

UNITED STATES OF AMERICA
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DEPARTMENT OF AGRICULTURE

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CONSULTATIVE GROUP TO ELIMINATE THE USE OF
CHILD LABOR AND FORCED LABOR IN
IMPORTED AGRICULTURAL PRODUCTS

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PUBLIC MEETING

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MONDAY

MARCH 29, 2010

WASHINGTON, D.C.

The Public Meeting convened at 9:30 a.m.,
pursuant to notice in the Williamsburg Room on
the First Floor of the Whitten Building,
United States Department of Agriculture, 1400

Independence Avenue, S.W., Washington, D.C.,
Darci Vetter, Chairperson, presiding.

CONSULTATIVE GROUP MEMBERS PRESENT:

DARCI VETTER, Chairperson, Deputy Under
Secretary, Farm and Foreign Agriculture

Services, USDA

ANN WRIGHT, Deputy Under Secretary, Regulatory
and Marketing Programs, USDA

MARCIA EUGENIO, Director, Office of Child
Labor, Forced Labor and Human Trafficking, DOL

(representing Sandra Polaski, Deputy Under
Secretary of International Affairs, DOL)

CONSULTATIVE GROUP MEMBERS PRESENT:

(Continued)

AMBASSADOR LUIS CdeBACA, Ambassador-At-Large
to Monitor and Combat Trafficking Persons,
State Department (representing Michael Posner
Assistant Secretary of State for Democracy,
Human Rights and Labor, Department of State)

BAMA ATHREYA, Executive Director,
International Labor Rights Forum

ERIC EDMONDS, Associate Professor of
Economics, Dartmouth University

KIMBERLY ELLIOT, Senior Fellow, Center for
Global Development, Visiting Fellow, Peterson
Institute

BILL GUYTON, President, World Cocoa Foundation

RACHELLE JACKSON, Director, Research and
Development, STR Responsible Sourcing

DENNIS MACRAY, Director, Ethical Sourcing and
Global Responsibility, Starbucks Coffee
Company

EDWARD POTTER, Director, Global Workplace
Rights, Coca-Cola Company.

MARGARET ROGGENSACK, Consultant, Human Rights
First

SPEAKERS PRESENT:

RICARDO TRIANA, Director, Colombian Government
Trade Bureau (Representing Carolina Barco,
Ambassador Colombia)

ANTONIA CORTESE, Secretary-Treasurer, American
Federation of Teachers

DARRYL KNUDSEN, Senior Manager of Strategic
Partnerships, Gap, Inc.

PETER McALLISTER, Executive Director,
International Coco Initiative

VICKI WALKER, Child Labor Program Director,
Winrock International

KILIAN MOOTE, Director of Advocacy, Not for
Sale Campaign

ROBERT QUARLES, President, Burley Tobacco
Growers Association

AVEDIS SEFERIAN, Director of Compliance
Administration, Worldwide Responsible
Accredited Production

LISA WEDDIG, Director, Regulatory and
Technical Affairs, National Fisheries
Institute

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P R O C E E D I N G S

9:50 a.m.

CHAIRPERSON VETTER: Good morning, everyone. Thank you for being here this morning to -- for coming on a very rainy day to our opening meeting of the Consultative Group to Eliminate the Use of Child Labor and Forced Labor in Imported Agricultural Products.

I am Darci Vetter, the Deputy Under Secretary for the Farm and Foreign Agricultural Services here at USDA, and Chair of the Consultative Group.

We are very pleased with the high level of turn-out this morning. We're glad that there's such an interest from the public and we're looking forward today to hearing comments from ten speakers representing a variety of expertise on this issue.

We'd also like to thank those of you who submitted written comments for the record, and to welcome all the observers who

1 are here today.

2 The Consultative Group, which is
3 authorized under Section 3205 of the Food
4 Conservation and Energy Act of 2008 shall
5 develop and submit to the Secretary of
6 Agriculture recommendations relating to the
7 standard set of practices for independent
8 third-party monitoring and verification for
9 the production, processing and distribution of
10 agricultural products or commodities to reduce
11 the likelihood that agricultural products or
12 commodities imported into the United States
13 are produced with the use of forced labor or
14 child labor.

15 Our meeting today is meant to
16 solicit input from the public regarding the
17 Consultative Group's statutory mandate to
18 develop these recommendations for the
19 Secretary.

20 In the Federal Register Notice of
21 this Public Meeting, parties were asked
22 specifically to provide information or to

1 comment on the following issues.

2 A, examples of identification,
3 monitoring, verification and/or certification
4 systems or other models that have been
5 successful in reducing child labor and/or
6 forced labor in the global supply chains
7 within the agricultural sector or other
8 industries.

9 B, the rules and responsibilities
10 that may be appropriate for the business
11 sector and other stakeholders, governments,
12 unions, nongovernmental organizations and
13 others in establishing independent third-party
14 monitoring and verification systems for the
15 production, processing and distribution of
16 agricultural products or commodities.

17 Or, C, other information that
18 would be useful to the Consultative Group in
19 meeting its mandate to develop recommendations
20 relating to the standard set of practices for
21 independent third-party monitoring and
22 verification for the production, processing

1 and distribution of agricultural products or
2 commodities to produce the likelihood that
3 agricultural products or commodities imported
4 into the United States are produced with the
5 use of forced labor or child labor.

6 So, hopefully, our presenters will
7 be able to give us some examples of their
8 experience or advice in what are some subset
9 of these three areas today.

10 But to begin, we really would like
11 to go around the table and have the members of
12 the Consultative Group briefly introduce
13 themselves and their affiliation. All of
14 these members have been appointed by the
15 Secretary of Agriculture, and they represent
16 a diverse range of expertise as mandated in
17 the 2009 Farm Bill.

18 And I'll begin with Ann Wright.

19 MS. WRIGHT: Good morning,
20 everyone. I'm Ann Wright, Deputy Under
21 Secretary of Marketing and Regulatory Programs
22 at USDA.

1 MR. EDMONDS: I am Eric Edmonds.
2 I'm a professor of economics at Dartmouth
3 College, Research Fellow at the National
4 Bureau of Economic Research and director of
5 the Child Labor Research Network and Institute
6 for the Study of Labor in Bonn, Germany.

7 MS. ATHREYA: Bama Athreya,
8 executive director of the International Labor
9 Rights Forum.

10 MR. MACRAY: Good morning. I'm
11 Dennis Macray. I'm director of Ethical
12 Sourcing for Starbucks Coffee Company.

13 MR. GUYTON: Good morning,
14 everyone. My name is Bill Guyton with the
15 World Cocoa Foundation.

16 MS. JACKSON: Good morning. My
17 name is Rachelle Jackson, director of research
18 and development at STR Responsible Sourcing.

19 MS. ROGGENSACK: I'm Meg
20 Roggensack, senior advisor for Business and
21 Human Rights at Human Rights First.

22 MR. POTTER: Good morning. I'm Ed

1 Potter, director of Global Workplace Rights
2 for the Coca-Cola Company.

3 MS. ELLIOT: I'm Kim Elliot, a
4 senior fellow with the Center for Global
5 Development.

6 AMB. CdeBACA: I'm Lou CdeBaca.
7 I'm Ambassador-at-Large to Monitor and Combat
8 Trafficking Persons from the State Department.
9 I'm here not only representing my own office,
10 but also Mike Posner, the Assistant Secretary
11 for Democracy, Human Rights and Labor.

12 MS. EUGENIO: Good morning. I'm
13 Marcia Eugenio. I'm the director of the
14 Office of Child Labor, Forced Labor and Human
15 Trafficking at the Department of Labor, and I
16 am here representing the Deputy Under
17 Secretary, Sandra Polaski.

18 CHAIRPERSON VETTER: If I could
19 ask all of us to click off your microphone if
20 it's still on, just to reduce background
21 noise. That's great. Thank you very much.

22 Before we go ahead and commence

1 with our oral statements, I wanted to take a
2 moment to go over a few ground rules for the
3 morning and let you know how we will proceed.

4 Each speaker -- the cord's a
5 little short there. Great. Each speaker will
6 be allocated five minutes for their statement,
7 and to assist each of the speakers, we will
8 indicate when you have reached the four-minute
9 mark, when you receive your yellow card. At
10 five minutes you'll get the red card, and at
11 that point we will ask you to end your
12 statement if you've not already done so.

13 The Consultative Group members
14 will then have an opportunity to ask questions
15 at the conclusion of each speaker's statement.

16 Again, we are very pleased at the
17 large number of observers who are joining us
18 today. But, due to time constraints,
19 questions and answers will only be permitted
20 between the Consultative Group members and the
21 presenters.

22 We also request that all cell

1 phones be turned off or placed on vibrate at
2 this time.

3 We will plan to hear all ten
4 presenters without a formal break, so if you
5 feel the need to get up, we'll let you know in
6 advance that restrooms are on either side of
7 the patio outside, that big open area across
8 the hall. The women's room is on the right
9 and the men's is on the left.

10 All right. Then we'll go ahead
11 and begin. I would like, first, to introduce
12 our first speaker, Ricardo Triana from the
13 Embassy of Colombia here in Washington, D.C.

14 Please come up.

15 MR. TRIANO: Thank you so much for
16 this invitation and to share experiences of
17 how Colombia is addressing a problem
18 considered by our government of national
19 priority.

20 Ambassador Barco apologizes for
21 not being here today, to deliver his remarks,
22 but due to unforeseen personal matters, was

1 not able to be here today.

2 As you all know, the Department of
3 Labor published in the fall of 2009 a list of
4 products present in 58 countries where child
5 labor is involved. Colombia was identified
6 with eight products and two of them are over
7 our agricultural sector. Coffee and sugar
8 cane.

9 In this respect, our sugar cane
10 association, Asocana, has written on October
11 22nd, 2009, to DOL, giving information of the
12 work they had been doing in this field and
13 showing that today with all the work they have
14 done in the past, no child labor is involved
15 in the sugar industry that produces sugar and
16 for ethanol, given that they have committed
17 historically to the fundamentals of corporate
18 social responsibility.

19 And one of the actions taken under
20 this commitment is the promotion of education
21 among children of their employees in order to
22 discourage child labor.

1 Child labor is a world problem and
2 we applaud that you are bringing awareness to
3 more people. We certainly want to participate
4 together with you in this endeavor so that
5 sooner than later, we will see this program
6 and eradicate it from the world.

7 The government of Colombia has
8 developed laws, invested substantial resources
9 for the prevention and eradication of these
10 practices. Also, Colombian law has
11 incorporated international regulation more
12 specifically the ILO 138 and 182 Conventions
13 into Law 1098 of 2006, Child and Adolescent
14 Code.

15 In 2008, a nationwide strategy to
16 prevent and eradicate the worst forms of child
17 labor and protect the young worker from 2008
18 to 2015 was implemented. The decentralization
19 of the policy has been executed by all the
20 entities, part of the Colombian Committee of
21 the Eradication of Child Labor.

22 This has been achieved through the

1 imposition of methodologies and courses of
2 action covering every government agency and
3 private sector businesses.

4 To ensure a reliable progress, a
5 module of child labor has been included in the
6 household survey submitted every two years.

7 Also, the NNA, in Spanish, boys and girls
8 Adolescent module, along with the
9 methodological manual for conducting
10 quantitative characterization in the local
11 field has been developed.

12 Tools directed to the
13 transformation of social patterns have been
14 developed and implemented, including
15 literature-- what do you call? In personal
16 development methodologies, along with
17 television commercials-- periodically images.

18 Colombia today has success cases
19 to show, as a program "Educame Primero,"
20 "Educate me first," under the project
21 Combatting Exploitative Child Labor through
22 Education" in Colombia, which has been done in

1 cooperation with DOL, International Labor
2 Affairs Bureau, and executed by parties of the
3 Partners of the Americas, developed with
4 CINDE, Dev Tech and Mercy Corps.

5 This program is due December 31st,
6 2010. We definitely want to extend it or to
7 have similar projects of work that we can
8 cover more communities.

9 We acknowledge the work that so
10 far has been done in the government-to-
11 government cooperation, but are also
12 encouraging as well our exporters to work
13 together with the U.S. importers to ensure all
14 agricultural products being sent to the U.S.
15 are absolutely free of child labor conditions.

16 If you have any questions or
17 comments within the frame that has been given
18 by USDA until April 30, address them, invite
19 them to enrich this very important discussion.

20 Please count on Colombia as a
21 partner to achieve with you all in this
22 critical test. Thank you so much.

1 CHAIRPERSON VETTER: Thank you
2 very much, Mr. Triana, for starting things off
3 for us today.

4 Are there any questions from the
5 Consultative Group for Mr. Triana?

6 MS. ELLIOT: Yes. I was just
7 wondering if you could expand a bit on this
8 since we are looking at child and forced labor
9 in agricultural imports. One of the concerns
10 is how to reach the remote rural areas where
11 child and forced labor may be more likely, so
12 I just wonder if you could expand a bit on
13 your communication and social awareness
14 strategies and how you get to some of the more
15 rural -- remote rural areas, or whether you
16 are able to do that.

17 MR. TRIANO: Well, Colombia, as
18 you all know, is a huge country. It's 440,000
19 square miles, the equivalent of Texas plus
20 California together.

21 More than 55 of that territory is
22 either jungles or plains, which are very few

1 populated. Also, the cities are around the
2 range of mountains that we have.

3 Reach to that population I must
4 acknowledge is difficult, very difficult, but
5 we can -- very few population is living in
6 those areas. However, the government is doing
7 their best to resolve with its efforts with
8 all the cooperation that we have obtained so
9 far, to reach every single area of the
10 country.

11 As you all know, we have been
12 struggling with security issues since a long
13 time ago, much better today than it used to
14 be. And reaching to those remote areas are
15 also with some risk in security, and
16 fortunately, the government has reclaimed all
17 the territory of Colombia, and now we can do
18 it.

19 So, we have a lot of efforts in
20 reaching all that very small areas -- not
21 small areas. Small populations. And we would
22 like to thank for all the help that the DOL

1 has given to Colombia so far, and we encourage
2 to continue having it in the future.

3 CHAIRPERSON VETTER: Thank you.

4 MR. TRIANO: Thank you.

5 CHAIRPERSON VETTER: I ask for
6 each of the Consultative Group members to
7 state their name and affiliation before their
8 question. Thank you.

9 MS. EUGENIO: Marcia Eugenio. I
10 am the director of the Office of Child Labor,
11 Forced Labor and Human Trafficking at the
12 Department of Labor, and I would like to thank
13 you for the testimony and for the nice words
14 that you said about the Department of Labor
15 project and collaboration between the
16 Department of Labor and the Government of
17 Colombia on this effort.

18 I also just wanted to note that
19 your efforts on collecting information on
20 child labor is very important and the fact
21 that you are including those child labor
22 module on your surveys every two years is also

1 very significant steps that I think is worth
2 recognizing.

3 One of the other areas that I just
4 wanted to kind of point to is in terms of
5 perhaps not the child labor that is taking
6 place in big plantations where these actions
7 have taken place, but lower down the supply
8 chain where perhaps the monitoring is not as
9 extensive as some that take place in the big
10 plantation, and what efforts the Colombian
11 government is taking to conduct inspections in
12 those areas.

13 MR. TRIANO: Yes. You might be
14 referring, you know, that Latin America has
15 big problems in formal economics. They don't
16 get as very much engaged in bringing all those
17 formal economies into the formal economy.

18 So, a lot of efforts from the
19 government has been put out in that test.
20 However, the -- to reach into that type of
21 industries we're doing inspections and
22 according to what the government entities have

1 in their possibilities of budget and of work
2 force.

3 We acknowledge that we have there
4 a big problem, but also acknowledge that we
5 are really putting a lot of effort to try to
6 reduce as much as we can that -- that problem.

7 One of the strategies is to bring
8 new opportunities and better economic
9 conditions to those people, and that's why
10 Colombia has been, since 2002, in an effort to
11 insert the Colombia economy in the world's
12 economy, and that's why we have been open
13 market for our exporters so that the supply
14 chain can benefit from that kind of new
15 markets.

16 So, I believe it's more global
17 strategy than a specific one, and we will --
18 we would like to continue working together
19 with DOL and to receive some lights on how to
20 address this kind of problems and especially
21 to those areas that we mentioned before that
22 are difficult to reach, even by ourselves.

1 CHAIRPERSON VETTER: Thank you
2 very much, Mr. Triana. In order to keep on
3 schedule we are going to go ahead and go to
4 the next speaker. We look forward to seeing
5 your written comments and appreciate you
6 taking your time to be here today. We enjoyed
7 your presentation.

8 And our next speaker is Ms.
9 Antonia Cortese, the Secretary-Treasurer of
10 the American Federation of Teachers in
11 Washington, D.C.

12 MS. CORTESE: Thank you and good
13 morning to all of the members of the
14 Consultative Group.

15 CHAIRPERSON VETTER: Could you
16 push your microphone on, please.

17 MS. CORTESE: Thank you. I got it
18 closer. I just didn't push the button.

19 As indicated, I'm Antonio Cortese,
20 Secretary-Treasurer of the 1.4 million member
21 American Federation of Teachers. And the
22 reason I raise that is that most of our

1 members have an opportunity to work with
2 children, obviously, pre-K through 12, our
3 higher education members, the nurses that we
4 represent, and public employees, and
5 paraprofessionals.

6 So, children are very much a
7 concern of our membership. I'm also co-chair
8 of the Child Labor Coalition and a trustee of
9 the Food and Health, which is a nonpartisan
10 advocate for democracy around the world.

11 I'm pleased to be here today to
12 discuss your important mandate to develop a
13 program aimed at eliminating child labor in
14 agriculture imports, and implementing a system
15 that will provide American consumers with
16 assurance that they are not unwittingly
17 supporting the exploitation of children when
18 they go grocery shopping or through other
19 everyday purchase.

20 Probably the focus mostly of my
21 remarks today will be on child labor. Seventy
22 percent of all child labor is in agriculture,

1 according to the World Bank, and this is
2 probably true because fewer agricultural
3 workers are organized in unions or other
4 representative associations.

5 And secondly, a large number of
6 workplaces, individual farms, makes working
7 conditions more difficult to monitor.

8 Adding to that difficulty is the
9 fact that many agricultural workers are exempt
10 from coverage by their nation's labor laws
11 because they work on a temporary contract or
12 seasonal basis. In fact, we have that
13 experience here in the United States.

14 Part of the 3205, of the Food and
15 Energy Security Act, the Farm Bill,
16 establishes or addresses the difficulties and
17 establishes a voluntary third-party monitoring
18 verification system that would look at what is
19 imported into this country and if that is
20 performed by child labor.

21 Now, you may ask why AFT is this
22 much involved in child labor. First, I've

1 said it's the nature of their work, but also
2 a child who's in a field or doing work is a
3 child who is not going to school, and not
4 getting a basic education, and is being
5 deprived of the opportunity, then, to be an
6 economically viable person in that country,
7 which is somewhat short-sighted on the part of
8 countries to use child labor.

9 And I think the second thing is
10 that our members and their families which
11 comprise millions of people, really want to
12 make informed decisions. I can assure you
13 that the AFT will be aggressive about
14 informing our members.

15 Once consumers have ready access
16 to reliable information about the use of child
17 labor, a very high percentage will not
18 purchase products that are brought to the
19 market with such practices.

20 So, we're confident that consumer
21 choice will drive the effort to end child
22 labor, and free market decisions will also

1 drive that decision. We're not asking for any
2 ban or boycott, simply asking for the consumer
3 to be informed.

4 Now, I want to just go into some
5 suggestions in your mission of monitoring that
6 might be important. It should establish a
7 reliable certification program for
8 agricultural products.

9 All stages of the supply chain
10 should be subject to traceability and
11 inspection requirements. There should be
12 annual on-site inspections of each farm and
13 handling operation by a certification body or
14 agent.

15 It should allow for
16 multistakeholder participation. There should
17 be comprehensive conflict of interest policy
18 for certification bodies and agents that must
19 be credible.

20 It should also include an
21 anonymous grievance procedure that is open to
22 third parties. This would allow for new or

1 continuing violations to be identified and
2 provide protection for whistle-blowers.

3 We think that the Department of
4 Agriculture's experience and expertise can be
5 very helpful. One of the most analogous ones
6 is the National Organic Program developed to
7 identify reliably produced agricultural --
8 organically-produced agricultural products.

9 So, now that my time is up and I
10 still have three or pages that I should have
11 gone to, I just want to commend you again for
12 taking on this important task and as the
13 process moves forward, that we will do what is
14 necessary to allow children to be children,
15 including the ability for them to get an
16 education. Thank you.

17 CHAIRPERSON VETTER: Thank you
18 very much, Ms. Cortese, and we would, of
19 course, remind you that we would welcome your
20 full comments for the record and any
21 additional items you may want to put in, in
22 your written comments.

1 Are there any questions from the
2 Consultative Group members for Ms. Cortese?

3 MS. ATHREYA: Thank you very much,
4 and we really appreciate the AFT's overall
5 leadership in the fight to end child labor
6 that you've been a part of.

7 My question, since you don't have
8 time to go into your comments is about child
9 labor monitoring systems, and if you can talk
10 a little more about perhaps what is AFT's
11 vision of how effective systems work through
12 all the different stakeholders, in particular
13 the role of unions in these systems.

14 MS. CORTESE: Well, I think
15 stakeholders are very important because you
16 want to have multiple perspectives, and I
17 think, to some of the speakers that you've
18 asked to come and give you that, but I think
19 it is important to get information from human
20 rights and faith organizations, labor unions
21 and worker representatives, consumer
22 advocates, agricultural businesses, producers,

1 suppliers and processors and socially-
2 responsible investors, nongovernmental
3 organizations and government agencies which
4 have the authority and expertise to develop
5 measures to reduce child labor.

6 AFT is involved in trying to point
7 out places when -- from multiple perspectives,
8 we get information. And I think that's the
9 only way that you'll have a reliable system is
10 if you have an opportunity for a lot of people
11 to make input at different phases.

12 CHAIRPERSON VETTER: Can I remind
13 each of the group members to introduce
14 themselves before their question.

15 AMB. CdeBACA: I'm Lou CdeBaca,
16 Ambassador At-Large to monitor and combat
17 trafficking in persons. I'm very happy to see
18 the energy that AFT's bringing to this. In so
19 many cases just here in the United States the
20 abuse of children often enslaved as domestic
21 servants or other things has been brought to
22 light because of teachers or school nurses or

1 counselors are the ones who notice that, that
2 child holding their side or hurting or coming
3 to school sick or things like that.

4 And so, I think my question
5 actually is, because we're never shy about
6 looking to try to take energy and turn it into
7 partnerships is a pleasure to come to you and
8 to work with AFT and others to try to leverage
9 what our colleagues over at the Department of
10 Education are starting to do.

11 They're beginning to participate
12 in the Senior Policy Operating Group on
13 Trafficking in Persons, because they realize
14 that safe schools are schools where a child is
15 not going back to an abusive situation at
16 night.

17 And one of the things that I think
18 that we'll be hopefully seeing over the next
19 year or so is working on curriculum
20 development and other things as we march
21 towards the 150th anniversary of emancipation
22 here in the United States.

1 So, I just wanted to pledge that
2 we're going to be there for you and invite the
3 AFT and other teacher organizations to work
4 with the Administration so that we can really
5 take this out in the field.

6 MS. CORTESE: Certainly. We would
7 be happy to. We have some examples in New
8 York State when I was there. They developed
9 some modules for teachers to use and AFT has
10 also a lot of materials.

11 So, we would certainly work with
12 you and anyone to develop materials for
13 teachers. Thank you.

14 MR. POTTER: Ed Potter, Coca-Cola
15 Company. Thank you for the testimony. I was
16 a U.S. Employer Delegate to the ILO Conference
17 on the Child Labor, forced forms of child
18 labor. The then president of the AFT was the
19 U.S. Worker Representative on that -- that
20 committee.

21 I would be interested in the kind
22 of overseas engagement that the AFT engages

1 in, in the child labor space, and how you
2 network globally, and how that might intersect
3 with the business community.

4 MS. CORTESE: Well, last year I
5 was at the ILO when Senator Harkin -- they had
6 a two-day preconference on child labor and I
7 participated in that. So, we are active,
8 certainly, that way.

9 We also have an international
10 teacher organization, Education International,
11 that represents all the countries basically in
12 the world where there are labor unions, and
13 teacher organizations.

14 And so that gives us a viable
15 network to spread the word and to have them
16 also as engaged as we are. But, no, we will
17 keep our ILO engagement, certainly, at a high
18 point now that we've participated.

19 And it was a pleasure to work with
20 Senator Harkin.

21 CHAIRPERSON VETTER: Thank you
22 very much, Ms. Cortese, for being with us

1 today. We appreciate your time.

2 MS. CORTESE: Thank you.

3 CHAIRPERSON VETTER: Our next
4 speaker this morning is Mr. Darryl Knudsen,
5 senior manager of Strategic Partnerships for
6 Gap, Incorporated in San Francisco.

7 MR. KNUDSEN: Good morning. My
8 name is Darryl Knudsen. I am Gap, Inc.'s
9 director of public policy and stakeholder
10 engagement, working as part of our global
11 responsibility department.

12 I'm honored to be participating in
13 this discussion on such an important topic.
14 Thank you to the Chair for convening this
15 opportunity for public comment and for the
16 members of the Consultative Group for your
17 service.

18 I would like to extend a personal
19 hello to those of you I've worked with for
20 many years, as well as to those of you I've
21 met more recently.

22 First, let me state our clear

1 position that under no circumstances is it
2 acceptable for child, forced or trafficked
3 labor to be used in the production of any Gap,
4 Inc. branded product.

5 We believe that having a robust
6 and thorough program to prevent, identify and
7 remediate labor rights violations is
8 important. We've been working on our program
9 for more than 15 years and while we're neither
10 perfect, nor alone in this regard, we do
11 believe more companies and more industries
12 should be doing more on these issues.

13 There are three core areas of
14 scope of our efforts. First there are the
15 actions we are taking ourselves within our
16 direct supply chain. Before any factory can
17 manufacture apparel designed or branded by
18 Gap, Inc., it must undergo evaluation against
19 our standards and be approved by our social
20 responsibility team.

21 Our team of nearly 80 employees
22 around the world conducts regular announced

1 and unannounced visits to factories that make
2 our product and works to root out and identify
3 areas of concern and address them.

4 In 2009, our team conducted more
5 than 2300 inspections of over 1400 facilities
6 worldwide and despite our rigorous approval
7 process, in preference to work with existing
8 suppliers to word improvement, in 2009 we
9 found it necessary to revoke the production
10 rights of 24 factories.

11 Because of the complexity of our
12 supply chain, we know that our standards will
13 not always be upheld. This brings me to the
14 second part of our program, which is working
15 together with others to amplify our efforts
16 within our direct supply chain.

17 Collaboration with relevant
18 stakeholders enables us to pool our collective
19 expertise, resources and influence to drive
20 the progress we want to see.

21 For us at Gap, Inc. that means
22 working closely with many groups, such as

1 human rights NGOs, retail companies, trade
2 unions, multistakeholder initiatives,
3 suppliers and governments.

4 It is worth noting that we believe
5 the better work model is the gold standard on
6 a number of levels in this regard and should
7 be closely examined by this committee for best
8 practices and possible revocation.

9 Gap, Inc., has worked closely with
10 Deputy Under Secretary Polaski and many others
11 for nearly a decade to build Better Factories
12 Cambodia and nurtured it into the Better Work
13 Program that is now extending its global
14 reach.

15 The third part of our program is
16 to work with others to create enabling
17 environment for workers' rights beyond our
18 direct supply chain.

19 We know our suppliers do not exist
20 in a vacuum. They exist in a context,
21 including standard industry practices,
22 cultural norms and too often an insufficient

1 rule of law, whether for reasons of lack of
2 capacity or lack of political will for
3 enforcement.

4 When a government cannot or will
5 not enforce this context also too often
6 includes an insufficiently robust civil
7 society to hold government and industry to
8 account.

9 For these reasons we also support
10 efforts to strengthen the neighboring
11 environment for people to enjoy the universal
12 human rights that they indisputably have.

13 There are three examples of our
14 work on forced, child and trafficked labor
15 that I would like to highlight briefly here.
16 A fuller accounting is in my written
17 statement.

18 First I would like to highlight
19 the contract labor requirements provision of
20 our code of vendor conduct. To my knowledge,
21 Gap, Inc. was the first and remains one of the
22 few companies to have such rigorous

1 requirements which were implemented ten years
2 ago.

3 Our approach emphasizes vendor
4 responsibility and accountability for ensuring
5 that foreign contract workers first receive
6 full disclosure, sign their contract in their
7 home countries and that they can return home
8 for any reason at any time and without
9 extraordinary debt or fear of reprisal. More
10 details in my written submission.

11 Second, I would like to highlight
12 our approach to addressing the diffuse supply
13 chain for handwork in India. We have put into
14 place a suite of policies, procedures and
15 programs. A key enhancement in recent years
16 is the limitation we've placed on the tiers of
17 subcontracting allowed.

18 We have also developed IT
19 solutions to track the location of handwork
20 each time that it is subcontracted by vendors.
21 All this provides increased visibility to
22 wherever the work is being done.

1 We are also actively working with
2 coalitions like the U.N. Global Initiative to
3 Fight Trafficking and the "End Human
4 Trafficking Now" initiative, among many
5 others.

6 Third, I would like to share how
7 our company has addressed our deep concerns
8 about the plight of children working in Uzbek
9 cotton fields under conditions of government-
10 orchestrated forced child labor.

11 In 2008 we notified our vendors
12 and mills that the use of Uzbek cotton is
13 prohibited in the production of our
14 merchandise. In 2009 we took our commitment
15 a step further and began a pilot tracking
16 program to trace the source of raw materials.

17 And we will continue to seek
18 solutions that enable us to find and exclude
19 Uzbek cotton from our brands products.

20 Gap, Inc. has worked as part of a
21 broad coalition to engage on this issue with
22 the U.S. Departments of State and Labor and

1 directly with Uzbek government.

2 I look forward to your questions
3 and thank you for the opportunity to speak
4 about this important issue to such an esteemed
5 and dedicated panel of professionals.

6 CHAIRPERSON VETTER: Thank you
7 very much, Mr. Knudsen.

8 Are there any questions from the
9 group members for Mr. Knudsen?

10 MS. EUGENIO: Thank you so much.
11 Marcia Eugenio from the Department of Labor.
12 One of the things that you mentioned is that
13 you -- first of all, I really look forward to
14 reading the complete statement, I think. You
15 have a lot of good information here.

16 But you mentioned that you like to
17 work together to amplify the efforts in the
18 supply chain to kind of collaborate with other
19 people, and one of the things that you
20 mentioned was the collective expertise,
21 resources and employee.

22 And I wanted you to talk a little

1 bit more about how Gap is using its influence
2 in countries where you are producing materials
3 to kind of bring about change.

4 MR. KNUDSEN: Thank you for the
5 question. Stakeholder engagement and working
6 collaboratively has been a cornerstone of our
7 program for many years, and a good example of
8 the work that I think we're trying to do is
9 the Better Work Program.

10 The Better Work Program has
11 participation from, of course, the
12 International Labor Organization, also in
13 countries in which it operates support from
14 industry, government and trade unions as well
15 as international buyers.

16 And we believe that the Better
17 Work Program is having real impact in 2009.
18 For example, according to a report from Better
19 Work, compliance rates in Cambodia regarding
20 freedom of association include at least 14
21 percent since the program started, and nearly
22 90 percent of factories participating have

1 levels of compliance.

2 Additionally, 90 percent of
3 factories in Cambodia's apparel industry were
4 paying correct wages and overtime rates.

5 Sandra Polaski noted in a paper before she
6 joined the Department of Labor that violations
7 found inside factories have declined with each
8 subsequent monitoring visit.

9 Better Work has also benefitted
10 our company. We have not had to fix problems
11 alone. In Cambodia the ILOs provided us with
12 enhanced credibility and expertise in factory
13 monitoring, freeing up resources for us to
14 focus on remediation of problems, capacity-
15 building and a core business.

16 The kind of collaboration we think
17 Better Work is the gold standard of, we have
18 additional programs and policies and practices
19 around the world, which one can find more
20 information about in our social responsibility
21 report that is referenced in my written
22 statement.

1 MS. ATHREYA: Bama Athreya,
2 International Labor Rights Forum. Thank you
3 very much. I actually just wanted to note a
4 comment on something in your testimony,
5 Darryl, and invite you to comment and expand
6 further.

7 One of the tremendous challenges
8 in many industries is simply knowing exactly
9 where the product is produced. And, as you've
10 noted, you're dealing with it both on the
11 beadwork, handwork and where we're talking
12 about hundreds of thousands of individual
13 home-based producers, and at the cotton end.

14 And in what cases you noted the
15 use of new technology, information technology
16 to help track and trace. And I think that's
17 one of the ways in which Gap is far more -- is
18 one of the leaders in innovating.

19 Can you talk a little more about
20 the technology you found to be useful in this
21 exercise?

22 MR. KNUDSEN: Thank you, Bama.

1 The supply chain in handworking there, as you
2 discussed, is incredibly complex, and that's
3 why we think it is so important to work with
4 others together towards solutions, in addition
5 to raising our direct responsibilities.

6 The IT solution, as you discussed,
7 are part of a broader suite of programs we're
8 working on, and we have begun rolling them out
9 on Uzbek cotton issues, and cotton in general
10 where we are conducting a pilot to try to find
11 ways to trace this source of cotton, together
12 with our vendors. We'll take learnings from
13 that, and expand that program.

14 In India we have begun to
15 implement IT solutions to help us trace where
16 our production is subcontracted, since
17 subcontracting is very prevalent in handwork
18 and risk increases the more levels of
19 subcontracting one finds.

20 So, in addition to our policy and
21 clear communication to our vendors limiting
22 the number of tiers for each of them to use,

1 we have implemented this IT system and are
2 continuing to roll it out to trace each time
3 that the product is subcontracted so we have
4 a -- our best shot at knowing where these
5 things are produced.

6 In addition to the IT piece, if I
7 can take just a moment, as I think it's only
8 a piece of the suite, we've also been working
9 quite closely with the initiatives I've
10 mentioned in addition to DVA which is an --
11 the Susan Mubarak International Women's Peace
12 Movement, and one project which I think is an
13 illustrative example, if I can take just a
14 moment.

15 On working together is the Mewat
16 Program in the embroidery belt in India.
17 Given the nature of the large informal economy
18 where most handwork and beadwork is done, it's
19 an important source of income in poorer areas,
20 especially for women who may not be able to
21 find productive sustained work. And it's been
22 difficult track handwork that's been

1 subcontracted.

2 In this particular project, we're
3 able to bring together a coalition of actors
4 from government, NGOs and suppliers that don't
5 typically come together to pilot a new
6 approach to managing handwork.

7 Some headlines from this are --
8 excuse me. And the India government has also
9 supported the project along with vendors from
10 the Training Institute.

11 Some highlights, this program
12 targets 20,000 women who are involved in the
13 garment industry. The management is handled
14 by the Society for the Promotion and Masses,
15 and the women are paid fair wages based on the
16 work they're doing. Wages have increased as
17 their technical sophistication increases.

18 And as part of the program, women
19 come to community centers and can either take
20 the work home or work at the center together
21 and giving them the flexibility towards
22 reasonable hours and ensure they are paid fair

1 wages.

2 Most importantly, this provides
3 transparency to how the work is being done,
4 and that the workers are being treated fairly.
5 The Mewat program is one of a number of
6 programs we're engaged in around handwork in
7 India, in addition to the IT solutions and the
8 other measures we take.

9 AMB. CdeBACA: Lou CdeBaca from
10 the State Department. Just briefly, the
11 notion of the contracts supplementing the lack
12 of regulation of the labor workers by the
13 governments themselves, as far as kind of
14 getting Gap into the immigration business, I
15 saw that NYU recently did this as well with
16 its construction work on their new campus in
17 Abu Dhabi, overlaying their construction
18 contracts on this.

19 And I'm wondering, now that we're
20 seeing not only the Gap, but for instance, NYU
21 doing this, what do you feel is the
22 competitive advantage that results for your

1 company in doing this?

2 One would assume that those who
3 are continuing to use the shady recruiters and
4 vendors may be able to beat you on price a
5 little bit. What is it that Gap feels it can
6 get out of doing this and actually going one
7 step further from what the governments are
8 requiring?

9 MR. KNUDSEN: Thank you for your
10 question. I think that to not fully embrace
11 your premise of the question, having child
12 labor, forced labor or trafficked labor
13 involved in producing Gap, Inc. branded
14 apparel is completely unacceptable to our
15 company and everything it stands for.

16 And the contract labor
17 requirements are a provision that we put in
18 place ten years ago as we became more aware of
19 the realities involved in foreign contract
20 workers' lives and the pressure that drive
21 their exploitation in host countries.

22 It's something that we have had an

1 opportunity to enforce, benefiting workers and
2 their families, and if you'd like to know more
3 about the business case for our entire social
4 responsibility program, we do speak to that in
5 our social responsibility report, but I think
6 it's a longer answer than I will have time for
7 here.

8 MR. GUYTON: Yes. Bill Guyton
9 with the World Cocoa Foundation. Darryl, I
10 was interested in your comments about the IT
11 solutions, and I was wondering if you could
12 talk a little bit more about that, what
13 specific IT solutions are you looking at and
14 the data collection, analysis and reporting of
15 that.

16 MR. KNUDSEN: Thank you for your
17 question, Bill. As mentioned, the IT
18 solutions are part of a broader suite of
19 programs we're undertaking, but we think
20 they're an important piece in the puzzle.

21 This is a new area and we have
22 been working in the case of tracing Uzbek

1 cotton with Historic Futures, which provides
2 traceability on a number of commodities, not
3 only on cotton.

4 And if you'd like to know more
5 information about the IT systems, themselves,
6 I'd be happy to be in touch after this
7 meeting, but not being an IT specialist, I
8 would have difficulty speaking coherently
9 about that in any detail here.

10 CHAIRPERSON VETTER: We have time
11 for one last question.

12 MR. MACRAY: Dennis Macray,
13 Starbucks Coffee Company. Thank you, Darryl,
14 for your overview and congratulations on the
15 work that you all have done. You've certainly
16 set good examples for us in a number of
17 industries.

18 Could you just clarify on the
19 Uzbek cotton example as a pilot? Have you
20 actually been able to trace and eliminate some
21 of the cotton at this point, or is it still in
22 the works?

1 MR. KNUDSEN: Thank you for your
2 question. Uzbek cotton is something we've
3 communicated quite clearly to our vendor and
4 mill base that we have prohibited from our
5 supply chain.

6 We feel that that prohibition
7 needs to be followed by additional
8 verification and traceability measures, which
9 is why we're working with Historic Futures and
10 other retailers to develop this work, and it
11 is part of the work we're doing as a broader--
12 part of a broader coalition of human rights
13 NGOs, socially-responsible investors, other
14 retailers, to try to drive change within
15 Uzbekistan and to find an excludance of that
16 cotton from our supply chain.

17 CHAIRPERSON VETTER: Thank you
18 again, Mr. Knudsen, for sharing Gap, Inc.'s
19 experience in their labor policies. We
20 appreciate you being here.

21 And our next speaker is Mr. Peter
22 McAllister, the executive director of the

1 International Coco Initiative in Geneva,
2 Switzerland.

3 MR. McALLISTER: Thank you. My
4 name is Peter McAllister, executive director
5 of the International Coco Initiative.

6 I would like to thank you for the
7 opportunity to share the experience of the
8 International Coco Institute for this
9 Consultative Group, in their important
10 deliberations.

11 Understandably, time is short, so
12 I will limit myself to some key points and I
13 will elaborate these in our written
14 submission, and why our conclusions lead us to
15 these serious things.

16 The ICI is an independent
17 foundation based in Switzerland. We've been
18 active since 2004 in practical concrete
19 programs to support the elimination of the
20 worst forms of child labor and forced labor in
21 the growing and processing of cocoa beans.

22 Our direct action programs are

1 currently implemented in Cote d'Ivoire, Ghana,
2 while we also work with a number of global
3 stakeholders to drive relevant change.

4 I submit that our work in Coco has
5 relevance to other smallholder agricultural
6 production such as rice, cotton, coffee, et
7 cetera.

8 We also strongly believe that in
9 acting to eliminate worst forms of child labor
10 and forced labor from agricultural produce.

11 We need to recognize the reality for the
12 majority of smallholder producers, they are
13 families who do not intentionally seek to harm
14 their children, often operate in challenging
15 circumstances with few services and little
16 support and their livelihood depends on their
17 ability to produce exportable products.

18 With respect to the objectives of
19 this meeting, our experience suggests the
20 following: Meaningful efforts to reduce the
21 likelihood that imported agricultural products
22 are made without worst forms of child labor

1 and forced labor must combine and integrate
2 efforts to monitor and verify their prevalence
3 which support appropriate efforts to address
4 the underlying forces of these uses. One
5 without the other will not be successful.

6 The criminal activity of forced
7 labor and trafficking needs specific and
8 robust action, but this action should not
9 characterize the response to the broader and
10 more widespread hazardous forms of child
11 labor.

12 The latter is primarily a social,
13 cultural and economic phenomenon aggravated by
14 lack of opportunities for education and
15 adequate social protection mechanisms.

16 The language of rescue and
17 rehabilitation, for example, may be entirely
18 appropriate for forced labor. They should not
19 apply to children working in the family
20 context.

21 Underlying hazardous child labor
22 is a complex mix of the ignorance of hazards,

1 lack of access to quality education and
2 training opportunities, the distortion of
3 traditional practices in a modernizing world,
4 as well as simple economic need, conditions
5 that also help create the torrents of forced
6 labor.

7 This reality demands a meaningful
8 process of social engagement to catalyze
9 solutions based on the evolution of
10 contemporary social norms, as well as programs
11 that meet the basic needs.

12 Imposing solutions or even
13 implying what might be called best practice in
14 other cultural settings is likely to create
15 superficial change at best.

16 Our challenge is first to try and
17 understand the context in which people live
18 and work and then be willing to adapt our
19 thinking, challenge our framework, seeing not
20 beneficiaries, but potential leaders of
21 change.

22 Community-based structures to

1 monitor worst forms of child labor are best
2 evolved from a changed local consciousness of
3 the needs of children and the role of the
4 community in their protection.

5 An imposition of externally
6 conceived and supported structures based on
7 organizational concepts that are not often
8 well-translated into the culture are not
9 likely to be effective or sustainable.

10 Worst forms of child labor and
11 forced labor are often coincident with regions
12 of inadequate economic resources and strained
13 institutions. However, even given this, only
14 sovereign governments have both the mandate
15 and the potential reach to put in place
16 effective strategies, therefore, actions of
17 other parties which are important should
18 primarily seek to encourage and support
19 effective national action.

20 Working with international plans
21 of action, industries can provide support and
22 innovation and help fill gaps in areas such as

1 social intermediation and education. But,
2 relying on social investment from business is
3 not likely to offer the broad-based, long-term
4 solution that is needed in these areas.

5 Industry does, however, have a
6 primary responsibility to work with others to
7 analyze the practices and norms in their
8 sector, from labor practices on the farm
9 through commercial practices in their supply
10 chain.

11 They should promote the adoption
12 of improved business practices that encourage
13 greater transparency, establish clear codes of
14 conduct and promote a sustainable business
15 model.

16 Achieving the vision of thriving
17 producer communities will mean that in the
18 future there is no place for worst forms of
19 child labor or forced labor.

20 International agencies, in
21 particular, donor or multilateral agencies
22 have an important role as partners for

1 governments. They can help to ensure
2 international standards or translate
3 international rule, policy and programs.

4 They can support the development
5 of national capacity for meaningful social
6 dialogue, institutional capacity to deliver
7 against mandates and fulfill the rights of
8 their citizens.

9 A note of caution, however,
10 extending supported short-term projects can
11 actually disempower national and local
12 institutions thereby perpetuating lack of
13 capacity.

14 Civil society has a particular
15 role as intermediaries, given the need for
16 intensive, meaningful dialogue with producer
17 communities, in addition to filling the gaps
18 and meeting need.

19 Like any self-learning process,
20 child labor monitoring is likely to be most
21 effective if it promotes self-reflection among
22 those who have the power to create change.

1 Third-party monitoring presents a
2 risk of being perceived, however well-
3 intentioned, as intrusive and punitive,
4 instead of promoting dialogue, reflection and
5 positive change.

6 Therefore, we suggest that
7 neighboring producer government departments
8 and agencies, communities and business,
9 creating their own monitoring mechanisms is
10 the key to driving change.

11 Verification, on the other hand
12 should offer the assurance of rigor,
13 transparency, comparable standards and an
14 independent vote of confidence of outside
15 stakeholders. Thank you.

16 CHAIRPERSON VETTER: Thank you
17 very much, Mr. McAllister. Consultative Group
18 members, are there questions?

19 AMB. CdeBACA: Lou CdeBaca from
20 the State Department. Mr. McAllister, I'm
21 pleased to hear, and I appreciate your
22 recognition of the criminality in forced

1 labor, whether that's for adults or children.

2 And given that in some of the
3 countries that we're talking about in Cote
4 d'Ivoire, Ghana, we are unaware, as of yet, of
5 any prosecutions of the farmer for enslaving
6 anyone.

7 There's been few prosecutions here
8 and there for forced prostitution, but whether
9 it's children enslaved on fishing boats on
10 Lake Volta or whether it's children in the
11 agricultural communities, we haven't seen one
12 prosecution that I know of, and I would
13 probably have to look back through the
14 trafficking persons report as done by the Bush
15 Administration to tell you that with any
16 certainty.

17 But I think that what we've seen
18 is that we need not only the cultural change,
19 we need not only the important remediation in
20 the cases that are not rising to the level of
21 involuntary servitude, and I think that we
22 would all agree there's a continuum of

1 exploitation.

2 The answers to those where a
3 situation falls on that continuum necessarily
4 would be different, the parent who ends up
5 having their children working on a farm when
6 they shouldn't be is very different than
7 somebody who has a bunch of kids or adults
8 enslaved on a farm, and we need to treat them
9 differently.

10 I guess the question that I would
11 have is how is it -- how can we not only do
12 the important work of remediation, getting the
13 kids back into school, making sure that adults
14 are receiving wages and having free labor on
15 one hand, while beginning to have that
16 conversation with the governments of Ghana and
17 Cote d'Ivoire, that there is a percentage of
18 folks out there who should be prosecuted, who
19 should be arrested.

20 It seems as though the last ten
21 years have resulted in a bit of impunity on
22 the part of the farmers as we try so hard to

1 work towards remediation on the other side.

2 MR. McALLISTER: I hope I got the
3 question in all that. Forced labor is an issue
4 in the cocoa supply as it is in other supply
5 chains and that's important to say that.

6 I think we've recently seen a
7 couple of prosecutions in fishing in Ghana.

8 AMB. CdeBACA: Yes.

9 MR. McALLISTER: I think the
10 underlying issue in all of this is an
11 important one. In Ghana in particular, Cote
12 d'Ivoire is a slightly different situation
13 because of the state of the government.

14 I'm confident in saying that
15 largely the debate, the political debate and
16 the placement of laws on books was on in
17 response to an external threat, not one that
18 has actually generated and benefitted from a
19 local political dialogue.

20 And therefore, though the -- in
21 the case of Ghana, the law is on the books and
22 in Cote d'Ivoire they will tell you that in

1 their constitution there's a clear statutory
2 statement.

3 There's not really been the public
4 debate, the political debate, the
5 presentation, dissemination of those issues,
6 and therefore reticence in addition to the
7 limitations on individual institutions,
8 actually put those in place.

9 And that's a difficult challenge.
10 If you speak to many Ghanians, they are very
11 aware of the realities on the ground, but
12 don't feel that they are able yet to put in
13 place the right strategies.

14 If you speak to those with
15 mandates who really, if you like, "get it,"
16 they don't have the resources voted in place
17 by their governments, actually go out to
18 implement those rules.

19 So I think we're in a very
20 difficult situation where we know the problem
21 exists. In the case where there are laws in
22 place, the issue now really is working to find

1 out what is actually blocking those laws being
2 actually implemented on the ground.

3 It's not just a resource issue.
4 It's both an attitudinal issue and risk, and
5 a desire for Ghanians, Ivoirians, or Cameroons
6 or whoever, to do this, not because it is an
7 external stakeholder, because this is a good
8 thing for their country.

9 So, I think there's a complex mix
10 of things that are happening which means we
11 don't see as much progress in this area that
12 certainly we would like to see.

13 MS. EUGENIO: Good morning, Peter.
14 It's nice to see you again. Thank you so much
15 for your testimony. I just had two quick
16 questions.

17 One, if you can expand a little
18 bit on your statement about the role that the
19 industry should play in addressing issues of
20 child labor and forced labor and what the
21 appropriate roles, from your perspective, of
22 the appropriate role is.

1 And also, if you can -- I know you
2 have spent some time in Ghana and Cote
3 d'Ivoire on the farms to kind of see what's
4 going on there.

5 But if you can give us your
6 thoughts on how increasing income for farmers,
7 and increasing livelihood, how that will
8 address or perhaps could be a strategy for
9 addressing the problem because you seem like,
10 even as the price of cocoa goes up, that the
11 income level of farmers are still remaining
12 the same.

13 So, what is happening in there to
14 -- to -- given that we know that child -- that
15 poverty is definitely one of the root causes
16 of the problem, how do we then work on making
17 sure that farmers also have a fair share of
18 their efforts.

19 MR. McALLISTER: Thank you.
20 That's a good question. I'm not a commercial
21 person so I'll offer the response that we get
22 working with the partners we work with on the

1 ground and with what the communities tell us.

2 Firstly, there's no doubt there's
3 an economic dimension to use of child labor,
4 certainly for smallholder producers. While
5 certain things can be changed in terms of
6 attitudes and education provision, the long-
7 term solution has to be built on an economy
8 that doesn't need children to work, and that
9 those same producers can invest in
10 communities, can support the school and
11 provide the wherewithal for children to go to
12 school and to be trained.

13 So, the marriage of that is very
14 important, and I say marriage because the
15 increased economic production without building
16 social capital or increasing social awareness
17 does not solve the problem, either.

18 As to why the price doesn't
19 translate into great income for farmers, that
20 is a complex one I wish I knew the answer to.
21 And it's why we would call, for example, for
22 industries to work with greater transparency

1 in the supply chain, to look at the business
2 model, because it's not sustainable to believe
3 that farmers who really can't make a living
4 want their children to work in the future.

5 We know they don't. So, it's not
6 a sustainable business model, essentially by
7 having an impoverished end of the supply chain
8 now, so in addition to the child labor
9 dimension, our core for business has been
10 looking at that.

11 I think you're starting to see,
12 and I will talk about in our notes, different
13 approaches from different companies in
14 different collections of industries, so we can
15 get certification models.

16 You see in Europe a number of
17 companies now promote and go fair trade, which
18 implies a greater investment involvement in
19 their supply chain and transparency of that.

20 They may be part of the solution.
21 It's too early to tell, but I think that has
22 to happen if we're looking at profitable

1 community as well as the attitudinal change
2 that will drive the final elimination of child
3 labor.

4 MS. EUGENIO: Can you just make a
5 comment about the role of the industry? You
6 started to talk about --

7 MR. McALLISTER: Yes. I missed
8 that. And I think in smallholder agriculture
9 produces some challenge, because many of the
10 big company names that we know about are often
11 removed, one, two, three, four steps from the
12 supply chain.

13 I think what we're seeing with
14 companies who now have looked at their supply
15 chain in detail is that doesn't work, and a
16 greater involvement, working with partners,
17 working with institutions nationally, working
18 with governments, to take another look at that
19 center has got to be the way for -- it's a
20 mutual self-interest.

21 So, as I say, putting in place
22 schemes that offer certification, working with

1 organizations like the Ghana Cocoa Board, for
2 example, to actually look at the way they do
3 the extension system and how they can be
4 involved in monitoring for child labor.

5 Some of the things that are
6 starting to happen -- and to be clear about
7 this, they're starting but not end processes,
8 but you're seeing a much more deeper
9 engagement of the companies in that supply
10 chain, because the realization that this is
11 about a sustainable supply chain that will
12 help drive the elimination of child labor.

13 CHAIRPERSON VETTER: Thank you
14 very much for your statement, Mr. McAllister,
15 and you've highlighted some of the complexity
16 of the issue we're dealing with today.

17 Our next speaker is Ms. Vicki
18 Walker, the Child Labor Program director
19 Winrock International.

20 MS. WALKER: Thank you very much
21 for having me for this panel. I appreciate
22 being in the middle, because some of the

1 things I was going to mention have been said
2 very well, and I'm sure there will be more in
3 terms of solutions as we progress.

4 I'd like to just start by saying
5 our approach to remediation is based on three
6 guiding principles. The number of child
7 laborers in a country's child population
8 should be considered as a key indicator of
9 economic and social development.

10 International Labor Organization
11 World Report, 2002, "The intersection of child
12 labor and education is a key to development
13 and poverty reduction."

14 Winrock International, 2003, "NGOs
15 should seek to promote innovation and
16 strengthen capacity within the government
17 system rather than developing parallel
18 solutions." Council for Global Education,
19 2006.

20 Winrock International is an
21 institute, nonprofit, that works to increase
22 economic opportunity, empower the

1 disadvantaged and protect the environment.

2 Within this scope we have included
3 child labor and education, trafficking
4 prevention and education. Winrock is focused
5 on the Department of Labor funded Community
6 Based Innovations to Reduce Child Labor
7 through Education, which was an unusual
8 innovative program to empower local
9 organizations to address child labor issues,
10 their own solutions, and with their own
11 community-based monitoring systems.

12 As a result, we also were working
13 in the cocoa sector to prevent child labor in
14 terms of children migrating from Mali into
15 Cote d'Ivoire as well as in Cote d'Ivoire.

16 The replication and scaled-up
17 child prevention programs have progressed to
18 focusing on small-scale agriculture, not only
19 finding children in small-scale agriculture,
20 but responding and training back in
21 agriculture in the same sector to those same
22 children.

1 This statement is in the context
2 of our experience and collaborative working
3 with governments, ILO/IPEC partner
4 organizations, the World Cocoa Foundation,
5 USAID and US Department of Labor.

6 Smallholder farming, as we have
7 said, contributes to about half the gross
8 domestic product of any developing countries.
9 The average age of coco farmers is 40 to 50
10 years old, of other farmers as well.

11 The largest proportion of
12 potential future farmers are youth and over 50
13 percent in most of the developing countries
14 are under 35.

15 Meanwhile, youth continue to
16 migrate to urban areas in search of
17 educational and employment opportunities.
18 Despite increased world urban migration, 70
19 percent of the youth are still in the rural
20 areas, and we've seen some show that even
21 after five years of migrating to urban areas,
22 they're coming back.

1 Therefore, the child labor problem
2 has to be seen in terms of small-scale
3 agriculture in the nonformal sector. There's
4 a widening gap in education and economic
5 opportunities.

6 We've touched on that this
7 morning. How do we reach the informal sector,
8 the less regulated child labor in small-scale
9 agriculture.

10 Our hypothesis at Winrock is that
11 if appropriate agriculture technologies are
12 available and agriculture is seen as
13 profitable and a business enterprise for
14 youth, they are more likely to choose this as
15 a viable option and profession, rather than
16 seeing it as something to leave.

17 Overall child labor can even be
18 prevented, as most children are coming from
19 these rural areas. Finally, more parents are
20 more likely to encourage children to attend
21 school if the education is relevant, includes
22 agriculture training and traditional values

1 that are offset by modern technologies.

2 It is critical to work with local
3 and national governments. First of all,
4 before any entry, the governments need to be
5 involved partners and engaged. It is their
6 program.

7 The livelihood model that has been
8 generated through support from partners and
9 donors has included training and educational
10 alternatives for children and youth, nonformal
11 and formal.

12 A nonformal education could be
13 more highly-regarded and given credit in terms
14 of youth for basic education to perhaps help
15 us also meet the ultimate goals of primary
16 education.

17 This program also involves IT --
18 ICT development, agromarketing and enterprise
19 skills. Remediation also includes monitoring,
20 as we've discussed. Monitoring is not only
21 policing. Monitoring is a form of
22 remediation, a form of civil society and

1 community strengthening.

2 It's necessary when there are gaps
3 and when auditors can come and see and use and
4 work with documentation that has been gotten
5 on a regular basis from community-based
6 monitoring.

7 How does that take place and is it
8 feasible at the small household level? We
9 propose that it is. It is if you involve
10 parents, if we involve school committees, if
11 we involve focus groups, if we learn to
12 integrate with existing structures, such as
13 most vulnerable children committees that sit
14 side-by-side with child labor committees that
15 have many of the same children.

16 We need to merge. We need to
17 collaborate. We need to work closely with the
18 governments to ensure that these are
19 coordinated efforts.

20 And finally, as I say, and as has
21 been said already, it's recommended that, in
22 terms of monitoring and remediation that child

1 labor be collaborative, whether it is
2 certification, whether it is a method of fair
3 trade, whether it is increasing farmers'
4 prices, improving education, improving
5 services.

6 We need to work together to
7 collaborate on the round to make sure that
8 we're able to monitor, able to verify and able
9 to reduce child labor collectively. Thank
10 you.

11 CHAIRPERSON VETTER: Thank you
12 very much, Ms. Walker.

13 Are there questions from the
14 Group?

15 MR. EDMONDS: So, I thought your
16 emphasis on Winrock's experience with
17 monitoring sounded very interesting, and I'd
18 like to hear a little bit more about that.

19 We'll often hear sort of
20 statements about, oh, we can't deal with
21 smallholder child labor and agricultural
22 sector because it's really embedded within the

1 society as a whole.

2 We have to end poverty or change
3 norms before we can do anything, which can be
4 an excuse for inaction. And I think Winrock
5 has, I think, some experience, both in kind of
6 community-based monitoring and some worksite-
7 based monitoring, and of course, school-based
8 monitoring would be a third option.

9 If you talk a little bit about
10 your experiences, and there's three different
11 types of monitoring.

12 MS. WALKER: Yes. Thank you for
13 that question and for acknowledging that
14 combination of experience. I think the most
15 important is the community-based monitoring
16 which we and hundreds of other organizations
17 have learned in the last ten years, working
18 with the Department of Labor's very strong
19 guidance on how to -- how to implement
20 monitoring programs.

21 So, we have learned, and it's been
22 in the learning process, to also reach to that

1 higher level, though, because of that
2 experience of working with local and national
3 governments so that it transcends up as well
4 as down, which has helped to, I think, bring
5 together the importance of working at both of
6 these levels through the same organization.

7 And in terms of the -- the sort of
8 midlevel, though, what we found is that
9 working at the district level is really one of
10 the keys. The national level is important,
11 and the community-based level can actually be
12 the strongest, most powerful, because it's
13 civil society.

14 Once organized into focus groups
15 and working with a volunteer system, we see it
16 as highly sustainable. But where does the
17 sustainability come? It comes from working at
18 the district level while we're training to
19 advocate for, understand more of those
20 practices and also train and empower those
21 officials to be able to adopt the programs and
22 take them forward.

1 CHAIRPERSON VETTER: For
2 questions, I remind each of the members to
3 introduce themselves before their question.
4 Thanks you.

5 MS. EUGENIO: Marcia Eugenio,
6 Department of Labor. Vicki, thanks again, for
7 your testimony and for the good efforts you
8 are undertaking in this area.

9 I was wondering if you can speak a
10 little bit more about the statement that you
11 made about from rural to urban migration, and
12 reversing that trend, and what would it take
13 to kind of really make work in agriculture in
14 general, but perhaps in cocoa specifically, is
15 something that young people want to engage and
16 kind of continue that information.

17 MS. WALKER: Thank you. Yes.
18 Well, this is a very compelling, you know,
19 phenomenon. It's very natural and will always
20 be, that rural populations will move to urban
21 areas. It is a critical part of development,
22 and sometimes it's considered an indicator of

1 development.

2 However, what we've seen is that
3 in many of the rural areas, particularly in
4 developing countries where small-scale
5 agriculture is the mainstay, that the tendency
6 to not be able to find work because there
7 isn't really even a commercial economy, and to
8 be into -- going into the cities.

9 We found that many of the youth
10 would prefer to stay home, but they haven't
11 been able to because they don't have the
12 option. So, while this is still a, you can
13 say, a relatively pilot scale, we see it being
14 replicated, that given the options, given a
15 type of value chain that can emanate from
16 entrepreneurship, from small enterprise, small
17 businesses, not micro, but can be linked to
18 middle-income entries.

19 And here's where I think -- sorry,
20 middle-income regions. But, where industry,
21 I think, can have a role, which is investing
22 in small organizations, small companies, along

1 the value chain so that young people in that
2 youth bracket, instead of that youth bulge
3 moving to cities, have job opportunities.

4 It doesn't necessarily have to be
5 in the product, but it could be in any of the
6 supplies services that will enhance that,
7 provide jobs. And ICT, we're finding is not
8 only interesting for opportunities, ICT
9 centers for youth and for families and
10 communities, but we came up also, how can this
11 be used for data-gathering, you know, working
12 with ministries, with district officers, with
13 communities in learning how to handle small
14 palm pilot hand-held devices.

15 This also trains in a type of
16 technology that could be useful for other
17 types of income generation and jobs. So, I
18 think it's that -- building that chain, that
19 will help stem this end, in turn, you know,
20 stimulate the rural economies.

21 CHAIRPERSON VETTER: Thank you
22 again for your time, Ms. Walker. We

1 appreciate you being here today.

2 Our next speaker is Mr. Kilian
3 Moote, the Director of Advocacy for the "Not
4 For Sale Campaign."

5 MR. MOOTE: To start off, I want
6 to say on behalf of the Not For Sale Campaign
7 and the president of the campaign, David
8 Batstone, I thank you for the opportunity
9 today to present. It's an honor to be a part
10 of a prestigious group of presenters and to be
11 able to share the perspective of a
12 constituency organization and one that
13 represents a large base of interested
14 consumers.

15 The Not For Sale Campaign is a
16 national organization working to inform and
17 engage every individual and the issue of labor
18 trafficking and forced labor, with specific
19 emphasis on the consumer connection to these
20 severe labor abuses.

21 Since launching three years ago we
22 have seen an exponential growth, an increasing

1 interest among consumers eager to know how
2 their products are produced.

3 For example, the average
4 informational event three years ago would have
5 about 20 to 25 people in attendance, this same
6 event in the first quarter of this year has
7 reached out and formed over 14,000 people.

8 Our constituents in the individual
9 in attendance at these events have been
10 largely interested in understanding how their
11 products are produced and eager to know if
12 they are connected to forced labor in any way.

13 As a campaign we are extremely
14 active in 27 different states, particularly
15 among college-age individuals and faith-based
16 communities.

17 We found that while the majority
18 of these constituents are eager to know how
19 their products are produced, they find it
20 difficult to comprehend the complexity of the
21 production process and often cannot identify
22 what effective practices actually reduce the

1 likelihood that severe labor abuses may be
2 occurring.

3 In response to the interest of our
4 constituents, and what we saw was an
5 information goal for the Not For Sale
6 Campaign, along with the International Labor
7 Rights Forum, developed a website,
8 free2work.org. That's "free 2 work.org."
9 That's free, the number 2, work.org, which
10 serves to inform users as to how their goods
11 are produced in an objective way.

12 This website simplifies the
13 information process by presenting a grade for
14 each company on the likelihood that forced
15 labor and/or child labor could be occurring.

16 Each company receives a grade
17 which is posted on their site profile, along
18 with the complete score card made up of around
19 40 different evaluation criteria.
20 Additionally, recommendations for how the
21 company can possibly improve their grade are
22 posted.

1 The free2work website divides
2 companies into specific product categories.
3 It allows for consumers to create a profile
4 and interact by sharing resources with other
5 users or posting comments.

6 To date the site features ratings
7 on 16 different product categories with an
8 increasing amount of companies within each
9 category.

10 As an organization, the Not For
11 Sale Campaign feels that the best way to
12 combat these severe labor abuses is to create
13 a work environment where the ILO's four
14 fundamental principles and right of workers,
15 to evaluate how effectively companies can
16 ensure these fundamental rights are observed.

17 The grading process is divided
18 into five specific categories. Within these
19 five categories, between 30 and 40 evaluation
20 questions are used. Specifically the five
21 categories are, code of conduct and the
22 governing policies of the given company.

1 Code implementation. To what
2 extent does the company implement their
3 governing documents?

4 Employee empowerment. To what
5 extent does the company ensure worker freedoms
6 and observe -- are observed and protected?

7 Child labor remediation. How does
8 the company deal with child labor issues?

9 Transparency. How much
10 information is provided to the public?

11 Prior to posting these grades, we
12 provide a draft score card to the company to
13 receive their feedback and to hopefully answer
14 any remaining questions that we may have.

15 To date, thus far, our grading
16 process has focused upon major consumer
17 holiday and consumer periods in which our
18 constituents would be eager for additional
19 information.

20 We have begun prioritizing
21 additional ratings by receiving response from
22 specific users as to what products or product

1 categories they would like more information
2 on.

3 A recent poll on the free2work
4 site from our site users, of all the various
5 product categories, indicated that 46 percent,
6 or almost half of our users, would
7 particularly like more information on how
8 their agricultural products are produced.

9 Then I think it's fair to say that
10 our constituents will find the recommendations
11 presented by this Consultative Group of
12 particular interest in immensely informative
13 for them.

14 I thank you for your time and the
15 opportunity to present our rating tool for
16 your consideration and I will gladly answer
17 any questions that you may have.

18 CHAIRPERSON VETTER: Thank you
19 very much for your comments, Mr. Moote.

20 Are there any questions from the
21 Consultative Group?

22 (No response.)

1 CHAIRPERSON VETTER: I have a
2 question, then, for you. Let me pop in. You
3 mentioned in your comments that once you have
4 given sort of that initial grade to a company
5 you allow the company to sort of comment on
6 that and provide additional data.

7 But when you are first gathering
8 the initial data to provide that, how
9 difficult is it for you to find reliable
10 information, what sources of information do
11 you use to make that first assessment, in the
12 sense of that your process you can provide
13 would be great.

14 MR. MOOTE: That's a great
15 question. Thank you so much. This is a large
16 portion of this rating process has to do with
17 transparency. We first begin by looking to
18 the information that the company provides
19 publicly and use that as our first ability to
20 analyze the information.

21 One of our factors within one of
22 our specific areas are, have there been

1 examples of complaints or retaliation against
2 workers in cases in which they are trying to
3 organize or attempt to organize, or have there
4 been cases in which child labor has been
5 uncovered within the production process.

6 So, those are kind of the initial
7 information that we look to. The value for
8 our consumers is that we're looking at
9 publicly accessible information or information
10 that the company is able to provide publicly.

11 MR. EDMONDS: Eric Edmonds from
12 Dartmouth. With that sort of system based on
13 public information, one of the concerns that
14 a lot of individuals might have would be the
15 companies that are very forthcoming about
16 problems and efforts to deal with child or
17 forced labor and the value chain might be
18 penalized relative to companies that do
19 everything they can to conceal and hide any
20 such problems, if that were to occur.

21 And I'd be curious just to hear
22 how you all deal with this problem of

1 penalizing those who are most forthcoming.

2 MR. MOOTE: That's a great
3 question. An appropriate response would be
4 that, because transparency is a portion of the
5 grading process, whether it's their providing
6 information that might indicate that they are
7 -- there's forced labor or child labor or
8 employment issues occurring in location being
9 evaluated -- because these factors make up a
10 significant portion of the grading process --
11 we try and offset those issues with the fact
12 that any information that is available
13 publicly is going to improve their grading
14 system.

15 MR. GUYTON: Hi. Bill Guyton from
16 the World Cocoa Foundation. I haven't had a
17 chance to look at the website, so this
18 question may be a bit naive, but I'm thinking
19 if you're rating a company on an A to F level
20 or however it's done, if a company is dealing
21 with multiple commodities and multiple value
22 chains in multiple different countries, how do

1 you rate that, given that there may be a lot
2 of discrepancies between one country to the
3 next and one product to the next?

4 MR. MOOTE: That's a great
5 question. And, large, again, we're looking at
6 the information that they're making public
7 and, depending on the specific industry or
8 commodity itself, there might be additional
9 valuation questions that you need to consider.

10 And there's questions along the
11 lines of how -- within the implementation
12 process, how deeply do they go into tracking
13 the end of their supply chain. And the grade
14 itself is more along the lines of to what
15 level of insurance or likelihood is that
16 company engaged in with this issue.

17 CHAIRPERSON VETTER: Thank you
18 very much for being with us today Mr. Moote,
19 and we appreciate your comments.

20 MR. MOOTE: Thank you so much for
21 your time.

22 CHAIRPERSON VETTER: Our next

1 speaker is Mr. Roger Quarles, president of
2 Burley Tobacco Growers Cooperative Association
3 and the International Tobacco Growers
4 Association in Lexington, Kentucky.

5 MR. QUARLES: Good morning to all,
6 just basically the panel and to the interested
7 audience that we have in the back.

8 I am Roger Quarles, a tobacco
9 grower from Georgetown, Kentucky. I speak in
10 my capacity of president of over 8,000 grower
11 members of the Burley Tobacco Grower
12 Cooperative Association from five states.

13 A portion of my comments will be
14 from the knowledge I've gained as president of
15 the International Tobacco Growers Association.
16 ITGA represents 85 percent of global tobacco
17 production, grown in 22 member countries.

18 While child labor is prevalent in
19 most all agricultural sectors, I'll speak only
20 to tobacco growing. Most tobacco, and
21 especially Burley tobacco has a history from
22 small family farms, nowadays referred globally

1 as small stakeholder agriculture.

2 When we speak of the abuse of
3 children in tobacco production it's paramount
4 to recognize how safer it is for farm families
5 to work together to accomplish tasks. I'm
6 sure we all agree parents are the first-line
7 of protection for their children where seldom
8 ulterior motives lead to harmful activities.

9 Most farm families would consider
10 this as learning needed life experiences while
11 aiding family subsistence. It is therefore
12 important to separate small versus large
13 stakeholders within the agricultural sector,
14 especially tobacco.

15 Any abuses mentioned today will
16 primarily be found on large estates producing
17 enormous commercial size poundages. The exact
18 same task that may last one to two hours daily
19 from small farms should not be considered
20 abuse or even compared to children houses on
21 large estates with the same task expanded for
22 long hours or even days on end.

1 There are easily validated reports
2 of child labor abuse where some would say it's
3 forced, if not slavery in some instances.
4 These are largely concentrated in Africa and
5 some in Asia.

6 Abject poverty and family units
7 destroyed by disease, particularly HIV, force
8 children to become sometimes self-providers to
9 their surviving family members.

10 Many countries have little
11 industrial resources and those that do utilize
12 children in factories for the same reasons.
13 Whatever the reasons, the large commercial
14 estates benefit tremendously by the low-cost
15 labor of minors.

16 Usually governments simply look
17 the other way to bring the needed revenue for
18 its Burley tobacco leaf.

19 Global leaf prices are constantly
20 almost doubled when comparing developing
21 countries which are part of abuses as opposed
22 to countries such as the United States or

1 Brazil that do not allow such practices.

2 Our presence today is also to
3 communicate how this price disparity driven by
4 child labor abuse affects economic
5 competitiveness of our U.S. tobacco growers,
6 forced to sell our leaf against the much lower
7 cost of typical developing countries' product.

8 They pay fractional wages, if any,
9 beyond sustenance to those children. USA
10 growers have federal, state and local mandates
11 that effectively prohibit these activities.
12 This is enforced at the risk of employer fine
13 or even jail time if children are set to any
14 different standards than adults. Indeed,
15 minors have higher standards in most
16 instances.

17 Great success has been recent
18 reported and mitigated child labor abuses in
19 tobacco. The ECLT Foundation, supported by
20 industry stakeholders, as well as all major
21 leaf buyers, as well as IUF, ITGA has
22 established programs with proven positive

1 results that reduce children's present in
2 tobacco fields.

3 Schools are built and utilized.
4 Education to parents emphasizing opportunities
5 to their children's futures succeed. Even
6 practical projects such as boring nearby
7 irrigation wells that allow children to spend
8 less time obtaining water, leaving more time
9 for school.

10 We believe more is possible to
11 improve tobacco workers' financial well-being
12 and would remove children from harmful
13 workplaces.

14 WTO tariffs can and should be used
15 to equalize similar products in the
16 marketplace and could exist with those
17 perceived dedicated to the social pressures
18 now permitting abuse.

19 Tobacco production should not
20 cease in those countries as manufacturing will
21 insist on maintaining production diversity to
22 safeguard ample supplies in the world.

1 Raw tobacco leaf ingredients are
2 typically the least cost of consumer products
3 with world prices raising from \$2.50 to \$8 a
4 kilo, and that depends more so on the country
5 of origin rather than quality.

6 There's ample room in price
7 equalization tariffs to help eradicate child
8 labor abuse in tobacco. And we look forward
9 to further progress aided by this committee
10 findings and resulting actions to eliminate
11 disparities. Thank you.

12 CHAIRPERSON VETTER: Thank you
13 very much for your comments, Mr. Quarles.

14 Are there questions from the
15 Group?

16 MR. MACRAY: Hi. Dennis Macray,
17 Starbucks Coffee Company. Just to clarify,
18 are you saying that the primary driver for
19 economic competitiveness in tobacco
20 internationally is child labor, or is it low
21 wages?

22 MR. QUARLES: Well, low wages and

1 child labor tend to fall in the same bracket.
2 If there's a labor standard in the country
3 that applies to whatever the adult wage is, I
4 think that's a fair economic competitive
5 issue.

6 But when you're using children
7 that cannot demand or expect to demand and
8 receive a fair wage for the same work, that
9 becomes a competitive issue, of course.

10 MS. ELLIOT: Thank you, Mr.
11 Quarles. Isn't it correct that the U.S. has
12 a 315 percent tariff on over quota tobacco?
13 How much more would you think would be needed?

14 MR. QUARLES: Well, that only
15 applies to tobacco that's over and above the
16 tariff rate quotas that exist.

17 And actually, if you want to
18 combat this on an international level, the WTO
19 could put tariffs on the countries that export
20 tobacco produced with child labor.

21 CHAIRPERSON VETTER: Thank you
22 again for your time this morning, Mr. Quarles.

1 MR. QUARLES: Thank you.

2 CHAIRPERSON VETTER: Our next
3 speaker is Mr. Avedis Seferian, director of
4 compliance administration for Worldwide
5 Responsible Accredited Production.

6 MR. SEFERIAN: Thank you, Madam
7 Chairperson. I thank you for this
8 Consultative Group, for the opportunity to
9 address this public meeting.

10 I will use my allotted time to
11 give you some information about the ongoing
12 efforts of an organization that, albeit in a
13 different industry, the apparel sector, deals
14 precisely with the issue of monitoring supply
15 chains with particular emphasis on reducing
16 instances of forced and child labor.

17 Worldwide Responsible Accredited
18 Product or WRAP, is an independent, nonprofit
19 organization dedicated to the certification of
20 facilities engaged in lawful, ethical and
21 humane production throughout the world.

22 We are headquartered in Arlington,

1 Virginia, and we're incorporated in the
2 District of Columbia in the year 2000, making
3 this year our 10th anniversary.

4 The WRAP certification program is
5 based on 12 principles, focusing on compliance
6 with local laws, workplace regulations,
7 universal workers' rights, of which clearly
8 forced or child labor are two very important
9 examples.

10 The environment, customs
11 compliance and security, facilities that
12 demonstrate proper adoption department and
13 monitoring of all 12 principles receives
14 certification for periods of six months to two
15 years, depending on various circumstances.

16 The certificates in question apply
17 to the individual facility, not a parent
18 company or a brand.

19 WRAP's comprehensive factory-based
20 model has made it the world's largest
21 independent social compliance certification
22 program for the apparel industry. In the year

1 2009, for example, over 1,850 factories from
2 around 60 countries participated in our
3 program.

4 Today WRAP is actually expanding
5 even further beyond apparel to include all
6 labor-intensive sectors, such as hotels,
7 jewelry, furniture construction, et cetera.

8 The WRAP certification process
9 requires applying factories to answered
10 detailed questions regarding their practices
11 in areas such as minimum age of the workers
12 employed, how they assure employment is fully-
13 chosen on the part of the workers, things like
14 working hours, regular and overtime wages,
15 health and safety and more.

16 When the application is complete
17 an independent monitoring firm then performs
18 a rigorous on-site inspection of the factory,
19 and the date of this visit is not known to the
20 factory in advance, to determine if their
21 information previously submitted is accurate.

22 Frequently factories do not pass

1 on the first inspection and they will need to
2 correct all the noncompliances discovered if
3 they wish to receive a certification
4 recommendation during a subsequent audit.

5 We also regularly conduct surprise
6 audits at already-certified factories to
7 ensure they continue to maintain social
8 compliance management systems that they
9 implemented, and we decertify factories that
10 have failed to do so.

11 Let me say at this point that in
12 our 10-year history we have seen a definite
13 decrease in the number of cases of both child
14 and forced labor within the apparel industry.

15 And while it is still far too
16 early to declare a victory over these twin
17 evils in this particular industry, we have
18 certainly reached a point where such
19 occurrences are becoming increasingly rarer,
20 and are no longer anywhere near the most
21 prevalent social compliance issues we
22 encounter in our audits.

1 WRAP is also an IRCA accredited
2 training organization. IRCA is the
3 International Register of Certified Auditors,
4 and runs social systems and internal auditor
5 training courses and related seminars in
6 countries around the world to educate workers,
7 factory managers, government inspectors and
8 others about issues related to socially-
9 responsible manufacturing.

10 I mentioned the training piece in
11 particular because, as others before me have
12 said, it has been our experience that efforts
13 focused merely on monitoring and verification
14 are not going to bring about the sustainable
15 change in practices being sought at the
16 production facilities itself.

17 As such, a key component of any
18 model attempting to achieve the goals this
19 group is seeking will be to incorporate
20 adequate training opportunities for managers
21 at the actual point of production where the
22 malpractices would be if there were any.

1 Our detailed audit protocols, the
2 rigorous training we subject our auditors to
3 and the ongoing monitoring we do of factories
4 in our model account for why we are currently
5 the world's largest such program for the
6 apparel sector.

7 And in addition to being a
8 credible and viable certification and training
9 model, WRAP is also a self-sustaining business
10 model. We have no members, and therefore no
11 dues. We do not rely on government grants to
12 sustain our operations. We are funded by
13 registration fees from factories, training
14 fees and monitor accreditation fees. That's
15 it.

16 WRAP has had extensive experience
17 working with governments and trade
18 associations in the area of supply chain
19 management, especially ensuring child and
20 forced labor are not present in the
21 manufacturing of products imported into the
22 United States, as well as the European Union.

1 Most recently, WRAP has been
2 involved in USAID-funded trade capacity
3 building projects in Colombia and Morocco. In
4 addition, WRAP recently signed an agreement
5 with the Honduran Association of Maquiladoras,
6 with the backing of the Honduran Labor
7 Ministry, to provide training for their
8 internal social compliance monitoring program.

9 Finally, WRAP has been a partner
10 on social compliance training and awareness
11 programs conducted by the United Nations
12 International Development Organization in
13 India and Bangladesh, and is currently working
14 with the ILO on factory training in Ethiopia.

15 Taken all together, I believe the
16 WRAP model presents a very successful approach
17 to supply chain monitoring, both in terms of
18 achieving the desired goals as well as in
19 terms of creating an independent third-party
20 organization that can economically sustain
21 itself as an operational entity.

22 As such, WRAP will be happy to

1 partner with this Consultative Group and the
2 U.S. Department of Agriculture to be of
3 assistance in any way we can as you examine
4 the best ways to tackle the critically
5 important issue of eliminating the use of
6 child and forced labor in imported
7 agricultural products.

8 Thank you once again for this
9 opportunity, and I look forward to your
10 questions.

11 CHAIRPERSON VETTER: Thank you
12 very much, Mr. Seferian, for your comments.

13 Are there any questions from the
14 group? And I would of course remind Group
15 members once again to please state your name
16 before your question.

17 MS. ATHREYA: Thank you. Bama
18 Athreya from the International Labor Rights
19 Forum. And I'm just wondering if you have had
20 any independent researchers evaluate the
21 extent to which there's been any reduction in
22 labor rights abuses in the sectors, industries

1 and countries where your programs have been
2 prevalent. Thank you.

3 MR. SEFERIAN: Thank you, Ms.
4 Athreya. The idea of having an independent
5 study conducted specifically to our program
6 and its effects have, indeed, crossed our
7 mind, and as a small nonprofit, we do have
8 limited resources and where we invest them.

9 The statement that I made, that we
10 stand behind, that says our findings are that
11 we are seeing a decrease is based on exactly
12 that, on the fact that over ten years we have
13 now certified -- you know, we've issued 7,000
14 certificates in the course of that time, many
15 of them, you know, in countries where there
16 are instances of child labor, or at least were
17 instances of child labor, and we're seeing
18 factories that had them come back for
19 certification and at later inspections have
20 implemented methodologies to ensure that it
21 did not suffer from that plight anymore.

22 And just as a general statistical

1 analysis, I'm not sure if it would -- it would
2 qualify as a research study, but clearly just
3 because of all the history we've had, all
4 these factories that we've seen, it is
5 something that we stand by.

6 The other thing, by the way, that
7 it probably bears to mention real quickly on
8 this point is we've seen the particular
9 improvement since we started doing more
10 training work, awareness training of these
11 issues.

12 I think it stands to reason, both
13 as a, you know, function of the fact that once
14 factory owners and managers understand the
15 consequences of lax attitudes towards these
16 issues, they will and are given the means by
17 which to address them.

18 They will, out of enlightened
19 self-interest, if nothing else, make sure that
20 they do precisely that plus, of course,
21 training the workers, themselves, as to what
22 their rights are, what their recourses are

1 further helps that great cause.

2 MS. EUGENIO: Thank you so much.
3 Marcia Eugenio from the Department of Labor.
4 Just some follow-up a little bit on the
5 question that Bama asked, and more, I guess,
6 related towards those supply chains and work
7 that may be undertaken outside of the factory
8 walls.

9 When -- I mean, how -- when
10 they're doing certification of companies, are
11 you looking down the supply chain and work
12 that may actually take place outside of the
13 factory, because I think for the work that
14 resulted in proof and there were issues that
15 we're looking in terms of agriculture is more
16 -- more there that we are interested in
17 looking at monitoring and certification
18 systems.

19 MR. SEFERIAN: Thank you, Ms.
20 Eugenio. Clearly the model that WRAP uses
21 cannot, by itself, be directly imported into
22 the agriculture sector. We are a factory-

1 based organization in terms of the audit
2 protocols that we use, and that clearly has
3 limitations.

4 The four walls of the factory are
5 much easier to define than the boundaries of
6 the farm. And so, to that extent our
7 experience is probably not fully informative.

8 But, we do understand, again, in
9 dealing with factories and as has already been
10 mentioned by the gentleman from Gap, a lot of
11 these organizations do subcontract some of
12 their work.

13 And in India, for example, a lot
14 of the embroidery work ends up being done at
15 home, in an environment that is outside the
16 factory.

17 At the moment, we do the best we
18 can do in terms of informing those who rely on
19 our certificates is to make clear to them that
20 the scope of the audit is the production
21 facility itself, not beyond aggressively
22 exploring the best options of looking into

1 homework supply chain management.

2 I personally had a very
3 interesting time visiting a little village
4 called Barabanki outside Lucknow in India
5 where they do a lot of these embroidery work,
6 and the challenges are, indeed, immense, and
7 I think someone who speaks before me alluded
8 to the fact that, you know, some of these are
9 intertwined with some of the major challenges
10 and intertwined with the family environment
11 and how exactly do you distinguish between,
12 you know --

13 Even if, for example, working at
14 home is being done by the adult, mother of the
15 family, if the 12-year-old daughter is looking
16 after the, you know, 8, 7 and 6-year-old, you
17 know, children, while the mother is working,
18 you know, what -- is this part of the
19 operation, is this an in-house, you know, day
20 care facility.

21 How do you draw those lines? And
22 these are issues that, of course, will need

1 further investigation.

2 CHAIRPERSON VETTER: Thank you
3 very much for your time this morning, Mr.
4 Seferian. I appreciate your comments and your
5 being here today.

6 MR. SEFERIAN: Thank you, Madam
7 Chairperson.

8 CHAIRPERSON VETTER: Our final
9 speaker this morning is Ms. Lisa Weddig, the
10 director of Regulatory and Technical Affairs
11 for the National Fisheries Institute.

12 Welcome, Ms. Weddig.

13 MS. WEDDIG: Thank you. My name
14 is Lisa Weddig. I'm the director of Technical
15 and Regulatory Affairs with the National
16 Fisheries Institute.

17 I'd like to thank you for the
18 opportunity to hear information on a program
19 utilized by many in the seafood community that
20 helps to ensure products aren't produced with
21 illegal labor practices.

22 For more than 60 years the

1 National Fisheries Institute of NFI has been
2 the nation's leading advocacy organization
3 representing all aspects of the seafood
4 industry.

5 Our members represent every
6 element of the industry, ranking from
7 harvesters to processors and importers to
8 distributors, retail and food service
9 operations.

10 Members of the NFI take
11 allegations of mistreatment of workers at our
12 overseas suppliers very seriously, and take
13 steps necessary to ensure that seafood is
14 sourced from operations that follow national
15 labor laws.

16 First I'd like to put into
17 perspective seafood consumption in the United
18 States. The 2008 per capital consumption of
19 seafood was 16 pounds per person. Over 80
20 percent of the seafood is imported and one-
21 half of the top ten species consumed are
22 sourced entirely or in part from aquaculture

1 operations.

2 Aquaculture provides a reliable,
3 year-round source for fresh seafood products
4 that supplements the catch available through
5 wild sources.

6 As aquaculture-raised species
7 increases, so does the need for responsible
8 aquaculture practices. A leader in these
9 efforts is the Global Aquaculture Alliance,
10 the GAA.

11 Since 1997, this nonprofit
12 organization has advanced food safety,
13 environmental and social responsibility
14 throughout the raising, processing and
15 distributing of aquaculture products.

16 Later in my talk, I'd like to
17 describe the program that GAA has established
18 and to try to explain how this comprehensive
19 program combines elements of social
20 responsibility with environmental concerns and
21 food safety.

22 To provide guidance on responsible

1 aquaculture, GAA coordinates the development
2 of best aquaculture practices or BAPs, and
3 certification to those standards for
4 hatcheries, farms and processing facilities.

5 These high standards, best
6 practices drives continued improvements that
7 deliver significant benefits industry-wide.

8 Current BAP standards cover
9 aquacultured shrimp, tilapia and channel
10 catfish. Additional standards for pangasius
11 farms, salmon farms and feed mills are under
12 development.

13 Firms that are certified to the
14 BAP standards employ over 30,000 workers
15 located in more than ten countries around the
16 world.

17 To promote broad stakeholder
18 involvement, consensus and transparency in the
19 standards development process, GAA delegates
20 the primary oversight for the process to a
21 standards oversight committee which is equally
22 represented by industry, nongovernmental,

1 conservation and social justice organizations
2 and academic and regulatory interests.

3 Species-specific technical
4 committees composed of technical experts and
5 stakeholder representatives draft the
6 standards which are then made available for
7 public comment prior to final endorsement.

8 Each BAP standard comprehensively
9 addresses components for the management of
10 food safety, environmental protection and
11 social accountability.

12 The labor issues that are
13 addressed in the social accountability
14 standard are treated with equal weight as the
15 other standards relating to food safety and
16 environmental stewardship.

17 Failure to meet critical labor
18 requirements is cause for failure to achieve
19 certification status. The specific standards
20 that address social accountability focus on
21 the worker relations such as ensuring workers
22 are paid at least the minimum wage, according

1 to local and national labor laws, abiding by
2 applicable national mandated work week laws,
3 including laws for pay, overtime and holiday
4 compensation, complying with national child
5 labor laws, an employing only legally-
6 documented workers.

7 The GAA has commissioned with
8 another organization the Aquaculture
9 Certification Council or ACC to be the program
10 manager for the BAP certification programs.
11 Companies who wish to be certified against the
12 BAP standards must apply to the ACC and
13 perform a self-assessment against the
14 standards in order to begin the certification
15 process.

16 In addition, to qualify to begin
17 the certification process, applicants agree to
18 hold subcontractors to their -- through their
19 company to the same BAP standards, including
20 the inspection process.

21 Certification to the standard
22 requires the ability to demonstrate compliance

1 to the BAP standards through an independent
2 assessment by an ACC-approved certification
3 body which has been accredited to ISO 65
4 standards.

5 To qualify, auditors that are used
6 by the certification bodies have to have
7 training in SA8000 programs, and currently
8 there are 15 accredited auditors working with
9 our two ISO 65 certified -- certification
10 bodies.

11 During the facility inspection,
12 GAA will evaluate whether conditions comply
13 with labor laws by observation, interview and
14 document review.

15 For the consumer who wishes to
16 make purchase decisions based on the BAP
17 certification process, information on company
18 participation is readily available via
19 websites, maintained by GAA and ACC.

20 In addition, companies that
21 participate in the program have the option of
22 utilizing the best aquaculture practices

1 certified mark on packaging for seafood to
2 indicate adherence to the best aquaculture
3 practices standards.

4 It is estimated that over 500
5 million pounds of imported seafood is produced
6 from GAA-certified facilities.

7 As the Consultative Group
8 deliberates to develop recommendations for a
9 standard set of practices to reduce the
10 likelihood that imported agriculture products
11 are produced with illegal labor practices, we
12 hope that you will consider the approach
13 utilized by the seafood community to the GAA
14 which incorporates social accountability
15 standards with a more comprehensive best
16 practices standard and certification program.

17 Thank you.

18 CHAIRPERSON VETTER: Thank you
19 very much, Ms. Weddig.

20 Are there questions from the
21 Consultative Group? And again, would you like
22 to please state your name before your

1 question.

2 MS. JACKSON: Hi. Rachelle Jackson
3 from STR. I'd like to know more about the
4 composition of the companies that have been
5 certified as far as the size. I know that in
6 some certification programs it's been a
7 challenge for smallholders to undertake the
8 cost of the certification process.

9 So, I wonder if you could speak to
10 that and if you've come up with any strategies
11 to make these reviews more accessible.

12 MS. WEDDIG: Thank you for that
13 question. I'm not going to be able to speak
14 directly to the breakdown of large versus
15 small firms, but there is an approach in the
16 ACC certification particularly for the farms,
17 the ponds, that are generally smaller in
18 nature than the processing facilities.

19 There are various farms in a
20 geographical area that share similar
21 watersheds, so the environmental condition is
22 then same, then those farms can band together

1 for certification.

2 So that addresses the issue of,
3 you know, the small players that might not be
4 able to afford the certification on their own.

5 AMB. CdeBACA: Lou CdeBaca from
6 the State Department. It sounds as though
7 some of the things that you've done through
8 this program comes from the notion that you
9 have, whether it's environmental or health
10 concerns that are endemic, very specific to
11 the seafood industry and that's effecting the
12 health of the fishes that are grown in -- I
13 grew up in Iowa, so I always think of it as a
14 confining facility, but I know that's for a
15 different type of livestock.

16 But, you know, the notion of the
17 aquaculture in that situation, but also the
18 wild-caught, there are health issues that are
19 coming out. My staff, when looking at some
20 seafood processing plants in Southern Thailand
21 were able to notice that they were doing,
22 whether it was through, I guess, bar-coding,

1 the stuff that was getting processed because
2 the big players here in the United States
3 needed to have that in case there was some
4 kind of a problem with the FDA in an outbreak
5 of something later on which, I think, for us,
6 made it realize that in the fisheries, perhaps
7 there is more traceability back to either
8 factory or perhaps even all the way back to
9 the boats based on what we've been talking to
10 some folks about in the Southeast Asia
11 fishery.

12 And I guess that's -- the question
13 in all of this is how do you see the ability
14 of these best practices that come out of other
15 areas, not necessarily just in labor practice,
16 but in what the FDA needs from you, what the
17 EPA needs from your folks.

18 How transferrable do you think
19 some of those best practices actually are
20 where we're talking about trying to rid
21 something of slave labor or child labor?

22 MS. WEDDIG: Thank you for the

1 question. You touched on the aspect of
2 traceability and obviously with food safety
3 traceability is the new buzz word nowadays on
4 Capitol Hill.

5 The FDA standards do have a
6 traceability component where someone can
7 actually trace back to the pond or the
8 hatchery just by knowing the code logs.

9 And there is technology involved
10 with that, and I don't have particulars on
11 that, so please don't ask me the question, but
12 we can certainly put that in our written
13 comments.

14 But really, when we look at
15 traceability, there's just pieces of
16 information that you need to build into that
17 system, whether they be labor issues or food
18 safety issues, illegal harvesting on wild
19 capture, vessels.

20 So, all that can really be built
21 into one traceability type of system,
22 depending on what you choose to put into that

1 system.

2 So, really, these standards can be
3 built a lot more comprehensively, and that is
4 one advantage to the system that GAA has
5 developed. In fact, companies are being
6 audited on all different areas, food safety,
7 traceability, environmental issues, social
8 issues.

9 So, if there can be a system in
10 place that encompasses all these into one type
11 of audit, it really helps the industry to be
12 able to just deal with one audit at a time,
13 rather than three separate auditors coming in
14 when one can do the job.

15 MS. ATHREYA: Bama Athreya,
16 International Labor Rights Forum. Thank you.
17 This was very helpful the way you talked
18 through the way your system works.

19 I have two questions. One was,
20 the consumer facing label, the certification,
21 and the question simply: Does use of that
22 label require that a hundred percent of the

1 product to be within certified facilities?

2 And the other question was the one
3 step that seemed to be missed and that is: can
4 you get through the end of the audit, if
5 problems are found, what's the next step?
6 What types of corrective programs or
7 remediation programs does the program have?

8 MS. WEDDIG: I thank you for the
9 question. I will have to make sure we write
10 in our written comments about the corrective
11 action if a company is found to not be allowed
12 to be certified based on the outcome of the
13 audit.

14 As far as the logo that is placed
15 on the package, that package then would go
16 with product that has been through that
17 system, so there isn't the opportunity to have
18 that logo on packages of product that does not
19 go through that system.

20 But the corrective action piece,
21 we will include that in our written comment.

22 CHAIRPERSON VETTER: If there are

1 no further questions, then I would like to
2 thank you, Ms. Weddig and all of our speakers
3 this morning for taking the time to prepare
4 and deliver your comments this morning and
5 your venturing out in the rain to do so.

6 I would remind everyone again,
7 that written statements will be accepted from
8 the public until April 30, and invite as broad
9 a grouping of those as possible to any form of
10 progress, and we will make available the
11 transcripts and all statements that have been
12 submitted for the hearing on the Foreign
13 Agriculture Service website, which is
14 www.fas.usda.gov.

15 And again, thanks to all of you
16 for taking the time to be here this morning
17 and for your interest and attention to this
18 important and complex issue. We appreciate
19 your time. Thank you.

20 (Whereupon, the meeting was
21 concluded at 11:48 a.m.)
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