

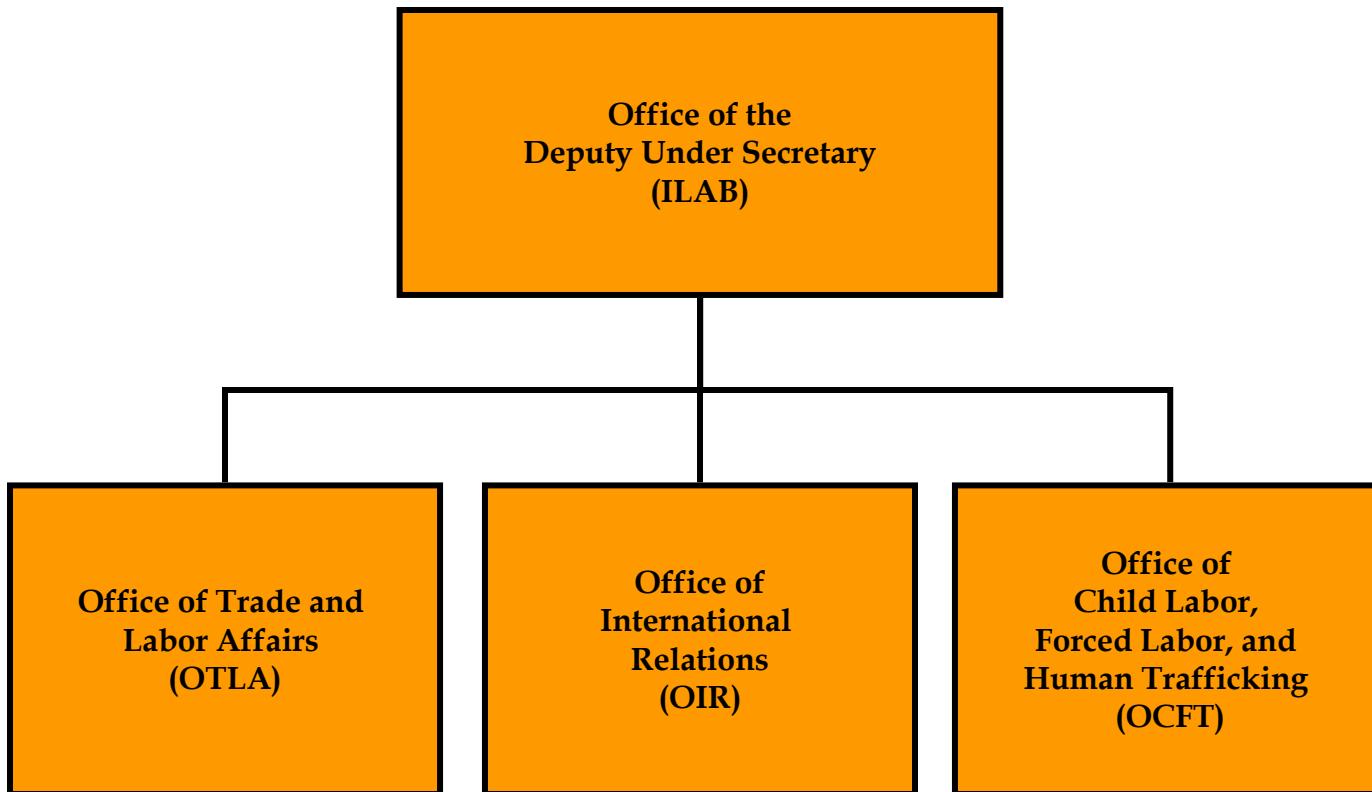
National Academy of Sciences Workshop on *“Identifying Good Practices for Producers/Purchasers to Reduce the Use of Child Labor or Forced Labor”*

“Perspectives from the Sponsor”

Monday, May 11, 2009



ILAB's Organizational Chart





OCFT's Mission

To support the President's and the Secretary of Labor's labor and foreign policy objectives, meet congressional mandates, and perform public outreach by promoting the elimination of the worst forms of child labor, and increasing knowledge and information on child labor, forced labor, and human trafficking.



Research and Policy

Reporting on child labor, forced labor, and human trafficking

Technical Assistance

Supporting international projects designed to eliminate child labor, forced labor, and human trafficking

Awareness Raising

Helping to create awareness in the United States and abroad on international child labor issues





Brief History of OCFT

- **1993:** Congress requests DOL to research and report on international child labor issues.
- **1995:** ILAB funds its first technical cooperation projects through ILO-IPEC.
- **2001:** ILAB launches Child Labor Education Initiative (EI)
- **2005:** ILAB receives new mandate under the TVPRA 2005 to monitor and report on forced labor and child labor.
- Through **2008**, ILAB appropriations to combat child labor internationally total over **\$660 million**.



USDOL OCFT-Funded Global Research and Congressionally Mandated Research Activities



USDOL-funded Global Research Projects

- National Academy of Sciences
 - Development of criteria for TVPRA standard set of practices
- ILO-IPEC Research
 - NCLS, CL data collection methodological developments, baseline surveys, impact assessment, thematic research (i.e. trafficking)
- Understanding Children's Work Project
 - Impact evaluation, indicator development, country-level research
- Macro International
 - Research on Children Working in the Carpet Industry in India, Nepal and Pakistan
- Verité
 - Forced Labor research
- Tulane University
 - Oversight of Public and Private Initiatives to Eliminate the Worst Forms of Child Labor in the Cocoa Sector in Côte d'Ivoire and Ghana



U.S. Legislation on Child Labor, Forced Labor, and Human Trafficking

- **Executive Order 13126 (1999)**, “*Prohibition of Acquisition of Products Produced by Forced or Indentured Child Labor*”
- **Trade and Development Act (2000)** Report, “*U.S. Department of Labor’s Findings on the Worst Forms of Child Labor*”
- **Trafficking Victims Protection Reauthorization Act** of 2005, 2008
- **Food, Conservation, and Energy Act** of 2008 (“*Farm Bill*”), *Consultative Group to Eliminate the Use of Child Labor and Forced Labor in Imported Agricultural Products*



Executive Order 13126 (1999): *"Prohibition of Acquisition of Products Produced by Forced or Indentured Child Labor"*

- Intended to prevent **federal agencies** from purchasing products made with forced or indentured child labor
- DOL developed and published list of products in 2001
- **A Federal Acquisition Regulation (FAR) Final Rule** requires federal contractors that supply products on DOL's EO 13126 must certify it has made a good faith effort to ensure products on offer were not made with forced or indentured child labor
- List can be updated based on new information and according to DOL's **Procedural Guidelines for the Maintenance of the List of Products**



Trade and Development Act (2000) Report, *“Findings on the Worst Forms of Child Labor”*

- The **Trade Act of 1974** established the U.S. Generalized System of Preferences (GSP).
- Subsequent amendments require **annual reports to Congress** on the status of internationally recognized worker rights in each beneficiary country, including country efforts to uphold their commitments to combat the worst forms of child labor.
- DOL report covers countries receiving trade benefits under **GSP, AGOA, ATPA, and CBTPA**.



Trade and Development Act (2000) Report, *“Findings on the Worst Forms of Child Labor”*

- **Report includes:**
 - Data on working children and the nature of child labor in the country.
 - Information on minimum age of work laws and legislation that pertains to worst forms of child labor, such as Penal Codes.
 - Information on child labor law enforcement.
 - Overview of government policies and programs to combat child labor.



Trafficking Victims Protection Reauthorization Act of 2005 and Food, Conservation, and Energy Act of 2008 (“Farm Bill”)



Trafficking Victims Protection Reauthorization Act (2005), Section 105 (b)

- (A) to monitor the use of forced labor and child labor in violation of international standards.
- (B) to 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 trafficking in persons report required by section 110(b) of the TVPA of 2000.
- (C) *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.*



Trafficking Victims Protection Reauthorization Act (2005), Section 105 (b)

- (D) to work with persons who are involved in the production of goods on the list described in subparagraph (C) to create a **standard set of practices** that will reduce the likelihood that such persons will produce goods using the labor described in such subparagraph.
- (E) to consult with other departments and agencies of the US 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.



TVPRA Section 105 (b)(C) “to develop and make available to the public a list of goods...”

- **Procedural Guidelines**
 - Draft October 1, 2007
 - Final December 27, 2007
- **Public Information Request**
 - March 26: Due date for consideration for “initial list”
 - Ongoing: Information accepted and posted on ongoing basis
- **Public Hearing – April 28, 2008**
 - April 30: Deadline to notify DOL of intention to testify
 - June 11: Deadline to submit materials for official record
- **Publication of “Initial List” by January 15, 2010**



Food, Conservation, and Energy Act of 2008 (“Farm Bill”)

- On June 18, 2008, the “Farm Bill” mandated the U.S. Department of Agriculture’s (USDA) to establish a Consultative Group to Eliminate the Use of Child Labor and Forced Labor in Imported Agricultural Products.
- The Consultative Group will be composed of a total of 13 members, including DOL’s Deputy Under Secretary for International Affairs and 12 other governmental, non-governmental, and private sector members.
- Section 3205(b) of the Farm Bill mandates the Consultative Group to “develop recommendations relating to guidelines to reduce the likelihood that agricultural products or commodities imported into the United States are produced with the use of forced labor and child labor,” and makes specific references to the TVPA.



Questions and Answers

