



January 18th, 2021

Re: Docket No. DOL-2020-0007 - Comments to Notice of Request for Information on Reports issued by the Bureau of International Labor Affairs (ILAB)

Dear Sir/Madam,

On September 26, 2012, the United States Department of Labor (DOL) published its report “List of Goods Produced by Child Labor or Forced Labor”. To our surprise, Brazil was included in the report as a country where “there was ‘reason to believe’ that forced labor was occurring” in the production of garments.

The Brazilian Textile and Apparel Association (Abit) has already submitted several documents to the USDOL requesting the Department to review such inclusion – the last one was submitted in January 2018. Abit has also established an important and productive dialogue with USDOL that gave us the opportunity to exchange information of the developments regarding the work conducted by the Brazilian government, with cooperation from the private sector, to combat and prevent the occurrence of forced labor.

In the report published by the USDOL in December 2014, this process of dialogue was mentioned (Stitching Together - Collaborative Efforts to Combat Forced Labor in Brazil’s Garment Sector), but the Brazilian garment sector remained listed as a sector which “there was ‘reason to believe’ that forced labor was occurring”.

In the 2020 edition, the Brazilian garment sector is still mentioned in the list of forced labor - List of Goods Produced by Child Labor or Forced Labor (TVPRA List). The bibliography indicated for the Brazilian garment in the report has sources since 2006 and the most recent is 2017. However, it draws attention the orientation mentioned in the Federal Register regarding the information requested that “DOL will generally consider sources with dates up to five years old (i.e., data not older than January 1, 2016)”.¹

As we always stated, keeping the Brazilian garment sector in this list is unfair because it stigmatizes the whole sector and put us at the same level as countries that do not have the same laws and law enforcement, programs, and policies to combat and prevent forced labor. Brazil is internationally recognized for having one of the most comprehensive and strict labor laws in the world, in addition to public and private efforts to combat forced labor.

Public/private policies and actions are improving the situation. We are dealing with a complex problem that is unlikely to be completely banned - neither in Brazil, nor in the United States, in Europe or anywhere else in the world. It is what Brazil is doing about the problem that really matters to hold the incidents as minimum as possible, with a serious and continuous work. This level of commitment and real efforts should definitely be recognized as a way to stimulate other countries to follow a good example.

¹ <https://www.federalregister.gov/documents/2020/12/14/2020-27359/child-labor-forced-labor-and-forced-or-indentured-child-labor-in-the-production-of-goods-in-foreign>

In the last years, there was an important development of the work conducted by the Brazilian government, non-governmental organizations, and the private sector to prevent the occurrence of forced labor. Some of the most recent examples of such developments related to the garment sector are described below.

- **Sustainable Fashion Laboratory:**

A multi-sector initiative at the national level formed by about 100 leaderships and 60 organizations that wants to address the main challenges of the fashion industry related to the garment sector in Brazil.

The initiative is currently structured as follows. Governance council: ABIT, ABVTEX (Brazilian Association of Textile Retail), DIEESE (Inter-union Department of Statistics and Socioeconomic Studies), Laudes Foundation and ILO; Advisory Council: Hermann Hering Foundation; Supporters: Laudes Foundation, Hermann Hering Foundation, C&A Institute and Santista Jeansware; Executive Coordination and Secretariat: Reos Institute.

The project has two phases: the formulation of the **future scenarios of the garment sector** and the **social laboratory**. In the first phase, the idea is to build, through an architecture of strategic and innovative dialogue, a set of relevant, challenging, plausible and clear scenarios to stimulate reflection and debate about the future of the garment chain. In the second phase, the idea is to create and prototype multisector initiatives that bring innovations to the garment chain in the coming years. Now, the group is working on prototypes in the following areas: education, culture and consumption, product life cycle, working conditions and business environment.

One of the developed initiatives is the *Tramando Junt@s* Project (Weaving Together). This is a project with immigrant women, a public vulnerable to slave labor, with the objective of including in the sustainable fashion chain immigrant seamstresses who work in precarious, unhealthy conditions and in the informal sector.

It is an innovative program that proposes a new methodology for collective business where the rules of the market are respected, profit is part of the process, but the working conditions and the sharing of profits obey the criteria of sustainability, social justice, human rights, and environmental care. In this first stage, women are producing uniforms and their own fashion collection. In addition, during the Covid-19 pandemic, hospital supplies such as masks, aprons and hospital coats were produced.

Sources:

<https://www.labmodasustentavel.org.br/>

https://www.tramandojuntas.org.br/?fbclid=IwAR1mVqvaep7csUJk_kd_trclBXX3iC3urOkNFRg1QUJjzhn84iA8x8lpRR0

- **Tecendo Sonhos Program – Aliança Empreendedora (NGO)**

- Abit is part of the Advisory Board of the Program;

- Objective: training in management and entrepreneurship; promotion of fair working relationships focused on immigrants that own garment workshops or that want to open a new business (São Paulo);
- Goal: the promotion of fair and decent working, through actions that integrate micro and small entrepreneurs with the fashion chain, stakeholders and technologies;
- Highlights 2020:
 - Adaptation for online courses because of the Covid pandemic;
 - Expansion of the project to the state of Pernambuco and to refugees;
 - Formation of the network called “Sewing Dreams” (*Costurando Sonhos*): In the context of COVID-19, the ILO coordinated, together with *Aliança Empreendedora*, support for the Sewing Dreams Network, which comprises 37 sewing workshops that have the purpose of operating in a cooperative / associative manner to respond to the production demand of the textile sector. In total, 47 workers participate in the Network (21 women). The ILO offered technical support for the establishment of its governance, which generated an Internal Charter and Network Management Committees.
- 2014 until 2020: more than 2.500 workers participated in the actions of the program and over 12 thousand immigrants impacted indirectly (workers and families).

Source:

<https://aliancaempreendedora.org.br/tecendosonhos/>

▪ **Public–private partnership - Abit, Abvtex, Renner Institute, C&A Institute, Inditex and ILO:**

- Name of the project: **Promoting Improvements in working conditions and business management in the garment sector in the State of São Paulo**

- The Project is a Public Private Partnership (PPP) between Instituto C&A, Instituto Lojas Renner, Zara/Inditex, the Brazilian Textile and Apparel Industry Association (Abit), the Brazilian Association for Textile Retail (ABVTEX) and the Office of the International Organization in Brazil. The project was initially conceived for the city of São Paulo but ended up generating actions with national impact.

- Period: March 2017 – June 2020

- Outcomes:

1) Capacity of institutions at the federal, state, and municipal levels developed for the negotiation and implementation of policies to improve working conditions in sewing workshops, with special attention to women and immigrant workers. Highlights of the main products:

- **Monitoring of the Municipal Plan for the Eradication of Slave Labor (city of São Paulo)**

The ILO provided technical support for monitoring the Municipal Plan for the Eradication of Slave Labor in São Paulo. Indicators used in the monitoring cycle were created and validated. In total, 283 actions were monitored, resulting in 235 answered actions (83%).

The data for all monitoring stages are public and are accessible here on the platform. The results can be verified at <https://www.monitora87.org/> and will be an input for reflection on the need to create a new plan and / or to define a work plan for the performance of COMTRAE - Municipal Commission for the Eradication of Slave Labor in São Paulo. This information can provide input for an increasingly integrated and strategic action by the organizations that are part of the Commission.

• **National and Municipal Flow of Assistance to Victims of Slave Labor / Sistema Ipê**

For the first time, it was established a national interinstitutional framework for centralizing reports of slave labor, which are now processed through the Ipê System, a platform of the Secretariat for Labor Inspection (SIT).

The flow includes the following stages: operationalizing complaints of slave labor, conducting rescues and guarantee to victims of care centered on reparation of damages suffered and referral to available public policies. This action also consolidates the effective involvement of the Social Assistance in the policy of eradicating slave labor in the country.

The National Flow of Assistance to Victims of Slave Labor was created based on the project created in the municipal level in São Paulo.

Sources:

<https://ipe.sit.trabalho.gov.br/#/>

<https://www.gov.br/economia/pt-br/assuntos/noticias/2020/trabalho/dezembro/novas-ferramentas-sao-integradas-a-politica-de-enfrentamento-ao-trabalho-escravo>

https://www.prefeitura.sp.gov.br/cidade/secretarias/upload/direitos_humanos/participacao_social/CONSELHOS/CONSELHO%20TRABALHO%20ESCRAVO%20CONTRAE/DIALOGOS/FIUXO.pdf

2) Women and immigrant workers empowered with raised awareness about social risks involving migration, their duties and rights in the country of destination. Highlights of the main products:

• **“¡Soy Inmigrante, Tengo Derechos!” campaign**

With content in Spanish and with an empowerment approach, the campaign “¡Soy Inmigrante, Tengo Derechos!” includes a booklet with information about individual and collective rights, migratory regularization in Brazil and topics such as education, health, and Brazilian legislation. It also has podcasts and information content for social media channels. The campaign was developed by the ILO, with support from the City Hall of São Paulo, COMTRAE (Municipal Commission for the Eradication of

Slave Labor), the International Organization for Migration (IOM), civil society and private sector organizations.

Source:

https://www.ilo.org/brasilia/publicacoes/WCMS_756273/lang--pt/index.htm

3) Sewing workshop owners in São Paulo aware of the risks and stimulated to formalize labor relations and trained in business management to increase workshops' productivity. Highlights of the main products:

- **Business management course for sewing workshops**

ILO expertise with the MESUN Program (Majore Su Negocio) and the WISE methodology (Work Improvements in Small Enterprises) were incorporated into the pre-existing course "Tecendo Sonhos" of the NGO Aliança Empreendedora.

Results: 22 workshops were contemplated, resulting in improvements in health and safety conditions at work; 4 NGOs were trained to implement the course, creating greater sustainability of the results and power to replicate the action;

Source:

<https://aliancaempreendedora.org.br/28-empreendedores-imigrantes-participam-da-formatura-do-programa-tecendo-sonhos-em-parceria-com-a-organizacao-internacional-do-trabalho-e-cami/>

- **Federal Development Strategy for Brazil in the period from 2020 to 2031 - Federal Decree No. 10,531 / 2020**

The Federal Development Strategy for Brazil (EFD), for the period from 2020 to 2031, aims to define the long-term vision for the performance of the entities of the Federal Public Administration. Organized in five topics, it establishes goals and challenges to increase the population's income and quality of life, while reducing social and regional inequalities.

The five fundamental topics are: economic, institutional, infrastructure, environmental and social. Among the challenges mentioned in the social topic, it is emphasized the importance of implementing fundamental human rights and citizenship, including **strengthen mechanisms to combat slave and child labor and access to decent work for all**. This reveals the high importance of this theme for Brazil, since these challenges and guidelines will be the basis for the planning and actions of the entities of the federal public administration in the coming years.

Source:

https://www.planalto.gov.br/ccivil_03/ato2019-2022/2020/decreto/d10531.htm - item 5.3.5

The formal sector consists of 22,900 companies and employs 1.2 million people², which places us among the largest producers in the world. We understand the methodology that is used but we still do not agree with this classification that ends up labeling the sector as a whole.

² Brasil Têxtil 2020. IEMI (Institute of Studies and Industrial Marketing).



Therefore, we hereby reiterate our request to remove the Brazilian garment from the List of Goods Produced by Child Labor or Forced Labor published by USDOL in September 2020.

Do not hesitate to contact us if you need any further details: camila@abit.org.br / +55 11 3823.6189.

Respectfully,

Brazilian Textile and Apparel Industry Association – Abit