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

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

2011

REPORT REQUIRED BY THE TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005

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SECRETARY OF LABOR
WASHINGTON

SEP 30 2011

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

Dear Mr. Vice President:

The enclosed report, titled The Department of Labor's (DOL) *List of Goods Produced by Child Labor or Forced Labor* (List), is produced in accordance with the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2005. This report builds on the Department's initial List, published in September 2009, and an update published in December 2010. With today's update, the List now includes 130 goods from 71 countries that DOL's Bureau of International Labor Affairs has reason to believe are produced by child labor or forced labor in violation of international standards.

DOL will continue to update the List periodically. We hope this report is useful to you.

Sincerely,

Hilda L. Solis

HILDA L. SOLIS
Secretary of Labor

Enclosure

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

SECRETARY OF LABOR
WASHINGTON

SEP 30 2011

The Honorable John Boehner
Speaker of the House of Representatives
Washington, DC 20515

Dear Mr. Speaker:

The enclosed report, titled The Department of Labor's (DOL) *List of Goods Produced by Child Labor or Forced Labor* (List), is produced in accordance with the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2005. This report builds on the Department's initial List, published in September 2009, and an update published in December 2010. With today's update, the List now includes 130 goods from 71 countries that DOL's Bureau of International Labor Affairs has reason to believe are produced by child labor or forced labor in violation of international standards.

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Sincerely,

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Secretary of Labor

Enclosure

cc: The Honorable Nancy Pelosi, House Minority Leader

Mis Dalmatas

SECRETARY OF LABOR
WASHINGTON, D.C. 20210

A century ago this year, 146 seamstresses jumped to their deaths from the upper story windows of the Triangle Shirtwaist Factory in New York City to avoid a fire that engulfed the building. The seamstresses – including some children – worked long hours for low wages under wretched and unsanitary sweatshop conditions. The factory owners had locked the fire-escape doors, sealing their fate. A young social worker named Frances Perkins happened to witness this horrifying event. It was the catalyst that started her career as an activist on behalf of workers, culminating in a 12-year appointment as President Franklin D. Roosevelt's Secretary of Labor.

I am honored to have the same job she once held. Like her, I had my own galvanizing moment involving a sweatshop. Seventy-five Thai immigrants were freed in 1995 from a factory in the city of El Monte, California, part of the district I represented in the California State Senate. They were forced to work, eat and sleep in the factory. The employer confiscated their passports and kept them like slaves. Threatened with violence to themselves or their families, the workers hunched over sewing machines in a dimly-lit building bound by barbed wire, sewing brand-name clothing for less than $2 per hour. Most of them were women.

I met them shortly after they were freed and heard their stories. At that moment, the unthinkable became real for me: sweatshops are not a thing of the past. They persist both here in the United States and around the world.

Even more disturbingly, in many countries, the victims of such workplace exploitation include children. The International Labor Organization estimates that 12.3 million people are trapped in forced labor worldwide. Approximately 215 million children are working as child laborers, of which about 115 million participate in hazardous labor. As a signatory to the ILO Convention 182, the United States is working to eliminate dangerous child labor here at home and worldwide.

The U.S. Department of Labor's Bureau of International Labor Affairs (ILAB) works to combat child labor and forced labor globally through research, reporting, awareness-raising and technical cooperation. In addition to the Department's *Findings on the Worst Forms of Child Labor*, ILAB is also releasing its third *List of Goods Produced by Child Labor or Forced Labor* as mandated by the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2005. In publishing these reports, our goal is to increase awareness of this problem among governments, industry and consumers. It is our hope that greater awareness will result in meaningful action to help make child labor a thing of the past.

On the domestic front, I have also made enforcement of the Fair Labor Standards Act, including its child labor provisions, a top priority. The Department added 350 investigators to the Wage and Hour Division's (WHD) staff; issued regulations increasing protection for young workers in dangerous non-agricultural jobs; and proposed regulatory changes to further protect children in the agriculture sector. In addition, in 2010, WHD conducted a campaign of targeted investigations to determine whether children were working illegally in agriculture. When violations were found, we issued stiff fines under our new, tougher penalty structure.

Internationally, I am proud of ILAB's engagement in technical cooperation projects to combat child labor in nearly 80 countries. In March, I traveled to El Salvador to join the Salvadoran First Lady and Minister of Labor in launching a new project to assist children in disadvantaged Salvadoran communities. The project will provide child care for preschoolers, quality education for school-aged children and job training for youth. Beneficiaries will gain new skills, job placement services and technical help to start small businesses. In addition, the project will work to connect the households of these children to El Salvador's social protection programs and help vulnerable households to improve their livelihoods so that the children can attend school rather than being put to work. The Department of Labor will contribute $10 million over the next four years to support this cutting edge initiative.

Over the past decade, much has been accomplished in the fight against the worst forms of child labor. However progress has been uneven. This year thousands honored the memory of the victims of the Triangle Shirtwaist Factory fire with a march, speeches, the reading of their names and flowers placed at the site by schoolchildren. It was a powerful reminder of our history, how far we have come and what we still must do. For me, the mission is as clear today as it was for Frances Perkins. We must work to be a nation that protects the rights, health and safety of our workers and our children.

HILDA L. SOLIS
Secretary of Labor
September 30, 2011

ACKNOWLEDGEMENTS

THIS report was prepared under the direction of Sandra Polaski, Deputy Undersecretary for International Affairs, Marcia Eugenio, Director of the Office of Child Labor, Forced Labor and Human Trafficking (OCFT) and Kevin Willcutts, Deputy Director, OCFT. Preparation of the report was coordinated by Brandie Sasser, Rachel Phillips Rigby, Leyla Strotkamp and Elizabeth Wolkomir of OCFT. The underlying research, writing, editing and administrative support were carried out by the following Bureau of International Labor Affairs (ILAB) staff: Sean Barna, Wendy Blanpied, Charita Castro, Kathryn Chinnock, Katie Cook, Kwamena Atta Cudjoe, Kusuma Cunningham, Christopher Dearing, Chandra DeNap, Donovan Dyson, Sonia Firpi, Mary Francis, Diantha Garms, Alexa Gunter, Misty Heggenness, Sharon Heller, Karina Jackson, Maureen Jaffe, Malaika Jeter, Marie Ledan, Monica Martinez, Tina McCarter, Eileen Muirragui, Sarah Newsome, Kimberly Parekh, Genevieve Parente, Angela Peltzer, Karrie Peterson, Ingris Ramos, Tanya Rasa, Laura Recchie, Samantha Schasberger, Doris Senko, Sherry Smith, Chanda Uluca, Pilar Velasquez, Cara Vileno, Bogdan Vitas and Bruce Yoon.

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

This report was published by the U.S. Department of Labor. Copies of this and other ILAB reports may be obtained by contacting the Office of Child Labor, Forced Labor and Human Trafficking, Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, NW, Room S-5317, Washington, D.C. 20210. Telephone: (202) 693-4843; Fax: (202) 693-4830; email: ilab-tvpra@dol.gov. The report is also available on the Internet at: http://www.dol.gov/ilab/. Comments on the report are welcomed and may be submitted to the e-mail address listed above.

ABSTRACT

THIS publication is the second update of the *List of Goods Produced by Child Labor or Forced Labor* (List) by the Bureau of International Labor Affairs (ILAB) of the U.S. Department of Labor, pursuant to the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2005.[1] ILAB published the initial List on September 10, 2009, and published an update on December 15, 2010. The TVPRA mandated that ILAB develop and publish a list of goods from countries that ILAB "has reason to believe are produced with child labor or forced labor in violation of international standards." The primary purposes of the List are to raise public awareness about the incidence of child labor and forced labor in the production of goods in the countries listed and to promote efforts to eliminate such practices.

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

ILAB examined 77 countries for the initial List in 2009, 39 additional countries for the 2010 update, and 60 countries, non-independent countries and territories for this year's update, completing an initial examination of most countries in the world. The 2011 update adds 2 new goods and 1 new country, for a total of 130 goods from 71 countries that ILAB believes are produced with child labor or forced labor. The countries on the List span every region of the world and are at different stages of development. More goods were found to be made with child labor than forced labor. By sector, agricultural crops comprise the largest category, followed by manufactured goods and mined or quarried goods. The most common agricultural goods listed are cotton, sugarcane, tobacco, coffee and cattle; the most common manufactured goods listed are bricks, garments, carpets and footwear; and the most common mined goods listed are gold, diamonds and coal.

The 2011 report adds a new section describing the process by which goods may be removed from the List, based on ILAB's procedural guidelines.

1. Codified as 22 U.S.C. 7112(6)(2)(C).

RJEHI

AEPC	Apparel Export Promotion Council
CCI	Citizens Charcoal Institute
CMP	Civil Money Penalty
CPT	Pastoral Land Commission
DHS-ICE	United States Department of Homeland Security – Immigration and Customs Enforcement
DOJ	United States Department of Justice
DOL	United States Department of Labor
DOL-OIG	United States Department of Labor – Office of Inspector General
DOS	United States Department of State
DOS-G/TIP	United States Department of State – Global Office to Monitor and Combat Trafficking in Persons
FBI	United States Federal Bureau of Investigation
FEWG	Federal Enforcement Working Group
FLSA	Fair Labor Standards Act
GOB	Government of Brazil
GOI	Government of India
GOT	Government of Tajikistan
GTS	Green Tobacco Sickness
HCL	Hazardous Child Labor
HO	Hazardous Occupation Order
ILAB	Bureau of International Labor Affairs
ILO	International Labor Organization
IOM	International Organization for Migration
NAGCAT	North American Guidelines for Children's Agricultural Tasks
NCLP	National Child Labor Project
NIOSH	National Institute for Occupational Safety and Health
OCFT	Office of Child Labor, Forced Labor, and Human Trafficking
PETI	Program to Eradicate Child Labor
TDA	Trade and Development Act of 2000
TVPRA	Trafficking Victims Protection Reauthorization Act
USDA	United States Department of Agriculture
WHD	United States Department of Labor - Wage and Hour Division

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THE Trafficking Victims Protection Reauthorization Act (TVPRA) of 2005 requires the Department of Labor's Bureau of International Labor Affairs (ILAB) to "develop and make available to the public a list of goods from countries that [ILAB] has reason to believe are produced by forced labor or child labor in violation of international standards."[2] ILAB published its initial List on September 10, 2009, which included 122 goods from 58 countries. ILAB published its first update to the List on December 15, 2010, adding 6 goods and 12 countries. The 2011 update adds 2 goods and 1 country to the List, a relatively small number compared to the 2009 initial List and the 2010 update. The List includes only those goods for which we are able to document the use of child or forced labor in their production. Given the pervasive nature of these global problems, it is likely that many more goods are produced through these egregious forms of labor abuse.

ILAB releases this 2011 update at a time when global prospects for eradicating child labor and forced labor face new headwinds, due in part to the lingering effects of the global economic crisis. The International Labor Organization (ILO) estimates there were 215 million child laborers worldwide in 2008, a 3 percent decrease from 2004 and 12 percent decrease from 2000. Global child labor statistics are not yet available from 2009 onward, but preliminary studies from the ILO indicate that the combination of rising unemployment, falling income, expanding informal sectors and slowing remittance flows has left children more vulnerable to labor exploitation.[3] It is likely that the ILO survey in 2012 may find less progress than in previous years or even increases in the number of affected children.

Child labor decreased markedly among girls from 2004-2008, a welcome development, but increased among boys, particularly boys age 15-17. While Latin America and the Asia-Pacific region have seen steady declines in numbers of children working, the numbers increased sharply in Sub-Saharan Africa, where one in every four children was engaged in child labor in 2008.[4]

In 2005, the ILO presented its first "minimum estimate" of forced laborers worldwide, 12.3 million. The majority (nearly 9.5 million) were found to be in the Asia-Pacific region. Sixty-four percent of victims were estimated to be in forms of economic exploitation other than commercial sex; 11 percent in commercial sexual exploitation; and 20 percent in forced labor imposed by a government or military.[5] The ILO has not published more recent estimates; however there are indications that the economic crisis has made people more vulnerable to trafficking for forced labor. High unemployment in some countries has made workers increasingly willing to take greater risks as they become more desperate for jobs, and some unscrupulous recruiters and employers have taken advantage of the crisis to push workers into highly exploitative situations. At the same time, fiscal contraction in destination countries has put a strain on social protection mechanisms and some governments have fewer resources available for labor monitoring, law enforcement and victim protection.[6]

Despite these discouraging signs, governments, workers' organizations, employers' organizations

2. Codified as 22 U.S.C. 7112(6)(2)(C).
3. UNODC, *Fact-sheet on the Impact of the Economic Crisis on Trafficking in Persons and Smuggling Immigrants*, 2009; available from http://www.unodc.org/documents/human-trafficking/Impact_of_GFC_on_TIP_and_SOM.pdf. See also Organization for Security and Co-operation in Europe, *Human traffickers exploit economic crisis, redoubled prevention efforts urgently needed, warns high-level conference at OSCE.*, Press Release, Vienna, September 14, 2009; available from http://www.osce.org/node/51307.
4. ILO, *Accelerating Action Against Child Labour*, Geneva, 2010, 8-10; available from http://www.ilo.org/global/meetings-and-events/events/hague-conference/WCMS_126752/lang--en/index.htm.
5. ILO, *Minimum Estimate of Forced Labour in the World*, Geneva, 2005; available from http://www.ilo.org/sapfl/Informationresources/ILOPublications/lang--en/docName--WCMS_081913/index.htm.
6. UNODC, *Fact-sheet on the Impact of the Economic Crisis on Trafficking in Persons and Smuggling Immigrants.* See also ILO, *Report of the Committee on Labour Administration*, Geneva, June 15, 2011; available from http://www.ilo.org/ilc/ILCSessions/100thSession/reports/provisional-records/WCMS_157704/lang--en/index.htm.

and civil society groups are striving to implement a "Roadmap" to eliminate the worst forms of child labor, including forced child labor, by 2016. The Roadmap, signed by more than 450 delegates from 80 countries at a global conference in 2010, calls on all stakeholders to strengthen access to education, social protection and decent work opportunities.[7] Some leading middle- and low-income countries have expanded their social protection policies in response to the global crisis, putting in place conditional cash transfers, guaranteed public employment schemes and other mechanisms for vulnerable families.[8]

The List does not include goods produced in the United States, as coverage of domestically produced goods was not part of the TVPRA mandate. However, the Department recognizes that child labor and forced labor occur in the United States and this is discussed in Section 6.6 below.

The primary purposes of the List are to raise public awareness about the existence of child labor and forced labor in the production of goods in the countries listed and to promote efforts to eradicate such practices. The List is not intended to be punitive. It is a starting point for individual and collective action.

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7. ILO-IPEC, *Roadmap for Achieving the Elimination of the Worst Forms of Child Labour by 2016*, Geneva, 2010; available from http://www.ilo.org/ipecinfo/product/viewProduct.do?productId=13453.
8. ILO, *The Global Crisis: Causes, responses and challenges*, Geneva, 2011, 175; available from http://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/@publ/documents/publication/wcms_155824.pdf. See also ILO, *Effects of non-contributory social transfers in developing countries: A compendium*, Geneva, May 2010, 7, 12, 19, 25; available from http://www.ilo.org/gimi/gess/RessShowRessource.do?ressourceId=17116.

2.1 POPULATION COVERED

In researching child labor, ILAB focused on children under the age of 18 years. For forced labor, the research covered persons of all ages. The population included persons in foreign countries only, as directed by statute. Populations within the United States were not part of the inquiry; however, as noted above, the U.S. experience is discussed in Section 6.6.

2.2 NATURE OF EMPLOYMENT

Where ILAB research indicated situations of exploitative working conditions, these situations were reviewed to determine whether they constituted "child labor" or "forced labor" under international labor standards. These standards,[9] in brief, are:

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

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

Evidence of child labor and forced labor was considered separately to determine whether – for each good on the List – there should be a finding that child labor, forced labor or both were used in the production of the good in violation of international standards. Some goods are listed as produced with both child labor and forced labor, but this does not necessarily mean that the goods were produced with *forced child labor*.[10]

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

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

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

2.3 SECTOR OF EMPLOYMENT

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

2.4 TYPE OF ECONOMIC ACTIVITY

Research focused on all economic activity in the production of goods, including formal and informal sector production and goods produced for personal and family consumption.[11] Examples of informal sector activity include day labor hired without contract; small-scale farming and fishing; artisanal mining and quarrying; and manufacturing work performed in home-based workshops. Some illicit goods are included in the List; this is not intended to condone or legitimize the production or consumption of these goods.

2.5 STAGE OF PRODUCTION

Goods are placed on the List at the stage of production at which child labor or forced labor was involved. For example, if child labor or forced labor was used in the extraction, harvesting, assembly or production of raw materials or component articles, and these materials or articles are subsequently used as inputs in the manufacture or processing of a final good under non-violative conditions, only the raw materials or component articles are included on the List and only for those countries where they were extracted, harvested, assembled or produced. If child labor or forced labor was used in both the production or extraction of raw materials or component articles and the manufacture or processing of a final good, then the raw materials or component articles and/or the final good are included on the List for those countries where the violative conditions were found.

2.6 MARKET FOR GOODS

Most child labor occurs in small-scale production of goods for local consumption,[12] rather than for international trade. Data is limited on the consumption patterns of goods made with forced labor. In conducting research, ILAB did not distinguish between goods produced for domestic consumption and for export due to data limitations and the fact that this was not part of the mandate of the TVPRA.

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

12. US Department of Labor, *By the Sweat and Toil of Children: The Use of Children in American Imports*, Washington, DC, July 15, 1994, 2; available from http://www.dol.gov/ilab/media/reports/iclp/sweat/sweat.pdf.

In order to compile a List that is as reliable and comprehensive as possible, ILAB developed a draft research methodology and published it in the *Federal Register* on October 1, 2007, with a request for public comment. 72 Fed. Reg. 55808. Public comments were integrated, as appropriate, into ILAB's final procedural guidelines, published on December 27, 2007. 72 Fed. Reg. 73374. To prepare the initial List published in 2009, the scope of information under review included documentation on exploitative working conditions in the production of goods in 77 countries. These 77 countries were selected based on an initial screening of sources which showed a higher incidence of child labor and forced labor in these countries. To prepare the 2010 update, ILAB researched an additional 39 countries, and reviewed new information on the original group of 77 countries. To prepare the 2011 update, ILAB researched an additional 60 countries, non-independent countries and territories and reviewed new information on the countries researched in 2009 and 2010. (See Appendix A for lists of countries researched, by year).

	Countries, Non-independent Countries and Territories Researched
2009	77
2010	39
2011	60

ILAB continues to carry out research for future updates to the List.

3.1 SOURCES AND COLLECTION OF DATA

ILAB relied on a wide variety of materials from its own research, that of other U.S. Government agencies, foreign governments, international organizations, non-governmental organizations, U.S. Government-funded technical assistance and field research projects, academic research, independent research, media and others sources. The Department of State and U.S. embassies and consulates abroad provided important information by gathering data from local contacts, conducting site visits and reviewing local media sources. ILAB carried out comprehensive desk reviews to gather all publicly available information on labor conditions in the production of thousands of goods. ILAB sought additional information from the public through a public hearing held at DOL on May 28, 2008,[13] as well as several public requests for information published in the *Federal Register.*

ILAB sought to use the most current sources available. The List's procedural guidelines stipulate that ILAB uses sources up to 7 years old at the time of receipt. However, for the 2011 update, ILAB relied on sources that were no more than 5 years old. This policy was adopted to ensure consistency with other ILAB reporting on international child labor.

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

3.2 DATA ANALYSIS

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

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

2. *Date of information.* Whether the information about child labor or forced labor was no more than 7 years old at the time of receipt. More current information is generally given priority and information older than 7 years will generally not be considered. *[Note: for the 2011 update, ILAB has chosen to rely on sources no more than 5 years old.]*

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

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

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

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

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

For all goods found to have a significant incidence of child labor or forced labor, ILAB then considered evidence of government, industry or third party initiatives to combat these problems. As described in the procedural guidelines, if the evidence demonstrated that the initiative had significantly reduced if not eliminated the incidence of child labor or forced labor from the production of the good, the good was not included on the List. All public submissions were evaluated to determine whether they demonstrated a significant reduction if not elimination of child labor or forced labor in the production of the good in question.

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

THE 2011 update adds 2 new goods, incense *(agarbatti)* and goats, and 1 new country, Mauritania, to the List. It also adds new line items to five countries already on the List; for example, Mali previously had two items on the List, and now has three with the inclusion of child labor in cotton production. Finally, this update adds a "forced labor" designation to three goods that were already on the List in the "child labor" category: bricks from Afghanistan and cassiterite and coltan from the Democratic Republic of the Congo.

The List is presented below in Table 1 (sorted by country) and Table 2 (sorted by good). Goods added to the List in 2011 are highlighted.

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

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

Country	Good	Child Labor	Forced Labor
Belize	Citrus Fruits	X	
Belize	Sugarcane	X	
Benin	Cotton	X	X
Benin	Granite (crushed)	X	
Bolivia	Brazil Nuts/Chestnuts	X	X
Bolivia	Cattle		X
Bolivia	Corn		X
Bolivia	Gold	X	
Bolivia	Peanuts		X
Bolivia	Silver	X	
Bolivia	Sugarcane	X	X
Bolivia	Tin	X	
Bolivia	Zinc	X	
Brazil	Bricks	X	
Brazil	Cattle	X	X
Brazil	Ceramics	X	
Brazil	Charcoal	X	X
Brazil	Cotton	X	
Brazil	Footwear	X	
Brazil	Manioc/Cassava	X	
Brazil	Pineapples	X	
Brazil	Rice	X	
Brazil	Sisal	X	
Brazil	Sugarcane		X
Brazil	Timber		X
Brazil	Tobacco	X	
Burkina Faso	Cotton	X	X
Burkina Faso	Gold	X	X
Burma	Bamboo	X	X
Burma	Beans (green, soy, yellow)	X	X
Burma	Bricks	X	X
Burma	Jade	X	X
Burma	Palm Thatch		X
Burma	Physic Nuts/Castor Beans		X
Burma	Rice	X	X
Burma	Rubber	X	X
Burma	Rubies	X	X
Burma	Sesame		X
Burma	Shrimp		X

Country	Good	Child Labor	Forced Labor
Burma	Sugarcane	X	X
Burma	Sunflowers		X
Burma	Teak	X	X
Cambodia	Bricks	X	
Cambodia	Manioc/Cassava	X	
Cambodia	Rubber	X	
Cambodia	Salt	X	
Cambodia	Shrimp	X	
Cambodia	Tobacco	X	
Cameroon	Cocoa	X	
Central African Republic	Diamonds	X	
Chad	Cattle	X	
China	Artificial Flowers		X
China	Bricks	X	X
China	Christmas Decorations		X
China	Coal		X
China	Cotton	X	X
China	Electronics	X	X
China	Fireworks	X	X
China	Footwear		X
China	Garments		X
China	Nails		X
China	Textiles	X	
China	Toys	X	X
Colombia	Bricks (clay)	X	
Colombia	Coal	X	
Colombia	Coca (stimulant plant)	X	X
Colombia	Coffee	X	
Colombia	Emeralds	X	
Colombia	Gold	X	
Colombia	Pornography	X	
Colombia	Sugarcane	X	
Cote d'Ivoire	Cocoa	X	X
Cote d'Ivoire	Coffee	X	X
Democratic Republic of the Congo	Cassiterite	X	X
Democratic Republic of the Congo	Cobalt	X	
Democratic Republic of the Congo	Coltan (metallic ore)	X	X
Democratic Republic of the Congo	Copper	X	
Democratic Republic of the Congo	Diamonds	X	

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

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

Country	Good	Child Labor	Forced Labor
Madagascar	Sapphires	X	
Malawi	Tea	X	
Malawi	Tobacco	X	X
Malaysia	Garments		X
Malaysia	Oil (palm)		X
Mali	Cotton	X	
Mali	Gold	X	
Mali	Rice	X	X
Mauritania	Cattle	X	
Mauritania	Goats	X	
Mexico	Beans (green beans)	X	
Mexico	Chile Peppers	X	
Mexico	Coffee	X	
Mexico	Cucumbers	X	
Mexico	Eggplants	X	
Mexico	Melons	X	
Mexico	Onions	X	
Mexico	Pornography	X	
Mexico	Sugarcane	X	
Mexico	Tobacco	X	
Mexico	Tomatoes	X	
Mongolia	Coal	X	
Mongolia	Fluorspar (mineral)	X	
Mongolia	Gold	X	
Mozambique	Tobacco	X	
Namibia	Cattle	X	
Namibia	Charcoal	X	
Nepal	Bricks	X	X
Nepal	Carpets	X	X
Nepal	Embroidered Textiles (zari)	X	X
Nepal	Stones	X	X
Nicaragua	Bananas	X	
Nicaragua	Coffee	X	
Nicaragua	Gold	X	
Nicaragua	Gravel (crushed stones)	X	
Nicaragua	Shellfish	X	
Nicaragua	Stones (pumice)	X	
Nicaragua	Tobacco	X	
Niger	Gold	X	

Country	Good	Child Labor	Forced Labor
Niger	Gypsum (mineral)	X	
Niger	Salt	X	
Niger	Trona (mineral)	X	
Nigeria	Cocoa	X	X
Nigeria	Granite	X	X
Nigeria	Gravel (crushed stones)	X	X
Nigeria	Manioc/Cassava	X	
Nigeria	Sand	X	
North Korea	Bricks		X
North Korea	Cement		X
North Korea	Coal		X
North Korea	Gold		X
North Korea	Iron		X
North Korea	Textiles		X
Pakistan	Bricks	X	X
Pakistan	Carpets	X	X
Pakistan	Coal	X	X
Pakistan	Cotton		X
Pakistan	Glass Bangles	X	
Pakistan	Leather	X	
Pakistan	Sugarcane		X
Pakistan	Surgical Instruments	X	
Pakistan	Wheat		X
Panama	Coffee	X	
Panama	Melons	X	
Panama	Sugarcane	X	
Paraguay	Cattle		X
Paraguay	Cotton	X	
Paraguay	Pornography	X	
Paraguay	Stones (limestone)	X	
Peru	Brazil Nuts/Chestnuts		X
Peru	Bricks	X	
Peru	Coca (stimulant plant)	X	
Peru	Fireworks	X	
Peru	Gold	X	X
Peru	Timber		X
Philippines	Bananas	X	
Philippines	Coconuts	X	
Philippines	Corn	X	

Country	Good	Child Labor	Forced Labor
Philippines	Fashion Accessories	X	
Philippines	Gold	X	
Philippines	Hogs	X	
Philippines	Pornography	X	
Philippines	Pyrotechnics	X	
Philippines	Rice	X	
Philippines	Rubber	X	
Philippines	Sugarcane	X	
Philippines	Tobacco	X	
Russia	Pornography	X	X
Rwanda	Tea	X	
Senegal	Gold	X	
Sierra Leone	Diamonds	X	X
Sierra Leone	Granite	X	
Tajikistan	Cotton	X	X
Tanzania	Cloves	X	
Tanzania	Coffee	X	
Tanzania	Gold	X	
Tanzania	Nile Perch (fish)	X	
Tanzania	Sisal	X	
Tanzania	Tanzanite (gems)	X	
Tanzania	Tea	X	
Tanzania	Tobacco	X	
Thailand	Garments	X	X
Thailand	Pornography	X	
Thailand	Shrimp	X	X
Thailand	Sugarcane	X	
Turkey	Citrus Fruits	X	
Turkey	Cotton	X	
Turkey	Cumin	X	
Turkey	Furniture	X	
Turkey	Hazelnuts	X	
Turkey	Peanuts	X	
Turkey	Pulses (legumes)	X	
Turkey	Sugar Beets	X	
Turkmenistan	Cotton	X	X
Uganda	Bricks	X	
Uganda	Cattle	X	
Uganda	Charcoal	X	

Country	Good	Child Labor	Forced Labor
Uganda	Coffee	X	
Uganda	Rice	X	
Uganda	Sugarcane	X	
Uganda	Tea	X	
Uganda	Tobacco	X	
Uganda	Vanilla	X	
Ukraine	Coal	X	
Ukraine	Pornography	X	
Uzbekistan	Cotton	X	X
Zambia	Cattle	X	
Zambia	Cotton	X	
Zambia	Gems	X	
Zambia	Stones	X	
Zambia	Tobacco	X	
Zimbabwe	Diamonds	X	

Source: DOL analysis of collected data sources.

Table 2: List of Goods Produced by Child Labor or Forced Labor – Sorted by Good

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

Good	Country	Child Labor	Forced Labor
Bricks	China	X	X
Bricks	Ecuador	X	
Bricks	India	X	X
Bricks	Nepal	X	X
Bricks	North Korea		X
Bricks	Pakistan	X	X
Bricks	Peru	X	
Bricks	Uganda	X	
Bricks (clay)	Colombia	X	
Broccoli	Guatemala	X	
Carpets	Afghanistan	X	
Carpets	India	X	X
Carpets	Iran	X	
Carpets	Nepal	X	X
Carpets	Pakistan	X	X
Cashews	Guinea	X	
Cassiterite	Democratic Republic of the Congo	X	X
Cattle	Bolivia		X
Cattle	Brazil	X	X
Cattle	Chad	X	
Cattle	Ethiopia	X	
Cattle	Lesotho	X	
Cattle	Mauritania	X	
Cattle	Namibia	X	
Cattle	Paraguay		X
Cattle	Uganda	X	
Cattle	Zambia	X	
Cement	North Korea		X
Ceramics	Brazil	X	
Charcoal	Brazil	X	X
Charcoal	Namibia	X	
Charcoal	Uganda	X	
Chile Peppers	Mexico	X	
Christmas Decorations	China		X
Citrus Fruits	Belize	X	
Citrus Fruits	Turkey	X	
Cloves	Tanzania	X	
Coal	China		X
Coal	Colombia	X	

Good	Country	Child Labor	Forced Labor
Coal	Mongolia	X	
Coal	North Korea		X
Coal	Pakistan	X	X
Coal	Ukraine	X	
Cobalt	Democratic Republic of the Congo	X	
Coca (stimulant plant)	Colombia	X	X
Coca (stimulant plant)	Peru	X	
Cocoa	Cameroon	X	
Cocoa	Cote d'Ivoire	X	X
Cocoa	Ghana	X	
Cocoa	Guinea	X	
Cocoa	Nigeria	X	X
Coconuts	Philippines	X	
Coffee	Colombia	X	
Coffee	Cote d'Ivoire	X	X
Coffee	Dominican Republic	X	
Coffee	Guatemala	X	
Coffee	Guinea	X	
Coffee	Honduras	X	
Coffee	El Salvador	X	
Coffee	Kenya	X	
Coffee	Mexico	X	
Coffee	Nicaragua	X	
Coffee	Panama	X	
Coffee	Tanzania	X	
Coffee	Uganda	X	
Coltan (metallic ore)	Democratic Republic of the Congo	X	X
Copper	Democratic Republic of the Congo	X	
Corn	Bolivia		X
Corn	Guatemala	X	
Corn	Philippines	X	
Cotton	Argentina	X	
Cotton	Azerbaijan	X	
Cotton	Benin	X	X
Cotton	Brazil	X	
Cotton	Burkina Faso	X	X
Cotton	China	X	X
Cotton	Egypt	X	
Cotton	Kazakhstan	X	X

Good	Country	Child Labor	Forced Labor
Cotton	Kyrgyz Republic	X	
Cotton	Mali	X	
Cotton	Pakistan		X
Cotton	Paraguay	X	
Cotton	Tajikistan	X	X
Cotton	Turkey	X	
Cotton	Turkmenistan	X	X
Cotton	Uzbekistan	X	X
Cotton	Zambia	X	
Cottonseed (hybrid)	India	X	X
Cucumbers	Mexico	X	
Cumin	Turkey	X	
Diamonds	Angola	X	X
Diamonds	Central African Republic	X	
Diamonds	Democratic Republic of the Congo	X	
Diamonds	Guinea	X	
Diamonds	Liberia	X	
Diamonds	Sierra Leone	X	X
Diamonds	Zimbabwe	X	
Dried Fish	Bangladesh	X	
Eggplants	Mexico	X	
Electronics	China	X	X
Embroidered Textiles (zari)	India	X	X
Embroidered Textiles (zari)	Nepal	X	X
Emeralds	Colombia	X	
Fashion Accessories	Philippines	X	
Fireworks	China	X	X
Fireworks	Guatemala	X	
Fireworks	El Salvador	X	
Fireworks	India	X	
Fireworks	Peru	X	
Flowers	Ecuador	X	
Flowers (poppies)	Afghanistan	X	
Fluorspar (mineral)	Mongolia	X	
Footwear	Bangladesh	X	
Footwear	Brazil	X	
Footwear	China		X
Footwear	India	X	
Footwear (sandals)	Indonesia	X	

Good	Country	Child Labor	Forced Labor
Furniture	Turkey	X	
Furniture (steel)	Bangladesh	X	
Garlic	Argentina	X	
Garments	Argentina	X	X
Garments	China		X
Garments	India	X	X
Garments	Jordan		X
Garments	Malaysia		X
Garments	Thailand	X	X
Gems	India	X	
Gems	Zambia	X	
Glass	Bangladesh	X	
Glass Bangles	India	X	
Glass Bangles	Pakistan	X	
Goats	Mauritania	X	
Gold	Bolivia	X	
Gold	Burkina Faso	X	X
Gold	Colombia	X	
Gold	Democratic Republic of the Congo	X	
Gold	Ecuador	X	
Gold	Ethiopia	X	
Gold	Ghana	X	
Gold	Guinea	X	
Gold	Indonesia	X	
Gold	Mali	X	
Gold	Mongolia	X	
Gold	Nicaragua	X	
Gold	Niger	X	
Gold	North Korea		X
Gold	Peru	X	X
Gold	Philippines	X	
Gold	Senegal	X	
Gold	Tanzania	X	
Granite	Nigeria	X	X
Granite	Sierra Leone	X	
Granite (crushed)	Benin	X	
Grapes	Argentina	X	
Gravel (crushed stones)	Guatemala	X	
Gravel (crushed stones)	Nicaragua	X	

Good	Country	Child Labor	Forced Labor
Gravel (crushed stones)	Nigeria	X	X
Gypsum (mineral)	Niger	X	
Hazelnuts	Turkey	X	
Hogs	Philippines	X	
Incense *(agarbatti)*	India	X	
Iron	North Korea		X
Jade	Burma	X	X
Leather	Bangladesh	X	
Leather	Pakistan	X	
Leather Goods/Accessories	India	X	
Lobsters	Honduras	X	
Locks	India	X	
Manioc/Cassava	Brazil	X	
Manioc/Cassava	Cambodia	X	
Manioc/Cassava	Nigeria	X	
Matches	Bangladesh	X	
Matches	India	X	
Melons	Honduras	X	
Melons	Mexico	X	
Melons	Panama	X	
Miraa (stimulant plant)	Kenya	X	
Nails	China		X
Nile Perch (fish)	Tanzania	X	
Oil (palm)	Indonesia	X	
Oil (palm)	Malaysia		X
Olives	Argentina	X	
Onions	Mexico	X	
Palm Thatch	Burma		X
Peanuts	Bolivia		X
Peanuts	Turkey	X	
Physic Nuts/Castor Beans	Burma		X
Pineapples	Brazil	X	
Pornography	Colombia	X	
Pornography	Mexico	X	
Pornography	Paraguay	X	
Pornography	Philippines	X	
Pornography	Russia	X	X
Pornography	Thailand	X	
Pornography	Ukraine	X	

Good	Country	Child Labor	Forced Labor
Poultry	Bangladesh	X	
Pulses (legumes)	Turkey	X	
Pyrotechnics	Philippines	X	
Rice	Brazil	X	
Rice	Burma	X	X
Rice	Dominican Republic	X	
Rice	India	X	X
Rice	Kenya	X	
Rice	Mali	X	X
Rice	Philippines	X	
Rice	Uganda	X	
Rubber	Burma	X	X
Rubber	Cambodia	X	
Rubber	Indonesia	X	
Rubber	Liberia	X	
Rubber	Philippines	X	
Rubies	Burma	X	X
Salt	Bangladesh	X	
Salt	Cambodia	X	
Salt	Niger	X	
Sand	Nigeria	X	
Sapphires	Madagascar	X	
Sesame	Burma		X
Shellfish	El Salvador	X	
Shellfish	Nicaragua	X	
Shrimp	Bangladesh	X	
Shrimp	Burma		X
Shrimp	Cambodia	X	
Shrimp	Thailand	X	X
Silk Fabric	India	X	
Silk Thread	India	X	
Silver	Bolivia	X	
Sisal	Brazil	X	
Sisal	Kenya	X	
Sisal	Tanzania	X	
Soap	Bangladesh	X	
Soccer Balls	India	X	
Stones	India	X	X
Stones	Nepal	X	X

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

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

Source: DOL analysis of collected data sources.

5.1 DATA AVAILABILITY

5.1.1 Countries Not Appearing on List

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

Many countries do not collect data on child labor or forced labor. Among the 176 countries, non-independent countries and territories researched, there were several for which ILAB could not find adequate information to determine that any goods should be placed on the List because very little recent research has been done. This was the case, for example, in Belarus, Gabon, Guyana, Morocco, South Africa, Sudan, Togo, Tunisia, Vietnam and many others.

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

5.1.2 Countries with Data Gaps on List

ILAB's List includes goods from some countries known to restrict data collection on these issues or to suppress information dissemination. Examples include Burma, China, Iran, North Korea, and Uzbekistan. If ILAB found information sources despite data availability constraints and these sources were judged credible and timely ILAB determined that there was "reason to believe" that child labor or forced labor was occurring.

5.1.3 Countries with Disproportionate Representation on List

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

5.2 GENERALIZABILITY OF FINDINGS

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

6.1 GLOBAL CONTEXT

This second update of the List is published as the world continues to stimulate recovery from the global financial and economic crisis. This report reminds us that in difficult economic times, countries must increase their efforts protect their most vulnerable citizens. The production of goods by child labor and forced labor reflects the reality that hundreds of millions of people around the world continue to live in poverty that puts them at risk of extreme exploitation. In countries where systems of social protection and labor law enforcement are weak or non-existent, they are particularly vulnerable.

6.2 SUMMARY OF FINDINGS

With the 2011 update, the List includes 130 goods produced with forced labor, child labor, or both, in 71 countries.

	2009	2010	2011	Total
Total Goods on List	122	6	2	130
Total Countries on List	58	12	1	71

Since the first publication of the List in 2009, ILAB's research has continued to uncover more goods made with child labor than with forced labor. This finding is consistent with ILO estimates of the relative prevalence of child labor and forced labor.

The List includes 119 goods in the "child labor" category. When goods produced by child labor are grouped by sector, the agricultural sector continues to have the highest number of goods. This is also consistent with the ILO estimate that 60 percent of child labor worldwide is in agriculture.[14] With the new update, there are 56 agricultural goods made by child labor on the List, 36 manufactured goods made by child labor, and 26 mined/quarried goods made by child labor, as well as pornography produced with child labor.

The List includes 50 goods in the "forced labor" category. Examining the goods in this category, agriculture comprises the largest sector: 25 agricultural goods, 16 manufactured goods, 8 mined/quarried goods and pornography are produced by forced labor. Agricultural goods with notable concentrations of forced labor include cotton (8 countries) and sugarcane (5 countries). Among manufactured goods, the highest concentrations of forced labor were found in the production of bricks (7 countries) and garments (6 countries). Certain countries and regions have relatively high numbers of goods made with forced labor. South Asian countries – the region with over 75 percent of the world's forced laborers, according to the ILO – had high numbers of goods in the forced labor category. Burma, which lies between South Asia and East Asia, has 14 goods produced with forced labor, while China has 11. Traditional discrimination against indigenous groups in certain Andean countries also contributes to the relatively high numbers of goods made by forced labor in the Andean region.

Across the three years of research, certain goods were found to have child labor or forced labor in country after country. For example, the 2009 List included tobacco produced by child and/or forced labor in 13 countries; the 2010 update added child labor in tobacco in Mozambique and Zambia, and the 2011 update adds child labor in tobacco in Cambodia. Other goods associated with a notably high concentration of child and/or forced labor include cotton (17 countries), sugarcane (15 countries), coffee (13 countries), cattle (10 countries), rice (8 countries) and cocoa (5 countries) in the agricultural sector; bricks (15 countries), garments (6 countries), carpets (5 countries) and footwear (5 countries) in the manufacturing sector; and gold (18 countries), diamonds (7 countries) and coal (6 countries) in the mining/quarrying sector.

Production of pornographic materials (pornography) is treated as a separate category; compelling evidence was found of this abuse in 7 countries, with the likelihood that it occurs in many more.

The countries on the List span every region of the world, and include all stages of industrialization. Because of the concentration of child and forced laborers in agriculture, these labor abuses are most closely associated with developing countries. But ILAB's research also found child and forced labor in

14. ILO, *Accelerating Action Against Child Labour*, 10.

more developed economies, in the manufacturing of goods such as carpets, fashion accessories, footwear and garments for the global marketplace.

6.3 HAZARDOUS CHILD LABOR IN THE PRODUCTION OF GOODS

This year hazardous child labor was the central theme of World Day Against Child Labor, with a focus on identifying key gaps in research as well as policy solutions to protect children. ILO Convention 182 identifies hazardous work - work that is likely to harm the health, safety or morals of children - as one of the worst forms of child labor for children under 18.[15] Historically, hazardous work has received less attention than other worst forms, including prostitution, forced or indentured labor, and illicit activities like child soldiering and drug-trafficking. Academics and policy makers continue to bring attention to hazardous child labor as a public health issue deserving more focused attention.[16]

Global estimates on hazardous work by children point to uneven progress in combating this problem. From 2004 to 2008, the number of children performing hazardous work decreased by 10 percent from 128 million to 115 million, but this decline represented a slower pace of reduction than over the previous four-year period.[17] Most alarming is the statistic that nearly half of all working children ages 15-17 are in hazardous work.[18]

Hazardous work by children contributes to the production of most goods on the List. Below are some examples of goods produced by children under hazardous conditions. These goods represent a diverse sample of some of the most severe workplace hazards children face. Children's involvement in these industries takes a particularly egregious toll on their physical, psychological and social well-being, but these are by no means the only industries that present hazards for children.

6.3.1 Tobacco

Sixteen countries appear on the List for child labor in tobacco production. In addition, one country (Malawi) appears on ILAB's "List of Products Produced by Forced or Indentured Child Labor" (EO 13126 List)[19] for tobacco production.

Children in the tobacco sector may work between 6 and 14 hours per day and as many as 20 hours per day during peak harvest season.[20] The work is physically strenuous, requiring children to bend

15. ILO, *Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour*; available from http://www.ilo.org/public/english/standards/relm/ilc/ilc87/com-chic.htm.
16. David Parker, *Child Labour: A Public Health Perspective* (Oxford: Oxford University Press, 2010). See also ILO, *Children in Hazardous Work: What we know, What we need to know*, Geneva, June 2011; available from http://www.ilo.org/ipecinfo/product/viewProduct.do?productId=17035.
17. ILO, *Accelerating Action Against Child Labour*.
18. ILO, *Children in Hazardous Work*, 7.
19. ILAB's "List of Products Produced by Forced or Indentured Child Labor" was mandated by Executive Order 13126 of 1999. EO 13126 is intended to ensure that federal agencies enforce laws relating to forced or indentured child labor in the procurement process. It requires DOL, in consultation with the Departments of State and Homeland Security, to publish and maintain a list of products, by country of origin, which the three Departments have a reasonable basis to believe might have been mined, produced or manufactured by forced or indentured child labor. Under the procurement regulations implementing the Executive Order, federal contractors who supply products on a list published by DOL must certify that they have made a good faith effort to determine whether forced or indentured child labor was used to produce the items listed. For more information, see: http://www.dol.gov/ILAB/regs/eo13126/main.htm.
20. ILO-IPEC, *Tanzania: Children Working in Commercial Agriculture – Tobacco: A Rapid Assessment*, Geneva, 2001, 48; available from http://www.ilo.org/public/libdoc/ilo/2002/102B09_69_engl.pdf. See also Plan, *Hard work, long hours and little pay: Research with children working on tobacco farms in Malawi*, August 2009, preface; available from http://plan-international.org/about-plan/resources/publications/protection/hard-work-long-hours-and-little-pay. See also ILO-IPEC, *Lebanon: Child Labor on Tobacco Plantations: A Rapid Assessment*, Geneva, 2002, 16, 18; available from http://www.ilo.org/public/libdoc/ilo/2002/102B09_607_engl.pdf.

for long periods and transport heavy loads. These stresses manifest themselves in extreme physical fatigue and musculoskeletal problems, particularly persistent pain in the shoulders, knees and back, and potentially stunted growth.[21] Children may also work with dangerous tools, including knives and axes.[22] Inhalation of dust and pesticides in the fields and during the drying, sorting and grinding processes can lead to chest pains and respiratory infections like tuberculosis, of which coughing blood is a common symptom.[23] Children working in the curing sheds are exposed to extreme heat, smoke and toxic fumes. Many suffer burns, eye inflammation and coughs.[24]

Green Tobacco Sickness (GTS) is an occupational hazard uniquely linked to tobacco farming. GTS is severe nicotine poisoning caused by dermal absorption through contact with mature tobacco leaves. Exposure is highest when leaves are wet. On humid days, workers can absorb the equivalent of approximately 36 cigarettes worth of nicotine.[25] Symptoms include nausea, vomiting, headache, muscle weakness, abdominal cramps, difficulty breathing and dizziness.[26] Children are more vulnerable than adults to GTS since their bodies are smaller relative to the amount of nicotine absorbed and they have a lower tolerance for the drug.[27] Though the condition has only been conclusively documented in children in the United States, minors in tobacco farming in developing countries, who often work without protective gear, have demonstrated symptoms of GTS.[28]

6.3.2 Bricks

Fourteen countries appear on the List for child labor in brick production. The brick industry is also associated,

21. Plan, *Hard work, long hours and little pay*, iii, 37-38. See also ILO, *Children in Hazardous Work*, 21. See also ILO-IPEC, *Tanzania: Children Working in Commercial Agriculture – Tobacco*, 52.
22. ILO-IPEC, Tanzania: *Children Working in Commercial Agriculture – Tobacco*, 51. See also ILO-IPEC, *Lebanon: Child Labor on Tobacco Plantations*, 17.
23. ILO-IPEC, *Tanzania: Children Working in Commercial Agriculture – Tobacco*, 51. See also Plan, *Hard work, long hours and little pay*, 37, 38-39.
24. ILO-IPEC, *Tanzania: Children Working in Commercial Agriculture – Tobacco*, 51-52.
25. Robert H. McKnight and Henry A. Spiller, "Green Tobacco Sickness in Children and Adolescents," *Public Health Reports* (2005), 602, 603.
26. Ibid., 602. See also Centers for Disease Control and Prevention, "Green Tobacco Sickness in Tobacco Harvests--Kentucky 1992", CDC.gov, [online], April 9, 1993 [cited August 1, 2011]; available from http://www.cdc.gov/mmwr/preview/mmwrhtml/00020119.htm.
27. McKnight, "Green Tobacco Sickness in Children and Adolescents," 604.
28. Ibid., 603. See also Plan, *Hard work, long hours and little pay*, preface, 41. See also ILO-IPEC, *Lebanon: Child Labor on Tobacco Plantations*, 17. See also ILO-IPEC, *Tanzania: Children Working in Commercial Agriculture – Tobacco*, 52, 58-59.

in some countries, with intergenerational debt bondage and other practices that push children into forced labor. To date, 5 countries (Burma, China, India, Nepal and Pakistan) appear on ILAB's EO 13126 List for brick production.

Children working in brick making face daily hazards as well as long-term health risks. They transport heavy loads of clay, sand, water and bricks on their heads and shoulders. This physical strain frequently results in headaches, acute body pain, cuts, bruises and blistered hands.[29] Over time it can cause chronic musculoskeletal disorders, including joint and bone deformity.[30] Injuries caused by falling bricks are also exceedingly common.[31] Children who unload hot bricks from kilns after firing often experience burns ranging from minor to severe.[32] They carry bricks across planks four to five meters high from the top of kilns to the ground, risking falls that may leave them with broken bones.[33] Children also sustain injuries from getting their hands caught in clay cutting machines.[34] Young workers commonly suffer from eye irritation, skin rashes and respiratory problems, such as asthma, bronchitis and tuberculosis, from heavy exposure to silica dust, smoke and flying ash. Prolonged exposure to silica dust can also lead to lung cancer.[35]

6.3.3 Sugarcane

Thirteen countries appear on the List for child labor in sugarcane production. In addition, two countries (Bolivia and Burma) appear on ILAB's EO 13126 List for sugarcane production.

Children in sugarcane fields do strenuous work, often over long hours. Excessive sun and heat exposure poses serious health risks, particularly in children, as they are exceptionally vulnerable.[36] They may experience heat exhaustion and skin damage and are ultimately at higher risk for skin cancer.[37] Children use sharp, heavy tools to weed and harvest cane. Accidents with these tools can cause serious wounds. Lack of protective clothing also exposes children to cuts from sugarcane leaves and skin irritation from

29. World Vision, "Danger! Children at Work," trans. worldvision.com, [online], June 2011 [cited August 1, 2011]; available from http://trans.worldvision.com.au/news/actionnews/viewArticle_enh.asp?articleID=288. See also World Education, *Children Working in Brick Factories*, Boston, 2009, 1, 7; available from http://www.worlded.org/WEIInternet/contact/index.cfm. See also ILO, *Children in Hazardous Work*, 36, 37.
30. ILO, *Children in Hazardous Work*, 36.
31. Poch Bunnak, *Child Workers in Brick Factories: Causes and Consequences*, LICADHO and World Vision Cambodia, Phnom Pehn, 2007, 30; available from http://www.licadho-cambodia.org/reports/files/120LICADHOWVCChildLaborReport.pdf. See also ILO, *Children in Hazardous Work*, 36.
32. Bunnak, *Child Workers in Brick Factories: Causes and Consequences*, 37. See also World Education, *Children Working in Brick Factories*, 7.
33. ILO, *Children in Hazardous Work*, 38.
34. World Vision, "Danger! Children at Work." See also ILO, *Children in Hazardous Work*, 38.
35. Bunnak, *Child Workers in Brick Factories: Causes and Consequences*, 35. See also World Education, *Children Working in Brick Factories*, 7. See also Halshka Graczyk, *Child Labour and Occupational Health: Assessing our Current Knowledge Base*, December 2010, 29. See also NIOSH, "Health Effects of Occupational Exposure to Respirable Crystalline Silica," cdc.gov, 2002 [cited August 1, 2011]; available from http://www.cdc.gov/niosh/docs/2002-129/02-129a.html.
36. ILO-IPEC, *El Salvador Child Labour in Sugarcane: A Rapid Assessment*, Geneva, 2002, vii; available from http://www.ilo.org/ipecinfo/product/searchProduct.do?userType=3&type=normal&selectedSortById=4&selectedLanguages=1200&selectedCountries=225. See also Jennifer de Boer, *Sweet Hazards: Child labor on sugarcane plantations in the Philippines*, Terre des Hommes, Netherlands, June 2005, 13; available from http://www.terredeshommes.nl/upload/dossier/download/200506_SweetHazards_ChildlaborInThePhilippines.pdf. See also World Health Organization, "Ultraviolet Radiation and Human Health," [cited August 2, 2011]; available from http://www.who.int/mediacentre/factsheets/fs305/en/index.html. See also Centers for Disease Control and Prevention, "Extreme Heat," [cited August 2, 2011]; available from http://www.bt.cdc.gov/disasters/extremeheat/heat_guide.asp.
37. World Health Organization, "Ultraviolet Radiation and Human Health." See also Centers for Disease Control and Prevention, "Extreme Heat."

the down the plant releases.[38] The heavy tools and large loads of harvested cane that young workers carry cause physical strain, commonly leading to back pain. Carrying excessive weight repeatedly may also do long-term physical damage, as children's bodies are not fully developed.[39] Since fires are set to clear fields, children in the fields inhale smoke and ash, which can lead to respiratory disorders.[40] Child workers are also risk pesticide exposure. Contact with pesticides can cause damage to children's skin and eyes and be detrimental to respiratory function and reproductive health over time. Children are more vulnerable than adults to the negative impacts of agrochemicals, since their intake is higher in proportion to their body weight and their bodies do not discharge toxins as effectively.[41]

6.3.4 Mined Goods

Thirty-three countries appear on the List for child labor in the production of mined goods. In addition, 5 mined goods from 6 countries (Coal from Pakistan, Diamonds from Sierra Leone, Gold from Burkina Faso, Granite from Nigeria and Stones from India and Nepal) appear on ILAB's EO 13126 List, indicating forced or indentured child labor in their production.

Mining is a highly hazardous occupation for workers of every age, but children face more acute risks as neither their bodies nor judgment are fully developed. The majority of child labor is found in small-scale, artisanal mines.[42]

In mines, children carry heavy loads, sometimes greater than their own body weight, causing tremendous strain on the musculoskeletal system.[43] They have close contact with explosives and dangerous drilling equipment that can cause serious injury, deformation or death.[44] Children working in underground mines, like coal mines, face the possibility of cave-ins and collapsing structures.[45] In compressor mining, children spend hours submerged in pitch-black wells as deep as 30 meters to collect ore-rich soil. They receive air from a compressor through a rubber tube. Sino-nasal injury, suffocation and drowning are grave risks.[46] In rock and sand mining from riverbeds, young laborers can become exhausted and be carried off by the river's current.[47]

Children may also be exposed to toxic levels of heavy metals and silica dust.[48] Those that crush and amalgamate metal ore are particularly vulnerable.[49] Mercury intoxication is of concern for those engaged in gold mining, as the toxin is used to bind gold. Some research has demonstrated that children in gold mining present with alarmingly high levels of mercury. Mercury poisoning severely impacts children's

38. Boer, *Sweet Hazards*, 11-13. See also ILO, *Children in Hazardous Work*, 51. See also ILO-IPEC, *El Salvador Child Labour in Sugarcane*, v-vii.
39. Boer, *Sweet Hazards*, 13. See also ILO, *Children in Hazardous Work*, 51. See also ILO-IPEC, *El Salvador Child Labour in Sugarcane*, vii.
40. ILO, *Children in Hazardous Work*, 51. See also ILO-IPEC, *El Salvador Child Labour in Sugarcane*, vii.
41. Boer, *Sweet Hazards*, 13. See also ILO, "The impact of pesticide exposure on child labourers in agriculture," June 22, 2011 [cited August 2, 2011]; available from http://www.ilo.org/global/about-the-ilo/press-and-media-centre/insight/WCMS_158425/lang--en/index.htm.
42. ILO, *Children in Hazardous Work*, 33.
43. Ibid., 32, 34. See also ILO-IPEC, *Facts on Child Labour in Small-Scale Mining*, Geneva, March 2003; available from http://www.ddiglobal.org/login/Upload/IPEC_CL_Small%20Scale%20Mining_2003.pdf.
44. ILO, *Children in Hazardous Work*, 33. See also ILO-IPEC, *Facts on Child Labour in Small-Scale Mining*.
45. ILO-IPEC, *Facts on Child Labour in Small-Scale Mining*. See also ILO, *Children in Hazardous Work*, 33-34. See also World Education, *Children Working in Mining Industry*, Boston, 2009, 2; available from http://www.worlded.org/docs/Publications/ChildLabor/bfp-children-in-mining-report.pdf.
46. ILO, *Children in Hazardous Work*, 35.
47. World Education, *Children Working in Mining Industry*, 2.
48. ILO-IPEC, *Facts on Child Labour in Small-Scale Mining*.
49. ILO, *Children in Hazardous Work*, 34.

cognitive function.[50] Other common symptoms include uncontrollable tremors, irritability and anxiety, muscular atrophy, physical deformity, kidney and respiratory failure and death.[51]

Though the number of children working in mining is not as high as in other industries, mining arguably represents the most dangerous occupation for children. Child workers in mining suffer a higher fatal injury rate than children in any other sector.[52]

6.3.5 Leather

Three countries appear on the List for child labor in leather and leather goods production.

In leather manufacturing, children work to dehair, tan, sew and clean the leather. These processes commonly involve exposure to dangerous chemicals, including dyes and solvents, and toxic fumes. As a result, children may experience frequent headaches, dizziness, chemical poisoning, lung damage, asthma, bronchitis, skin rashes and bladder cancer.[53] Children in the industry also use sharp tools from which they may suffer lacerations.[54] In small-scale workshops, where the majority of child labor is found, young workers often labor in seated postures over long hours. As a result, many experience body pain, particularly in the back and ankles.[55] Children who produce leather goods, such as clothing and shoes, are often exposed to high levels of leather dust from cutting, assembling, buffing and finishing products. Consequently, they face an increased risk of developing sino-nasal cancer.[56]

There is some evidence that exposure to industrial solvents (like those used in leather production) has neurobehavioral impacts in addition to physical health effects. A cross-sectional study comparing children exposed to chemical solvents in the work place with non-exposed children showed that exposed children had significantly poorer motor dexterity and memory. Exposed children also demonstrated higher levels of anger and confusion.[57]

6.4 EXEMPLARY EFFORTS

Elimination of child labor or forced labor from an industry or a country requires intensive, sustained commitment by governments, companies and industry

50. S. Bose-O'Reilly et al., "Mercury as a serious heath hazard for children in gold mining areas," *Environmental Research* (2008); available from http://www.sciencedirect.com/science/article/pii/S0013935108000224. See also ILO, *Children in Hazardous Work*, 35.
51. BBC News, "Mercury poisoning disease re-emerges," [online], February 2, 1999 [cited August 1, 2011]; available from http://news.bbc.co.uk/2/hi/health/271598.stm. See also ILO, *Children in Hazardous Work*, 35.
52. ILO, *Children in Hazardous Work*, 33.
53. Ibid., 31. See also DOL-ILAB, *Leather Footwear* [cited August 2, 2011]; available from http://www.dol.gov/ilab/media/reports/iclp/sweat4/leather.htm#top1521. See also Basema Saddick et. al., "The Effects of Solvent Exposure on Memory and Motor Dexterity in Working Children," *Public Health Reports* (Nov-Dec 2005); available from http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1497779/?log$=activity.
54. ILO, *Children in Hazardous Work*, 31.
55. Sampa Mitra, "A study of the health conditions of child workers in a small scale leather industry in Calcutta," *British Journal of Industrial Medicine* (1993), 938. See also ILO, *Children in Hazardous Work*, 31.
56. Bonneterre V. et al, "Sino-nasal cancer and exposure to leather dust," *Occupational Medicine* 57, no. 6 (June 24, 2007).
57. Basema Saddick et. al., "The Effects of Solvent Exposure on Memory and Motor Dexterity in Working Children."

groups, workers and labor unions and civil society organizations. In some cases, consumers and investors have played a role. Since the publication of the initial List, ILAB has received information submissions from many governments, industry groups and other stakeholders eager to share their efforts and good practices. All submissions related to the List are available on the DOL Web site at: *http://www.dol.gov/ilab/programs/ocft/tvprasubmissions.htm*. The following are examples of leadership and good practice in this area.

6.4.1 The Case of Brazilian Charcoal

The Government of Brazil (GOB) has taken an exemplary approach to the elimination of child and forced labor, through both broad policy measures and targeted action in specific industries. It is currently implementing its Second National Plan to Combat Forced Labor. The GOB has strong child labor and forced labor laws in place, which impose fines and imprisonment of four to twelve years for the use of forced child labor. It enforces these laws effectively, through means such as the Ministry of Labor's "mobile inspection unit," which carries out inspections for forced labor in remote areas of the country. The unit is composed of teams of labor inspectors, Labor Ministry attorneys and members of the National Police. Currently, more than 100 labor inspectors are part of this unit. To resolve cases of forced labor, the unit can initiate formal charges and levy fines on-site. Between 1995 and 2011, inspectors found and removed more than 39,000 people from forced labor. In 2010, the Federal Police investigated 323 cases of forced labor and 177 forced labor lawsuits were filed in Brazilian courts. In 2010, the GOB published a series of good practice guides on labor inspection, including one on forced labor inspection and one on child labor inspection.[58]

The GOB publishes a "Dirty List" *(Lista Suja)* naming companies and property owners who employ workers under forced labor conditions; listed companies are banned from acquiring credit from state-owned banks. The Dirty List is updated every six months. Forty-eight employers were added in July of 2011, for a total of 251. Violators are kept on the list for two years, and removed only if they have discontinued use of forced labor and paid all wages due to workers. All government labor inspection data is available to the public.

The GOB's 2005 National Pact to Eradicate Forced Labor serves as a framework for multi-sectoral action to combat forced labor throughout the country. More than 180 parties participate in the agreement.

In addition to enforcement and cross-sectoral coordination, the GOB also allocates significant resources for direct assistance to forced labor victims and children removed from labor. Forced labor victims receive rehabilitative and employment assistance. The

58. ILO, *The Good Practices of Labour Inspection in Brazil: The eradication of labour analagous to slavery*, Geneva, 2010; available from http://www.oit.org.br/info/downloadfile.php?fileId=512. See also ILO, *The Good Practices of Labour Inspection in Brazil: The prevention and eradication of child labour*, Geneva, 2010; available from http://www.oit.org.br/info/downloadfile.php?fileId=517.

GOB implements the National Program to Eliminate Child Labor (PETI), a conditional cash-transfer program aimed at families with working children who commit to keep their children in school and out of work. It is currently operating in more than 3,500 municipalities, and more than 820,000 children have benefitted. In 2010, the Brazilian Congress allocated approximately $200 million to PETI.

The GOB conducts an annual nationwide child labor survey to track progress. As of 2009, it had reduced the number of child laborers 5 to 17 years from approximately 8.5 million in 1992 to 4.3 million.

As noted above, DOL, in cooperation and coordination with the Departments of State and Homeland Security, maintains the "List of Products Requiring Federal Contractor Certification as to Forced or Indentured Child Labor," (the EO 13126 List). As of 2009, charcoal from Brazil was included in the EO 13126 List. In 2010, the GOB approached DOL with inspection data showing that, from January 2007 to September 2010, 1,924 labor inspections in 23 states found no child under 18 working under forced labor conditions in charcoal production.

To corroborate the GOB data, DOL gathered information from a number of stakeholders actively engaged in forced labor issues in the charcoal sector. These sources included the ILO, Repórter Brasil, the Pastoral Land Commission (CPT) and the Citizens' Charcoal Institute (CCI), an association of Brazilian steel companies concerned about labor conditions, including forced labor, in their supply chains. Both the CPT and CCI provided monitoring data to support these claims, although the CPT data differs slightly from the Government's data. The CPT, which receives complaints of forced labor cases, carries out independent forced labor monitoring and also refers cases to the Mobile Inspection Unit, reported that from June 2008 to August 2010, it submitted five complaints of forced labor in charcoal to the Ministry of Labor that involved 76 victims, including 10 children. The CCI, which independently monitors labor conditions in charcoal enterprises in the states of Pará, Maranhão, Tocantins and Piau, had carried out 2,793 inspections in 158 municipalities, registered 145,917 charcoal kilns and reached out to more than 52,000 charcoal workers. It found no evidence of forced child labor in these businesses.

The Departments of Labor, State, and Homeland Security determined that this data was recent, credible and appropriately corroborated, and that there was a reasonable basis to believe that forced child labor in charcoal production in Brazil had been significantly reduced. Charcoal from Brazil was removed from the EO 13126 List in May 2011.

It is important to note that the above data did not demonstrate that child labor or forced labor of adults had been significantly reduced or eliminated from the charcoal industry, so charcoal from Brazil remains on the TVPRA List.

6.4.2 Complementary Public and Private Efforts in India

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

Many Indian industry groups have put in place voluntary measures to address child labor and/or forced labor. For example, the Council for Leather Exports (CLE) has instituted a code of conduct for its members which includes voluntary standards

prohibiting the use of child labor. The CLE raises awareness among its member companies on child labor and other labor laws and international labor standards. Hundreds of CLE member companies have received training and been certified under social compliance standards programs, such as SA 8000. In over 400 social audits carried out by a third-party firm at CLE member factories from July to December 2010, no child labor was found.

In 2010, India's Apparel Export Promotion Council (AEPC) created a task force on labor issues in the apparel sector comprised of U.S. and European garment buyers, Indian garment manufacturers and the ILO. This task force provides a forum to discuss supply chain and labor issues, identify concerns, mitigate potential risks and suggest future strategies for sustainable labor standards compliance. The AEPC is also collaborating with the "Multi-Stakeholder Garment Steering Group on Child Labor," which works toward establishing effective monitoring mechanisms, ensuring responsible and transparent supply chains and promoting decent work and community development to eliminate child labor from garment manufacturers' supply chains. In general, voluntary social compliance initiatives can be helpful, but they must be transparent, provide for worker participation and avoid undermining public systems of labor inspection.

6.4.3 Declaration of Joint Action in the West African Cocoa Industry

Since 2001, when they signed the Harkin-Engel Protocol, the Governments of Cote d'Ivoire and Ghana and the International Cocoa Industry have worked to address the issue of child labor in cocoa-growing areas. On September 13, 2010, these parties reaffirmed their commitments by signing a Declaration of Joint Action to Support Implementation of the Harkin-Engel Protocol. The Declaration establishes a Framework of Action to coordinate the activities of the two governments, donors, chocolate and cocoa processing

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

Since the signing of the September 13, 2010 Declaration, the Government of Ghana has collaborated closely with the U.S. Government and the International Cocoa and Chocolate Industry. Ghana has focused resources on developing a credible and transparent child labor monitoring system. Although these are important steps forward, much more work remains in order to significantly reduce the number of children working in the worst forms of child labor in cocoa production.

6.4.4 Combating Child Labor in Egypt's Cotton Industry

The Government of Egypt is implementing a number of social, educational and poverty reduction programs to reduce children's vulnerability to exploitive labor. These include food subsidies, pilot conditional cash transfers, targeted support to poor villages and nonformal education through the *Girls Education Initiative*. The Government also has initiated a "First National Strategy for the Elimination of Child Labor" although the National Action Plan through which it is to be operationalized is still under development. The Ministry of State for Family and Population's National Protection Program and the National Council for Childhood and Motherhood (NCCM) have implemented pilot projects to withdraw children from exploitative child labor and increase family income. The NCCM also manages a 24-hour child help hotline and implemented awareness-raising campaigns against the worst forms of child labor. The Government, in collaboration with the ILO, conducted a comprehensive survey of child labor in Egypt in 2010. The survey will provide statistics on the nature and prevalence of child labor in Egypt to guide policies and programs to address the problem.

In December 2010, ILAB committed $9.5 million to the United Nations World Food Program for the "Combating Worst Forms of Child Labor by Reinforcing Policy Response and Promoting Sustainable Livelihoods and Educational Opportunities in Egypt" project. The project targets 8,000 children for withdrawal and 8,000 children for prevention from the worst forms of child labor in agriculture, including cotton, in the governorates of Sohag, Assiut, Fayoum, Minya and Sharqiyah. The project is expanding formal and non-formal educational opportunities, including vocational education and apprenticeship programs for beneficiary children; establishing new community schools and providing infrastructure improvements to existing schools; offering livelihood support to the families of working and at-risk children, including take-home food rations, school feeding, income-generation training for mothers and microsavings groups; and providing technical support, advocacy and capacity-building to governmental institutions and non-governmental organizations to improve policies and legislation.

6.4.5 Efforts to Eliminate Forced Child Labor in the Tajik Cotton Industry

Since Cotton from Tajikistan was first placed on the TVPRA and EO Lists in 2009, the Government of Tajikistan (GOT) has strengthened its commitment

to eliminate the use of children to fulfill annual quotas in the production of cotton. In 2010, the President of Tajikistan instructed relevant GOT ministries and government agencies to intervene in the recruitment of children in agricultural work in compliance with the country's education law. The Ministry of Education issued a ban prohibiting schools from sending children to pick cotton. In addition, Tajikistan's Inter-Ministerial Commission to Combat Trafficking in Persons disseminated a directive to local government officials reinforcing the ban on forced labor in the cotton harvest. This directive was followed up by visits to administrators, teachers, and farmers by local officials to educate them on forced and child labor laws.

In 2010, the International Organization for Migration (IOM) implemented the project, "Assessment of the Exploitation of Children and Students in the Cotton Fields of Tajikistan." Conducted by fifteen NGOs and the IOM, the project monitored the 2010 cotton harvest in 25 cotton-growing areas of the country. The monitoring visits were complemented by an IOM survey of children, parents and education officials. The study found that child labor persisted in cotton harvesting, but that the incidence of forced child labor was reduced from previous years. In combination with other reports on the issue, however, evidence indicates that forced child labor persists. IOM is carrying out monitoring of the 2011 cotton harvest.

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

ILAB's Office of Child Labor, Forced Labor, and Human Trafficking (OCFT) has engaged in technical cooperation efforts with foreign governments to combat the worst forms of child labor since 1995. To date, the Congress has appropriated DOL over $840 million from programming to combat child labor internationally. OCFT has used these funds to implement 252 projects in 85 countries, working with over 60 civil society organizations. OCFT's projects serve such diverse populations as children from traditional bonded-labor families in Nepal, children in commercial sexual exploitation in Mexico, and children working in hazardous conditions on sugarcane plantations in the Philippines. Since 1995, OCFT-funded projects have withdrawn or prevented over 1.4 million children from exploitative labor.

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

OCFT's technical cooperation experience has shown the willingness of some governments to acknowledge the existence of child labor and forced labor and commit public resources to eliminate these practices. This 2010 List update is released concurrently with the Department of Labor's tenth annual *Findings on the Worst Forms of Child Labor,* prepared in accordance with the Trade and Development Act of 2000 (TDA). This report provides detailed information on the efforts of 144 countries and territories to implement their international commitments to eliminate the worst forms of child labor, including forced child labor. The TDA report describes these countries' legal, policy and programmatic frameworks to address the worst forms of child labor, identifies gaps in these areas, and provides concrete suggested actions for governments to fill those gaps. While goods from some of these countries do appear on the List, the TDA report highlights the actions that countries have taken to eliminate the problem. The report is available at *http://www.dol.gov/ilab/media/reports/iclp/main.htm*.

6.6 CHILD LABOR AND FORCED LABOR IN THE UNITED STATES

6.6.1 Child Labor in Agriculture

Children are permitted to work at a younger age in agriculture than in other sectors in the United States. In 2009, an estimated 1.03 million children and adolescents under age 20 resided on farms, and approximately half of them performed farm work. An additional 230,000 children and adolescents were hired to work on U.S. farms.[59] Many youth perform agricultural work that does not violate U.S. law or international standards, but many do carry out tasks that jeopardize their health and safety.

An average of 113 youth under age 20 die annually from farm-related injuries, with youth aged 16-19 years suffering the highest share of deaths (34%). An estimated 3,400 children and adolescents were injured performing farm work in 2009. In some cases, children's education is also compromised. Children of seasonal farmworkers migrate with their families, changing schools or missing school altogether for significant periods of time. Some care for siblings and perform household chores while their parents are in the fields, rather than attending school.[60]

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

In 2010, WHD implemented a farm labor enforcement program focusing on the harvesting of blueberries in New Jersey, North Carolina and Michigan. Before the harvest season began, the relevant WHD District Offices issued press releases announcing that WHD was committed to ensuring that agricultural employers understood their responsibilities, and that agricultural workers understood their rights. Blueberry-growing communities were aware that WHD investigators would be in the fields. In addition, WHD conducted education and outreach to the blueberry industry in each of these states.

When the harvest began, WHD investigators were out in the fields, early in the morning, in the evening and on weekends. As blueberry crews moved from one state to the next, WHD offices shared information on investigations. Offices also shared bilingual investigators so that the rights of Spanish and Haitian-Creole speaking workers remained protected. Not only did local media report on the investigations, but national media provided coverage. Most significantly, employers took observable and important steps to ensure that children were not working in the fields. No child labor violations were found at the farms investigated in North Carolina and New Jersey, and only one farm in Michigan was found to be violating child labor regulations. And while wage, hour and other labor law violations were not eradicated, they were significantly diminished.

WHD has also strengthened enforcement efforts in other agricultural industries. In June 2011, WHD fined three strawberry farms a total of $73,000 for employing child pickers as young as 6 years old. Due to the severity of the child labor violations, WHD invoked the "hot goods" provision of the Fair Labor Standards Act (FLSA), which precludes the farmers from shipping the strawberries that were produced in violation of the child

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59. NIOSH, *Agricultural Safety*, [online] May 20, 2011 [cited August 1, 2011]; available from http://www.cdc.gov/niosh/topics/aginjury/.

60. Patricia Leigh Brown, "Itinerant Life Weighs on Farmworkers' Children," *New York Times* (New York), March 20, 2011; available from http://www.nytimes.com/2011/03/13/us/13salinas.html?_r=1&scp=1&sq=%22itinerant%20life%20weighs%20on%20farmworkers%22&st=cse.

labor laws. All three employers took immediate steps to come into compliance by removing the underage workers, signing consent judgments permanently enjoining them from violating the FLSA in the future, and requiring them to attend training conducted by the WHD for the next three years.

On September 2, 2011, DOL published a Notice of Proposed Rulemaking requesting public comment on proposals to strengthen the protections for young hired farm workers by updating and adding to the agricultural hazardous occupation orders. DOL also proposes to add two new nonagricultural hazardous occupations orders.

Other U.S. Government agencies also work on behalf of children working in agriculture. The Department of Education's Migrant Education Program provides health care, summer school and tutoring for about 600,000 migrant children nationwide.[61] The National Institute for Occupational Safety and Health (NIOSH), in partnership with the National Children's Center for Rural and Agricultural Health and Safety, developed the North American Guidelines for Children's Agricultural Tasks (NAGCAT). The NAGCAT provide information on children's physical, mental, and psychosocial abilities in relation to the requirements of specific types of farm work. Use of these guidelines has demonstrated its effectiveness in reducing child agricultural injuries.[62]

6.6.2 Child Labor in Other Industries

In 2009, 359 workers under age 24 died from work-related injuries, including 27 deaths of youth under age 8. From 1998 to 2007, U.S. hospitals treated non-fatal injuries in 795,000 workers under age 24 annually. Workers under age 24 were also twice as likely to need emergency-room care for occupational injuries than were workers over age 25. [63] Similar data is not available for children under age 18.

WHD is committed to ensuring that U.S. child labor laws are strictly enforced. Every onsite investigation has a child labor component. Child labor complaints, although not numerous, are given the highest priority within the agency. The FLSA establishes an 18-year minimum age for non-agricultural occupations that the Secretary of Labor declares to be particularly hazardous or detrimental to children's health or well-being. There are currently 17 Hazardous Occupation Orders (HOs) which include a partial or total ban on the occupations or industries they cover.

In May 2008, the U.S. Congress dramatically increased the maximum civil money penalty (CMP) for violations that cause the death of a minor employee under age 18. The previous maximum CMP for such violations was $11,000; Congress raised the maximum to $50,000 for violations that cause a youth serious injury or death. That penalty can be doubled if the violation is willful or repeated.

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

6.6.3 Forced Labor

On June 15, 2011, three defendants pled guilty to charges in connection with the largest human trafficking case in U.S. history. The defendants were indicted in connection with a scheme to lure

61. US Department of Education, *Migrant Education -- Basic State Formula Grants*, [November 16, 2009 [cited August 1, 2011]; available from http://www2.ed.gov/programs/mep/index.html. See also Brown, "Itinerant Life Weighs on Farmworkers' Children."

62. NIOSH, "Guidelines for Children's Agricultural Tasks and Demonstrate Effectiveness," cdc.gov, [online], 2011 [cited August 2, 2011]; available from http://www.cdc.gov/niosh/docs/2011-129/.

63. NIOSH, *Young Workers Safety and Health*, [online] May 25, 2011 [cited August 1, 2011]; available from http://www.cdc.gov/niosh/topics/youth/.

approximately 600 Thai nationals to the U.S. under the federal agricultural guest worker program between 2001 and 2007. According to the indictment, the defendants conspired to coerce the agricultural labor and services of the Thai nationals by fraudulently inducing the recruits to incur substantial debts secured by the workers' homes and family land, then confiscating the workers' passports, and threatening to repatriate the victims to face destitution, homelessness and other serious harm if they did not remain in the defendants' service for meager earnings.[64]

Although the extent of the problem is unknown, men, women and children are trafficked to and within the U.S. for the purpose of forced labor in agricultural and manufacturing work, among other types. There are increasing reports of fraud in visa programs for legally-documented students and temporary workers who typically fill labor needs in the hospitality, landscaping, construction, food service and agricultural industries. Over the past year the U.S. Government has sustained strong anti-trafficking law enforcement efforts and continued to provide services to trafficking victims identified in the U.S. It has also strengthened its network of anti-trafficking task forces throughout the country, which are comprised of federal, state and local law enforcement investigators and prosecutors, as well as non-governmental victim service providers.[65] The U.S. government annually reports on its activities to combat human trafficking in a report compiled by the Department of Justice, including detailed information on funding and suggestions for improved performance. This report is available at *www.justice.gov/ag/publications.htm*.

WHD investigators are trained to recognize potential forced labor and trafficking situations and to refer these situations to the appropriate law enforcement authorities. WHD specifically targets industries that employ vulnerable workers, such as restaurants, janitorial services, hotels and motels, and agriculture, where forced labor is most likely to be found. WHD participates in more than 35 local-level anti-trafficking task forces, and participates in a Federal Enforcement Working Group (FEWG) with the Department of Justice (DOJ), the Federal Bureau of Investigation (FBI), the Department of Homeland Security – Immigration and Customs Enforcement (DHS-ICE) and the Department of Labor's Office of Inspector General (DOL-OIG). As part of the FEWG, WHD is participating in the development and implementation of a Pilot Federal Anti-Trafficking Coordination Team (ACTeam) Program to ensure that federal enforcement agencies develop and implement a coordinated, comprehensive strategy to proactively identify and assist human trafficking victims; develop victim-centered, multi-disciplinary human trafficking investigations; and produce high-impact human trafficking prosecutions resulting in the conviction of traffickers, the dismantling of trafficking organizations and the forfeiture of proceeds and instrumentalities of trafficking offenses.

In 2010, DOL entered into a revised Joint Declaration and revised Letters of Agreement with the Embassy of Mexico and Mexican Ministry of Foreign Affairs, updating 2004 agreements between the two countries. The agreements aim to ensure that Mexican workers in the United States are informed about their labor rights through information sharing, outreach, education, training and exchange of best practices. Such information can assist vulnerable workers, including those who may have been trafficked. DOL has expanded the program to include partnerships with embassies from Central America and the Caribbean.

On March 15, 2010, a final rule became effective regarding the Temporary Agricultural Employment of H-2A Aliens in the United States. This regulation strengthens protections for agricultural guest workers, a group at risk for trafficking, and U.S. workers performing the same work for the employer by reinstating requirements that employers provide

64. U.S. Department of Justice, *Three Defendants Plead Guilty in Honolulu in Connection with Human Trafficking Scheme That Exploited 600 Thai Workers*, press release, Washington D.C., June 15, 2011; available from http://www.justice.gov/opa/pr/2011/June/11-crt-774.html.
65. U.S. Department of State, *Trafficking in Persons Report-2010* (Washington, D.C.: June 14, 2010); available from http://www.state.gov/g/tip/rls/tiprpt/2010/.

documentation as part of their application; reinstating the methodology used to compute wage rates; and strengthening transportation safety requirements. These regulations further seek to avoid exploitation of workers by prohibiting foreign recruiters from charging workers certain fees. These regulations also strengthen the ability to ban employers who have committed violations of the agricultural program from filing future applications for similar guestworker visas.

Also in 2010, DOL-OIG participated in investigating a case that led to the U.S. Government seeking over $6 million dollars in fraudulent profits via asset forfeiture. The investigation disclosed a Eurasian organized criminal enterprise that conspired and filed fraudulent labor applications which permitted over 1,150 illegal foreigners to enter the United States on work visas. The exploitation and intimidation of these foreign workers through fear, threats of deportation, and other adverse immigration consequences was part of a criminal scheme to subject them to conditions of servitude.

FOREIGN governments, industry groups, individual companies and other stakeholders frequently inquire about the process for removing a good from the List. The procedural guidelines that govern the development and maintenance of the List, 72 Fed. Reg. 73374 (December 27, 2007), specify that a problem of child or forced labor must be "significantly reduced if not eliminated" from the production of the particular good in the country in question for it to be removed. The procedural guidelines also provide a process by which the public may submit comments relating to any good on the List. ILAB has received over 100 such comments, available on the Internet at: *http://www.dol.gov/ilab/programs/ocft/tvprasubmissions.htm*. Many of these submissions have contended that a good should be removed from the List, but have not provided sufficient evidence that the problem of child or forced labor has been significantly reduced or eliminated.

The way to significantly reduce or eliminate child labor or forced labor varies from good to good and from country to country. Solutions must be designed to fit each context, and must account for a variety of factors such as the legal, regulatory and enforcement regimes in place; the number of producers in the country; the structure of supply chains; geography; infrastructure; levels of community activism and many others. Few human rights problems with the complexity of child and forced labor can be solved through unilateral action alone. Solutions often must be cross-sectoral and collaborative, leveraging the unique strengths, resources and positions of multiple stakeholders.

7.1 GOVERNMENT ROLE

Governments must take full responsibility for enforcing their peoples' rights and providing basic services and social safety nets. Governments must enact laws on child labor and forced labor consistent with international standards, and meaningfully enforce those laws. They must provide education and other social services for children. And they must enact policies that promote the development of decent work for adults and stable livelihoods for entire families, so that parents do not choose work over education for their children.

In April 2010, the Labor and Employment Ministers of the G-20, the 20 largest economies in the world, gathered in Washington, D.C. for a first-ever meeting, and agreed to recommendations for their leaders to address the employment consequences of the crisis. Recognizing "the severe effects the crisis has had on economic security and poverty in many lower and middle income countries," the ministers shared experiences and lessons learned, and recommended programs to reduce unemployment and protect vulnerable households. These included public work strategies targeted to poor, rural or low-skilled households and the extension of social protection systems to cover all of the poor and vulnerable. Such programs have aimed at reducing the economic insecurity of poor households and allowing them to increase current consumption and productive investments, and can reduce the likelihood of economic choices that can perpetuate poverty, such as sending children to work rather than to school and distress migration, which can lead to forced labor. The G-20 Leaders' Summit in Seoul in November 2010 produced a Development Working Group Action Plan which sets forth steps to assist countries in enacting such policies. The second G-20 Labor Ministerial is being held in Paris as this report goes to print in September 2011.

7.2 PRIVATE SECTOR ROLE

Companies and industry groups should implement social compliance systems to ensure they are not profiting from grave labor abuses in their supply chains. Since the publication of the initial List in 2009, ILAB has engaged with a variety of private sector partners to promote the appropriate use of such systems. Social compliance systems should include, at a minimum, the following core elements:

- A set of standards, enshrined in a Code of Conduct or other company policy, including specific child labor and forced labor standards that meet or exceed those set by the ILO.
- Mapping and risk assessment of the company's supply chains, to identify locations and processes most likely to have child or forced labor.

- Communication about standards, rights and responsibilities to stakeholders throughout the supply chain, including workers, workers' groups, community members, civil society groups, suppliers at various tiers, managers, supervisors and the company's direct employees.
- Monitoring or auditing to detect violations of the company's Code of Conduct at supply chain production sites identified to be most at risk.
- Remediation of violations found, including providing appropriate assistance to individual victims and correcting management systems to prevent problems from recurring.
- Public reporting of monitoring results and remediation programs, to ensure transparency and accountability.
- Internal process reviews to promote continuous improvement.
- Independent and transparent third-party monitoring and verification of program implementation.

In general, to be effective voluntary social compliance initiatives must be transparent, provide for worker participation and avoid undermining public systems of labor inspection.

ILAB's Deputy Undersecretary is also a member of the interagency "Consultative Group to Eliminate the Use of Child Labor and Forced Labor in Imported Agricultural Products" (Group), mandated by the Food, Conservation and Energy Act of 2008. In December 2010, the Group published guidelines intended to reduce the likelihood that agricultural products or commodities imported into the United States are produced with the use of forced labor or child labor. Throughout 2012, the Group will continue to engage with stakeholders in the non-profit, business and certification services communities to establish credible processes for independent and transparent monitoring and oversight of the Guidelines' application and implementation.

7.3 ROLE OF WORKERS AND CIVIL SOCIETY

Workers and workers' organizations, civil society groups, individual consumers and investors also play key roles in eradicating child labor or forced labor from an industry. Workers and workers' organizations have a tremendous stake in eliminating child labor and forced labor, since these exploitative and illegal labor practices can drive down wage rates for adult workers as well as harming their children. Where safe and accessible channels are available, workers can lodge complaints about labor abuses to be investigated by companies or monitors. Workers' organizations can bargain collectively to improve working conditions and can participate directly in monitoring and remediation processes.

Civil society groups can engage with companies in a variety of ways, from helping companies identify areas of child and forced labor risk, to providing direct remediation services, to carrying out independent third-party review of company programs. Finally, consumers and investors, through their choices, can influence companies to implement or to improve their social compliance systems.

Since the initial List was published, ILAB has not received adequate evidence to remove any good from the List. However, in May 2011, ILAB removed one good, charcoal from Brazil, from the EO 13126 List. The standard for removal of a product from the EO 13126 List is the same as that of the TVPRA List: significant reduction or elimination of a problem. Section 6.4.1 contains a detailed description of the coordinated actions taken by the Brazilian Government, industry groups, and civil society groups to achieve significant reduction of forced child labor from the charcoal industry. Section 6.4 also contains other examples of positive steps being taken by a variety of stakeholders to combat child labor and forced labor in the production of goods. It is ILAB's hope that the List will continue to encourage such actions.

8. CONCLUSION

AS noted above, the primary purposes of the List are to raise public awareness about the existence of child labor and forced labor in the production of goods in the countries listed, and to promote efforts to eradicate such practices. The work to end these practices – by gathering data, vigorously enforcing laws, identifying victims, implementing protective policy measures, and strengthening social protection systems – requires ongoing vigilance and commitment. While progress has been made in many parts of the world, much remains to be done to protect the most vulnerable members of society. At the end of the day, removing each and every good from the TVPRA List is only a partial goal on the way to achieving a world where children and adults are free of labor abuse and exploitation.

APPENDIX A:
COUNTRIES RESEARCHED BY ILAB, BY YEAR

APPENDIX B:
DECEMBER 27, 2007 FEDERAL REGISTER NOTICE

APPENDIX C:
SUGGESTED ADDITIONAL RESOURCES

APPENDIX A: COUNTRIES RESEARCHED BY ILAB, BY YEAR

COUNTRIES RESEARCHED IN 2008-2009

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

COUNTRIES RESEARCHED IN 2009-2010

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

COUNTRIES, NON-INDEPENDENT COUNTRIES AND TERRITORIES RESEARCHED IN 2010-2011

1. Algeria
2. Andorra
3. Anguilla
4. Antigua and Barbuda
5. Armenia
6. Australia
7. Bahamas
8. Bahrain
9. Bhutan
10. Bosnia and Herzegovina
11. British Virgin Islands
12. Bulgaria
13. Burundi
14. Cape Verde
15. Christmas Island and Cocos (Keeling) Islands
16. Comoros
17. Cook Islands
18. Croatia
19. Cuba
20. Czech Republic
21. Djibouti
22. Dominica
23. Eritrea
24. Falkland Islands (Islas Malvinas)
25. Gambia
26. Germany
27. Gibraltar
28. Grenada
29. Iraq
30. Kosovo
31. Latvia
32. Maldives
33. Mauritania
34. Mauritius
35. Montenegro
36. Montserrat
37. Niue
38. Norfolk Island
39. Oman
40. Romania
41. Saint Helena, Ascension and Tristan da Cunha
42. Samoa
43. Sao Tome
44. Serbia
45. Seychelles
46. Solomon Islands
47. Somalia
48. St. Kitts
49. St. Lucia
50. St. Vincent and the Grenadines
51. Syria
52. Swaziland
53. Tokelau
54. Tonga
55. Turks and Caicos Islands
56. Tuvalu
57. Vanuatu
58. Wallis and Futuna
59. West Bank and Gaza Strip
60. Western Sahara

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

Agency: Office of the Solicitor.

Title: Equal Access to Justice Act.

OMB Number: 1225–0013.

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

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

Frequency: On occasion.

Total Responses: See Number of Respondents.

Average Time per Response: 5 hours.

Estimated Total Burden Hours: 50 hours.

Total annualized capital/startup costs: $0.

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

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

Signed this 19th day of December, 2007.

William W. Thompson, II,

Associate Solicitor for Management and Administrative Legal Services.

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

BILLING CODE 4510–23–P

DEPARTMENT OF LABOR

Office of the Secretary

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

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

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

SUMMARY: This notice sets forth final procedural guidelines (''Guidelines'') for the development and maintenance of a list of goods from countries that the Bureau of International Labor Affairs (''ILAB'') has reason to believe are produced by child labor or forced labor in violation of international standards (''List''). The Guidelines establish the process for public submission of information, and the evaluation and reporting process to be used by the U.S. Department of Labor's (''DOL'') Office of Child Labor, Forced Labor, and Human Trafficking (''Office'') in maintaining and updating the List. DOL is required to develop and make available to the public the List pursuant to the Trafficking Victims Protection Reauthorization Act of 2005. This notice also requests information on the use of child labor and/or forced labor in the production of goods internationally, as well as information on government, industry, or third-party actions and initiatives to address these problems. This information will be used by DOL as appropriate in developing the initial List.

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

TO SUBMIT INFORMATION, OR FOR FURTHER INFORMATION, CONTACT: Director, Office of Child Labor, Forced Labor, and Human Trafficking, Bureau of International Labor Affairs, U.S. Department of Labor at (202) 693–4843 (this is not a toll-free number). Information may be submitted by the following methods:

- *Facsimile (fax):* ILAB/Office of Child Labor, Forced Labor, and Human Trafficking at 202–693–4830.
- *Mail, Express Delivery, Hand Delivery, and Messenger Service:* Charita Castro or Rachel Rigby at U.S. Department of Labor, ILAB/Office of Child Labor, Forced Labor, and Human Trafficking, 200 Constitution Ave., NW., Room S–5317, Washington, DC 20210.
- *E-mail: ilab-tvpra@dol.gov.*

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

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

(B) Provide information regarding trafficking in persons for the purpose of forced labor to the Office to Monitor and Combat Trafficking of the Department of State for inclusion in [the] trafficking in persons report required by section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b));

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

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

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

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

In addition to reviewing information submitted by the public in response to this Notice, the Office will also conduct a public hearing to gather information to assist in the development of the List. The Office will evaluate all information received according to the processes outlined in these Guidelines. Goods that meet the criteria outlined in these Guidelines will be placed on an initial List, published in the **Federal Register** and on the DOL Web site. DOL intends to maintain and update the List over time, through its own research, interagency consultations, and additional public submissions of information. Procedures for the ongoing maintenance of the List, and key terms used in these Guidelines, are described in detail below.

Public Comments

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

A. Comments Concerning the Office's Evaluation of Information

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

One commenter questioned how the Office would treat information on government efforts to combat the use of child labor and forced labor, stating that where a government undertakes voluntary efforts to regulate the production of goods and/or prosecutes incidents of child labor or forced labor, such government initiatives should not result in designating a particular good on the List. In response, the Office affirms the important role of government law enforcement, as well as other government, private sector, and third-party voluntary actions and initiatives to combat child labor and forced labor such as company and industry codes of conduct. However, the Office notes that some voluntary actions, as with some enforcement actions, are more effective than others. For example, some prosecutions may result in minimal or suspended sentences for the responsible parties, and some voluntary actions by government, industry, or third parties, may be ineffective in combating the violative labor practices at issue. Accordingly, in determining whether to include a good and country on the List, the Office will consider particularly relevant and probative any available evidence of government, industry, and third-party actions and initiatives that are effective in significantly reducing if not eliminating child labor and forced labor.

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

B. Comments Concerning the List of Goods and Countries

Several commenters questioned why the List includes raw materials and/or components directly produced using child labor and forced labor, but not final goods made in part (indirectly produced) with such materials or components. Another commenter suggested that any final good produced indirectly with child labor or forced labor at any point in its production chain should be placed on the List, and that the List should specify where in the production chain the child labor or forced labor occurred. While the Office appreciates the importance of tracking raw materials or components produced in violation of international child labor or forced labor standards through the production chain, the difficulty of accurately conducting such tracking places it beyond the scope of these Guidelines. Ideally, the Office would have access to public information that would permit the comprehensive tracking of raw materials and component parts in the global supply chain, but the Office is unaware of any such publicly available information. Moreover, the Office is aware that many goods used as raw materials or components in the production of other goods may be sourced from multiple locations within a country or even from several different countries. Consequently, it would likely be extremely difficult to develop reliable information on the final destination or use of every good produced with child labor or forced labor. Inasmuch as the primary purpose of the List is to promote efforts at the country level to combat child labor and forced labor, that purpose is best served by identifying goods directly produced with child labor and forced labor. The Office observes that nothing in these Guidelines would prevent a member of the public from tracking the final destination or use of any good on the List.

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

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

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

C. Comments Concerning the Development and Maintenance of the List

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

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

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

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

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

D. Comments Concerning Definitions and Terms

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

Four commenters questioned the use of the terms ''significant incidence'' and ''isolated incident'' in the proposed Guidelines. One commenter raised an apparent inconsistency between the terms ''significant,'' ''prevalent,'' and ''pattern of practice,'' in the proposed Guidelines' description of the amount of evidence that would weigh in favor of a finding that a particular good is produced in violation of international standards. Another commenter stated that the terms ''significant'' and ''prevalent'' provide inadequate guidance, because they do not address the percentage of workplaces in a country producing a particular good in violation of international standards, or whether a good produced in one location represents a large or small share of a country's total exports of the good. One commenter recommended that the terms ''significant'' and ''prevalent'' be replaced with ''recurring.'' Another commenter recommended that a more precise guideline be developed with respect to how much child labor or forced labor warrants the placement of a good on the List. One final commenter on this issue suggested that a good be removed from the List only if the use of child labor or forced labor is ''insignificant,'' stating that that term is more precise than the terms used in the proposed Guidelines.

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

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

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

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

Final Procedural Guidelines

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

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

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

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

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

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

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

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

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

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

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

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

B. Procedures for the Maintenance of the List

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

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

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

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

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

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

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

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

C. Key Terms Used in the Guidelines

''*Child Labor*''—''Child labor'' under international standards means all work performed by a person below the age of 15. It also includes all work performed by a person below the age of 18 in the following practices: (A) All forms of slavery or practices similar to slavery, such as the sale or trafficking of children, debt bondage and serfdom, or forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict; (B) the use, procuring, or offering of a child for prostitution, for the production of pornography or for pornographic purposes; (C) the use, procuring, or offering of a child for illicit activities in particular for the production and trafficking of drugs; and (D) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety, or morals of children. The work referred to in subparagraph (D) is determined by the laws, regulations, or competent authority of the country involved, after consultation with the organizations of employers and workers concerned, and taking into consideration relevant international standards. This definition will not apply to work specifically authorized by national laws, including work done by children in schools for general, vocational or technical education or in other training institutions, where such work is carried out in accordance with international standards under conditions prescribed by the competent authority, and does not prejudice children's attendance in school or their capacity to benefit from the instruction received.

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

''Forced Labor''—''Forced labor'' under international standards means all work or service which is exacted from any person under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily, and includes indentured labor. ''Forced labor'' includes work provided or obtained by force, fraud, or coercion, including: (1) By threats of serious harm to, or physical restraint against any person; (2) by means of any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint; or (3) by means of the abuse or threatened abuse of law or the legal process. For purposes of this definition, forced labor does not include work specifically authorized by national laws where such work is carried out in accordance with conditions prescribed by the competent authority, including: any work or service required by compulsory military service laws for work of a purely military character; work or service which forms part of the normal civic obligations of the citizens of a fully self-governing country; work or service exacted from any person as a consequence of a conviction in a court of law, provided that the said work or service is carried out under the supervision and control of a public authority and that the said person is not hired to or placed at the disposal of private individuals, companies or associations; work or service required in cases of emergency, such as in the event of war or of a calamity or threatened calamity, fire, flood, famine, earthquake, violent epidemic or epizootic diseases, invasion by animal, insect or vegetable pests, and in general any circumstance that would endanger the existence or the well-being of the whole or part of the population; and minor communal services of a kind which, being performed by the members of the community in the direct interest of the said community, can therefore be considered as normal civic obligations incumbent upon the members of the community, provided that the members of the community or their direct representatives have the right to be consulted in regard to the need for such services.

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

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

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

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

Information Requested on Child Labor and Forced Labor

DOL requests current information about the nature and extent of child labor and forced labor in the production of goods internationally, as well as information on government, industry, or third-party actions and initiatives to address these problems. Information submitted may include studies, reports, statistics, news articles, electronic media, or other sources. Submitters should take into consideration the ''Sources of Information and Factors Considered in the Development and Maintenance of the List'' (Section A of the Procedural Guidelines), as well as the definitions of child labor and forced labor contained in section C of the Guidelines.

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

(Forced Labor) and/or Convention 105 (Abolition of Forced Labor) may wish to submit relevant copies of their responses to any Observations or Direct Requests by the ILO's Committee of Experts on the Application of Conventions and Recommendations.

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

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

Classified information will not be accepted. The Office may request that classified information brought to its attention be declassified. Submissions containing confidential or personal information may be redacted by the Office before being made available to the public, in accordance with applicable laws and regulations. All submissions will be made available to the public on the DOL Web site, as appropriate. The Office will not respond directly to submissions or return any submissions to the submitter, but the Office may communicate with the submitter regarding any matters relating to the submission.

Announcement of Public Hearing

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

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

Charlotte M. Ponticelli,

Deputy Undersecretary for International Affairs.

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

BILLING CODE 4510–28–P

DEPARTMENT OF LABOR

Bureau of Labor Statistics

Proposed Collection; Comment Request

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c) (2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Bureau of Labor Statistics (BLS) is soliciting comments concerning the proposed revision of the ''Current Population Survey (CPS).'' A copy of the proposed information collection request (ICR) can be obtained by contacting the individual listed below in the **ADDRESSES** section of this notice.

DATES: Written comments must be submitted to the office listed in the Addresses section below on or before February 25, 2008.

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

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

SUPPLEMENTARY INFORMATION:

I. Background

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

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

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

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

APPENDIX C: SUGGESTED ADDITIONAL RESOURCES

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

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

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

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

Bureau of International Labor Affairs – Trade and Development Act Report: *http://www.dol.gov/ilab/programs/ocft/tda.htm*

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

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

DEPARTMENT OF LABOR
UNITED STATES OF AMERICA
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