policy to the Cabinet for approval.

6. A Committee will be set up to consider the Appeals made in relation to the employment of alien workers.

7. The Minister of Labor authorizes the Director-General of the Department of Employment to issue work permits to migrant workers.

8. Migrants from neighboring countries without a passport will be allowed to use other legal documents for temporary employment in certain types of work in border provinces.

9. This new Act provides for heavier penalties for employers:

- An alien worker who works without a work permit in Thailand will be subject to imprisonment for up to 5 years or the fine of 2,000 – 100,000 baht, or both imprisonment and fine.
- A permit holder who fails to report to officials about the extension of his or her employment will be fined up to 10,000 baht.
- Employers wishing to employ unskilled alien workers will have to apply for a license and pay the license fee of 10,000 baht per each unskilled alien worker employed.

2.2. Preventive Actions

2.2.1 The Ministry of Labor is collaborating with other relevant agencies to inspect, suppress, arrest, and prosecute illegal migrant workers. In 2007, 3,853 employers were prosecuted and 65,016 illegal migrant workers were arrested (39,131 Burmese, 17,087 Cambodian, 6,712 Laotian, and 2,086 other nationalities). The Royal Thai Police made 49 arrests in child trafficking cases involving 90 victims.

2.2.2 The Ministry of Labor has allocated a budget of 8,821,000 Baht to coordinate projects that set standards on the employment of migrant workers.

2.2.3 The Department of Employment has set up 18 checkpoints at border crossings and airports in 14 provinces to assist job seekers. In 2007, 95,981 job seekers received assistance and 520 of them were prevented from falling victims to human traffickers.

2.2.4 Special monitoring and supervisory measures are put in place to protect workers who are susceptible to falling victims of human trafficking, such as women and children.

2.2.5 Labor protection policy measures and social security measures are now being extended to cover unregistered or “outside-the system” workers.

2.3 Labor Inspection

2.3.1 The Labor Protection Act of 1998 also instructs the Labor Protection and Welfare Department to conduct periodic inspections, together with inspectors from the Ministry of Health and from the food inspection authority. The purpose of labor inspection is to ensure that work conditions comply with the law and allow the inspectors to initiate civil and criminal actions against employers in cases where labor rights are determined to have been violated, or where the workplace is deemed dangerous or where forced labor is evident. The penalty for violations involving child labor is more severe than that for other types of labor.

2.3.2 Inspectors may take legal actions against the employer immediately, without the need to issue a warning, in these circumstances:

- cases of cruelty, detention and holding against will, or other criminal offenses
- cases of unsafe workplace causing serious injury or death of workers which is not a result of the employee negligence
- cases involving sexual harassment of women or child labor

2.3.3 The Labor Protection Act 1998 section 144 stipulates that employers who have violated the law involving a child labor be sentenced to up to 6 months

imprisonment or fine up to 100,000 Baht, or both. If the said violation resulted in physical or mental injury or death of the child labor, the employer may be sentenced up to 1 year or fine up to 200,000 Baht, or both.

2.4. International Conventions and Other Instruments concerning Labor ratified by Thailand

2.4.1 ILO Convention No.19, 1925 on equality of treatment (Accident Compensation)

2.4.2 ILO Convention No. 80, 1946 on Final Articles Revision

2.4.3 ILO Convention No. 88, 1948 on employment service

2.4.4 ILO Convention No. 100, 1951 on equal remuneration

2.4.5 ILO Convention No. 104, 1955 on abolition of penal sanctions (indigenous workers)

2.4.6 ILO Convention No. 105, 1957 on abolition of forced labor

2.4.7 ILO Convention No. 116, 1961 on Final Articles Revision

2.4.8 ILO Convention No. 122, 1964 on employment policy

2.4.9 ILO Convention No. 127, 1967 on maximum weight (per person to carry)

3. Royal Thai Government Action on Ranyapaew Factory Case

3.1 Since September 2006, after Thai officials had rescued illegal foreign workers from the Ranyapaew Factory in Samutsakorn Province, the owners of the Factory were prosecuted for human trafficking. The case attracted significant attention both domestically and internationally. Sixty-six workers were classified as human-trafficking victims, and are all currently under the supervision and care of the Kredtrakran Protection and Occupational Development Centre (63) and Pakkred Reception Home for Boys (Ban Poomivate) (3).

3.2. Concerning the **labor lawsuit** filed against the Factory since October 24, 2006, after several rounds of negotiation among all parties, the victims and the Ranyapaew Co. were able to agree on a settlement in which the company would pay a total amount of Baht 3,600,000 to the victims (the payment consists of the minimum compensation of Baht 3,431,984, including the overtime payment of Baht 168,018 for all 66 victims). **On November 28, 2007 the Company paid the full amount to the Kredtrakran Protection and Occupational Developmental Centre to be distributed to the victims. As a result, the victims have withdrawn the labor lawsuit.**

3.3 Despite the mutually satisfying lawsuit outcome, Thai authorities continue to press criminal charges against the Ranyapaew Factory owners. The Kredtrakarn Protection and Occupational Developmental Centre in cooperation with the Children, Juveniles, and Women Division (CWD) of the Royal Thai Police **prosecuted three suspects** on December 13, 2006 on **three charges**; 1) unlawful detention 2) illegal employment of child labor and 3) slavery/exploitation. On 21 June 2007, CWD prosecuted all three defendants in court. Following this, on 20 July 2007, the court sent the proceedings to the Office of the Attorney General. **Currently, the case is under consideration by the Attorney General** for additional investigation. Since some victims request to be sent back to their homeland, which causes difficulty in the investigation process, the Attorney General need to request some victims to remain in Thailand as witnesses while others will be sent back upon their request. **The criminal court has re-scheduled the hearing to September 2008 to collect further evidence.**

3.4 Concerns have been expressed as to why the factory has not been closed down. The reason is that current Thai legislation does not provide for the closure of a company or premise involved in human trafficking. Only those factories that violate the Industrial Factory Act on environmental or pollution grounds can be ordered to close down. Some NGOs have also expressed concerns that closing down the factory will affect other workers who have not been subject to human trafficking or maltreatment.

3.5 The new Prevention and Suppression of Human Trafficking Act B.E. 2551 (2008), which came into effect on 5 June 2008 provides **heavier penalties** for those involved in human trafficking. It states that any person found guilty for human trafficking will be subject to 4-10 years imprisonment and fines between US\$2,350 – 5,880.

4. Explanation from the Thai Shrimp Industry on accusation regarding exploitation of child labor and migrant workers

4.1 Shrimp processing factories in Thailand are registered with the Department of Industrial Works, Ministry of Industry under the Factory Act B.E. 2535 on standards and regulations and with the Thai Food and Drug Administration under the Food Act B.E. 2522 which requires processors to comply with the established food standards. There are about 700,000 workers in Thailand's shrimp industry, including farmers, traders, and workers in the nation's 1,415 shrimp processing plants.

4.2 Thailand's major shrimp export markets are the U.S., the European Union, and Japan. All these countries have high standards on shrimp imports and strict standard requirements on factory conditions and periodic audits.

4.3 For those processing plants that intend to export their products to other countries, they will be subject to be approved by the Department of Fisheries (DOF) which is a competent authority for inspection and certification of exported fishery products. The role of DOF is to ensure the implementation of basic food hygiene in processing plant including personnel hygiene, chemical used, cleaning of facility and equipment, and etc. In addition, the food safety management program based on Hazard Analysis Critical Control Point (HACCP) is required for processors to implement it effectively.

4.4 DOF will check the food hygiene and HACCP compliances of processors at least twice a year. Non-compliances found during inspections are subject to be corrected and verified within agreed time frames.

4.5 At present, there are 447 export-oriented plants approved by the DOF. This includes fish, shrimp, cephalopods and mollusk processing plants. Of which 228 are primary processors who supply raw materials to secondary processors for further process and export.

4.6 In addition to the regulatory inspections, Thai seafood exporters are required and routinely audited by their buyers to meet international social responsibility and ethics standards such as ISO 9001-Quality Management System, International Food Standard, British Retailer Consortium Global Food Standard and the Best Aquaculture Practice Standards set by the Global Aquaculture Alliance, ISO-14001 (Environmental Management System), OHSAS/TIS 18001 (Occupational Health and Safety System), Thai Labor Standard, Social Accountability (SA 8000), HALAL and Aquaculture Council Certification.

4.7 Thai seafood factories exported to the US are also subject to periodic inspection by the United States Food and Drug Administration (USFDA), once every two years on average. This provides assurances that seafood imported from Thailand meets the USFDA standards for safety, hygiene, and work conditions.

4.8 On 29 April 2008, Thai Frozen Foods Association (TFFA) held a press conference on forced labor in the Thai shrimp industry and gave the following information:

-All TFFA members operate under Thai and International laws and strictly comply with ethical standards. All shrimp processing factories under the Association are certified “Good Manufacturing Practices (GMP)” and “Hazard Analysis and Critical Control Points (HACCP)” by the Department of Fisheries, Ministry of Agriculture and Cooperatives. The Department of Fisheries audits shrimp processing factories on a regular basis.

-TFFA has a strict code of practice for members to only employ legal labor. Illegal labor, child labor and worst forms of child labor are prohibited.

-TFFA prohibits all forms of forced labor.

-TFFA will cooperate with any organization to investigate factories suspected of employing illegal child labor.

-TFFA will work closely with government agencies to prevent and protect forced labor.

-TFFA confirms that all members conduct business according to international standards.

5. Results of Recent Inspection of Shrimp Factories and Processing Plants between 2-13 June, 2008

During 2-13 June, 2008, 5 officers from the Immigration and Customs Enforcement (ICE), together with representatives from the Thai ministries of Foreign Affairs, Commerce, Labor, and Agriculture and a representative of the Thai Frozen Food Association, inspected a number of shrimp factories and processing plants in Samut Sakorn Province. Six factories were inspected during the period (Good Luck Product, Asian Seafood Coldstorage, Ongkorn Cold Storage, C.P. Merchandising, Thai Union Frozen Products, Marine Gold Products). None was found to have any problems regarding the working conditions, nor found to have used child labor.



June 11, 2008

VIA E-MAIL

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Bureau of International Labor Affairs
U.S. Department of Labor
200 Constitution Avenue, N.W.
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Re: Request for Submission of Testimony on the Use of Child Labor and Forced Labor in the Production of Goods Internationally

Dear Ms. Castro:

The Southern Shrimp Alliance (“SSA”), founded in 2002, is a non-profit alliance of the hard-working men and women of the U.S. shrimp industry. The SSA is the national voice for shrimp fishermen and processors in eight states: Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas. The SSA is committed to defending and advancing the interests of the domestic industry, which means ensuring that all shrimp being sold to U.S. consumers, domestic and foreign, meet the same level of integrity, quality and safety as those offered by SSA's members.

The SSA submits the following comments in response to the Department of Labor (“DOL”) Request for Submission of Testimony on the use of child labor or forced labor in the production of goods internationally, as published in 73 Fed. Reg. 21,985 (Apr. 23, 2008).

I. Introduction

The U.S. shrimp industry produces the highest quality shrimp at competitive and fair wage prices, but our way of life has been systematically under attack from importers and exporting countries that refuse to adhere to fair labor standards, food safety standards, and international trade law obligations. These fundamental violations of international standards and obligations have produced unfairly traded shrimp imports that have flooded the U.S. market. As a result, U.S. shrimpers and processors are no longer able to make ends meet and our families, local businesses and the communities that depend on shrimping are also facing serious financial difficulties.

As the popularity of shrimp consumption has increased in the United States and in other countries, unscrupulous importers and exporting countries have exploited workers in developing countries to produce mass quantities of shrimp products without regard for the quality of the product, the safety of the workers, or the surrounding environment.¹

Farm-raised in crowded and dirty ponds, with almost no quality or labor standards control, imported shrimp develop in poor sanitary conditions, in ponds with high feces concentrations, banned antibiotics, and toxic chemicals.² As a result, imported farm-raised shrimp often contain the same harmful antibiotics, pesticides, salmonella, and filth.³

Similar disregard is given to the labor conditions and standards of foreign shrimp production facilities. Mounting evidence from numerous sources, including the DOL's "Findings on the Worst Forms of Child Labor,"⁴ has shown that children and forced laborers in shrimp production facilities are made to toil for long hours without adequate pay, safety precautions, or even basic human necessities, such as bathroom breaks, in order to meet unrealistically high production quotas.

No one in the supply chain of imported shrimp appears willing to accept responsibility for protecting even the most basic of human rights, such as protecting children and women from being forced into involuntary servitude. Turning a blind eye to such fundamental labor violations seems pro forma in an industry driven solely by profit margins. The profit margins of foreign exporters, U.S. importers, and even U.S. retailers all seem to take precedence over other aspects of the production process of imported shrimp.

¹ See e.g., The Solidarity Center, "The Degradation of Work: The True Cost of Shrimp" (Jan., 2008) (attached as Appendix A to the SSA's submission); Written Testimony of Thea Mei Lee, Policy Director, American Federation of Labor Congress and Industrial Organization, for the Department of Labor (May 7, 2008), available at <http://www.dol.gov/ilab/programs/ocft/pdf/20080423e.pdf>; U.S. Agency for International Development, "A Gendered Analysis of the Shrimp Sector in Bangladesh" (2006) available at http://www.usaid.gov/bd/files/gendered_analysis_shrimp.pdf.

² See James Owen, "Shrimp's Success Hurts Asian Environment, Group Says," NATIONAL GEOGRAPHIC NEWS (Dec. 20, 2004), available at http://news.nationalgeographic.com/news/2004/06/0621_040621_shrimpfarm.html (discussing the Environmental Justice Foundation's "concerns over the levels of antibiotics, disinfectants, fertilizers, pesticides, and other chemicals used by shrimp farmers to maximize profits and combat disease."); Center for Science in the Public Interest, "Global and Local: Food Safety Around the World" at 14-16 (June 2005), available at <http://www.cspinet.org/new/pdf/global.pdf>; Diedra Henderson, "Chicken from China?," THE BOSTON GLOBE (May 9, 2007), available at http://www.boston.com/business/articles/2007/05/09/chicken_from_china/ ("In China, some farmers try to maximize the output from their small plots by flooding produce with unapproved pesticides, pumping livestock with antibiotics banned in the United States, and using human feces as fertilizer to boost soil productivity. But the questionable practices don't end there: Chicken pens are frequently suspended over ponds where seafood is raised, recycling chicken waste as a food source for seafood, according to a leading food safety expert who served as a federal adviser to the Food and Drug Administration.") (emphasis added).

³ In contrast, wild-caught American shrimp is premium-quality seafood caught by American shrimpers, who adhere to strict U.S. labor laws, and delivered fresh to local docks.

⁴ See U.S. Department of Labor, Bureau of International Labor Affairs, "2006 Findings on the Worst Forms of Child Labor" at 257 (Aug. 31, 2007) available at www.dol.gov/ilab/programs/ocft/PDF/2006OCFTreport.pdf (reporting, for example, that in Madagascar's coastal areas, "children work in fishing, deep sea diving, and in the shrimp industry.").

The behavior of such importers and the exporting countries that court them will never change unless they are made to take responsibility for the quality and safety of imported shrimp. While the ultimate objective is mandatory enforcement of international labor standards, including an absolute prohibition on the trade of goods produced by child labor or forced labor, the DOL's list of goods from countries produced by child labor or forced labor is a step in the right direction towards increased transparency of foreign labor violations. By exposing and highlighting these deplorable conditions, importers and exporting countries may finally be forced to accept responsibility for their production standards.

The SSA strongly supports the testimony given by Thea Mei Lee, Policy Director of the American Federation of Labor Congress and Industrial Organization, during the DOL's May 28, 2008 hearing on the development of the list of goods from countries produced by child labor or forced labor. In addition to Ms. Lee's testimony regarding the child labor and forced labor conditions of foreign shrimp industries in countries like Thailand and Bangladesh, the SSA offers the following additional information about violative shrimp farming labor conditions in Thailand, Bangladesh, and Cambodia.

The evidence on the labor conditions and standards of these shrimp farms can lead to only one conclusion: shrimp products from Thailand, Bangladesh, and Cambodia must be placed on the DOL's list of goods from countries produced by child labor or forced labor.

II. Thailand

Forced labor and child labor are a critical and pervasive problem in Thailand's shrimp industry. U.S. Ambassador Mark Lagon, Director of the U.S. Department of State's Office to Monitor and Combat Trafficking in Persons, recently confirmed that Thailand's shrimp industry

[A]re modern-day forms of slavery, plainly put. It's essential that people know with absolute certainty that the flow of shrimp into the U.S. market is tainted by shrimp that's processed in the hands of those in slavery.⁵

As indicated in the report issued by the Solidarity Center, "The Degradation of Work: The True Cost of Shrimp," shrimp production at many processing plants in Thailand is characterized by grueling and hazardous working conditions, grossly inadequate compensation, abuse of migrant workers and human trafficking victims, and exploitation of minors.⁶

Both native Thai and migrant shrimp-factory workers experience oppressive working conditions. In a comprehensive 2007 survey conducted by partner organizations of the Solidarity Center, Thai workers at a major shrimp processing company reported frequent exposure to abrasive chemicals, poor air and drinking water quality, and unavailability of medical care.⁷

⁵ Paul Eckert, "US Official Decries Shrimp Industry 'Slavery,'" REUTERS (Apr. 23, 2008), [available at http://www.reuters.com/article/companyNews/idUSN2342204020080423](http://www.reuters.com/article/companyNews/idUSN2342204020080423) (emphasis added).

⁶ The Solidarity Center, supra, note 1, at 17-24.

⁷ Id. at 19.

Further, the survey found that if production quotas were not met, these workers were denied wages and forced to work overtime.⁸ Employee absences from work due to illness would often result in punishment for some workers.⁹ Finally, compensation at shrimp processing plants went as low as 146 baht (US\$4.60) for a full day's work.¹⁰

Migrant workers are subjected to even harsher labor standards than native Thai workers. According to a study conducted by the International Labour Organization and Thailand's Mahidol University, "fishing workers are among the most exploited when compared with other migrant sectors."¹¹ Almost two-thirds of the boat workers worked over 12 hours per day.¹² Most of the fish processing migrant employees worked 12 hours per day with only 4 days off per month.¹³

Migrants working in the Thai seafood industry are mostly from Burma (Myanmar). The U.S. Department of State's Human Trafficking Report found estimates of "up to 100,000 undocumented Burmese adults work in the Thai seafood and fishing industry alone."¹⁴ In addition, reports have found that many Burmese and Cambodian men and boys are "trafficked onto commercial fishing boats" in ports on the Gulf of Thailand and the Andaman Sea.¹⁵ A 36-year-old Bama woman from Mon State, Burma testified to her husband's and children's work as the following:

My husband is fishing on a boat – he's always out at sea – he is paid 4000 baht (US\$ 130.70) per month . . . My sons – 15 and 16 – are working with my husband on the boat. I am sad to see my kids working at such a hard job. They are paid 2,000 baht (US\$ 65.35) to 2,500 baht (US\$ 81.69) per month.¹⁶

⁸ Id.

⁹ Id.

¹⁰ Id. at 22.

¹¹ International Labour Organization (ILO), Mekong Sub-regional Project to Combat Trafficking in Children and Women, "The Mekong Challenge: Underpaid, Overworked and Overlooked, the Realities of Young Migrant Workers in Thailand (Volume 1)" at 82 (2006), available at <http://www.ilo.org/public/english/region/asro/bangkok/child/trafficking/downloads/underpaid-eng-volume1.pdf>.

¹² Id.

¹³ Id. at 85.

¹⁴ U.S. Department of State, "Trafficking in Persons Report" at 34 (June 12, 2007), available at <http://www.state.gov/documents/organization/82902.pdf>.

¹⁵ Id.

¹⁶ Amnesty International, "Thailand: The Plight of Burmese Workers" at 8 (June 2005), available at <http://www.amnesty.org/en/library/asset/ASA39/001/2005/en/dom-ASA390012005en.pdf>.

In August 2006, more than 30 Burmese migrant fishing workers were found to have died from infectious diseases and lack of medical care on fishing boats found off the coast of Thailand. "The bodies of victims were tossed overboard, discarded like common refuse."¹⁷

Sureporn Panpueng, a researcher at Mahidol University's Institute for Population and Social Research, found that employers prefer hiring foreign workers, especially young children, because they are low-paid and easy to control.¹⁸ Further, according to an investigation of a shrimp factory in Samut Sakhon, Thailand conducted by Reuters in March 2007, "of the 200 people working in the barn-like factory . . . nearly half appeared to be in their early teens or younger."¹⁹

According to the Labour Rights Promotion Network ("LPN"), there are approximately 20,000 Thai and foreign child workers in Samut Sakhon province.²⁰ 111 of these children are working directly in the fisheries industry; 303 of the children interviewed by LPN were working in fisheries-related jobs.²¹ Almost all of the children working in fisheries and fisheries-related industries could not attend school.²² These young children were also subjected to some of the harshest working conditions in Thailand. Their daily tasks on fishing boats include cleaning the boats, carrying heavy loads, pulling fishing nets, and sorting and packing fish.²³ Children in fisheries-related jobs were required to "peel shrimp, wash fish, prepare squid, transfer items off of rafts, and dry, boil, and shell various kinds of seafood."²⁴ Such hazardous tasks were performed with only minimal safety equipment (*i.e.*, gloves).²⁵

Thailand's Office of Labour Protection and Welfare -- the agency responsible for ensuring fair and adequate labor standards for the entire nation -- is staffed with only 15 persons.²⁶ Violations of child labor prohibitions often result in only the issuance of a warning against the employer.²⁷ The U.S. Department of State's Human Trafficking Report also found out that "[c]urrent anti-trafficking legislation in Thailand . . . fails to criminalize bonded labor or

¹⁷ U.S. Department of State, *supra* note 14, at 9.

¹⁸ "More Companies Using Child Labor," BANGKOK POST (Dec. 15, 2006), [available at http://www.humantrafficking.org/updates/572](http://www.humantrafficking.org/updates/572).

¹⁹ Ed Cropley, "Child Laborers Toil in Thai Seafood Factories," REUTERS (Apr. 24, 2007), [available at http://www.boston.com/news/world/asia/articles/2007/04/24/child_laborers_toil_in_thai_seafood_factories/](http://www.boston.com/news/world/asia/articles/2007/04/24/child_laborers_toil_in_thai_seafood_factories/).

²⁰ Asian Research Center for Migration, "Assessing the Situation of the Worst Forms of Child Labour in Samutsakhon" at i (2006), [available at http://www.arc.m.ias.chula.ac.th/Downloads/Abstract/B31-AE.pdf](http://www.arc.m.ias.chula.ac.th/Downloads/Abstract/B31-AE.pdf).

²¹ *Id.*

²² *Id.* at ii.

²³ *Id.* at iv.

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.* at vi.

²⁷ *Id.*

trafficking perpetuated against men.”²⁸ Furthermore, “the government has not yet demonstrated progress in law enforcement efforts to combat labor trafficking.”²⁹

III. Bangladesh

The shrimp industry in Bangladesh has many of the same child labor and forced labor violations as Thailand’s shrimp industry. Adverse working conditions have been widely documented by USAID, the Environmental Justice Foundation and the Solidarity Center.³⁰ These organizations have found such labor violations as exploitation of female workers and children, poor health and safety standards and use of contract laborers to keep wages unreasonably low.³¹ According to the Solidarity Center:

Workers at five different processing companies noted an oddly similar practice – a straight 26-hour shift that takes place every other Friday morning and ends on Saturday morning the next day. None of the workers reporting this abusive practice mentioned being paid overtime for the excessively long hours.³²

Women commonly experience sexual harassment and abuse at shrimp fry fisheries, shrimp farms and shrimp processing plants. Sexual abuse, including rape, is prevalent among unmarried Muslim women who work in the shrimp industry.³³ In addition to the physical and psychological scars, these women are further victimized as outcasts in their communities and often are unable to be married.³⁴

Children are made to work under hazardous conditions in shrimp farming, fish drying, and shrimp processing. One Bangladeshi child laborer explained, “Whether we have cuts on our hands and feet, we have to carry on de-heading. If not, they will get employees from other places.”³⁵

Shrimp fry fisheries employ thousands of children, some as young as six years old, to collect shrimp. This requires them to spend up to eight hours per day in brackish waters, dragging mesh nets and sorting catch. Consequently, these young children suffer from serious health problems including skin and respiratory diseases, sunstroke, urinary problems and

²⁸ U.S. Department of State, supra note 14, at 197.

²⁹ Id.

³⁰ See, e.g., The Solidarity Center, supra, note 1; U.S. Agency for International Development, supra note 1; Environmental Justice Foundation (EJF), “Desert in the Delta: A Report on the Environmental, Human Rights and Social Impacts of Shrimp Production in Bangladesh” (2004), available at http://www.ejfoundation.org/pdf/desert_in_the_delta.pdf.

³¹ The Solidarity Center, supra, note 1, at 27.

³² Id.

³³ Environmental Justice Foundation (EJF), supra note 30, at 22.

³⁴ Id.

³⁵ Id. at 23.

hepatitis. For these sacrifices, Bangladeshi child laborers earn just between \$0.45 and \$1.10 for a whole day's work.³⁶

Women and children in Bangladesh are also subjected to debt bondage by fishing industry intermediaries (“dadondars”) who make advance payments (“dadon”) to fry catchers on the condition that they sell them their catch at market price. Impoverished fry catchers normally accept these advance payments during the lean season, and in harvest time, are forced to “surrender their catch to dadondars” to pay back their debt.³⁷

Further, the seafood industry in Bangladesh is subject to very little regulatory oversight. Employers are likely to illegally hire children as young as 11 years old, since Bangladeshi law only requires children to attend school up to 10 years old, which leaves a three-year gap between the completion of mandatory education and the minimum working age of 14 years old.³⁸

IV. Cambodia

Child labor in the seafood industry is also a significant problem in Cambodia. Child workers in Cambodia have reported complaints of headaches, fever, colds, cuts from peeling crabs or shrimps, lower back aches and stomach aches.³⁹ Children were further engaged in hazardous activities on seafood boats, such as rough sea conditions, boat engine accidents, seasickness, falling overboard, falls on the boats, and severe sleep deprivation.⁴⁰

The Government of Cambodia is reportedly reviewing and assessing its first 5-year plan against trafficking and sexual exploitation of children. The government then plans to finalize and implement a subsequent 5-year plan (2006-2010).⁴¹

While Cambodia is a signatory to the Coordinated Mekong Ministerial Initiative against Trafficking, the Cambodian government, “by its own admission, currently does not have the capacity to properly enforce and monitor laws relating to child labour.”⁴² Furthermore, “no employer has to date been brought to court for violating current child labor laws.”⁴³

³⁶ Id.

³⁷ A. Atiq Rahman, et. al., Shrimp Farming and Industry : Sustainability, Trade and Livelihoods at 393 (2006).

³⁸ U.S. Department of Labor, supra note 4, at 29-30.

³⁹ United Nations Children’s Fund (UNICEF), Understanding Children’s Work, “Children's Work in Cambodia: A Challenge for Growth and Poverty Reduction” at 32 (Apr. 2006), available at http://www.ucw-project.org/pdf/publications/standard_cambodia_rpt_20april2006_SENT.pdf.

⁴⁰ Id.

⁴¹ U.S. Department of Labor, supra note 4, at 78.

⁴² Id. at 47.

⁴³ Id. at 48.

V. Conclusion

The evidence on the shrimp industries of Thailand, Bangladesh and Cambodia unequivocally demonstrate that shrimp imports from these countries are produced by child laborers and forced laborers. As such, the DOL must place such violative goods on its list of products from countries produced by child labor or forced labor. This list will bring much needed attention to the deplorable labor conditions of foreign shrimp production facilities. It is our belief and hope that such attention will spur foreign exporting governments and U.S. importers to mandate stricter adherence of international labor standards for all shrimp products entering the United States.

Please contact me should you require clarification of any aspect of this submission.

Respectfully submitted,

A handwritten signature in cursive script that reads "John Williams".

John Williams
Executive Director
Southern Shrimp Alliance

Attachment



NATIONAL HEADQUARTERS
Post Office Box 65398
Washington, D.C. 20035
703-241-3700

WEST COAST OFFICE
Post Office Box 6102
Woodland Hills, California 91365
818-223-8080

June 4, 2008

Hon. Charlotte Ponticelli
Deputy Undersecretary for International Affairs
U. S. Department of Labor #S-5317
Washington, D. C. 20510

**Re: Information to Assist in the Development of a List of Goods from Countries
Produced by Child Labor or Forced Labor in Violation of International Standards**

Dear Ms. Ponticelli:

Thank you for your hearing on May 28, 2008.

We would have like to have testified, but we had not received either the April 28 notice of the hearing nor the December 27 notice of procedural guidelines. Your office was well aware of our interest, inasmuch as we had two relevant complaints accepted regarding abusive child and forced labor in China.

The first complaint in 2001 regarded the production of fireworks by forced child labor in China. A revealing incident in this enormous industry was the explosion at an elementary school that was a forced-labor factory for fireworks in which 42 people were killed. The Department of Labor, after two years of doing nothing on its own, dismissed the complaint for lack of evidence. The second complaint in 2007 regards the production in China by forced and/or child labor of bricks, tiles, coal, foundry products, chemicals, cotton, grape products, toys, and fireworks. This complaint has apparently been languishing, inasmuch as the DOL has not contacted us further.

Considerable improvements can be made in order to yield timely and effective results. In our experience with both complaints, we found that the DOL conducted no investigation on its own. It did not follow up on any of the news articles or other sources, even though they provided excellent, on-scene accounts. The DOL did not task labor attaches in China to investigate. The DOL did not ask the Department of State to investigate. The DOL did not ask the several U. S. intelligence agencies to investigate, such as the CIA, NSA, and so on. The DOL did not ask the authoritative experts at the Laogai Research Foundation under Harry Wu.

Not only should the DOL be required to investigate the substance of the complaints, the Department of State (including the labor attaches) and the U. S. intelligence agencies should be tasked directly to investigate. DOL should be required to advertise or otherwise put out public notices of the cases under investigation. DOL should maintain a standard mailing/emailing list for interested parties.

You will find enclosed our 2001 and 2007 complaints with related materials.

We urge DOL to get on the side of free labor worldwide, and to penalize effectively any help to forced or child labor overseas. If we can't trust DOL to care about free labor overseas as it impacts goods and services coming into this country, we cannot realistically expect DOL to care about free labor at home.

Sincerely,

Carl Olson
Chairman
State Department Watch

CLO:moi
Enclosures



Photos by Reuters

Soldiers search for survivors in Fanglin after explosion. Most victims were third- and fourth-graders.

Forced Child Labor Turns Deadly in China's Needy School System

■ **Asia:** Students were assembling firecrackers when a blast killed at least 42 people. Money allegedly went to education officials.

By CHING-CHING NI
and HENRY CHU
TIMES STAFF WRITERS

SHANGHAI—Ten-year-old Zhang Yanhong knew that if she refused to make firecrackers at school she could be forced to pay a fine. Or kneel on the classroom floor. So the girl obeyed her teacher—and lost her life.

As Americans grapple once again with the horrors of campus violence this week, Chinese parents are facing a different kind of tragedy in their schools. Chronic education underfunding and poor enforcement of child labor laws have combined to create a cottage industry in the country's classrooms, culminating in a deadly explosion Tuesday that killed at least 42 people, most of them third- and fourth-graders.



A mother holds her injured daughter. The government said madman was to blame for blast.

The government blamed it on a lone madman. But relatives of the children who died in Fanglin village, a remote hamlet about 480 miles southwest of Shanghai, beg to differ.

For nearly three years, they have complained, to no avail, about school officials forcing their children to assemble firecrackers during and after school.

The area, in Jiangxi province, is famous for producing the recreational explosives popular during national holidays. Parents say the students worked in shifts inserting tiny detonators, the final step in the process.

On the day of the blast, it was the third- and fourth-graders' turn to do the work, apparently to fill an order for the Qingming, or Grave Sweeping Festival, next month.

"These younger kids each had to produce about 1,000 pieces a day, and the older kids, the fifth-graders, had to make 10 times that many," said Li Yufan, a villager whose 11-year-old nephew died in the blast.

The money, residents said, went into school officials' pockets, including teachers who may have gone unpaid for a long time and who willingly put their young charges to work in addition to teaching them. The parents, already hit by heavy school fees, say they had no choice but to look the other way if they wanted their kids to receive some kind of education.

Please see CHINA, A6

CHINA: School Task Turns Deadly

Continued from A1

Those twin problems—cash-strapped schools and the easy availability of child labor—have spiraled in recent years, often feeding each other in a cycle that has child-welfare advocates worried about the future of millions of Chinese youths, especially those in the countryside.

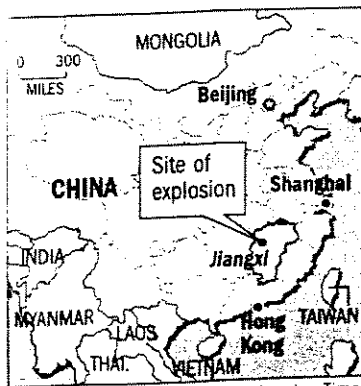
As rural living standards lag significantly behind those in the cities, more and more parents are pulling their children out of school and putting them to work. Figures are hard to pin down, but estimates put the number of underage laborers—15 or younger, according to Chinese law—in the millions.

At the same time, local authorities have struggled to meet their educational obligations since the early 1990s, when Beijing devolved most of the responsibility for funding schools to counties. Today much of Beijing's education budget goes toward urban colleges and universities rather than primary and secondary schools in the countryside.

"The funding gap between the city and the countryside is huge," said Zhou Yuxian, an education expert at Beijing Normal University. "In some rural areas, the average [annual] spending per child is less than a dollar."

Even so, in poor counties, education can take up half the county's budget, mostly in the form of teacher salaries.

As a result, schools across the country have resorted to a popular woe: going into business.



In a turn that many Westerners find surprising, the vast majority of Chinese public schools are engaged not just in education but also enterprise, running everything from taxi fleets to computer stores to make some extra money—not all of which makes it to the classroom.

Last year, the New China News Agency reported that 91%—or about 620,000—of China's second-

ary schools have set up cottage industries of some kind. Those businesses raked in \$15 billion in 1999, nearly equal to the central government's entire education budget.

Education officials like to say that the enterprises reinforce the link between education and the economy. In the case of China's vocational and technical schools, which serve millions of young people, the linkage can make sense, a real-world application of the skills they're learning. In other cases, the ventures are purely mercenary.

Not all, or even most, of the businesses employ students; some are relatively harmless, like the on-campus grocery store at the China Commerce High School in suburban Beijing.

But school officials in Fanglin apparently seized on the opportunity to use their pupils—some barely old enough to read—in converting classrooms into workshops.

"I don't know who originally thought up the scheme, but there are a lot of people in this area who are in the firecracker business," said Zhang Xingen, Yanhong's father. "These people have good relations with the teachers at the school, which is why they entrusted firecracker [production] to the teachers."

"The teachers made the students do the work and collected a commission for themselves," Zhang said bitterly.

Residents in Fanglin said the village's Communist Party secretary and principal also received kickbacks that supplemented both the school's and their own meager purses. The children received nothing.

"I send my children to school to receive an education. Who thought it would be for them to make firecrackers?" said Zhang, 32. "We tried to protest to the county government, but the township officials blocked us. Once they see that you're just villagers and that you've come to complain, they pay you no heed."

The forced labor of their children was especially galling because parents already had to fork over considerable sums of money for various school fees—some of marginal, if any, educational value.

The overcharging of arbitrary campus fees has become a source of constant complaint nationwide and a practice for which the Beijing regime and state-run media often rebuke schools—but do little to curb.

Parents, who scoff at the government's pledge of free public educa-

tion up to Grade 9, are often expected to pay not just for books, but also for their school's electricity, paper, snacks—whether the child eats them or not—and even report cards.

This has added to China's dropout rate, especially among high school students.

"It can be a very severe barrier for very poor families," said Mark Hereward, who works for the U.N. Children's Fund in Beijing. "Normally, when you find a child who's not in school and you ask the parents why, they'll say they can't afford it."

The youngsters pound the pavements instead.

"They're 12 to 16 years old and they have nothing to do in the rural areas, and the parents take care of their farm," said Parry Leung of the Hong Kong Christian Industrial Committee, which tracks labor issues in China. "So they go out to look for work."

Last summer, Leung's group discovered more than 150 youths toiling in a Chinese factory just across the border from Hong Kong, packaging toys to go with McDonald's meals. Many of the youngsters had stopped attending school after finishing primary grades, their parents too poor to keep on paying.

In Fanglin, Zhang handed over about \$30 for a year of schooling for his daughter. That's a hefty burden in an area where annual incomes hover around \$400. About \$2 of the fees supposedly went toward the purchase of a tea-based oil for cooking, which was ridiculous, Zhang said, because the oil isn't even sold in the area anymore. But he had no choice but to cough up if he wanted his daughter to receive any kind of education.

After Tuesday's disaster, thousands of villagers gathered outside the school to demand justice. Local officials, evidently afraid that things might spin out of control, sealed off roads leading to the village and arrested locals who helped Chinese reporters get through. Villagers said that some of the victims' home telephones had been disconnected to prevent parents from talking to journalists.

This is no time for a black eye as Beijing puts on its best face for the annual meeting of the National People's Congress. Premier Zhu Rongji on Thursday denied that the students were making firecrackers and said that a suicide bomber with mental problems was responsible.

China's president orders probe of brickyard slavery

The number of people rescued from forced labor surpasses 500 as scandals continue to plague the nation.

By CHING-CHING NI
Times Staff Writer

BEIJING — He was a culinary student looking for his first job, and when a stranger offered him restaurant work he eagerly accepted. But the 20-year-old was taken instead to a rural brick kiln where he toiled as a slave with little food, no pay and regular beatings that nearly killed him.

Yet Zhang Yinlei is among the lucky.

He was one of at least 548 workers rescued so far in a crackdown on brick factories in north-central China, where abducted men and children as young as 8 had been sold into slavery for \$65 a head. Most of them were freed this week in raids at thousands of kilns in two provinces.

The case has so scandalized China that state media announced Friday that President Hu Jintao had personally ordered a prompt investigation.

Child labor and harsh working conditions used to be the stuff of propaganda movies used by the Chinese Communists to discredit capitalist societies. Today they are a fact of life in a country driven by its own pursuit of wealth, often at the

expense of the poor.

China's leaders, worried about the country's reputation as the sweatshop of the world, are trying to clean up its image, especially as the 2008 Beijing Olympics approaches.

Embarrassing reports, however, continue to dog them.

China was accused this week of employing children as young as 12 to produce Olympics-related souvenirs. Authorities denied the report by Brussels-based PlayFair 2008. State-run New China News Agency said students from six middle schools and two primary schools had been hired during a holiday period to "pack notebooks, not Olympics-licensed products."

The latest scandal — the slavery at the brick factories — might not have come to light had a group of 400 men with missing sons not sent out a collective cry for help on the Internet. They accused local authorities of turning a blind eye to the abuses and suggested that as many as 1,000 children had been kidnapped from Henan province and shipped to nearby Shanxi province by human traffickers who abducted their children near train and bus stations or lured them away with promises of high-paying jobs.

As a result, more than 35,000 police from Henan province and 14,000 from Shanxi province fanned out to about 10,000 kilns, detaining at least 140 suspects, the news agency said Friday. More raids and arrests were expected.

Before the crackdown, some of the fathers had been conducting their own rescue missions.

"We saved more than 100 boys on 15 different occasions," said Chai Wei, whose 17-year-old son disappeared in April from a street near their home. Chai and two other men with missing children banded together and traveled to hundreds of small brickyards in search of their children.

Some fathers went undercover. They couldn't believe what they saw.

"They start work at 5 in the morning and sometimes don't finish until past midnight," Chai said. "They get no pay and are fed only bread and water. If they try to run away, they would break their legs. Some were buried alive. We saw police pull out two bodies. One was an 18-year-old. The other was 19."

The fathers said that most of the time when they showed up, the young workers had been sent into hiding. If not, they said, there was usually a confrontation, and sometimes thugs hired by the owners would beat the parents and chase them away.

"They had completely lost their freedom," said Zhang Shanlin, the father of the rescued 20-year-old. "I saw six vicious guard dogs and seven hit men. Anyone who didn't work hard enough was beaten. There was no chance of running away." His son had refused to work and was burned all over his back with hot bricks.

"Another young man tried to run away — they burned him on

the face, leaving only the mouth," Chai said. "So he could still eat and continue to work."

The injured were given no medical treatment and were left in cramped and dirty living quarters where men had not washed for so long that sores caked their bodies. Their hair had grown down to their waists, Chai said.

Zhang said his son was finally sent to a hospital after residents' reports of the brutal working conditions to police prompted a raid. When they were freed, some of the laborers seemed so dazed and frightened that they could barely talk.

"My son told me that if he hadn't been rescued he would not be alive today," Zhang said.

One of the reasons the inhumane treatment has gone on for so long, parents say, is connections. The owner of the company involved in the case of Zhang's son's is the son of a local Communist Party official and the police were reluctant to touch him.

"Of course he knew what was going on at the brick factory," Zhang said. "He visited there several times a week, and he provided the coal and electricity that ran the place."

Despite the crackdown, hundreds more parents, including Chai, have yet to reunite with their children.

"I don't know if we will ever find him," Chai said. "It cuts like a knife. Each day we don't find him is another day for him of living in danger."

chingching.ni@latimes.com

Reports of Forced Labor at Brick Kilns Unsettle China

By HOWARD W. FRENCH

HANGHAI, June 15 — Su Jinduo, Su Jinpeng, brother and sister, were traveling home by bus from a vacation visit to Qingdao during the Chinese New Year when they disappeared.

They were heated out of their money when they sought to buy a ticket for the final leg of the journey home, their father, Su Jianjun, said in an interview. They were taken in by a woman who provided them with warm shelter and a meal on a cold winter night. She also offered them a chance to earn enough money to pay their fare by helping her sell fruit.

The next thing they knew, however, they were being loaded onto a bus with several other children and taken to a factory in the next province, where they were pressed into service making bricks. Several days later, the boy, 16, escaped along with another boy and managed to return home. A few days later, Mr. Su was able to rescue his daughter.

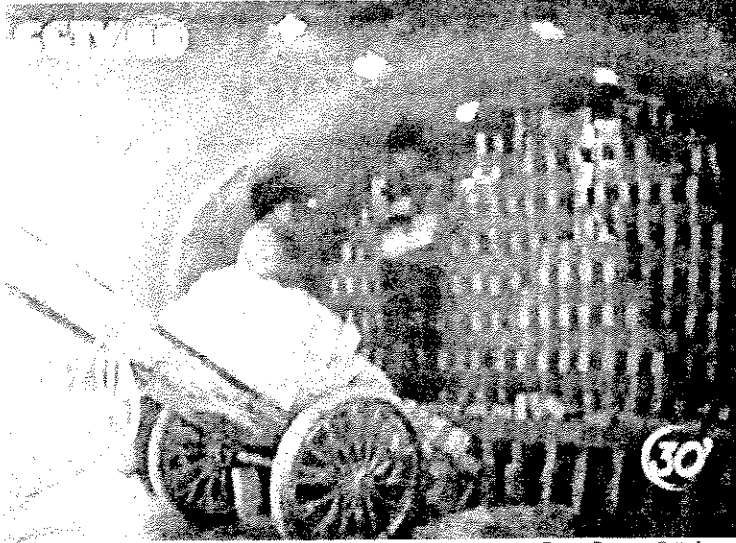
His story and many others like it have swept China in recent days in an unfolding labor scandal in central China that involves the kidnapping of hundreds of children, most in their teens but some as young as 8.

The children, and many adults, reportedly, have been forced to work under brutal conditions — scantily paid, unpaid and often fed little more than water and steamed buns in the brick kilns of Shanxi Province.

As the stories spread across China last week, played prominently in newspaper headlines and on the Internet, a manhunt was announced last week for Heng Tinghan, the foreman of one of the kilns, where 31 ended workers were recently rescued.

Mr. Su said his children were brought to the factory around midnight of the day they vanished. Once there, they were told they would have to make bricks. "You will start working in the morning, so get some sleep, don't lose your bowls, or you will be able to pay for them," he said the children were told. "They also offered them 50 renminbi for a blanket. That is equivalent to about \$8."

Mr. Su managed to recover his



CCTV, via Agence France-Presse — Getty Images

Image from a television report this week of children working at a kiln in Hongtong, in Shanxi Province. Hundreds of them were kidnapped.

Children, many kidnapped, work in brutal conditions in China's north.

Children after only a matter of days at the kiln, but many other parents have been less fortunate, losing contact with children for months or years. As stories of forced labor at the brick kilns have spread, hundreds of parents have petitioned local authorities to help them find their children and crack down on the kilns.

In some cases, according to Chinese news media reports, parents have also come together to try to rescue their children, placing little stock in the local authorities, who are sometimes in collusion with the operators of the kilns. Other reports have said that local authorities, including labor inspectors, have taken children from freshly closed kilns and resold them to other factories.

The director of the legal department of the Shanxi Province Worker's Union said it was hard to monitor the kilns because of their location in isolated areas.

"Those factories are located in very remote places and most of them are illegal entities, without any legal registration, so it is very hard for people outside to know what is going on there," said the union official, Zhang Xiaosuo. "We are now doing a province-wide investigation into them, both the legal and illegal ones, to look into labor issues there."

Liu Cheng, a professor of labor law at Shanghai Normal University, had a different explanation. "My first reaction is that this seems like a typical example of a government-business alliance," Mr. Liu said. "Forced labor and child labor in China are illegal, but some local governments don't care too much."

Zhang Xiaoying, 37, whose 15-year-old son disappeared in January, said she had visited over 100 brick factories during a handful of visits to Shanxi Province in search of him.

"You just could not believe what you saw," Ms. Zhang said in a telephone interview on Thursday. "Some of the kids working at these places were at most 14 or 15 years old."

The local police, she said, were unwilling to help. Outside one factory, she said, they even demanded bribes.

"We finally got into that place, and I saw people hauling carts of bricks

with great difficulty," Ms. Zhang said. "Some of them were very small, and the ropes they pulled left tracks of blood on their shoulders and backs. Others were making bricks, standing by the machines."

"They had to move the bricks from the belt very quickly, because they were hot and heavy and they could easily get burned or hurt by the machines."

By Friday, with the help of Mr. Su, Ms. Zhang finally located her son at a kiln near the one to which Mr. Su's children had been taken.

Another father, Cai Tianliang, said he had set out to Shanxi Province in May from his native Henan Province in search of his missing son after a local television broadcast had shown a team of television reporters and Henan parents searching the Shanxi kilns for kidnapped children.

"I thought there was a great possibility that my son was also kidnapped, so I went there twice," Mr. Cai said. "The usual thing is for an owner to have more than one factory, and to shift people without identification from one place to another."

On his first trip, which he took with a group of parents, Mr. Cai said he found few clues. On a second visit to the area, he said, he was refused police permits to enter any of the brick factories but persisted anyway.

"We located a place called the Zhengjie Brick Factory in a town called Chengbei, and at first they would not allow us in," he said, "but we kept negotiating. Finally, they let a few of us in, and they found my son inside."

Like many other parents, Mr. Cai said he was dumbfounded by the boy's condition when they were reunited.

"My son was totally dumb, not even knowing how to cry, or to scream or to call out 'Father,'" he said. "I burst into tears and held him in my arms, but he had no reaction. He was in rags and had wounds all over his body. Within three months he had lost over 10 kilos," about 22 pounds.

Mr. Cai said he tried to rescue another 16-year-old boy he found there, but was refused by the factory boss. "He said I could only take my own," Mr. Cai said, "and must leave other people behind at the kiln."

China Rescues 'Slave' Workers

Adults, Children Saved From Brutal Conditions; Sign of Growth's Abuses

BY GORDON FAIRCLOUGH

SHANGHAI—Chinese authorities said they rescued more than 500 people, including dozens of children, from "slave labor" in brick kilns and coal mines, illustrating the sometimes severe abuses spawned by China's break-neck economic development.

More than 45,000 police have fanned out across Henan and Shanxi provinces to crack down on instances of forced labor. The investigation was prompted, in part, by an Internet campaign mounted by hundreds of parents who said their children have been kidnapped and sold to brickyard owners.

Revelations about the extent of the abuses, which have received wide coverage in state-owned newspapers and on television news, come at a sensitive time for China's Communist Party leaders, who are looking to polish the coun-



Rescued workers in Shanxi province

try's international image ahead of next year's Olympic Games in Beijing.

some of them children, had been kidnapped or lured to work at the brick kilns with false promises and then held against their will and forced to work long hours without pay or adequate food. More than 150 people have been arrested.

Chai Wei, a 38-year-old father from Henan, says his 17-year-old mentally handicapped son was kidnapped in April while playing outside. Mr. Chai returned Thursday from a trip to Shanxi with other parents searching brickyards for their missing children.

"We contacted the local police, but they are protecting the brick-kiln owners," Mr. Chai says. "They wouldn't help us."

It wasn't Mr. Chai's first trip to mountainous Shanxi to look for his son. After a worker reported seeing his son at a brick kiln in a town called Shangxin, Mr. Chai traveled seven hours by train in an effort to bring his son home. "But I didn't find him. They must have sent him somewhere else," he says.

Han Dongfeng, a Hong Kong-based labor-rights activist and founder of the China Labor Bulletin, says that forced labor has been a problem for more than a decade, especially in brick kilns, coal mines and small garment factories. "People think they can do anything, legal or illegal, to make money," he says.

Mr. Han credits the online campaign by the parents of missing children with prompting the authorities

to take action on an issue long swept under the rug.

The Communist Party's main national newspaper, People's Daily, carried a lengthy article Friday saying that police had stumbled by accident on slave workers at a brick kiln owned by the son of a village Communist Party boss in Shanxi province at the end of May.

The party official's son, Wang Binbin, was quoted by People's Daily as saying he began employing workers provided by human traffickers after falling into debt and being unable to afford to pay locally recruited laborers. Workers were severely beaten when the pace of their work slowed, the report said.

Mr. Wang and two others were arrested and 31 workers freed by the police in that case. But it appears to have been the online outcry by parents—through bulletin and message boards—that led to a widening crackdown over the past two weeks.

China's leaders, worried about public unease with the widening gap between China's haves and have-nots, have been trying to position themselves increasingly as the champions of the country's less well-off. So they are especially eager to be seen as taking strong measures to tackle wrongdoing, observers say.

The government is also concerned about its appearance in the run-up to the Olympics, when a surge in foreign media coverage is likely to create an image of China in the world's mind that will persist for years afterward.

Last weekend, PlayFair 2008, an alliance of global trade unions and nongovernmental organizations, charged that workers making some Olympic merchandise were being mistreated. Since the report was issued, the government and the Beijing Olympic organizing committee have scrambled to respond. On Wednesday, Chen Feng, the deputy director of the marketing department of the Beijing Organizing Committee for the Olympic Games, said at a news conference that, "if we find any problems, we will severely punish those violators."

The municipal government of Dongguan, a southern city where one of the factories cited by the activists is located, said that the plant did in fact employ children under the age of 16, but that they hadn't worked on Olympics-related products.

—Tang Hanting and Ellen Zhu contributed to this article.

Forced Labor

◆ **The News:** Chinese police freed hundreds of forced laborers, including dozens of children.

◆ **The Trigger:** An online campaign by parents who say their children were kidnapped for work at brick kilns and coal mines apparently prompted the government crackdown.

◆ **What's at Stake:** The Chinese government is trying to polish its image with its own people and the world in the run-up to the 2008 Olympics in Beijing.

try's international image ahead of next year's Olympic Games in Beijing.

This is the second time child labor has emerged as a national issue in a week. Last weekend, unions and human-rights groups alleged that some Olympic merchandise is being made by underpaid, underage workers. The U.S. State Department, in its annual report on human trafficking and forced labor this week, listed China on its "watch list," saying Beijing isn't doing enough to stamp out the practices.

Xinhua, the government-run news agency, reported Friday that workers,

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Release Date: June 17, 2007
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Topic: Plea from Four Hundred Fathers Who Have Lost Their Children to Brutal Child Labor

标题: 请求与关注: 四百余位尖子父亲泣血的呐喊

Original Language Version: English (Chinese version at the end)
此号以中文为准 (英文在前, 中文在后)

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Who Will Save Our Children?

— Four hundred fathers who have lost their children shed tears of blood begging for help

We are the fathers of those unfortunate children who were tricked and taken to Shanxi brick factories for hard labor. Our children, because of their young age and inexperience in the world, because they were alone at the Zhengzhou train station, at a bus stop, under an overpass, or on the side of the road, were tricked or forced to get in a car and then taken and sold for the price of 500 Renminbi (note: about \$60 USA dollars) to the Shanxi brick factory for hard labor. Since our children went missing, we set down our lives and left our homes to search all over for our children.

After a very difficult time of searching with no news, we finally obtained accurate information. Our children were sold by human traffickers to become slaves at a Shanxi brick factory. Disregarding our personal safety, we snuck into these places a number of times, we even dressed up as workers to go under cover, finally we learned that Linfen City, and Yongji city of Shanxi Province were where the brick factories were most concentrated.

Although we had imagined countless times the danger our children faced, but when we

actually walked into the mountain gully, and passed through the rows of surrounding walls and saw the unfortunate children, we were still shocked by what we beheld: they were forced to work with both hands and feet, some of the children had long hair like primitive men and had not had contact with the outside world for seven years. Those who had attempted to escape were crippled from beatings, but this was nothing considering that some children had even had their backs branded with burning hot bricks by supervisors to the point of being badly mutilated. Some have been in the hospital for several months now after being rescued and still have not recovered. Everyday they worked more than fourteen hours and were still not properly fed. Sometimes because they were overly weary they would fool off, then the supervisor would pick up a brick and smash them over the head until their heads were cracked and bleeding. Then they would wrap up the wound with some rags and force them to continue to work. They would be struck and kicked, and were routinely beaten with a club; furthermore some children were struck until they were seriously injured, yet they would not receive treatment, they could only treat themselves at the brick factory. If they could not heal themselves or the wounds got worse, if they were nearing death the black-hearted supervisor and factory owner would take these workers and bury them alive. Because these children had not bathed for a long time they had developed severe skin diseases. The youngest was only eight years old. In order to receive a full meal he was very obedient, every day doing heavy labor that would be difficult even for an adult. Their personal freedom was restricted, in all weather there was a supervisor or thug standing guard.

Seeing pair by pair their fear-stricken and helpless eyes wrenched our hearts. Every person with a conscience, upon seeing such a situation would want to rescue all of them. But we were alone and weak, our forces too limited, we had few options. It was likely we would only be able to save our own child from Henan Province. We were guilt-stricken that we would be unable to change the fates of those children from Hubei, Sichuan and other provinces. Through our concerted efforts we were able to rescue more than forty children who had ended up in this hellhole. They were reunited with their parents. Furthermore, when we showed them photos of our children they gave us encouraging news that some of our children had been their fellow workers. But because there are many people looking for their children the cruel brick factory owner was extremely vigilant; if there were even a slight rumor he would secretly transfer them to another brick factory. This made the search for our children even more difficult.

Upon rescuing a child we would find his body covered with scars, making us cry every time. We did not know what sort of horrible experience these tender lives had been through -- even less did we know what danger our own children were facing at this moment. We are fathers, we must save our children, but in this gorge, in this unfamiliar region, the factory owners learned of our search and that made our effort even more challenging.

We are too few, at any time our children face life-threatening danger. We had no choice but to ask the government for help. We covered Shanxi countryside, county, and municipal police offices, as well as the labor department. But we were only disappointed; not only did the police ignore and brush aside our claim they even sought every means to prevent us from taking with us the children we already freed. Furthermore, when the owner of the brick factory intimidated us the police took no action. The head of the county public security bureau, at the urging of his superiors, said to us that the children went missing in Henan, the owner of the forced labor factories is also from Henan. You ought to return to Henan to report this case to the police there, as long as the Henan police step forward on this case we will cooperate completely. We were left with no choice but to wearily make our way back to Henan. But then in Henan the police expressed that they were willing to help us but unable; they explained that our children had only been illegally compelled into labor, it was not a homicide case and so it did not qualify for a police follow-up; furthermore, according to the law the crime is located in Shanxi, so the Shanxi police ought to rescue the children.

In addition, according to our information, the leading suspect in the abduction, Yang, who crippled some of the children, has already been detained by the Shanxi police. Yet, the Shanxi police said that there was not enough evidence for a case. It is obvious that this is an organized criminal gang. Every day they collect targets, from Zhengzhou and other areas they use all sorts of methods to haul people to the Shanxi brick factory. Presently at the Shanxi brick factory there are more than one thousand children, among them there are more than four hundred from Henan. If this crime is not stopped then every day somebody will go missing and this will severely impact the stability of society.

As we walked out the main entrance of the public security bureau our hearts were heavy. In this a matter of life and death for an underprivileged group, we have been able to overcome difficulties and obstacles to search for clues, but because the public security offices pass off responsibility we could not continue our search for our children. In this society that everyone calls a harmonious system, where is there respect for life? How much longer must we walk on this long path searching for our children? During this uncertain search some children's parents passed away filled with sadness, some had nervous breakdowns. We are blood relatives of these children, no matter how difficult, we will not give up. But what of our children, those vulnerable lives who need our protection, how much longer can they hold out under such devastating circumstances?

We cannot waste any time with the safety of our children uncertain, who will save our children? After two different provincial governments rejected responsibility, where should we turn for help? In such an urgent matter of life and death, who will help us?

-- Signed by more than four hundred fathers who have lost their children

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中文版

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Topic: Plea from Four Hundred Fathers Who Have Lost Their Children to Brutal Child Labor

标题: 请求与关注:四百余位失子父亲泣血的呐喊

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请求与关注:四百余位失子父亲泣血的呐喊

我们是那些不幸被骗到山西黑窑场做苦工的孩子们的父亲,我们的孩子因为年龄小、涉世未深,只身在郑州火车站、汽车站、立交桥下、马路边等地方被人贩子或诱骗或强行拉上车,以500元的价格被卖到山西黑窑场做苦工。自孩子失踪以来,我们放弃了一切,背井离乡,走遍大江南北寻找孩子的下落。在历经艰难的寻找之后,我们终于得到了确切的消息,孩子是被人贩子卖到山西黑窑场做包身工了。我们不顾自身的安危,多次潜入当地,甚至扮成打工者进行卧底,终于了解到山西省临汾市、永济市是窑场比较集中的地方。尽管无数次设想过孩子所处环境的险恶,但真正的走进大山深处,穿过重重围墙,看到那些不幸的孩子时,我们还是被眼前的情景惊呆了:在这些手脚并用、头发长的像野人一样的孩子中间,有的已经整整和外界隔绝了七年,有的因逃跑未遂被打致残,这还不算,有的孩子还被监工用烧红的砖头把背部烙得血肉模糊(后被人救出在医院救了数月也未痊愈),他们每天工作十四个小时以上,还不让吃饱饭,有时因劳累过度,稍有怠工,就会被监工随手拿起的砖头砸的头破血流,然后随便拿起一快破布一裹了之,继续干活,至于拳打脚踢,棍棒侍候更是家常便饭,更有甚者有的孩子被打手打成重伤,也不给医治,让在窑场自行治愈,如不能自愈或伤情恶化,奄奄一息时黑心的工头和窑主就把被骗的苦工活活埋掉。这些孩子身上都因为长期不洗澡长满了牛皮癣似的皮屑,他们最小的只有八岁,八岁的孩子为了一顿饱餐是那么顺从,每天都干着成人都难以承受的重活。他们被限制了人身自由,全天候有监工或打手巡逻站岗。看着他们一双双恐惧无助的眼睛,我们的心在滴血。每一位有良知的人,看到此情此景,都会想把他们都救出去,可是我们身单力薄,力量太有限,无奈之下,我们只能尽可能地解救我们河南籍的孩子,对那些湖北、四川等外省的孩子,我们为无力改变他们的命运而愧疚,经过多方协调,先后有四十余名不慎落入虎穴的孩子,被我们费尽周折解救出来,回到了自己父母身边。而且通过照片辨认,他们也给我们带来了令人振奋的消息,我们中的有些孩子

曾经是他们的工友。但由于找孩子的人多，黑心窑主警惕性极高，稍有风声，就会把他们秘密转移到其它窑场，这给我们的寻子工作带了更大的难度。

男儿有泪不轻弹。获救孩子身上的累累伤疤，让我们一次次的落泪，我们不知道这些稚嫩的生命曾经经历了怎样的劫难，我们更不知道我们的孩子正面临着怎样的危险，我们是父亲，我们要救出我们的孩子，可是在大山深处，陌生的环境，窑主消息的灵通，使我们的寻子之路难上加难，我们的力量太薄弱了，我们的孩子随时都面临着生命危险。我们只有求助于政府。我们的足迹踏遍了山西方面的乡、县、市的公安、劳动等部门，但令我们心寒的是，乡派出所不仅置之不理，还百般阻挠刁难我们带走已经解救出来的孩子，而且窑主对我们进行威胁恐吓时坐视不管。而县公安局领导在接到上级公安机关的敦促后，给我们说，孩子是在河南丢失的，强制用工的窑主也是河南人，你们应该回河南报案，只要你们河南警方出面，我们会全力配合。无奈之下，我们只有风尘仆仆地回到河南，而我们河南的警方却表示爱莫能助，他们解释说，我们的孩子只是被强制监禁非法用工，没有造成命案，够不上立案条件，再说按照法律规定，案发地在山西，应该由山西警方去解救。另外据我们了解，拐卖孩子的犯罪嫌疑人之一杨某因把拐卖来的人打伤致残已经被山西警方刑事拘留，而山西警方却还说证据不足无法立案。很明显这是一个有组织的犯罪团伙，他们每天都在搜罗目标，以各种手段从郑州或其它地方把人拉到山西黑窑场，目前在山西黑窑场的包身工中仅孩子就有一千多人，其中河南籍的就有四百多人。如果这种犯罪再得不到制止，那么每天还会有人在丢失，将严重影响社会的安定。

当我们走出公安机关的大门时，心情无比沉重。人命关天啊，作为弱势群体，我们都能够不畏艰难险阻，查找到线索，但却因公安部门的互相推诿，寻子工作只能中断。在这个人人喊和谐的法制社会里，对生命的尊重体现到什么地方？漫漫寻子路，我们还要走多远？在渺茫的寻子路上，有的孩子的父母含恨离世了，有的精神崩溃了，我们是和孩子血脉相连的亲人，无论多难，我们都不会放弃。但我们的孩子呢，那些弱小的需要呵护的生命，在这狂风暴雨的摧残之下，他们还能坚持多久？

孩子的生命安全刻不容缓，谁来救救我们的孩子？在被两地政府互相推诿之后，我们又该向谁求助？十万火急，人命关天，谁来帮帮我们？

四百余位失子父亲泣血的呐喊

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China Captures Man Accused Of Labor Abuse

BEIJING, June 17 (Reuters) — The Chinese police have captured a man accused of holding workers in virtual slavery, state news media reported Sunday in a national uproar over teenagers and men forced to work in brutal, furnacelike brick kilns.

The man, Heng Tinghan, is accused of holding workers in a kiln in Hongtong County in the northern province of Shanxi. One worker, who was mentally impaired, died after being beaten by one of Mr. Heng's helpers, and the police rescued 31 workers, who were thin and scarred.

The police caught Mr. Heng late Saturday after a nationwide manhunt, the official Xinhua news agency reported.

He has become a central villain in a national drama over the kidnapping of hundreds of children, most in their teens but some as young as 8, forced or cheated into grueling labor in kilns, mines and foundries across Shanxi and the neighboring Henan Province.

When caught in Hubei Province in central China, Mr. Heng apologized for mistreating workers but refused to accept blame for the death of the mentally impaired man, a Hubei newspaper reported.

"I felt it was a fairly small thing, just hitting and swearing at the workers and not giving them wages," Mr. Heng said, according to The Shiyuan Evening News. "The dead man had nothing to do with me."

The scandal has tarnished the governing Communist Party's promises to build a "harmonious" society with improved rights and income for hundreds of millions of poor farmers.

The China Youth Daily called the coercion a "shocking disgrace" that exposed officials' failure to enforce labor laws. State television has reported that owners of the primitive brick-making operations ran them like prisons, with fierce dogs and beatings to deter escapes.

A police sweep in Shanxi and Henan has freed 568 people from kilns and other work sites, including 22 under the age of 18 in Shanxi, Xinhua reported. Wang Bingbing, the owner of the kiln that Mr. Heng leased, was detained in late May.

Local news reports said that from March 2006, Mr. Heng, the kiln's foreman, had coerced people to work at the site or cheated them to lure them there and then forced them to work 16-hour days and live off weekly steamed bread.

Finally Rescued, China's 'Slaves' Detail Their Plight

Parents' Grass-Roots Efforts
Forced Media, Police to Act;
Beatings and 17-Hour Shifts

By GORDON FAIRCLOUGH

DINGGOU, China—In early March, Li Yaokai, a skinny 18-year-old from this small mountainside village in central China, embarked on his first trip to the provincial capital. It didn't take long for him to get dragged into a huge forced-labor scandal whose gruesome details are now coming to light.

Mr. Li had set out in search of work to help support his family. Instead, the teenager ended up being sold into bondage at a brick factory.

Moments after he stepped off the train in Zhengzhou's cavernous rail station, he says, a middle-aged man appeared and asked if he was interested in a job. Mr. Li followed the stranger outside where two others emerged from the shadows, grabbing him and shoving him into a white minivan.

"I screamed, but no one heard me," says Mr. Li, one of the first victims to



give an extended interview to the foreign press.

At dawn the next day, his abductors dumped him at an isolated brick kiln—an operation, he later learned, that was set up by the local Communist Party boss. For nearly three months, he says, he spent 17 or more hours a day hauling bricks, surrounded by guard dogs and menaced by overseers wielding iron bars.

Mr. Li is one of hundreds of former captives dubbed "slave workers" by the Chinese media. Many of them are children and disabled people rescued by police as part of a broad assault on a vast underworld of brick factories and coal mines in two of China's 31 provinces and regions. With more details emerging—including the alleged complicity of government and Communist

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Party officials—the scandal threatens to sully the country's international image as it prepares to host the 2008 Olympic Games in Beijing.

News of the abuses has hit hard among Chinese people disillusioned by the social and economic inequities that have often gone hand in hand with the country's shift to capitalism. But the recent events show how China's citizens and media are increasingly willing to exert pressure on political leaders.

"In the end, the government had to pay attention and find our boys," says Mr. Li's father, Li Runzhi.

His son returned home last week, his hands burned by scorching hot bricks pulled from the kilns. His body was infested with lice. "Now, I just want to sleep all the time," the younger Mr. Li quietly said Sunday during an interview at his parents' tiny, spartan home. He wore a loose-fitting orange T-shirt decorated with cartoon panda bears. His hair was newly cropped.

"I feel happy he is back...but he doesn't talk to us," says Zhang Yuqin, the teen's mother. "He used to be a very lively boy....We are not going to send him to work anywhere for a while."

Much of Mr. Li's account has been corroborated by reports carried by China's official Xinhua News Agency and the Communist Party's own flagship newspaper, People's Daily. China's state-controlled press has been filled with graphic photos of injured slave laborers in tattered clothing and detailed ac-

counts of their Dickensian plight. More than 500 people have been freed by the police so far.

The brick factory where Li Yaokai and 30 others toiled was set up by the Communist Party chief of the village and run by his son, according to authorities. Last week, Xinhua and People's Daily both ran stories trumpeting the arrest of the son and several employees. Yesterday, Xinhua reported that the party chief had been sacked.

The police raid that freed Mr. Li was one of the first in a sweep of hundreds of brick factories and mines. The operation was prompted in large part by a grass-roots movement driven by people like Mr. Li's father and other parents of abducted children. Another catalyst: a May report, broadcast on the Henan provincial television station in Zhengzhou, that detailed the abduction of workers and featured a videotape of laborers at one of the brickyards.

After the story aired, parents of missing children gathered at the TV station's offices, swapped stories and began working together to find their children. Hundreds ended up traveling to Shanxi to search brick kilns, prodding the police to act.

The campaign spread to the Internet and sparked a media outcry that forced the government to tackle a long-ignored problem. So far 168 factory operators and others have been arrested in Henan and Shanxi provinces, according to Xinhua.

Forced labor appears to

have become a widespread problem in China over the past decade, activists say, as more than 120 million people have left the security of their villages and hometowns to hunt for work. Many go to the distant and unfamiliar reaches of the country's big cities.

Traffickers either abduct people or lure them to work with false promises of good pay. Their targets are often the young and disabled, since they are the least likely to escape. China's vast, migrant work force plays to their advantage. Families may go for months without realizing their loved ones are missing. Most have no practical way to look for them if they do disappear.

The U.S. State Department, which recently published its annual report on human trafficking and forced labor, estimates that a minimum of 10,000 to 20,000 people fall prey to human traffickers each year. China remains on the State Department's "watch list," in part, the report says, because the country hasn't made "concerted efforts to investigate and punish government officials specifically for complicity in trafficking."

Mr. Li and his wife are part of a group of six families working together to find their missing sons. So far, they are the only ones whose boy has been found. "I think it's very common," Mr. Li says. "I hope we can solve this problem once

and for all and recover all of our lost boys.”

Li Yaokai's odyssey began at the Zhengzhou rail station, one of the largest in China. Nearly 150,000 people pass through the station every day, and it has become a notorious hub for human traffickers, according to a report on China Central Television last year.

After the kidnapers

Li says. He began to wonder if his son had met a similar fate.

Other parents whose children went missing from the Zhengzhou train station worried, too, prompting local TV reporters to search for clues. On May 19, the Zhengzhou television station aired the first of its stories about children being sold into bondage.

Mr. Li saw the news and

apprehended over the weekend in another province.

Government propaganda officials, meanwhile, sought to rein in media coverage. Web sites were ordered to block discussion of the events. But coverage in the Chinese press—all of which is ultimately controlled by the state in China—has continued unabated.

Some Chinese government officials had financial interests in the mostly illegal operations, authorities say. The younger Mr. Li recalls that once, while being held captive, he saw government figures visit the kiln to collect bribe money from the foreman.

Mr. Li says that he did his best to avoid invoking the ire of the overseers. “I worked hard. When I was ordered to do something, I did it,” says Mr. Li. He subsisted on a diet of bread, noodles and water. He says he was beaten twice when he became too exhausted and weak to work quickly.

“I was always looking for some way to escape,”

Mr. Li says. But he knew such an effort was fraught with risk. One boy who tried to run away was captured and beaten by the guards. They broke the boy's leg with iron bars, Mr. Li says.

As Mr. Li told his story of captivity, Liu Yunqi, the mother of a missing deaf boy, sat on a stool hugging herself. Her 17-year-old son, Cheng Xiaopeng, was abducted at the end of February after traveling to Zhengzhou with some classmates for vacation. His friends said two older men seized Mr. Cheng in the train station and dragged him off.

Ms. Liu has crisscrossed Shanxi looking for her son. After another parent reported seeing a deaf boy who resembled Mr. Cheng at a brickyard, she rushed there, only to find that the boy had been sent elsewhere.

“He's had such a hard life,” Ms. Liu says of her son. Last year, he was hospitalized for months with a kidney disease, and she worries that he may be sick again since he doesn't have his medicine.

“These people have no mercy. He can't even hear,” she sobbed. “Please help me find my son.”

—Ellen Zhu and Tang Hanqing in Shanghai and Kersten Zhang in Beijing contributed to this article.



A paid worker, center, pulls a cart of bricks next to a man, right, who has been rescued by local authorities from slavery, at a brick kiln in China on June 16.

grabbed Mr. Li, he says he was thrown into a small room with barred windows that served as a holding cell. In time, he was joined by four other abductees ranging in age from 17 to 59.

The five of them were crammed into the back of a van with darkened windows and guarded by two men armed with crowbars. They were ordered to remain silent. The van drove all night and they were delivered to the brickyard early the next morning.

Mr. Li, who is 5-foot-6-inches tall and at the time weighed about 112 pounds, says he was immediately put to work carting heavy loads of bricks. He was forbidden to talk to the other workers and initially didn't even know where he was—in a remote county in Shanxi Province, more than 300 miles from his home in Henan Province.

His father says that he initially had no idea that his son was in trouble. He had left home in high spirits, determined to earn money and gain experience outside the village, the elder Mr. Li recalls.

But as time dragged on with no word from his son, Mr. Li, 49, says he grew concerned. Last year, another boy from the village had been kidnapped and taken to a brick factory in Shanxi province, but managed to escape after a few days, Mr.

called the station, looking for information. More than 1,000 different families also called, according to the TV station. Groups of parents banded together and went to the authorities calling for action. Initially, the response was tepid. The police advised Mr. Li to file a missing-persons report and suggested that he and the other parents should look for their sons themselves. “I was very unhappy and disappointed,” Mr. Li says.

Mr. Li spent weeks traveling to brick kilns in Henan and Shanxi, discovering what he believes were hundreds of children and adults being forced to work against their will. He was still searching when he received a call saying the police had found his son.

Scores of other parents launched their own rescue efforts, reporting what they found to the police and the media. Early this month, 400 fathers signed a letter demanding that the government take action and posted it online. All the attention appears to have finally resonated with the government, which called for sweeping police action.

On May 27, police raided the brick kiln where Mr. Li was working, freeing 31 people and arresting three, including the son of the party boss. The foreman and his wife fled but were

Fast-Growing China Says Little of Child Slavery's Role

By HOWARD W. FRENCH

SHANGHAI, June 20 — There is a certain ritualistic aspect to stories in China like the one this past week about the hundreds of people, many of them teenagers or even younger, who were forced to work under slavelike conditions in the brick kilns of Shanxi Province. First, Chinese readers are horrified by a picture of their country that many say they hardly recognize, then a villain is rounded up, and finally, after a torrent of unusually blunt and emotionally charged news reports and editorials, the matter drops from view, ensuring that the larger issue goes unresolved.

The villain in the case was Heng Tinghan, the manager of the brick works, who was arrested Saturday and promptly cemented his bad-guy image by protesting that it was a "fairly small thing" to beat and abuse underage workers, and to deprive them of pay. With his arrest, and the urging of the Central Office of External Communication of the Communist Party, the story then died away. But Chinese newspapers are constantly peppered with accounts of the death and injury of child laborers, and of disputes that arise because of unusually low wages, or the withholding of pay, with no region of the country exempted.

Just within a week or so of the brick kiln story, there were several reports of labor abuses against children. A 14-year-old boy was killed in an explosion while filling a tank with naphthalene at a chemical factory near Nanjing. A 15-year-old boy was dragged into a cotton gin and crushed to death in Nanchang after working a succession of 20-hour days. And 70 girls from rural Henan Province were brought by their teacher to work at a grape processing plant in Ningbo, where their hands bled from working 16-hour shifts.

From the densely packed factory zones of Guangdong Province to the street markets, kitchens and brothels of major cities, to the primitive factories of China's relatively poor western provinces, child labor is a daily fact of life, experts here say, and one that the government, preoccupied with economic growth, has traditionally turned a blind eye to.

"In order to achieve modernization, people will go to any ends to earn money, to advance their interests, leaving behind morality, humanity and even a little bit of compassion, let alone the law or regulations, which are poorly implemented," said Hu Jindou, a professor of economics at the University of Technology in Beijing. "Everything is about the economy now, just like everything was about politics in the Mao era, and forced labor or child labor is far from an isolated



China Daily, via Reuters

Heng Tinghan, left, was arrested Saturday and protested that it was a "fairly small thing" to abuse underage workers at his brick kiln.

a combination of capitalism, socialism, feudalism and slavery."

Under President Hu Jintao, the Communist Party has made the creation of what it calls a harmonious society the government's main watchword. As part of that effort, in fact, a major revision of laws governing the rights of children took effect just this month, prompting the country's vice premier, Wu Yi, to call their adoption "a festive present for the mainland's 300 million children."

Chinese labor market experts say, however, that the country remains far from achieving even the spirit of the new law, which mandates that adequate time be set aside for sleep, entertainment and sports. In fact, many say, an overwhelming emphasis on economic growth directly contradicts it.

This was underscored by another story that emerged the same week the kiln factory abuses were revealed. Students from the Dayin Middle School in Sichuan Province, in China's interior, complained in newspaper reports about a work-study program in which they were shipped to an electronics assembly plant hundreds of miles away, in the industrial boomtown of Dongguan, which is near the coast.

The students told about having to work 14-hour days, with mandatory overtime, and having their wages withheld. In some instances, they said, those who wished to quit the program had no way of telephoning their families or paying for transportation home.

"My daughter promised to call every week, but she's been gone for three weeks and has only called once," said Zhang Ronghua, the mother of

wants to come home, that she's worked from 8 a.m. to 11 p.m. and that she's constantly busy and tired."

Yuan Guangyao, the deputy manager of the factory, defended his company's arrangement with the school. "This internship is a form of cooperation between our company and the school, or rather with the county," he said. "I've been to that county myself, and I found the local people were very poor, so this initiative of having students work here is a win-win strategy for both of us."

But many of the parents see a different picture, suspecting that the factory and the school are profiting at their children's expense.

Liu Kairning, a longtime researcher on labor conditions in Guangdong Province, where Dongguan is, said the employment of students who were paid low wages and forced to work overtime was commonplace. "In Dongguan, you can even see children of 12 and 15 working in toy factories," he said. "These kids are basically from adjacent, underdeveloped provinces and they are brought by their teachers. There are laws forbidding child labor, but for work-study programs there are no specific rules, and no limitations on age, working hours or job description."

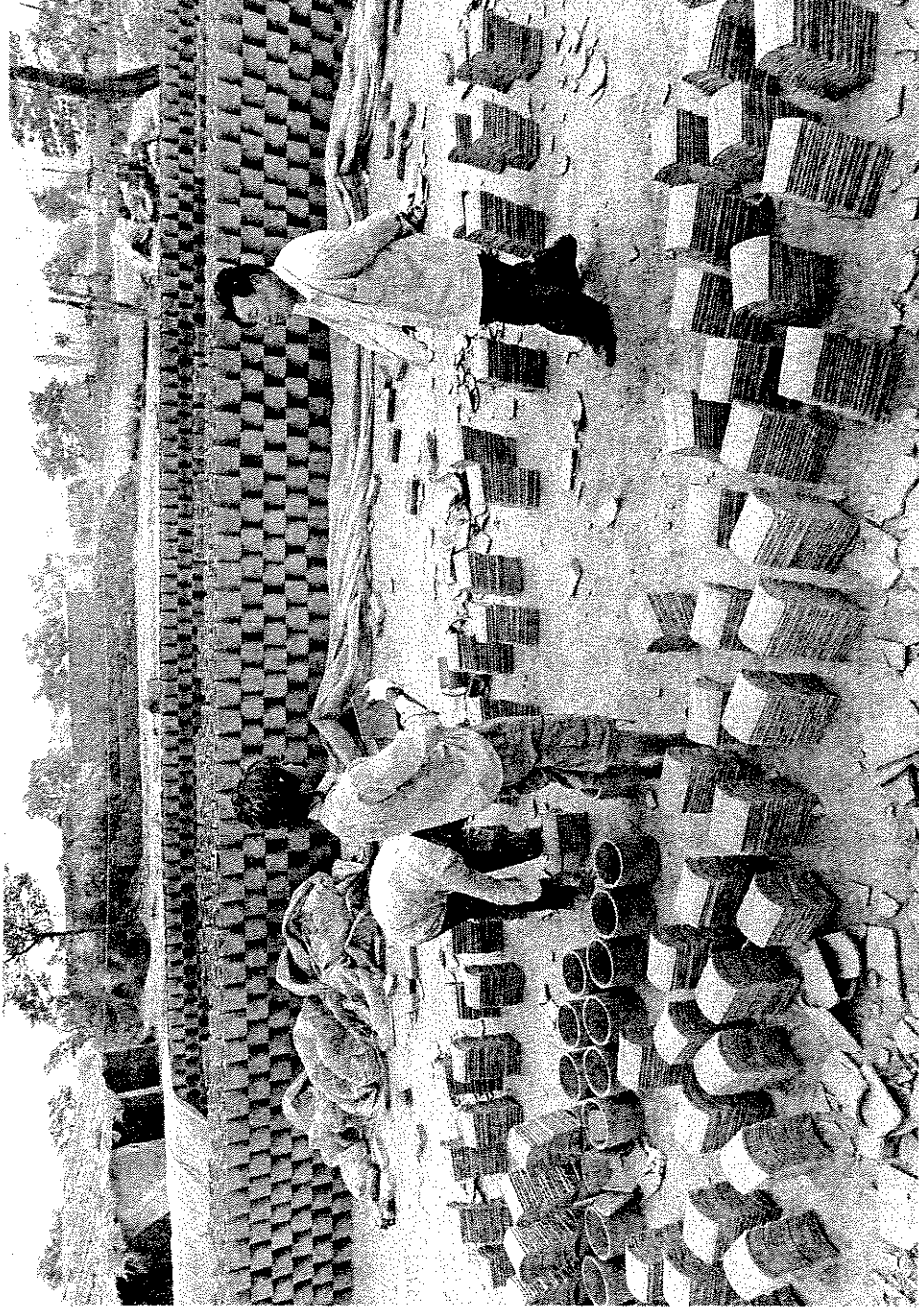
Other experts said local officials were reluctant to take any steps that would impede economic growth. Traditionally, high growth rates and social stability have been the main criteria for promotion of local officials, and in relatively poor regions providing employment, even for youths, is seen as contributing to these goals.

Indeed, in the Shanxi brick kiln case, the owner of the factory that was the focus of most of the media attention was a local Communist Party leader.

Local officials also take advantage of overlapping jurisdictions to evade responsibility. In Sichuan Province, the local officials said they had no say over working conditions negotiated between the school and the factory.

Officials at the provincial labor bureau in Guangdong Province said that labor arrangements made by a school should be regulated by the Education Ministry. The ministry did not respond to telephone calls or faxed questions on the matter.

"Each department or ministry only cares about itself," said Jin Yingjie, a labor law expert at China University of Political Science and Law. "If the law concerns its own interest, it will make an effort to apply it. But when an issue involves the intersection of more than one department,



Color China Photo, via Associated Press

A man searched for his child, one of hundreds who have been kidnapped, at this brick kiln in China's Shanxi Province.

China Tries to Contain Scandal Over Slave Labor With Arrests and Apology

By DAVID LAGUE

BEIJING, June 22 — Chinese authorities moved to contain a widening slave labor scandal with an apology from a provincial governor for abuses that have shocked the country, and the arrest of two labor officials, state news media said Friday.

Yu Youjun, the governor of Shanxi Province in northern central China, took responsibility for the failure to protect hundreds of farmers, migrant workers and children forced to work without pay in brick kilns and other businesses, the official Xinhua News Agency said.

"As Shanxi governor, I'll take the blame for the scandal that infringed the rights of farm workers and children," Mr. Yu was quoted as saying. "I feel guilty and heart-stricken over the scandal. It has infringed the rights of migrant workers and children, hurt them both physically and mentally, and had a shocking effect

both in and out of China."

The outcry over forced labor is a serious blow to the ruling Communist Party under the leadership of President Hu Jintao and Prime Minister Wen Jiabao, who are trying to promote their vision of a harmonious society sharing the benefits of the country's extended economic boom.

The reality for many workers in remote provinces, far from the booming coastal cities, is that they are vulnerable to exploitation without any protection from the government or unions, labor activists say.

Those abuses contribute to widespread dissatisfaction and anger in rural areas, where protests and demonstrations are now common.

On Thursday, the police arrested two labor inspectors from Yongji city in Shanxi who were accused of negligence and abuse of their powers, Xinhua reported.

Amid a national outcry, the central government has begun an inquiry

into the widespread exploitation of migrant workers and children in the backward province.

Some of the workers and children were abducted from rural train and bus stations or enticed to travel to the kilns with bogus offers of good pay and conditions.

Once they arrived, they were often beaten, poorly fed and forcibly prevented from leaving, according to news media reports.

The abuses were exposed in reports in China's increasingly feisty news media last week after parents had unsuccessfully pleaded with the authorities for assistance to find and free their children.

Earlier this month, more than 400 parents in neighboring Henan Province posted a letter on the Internet complaining that their children had been abducted, and sold as laborers to brick kiln operators in Shanxi.

Chinese journalists say the authorities have since tried to limit cov-

A blow to a

Communist vision of a society sharing in an economic boom.

erage of the abuses, which have highlighted an often unseen consequence of China's economic boom: the brutal working conditions endured by many workers in remote areas of the country.

But coverage has continued with the official news media also saying Friday that the police had placed 35 people in criminal detention and were hunting for 20 others suspected of involvement in the use of forced labor in the kilns.

There are suggestions that further abuses may be uncovered. "Forced laborers of unknown number, both

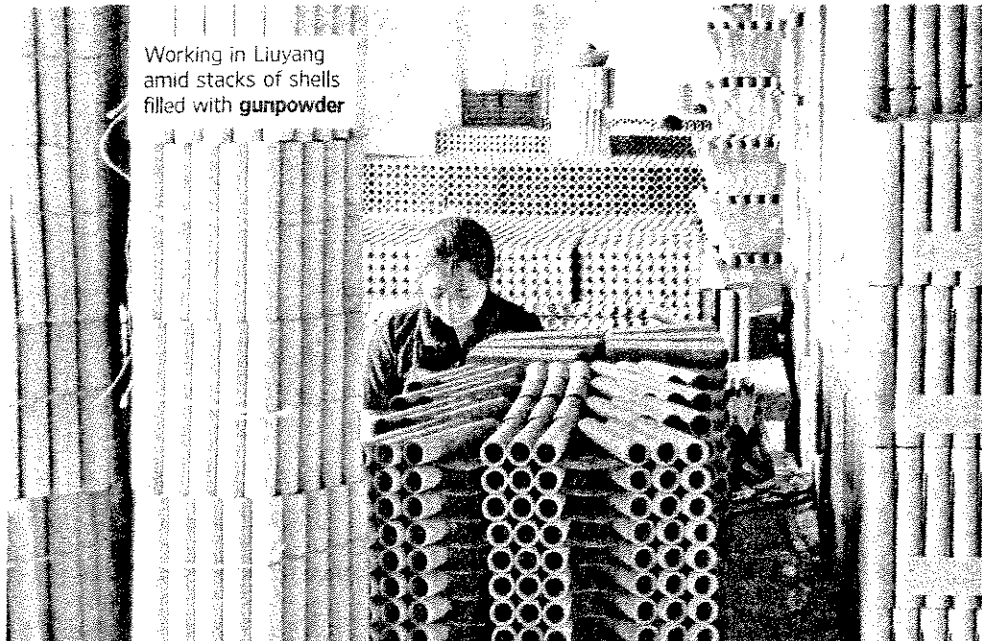
adults and children, may still be suffering," the official China Daily newspaper said, "and officials who have shielded the notorious business have yet to be brought to justice."

Investigators have rescued 359 people, including 65 who are mentally retarded and 12 children, from the kilns, the reports said. The police in Henan rescued more than 200 others, the reports said.

Employment of children younger than 16 is forbidden in China, but the investigation has exposed the complicity of local officials in the scandal, state news media reported.

China's central government has ordered provincial authorities in Shanxi to mount a full investigation and to compensate victims.

Authorities from Hongtong County in Shanxi sent teams to 12 provinces to visit the homes of victims to deliver letters of apology, pay outstanding salaries and arrange compensation, Xinhua said.



Working in Liuyang amid stacks of shells filled with gunpowder

James T. Areddy

Behind the Boom In Chinese Fireworks

*Cheap Exports Fuel Growth
In Backyard Pyrotechnics;
More Li Statues Than Mao*

By JAMES T. AREDDY
Liuyang, China

ACROSS THIS sprawling, upwardly mobile country, towns proudly proclaim they are what they make. Wenzhou calls itself China's Shoe Capital. Datang, a bit more modestly, lays claim to Sock City. And then there is Liuyang—Fireworks Capital of the World.

Nearly all the celebratory explosions set off by Americans—from the lowly New Year's firecracker to next week's mighty Fourth of July mortar—originate in Liuyang, a county nestled into the red hills and bamboo forests of Hunan. Local lore has it that Li Tian invented firecrackers hereabouts 1,400 years ago, and today statues of Inventor Li outnumber those of Chairman Mao. China's Ministry of Commerce estimates that the country produces 75% of the world's fireworks; Liuyang says it makes 70% of that—accounting for more than half of the globe's explosions-for-fun-and-pageantry market.

"In every family, at least one person works with fireworks companies," says 30-year in-

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Inventor Li's Hometown Is Behind the Boom in Chinese Fireworks

Continued from page B1

Industry veteran Yu Shunan, owner of Liuyang's Jiahua Fireworks Manufacturing Co., which exports more than half its output to the U.S. Some 210,500 people, 60% of Liuyang's population, work at home and at 1,500 factories cutting paper, forming cardboard tubes, twisting wicks and—most risky of all—stuffing gunpowder into enough fireworks to fill 29 million cases annually.

Liuyang's cheap bottle rockets, Roman candles and sparklers are helping drive a trend in the U.S. to do-it-yourself fireworks shows. The U.S. fireworks business is booming, with 45 states now allowing the legal sale of at least the most basic devices, says the American Pyrotechnics Association, a Maryland-based trade group. U.S. fireworks sales are growing despite fewer large-scale public events, such as the annual Macy's Fourth of July show in New York City, which have gotten harder and more expensive to organize because of a "a crazy quilt of regulations" after the Sept. 11, 2001, terrorist attacks, says Julie Heckman, the association's executive director.

Backyard shows have been the biggest growth area for the U.S. fireworks industry. Revenue is up 50% since 2000, to \$900 million last year, according to the association.

At a time of rising concern about Chinese-made products from toothpaste to pet food, fireworks from China have registered relatively few problems. Even as U.S. imports have soared, injury rates by some measures have declined—and most of those injuries have come from misuse rather than defects. Before fireworks are sent to the U.S., distribu-

tors rely on testing by a Maryland-based, industry-supported group, American Fireworks Standards Laboratory, to test them in China.

"The products coming out of China are better than they've ever been," says John Rogers, the lab's executive director.

When the organization started testing in 1994, some 35% of the fireworks tested in China were rejected for not meeting U.S. government and voluntary industry safety standards. Last year, its 50 contract inspectors rejected only 7% of the fireworks in the 40,000 lots tested. While every fireworks recall since 2004—including two this month—has involved Chinese-made products, the products involved amounted to far less than 1% of total annual imports, according to U.S. Consumer Product Safety Commission statistics.

In Liuyang, town elders trace fireworks to Mr. Li, a Tang Dynasty farmer who made something pop when he was fiddling with concoctions he hoped might scare bad spirits off his land. "This was the first firecracker in Chinese history," says Xiaofixian, director of Liuyang's China Fireworks Culture Museum.

But safety, as much as history, explains how Liuyang came to dominate the fireworks business. Almost everywhere else in China, officials have made fireworks companies unwelcome.

It took a terrible accident six years ago to focus China's government on industry safety. Thousands of workshops were shut down nationwide after 42 schoolchildren were blown up in their rural Jiangxi province classrooms while making fireworks. The scandal was a major international embarrassment for China's

James T. Arndy (2)



In a small family factory in Liuyang, heavy-duty cardboard is stamped into circles to cap fireworks shells.

powder. Others, sitting on squat stools in the shadow of thousands of carefully arranged live munitions, glue on labels. Few work more than a single footstep from doors that are left open at all times.

Fireworks have never gone out of fashion in China. They remained popular even during the turmoil of China's Cultural Revolution in the 1960s and 1970s when other traditions were abandoned, says Chen Gang, a third-generation pyrotechnician in Shanghai. At least once a week, Mr. Chen guides a boat around coal barges to the edge of Shanghai's historic Bund for a downtown show, often with a foreign multinational footing the bill of \$1,250 a minute.

The passion for noise and smoke is ubiquitous and year-round. Like uncorking champagne is elsewhere, lighting a string of red firecrackers is the traditional way to toast a business launch, house move or marriage. As in inventor Li's time, the

flash and noise are supposed to scare off bad spirits.

And at midnight on Chinese New Year, street corners in big cities become blast zones where police stand aside as residents ignite rockets that shoot rapid-fire out of refrigerator-sized boxes and leave roads littered with burned paper.

When the city of Beijing rescinded a 12-year-old ban on fireworks sale last year, it was greeted as reinstatement of a birthright. State media cheered that 80% of the capital city's population lit at least one firecracker during Chinese New Year celebrations—and reported 112 injuries but no deaths.

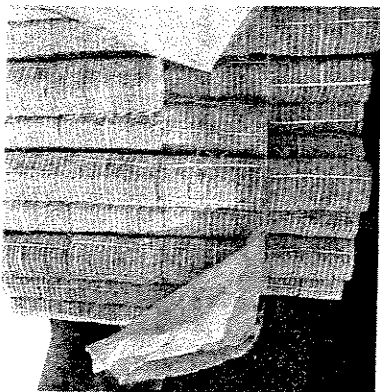
In the U.S., fireworks on the Fourth of July is a tradition that traces its roots to 1776, when John Adams, later the second president called for "bells, bonfires and illuminations" to celebrate the Declaration of Independence.

In the same way Chinese fireworks will light up U.S. backyard this year, they have become a staple of professional shows. Philip Butler, producer with Brookhaven, N.Y.-based Fireworks by Grucci, says Chinese fireworks can cost a sixth of those made elsewhere. But Mr. Butler says Spanish and Italian fireworks are often prettier. "Does the fireworks show tell a story?" he says. "I shouldn't be only ba-ba-boom, boom boom for ten or fifteen minutes."

—Elton Zhu contributed to this article

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ONLINE TODAY: See more photographs of the fireworks factories in Liuyang, at MSJ.com/OnlineToday



government, on the scale with this year's cases of people being enslaved to make bricks in the nation's north. Government statistics show more than 400 people die each year in China in fireworks accidents, usually ugly blasts in workshops.

At Mr. Yu's Jiahua Fireworks in Liuyang, clear precautions are taken. Gunpowder is handled by solitary workers and separated by blast walls, in buildings that are dug into small valleys. To insert the wicks, young women gently poke holes into the cardboard tubes filled with white gun-