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# Human Rights Watchdog and Civil Rights Firm Sue Nestle, ADM, Cargill, for Using Forced Child Labor

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FOR IMMEDIATE RELEASE

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HUMAN RIGHTS WATCHDOG AND CIVIL RIGHTS FIRM SUE NESTLE, ADM, CARGILL FOR USING FORCED CHILD LABOR,

Companies Import Cocoa Beans from Africa Harvested by Children

CHARGES INCLUDE TRAFFICKING, TORTURE, 14-HOUR DAYS

A leading human rights organization and reputable civil rights firm filed suit against the Nestle, Archer Daniels Midland, and Cargill companies today in Federal District Court in Los Angeles. The complaint alleges their involvement in the trafficking, torture, and forced labor of children who cultivate and harvest cocoa beans which the companies import from Africa. The suit was brought under two federal statutes, the Torture Victims Protection Act and the Alien Tort Claims Act

The Washington, DC-based International Labor Rights Fund (ILRF), along with Alabama-based civil rights firm Wiggins, Childs, Quinn & Pantazis, LLC, filed suit on behalf of a class of Malian children who were trafficked from Mali into the Ivory Coast and forced to work twelve to fourteen hours a day with no pay, little food and sleep, and frequent beatings. The three children acting as class representative plaintiffs are proceeding anonymously, as John Does, because of feared retaliation by the farm owners where they worked.

“It is unconscionable that Nestle, ADM and Cargill have ignored repeated and well-documented warnings over the past several years that the farms they were using to grow cocoa employed child slave laborers. They could have put a stop to it years ago, but chose to look the other way. We had to go to court as a last resort,” said ILRF attorney, Natacha Thys. Co-counsel Herman N. (Rusty) Johnson, Jr. of Wiggins, Childs, Quinn & Pantazis agreed. “Our only hope is that this legal action will vindicate the children whose rights were violated, and serve notice that those who oppose freedom, in all forms, will be held accountable,” said Johnson.

Global Exchange, a San Francisco-based human rights group, also joined the Complaint and, along with the former child laborers, filed suit against Nestle, ADM and Cargill under California’s unfair business

practice law for false or misleading statements. Global Exchange alleges that to date no effective steps have been taken by the companies to prevent the use of child labor on farms producing cocoa for companies like Nestle, and that these companies have nevertheless led their members and the public to believe otherwise.

Global Exchange also plans to sponsor demonstrations against Nestle in cities all over the U.S. timed with the opening of the film, "Charlie and the Chocolate Factory."

The complaint follows the July 1, 2005 deadline set by a voluntary industry initiative known as the Harkin-Engel Protocol. The Protocol was implemented in an attempt to eliminate the worst forms of child labor in the West African cocoa industry. A key part of the Protocol was an obligation for companies to have in place an independent and credible system of farm monitoring, certification and verification for their suppliers, to ensure no child labor was taking place. In addition, companies were expected to implement credible programs to address the rehabilitation of child laborers. The industry failed to establish such a system by the July 1, 2005 deadline, several years since reported stories of child labor in the West Africa cocoa sector began to appear and three years since the Protocol was announced.

[Read the Complaint](#) <sup>[1]</sup>

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**Source URL:** <http://www.laborrights.org/stop-child-labor/news/11077>

**Links:**

[1] [http://www.laborrights.org/projects/childlab/FinalCocoa-Complaint\\_Jul05.pdf](http://www.laborrights.org/projects/childlab/FinalCocoa-Complaint_Jul05.pdf)