



## Food Politics

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# BLOOD AND CHOCOLATE

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**After 10 years of promises, protocols, and initiatives, the children of West Africa remain at the mercy of the cocoa industry.**

As the rescue of 54 child slaves from cocoa (and palm) plantations in the Ivory Coast earlier this summer made clear—and as a report issued last Thursday by the Department of Labor confirms—the world’s chocolate industry continues to harbor an astonishingly dirty secret. This despite what was meant to be a decade of meaningful change.

In 2001, after reports began to emerge about the grueling conditions in which hundreds of thousands of minors were working on the plantations in West Africa, New York Representative Eliot Engel introduced an amendment to the 2002 Agricultural Appropriations Bill to set aside money for the FDA to develop “slave free” labeling requirements on cocoa products. What resulted instead was an agreement by chocolate companies to adopt certain aspects of the proposed legislation as a “protocol” that set out steps to eliminate the worst forms of child labor (WFCL) and adult forced labor (AFL) from all cocoa farms by 2005.

Based on two International Labor Organization conventions, the Harkin-Engel Protocol includes a commitment by industry to develop and implement voluntary, industry-wide standards of public certification that cocoa beans and their derivative products have been grown and processed without any of the WFCL. (Though chocolate companies like Mars, Hershey, and Nestlé, and cocoa exporters like Cargill and Archer Daniels Midland, don’t directly employ child workers, labor-rights advocates say that given their control over world cocoa markets, the power to change farm conditions ultimately rests with them.) When the 2005 expiration date rolled around, Engel and Iowa Senator Tom Harkin acknowledged that the Protocol’s intentions hadn’t been fulfilled and pushed the deadline to 2008. Last year, based on the findings of a Department of Labor–commissioned report from Tulane University’s Payson Center for International Development, the legislators called the certification and verification system “still evolving” and moved the deadline yet again, to December 2010.

The Ivory Coast provides more than 40 percent of the world’s cocoa—Ghana supplies much of the rest—and this summer’s operation, run by the international police organization Interpol, suggests that child labor in both countries remains widespread. The U.S. State Department has estimated that more than 109,000 children in the Ivory Coast’s cocoa industry work under the WFCL and that some 10,000 more are victims of human trafficking and enslavement. Ranging in age from 11 to 16, the rescued children were discovered “working under extreme conditions, forced to carry massive loads, seriously jeopardizing their health,” according to Interpol. They told interviewers they were unaware

that what was happening to them was illegal, and that they regularly worked 12 hours a day and received no salary or education. Many worked with machetes and routinely applied noxious pesticides without safety equipment.

Labor-rights advocates have pointed repeatedly to the toothlessness of the Harkin-Engel Protocol, arguing that its industry-backed approach to “certification” actually does no such thing: Rather than truly certifying anything, the system merely requires that the incidence of the WFCL and AFL in Ghana and the Ivory Coast be reported on, and that progress be made in reducing such incidence. As last year’s deadline approached, the Washington, D.C.–based International Labor Rights Forum, or ILRF, released a statement asserting that the original intent of the Protocol—to assure consumers that chocolate companies were acting ethically and ending forced and trafficked child labor in their cocoa supply—had not been achieved. Consumers today, they wrote, have no more assurance than they did in 2001 that trafficked or exploited child labor was not used in the production of their chocolate. (In a statement he made last Thursday in response to the Department of Labor report, which lists cocoa from the Ivory Coast and Ghana among those products believed to be produced by child or forced labor, Larry Graham, President of the National Confectioners Association, which represents the chocolate industry, said that it has “strongly supported” the effort to improve labor practices on farms in the Ivory Coast and Ghana. Since the industry signed the Protocol in 2001, said Graham, “programs focused on improving labor practices, educational opportunities, and rural household incomes, as well as activities that have assisted in building institutional frameworks, have positively benefited children and their families in these countries.”)

Whether in response to consumer pressure or simply to secure supplies of cocoa moving forward, some corporations have recently begun working outside of the Protocol to pursue other sorts of certification. Cargill, Nestlé, and Mars have made agreements to work with the Dutch outfit Utz Certified, for example, and this past March, England’s Cadbury announced that for its UK and Irish markets it would convert its number-one selling Dairy Milk to Fair Trade–certified cocoa by the end of September. A month later, Mars vowed to use only “certified” cocoa by 2020, beginning with Rainforest Alliance certification for its Galaxy Bar next year. (Labor-rights advocates note that this movement would seem to contradict long-held claims by the industry that the difficult conditions and sheer number of farmers involved in the sector made it impossible to certify cocoa to its origins.)

While the ILRF and others applaud such measures, calling them an improvement over the Protocol “certification” (which doesn’t include any labor or environmental standards), they say that Rainforest certification in particular doesn’t go far enough. Whereas the Fair Trade label promotes the democratic organization of farmers and ensures that 100 percent of a product’s contents be officially certified, the Rainforest seal neither includes requirements for freedom of association nor guarantees that all the cocoa in a product has been produced without the WFCL. (In order for a coffee product to use the Rainforest Alliance label, for example, it must contain just 30 percent certified content.) The ILRF points to companies like Divine Chocolate, Equal Exchange, and Sweet Earth Organic Chocolates as models of ethical and sustainable sourcing practices. (To see the ILRF’s scorecard assessing chocolate companies and their efforts to stop the incidence of child labor, visit [www.laborrights.org](http://www.laborrights.org).)

Next month, the Payson Center is expected to release its third and final report on the progress of the Harkin-Engel Protocol. Expectations aren’t high. In its second report, released last June, the Center concluded that children “as young as five years of age” continue to work in cocoa production and that “the vast majority of those surveyed (95 percent in Ghana and 98 percent in the Ivory Coast) “do not report exposure to any intervention projects” intended to support them. Interpol has announced plans to carry out another rescue mission later this year, but until consumers make it a point to demand that Big Chocolate fundamentally change its ways, such efforts will likely remain the stuff of fleeting headlines.