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## List of Goods Produced by Child Labor or Forced Labor

Bureau of International Labor Affairs

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## List of Goods Produced by Child Labor or Forced Labor

### Abstract

[Excerpt] This seventh edition of the List of Goods Produced by Child Labor or Forced Labor, mandated by the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2005 (TVPRA List), is one of the U.S. Government's (USG) key contributions to this growing body of information. This 2016 update adds 27 new line items to the list, for a total of 379 line items. (A line item is a unique combination of a country and a good.) These include three new goods – potatoes, pepper, and silk cocoons – that have not appeared on the List before, as well as two new countries, Costa Rica and Sudan. This edition also removes one line item, garments from Jordan, from the List. With these changes, the List has a total of 139 goods produced by child labor and/or forced labor in violation of international standards in 75 countries around the world.

In this edition, for the first time, we include narrative descriptions of the child labor or forced labor occurring in the mining, production, or manufacture of each of the new line items. Based on available information, we detail the areas of a country where the child or forced labor is concentrated, how widespread the problem is, the ages and other demographics of the victims, the hazards to which child laborers are exposed, the forms of forced labor used to exploit victims, and other details that help to tell their stories more fully than in past editions.

### Keywords

child labor, forced labor, production of goods

### Comments

#### Suggested Citation

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# List of Goods Produced by Child Labor or Forced Labor

Required by the Trafficking Victims  
Protection Reauthorization Act of 2005



BUREAU OF INTERNATIONAL LABOR AFFAIRS  
UNITED STATES DEPARTMENT OF LABOR



A young worker removes extra stitches from blue jeans.  
© Claudio Montesano Casillas

**SECRETARY OF LABOR**  
**WASHINGTON, D.C. 20210**

SEP 30 2016

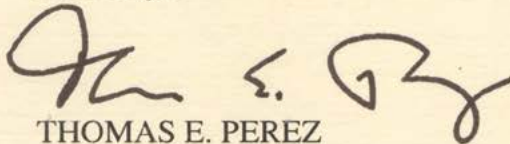
The Honorable Joseph R. Biden  
The Vice President of the United States  
Washington, DC 20500

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 is the seventh edition of the TVPRA report. With this update, the List now includes 139 goods from 75 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,



THOMAS E. PEREZ

Enclosure

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



**SECRETARY OF LABOR**  
**WASHINGTON, D.C. 20210**

SEP 30 2016

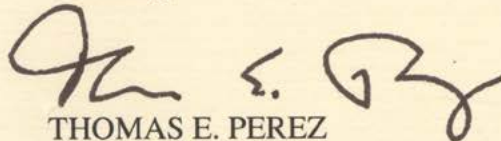
The Honorable Paul Ryan  
Speaker of the House of Representatives  
Washington, DC 20515

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 is the seventh edition of the TVPRA report. With this update, the List now includes 139 goods from 75 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,



THOMAS E. PEREZ

Enclosure

cc: The Honorable Nancy Pelosi, House Minority Leader





# Foreword



Thomas E. Perez, U.S. Secretary of Labor

Last fall, all 193 member states of the United Nations spoke with one voice when they adopted the Sustainable Development Goals (SDGs): a roadmap for ending poverty, protecting the environment, and promoting peaceful, inclusive, and just societies by 2030. Among these goals is the promotion of “inclusive and sustainable economic growth, full and productive employment, and decent work for all.” It has a specific target of taking “immediate and effective measures” to eradicate forced labor and human trafficking and to “secure the prohibition and elimination of the worst forms of child labour.”

Achieving these goals, including this specific target, requires us to work together across sectors and regions – through sustained dialogue and active partnership among governments, international organizations, businesses, trade unions, civil society, and others. Continued collaboration is critically important for helping the 168 million child laborers and 21 million adults and children who suffer in forced labor around the world. To make effective and sustainable progress, we must address the root causes of these practices. We must lift vulnerable populations out of poverty and social exclusion by helping them gain access to education and training, stable livelihoods, and decent work.

Commemorations of World Day Against Child Labor in June spotlighted the risks of child and forced labor in global supply chains, from agriculture to mining and fishing to manufacturing. They also focused both on innovative private-sector practices and the critical need for a more universal embrace of “conscious capitalism” to achieve the promise of the SDGs.

Conscious capitalism recognizes that by working collaboratively, governments, businesses, workers, and civil society can do well by doing good. They can achieve success in business, throughout global supply chains, and in sustainable development. Countries’ economies and companies’ bottom lines can grow by doing right by workers and, in particular, by finding sustainable solutions to end child and forced labor.

And employers agree. Shortly after the adoption of the SDGs, the International Organization of Employers, which represents more than 150 business and employer organizations around the world, signed the Bahrain Declaration committing businesses to support the SDGs.

During the year, the United States also took an important step to correct a legal loophole at odds with the SDGs. The Trade Facilitation and Trade

Enforcement Act that President Obama signed into law in February 2016 eliminated the “consumptive demand” exemption from the Tariff Act of 1930.<sup>1</sup> For over eight decades, that exception permitted U.S. importation of goods made by forced, slave, convict, or indentured labor if they were not produced domestically in sufficient quantities to meet U.S. demand.

The U.S. Department of Labor works to combat child and forced labor, wherever it may be found. We raise awareness, engage with other governments and the private sector, fund programs to directly intervene in exploitative labor situations, and develop structures for lasting change and fulfillment of the SDGs.

In Afghanistan’s Herat Province, a ten-year-old girl named Nazia used to weave carpets for six hours a day to earn money to help her family. She was not alone in the handmade carpet industry, which globally uses an estimated 250,000 child weavers and an untold number of forced laborers. But remarkable organizations like GoodWeave, funded by ILAB, rescue children from



Ten-year-old Nazia studies during a non-formal education class organized by GoodWeave.  
© GoodWeave International

<sup>1</sup> Government of the United States. Tariff Act, 71–361, enacted March 13, 1930.  
<https://www.gpo.gov/fdsys/granule/USCODE-2010-title19/USCODE-2010-title19-chap4>.

South Asian carpet looms, as well as inspecting and certifying carpet-weaving facilities as free of child and forced labor. GoodWeave found Nazia during an inspection. Now, in addition to school, Nazia attends extracurricular classes supported by the project. She wants to become a doctor, and according to her mother, Nazia has not only improved in school but now uses what she has learned to assist her family and community, including helping her sibling and other neighborhood children with their studies.

It is in this context, recognizing the millions of Nazias around the world and the moral imperative of the SDGs and conscious capitalism, that I am honored to release the 15<sup>th</sup> edition of the annual *Findings on the Worst Forms of Child Labor*, as mandated by the Trade and Development Act of 2000 (TDA), and the 7<sup>th</sup> edition of the *List of Goods Produced by Child Labor or Forced Labor*, mandated by the Trafficking Victims Protection Reauthorization Act of 2005 (TVPRA) and last issued in December 2014. The TDA Report describes the efforts of 137 countries and territories to eliminate the worst forms of child labor through legislative reform, intragovernmental coordination, law enforcement, and policies and programs. The TVPRA Report features the addition of new goods that we have reason to believe are produced by child or forced labor, which brings the total number of goods listed to 139, covering 75 countries.

It has been more than seventy years since the International Labor Organization first declared, “poverty anywhere is a threat to prosperity everywhere.” Reports like these give us essential tools for eliminating poverty in pursuit of global prosperity. They shine a spotlight on specific sectors in which child and forced labor can be found, the strides some countries have made in upholding their commitments to abolish forced labor and the worst forms of child labor, and how much still remains to be done. These reports help us uncover those for whom the promise of the SDGs is most important and still elusive. They provide us the factual foundation – and the inspiration – to push for the laws, policies, and practices to make this promise a reality, both in the United States and around the world.

THOMAS E. PEREZ  
Secretary of Labor  
September 30, 2016



A young boy fixes a net in Yeji, a fishing village on Lake Volta, central Ghana.  
© Tugela Ridley

## Acknowledgements

This report was prepared under the direction of Carol Pier, Deputy Undersecretary for International Affairs; Eric Biel, Associate Deputy Undersecretary for International Affairs; Mark Mittelhauser, Associate Deputy Undersecretary for International Affairs; Thomas Richards, Chief of Staff; Marcia Eugenio, Director, Office of Child Labor, Forced Labor, and Human Trafficking (OCFT); and Kevin Willcuts, Deputy Director, OCFT. Preparation of the report was coordinated by Rachel Phillips Rigby, Austin Pedersen, and Adrienne Long, under the leadership of Charita Castro, Division Chief for Research and Policy, OCFT. The underlying research, writing, editing and administrative support were carried out by the following ILAB staff: Ahoura Afshar, Dan Arp, Ashley Lippoles Aviles, Chelsea Brint, Christine Camillo, Amy Firestone, Alexa Gunter, Monika Hartsel, Randall Hicks, Carolyn Huang, Michelle Mills, Jennifer Oetken, Rachel Raba, Luis Pablo Solorio, Jasmine Whelan, and Fan Yang. Special thanks also go to Christine Carlson-Ajlani, Tyler Bender, Kathryn Chinnock, Kwamena Atta Cudjoe, Lauren Damme, Lorena Dávalos, Cortney Donnalley, Rana Dotson, Madhuri Edwards, Tina Faulkner, Marisa Ferri, Kevin Hong, Margaret Hower, Maureen Jaffe, Celeste Lemrow, Deborah Martierrez, Eileen Muirragui, Lukas Olynyk, Kristen Pancio, Karrie Peterson, Lauren Piera, Deepa Ramesh, Ingris Ramos, Tanya Rasa, Brandie Sasser, Doris Senko, Sherry Smith, Shelley Stinelli, Leyla Strotkamp, Sarah Sunderlin, Honoré Tchou, Chanda Uluca, Jon Underdahl-Peirce, Pilar Velasquez, Pamela Wharton, and Bruce Yoon.

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A young Pakistani child works at a brick kiln in Lahore.  
© Rana Sajid Hussain/Pacific Press/LightRocket via Getty Images

## Introduction

Crouched next to a towering pile of sand in an illegal mine, a young boy fills his buckets, hoping that the unsteady pile will not fall and suffocate him. In the early morning chill of a foggy valley, sleepy children huddle in the back of a flatbed truck, making their way down a bumpy road to a long day of digging and hauling heavy loads of potatoes. Battling deep fatigue, constant hunger, and pain from wounds inflicted by his boat captain, a man pulls in yet another catch of fish from Southeast Asian waters. A young girl sits on the ground, with the sun beating down on her, crushing rocks together to extract tiny deposits of gold from the ore. With each breath, she inhales dust containing toxic lead particles that are released from the rocks as they break down.

Information is becoming increasingly available about the production methods and people who produce the goods that are traded through global supply chains. From the humble and hidden places where they toil, to the retail stores where these goods are sold, to the stately conference rooms of the United Nations, there is a growing recognition that child labor and forced labor destroy lives, decimate communities, and undermine a country's potential for economic development.

This seventh edition of the List of Goods Produced by Child Labor or Forced Labor, mandated by the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2005 (TVPRA List),<sup>1</sup> is one of the U.S.

Government's (USG) key contributions to this growing body of information. This 2016 update adds 27 new line items to the list, for a total of 379 line items. (A line item is a unique combination of a country and a good.) These include three new goods – potatoes, pepper, and silk cocoons – that have not appeared on the List before, as well as two new countries, Costa Rica and Sudan. This edition also removes one line item, garments from Jordan, from the List. With these changes, the List has a total of 139 goods produced by child labor and/or forced labor in violation of international standards in 75 countries around the world.

In this edition, for the first time, we include narrative descriptions of the child labor or forced labor occurring in the mining, production, or manufacture of each of the new line items. Based on available information, we detail the areas of a country where the child or forced labor is concentrated, how widespread the problem is, the ages and other demographics of the victims, the hazards to which child laborers are exposed, the forms of forced labor used to exploit victims, and other details that help to tell their stories more fully than in past editions.

## International Frameworks to Address Child Labor and Forced Labor

The global fight against child labor and forced labor has been led for decades by the International Labor Organization (ILO). The ILO Declaration on Fundamental Principles and Rights at Work,<sup>2</sup> and the ILO's fundamental conventions on child labor<sup>3</sup> and forced labor<sup>4</sup> have played a key role in building an international, multi-sectoral movement against these abuses. The cumulative effect of these efforts on child labor is clear in the ILO's most recent global estimates on working children, which demonstrate a significant decline in child labor from 215 million in 2008 to 168 million in 2012. Among the 168 million children in child labor, 85 million were engaged in hazardous work, a decline from 115 million in 2008.<sup>5</sup>

The adoption in 2014 of the ILO's Forced Labor Protocol and Recommendation to supplement the Forced Labor Convention, 1930 (C. 29),<sup>6,7</sup> reinvigorated a movement already underway to advance prevention, protection, and compensation measures for the 21 million people in forced labor around the world.<sup>8</sup> This includes the ILO's "50 for Freedom" Campaign, which aims for at least 50 Protocol ratifications by 2018. As this report went

to print, eight countries had ratified: Czech Republic, France, Mali, Mauritania, Niger, Norway, Panama, and the United Kingdom. The U.S. Department of Labor (DOL) has provided strong support for these efforts, including by funding "From Protocol to Practice: A Bridge to Global Action on Forced Labor" (The Bridge Project), a four-year project implemented by the ILO.<sup>9</sup> The project is helping raise awareness of forced labor; investing in data collection to more accurately measure the problem around the world; implementing measures to protect victims and to provide them with access to remediation; and developing pilot projects in select priority countries, including Mauritania, Nepal, and Peru.

As recognized in Goal 17 of the United Nations' Sustainable Development Goals (SDGs), "a successful sustainable development agenda requires partnerships between governments, the private sector and civil society." All sectors have important roles to play in pursuit of the Goal 8 target, "take immediate and effective measures to eradicate forced labour...and by 2025 end child labour in all its forms." Just as ILO standards guide governments in how to achieve this end, the private sector and civil society can draw upon the United Nations' Guiding Principles on Business and Human Rights and several other recent and widely-accepted global frameworks (see Box 4) to take effective and sustained action to address child and forced labor. For those with the commitment to start tackling these challenging issues, internationally accepted standards and guidance provide the tools to help achieve these goals.

## The Important Role of Research and Reporting

As global awareness has grown about the negative short- and long-term effects of labor exploitation, governments have been increasingly willing to collect and share data on the magnitude and nature of child labor – and, to a lesser extent, forced labor – in their countries. To date, 98 countries have collected data on child labor.<sup>10</sup> Countries that conduct and disseminate such research understand that doing so is crucial to the development of effective strategies to address these problems, and they are at the forefront of change. For example, the Philippines used its first National Child Labor Survey (NCLS) to develop legislation to prohibit child labor in specific types of hazardous work, and Indonesia used similar data to design and implement a conditional cash transfer program.

One of the most far-reaching surveys in recent years was conducted by the Government of Vietnam: with technical assistance from the ILO, Vietnam's National Statistical Office conducted a rigorous NCLS and made the data publicly available, which has paved the way for greater resource commitments and collaborations to combat child labor in the country. (See "Historic Progress in Addressing Child Labor in Vietnam," for more information on the Government of Vietnam's efforts.)

While progress on child labor research has been encouraging, to date only four countries have conducted national surveys on forced labor.<sup>11</sup> Such research has been hampered by lack of internationally-recognized methodologies to identify the often-hidden population of forced laborers. However, at the behest of the 19th International Conference of Labor Statisticians in 2013, the ILO has established an expert working group to harmonize concepts, elaborate statistical definitions, standardize lists of criteria and survey tools, and make recommendations on forced labor research methodologies to the 20th International Conference of Labor Statisticians, which will take place in 2018.<sup>12</sup>

In the meantime, it is important to note that those countries and stakeholders interested in conducting research on forced labor have at their disposal the ILO's *Hard to See, Harder to Count: Survey guidelines to*

*estimate the forced labour of adults and children*<sup>13</sup> that provides guidance on this topic. ILAB has contributed funding for the development of these methodologies and technical expertise to these discussions, drawing from its twenty years of experience shining a spotlight on child labor and forced labor around the world.

The media has also played an increasingly important role in raising the awareness of a wider audience – including businesses, consumers, and the general public – about child labor and forced labor. During the reporting period, 2015-2016, many respected media outlets generated headlines with their reporting on these issues, including on child labor and debt bondage in the production of Mexican agricultural produce,<sup>14</sup> brutal forced labor on fishing vessels throughout Southeast Asia,<sup>15</sup> bonded labor in India's brick kilns,<sup>16</sup> and fraudulent recruitment practices in construction work in the Middle East,<sup>17,18</sup> among many others. In many cases, journalists' key sources are representatives of civil society organizations who have long fought to bring these issues into the spotlight, and are now finding greater opportunities to do so.

Because of this research and reporting, we know more about the indigenous families who migrate through Central America harvesting crops, including the elderly and very young children. We understand better the kinds of government laws and policies, such as those

## BOX 1

### CHILD LABOR AND FORCED LABOR IN SERVICES

Although the TVPRA List does not report on child and forced labor in services, these practices occur worldwide, including in waste scavenging and domestic work. In Uzbekistan, adults and children are forced to collect scrap metal from garbage dumps.<sup>31</sup> In Ghana, children scavenge through electronic waste dumps to salvage bits of valuable copper and aluminum from used electronics.<sup>32</sup> Child and adult domestic workers are victims of human trafficking and subjected to excessive working hours and physical, verbal, and sexual abuse.<sup>33</sup> For more information on child labor in services, please see the U.S. Department of Labor's *Findings on the Worst Forms of Child Labor*.<sup>34</sup>





seen in some Gulf countries, that can perpetuate forced labor by leaving migrant workers vulnerable to exploitative practices such as passport confiscation by their employers, non-payment of wages, and contract substitution without the worker's consent, and that, in some cases, even give employers control over a migrant worker's ability to leave the country. We are learning about the deep linkages between forced labor and environmental destruction. In areas where goods are produced illegally or where law enforcement is weak, both people and the environment are at risk – as in gold mining, an industry with high levels of illicit production, known to contaminate drinking water and land with mercury and cyanide, and where child labor seems to proliferate.<sup>19</sup> We have come to know the bleak stories behind the jubilation of mega-sporting events: stories of workers deceived and paid a pittance to construct awe-inspiring stadiums and toiling in sweatshops to make apparel and merchandise for these events.<sup>20,21</sup> And we share in the collective horror at the severity of exploitation of fishermen at sea exposed by media coverage, activism, and even strategic litigation.<sup>22</sup>

Patterns of forced labor have also shifted in the countries widely known to exact work from their own citizens involuntarily or under the menace of penalty. The List contains numerous findings of state-imposed forced labor, most notably in Burma, China, and North Korea. Since Burma's transition from military rule to a civilian-led government, it is widely accepted that the prevalence of forced labor by military authorities has been reduced, yet reports persist that this practice continues, particularly in areas of armed conflict.<sup>23</sup> In 2013, the National People's Congress officially abolished China's long-standing system of "re-education through labor" (RTL), in which prisoners were detained in camps and forced to work for up to four years. And while the Government has closed some RTL facilities, many were converted to drug rehabilitation centers or "custody and education centers," where there are reports that forced labor continues to occur.<sup>24,25</sup>

The List also contains findings of state-imposed forced labor in the cotton sector in Tajikistan, Turkmenistan, and Uzbekistan. Following a 2009 Presidential decree prohibiting forced child labor, the Government of Tajikistan significantly decreased forced labor of both children and adults, although reports indicate this practice may continue at the local level.<sup>26</sup> In contrast, despite increasing pressure from the ILO and the international business community, the Government of

Turkmenistan continues widespread use of forced adult labor in the cotton harvest.<sup>27</sup> While the Government of Uzbekistan began working with the ILO in 2013 to eliminate forced child labor in the cotton harvest, and expanded these efforts in 2014 to include forced labor of adults, reports indicate that some government officials at the local and regional levels have continued to force children to pick cotton, and that forced labor of adults has increased to offset the removal of some children from the harvest.<sup>28</sup>

## Ask Questions, Take Action, Demand Change

Greater awareness of child labor and forced labor has brought about much change already. Governments around the world continue to improve their laws against these abuses, and some, including the United States and United Kingdom, have put in place laws and regulations requiring some companies to put in place anti-trafficking measures and to disclose information about their efforts to combat these abuses in their supply chains (see Box 2). Child and forced labor are increasingly on the radar of businesses and industry groups, some of which have taken proactive voluntary measures to address these problems (see Box 4). The USG is committed to playing a lead role in advancing such efforts by business – as detailed in the forthcoming U.S. National Action Plan on Responsible Business Conduct.

And as consumers and the public learn more about these issues, a growing chorus is asking, "What more can we do?" There is much more that we can do, both individually and collectively. Governments and industries with goods on the List can engage directly with DOL and other stakeholders to develop plans for eradicating child labor and forced labor in the listed sectors (see "Removals of Goods from the List"). Companies and industry groups can use DOL's *Reducing Child Labor and Forced Labor: A Toolkit for Responsible Businesses*<sup>29</sup> to develop or improve their social compliance systems. Consumers can engage with the companies from whom they buy products to ask whether their practices measure up to internationally-recognized standards for responsible business conduct (see Figure 4). And in this age of unprecedented access to information, all of us – governments, businesses, civil society, and consumers – can empower ourselves with knowledge about this problem. DOL's mobile application, *Sweat & Toil*,<sup>30</sup> which bundles this List together with more than a thousand pages of research, is a great place to start. Learn more at [dol.gov/endchildlabor](http://dol.gov/endchildlabor).



## **RECENT LAWS & REGULATIONS AGAINST CHILD LABOR AND FORCED LABOR IN GLOBAL SUPPLY CHAINS**

In recent years, beginning with the California Transparency in Supply Chains Act and most recently the Trade Facilitation and Trade Enforcement Act, new laws and regulations in the United States and United Kingdom have prompted new private sector efforts to address labor rights abuses in global supply chains.

- **The California Transparency in Supply Chains Act:** This law, which went into effect in 2012, requires certain companies doing business in California to publish information about their efforts to eradicate slavery and human trafficking in their supply chains.<sup>35</sup>
- **The United Kingdom's Modern Slavery Act:** New provisions in this law, which went into effect in 2015, require certain companies that carry out business in the UK to prepare and publish annual statements describing the steps they have taken to ensure that modern slavery is not taking place in their business or supply chains.<sup>36</sup>
- **Executive Order 13627, Strengthening Protections against Trafficking in Persons in Federal Contracts:** Implementing regulations for this 2012 Order went into effect in 2015, prohibiting many coercive and fraudulent recruitment practices that cause forced labor in the supply chains of U.S. federal contractors. The regulations also mandate that for contracts over a certain value performed outside the U.S., contractors must develop compliance plans detailing their efforts to prevent and address such practices.
- **The Trade Facilitation and Trade Enforcement Act:** Signed by President Obama on February 24, 2016,<sup>37</sup> this law includes an amendment to the Tariff Act of 1930 removing the "consumptive demand" exemption to the Tariff Act's prohibition on the importation of goods into the United States produced by forced, slave, convict, forced child, or indentured labor.<sup>38</sup> Previously, the exemption had allowed for goods made by such labor into the United States, if the goods were not produced domestically in sufficient quantities to meet U.S. consumer demand. The Department of Homeland Security's (DHS) Customs and Border Protection (CBP) enforces this law. DOL's TVPRA List, as well as its List of Products Produced by Forced or Indentured Child Labor (EO 13126 List), serve as a resource to DHS, but the inclusion of a good on either of DOL's Lists is not a *per se* ban on importation of those goods into the U.S.

# Definitions of Child Labor and Forced 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.

**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.





Entire families work in bonded labor  
producing bricks in Nepal.  
© LisaKristine.com

# Additions of Goods to the List

The 2016 update to the TVPRA List adds three new goods – potatoes, pepper, and silk cocoons – and two new countries – Costa Rica and Sudan – to the List. Overall, this update adds 27 new line items to the List. (A line item is a unique combination of a good and country.) In all, the 2016 edition of the List includes 139 goods, 75 countries and 379 line items. Given the current state of research on child labor and forced labor, the TVPRA List includes only those goods for which ILAB has reason to believe that child or forced labor is used in their production. It is likely that many more goods are produced through these forms of labor abuse.

**Table 1**

## Additions to the List in 2016

The chart below identifies the goods and countries added to the TVPRA List in 2016.

COUNTRY	GOOD	CATEGORY
Burkina Faso	Granite	child labor
Cambodia	Sugarcane	child labor
Costa Rica	Cattle	child labor
Costa Rica	Coffee	child labor
Indonesia	Fish	forced labor
Indonesia	Tin	child labor
Iran	Bricks	child labor
Kenya	Sand	child labor
Lebanon	Potatoes	child labor
Nigeria	Gold	child labor
Sudan	Gold	child labor
Uganda	Gold	child labor
Uganda	Stones	child labor
Uzbekistan	Silk Cocoons	forced labor
Vietnam	Cashews	child labor
Vietnam	Coffee	child labor
Vietnam	Fish	child labor
Vietnam	Footwear	child labor
Vietnam	Furniture	child labor
Vietnam	Leather	child labor
Vietnam	Pepper	child labor
Vietnam	Rice	child labor
Vietnam	Rubber	child labor
Vietnam	Sugarcane	child labor
Vietnam	Tea	child labor
Vietnam	Textiles	child labor
Vietnam	Timber	child labor
Vietnam	Tobacco	child labor

An analysis of the goods being added in 2016 reveals important patterns of child labor and forced labor in the world today. First, this edition of the List adds seven new line items in the mining and quarrying category: gold, granite, sand, stones, and tin from Burkina Faso, Indonesia, Kenya, Nigeria, Sudan, and Uganda. In all, the List includes 29 mined or quarried goods – 20% of the goods on the List – from 42 countries. Of these, 28 are mined or quarried by child labor and 13 by forced labor. In every region of the world, adults and children work in hazardous conditions in the artisanal and small-scale mining (ASM) sector. Because ASM occurs outside of formal mining companies and is conducted without licenses, workers are exposed to considerable hazards. They work long hours, are at high risk of physical injury, and are exposed to dangerous tools, toxic chemicals, dust, and extreme heat. Children, some as young as age five, combine school with working in mines; others abandon school or never enroll. Child and forced labor are especially common in remote artisanal and small-scale mines and quarries in the informal sector.<sup>39</sup> Adults and children are subject to forced labor in mines and quarries under conditions of debt bondage and human trafficking.<sup>40</sup>

Potatoes from Lebanon are being added to the List in 2016 in the child labor category. A striking feature of this addition is the workforce, comprised largely of Syrian refugee children. To our knowledge, this is the first good on the List for which victims of the current refugee crisis make up a significant portion of the workforce. This year marks the fifth anniversary of the crisis, which has had and continues to have ripple effects throughout the region. Approximately 4.8 million Syrian refugees have fled the conflict to the neighboring countries of Iraq, Jordan, Lebanon, and Turkey, as well as Egypt.<sup>41</sup> More than half of these refugees are under 18, and over 700,000 of these children do not attend school.<sup>42</sup> Rather than achieving their greatest potential, these children risk a future of illiteracy and poverty,

toiling in the fields and on the streets, in retail stores, and in domestic service.

As reflected in our analysis of the new 2016 listings (see Figure 1), and indeed with respect to many of the goods already on the List, it is clear that child labor and forced labor do not happen in isolation from other labor abuses. Child laborers and victims of forced labor typically work in conditions that fall outside the internationally-recognized “acceptable conditions of work”<sup>43</sup> to produce goods for foreign export and domestic markets. These exploited laborers work in extremely hazardous working conditions, and generally do not receive safety training or protective equipment. Both children and adults work excessively long hours, with no opportunity for meals or rest. They may also be required to work back-to-back work shifts and not be allowed a rest day during the work week. Many are not appropriately compensated for work during regular hours and overtime. For example, farmers in Uzbekistan rarely receive full payment for harvesting silk cocoons. Employers may not pay the minimum wage or agreed upon wages, may deduct fees and debts from wages, and may withhold wages altogether. Women, children, migrants and minority groups tend to be more vulnerable to such underpayment and withholding of wages.

Children and adults engaged in exploitative conditions of work typically do not have the opportunity to increase their access to decent work and rise out of poverty. Many families with children live at remote work sites, such as coffee farms in Costa Rica, and are unable to access formal education or vocational training. Most victims of labor exploitation also lack any social security, such as health care or unemployment coverage, which is particularly important for those exposed to hazardous working conditions. Without any economic safety net, victims and their families remain vulnerable to and in a cycle of exploitation.

## FORCED LABOR IN FISH AND SEAFOOD PRODUCTION

This edition adds two listings of fish: child labor in fishing in Vietnam and forced labor in fishing in Indonesia. In total, the List now includes fish, dried fish, Nile perch, tilapia, shellfish, lobster, and shrimp from 16 countries. Child and forced labor – often as a result of human trafficking – is used to catch and process fish and seafood in oceans, lakes, rivers, farms, and processing facilities around the world.

The isolated nature of work on waters presents a number of challenges to child labor and forced labor enforcement in the fishing sector. The United Nations Convention on the Law of the Sea is the leading international instrument on the issue of maritime law.<sup>44</sup> The Convention distinguishes between different maritime areas – territorial sea, Exclusive Economic Zones (EEZs), and the high seas – and states’ ability to regulate activities within each of these. Territorial waters, which are closest to

These maritime boundaries add an additional layer of complexity to enforcing labor laws on fishing vessels. The state that flags a vessel generally has the responsibility for regulating labor conditions on fishing vessels. However, when flagging states are unable or unwilling to enforce labor laws on their vessels, workers can become increasingly vulnerable to exploitation. While ships may not change their flags during a voyage, vessels have been known to use so-called flags of convenience, or the flag of a state other than that of the vessel’s owner, in order to avoid financial or regulatory charges in that state. Thus, in choosing a flag of convenience, vessels often choose the flag of a state with the labor regime they deem most beneficial, and in so doing, avoid the requirements imposed by the owner’s state. The hidden nature of this work, with workers out on vessels for long periods of time, sometimes without any form of communication with family or friends, contributes to workers’ isolation. Enforcement,

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“Modern slavery doesn’t happen only in warzones. It exists in areas of both darkness and plain sight of people all over the world – even at sea . . . where unscrupulous fishermen use the isolation of the sea to hide their crimes. When criminals are able to turn a profit in an illegal fishing market, they’ll go after as many fish as possible. So they not only destroy lives of human beings, they destroy an ecosystem. And the more labor they have on board, the larger their catches will be. A global, coordinated effort is desperately needed and long overdue . . . and that is exactly what we intend to do.”

– Remarks by U.S. Secretary of State John Kerry at the Release of the U.S. Department of State’s 2016 Trafficking in Persons Report, Washington, D.C., June 30, 2016

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shore, are subject to the sovereignty of the coastal state. Within the EEZ, which can extend up to 200 nautical miles, states may have sovereign rights for purposes of exploring and exploiting, conserving and managing the natural resources. Finally, the high seas are any waters that are not included in the EEZ, territorial, internal, or archipelagic waters of a state, and are open to all states. The high seas include a range of freedoms for all states to exercise, including fishing.

prosecution, and restitution efforts are further complicated when vessels operate within the territorial jurisdiction of another state.

Illegal, unreported, and unregulated (IUU) fishing has also become an ever-growing problem. IUU fishing depletes global seafood stocks and creates unfair competition within the seafood industry. The hidden nature of fishing, whether through illegal fishing or labor practices, makes workers more vulnerable to exploitation.





Rohingya men push a fishing boat to shore in Shamlapur, Bangladesh.  
© Shazia Rahman/Getty Images

Governments have been increasing efforts related to IUU fishing. For example, under its IUU regulation, the European Union has issued pre-identifications, better known as “yellow cards,” to Thailand and other countries that it deems are not doing enough to combat IUU. A yellow card is a formal notice that a country has not taken sufficient measures in the international fight against illegal fishing, and issuance of a yellow card initiates a formal dialogue with the government in question regarding corrective measures. In Indonesia, a 2015 ministerial regulation adopted a zero tolerance policy

on forced labor in the fishing industry; see “Indonesia’s Efforts to Address Labor Abuses in Ocean Fishing,” for further information on the Government of Indonesia’s efforts to stem IUU. The USG is also taking action to address IUU fishing: a Presidential Task Force on Combatting IUU Fishing released an Action Plan for Implementing Task Force Recommendations, under which the United States is developing a Seafood Traceability Program. In September 2016, the USG’s Our Oceans Conference brought together global stakeholders to address issues related to fishing, including IUU.

## Paragraph Descriptions of Additions to the List

### **Burkina Faso • Granite • Child Labor**

There are reports that children ages 5 to 17 work in granite quarries in Burkina Faso. These children are primarily found in granite quarries located in Pissy and Yagma, on the outskirts of the capital, Ouagadougou. According to Government of Burkina Faso officials, NGOs, and the U.S. Department of State, numerous incidents of child labor have been reported in these granite quarries, including hundreds of children working in the Pissy quarry, and NGOs report that the problem is increasing. Children work for long hours breaking large rocks by hand and carrying heavy loads of dirt, rock, and gravel. Children in granite quarries are at high risk of physical injury, and are exposed to large quantities of dust and smoke, which can cause respiratory diseases. Some children also experience physical abuse in the quarries.

### **Cambodia • Sugarcane • Child Labor**

There are reports that children ages 5 to 17 produce sugarcane in Cambodia. Child labor in the sugarcane sector occurs on both commercial plantations and smallholder farms. Children from families that have lost land through concessions to sugar companies are particularly vulnerable to exploitative labor on plantations. According to international organizations, NGOs, and media reports, child labor in the Cambodian sugarcane sector is a widespread concern, with numerous incidents reported across the country, including reports of hundreds of children cutting cane on plantations in the Koh Kong province. Children laboring in the sugarcane fields often work long hours under the hot sun and report difficulty breathing, headaches, and dizziness as a result. Child workers in this sector perform hazardous tasks such as carrying heavy bundles of sugarcane, using dangerous tools, and spraying toxic pesticides. Many children incur injuries on the job, including skin infections and cuts from sharp cane leaves or knives.

### **Costa Rica • Cattle • Child Labor**

There is evidence that children ages 5 to 17 are engaged in cattle raising in Costa Rica. A 2015 analysis by international organizations of the Government of

Costa Rica's National Household Survey (ENAHO) 2011 indicates that 13.8 percent of child laborers in the country, or 2,230 children ages 5 to 14, were engaged in cattle raising, which includes dairy. The ENAHO 2011 counts as child labor all work performed by a child below age 15. In addition, the analysis indicates that 9.3 percent of working adolescents, or 2,905 adolescents ages 15 to 17, were also engaged in cattle raising. The analysis noted that 78 percent of children and adolescents in child labor in Costa Rica work with their families. Although more recent national surveys have shown a 65 percent decrease in the number of children ages 12 to 17 working in agriculture from 13,866 in 2011 to 4,853 in 2015, these surveys do not provide the number of children in child labor in cattle raising. Data from the 2016 ENAHO, which included a child labor module, is expected to be released in early 2017.

### **Costa Rica • Coffee • Child Labor**

There are reports that children ages 5 to 17 cultivate coffee in Costa Rica. Based on an analysis by international organizations of the Government of Costa Rica's National Household Survey (ENAHO) 2011, published in 2015, 8.8 percent of child laborers in the country, or approximately 1,422 children ages 5-14, were in child labor in coffee production in Costa Rica. The ENAHO 2011 counts as child labor all work performed by a child below age 15. In addition, the analysis indicates that 5.2 percent of working adolescents ages 15 to 17, or 1,625 adolescents, were also engaged in coffee production. The analysis noted that 78 percent of children and adolescents in child labor in Costa Rica work with their families. Although more recent national surveys have shown a 65 percent decrease in the number of children ages 12 to 17 working in agriculture from 13,866 in 2011 to 4,853 in 2015, these surveys do not provide the number of children in child labor in the coffee sector. Data from the 2016 ENAHO, which included a child labor module, is expected to be released in early 2017.

### **Indonesia • Fish • Forced Labor**

There are reports that adults, predominantly men, are forced to work in the fishing industry in Indonesia. Forced labor often occurs on fishing vessels operating in Indonesian territorial waters, especially around the remote island ports of Benjina and Ambon. The majority of exploited fishermen are Cambodian, Lao, and

Burmese nationals. Since March 2015, the International Organization for Migration, in collaboration with the Indonesian Ministry of Marine Affairs and Fisheries, has identified approximately 1,500 new labor trafficking cases in the Indonesian fishing industry, with media sources reporting the rescue of more than 2,000 trafficked fishermen during 2015. Victims report being coerced or tricked in their home countries into working on Thai fishing vessels by brokers who promise jobs in other sectors, and then being held in forced labor for up to 10 years. Often fishermen are locked in cells to prevent their escape. Some men have been forced to fish for 20 to 22 hours a day, with little or no pay, and have been subjected to threats and severe physical abuse while at sea.

#### **Indonesia • Tin • Child Labor**

There are reports that children ages 5 to 17 work in tin mining in Indonesia. Child labor in this sector is concentrated in the tin-producing islands of Bangka-Belitung province, in ASM. According to a 2014 ILO sectoral survey on child labor in informal tin mining, published in 2015, an estimated 6,300 children are engaged in child labor in tin mining. Children work at dangerous heights and in deep, slippery pits where there are high risks of landslides and injuries. Children's tasks include operating pressurized-water machinery to separate tin from other materials, digging in the earth to find tin deposits, and panning for tin in bodies of water where children are exposed to extreme weather conditions and are at risk of drowning.

#### **Iran • Bricks • Child Labor**

There are reports that children ages 7 to 17 produce bricks in Iran. Media reports indicate that most brick kiln workers are Afghan migrants whose children work alongside them in the summer months. There are reports of child labor in the production of bricks in various parts of the country, including Tehran, Shahr-e Rey, and Gorgan. For example, available data indicates that there are 25,000 workers in brick kilns in Tehran Province, and news articles report that in one town in Tehran Province, the majority of the brick kiln workforce consists of school-aged children who do not attend school. According to Iranian news outlets, children in the brick kilns work more than 8 hours a day and are exposed to injuries, dust, and extreme heat.

#### **Kenya • Sand • Child Labor**

There are reports that children ages 10 to 17 mine or "harvest" sand in Kenya. These children reportedly work in Busia, Homa Bay, Kilifi, Kitui, Machakos, and Nakuru counties. It is reported that boys are more likely to work in harvesting sand than girls. In a study from Kenyatta University, sand harvesting was the most frequently reported reason for primary school students to drop out in Kathiani Division in Machakos. Among 80 students interviewed, all said they were involved in sand harvesting to some degree. Similarly, a survey of local residents and interviews with community stakeholders in Magarini determined that sand harvesting was a leading form of child labor for boys. In addition, according to the ILO, academics, NGOs, local government officials, and the U.S. Department of State, numerous incidents of child labor have been reported in sand production across the country. In many cases, children drop out of school to dig and shovel sand in and along rivers and load and unload sand onto and from large trucks. Children harvest sand during school hours and at night, and are at risk of accidents from collapsing mine walls that can result in loss of life.

#### **Lebanon • Potatoes • Child Labor**

There are reports that children ages 7 to 17 harvest potatoes in Lebanon. Most children are Syrian refugees who live and work in Lebanon's Bekaa Valley. Based on information from international humanitarian organizations, thousands of children are engaged in child labor in the cultivation and harvesting of potatoes. Many of these children work long hours carrying heavy loads, are exposed to extreme temperatures, and lack access to potable water and toilet facilities. Some are beaten by their employers if they do not behave as expected or work slower than required. Many of these children do not attend school.

#### **Nigeria • Gold • Child Labor**

There are reports that children as young as age 8 mine gold in Nigeria. This practice is especially common in Zamfara state, which has significant gold deposits. Media outlets report hundreds of children work in artisanal and small-scale gold mining (ASGM) throughout Nigeria, causing them to abandon school. ASGM involves physically demanding work due to the un-mechanized nature and often many occupational safety and health

risks. Children use their bare hands and tools to dig for gold in tunnels hundreds of meters below ground, without any protective equipment. Children face additional health risks during the processing stage when they handle mercury, a highly toxic substance, using it to extract gold from ore. Crushing ore to extract gold exposes children to lead-contaminated dust. This exposure can lead to acute lead poisoning and in May 2015 the Government announced the deaths of 28 children from lead poisoning as a result of the illegal mining of gold in Nigeria.

#### **Sudan • Gold • Child Labor**

There are reports that children as young as 10 years old mine gold in Sudan. Children engage in ASGM throughout the country, particularly in River Nile, Blue Nile, West Darfur, and North Darfur states, some of which are currently zones of civil conflict. According to Sudanese government officials, academics, mining sector representatives, international organizations, NGOs, and the U.S. Department of State, thousands of children are working in ASGM throughout the country, resulting in large numbers of students dropping out of school. Artisanal mining poses significant physical and psychological risks to the health and safety of child miners, including exposure to mercury, working underground in confined spaces that risk collapse, transporting heavy loads in high temperatures, inhalation of dust during milling and grinding, and working at night. Children also experience threats and, at times, sexual harassment or abuse.

#### **Uganda • Gold • Child Labor**

There are reports that children as young as age 7 mine gold in Uganda. This practice is especially common in eastern Uganda and in the northeastern Karamoja region, where children typically work alongside family members. According to international organizations and the media, thousands of children abandon school to work in ASGM. One research study found approximately 1,000 children working in gold mines in central Uganda. Boys work in dangerous conditions in the mines, collecting soil from deep, open pits. Children mine gold in riverbeds, use toxic mercury to process gold ore, and carry water from long distances to sift and wash sediment.

#### **Uganda • Stones • Child Labor**

There are reports that children as young as age 7 work in stone quarries in Uganda. Children, primarily boys,

quarry and break stone in 3 of the 4 regions of Uganda. Areas of particular concern for children working in quarries include the northeastern Karamoja region and Central Uganda. The Uganda Bureau of Statistics estimates that 2,124 workers are involved in formal employment in stone quarrying; the majority of these work in quarries in Central Uganda. However, many workers are also known to quarry stone in informal, artisanal quarries, including many children. According to international organizations, media sources, and the U.S. Department of State, numerous incidents of children quarrying and breaking stone have been reported across the country and most notably in the northeastern Karamoja region. This work prevents children from attending school. In addition, children are exposed to loud noises, dust, long hours in extreme heat, and injury from flying stone fragments. Accidents from quarrying stone have resulted in loss of limbs, broken spinal cords, and loss of sight.

#### **Uzbekistan • Silk Cocoons • Forced Labor**

There are reports that adults are forced to cultivate silk cocoons in Uzbekistan. A silk cocoon is the protective casing a silkworm spins around itself before metamorphosing into a moth. Silk cocoons can be processed and unwound to produce silk thread. Forced labor in cocoon production predominantly occurs among farmers in the south of the country, although evidence suggests that other rural families are also subjected to forced labor in this sector. Based on estimates from the Uzbek-German Forum, a majority of the over 45,000 farmers in Uzbekistan who produce silk cocoons each year do not have the freedom to refuse this work; they are compelled to perform it by government officials. Regional- and district-level officials assign each farmer a quota for the production of silk cocoons, and threaten farmers with fines, the loss of their leased farmland, or physical violence if they fail to meet the quota. Farmers are required to sell their silk cocoons back to the government at an official procurement price, which can be too low to offset the cost of cultivating the cocoons, and often experience underpayment, delayed payment, or receive no payment at all. Regional- and district-level governments also impose quotas on neighborhood councils called *mahallas*, which use their authority over distribution of social benefit payments to force neighborhood residents to cultivate silk cocoons. Because silkworms require constant attention and the

maintenance of a carefully controlled environment in order to survive, farmers and rural families often cultivate cocoons in several rooms of their own homes and many work more than 20 hours a day during the approximately month-long cultivation period.

#### **Vietnam · Cashews · Child Labor**

There is evidence that children ages 5 to 17 grow cashews in Vietnam. According to the Government of Vietnam's National Child Labor Survey 2012, the results of which were published in 2014, an estimated 14,469 child laborers work to grow cashews. Approximately 55.7 percent, or 8,059, of these child laborers are under 15 years old, which is the minimum age for employment in Vietnam. Of the estimated 14,469 child laborers who grow cashews, 24.3 percent are 5-11 years old, 31.4 percent are 12-14 years old, and 44.3 percent are 15-17 years old. The survey considers a child to be engaged in child labor if the child is working an excessive number of hours per week for his or her age, or if the child is engaged in work that is prohibited for underage employees according to national legislation.

#### **Vietnam · Coffee · Child Labor**

There are reports that children ages 5 to 17 in Vietnam cultivate coffee. The results of the Government of Vietnam's National Child Labor Survey 2012, published in 2014, show that an estimated 34,131 child laborers grow coffee. Approximately 36.7 percent, or 12,526, of these child laborers are under 15 years old, which is the minimum age for employment in Vietnam. Of the estimated 34,131 child laborers who grow coffee, 9.2 percent are 5-11 years old, 27.5 percent are 12-14 years old, and 63.3 percent are 15-17 years old. The survey considers a child to be engaged in child labor if the child is working an excessive number of hours per week for his or her age, or if the child is engaged in work that is prohibited for underage employees according to national legislation.

#### **Vietnam · Fish · Child Labor**

There is evidence that children ages 5 to 17 are engaged in fishing and fish processing in Vietnam. Based on the Government of Vietnam's National Child Labor Survey 2012, the results of which were published in 2014, an estimated 49,390 child laborers work in fishing. Approximately 90 percent of children involved in child labor in fishing are boys. Of the 49,390 child laborers

working in fishing, 19,629 children worked in fishing for more than 42 hours a week. In addition, 38,753 of the total number of child laborers working in fishing were involved in work that could be considered hazardous according to national legislation. The National Child Labor Survey also indicates that an estimated 15,720 child laborers are involved in the production, processing, and preservation of fish and fish products. Of the 15,270 child laborers involved in these activities, 11,591 children worked for more than 42 hours a week. In addition, 13,230 of the total number of child laborers working in the production, processing, and preservation of fish products, were involved in work that could be considered hazardous. The survey considers a child to be engaged in child labor if the child is working an excessive number of hours per week for his or her age, or if the child is engaged in work that is prohibited for underage employees according to national legislation.

#### **Vietnam · Footwear · Child Labor**

There is evidence that children ages 5 to 17 in Vietnam manufacture footwear. Based on the Government of Vietnam's National Child Labor Survey 2012, the results of which were published in 2014, an estimated 9,756 child laborers work in footwear manufacturing for over 42 hours per week. Approximately 2.2 percent, or 215, of the total number of child laborers who manufacture footwear for over 42 hours per week are 12-14 years old, while 97.8 percent, or 9,541, are 15-17 years old. The survey considers a child to be engaged in child labor if the child is working an excessive number of hours per week for his or her age, or if the child is engaged in work that is prohibited for underage employees according to national legislation.

#### **Vietnam · Furniture · Child Labor**

There is evidence that children ages 5 to 17 produce furniture in Vietnam. According to the Government of Vietnam's National Child Labor Survey 2012, the results of which were published in 2014, an estimated 24,377 child laborers work in the production of furniture, including beds, wardrobes, chairs, and tables. Nearly three-quarters of child laborers involved in this activity are boys. Of the 24,377 child laborers engaged in the production of furniture, 13,670 children worked in furniture production for more than 42 hours per week. In addition, 21,873 of the total number of child laborers working in the production of furniture were involved in work that could be considered hazardous according to national legislation.

The survey considers a child to be engaged in child labor if the child is working an excessive number of hours per week for his or her age, or if the child is engaged in work that is prohibited for underage employees according to national legislation.

#### **Vietnam • Leather • Child Labor**

There are reports that children ages 5 to 17 in Vietnam produce leather. The results of the Government of Vietnam's National Child Labor Survey 2012, published in 2014, show that an estimated 1,426 child laborers work in the leather industry, primarily in the tanning and pre-processing stages and in dyeing animal skins. Approximately 74 percent of children involved in child labor in leather production are girls. Out of the estimated 1,426 child laborers who produce leather, about 580 are 12-14 years old and 846 are 15-17 years old. The survey considers a child to be engaged in child labor if the child is working an excessive number of hours per week for his or her age, or if the child is engaged in work that is prohibited for underage employees according to national legislation.

#### **Vietnam • Pepper • Child Labor**

There is evidence that children ages 5 to 17 grow pepper in Vietnam. Based on the Government of Vietnam's National Child Labor Survey 2012, the results of which were published in 2014, an estimated 9,833 child laborers are involved in growing pepper. Approximately 49.9 percent, or 4,907, of these child laborers are under 15 years old, which is the minimum age for employment in Vietnam. Of the estimated 9,833 child laborers who grow pepper, 10.4 percent are 5-11 years old, 39.5 percent are 12-14 years old, and 50 percent are 15-17 years old. The survey considers a child to be engaged in child labor if the child is working an excessive number of hours per week for his or her age, or if the child is engaged in work that is prohibited for underage employees according to national legislation.

#### **Vietnam • Rice • Child Labor**

There is evidence that children ages 5 to 17 are engaged in the cultivation of rice in Vietnam. Based on the Government of Vietnam's National Child Labor Survey 2012, the results of which were published in 2014, an estimated 278,884 child laborers grow rice. Approximately 32.9 percent, or 91,753, of these child laborers are under 15 years old, which is the minimum age for employment in Vietnam. Of the estimated 278,884 child laborers who grow rice, 13.6 percent are

5-11 years old, 19.3 percent are 12-14 years old, and 67.1 percent are 15-17 years old. The survey considers a child to be engaged in child labor if the child is working an excessive number of hours per week for his or her age, or if the child is engaged in work that is prohibited for underage employees according to national legislation.

#### **Vietnam • Rubber • Child Labor**

There is evidence that children ages 5 to 17 in Vietnam cultivate rubber. The results of the Government of Vietnam's National Child Labor Survey 2012, published in 2014, show that an estimated 10,224 child laborers are involved in growing rubber. Approximately 42.5 percent, or 4,345, of these child laborers are under 15 years old, which is the minimum age for employment in Vietnam. Of the estimated 10,224 child laborers who grow rubber, 22.1 percent are 5-11 years old, 20.4 percent are 12-14 years old, and 57.5 percent are 15-17 years old. The survey considers a child to be engaged in child labor if the child is working an excessive number of hours per week for his or her age, or if the child is engaged in work that is prohibited for underage employees according to national legislation.

#### **Vietnam • Sugarcane • Child Labor**

There is evidence that children ages 5 to 17 grow sugarcane in Vietnam. The results of the Government of Vietnam's National Child Labor Survey 2012, published in 2014, show that an estimated 28,303 child laborers are involved in growing sugarcane. Approximately 32.6 percent, or 9,227 of these child laborers are under 15 years old, which is the minimum age for employment in Vietnam. Of the estimated 28,303 child laborers who grow sugarcane, 3.9 percent are 5-11 years old, 28.7 percent are 12-14 years old, and 67.4 percent are 15-17 years old. The survey considers a child to be engaged in child labor if the child is working an excessive number of hours per week for his or her age, or if the child is engaged in work that is prohibited for underage employees according to national legislation.

#### **Vietnam • Tea • Child Labor**

There are reports that children ages 5 to 17 in Vietnam grow tea. Based on the Government of Vietnam's National Child Labor Survey 2012, the results of which were published in 2014, there are 5,933 child laborers involved in the cultivation of tea. Approximately 22.9 percent, or 1,359, of these child laborers are under 15 years old, which is the minimum age for employment in Vietnam. Of the estimated 5,933 child laborers who grow

tea, 13.2 percent are 5-11 years old, 9.7 percent are 12-14 years old, and 77.1 percent are 15-17 years old. The survey considers a child to be engaged in child labor if the child is working an excessive number of hours per week for his or her age, or if the child is engaged in work that is prohibited for underage employees according to national legislation.

#### **Vietnam • Textiles • Child Labor**

There is evidence that children ages 5 to 17 in Vietnam produce textiles. Based on the Government of Vietnam's National Child Labor Survey 2012, the results of which were published in 2014, an estimated 6,049 child laborers work in textile production, mainly in the fabrication and finishing stages of the process. About 42.9 percent, or 2,595, of these child laborers are under 15 years old, which is the minimum age for employment in Vietnam. Of the estimated 6,049 child laborers who produce textiles, about 448 are 5-11 years old, 2,147 are 12-14 years old, and 3,454 are 15-17 years old. Approximately 96 percent of child textile workers are female. The survey considers a child to be engaged in child labor if the child is working an excessive number of hours per week for his or her age, or if the child is engaged in work that is prohibited for underage employees according to national legislation.

#### **Vietnam • Timber • Child Labor**

There is evidence that children ages 5 to 17 engage in the production of timber in Vietnam. The results of the Government of Vietnam's National Child

Labor Survey 2012, published in 2014, show that an estimated 58,079 child laborers are involved in logging, including carrying and loading timber. Of the 58,079 child laborers involved in the production of timber, 6,428 children worked in timber production for more than 42 hours per week. Approximately 89 percent of child laborers working in this sector, were involved in work that could be considered hazardous according to national legislation. The survey considers a child to be engaged in child labor if the child is working an excessive number of hours per week for his or her age, or if the child is engaged in work that is prohibited for underage employees according to national legislation.

#### **Vietnam • Tobacco • Child Labor**

There is evidence that children ages 5 to 17 grow tobacco in Vietnam. The results of the Government of Vietnam's National Child Labor Survey 2012, published in 2014, show that an estimated 2,555 child laborers are involved in growing tobacco. Approximately 26.4 percent, or 675, of the total number of child laborers who grow tobacco are 5-11 years old, while 73.6 percent, or 1,880, are 15-17 years old. The survey considers a child to be engaged in child labor if the child is working an excessive number of hours per week for his or her age, or if the child is engaged in work that is prohibited for underage employees according to national legislation.



# Removals of Goods From the List

Foreign governments, industry groups, individual companies and other stakeholders frequently inquire about the process for removing a good from the List. According to DOL's Procedural Guidelines, DOL must have a reasonable basis to believe that a problem of child or forced labor is "significantly reduced if not eliminated" from the production of the particular good in the country in question for it to be removed. As discussed, the guidelines indicate that a forced or child labor problem at "a single company or facility" or in "an isolated incident" "will not weigh in favor of a finding that a good is produced in violation of international standards." Similarly, when DOL has a reasonable basis to believe that a child or forced labor problem with respect to a listed good has been eliminated or reduced to a single company or facility or to an isolated incident, the threshold for removal is met. In addition, in reviewing goods for possible removal, DOL considers 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.

The Procedural Guidelines also provide a process by which the public may submit comments relating to any good on the List. DOL has received over 100 such comments, or submissions, available on the Internet at: <https://www.dol.gov/ilab/submissions/index.htm>. Many 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.

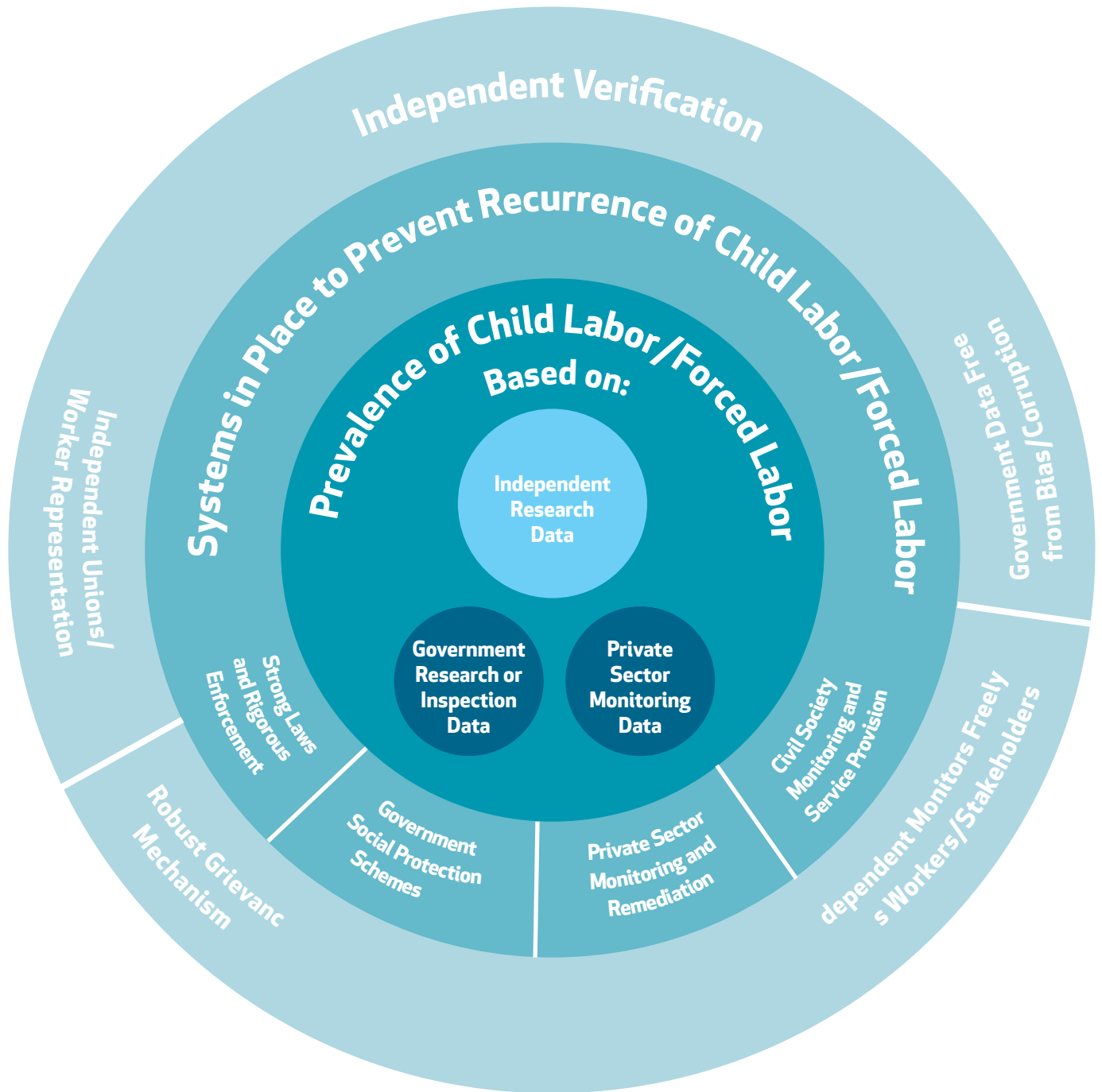
DOL staff carry out research on potential removals on an ongoing basis. In identifying the particular cases on which to focus, we prioritize those for which a credible argument for removal has been brought to our attention by foreign governments, industry groups, other USG agencies, or other stakeholders. The research includes desk reviews, in-person and telephone interviews with key informants, and when possible, travel to the relevant countries to conduct in-person interviews and site visits. In some cases, research is carried out in coordination with USG colleagues from other agencies, grantees and/or contractors. In many cases, while our research has identified ongoing efforts by a variety of actors to combat the problem, we do not yet have reason to believe that there has been a significant reduction or elimination in the incidence of child labor or forced labor, as appropriate. In some cases, the research has yielded new sources to further substantiate our original findings, and these new sources have been added to the TVPRA bibliography (available at: <https://www.dol.gov/ilab/reports/child-labor/list-of-goods/>).

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 of a particular good in the country; the structure of supply chains; geography; infrastructure; and levels of community activism. Solutions rarely result from unilateral action and, instead, often must be cross-sectoral and collaborative, leveraging the unique strengths, resources and positions of multiple stakeholders.



**Figure 2**

Consideration of Goods for Removal from the List



## Removal of Jordan Garments Forced Labor Listing

In 2016, DOL determined that the incidence of forced labor in the production of garments in Jordan has been significantly reduced, and evidence available supports the removal of this good from the TVPRA List. While there are still some indicators of forced labor present in the sector, their incidence is isolated and consistent with the standard articulated in the Procedural Guidelines, the evidence no longer supports inclusion of garments from Jordan in the TVPRA List. The removal of this good from the List is a result of targeted action, the collection and reporting of credible information, and the investment of significant resources on the part of the Government of Jordan, the USG, the International Labor Organization (ILO), international garment buyers that source garments from Jordan, the Jordanian garment industry association, and the General Trade Union of Workers in Textile, Garment & Clothing Industries (GTUWTGCI). Working together, these actors have achieved a significant reduction in the incidence of forced labor in the sector.

DOL placed garments from Jordan on the List in 2009, based on 22 sources dating from 2005 to 2008. These sources pointed to a number of indicators of forced labor in the sector, as described below. Migrant workers from other countries, working in factories in Jordan's Qualifying Industrial Zones (QIZs) producing garments for export to the United States, were the primary victims of these abuses. DOL did not have evidence of forced labor in factories outside the QIZs, or in factories that produced garments for other markets. Since that time, this good had remained on the List: there continued to be reports of forced labor, primarily coming from information collected by the Better Work Jordan (BWJ) program (discussed below), and no other information was received that indicated a significant reduction or elimination of forced labor. BWJ reports now show that the incidence of forced labor in the sector has been significantly reduced.

Below is a summary of the forced labor indicators for which DOL had evidence in 2009, contrasted with our 2016 review and assessment of these same indicators:

- The 2009 sources showed that workers were subject to deceptive recruitment practices such as exaggerating workers' pay and understating the working hours, as well as forced overtime for extremely long hours, up to 15 hours a day. If workers complained about working conditions they were subject to the withholding of wages, restrictions on migrant workers' freedom of movement, denunciation to authorities or removal of their rights and privileges. Research in 2016 did not uncover evidence of any of these indicators of forced labor.
- In 2009, DOL had evidence of degrading living conditions, including extreme restrictions on bathroom breaks, insufficient access to adequate food during working hours, overcrowded dormitories, and insufficient water, bathroom, and shower facilities. In 2016, DOL found that although concerns in this area remain, the living conditions have improved significantly, such that they are no longer a strong indicator of forced labor.
- In 2009, DOL had evidence that close to 100% of workers paid large recruitment fees to recruitment agencies in their countries of origin (approximately \$1,300 to \$3,000 per worker, and at times subject to a 60% interest rate) and struggled to repay their debts. In 2016, research found that 47% of migrant workers pay recruitment fees of \$300 or more – a qualitative study funded by ILAB found that migrant workers paid recruitment fees ranging from \$85 to \$700. However, workers typically sell possessions or borrow from friends or family to pay these fees and are able to pay them off within a reasonable period of time. DOL found no evidence or indication that these fees lead to debt bondage.
- In 2009, passport confiscation was a widely reported practice in at least 40 factories. However, this practice seems to be steadily decreasing; in 2015, BWJ found only four factories non-compliant in this area. One of these factories has since been shut down by the Jordanian government, and another has come into compliance. As of June 2016, based on an international organization's information, passport confiscation affects approximately 330 migrant workers in two identified factories. Therefore, DOL has reason to believe this problem occurs only in isolated instances. The government and BWJ are also working on addressing these violations.
- In 2011 through 2013, evidence came to light of sexual violence against workers – an indicator of forced labor – in a small number of factories. In response, the Government of Jordan and various organizations, including BWJ, carried out investigations. BWJ's investigation was not able to confirm the allegations of sexual assault, but

BWJ has long avowed that sexual harassment is difficult to identify through BWJ's factory monitoring methodology, and that due to the sensitive nature of this issue, sexual harassment is likely underreported. Beginning in 2012, BWJ has implemented sexual harassment prevention awareness training for workers, supervisors, and managers in BWJ factories, which includes technical assistance to help factories create their own policy on sexual harassment prevention. DOL's research in 2016 did not identify continuing evidence of sexual or physical violence against workers.

- As in 2009, DOL uncovered no evidence of forced labor indicators occurring outside the QIZ factories.

The Jordanian government has been aware of forced labor in the garment industry since the mid-1990s and has taken important steps since that time to address it.

Ministry of Labor inspectors enforce labor laws in the garment-producing QIZs, including laws on conditions of work, child labor, forced labor, and occupational safety and health. They verify that migrant workers have active work permits and check their living conditions. Beginning in 2006, the Ministry has maintained what it calls a Golden List of garment companies that maintain high levels of compliance with labor laws on wages, occupational safety and health, working hours, and treatment of migrant workers. Companies on the Golden List, and those which apply to be on the list, are subject to compulsory inspections by the Ministry of Labor. Once they obtain Golden List status, companies are exempt from the requirement of bank guarantees for migrant workers. Such companies are also permitted to transfer workers, with their consent, to other companies on the Golden List, at no cost. Enterprises with violations of forced labor and child labor standards are not eligible for inclusion in the Golden List.

One of the Jordanian government's most significant steps to combat forced labor in the garment industry has been to collaborate with the ILO on the BWJ program, which launched in 2008 with funding from the USG and from participating garment buyers.<sup>45</sup> The program monitors participating factories against ILO core labor standards and national labor laws, provides training to factories on improving compliance, and engages with stakeholders to improve working conditions. In March 2010, the Ministry of Labor made BWJ a mandatory program for all

Jordanian garment factories, and their subcontractors, exporting to the United States and Israel. The decision to mandate participation, which came into effect in July 2011, means that all such factories are monitored for compliance with ILO core labor standards and national labor laws and that factories and stakeholders, such as labor inspectors and representatives of the industry and GTUWTGCI, receive training on how to address cases of non-compliance. Currently, BWJ covers 75 factories in the QIZs, including 35 exporters, 28 subcontractors, and 12 satellite units. These factories employ a total of approximately 60,000 workers, about 75% of whom are foreign migrant workers, mainly from India, Sri Lanka, Bangladesh, and Nepal. Over the years, the number of BWJ factories found to have forced labor decreased from 11 out of 15 factories in 2010 to four out of the 64 factories assessed in the November 2014 to November 2015 reporting period. One of these four factories with forced labor was since closed down by the government and another has come into compliance.

In 2014, BWJ opened a workers' center in Al Hassan QIZ, with dedicated spaces for crafts and arts, computer classes, English classes, and a space for movie nights and cultural performances. Employers have also implemented creative initiatives to improve working conditions in factories. One company, for example, sends human resource and compliance representatives to workers' countries of origin for interview and pre-departure orientation. Designated company representatives assist workers to address issues related to their families, factories, or dormitories. The company provides literacy classes to workers as well as math and financial management training.

In 2013, the ILO worked with the GTUWTGCI and the Jordan Garments, Accessories, and Textiles Exporters' Association (JGATE) to finalize a collective bargaining agreement to strengthen workers' representation and improve labor conditions. An addendum to the agreement was concluded in 2014 to incrementally increase the base for migrant workers' overtime and benefits until it matches those of Jordanian workers by August 2017. The ILO also worked with the same stakeholders to conclude a Capital Unified Contract in December 2015, which applies to all new migrant workers in the garment sector. Three original copies are to be signed in Arabic and in the workers' native languages in their countries of origin. Even though important concerns remain about



A group of workers iron clothes in Ad Dulayl Industrial Park, outside of Amman, Jordan. © Better Work Jordan/Photo by Ala'a al Sukhni

the exercise of the right to freedom of association in the sector, this is a positive step to help ensure uniformity in contracts for all migrant workers and to help ensure they understand the terms and conditions of their employment. Thanks to the unified contract, the same recruitment and employment policies apply to all migrant workers in Jordan's garment sector. In addition, in 2015, GTUWTGCI and JGATE established the Jordan Garment Sector Industrial Relations Joint Council to promote social dialogue, oversee the collective bargaining agreement's implementation, and to address disputes.

Other civil society groups have also played a role in improving conditions in the sector. Tamkeen, a local NGO that works on issues related to migrant workers and human trafficking, documents workers' rights violations, publishes reports, and works with the GTUWTGCI to address concerns. Tamkeen also refers cases of forced labor and human trafficking to the Anti-Human Trafficking Unit of the government's Public Security Department. Additionally, in March 2015, the ILO, the Government of Jordan, and the garment industry began to collaborate on a pilot program to promote fair recruitment practices for migrant workers from Nepal who migrate to work in Jordan's garment sector. The Integrated Program on Fair Recruitment was launched in August 2015 to help eliminate deceptive practices in worker recruitment in Nepal.

While important progress has been made to address forced labor in the sector, continued improvement will be important to ensure that advances continue. This is particularly important in light of the sector's expected expansion, as the Government of Jordan begins to integrate Syrian refugees into the legal labor market and the sector takes advantage of expected new investments. Recommendations for the sector include:

- The laws of Jordan place certain restrictions on workers' ability to leave their employment. DOL recommends that the Government of Jordan remove the legal requirement of Article 26.2 of the Labor Code, holding workers liable for damages to their employer if the workers terminate the contract in circumstances not covered by the Labor Code. This requirement may place an undue burden on the workers, particularly migrant workers, and limit

their ability to leave their employment and, where applicable, return to the country of origin.

- The BWJ Program and Government of Jordan should continue to put pressure the two remaining BWJ factories that, as of July 2016, continued to withhold workers' identity documents. If they do not come into compliance, these factories should be closed.
- The ILO, the Government of Jordan, and the garment industry should expand their Integrated Program on Fair Recruitment, to help eliminate deceptive practices in worker recruitment in any relevant source country from which Jordanian garment workers emigrate.
- DOL research and BWJ reports indicate a number of lingering non-compliance issues regarding workers' living conditions. The Ministry of Labor should finalize a memorandum of understanding with the Ministry of Health, and begin inspections of workers' dormitories. In addition, DOL recommends that the industry re-double its efforts to remedy such non-compliance and improve living conditions for workers. Conditions of particular concern include, but are not limited to: preparedness for fire and other emergencies, protection against disease-carrying animals and insects, compliance with minimum space requirements, and adequate ventilation.
- To ensure that all workers are able to enjoy a workforce free of sexual harassment and gender discrimination, the Ministry of Labor should issue relevant directives and conduct outreach to workers on these issues. BWJ member factories should continue to implement sexual harassment prevention training for all workers, supervisors, and managers, and should put in place sexual harassment prevention policies, to the extent such policies are not already in place.

As the garment industry expands, DOL urges the Jordanian government to continue to proactively use inspections and outreach to ensure that all factories, including factories that produce garments for the domestic market and subcontracting companies, are meeting their legal obligations, and, in coordination with stakeholders, to continue to expand the coverage of the BWJ program and to help ensure respect for the labor rights of all workers, including migrants and Syrian refugees, as well as Jordanians.

Table 2  
TVPR List by Country

**KEY**

**FORCED LABOR**    **CHILD LABOR**    **BOTH**

\* good added in 2016, *child labor*    † good added in 2016, *forced labor*

Afghanistan	<b>BRICKS</b> · CARPETS · COAL · POPPIES
Angola	<b>DIAMONDS</b>
Argentina	BLUEBERRIES · BRICKS · COTTON · GARLIC · <b>GARMENTS</b> · GRAPES · OLIVES · STRAWBERRIES · TOBACCO · TOMATOES · YERBA MATE
Azerbaijan	COTTON
Bangladesh	BIDIS · BRICKS · <b>DRIED FISH</b> · FOOTWEAR · GARMENTS · GLASS · JUTE TEXTILES · LEATHER · MATCHES · POULTRY · SALT · SHRIMP · SOAP · STEEL FURNITURE · TEXTILES
Belize	BANANAS · CITRUS FRUITS · SUGARCANE
Benin	<b>COTTON</b> · CRUSHED GRANITE
Bolivia	<b>BRAZIL NUTS/CHESTNUTS</b> · BRICKS · <b>CATTLE</b> · CORN · GOLD · <b>PEANUTS</b> · SILVER · SUGARCANE · TIN · ZINC
Brazil	BEEF · BRICKS · CASHEWS · <b>CATTLE</b> · CERAMICS · <b>CHARCOAL</b> · COTTON · FOOTWEAR · <b>GARMENTS</b> · MANIOC/CASSAVA · PINEAPPLES · RICE · SISAL · <b>SUGARCANE</b> · <b>TIMBER</b> · TOBACCO
Burkina Faso	<b>COTTON</b> · GOLD · GRANITE*
Burma	<b>BAMBOO</b> · BEANS · BRICKS · JADE · <b>PALM THATCH</b> · <b>PHYSIC NUTS/CASTOR BEANS</b> · RICE · RUBBER · RUBIES · <b>SESAME</b> · SHRIMP · SUGARCANE · <b>SUNFLOWERS</b> · TEAK
Cambodia	ALCOHOLIC BEVERAGES · BRICKS · FISH · MANIOC/CASSAVA · MEAT · RUBBER · SALT · SHRIMP · SUGARCANE* · TEXTILES · TIMBER · TOBACCO
Cameroon	COCOA
Central African Rep.	DIAMONDS
Chad	CATTLE
China	<b>ARTIFICIAL FLOWERS</b> · BRICKS · <b>CHRISTMAS DECORATIONS</b> · COAL · COTTON · <b>ELECTRONICS</b> · FIREWORKS · FOOTWEAR · <b>GARMENTS</b> · NAILS · TEXTILES · TOYS
Colombia	CLAY BRICKS · COAL · COCA · COFFEE · EMERALDS · GOLD · PORNOGRAPHY · SUGARCANE
Costa Rica	CATTLE* · COFFEE*
Cote d'Ivoire	<b>COCOA</b> · COFFEE
Congo, Dem. Rep.	<b>CASSITERITE</b> · <b>COLTAN</b> · COPPER · DIAMONDS · GOLD · HETEROGENITE · <b>WOLFRAMITE</b>
Dominican Republic	BAKED GOODS · COFFEE · RICE · SUGARCANE · TOMATOES
Ecuador	BANANAS · BRICKS · FLOWERS · GOLD
Egypt	COTTON · LIMESTONE
El Salvador	COFFEE · FIREWORKS · SHELLFISH · SUGARCANE
Ethiopia	CATTLE · GOLD · <b>HAND-WOVEN TEXTILES</b>
Ghana	COCOA · <b>FISH</b> · GOLD · <b>TILAPIA</b>
Guatemala	BROCCOLI · COFFEE · CORN · FIREWORKS · GRAVEL · SUGARCANE
Guinea	CASHEWS · COCOA · COFFEE · DIAMONDS · GOLD
Honduras	COFFEE · LOBSTERS · MELONS
India	BIDIS · BRASSWARE · BRICKS · CARPETS · COTTON · <b>EMBELLISHED TEXTILES</b> · FIREWORKS · FOOTWEAR · <b>GARMENTS</b> · GEMS · GLASS BANGLES · <b>HYBRID COTTONSEED</b> · INCENSE · LEATHER GOODS/ACCESSORIES · LOCKS · MATCHES · RICE · SILK FABRIC · SILK THREAD · SOCCER BALLS · <b>STONES</b> · SUGARCANE · THREAD/YARN
Indonesia	<b>FISH</b> † · GOLD · PALM OIL · RUBBER · SANDALS · TIN* · TOBACCO
Iran	BRICKS* · CARPETS
Kazakhstan	<b>COTTON</b>
Kenya	COFFEE · FISH · MIRAA · RICE · SAND* · SISAL · SUGARCANE · TEA · TOBACCO
Kyrgyz Republic	COTTON · TOBACCO

Lebanon	POTATOES* · TOBACCO
Lesotho	CATTLE
Liberia	DIAMONDS · RUBBER
Madagascar	SAPPHIRES · STONES · VANILLA
Malawi	TEA · <b>TOBACCO</b>
Malaysia	<b>ELECTRONICS</b> · <b>GARMENTS</b> · <b>PALM OIL</b>
Mali	COTTON · GOLD · <b>RICE</b>
Mauritania	CATTLE · GOATS
Mexico	CHILE PEPPERS · COFFEE · CUCUMBERS · EGGPLANTS · GREEN BEANS · MELONS · ONIONS · PORNOGRAPHY · SUGARCANE · TOBACCO · TOMATOES
Mongolia	COAL · FLUORSPAR · GOLD
Mozambique	TOBACCO
Namibia	CATTLE
Nepal	<b>BRICKS</b> · <b>CARPETS</b> · <b>EMBELLISHED TEXTILES</b> · <b>STONES</b>
Nicaragua	BANANAS · COFFEE · GOLD · GRAVEL · PUMICE STONE · SHELLFISH · TOBACCO
Niger	<b>CATTLE</b> · GOLD · GYPSUM · SALT · TRONA
Nigeria	<b>COCOA</b> · GOLD* · <b>GRANITE</b> · <b>GRAVEL</b> · MANIOC/CASSAVA · SAND
North Korea	<b>BRICKS</b> · <b>CEMENT</b> · <b>COAL</b> · <b>GOLD</b> · <b>IRON</b> · <b>TEXTILES</b> · <b>TIMBER</b>
Pakistan	<b>BRICKS</b> · <b>CARPETS</b> · <b>COAL</b> · <b>COTTON</b> · GLASS BANGLES · LEATHER · <b>SUGARCANE</b> · SURGICAL INSTRUMENTS · <b>WHEAT</b>
Panama	COFFEE · MELONS · SUGARCANE
Paraguay	<b>BRICKS</b> · <b>CATTLE</b> · COTTON · LIMESTONE · PORNOGRAPHY · SUGARCANE
Peru	<b>BRAZIL NUTS/CHESTNUTS</b> · <b>BRICKS</b> · COCA · FIREWORKS · FISH · <b>GOLD</b> · <b>TIMBER</b>
Philippines	BANANAS · COCONUTS · CORN · FASHION ACCESSORIES · FISH · GOLD · HOGS · PORNOGRAPHY · PYROTECHNICS · RICE · RUBBER · SUGARCANE · TOBACCO
Russia	<b>PORNOGRAPHY</b>
Rwanda	TEA
Senegal	GOLD
Sierra Leone	COCOA · COFFEE · <b>DIAMONDS</b> · GRANITE · PALM OIL
South Sudan	<b>CATTLE</b>
Sudan	GOLD*
Suriname	GOLD
Tajikistan	<b>COTTON</b>
Tanzania	CLOVES · COFFEE · GOLD · NILE PERCH · SISAL · TANZANITE · TEA · TOBACCO
Thailand	<b>FISH</b> · <b>GARMENTS</b> · PORNOGRAPHY · <b>SHRIMP</b> · SUGARCANE
Turkey	CITRUS FRUITS · COTTON · CUMIN · FURNITURE · HAZELNUTS · PEANUTS · PULSES · SUGAR BEETS
Turkmenistan	<b>COTTON</b>
Uganda	<b>BRICKS</b> · CATTLE · CHARCOAL · COFFEE · FISH · GOLD* · RICE · STONES* · SUGARCANE · TEA · TOBACCO · VANILLA
Ukraine	COAL · PORNOGRAPHY
Uzbekistan	<b>COTTON</b> · <b>SILK COCOONS</b> †
Vietnam	<b>BRICKS</b> · CASHEWS* · COFFEE* · FISH* · FOOTWEAR* · FURNITURE* · <b>GARMENTS</b> · LEATHER* · PEPPER* · RICE* · RUBBER* · SUGARCANE* · TEA* · TEXTILES* · TIMBER* · TOBACCO*
Yemen	FISH
Zambia	CATTLE · COTTON · GEMS · STONES · TOBACCO

Table 3  
TVPRA List by Good

KEY	
<b>FORCED LABOR</b>	<b>CHILD LABOR</b>
<b>BOTH</b>	
	* good added in 2016, <i>child labor</i> † good added in 2016, <i>forced labor</i>
Alcoholic Beverages	CAMBODIA
Baked Goods	DOMINICAN REPUBLIC
Bamboo	BURMA
Bananas	BELIZE • ECUADOR • NICARAGUA • PHILIPPINES
Beans	BURMA (green, soy, yellow) • MEXICO (green)
Beef	BRAZIL
Bidis (hand-rolled cigarettes)	BANGLADESH • INDIA
Blueberries	ARGENTINA
Brassware	INDIA
Brazil Nuts/Chestnuts	BOLIVIA • PERU
Bricks	AFGHANISTAN • ARGENTINA • BANGLADESH • BOLIVIA • BRAZIL • BURMA • CAMBODIA • CHINA • COLUMBIA (clay) • ECUADOR • INDIA • IRAN* • NEPAL • NORTH KOREA • PAKISTAN • PARAGUAY • PERU • UGANDA • VIETNAM
Broccoli	GUATEMALA
Carpets	AFGHANISTAN • INDIA • IRAN • NEPAL • PAKISTAN
Cashews	BRAZIL • GUINEA • VIETNAM*
Casserite (tin ore)	DEMOCRATIC REPUBLIC OF THE CONGO
Cattle	BOLIVIA • BRAZIL • CHAD • COSTA RICA* • ETHIOPIA • LESOTHO • MAURITANIA • NAMIBIA • NIGER • PARAGUAY • SOUTH SUDAN • UGANDA • ZAMBIA
Cement	NORTH KOREA
Ceramics	BRAZIL
Charcoal	BRAZIL • UGANDA
Chile Peppers	MEXICO
Christmas Decorations	CHINA
Citrus Fruits	BELIZE • TURKEY
Cloves	TANZANIA
Coal	AFGHANISTAN • CHINA • COLOMBIA • MONGOLIA • NORTH KOREA • PAKISTAN • UKRAINE
Coca (stimulant plant)	COLOMBIA • PERU
Cocoa	CAMEROON • CÔTE D'IVOIRE • GHANA • GUINEA • NIGERIA • SIERRA LEONE
Coconuts	PHILIPPINES
Coffee	COLOMBIA • COSTA RICA* • CÔTE D'IVOIRE • DOMINICAN REPUBLIC • EL SALVADOR • GUATEMALA • GUINEA • HONDURAS • KENYA • MEXICO • NICARAGUA • PANAMA • SIERRA LEONE • TANZANIA • UGANDA • VIETNAM*
Coltan (titanium ore)	DEMOCRATIC REPUBLIC OF THE CONGO
Copper	DEMOCRATIC REPUBLIC OF THE CONGO
Corn	BOLIVIA • GUATEMALA • PHILIPPINES
Cotton	ARGENTINA • AZERBAIJAN • BENIN • BRAZIL • BURKINA FASO • CHINA • EGYPT • INDIA • KAZAKHSTAN • KYRGYZ REPUBLIC • MALI • PAKISTAN • PARAGUAY • TAJIKISTAN • TURKEY • TURKMENISTAN • UZBEKISTAN • ZAMBIA
Cottonseed (hybrid)	INDIA
Cucumbers	MEXICO
Cumin	TURKEY
Diamonds	ANGOLA • CENTRAL AFRICAN REPUBLIC • DEMOCRATIC REPUBLIC OF THE CONGO • GUINEA • LIBERIA • SIERRA LEONE
Dried Fish	BANGLADESH
Eggplants	MEXICO
Electronics	CHINA • MALAYSIA
Emeralds	COLOMBIA
Fashion Accessories	PHILIPPINES
Fireworks	CHINA • EL SALVADOR • GUATEMALA • INDIA • PERU
Fish	CAMBODIA • GHANA • INDONESIA† • KENYA • PERU • PHILIPPINES • THAILAND • UGANDA • VIETNAM* • YEMEN
Flowers	AFGHANISTAN (poppies) • BURMA (sunflowers) • CHINA (artificial) • ECUADOR
Fluorspar (mineral)	MONGOLIA
Footwear	BANGLADESH • BRAZIL • CHINA • INDIA • INDONESIA (sandals) • VIETNAM*
Furniture	BANGLADESH (steel) • TURKEY • VIETNAM*
Garlic	ARGENTINA
Garments	ARGENTINA • BANGLADESH • BRAZIL • CHINA • INDIA • MALAYSIA • THAILAND • VIETNAM
Gems	INDIA • ZAMBIA
Glass	BANGLADESH
Glass Bangles	INDIA • PAKISTAN
Goats	MAURITANIA
Gold	BOLIVIA • BURKINA FASO • COLOMBIA • DEMOCRATIC REPUBLIC OF THE CONGO • ECUADOR • ETHIOPIA • GHANA • GUINEA • INDONESIA • MALI • MONGOLIA • NICARAGUA • NIGER • NIGERIA* • NORTH KOREA • PERU • PHILIPPINES • SENEGAL • SUDAN* • SURINAME • TANZANIA • UGANDA*
Granite	BENIN (crushed) • BURKINA FASO* • NIGERIA • SIERRA LEONE
Grapes	ARGENTINA
Gravel (crushed stones)	GUATEMALA • NICARAGUA • NIGERIA
Gypsum (mineral)	NIGER

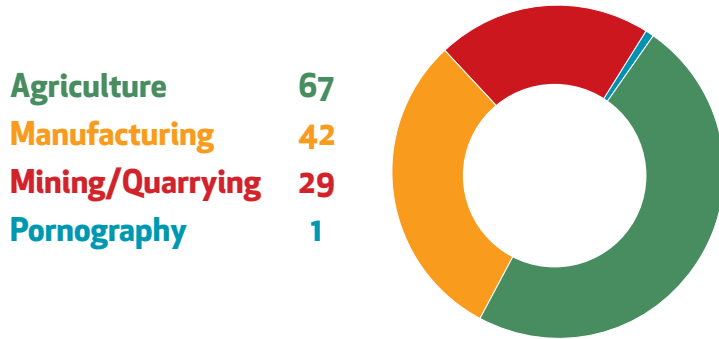


Hazelnuts	TURKEY
Heterogenite (cobalt ore)	DEMOCRATIC REPUBLIC OF THE CONGO
Hogs	PHILIPPINES
Incense (agarbatti)	INDIA
Iron	<b>NORTH KOREA</b>
Jade	<b>BURMA</b>
Leather	BANGLADESH · INDIA (goods/accessories) · PAKISTAN · VIETNAM*
Lobsters	HONDURAS
Locks	INDIA
Manioc/Cassava	BRAZIL · CAMBODIA · NIGERIA
Matches	BANGLADESH · INDIA
Meat	CAMBODIA
Melons	HONDURAS · MEXICO · PANAMA
Miraa (stimulant plant)	KENYA
Nails	<b>CHINA</b>
Nile Perch (fish)	TANZANIA
Oil (palm)	INDONESIA · <b>MALAYSIA</b> · SIERRA LEONE
Olives	ARGENTINA
Onions	MEXICO
Palm Thatch	<b>BURMA</b>
Peanuts	<b>BOLIVIA</b> · TURKEY
Pepper	VIETNAM*
Physic Nuts/Castor Beans	<b>BURMA</b>
Pineapples	BRAZIL
Pornography	COLOMBIA · MEXICO · PARAGUAY · PHILIPPINES · <b>RUSSIA</b> · THAILAND · UKRAINE
Potatoes	LEBANON*
Poultry	BANGLADESH
Pulses (legumes)	TURKEY
Pyrotechnics	PHILIPPINES
Rice	BRAZIL · <b>BURMA</b> · DOMINICAN REPUBLIC · <b>INDIA</b> · KENYA · <b>MALI</b> · PHILIPPINES · UGANDA · VIETNAM*
Rubber	<b>BURMA</b> · CAMBODIA · INDONESIA · LIBERIA · PHILIPPINES · VIETNAM*
Rubies	<b>BURMA</b>
Salt	BANGLADESH · CAMBODIA · NIGER
Sand	KENYA* · NIGERIA
Sapphires	MADAGASCAR
Sesame	<b>BURMA</b>
Shellfish	EL SALVADOR · NICARAGUA
Shrimp	BANGLADESH · <b>BURMA</b> · CAMBODIA · <b>THAILAND</b>
Silk	INDIA (fabric & thread) · <b>UZBEKISTAN*</b> (cocoon) ·
Silver	BOLIVIA
Sisal	BRAZIL · KENYA · TANZANIA
Soap	BANGLADESH
Soccer Balls	INDIA
Stones	EGYPT (limestone) · <b>INDIA</b> · MADAGASCAR · <b>NEPAL</b> · NICARAGUA (pumice) · PARAGUAY (limestone) · UGANDA* · ZAMBIA
Strawberries	ARGENTINA
Sugar Beets	TURKEY
Sugarcane	BELIZE · <b>BOLIVIA</b> · <b>BRAZIL</b> · <b>BURMA</b> · CAMBODIA* · COLOMBIA · <b>DOMINICAN REPUBLIC</b> · EL SALVADOR · GUATEMALA · INDIA · KENYA · MEXICO · <b>PAKISTAN</b> · PANAMA · PARAGUAY · PHILIPPINES · THAILAND · UGANDA · VIETNAM*
Surgical Instruments	PAKISTAN
Tanzanite (gems)	TANZANIA
Tea	KENYA · MALAWI · RWANDA · TANZANIA · UGANDA · VIETNAM*
Teak	<b>BURMA</b>
Textiles	BANGLADESH · BANGLADESH (jute) · CAMBODIA · CHINA · <b>ETHIOPIA (hand-woven)</b> · <b>INDIA (embellished)</b> · <b>NEPAL (embellished)</b> · <b>NORTH KOREA</b> · VIETNAM*
Thread/Yarn	INDIA
Tilapia (fish)	<b>GHANA</b>
Timber	<b>BRAZIL</b> · CAMBODIA · <b>NORTH KOREA</b> · <b>PERU</b> · VIETNAM*
Tin	BOLIVIA · INDONESIA*
Tobacco	ARGENTINA · BRAZIL · CAMBODIA · INDONESIA · KENYA · KYRGYZ REPUBLIC · LEBANON · <b>MALAWI</b> · MEXICO · MOZAMBIQUE · NICARAGUA · PHILIPPINES · TANZANIA · UGANDA · VIETNAM* · ZAMBIA
Tomatoes	ARGENTINA · DOMINICAN REPUBLIC · MEXICO
Toys	<b>CHINA</b>
Trona (mineral)	NIGER
Vanilla	MADAGASCAR · UGANDA
Wheat	<b>PAKISTAN</b>
Wolframite (tungsten ore)	<b>DEMOCRATIC REPUBLIC OF THE CONGO</b>
Yerba Mate (stimulant plant)	ARGENTINA
Zinc	BOLIVIA

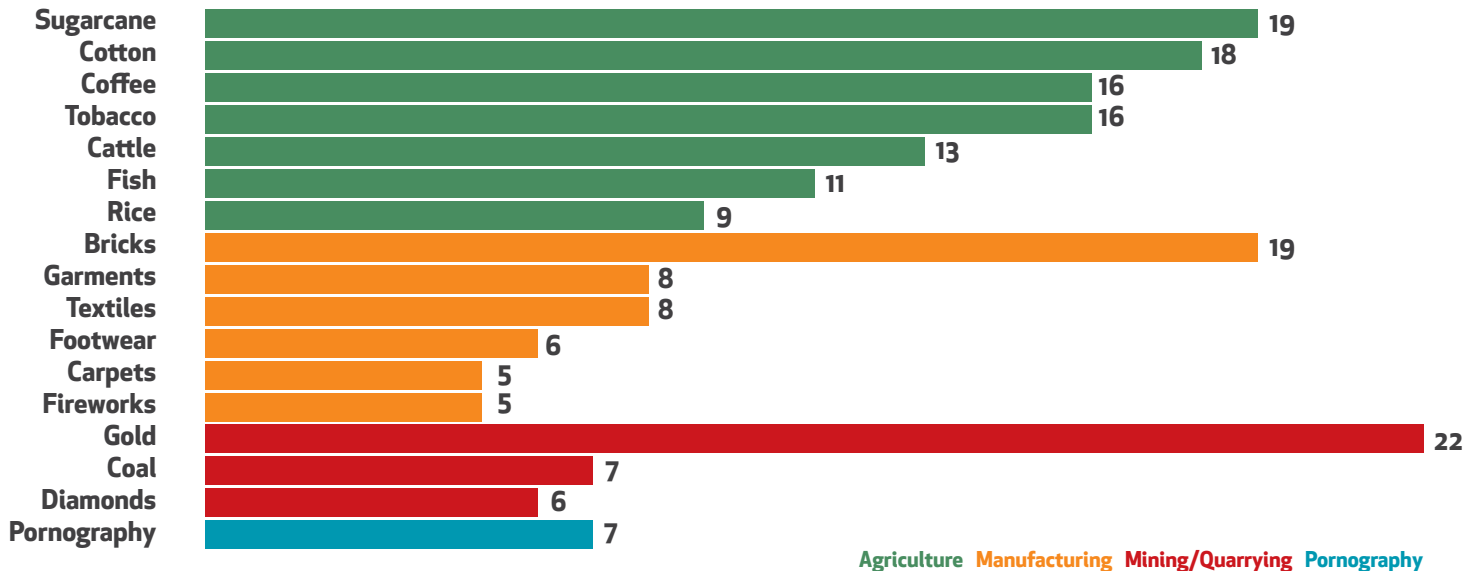
**Figure 3**  
The List in Numbers

**139** goods from **75** countries for a total of **379** line items

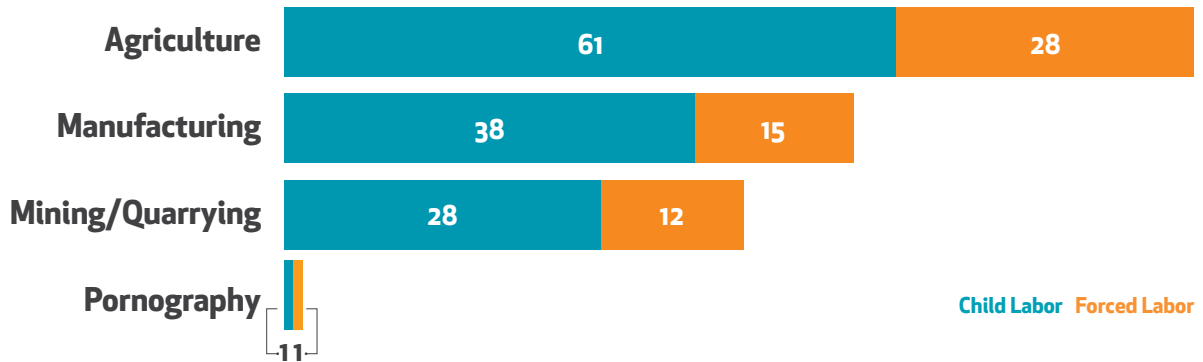
**Number of Goods Produced Globally by Production Sector**



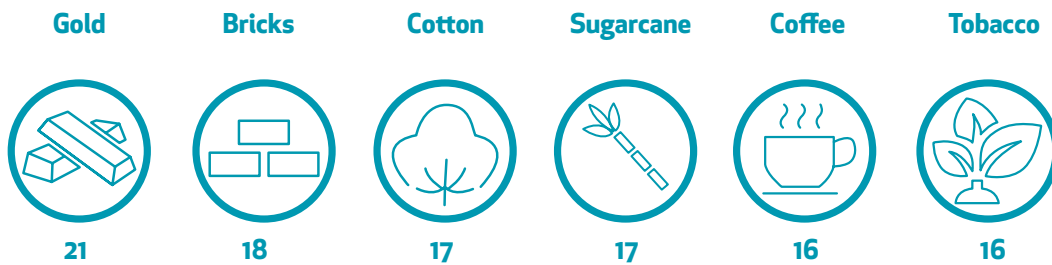
**Goods with Most Child Labor and Forced Labor Listings by Number of Countries and Production Sector**



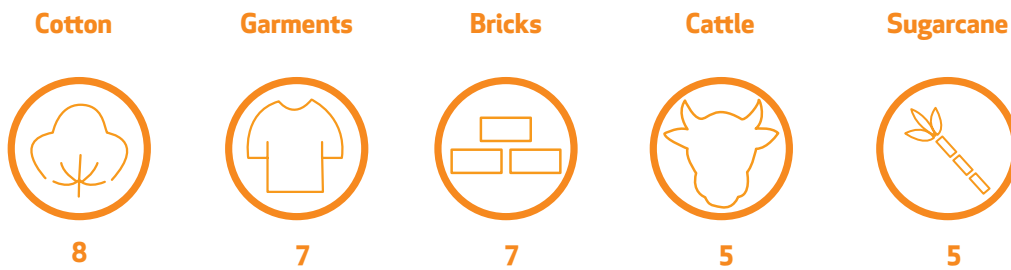
### Number of Goods Produced Globally by Child Labor and Forced Labor by Production Sector



### Goods with the Most Child Labor Listings by Number of Countries



### Goods with the Most Forced Labor Listings by Number of Countries



# Examples of Good Practice to Eliminate Child Labor and Forced Labor

The primary purposes of the TVPRA List are to raise public awareness about child labor and forced labor and to promote efforts to address these abuses. Over the years in which DOL has published the List, we have seen many examples of the List raising awareness and stimulating action by governments, industries, and civil society groups. Below are several examples of good practices in cross-sectoral collaboration to address child labor and/or forced labor. Some of these examples are from countries with new goods being added to the List this year. This highlights the complexity of addressing child labor and forced labor and demonstrates the importance of continued effort and cross-sectoral collaboration to address them.

## ***Historic Progress in Addressing Child Labor in Vietnam***

The Government of Vietnam (GOV) has demonstrated a strong commitment to addressing child labor through research, programming, and legal and policy development. In 2012, it collaborated with the International Labor Organization (ILO) to produce one of the most transparent and far-reaching National Child Labor Surveys (NCLS) carried out by a national government in recent years. The findings of the survey will continue to guide the GOV's focused efforts to address and reduce child labor.

Notably, in 2014, the GOV committed \$25 million to support the implementation of its National Plan of Action (NPA) on the Prevention and Reduction of Child Labor (2016-2020).<sup>46</sup> This plan aims to raise awareness about child labor and strengthen Vietnam's legal and policy framework related to the issue. The GOV also approved the second phase of the National Program on Child Protection (2016-2020) which builds on the success of the first National Program (2011-2015) in providing support to children at risk of exploitation in the worst forms of child labor. In 2015, the GOV agreed to work with the U.S. Department of Labor on the implementation of the *Technical Support for Enhancing National Capacity to Prevent and Reduce Child Labor in Vietnam* (ENHANCE)

project. In addition to \$8 million in funding from DOL, the GOV is contributing an additional \$1.2 million to support project activities which include a second NCLS in 2018. This project is being implemented by the ILO, operating in partnership with the GOV and DOL.

Moreover, in its negotiations concerning the Trans-Pacific Partnership Agreement (TPP), the GOV has made specific, far-reaching commitments in the U.S.-Vietnam Plan for Enhancement of Trade and Labor Relations. Under this Plan, the GOV has committed to strengthen its labor inspectorate by building on the capacity of inspectors to enforce labor laws prohibiting child labor and by increasing the number of inspectors. Vietnam's commitments under the plan, which would be fully enforceable under TPP, explicitly address the 2012 NCLS findings through targeted inspections, research by independent experts in those sectors where child labor was found, and public dissemination of future findings. Taken together, the release of the Government's survey, the allocation of significant resources to address problem areas, and the explicit labor commitments made under the TPP represent an exemplary response to the challenge of protecting children at risk, or already engaged in, the worst forms of child labor.

## ***Assisting Children of Families Working in Costa Rica's Coffee Harvest***

The Government of Costa Rica (GOCR), civil society organizations, and the private sector have worked together for several years to combat child labor in coffee production. The GOCR's Ministry of Social Security has formed mobile units, staffed with nurses and other health technicians, who travel to coffee farms to provide health services, including first aid, vaccinations, deworming, and education on nutrition and reproductive health, and to raise awareness of child labor issues to workers and their families after the work day has ended. Offering this wide array of social services at remote worksites helps



A young girl picks coffee beans in Costa Rica.  
© Michele Zousmer

connect workers to service providers and may establish a first point of contact for reporting and resolving issues such as child labor.

The GOCR also supports the *Casas de la Alegría* (Houses of Joy) project to provide access to alternative child care and meals to the children of parents working on coffee farms. In addition to preventing child labor, the program aims to promote social inclusion and developmental opportunities for these children. The GOCR's Joint Institute for Social Aid (IMAS) provides funds for meals as well as for caregiver salaries and training. Farm owners and associations provide the land and classrooms, with financial contributions from UNICEF for building materials and other supplies. The Houses of Joy

program began as a pilot in 2014 with 6 centers serving 175 children and was scaled up in 2015 to 16 centers serving 687 children under age 10.

More broadly, the GOCR's 2010-2020 Roadmap towards the Elimination of Child Labor aims to eradicate all forms of child labor in Costa Rica by 2020. In 2015, the GOCR updated the Roadmap through the 2015-2020 Joint Programming Action Plan, which includes strong commitments from the Ministry of Labor, Ministry of Planning, private sector, labor organizations, and international organizations to advance the goal of eliminating child labor by 2020. The GOCR FONABE program provides subsidies to encourage children to finish school and targeted scholarships for child and adolescent workers to promote their reintegration and retention in the education system. An impact evaluation conducted by the University of Costa Rica indicates the GOCR's *Avancemos* (Let's Get Ahead) conditional cash transfer program for low-income families to keep their children in high school helped reduce child labor in Costa Rica between 2005 and 2009.

National household surveys have shown a 65 percent decrease between 2011 and 2015 in the number of children ages 12 to 17 working in agriculture. Although these surveys do not provide the number of children in child labor in the coffee sector, data from the 2016 national household survey, which included a child labor module, is expected to be released in early 2017.

### ***Indonesia's Efforts to Address Labor Abuses in Ocean Fishing***

In 2016, a Pulitzer-prize winning investigative report from the Associated Press brought the harrowing story of thousands of trafficked fishermen, forced to work long hours under harsh conditions in Indonesian waters, into the international spotlight. However, in recent years the Government of Indonesia has been taking action to prevent the further use of forced labor on fishing vessels operating in Indonesian waters, as well as IUU fishing practices. In November 2014, Indonesia's Ministry of Marine Affairs and Fisheries (MMAF) instituted a moratorium on foreign fishing vessels in Indonesian waters, in response to allegations that many of these vessels were associated with human rights violations and with IUU fishing. From November 2014 to October

31, 2015, the government impounded hundreds of delinquent boats in remote ports across the Indonesian archipelago, allowing Indonesian authorities, the International Organization for Migration (IOM), and the media to investigate potential cases of forced labor on board the vessels.

Since March 2015, the Government of Indonesia has collaborated with the IOM to screen, shelter, and repatriate approximately 1,500 forced labor victims back to their home countries of Burma, Cambodia, Thailand, and Laos. Donor funding from the United States, Australia, and Norway is supporting the IOM in these efforts.

Although it is notoriously difficult to regulate the activities of vessels fishing in Indonesia's vast territorial waters and Exclusive Economic Zone (EEZ), Minister of Marine Affairs and Fisheries Susi Pudjiastuti has adopted a firm zero-tolerance stance toward forced labor in the fishing industry. In December 2015, the MMAF enacted a regulation on human rights certification in the fishing industry that requires fisheries businesses with MMAF permits and fish processing unit owners to implement a comprehensive system to prevent human rights violations from occurring in their operations.<sup>47</sup>

In 2015, President Joko Widodo also signed Presidential Regulation (Perpres) No. 115/2015, which strengthens the Presidential Task Force to Combat IUU Fishing (Task Force 115) and includes anti-forced labor provisions. The Task Force is led by Minister Pudjiastuti and includes representatives from the Indonesian Navy, the National Police, and the Maritime Security Agency. From the time the moratorium on foreign fishing vessels went into effect in November 2014, until April 2016, Task Force 115 detained and investigated 1,132 vessels suspected of violating fisheries laws and using forced labor.<sup>48</sup> Investigations and prosecutions by the Indonesian authorities have led to the destruction of scores of illegal fishing boats and criminal sentences for traffickers.

### ***“Child-Safe” Certification Standards in Ethiopia’s Textile Weaving Industry***

Ethiopians Fighting Against Child Exploitation (E-FACE) was a four-year project, funded by DOL and implemented by World Vision, Inc., in partnership with Mennonite Development Associates (MEDA) and the Mission for Community Development Program (MCDP). The project concluded in 2015, and key project achievements were a

‘Child Safe’ certification standard for the textile weaving sector and a consumer-facing label to assure consumers that textile products were not produced by child labor.

E-FACE engaged with the Government of Ethiopia, the Addis Ababa Bureau of Labor and Social Affairs (AABoLSA), textile producers, and the Ethiopian Fashion Designers Association (EFDA) to develop a voluntary Code of Conduct to govern the initiative. The Code is a voluntary set of standards inspired by the Ethiopian Constitution, the United Nations Convention



on the Rights of the Child, the African Charter on the Rights and Welfare of the Child, and International Labor Organization (ILO) Conventions 138 and 182, with the following seven core principles:

1. No child labor.
2. No forced labor.
3. Occupational safety and health.
4. Fair wages and improved work relationships.
5. Minimum working hours.
6. Access to education.
7. No discrimination.

In addition to the substantive principles, the Code states the roles and responsibilities of stakeholders and stipulates detailed implementation, inspection and monitoring procedures. Moreover, an inspection checklist was developed, based on the Code, to guide inspection officers.

The project partners developed a Memorandum of Understanding to delineate clear roles for partners and stakeholders. MEDA provided support to the EFDA to take on the role of managing the consumer-facing label. In doing so, the EFDA collaborated closely with Ethiopia's Ministry of Culture and Tourism and AABoLSA. The EFDA encouraged its members to undergo the inspection and certification process, while AABoLSA's role is to provide free inspection services to members of the Association, as well as free training on the issues of child labor, ‘Child Safe’ product certification, and occupational safety and health.

### ***Collaboration to Address Seasonal Migrant Child Labor in Turkey's Hazelnut Harvest***

Since 2011, the U.S.-based Fair Labor Association (FLA) has been assessing working conditions on hazelnut farms in the Black Sea region of Turkey, first as a special project commissioned by multinational corporation Nestlé, and later as a collaboration between the FLA, Nestlé and two of its Turkey-based hazelnut suppliers, Balsu Gıda and Olam Proğida.

Annually, the FLA sends a team of assessors to visit a sample of farms supplying hazelnuts to these companies. The team interviews workers, reviews documentation, assesses internal management systems to uphold labor standards in suppliers' farms, and reports publicly on any findings that violate the companies' codes of conduct, including their prohibitions on child and forced labor. The presence of child labor has been a consistent finding in these field assessments, both among local workers' families, and among the groups of migrant workers who travel to the Duzce, Ordu, and Sakarya provinces and other parts of the Black Sea region for the hazelnut harvest.

The companies have pursued a number of remediation strategies in response to these findings, such as civil society partnerships to build schools and provide scholarships for children of migrant workers and in hazelnut communities. Nestlé provided funding to improve infrastructure and education opportunities in temporary migrant worker settlements, Balsu worked with the Turkish NGO Young Life Foundation to establish summer schools, and Olam organized play sessions that include games designed to provide education about children's rights. Further interventions have included training for farmers on child-labor prohibitions, and the provision of age-verification tools to encourage farmers to document the ages of their hired workers.

In November of 2015, the U.S. Department of Labor awarded the FLA a grant to pilot-test a comprehensive, sustainable program that implements all elements of the U.S. Department of Agriculture (USDA) "Guidelines for Eliminating Child and Forced Labor in Agricultural Supply Chains" in the hazelnut supply chain of Nestlé, Balsu, and Olam in Turkey. For more information on these Guidelines, see: <https://www.dol.gov/ilab/issues/child-labor/fcea.htm>. Implementation of the project began in 2016, and in 2018 the project will publish

a report detailing lessons learned from this pilot-test and recommendations for other companies seeking to establish programs based on these Guidelines.

The Government of Turkey (GOT) has prioritized the elimination of child labor in the hazelnut sector for the past several years, and participates on the Steering Committee of the FLA pilot project. The GOT has also worked with the ILO and the Association of Chocolate, Biscuit, and Confectionery Industries of Europe (CAOBISCO) since 2012 to provide direct services and family counseling to children working in hazelnuts. In addition, the GOT is currently seeking to reauthorize and expand the scope of the Activation of Local Sources on Preventing Child Labor project, a Ministry of Labor and Social Security-implemented program which provided services to over 2,000 children at risk of entering child labor in Turkey from 2012-2014.

### ***Harnessing Market Forces to Eliminate Child Labor in Carpet Weaving and Beyond***

The hand-knotting technique of carpet weaving is an ancient Asian craft requiring thousands of hours of manual work, hunched over a weaving loom. Due to the enduring beauty and strength of such rugs, they remain highly valued and in much demand in our modern world. Unfortunately, many of them are produced in informal workshops or in the homes of impoverished families - far from the eyes of labor inspectors or factory auditors - where children are put to work on the loom. The typical day for many carpet weaving children is one of relentless tedium, injury, neglect or outright abuse, and lost opportunity. Investigative reports and research studies have shown that these children may work under conditions of debt bondage, and have little or no access to education. In the most egregious cases, children are physically chained to the loom.

In the early 1980s, activist (later to become Nobel Peace Prize winner) Kailash Satyarthi began conducting raids on weaving workshops in Uttar Pradesh, India, to rescue children from the looms. In 1994, recognizing that systemic change was necessary to break the cycle of exploitation, he and an international coalition of NGOs, multilateral organizations, governments, and businesses developed a certification program with a consumer-facing label, in order to encourage market



demand for child-labor-free carpets. The organization established to promote this program is today known as GoodWeave International.

The TVPRA List includes five countries in South and Central Asia where child labor is used in the production of carpets. Although hundreds of thousands of children are still toiling in carpet weaving, progress has been made to combat this phenomenon in recent years. GoodWeave has made an important contribution to this progress by developing an innovative approach based on increasing demand for child-labor-free carpets and helping businesses to meet that demand through a certification program that entails a robust inspection of their supply chains. In 2016, Executive Director Nina Smith received the Schwab Foundation for Social Entrepreneurship Award in honor of efforts to “correct... market failures with tools of capitalism.”

The GoodWeave model is based on expanding market demand for child-labor free rugs; certifying suppliers that meet that standard; rescuing and rehabilitating child weavers; and providing livelihood services for weaver families. Market demand is cultivated by raising awareness of the option to purchase child-labor-free carpets among buyers, designers, and the general public on one side of the equation, and promoting the business value of the child-labor-free label to importers and suppliers on the other. Importers sign a contract with GoodWeave which commits them to a no-child-labor standard and licenses them to sell carpets with the GoodWeave label. GoodWeave inspects workshops in the importers’ supply chains to ensure that suppliers uphold the standard and remediate any violations. Licensing fees help sustain the program of monitoring, inspections, and social services for weavers.

In recent years, GoodWeave has taken its work into new sectors and countries. The model established in India’s carpet industry is now being applied to the brick kilns of Nepal, apparel factories in India, and home-based carpet production in Afghanistan (the latter through a DOL-funded project).

GoodWeave is now working to expand the reach of its certification principles to cover a broader range of worker rights. In 2016, it added the principle of no forced or bonded labor as well as the principle of supply chain transparency through documented and verifiable conditions of work. Taking a step further, the organization also enumerated a set of “Progress Principles” including freedom of association, non-discrimination, and decent working conditions. While the Progress Principles are aspirational, licensees are currently being audited against the principles to assess and strengthen the capacity of licensees to eventually meet them.



### **A Diversified Strategy to Address Child Labor in Gold Mining**

Artisanal and small-scale gold mining (ASGM) involves physically demanding work due to the un-mechanized nature and often many occupational safety and health risks. Addressing the problem of child labor in ASGM involves (1) increasing knowledge of child labor in ASGM to mobilize actors and guide actions; (2) enforcing laws and regulations to address child labor in ASGM and monitor it in gold supply chains; (3) fostering partnerships among governments, businesses, small-scale miners, local communities, and other actors to conduct concrete actions; and (4) promoting educational and livelihood opportunities, including mine formalization, in gold mining communities.

DOL implements this four-pronged approach in three ways. First, we fund technical assistance projects that focus on child labor in ASGM. DOL is currently funding:

- A \$5 million ILO project that supports efforts to reduce child labor and address hazardous working conditions in ASGM. The project features Ghana and the Philippines as pilot countries and includes activities at the global level that promote the formation of networks and the sharing of information in Africa, Latin America, and Southeast Asia.
- A \$9 million project that supports Colombia's efforts to reduce child labor in coal and gold artisanal and small-scale mining (ASM). Led by Pact, this project strengthens national laws and policies to combat child labor in coal and gold ASM; provides educational and livelihood services to children and households vulnerable to child labor; and improves governmental capacity to identify and address violations of child labor and occupational safety and health laws in coal and gold ASM.
- A \$5 million project in Burkina Faso that combats child labor in cotton production and ASGM. Led by Counterpart International, the project provides educational and livelihood services to children and households vulnerable to child labor in cotton and ASGM production; raises awareness of child labor; and increases institutional capacity to address child labor.

- Projects that include activities to address child labor in ASGM. For example, DOL is funding a \$15.9 million ILO project that includes activities to address child labor in ASGM in Mongolia.

Second, DOL engages with other USG agencies on ASGM issues. For example, it participated in the recently launched USG inter-agency working group on ASGM led by the Department of State. It supports USG efforts to implement the U.N. Minamata Convention, ratified by the U.S. in 2013, to reduce the use of mercury worldwide, including in ASGM.

Third, DOL promotes networks and the exchange of information on ASGM issues. For example, it is involved in the DC roundtable on ASGM led by the Natural Resources Defense Council. The roundtable is a multi-stakeholder initiative that includes universities, environmental organizations, think tanks, organizations that implement ASGM-related projects, the World Bank, and USG agencies.



Brothers crush stones together while their mother works close by in the Kahama gold mine, Tanzania.  
© Sven Torfinn / Panos Pictures

## BOX 4

### THE PRIVATE SECTOR: AN ESSENTIAL PARTNER

The SDG goal of eradicating child and forced labor by 2025 cannot be achieved without sustained commitment from the businesses that mine, produce, manufacture, distribute, and sell goods around the world. Businesses create jobs and find workers to perform the jobs; they bear a responsibility to ensure that these working relationships respect national laws and fundamental labor rights. Some businesses and industry groups have long taken this responsibility seriously, through robust voluntary standards, due diligence, remediation, transparency, and engagement with stakeholders. Now, the combination of increased pressure from stakeholders and incentives to develop stronger responses is driving more businesses to acknowledge and address labor abuses in their supply chains. Highlighting the importance of the business role, the June 2016 International Labor Conference held its first-ever discussion on decent work in global supply chains and produced a consensus committee report, and the ILO made child labor in supply chains the theme of the 2016 World Day Against Child Labor.

Whether motivated by regulation, risk of reputational damage, stakeholder and peer pressure, the sincere desire to do the right thing, or a combination of these factors, businesses today have heightened incentives to pay attention to child and forced labor issues. New laws and regulations in both the U.S. and United Kingdom put in place new requirements on certain businesses related to combatting these labor abuses (see Box 2). High-profile exposés in several major media outlets have caused garment, seafood, fruit and vegetable, and other companies to review the adequacy of their responses. Meanwhile, a plethora of initiatives and programs have made it more difficult for businesses to ignore these issues.

Guidance on the role of business is included in the United Nations' *Guiding Principles on Business and Human Rights*,<sup>49</sup> the Organization for Economic Cooperation and Development's *Guidelines for Multinational Enterprises*,<sup>50</sup> and the ILO's *Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy*.<sup>51</sup> To assist businesses in implementing these broad policies, global institutions have developed specific tools. In December 2015, the ILO and the

International Organization of Employers released a detailed *Child Labour Guidance Tool for Business*<sup>52</sup> as part of its ongoing Child Labor Platform initiative. With funding from the U.S. Department of State, the NGO Verité released the *Responsible Sourcing Tool*<sup>53</sup> designed to help businesses, public procurement officials, advocates, and consumers understand the risks of forced labor in supply chains and how to implement effective management systems to detect, prevent, and combat this practice.

Since its first edition in 2009, the TVPRA List has played an important role in helping businesses understand the risks of forced labor and child labor in their supply chains. The List's data "went mobile" in 2015, when DOL released *Sweat and Toil*, an application for iPhone and Android that puts the data from all DOL reports on international child and forced labor into the palm of your hand. DOL offers other resources such as the 2012 *Reducing Child Labor and Forced Labor: A Toolkit for Responsible Businesses*,<sup>54</sup> which provides practical, step-by-step guidance on eight key elements of comprehensive social compliance programs, in English, French, Spanish, and Portuguese. And DOL also developed, in coordination with the Departments of Agriculture and State, a set of *Guidelines for Eliminating Child and Forced Labor in Agricultural Supply Chains*.<sup>55</sup> DOL is currently funding an approximately \$4.8 million pilot project to implement these guidelines in Turkey's hazelnut sector.<sup>56</sup>

In their efforts to address forced labor in their supply chains, businesses have confronted a complex set of challenges around abusive worker recruitment practices. These include deceptive and coercive recruitment, and the widespread practice of debt bondage, in which workers borrow money to pay various fees associated with their recruitment, and are unable to work off those debts in a reasonable amount of time. Tackling these issues requires downstream supply chain partners – brands, buyers, and top-tier suppliers – to look not only at their suppliers of materials, but also at their suppliers of labor, and to hold those suppliers accountable. Some companies and industry groups, such as the Electronics



Children in a kindergarten class, Vietnam.  
© International Labour Organization/Truong Van Vi

Industry Citizenship Coalition, have addressed abusive worker recruitment practices through strict “no recruitment fees” policies that apply to all members and their suppliers. The ILO in 2015 instituted the multi-stakeholder Fair Recruitment Initiative, which aims to protect the rights of workers, including migrant workers, from abusive and fraudulent practices during the recruitment process, and reduce the cost of labor migration for migrant workers and their families. In 2016, the Institute for Human Rights and Business launched a Leadership Group for Responsible Recruitment to promote among senior business leaders the “employer pays principle” – a commitment by employers to paying all recruitment-related fees for workers in their supply chains.

Finally, an encouraging trend is the increased engagement of social entrepreneurs in the development of technology to address the challenges of hidden labor exploitation in opaque, complex supply chains. For some, combatting forced labor has become a business opportunity, as they have developed programs that troll the “dark internet,” which is a collection of websites that use anonymous web use tools, for clues to identify traffickers; applications that allow reporting of tips and sharing of information among workers; and platforms that help companies share information with each other about risky labor brokers and other shared risks, while protecting competitive secrets. The USG has supported these innovative initiatives through, for example, collaboration with Humanity United’s Partnership for Freedom project, and the U.S. Agency for International Development’s Supply Unchained initiative.



A mother works in tobacco fields during the harvest in Malawi.  
© International Labour Organization/Crozet M.

# The List as a Tool for Consumers

# WHAT CAN YOU DO TO HELP ADDRESS CHILD LABOR AND FORCED LABOR?



**Do workers have a voice** to speak out against labor abuses where these goods are made?

**What are the companies I buy from doing** to fight child labor and forced labor in global supply chains?

**What are governments doing** to combat child labor and forced labor?

**Could some of the goods I buy** be made by child labor or forced labor?

## ASK QUESTIONS

## TAKE ACTION

**Empower yourself with knowledge** about this problem: Download DOL's *Sweat & Toil* app. 

**Make your voice heard:** spread the word among friends, family, and the companies you buy from and invest in. 

**Show your support** for organizations that are working to end these abuses. 

## DEMAND CHANGE

Advocate for a world in which:

**Workers everywhere can raise their voices** against child labor, forced labor, and other abuses. 

**Companies make serious commitments** to addressing these issues. 

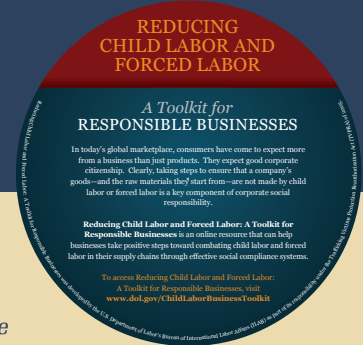
**Your investments have a positive social impact** by promoting responsible labor practices in supply chains. 

**Governments work vigorously** to adopt the country-specific Suggested Actions in DOL's *Findings on the Worst Forms of Child Labor* report. 

Learn more: [dol.gov/EndChildLabor](http://dol.gov/EndChildLabor)

Figure 5

# Reducing Child Labor and Forced Labor: DOL's Toolkit for Responsible Businesses



## Steps to a Social Compliance System

In December 2012, DOL launched *Reducing Child Labor and Forced Labor: A Toolkit for Responsible Businesses*, available at <http://www.dol.gov/ChildLaborBusinessToolkit>, the first guide developed by the U.S. government to help businesses combat child labor and forced labor in their global supply chains. This toolkit responds to a mandate in the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2005 that DOL work with businesses to develop and disseminate business practices that have been effective in reducing child labor and forced labor.

This free, easy-to-use toolkit provides practical, step-by-step guidance on eight key elements of comprehensive social compliance programs. The toolkit is designed for companies that do not have social compliance systems in place, and for companies looking to strengthen their existing systems. The eight elements of the toolkit are:

- 1. Stakeholder Engagement** Strategies that companies have found effective to identify their key stakeholders and engage them meaningfully on child and forced labor issues.
- 2. Assessment of Risks and Impacts/ Due Diligence** Methods that companies have found effective to identify and track child or forced labor risks in supply chains.
- 3. Development of Standards** Examples of Code of Conduct provisions or other policies that aim to address specific child labor and forced labor challenges (e.g. migrant workers, subcontracting, homework).
- 4. Communication and Training on Standards** Examples of training and communication programs to raise awareness around child and forced labor among various stakeholder groups (e.g. suppliers, sub-tier suppliers, communities).
- 5. Workplace Monitoring** Techniques that companies have found effective related to monitoring/auditing (e.g. age verification, auditor skills for interacting with children and victim populations, inclusion of labor brokers/recruiters in audits).
- 6. Remediation** Approaches that companies have found effective to respond to the immediate and more long-term needs of children and/or forced labor victims (e.g. approaches to working with families, provision of educational and other services).
- 7. Independent Review** Methods that companies have found effective to obtain an independent assessment of their efforts to combat child/forced labor.
- 8. Public Reporting** Formats and methods that companies have found useful for reporting on child and forced labor issues in industries, geographic areas and supply chains.

Para ver el Compendio dirigido a empresas responsables en español, visite <https://www.dol.gov/ilab/child-forced-labor/Spanish/>

À voir la Boîte à outils pour les entreprises responsables en français, visite <https://www.dol.gov/ilab/child-forced-labor/French/>

Para ver o Conjunto de Ferramentas para Empresas Responsáveis em português, visite <https://www.dol.gov/ilab/child-forced-labor/Portuguese/>



A Job Corps student poses by desserts she baked.  
© U.S. Department of Labor

# The U.S. Experience in Combatting Child Labor and Forced Labor

Coverage of domestically-produced goods is beyond the TVPRA mandate; thus, ILAB does not review the United States when compiling the List. However, child labor and forced labor are problems that all countries share, including the United States. Like children everywhere, children in the United States can learn valuable skills from work that is appropriate for their level of development; yet they can, and do, also fall victim to the worst forms of child labor. And although we have no statistical estimates of this phenomenon, we know that adults and children also fall victim to forced labor in the United States.

Civil society organizations regularly conduct research and report on child labor in the United States. In recent years, a key issue that has garnered significant attention is migrant agricultural child labor in the United States, particularly in the production of tobacco. DOL's Wage and Hour Division has taken a number of steps to address this problem, but it persists. To learn more about child labor in the United States, as well as the USG's efforts to address it, see The Department of Labor's 2015 *Findings on the Worst Forms of Child Labor - The U.S. Experience*:

<https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

As U.S. civil society, media, and the general public have become more aware of forced labor, there is increasing concern about workers subject to deceptive recruitment practices, debt bondage, and abusive and coercive treatment within our borders. Cases continue to emerge of workers trapped in domestic work in private homes, coerced into industries like construction, shipbuilding, and janitorial services, and forced into commercial sexual exploitation. The USG has published several recent reports about this phenomenon and efforts to address it. These include the U.S. Department of State's 2016 *Trafficking in Persons Report - Country Narrative on the United States*: <http://www.state.gov/documents/organization/258882.pdf>; the *Attorney General's Annual Report to Congress and Assessment of U.S. Government Activities to Combat Trafficking in Persons*, available here: <https://www.justice.gov/ag/file/799436/download>; and a report required by the Justice for Victims of Trafficking Act of 2015, available here: <http://www.state.gov/documents/organization/260286.pdf>.

# Endnotes

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## Appendix A

# Methodology

### **Research Focus**

The research methodology used to compile the TVPRA List is based on ILAB's Procedural Guidelines. For this edition, ILAB reviewed new information on goods from 158 countries and territories. See above for a link to the list of these countries and territories. ILAB continues to carry out research for future editions of the TVPRA List.

### *Population Covered*

In researching child labor, ILAB focused on children under the age of 18 years. For forced labor, the research covered workers of all ages. The population included persons in foreign countries only, as directed by statute. Populations within the United States were not included in this study.

### *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. ILAB's complete definitions of child labor and forced labor can be found in its Procedural Guidelines.

**"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.<sup>i</sup>

The definitions used in developing the TVPRA List are based on standards adopted by the ILO. The ILO has adopted two conventions relating to child labor, the Minimum Age Convention, 1973 (C. 138) and the Worst Forms of Child Labor Convention, 1999 (C. 182). The ILO has also adopted two conventions relating to forced labor, the Forced Labor Convention, 1930 (C. 29) and the Abolition of Forced Labor Convention, 1957 (C. 105).

**"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.<sup>ii</sup>

Evidence of child labor and forced labor was considered separately to determine whether – for each good on the TVPRA 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*.

#### *Sector of Employment*

The TVPRA List comprises goods from the agricultural, manufacturing, and mining/quarrying sectors, as well as pornography. ILAB's research did not include the service sector, which was beyond the scope of the legislated mandate.

#### *Type of Employment*

Research covered all economic activity for adults and children in the production of goods, including formal and informal sector production and goods produced for personal and family consumption.<sup>iii</sup> 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.

The TVPRA List includes many goods for which ILAB has evidence of child labor or forced labor only in informal sector production. These include garments from Bangladesh, gold from Suriname, and tobacco from Tanzania.

Some illicit goods are also included in the TVPRA List; this is not intended to condone or legitimize the production or consumption of these goods.

#### *Stage of Production*

Goods are placed on the TVPRA List at the stage of production at which ILAB determined that there was reason to believe that child labor or forced labor was involved. For example, if there was reason to believe that 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 final goods under non-violative conditions, only the raw materials or component articles are included on the TVPRA 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 final goods, the raw materials or component articles and the final goods are included on the TVPRA List for those countries where the violative conditions were found. In placing items on the TVPRA List, ILAB names the most specific good possible given the available evidence. Therefore, ILAB may identify child labor or forced labor in the production of a general category of good from one country (e.g., stones from Nepal), while it may have evidence of labor exploitation in the production of a more precise good from another country (e.g., limestone from Egypt). However, ILAB does not place broad sectors on the TVPRA List. For example, though there is evidence of child labor in agriculture in nearly every country in the world, ILAB would not include "agricultural goods" on the TVPRA List. However, when there is credible evidence of child labor or forced labor in a particular agricultural good, that specific good would be included on the TVPRA List.

#### *Market for Goods*

Most economically active children are involved in the production of goods or services for local consumption,<sup>iv</sup> 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 because this was not part of the mandate of the TVPRA.

## **Data Sources and Analysis**

### *Sources and Collection of Data*

To ensure a transparent process, ILAB did not use any information in developing the TVPRA List that is unavailable to the public, such as government-classified information. ILAB utilized a wide variety of publicly-available primary and secondary sources to conduct the research. Primary sources include original quantitative and qualitative research studies and other data or evidence gathered first-hand, while secondary sources are those that cite, comment on or build upon primary sources. ILAB's primary sources included surveys carried out by foreign governments in conjunction with the ILO; site visits and data gathered by ILAB staff and other U.S. Government personnel; and quantitative and qualitative studies carried out by a variety of governmental and nongovernmental entities, including academic institutions. Where available, ILAB relied on statistically representative studies in which participants are chosen through random sampling. This type of research produces reliable estimates of the number of individuals in child labor or forced labor working in particular activities in a given sector or geographic area. Because these studies provide empirical, quantitative evidence about both the nature and prevalence of the problem, ILAB sometimes based a determination to add a good to the TVPRA List on a single, representative survey when it was confident in the rigor of the methodology and execution.

ILAB's secondary sources included information reported by U.S. Government agencies, foreign governments and civil society organizations, including reporting from U.S. Government-funded technical assistance projects. 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 issued a notice in the *Federal Register* requesting information from the public on child labor and forced labor in the production of goods globally and reached out to the embassies of all countries researched requesting this information, as well. ILAB monitored reports from international institutions, non-governmental organizations, academic journals and media sources on an ongoing basis.

### *Data Analysis*

The TVPRA mandates DOL to publish a list of goods that 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. These five factors were included in ILAB's Procedural Guidelines.

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 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.<sup>v</sup>
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 not ordinarily 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.

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.

When ILAB found reason to believe that child labor or forced labor was used in the production of a particular good, prior to adding that good to the TVPRA List, ILAB also considered evidence of government, industry or third party initiatives to combat the problem. This included evidence about ongoing initiatives brought to our attention through public submissions. If ILAB determined that the problem of child labor or forced labor persisted despite existing efforts to address the issue, the good was still added to the TVPRA List.

### **Limitations**

#### *Data Availability*

A wide range of challenges contributes to the continued scarcity of information on international child labor and forced labor.

#### *Countries Not Appearing on the TVPRA List*

A country’s absence from the TVPRA 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 both research and policy considerations. Forced laborers often work in isolated locations, such as rural areas, or clandestine settings, such as workshops hidden in large cities. Research survey methodologies on such hard-to-reach populations, especially for individuals in forced labor, are still in developmental stages and continue to be piloted and refined in order to capture the appropriate constructs. While research on child labor is more advanced, and has gone beyond population estimates, data on the specific types of work in which children are involved beyond aggregated industry data is still not collected in a universal manner. For example, national child labor surveys often produce estimates of the number of children working in agriculture, but statistics are often not available on the specific agricultural goods children are producing. Policy decisions that affect the availability of data on child labor or forced labor include government failure to allocate sufficient financial resources or hesitancy to collect and make publicly available data on such sensitive issues. The existence of child labor and forced labor also often involves violations of laws and regulations, including serious criminal violations in some cases. Information may be intentionally suppressed to protect powerful interests, in the face of which the victims of these egregious labor practices may be too vulnerable or politically weak to assert their rights or even communicate their situations. Among the 150 countries and territories researched for this edition of the TVPRA List, there were several for which ILAB could not find adequate information to determine that any goods should be placed on the TVPRA List because very little recent research has been done. This was the case, for example, in Algeria, Gabon, Guyana, Jamaica, Maldives, Morocco, South Africa, Swaziland, Togo, Tunisia, and Venezuela.

#### *Countries with Data Gaps on TVPRA List*

ILAB’s TVPRA List includes goods from some countries known to restrict data collection on forced labor and child labor or to suppress information dissemination. Examples include Burma, China, Iran, North Korea, and Uzbekistan. If ILAB was able to find even limited sources, despite data availability constraints, indicating significant incidence of forced labor or child labor in the production of a particular good, and these sources were judged credible and timely, ILAB determined that there was “reason to believe” that child labor or forced labor was occurring with respect to that good.

#### *Countries with Disproportionate Representation on the TVPRA List*

Some countries with relatively large numbers of goods on the TVPRA List may not have the most serious problems of child labor or forced labor. Often, these are countries that have more openly acknowledged 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, Vietnam, and Zambia. The number of goods on the TVPRA List from any particular country should not be interpreted as a direct indicator that these countries have the most extensive problems of child labor or forced labor.

### *Generalizability of Findings*

The TVPRA List is comprised of goods and countries that ILAB found to have 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 cannot be generalized to *all* production of that good in the country. In a given country there may be firms that produce the good in compliance with the law and international standards, and others that employ child labor and forced labor. The TVPRA List does not name specific companies using child labor or forced labor. It would be immensely difficult for ILAB to attempt to track the identity of every company producing a good using child labor or forced labor. In addition, it is ILAB'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. ILAB is also aware that it is often a simple matter to change or conceal the name of a company. Consequently, ILAB has concluded that seeking to track and name individual companies would be of limited value to the primary purpose of the TVPRA List, which is to promote ameliorative efforts at the country level.

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<sup>i</sup> *Procedural Guidelines*, 72 Fed. Reg. at 73378.

<sup>ii</sup> *Procedural Guidelines*, 72 Fed. Reg. at 73378.

<sup>iii</sup> ILO, *Resolution concerning statistics of the economically active population, employment, unemployment and underemployment*, ILO, Geneva, October 1982; available from [http://www.ilo.org/wcmsp5/groups/public/-dgreports/-stat/documents/normativeinstrument/wcms\\_087481.pdf](http://www.ilo.org/wcmsp5/groups/public/-dgreports/-stat/documents/normativeinstrument/wcms_087481.pdf). See also ILO, *18<sup>th</sup> International Conference of Labour Statisticians*, Geneva, November, 2007; available from: [http://ilo.org/global/statistics-and-databases/meetings-and-events/international-conference-of-labour-statisticians/WCMS\\_092024/lang-en/index.htm](http://ilo.org/global/statistics-and-databases/meetings-and-events/international-conference-of-labour-statisticians/WCMS_092024/lang-en/index.htm).

<sup>iv</sup> Eric Edmonds, "Trade, Child Labor, and Schooling in Poor Countries," in *Trade Adjustment Costs in Developing Countries: Impacts, Determinants, and Policy Responses*, ed. G. Porto and B. Hoekman, Washington, DC: The World Bank Press, 2010; available from [http://siteresources.worldbank.org/INTRANET/TRADE/Resources/239054-1239120299171/5998577-1244842549684/6205205-1247069686974/Trade\\_Adjustment\\_Costs.pdf](http://siteresources.worldbank.org/INTRANET/TRADE/Resources/239054-1239120299171/5998577-1244842549684/6205205-1247069686974/Trade_Adjustment_Costs.pdf).

<sup>v</sup> Since 2011, ILAB has chosen to rely on sources that are no more than 5 years old. This policy is to ensure consistency with other ILAB reporting on international child labor.

## Appendix B

## Procedural Guidelines

73374

Federal Register / Vol. 72, No. 247 / Thursday, December 27, 2007 / Notices

*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](mailto: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.*

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**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



Office of Child Labor, Forced Labor, and Human Trafficking  
Bureau of International Labor Affairs  
UNITED STATES DEPARTMENT OF LABOR

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