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The International Labor Rights Fund to File a Suit Against U.S. Agency for Failure to Enforce its Own Laws

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The International Labor Rights Fund (ILRF) announced today it would pursue legal actions against the U.S. Customs Service for not enforcing its law on importation of goods made by “forced or indentured child labor.”

Nearly a year ago, on May 30, 2002, the ILRF filed a petition with the U.S. Customs Service to initiate an investigation and enforcement action under section 307 of the Trade Act of 1930, 19 U.S.C. § 1307 (1997). The law prohibits importation of goods made with “forced or indentured child labor.” To date, the Customs has done nothing to indicate that it is enforcing its own law while children continue to work in slave like conditions on cocoa farms.

Côte d'Ivoire produces 43% of world's cocoa, and the majority of it is imported into the U.S. to be processed into chocolate products by companies such as Nestle, Cargill, Archer Daniels Midland (ADM), Hershey's and M&M/Mars. In 2002 alone, the U.S. imported \$246.35 million worth of cocoa beans from Côte d'Ivoire.

The practice of bonded and indentured child labor in the world is far from over. Both UNICEF and International Labor Organization (ILO) reports have confirmed widespread existence of child trafficking from Mali and Burkina Faso to work on cocoa plantations in Côte d'Ivoire. The U.S. Government itself confirmed, in its 2002 State Department Human Rights Report, that approximately 109,000 child laborers continue to work in hazardous conditions on cocoa farms. The widespread existence of the problem is further confirmed by ILRF's own investigations in Côte d'Ivoire in April 2003.

An estimated 15 million children work to make items that enter into international trade, and great quantities of these products are imported into the U.S. daily. The U.S. Customs Service presents one of the channels through which the problem can be addressed. The fact that the U.S. Customs Service has done nothing to enforce the law demonstrates a clear lack of political will on the part of the agency. Indeed, if the U.S. government will not do its part to strictly enforce the law, then American consumers cannot be assured that their purchases are not exacerbating the severe exploitation of children.

In 1997, the ILRF also filed a complaint under the same law in regard to importation of hand-knotted carpets from South Asia. The ILRF will pursue all means necessary to ensure that child slaves are not used in the production of cocoa worldwide.

Download the Complaint (PDF) filed June 18, 2003

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