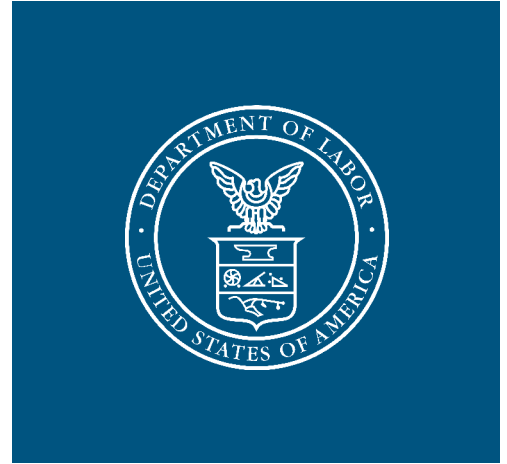
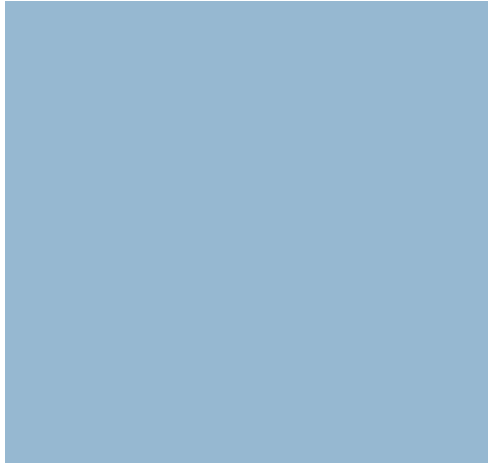


U.S. Department of Labor's List of Goods Produced by Child Labor or Forced Labor



2010

REPORT REQUIRED
BY THE TRAFFICKING
VICTIMS PROTECTION
REAUTHORIZATION
ACT OF 2005



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U.S. DEPARTMENT OF LABOR'S BUREAU OF INTERNATIONAL LABOR AFFAIRS
OFFICE OF CHILD LABOR, FORCED LABOR, AND HUMAN TRAFFICKING

2010

U.S. Department of Labor's
**List of Goods Produced
by Child Labor or
Forced Labor**

REPORT REQUIRED BY THE TRAFFICKING VICTIMS PROTECTION
REAUTHORIZATION ACT OF 2005



SECRETARY OF LABOR
WASHINGTON

DEC 15 2010

The Honorable Joseph R. Biden
The Vice President of the United States
Washington, DC 20500

Dear Mr. Vice President:

The enclosed report, titled The Department of Labor's *List of Goods Produced by Child Labor or Forced Labor*, is produced in accordance with the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2005. This report updates the Department's initial List, published on September 10, 2009. The initial List included 122 goods from 58 countries that DOL's Bureau of International Labor Affairs has reason to believe are produced by child labor or forced labor in violation of international standards, and this update adds 6 new goods and 12 new countries for totals of 128 goods from 70 countries. DOL will continue to update the List periodically. We hope this report is useful to you.

Sincerely,



HILDA L. SOLIS
Secretary of Labor

Enclosure

cc: The Honorable Harry Reid, Senate Majority Leader
The Honorable Mitch McConnell, Senate Minority Leader



SECRETARY OF LABOR
WASHINGTON

DEC 15 2010

The Honorable Nancy Pelosi
Speaker of the House of Representatives
Washington, DC 20515

Dear Madam Speaker:

The enclosed report, titled The Department of Labor's *List of Goods Produced by Child Labor or Forced Labor*, is produced in accordance with the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2005. This report updates the Department's initial List, published on September 10, 2009. The initial List included 122 goods from 58 countries that DOL's Bureau of International Labor Affairs has reason to believe are produced by child labor or forced labor in violation of international standards, and this update adds 6 new goods and 12 new countries for totals of 128 goods from 70 countries. DOL will continue to update the List periodically. We hope this report is useful to you.

Sincerely,



HILDA L. SOLIS
Secretary of Labor

Enclosure

cc: The Honorable John Boehner, House Minority Leader



SECRETARY OF LABOR
WASHINGTON

No one has the right to compromise the health, education and well-being of children; no family should have to depend on exploitative labor by its children to put food on its table. Nor should any human being work under conditions of forced labor.

This is why Congress passed the Trafficking Victims Protection Reauthorization Act of 2005. This Act directs the Secretary of Labor and the Department of Labor's Bureau of International Labor Affairs (ILAB) to compile "a list of goods that ILAB has reason to believe were produced using forced labor or child labor." The purpose of this list is to raise awareness about these kinds of abuses, so that meaningful progress can be made.

The Department of Labor published the first such List in September 2009 and today's report provides an update. The report builds upon fifteen years of ILAB investigation, analysis and reporting on these and related issues.

It also builds on the experience of our own government in dealing with these issues. Since I took office, one of my primary goals has been to step up enforcement efforts on behalf of all workers - including children and vulnerable workers who may labor under unacceptable conditions. We have added 350 new field investigators to our Wage and Hour Division; issued regulations increasing protection for young workers in dangerous non-agricultural jobs; and instituted a tougher penalty structure for those found illegally employing child workers. We are also exploring regulatory changes to further protect children in the agriculture sector.

While we have made great strides in combating child labor and forced labor, we have not rooted out these problems completely. In the summer of 2009, investigators from our Wage and Hour Division (WHD) found a six-year-old picking blueberries on a farm in Michigan. On a visit to a nearby farm, a five-year-old was found lugging heavy buckets of blueberries.

After finding violations of child labor laws during last year's blueberry harvest, WHD investigators met with farm groups, community organizations, state and county agencies to inform employers of their important obligation to address the issue of children working in the fields and to educate employees of their rights under the Fair Labor Standards Act and the Migrant and Seasonal Agricultural Worker Protection Act.

During this year's harvest, WHD investigators went back into the fields in North Carolina, New Jersey, and Michigan. In North Carolina, WHD investigated seven blueberry fields and found not a single child labor violation. Results for Michigan and New Jersey are still coming in, but WHD found "No Children Allowed" signs posted in the blueberry fields of Michigan. This is a definite sign that growers are taking responsibility for ensuring the protection of those most vulnerable among us.

As we continue to be vigilant at home to combat child labor, we also continue to assist working families around the world. This past year I had the opportunity to witness one of our global partnerships when I visited a coffee plantation in Jinotega, Nicaragua. DOL is funding a program that works with communities and coffee producers to remove children from hazardous work, provide them with an education and enable their families to earn a decent living, keeping their children out of the fields.

This report would not be possible without the hard work and dedication of our staff, our U.S. Government partners, and the hard-working advocates in non-governmental organizations, labor unions, business, academia and international organizations. Today's report is also a testament to the support and work of U.S. Congressman Chris Smith, who sponsored the TVPRA of 2005 and who Co-Chairs the Human Trafficking Caucus, and Senator Tom Harkin, who has been a tireless advocate for the elimination of the worst forms of child labor.

As President Obama has said, "Progress in even the poorest countries can advance the prosperity and security of people far beyond their borders, including my fellow Americans." It is my hope that every reader will use the information to help us make these changes, because one child laborer, or one worker trapped in forced labor, is one too many.



HILDA L. SOLIS
U.S. Secretary of Labor
December 15, 2010

THIS report was prepared under the direction of Sandra Polaski, Deputy Undersecretary for International Affairs, Marcia Eugenio, Director of the Office of Child Labor, Forced Labor and Human Trafficking (OCFT), and Kevin Willcutts, Deputy Director, OCFT. Preparation of the report was coordinated by Charita Castro, Rachel Phillips Rigby, Brandie Sasser and Leyla Strotkamp of OCFT. The underlying research, writing, editing, and administrative support were carried out by the following Bureau of International Labor Affairs (ILAB) staff: Wendy Blanpied, Kathryn Chinnock, Katie Cook, Kwamena Atta Cudjoe, Kusuma Cunningham, Chandra DeNap, Sonia Firpi, Mary Francis, Diantha Garms, Lucian Gatewood, Danielle Griswold, Susanna Groves, Alexa Gunter, Thomas Heckroth, Misty Heggeness, Sharon Heller, Karina Jackson, Maureen Jaffe, Malaika Jeter, Chanda Leckie, Marie Ledan, Jermaine Leonard, Kristin Lipke, Tina McCarter, John Mondejar, Michal Murphy, Eileen Muirragui, Sarah Newsome, Micaela Okamura, Kimberly Parekh, Angela Peltzer, Ingris Ramos, Tanya Rasa, Laura Recchie, Amy Ritualo, Samantha Schasberger, Doris Senko, Sherry Smith, Michael Spangler, Jose Toasa, Ana Valdes, Pilar Velasquez, Cara Vilen, Bogdan Vitas, Christopher Watson, Patrick White, Elizabeth Wolkomir, and Bruce Yoon.

OCFT would like to note the important contributions to the report made by Matthew Levin and Nicholas Levintow in the Office of the Solicitor, Sheila McConnell in the Office of the Assistant Secretary for Policy, and Stephanie Swirsky in the Executive Secretariat.

This report was published by the U.S. Department of Labor, ILAB. Copies of this and other ILAB reports may be obtained by contacting the Office of Child Labor, Forced Labor and Human Trafficking, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW, Room S5317, Washington, DC 20210. Telephone: (202) 6934843; Fax: (202) 6934830; email: GlobalKids@dol.gov. The reports are also available on the Internet at: <http://www.dol.gov/ilab/>. Comments on the report are also welcomed and may be submitted to the e-mail address listed above.



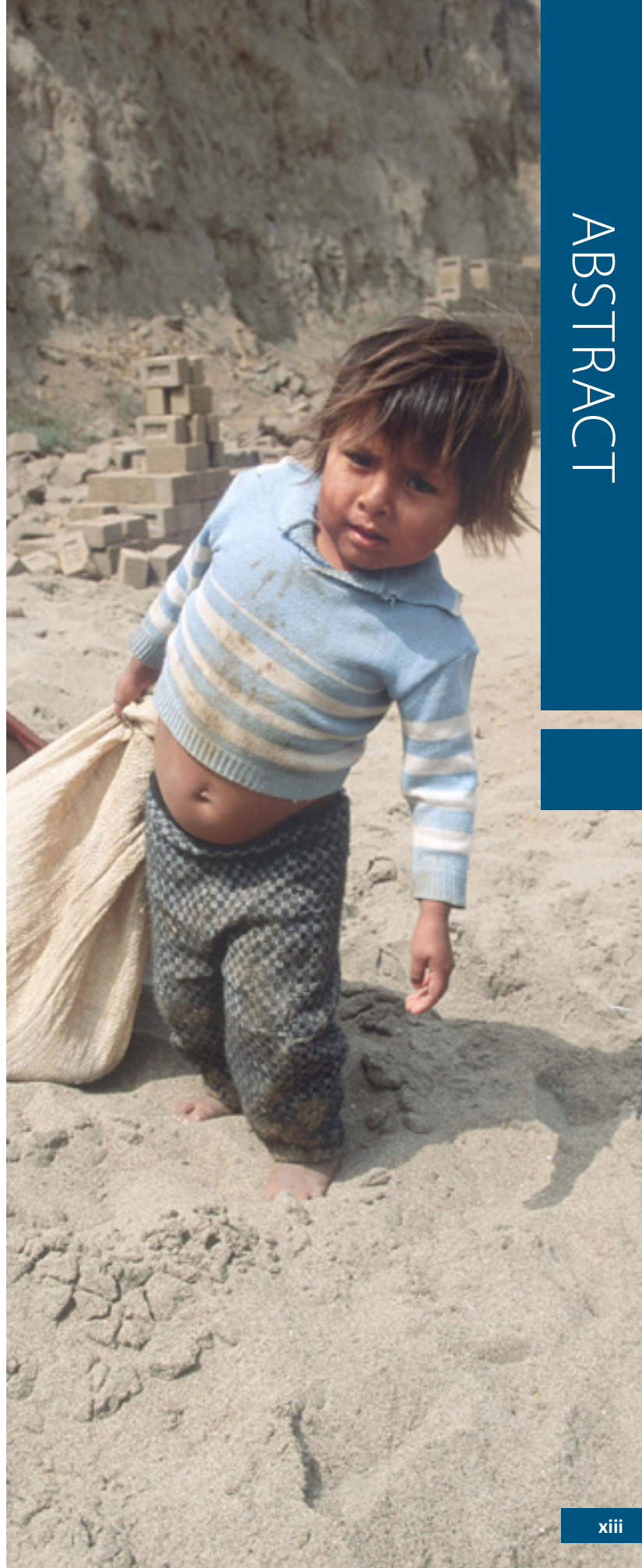


THIS publication presents an update to the *List of Goods Produced by Child Labor or Forced Labor* (the List) which was first published on September 10, 2009 by the Bureau of International Labor Affairs (ILAB) of the U.S. Department of Labor, pursuant to the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2005.¹ The TVPRA mandated that ILAB develop and publish a list of goods from countries that ILAB “has reason to believe are produced by forced labor or child labor in violation of international standards.” The primary purposes of the List are to raise public awareness about the incidence of child labor and forced labor in the production of goods in the countries listed and to promote efforts to eliminate such practices.

Pursuant to this mandate, ILAB conducted an in-depth review of available information on the use of such exploitative labor in the production of goods. In evaluating the information, multiple criteria were used to determine whether a good should be placed on the List, including the nature of the information, source of the information, date of the information, extent of corroboration, and significant incidence. A bibliography of the sources used as a basis for DOL’s findings can be found at <http://www.dol.gov/ILAB/programs/ocft/tvpra.htm>.

An examination of 116 countries identified 128 goods from 70 countries that ILAB believes are produced with child labor or forced labor. The 2010 update adds 6 new goods and 12 new countries since the list was published in 2009. The countries on the List span every region of the world and are at different stages of development. More goods were found to be made with child labor than forced labor. By sector, agricultural crops comprise the largest category, followed by manufactured goods and mined or quarried goods. The most common agricultural goods listed are cotton, sugarcane, tobacco, coffee, and cattle; the most common manufactured goods listed are bricks, garments, carpets, and footwear; and the most common mined goods listed are gold, diamonds and coal.

1. Codified as section 7101 of the Trafficking Victims Protection Act (TVPA).





ACILS	American Center for International Labor Solidarity
AFL–CIO	American Federation of Labor and Congress of Industrial Organizations
CCI	Citizens Charcoal Institute
CREA	Center for Reflection, Education and Action
DOL	United States Department of Labor
FLSA	Fair Labor Standards Act
GOB	Government of Brazil
GOI	Government of India
GOJ	Government of Jordan
GON	Government of Namibia
GOT	Government of Thailand
ILAB	Bureau of International Labor Affairs
IFC	International Finance Corporation
ILO	International Labor Organization
MCC	Millennium Challenge Corporation
NCLP	National Child Labor Project (Government of India)
NIOSH	National Institute for Occupational Safety and Health
OCFT	Office of Child Labor, Forced Labor, and Human Trafficking
PETI	Program to Eradicate Child Labor (Government of Brazil)
TDA	Trade and Development Act of 2000
TFFA	Thai Frozen Foods Association
TVPRA	Trafficking Victims Protection Reauthorization Act
USDA	United States Department of Agriculture
WHD	United States Department of Labor/Wage and Hour Division



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THE past year brought some hopeful news to those working to eradicate child labor and forced labor around the world. In May 2010, the International Labor Organization (ILO) released research showing that child labor had decreased by 3 percent worldwide from 2004 to 2008, with a 10 percent decrease in children performing hazardous work. The same month, representatives of governments, employers' organizations, unions and other civil society groups met in The Hague, Netherlands to commit themselves to a roadmap for eradicating the worst forms of child labor by 2016. This year also marks the 10th anniversary of the United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons (the "Palermo Protocol"), giving the international community the opportunity to recognize the progress that countries have made in enacting legislation, bringing offenders to justice, and providing services to victims of trafficking for commercial sexual exploitation and forced labor.

This progress should not be taken as cause for complacency, however. The global economic crisis of 2008-2009 has increased poverty and unemployment and likely has also increased child labor and forced labor. Governments must redouble their efforts to protect children and workers from exploitation. We all have a role to play in this important work, whether through our firms, our civic organizations, or as consumers.

The List presented in this report provides a starting point for individual and collective action. The Trafficking Victims Protection Reauthorization Act (TVPRA) of 2005 requires the Department of Labor's Bureau of International Labor Affairs (ILAB) to "develop and make available to the public a list of goods from countries that [ILAB] has reason to believe are produced by forced labor or child labor in violation of international standards."² ILAB published its initial List on September 10, 2009, and this is the first update.

2. Codified as section 7101 of the Trafficking Victims Protection Act (TVPA). 22 U.S.C. 7101.

The List does not include goods produced in the United States, as coverage of domestically produced goods was not part of the TVPRA mandate. However, the Department recognizes that both child labor and forced labor occur in the United States, and this is discussed in Section 6.4 below.

1.1 PURPOSE OF THE TVPRA LIST

The TVPRA directed ILAB to "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." The primary purposes of the List are to raise public awareness about the existence of child labor and forced labor in the production of goods in the countries listed and to promote efforts to eliminate such practices. The List is not intended to be punitive, rather it is a tool to stimulate positive remedial action.

The initial List helped motivate some governments and private sector leaders to increase their efforts to address child labor and forced labor in their countries and supply chains. For instance, the Governments of Cote d'Ivoire and Ghana, along with the International Cocoa Industry, signed a *Declaration of Joint Action to Support Implementation of the Harkin-Engel Protocol* on September 13, 2010, affirming their commitment to eliminate the worst forms of child labor in the cocoa sector and establishing a Framework of Action. The Government of Cote d'Ivoire also adopted a new law on the worst forms of child labor on September 29, 2010, and the Government of Ghana expanded its child labor monitoring system in the past year. These actions are of key importance in the ongoing effort to eradicate child labor from the chocolate supply chain.

In 2010, the Government of Jordan demonstrated its commitment to eradicating forced labor in its garment sector by requiring all export firms to participate in the Better Work program, a unique collaboration among the government, factories, international buyers and worker organizations facilitated by the ILO and the International Finance Corporation (IFC). Since its inception in 2001 (as the Better Factories

Cambodia program), Better Work has shown that credible, transparent information about working conditions in export factories can greatly increase compliance with labor standards and end abusive child and forced labor. The program has produced marked improvements in workers' rights while also helping enterprises improve competitiveness and productivity.

ILAB has worked closely with private sector and civil society groups to develop and disseminate good practices to reduce child labor and forced labor in supply chains. This includes funding a contract with the Center for Reflection, Education and Action (CREA) to conduct research on good practices currently in use, develop a step-by-step guide for firms wishing to implement these good practices in their own supply chains, and provide ongoing technical assistance to such firms. ILAB's

Deputy Undersecretary is also a member of the "Consultative Group to Eliminate the Use of Child Labor and Forced Labor in Imported Agricultural Products," mandated by the Food, Conservation and Energy Act ("Farm Bill") of 2008. This group will develop recommendations to reduce the likelihood that agricultural products or commodities imported into the United States are produced with the use of forced labor and child labor. Through these and other activities, ILAB is working to promote robust private sector action.

Section 6.3 contains more examples of government, industry, and civil society actions to combat child labor and forced labor in the production of goods. It is ILAB's hope that the List will continue to encourage such actions.



1.2 ROLE OF THE OFFICE OF CHILD LABOR, FORCED LABOR, AND HUMAN TRAFFICKING

ILAB's Office of Child Labor, Forced Labor, and Human Trafficking (OCFT) has engaged in technical cooperation efforts with foreign governments to combat the worst forms of child labor since 1995. To date, OCFT has provided over \$740 million for 252 projects in 83 countries, working with over 60 civil society organizations. OCFT's projects serve such diverse populations as children from traditional bonded-labor families in Nepal, children in commercial sexual exploitation in Mexico, and children working in hazardous conditions on sugarcane plantations in the Philippines. Since 1995, OCFT-funded projects have withdrawn or prevented over 1.4 million children from exploitative labor.

Beginning in 2010, OCFT-funded projects will have an increased focus on promoting sustainable livelihoods for the households of child laborers, to help them overcome dependence on children's income to meet basic needs. Strategies may include skills training, micro-lending, micro-savings, employment generation, and alternative or additional family income generation activities. Projects will also aim to increase access to national social protection programs for vulnerable children and their families.

OCFT's technical cooperation experience has shown the willingness of some governments to acknowledge

the existence of child labor and forced labor and commit public resources to eliminate these practices. The Department of Labor's ninth annual *Findings on the Worst Forms of Child Labor*, prepared in accordance with the Trade and Development Act of 2000 (TDA), provides detailed information on the efforts of 144 countries and territories to implement their international commitments to eliminate the worst forms of child labor, including forced child

labor. The TDA report describes these countries' legal, policy and programmatic frameworks to address the worst forms of child labor, identifies gaps in these areas, and provides concrete suggested actions for governments to fill those gaps. While goods from some of these countries do appear on the List, the TDA report highlights the actions that countries have taken to eliminate the problem. The report is available at <http://www.dol.gov/ilab/media/reports/iclp/main.htm>.

The Obama Administration's Global Development Policy, released on September 22, 2010,³ emphasizes the responsibility of national governments to "take charge" of

their own development and to partner with donor governments with the ultimate goal of creating conditions where assistance is no longer needed. Toward this end, the Department of Labor stands ready to assist countries in combating child labor and forced labor.

We will invest in the capacity of countries that are proving their commitment to development... We will partner with countries that are willing to take the lead.

– President Barack Obama, *Remarks at the Millennium Development Goals Summit*, September 22, 2010

3. See <http://www.whitehouse.gov/the-press-office/2010/09/22/fact-sheet-us-global-development-policy>.



2.1 POPULATION COVERED

In researching child labor, ILAB focused on children under the age of 18 years. For forced labor, the research covered persons of all ages. The population included persons in foreign countries only, as directed by statute. Populations within the U.S. were not part of the inquiry; however, as noted above, the U.S. experience is discussed in Section 6.4 below.

2.2 NATURE OF EMPLOYMENT

Where ILAB research indicated situations of exploitative working conditions, these situations were reviewed to determine whether they constituted “child labor” or “forced labor” under international labor standards. These standards,⁴ in brief, are:

“**Child labor**” under international standards means all work performed by a person below the age of 15. It also includes all work performed by a person below the age of 18 in the following practices: (A) All forms of slavery or practices similar to slavery, such as the sale or trafficking of children, debt bondage and serfdom, or forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict; (B) the use, procuring, or offering of a child for prostitution, for the production of pornography or for pornographic purposes; (C) the use, procuring, or offering of a child for illicit activities in particular for the production and trafficking of drugs; and (D) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety, or morals of children. The work referred to in subparagraph (D) is determined by the laws, regulations, or competent authority of the country involved.

4. The international standards used in developing the list are those promulgated by the International Labor Organization (ILO). The ILO has issued two conventions relating to child labor, C. 138 (1973), the Minimum Age Convention, and C. 182 (1999), the Worst Forms of Child Labor Convention. The ILO has also adopted two conventions relating to forced labor, C. 29 (1930), the Forced Labor Convention, and C. 105 (1957), the Abolition of Forced Labor Convention. ILAB’s complete definitions can be found in the procedural guidelines published in the Federal Register on December 27, 2007 and available at <http://www.dol.gov/ILAB/programs/ocft/tvpra.htm>.

“**Forced labor**” under international standards means all work or service which is exacted from any person under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily, and includes indentured labor. “Forced labor” includes work provided or obtained by force, fraud, or coercion, including: (1) By threats of serious harm to, or physical restraint against any person; (2) by means of any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint; or (3) by means of the abuse or threatened abuse of law or the legal process.

Evidence of child labor and forced labor was considered separately to determine whether – for each good on the List – there should be a finding that child labor, forced labor, or both were used in the production of the good in violation of international standards. Some goods are listed as produced with both child labor and forced labor, but this does not necessarily mean that the goods were produced with *forced child labor*.⁵

The inclusion of a good on the List, whether produced by child labor, forced labor, or both, does not necessarily indicate that trafficking in persons was involved in its production. The majority of forced labor and child labor victims are not trafficked into their situations of exploitation.

2.3 SECTOR OF EMPLOYMENT

The goods on the List are found in the agricultural sector, manufacturing, mining or quarrying, or pornography. ILAB’s research did not include the service sector, which was beyond the scope of the legislated mandate.

5. ILAB has a separate mandate under Executive Order 13126 to publish a list of goods produced with forced or indentured child labor (E.O. List). The E.O. List is updated periodically using research carried out pursuant to the TVPRA mandates and other sources of information. Further information on Executive Order 13126, “Prohibition of Acquisition of Products Produced by Forced or Indentured Child Labor,” as well as the E.O. List, can be found at <http://www.dol.gov/ILAB/regs/eo13126/main.htm>.

2.4 TYPE OF ECONOMIC ACTIVITY

Research focused on all economic activity in the production of goods, including formal and informal sector production and goods produced for personal and family consumption.⁶ Examples of informal sector activity include day labor hired without contract; small-scale farming and fishing; artisanal mining and quarrying; and manufacturing work performed in home-based workshops. Some illicit goods are included in the List; this is not intended to condone or legitimize the production or consumption of these goods.

2.5 STAGE OF PRODUCTION

Goods are placed on the List at the stage of production at which child labor or forced labor is involved. For example, if child labor or forced labor was used in the extraction, harvesting, assembly, or production of raw materials or component articles, and these materials or articles are subsequently used as

6. This corresponds to the international definition of employment, as adopted by the Thirteenth International Conference of Labor Statisticians. See ILO-IPEC, *Global child labour trends 2000 – 2004*, 2006, 13.

inputs in the manufacture or processing of a final good under non-violative conditions, only the raw materials or component articles are included on the List and only for those countries where they were extracted, harvested, assembled, or produced. If child labor or forced labor was used in both the production or extraction of raw materials or component articles and the manufacture or processing of a final good, then the raw materials or component articles and/or the final good are included on the List for those countries where the violative conditions were found.

2.6 MARKET FOR GOODS

Most child labor occurs in small-scale production of goods for local consumption,⁷ rather than for international trade. Data is limited on the consumption patterns of goods made with forced labor. In conducting research, ILAB did not distinguish between goods produced for domestic consumption and for export, due to data limitations and the fact that this was not part of the mandate of the TVPRA.

7. U.S. Department of Labor, *By the Sweat and Toil of Children: The Use of Children in American Imports*, 1994, 2.

IN order to compile a List that is as reliable and comprehensive as possible, ILAB developed a draft research methodology and published it in the *Federal Register* on October 1, 2007, with a request for public comment. 72 Fed. Reg. 55808. Public comments were integrated, as appropriate, into ILAB's final procedural guidelines, published on December 27, 2007. 72 Fed. Reg. 73374. To prepare the initial List published in 2009, the scope of information under review included documentation on exploitative working conditions in the production of goods in 77 countries. These 77 countries were selected based on an initial screening of sources which showed a higher incidence of child labor and forced labor in these countries. To prepare this update, ILAB researched an additional 39 countries, and reviewed new information on the original group of 77 countries. (See Appendices A and B for lists of the 116 countries researched to date.) ILAB continues to research additional countries for future updates to the List.

3.1 SOURCES AND COLLECTION OF DATA

ILAB relied on a wide variety of materials from its own research, that of other U.S. Government agencies, foreign governments, international organizations, NGOs, U.S. Government-funded technical assistance and field research projects, academic research, independent research, media, and other sources. The Department of State and U.S. embassies and consulates abroad provided important information by gathering data from local contacts, conducting site visits, and reviewing local media sources. ILAB carried out comprehensive desk reviews to gather all publicly available information on labor conditions in the production of thousands of goods. ILAB sought additional information from the public through a public hearing held at DOL on May 28, 2008,⁸ as well as several public requests for information published in the *Federal Register*.

ILAB sought to use the most current sources available. In general, ILAB used sources that were a maximum of 7 years old at the time of the research (2009-2010),

8. A transcript of the public hearing can be found at <http://www.dol.gov/ILAB/programs/ocft/tvpra.htm>.

consistent with our published methodology. However, ILAB made an exception to this policy in the case of child labor surveys. Given the slow-changing nature of the child labor situation in a given country, child labor surveys are carried out infrequently. For this reason, ILAB used some survey data that was up to 10 years old when newer surveys were not available.

To ensure a transparent process, ILAB did not rely on government classified information in developing the List.

3.2 DATA ANALYSIS

The TVPRA mandates DOL to publish a List of goods which ILAB has “reason to believe” are produced using forced or child labor in violation of international standards. ILAB implemented this “reason to believe” standard by establishing five factors to be considered in evaluating information:

1. *Nature of information.* Whether the information about child labor or forced labor gathered from research, public submissions, hearing testimony, or other sources is relevant and probative, and meets the definitions of child labor or forced labor.
2. *Date of information.* Whether the information about child labor or forced labor was no more than 7 years old at the time of receipt. More current information is generally given priority, and information older than 7 years will generally not be considered.
3. *Source of information.* Whether the information, either from primary or secondary sources, is from a source whose methodology, prior publications, degree of familiarity and experience with international labor standards, and/or reputation for accuracy and objectivity, warrants a determination that it is relevant and probative.
4. *Extent of corroboration.* The extent to which the information about the use of child labor or forced labor in the production of a good is corroborated by other sources.
5. *Significant incidence of child labor or forced labor.* Whether the information about the use of child labor or forced labor in the production of a good warrants a determination that the incidence of such practices is significant in the country in question. Information that relates only to a single company or facility or that

indicates an isolated incident of child labor or forced labor will not weigh in favor of a finding that a good is produced in violation of international standards. Information that demonstrates a significant incidence of child labor or forced labor in the production of a particular good, although not necessarily representing a practice in the industry as a whole, will ordinarily weigh in favor of a finding that a good is produced in violation of international standards in the country in question.

For each good that was reviewed, ILAB evaluated each data source against each of the five criteria. ILAB researchers applied the criteria consistently across goods and countries, so that ultimate findings of “reason to believe” are consistent worldwide.

For all goods found to have a significant incidence of child labor or forced labor, ILAB then considered

evidence of government, industry, or third party initiatives to combat these problems. As described in the procedural guidelines, if the evidence demonstrated that the initiative had significantly reduced if not eliminated the incidence of child labor or forced labor from the production of the good, the good was not included on the List. After the publication of the initial List in September 2009, ILAB received many submissions of information about such efforts. All submissions were evaluated to determine whether they demonstrated a significant reduction, if not elimination, of child labor or forced labor in the production of the good in question.

A bibliography listing the sources used to identify each good is found on ILAB's Web site at <http://www.dol.gov/ILAB/programs/ocfi/tvpra.htm>. To ensure transparency, ILAB identifies all the sources it used in making decisions.



LAB's initial List, published in 2009, included 122 goods from 58 countries. This year's research found 6 new goods from 12 new countries, for a total of 128 goods produced with forced labor, child labor, or both, in 70 countries. The research uncovered more goods made with child labor than with forced labor, which is consistent with ILO data on the relative prevalence of child labor and forced labor.

Countries Researched		2009	2010	Total	
2009	77	Total Goods on List	122	6	128
2010	39	Total Countries on List	58	12	70
		Total Line Items	281	30	311

When grouped by sector, agricultural goods comprise the largest category. With the new update, there are 61 agricultural goods on the List, 39 manufactured goods, and 27 mined or quarried goods. Production of pornographic materials (pornography) was a separate

category; compelling evidence was found of this abuse in 7 countries, with the likelihood that it occurs in many more.

Certain goods were found to be produced with child labor or forced labor in numerous countries. Examples include cotton (16 countries), sugarcane (15 countries), tobacco (15 countries), coffee (13 countries), cattle (9 countries), rice (8 countries), and cocoa (5 countries) in agriculture; bricks (15 countries), garments (6 countries), carpets (5 countries), and footwear (5 countries) in manufacturing; and gold (17 countries), diamonds (7 countries), and coal (6 countries) in mined or quarried goods.

The List is presented below in Tables 1 (sorted by country) and 2 (sorted by good). Goods added to the List in 2010 are highlighted in blue.

Table 1: List of Goods Produced by Child Labor or Forced Labor – Sorted by Country

Country	Good	Child Labor	Forced Labor
Afghanistan	Bricks	X	
Afghanistan	Carpets	X	
Afghanistan	Flowers (poppies)	X	
Angola	Diamonds	X	X
Argentina	Blueberries	X	
Argentina	Bricks	X	
Argentina	Cotton	X	
Argentina	Garlic	X	
Argentina	Garments	X	X
Argentina	Grapes	X	
Argentina	Olives	X	
Argentina	Strawberries	X	
Argentina	Tobacco	X	
Argentina	Tomatoes	X	
Argentina	Yerba Mate (stimulant plant)	X	
Azerbaijan	Cotton	X	
Bangladesh	Bidis (hand-rolled cigarettes)	X	
Bangladesh	Bricks	X	
Bangladesh	Dried Fish	X	
Bangladesh	Footwear	X	
Bangladesh	Furniture (steel)	X	
Bangladesh	Glass	X	

U.S. DEPARTMENT OF LABOR'S LIST OF GOODS PRODUCED BY CHILD LABOR OR FORCED LABOR

Country	Good	Child Labor	Forced Labor
Bangladesh	Leather	X	
Bangladesh	Matches	X	
Bangladesh	Poultry	X	
Bangladesh	Salt	X	
Bangladesh	Shrimp	X	
Bangladesh	Soap	X	
Bangladesh	Textiles	X	
Bangladesh	Textiles (jute)	X	
Belize	Bananas	X	
Belize	Citrus Fruits	X	
Belize	Sugarcane	X	
Benin	Cotton	X	X
Benin	Granite (crushed)	X	
Bolivia	Brazil Nuts/Chestnuts	X	X
Bolivia	Cattle		X
Bolivia	Corn		X
Bolivia	Gold	X	
Bolivia	Peanuts		X
Bolivia	Silver	X	
Bolivia	Sugarcane	X	X
Bolivia	Tin	X	
Bolivia	Zinc	X	
Brazil	Bricks	X	
Brazil	Cattle	X	X
Brazil	Ceramics	X	
Brazil	Charcoal	X	X
Brazil	Cotton	X	
Brazil	Footwear	X	
Brazil	Manioc/Cassava	X	
Brazil	Pineapples	X	
Brazil	Rice	X	
Brazil	Sisal	X	
Brazil	Sugarcane		X
Brazil	Timber		X
Brazil	Tobacco	X	
Burkina Faso	Cotton	X	X
Burkina Faso	Gold	X	X
Burma	Bamboo	X	X
Burma	Beans (green, soy, yellow)	X	X
Burma	Bricks	X	X
Burma	Jade	X	X

Country	Good	Child Labor	Forced Labor
Burma	Palm Thatch		X
Burma	Physic Nuts/Castor Beans		X
Burma	Rice	X	X
Burma	Rubber	X	X
Burma	Rubies	X	X
Burma	Sesame		X
Burma	Shrimp		X
Burma	Sugarcane	X	X
Burma	Sunflowers		X
Burma	Teak	X	X
Cambodia	Bricks	X	
Cambodia	Rubber	X	
Cambodia	Salt	X	
Cambodia	Shrimp	X	
Cameroon	Cocoa	X	
Central African Republic	Diamonds	X	
Chad	Cattle	X	
China	Artificial Flowers		X
China	Bricks	X	X
China	Christmas Decorations		X
China	Coal		X
China	Cotton	X	X
China	Electronics	X	X
China	Fireworks	X	X
China	Footwear		X
China	Garments		X
China	Nails		X
China	Textiles	X	
China	Toys	X	X
Colombia	Bricks (clay)	X	
Colombia	Coal	X	
Colombia	Coca (stimulant plant)	X	X
Colombia	Coffee	X	
Colombia	Emeralds	X	
Colombia	Gold	X	
Colombia	Pornography	X	
Colombia	Sugarcane	X	
Cote d'Ivoire	Cocoa	X	X
Cote d'Ivoire	Coffee	X	X
Democratic Republic of the Congo	Cassiterite	X	
Democratic Republic of the Congo	Cobalt	X	

U.S. DEPARTMENT OF LABOR'S LIST OF GOODS PRODUCED BY CHILD LABOR OR FORCED LABOR

Country	Good	Child Labor	Forced Labor
Democratic Republic of the Congo	Coltan (metallic ore)	X	
Democratic Republic of the Congo	Copper	X	
Democratic Republic of the Congo	Diamonds	X	
Democratic Republic of the Congo	Gold	X	
Democratic Republic of the Congo	Wolframite	X	
Dominican Republic	Coffee	X	
Dominican Republic	Rice	X	
Dominican Republic	Sugarcane	X	X
Dominican Republic	Tomatoes	X	
Ecuador	Bananas	X	
Ecuador	Bricks	X	
Ecuador	Flowers	X	
Ecuador	Gold	X	
Egypt	Cotton	X	
Egypt	Stones (limestone)	X	
El Salvador	Coffee	X	
El Salvador	Fireworks	X	
El Salvador	Shellfish	X	
El Salvador	Sugarcane	X	
Ethiopia	Cattle	X	
Ethiopia	Textiles (hand-woven)	X	X
Ghana	Cocoa	X	
Ghana	Gold	X	
Ghana	Tilapia (fish)	X	X
Guatemala	Broccoli	X	
Guatemala	Coffee	X	
Guatemala	Corn	X	
Guatemala	Fireworks	X	
Guatemala	Gravel (crushed stones)	X	
Guatemala	Sugarcane	X	
Guinea	Cashews	X	
Guinea	Cocoa	X	
Guinea	Coffee	X	
Guinea	Diamonds	X	
Guinea	Gold	X	
Honduras	Coffee	X	
Honduras	Lobsters	X	
Honduras	Melons	X	
India	Bidis (hand-rolled cigarettes)	X	
India	Brassware	X	
India	Bricks	X	X

Country	Good	Child Labor	Forced Labor
India	Carpets	X	X
India	Cottonseed (hybrid)	X	X
India	Embroidered Textiles (zari)	X	X
India	Fireworks	X	
India	Footwear	X	
India	Garments	X	X
India	Gems	X	
India	Glass Bangles	X	
India	Leather Goods/Accessories	X	
India	Locks	X	
India	Matches	X	
India	Rice	X	X
India	Silk Fabric	X	
India	Silk Thread	X	
India	Soccer Balls	X	
India	Stones	X	X
Indonesia	Footwear (sandals)	X	
Indonesia	Gold	X	
Indonesia	Oil (palm)	X	
Indonesia	Rubber	X	
Indonesia	Tobacco	X	
Iran	Carpets	X	
Jordan	Garments		X
Kazakhstan	Cotton	X	X
Kazakhstan	Tobacco	X	X
Kenya	Coffee	X	
Kenya	Miraa (stimulant plant)	X	
Kenya	Rice	X	
Kenya	Sisal	X	
Kenya	Sugarcane	X	
Kenya	Tea	X	
Kenya	Tobacco	X	
Kyrgyz Republic	Cotton	X	
Kyrgyz Republic	Tobacco	X	
Lebanon	Tobacco	X	
Lesotho	Cattle	X	
Liberia	Diamonds	X	
Liberia	Rubber	X	
Madagascar	Sapphires	X	
Malawi	Tea	X	
Malawi	Tobacco	X	X

U.S. DEPARTMENT OF LABOR'S LIST OF GOODS PRODUCED BY CHILD LABOR OR FORCED LABOR

Country	Good	Child Labor	Forced Labor
Malaysia	Garments		X
Malaysia	Oil (palm)		X
Mali	Gold	X	
Mali	Rice	X	X
Mexico	Beans (green beans)	X	
Mexico	Chile Peppers	X	
Mexico	Coffee	X	
Mexico	Cucumbers	X	
Mexico	Eggplants	X	
Mexico	Melons	X	
Mexico	Onions	X	
Mexico	Pornography	X	
Mexico	Sugarcane	X	
Mexico	Tobacco	X	
Mexico	Tomatoes	X	
Mongolia	Coal	X	
Mongolia	Fluorspar (mineral)	X	
Mongolia	Gold	X	
Mozambique	Tobacco	X	
Namibia	Cattle	X	
Namibia	Charcoal	X	
Nepal	Bricks	X	X
Nepal	Carpets	X	X
Nepal	Embroidered Textiles (zari)	X	X
Nepal	Stones	X	X
Nicaragua	Bananas	X	
Nicaragua	Coffee	X	
Nicaragua	Gold	X	
Nicaragua	Gravel (crushed stones)	X	
Nicaragua	Shellfish	X	
Nicaragua	Stones (pumice)	X	
Nicaragua	Tobacco	X	
Niger	Gold	X	
Niger	Gypsum (mineral)	X	
Niger	Salt	X	
Niger	Trona (mineral)	X	
Nigeria	Cocoa	X	X
Nigeria	Granite	X	X
Nigeria	Gravel (crushed stones)	X	X
Nigeria	Manioc/Cassava	X	
Nigeria	Sand	X	

Country	Good	Child Labor	Forced Labor
North Korea	Bricks		X
North Korea	Cement		X
North Korea	Coal		X
North Korea	Gold		X
North Korea	Iron		X
North Korea	Textiles		X
Pakistan	Bricks	X	X
Pakistan	Carpets	X	X
Pakistan	Coal	X	X
Pakistan	Cotton		X
Pakistan	Glass Bangles	X	
Pakistan	Leather	X	
Pakistan	Sugarcane		X
Pakistan	Surgical Instruments	X	
Pakistan	Wheat		X
Panama	Coffee	X	
Panama	Sugarcane	X	
Paraguay	Cattle		X
Paraguay	Cotton	X	
Paraguay	Pornography	X	
Paraguay	Stones (limestone)	X	
Peru	Brazil Nuts/Chestnuts		X
Peru	Bricks	X	
Peru	Coca (stimulant plant)	X	
Peru	Fireworks	X	
Peru	Gold	X	X
Peru	Timber		X
Philippines	Bananas	X	
Philippines	Coconuts	X	
Philippines	Corn	X	
Philippines	Fashion Accessories	X	
Philippines	Gold	X	
Philippines	Hogs	X	
Philippines	Pornography	X	
Philippines	Pyrotechnics	X	
Philippines	Rice	X	
Philippines	Rubber	X	
Philippines	Sugarcane	X	
Philippines	Tobacco	X	
Russia	Pornography	X	X
Rwanda	Tea	X	

U.S. DEPARTMENT OF LABOR'S LIST OF GOODS PRODUCED BY CHILD LABOR OR FORCED LABOR

Country	Good	Child Labor	Forced Labor
Senegal	Gold	X	
Sierra Leone	Diamonds	X	X
Sierra Leone	Granite	X	
Tajikistan	Cotton	X	X
Tanzania	Cloves	X	
Tanzania	Coffee	X	
Tanzania	Gold	X	
Tanzania	Nile Perch (fish)	X	
Tanzania	Sisal	X	
Tanzania	Tanzanite (gems)	X	
Tanzania	Tea	X	
Tanzania	Tobacco	X	
Thailand	Garments	X	X
Thailand	Pornography	X	
Thailand	Shrimp	X	X
Thailand	Sugarcane	X	
Turkey	Citrus Fruits	X	
Turkey	Cotton	X	
Turkey	Cumin	X	
Turkey	Furniture	X	
Turkey	Hazelnuts	X	
Turkey	Peanuts	X	
Turkey	Pulses (legumes)	X	
Turkey	Sugar Beets	X	
Turkmenistan	Cotton	X	X
Uganda	Bricks	X	
Uganda	Cattle	X	
Uganda	Charcoal	X	
Uganda	Coffee	X	
Uganda	Rice	X	
Uganda	Sugarcane	X	
Uganda	Tea	X	
Uganda	Tobacco	X	
Uganda	Vanilla	X	
Ukraine	Coal	X	
Ukraine	Pornography	X	
Uzbekistan	Cotton	X	X
Zambia	Cattle	X	
Zambia	Cotton	X	
Zambia	Gems	X	
Zambia	Stones	X	

Country	Good	Child Labor	Forced Labor
Zambia	Tobacco	X	
Zimbabwe	Diamonds	X	

Source: DOL analysis of collected data sources.

Table 2: List Of Goods Produced By Child Labor Or Forced Labor – Sorted By Good

Good	Country	Child Labor	Forced Labor
Artificial Flowers	China		X
Bamboo	Burma	X	X
Bananas	Belize	X	
Bananas	Ecuador	X	
Bananas	Nicaragua	X	
Bananas	Philippines	X	
Beans (green beans)	Mexico	X	
Beans (green, soy, yellow)	Burma	X	X
Bidis (hand-rolled cigarettes)	Bangladesh	X	
Bidis (hand-rolled cigarettes)	India	X	
Blueberries	Argentina	X	
Brassware	India	X	
Brazil Nuts/Chestnuts	Bolivia	X	X
Brazil Nuts/Chestnuts	Peru		X
Bricks	Afghanistan	X	
Bricks	Argentina	X	
Bricks	Bangladesh	X	
Bricks	Brazil	X	
Bricks	Burma	X	X
Bricks	Cambodia	X	
Bricks	China	X	X
Bricks	Ecuador	X	
Bricks	India	X	X
Bricks	Nepal	X	X
Bricks	North Korea		X
Bricks	Pakistan	X	X
Bricks	Peru	X	
Bricks	Uganda	X	
Bricks (clay)	Colombia	X	
Broccoli	Guatemala	X	
Carpets	Afghanistan	X	
Carpets	India	X	X
Carpets	Iran	X	
Carpets	Nepal	X	X
Carpets	Pakistan	X	X

U.S. DEPARTMENT OF LABOR'S LIST OF GOODS PRODUCED BY CHILD LABOR OR FORCED LABOR

Good	Country	Child Labor	Forced Labor
Cashews	Guinea	X	
Cassiterite	Democratic Republic of the Congo	X	
Cattle	Bolivia		X
Cattle	Brazil	X	X
Cattle	Chad	X	
Cattle	Ethiopia	X	
Cattle	Lesotho	X	
Cattle	Namibia	X	
Cattle	Paraguay		X
Cattle	Uganda	X	
Cattle	Zambia	X	
Cement	North Korea		X
Ceramics	Brazil	X	
Charcoal	Brazil	X	X
Charcoal	Namibia	X	
Charcoal	Uganda	X	
Chile Peppers	Mexico	X	
Christmas Decorations	China		X
Citrus Fruits	Belize	X	
Citrus Fruits	Turkey	X	
Cloves	Tanzania	X	
Coal	China		X
Coal	Colombia	X	
Coal	Mongolia	X	
Coal	North Korea		X
Coal	Pakistan	X	X
Coal	Ukraine	X	
Cobalt	Democratic Republic of the Congo	X	
Coca (stimulant plant)	Colombia	X	X
Coca (stimulant plant)	Peru	X	
Cocoa	Cameroon	X	
Cocoa	Cote d'Ivoire	X	X
Cocoa	Ghana	X	
Cocoa	Guinea	X	
Cocoa	Nigeria	X	X
Coconuts	Philippines	X	
Coffee	Colombia	X	
Coffee	Cote d'Ivoire	X	X
Coffee	Dominican Republic	X	
Coffee	Guatemala	X	
Coffee	Guinea	X	

Good	Country	Child Labor	Forced Labor
Coffee	Honduras	X	
Coffee	El Salvador	X	
Coffee	Kenya	X	
Coffee	Mexico	X	
Coffee	Nicaragua	X	
Coffee	Panama	X	
Coffee	Tanzania	X	
Coffee	Uganda	X	
Coltan (metallic ore)	Democratic Republic of the Congo	X	
Copper	Democratic Republic of the Congo	X	
Corn	Bolivia		X
Corn	Guatemala	X	
Corn	Philippines	X	
Cotton	Argentina	X	
Cotton	Azerbaijan	X	
Cotton	Benin	X	X
Cotton	Brazil	X	
Cotton	Burkina Faso	X	X
Cotton	China	X	X
Cotton	Egypt	X	
Cotton	Kazakhstan	X	X
Cotton	Kyrgyz Republic	X	
Cotton	Pakistan		X
Cotton	Paraguay	X	
Cotton	Tajikistan	X	X
Cotton	Turkey	X	
Cotton	Turkmenistan	X	X
Cotton	Uzbekistan	X	X
Cotton	Zambia	X	
Cottonseed (hybrid)	India	X	X
Cucumbers	Mexico	X	
Cumin	Turkey	X	
Diamonds	Angola	X	X
Diamonds	Central African Republic	X	
Diamonds	Democratic Republic of the Congo	X	
Diamonds	Guinea	X	
Diamonds	Liberia	X	
Diamonds	Sierra Leone	X	X
Diamonds	Zimbabwe	X	
Dried Fish	Bangladesh	X	
Eggplants	Mexico	X	

U.S. DEPARTMENT OF LABOR'S LIST OF GOODS PRODUCED BY CHILD LABOR OR FORCED LABOR

Good	Country	Child Labor	Forced Labor
Electronics	China	X	X
Embroidered Textiles (zari)	India	X	X
Embroidered Textiles (zari)	Nepal	X	X
Emeralds	Colombia	X	
Fashion Accessories	Philippines	X	
Fireworks	China	X	X
Fireworks	Guatemala	X	
Fireworks	El Salvador	X	
Fireworks	India	X	
Fireworks	Peru	X	
Flowers	Ecuador	X	
Flowers (poppies)	Afghanistan	X	
Fluorspar (mineral)	Mongolia	X	
Footwear	Bangladesh	X	
Footwear	Brazil	X	
Footwear	China		X
Footwear	India	X	
Footwear (sandals)	Indonesia	X	
Furniture	Turkey	X	
Furniture (steel)	Bangladesh	X	
Garlic	Argentina	X	
Garments	Argentina	X	X
Garments	China		X
Garments	India	X	X
Garments	Jordan		X
Garments	Malaysia		X
Garments	Thailand	X	X
Gems	India	X	
Gems	Zambia	X	
Glass	Bangladesh	X	
Glass Bangles	India	X	
Glass Bangles	Pakistan	X	
Gold	Bolivia	X	
Gold	Burkina Faso	X	X
Gold	Colombia	X	
Gold	Democratic Republic of the Congo	X	
Gold	Ecuador	X	
Gold	Ghana	X	
Gold	Guinea	X	
Gold	Indonesia	X	
Gold	Mali	X	

Good	Country	Child Labor	Forced Labor
Gold	Mongolia	X	
Gold	Nicaragua	X	
Gold	Niger	X	
Gold	North Korea		X
Gold	Peru	X	X
Gold	Philippines	X	
Gold	Senegal	X	
Gold	Tanzania	X	
Granite	Nigeria	X	X
Granite	Sierra Leone	X	
Granite (crushed)	Benin	X	
Grapes	Argentina	X	
Gravel (crushed stones)	Guatemala	X	
Gravel (crushed stones)	Nicaragua	X	
Gravel (crushed stones)	Nigeria	X	X
Gypsum (mineral)	Niger	X	
Hazelnuts	Turkey	X	
Hogs	Philippines	X	
Iron	North Korea		X
Jade	Burma	X	X
Leather	Bangladesh	X	
Leather	Pakistan	X	
Leather Goods/Accessories	India	X	
Lobsters	Honduras	X	
Locks	India	X	
Manioc/Cassava	Brazil	X	
Manioc/Cassava	Nigeria	X	
Matches	Bangladesh	X	
Matches	India	X	
Melons	Honduras	X	
Melons	Mexico	X	
Miraa (stimulant plant)	Kenya	X	
Nails	China		X
Nile Perch (fish)	Tanzania	X	
Oil (palm)	Indonesia	X	
Oil (palm)	Malaysia		X
Olives	Argentina	X	
Onions	Mexico	X	
Palm Thatch	Burma		X
Peanuts	Bolivia		X
Peanuts	Turkey	X	

U.S. DEPARTMENT OF LABOR'S LIST OF GOODS PRODUCED BY CHILD LABOR OR FORCED LABOR

Good	Country	Child Labor	Forced Labor
Physic Nuts/Castor Beans	Burma		X
Pineapples	Brazil	X	
Pornography	Colombia	X	
Pornography	Mexico	X	
Pornography	Paraguay	X	
Pornography	Philippines	X	
Pornography	Russia	X	X
Pornography	Thailand	X	
Pornography	Ukraine	X	
Poultry	Bangladesh	X	
Pulses (legumes)	Turkey	X	
Pyrotechnics	Philippines	X	
Rice	Brazil	X	
Rice	Burma	X	X
Rice	Dominican Republic	X	
Rice	India	X	X
Rice	Kenya	X	
Rice	Mali	X	X
Rice	Philippines	X	
Rice	Uganda	X	
Rubber	Burma	X	X
Rubber	Cambodia	X	
Rubber	Indonesia	X	
Rubber	Liberia	X	
Rubber	Philippines	X	
Rubies	Burma	X	X
Salt	Bangladesh	X	
Salt	Cambodia	X	
Salt	Niger	X	
Sand	Nigeria	X	
Sapphires	Madagascar	X	
Sesame	Burma		X
Shellfish	El Salvador	X	
Shellfish	Nicaragua	X	
Shrimp	Bangladesh	X	
Shrimp	Burma		X
Shrimp	Cambodia	X	
Shrimp	Thailand	X	X
Silk Fabric	India	X	
Silk Thread	India	X	
Silver	Bolivia	X	

Good	Country	Child Labor	Forced Labor
Sisal	Brazil	X	
Sisal	Kenya	X	
Sisal	Tanzania	X	
Soap	Bangladesh	X	
Soccer Balls	India	X	
Stones	India	X	X
Stones	Nepal	X	X
Stones	Zambia	X	
Stones (limestone)	Egypt	X	
Stones (limestone)	Paraguay	X	
Stones (pumice)	Nicaragua	X	
Strawberries	Argentina	X	
Sugar Beets	Turkey	X	
Sugarcane	Belize	X	
Sugarcane	Bolivia	X	X
Sugarcane	Brazil		X
Sugarcane	Burma	X	X
Sugarcane	Colombia	X	
Sugarcane	Dominican Republic	X	X
Sugarcane	El Salvador	X	
Sugarcane	Guatemala	X	
Sugarcane	Kenya	X	
Sugarcane	Mexico	X	
Sugarcane	Pakistan		X
Sugarcane	Panama	X	
Sugarcane	Philippines	X	
Sugarcane	Thailand	X	
Sugarcane	Uganda	X	
Sunflowers	Burma		X
Surgical Instruments	Pakistan	X	
Tanzanite (gems)	Tanzania	X	
Tea	Kenya	X	
Tea	Malawi	X	
Tea	Rwanda	X	
Tea	Tanzania	X	
Tea	Uganda	X	
Teak	Burma	X	X
Textiles	Bangladesh	X	
Textiles	China	X	
Textiles	North Korea		X
Textiles (hand-woven)	Ethiopia	X	X

Good	Country	Child Labor	Forced Labor
Textiles (jute)	Bangladesh	X	
Tilapia (fish)	Ghana	X	X
Timber	Brazil		X
Timber	Peru		X
Tin	Bolivia	X	
Tobacco	Argentina	X	
Tobacco	Brazil	X	
Tobacco	Indonesia	X	
Tobacco	Kazakhstan	X	X
Tobacco	Kenya	X	
Tobacco	Kyrgyz Republic	X	
Tobacco	Lebanon	X	
Tobacco	Malawi	X	X
Tobacco	Mexico	X	
Tobacco	Mozambique	X	
Tobacco	Nicaragua	X	
Tobacco	Philippines	X	
Tobacco	Tanzania	X	
Tobacco	Uganda	X	
Tobacco	Zambia	X	
Tomatoes	Argentina	X	
Tomatoes	Dominican Republic	X	
Tomatoes	Mexico	X	
Toys	China	X	X
Trona (mineral)	Niger	X	
Vanilla	Uganda	X	
Wheat	Pakistan		X
Wolframite	Democratic Republic of the Congo	X	
Yerba Mate (stimulant plant)	Argentina	X	
Zinc	Bolivia	X	

Source: DOL analysis of collected data sources.

5.1 DATA AVAILABILITY

5.1.1 *Countries Not Appearing on List*

A country's absence from the above List does not necessarily indicate that child labor and/or forced labor are not occurring in the production of goods in that country. Data can be unavailable for various reasons, including that it is not collected by the government or others, or is intentionally suppressed by the government.

Many countries do not collect data on child labor or forced labor. Among the 116 countries researched, there were several for which ILAB could not find adequate information to determine that any goods should be placed on the List because very little recent research has been done. This was the case, for example, in Belarus, Gabon, Guyana, Morocco, South Africa, Sudan, Togo, Tunisia, Vietnam, and many others.

The existence of child labor and forced labor often involves violations of laws and regulations, including serious criminal violations in some cases. Information may be intentionally suppressed, and the victims of these egregious labor practices may be too vulnerable or politically weak to assert their rights or even communicate their situations. In addition, child and forced laborers often work in isolated locations, such as rural areas, or clandestine settings, such as workshops hidden in large cities. Special methodologies are needed to capture data on these types of situations.

5.1.2 *Countries with Data Gaps on List*

ILAB's List includes goods from some countries known to restrict data collection on these issues or to suppress information dissemination. Examples include Burma, China, Iran, Malaysia, North Korea, and Uzbekistan. If ILAB found information sources

despite data availability constraints, and these sources were judged credible and timely, ILAB determined that there was "reason to believe" that child labor or forced labor was occurring.

5.1.3 *Countries with Disproportionate Representation on List*

Some countries with relatively large numbers of goods on the List may not have the most serious problems of child labor or forced labor. Often, these are countries that have adopted a more open approach to acknowledgement of the problems, have better research and have allowed information on these issues to be disseminated. Such countries include Argentina, Bolivia, Brazil, Colombia, Ecuador, El Salvador, India, Kenya, Mexico, Philippines, Tanzania, Turkey, Uganda and Zambia. The number of goods on the List from any particular country should not be interpreted as a definitive indicator that these countries have the most extensive problems of child labor and forced labor.

5.2 GENERALIZABILITY OF FINDINGS

The List is comprised of goods and countries that ILAB found to display a significant incidence of child labor and/or forced labor. However, it is important to understand that a listing of any particular good and country does not indicate that all production of the good in that country involves forced labor or child labor, but rather that there is a significant incidence of forced labor and/or child labor in the production of the good. There may be firms in a given country that produce the good in compliance with the law and others that willfully employ child labor and forced labor. Labor conditions may differ widely in different regions of the country, among other variables. The identity of specific firms or individuals using child labor or forced labor was beyond the legislated mandate.



6.1 GLOBAL CONTEXT

This updated List is published as the global economy recovers from a severe economic crisis. Although important progress has been made in the recovery, millions of people around the world remain unemployed or underemployed. According to the ILO, over half the world's labor force is now in vulnerable employment.⁹ Working conditions have deteriorated in many countries, particularly in the poorest. Many of the unemployed and underemployed lack income supports, unemployment benefits or other forms of social protection.¹⁰ These vulnerabilities can lead families to make difficult choices: taking their children out of school to work, or sending a family member into an uncertain situation to seek a better livelihood for the family, despite the risks of severe exploitation such as forced labor.

Released in May 2010, the ILO's estimates on global child labor provide reasons for hope, but also for concern. Between 2004 and 2008, the number of child laborers globally declined from 222 million to 215 million, but this represented a slower pace of reduction than over the previous four-year period. The number of children in hazardous work also declined, from 128 million to 115 million, but also at a slower pace than previously. Child labor decreased markedly among girls, a welcome development, but increased among boys, particularly boys age 15-17. While Latin America and the Asia-Pacific region have seen steady declines in numbers of children working, the numbers increased sharply in

9. Defined by the United Nations as self-employed workers without employees and unpaid family workers. See http://www.un.org/esa/sustdev/natlinfo/indicators/methodology_sheets/econ_development/vulnerable_employment.pdf.

10. International Labor Organization. *ILO Global Employment Trends 2010*. Geneva, 2010; available from <http://un.by/en/ilo/news/world/27-01n.html>.

Sub-Saharan Africa, where one in every four children was engaged in child labor in 2008.¹¹

The ILO's most recent estimate in 2005 found 12.3 million persons – children and adults – trapped in forced labor around the world.¹²

The data on child and forced labor cover the period immediately preceding the global economic crisis, and therefore do not give us a current status in 2010. Since individuals who become entrapped in child labor and forced labor are typically the poorest and most vulnerable members of society, it is likely that their numbers have increased during the crisis and in countries where the recovery has been weak.

In 2010, the Labor and Employment Ministers of the G-20, the 20 largest economies in the world, gathered in Washington, D.C. for a first-ever meeting, and agreed to recommendations for their leaders to address the employment consequences of the crisis. Recognizing “the severe effects the crisis has had on economic security and poverty in many lower and middle income countries,” the ministers shared experiences and lessons learned, and recommended programs to reduce unemployment and protect vulnerable households. These included public work strategies targeted to poor, rural

or low-skilled households and the extension of social protection systems to cover all of the poor and vulnerable. Such programs have aimed at reducing the economic insecurity of poor households and allowing them to increase current consumption and productive investments, and can reduce the likelihood of economic choices that can perpetuate poverty, such

The United States seeks a safer, more prosperous, more democratic, and more equitable world. We cannot reach that goal when one-third of humankind lives in conditions that offer them little chance of building better lives for themselves or their children.

– *Celebrate, Innovate and Sustain: Toward 2015 and Beyond - The United States' Strategy for Meeting the Millennium Development Goals, 2010*

11. International Labor Organization. *Accelerating Action Against Child Labour*. Geneva, 2010, 8-10.

12. International Labor Organization. *A Global Alliance Against Forced Labour*. Geneva, 2005, 10.

as sending children to work rather than to school and distress migration, which can lead to forced labor.

6.2 EMERGING PATTERNS

The countries on the List span every region of the world, and include all stages of industrialization. The nature of child labor and forced labor varies from country to country, based on geography, economy, culture, migration patterns, and many other factors. The ILO estimates that 60 percent of child labor worldwide is in agriculture,¹³ and the List contains many examples of child labor in rural, agricultural economies. However, ILAB's research also found child labor in more developed economies, in the manufacturing of goods such as Christmas decorations, fashion accessories, and soccer balls for the global marketplace.

Of the goods on the List made by forced labor, agricultural goods also comprise the largest category, notably in the production of cotton (6 countries) and sugarcane (5 countries). Among manufactured goods, the highest concentrations of forced labor were found in the production of bricks and garments, each in 6 countries. Certain countries and regions have relatively high numbers of goods made with forced labor. South Asian countries – the region which the ILO estimates to have over 75 percent of the world's forced laborers – had high numbers of goods in this category, and 14 goods produced with forced labor were found in Burma while 11 were found in China. Traditional discrimination against indigenous groups in certain Andean countries also contributes to the relatively high numbers of goods made by forced labor in the Andean region.

This update adds a relatively small number of new goods to the List (6) but a relatively large number of new countries (12). Two additional countries were found to have child labor in tobacco production and 5 additional countries were found to have child labor in cattle herding. Four additional countries were found to have either child labor, forced labor, or both, in diamond mining. This year's findings confirm endemic child labor in the production of agricultural commodities and extraction of minerals worldwide,

and that in some countries and regions, there are high concentrations of child labor and forced labor in certain consumer goods, like garments, carpets, and bricks.

A notable feature of the 6 goods newly added to the List is that 4 are mined: cassiterite, sapphires, wolframite, and zinc. Two of these, cassiterite and wolframite, join cobalt, coltan, copper, diamonds, and gold as goods mined by child labor in the Democratic Republic of Congo. Poverty and conflict have led tens of thousands of children to work under hazardous conditions in informal “artisanal” mining. In these conflict zones, most schools were closed – and where schools were functioning, parents kept children away, fearing abduction by armed groups. According to some reports, children comprise nearly 30 percent of the workforce in the informal mining sector of this mineral-rich country.¹⁴

6.3 EXEMPLARY EFFORTS

Elimination of exploitative child labor or forced labor from a sector or a country requires intensive, sustained commitment by governments, employers, labor unions, and other civil society organizations. The following are examples of governments and industry groups that have provided leadership and good practice in this area.

6.3.1 Thailand's Shrimp Industry

The initial List included shrimp from Thailand in both the child labor and forced labor categories. Since then, the Government of Thailand (GOT) has reaffirmed its commitment to ensuring that children are not working in the shrimp processing industry and that workers in that industry are not exploited or abused. The Department of Labor Protection and Welfare has begun prioritizing inspections in small factories and workplaces with concentrations of migrant and adolescent laborers, where such abuses are most likely to be found.

The GOT, in collaboration with the Thai Frozen Foods Association (TFFA), has carried out a number of seminars and trainings for shrimp and seafood

13. ILO-IPEC, *Accelerating Action Against Child Labour*, 10.

14. U.S. Department of State. *Country Reports on Human Rights: Democratic Republic of Congo*. Washington, D.C., 2010.

processing factories to raise awareness of child labor and forced labor issues. The TFFA has also conducted its own training for members. The TFFA provides scholarships for transitional school programs to migrant children removed from child labor or at risk of child labor in shrimp processing. In addition, the TFFA has consulted with the U.S. Government and international and civil society organizations to explore the possibility of implementing a robust independent monitoring systems in the shrimp supply chain.

To support these efforts, ILAB is funding a \$9 million, 4-year project in 2010 to be implemented by ILO-IPEC. Among other activities, the project will build the technical capacity of GOT labor inspectors to identify child labor violations, support the TFFA to establish transparent and credible monitoring systems, and provide direct services to children removed from shrimp processing and their families, including education services and support for interventions to

improve their families' livelihoods. The GOT has committed to collaborating with this project on an ongoing basis, which is essential for its sustainability. In order for the reduction in child labor to be sustained, the Government must commit to supporting and implementing its activities over the long term.

6.3.2 Brazil's Multi-Sectoral Approach

The Government of Brazil (GOB) has taken an exemplary approach to the elimination of child and forced labor. The GOB has a strong legislative framework in place and enforces these laws effectively. It has reduced the number of working children aged 5 to 17 years from approximately 8.5 million in 1992 to 4.5 million in 2008, and provided direct assistance to more than 820,000 children through the Program to Eradicate Child Labor (PETI). The GOB conducts an annual child labor survey, publishes labor inspection data, and has child labor monitoring systems in place.

The GOB's 2005 National Agreement to Eradicate Forced Labor serves as a framework for multi-sectoral action to combat forced labor throughout the country. More than 125 parties participate in the agreement, including the ILO, employers, labor unions, and civil society organizations such as the Ethos Institute, Repórter Brasil, and Instituto Observatorio Social. The Ministry of Labor's "mobile inspection unit" carries out inspections for forced labor and in 2009 freed 3,750 persons who were working under forced labor conditions. Between 1995 and 2010, it has removed more than 38,000 persons from forced labor. The Government publishes a "Dirty List" (*Lista Suja*) of forced labor cases, naming the companies and property owners who employ workers under forced labor conditions. Employers on the list are banned from acquiring credit from state-owned banks. In 2009, 179 employers were included on the list. Violators are kept on the Dirty List for two years, and removed only if they have discontinued the use of forced labor and paid all wages due to workers.

The Brazilian Government is also committed to helping other Latin American and African governments combat child labor and forced labor. In 2009, the GOB and the ILO signed an agreement to promote South-South cooperation to implement the Decent Work Agenda, which includes the elimination of child and forced labor.





Some Brazilian industries have achieved notable success in voluntary, private sector efforts to tackle child labor and forced labor. Among these, the footwear industry, led by its national association *Abicalcados*, has worked proactively since the mid-1990's to combat child labor. Most companies in the industry have adopted a common code of ethics, and adherence to the code in supplier work sites is audited by civil society organizations. Such auditing covers large production sites, small workshops and even homes. The Brazilian steel industry, which uses charcoal in its production, has also taken active measures. In 2004, steel companies in the states of Maranhão and Pará founded the Citizens' Charcoal Institute (CCI) to monitor the steel supply chain for forced labor. The CCI conducts social audits on behalf of over 500 steel companies, shares information with stakeholders and the GOB, and works with steel companies to provide employment to victims of forced labor. CCI is also a member of the National Agreement to Combat Forced Labor.

6.3.3 Broad Policy Coherence in India

In 2009, the Government of India (GOI) passed the Right of Children to Free and Compulsory Education Act, which lays out the country's commitments to protect children from hazardous child labor and to provide universal access to primary education, with a focus on children from disadvantaged social groups. The Government's National Child Labor Project

(NCLP) operates at the district level to identify working children, withdraw them from hazardous work and provide education and vocational training. The project sets up NCLP schools, mainstreams children into formal education, and provides them with stipends, meals and health checkups. The GOI has also invested in the Skill Development Initiative Scheme, which gives priority to children withdrawn from child labor and parents of child laborers to enter vocational training programs to improve their employability in safe occupations. Six state governments have drafted State Action Plans for the elimination of child labor. Some focus on increased enforcement; for example, the State of Gujarat Action Plan calls for two raids every month in all 24 districts of the state.

Many Indian industries have put in place voluntary measures to address child labor. Member companies of the Apparel Export Promotion Council utilize monitoring and certification systems such as SA8000, as well as individual buyers' internal monitoring systems, to identify and remediate child labor in apparel production. The Carpet Export Promotion Council's 2,000 member companies have established a common code of ethics, and all of their looms are subject to random, unannounced independent monitoring as a condition for exporting carpets. In addition to monitoring systems, the Sport Goods Foundation of India has established tuition-free education and rehabilitation centers for former child laborers.

6.3.4 Declaration of Joint Action in West African Cocoa Industry

Since 2001, when they signed the Harkin-Engel Protocol,¹⁵ the Governments of Cote d'Ivoire and Ghana and the international cocoa industry have worked to address the issue of exploitative child labor in cocoa-growing areas. On September 13, 2010, these parties reaffirmed their commitments by signing a *Declaration of Joint Action to Support Implementation of the Harkin-Engel Protocol*. The Declaration

15. The Harkin-Engel Protocol, signed by the cocoa industry in 2001, represented a voluntary commitment by the cocoa industry to address the issue of exploitative child labor in the cocoa-growing areas of Côte d'Ivoire and Ghana through actions such as credible verification and certification systems.

establishes a Framework of Action to coordinate the activities of the two governments, donors, chocolate and cocoa processing firms, producers, labor unions, and other civil society groups toward the common goal of eradicating exploitative child labor from the industry. The Framework of Action sets an overarching goal of reducing the worst forms of child labor in the production of cocoa in Ghana and Cote d'Ivoire by 70 percent by 2020 through the joint and coordinated efforts of all key stakeholders, including the governments, industry groups, donors, NGOs, and the communities that produce cocoa. The Governments of Cote d'Ivoire and Ghana are also cooperating closely with DOL on the development of a new \$10 million project that will be implemented by ILO-IPEC to significantly reduce the worst forms of child labor in this sector. This project will work with the governments to improve the livelihoods of cocoa producing households and to provide education services to reduce or prevent children from being engaged in the worst forms of child labor, including by helping the governments implement their National Action Plans to accomplish these goals.

6.3.5. Efforts Throughout Africa

The publication of the initial List highlighted forced and child labor in granite and gravel production in Nigeria, which persists, despite efforts to combat this problem. The Government of Nigeria remains engaged in reducing this worst form of child labor, working at the federal level and with state governments. The Government supports a Joint Action Plan with Benin to reduce the trafficking of Beninese children into Nigerian quarries, while Ogun state is working with Beninese authorities through a memorandum of understanding. In order to support and accelerate efforts in this sector, DOL is funding a project in 2010 that will link with national efforts, support awareness raising activities on the hazardous nature of quarry work, and foster more sustainable livelihoods so that families no longer indenture their children into gravel or granite production.

In 2009, the President of Namibia denounced the use of child labor on communal land and called on his Government to investigate practices of child labor in eight of Namibia's 13 regions. To assist law enforcement officials and investigators in this effort,



the ILO conducted training workshops on child labor in six of Namibia's 13 regions. The Namibian Ministry of Labor and Social Welfare's (MLSW) Labor Inspectorate increased its enforcement efforts and identified 111 child labor violations in agriculture, including in cattle herding, by conducting random, three-week long inspections in 2009. In 2010, MLSW has been following up on compliance orders issued to employers as a result of these inspections. The Government also participated in a number of technical cooperation initiatives, including a four-year, \$4.7 million DOL-funded regional project to support the implementation of national child labor action plans. This project aims to withdraw and prevent 8,400 children in Southern Africa from engaging in exploitative labor, particularly in agriculture and adult-coerced criminal activity.

6.3.6. Combating Child Labor in Latin American Sugar and Coffee Sectors

Several Latin American governments and agricultural producers have made coordinated efforts to reduce child labor in the production of sugarcane and coffee. Since the publication of the TVPRA list, *Asocaña* (Colombian Sugarcane Producers Association), in partnership with ILO-IPEC, launched an awareness-raising campaign to prevent child labor in sugarcane production areas. *Asocaña* has also raised awareness among its members about international labor standards and national child labor laws. The



Colombian Coffee Growers Association supports schools and the development of new educational models in coffee growing areas, helps families to access health services, and provides microfinance to small coffee farmers.

El Salvador's sugar industry is a leader in the country in combating child labor. All sugar refineries that are members of the *Asociación Azucarera de El Salvador* (AAES) have signed on to a common code of conduct and all refineries enforce "zero tolerance for child labor" clauses in their contracts with sugar cane producers. Members of the AAES partner with the Government of El Salvador and local communities to provide educational services to children. The industry published a manual in 2010, to help other sugar producers and Latin American agricultural producers combat child labor. The achievements of El Salvador's sugar sector were recognized as one of the best practices to combat child labor in Latin America by ILO-IPEC.

In Nicaragua, the Ministries of Labor, Health and Education have worked with civil society organizations and coffee producers to keep children from working in the coffee plantations and in school during the harvest seasons. Many coffee producers in the departments of Jinotega and Matagalpa have taken steps to eliminate child labor on their plantations, through measures such as building schools for children

of plantation workers, prohibiting children in the fields, and providing financial support for teachers and food for children. On World Day Against Child Labor 2010, 20 coffee producers came together to sign an agreement reaffirming their commitment to eliminate child labor and provide decent salaries and conditions for parents working in the plantations. The agreement also committed them to sharing experiences with coffee producers in other regions of the country to support the progressive elimination of child labor in Nicaragua.

In addition to direct interventions and stepped up labor law enforcement, some governments have improved data collection on the nature and extent of exploitative child labor in their countries. To prepare the estimates found in its 2010 report, *Accelerating Action Against Child Labour*, the ILO was able to draw upon over 60 national child labor surveys conducted between 2004 and 2008.

Since the publication of the initial List, ILAB has received information from many other governments, industry groups, and other stakeholders eager to share their efforts and good practices. These include the Governments of Bangladesh, Brazil, Burkina Faso, Burma, Dominican Republic, Ecuador, Egypt, Indonesia, Jordan, Malawi, Pakistan, and the Philippines; industry groups such as the Bangladesh Knitwear Manufacturers and Exporters Association, the Bangladesh Garment Manufacturers and Exporters Associations, *Asomineros* Chamber (Mining Association of Colombia), *Fedemeraldas* (Emerald Association of Colombia), the Oriental Rug Importers Association, the Cotton Corporation of India, the Export Promotion Council for Handicrafts (India), the Council for Leather Exports (India), the Gem and Jewelry Export Promotion Council (India), the Indian Monument Manufacturers Association, the All India Granite and Stone Association, the Agricultural and Processed Food Products Export Development Authority (India), the All India Rice Exporters Association (India), the Synthetic and Rayon Textiles Export Promotion Council (India), the Sugar Alliance of the Philippines, and the United States Association of Importers of Textiles and Apparel; and workers' advocates including the American Federation of

Labor-Congress of Industrial Organizations (AFL-CIO) and American Center for International Labor Solidarity (ACILS).

6.4 CHILD LABOR AND FORCED LABOR IN THE UNITED STATES

6.4.1 *Child Labor*

In 2006, an estimated 1.12 million children and adolescents under age 20 resided on farms in the United States, and approximately half of them performed farm work. An additional 307,000 children and adolescents were hired to work on U.S. farms.¹⁶ Many working youth perform work that does not violate U.S. law or international standards, but many carry out tasks that jeopardize their health and safety or compromise their educational opportunities.

Children are permitted to work at a younger age in agriculture than in other sectors, subjecting them to work that can be difficult and dangerous. In 2006, an estimated 5,800 children and adolescents were injured while performing farm work. An average of 113 youth under age 20 die annually from farm-related injuries, with youth aged 16-19 years suffering the highest share of deaths (34%). Of the leading sources of fatal injuries to youth on U.S. farms, 23% involved machinery (including tractors), 19% involved motor vehicles (including ATVs), and 16% were due to drowning.¹⁷

The nature of agricultural employment, including its short seasonal duration, remote locations, and mobility of the work, poses challenges for U.S. labor law enforcement efforts as it does for labor inspectors in other countries. DOL's Wage and Hour Division (WHD) is the agency responsible for protecting youth working in agriculture through investigations and outreach to farmers, farm labor contractors, workers, parents, teachers, federal agencies, and others who provide services to farmworkers. WHD is currently working on strengthening the regulatory protections for children working in agriculture.

Children work illegally in other U.S. industries as well. It is estimated that approximately 146,000

youth sustain work-related injuries and illnesses each year.¹⁸ In May 2010, DOL promulgated new regulations expanding the hazardous occupations and processes that children under age 18 are prohibited from performing. Based in part on technical recommendations from the National Institute for Occupational Safety and Health (NIOSH), these new prohibitions include working at poultry slaughtering and packaging plants; riding on forklifts; working in forest fire fighting, forestry services, and timber tract management; operating power-driven hoists and work assist vehicles; operating balers and compacters designed or used for non-paper products; and operating power-driven chain saws, wood chippers, reciprocating saws, and abrasive cutting discs.

To deter the use of child labor, WHD has implemented higher penalties for employers that illegally employ child workers. Under the new penalty structure, employers that employ youth under the legal age for employment will face a minimum penalty of \$6,000 per violation for employing 12 and 13 year olds; for workers illegally employed under age 12, the minimum penalty rises to \$8,000 per violation. WHD can assess up to \$50,000 for a child labor violation that results in a youth's serious injury or death, and this penalty can be doubled for repeat or willful violations.

DOL is committed to ensuring that U.S. child labor laws are strictly enforced. Every onsite investigation conducted by WHD has a child labor component. Child labor complaints, although not numerous, are given the highest priority within the agency. Each year, WHD regional and local offices plan and undertake child labor compliance initiatives in a variety of industries, such as grocery stores, shopping malls, theaters, and restaurants. These industries are among those in which large numbers of young workers are traditionally employed, and in which the agency has historically found high levels of noncompliance with the child labor Hazardous Orders.¹⁹ Ending illegal

16. See <http://www.cdc.gov/niosh/topics/aginjury/>.

17. See <http://www.cdc.gov/niosh/topics/aginjury/>.

18. See <http://www.cdc.gov/niosh/topics/youth/>.

19. The FLSA provides a minimum age of 18 years for nonagricultural occupations, and 16 years for agricultural occupations, involving work which the Secretary of Labor finds and declares to be particularly hazardous or detrimental to the health and wellbeing of persons under these ages.

child labor is a top priority, and WHD investigators use tools ranging from monetary penalties to using the “hot goods” provision of U.S. labor law, under which goods from an establishment where there has been prohibited child labor may not enter into trade.²⁰

DOL's YouthRules! Web site at <http://www.youthrules.dol.gov> educates employers, young workers, educators and parents about child labor, the jobs minors may perform and the hours they may work. A WHD toll-free helpline is also available (866-4US-WAGE, or 487-9243) to provide information about child labor laws.

6.4.2 Forced Labor

The largest forced labor case in U.S. history was announced in September 2010 by the Department of Justice, when a federal grand jury indicted lead defendant Mordechai Orian, President of Global Horizons, Inc., a California-based labor recruiting corporation, and several labor recruiters for engaging in a conspiracy to commit forced labor. The defendants were charged with coercing the labor and services of approximately 400 Thai nationals brought to the U.S. to work on farms across the country under the U.S. federal agricultural guest worker program. The charge alleges that the workers were lured with false promises of lucrative jobs and were required to pay high recruitment fees, financed by debts secured with the workers' family property and homes. After arrival in the United States, the defendants allegedly confiscated the Thai nationals' passports and failed to honor the employment contracts. The defendants allegedly coerced the Thai nationals' labor by threatening to send them back to Thailand, knowing they would face serious economic harm created by the debts. If convicted, some of the defendants would face maximum sentences of 70 years in prison. The allegations in the indictment are merely charges and defendants remain innocent until proven guilty.

Forced labor is a global problem that is largely hidden, requiring vigilance to uncover it. WHD investigators are trained to recognize situations in which workers may have been exploited and to refer these situations to the appropriate law enforcement authorities. WHD specifically targets industries that employ vulnerable workers, such as restaurants, janitorial services, hotels and motels, and agriculture and where forced labor is most likely to be found. Since 2009, over 350 new WHD investigators have been hired to increase enforcement efforts in these industries.

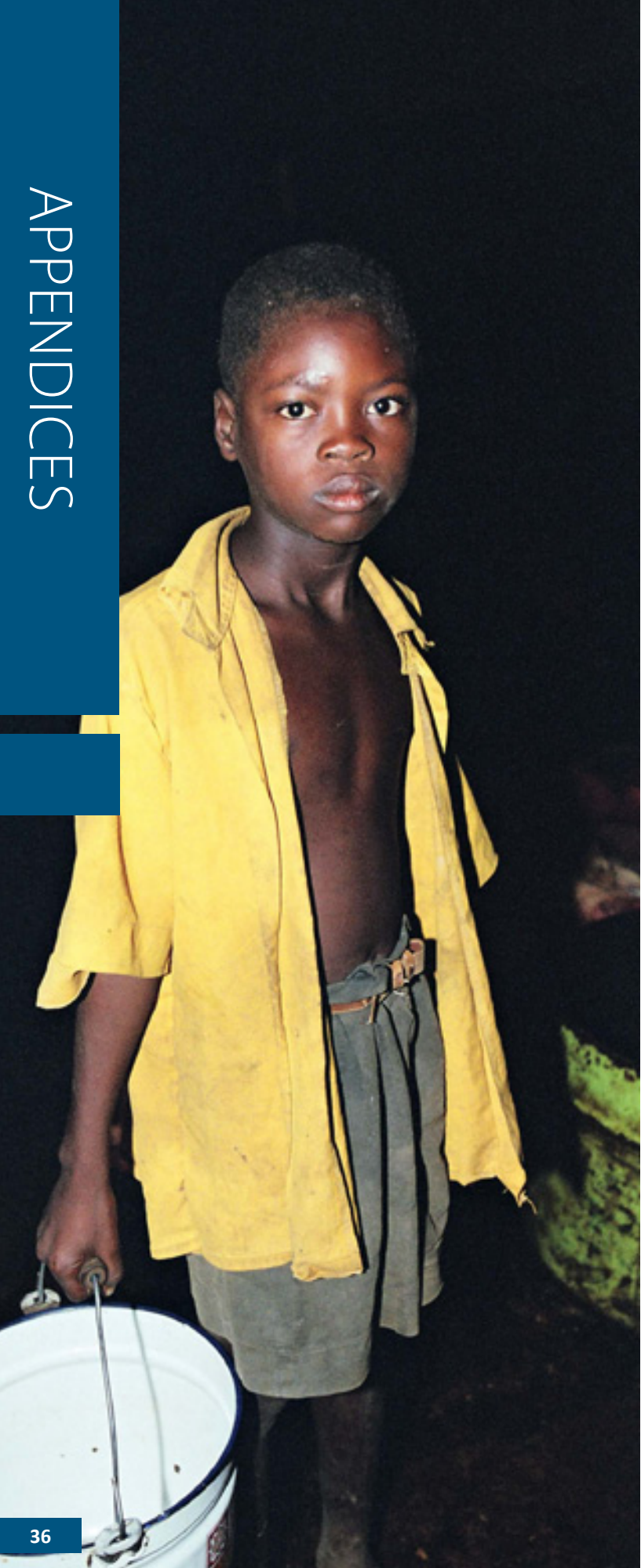
This year, for the first time, the Department of State's annual *Trafficking in Persons Report* included a profile covering the achievements and challenges facing the U.S. Government in addressing trafficking in persons for forced labor. One of the hallmarks of the U.S. approach is vigorous prosecution of traffickers. The U.S. Government has developed a range of measures to support victims who assist investigations and prosecutions, including temporary immigration relief and work authorization. The U.S. employs a victim-centered approach, including shelter, health care, mental health care, food, safety, legal services, interpretation, victim advocacy, immigration relief, education, job skills, employment placement, family reunification, and reintegration. In 42 communities around the country, task forces comprised of local, state and federal law enforcement agencies and victim-service NGOs work to identify cases of trafficking for forced labor and respond in a coordinated manner.

20. Section 12(a) of the FLSA forbids shipping into commerce any goods produced in an establishment where there has been prohibited child labor. When a child labor violation occurs, goods may not be removed from that shop for thirty days.

7. CONCLUSION

The work to end exploitative child labor and forced labor – by gathering data, vigorously enforcing laws, identifying victims, providing services, and implementing protective and policy measures – requires ongoing vigilance. Progress has been made, in many parts of the world, but much remains to be done. As the ILO stated in 2010, “the economic downturn cannot become an excuse for diminished ambition and inaction. Instead it offers the opportunity to implement the policy measures that work for people, for recovery and for sustainable development.”





APPENDIX A:
77 COUNTRIES RESEARCHED BY
ILAB IN 2008-2009

APPENDIX B:
39 COUNTRIES RESEARCHED BY
ILAB IN 2009-2010

APPENDIX C:
DECEMBER 27, 2007 FEDERAL
REGISTER NOTICE

APPENDIX D:
SUGGESTED ADDITIONAL
RESOURCES

APPENDIX A: 77 COUNTRIES RESEARCHED BY ILAB IN 2008-2009

- | | | |
|---|---------------------|--------------------------|
| 1. Afghanistan | 26. Guatemala | 52. Nigeria |
| 2. Argentina | 27. Guinea | 53. North Korea |
| 3. Azerbaijan | 28. Guyana | 54. Pakistan |
| 4. Bangladesh | 29. Haiti | 55. Panama |
| 5. Barbados | 30. Honduras | 56. Paraguay |
| 6. Belarus | 31. India | 57. Peru |
| 7. Belize | 32. Indonesia | 58. Philippines |
| 8. Benin | 33. Iran | 59. Russia |
| 9. Bolivia | 34. Iraq | 60. Saudi Arabia |
| 10. Brazil | 35. Israel | 61. Senegal |
| 11. Burkina Faso | 36. Jordan | 62. Sierra Leone |
| 12. Burma | 37. Kazakhstan | 63. South Africa |
| 13. Cambodia | 38. Kenya | 64. Sri Lanka |
| 14. Cameroon | 39. Kuwait | 65. Tajikistan |
| 15. Chile | 40. Kyrgyz Republic | 66. Tanzania |
| 16. China | 41. Laos | 67. Thailand |
| 17. Colombia | 42. Lebanon | 68. Togo |
| 18. Côte d'Ivoire | 43. Liberia | 69. Turkey |
| 19. Democratic Republic of the
Congo | 44. Malawi | 70. Turkmenistan |
| 20. Dominican Republic | 45. Malaysia | 71. United Arab Emirates |
| 21. Ecuador | 46. Mali | 72. Uganda |
| 22. Egypt | 47. Mexico | 73. Ukraine |
| 23. Gabon | 48. Mongolia | 74. Uruguay |
| 24. Georgia | 49. Nepal | 75. Uzbekistan |
| 25. Ghana | 50. Nicaragua | 76. Venezuela |
| | 51. Niger | 77. Vietnam |

APPENDIX B: 39 COUNTRIES RESEARCHED BY ILAB IN 2009-2010

- | | | |
|-----------------------------|-----------------------|-----------------------|
| 1. Albania | 14. Italy | 27. Rwanda |
| 2. Angola | 15. Jamaica | 28. South Korea |
| 3. Botswana | 16. Japan | 29. Spain |
| 4. Brunei | 17. Lesotho | 30. Sudan |
| 5. Central African Republic | 18. Macedonia | 31. Suriname |
| 6. Chad | 19. Madagascar | 32. Taiwan |
| 7. Costa Rica | 20. Moldova | 33. Timor Leste |
| 8. El Salvador | 21. Morocco | 34. Trinidad & Tobago |
| 9. Equatorial Guinea | 22. Mozambique | 35. Tunisia |
| 10. Ethiopia | 23. Namibia | 36. West Bank & Gaza |
| 11. Fiji | 24. Papua New Guinea | 37. Yemen |
| 12. France | 25. Portugal | 38. Zambia |
| 13. Guinea-Bissau | 26. Republic of Congo | 39. Zimbabwe |

Type of Review: Extension of a currently approved collection of information.

Agency: Office of the Solicitor.

Title: Equal Access to Justice Act.

OMB Number: 1225-0013.

Affected Public: Individuals or household; Business or other for-profit; Not-for-profit institutions; Federal Government; State, Local or Tribal Government.

Number of Respondents: Varies by year; usually less than 10.

Frequency: On occasion.

Total Responses: See Number of Respondents.

Average Time per Response: 5 hours.

Estimated Total Burden Hours: 50 hours.

Total annualized capital/startup costs: \$0.

Total Annualized costs (operation and maintenance): \$0.

Comments submitted in response to this notice will be summarized and may be included in the request for OMB approval of the final information collection request. The comments will become a matter of public record.

Signed this 19th day of December, 2007.

William W. Thompson, II,

Associate Solicitor for Management and Administrative Legal Services.

[FR Doc. E7-25120 Filed 12-26-07; 8:45 am]

BILLING CODE 4510-23-P

DEPARTMENT OF LABOR

Office of the Secretary

Notice of Procedural Guidelines for the Development and Maintenance of the List of Goods From Countries Produced by Child Labor or Forced Labor; Request for Information

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

ACTION: Notice of procedural guidelines for the development and maintenance of a list of goods from countries produced by child labor or forced labor in violation of international standards; Request for information.

SUMMARY: This notice sets forth final procedural guidelines ("Guidelines") for the development and maintenance of a list of goods from countries that the Bureau of International Labor Affairs ("ILAB") has reason to believe are produced by child labor or forced labor in violation of international standards ("List"). The Guidelines establish the process for public submission of information, and the evaluation and reporting process to be used by the U.S. Department of Labor's ("DOL") Office of

Child Labor, Forced Labor, and Human Trafficking ("Office") in maintaining and updating the List. DOL is required to develop and make available to the public the List pursuant to the Trafficking Victims Protection Reauthorization Act of 2005. This notice also requests information on the use of child labor and/or 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. This information will be used by DOL as appropriate in developing the initial List.

DATES: This document is effective immediately upon publication of this notice. Information submitted in response to this notice must be received by the Office no later than March 26, 2008. Information received after that date may not be taken into consideration in developing DOL's initial List, but such information will be considered by the Office as the List is maintained and updated in the future.

TO SUBMIT INFORMATION, OR FOR FURTHER INFORMATION, CONTACT: Director, 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). Information may be submitted by the following methods:

- *Facsimile (fax):* ILAB/Office of Child Labor, Forced Labor, and Human Trafficking at 202-693-4830.
- *Mail, Express Delivery, Hand Delivery, and Messenger Service:* Charita Castro or Rachel Rigby 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-tvpra@dol.gov.

SUPPLEMENTARY INFORMATION: Section 105(b)(1) of the Trafficking Victims Protection Reauthorization Act of 2005 ("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 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. These 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 Reports*; reports by governmental, non-governmental, and international organizations; and reports by academic and research institutions and other sources.

In addition to reviewing information submitted by the public in response to this Notice, the Office will also conduct a public hearing to gather information to assist in the development of the List. The Office will evaluate all information received according to the processes outlined in these Guidelines. Goods that meet the criteria outlined in these Guidelines will be placed on an initial List, 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. Procedures for the ongoing maintenance of the List, and key terms used in these Guidelines, are described in detail below.

Public Comments

On October 1, 2007, ILAB published a **Federal Register** notice of proposed procedural guidelines, requesting public comments on the proposed guidelines (72 FR 55808 (Oct. 1, 2007)). The notice provided a 30-day period for submitting written comments, which closed on Oct. 31, 2007. Written comments were received from nine parties. Several of the comments strongly supported the Department's efforts to combat child labor and forced labor. All of the comments were given careful consideration and where appropriate, changes were made to the Guidelines. The comments and any revisions to the proposed Guidelines are explained in detail below.

A. Comments Concerning the Office's Evaluation of Information

Several commenters questioned the Department's decision to consider information up to seven years old. One commenter asserted that even one-year-old information should be considered too dated to be relevant. The Department appreciates the importance of using up-to-date information. It is also the Office's experience that the use of child labor and forced labor in a country or in the production of a particular good typically persists for several years, particularly when no meaningful action is taken to combat it. Information about such activities is often actively concealed. Information that is several years old therefore can provide useful context for more current information. The Office will consider the date of all available information, and, as stated in the proposed Guidelines, "more current information will generally be given priority."

One commenter questioned how the Office would treat information on government efforts to combat the use of child labor and forced labor, stating that where a government undertakes voluntary efforts to regulate the production of goods and/or prosecutes incidents of child labor or forced labor, such government initiatives should not result in designating a particular good on the List. In response, the Office affirms the important role of government law enforcement, as well as other government, private sector, and third-party voluntary actions and initiatives to combat child labor and forced labor such as company and industry codes of conduct. However, the Office notes that some voluntary actions, as with some enforcement actions, are more effective than others. For example, some prosecutions may result in minimal or suspended

sentences for the responsible parties, and some voluntary actions by government, industry, or third parties, may be ineffective in combating the violative labor practices at issue. Accordingly, in determining whether to include a good and country on the List, the Office will consider particularly relevant and probative any available evidence of government, industry, and third-party actions and initiatives that are effective in significantly reducing if not eliminating child labor and forced labor.

Two commenters questioned why the Office would not consider confidential information in a submission, with one commenter stating that a submitter should have the option of providing information containing confidential information to the Office while also providing a redacted version for public release. In response, the Office has clarified its handling of submissions containing confidential, personal, or classified information. In the interest of maintaining a transparent process, the Office will not accept classified information in developing the List. The Office may request that any such information brought to its attention be declassified. The Office will accept submissions containing confidential or personal information, but pursuant to applicable laws and regulations may redact such submissions before making them publicly available.

B. Comments Concerning the List of Goods and Countries

Several commenters questioned why the List includes raw materials and/or components directly produced using child labor and forced labor, but not final goods made in part (indirectly produced) with such materials or components. Another commenter suggested that any final good produced indirectly with child labor or forced labor at any point in its production chain should be placed on the List, and that the List should specify where in the production chain the child labor or forced labor occurred. While the Office appreciates the importance of tracking raw materials or components produced in violation of international child labor or forced labor standards through the production chain, the difficulty of accurately conducting such tracking places it beyond the scope of these Guidelines. Ideally, the Office would have access to public information that would permit the comprehensive tracking of raw materials and component parts in the global supply chain, but the Office is unaware of any such publicly available information. Moreover, the Office is aware that many

goods used as raw materials or components in the production of other goods may be sourced from multiple locations within a country or even from several different countries.

Consequently, it would likely be extremely difficult to develop reliable information on the final destination or use of every good produced with child labor or forced labor. Inasmuch as the primary purpose of the List is to promote efforts at the country level to combat child labor and forced labor, that purpose is best served by identifying goods directly produced with child labor and forced labor. The Office observes that nothing in these Guidelines would prevent a member of the public from tracking the final destination or use of any good on the List.

Several commenters requested that the List name individual companies using child labor or forced labor, with two commenters suggesting that this practice would protect entities that do not use child labor or forced labor in their supply chains, or that might otherwise unknowingly trade in such goods. One commenter suggested that, in addition to listing goods and countries, the Office name industries using such goods. Another commenter suggested that the Office distinguish among individual factories within a country on the List, to ensure that goods not produced with child labor or forced labor are not subject to the same treatment as goods that are so produced. Another commenter suggested that the Department hold individual violators publicly accountable.

The TVPRA mandated a List of goods and countries, not company or industry names. It would be immensely difficult for the Office to attempt to track the identity of every company and industry using a good produced with child labor or forced labor. In addition, it is the Office's experience that child labor and forced labor frequently occur in small local enterprises, for which company names, if they are available, have little relevance. The Office is also aware that it is often a simple matter to change or conceal the name of a company. Consequently, the Office has concluded that seeking to track and name individual companies would be of limited value to the primary purpose of the List, which is to promote ameliorative efforts at the country level. Moreover, holding individual violators accountable would exceed the mandate of the TVPRA of 2005. However, the TVPRA of 2005 requires that the Department work with persons who are involved in the production of goods on the List to create a standard set of

practices to reduce the likelihood that such persons will produce goods using such labor. The Department intends to work with such persons once the initial List is developed.

C. Comments Concerning the Development and Maintenance of the List

One commenter suggested that the List be updated at regular intervals, and at least annually. Another commenter noted that the proposed Guidelines do not set a limit on how long a good may remain on the List, or a time period within which DOL must review the designation of a particular good. The Office anticipates that the addition, maintenance, or removal of an item on the List will be driven largely by the availability of accurate information. The Office will conduct its own research on goods produced with child labor and forced labor, and anticipates that additional information used to develop and maintain the List will be provided by the public. Consequently, the Office considers it a more efficient use of resources to re-examine goods on the List as pertinent information becomes available, rather than adhering to a fixed review schedule.

One commenter suggested that the Office provide a fixed time period within which it will decide whether to accept a submission of information. The Office has revised section B.3 of the Guidelines to remove the possibility that a submission of information will not be accepted. All submissions of information (with the exception of those containing classified information) will be accepted and evaluated for their relevance and probative value.

One commenter suggested that the Guidelines provide that the Office make a final determination whether to place a good on the List within a specific timeframe, such as within 120 days of receiving the submission. Although the Office intends to expedite its evaluation of any information submitted in response to this notice, it cannot guarantee that the Office's evaluation of a particular submission will be completed within a set timeframe. Some submissions may require further investigation by the Office, and other submissions may result in responsive submissions by other parties. Setting a fixed deadline may result in the inclusion or exclusion of a good on the List without the most comprehensive review possible.

One commenter suggested that before an entry is removed from the List, the Office should publish a notice in the **Federal Register** announcing its intention to consider removal of the

entry and giving interested parties an opportunity to comment. The Office does not intend to provide advance notice before an item is added to or removed from the List; however, if information is submitted that tends to support a change to the List, that information will be publicly available on the Office's Web site and will provide notice to the public that the status of a particular good is under review. Moreover, the Office retains the discretion to request additional information from time to time concerning a particular good; such a request will also provide notice to the public that the status of a good is under active consideration.

One commenter suggested that the Office ensure that any information indicating a possible violation of U.S. law is referred to an appropriate law enforcement agency. The Department has well-established procedures for the referral of information indicating a possible violation of U.S. laws to appropriate law enforcement agencies, and these procedures will be followed throughout the development and maintenance of the List.

D. Comments Concerning Definitions and Terms

Two commenters were concerned about the definitions of child labor and forced labor in the proposed Guidelines, questioning why they did not expressly reference International Labor Organization (ILO) conventions addressing child labor and forced labor. The commenters questioned why there were apparent differences between the definitions of terms in the proposed Guidelines and the corresponding definitions in the relevant ILO conventions. The Office has carefully considered these comments. Consequently, the definitions used in the final Guidelines have been revised to clarify that the Office will apply international standards.

Four commenters questioned the use of the terms "significant incidence" and "isolated incident" in the proposed Guidelines. One commenter raised an apparent inconsistency between the terms "significant," "prevalent," and "pattern of practice," in the proposed Guidelines' description of the amount of evidence that would weigh in favor of a finding that a particular good is produced in violation of international standards. Another commenter stated that the terms "significant" and "prevalent" provide inadequate guidance, because they do not address the percentage of workplaces in a country producing a particular good in violation of international standards, or

whether a good produced in one location represents a large or small share of a country's total exports of the good. One commenter recommended that the terms "significant" and "prevalent" be replaced with "recurring." Another commenter recommended that a more precise guideline be developed with respect to how much child labor or forced labor warrants the placement of a good on the List. One final commenter on this issue suggested that a good be removed from the List only if the use of child labor or forced labor is "insignificant," stating that that term is more precise than the terms used in the proposed Guidelines.

It is neither possible nor useful to precisely quantify the amount or percentage of child labor or forced labor that will be considered "significant," since what is considered "significant" will vary with a number of other factors. For that reason, the Guidelines provide that a "significant incidence" of child labor or forced labor occurring in the production of a particular good is only one among several factors that would be weighed before a good is added to, or removed from, the List. Other factors include whether the situation described meets the definitions of child labor or forced labor; the probative value of the evidence submitted; the date and source(s) of the information; and the extent to which the information is corroborated. The Guidelines also make clear that the Office will consider any available evidence of government, industry, and third-party actions and initiatives that are effective in significantly reducing if not eliminating child labor and forced labor. However, in response to these comments, the Office has decided to clarify the nature of the information sought by deleting the use of the term "prevalent." The Office will also change the phrase, "pattern of practice," to "pattern or practice." The suggested terms "recurring" or "insignificant" provide no additional precision.

Two commenters requested that the goods on the List be identified as specifically as possible, to avoid confusion with similar goods that have not been produced using child labor or forced labor in violation of international standards. Some commenters suggested that the List use product codes developed for the Harmonized Tariff Schedule (HTS), reasoning that the use of such codes would both provide more specificity and improve interagency consultation. The Office intends to identify all goods on the List as specifically as possible, depending on available information. However, parties submitting information on a particular

good may not have the necessary expertise to properly utilize the product codes developed for the HTS.

Another commenter suggested that the Office specifically include agricultural commodities in the definition of "goods." The Office considers that the term "goods" includes agricultural products and the definition of "produced" in the Guidelines expressly covers goods that are harvested or farmed.

Final Procedural Guidelines

A. Sources of Information and Factors Considered in the Development and Maintenance of the List

The Office will make use of all relevant information, whether gathered through research, public submissions of information, a public hearing, interagency consultations, or other means, in developing the List. In the interest of maintaining a transparent process, the Office will not accept classified information in developing the List. The Office may request that any such information brought to its attention be declassified. If submissions contain confidential or personal information, the Office may redact such information in accordance with applicable laws and regulations before making the submission available to the public.

In evaluating information, the Office will consider and weigh several factors, including:

1. *Nature of information.* Whether the information about child labor or forced labor gathered from research, public submissions, hearing testimony, or other sources is relevant and probative, and meets the definitions of child labor or forced labor.

2. *Date of information.* Whether the information about child labor or forced labor in the production of the good(s) is no more than 7 years old at the time of receipt. More current information will generally be given priority, and information older than 7 years will generally not be considered.

3. *Source of information.* Whether the information, either from primary or secondary sources, is from a source whose methodology, prior publications, degree of familiarity and experience with international labor standards, and/or reputation for accuracy and objectivity, warrants a determination that it is relevant and probative.

4. *Extent of corroboration.* The extent to which the information about the use of child labor or forced labor in the production of a good(s) is corroborated by other sources.

5. *Significant incidence of child labor or forced labor.* Whether the

information about the use of child labor or forced labor in the production of a good(s) warrants a determination that the incidence of such practices is significant in the country in question. Information that relates only to a single company or facility; or that indicates an isolated incident of child labor or forced labor, will ordinarily not weigh in favor of a finding that a good is produced in violation of international standards. Information that demonstrates a significant incidence of child labor or forced labor in the production of a particular good(s), although not necessarily representing a pattern or practice in the industry as a whole, will ordinarily weigh in favor of a finding that a good is produced in violation of international standards.

In determining which goods and countries are to be placed on the List, the Office will, as appropriate, take into consideration the stages in the chain of a good's production. Whether a good is placed on the List may depend on which stage of production used child labor or forced labor. For example, if child labor or forced labor was only used in the extraction, harvesting, assembly, or production of raw materials or component articles, and these materials or articles are subsequently used under non-violative conditions in the manufacture or processing of a final good, only the raw materials/component articles and the country/ies where they were extracted, harvested, assembled, or produced, as appropriate, may be placed on the List. If child labor or forced labor was used in both the production or extraction of raw materials/component articles and the manufacture or processing of a final good, then both the raw materials/component articles and the final good, and the country/ies in which such labor was used, may be placed on the List. This is to ensure a direct correspondence between the goods and countries which appear on the List, and the use of child labor or forced labor.

Information on government, industry, or third-party actions and initiatives to combat child labor or forced labor will be taken into consideration, although they are not necessarily sufficient in and of themselves to prevent a good and country from being listed. In evaluating such information, the Office will consider particularly relevant and probative any evidence of government, industry, and third-party actions and initiatives that are effective in significantly reducing if not eliminating child labor and forced labor.

Goods and countries ("entries") that meet the criteria outlined in these procedural Guidelines will be placed on

an initial List, to be published in the **Federal Register** and on the DOL Web site. This initial List will continue to be updated as additional information becomes available. Before publication of the initial List or subsequent versions of the List, the Office will inform the relevant foreign governments of their presence on the List and request their responses. The Office will review these responses and make a determination as to their relevance. The List, along with a listing of the sources used to identify the goods and countries on it, will be published in the **Federal Register** and on the DOL Web site. The List will represent DOL's conclusions based on all relevant information available at the time of publication.

For each entry, the List will indicate whether the good is made using child labor, forced labor, or both. As the List continues to be maintained and updated, the List will also indicate the date when each entry was included. The List will not include any company or individual names. DOL's postings on its website of source material used in identifying goods and countries on the List will be redacted to remove company or individual names, and other confidential material, pursuant to applicable laws and regulations.

B. Procedures for the Maintenance of the List

1. Following publication of the initial List, the Office will periodically review and update the List, as appropriate. The Office conducts ongoing research and monitoring of child labor and forced labor, and if relevant information is obtained through such research, the Office may add an entry to, or remove an entry from the List using the process described in section A of the Guidelines. The Office may also update the List on the basis of public information submissions, as detailed below.

2. Any party may at any time file an information submission with the Office regarding the addition or removal of an entry from the List. Submitters should take note of the criteria and instructions in the "Information Requested on Child Labor and Forced Labor" section of this notice, as well as the criteria listed in Section A of the Guidelines.

3. The Office will review any submission of information to determine whether it provides relevant and probative information.

4. The Office may consider a submission less reliable if it determines that: the submission does not clearly indicate the source(s) of the information presented; the submission does not identify the party filing the submission

or is not signed and dated; the submission does not provide relevant or probative information; or, the information is not within the scope of the TVPRA and/or does not address child labor or forced labor as defined herein. All submissions received will be made available to the public on the DOL Web site, consistent with applicable laws or regulations.

5. In evaluating a submission, the Office will conduct further examination of available information relating to the good and country, as necessary, to assist the Office in making a determination concerning the addition or removal of the good from the List. The Office will undertake consultations with relevant U.S. government agencies and foreign governments, and may hold a public hearing for the purpose of receiving relevant information from interested persons.

6. In order for an entry to be removed from the List, any person filing information regarding the entry must provide information that demonstrates that there is no significant incidence of child labor or forced labor in the production of the particular good in the country in question. In evaluating information on government, industry, or third-party actions and initiatives to combat child labor or forced labor, the Office will consider particularly relevant and probative any available evidence of government, industry, and third-party actions that are effective in significantly reducing if not eliminating child labor and forced labor.

7. Where the Office has made a determination concerning the addition, maintenance, or removal of the entry from the List, and where otherwise appropriate, the Office will publish an updated List in the **Federal Register** and on the DOL Web site.

C. Key Terms Used in the Guidelines

"Child Labor"—"Child labor" under international standards means all work performed by a person below the age of 15. It also includes all work performed by a person below the age of 18 in the following practices: (A) All forms of slavery or practices similar to slavery, such as the sale or trafficking of children, debt bondage and serfdom, or forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict; (B) the use, procuring, or offering of a child for prostitution, or the production of pornography or for pornographic purposes; (C) the use, procuring, or offering of a child for illicit activities in particular for the production and trafficking of drugs; and (D) work which, by its nature or the

circumstances in which it is carried out, is likely to harm the health, safety, or morals of children. The work referred to in subparagraph (D) is determined by the laws, regulations, or competent authority of the country involved, after consultation with the organizations of employers and workers concerned, and taking into consideration relevant international standards. This definition will not apply to work specifically authorized by national laws, including work done by children in schools for general, vocational or technical education or in other training institutions, where such work is carried out in accordance with international standards under conditions prescribed by the competent authority, and does not prejudice children's attendance in school or their capacity to benefit from the instruction received.

"Countries"—"Countries" means any foreign country or territory, including any overseas dependent territory or possession of a foreign country, or the Trust Territory of the Pacific Islands.

"Forced Labor"—"Forced labor" under international standards means all work or service which is exacted from any person under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily, and includes indentured labor. "Forced labor" includes work provided or obtained by force, fraud, or coercion, including: (1) By threats of serious harm to, or physical restraint against any person; (2) by means of any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint; or (3) by means of the abuse or threatened abuse of law or the legal process. For purposes of this definition, forced labor does not include work specifically authorized by national laws where such work is carried out in accordance with conditions prescribed by the competent authority, including: any work or service required by compulsory military service laws for work of a purely military character; work or service which forms part of the normal civic obligations of the citizens of a fully self-governing country; work or service exacted from any person as a consequence of a conviction in a court of law, provided that the said work or service is carried out under the supervision and control of a public authority and that the said person is not hired to or placed at the disposal of private individuals, companies or associations; work or service required in cases of emergency, such as in the event of war or of a calamity or threatened

calamity, fire, flood, famine, earthquake, violent epidemic or epizootic diseases, invasion by animal, insect or vegetable pests, and in general any circumstance that would endanger the existence or the well-being of the whole or part of the population; and minor communal services of a kind which, being performed by the members of the community in the direct interest of the said community, can therefore be considered as normal civic obligations incumbent upon the members of the community, provided that the members of the community or their direct representatives have the right to be consulted in regard to the need for such services.

"Goods"—"Goods" means goods, wares, articles, materials, items, supplies, and merchandise.

"Indentured Labor"—"Indentured labor" means all labor undertaken pursuant to a contract entered into by an employee the enforcement of which can be accompanied by process or penalties.

"International Standards"—"International standards" means generally accepted international standards relating to forced labor and child labor, such as international conventions and treaties. These Guidelines employ definitions of "child labor" and "forced labor" derived from international standards.

"Produced"—"Produced" means mined, extracted, harvested, farmed, produced, created, and manufactured.

Information Requested on Child Labor and Forced Labor

DOL requests current information about the nature and extent 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. Information submitted may include studies, reports, statistics, news articles, electronic media, or other sources. Submitters 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.

Information tending to establish the presence or absence of a significant incidence of child labor or forced labor in the production of a particular good in a country will be considered the most relevant and probative. Governments that have ratified International Labor Organization ("ILO") Convention 138 (Minimum Age), Convention 182 (Worst Forms of Child Labor), Convention 29

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(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.

Where applicable, information submissions should indicate their 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.

Information should be submitted to the addresses and within the time period 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 and three copies of all materials and attachments. If possible, submitters should also provide copies of such materials and attachments on a computer disc. Note that security-related screening may result in significant delays in receiving comments and other written materials by regular mail.

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. All submissions will be made available to the public on the DOL Web site, as appropriate. The Office will not respond directly to submissions or return any submissions to the submitter, but the Office may communicate with the submitter regarding any matters relating to the submission.

Announcement of Public Hearing

DOL intends to hold a public hearing in 2008 to gather further information to assist in the development of the List. DOL expects to issue a **Federal Register** Notice announcing the hearing at least 30 days prior to the hearing date. The scope of the hearing will focus on the collection of information on child labor and forced labor in the production of goods internationally, and information on government, industry, or third-party actions and initiatives to combat child labor and forced labor. 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 in a country will be considered the most relevant and probative.

Signed at Washington, DC, this 20th day of December, 2007.

Charlotte M. Ponticelli,

Deputy Undersecretary for International Affairs.

[FR Doc. E7-25036 Filed 12-26-07; 8:45 am]

BILLING CODE 4510-28-P

DEPARTMENT OF LABOR

Bureau of Labor Statistics

Proposed Collection; Comment Request

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c) (2)(A)]. 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 Bureau of Labor Statistics (BLS) is soliciting comments concerning the proposed revision of the "Current Population Survey (CPS)." A copy of the proposed information collection request (ICR) can be obtained by contacting the individual 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 February 25, 2008.

ADDRESSES: Send comments to Amy A. Hobby, BLS Clearance Officer, Division of Management Systems, Bureau of Labor Statistics, Room 4080, 2 Massachusetts Avenue, NE., Washington, DC 20212, 202-691-7628. (This is not a toll-free number.)

FOR FURTHER INFORMATION CONTACT: Amy A. Hobby, BLS Clearance Officer, 202-691-7628. (See **ADDRESSES** section.)

SUPPLEMENTARY INFORMATION:

I. Background

The CPS has been the principal source of the official Government

statistics on employment and unemployment for over 60 years. The labor force information gathered through the survey is of paramount importance in keeping track of the economic health of the Nation. The survey is the only source of monthly data on total employment and unemployment, with the Employment Situation report containing data from this survey being a Primary Federal Economic Indicator (PFEI). Moreover, the survey also yields data on the basic status and characteristics of persons not in the labor force. The CPS data are used monthly, in conjunction with data from other sources, to analyze the extent to which, and with what success, the various components of the American population are participating in the economic life of the Nation.

The labor force data gathered through the CPS are provided to users in the greatest detail possible, in conjunction with the demographic information obtained in the survey. In brief, the labor force data can be broken down by sex, age, race and ethnic origin, marital status, family composition, educational level, and other characteristics. Beginning in 2009, a breakdown by disability status will also be possible. Through such breakdowns, one can focus on the employment situation of specific population groups as well as on general trends in employment and unemployment. Information of this type can be obtained only through demographically oriented surveys such as the CPS.

The basic CPS data also are used as an important platform on which to base the data derived from the various supplemental questions that are administered in conjunction with the survey. By coupling the basic data from the monthly survey with the special data from the supplements, one can get valuable insights on the behavior of American workers and on the social and economic health of their families.

There is wide interest in the monthly CPS data among Government policymakers, legislators, economists, the media, and the general public. While the data from the CPS are used in conjunction with data from other surveys in assessing the economic health of the Nation, they are unique in various ways. Specifically, they are the basis for much of the monthly Employment Situation report, a PFEI. They provide a monthly, nationally representative measure of total employment, including farm work, self-employment and unpaid family work; other surveys are generally restricted to the nonagricultural wage and salary sector, or provide less timely

APPENDIX D: SUGGESTED ADDITIONAL RESOURCES

Bureau of International Labor Affairs: <http://www.dol.gov/ILAB/>.

Bureau of International Labor Affairs, Office of Child Labor, Forced Labor, and Human Trafficking: <http://www.dol.gov/ilab/programs/ocft/>.

Bureau of International Labor Affairs – Trafficking Victims Protection Reauthorization Act Web Page: <http://www.dol.gov/ILAB/programs/ocft/tvpra.htm>.

Bureau of International Labor Affairs – Executive Order 13126 Web Page: <http://www.dol.gov/ILAB/regs/eo13126/main.htm>.

Bureau of International Labor Affairs – Trade and Development Act Report: <http://www.dol.gov/ilab/medialreports/iclp/main.htm>.

U.S. Department of State, Bureau of Democracy, Human Rights and Labor: <http://www.state.gov/g/drl/>.

U.S. Department of State, Office to Monitor and Combat Trafficking in Persons: <http://www.state.gov/g/tipl/>.



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