

New York, April 1st 2010

The Honorable
Sandra Polaski
Deputy Undersecretary for International Affairs
Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

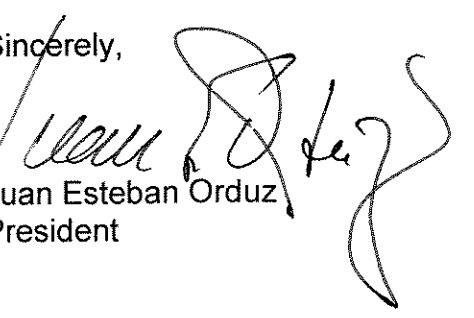
Dear Deputy Undersecretary Polaski,

Please find enclosed a copy of the letter addressed to Secretary Hilda L. Solís, with regard to the inclusion of Colombian coffee in the List of Goods produced by Child Labor.

We hope that the information therein included will be helpful to the Department of Labor Bureau of International Labor Affairs to exclude Colombian coffee from such list, since there is no child labor under legal and international standards in the coffee growing industry in Colombia.

If you need further information or clarification, please do not hesitate to contact me at (212) 271-8802, jeorduz@juanvaldez.com or jbernard@juanvaldez.com.

Sincerely,



Juan Esteban Orduz
President

STATUS OF MINORS OF COLOMBIAN COFFEE GROWING FAMILIES WITH REGARD TO CHILD LABOR* - March, 2010

The US Department of Labor's Bureau of International Labor Affairs (ILAB) recently published a list of products made with child labor in exploitive conditions and in violation of international standards¹. ILAB states that it performed a review of the information available regarding child labor and forced labor conditions in the production of goods in 77 countries. Its results show that 122 products in 58 countries are produced with child labor, forced labor, or both. The list includes coffee produced in 12 countries including Colombian coffee, which is catalogued under the child labor category, but *not* under forced labor.

For Colombian coffee growers the aforementioned inclusion is of great concern because it does not correspond to the reality in Colombia and affects the good name of the Colombian coffee in the United States and the world; therefore, it will most probably hurt the income of 527,000 coffee growing families.

The purpose of this document, after carefully reviewing the different information SOURCES (see Appendix 1: "Revision of Sources referenced by ILAB to support the Inclusion of Coffee produced in Colombia in the List of Goods Produced by Child Labor") mentioned in the report with regards to coffee is: i) To identify if there is child labor in the production of coffee in Colombia under internationally recognized standards, ii) to explain the context of the coffee-growing industry in Colombia; iii) to explain some of the most significant social, economic and agricultural programs in place to benefit the coffee communities in general and children in particular (see Appendix 2 "National Federation of Coffee Growers of Colombia (FNC)'s Programs to benefit minors in coffee growing zones") and provide some additional information to ILAB and iv) to analyze the pertinence of the bibliographic references cited by ILAB in its report to the coffee growing industry in Colombia.

At the same time, this document provides some additional information sources that the Federation considers should be taken into account by ILAB, to study the status of minors from Colombian coffee growing families and their relationship with the production of coffee.

The information used for this document is based mostly on the analysis of the results from the most comprehensive survey regarding coffee-growing communities, the Survey on Coffee Growing Labor Market and Access to Credit for Colombian Coffee Growing Producers² answered by 2,692 small coffee grower households³ in 2006. Its results are expandable to the more than 500,000 small coffee grower households of the country, with a margin of error of 9%. The study covered all of the 16 coffee growing departments (states or provinces) of the country.

* Written by the National Federation of Coffee Growers of Colombia and the Office of the Government's Advisor for Coffee Matters

¹ ILAB (2009) *The Department of Labor's List of Goods produced by Child Labor of Forced Labor*. The United States Department of Labor. Bureau of International Labor Affairs. Office of Child Labor, Forced Labor, and Human Trafficking.

² CRECE (Center for Regional, Coffee and Business Studies) and FNC (2006) *Survey on Coffee Growing Labor Market and Access to Credit for Colombian Coffee Growing Producers*.

³ This study is based on small coffee producing households defined as those whose coffee cultivation area is less than or equal to 5 hectares (12.5 acres). It is the small producers who hire family labor in their fields and who have to combine their tasks in their own fields with the contribution of their labor to other coffee fields as a strategy to supplement their income.

1.- MAIN CONCLUSION AND REQUEST

There is no child labor in the production of Colombian coffee. Given the structure of coffee plantations (for the most part a family enterprise where 95% of coffee plantations have less than 12.4 acres) minors only undertake typical family activities in coffee producing farms. Those activities performed by minors are related to the fact that coffee plantations in Colombia are mostly a family run activity, comparable to producing farms in developed countries, including the United States.

Hence, coffee grown in Colombia should be excluded from the ILAB's "List of Goods Produced by Child Labor or Forced Labor". Such inclusion instead of benefiting coffee growing families' children, may be undermining their living conditions. Furthermore, since it could prevent consumers around the world from buying Colombian Coffee, this inclusion can have substantial negative effects in their families' income.

Therefore, the National Federation of Coffee Growers of Colombia respectfully requests the Department of Labor - ILAB that coffee is retired from the "List of Goods Produced by Child Labor".

2.- DEFINITION OF "CHILD LABOR"

There is a wide range of notions in the existing literature regarding child labor⁴. However, the conventions enacted by the International Labour Organization (ILO) regarding the minimum age for admission to employment (C. 138 of 1973) and worst forms of child labor (C. 182 of 1999) make clear the existence of an international standard. According to these conventions child labor is the one performed by children below the age of 15 years as well as all work performed by persons below the age of 18 years that can be classified within the categories of worst forms of labor⁵.

Nevertheless, the convention regarding the minimum age for employment sets certain exceptions to the aforementioned. Thus, it allows for work to be tolerated in less developed countries starting from 14 years of age (Art. 2). It also accepts the realization of light work for children aged between 13 and 15 years, this range being of 12 to 14 years in the less developed countries (Art. 7). Additionally it excludes "family enterprises of small dimension that produce for the local market and who hire paid workers regularly", in the case of agricultural exploitations (Art. 5).

In order to come up with the list of goods whose production involved child labor, ILAB presents definitions of "child labor" and "forced labor" based on international standards enacted by ILO, particularly in the two conventions mentioned previously. Therefore, according to the aforementioned, ILAB states that:

" '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,

⁴ In respect, it could be useful to consult ILO (2004) Child Labour. A textbook for university students. International Labour Organization. International Labour Office, Geneva.

⁵ The worst forms of labor include i) all forms of slavery or slavery-like; ii) offering of children for prostitution; iii) use of children to carry out illicit activities; iv) that which can jeopardize the health, safety and morals of children.

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.” (ILAB: 9)

As it can be seen, the definition presented by ILAB, although it takes into account the considerations presented by the 1973 and 1999 international conventions, does not address the exceptions mentioned in them. In this way, it seems to elevate the standard demanded with regard to the child labor specifications and fails to recognize the low level of development of the countries being analyzed. Consequently, it may penalize activities that benefit the social and productive development of the children, as those carried out in family farmlands, without negatively affecting them. Regarding this type of tasks, it is worth remembering what ILO has indicated:

“Not all work done by children should be classified as child labour that is to be targeted for elimination. Children’s or adolescents’ participation in work that does not affect their health and personal development or interfere with their schooling, is generally regarded as being something positive. This includes activities such as helping their parents around the home, assisting in a family business or earning pocket money outside school hours and during school holidays. These kinds of activities contribute to children’s development and to the welfare of their families; they provide them with skills and experience, and help to prepare them to be productive members of society during their adult life.” (ILO, 2004: 16)

According to the aforementioned paragraph, not all work performed by children or adolescents can be stigmatized. On the contrary, the possibility that children can contribute to society is also linked to the tasks they perform, as long as these are carried out in an adequate environment for their physical and emotional health.

UNICEF has adopted a definition of child labor that is wider and in accordance with the standards set by ILO conventions. This organization, in an explicit manner, is not opposed to the tasks performed by children in their homes, family farm or in the family business, as long as these do not affect the health, school performance or activities of their childhood⁶. Additionally, it considers the existence of differences in the types of jobs performed and the work levels that children can carry out, as observed in the following quote:

“UNICEF defines child labour as work that exceeds a minimum number of hours, depending on the age of a child and on the type of work. Such work is considered harmful to the child and should therefore be eliminated..

- Ages 5-11: At least one hour of economic work or 28 hours of domestic work per week.
- Ages 12-14: At least 14 hours of economic work or 28 hours of domestic work per week.
- Ages 15-17: At least 43 hours of economic or domestic work per week.”⁷

⁶ UNICEF. *Child protection information sheet. Child labour*. Website: http://www.unicef.org/protection/files/Child_Labour.pdf, visited on January 8th 2010.

⁷ UNICEF. *Child protection from violence, exploitation and abuse. Child Labour*. Website: http://www.unicef.org/protection/index_childlabour.html, visited on January 8th 2010.

3.- CHARACTERISTICS OF THE COLOMBIAN COFFEE FARMING SECTOR

Colombian coffee farming is developed by 527,000 producers, 95% of which own coffee fields of 5 hectares (12.4 acres) or less. The average size of these plantations is 1.2 hectares (aprox. 3 acres) and are located in farms of 4.9 hectares (12.1 acres). Only 17,950 coffee growers have coffee fields between 5 and 10 hectares and just 7,540 producers have over 10 hectares farmed with coffee. Coffee accounts for 29% of agricultural employment of Colombia and 15% of its agricultural GDP.

The figures in the chart below clearly indicate that the Colombian coffee growing activity is not developed in large fields as may be the case of e.g. Brazilian coffee. On the contrary, the Colombian coffee activity is carried out in family agricultural units, many of them smallholdings. This status is confirmed by the recurring fact that the household residence of the producer is his/her own farm. Thus, 77% of small coffee grower households live on their own farms.

According to the results of the market labor survey, on the small coffee growers' farm, labor is provided mostly by the family (83%), which is characteristic of the family agricultural enterprise. For their part, hired labor comes from people outside of the farm and is mostly for tasks such as picking or renovation of coffee farming, activities that are basically performed in one or two short periods of the year.

Coffee growers, coffee plantations and farms according to coffee plantation size

Coffee plantation size	Coffee Growers		Farm area		Coffee area		Average farm	Average coffee plantation	Coffee plantation / farm
	Number	%	Hectares	%	Hectares	%	Hectares	Number	%
0 - 5	502,119	95.2%	2,445,436	77.6%	596,399	67.2%	4.9	1.2	24.4%
5.1 - 10	17,950	3.4%	346,286	11.0%	121,263	13.7%	19.3	6.8	35.0%
Over 10	7,540	1.4%	359,518	11.4%	169,999	19.2%	47.7	22.5	47.3%
Total	527,609	100.0%	3,151,240	100.0%	887,661	100.0%	6.0	1.7	28.2%

Source: SICA. September 30th, 2009

Coffee farms are not only dedicated to coffee production. On them, only 28% of the area is farmed with coffee beans. On the rest, it is common to find other types of crops such as corn, beans, plantains, cacao and sugar cane, as well as pastures that allow the family to have cattle⁸. This way, coffee growing families can alternate their activities between the production of food, that either contributes to their nutrition or sometimes can also be allocated for the local market, and the production of coffee, which provides them with income to supply other needs. According to the Commission for the Organizational Adjustment of Coffee Institutions⁹, coffee is the main activity for these families and thus, one of the main determinants of their income.

⁸ Further information regarding area distribution of coffee farms according to crop can be obtained from the FNC (1997) National Coffee Growing Survey.

⁹ Ramírez, L.; Silva, G.; Valenzuela, L.; Villegas, A. & Villegas, L. (2002). Coffee, strategic capital stock. Final report. Commission for the Organizational Adjustment of Coffee Institutions, Bogotá.

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Coffee farms are in mountainous zones, mainly in the Colombian Andes, between 1,200 and 1,800 meters (about 4,000 to 5,900 feet) above sea level. The existing topographic conditions prevent labor mechanization, contrary to what happens in other countries and farmlands. This way, tasks such as harvesting, for example, are carried out by hand with little or no equipment or heavy machinery.

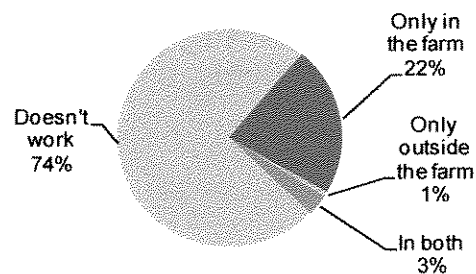
The role of minors in the Colombian coffee industry must be analyzed with respect to the main coffee growing characteristics already mentioned: i) smallholding land ownership, ii) coffee growers residing on their land, which makes it inevitable for minors to be present in the field, iii) coffee growing families developing diverse agricultural activities being coffee growing part of them, and iv) agricultural tasks performed manually with little or no equipment or heavy machinery.

4.- PARTICIPATION OF MINORS IN THE COFFEE GROWING SECTOR

According to the results of the survey, nearly 1.95 million people depend directly on coffee growing fields that are less than 5 hectares in size. Of this population, 602,000 people are minors and 477,000 people are under 15 years of age. Within this last group, 198,000 children are between 10 and 14 years of age. This last group will be used as reference for the analysis of the existence of child labor.

Upon analysis of the tasks performed by the children who belong to the mentioned age range (10 – 14 years), it is found that 74% did not work one hour or less during the year of reference, neither within their farm nor outside of it. For their part, 22% comprises children who performed light agricultural activities within their own farms only. Similarly, a minor fraction (3%) would alternate their participation between the tasks of their farms and those of other farms, while only 1% finds employment outside their farm.

Distribución of coffee growing families' minors*, by place of work



* Between 10 and 14 years

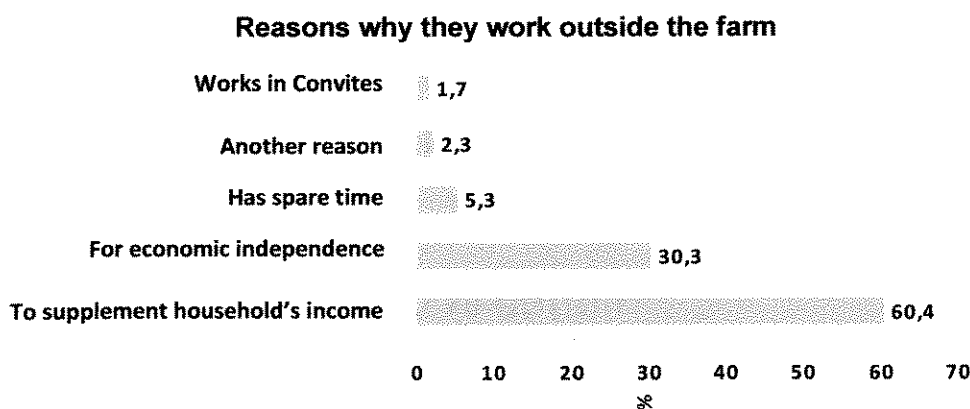
According to these numbers, it is clear that the majority of children of coffee growing families do not work and the percentage that do, work for the most part on their own family farm. It is worth mentioning that, in the latter, there is no subordination of children toward an employer because the tasks are supervised directly by their parents and are usually performed with other members of the family. In addition, given the size of the farms, which can be characterized as family agricultural enterprises, the work that minors perform in them can be compared to the domestic labor they must perform as part of the knowledge learned from their parents. In this regard, it is important to mention that the activities performed by children and adolescents with their parents allows for the transmission of knowledge and fosters the generation change in agricultural activities.

For their part, coffee growing children who work (26%), do on average 24 hours per week¹⁰, mainly in tasks of the family field, as indicated previously. In the specific case of children 10 and 11 years old, it is found that the work incidence is lower. Thus, 85% of children of these ages do not work and only 2% work outside their home residence. In addition, those that work, do it only for 17 hours per week on average.

¹⁰ With a confidence interval of 95% between 22.5 and 26.1 hours per week.

Children who perform activities outside their family farm, do it for 12 hours per week on average, and this time is dedicated greatly to coffee growing activities (67%). Among them, the task children perform regularly is that of coffee picking (70%). For this reason, those children who work outside their farms, do it mainly during the coffee picking season, which in most cases does not interfere with the school year. This activity, as it is performed manually in Colombia, requires a large number of workers. On occasion, children work with their parents in this task which is commonly compensated based on piecework, that is, per kilogram of coffee picked.

In analyzing the reasons why children participate in tasks outside their fields, it was found that 60% of the cases do it to supplement the household income, given that the majority comes from households in the lower income deciles. However, not all children work out of necessity. 30% of those who work outside their family farm stated they looked for economic independence from their parents, possibly to pay for their own personal expenses and 5% stated they work as a way to fill their spare time. In addition, 2% worked in "Convites", which are groups created to carry out community volunteer work, in which the contributing members do not receive compensation in return. This practice is particularly frequent in the southern regions of the country.

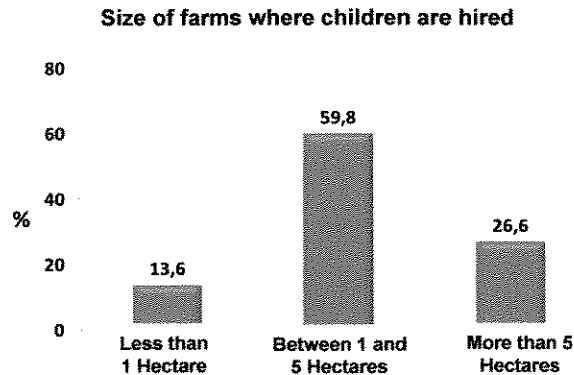


Source: Calculations based on CRECE - FNC (2006)

Children who must participate in coffee growing tasks outside their farms do it largely on farms smaller than 5 hectares. Indeed, 73% participate in this type of farm, which is generally very close to their home residence. This type of place offers advantages when working for hire, as indicated by CRECE¹¹ because of i) friendship and neighborly relations between employer and worker, ii) better food and treatment conditions for workers, which in the case of children, allows them not to have a direct subordination to a boss or employer, iii) the flexibility offered in regards to the organization of labor tasks on their farm.

¹¹ CRECE (2006) *Labor and Credit Market Report*. CRECE. Manizales

As far as child labor relocation outside their farms is concerned, it was found that 76% travel within their same district or another district of the municipality. 16% travel to another district of the municipality and the remaining 8% travel to other zones. The low relocation of children indicates that the majority do not withdraw from school when they must help with the tasks in other fields, given the closeness to their homes with the place where they work, which allows them to alternate both tasks.



Source: Calculations based on CRECE – FNC (2006)

It is worth noting that the school attendance rate of children from coffee growing households between 10 and 14 years of age is high (87%), even when there are limitations and restrictions of access to formal education in rural areas due to distance, endowment and infrastructure of schools. In fact, when compared to the national average school attendance rate in rural areas, which is 83%¹², it is found that school attendance in coffee growing areas is higher.

5.- ACTIONS BY THE FNC AND THE COLOMBIAN GOVERNMENT WITH REGARD TO CHILD LABOR

The Colombian legislation regarding child labor starts from the Constitution, Article 44, which enacts that children have the fundamental right to protection against labor or economic exploitation and against risky jobs. Equally, it considers Colombia's ratification of, as a member state of ILO, several conventions related to the protection of children's rights, among them conventions 138 and 182 about minimum age for employment and the ban of the worst forms of child labor. Thus, minimum age for employment is 15 years of age, according to the Children and Adolescent Code (Law 1098 of 2006).

In addition to the legislation, the government promotes programs to stimulate the participation of children from rural areas in the school system. This is the case of the Families in Action program, implemented in 2001, which focuses its operation on low income families, mostly those that show levels of extreme poverty, through conditioned subsidies¹³.

The program has three components: nutrition, health and education. All components consist of delivering a subsidy to the family under a specific condition. For education, the subsidy is given for each child in the home under the condition that boys and girls from 7 to 17 years of age must attend school. The amount of the subsidy is greater for

¹² Information from 2007 for children between 12 y 17 years old. Source: DANE (2007) *Child Labor*. Original source from the child labor module of the 2007 Household Integrated Survey.

¹³ Further information can be found in the Presidency of the Republic. Social Action. Families in Action. Website: <http://www.accionsocial.gov.co/contenido/contenido.aspx?catID=204&conID=157>, visited on January 12th, 2010.

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high school than elementary school, given that there is a great conflict between working and studying in families with fewer economic possibilities.

Families in Action improves not only the education of children, but also presents a complementary effect reducing child labor, which will be more effective in situations of extreme poverty, when the conflict between using time to work and studying is greater. This way, the program intends to solve the household income restrictions by creating an incentive so that families send their children to school.

For its part, the FNC, as the entity that unites Colombian coffee growers, has been developing a task to socialize the norms related to child labor in order to try to enforce the fulfillment of international standards at the highest level, under the following premises:

- Work performed by minors and adolescents in coffee farms should not interfere with the educational opportunity nor should it affect their physical or emotional integrity.
- Coffee families should protect minors, forbidding the development of activities qualified as hazardous. Thus, it should forbid minors from handling chemicals or contaminant substances.

Additionally, the Federation has created incentives for children to stay in the educational system and has promoted continuance in the coffee growing activity through the following actions¹⁴:

- In some regions, with the support of local governments, it has promoted the coordination of the school calendar with the harvest calendar, so that this activity does not affect the continuity of the youth in their education and training.
- The Federation leads many educational projects for elementary and high school levels in the coffee growing areas of the country. Many of them are carried out with the Ministry of Education and the Manuel Mejía Foundation, a coffee growing educational entity.
- Educational projects have been developed in schools in order to increase the knowledge and love for the coffee growing activity. This way it is intended to rise the rural youth in activities that promote country roots and at the same time they are given the tools to improve their farming techniques.
- The Federation promotes and maintains a permanent training in technified agricultural activities for the youth, who obtain professional qualification to carry out agricultural tasks.
- Since 2007, the Federation has been promoting the program "Innovative Role Models – Young Coffee Growers" that pursues the generation change, aimed at young coffee growers of legal age. This program promotes the participation of youth without farmland in profitable coffee growing enterprises.

¹⁴ Further information regarding social investment made by the Federation can be found in Appendix 2 to this document and in <http://www.federaciondecafeteros.org>.

6.- FINAL CONCLUSIONS AND CONSIDERATIONS

1.- Most children (10 to 14 years old) from homes of small coffee producers do not work. Thus, 74% of them are not related to any productive activity inside or outside of their farm. For their part, 22% works only within their family farm. This work should not be considered as "child labor" according to international standards since i) the job is performed within family agricultural enterprises of low scale, in which coffee is one of the crops farmed, and ii) the activities performed by children can be catalogued as domestic labor and do not exceed the number of hours established by UNICEF for different ages.

Only 4% of the children work outside family farms. These children belong to coffee growing families who are in the lowest income deciles. Their tasks are greatly focused on coffee growing activities of renovation and picking, which should be performed only during specific periods of the year. Not all children work outside their farms due to economic needs, nearly 40% do it to have certain economic independence, spare time availability or to perform community service tasks.

2.- The findings about the characterization of the participation of minors in coffee growing activities reinforce the idea that it does not occur in ways that compromise children's integrity and safety. They participate in tasks that are performed manually, with little or no intervention of heavy equipment and machinery. Children who relocate to perform tasks on other farms, do it within their vicinity; thus in principle they would not withdraw from the school system and there would not be subordination toward an employer. With regard to forced labor or to the worst forms of child labor, there are no cases known to the Federation or brought to its attention by the authorities.

3.- The Colombian legislation about child labor protects the minor and takes into account ILO's conventions 138 and 182. Additionally, to stimulate the participation of children in the educational system, the National Government has the Families in Action program that grants economic incentives to poor rural families so they can send their children to school. This is how it intends to resolve the conflict for the use of time of minors between work and school, which is higher in families that are in extreme poverty.

4.- The Federation supports several educational programs for elementary, high school and trade school. Some of them include modules related to the coffee production which promote that people stay in the rural areas and in the coffee growing activity, and, at the same time, bring about generation change. Many times, the education parents give to their children also contributes to this goal.

Taking into account that the majority of children in households do not work and those who perform activities related to the coffee growing production do it mainly within the family economy framework and domestic labor, within the parameters specified by UNICEF, it is inappropriate that ILAB has included the coffee produced in Colombia within the list of goods that are produced with child labor in exploitation conditions.

The list made by ILAB aims to provide information to consumers and companies of that country so that they can make purchasing decisions and quite possibly abstain from purchasing the goods contained in that list. To this extent, the inclusion of a product in it could impact the income of their producers. In the case of the Colombian coffee growing agriculture, there are 527,000 families or more than 2 million people which make up a strategic social stock for the stability of the Colombian rural sector. A decrease in their income could result in an increase in poverty, farming of illicit

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products, and violence, among others; and thus, it would promote the deterioration of the living conditions for children.

The FNC hopes that the information herein gives ILAB all the elements to retire Colombian coffee from the list of products produced by child labor, to make an in-depth revision of the considerations that caused Colombian coffee to be included within the list of goods produced with child labor and, consequently, exclude it from the "List of Goods Produced by Child Labor or Forced Labor".

This is a matter of the utmost importance for the Colombian coffee growers and the FNC. Please do not hesitate to contact us, if any additional information or clarification is needed.

Appendiz 1 and Appendix 2 follow

Appendix 1

Revision of Sources referenced by ILAB to support the Inclusion of Coffee produced in Colombia in the List of Goods Produced by Child Labor

According to the considerations presented by ILAB, seven documents were studied in order to compile the arguments for including coffee from Colombia on the list of goods produced by child labor. FNC had access to four of the seven documents. As a result of careful analysis, it was found that they do not show a significant incidence of child labor in the Colombian coffee growing industry. The arguments that corroborate this statement are presented as follows for each of said documents:

1. Bernal, Raquel and Mauricio Cárdenas S. *Child Labor in Colombia*. Northwestern University and Fedesarrollo, January 10, 2006; available at <http://www.nber.org/~confer/2006/iasef06/bernal.pdf>.

This work does not present specific results for the coffee growing industry and does not allow for conclusions regarding the magnitude of child labor in the coffee growing sector.

The document utilizes a wide notion of child labor. It includes all of those individuals who worked with or without compensation in some productive activity during at least one hour a week. Therefore, there is no distinction of light and/or positive jobs for children's development from those that could go against school attendance and that threaten their physical and emotional well being.

In the case of rural areas, no distinction is made of the place in which minors perform their activities.

Neither does the study indicate clearly what the extent is of child labor carried out in the Colombian coffee industry. Although it mentions several times the rural and agricultural sector, it does not specify the case of the coffee industry, referring to it only once in the entire document (P. 29) and does not allow to make inferences about the extent of child labor in the coffee growing industry.

2. Brett, Sebastian. *You'll Learn Not to Cry. Child Combatants in Colombia*. Human Rights Watch, New York, September 2003; available at <http://www.hrw.org/reports/2003/colombia0903/colombia0903.pdf>.

This work talks about the situation of child combatants who belong to illegal groups in Colombia and not to coffee, hence it does not study the specific case of child labor in the coffee growing industry. It only mentions one case of a child from a coffee field who ends up joining the guerilla group Farc. (P. 36).

3. ILO-IPEC. *Child Labor in Agriculture: the case of the Coffee Industry. Political Characteristics and Recommendations.* Bogotá, October 2007.

We were not able to locate this document online or otherwise. The office of ILO-IPEC in Bogotá told us that they do not have copies of the study. Even without having been able to have access to such document, we are confident that it does not express anything contrary to what has been stated in this document. We would appreciate it if ILAB can provide a copy.

4. ILO. *Assessment of the Advances of the Third Child Labor Eradication National Plan and the Protection of Youth labor 2003-2006 in Colombia.* Lima, 2006; available at: http://www.oit.org.pe/ipec/documentos/valoracion_plancol_06.pdf.

In this document there is only one mention of child labor carried out in coffee growing. In it, there is a reference to the study prepared by Bernal and Cárdenas, related to the one mentioned previously. We did not find such document. In an article by Raquel Bernal¹ the information cited by ILO is corroborated, when it indicates that in "(...) the rural areas, child labor is gathered in the production of coffee (30%)".

However, in Bernal's article the notion of child labor that is used to calculate such percentage is broad, not related specifically to coffee, just like the one used in Bernal and Cárdenas' work (2006) discussed previously. Therefore, the figure reported is not indicative of the existence of child labor in the Colombian coffee growing industry per international standards.

5. Recrear Palmira. *Uprising of the Boys, Girls and Adolescents Base Line, Agricultural Workers, in the Subdivisions of Naranjal and Primavera of the Bolívar Municipality – Valle.* Palmira, May 15, 2008.

It was not possible to contact the authors of this document. However, to the extent that it only studies two of 11 subdivisions of one² of the 1,101 municipalities of Colombia, its results cannot be generalized or even considered indicative of any situation that applies to Colombia or to entire Colombian coffee growing industry.

We would appreciate ILAB sending us a copy of this document.

6. The International Center for Education and Human Development. *Characterization of Child Labor Status in some Cultivations of the Agriculture Industry and its Contributing Factors in Eight Colombian Municipalities.* 2006.

The study presents the situation of child labor in the Colombian agriculture industry, starting with the study of 8 municipalities. Within these there are only 4 (or 0.68%) of the 588 coffee growing municipalities of Colombia; therefore its results can hardly be extrapolated to the entire Colombian coffee growing industry. This is even clearer if one

¹ Bernal, Raquel. (2006) El trabajo infantil en Colombia (Child labor in Colombia). Available at <http://www.voltairenet.org/article143292.html>

² The municipality of Bolívar, Valle, of which Naranjal and Primavera are 2 of its 11 subdivisions, has a total population of about 17,000.

takes into account that this study does not perform specific, quantitative analysis for the coffee growing industry.

In addition, even though this work is indicative of the situation of Colombian minors in the agriculture industry, its results can hardly be extrapolated to the entire Colombian coffee industry. To the extent that the child labor definition used for the quantitative study does not coincide with the international standards in the strict sense, its results can hardly be applied to the list prepared by ILAB of products made with child labor. Specifically, the notion of child labor utilized in the document for calculating the values and tables includes all children who help their families in agricultural activities and does not differentiate between light and heavy work schedules. To this extent, it is difficult to distinguish harmful child labor from those positive activities for their development, a circumstance that is decisive in international definitions such as those of UNICEF.

Likewise, the document reveals results that can be considered as counterintuitive with the inclusion of coffee harvested in Colombia within ILAB's list of goods produced with child labor. On the one hand, 59% of the 957 children who participated in the study have never worked (P. 4). Of the remaining children who work, the majority do so within family plots (P. 8). Most also expressed they participate in farming voluntarily (P. 6) and indicate that such activity makes them feel useful and supportive of their families (P. 7). The duration of the job is 4 hours daily on average and is carried out mainly during sowing (56%) and harvest season (80%) (P. 10); that is, these are seasonal jobs which are within acceptable and comparable parameters to domestic jobs.

On the other hand, within the conclusions presented for the agriculture industry in the second part of the report (P. 108) it cannot be seen that the jobs carried out by the children are infringing their Rights, given that: i) children are not dedicated exclusively to this activity and are not doing it with a highly intense schedule; ii) children do not reveal being exposed to social or psychological stress; iii) children are not held to too many responsibilities and iv) the jobs they carry out do not prevent access to education, although in some cases, they can impact the quality of their achievements. Nevertheless, it is worrisome that some children use potentially harmful tools. In this regard, it is worth mentioning that these types of tools are not used in the sowing or harvesting of coffee.

This is key data if one takes into account that the family activity is the foundation of the coffee growing production in Colombia, a characteristic that must be kept in mind when analyzing the features of child labor in farms. In turn, the report indicates that rural families in general understand the importance of respecting children's rights, which is crucial when categorizing the jobs that children carry out such as charitable or harmful. As such, the authors conclude that "it seems that in the same communities, child labor is acceptable in conditions that do not suppose child exploitation which coincides with the position observed in the families" (P. 114).

7. U.S. Embassy Bogota. *Reporting*. June 20, 2008.

We did not have access to this report.

Appendix 2:

National Federation of Coffee Growers of Colombia (FNC)'s Programs to benefit minors in coffee growing zones

The FNC, in many cases together with the Colombian government, promotes programs that have a positive impact on the living conditions of coffee growing communities and their children. Some of these programs are centered exclusively on children. The FNC is aware that the future of the coffee growing zones depends on the adequate physical and mental development of coffee growing children, as well as the knowledge and skills they are able to acquire.

Children in the coffee growing communities benefit directly and indirectly from programs implemented by the FNC, which are focused on the consolidation of the social and productive development of the coffee growing family. Thus, these programs are directed toward the increase of coffee growing families' income as well as the improvement of educational processes, health and infrastructure conditions of the community, among others.

It is worth noting that the FNC is committed to the social and investment policies in rural areas and the fairness, peace and rural development models led by the Colombian government and the international community. Hence, the federation participates in the achievement of the goals set forth by Vision Colombia 2019¹ and the United Nations Millennium Development Goals.

It is also important to mention that the inclusion of coffee produced in Colombia within the list of goods produced through child labor, not only threatens the welfare of Colombian coffee growing communities and their children, as it discourages the consumption of this coffee.

The following are programs executed by the FNC which can have a greater impact on the welfare of coffee growing children. These are carried out through the support from the Colombian government and cooperation organizations established in Colombia, the United States, Japan, Holland and England, among others. Hence, in 2009, the FNC was able to assign nearly one million dollars daily to the development of Colombian coffee growing regions².

To eradicate poverty in the coffee growing activity, in 2007 the FNC launched the **Permanencia, Sostenibilidad y Futuro Program (Presence, Sustainability and Future)**. Its goal is to increase the use of technology in 300,000 hectares cultivated with coffee through the use of subsidized credits delivered over 20 months which allow families to purchase the necessary supplies to renew their coffee plantations and face household expenses during unproductive periods of the crop. As of 2009, there were 39,600 families that benefited from it. It is expected that at the end of the execution of this initiative, 360,000 families will improve their living conditions.

There are other programs such as **Red Juntos para la superación de la pobreza (Network Together to Overcome Poverty)**, which supports the most vulnerable population in the country, since it is immersed in the so called poverty traps. To support the government, a team of social workers coordinated by the FNC's Extension Service

¹ For further information, go to:

http://www.dnp.gov.co/PortalWeb/PortalWeb/Pof%3%ADticasdel_estado.Visi%C3%B3nColombia2019.tabid:92:Default.aspx

² For further information, go to:

http://www.federaciondecafeteros.org/particulares/qui-quienes_somos/116_publicaciones

carries out services aimed at the strengthening and building of skills to promote their own development. Likewise, there are efforts to gather socioeconomic information that will allow rural settlers of Risaralda and Cauca to access health, nutrition, education and housing services, among others. In 2009, nearly 34,600 families in 31 municipalities benefited from this program.

To increase access to health for coffee growing families, the **Protección Social en Salud Program (Social Health Protection)**, implemented with territorial entities and FOSYGA since 2004, has helped 109,000 coffee growers and their families connect to the health social security system. As a complement to raise the nutrition conditions of coffee growing children, the FNC started the program **Seguridad Alimentaria y Nutricional (Food and Nutritional Security)** in coffee growing zones in 2002. It has supported 371,000 families, promoting the adoption of a healthy and balanced diet through training and delivery of materials to establish orchards and corrals to provide essential foods to satisfy the basic family dietary needs. Among the most important results of the initiative there has been evidence of the improvement in children's weight – height ratio.

To **improve educational conditions**, during the last four decades, the FNC has built 19,000 classrooms and 18,000 sanitary facilities in rural schools. Additionally, to guarantee the presence of teachers in schools, 5,500 houses for teachers have been built. It is estimated that nearly 190,000 children have benefited from these works. Additionally, since 1965, the FNC has had the **Manuel Mejía Foundation**,³ an entity that leads training programs for coffee growers and their families. In 2009 it helped 57,000 people, adults and children included, and it was present in 338 of the 588 Colombian coffee growing municipalities.

The FNC has also been active in the development and implementation of educational methodologies for children which adjust to the realities of Colombian rural areas. **Nueva Escuela (New School)**, for instance, is an educational methodology aimed at improving the quality of elementary education, which promotes children's individual rhythm in their learning, teamwork and the relationship between school and the community. Among the efforts carried out by the FNC, there is the development of study guides adapted to the needs of the Colombian coffee growing zones.

Escuela y Café (School and Coffee) is a pedagogic model linked to the coffee growing activity which is carried out under the "New School" model. Through this program, coffee growing contents are incorporated within the *curriculum* of rural public schools in coffee growing zones. In addition, it allows for the creation of coffee knowledge linked to practice by way of educational plots in schools and the development of productive projects that children carry out in their own farms under FNC's guidance. This program helps to secure the adequate generational replacement aimed at strengthening the Colombian coffee growing activity, the living conditions and social fabric of its communities. Other educational methodologies promoted by the FNC are Rural Post-Elementary, Virtual School and Middle School, among others⁴.

During 2009, entities from 7 countries joined FNC in its programs to improve education, which not only take into account the completion of infrastructure work, but also have allowed the improvement of grants and academic programs in schools. Hence, for instance, from 2007 through December of 2009, the program **"Educación y gestión para el fortalecimiento de la población rural del Eje Cafetero colombiano"** (Education and actions to strengthen the rural population of the "Colombian

³ For further information, go to: <http://www.fmm.edu.co/portafm/eh>.

⁴ For further information, go to: <http://gvjugal.pecintodelpensamiento.com/indexa>

Coffee growing Region”), underwritten by FNC, the Fundación Humanismo y Democracia (Humanism and Democracy Foundation), and the Madrid Community, has invested US\$ 1.67 million (COP\$ 3.452 million) to benefit 3,047 students to improve grants for 45 rural schools and the implementation of Post elementary school methodologies, New School and School and Coffee⁵.

Through other agreements, more than \$58 million dollars (COP\$ 1.200 million) has been collected to be used between 2008 and 2010. Among them, there is one created to carry out the project **“Mejoramientos de la infraestructura y la nutrición infantil en la Institución Educativa Departamental La Esperanza” (Infrastructure improvements and child nutrition of the Departmental Education Center La Esperanza)**. Since 2008 and with the support of England’s Costa Foundation, infrastructure of this school has been improved; and at the same time 220 minors were offered the opportunity to access an education with quality and fairness, adapted to their reality and in the local context.

Another program worth mentioning is **“Computadores para educar” (Computers for teaching)**, which promotes the donation of computers to public schools of coffee growing municipalities from around the country. This is part of an agreement with the Ministerio de Comunicaciones (Communications Ministry), and has allowed the donation of 3,580 computers to benefit 62,000 students in 396 schools since 2001.

In turn, the FNC’s Comités Departamentales (Departmental (State) Committees), also lead regional projects targeting the improvement of education levels in their regions. For instance, in 2009 the **Caldas Committee** invested close to US\$ 1 million (COP\$ 2.130 million) to implement flexible educational models in rural areas for children, youth and adults, such as Escuela Nueva (New School), Posprimaria Rural (Rural Post Elementary), Educación Media (High School), Escuela y Café (School and Coffee), among others. Thanks to this investment, the Escuela Nueva methodology has been implemented in 1,113 rural schools benefiting 40,000 students. In turn, through Escuela y Café it trains 12,000 children in coffee growing practices every year.

Another regional example takes place in the **Department of Cundinamarca**, where 10,243 children from 31 educational centers were benefited by the program Escuela y Café (School and Coffee) during 2009. Moreover, the program was strengthened through an agreement between the Comité Departamental (Departmental Committee) and the Ministerio de Educación (Education Ministry) for close to US\$300,000 (COP\$ 627 million).

Another department with important investments in education in 2009 was **Huila**, where the Proyecto de Educación Rural (Rural Education Project) took place with the support of the local government, as a complement to the national educational policy. Through this project there were investments made amounting to close to US\$ 250,000 (COP\$ 490 million), which granted pedagogic material to educational institutions in 10 municipalities. Additionally, through other educational projects in which several entities participate, rural schools are provided with teaching aids, curricula suitability to improve students’ competency, building of school cafeterias (with 509 educational centers that benefited from it) and school transportation service (10,157 children benefited), among others.

⁵ For further information, go to:

http://www.federaciondecafeteros.org/clientes/es/buenas_noticias_escuela_y_cafe_por_unos_cafeteros_mas_preparados

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In **Nariño**, the Committee participated in infrastructure improvement projects for educational centers together with PNUD and Acción Social (Social Action), benefitting nearly 7,500 people. In addition, the program "Educación, juventud y desarrollo rural para la zona norte del departamento de Nariño" (Education, youth and rural development for the North zone of the department of Nariño), invested US\$ 322 million (\$695 million) since September 2009. The project benefits 931 children through the restructuring and enhancement of the three educational institutions to improve the academic, technical and work training of the school population and the community. This project has the support of SENA and USAID.

In turn, the Departmental Committee of **Quindío** implemented a scholarship program corresponding to tuition costs for 40 sons and daughters of coffee growers who may want to attend college. It also provides school supplies at the beginning of every school year to elementary students of the rural area. In 2009, it granted 8,111 school games to the same number of children. Additionally, since 2003, the Committee has carried out a drawing and painting contest for children, with the participation of 5,778 children in its sixth version. Lastly, the Visual Acuity program, also led by the Committee, evaluated 3,197 children in 2009, referred 1,172 of them to a consultation with an optometrist and donated 861 pairs of glasses.

The aforementioned programs indicate the high commitment that Colombia and the FNC in particular have with children from coffee growing homes. These are a sample of the activities developed to increase the living conditions of children as well as their school attendance. Likewise they are directed to promote the love for the fields and growing coffee. The FNC is conscious that within them is the seed of the new generation of coffee growers and the social stability of an important segment of Colombian rural zones.