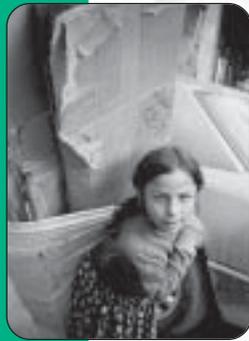


I N S T R U C T O R ' S M A N U A L

# Child Labor and International Standards

**ADULT EDUCATION WORKSHOP**



**Child Labor Publication Education Project**

**Child Labor Research Initiative  
University of Iowa Labor Center  
University of Iowa Human Rights**



# Child Labor and International Standards: Instructor's Manual

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Additional components to Child Labor and International Standards:

- Handouts
- Overheads

[http://www.continuetolearn.uiowa.edu/laborctr/child\\_labor/](http://www.continuetolearn.uiowa.edu/laborctr/child_labor/)

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**Note:** This module could be taught either as an independent class, or merged within the Child Labor Public Education Project (CLPEP) curriculum to create an international standards emphasis within the broader introduction to child labor. The following manual is designed with the assumption that the class will be taught independently, and incorporates variations of the introductory exercises and materials from the CLPEP curriculum to provide a framework for the health discussion.

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# Guide for Instructors: Child Labor and International Standards

## Approaches to Adult Education

These workshop materials are designed to be used with adult, college, or other public audiences. Materials were piloted between 2002-2004 in workshops held in various Iowa communities, primarily with groups of union members, but also with members of church groups, college students, and several mixed public audiences.

Components of the materials are designed to be consistent with the principles and practices of popular education. These include encouraging group participation, drawing on the experiences of participants, and allowing time for participants to discuss and solve problems.

The workshops are designed so that participants ideally will:

- receive and share information to increase their knowledge;
- analyze information to develop understanding of the social, political, and economic conditions of their lives and worlds;
- consider options for personal or collective responses to knowledge gained during the workshop.

To be effective, workshop leaders will need to prepare and become familiar with the subjects they plan to cover, but they do not need to be all-knowing “experts.” The materials assume that an instructor’s primary role during the workshops is to facilitate active learning and discussion. Large or small group activities, suggested discussion questions, and case studies are included to engage participants in analyzing information and generating their own conclusions about it. While we recommend including as many of these interactive components as possible, facilitators have the option (based on available time and objectives of the session) to select from among these activities and questions.

## Using the Instructor’s Manual

The instructor’s manuals are guides to workshop content and process, and include background reading and references for facilitators to review before leading workshops and discussions. Interactive adult education workshops, however, are not designed to be taught strictly by a script, so the manuals are meant to be flexible tools that can be altered as group discussions evolve or adapted for the needs of particular audiences.

We recommend that facilitators first review the materials as a package. This will provide a comprehensive knowledge base and a perspective on how different workshop components are related and which sections might be most relevant for an intended audience.

Then, we recommend that facilitators prepare their own notes and develop their own style for actual use in the classroom. This will not only make you feel better prepared, but will make the session more natural and reflective of your own speech and thought patterns.

## Preparing for Workshops

In preparing to facilitate a workshop, the more you know about participants the better. We recommend, if possible, talking with the host group before the workshop to find out about their expectations, their existing knowledge level, the source of their interest in the topic, and how the workshop fits into their future plans.

Once you know something about your anticipated audience, you can select components from the materials to construct a workshop that will be most relevant to their interests.

In selecting components to include, it may help to focus on a few key points:

- 1) Introduce and discuss the concept of child labor. Because issues surrounding child labor are complex and often elicit strong feelings from participants, we have found it important to open workshops by establishing a rapport among participants and allowing them to air questions and concerns about the topic. We recommend beginning workshops by devoting at least 15 minutes to the opening exercise, “Defining child labor.” This allows participants to examine their own assumptions, values, and opinions while developing a shared understanding of the nature of child labor. Subsequent discussion of any of the other topics included in the workshops can then build upon this understanding.
- 2) Focus the middle section of the workshop on a few carefully selected aspects of the problem (see ideas for options below).
- 3) Allow time for participants to synthesize and respond to the information. Ideally, this occurs through a closing activity (such as “Analyzing a Case Study”). Knowledge about the global problem of child labor can seem overwhelming to many participants, and it is important to allocate time to discuss measures that governments, organizations, and individuals are taking to address the problem. Pay attention to the time early on in the workshop to make sure that there will be enough time later on to discuss these measures.

**There is more information included in the instructor’s manuals than can be presented in any one workshop.** Materials cover a range of issues, and facilitators should choose the topics and activities that they feel will best communicate an understanding of the problem of child labor with a particular audience. There is more educational value in selecting just a few segments to present or in spreading topics out over a series of sessions than flooding participants with information in a short time.

## Assembling a Workshop

The comprehensive child labor workshop has five sections that take participants through an understanding of what child labor is, the scope of the global problem today, an introduction to the history of child labor in the U.S., factors that contribute to the problem today, and ways in which people have responded to the problem. Each of these sections is adaptable and can be condensed or expanded depending on what a facilitator chooses to emphasize. Materials can be used for short one-hour sessions, longer three- to five- hour workshops, or can be used as part of a series of several one- or two-hour sessions.

The additional workshop materials that focus more intensively on child labor in relation to international labor standards, international trade, and children’s health can be used to either follow up on an introductory workshop in later sessions, or can be incorporated into the basic workshop structure to expand on information in a particular area.

Section:	1. What is Child Labor?	2. How Widespread is Child Labor Today?	3. Child Labor and Child Labor Reform in U.S. History	4. Why is Child Labor Still Prevalent Today?	5. Unions and the Global Struggle Against Child Labor
Time frame:	15-30 min.	5-25 min.	10-50 min.	10-45 min.	10-70 min.
Main points and activities from which to choose:	<p><b>Activity:</b> Defining child labor (15-30 min.)</p> <p><b>Discussion:</b> “Why should child labor matter to us?” (5 min.)</p> <p><b>Activity:</b> Rights and standards for children and workers (15 min.)</p>	<p><b>Overview:</b> International and U.S. child labor statistics (5-10 min.)</p> <p><b>Activity:</b> State and federal child labor law quiz (15 min.)</p>	<p><b>Overview:</b> Child labor in U.S. history (10-20 min.)</p> <p><b>Discussion:</b> “Historically, what factors contributed to child labor (or its decline) in the past?” (5-10 min.)</p> <p><b>Activity:</b> Analyzing historical strategies in combating child labor (20 min.)</p>	<p><b>Overview:</b> International labor standards in the global economy (5 min.)</p> <p><b>Discussion &amp; Overview:</b> What factors contribute to the problem? (5-20 min.)</p> <p><b>Case study:</b> Child labor in Ecuador’s banana industry (10 min.)</p>	<p><b>Overview:</b> Responses to the problem of child labor (10-15 min.)</p> <p><b>Discussion:</b> “Which strate- gies do you consider most important?” (5-10 min.)</p> <p><b>Activity:</b> Analyzing case studies &amp; developing messages (45-60 min.)</p>

## **Sample Two-hour Agenda that Addresses Trade, International Standards, and/or Health Issues:**

1. What is Child Labor? (20 minutes)
  - **Activity:** Defining child labor
  - **Discussion:** “Why should child labor matter to us?”
2. How Widespread is Child Labor Today? (10 minutes)
  - **Overview:** International and U.S. child labor statistics
3. Child Labor and Child Labor Reform in U.S. History (10 minutes)
  - **Overview:** Child labor in U.S. history
  - **Discussion:** “Historically, what factors contributed to child labor (or its decline) in the past?”
4. Why is Child Labor Still Prevalent Today? (15 minutes)
  - **Overview:** International labor standards in the global economy
  - **Discussion & Overview:** What factors contribute to the problem?
5. Child Labor and International Trade Issues (45 minutes)
  - **Overview:** Background on international trade issues
  - **Discussion & Overview:** Links between international trade and child labor issues

or
6. Child Labor and Children’s Health Issues (45 minutes)
  - **Overview:** Effects of child labor on children’s health
  - **Discussion & Overview:** Emphasis on health effects of particular industries
7. Unions and the Global Struggle Against Child Labor (20 minutes)
  - **Overview:** Responses to the problem of child labor
  - **Activity:** Analyzing case studies & developing messages

### **Updating Materials**

These materials were prepared in 2002-2004. While the workshop outlines, activities, and sequences should remain useful for some time, particular statistics on child labor or information about policies on labor standards and international trade may become dated, and facilitators should be prepared to consult references listed in the materials and to update materials with new data or statistics as needed.

## Introductions

[5 minutes]

Introduce yourself and, if the group is not too large, ask participants to introduce themselves by giving their names and identifying the union or organization to which they belong (if applicable).

Lead into the first group activity by acknowledging that before talking about child labor in more depth, we need to establish a working definition of the term “child labor.”

Children in all societies are expected to do some forms of work; most of us in this room probably did some form of work when we were children or expect our own children to work. But, in your opinions, what makes some of these forms of work acceptable, or even beneficial, and what makes some of these forms of work unacceptable “child labor”?

## Part I: What is Child Labor?

[20 minutes including activity]

### GROUP ACTIVITY: Defining child labor

[20 minutes]

#### Objectives

- Involve participants in formulating a working definition of “child labor” from their perspectives
- Introduce distinctions between “child work” and “child labor”

#### Materials

- Worksheet 1: What kinds of work do you consider acceptable?
- Flip-chart or chalk board



#### Instructions

- Participants each receive a copy of worksheet listing 10 child labor scenarios and are split into groups of 5-10 people (depending on audience size). At the bottom of the worksheet is a spectrum spanning from “completely unacceptable” to “completely acceptable.”
- Each group is assigned up to 5 scenarios, and given 10 minutes to discuss where on the spectrum each scenario falls and to record the result if the group reaches consensus. Several groups may be assigned the same scenarios, which will encourage discussion and debate as they report their responses.
- At the end of 10 minutes, the facilitator reviews each scenario, and asks groups to take turns reporting on their conclusions. Each group is asked: Why did your group choose where to place the scenario on the spectrum? What criteria made a given example more acceptable or less acceptable?
- While groups answer, document answers on a flip chart by listing, in two columns: 1) Why some conditions are acceptable; 2) Why some conditions are unacceptable.

**Why acceptable**

**Why unacceptable**

- Introduce the concept of “child work”: forms of work done by children that are not only legitimate, but can be beneficial for learning and development. Then, based on the answers in the “Why unacceptable” column, ask participants to consider how they would define child labor: What are the key factors that make some forms of work unacceptable, qualifying them as “child labor”?
- Review the list of working conditions the participants considered “unacceptable”. Ask participants which of these conditions they would consider violations of the rights of all workers, not just children.
- Conclude that child labor often involves conditions that violate both the rights of workers and the rights of children.

## Part II: How Widespread is Child Labor Today?

[10 minutes]

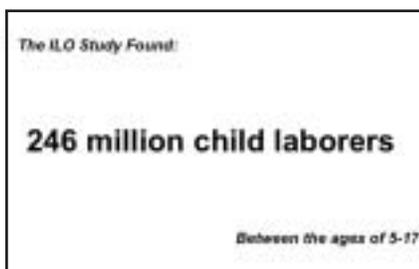
### [OVERHEAD: ILO DEFINITION OF CHILD LABOR]



As we have discussed, there are many criteria that could be used to define harmful or unacceptable child labor. A 2002 report by the International Labor Organization measured how many of the economically active children in the world today were performing child labor, using only three main criteria:<sup>1</sup>

- **“Labor that is performed by a child who is under the minimum age specified for that kind of work** (as defined by national legislation, in accordance with accepted international standards)”
- **“Hazardous work”**: work that jeopardizes the physical, mental, or moral well-being of the child
- **“Unconditional worst forms of child labour”**: slavery, trafficking (moving children far from their homes or out of their countries to be sold into bondage, prostitution, or other coerced/forced employment), debt bondage (children working to pay off a poor family’s debt)<sup>2</sup> and other forms of forced labor, forced recruitment of children for use in armed conflict, prostitution and pornography, and illicit activities.

### [OVERHEAD: THE ILO STUDY FOUND...]



Using this definition of child labor, based on only these three categories, the report estimated:

- 246 million children between the ages of 5-17 are involved in child labor.<sup>3</sup>

<sup>1</sup> A Future Without Child Labor (Geneva: International Labour Office, 2002), 9.

<sup>2</sup> Bonded labor or “debt bondage” is defined as “the status or condition arising from a pledge by a debtor of his personal services or those of a person under his control as security for a debt” in the UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery. Bonded child labor often occurs when poor persons/families pledge labor as security for a high-interest loan; when the interest cannot be paid, families may have little choice but to send children to work off the debt. Debts including interest can sometimes persist across generations of a family. (By the Sweat and Toil of Children, Volume I, 18).

<sup>3</sup> Every Child Counts: New Global Estimates on Child Labour (Geneva: International Labour Office, 2002), 19.

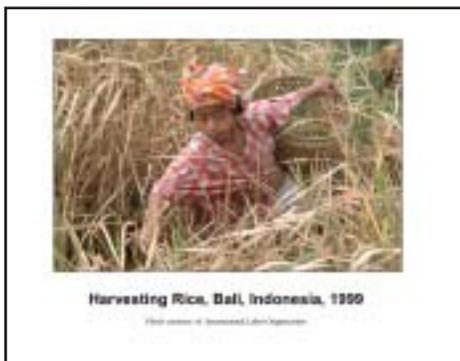
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**Q: TO GET A SENSE OF HOW LARGE THIS NUMBER IS, DOES ANYONE KNOW THE POPULATION OF THE U.S. COUNTED IN THE LAST CENSUS?**

**[A: 281 MILLION: POINT OUT THAT THE NUMBER OF CHILD LABORERS IS, THEREFORE, CLOSE TO THE ENTIRE POPULATION OF THE U.S.]**

Where do all these children work? Around the world, children may be found working in nearly every sector of the economy, but child labor is most commonly found in industries or workplaces that fall outside the scope of national labor laws and protections. For example:

[OVERHEAD: HARVESTING RICE, BALI, INDONESIA, 1999]



• **Agricultural Labor: Lacking Legal Protection for Workers**

The vast majority (70%) of child labor around the world occurs in agriculture, fishing, hunting, and forestry.<sup>4</sup> While some children employed in agriculture perform only short periods of light work after school, many others work for long hours, handling potentially dangerous pesticides and equipment, often under extreme temperatures and unsanitary conditions, for little or no pay.

For workers of all ages, agriculture is internationally recognized as one of the most hazardous employment sectors; in fact, agriculture accounts for the majority of fatal workplace accidents around the globe each year.<sup>5</sup> Agriculture is also frequently characterized by its poor working conditions. According to the ILO, the agricultural sector contains “the bulk of the world’s poor, working long hours for meager returns and under hazardous and difficult conditions.”<sup>6</sup>

Despite its hazards and reputation for poor conditions of employment, the agricultural sector is exempt from many nations’ safety and health regulations, hours of work laws, social security protections, and other labor legislation...including child labor protections. In other countries, laws may cover full-time agricultural work, but not part-time, seasonal, or temporary work, which are increasingly common employment relationships in agriculture.<sup>7</sup>

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<sup>4</sup> Ibid., 23.

<sup>5</sup> International Confederation of Free Trade Unions, “Spotlight on Jukka Takala – Director of ILO SafeWork”, found at <http://www.icftu.org/displaydocument.asp?Index=991215216=EN>.

<sup>6</sup> ILO: Note on the Proceedings, Tripartite Meeting on Moving to Sustainable Agricultural Development through the Modernization of Agriculture and Employment in a Globalized Economy (Geneva, 2000), p. 3.

<sup>7</sup> Safety and Health in Agriculture, Report VI (1).

[OVERHEAD: CARPET WEAVER, NEPAL, 1993]

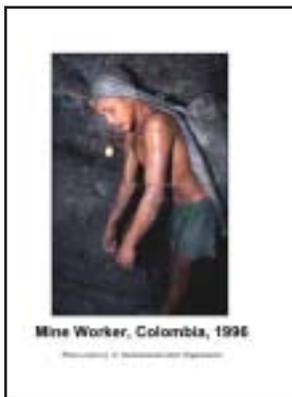


• **Manufacturing and the Informal Economy**

Less than 9% of child laborers are involved in manufacturing,<sup>8</sup> and only about 5% are estimated to be involved directly in manufacturing goods for export, but even this small percentage amounts to around 15 million children. Child labor has been identified in clothing production, soccer ball stitching, and production of matches and fireworks, as well as many other industries. In India and Nepal, for example, there are an estimated 100,000 to 300,000 children who work as bonded laborers making carpets. Notice this young girl's fingers, which are rough and damaged from her work.

It may seem surprising to find millions of child labor in manufacturing, since most national labor laws are designed to provide protection for manufacturing workers. However, as more and more firms choose to outsource and subcontract production, a large share of manufacturing work is shifting into smaller workshops or homes that are either exempt from workplace protections, or hidden from regulators.<sup>9</sup> Work in these small, or home-based, facilities is often characterized by low pay, long hours of work, and unsafe conditions for workers of all ages. These are also the settings in which most child labor in manufacturing occurs.<sup>10</sup>

[OVERHEAD: MINE WORKER, COLOMBIA, 1996]



• **Debt Bondage and Slavery in Mining and Quarrying**

Child laborers working in underground mines, opencast mines, and breaking up rocks in quarries suffer extremely high illness and injury rates. Though only 0.8% of working children are in mines and quarries, they account for 15.9% of injuries to working children.<sup>11</sup> Cases of child labor have been identified in a variety of mining and quarry operations, including ore, gravel, gold, emerald, and diamond extraction.

As in manufacturing, child labor is most common in small-scale mines and quarries, where child and adult workers are often hidden from or exempt from labor protections. In fact, this category of child labor involves many cases of slavery and debt bondage (in which impoverished families may be forced to work without pay in order to repay needed loans from a local creditor) in areas such as Peru (gold), Sierra Leone (diamonds), and South Asia (brick-making).<sup>12</sup>

<sup>8</sup> Ibid.

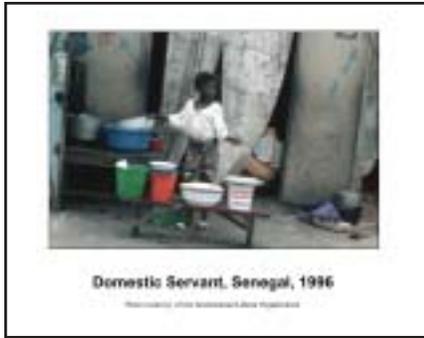
<sup>9</sup> UNCTAD, World Investment Report 2002, pp. 122-123; ILO, Organizing for Social Justice (Geneva: 2004) p. 45, By the Sweat and Toil of Children, Volume I, 2.

<sup>10</sup> A Future Without Child Labor, 22.

<sup>11</sup> K. Ashagrie, "Statistics on Working Children and Hazardous Child Labour in Brief" (Geneva: International Labour Organization, 1997) at <http://www.itcilo.it/english/actrav/telearn/global/ilo/seura/childsta.htm>.

<sup>12</sup> A Future Without Child Labor, 31.

[OVERHEAD: DOMESTIC SERVANT, SENEGAL, 1996]



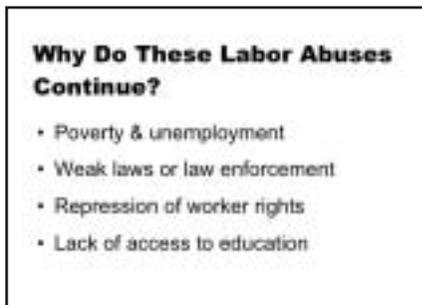
• **Domestic Service: Hidden from Laws and Protections**

Large numbers of children, especially girls, work in domestic service starting at age 5 or 6. Young domestic workers are often isolated and vulnerable to physical, emotional, and sometimes sexual abuse. There are clear links between children in domestic service and human trafficking (in which people are captured or lured by an agent, then sold to a buyer for labor or sexual exploitation).

**According to the IL O, domestic servants of all ages rarely have legal protection:**

**“CHILD DOMESTICS ARE OFTEN IGNORED BY POLICY-MAKERS AND EXCLUDED FROM THE COVERAGE OF LEGISLATION; INDEED, EVEN ADULTS IN THIS SECTOR ARE OFTEN HIDDEN FROM VIEW IN PRIVATE HOUSEHOLDS AND DENIED LEGISLATIVE PROTECTION, LET ALONE GUARANTEES OF THE RIGHT TO ORGANIZE.”<sup>13</sup>**

[OVERHEAD: WHY DO THESE LABOR ABUSES CONTINUE?]



As these examples demonstrate, where child labor is widespread, labor protections for workers of all ages are often weak or nonexistent. So, while the number of child laborers itself is staggering, it is also an indication that millions more workers in these industries are toiling under poor conditions without effective regulatory protection. Child labor can be both the consequence and the cause of other labor injustices. For example, low adult wages can provide an incentive for families to send their children to work. At the same time, because children are generally paid lower wages than adults, widespread child labor can

undermine adult wage levels in a workplace or industry. Many other factors that contribute to child labor also have a harmful effect on the conditions of adult workers:

• **Poverty and unemployment**

Poverty is one of the most frequently cited factors contributing to the persistence of child labor. Poverty, in some cases, pushes children to work for their own survival and the survival of their families. At the same time, child labor can also perpetuate poverty, by interfering with the health and educational development of the child.<sup>14</sup>

Since 2000, the number of unemployed people worldwide grew by 20 million, meaning more people are likely falling into poverty or work in the informal economy. At the beginning of the twenty-first century, it was estimated that of six billion people in the world, 1.2 billion were living in absolute poverty.<sup>15</sup>

<sup>13</sup> A Future Without Child Labor, 29.

<sup>14</sup> A Future Without Child Labor, 46.

<sup>15</sup> ILO-London, Work in the World (London: ILO-London and National Union of Teachers, 2000), Part II, 22 [hereinafter Work in the World].

- **Weak laws or law enforcement**

Labor laws around the world often go unenforced or include exemptions that allow for child labor to persist in certain sectors. As we have discussed, agriculture – the sector where most children are known to be working – is often not covered by national labor laws, including child labor laws. And other important local industries are often singled out for exemptions so that labor laws do not apply.<sup>16</sup>

Lack of resources for law enforcement is also a problem. In many countries, even where strong child labor laws exist, labor departments and labor inspection offices are often underfunded and understaffed, or courts may fail to enforce existing labor laws.<sup>17</sup>

- **Violations or repression of worker rights**

Low union density in countries or industries and repression against workers who organize makes it more difficult for adult workers to improve living standards, fight poverty, and eliminate child labor. In 2001 alone, 223 trade unionists were murdered or “disappeared”; over 4,000 were arrested, 1,000 were injured, and 10,000 were fired as a result of union activity.<sup>18</sup>

- **Lack of access to education**

Lack of access to education is also an important factor that contributes to the problem of child labor. The ILO’s measures of the extent to which children’s work correlated with a lack of access to education show:

- Nearly one quarter of the world’s children aged 5-14 are not attending school.
- By age 15, nearly half the world’s children are not attending school.
- Many children combine both work and school at an early age.

**ILO global estimates of children at work and school in 2000<sup>19</sup>**

	5-9 yrs. old	10-14 yrs. old	15-17 yrs. old
% at work	12%	23%	42.5%
• At work only	5%	13%	31.0%
• At work <i>and</i> school	7%	10%	11.0%
% at school, not working	68%	67%	43.5%
<b>Total not attending school</b>	<b>25%</b>	<b>23%</b>	<b>45%</b>

<sup>16</sup> By the Sweat and Toil of Children, Vol. V, 41.

<sup>17</sup> By the Sweat and Toil of Children, Vol. V, 37-54.

<sup>18</sup> International Confederation of Free Trade Unions, “Annual Survey of Violations of Trade Union Rights” (Brussels: International Confederation of Free Trade Unions, 2002).

<sup>19</sup> Work in the World, 55.

In many poor countries, parents must pay significant fees in order to send their children to school. Until recently in Kenya, for example, parents who wanted to send their children to school were required to pay for tuition fees, exam fees, books, and building maintenance fees in addition to school supplies, uniforms, and extracurricular activities. For many parents, such costs are prohibitive.<sup>20</sup>

In 2000, international organizations estimated that 125 million children attended no school,<sup>21</sup> and that free, quality, basic education for all children would cost about \$10 billion per year – the same as 4 days of global military spending.<sup>22</sup>

## [OVERHEAD: WHERE DOES MOST CHILD LABOR OCCUR?]



A majority of working children are found in Asia, Africa, and Latin America:

### ILO estimates of economically active children (age 5-14) in 2000<sup>23</sup>

Region	Number of economically active children	Percentage of world total
Industrialized economies	2.5 million	1%
“Transition” economies	2.4 million	1%
Asia and the Pacific	127.3 million	60%
Latin America and the Caribbean	17.4 million	8%
Sub-Saharan Africa	48.0 million	23%
Middle East and North Africa	13.4 million	6%
<b>Total</b>	<b>211 million</b>	

<sup>20</sup> Sonia Rosen, “Marshaling Trade Unions and Community Resources to Fight Child Labor” available on the internet at <http://www.iccle.org/case2.php3>.

<sup>21</sup> Global Campaign for Education, “Every Child in School: Are the G8 Serious?” Global Campaign for Education, June 23, 2001, 1 (hereinafter “Every Child in School”). Estimates vary. For example, UNESCO, *2002 Education for All Global Monitoring Report* estimates that 115.4 million school age children do not currently attend school, based on 1999 studies ([http://www.unesco.org/education/efa/monitoring/monitoring\\_2002.shtml](http://www.unesco.org/education/efa/monitoring/monitoring_2002.shtml)) hereinafter *2002 Education for All Global Monitoring Report*.

<sup>22</sup> Kevin Watkins, “Education for All – The Broken Promise.” Speech delivered at the Annual Conference of the National Union of Teachers, April 22, 2000. Estimates by the World Bank, UNESCO, Oxfam, and UNICEF regarding the cost of providing universal primary school education vary, depending in part on the estimated contribution by developing nations versus aid needed from industrialized nations. Estimates range from \$8 billion to \$15 billion per year (See UNESCO, *Education for All: An Achievable Vision* [www.unesco.org/education/efa/global\\_co/policy\\_group/EFA\\_brochure.pdf](http://www.unesco.org/education/efa/global_co/policy_group/EFA_brochure.pdf) and *2002 Education for All Global Monitoring Report*).

<sup>23</sup> *Ibid.*, 19.

While the majority of child labor occurs in Asia, Africa, and Latin America, industrialized nations like the U.S. are not immune. In the U.S., for example:

- One researcher estimated, based on 1995-1997 data, that 148,000 children are illegally employed in an average week in the U.S.<sup>24</sup>
- Child labor is commonplace in commercial agriculture; the fruits and vegetables we eat are often harvested by children whose health and education are at risk. Numbers of child farmworkers are very difficult to measure (most government surveys include only working children 15 and older) but estimates of child farmworkers range from 300,000 to 800,000.<sup>25</sup>

## Part III: Why are Workers in the U.S. Connected to Labor Abuses in Other Countries? In a Global Economy, Workers are More Connected than Ever.

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***Q: MOST OF THE CASES WE HAVE DISCUSSED OCCUR IN OTHER COUNTRIES. WHY SHOULD CHILD LABOR AND RELATED WORKERS' RIGHTS ABUSES IN OTHER COUNTRIES MATTER TO WORKERS AND CITIZENS IN THE U.S.?***

***[GIVE PARTICIPANTS TIME TO DISCUSS ANSWERS WITHIN THE FULL GROUP.]***

**[OVERHEAD: GLOBALIZATION]**

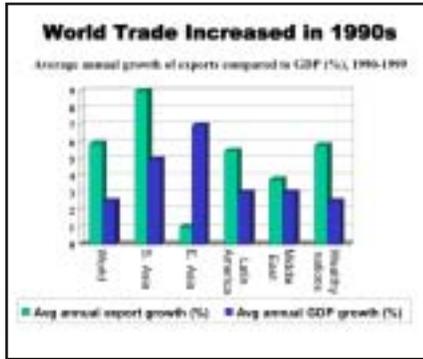


One important reason we should be concerned about working conditions in other countries relates to “globalization.” We are now more connected to people in other countries than ever before in our history. Information technology has created the potential for instant communication across the globe, airplane travel has become faster and more accessible, and our economies have become more integrated than ever before.

<sup>24</sup> Douglas Kruse and Douglas Mahoney, “Illegal Child Labor in the United States,” *Industrial Labor Relations Review* 54 (October 2000), 17-40.

<sup>25</sup> The U.S. General Accounting Office cites an estimate of 300,000 farmworkers age 15-17 in “Child Labor in Agriculture: Characteristics and Legality of Work” (Washington, D.C.: U.S. General Accounting Office, 1998), p. 2; the United Farm Workers union estimates that a total of 800,000 children are farmworkers in the United States (as cited in A. Fyfe and M. Jankanish, *Trade Unions and Action Against Child Labour*, 16).

[OVERHEAD: WORLD TRADE INCREASED IN 1990s]



Countless studies document a dramatic rise in trade since the 1950's, which has accelerated in recent decades. In fact, as this chart shows, throughout the 1990s, world trade grew more than twice as fast as world output, measured by GDP (Gross Domestic Product). The same trend can be seen in almost every region.<sup>26</sup> As a result, international trade represents a growing share of our world economy – estimated at nearly 25% by 1998.<sup>27</sup>

We can see some evidence of the increase in international trade when we shop for clothes, groceries... nearly any consumer item. Look at the labels on your clothes – where were they made? Where are your bananas grown and packaged? Where are your children's toys manufactured?

[OVERHEAD: MILLIONS OF WORKERS ACROSS THE GLOBE SHARE THE SAME MULTINATIONAL EMPLOYERS...]

**Millions of Workers Across the Globe Share the Same Multinational Employers...**

Intel Manufacturing - 2002

Wafer Fabrication	Systems Manufacturing	Board Manufacturing	Assembly and Testing
U.S.	U.S.	Malaysia	Malaysia
Ireland			Philippines
Israel			China
			Costa Rica

The dramatic increase in international trade is linked to another important change in the world economy – the rise of multinational corporations with production facilities and operations scattered across the globe.<sup>28</sup> Improvements in communication technology, and reduced costs associated with travel and transport have made it easier for companies to locate operations in a variety of countries. In fact, shipments of goods from a company's facility in one country to the same company's facility in another country account for the majority of international trade volume:

**“THE IDEA THAT WORLD TRADE IS ABOUT COUNTRIES EXCHANGING GOODS WITH EACH OTHER HAS BECOME AN ANACHRONISM. TRADE IS AN INCREASINGLY INTRA-CORPORATE AFFAIR. EXCHANGES WITHIN TNCs [TRANSNATIONAL CORPORATIONS] NOW ACCOUNT FOR AROUND TWO-THIRDS OF WORLD TRADE FLOWS, REFLECTING THE GROWTH OF ‘INTRA-PRODUCT’ TRADE.”<sup>29</sup>**

For millions of workers, their growing connection to workers in other countries is very clear. They work for the same employers. Between 1990 and 2001, the number of workers employed by foreign affiliates of multinational corporations more than doubled - from 24 million to 54 million.<sup>30</sup>

<sup>26</sup> Oxfam International, *Rigged Rules and Double Standards: trade, globalization, and the fight against poverty*. Oxfam, 2002, p. 35.

<sup>27</sup> Torres, Raymond, *Toward a Socially Sustainable World Economy: an analysis of the social pillars of globalization* (Geneva: International Labour Office, 2001) p. 11.

<sup>28</sup> Several studies, including the UNCTAD World Investment Report 2002 document the growth and increasing importance of transnational corporations in the world economy.

<sup>29</sup> *ibid*, p. 43. The same figure is cited by former WTO director Renato Ruggiero in a speech entitled “Charting the trade routes of the future: towards a borderless economy” delivered September 29, 1997 to the International Industrial Conference, found at [www.wto.org/english/news\\_e/spr\\_e/sanfra\\_e.htm](http://www.wto.org/english/news_e/spr_e/sanfra_e.htm).

<sup>30</sup> UNCTAD, *World Investment Report 2002*. A summary of the report with these statistics can be found in the United Nations Chronicle, Online Edition at [www.un.org/Pubs/chronicle/2003/webArticles/031803\\_wir.html](http://www.un.org/Pubs/chronicle/2003/webArticles/031803_wir.html).

[OVERHEAD: ...AND EVEN MORE WORKERS PERFORM SUBCONTRACTED WORK FOR MULTINATIONALS]



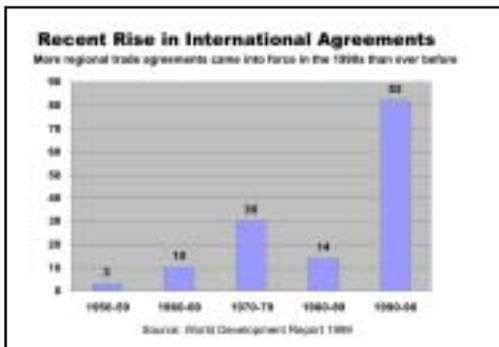
The soaring number of employees who are directly employed by foreign affiliates of multinational corporations is only part of the picture. According to a 2002 UN report on international trade and investment, many transnational corporations (TNCs) now outsource large shares of their manufacturing and other operations. Although outsourcing is not new, the extent of outsourcing represents a “striking trend” in which “the brand-holding TNC does not simply draw on subcontractors for extra production capacity, but rather outsources the entire manufacturing function for individual product lines or...the entire product range.” So, for example, the clothing retailer Limited

Brands does not directly hire employees to make the products it sells. Instead, it relies on a long list of suppliers, such as Li & Fung and Mast Industries. These suppliers, in turn, coordinate with their global networks of factories and smaller suppliers. Mast Industries works with 400 factories in 37 countries. Li & Fung is estimated to have indirect employment links with 1.5 million workers around the globe.<sup>31</sup>

The clothing retailer Gap provides another example of a firm that relies on complex international subcontracting relationships to produce its clothing. For example, in 2001, a supplier in India was awarded the contract to produce 20,000 children's corduroy dresses, at \$2.50 per item. However, under the terms of the contract, the supplier was required to buy the linen collar from another supplier in India, the zipper from South Korea, and the buttons and synthetic lining from specified suppliers in China.<sup>32</sup>

These subcontracting relationships mean that millions more workers are performing work for transnational corporations than official employment statistics would suggest. In addition to the difficulty this system creates in providing accurate employment statistics, widespread subcontracting can complicate efforts to monitor conditions under which transnational corporations' products are produced. As we discussed earlier, child labor is much less likely to occur in large, formal factories than in small, subcontracting workshops and industrial homework arrangements.<sup>33</sup>

[OVERHEAD: RECENT RISE IN INTERNATIONAL AGREEMENTS]



We are also becoming more connected with other countries through international agreements and institutions. The growth in trade and international production has not happened purely by coincidence or market forces. Countries have traditionally used a variety of policies such as tariffs, quotas, and rules restricting foreign investments in order to control their economies and limit the influence of foreign nations and businesses. International trade agreements easing restrictions and creating common ground rules for trade relationships have been an essential component in the recent expansion of international trade and

investment. These agreements are often categorized as “bilateral” (occurring between two countries), “regional” (involving more than two countries in a geographic area, such as NAFTA), and “multilateral” (involving many countries across

<sup>31</sup> UNCTAD, World Investment Report 2002, pp 122-131.

<sup>32</sup> Oxfam, Rigged Rules and Double Standards: trade, globalization, and the fight against poverty, (Oxfam, 2002) p. 41.

<sup>33</sup> A Future Without Child Labor, 22.

<sup>34</sup> UN Commission on Trade and Development, World Development Report 1999.

the globe). Although each category of agreements has experienced a recent flurry of activity, this chart highlights the rapid increase in regional trade agreements during the 1990's.<sup>34</sup>

## [OVERHEAD: WORLD TRADE ORGANIZATION]



The most far-reaching trade agreement in the 1990's was the culmination of a round of international trade talks that established the World Trade Organization in 1995. The World Trade Organization was formed to replace the GATT (General Agreement on Tariffs and Trade), which had been in place since World War II. Whereas the GATT was originally formed by 23 nations, the WTO was formed by 128 nations and has since grown to include 146 member countries. Whereas the GATT mainly covered trade in goods, the WTO extended the international trading system to cover trade in services and intellectual property, and reformed agreements relating to agriculture and textiles. Whereas

GATT agreements were relatively difficult to enforce, the WTO has a faster dispute resolution system, with fewer loopholes, that can result in authorization of economic retribution (such as sanctions) if a country continues to violate its commitments as a WTO member.<sup>35</sup>

Many leaders have regarded the creation of the WTO and its related agreements as a monumental success for global economic development. As you are probably aware, however, the WTO and its rules have also been the subject of recent controversy. Many labor, environmental, and non-governmental organizations have criticized the WTO for benefiting corporations at the expense of workers, the poor, and environmental protection.

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**Q: LOOKING AT THE OVERHEAD, WHICH ASPECTS OF THE WTO DO YOU THINK HAVE GENERATED SO MUCH DEBATE? WHAT ARGUMENTS MIGHT DIFFERENT GROUPS USE IN FAVOR OF, OR OPPOSING THE RULES AND STRUCTURE OF THE WTO?**

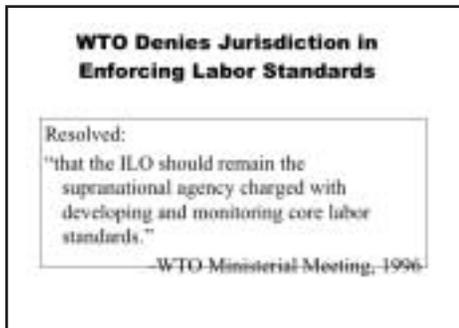
## Part IV: Child Labor and Labor Standards in the Global Economy

The debate surrounding the WTO is part of a larger discussion about the degree to which workers and the poor in all countries will be able to participate in creating the rules of the global economy, and ensure their human rights and labor rights will be protected.

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<sup>35</sup> See, for example, "Understanding the WTO", a booklet available on the WTO website at [http://www.wto.org/english/thewto\\_e/whatis\\_e/whatis\\_e.htm](http://www.wto.org/english/thewto_e/whatis_e/whatis_e.htm).

[OVERHEAD: WTO DENIES JURISDICTION IN ENFORCING LABOR STANDARDS]



Among other demands, labor and human rights activists have argued that the WTO should include enforceable labor standards within its rules and practices.

In 1996, the WTO Ministerial Meeting released a Declaration, affirming the importance of labor standards, but rejecting calls to include labor standards within WTO rules:

4. We renew our commitment to the observance of internationally recognized core labour standards. The International Labour Organization (ILO)

is the competent body to set and deal with these standards, and we affirm our support for its work in promoting them. We believe that economic growth and development fostered by increased trade and further trade liberalization contribute to the promotion of these standards. We reject the use of labour standards for protectionist purposes, and agree that the comparative advantage of countries, particularly low-wage developing countries, must in no way be put into question. In this regard, we note that the WTO and ILO Secretariats will continue their existing collaboration.<sup>36</sup>

What, then, is the ILO, and what is its role in setting and enforcing international labor standards?

[OVERHEAD: FOUNDING PRINCIPLES OF THE ILO]



The International Labor Organization is a specialized agency affiliated with the United Nations. Unlike the WTO, the ILO is not a new organization. In fact, the ILO preceded the formation of the UN by nearly 30 years. The ILO was created in 1919, and the preamble to its constitution highlighted three key principles behind its formation:

- “Whereas universal and lasting peace can only be established if it is based upon social justice...”
- “Whereas conditions of labor exist involving such injustice, hardship, and privation to large number of people as to produce unrest so great that the peace and harmony of the world are imperiled; and an improvement of those conditions is urgently required...”
- Whereas the failure of any nation to adopt humane conditions of labor is an obstacle in the way of other nations which desire to improve the conditions in their own countries...

*From the Preamble to the ILO Constitution*

[OVERHEAD: “CONVENTIONS” ESTABLISH INTERNATIONAL LABOR STANDARDS]



Over the course of the past 85 years, the ILO has established 185 labor standards called Conventions. The Conventions cover a wide range a workplace issues, from broad protections such as the Right to Organize, to more specific issues such as wages, hours of work, vacations, and occupational safety and health. Many of the labor standards you discussed in the opening exercise are protected under ILO Conventions.

<sup>36</sup> World Trade Organization, Singapore Ministerial Declaration, adopted December 13, 1996.

## [OVERHEAD: THE “CORE LABOR STANDARDS”]



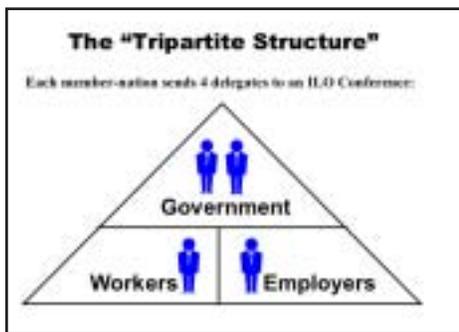
In 1998, in response to growing concerns about the effects of global competition on workers, the ILO adopted a “Declaration on Fundamental Principles and Rights at Work.” The Declaration emphasizes that certain labor standards are so fundamental that every nation should uphold them, regardless of that country’s economic and cultural context. These standards are now commonly referred to as the “Core Labor Standards” and include:

- Freedom of Association and Right to Collective Bargaining
- Elimination of all Forms of Forced or Compulsory Labor
- Effective Abolition of Child Labor
- Elimination of Discrimination in respect of Employment and Occupation

Each standard represents two Conventions that lay out the details of the countries’ obligations in order to comply.

**Optional exercise:** Divide participants into 4 groups. Pages 4-7 in the handout packet each summarize the conventions relating to one of the core labor standards. Assign each group to review one of these 4 pages, and ask members of the group to analyze its provisions as if they were reviewing an employment or other contract. Members of the group should discuss and record which provisions in the conventions they found most interesting or important for workers, and why. After 10 minutes, ask the groups to take turns reporting their conclusions.

## [OVERHEAD: THE “TRIPARTITE STRUCTURE”]



The ILO’s decision-making process brings together delegates representing a range of perspectives: government, workers, and employers. So, for example, when the International Labor Conference meets each year, each member nation sends 2 delegates representing government, 1 delegate representing employers’ organizations, and 1 delegate representing workers’ organizations.

## [OVERHEAD: ILO ENFORCEMENT MECHANISMS]



If the labor standards already established by the ILO were upheld in every nation, we would be living in a very different world today. While the ILO has some supervisory functions, the organization has very rarely exercised broad enforcement powers, such as the power to authorize trade sanctions. Generally, member nations have reserved the right and responsibility to apply ILO standards within their borders.

Once the International Labor Conference votes to adopt a labor standard as a Convention, it is up to each member nation to ratify the Convention within their legislative system, as with any other treaty. In the U.S., for example, ratification would require a 2/3 vote by the Senate, and a signature of the President. By ratifying a Convention, that country is committing to make any necessary changes to its law and practice in order to comply with the Convention. Countries that ratify a convention must submit periodic reports to the ILO, describing their progress in upholding the convention.

Allegations that a nation is not complying with a convention that it has ratified may be submitted to the ILO by any of the following: an ILO delegate, a member nation, a nation not affiliated with the ILO, a national or international workers' or employers' organization, or the ILO Governing Body. Although the investigative procedures vary slightly (depending on who is making the allegation, and the nature of the allegation), an allegation is generally considered by the Governing Body, and then may be referred to a committee for investigation. The committee will report its conclusions to the Governing Body, which may result in a recommendation to the accused nation that it change specific practices in order to comply with the convention.

If a nation refuses to carry out the ILO recommendations, article 33 of the ILO Constitution authorizes the Governing Body to recommend that the Conference take "such action as it may deem wise and expedient to secure compliance therewith." There are only a few historical examples of penalties imposed by the ILO on non-compliant nations. For example, in 2000 the ILO Conference adopted a resolution on the continued use of forced labor in Burma that called on ILO members to "review...the relations they may have with [Burma] and take appropriate measures to ensure that [Burma] cannot take advantage of such relations to perpetuate or extend the system of forced or compulsory labor..." In light of this resolution, the International Confederation of Free Trade Unions urged its affiliates to request that their governments ban investments and trade with Burma.

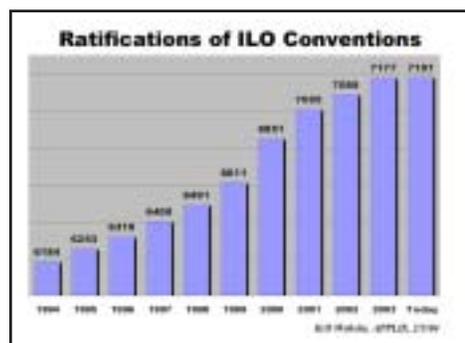
The right to freedom of association holds special importance in the ILO.<sup>37</sup> In 1950, the ILO decided that all countries would be expected to uphold the provisions of the two key conventions governing freedom of association and collective bargaining, regardless of whether they choose to ratify these conventions. Freedom of association complaints against nations are considered by the Committee on Freedom of Association, under a separate investigative process from other complaints.

In addition to its monitoring functions, the ILO also provides important technical assistance to countries seeking to address challenges they encounter in improving labor standards.

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**Q: IF COMPLAINTS BROUGHT BEFORE THE ILO RARELY RESULT IN ECONOMIC OR OTHER PUNITIVE ACTION AGAINST THE OFFENDING NATION, WHAT IS THE RELEVANCE OF THE ILO IN THE STRUGGLE TO ACHIEVE FAIR STANDARDS FOR THE WORLD'S WORKING PEOPLE?**

**[OVERHEAD: RATIFICATIONS OF ILO CONVENTIONS]**



ILO Conventions set an internationally recognized standard, by which workers and citizens can assess their nations' laws and practices. Campaigns to ratify certain ILO conventions are often initiated by unions or community organizations, to build awareness, community support, and momentum for legal reform around a particular problem facing that nation. ILO studies and experts can be important resources in such campaigns. Overall, the number of ratifications increased significantly during the past decade, from a total of 6,184 ratifications in 1994 to 7,181 by February of 2004.<sup>38</sup> Several industrialized countries with strong labor movements have currently

<sup>37</sup> For example, the ILO website states, "The freedom of association is the most basic of all principles underlying the work of ILO and the activities of those who toil for social justice."

ratified more than half of all ILO Conventions (Belgium, Finland, France, Italy, the Netherlands, Norway, and Spain).<sup>39</sup> Many developing countries have recently launched successful efforts to ratify additional ILO Conventions, particularly Conventions relating to the Core Labor Standards. The United States, on the other hand, has taken the position that its laws are already in compliance with most ILO Conventions, and has ratified a very small number of Conventions (14 of 185 total ILO Conventions, and only 2 of the 8 Conventions relating to the core labor standards).

[OVERHEAD: BRINGING COMPLAINTS BEFORE THE ILO]



Often in conjunction with other strategies, unions from both developing and industrialized nations have chosen to file complaints with the ILO when they believe a nation is failing to conform to a convention it has ratified, or is failing to protect workers' right to organize and bargain collectively. As of November 2003, there were 114 cases before the ILO Committee on Freedom of Association. All of the 28 cases the Committee examined in its November 2003 report had presented by national and/or international trade union organizations, against countries including: Argentina, Belarus, Bosnia & Herzegovina, Cambodia, Chile, Colombia, Cuba, Ecuador, United States, France, Greece, Guatemala,

Guayana, India, Mexico, Pakistan, Peru, Philippines, Russian Federation, Sri Lanka, and Zimbabwe. According to a recent report by the AFL-CIO Solidarity Center:

**“ALTHOUGH THE ILO HAS NO ENFORCEMENT AUTHORITY, ITS SUPERVISORY SYSTEM PROVIDES A WAY TO FOCUS INTERNATIONAL PUBLIC ATTENTION ON THE CONDITIONS OF OPPRESSED WORKING PEOPLE AROUND THE WORLD.”<sup>40</sup>**

[OVERHEAD: ILO STANDARDS IN CODES OF CONDUCT AND FRAMEWORK AGREEMENTS]



ILO Conventions are not technically applicable to companies – they establish standards intended for governments to follow. However, there have been numerous attempts by unions, non-governmental organizations, and international institutions to create similar guidelines corporations could “ratify” by agreeing to uphold them in their operations and those of their subcontractors and suppliers. Often called “codes of conduct,” these standards generally combine ILO standards with mechanisms for monitoring and enforcement. In response to growing public concerns about sweatshop conditions, many companies have also begun to create their own internal codes of conduct. The codes currently

<sup>38</sup> Chart found at the ILO website, under “Application of International Labour Standards” at <http://webfusion.ilo.org/public/db/standards/normes/app/index.cfm?lang=EN>.

<sup>39</sup> Ratification information is available from the International Labor Organization, in the ILOLEX Database of International Labor Standards, on the internet at <http://www.ilo.org/ilolex/english/index.htm>. References to the strength of countries’ labor movements are drawn from the ILO report *Your Voice at Work*, 2000, p. 20.

<sup>40</sup> American Center for International Labor Solidarity, AFL-CIO, *Justice for All: A Guide to Worker Rights in the Global Economy*, Washington D.C.: American Center for International Labor Solidarity, 2003, p. 46.

<sup>41</sup> *ibid.* pp. 203-214.

in place vary widely, in terms of the standards they set, the system for monitoring and enforcement, and the degree to which workers and consumers are made aware of the codes and monitoring results.<sup>41</sup> However, these codes can provide one potential avenue for workers to pursue when they encounter violations of international labor standards.

Global union federations have also worked to apply ILO standards to corporations by negotiating “Framework Agreements” with multinational corporations. For example, in 2000, the International Federation of Chemical, Energy, Mine and General Workers’ Unions (ICEM) signed a “global agreement” with the multinational Freudenberg corporation, which owns chemical and rubber manufacturing plants. The agreement covers all Freudenberg plants in the U.S. and 40 other countries, and commits Freudenberg to basic standards including a ban on “child labour according to the definitions included in ILO Convention 138.”<sup>42</sup>

## [OVERHEAD: ILO STANDARDS IN TRADE ALLIANCES AND AGREEMENTS]



While efforts to include ILO standards in WTO agreements have been unsuccessful, some nations have incorporated labor standards into aspects of their trade programs. For example, the Generalized System of Preferences Program in the United States allows certain products from qualified developing countries to enter the U.S. duty free. This trade preference is conditioned in part on “whether or not such country has taken or is taking steps to afford to workers... internationally-recognized worker rights” including: freedom of association, right to organize and bargain collectively, freedom from coerced labor, minimum age for employment of children, acceptable conditions of work, including minimum wages, hours of work,

and occupational health and safety.<sup>43</sup> Petitions alleging a country’s non-compliance can be submitted, and can result in recommendations including technical assistance from the ILO, or withdrawal of tariff preferences (as a last resort).<sup>44</sup> Unions, usually the AFL-CIO, have filed numerous petitions. One researcher estimates that in cases where change was demanded, respect for rights appears to have improved in 58% of cases.<sup>45</sup>

The Organization for Economic Cooperation and Development (OECD) is an international organization that analyzes countries’ economic performance and seeks to coordinate policies favorable to free trade. Unlike most other international economic organizations promoting free trade policies, the OECD structure includes a Trade Union Advisory Committee, and a set of Guidelines for Multinational Enterprises with a procedure for lodging complaints against companies located in OECD member countries. Many unions have used this complaint procedure, in conjunction with other strategies. The AFL-CIO Solidarity Center discusses the following example:

**“IN THE 1980’S, A U.S. UNION FACED WITH ANTI-LABOR CONDUCT BY THE LOCAL MANAGEMENT OF A U.S. SUBSIDIARY OF A SWEDISH CORPORATION USED THE OECD ... SYSTEM. THROUGH THAT SYSTEM, SWEDISH UNIONS PRESSURED THE SWEDISH GOVERNMENT TO PERSUADE SWEDISH PARENT COMPANY MANAGERS TO CONVINCED THEIR U.S. EXECUTIVES TO HALT THEIR OBJECTIONABLE CONDUCT.”<sup>46</sup>**

<sup>42</sup> International Federation of Chemical, Energy, Mine and General Workers’ Unions, “Global Agreement with Freudenberg” (<http://www.icem.org/agreements/freudenberg/freuintroen.html>).

<sup>43</sup> USTR, U.S. Generalized System of Preferences Guidebook (USTR; Washington, D.C., 1999), iii, 6.

<sup>44</sup> Brent McClintock, “Trade as if Children Mattered,” *International Journal of Social Economics* 28 (2001), 899-910, 905-06.

<sup>45</sup> Kimberly Ann Elliott, “Preferences for workers? Worker rights and the U.S. Generalized System of Preferences” (Institute for International Economics, May 1998; Revised May, 2000), 5-7.

<sup>46</sup> Justice for All, p. 176, 204-205.

## Part V. How Can Local Unions Promote International Labor Standards?

### GROUP ACTIVITY: Brainstorming Strategies for Realizing ILO Standards

#### Objectives

- Involve participants in creating local, grassroots strategies for promoting ILO standards in selected case studies.
- Discuss actual strategies being used by unions and human rights activists.

#### Materials

- Worksheet 3: What kinds of strategies may be effective in defending labor standards in this case study?
- Case Studies: Cocoa, Bananas.
- Flip-chart or chalk board.



#### Instructions

- Participants each receive a copy of one case study, and are split into groups of 5-10 people (depending on audience size). Each group receives a copy of worksheet 3.
- In groups, participants are asked to chart all the possible groups who are connected to the problem, consider which of these groups their unions or community organizations could influence, and develop strategies that their unions or community organizations could use in this scenario. Groups should be given 10-15 minutes.
- Groups each take turns reporting their conclusions.
- When all the responses have been listed, ask participants what they feel are the most important components of a good strategy.
- The instructor will use these pages as the basis for the discussion of current grassroots efforts to promote labor standards in these industries.

### [OVERHEAD: CHARTING THE CONNECTIONS]

#### Charting the Connections

- Governments
- Employers
- Consumers
- Retailers and Institutions
- Workers

In part, the variety of strategies that workers and community organizations have used to promote labor standards can be understood by considering their target audience. If we consider, for example, a case of child laborers employed in manufacturing a product for international trade, these are some of the groups that might bear some relationship to the problem. Because each group is related to the problem, there are also ways that members of each group can contribute to promoting solutions. Many recent campaigns by workers and human rights organizations involve approaching one or more of these groups to persuade them to be part of the solution.

## [OVERHEAD: INTERNATIONAL SUPPORT FOR ORGANIZING EFFORTS...]



When news spread in 2002 about the child labor and workers' rights violations occurring in Ecuador, a broad international coalition of concerned parties came together to support the efforts of banana workers to improve labor conditions and combat child labor. Here in North America, the coalition involved unions, students, workers' rights, and religious organizations, including the Campaign for Labor Rights, Global Exchange, and the AFL-CIO. Consumers researched where Bonita bananas were sold, and then convinced major U.S. retailers like Costco to contact plantation owner Alvaro Noboa to urge him to respect workers' rights. Thousands of grassroots activists coordinated a letter-writing campaign to Noboa in

support workers. A delegation of U.S. Congressional staffers visited Ecuador and reported back to lawmakers in Washington about conditions on banana plantations.<sup>47</sup> AFL-CIO President John Sweeney communicated his concerns to the president of Ecuador as well as to the U.S. government and the Noboa Corporation, while the Teamsters, the Communication Workers of America, and the International Longshoremen and Warehousemen's Union also lent their support. In 2003, thirty members of Congress signed a joint letter to the U.S. Trade Representative urging him to strengthen pressure on the government of Ecuador to reform its labor laws, strengthen efforts to address child labor, and bring to justice those responsible for the May 2002 violence against the Alamos workers, or risk losing U.S. trade benefits under the Andean Trade Preference and Drug Eradication Act (ATPDEA).<sup>48</sup> Among many other actions, international unions filed complaints against Ecuador with the ILO.

The campaign achieved some limited results. In July 2002, Ecuador's Ministry of Labor signed an agreement with the banana industry and several non-governmental organizations to work toward eradicating child labor on banana plantations by 2003.<sup>49</sup> Some of the workers who had been fired and attacked at the Noboa plantation received partial compensation. However, the plantation continued to refuse to recognize the workers' union, and the union has called for an international boycott of Bonita bananas.

## [OVERHEAD: MOBILIZING IN SUPPORT OF COCOA WORKERS]



After the ILO, the U.S. State Department, and the International Institute of Tropical Agriculture released reports documenting child labor and child slavery on Ivory Coast, then cocoa farms, international coalitions of students, consumers, and workers' rights organizations came together to improve conditions for cocoa workers. For example, an organization called Global Exchange has led a campaign calling on large chocolate corporations to sell "Fair Trade" chocolates under their labels. Fair Trade is an international monitoring and certification system that guarantees a minimum price for farmers, prohibits abusive child labor, and promotes environmental sustainability. In 2002, over 200

organizations in the United States signed a joint letter to M&M Mars asking the company to offer fair trade chocolate. Since then, over 1,000 schoolchildren have sent the company letters, and over 5,000 adults have sent faxes and e-mails.

<sup>47</sup> See Human Rights Watch, "Stop Labor Rights Abuses on Ecuador's Banana Plantations," 2002 (<http://www.hrw.org/campaigns/ecuador/>) and Campaign for Labor Rights, "Striking Banana Workers Attacked," 2002, (<http://campaignforlaborrights.org/campaigns/Naboa/Naboa.htm>).

<sup>48</sup> See US Leap's website at <http://www.usleap.org> for details on the banana campaign.

<sup>49</sup> "Menores de 15 años no trabajarán en bananeras," *El Universo*, November 27, 2002, as cited in DRAFT: 2002 Findings on the Worst Forms of Child Labor (Washington, D.C.: U.S. Department of Labor, 2003).

In June 2004, fourth-grader students in Chicago held a protest outside a candy industry trade show, together with representatives of unions and religious groups.

Public attention and reports led to a 2001 agreement by the Chocolate Manufacturers' Association, Hershey's, M&M Mars and Nestle. The agreement acknowledges the problem of forced child labor in West Africa, and pledges to work toward "a credible, public certification system" for cocoa beans by 2005. However, groups like Global Exchange have criticized the protocol, because it does not guarantee "fair trade" prices or living wages to move cocoa workers out of poverty.<sup>50</sup>

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<sup>50</sup> See Global Exchange website at <http://www.globalexchange.org/campaigns/fairtrade/cocoa/index.html> for details on the organization's chocolate campaign, and links to news and reports on child labor in cocoa production.

## Appendix I: Case Studies

### Child Labor in Ecuador's Banana Industry

In 2001, Human Rights Watch interviews of children on banana plantations in Ecuador found that:<sup>109</sup>

- Children started working at age 10 or 11.
- Children worked 12-hour days and did not receive overtime pay.
- Children were involved in hazardous forms of work including pesticide and fungicide use, use of sharp tools, and carrying heavy loads.
- Working children were given little or no safety equipment.
- Workplaces had no water or restroom facilities.
- Girls were often subject to sexual harassment.
- Less than 40% of 14-year-old children were attending school.
- Child workers earned an average of \$3.50/day (40% less than the legal minimum wage in Ecuador).

Ecuador is the world's largest banana exporter, supplying 24% of all U.S. bananas, and 28% of bananas sold in the world.<sup>110</sup> In 2000, average monthly wages for banana workers were \$56 in Ecuador, compared to \$500 in Panama, \$200-300 in Colombia, and \$150-200 in Honduras.<sup>111</sup>

In 2002, the *New York Times* reported that child labor is commonplace on Los Alamos banana plantations where Bonita bananas are produced. Most children interviewed reported that their parents also worked on the plantations, but were not paid enough for the family to live on.<sup>112</sup>

A 43-pound box of bananas purchased for \$2-\$3 in Ecuador retails for \$25 in the U.S.; Ecuadorian growers earn about 12 cents of every dollar consumers spend on bananas. Growers say this is 30% less than they earned 10 years ago, and that they cannot afford to eliminate child labor or raise wages.

By law in Ecuador: children must be at least 14 to work or employers must obtain court authorization before hiring children under 14, but the current Labor Ministry and judicial system do not enforce these laws.<sup>113</sup>

After a national letter-writing campaign, this summer Costco, one of the largest U.S. purchasers of Los Alamos/Bonita bananas, contacted Los Alamos plantation owner Alvaro Noboa with concerns about labor abuses and reiterated its policy to buy only from producers who have adhered to international labor laws.<sup>114</sup>

In 2001, Chiquita became the only major banana company so far to sign a "worker rights agreement" with its unionized producers and the International Union of Food and Allied Workers (IUF), pledging to respect international laws on worker rights. (About half of Chiquita's banana producers are unionized, compared to only a small fraction of Del Monte, Dole or Bonita workers).

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<sup>109</sup> Human Rights Watch, *Child Labor and Obstacles to Organizing on Ecuador's Banana Plantations* (New York: Human Rights Watch, 2002) [hereinafter *Child Labor and Obstacles to Organizing on Ecuador's Banana Plantations*].

<sup>110</sup> Food and Agriculture Organization of the United Nations, "Banana Statistics," 2000, (<http://www.fao.org/es/ESC/esce/escr/bananas/pdfs/BANCOMP2001.pdf>).

<sup>111</sup> Robert Perillo, "Ecuador: Culprit and Victim in the Global Banana Crisis," *US Labor Education in the Americas Project Newsletter*, December 2000, (<http://www.usleap.org/Banana/crisis/Ecuador%26crisis12-00.html>).

<sup>112</sup> Juan Forero, "In Ecuador's Banana Fields, Child Labor is Key to Profits," *New York Times* July 13, 2002, A1, A6.

<sup>113</sup> *Child Labor and Obstacles to Organizing on Ecuador's Banana Plantations*, I:3. The U.S. State Department's *Country Report on Human Rights Practices-2001: Ecuador* (U.S. Department of State, March 4, 2002, Section 6d) also notes that "The Ministry of Labor does not have adequate resources to investigate exploitative child labor practices."

<sup>114</sup> See Human Rights Watch, "Stop Labor Rights Abuses on Ecuador's Banana Plantations," 2002, (<http://www.hrw.org/campaigns/ecuador/>) and Campaign for Labor Rights, "Striking Banana Workers Attacked," 2002, (<http://campaignforlaborrights.org/campaigns/Naboa/Naboa.htm>).

## Child Labor and Child Slavery in the Cocoa Industry

According to the U.S. State Department's 2002 report on Human Rights Practices in the Ivory Coast:<sup>128</sup>

- “Children regularly are trafficked into the country from neighboring countries and sold into forced labor on agricultural farms and plantations, where they are subject to widespread abuse.”
- By law in the Ivory Coast: slavery and forced labor are illegal and the minimum age for most other work is 14, but these laws are not enforced in the agricultural sector.
- 52% of Ivory Coast children attended school in 2000-2001.
- Education ends for most Ivory Coast children at age 13, when poverty forces them to leave school because they are required to pay expensive fees (unless they can pass difficult entrance exams).

In 2002, a survey conducted by the International Institute of Tropical Agriculture found:<sup>129</sup>

- A majority of children (64%) working on West African cocoa farms were below age 14.
- Children's jobs included clearing fields, weeding, maintaining trees, applying pesticides, fermenting, transporting, and drying cocoa beans.
- Many children performed hazardous jobs, including pesticide spraying (153,000 children involved), work with machetes (284,000 children involved), and carrying heavy loads.
- Approximately one third of children from cocoa-producing families had never attended any school (about 57% of all children in the Ivory Coast attend at least primary school).<sup>130</sup>
- Poverty was widespread among families of cocoa workers, with average family members earning \$30-110 per year (overall average per capita income in the Ivory Coast was \$660 in 2000).<sup>131</sup>
- In 2000-2002, world market cocoa bean prices dropped to historic lows of 40-50 cents/pound (compared to \$4.89/pound in 1977).<sup>132</sup>

West Africa accounts for about 70% of the world's cocoa; 55% came from the Ivory Coast alone in 2001-02.<sup>133</sup>

The U.S. is the world's top importer of cocoa beans, and Americans spend \$13 billion a year on chocolate.<sup>134</sup>

Chocolate companies use a blend of cocoa beans in each product, so it's statistically likely that at least some Ivory Coast cocoa ends up in *most* chocolate products. Groups like Anti-Slavery International and UNICEF have warned that boycotting chocolate could drive cocoa prices down even further, making the situation even worse. Instead, they've advocated consumer campaigns and Fair Trade purchasing.<sup>135</sup> Several European and Canadian chocolate makers offer Fair Trade chocolates, but except for a few small specialty chocolate makers, Fair Trade chocolate is not yet widely available in the U.S.

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<sup>128</sup> U.S. Department of State, *Country Reports on Human Rights Practices: Cote d'Ivoire* (Washington: U.S. Department of State, March 4, 2002), at Sections 5 and 6c ([www.state.gov/g/drl/rls/hrrpt/2001/af/8355.htm](http://www.state.gov/g/drl/rls/hrrpt/2001/af/8355.htm)) [hereinafter *Country Reports on Human Rights Practices: Cote d'Ivoire*].

<sup>129</sup> International Institute of Tropical Agriculture, “Summary of Findings from the Child Labor Surveys in the Cocoa Sector of West Africa: Cameroon, Cote d'Ivoire, Ghana, and Nigeria” July, 2002 ([www.dol.gov/ILAB/media/reports/iclp/cocoafindings.pdf](http://www.dol.gov/ILAB/media/reports/iclp/cocoafindings.pdf)).

<sup>130</sup> *Country Reports on Human Rights Practices: Cote d'Ivoire*, Section 5d.

<sup>131</sup> U.S. Department of State, “Background Note: Cote d'Ivoire” (Washington, D.C.: U.S. Department of State, Bureau of African Affairs, November, 2001), (<http://www.state.gov/r/pa/ei/bgn/2846.htm>).

<sup>132</sup> Food and Agriculture Organization of the United Nations, “Cocoa Commodity Notes May, 2002” ([www.fao.org/es/ESC/esce/cmr/cmrnotes/CMRcoce.htm](http://www.fao.org/es/ESC/esce/cmr/cmrnotes/CMRcoce.htm)) [hereinafter “Cocoa Commodity Notes”].

<sup>133</sup> “Cocoa Commodity Notes.”

<sup>134</sup> Chocolate Manufacturers Association, “U.S. 2001 Statistics” (<http://www.candyusa.org/Stats/2001.shtml>).

<sup>135</sup> Sumana Chatterjee, “Why not boycott chocolate? Questions and answers,” *Knight Ridder Newspapers*, 2000 ([web.realcities.com/content/rc/news/slavery/philly/1955543323.htm](http://web.realcities.com/content/rc/news/slavery/philly/1955543323.htm)); Anti-Slavery International, “Statement on slavery and chocolate production” ([www.antislavery.org](http://www.antislavery.org)); Child Labor Coalition, “To Boycott or Not” ([www.stopchildlabor.org/internationalchildlabor/do.htm](http://www.stopchildlabor.org/internationalchildlabor/do.htm)).