

Senator MOORE (Queensland) (20:11): I seek leave to speak for up to 20 minutes.

Leave granted.

Senator MOORE: Last month the sisters from ACRATH did their regular visitation and lobbying in parliament. ACRATH stands for Australian Catholic Religious Against Trafficking in Humans. These amazing women have a mission statement which says:

ACRATH is committed to working together towards the elimination of human trafficking in Australia, the Pacific and Internationally.

During that visit with the sisters, one thing they asked us to do was to draw attention this week to the 10th anniversary of the signing of the Harkin-Engel Protocol. As a result of that visit, today a notice of motion shared by a number of senators came before the Senate. It said:

That the Senate— (a) notes the 10th anniversary of the Harkin-Engel Protocol signed in September 2001, designed to encourage voluntary standards for the certification of cocoa production that prohibits and eliminates engagement in the worst forms of child labour, as defined by the International Labour Organization Convention 182 which has been ratified by Australia; and (b) calls on the Australian Government to: (i) be proactive in measures to counter people trafficking or slavery, (ii) actively engage in international fora to ensure greater priority for consideration of measures against child slavery and trafficking, (iii) work cooperatively to improve traceability of products through the monitoring of their derivation where practical ... and (iv) cooperate closely with organisations and entities against people trafficking.

The Harkin-Engel Protocol, whose 10th birthday we celebrated, was designed to eliminate the worst forms of child labour endemic to the production of cocoa in the West African countries of the Ivory Coast and Ghana. The goal then was to do that by 2005. Since the signing of this protocol 10 years ago, and in the six years since it was to have been fully implemented, there has still been widespread trafficking of children for the cocoa industry. It is a horrific story. There are an estimated 1.8 million children still working in the West African cocoa sector and there is desperate need for programs to immediately withdraw children who have been trafficked and provide them with education and support.

At the same time as the chocolate industry has failed to live up to its obligations, cocoa imports have soared from 999,600 metric tonnes in 2001 to 1,222,300 metric tonnes in 2011. Cocoa imports to the US alone are now valued at US\$4.3 billion. That is a terrifying amount of cocoa and an amazing amount of chocolate. The real focus is that we need to work to stop the trafficking and exploitation for something that gives us so

much joy. Remediation programs, such as those talked about in Harkin-Engel, alone are not a solution. The chocolate companies responsible must address the issues of trafficking and its causes. One of the things that drew attention to the protocol was knowledge about the people behind the stories and looking at countries in Africa where this is important. The country of Burkina Faso, which is a small, poor, water-dry country in Africa, is supplying child labour to unscrupulous cocoa producers in its southern neighbours Ivory Coast and Ghana. In clear breach of the Harkin-Engel Protocol and International Labour Organisation conventions children are trafficked and forced to labour and they do not go to school, use hazardous tools, live in close proximity to toxic chemicals and are locked up when they are not working.

In 2010, an investigative journalist from the BBC, Paul Kenyon, revealed the extent of child labour in the chocolate trade. In Kenyon's *Panorama* investigation 'Chocolate: the bitter truth', an important documentary and one that I urge people to follow up, we met 12-year-old Ouare Fatao. Fatao was 11 when he was sold by his uncle to traffickers. Fatao was taken from his country, Burkina Faso, to work in the neighbouring country of Ghana to pick cocoa. When Mr Kenyon found Fatao in a village in Ghana a year later he still had not been paid a single penny for his work. The money went to his cocoa masters and to the uncle who sold him. These practices were supposed to end after the signing of the Harkin-Engel Protocol. The protocol was named for two American politicians: Tom Harkin, a senator from Iowa, and Eliot Engel, a congressman from New York. On page 4 of the protocol, which these two politicians helped establish and witnessed, it states:

... the commitment of leaders of the cocoa and chocolate industry ... to eliminate the worst forms of child labor from this sector as a matter of urgency ...

The six points that make up the Harkin-Engel Protocol and that were agreed to originally by the chocolate industry included a public statement of the need for and terms of an action plan: the industry was obliged to acknowledge publicly the problem of forced child labour in West Africa and had to continue to commit resources to addressing it. The chocolate industry agreed to the formation of multisectoral advisory groups: both an advisory group and a consultative group were to be established. The chocolate industry agreed to a signed joint statement on child labour to be witnessed at the International Labour Organisation: this statement, made by the major stakeholders, recognised the need to end the worst forms of child labour, again as a matter of urgency. The chocolate industry agreed to a memorandum of cooperation that would establish a joint action program of research, information exchange and action to enforce the internationally recognised and mutually agreed upon standards to eliminate forced child labour. The chocolate industry agreed to the establishment of a joint foundation to oversee and sustain efforts to eliminate the worst forms of child labour, or WFCL: this private, not-

for-profit foundation would be governed by a board comprised of industry and other non-government stakeholders. The foundation would run field projects and operate as a clearinghouse on best practice. Finally, the chocolate industry agreed to build toward credible standards: it was agreed in 2001 that by 1 July 2005 the industry, in partnership with other major stakeholders, would develop and implement credible, mutually acceptable, voluntary, industry-wide standards of public certification, consistent with applicable federal law that cocoa beans and their derivative products would be processed without the worst forms of child labour.

The chocolate industry assessed the implementation of Harkin-Engel Protocol in 2006 and 2011. The assessors, Tulane University in the US, found that the industry failed to fully implement any of the six promised areas of action. Tulane University's Payson Centre for International Development reported that industry funded initiatives have had little impact on the industry to date and that less than five per cent of children and caregivers reported contact with any kind of child labour remediation services. The report concluded the most effective way of eliminating forced and child labour in cocoa production was using independent, third party certification systems such as Fairtrade. Already six years past the agreed deadline, few chocolate companies have taken substantial steps to remove child labour from the cocoa supply chains and adopt third party certification. It is important to note that some have made progress in the US. They should be celebrated and encouraged to do more.

Whilst the 10-year agreement that was put by the protocol does seem to have been a sorry process, in Australia there have been more promising efforts. Widespread attention in Australia to child labour exploitation in cocoa production did not really commence until 2007-08, with the launch of Stop the Traffik's Australian chapter and World Vision's important Don't Trade Lives campaign. World Vision has published on its website a very important document which talks about what has happened in the 10 years since the Harkin-Engel protocol was signed. That document talks about what has happened across the world, but we can look at what has occurred in our own country. It includes a specific case study of the Don't Trade Lives campaign taking on Australian 'big chocolate', which started in 2008. World Vision launched its campaign to raise awareness that human trafficking had become the third-largest transnational organised crime and to inspire action across our community to stop this crime. With the encouragement of other NGOs and overseas allies, Don't Trade Lives launched with a focus on labour exploitation in the cocoa industry in Africa. It started with a news story, looking at mass media and at child trafficking in Ghana and Ivory Coast. We built from that, developing discussions with industry bodies, in particular the Confectionery Manufacturers of Australasia, CMA, to explain to them what action World Vision Australia wanted to see taken to address the problem. The first phase of the Don't Trade Lives campaign was called

'big chocolate', which is a pretty catchy title and one which I have to admit grabbed my attention almost immediately. The 'big chocolate' campaign sought to see the Australian chocolate industry commit by 1 December 2008 to a detailed and fully funded plan of action that would stop labour exploitation in cocoa production within 10 years, and also sought to mobilise pressure on the chocolate industry from the Australian public, other NGOs, media, members of parliament and anybody else who wanted to be engaged, because the important thing was that this was a community based campaign. At the heart of the call for 'big chocolate' to say yes to addressing labour exploitation in cocoa production was World Vision Australia's ambition to see that there could be fair prices paid to cocoa farmers in the industry. The 'big chocolate' campaign set out to achieve its goal by directly targeting the industry—through Confectionery Manufacturers of Australasia, representing cocoa and chocolate manufacturers and importers—and major retailers and urging them to stock ethically certified chocolate as well as educating and engaging consumers on choosing such chocolate and letting the industry and retailers know that they wanted action.

In the initial phase of the Don't Trade Lives campaign, more than 25,000 Australians supported action targeting the chocolate industry, and one of them was me. We wrote letters to the manufacturers, we talked with the producers and we went to visit chocolate shops, a task which I enjoyed! I had to overcome some shyness, I admit, when I went to chocolate producers, when I had been purchasing their products with glee, to talk to them and hand over information about the whole issue of trafficking and why we needed action.

One of the highlights of the Don't Trade Lives 'big chocolate' phase was the Trek against Trafficking, which brought together members of World Vision's youth movement, Vision Generation, in Canberra. I am sure you remember that Trek against Trafficking, Madam Acting Deputy President. Those young people talked with parliamentarians in this place about what was going on. They also, I remember, brought samples of chocolate, which I think drew attention to their campaign! Vision Generation members then returned to their own communities, where they continued to support the Don't Trade Lives 'big chocolate' campaign.

While the 1 December 2008 original deadline came and went without a clear response from CMA, we certainly did not despair, and we continued to work closely with the industry to lay the groundwork for significant wins in subsequent years and months. Most notable—and a very big day for the campaign—was the announcement in August 2009 that Cadbury would start sourcing Fairtrade certified cocoa from Ghana for its Dairy Milk chocolate. It was the first of the big chocolate companies to break ranks. Mars and Nestle in Australia have followed with similar commitments since then. We believe that Don't Trade Lives has contributed also to increasing the demand for and availability of Fairtrade

chocolate, including gaining significant commitments from the major retailers.

The momentum of the campaign has grown, with hundreds of thousands of Australians now having taken Don't Trade Lives actions targeting the chocolate industry. The campaign's effectiveness was again demonstrated clearly in March 2010, when Don't Trade Lives action targeted Arnott's cocoa sourcing for chocolate biscuits. As soon as the action was launched—and it was launched across the country—Arnott's agreed to come back to World Vision Australia within six months with a plan for sourcing ethically certified cocoa from West Africa. I am very pleased to say that Tim Tams are now being produced by and large with ethically sourced cocoa. This was a major breakthrough.

We were able to galvanise action across the community. It is important to see that people can work together to achieve action. It is also important to acknowledge the work that was done by the industry, the confectionery group, to respond to the demand that was put forward by the community. We should remember that a lot of this can be traced back to the efforts of two men within the American parliament who thought they could make a difference. The Harkin-Engel cocoa protocol has produced much discussion and data on hazardous child labour, but it was not able to produce enough action among the American public and among American manufacturers to get the kinds of changes that we have been able to see in Australia. But we do have to pay credit to Mr Harkin and Mr Engel for starting the process.

We need to understand that, whilst there have been deep disappointments expressed, especially by some of the groups who were so excited to witness the signing of the Harkin-Engel Protocol in 2001, there is genuine momentum in the Tulane University finding that recommends product certification as providing credible assurance that cocoa is now being produced in accordance with ILO convention 182 (2011). Companies have been incrementally scaling up their consumption of ethically certified cocoa, which provides us with hope but no promise from the industry and global cocoa production as a whole. NGOs and campaigners have been at the forefront over the last 10 years telling the world that certified cocoa without worst forms of child labour, or WFCL, could only mean product certified cocoa issued by standard based ISO 65 accredited certification bodies. I know that sounds complex, but it is important that we look at the whole range of issues.

Child trafficking exists because of greed and poverty. We need to be able to have clear certification of the cocoa product that producers use. We need to have certainty that we are not enjoying something such as chocolate at the expense of horrific stats like those we have seen about the impact of child slavery in the countries of Africa. We need to have the appropriate certification.

This is a cross-community, cross-producer campaign, and we can achieve success. To the sisters of ACRATH, who came to draw our attention to this: we have accepted the challenge. I think it is important that we parliamentarians watch what is being done in this area, take on the example of Mr Harkin and Mr Engel from the States and bring these issues into our parliament. Today's Senate motion looked at the kinds of things that our government can do. We also need to ensure that we individually take action and we listen to the people in our community who have taken up the battle in our country against 'big chocolate'.

Yesterday was 19 September, and that was the 10th anniversary of the Harkin-Engel Protocol being signed. For the next 10 years we must continue with this action so that we can enjoy chocolate openly, as we often do, knowing that together we have made a difference. I know that World Vision particularly targets the time around Easter, but it is not only Easter when we eat chocolate. We have seen success, we continue with this issue and I hope that we can come back many times and show greater success in this area.