

AGOA Forum 2015 Civil Society Organization Session Workshop I
U.S. Department of Labor/Outline of Remarks of ADUS Eric Biel
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**AGOA: Annual Country Review for Eligibility Compliance – Section 105:
Monitoring and Review of Eligibility**

During this Workshop, US and in-country agencies responsible for annual compliance reviews will provide participants with pertinent information regarding the annual eligibility compliance review process – including the importance of having a country strategic plan, Rule of law, market-based economy, protection of property rights, protection of internationally-recognized workers’ rights, intellectual property rights, and how the report on eligibility compliance is compiled and sent to Congress by the White House. Additionally, CSOs will be taken through the compliance process and will discover early intervention techniques to avoid removal from the list of AGOA-eligible countries.

- Good afternoon. I am pleased to join my colleagues Peter and Connie and Ms. Dube at this opening workshop of the AGOA Civil Society Organization Session here in Libreville. Many thanks to Fred and his team for organizing this panel.
- This is a very good way to kick off what will be four days of critical AGOA Forum activities – the formal meetings, of course, but also opportunities for bilateral dialogue, informal conversations, and all the rest. Connie and Peter have very ably summarized the AGOA eligibility criteria and compliance review process – one led by Connie and her USTR colleagues, and in which our DOL/ILAB team plays an important part when it comes to the criteria focused on internationally recognized worker rights.
- As many of you know, Section 104(a)(1)(F) of AGOA, as amended, requires benefiting countries to protect “internationally recognized worker rights” – based on the core standards of the International Labor Organization.
- Specifically, it requires that countries are making “continual progress” toward establishing protection of those rights – freedom of association, the right to organize and bargain collectively, a prohibition on forced or

compulsory labor, a minimum age for the employment of children, and acceptable conditions of work with respect to minimum wages, hours, and occupational safety and health.

- As you have heard, only once has AGOA been utilized to remove benefits as a result of worker right violations. That involved Swaziland - and the decision to do so came only after several years of efforts to resolve the matter without resorting to that action.
- So with that in mind, I'd like to pivot for the next few minutes away from the specific language to discuss a bit more the policy rationale underlying it – in an effort to identify ways we can all work together to utilize that language to advance shared objectives under AGOA.
- Two years ago, at the time of the last AGOA Forum held in Africa, our Labor Secretary Tom Perez noted that “at the core of what was envisioned by the drafters of the African Growth and Opportunity Act was a vision where increased trade is a win for everyone” – from investors and businesses to workers and their communities. He added the inclusive growth Africa needs “is possible only where workers’ rights are protected and the workforce is equipped with relevant skills and know-how to access the immense opportunities that exist for Africa.”
- Too often, we hear that protection of workers’ rights is somehow at odds with robust economic growth and development – and that developing countries can’t afford to be too particular about standards for worker rights, human capital development, and protection of the most vulnerable.
- In truth, respect for labor standards is at the center of the path toward expanded trade and investment opportunities, and toward ensuring that the growth in trade and investment benefits a wider range of people. As such, it is what our Deputy Secretary at last year’s Leaders’ meetings in Washington termed “the human side” of increased trade and investment. By which we mean, that there need to be stronger links between expanded trade and human capital development.
- To that end, I want to be clear: the core purpose of the eligibility criteria is NOT to penalize countries. We all see sanctions – including, as an

ultimate step, removal from AGOA eligibility – as a last step. And the additional procedural steps included in this year’s AGOA renewal reinforce that.

- Rather, the core goal is to promote policies that ensure the benefits of AGOA are widely shared. We know that workers and communities benefit from greater investments in human capital. More opportunities for workers allow them to reinvest, which grows the economy – and advances a strong middle class. In contrast, when workers’ rights are ignored, there is higher risk that the gains from trade will be fleeting and not sustainable.

- Helping our trading partners create more “decent work” opportunities is at the core of what we do in the USDOL’s Bureau of International Labor Affairs. Let me quickly offer just a few examples:
 - In Ethiopia, the USDOL-funded E4Y project will provide improved access to decent work opportunities to 12,000 youth ages 14 to 17, who are engaged in or at risk of child labor. This will be done through the provision of apprenticeships, entrepreneurship training , and job placement for youth.
 - In Uganda, the USDOL-funded AYEDI project provides vulnerable youth ages 15 to 17 with entrepreneurship training and then links them to companies to start a microenterprise business.
 - In Liberia, the USDOL-funded ARCH project is working with the Government , trade unions, industry, and civil society to develop occupational safety and health guidelines for the rubber sector.
 - And in Lesotho, USDOL has funded the International Labor Organization’s Better Work Project, which is designed to strengthen the capacity of workers’ and employers’ organizations to engage in social dialogue, and demonstrate progress in improving compliance with labor standards.

- What these have in common is a commitment to support initiatives across Africa that focus on helping strengthen economic opportunities – whether in manufacturing, agriculture, mining, or elsewhere – with a particular focus on assistance to vulnerable populations.

- We are confident that greater respect for worker rights, including acceptable working conditions, will contribute positively to the growth of countries' economies – including by helping attract both investment and sourcing from reputation-sensitive brands.
- None of this is meant to suggest that compliance with international labor standards is easy – whether in Africa or in the U.S. To that end, our purpose today is to launch a conversation between government and the private sector concerning how we can all work together to better ensure that the benefits of AGOA are shared broadly. For we in government need you in civil society – whether business, non-profit, academic, or elsewhere – to help carry the message that greater respect for worker rights also advances a stronger trade and investment relationship.
- Thank you for your interest, and we very much look forward to working together on issues of common interest.