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001. cable	re Guatemalan Ambassador (3 pages)	06/18/1996	P1/b(1)

COLLECTION:

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Jan 1995-Dec 1996 ([sweatshop ...])
OA/Box Number: 510000

FOLDER TITLE:

[03/07/1996-12/01/1996]

2018-1072-F

kc2334

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

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RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Cable

PREC: IMMEDIATE
CLASS: UNCLASSIFIED
LINE1: OAAUZYUW RUEHCAA6815 0680021-UUUU--RHEHAAX.
LINE2: ZNR UUUUU ZZH
LINE3: O 072217Z MAR 96
LINE4: FM SECSTATE WASHDC
OSRI: RUEHC
DTG: 072217Z MAR 96
ORIG: SECSTATE WASHDC
TO: RUEHBK/AMEMBASSY BANGKOK IMMEDIATE 0000
INFO: RUDKIA/AMCONSUL CHIANG MAI IMMEDIATE 0000
SUBJ: 1995 COUNTRY REPORT ON HUMAN RIGHTS

TEXT:

////////////////// INCOMPLETE MESSAGE //////////////////

UNCLAS STATE 046815

SENSITIVE/NO

E.O. 12958: N/A

TAGS; PHUM ELAB PREL TH

SUBJECT: 1995 COUNTRY REPORT ON HUMAN RIGHTS

1. SBU/NOFORN - ENTIRE TEXT.
2. THIS CABLE PROVIDES THE FINAL VERSION OF THE 1995 COUNTRY REPORT ON HUMAN RIGHTS PRACTICES THAT WILL BE DELIVERED TO CONGRESS ON MARCH 4, WITH PUBLIC RELEASE AT THE DEPARTMENT'S DAILY PRESS BRIEFING ON MARCH 5 AT 12:30 PM.
3. PLEASE NOTE THAT THE REPORTS REMAIN ADMINISTRATIVELY CONTROLLED (SENSITIVE BUT UNCLASSIFIED - NOFORN) UNTIL THEY ARE OFFICIALLY RELEASED. ONLY THE PUBLIC VERSION BECOMES RELEASABLE WHILE ALL EARLIER DRAFTS REMAIN CONTROLLED.
4. THE COUNTRY REPORTS ARE EMBARGOED UNTIL THE DEPARTMENT'S OFFICIAL RELEASE DATE. PLEASE ENSURE THAT THE TEXT OF THIS REPORT IS CLOSELY HELD IN ADVANCE OF THAT DATE. IT MAY NOT BE GIVEN TO MEDIA REPRESENTATIVES, DIPLOMATIC COLLEAGUES, OR OTHERS UNTIL OFFICIALLY RELEASED. HOWEVER, POST IS AUTHORIZED TO PROVIDE AN EMBARGOED COPY TO THE HOST GOVERNMENT APPROXIMATELY 24 HOURS IN ADVANCE OF THE PUBLIC RELEASE OF THE REPORT, ONLY UPON CONDITION THAT THE HOST GOVERNMENT NOT RELEASE THE TEXT PUBLICLY UNTIL THE TIME OF ITS RELEASE IN WASHINGTON.

BEGIN TEXT:

THAILAND

THAILAND IS A DEMOCRATICALLY GOVERNED CONSTITUTIONAL MONARCHY WITH AN INDEPENDENT JUDICIARY THAT HAS A HISTORY OF FREQUENT MILITARY COUPS AND POWERFUL MILITARY-BUREAUCRATIC INFLUENCE OVER POLITICAL LIFE. THE KING EXERTS STRONG INFORMAL INFLUENCE ON CAREFULLY SELECTED ISSUES. IN MAY PRIME MINISTER CHUAN LEEKPAI DISSOLVED PARLIAMENT AND CALLED FOR NEW ELECTIONS WHEN IT APPEARED THAT HIS GOVERNMENT WOULD NOT SURVIVE A NO-CONFIDENCE VOTE. AFTER DEMOCRATIC ELECTIONS IN JULY, THE CHUAN ADMINISTRATION WAS REPLACED BY A COALITION GOVERNMENT HEADED BY PRIME MINISTER BANHARN SILPA-ARCHA.

THE SECURITY APPARATUS HAS WIDE-RANGING LEGAL POWERS, LARGELY DERIVED FROM PAST MILITARILY CONTROLLED ADMINISTRATIONS. MILITARY LEADERS STILL HAVE AN INFORMAL BUT INFLUENTIAL ROLE IN INTERNAL POLITICS. SINCE 1992 THE MILITARY INFLUENCE IN POLITICS HAS BEEN SUBSTANTIALLY REDUCED, HOWEVER, AND THE CURRENT MILITARY LEADERSHIP HAS EVIDENCED A GROWING ACCEPTANCE OF PERMANENT CIVILIAN RULE. THE POLICE HAVE PRIMARY RESPONSIBILITY FOR INTERNAL SECURITY AND LAW ENFORCEMENT. WITH THE EXCEPTION OF THE NARCOTICS SUPPRESSION BUREAU, THE ROYAL THAI POLICE HAS A REPUTATION FOR CORRUPTION. SOME POLICE OFFICERS CONTINUE TO COMMIT SERIOUS HUMAN RIGHTS ABUSES WITHOUT PUNISHMENT.

THAILAND, A NEWLY INDUSTRIALIZING COUNTRY WITH A FLOURISHING FREE ENTERPRISE SYSTEM, CONTINUES TO ENJOY REMARKABLE ECONOMIC GROWTH. THE POLITICAL SYSTEM GENERALLY PROVIDES STRONG PROTECTION FOR INDIVIDUAL ECONOMIC INTERESTS, INCLUDING PROPERTY RIGHTS. ALTHOUGH THE INDUSTRIAL AND SERVICES SECTORS ARE EXPANDING RAPIDLY, MORE THAN HALF THE POPULATION IS RURAL AND AGRARIAN. DESPITE THE GOVERNMENT'S EFFORTS TO CLOSE THE ECONOMIC GAP BETWEEN URBAN AND RURAL AREAS, THAILAND CONTINUES TO SUFFER FROM A LARGE AND GROWING DISPARITY IN INCOME DISTRIBUTION.

WHILE THE GOVERNMENT GENERALLY RESPECTED THE HUMAN RIGHTS OF ITS CITIZENS, SOME SIGNIFICANT PROBLEMS REMAIN. WHILE NOT ROUTINE, POLICE BRUTALITY CONTINUED TO BE A SERIOUS PROBLEM. CREDIBLE REPORTS INDICATE THAT SOME POLICE TORTURED AND BEAT SUSPECTS, OBTAINED COERCED CONFESSIONS THROUGH THE USE OF PHYSICAL ABUSE, AND PLAYED AN ACTIVE ROLE IN FACILITATING THE TRADE IN PROSTITUTION. THERE WERE CREDIBLE REPORTS THAT SOME OFFICES SUMMARILY EXECUTED SUSPECTS. THE GOVERNMENT PROSECUTED FEW POLICE OFFICERS ACCUSED OF ABUSE OR EXTRAJUDICIAL KILLINGS; NONE HAVE BEEN CONVICTED. THE GOVERNMENT DROPPED CHARGES AGAINST ALL BUT ONE OF THE CURRENT AND FORMER SENIOR POLICE OFFICIALS ACCUSED OF COMPLICITY IN THE 1994 DEATHS OF THE WIFE AND CHILD OF A KEY WITNESS IN A 6-YEAR-OLD CASE INVOLVING THE THEFT OF GEMS FROM A SAUDI PRINCE. IN AUGUST THE SUBCOMMITTEE RESPONSIBLE FOR THE DISCIPLINARY

INVESTIGATION RECOMMENDED THAT THE ACTIVE DUTY OFFICIAL ACCUSED BE REINSTATED TO THE POLICE FORCE AT HIS FORMER RANK. ENFORCEMENT OF A BROAD RANGE OF LAWS AND REGULATIONS BY POLICE CONTINUES TO BE NOTICEABLY LAX.

IN GENERAL THE GOVERNMENT CONTINUED TO UPHOLD FREEDOM OF ASSEMBLY AND FREEDOM OF THE PRESS, ALTHOUGH THE NEW GOVERNMENT WAS CRITICIZED FOR ATTEMPTS TO RESTRICT PRESS ACTIVITY. WHILE THE BANHARN GOVERNMENT CONTINUED MEASURES AIMED AT ADDRESSING THE PROBLEM OF TRAFFICKING IN WOMEN, CHILDREN, AND MINORITIES FOR THE PURPOSES OF PROSTITUTION BEGUN UNDER THE CHUAN ADMINISTRATION, PROGRESS WAS SLOW. LEGAL AND SOCIETAL DISCRIMINATION AGAINST WOMEN, VIOLENCE AGAINST WOMEN AND CHILDREN, AND ILLEGAL CHILD LABOR PERSIST. DISCRIMINATION AGAINST ETHNIC MINORITIES IS A PROBLEM.

RESPECT FOR HUMAN RIGHTS

SECTION 1 RESPECT FOR THE INTEGRITY OF THE PERSON,
INCLUDING FREEDOM FROM:

A. POLITICAL AND OTHER EXTRAJUDICIAL KILLING

THERE WAS ONE POLITICAL KILLING IN 1995. IN JULY PRAWIAN BOONNAK, LEADER OF THE ASSEMBLY OF SMALL-SCALE FARMERS OF THE NORTHEAST AND A CANDIDATE IN THE JULY 2 ELECTIONS, WAS SHOT AND KILLED BY A LONE GUNMAN. AT YEAR'S END, THE CASE WAS UNDER INVESTIGATION, BUT IT IS WIDELY BELIEVED THAT HE WAS TARGETED BECAUSE OF HIS ENVIRONMENTAL ACTIVISM AND HIS RECENT SUCCESSFUL EFFORTS TO SHUT DOWN ROCK-GRINDING PLANTS THAT WERE OWNED BY SUPPORTERS OF HIS PRINCIPAL OPPONENT IN THE ELECTION.

THE GOVERNMENT, LEGAL ORGANIZATIONS, REPUTABLE NONGOVERNMENTAL ORGANIZATIONS (NGO'S), AND THE PRESS CONTINUED TO REPORT, CREDIBLY, THAT SOME POLICE OFFICERS SUMMARILY EXECUTED CRIMINAL SUSPECTS, PARTICULARLY IN AREAS OUTSIDE THE CAPITAL. THE POLICE INFORMATION CENTER'S STATISTICS FOR 1994 LISTED A TOTAL OF 22 EXTRAJUDICIAL KILLINGS, WITH AN ADDITIONAL 24 SUSPECTS KILLED DURING ARREST. THE LEGAL INFORMATION CENTER ALSO REPORTED THAT A TOTAL OF 359 PEOPLE DIED WHILE IN POLICE OR DEPARTMENT OF CORRECTIONS CUSTODY IN 1994. IT IS DIFFICULT TO GAUGE ACCURATELY WHAT PERCENTAGE OF THESE DEATHS COULD REASONABLY HAVE BEEN AVOIDED. COMPLETE STATISTICS ON THE NUMBER OF SUSPECTS KILLED BY POLICE IN 1995 WERE UNAVAILABLE.

ONLY ONE OF THE SENIOR POLICE OFFICIALS CHARGED WITH COMPLICITY IN THE 1994 MURDER OF THE WIFE AND CHILD OF A KEY WITNESS IN A 6-YEAR-OLD CASE CONCERNING JEWELRY AND GEMSTONES STOLEN BY A THAI EMPLOYEE OF A SAUDI PRINCE REMAINED IN JAIL AT YEAR'S END. THE GOVERNMENT DROPPED THE CHARGES AGAINST ALL THE OTHER HIGH-LEVEL OFFICERS. NO POLICE OFFICERS HAVE YET BEEN CONVICTED IN THIS CASE, ALTHOUGH MANY JUNIOR-LEVEL OFFICERS REMAIN UNDER ACTIVE INVESTIGATION FOR THEIR ROLES IN THE AFFAIR. THE 7

POLICEMEN, WHO ADMITTED IN 1994 TO ROBBING AND MURDERING 13 ASIAN TOURISTS IN BANGKOK (2 OTHERS SURVIVED THE ASSAULTS), HAD NOT BEEN SENTENCED AT YEAR'S END. THEIR CASES WERE STILL PENDING BEFORE PROVINCIAL COURTS, AND ALL SEVEN WERE INCARCERATED.

THE COURTS RARELY CONVICT POLICE OFFICERS INVOLVED IN SUMMARY EXECUTION CASES, IN PART BECAUSE WITNESSES ARE OFTEN INTIMIDATED OR BRIBED TO WITHHOLD EVIDENCE. THE RESULTING CLIMATE OF IMPUNITY IS THE SINGLE LARGEST FACTOR MILITATING AGAINST ANY SIGNIFICANT CHANGE IN POLICE BEHAVIOR. THE LAW ALLOWS PERSONAL SUITS AGAINST POLICE OFFICERS FOR CRIMINAL ACTIONS TAKEN WHILE MAKING AN ARREST. HOWEVER, DUE TO FLAWS IN THE LEGAL PROCESS AND INGRAINED CULTURAL ATTITUDES, VICTIMS OR THEIR FAMILIES RARELY FILE SUITS AGAINST THE POLICE. DURING THE INITIAL POLICE INQUIRY, MOST POLICE INVESTIGATIONS ROUTINELY DETERMINE THAT NO WRONGFUL ACTION WAS TAKEN ON THE PART OF THE POLICE; JUDGES GENERALLY FOLLOW THE PROSECUTOR'S RECOMMENDATIONS. IF PURSUED BY THE FAMILY, THE CASE IS HANDLED BY THE SAME OFFICE, IN SOME INSTANCES BY THE SAME PROSECUTOR, WHO HAS ALREADY RULED THAT NO CRIMINAL ACTION OCCURRED. THERE IS NO INFORMATION TO DETERMINE HOW MANY CASES ARE SETTLED OUT OF COURT, BUT IN CASES IN WHICH SUITS ARE FILED, THE GOVERNMENT OFTEN COMPENSATES THE FAMILY OF THE DECEASED, AND THE SUIT IS DROPPED.

B. DISAPPEARANCE

THERE WERE NO REPORTS OF POLITICALLY MOTIVATED DISAPPEARANCES.

THE WHEREABOUTS OF ENVIRONMENTAL ACTIVIST SUCHADA KHAMFUBUTRA, WHO DISAPPEARED IN DECEMBER 1994, REMAINED UNKNOWN. THERE WERE SEVERAL THEORIES CONCERNING HER DISAPPEARANCE, BUT AT THE END OF THE YEAR BOTH THE POLICE AND NGO'S BELIEVED THAT HER DISAPPEARANCE WAS CONNECTED TO HER ACTIVIST STANCE, AND POLICE CONTINUED TO INVESTIGATE THE CASE.

LOCAL INVESTIGATIONS CONTINUED INTO THE WHEREABOUTS OF THE REMAINING 39 PRODEMOCRACY PROTESTERS LISTED AS MISSING FOLLOWING THE MILITARY'S SUPPRESSION OF DEMONSTRATIONS IN 1992. HOWEVER, MANY FAMILY MEMBERS AND NGO'S SUSPECT THAT MOST OF THE MISSING ARE DEAD. AN AMNESTY DECREE ISSUED DURING THE LAST DAYS OF THE SUCHINDA GOVERNMENT IN MAY 1992, AND REAFFIRMED BY SUBSEQUENT GOVERNMENTS, EFFECTIVELY PROTECTS MILITARY LEADERS AND PROTESTERS ACCUSED OF CRIMINAL ACTIVITIES DURING THE MAY 1992 EVENTS FROM CRIMINAL PROSECUTION. IN JUNE THE BANGKOK CIVIL COURT RULED THAT THE AMNESTY BARRED THE FAMILIES OF THE VICTIMS FROM SEEKING REDRESS IN THE CIVIL COURTS. ATTORNEYS FOR THE PLAINTIFFS STATED THEIR INTENTION TO APPEAL THE RULING AND, IF NECESSARY, TAKE THE CASE TO THE SUPREME COURT. THE ROYAL THAI ARMY'S WHITE PAPER ON THE MAY 1992 EVENTS WAS NOT RELEASED, DESPITE CONTINUED PRESSURE FROM ACTIVIST GROUPS

AND THE FAMILIES OF THOSE KILLED.

LABOR CONGRESS OF THAILAND (LCT) PRESIDENT THANONG PO-AN'S 1991 DISAPPEARANCE REMAINED UNRESOLVED. HIS WIFE AND FAMILY PRESUME HE IS DEAD. MOST OBSERVERS BELIEVE THANONG WAS KIDNAPED AND KILLED BECAUSE OF HIS CRITICISM OF THE FEBRUARY 1991 MILITARY COUP D'ETAT.

C. TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT

THE CRIMINAL CODE FORBIDS CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT, AND IN MOST CASES POLICE DO NOT RESORT TO PHYSICAL ABUSE OR VIOLENCE. HOWEVER, THERE CONTINUED TO BE CREDIBLE REPORTS THAT POLICE SOMETIMES BEAT AND TORTURED PRISONERS AND DETAINEES. CRIMINAL SUSPECTS REGULARLY COMPLAIN OF POLICE ATTEMPTS TO SECURE CONFESSIONS OR EVIDENCE THROUGH THE USE OF TORTURE SUCH AS ELECTRIC SHOCKS. SEVERAL TIMES IN 1995, SENIOR POLICE OFFICIALS PUBLICLY ACKNOWLEDGED THAT TORTURE IS OCCASIONALLY CARRIED OUT IN POLICE CUSTODY, WITH THE IMPLICIT BACKING OF SOME SENIOR POLICE OFFICERS. THE GOVERNMENT HAS INSTITUTED A HUMAN RIGHTS INSTRUCTION COURSE TO TRY TO ADDRESS POLICE BRUTALITY BUT MADE NO VISIBLE EFFORTS TO CONVICT AND APPROPRIATELY PUNISH THOSE WHO COMMIT THESE ABUSES. THERE WERE ALSO REPORTS OF INSTANCES OF POLICE INVOLVEMENT IN THE TRAFFICKING IN WOMEN AND CHILDREN FOR THE PURPOSES OF PROSTITUTION (SEE SECTION 5).

PRISON CONDITIONS ARE SPARTAN, BUT DO NOT IN GENERAL THREATEN THE LIFE OR HEALTH OF INMATES. HOWEVER, SOME PRISON GUARDS RESORT TO PHYSICAL ABUSE OF BOTH THAI AND FOREIGN PRISONERS IN RESPONSE TO DISCIPLINARY PROBLEMS. SOLITARY CONFINEMENT AND HEAVY LEG IRONS ARE SOMETIMES USED TO PUNISH DIFFICULT PRISONERS. MEDICAL CARE IN PRISONS IS INADEQUATE. FOR A TOTAL PRISON POPULATION OF 100,000, THE CORRECTIONS DEPARTMENT EMPLOYS ONLY 14 DOCTORS AND 5 DENTISTS. IN GENERAL, ACCESS TO PRISONERS IS NOT RESTRICTED.

CONDITIONS AT THE SUAN PHLU IMMIGRATION DETENTION CENTER (IDC), WHICH GENERALLY HOLDS BETWEEN 2,000 AND 3,000 DETAINED ILLEGAL IMMIGRANTS, ARE EXTREMELY POOR. SERIOUS OVERCROWDING, LACK OF MEDICAL CARE, INABILITY TO EXERCISE, AND PHYSICAL ABUSE ARE RECURRENT PROBLEMS. RELIABLE INTERNATIONAL OBSERVERS CHARGE THAT BOTH AUTHORITIES AND DETAINEES SEXUALLY ABUSE FEMALE DETAINEES. IMMIGRATION DETENTION FACILITIES ARE NOT ADMINISTERED BY THE DEPARTMENT OF CORRECTIONS AND ARE NOT SUBJECT TO MANY OF THE REGULATIONS FOUND IN THE REGULAR PRISON SYSTEM. NATIONALS OF COUNTRIES THAT WILL NOT ACCEPT DEPORTEES BECAUSE OF UNCERTAINTIES OVER CITIZENSHIP FACE AN EXTENDED STAY IN THE IDC. WHILE THE LAW REQUIRES THAT PROSECUTORS FORMALLY CHARGE CRIMINAL SUSPECTS IN COURT WITHIN 91 DAYS OF THEIR DETENTION, SOME IDC DETAINEES HAVE BEEN HELD FOR SEVERAL YEARS.

D. ARBITRARY ARREST, DETENTION, OR EXILE

EXCEPT IN CASES OF CRIMES IN PROGRESS, THE LAW GENERALLY REQUIRES ARREST WARRANTS. ARRESTED PERSONS MUST BE INFORMED OF THE LIKELY CHARGES AGAINST THEM IMMEDIATELY AFTER ARREST. POLICE HAVE THE AUTHORITY TO EXTEND THE DETENTION PERIOD TO 7 DAYS TO COMPLETE AN INVESTIGATION. AFTER 7 DAYS, THE POLICE MUST PRESENT THE CASE TO THE PUBLIC PROSECUTOR TO DETERMINE IF THE CASE SHOULD BE PURSUED. WHILE DETAINEES HAVE A RIGHT TO HAVE A LAWYER PRESENT DURING QUESTIONING, THEY ARE OFTEN NOT INFORMED OF THIS RIGHT. FOREIGN PRISONERS ARE OFTEN FORCED TO SIGN CONFESSIONS WITHOUT KNOWING WHAT IS IN THEM.

THERE IS A FUNCTIONING BAIL SYSTEM, BUT JUDGES HAVE CONSIDERABLE DISCRETION IN DETERMINING ELIGIBILITY FOR BAIL. THE ONLY LEGAL BASIS FOR DETENTION BY THE POLICE WITHOUT SPECIFIC CHARGES FOR LONG PERIODS (UP TO 480 DAYS) IS THE ANTI-COMMUNIST ACTIVITIES ACT. ONE PERSON WAS DETAINED UNDER THAT ACT'S PROVISIONS IN 1995, THE FIRST SINCE 1984 (SEE SECTION 1.E.).

AS OF JULY, THERE WERE 109,537 PRISON INMATES IN THAILAND. OF THAT NUMBER, 10,146 WERE PERSONS APPEALING THEIR SENTENCES, AND 13,638 WERE PRETRIAL DETAINEES. THESE TWO GROUPS ARE NOT USUALLY SEGREGATED FROM THE GENERAL PRISON POPULATION, ALTHOUGH SOMETIMES AN EFFORT IS MADE TO CONFINED THOSE FACING NARCOTICS CHARGES IN A SEPARATE FACILITY.

EXILE IS NOT USED AS A MEANS OF POLITICAL CONTROL.

E. DENIAL OF FAIR PUBLIC TRIAL

THE CONSTITUTION PROVIDES FOR AN INDEPENDENT JUDICIARY, AND, ALTHOUGH GENERALLY REGARDED AS INDEPENDENT, THE JUDICIARY HAS A REPUTATION FOR VENALITY.

THE CIVILIAN JUDICIAL SYSTEM HAS THREE LEVELS OF COURTS: COURTS OF FIRST INSTANCE, COURTS OF APPEAL, AND THE SUPREME COURT. A SEPARATE MILITARY COURT HEARS CRIMINAL AND CIVIL CASES PERTAINING TO MILITARY PERSONNEL AS WELL AS THOSE BROUGHT DURING PERIODS OF MARTIAL LAW. A SERIOUS FLAW IN PROVIDING DUE PROCESS RIGHTS IS THE LACK OF APPEAL FROM DECISIONS OF A MILITARY COURT. ISLAMIC (SHARI'A) COURTS PROVIDE DUE PROCESS AND HEAR ONLY CIVIL CASES CONCERNING MEMBERS OF THE MUSLIM MINORITY.

THE CONSTITUTION PROVIDES FOR PRESUMPTION OF INNOCENCE, BUT IN PRACTICE DEFENDANTS ARE FREQUENTLY PRESUMED GUILTY. ACCESS TO COURTS OR ADMINISTRATIVE BODIES TO SEEK REDRESS IS PROVIDED FOR AND PRACTICED.

THERE IS NO TRIAL BY JURY. TRIALS FOR MISDEMEANORS ARE DECIDED BY A SINGLE JUDGE, AND MORE SERIOUS CASES REQUIRE TWO OR MORE JUDGES. WHILE MOST TRIALS ARE PUBLIC, THE COURT MAY ORDER A TRIAL CLOSED. THIS IS MOST OFTEN DONE IN CASES TOUCHING ON NATIONAL SECURITY OR THE ROYAL

FAMILY. CAREER CIVIL SERVICE JUDGES PRESIDE OVER THE COURTS. JUDICIAL APPOINTMENTS AND STRUCTURES ARE NOT SUBJECT TO PARLIAMETARY REVIEW.

DEFENDANTS TRIED IN ORDINARY CRIMINAL COURTS ENJOY A BROAD RANGE OF LEGAL RIGHTS, INCLUDING ACCESS TO A LAWYER OF THEIR CHOOSING. A GOVERNMENT PROGRAM PROVIDES FREE LEGAL ADVICE TO THE POOR, BUT INDIGENT DEFENDANTS ARE NOT AUTOMATICALLY PROVIDED WITH COUNSEL AT PUBLIC EXPENSE. MOST FREE LEGAL AID COMES FROM PRIVATE GROUPS, INCLUDING THE THAI LAWYERS' ASSOCIATION AND THE THAI WOMEN LAWYERS' ASSOCIATION.

THE WIDELY PUBLICIZED LESE MAJESTE TRIAL AGAINST PROMINENT SOCIAL CRITIC SULAK SIWARAK THAT BEGAN IN 1993 AFTER HIS RETURN FROM SELF-EXILE WAS CONCLUDED IN JUNE. THE COURT ACQUITTED SULAK ON ALL COUNTS.

WELL-INFORMED LEGAL SOURCES ESTIMATE THAT THERE ARE AT MOST FOUR POLITICAL PRISONERS IN THAILAND. POLITICAL AFFILIATION AND QUESTIONABLE EVIDENCE MAY HAVE AFFECTED THE ABILITY OF THESE PRISONERS TO RECEIVE A FAIR TRIAL OR FAIR PUNISHMENT. MUSLIM GROUPS CONTINUE TO CLAIM 16 POLITICAL PRISONERS ARE HELD ON CRIMINAL CHARGES BECAUSE OF THEIR POLITICAL VIEWS. IN AUGUST ONE MAN WAS CHARGED UNDER THE ANTI-COMMUNIST ACTIVITIES ACT. HE WAS DRIVING A GASOLINE TRUCK THROUGH A RESTRICTED AREA OF NORTHERN THAILAND AT THE TIME OF HIS ARREST.

F. ARBITRARY INTERFERENCE WITH PRIVACY, FAMILY, HOME, OR CORRESPONDENCE

THE LAW REQUIRES POLICE TO OBTAIN A WARRANT PRIOR TO A SEARCH. WARRANTS ARE ISSUED BY THE POLICE WITH PRIOR MINISTRY OF INTERIOR OR PROVINCIAL GOVERNOR APPROVAL AND ARE NOT SUBJECT TO JUDICIAL REVIEW. THERE WERE SOME CREDIBLE REPORTS THAT OFFICERS SOMETIMES ENDORSE WARRANTS IN ADVANCE AND THEN ALLOW THEIR NONCOMMISSIONED SUBORDINATES TO APPLY THEM AS NEEDED. THE ANTI-COMMUNIST ACTIVITIES ACT ALLOWS OFFICIALS ENGAGED IN "COMMUNIST SUPPRESSION OPERATIONS" TO CONDUCT SEARCHES WITHOUT WARRANTS, BUT THESE POWERS RARELY HAVE BEEN INVOKED IN RECENT YEARS AND WERE NOT INVOKED IN 1995.

THAI SOCIETY IS ESSENTIALLY OPEN; MEMBERSHIP IN POLITICAL ORGANIZATIONS IS VOLUNTARY, AND THE UNMONITORED EXCHANGE OF IDEAS IS GENERALLY PERMITTED. HOWEVER, SECURITY SERVICES MONITOR PERSONS ESPOUSING LEFTIST OR CONTROVERSIAL VIEWS, INCLUDING FOREIGN VISITORS.

SECTION 2 RESPECT FOR CIVIL LIBERTIES, INCLUDING:

A. FREEDOM OF SPEECH AND PRESS

THE CONSTITUTION PROVIDES FOR, AND CITIZENS GENERALLY ENJOY, A SUBSTANTIAL MEASURE OF FREEDOM OF SPEECH. HOWEVER, THE LAW PROHIBITS CRITICISM OF THE ROYAL FAMILY (LESE MAJESTE), THREATS TO NATIONAL SECURITY, OR SPEAKING

IN A MANNER LIKELY TO INCITE DISTURBANCES OR INSULT BUDDHISM.

NEWSPAPERS AND PERIODICALS PRACTICE SOME SELF-CENSORSHIP, ESPECIALLY WITH REGARD TO THE MONARCHY AND NATIONAL SECURITY ISSUES. HOWEVER, STRONG MEDIA CRITICISM OF POLITICAL PARTIES, PERSONALITIES, AND THE GOVERNMENT IS COMMON AND ROBUST. JOURNALISTS ARE GENERALLY FREE TO COMMENT ON GOVERNMENT ACTIVITIES WITHOUT FEAR OF REPRISAL, ALTHOUGH THERE WERE CREDIBLE REPORTS OF OCCASIONAL HARASSMENT OR BRIBING OF JOURNALISTS BY INDIVIDUAL POLITICIANS. ALSO, JOURNALISTS ARE RELUCTANT TO CRITICIZE THE JUDICIARY OUT OF FEAR THAT THEY WILL NOT BE TREATED FAIRLY BY JUDGES DURING LIBEL PROCEEDINGS.

RADIO AND TELEVISION STATIONS ARE GOVERNMENT LICENSED AND OPERATED PRIMARILY BY THE GOVERNMENT AND THE MILITARY. RADIO STATIONS ARE REQUIRED BY LAW TO BROADCAST GOVERNMENT-PRODUCED NEWSCASTS FOUR TIMES DAILY. PARLIAMENT APPROVED A BILL TO ABOLISH THE ORDER REQUIRING THESE BROADCASTS IN OCTOBER OF 1994, BUT IT WAS NOT PASSED INTO LAW BECAUSE OF THE DISSOLUTION OF THE CHUAN GOVERNMENT. THE BILL IS EXPECTED TO BE REINTRODUCED IN EARLY 1996. ON NOVEMBER 22, THE PRIME MINISTER REQUESTED THAT THE MINISTRY OF DEFENSE INTERVENE TO ASSURE THAT ARMY-OWNED RADIO STATIONS DO NOT AIR BROADCASTS CRITICAL OF THE CURRENT GOVERNMENT.

ALTHOUGH PROGRAMMERS ARE GENERALLY FREE TO DETERMINE THE CONTENT AND NATURE OF TELEVISION BROADCASTS, A GOVERNMENT INTERNAL CENSORSHIP BOARD COMMONLY EDITS OR "BLACKS OUT" PORTIONS OF PROGRAMMING DEEMED POLITICALLY SENSITIVE OR PORNOGRAPHIC. SELF-CENSORSHIP IS MORE PREVALENT IN PRIVATELY OPERATED STATIONS BECAUSE THEIR LICENSES MUST BE RENEWED EVERY FEW YEARS.

THAILAND ALSO HAS THREE CABLE TELEVISION STATIONS, WHICH ENJOY ALMOST COMPLETE AUTONOMY. THE GOVERNMENT RECENTLY AWARDED A 30-YEAR CONTRACT FOR AN ULTRA HIGH FREQUENCY STATION TO A CONSORTIUM OF 10 PRIVATE COMPANIES, INCLUDING THE OUTSPOKEN NATION PUBLISHING GROUP. THE STATION, TO BE CALLED INDEPENDENT TELEVISION, WILL BEGIN FREE, DIRECT BROADCASTING IN 1996.

THAI DOMESTIC PUBLICATIONS CONTINUED TO PRESENT A WIDE RANGE OF POLITICAL AND SOCIAL COMMENT ON THE MONARCHY, FOREIGN AND DOMESTIC BOOKS NORMALLY ARE NOT CENSORED AND CIRCULATE FREELY. THE 1941 PRESS LAW EMPOWERS THE POLICE DIRECTOR GENERAL TO PROHIBIT THE IMPORT OF PRINTED MATTER DEEMED DANGEROUS TO PUBLIC ORDER AND MORALS. THE LIST MAINLY CONSISTS OF PORNOGRAPHIC MATERIAL, BUT IT ALSO STILL INCLUDES BOOKS WRITTEN BY COMMUNISTS.

ACADEMIC AND TECHNICAL RESEARCH IS CONDUCTED FREELY.

B. FREEDOM OF PEACEFUL ASSEMBLY AND ASSOCIATION

THE LEGAL SYSTEM RECOGNIZES THE RIGHT OF PEACEFUL

ASSEMBLY, AND THE GOVERNMENT RESPECTS THIS RIGHT IN PRACTICE. PRIVATE ASSOCIATIONS MUST REGISTER WITH THE GOVERNMENT, BUT PERMITS ARE NOT REQUIRED FOR PRIVATE MEETINGS OR GATHERINGS UNLESS HELD ON PUBLIC PROPERTY.

C. FREEDOM OF RELIGION

FREEDOM OF RELIGION IS PROTECTED BY LAW AND GENERALLY RESPECTED IN PRACTICE. THE DE FACTO STATE RELIGION IS THERAVADA BUDDHISM, BUT OTHER RELIGIONS ARE NOT RESTRICTED.

MEMBERS OF MINORITY RELIGIOUS MOVEMENTS OCCASIONALLY ARE SUBJECTED TO LEGAL ACTION. THE TRIALS OF DISSIDENT BUDDHIST LEADER PHRA POTIRAK AND HIS FOLLOWERS FOR ALLEGEDLY VIOLATING THE LAW GOVERNING THE BUDDHIST ECCLESIASTICAL HIERARCHY AND IMPERSONATING BUDDHIST MONKS OR NUNS CONTINUED. PHRA POTIRAK AND HIS FOLLOWERS REMAIN FREE ON BAIL AND CONTINUE THEIR RELIGIOUS ACTIVITIES.

D. FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN TRAVEL, EMIGRATION, AND REPATRIATION

THE RIGHT OF CITIZENS TO CHANGE THEIR RESIDENCE OR WORKPLACE WAS UNABRIDGED. TRAVEL WAS RESTRICTED IN CERTAIN BORDER AREAS WHERE FOREIGN OR VESTIGIAL DOMESTIC INSURGENT GROUPS REMAIN ACTIVE. LONGSTANDING RESTRICTIONS ON THE TRAVEL AND PLACE OF RESIDENCE OF CERTAIN CHINESE AND VIETNAMESE ALIENS LIVING IN THAILAND REMAINED IN PLACE. IN ADDITION, SOME LONG-TERM NONCITIZEN RESIDENTS OF THAILAND, INCLUDING SEVERAL HUNDRED THOUSAND TRIBAL PEOPLE, MUST SEEK PERMISSION FROM LOCAL AUTHORITIES OR THE ARMY FOR FOREIGN OR DOMESTIC TRAVEL (SEE SECTION 5).

SEVERAL REGULATIONS INTENDED AND USED TO HELP REDUCE TRAFFICKING IN WOMEN AND CHILDREN FOR PURPOSES OF PROSTITUTION COULD BE USED TO INFRINGE ON THE RIGHT OF WOMEN AND CHILDREN TO TRAVEL FREELY. ONE STATUTE (RARELY USED), DATING TO THE LAST CENTURY, REQUIRES A WOMAN TO OBTAIN HER HUSBAND'S PERMISSION BEFORE TRAVELING OUTSIDE THAILAND. ALSO, FEMALE PASSPORT APPLICANTS UNDER AGE 36 MUST SIT THROUGH A SERIES OF INTERVIEWS REGARDING THEIR EMPLOYMENT RECORDS AND FINANCES. PASSPORT APPLICATIONS BY SINGLE THAI WOMEN AND CHILDREN UNDER THE AGE OF 14 MUST ALSO BE APPROVED BY THE DEPARTMENT OF PUBLIC WELFARE.

THE GOVERNMENT HAS NOT REVOKED CITIZENSHIP FOR POLITICAL REASONS.

THAILAND CONTINUED TO PROVIDE FIRST ASYLUM TO VIETNAMESE AND LAO ASYLUM SEEKERS AND TO PROCESS THEM IN ACCORDANCE WITH THE COMPREHENSIVE PLAN OF ACTION (CPA) AGREED TO IN GENEVA IN 1989. THERE WERE NO REPORTS OF ANY PUSHBACKS OF VIETNAMESE OR LAO ASYLUM SEEKERS, AND NO CREDIBLE REPORTS OF FORCED REPATRIATION. THE GOVERNMENT ANNOUNCED THAT ALL LAO CAMPS WERE OFFICIALLY CLOSED, THOUGH IT CONTINUED TO WORK WITH THE U.N. HIGH COMMISSIONER FOR

REFUGEES (UNHCR) IN ADMINISTERING THE CAMPS AT NAPHO.

UNDE014PRECEDENCE = 0021CLASS = UNCLAS 015OSRI = RUEHC 020DTG = 0722
ASYLUM SEEKERS ARE CONSIDERED ILLEGAL IMMIGRANTS SUBJECT TO DEPORTATION, BUT THAILAND CONTINUED TO PERMIT BURMESE ASYLUM SEEKERS TO REMAIN IN CAMPS ALONG THE THAI-BURMA BORDER AND NEAR BANGKOK. WHILE BURMESE OUTSIDE OF CAMPS WERE ARRESTED PERIODICALLY AND SENT TO BORDER AREAS NOT CONTROLLED BY THE BURMESE GOVERNMENT, THE GOVERNMENT DID NOT DEPORT ANY BURMESE RECOGNIZED BY THE UNHCR AS A "PERSON OF CONCERN." AT YEAR'S END, A NUMBER OF BURMESE DISSIDENTS, DETAINED AS ILLEGAL IMMIGRANTS, REMAINED IN IMMIGRATION DETENTION CENTERS IN CENTRAL THAILAND.

RESIDENTS OF THE "SAFE AREA" FIRST ASYLUM CAMP FOR BURMESE DISSIDENTS IN RATCHABURI PROVINCE HAD REGULAR ACCESS TO THE UNHCR, WHICH CONCLUDED THAT CONDITIONS AT THE SAFE AREA MEET BROADLY ACCEPTED INTERNATIONAL STANDARDS FOR THE PROTECTION AND WELFARE OF ASYLUM SEEKERS. THE SAFE AREA IS OPEN TO ALL BURMESE PERSONS OF CONCERN, WHETHER OR NOT THEY PREVIOUSLY REGISTERED WITH THE THAI GOVERNMENT. BY YEAR'S END, OVER 400 BURMESE PERSONS OF CONCERN RESIDED THERE, AND THE CAMP IS EXPANDING FACILITIES, INCLUDING HOUSING.

OVER 100,000 ETHNIC MINORITY BURMESE AND ALMOST 2,000 BURMESE STUDENTS AND DISSIDENTS CONTINUED TO RESIDE IN SOME 30 CAMPS IN THAILAND ALONG THE THAI-BURMA BORDER. SEVERAL CAMPS WERE FORCED TO EVACUATE BECAUSE OF CROSS-BORDER ATTACKS FROM BURMA, AND THE GOVERNMENT ANNOUNCED PLANS TO CONSOLIDATE SOME CAMPS. THAILAND CONTINUED TO PERMIT VOLUNTARY AGENCIES AND THE UNHCR TO PROVIDE FOOD, MEDICAL, AND SANITATION ASSISTANCE ALONG THE BORDER.

THE THAIS ALLOWED KAREN REFUGEES REFUGE FOLLOWING THE FALL OF KAREN STRONGHOLDS AT MANERPLAW AND KAWMOORA IN FEBRUARY. IN LATER MONTHS, TROOPS FROM INSIDE BURMA, INCLUDING SOME AFFILIATED WITH THE DISSIDENT KAREN FACTION, THE DEMOCRATIC KAREN BUDDHIST ARMY, ATTACKED AND BURNED SEVERAL KAREN REFUGEE CAMPS WITHIN THAILAND, KIDNAPING SOME KAREN CHRISTIAN LEADERS. THERE WERE SEVERAL VIOLENT INCIDENTS ALONG THE BORDER IN 1995. IN MARCH A TRUCK CARRYING NGO-PROVIDED RICE TO KAREN REFUGEES WAS ATTACKED BY UNKNOWN ASSAILANTS AND THE DRIVER WAS KILLED. ON MAY 3, THREE THAI BORDER POLICE WERE KILLED, WHICH PROMPTED THE THAI ARMY TO INTERVENE MILITARILY, STRAFING KAREN BUDDHIST ARMY POSITIONS. THE NUMBER OF SECURITY INCIDENTS DECREASED DURING THE RAINY SEASON, BUT RESUMED LATE IN THE YEAR. OSTENSIBLY FOR SECURITY REASONS, THE GOVERNMENT ANNOUNCED PLANS TO CONSOLIDATE KAREN REFUGEES FROM 20 SEPARATE CAMPS TO 7, INCLUDING ONE CAMP OF OVER 20,000 AT MAE LA. THE GOVERNMENT ALSO BEGAN CONSIDERATION OF CONSOLIDATING KARENNI CAMPS, THOUGH AT YEAR'S END NO ACTION HAD BEEN TAKEN TO DO SO. FARTHER SOUTH, MON LEADERS CONTINUED NEGOTIATIONS WITH THE BURMESE GOVERNMENT OVER REPATRIATION PLANS, AND MON REFUGEES MAY START RETURNING

HOME AS EARLY AS JANUARY 1996. OUTSTANDING ISSUES INCLUDED WHETHER REPATRIATIONS WOULD BE VOLUNTARY, WHETHER ASSISTANCE FOR REPATRIATES WOULD BE FOR 6 OR 12 MONTHS, AND WHETHER NGO'S COULD PROVIDE LONG-TERM DEVELOPMENT AID TO THE MON. IN THE EAST, THAILAND ACCEPTED SMALL NUMBERS OF NEW ARRIVALS FLEEING FIGHTING IN CAMBODIA.

SECTION 3 RESPECT FOR POLITICAL RIGHTS: THE RIGHT OF CITIZENS TO CHANGE THEIR GOVERNMENT

FOR THE FIRST TIME IN THAILAND'S HISTORY, THERE WAS A PEACEFUL TRANSITION FROM ONE DEMOCRATICALLY ELECTED GOVERNMENT TO ANOTHER IN JULY, DEMONSTRATING THAT DEMOCRATIC INSTITUTIONS ARE GAINING STRENGTH. AN IMPORTANT STEP TOWARD DECENTRALIZATION WAS THE FIRST EVER ELECTION FOR SEATS ON THE "TAMBON" (SUBDISTRICT) COUNCILS IN MAY. THE MILITARY'S ROLE IN POLITICS HAS SIGNIFICANTLY DECLINED SINCE THE 1992 ELECTIONS, AND THE THAI MILITARY NOW SEEMS INCREASINGLY SUPPORTIVE OF CIVILIAN GOVERNMENT AND DEMOCRACY.

WHILE THERE ARE NO LEGAL RESTRICTIONS ON POLITICAL PARTICIPATION, WOMEN ARE GENERALLY UNDERREPRESENTED IN NATIONAL POLITICS, ESPECIALLY AT THE SENIOR LEVELS. ALSO, THE ARMY STILL PROHIBITS WOMEN FROM BECOMING GENERALS, AND WOMEN ARE NOT ALLOWED TO ATTEND MILITARY ACADEMIES OR THE ARMY GENERAL STAFF COLLEGE. HOWEVER, THE NUMBER OF WOMEN IN LOCAL AND NATIONAL POLITICS HAS CONTINUED TO INCREASE. THERE IS ONE WOMAN IN THE BANHARN GOVERNMENT WHO HAS A CABINET PORTFOLIO, THAT OF DEPUTY MINISTER OF THE INTERIOR. THE CURRENT CONTINGENT OF 24 FEMALE MEMBERS OF PARLIAMENT--OUT OF AN ELECTED TOTAL OF 391--IS A CONSIDERABLE INCREASE OVER THE 15 PRESENT IN THE PREVIOUS ADMINISTRATION, AND RANKS AS THE LARGEST IN THAI HISTORY TO DATE.

NO LAWS PROHIBIT THE PARTICIPATION OF ETHNIC MINORITIES, BUT FEW HOLD POSITIONS OF AUTHORITY IN NATIONAL POLITICS OR THE CIVIL SERVICE. ETHNIC MINORITIES IN THE NORTH OFTEN LACK DOCUMENTATION OF THAI CITIZENSHIP, EFFECTIVELY BARRING THEIR PARTICIPATION IN THE POLITICAL PROCESS (SEE SECTION 5). MUSLIMS FROM SOUTHERN THAILAND HOLD SIGNIFICANT POSTS IN THE GOVERNMENT.

SECTION 4 GOVERNMENTAL ATTITUDE REGARDING INTERNATIONAL AND NONGOVERNMENTAL INVESTIGATION OF ALLEGED VIOLATIONS OF HUMAN RIGHTS

LOCAL HUMAN RIGHTS ORGANIZATIONS OPERATE WITHOUT GOVERNMENT RESTRICTION. INTERNATIONAL HUMAN RIGHTS NGO'S GENERALLY WORK FREELY IN THAILAND ON CONTROVERSIAL ISSUES. ALTHOUGH THE GOVERNMENT SOMETIMES CRITICIZES THESE GROUPS FOR BEING POLITICALLY MOTIVATED AND BIASED, IT GENERALLY HAS NEITHER PENALIZED NOR SUPPRESSED HUMAN RIGHTS OBSERVERS.

SECTION 5 DISCRIMINATION BASED ON RACE, SEX, RELIGION,

DISABILITY, LANGUAGE, OR SOCIAL STATUS

THE CONSTITUTION PROVIDES FOR EQUAL TREATMENT UNDER THE LAW IRRESPECTIVE OF RACE, SEX, RELIGION, DISABILITY, LANGUAGE, OR SOCIAL STATUS. IN PRACTICE, SOME DISCRIMINATION EXISTS AND ENFORCEMENT OF EQUAL PROTECTION STATUTES IS UNEVEN.

WOMEN

RELIABLE STATISTICS INDICATE THAT DOMESTIC ABUSE CROSSES ALL SOCIAL CLASSES. ONE NGO ESTIMATES THAT AS MANY AS 50 PERCENT OF WOMEN IN BANGKOK'S SLUM AREAS ARE VICTIMS OF ABUSE. POLICE DO NOT ENFORCE LAWS AGAINST SUCH VIOLENCE VIGOROUSLY, AND DOMESTIC VIOLENCE OFTEN GOES UNREPORTED. UNDER THE CRIMINAL CODE, SPOUSAL AND CHILD ABUSE IS COVERED UNDER ASSAULT PROVISIONS, BUT RULES OF EVIDENCE OFTEN MAKE PROSECUTING SUCH CASES DIFFICULT. BEGINNING IN 1994, POLICE BEGAN TO USE A FEMALE TEAM TO HANDLE RAPE AND ABUSE CASES TO ENCOURAGE MORE VICTIMS TO REPORT THESE ABUSES.

PROSTITUTION, ALTHOUGH ILLEGAL, FLOURISHES AND IS DEEPLY INGRAINED. ESTIMATES OF THE NUMBERS OF WOMEN AND CHILDREN ENGAGED IN PROSTITUTION VARY WIDELY BECAUSE OF TEMPORARY SEX WORKERS AND THE MIGRATORY NATURE OF PROSTITUTION. RELIABLE NGO'S GENERALLY BELIEVE THE GOVERNMENT'S ACCOUNTING OF 100,000 PROSTITUTES IN THAILAND IS LOW; MOST ESTIMATE THE NUMBER CLOSER TO 250,000.

PROSTITUTION EXPOSES WOMEN TO A NUMBER OF HUMAN RIGHTS ABUSES, AS WELL AS A HIGH RISK OF CONTRACTING AIDS. SOME WOMEN ARE FORCED INTO PROSTITUTION, ALTHOUGH THE NUMBER OF SUCH CASES IS DIFFICULT TO DETERMINE. INCIDENTS OF COERCED PROSTITUTION MOST COMMONLY INVOLVE NON-THAI WOMEN FROM HILL TRIBES OR NEIGHBORING COUNTRIES, AND THE NUMBER OF SUCH WOMEN ENTERING THAILAND TO WORK AS PROSTITUTES CONTINUED TO RISE. BECAUSE THEY CANNOT SPEAK THAI, AND ARE CONSIDERED ILLEGAL IMMIGRANTS, THESE WOMEN ARE PARTICULARLY VULNERABLE TO PHYSICAL ABUSE, CONFINEMENT, AND EXPLOITATION. SOME WOMEN ARE LURED WITH PROMISES OF JOBS AS WAITRESSES OR DOMESTICS, BUT ARE THEN FORCED TO WORK AS PROSTITUTES. AS ILLEGAL IMMIGRANTS, SUCH WOMEN HAVE NO RIGHT TO LEGAL COUNSEL OR HEALTH CARE IF ARRESTED.

HUMAN RIGHTS MONITORS BELIEVE THAT THE MAJORITY WHO ENGAGE IN PROSTITUTION ARE NOT KEPT UNDER PHYSICAL CONSTRAINT, BUT LABOR IN DEBT BONDAGE. BROTHEL PROCURERS OFTEN ADVANCE PARENTS A SUBSTANTIAL SUM AGAINST THEIR DAUGHTER'S FUTURE EARNINGS, OFTEN WITHOUT THE CONSENT OF THE YOUNG WOMAN INVOLVED. THE WOMEN ARE THEN OBLIGATED TO WORK IN A BROTHEL IN ORDER TO PAY BACK THE LOAN.

THE GOVERNMENT AND NGO'S HAVE SET UP VOCATIONAL TRAINING AND EDUCATION PROGRAMS TO COMBAT THE LURE OF PROSTITUTION FOR YOUNG THAI WOMEN AND THEIR FAMILIES, AND THE GOVERNMENT HAS PLANS TO EXPAND THESE PROGRAMS IN THE NEAR

FUTURE. DESPITE OCCASIONAL HIGH-PROFILE RAIDS ON BROTHELS, HOWEVER, IT HAS FAILED TO ENFORCE EFFECTIVELY LAWS AGAINST PROSTITUTION, AND, IN MANY CASES, BROTHELS PAY OFF LOCAL GOVERNMENT REPRESENTATIVES AND POLICE. THERE CONTINUE TO BE CREDIBLE REPORTS OF CORRUPT POLICE INVOLVEMENT IN TRAFFICKING SCHEMES AND OF POLICE ASSISTING BROTHEL OWNERS IN TRACKING DOWN AND RETURNING WOMEN WHO HAVE ESCAPED FROM THEIR ESTABLISHMENTS.

UNDER THE CURRENT PENAL CODE, PROSTITUTES ARE CONSIDERED CRIMINALS, WHEREAS BROTHEL OWNERS, PROCURERS, AND CLIENTS ARE NOT SUBJECT TO CRIMINAL STATUTES. IN AUGUST THE CABINET APPROVED DRAFT LEGISLATION THAT WOULD FURTHER CRIMINALIZE THOSE INVOLVED IN THE TRAFFICKING OF WOMEN AND CHILDREN FOR THE PURPOSE OF PROSTITUTION OR SLAVE LABOR; CLIENTS OF CHILD PROSTITUTES WOULD ALSO BE SUBJECT TO CRIMINAL PROSECUTION UNDER THE LEGISLATION. AT YEAR'S END, THE DRAFT LEGISLATION WAS UNDER CONSIDERATION BY PARLIAMENT'S COMMITTEE ON WOMEN, YOUTH, AND THE ELDERLY.

WOMEN GENERALLY HAVE EQUAL LEGAL RIGHTS, BUT INEQUALITIES REMAIN IN DOMESTIC LAW. WHEREAS A MAN MAY SUE FOR DIVORCE ON THE GROUNDS THAT HIS WIFE HAS COMMITTED ADULTERY, A WOMAN FACES THE ADDITIONAL LEGAL BURDEN OF PROVING HER HUSBAND HAS MAINTAINED OR HONORED ANOTHER WOMAN IN A MANNER EQUAL TO HIS WIFE. WOMEN FACE MORE STRINGENT PASSPORT REQUIREMENTS THAN MEN (SEE SECTION 2.D.).

STATISTICS COMPILED BY THE GOVERNMENT AND NGO'S CONCERNED WITH WOMEN'S ISSUES NOTE THAT WOMEN REPRESENT 47 PERCENT OF THE ECONOMICALLY ACTIVE POPULATION AND THEIR NUMBERS HAVE INCREASED IN PROFESSIONAL POSITIONS. GOVERNMENT REGULATIONS REQUIRE EMPLOYERS TO PAY THE SAME WAGES AND BENEFITS FOR SIMILAR WORK REGARDLESS OF SEX. THERE IS A SIGNIFICANT GAP BETWEEN AVERAGE SALARIES EARNED BY MEN AND WOMEN AS A RESULT OF THE CONCENTRATION OF WOMEN IN TRADITIONALLY LOWER PAYING JOBS.

NGO'S CONCERNED WITH THE STATUS OF WOMEN HAVE PRESSED THE GOVERNMENT TO ABOLISH DISCRIMINATORY PRACTICES WITHIN THE CIVIL SERVICE. CONSTITUTIONAL AMENDMENTS PASSED IN EARLY 1995 INCLUDED A NEW PROVISION, ARTICLE 24, STIPULATING THE EQUALITY OF MEN AND WOMEN, AND THE GOVERNMENT HAS SAID THAT ITS FORTHCOMING EIGHTH NATIONAL ECONOMIC AND SOCIAL DEVELOPMENT PLAN WOULD BE PARTICULARLY CONCERNED WITH THE ROLE OF WOMEN IN THAILAND'S DEVELOPING ECONOMY.

CHILDREN

ALTHOUGH THE GOVERNMENT CONTINUED TO DEMONSTRATE ITS COMMITMENT TO IMPROVE THE HEALTH AND WELFARE OF CHILDREN THROUGH EDUCATION AND HEALTH PROGRAMS, THE GOVERNMENT WAS LESS SUCCESSFUL IN IMPLEMENTING POLICIES TO TACKLE MORE DIFFICULT ISSUES LIKE CHILD PROSTITUTION. WHILE THE GOVERNMENT CLAIMS TO BE COMMITTED TO ELIMINATING CHILD PROSTITUTION, IT HAS FAILED TO ENFORCE THE CURRENT LIMITED LAWS AGAINST CHILD PROSTITUTION. IN 1995 THE

GOVERNMENT APPROVED DRAFT LEGISLATION THAT WOULD REVISE THE CRIMINAL CODE TO TOUGHEN THE LAWS REGARDING ABUSE OF CHILDREN UNDER 18 YEARS OF AGE, AND WHICH INCLUDES ESPECIALLY SEVERE PENALTIES FOR VIOLATIONS PERPETRATED AGAINST CHILDREN UNDER 15. EARLY IN 1995, THE POLICE ENGAGED IN A NUMBER OF HIGHLY PUBLICIZED RAIDS ON BARS AND NIGHTCLUBS IN SEARCH OF UNDERAGE SEX WORKERS. THERE ARE NO RELIABLE STATISTICS ON THE NUMBER OF CHILDREN INVOLVED IN THE SEX INDUSTRY, BUT RECENT SURVEYS INDICATE THAT NEARLY HALF OF THE WOMEN INVOLVED IN PROSTITUTION BEGAN WORKING BEFORE THE AGE OF 18.

CHILDREN ARE FREQUENT VICTIMS OF THE AIDS EPIDEMIC. THERE ARE INDICATIONS THAT THE DEMAND FOR CHILD PROSTITUTES MAY BE GROWING AS PATRONS BELIEVE THAT YOUNGER WOMEN ARE LESS LIKELY TO BE INFECTED WITH HIV. THERE IS A SMALL, BUT RAPIDLY GROWING, NUMBER OF BABIES BORN TO HIV-INFECTED MOTHERS. IN AUGUST THE MINISTRY OF PUBLIC HEALTH'S RURAL HEALTH DIVISION REPORTED THAT THERE WERE 10,000 HIV-INFECTED INFANTS IN THE NORTHERN PART OF THE COUNTRY ALONE. THOSE WHO ARE NOT INFECTED THEMSELVES MAY BE ORPHANED WHILE STILL IN CHILDHOOD, AND ARE OFTEN DISCRIMINATED AGAINST AS AN EXTENSION OF THE SOCIAL STIGMA DIRECTED AGAINST THEIR PARENTS.

THE CRIMINAL CODE PROVIDES FOR THE PROTECTION OF CHILDREN FROM ABUSE, AND LAWS ON RAPE AND ABANDONMENT PROVIDE FOR HARSHER PENALTIES WHEN THE VICTIM IS A CHILD. AS IN THE CASE OF DOMESTIC VIOLENCE AGAINST WOMEN, POLICE ARE OFTEN RELUCTANT TO PURSUE ABUSE CASES, AND RULES OF EVIDENCE MAKE PROSECUTION OF CHILD ABUSE CASES DIFFICULT.

PEOPLE WITH DISABILITIES

THE GOVERNMENT AGAIN TOOK FEW STEPS TO IMPLEMENT PROVISIONS IN THE DISABLED REHABILITATION LAW THAT ESTABLISHED A QUOTA SYSTEM AND EMPLOYER INCENTIVES FOR HIRING THE DISABLED. ANOTHER REGULATION REQUIRING FACTORIES TO HIRE 1 DISABLED PERSON FOR EVERY 200 NONDISABLED EMPLOYEES WAS ALSO NOT ENFORCED. THERE ARE NO LAWS MANDATING ACCESS TO PUBLIC FACILITIES FOR DISABLED PERSONS.

RELIGIOUS MINORITIES

MUSLIMS REPRESENT A SIGNIFICANT MINORITY WITHIN THAILAND AS A WHOLE AND CONSTITUTE THE MAJORITY IN THE FOUR SOUTHERNMOST PROVINCES THAT BORDER MALAYSIA. ALTHOUGH THE GOVERNMENT HAS ATTEMPTED TO INTEGRATE THE MUSLIM COMMUNITY INTO THAI SOCIETY THROUGH DEVELOPMENTAL EFFORTS AND EXPANDED EDUCATIONAL OPPORTUNITIES, SOCIETAL DISCRIMINATION REMAINS WIDESPREAD.

NATIONAL/RACIAL/ETHNIC MINORITIES

PROGRESS IN INTEGRATING ETHNIC MINORITIES INTO THAI SOCIETY IS LIMITED. ONLY HALF OF THE ESTIMATED 500,000 TO 800,000 MEMBERS OF HILL TRIBES REPORTEDLY POSSESS

DOCUMENTATION WHICH EITHER LISTS THEM AS CITIZENS OR WHICH PLACES THEM ON THE RECORD AS BEING ELIGIBLE FOR FUTURE CITIZENSHIP. THE REST LACK DOCUMENTATION, AND THUS ACCESS TO ADEQUATE EDUCATION AND HEALTH CARE. NONCITIZENS ARE ALSO BARRED FROM PARTICIPATING IN THE POLITICAL PROCESS. UNDOCUMENTED HILL TRIBE PEOPLE CANNOT OWN LAND AND ARE NOT SUBJECT TO LABOR LAWS, INCLUDING MINIMUM WAGE REQUIREMENTS. IN 1995 THE CABINET APPROVED A PROPOSAL WHICH WOULD CONFER IMMIGRANT ALIEN STATUS UPON HILL TRIBE PEOPLE NOW RESIDENT IN THAILAND AND WOULD ALLOW THEIR CHILDREN TO BECOME THAI NATIONALS. IT ANNOUNCED PLANS TO FORM A COMMITTEE TO PROCESS HILL TRIBE MEMBERS FOR LEGAL STATUS, WITH CASELOAD COMPLETION ESTIMATED IN 7 YEARS.

APPROXIMATELY 45,000 VIETNAMESE WHO FLED INDOCHINA IN THE 1940'S AND 1950'S RESIDE IN NORTHEASTERN THAILAND AND LIVE UNDER A SET OF LAWS AND REGULATIONS RESTRICTING THEIR MOVEMENTS, RESIDENCES, EDUCATION, AND OCCUPATIONS. THE GOVERNMENT HAS SLOWLY PURSUED A MORE LENIENT POLICY TOWARD LONGTIME VIETNAMESE RESIDENTS IN RECENT YEARS. THERE ARE ALSO APPROXIMATELY 40,000 NONCITIZEN CHINESE AND THEIR DESCENDANTS WHO LIVE IN BORDER AREAS. VERY FEW OF THESE PEOPLE HAVE THAI CITIZENSHIP, AND THE VAST MAJORITY MUST SEEK PERMISSION FROM LOCAL AUTHORITIES IN ORDER TO TRAVEL.

SECTION 6 WORKER RIGHTS

A. THE RIGHT OF ASSOCIATION

THERE WERE NO SIGNIFICANT CHANGES IN THE GENERAL LABOR ENVIRONMENT, EITHER IN TERMS OF NEW LEGAL INITIATIVES OR LABOR UNREST. LABOR LEADERS OBJECTED TO SEVERAL PROVISIONS IN THE FIRST DRAFT OF A NEW LABOR PROTECTION LAW, AND AT YEAR'S END WERE WORKING WITH A PARLIAMENTARY COMMITTEE TO MAKE ADJUSTMENTS.

THE LAW GRANTS FREEDOM OF ASSOCIATION TO PRIVATE SECTOR WORKERS. WORKERS HAVE THE RIGHT TO FORM AND JOIN UNIONS OF THEIR OWN CHOOSING WITHOUT PRIOR AUTHORIZATION; TO DECIDE ON THE CONSTITUTIONS AND RULES OF THESE ASSOCIATIONS AND UNIONS; TO EXPRESS THEIR VIEWS WITHOUT GOVERNMENT OR EMPLOYER INTERFERENCE; TO CONFEDERATE WITH OTHER UNIONS; TO RECEIVE PROTECTION FROM DISCRIMINATION, DISSOLUTION, SUSPENSION, OR TERMINATION BY ANY OUTSIDE AUTHORITY BECAUSE OF UNION ACTIVITIES; AND TO HAVE EMPLOYEE REPRESENTATION IN DIRECT NEGOTIATIONS WITH EMPLOYERS. HOWEVER, NO LAW EXPLICITLY PROTECTS WORKERS FROM DISCRIMINATION DUE TO THEIR PARTICIPATION IN ORGANIZING NEW UNIONS THAT HAVE NOT YET BEEN OFFICIALLY REGISTERED. UNION LEADERS REPORT THAT EMPLOYERS OFTEN DISCRIMINATE AGAINST WORKERS SEEKING TO ORGANIZE UNIONS.

WORKERS IN THE PUBLIC SECTOR DO NOT HAVE THE RIGHT TO FORM UNIONS. IN STATE ENTERPRISES, THE LAW ALLOWS WORKERS IN EACH STATE ENTERPRISE TO FORM A SINGLE "ASSOCIATION" AFTER AT LEAST 30 PERCENT OF THE

ENTERPRISE'S EMPLOYEES SUBMIT A PETITION TO THE MINISTRY OF LABOR TO REGISTER SUCH ASSOCIATION. THESE ASSOCIATIONS SUBMIT EMPLOYEE GRIEVANCES TO MANAGEMENT AND PROPOSE CHANGES IN BENEFITS AND WORKING CONDITIONS, BUT MAY NOT NEGOTIATE WAGES. ASSOCIATIONS DO NOT HAVE THE RIGHT TO CONFEDERATE OR TO JOIN PRIVATE SECTOR FEDERATIONS. UNOFFICIAL CONTACTS BETWEEN PUBLIC AND PRIVATE SECTOR UNIONS CONTINUE, HOWEVER, AND THE GOVERNMENT HAS NOT INTERFERED WITH THESE RELATIONSHIPS.

THE LAW DENIES ALL STATE ENTERPRISE WORKERS THE RIGHT TO STRIKE. IN THE PRIVATE SECTOR, TO BE CONSIDERED LEGAL A PROPOSED STRIKE MUST BE APPROVED BY A MAJORITY OF THE UNION MEMBERS IN A SECRET BALLOT AND BE REGISTERED BEFOREHAND WITH THE MINISTRY OF LABOR.

IN 1991 THE INTERNATIONAL LABOR ORGANIZATION (ILO) CRITICIZED LABOR LAW AMENDMENTS ADOPTED IN MARCH 1991 THAT DISSOLVED STATE ENTERPRISE UNIONS, TRANSFERRED THEIR ASSETS, LIMITED THE NUMBER OF ASSOCIATIONS WHICH MAY BE FORMED IN EACH STATE ENTERPRISE, SET RELATIVELY HIGH MINIMUM MEMBERSHIP REQUIREMENTS FOR ASSOCIATIONS, DENIED ASSOCIATIONS THE RIGHT TO AFFILIATE WITH PRIVATE SECTOR UNIONS, AND COMPLETELY FORBADE STRIKES IN STATE ENTERPRISES. THE GOVERNMENT HAS NOT VIGOROUSLY ENFORCED THESE RESTRICTIONS. THE RESTRICTIONS IN STATE ENTERPRISE LABOR LAW ARE A CONTINUING ILO CONCERN. SUCCESSIVE GOVERNMENTS HAVE PLEDGED TO PASS A NEW VERSION OF THE LAW THAT WOULD RESTORE FOR THE MOST PART THE RIGHTS ENJOYED BY STATE ENTERPRISE WORKERS PRIOR TO THE 1991 CHANGES. THE GOVERNMENT ELECTED IN JULY APPROVED A REVISED LAW IN THE CABINET IN AUGUST, AND IT PASSED THE FIRST OF THREE READINGS IN PARLIAMENT LATER THAT MONTH. AT YEAR'S END, THE LEGISLATION WAS PENDING SECOND AND THIRD READINGS.

THE GOVERNMENT HAS THE AUTHORITY TO RESTRICT PRIVATE SECTOR STRIKES THAT WOULD "AFFECT NATIONAL SECURITY OR CAUSE SEVERE NEGATIVE REPERCUSSIONS FOR THE POPULATION AT LARGE." THE GOVERNMENT SELDOM INVOKES THIS PROVISION AND DID NOT DO SO IN 1995. LABOR LAW ALSO FORBIDS STRIKES IN "ESSENTIAL SERVICES," DEFINED MUCH MORE BROADLY THAN THE ILO CRITERIA FOR SUCH SERVICES. NO STRIKES WERE DISAPPROVED ON THOSE GROUNDS IN 1995. THE NUMBER OF LEGAL STRIKES HAS AVERAGED FEWER THAN 10 ANNUALLY FOR THE PAST 10 YEARS; ALTHOUGH THERE WERE 12 IN THE FIRST 6 MONTHS OF 1995. THE LABOR MINISTRY REPORTED 29 ILLEGAL STRIKES DURING THE SAME PERIOD.

OVER HALF OF THE WORK FORCE IS EMPLOYED IN THE UNORGANIZED AGRICULTURAL SECTOR. LESS THAN 2 PERCENT OF THE TOTAL WORK FORCE, THOUGH NEARLY 11 PERCENT OF INDUSTRIAL WORKERS, IS UNIONIZED. CULTURAL TRADITIONS AND UNFAMILIARITY WITH THE CONCEPT OF INDUSTRIAL RELATIONS ARE OFTEN CITED AS THE REASON FOR LOW RATES OF LABOR ORGANIZATION.

WHILE VIOLENCE AGAINST LABOR LEADERS IS RARE, THE 1991 MYSTERIOUS DISAPPEARANCE OF OUTSPOKEN LABOR LEADER

THANONG PO-AN REMAINS UNSOLVED (SEE SECTION 1.B.).

THERE IS A LEGACY OF CORRUPT PUBLIC SECTOR UNION LEADERS WHO WERE EXPLOITED BY THE MILITARY, POLITICIANS, OR EMPLOYERS FOR THEIR OWN PURPOSES, BUT PRIVATE UNIONS GENERALLY OPERATE INDEPENDENTLY OF THE GOVERNMENT AND OTHER OUTSIDE ORGANIZATIONS. UNIONS ARE FREE TO ASSOCIATE INTERNATIONALLY WITH OTHER TRADE UNION ORGANIZATIONS, AND THEY MAINTAIN A WIDE VARIETY OF SUCH AFFILIATIONS.

B. THE RIGHT TO ORGANIZE AND BARGAIN COLLECTIVELY

THE 1975 LABOR RELATIONS ACT RECOGNIZES THE RIGHT OF PRIVATE SECTOR WORKERS TO ORGANIZE AND BARGAIN COLLECTIVELY AND DEFINES THE MECHANISMS FOR SUCH NEGOTIATIONS AND FOR GOVERNMENT-ASSISTED CONCILIATION AND ARBITRATION IN CASES UNDER DISPUTE. IN PRACTICE, GENUINE COLLECTIVE BARGAINING OCCURS ONLY IN A SMALL FRACTION OF WORKPLACES AND IN MOST INSTANCES CONTINUES TO BE CHARACTERIZED BY A LACK OF SOPHISTICATION ON THE PART OF EMPLOYEE GROUPS AND AUTOCRATIC ATTITUDES ON THE PART OF EMPLOYERS. WAGE INCREASES FOR MOST WORKERS COME AS A RESULT OF INCREASES IN THE MINIMUM WAGE, RATHER THAN AS A RESULT OF COLLECTIVE BARGAINING.

THE GOVERNMENT SETS WAGES FOR BOTH CIVIL SERVANTS AND STATE ENTERPRISE EMPLOYEES. A SYSTEM OF LABOR COURTS CREATED IN 1980 EXERCISES JUDICIAL REVIEW OVER MOST ASPECTS OF LABOR LAW FOR THE PRIVATE SECTOR. WORKERS MAY ALSO SEEK REDRESS FOR THEIR GRIEVANCES FROM THE TRIPARTITE LABOR RELATIONS COMMITTEE. REDRESS OF GRIEVANCES FOR STATE ENTERPRISE WORKERS IS HANDLED BY THE STATE ENTERPRISE LABOR RELATIONS COMMITTEE. LABOR LEADERS DID NOT INDICATE DISSATISFACTION WITH THE TREATMENT THEIR CONCERNS RECEIVE IN THESE FORUMS, EXCEPT THAT UNION LEADERS DISMISSED UNJUSTLY USUALLY ARE AWARDED ONLY MONETARY COMPENSATION.

NO SEPARATE LABOR LEGISLATION APPLIES TO EXPORT PROCESSING ZONES, WHERE WAGES AND WORKING CONDITIONS OFTEN ARE BETTER THAN NATIONAL NORMS BECAUSE OF THE PREPONDERANCE OF WESTERN AND JAPANESE-BASED MULTINATIONAL FIRMS.

C. PROHIBITION OF FORCED OR COMPULSORY LABOR

THE CONSTITUTION PROHIBITS FORCED OR COMPULSORY LABOR, EXCEPT IN THE CASE OF NATIONAL EMERGENCY, WAR, OR MARTIAL LAW. HOWEVER, THERE ARE REPORTS OF SWEATSHOPS IN THE INFORMAL SECTOR THAT PHYSICALLY RESTRAIN WORKERS FROM LEAVING THE PREMISES. THERE ARE NO ESTIMATES OF HOW MANY SUCH WORKSHOPS EXIST, BUT THE GROWING NUMBER OF ILLEGAL ALIENS, PARTICULARLY FROM BURMA, INCREASES THE OPPORTUNITIES FOR SUCH ABUSE.

FOR SEVERAL YEARS, THE ILO HAS CITED THAILAND FOR VIOLATIONS OF CONVENTION 29 ON FORCED LABOR. IN 1995

THAILAND WAS THE SUBJECT OF A STERN COUNTRY "OBSERVATION," BUT THE ILO DECLINED TO MAKE THAILAND THE SUBJECT OF A SPECIAL PARAGRAPH. THE PRIMARY FOCUS OF THE ILO CRITICISM IS FORCED CHILD LABOR, ESPECIALLY CHILD PROSTITUTION. SINCE THE ILO RAISED THESE CONCERNS, THE GOVERNMENT HAS COOPERATED IN SETTING UP IMPORTANT INSTITUTIONAL LINKS, PARTICULARLY WITH THE INTERNATIONAL PROGRAM ON THE ELIMINATION OF CHILD LABOR, TO HELP ADDRESS THE PROBLEM.

D. MINIMUM AGE FOR EMPLOYMENT OF CHILDREN

THE LEGAL MINIMUM AGE FOR EMPLOYMENT IS 13. NEARLY 90 PERCENT OF THAI CHILDREN COMPLETE SIX GRADES OF COMPULSORY EDUCATION AT AGE 12; ONLY 60 PERCENT OF 13 YEAR-OLDS ARE ENROLLED IN SEVENTH GRADE, BUT THE NUMBER IS INCREASING. THE LAW PERMITS THE EMPLOYMENT OF CHILDREN BETWEEN THE AGES OF 13 AND 15 ONLY IN "LIGHT WORK," WHERE THE LIFTING OF HEAVY LOADS AND EXPOSURE TO TOXIC MATERIALS OR DANGEROUS EQUIPMENT OR SITUATIONS IS RESTRICTED. THE EMPLOYMENT OF CHILDREN AT NIGHT (10 P.M. TO 6 A.M.), OR IN VENUES WHERE ALCOHOL IS SERVED, IS PROHIBITED BY LAW. AN ANALYSIS BASED ON POPULATION AND SCHOOL ENROLLMENT DATA SHOWS THAT BETWEEN 850,000 AND 1,480,000 CHILDREN WORK IN THAILAND, MOSTLY ON FAMILY FARMS. BETWEEN 240,000 AND 410,000 (2 TO 4 PERCENT OF THE 6 TO 14 AGE GROUP) ARE ESTIMATED TO BE IN URBAN EMPLOYMENT AT PARTICULAR RISK OF LABOR ABUSE.

THE MINISTRY OF LABOR HAS INCREASED THE NUMBER OF INSPECTORS SPECIFICALLY RESPONSIBLE FOR CHILD LABOR ISSUES, ALTHOUGH NOT ALL THESE OFFICERS ARE ENGAGED IN FULL-TIME INSPECTION WORK. ENFORCEMENT OF CHILD LABOR LAWS IS NOT RIGOROUS. THE INCLINATION WHEN DEALING WITH VIOLATORS IS TO NEGOTIATE PROMISES OF BETTER FUTURE BEHAVIOR, RATHER THAN TO SEEK PROSECUTION AND PUNISHMENT.

THE GOVERNMENT IS ALSO ADDRESSING THE PROBLEM OF CHILD LABOR BY EXTENDING COMPULSORY EDUCATION FROM 6 TO 9 YEARS.

6) A TRIPARTITE WAGE COMMITTEE CONSISTING OF GOVERNMENT, EMPLOYER, AND WORKER REPRESENTATIVES INCREASED THE DAILY LEGAL MINIMUM WAGE BY 7.5 PERCENT IN 1995. MINIMUM WAGE RATES NOW VARY BETWEEN DOLLARS 4.72 (118 BAHT) AND DOLLARS 5.80 (145 BAHT) PER DAY DEPENDING ON THE COST OF LIVING IN DIFFERENT PROVINCES. THIS WAGE IS NOT ADEQUATE TO SUPPORT THAI LAW, MOST BURMESE (AND OTHER NON-INDOCHINESE) FAMILY MEMBER FINANCIAL CONTRIBUTIONS, THE MINIMUM WAGE PROVIDES THE BASIS FOR A MARGINALLY ADEQUATE OVERALL STANDARD OF LIVING. HOWEVER, MORE THAN HALF OF WORKERS COUNTRYWIDE RECEIVE LESS THAN THE MINIMUM WAGE, ESPECIALLY IN THE PROVINCES. UNSKILLED MIGRANT WORKERS, AS WELL AS ILLEGAL ALIENS, OFTEN WORK FOR LESS THAN THE MINIMUM WAGE. THE MINISTRY OF LABOR IS RESPONSIBLE FOR ENSURING EMPLOYERS MEET MINIMUM WAGE REQUIREMENTS. DESPITE ENCOURAGEMENT OF EMPLOYEES TO REPORT VIOLATIONS TO LABOR INSPECTORS, ENFORCEMENT OF MINIMUM WAGE LAWS IS MIXED.

THE GOVERNMENT HAS NOT MANDATED A UNIFORM WORKWEEK FOR THE ENTIRE LABOR FORCE. BY REGULATION, COMMERCIAL EMPLOYEES WORK A MAXIMUM OF 54 HOURS PER WEEK, EMPLOYEES IN INDUSTRY WORK 48, AND THOSE IN "DANGEROUS" WORK SUCH AS IN THE CHEMICAL, PETROLEUM, MINING OR OTHER INDUSTRIES INVOLVING HEAVY MACHINERY, 42. TRANSPORTATION WORKERS ARE RESTRICTED TO NO MORE THAN 8 HOURS PER DAY. ENFORCEMENT OF THESE STANDARDS IS WEAK. THERE IS NO 24-HOUR REST PERIOD MANDATED BY LAW.

WORKING CONDITIONS VARY WIDELY. IN MEDIUM-SIZED AND LARGE FACTORIES, GOVERNMENT HEALTH AND SAFETY STANDARDS ARE OFTEN MAINTAINED, BUT LAX ENFORCEMENT OF SAFETY STANDARDS IS COMMON. IN THE LARGE INFORMAL SECTOR, THE HEALTH AND SAFETY ENVIRONMENT IS SUBSTANDARD. EMPLOYERS ARE ABLE TO IGNORE SAFETY REGULATIONS IN PART BECAUSE NONUNIONIZED WORKERS OFTEN DO NOT UNDERSTAND SAFETY AND HEALTH STANDARDS AND DO NOT REPORT VIOLATIONS. WHEN 188 WORKERS LOST THEIR LIVES IN THE MAY 1993 KADER TOY FACTORY FIRE NEAR BANGKOK, THE GOVERNMENT BROUGHT SUIT AGAINST EIGHT PERSONS, INCLUDING THE MANAGING DIRECTOR. THE CASE COMMENCED IN JUNE 1994 AND CONTINUED THROUGHOUT 1995 WITHOUT CONCLUSION. THERE IS NO LAW AFFORDING JOB PROTECTION TO EMPLOYEES WHO REMOVE THEMSELVES FROM DANGEROUS WORK SITUATIONS. THE MINISTRY OF LABOR PROMULGATES HEALTH AND SAFETY REGULATIONS REGARDING CONDITIONS OF WORK. LABOR INSPECTORS ARE RESPONSIBLE FOR ENFORCEMENT OF HEALTH AND SAFETY REGULATIONS; THE STRICTEST PENALTY IS 6 MONTHS IN JAIL.

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SSN: 6815
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PREC: ROUTINE
CLASS: UNCLASSIFIED
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LINE2: ZNR UUUUU ZZH
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LINE4: FM AMEMBASSY MANILA
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ORIG: AMEMBASSY MANILA
TO: RUEHGV/USMISSION GENEVA 2051
RUEHC/SECSTATE WASHDC 3416
RUEHGT/AMEMBASSY GUATEMALA 0193
RUEHBS/USEU BRUSSELS
RUEHKA/AMEMBASSY DHAKA 0740
RUEHSO/AMCONSUL SAO PAULO 0093
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RUEHKT/AMEMBASSY KATHMANDU 1130
RUEHBR/AMEMBASSY BRASILIA 0081
RUEHC/DEPT OF LABOR WASHINGTON DC
RUEHLM/AMEMBASSY COLOMBO 1182
RUEHBK/AMEMBASSY BANGKOK 4242
RUEHEG/AMEMBASSY CAIRO 0396
RUEHIL/AMEMBASSY ISLAMABAD 1880
RUEHJA/AMEMBASSY JAKARTA 0028
INFO: ////
SUBJ: CHILD LABOR PROGRESS IN THE PHILIPPINES
TEXT:
UNCLAS SECTION 01 OF 04 MANILA 005978

DEPT FOR DRL/LEA, EAP/RSP, EAP/PIMBS

DEPT PLEASE PASS DOL/ILAB FOR BOB SHEPARD AND SONIA ROSEN

E.O. 12958: N/A
TAGS: ELAB, PHUM, SOCI, ILO, AAFLI, RP
SUBJ: CHILD LABOR PROGRESS IN THE PHILIPPINES

REFS: (A) 95 MANILA 10897, (B) MANILA 2871 (NOTAL)

SUMMARY

1. THE EFFORT TO COMBAT AND ELIMINATE CHILD LABOR IN THE PHILIPPINES INVOLVES AN INTERNATIONAL COMPONENT (UNICEF, THE ILO, CHILD LABOR NGO'S), AN ACTIVIST LOCAL ANTI-CHILD LABOR NGO (KAMALAYAN DEVELOPMENT FOUNDATION - KDF), AND PHILIPPINE GOVERNMENT AGENCIES. AS PREVIOUSLY REPORTED (REF A), KDF HAS HAD SUPPORT FROM THE ASIAN-AMERICAN FREE LABOR INSTITUTE

(AAFLI) IN ENLISTING THE TRADE UNION CONGRESS OF THE PHILIPPINES (TUCP) AS AN ACTIVE LABOR MOVEMENT ALLY.

2. PROGRESS IN THE ANTI-CHILD LABOR CAMPAIGN HAS BEEN STIMULATED BY COOPERATIVE LINKS BETWEEN THESE COMPONENTS. THIS MESSAGE REPORTS ON THEIR ROLES AND ILLUSTRATES SOME OF THE RELATIONSHIPS ESTABLISHED BETWEEN THEM. END SUMMARY.

GOP AGENCIES

3. THE GOP'S LEAD ANTI-CHILD LABOR AGENCY IS THE DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE). THE DOLE INTERFACES WITH UNICEF AND THE ILO'S INTERNATIONAL PROGRAM FOR THE ELIMINATION OF CHILD LABOR (IPEC). IT ALSO COORDINATES EFFORTS BY OTHER GOP ORGANIZATIONS, SUCH AS THE DEPARTMENT OF JUSTICE (DOJ), DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD), DEPARTMENT OF EDUCATION, CULTURE AND SPORTS (DECS), NATIONAL BUREAU OF INVESTIGATION (NBI), AND THE PHILIPPINE NATIONAL POLICE (PNP). ALL THE ABOVE AGENCIES MAINTAIN A WORKING RELATIONSHIP WITH KAMALAYAN -- A RELATIONSHIP AMENABLE TO BOTH COOPERATION WITH THAT NGO AND INDEPENDENT CRITICISM FROM IT.

4. AN EXAMPLE OF GOP COMMITMENT TO THE ANTI-CHILD LABOR CAMPAIGN CAN BE FOUND IN DOLE'S OFFICIAL PUBLICATION, "PHILIPPINE LABOR." AN ARTICLE IN THAT PUBLICATION'S MAY 1996 ISSUE, PREPARED BY ILO/IPEC, REPORTS ON THE EXTENT OF THE CHILD LABOR PROBLEM IN THE PHILIPPINES AND EFFORTS TO COMBAT IT. THE BOTTOM LINE IS THAT THE GOP APPROACHES CHILD LABOR NOT ON THE BASIS OF DENIAL, BUT BY ACKNOWLEDGING THAT THE PROBLEM IS THERE AND MUST BE FACED WITHOUT EMBARRASSMENT.

ILO/IPEC

5. EXCERPTS FROM THE TEXT OF THE "PHILIPPINE LABOR" ILO/IPEC ARTICLE FOLLOW:

IN MINING TUNNELS SEEKING GOLD, IN SUGAR PLANTATIONS CUTTING CANE AND CARRYING HEAVY LOADS, IN VIDEOKE BARS AND RECREATION PARLORS PERFORMING FOR PAYING CUSTOMERS, IN HOME INDUSTRIES, IN DEEP SEA-DIVING, THOUSANDS OF FILIPINO CHILDREN CONTINUE TO SACRIFICE THEIR PRESENT AND THEIR FUTURE FOR A CHANCE TO CONTRIBUTE, IN NO SMALL WAY, TO FAMILY SURVIVAL.

THESE ARE THE CHILDREN THAT (IPEC SEEKS TO HELP)... IPEC PHILIPPINES WAS LAUNCHED IN FEBRUARY 1995 AS PART OF THE DOLE'S EFFORTS TO INTENSIFY, STRENGTHEN AND INVIGORATE THE PHILIPPINE NATIONAL CHILD LABOR PROGRAM... IPEC IN 1995 SUPPORTED 18 MAJOR ACTION AND 19 SMALLER-SIZED PROGRAMS ALL OVER THE COUNTRY WITH A TOTAL VALUE OF U.S. \$721,000.

DEPARTING FROM USUAL CHILD WELFARE PROGRAMS, THE PHILIPPINE-ILO INDICATIVE FRAMEWORK FOR ACTION FOCUSES ITS ATTENTION ON EIGHT PRIORITY GROUPS OF CHILDREN: CHILD VICTIMS OF TRAFFICKING, CHILDREN TRAPPED IN PROSTITUTION, CHILDREN IN SMALL SCALE MINING AND QUARRYING, CHILDREN IN

HOME BASED WORK, PARTICULARLY UNDER SUB-CONTRACTING ARRANGEMENTS, CHILDREN IN DOMESTIC SERVICE, CHILDREN IN PLANTATION AGRICULTURE AND COMMERCIAL FARMING, CHILDREN IN DEEP-SEA DIVING AND FISHING. SPECIAL ATTENTION IS ALSO GIVEN TO WORK DONE BY THE VERY YOUNG, THE GIRL CHILD, AND

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CHILDREN FROM SOCIALLY EXCLUDED GROUPS.

WHILE THE DOLE CONTINUES TO TAKE THE LEAD IN ILO/IPEC ACTIVITIES, IPEC CONTINUES TO EXPAND ITS (PROJECTS) WITH OTHER MINISTRIES, INCLUDING DECS AND DSWD. IPEC IS ALSO SEEKING GREATER LINKAGES WITH ILO'S TRIPARTITE PARTNERS - THE TRADE UNIONS AND EMPLOYERS' ORGANIZATIONS. A WIDE VARIETY OF NGOS ALSO TAKE PART IN AIDING SPECIFIC TARGET GROUPS.

IPEC PROGRAM SUPPORT COVERS A WIDE RANGE OF INTERVENTIONS, FROM POLICY AND PROGRAM DEVELOPMENT, TRAINING AND ADVOCACY, RESEARCH, DIRECT ACTION WITH CHILDREN. DIRECT ACTION CAN CONSIST OF (A) PREVENTIVE ACTIONS - THOSE THAT DETER THE EMPLOYMENT OF CHILDREN; (B) PROTECTIVE ACTIVITIES - THOSE THAT SEEK TO REMOVE HAZARDS FROM WORK, PROVIDE WORK ALTERNATIVES, OR OFFER DIRECT EDUCATIONAL AND HEALTH SERVICES TO CHILDREN; (C) WITHDRAWAL - THOSE THAT REMOVE CHILDREN FROM EXPLOITATIVE AND DANGEROUS WORK; (D) REHABILITATIVE - THOSE THAT HELP CHILDREN REINTEGRATE INTO NORMAL FAMILY AND SCHOOL LIFE....

FOR THE 1996-1997 BIENNIUM, THE ILO-IPEC PROGRAM HAS ALLOCATED NEARLY A MILLION DOLLARS FOR TECHNICAL COOPERATION. THE PROGRAM FOCUSES ON THREE MAIN INITIATIVES: EXPANDED PUBLIC AWARENESS AND UNDERSTANDING OF CHILD LABOR AS A LABOR ISSUE THROUGH A NATIONAL MEDIA CAMPAIGN; STRENGTHENED INSTITUTIONAL AND PROGRAM DEVELOPMENT THROUGH MAINSTREAMING INITIATIVES; AND INTENSIFIED DIRECT ACTION WITH CHILD WORKERS THROUGH DECENTRALIZED REGIONAL-BASED ACTIVITIES.

6. THE ILO/IPEC ARTICLE INCLUDES A LIST OF FUNDED PROJECTS.

- THE FIRST OF THESE IS THE STATISTICAL SURVEY SUPPORTED BY FUNDS FROM THE U.S. DEPARTMENT OF LABOR (REF B):
- NATIONAL STATISTICS OFFICE - FIRST NATIONWIDE DATABASE ON CHILD LABOR;
 - KAMALAYAN DEVELOPMENT CENTER - COMMUNITY SURVEILLANCE DETECTION IN (METRO MANILA) AND ORMOC, LEYTE;
 - VISAYAN FORUM - DIRECT OUTREACH SERVICES TO CHILD DOMESTIC WORKERS;
 - PATAMABA: THE NATIONAL NETWORK OF HOMEWORKERS;
 - INTERNATIONAL CATHOLIC CHILD BUREAU, PHILIPPINES;
 - STOP TRAFFICKING OF FILIPINOS - ADVOCACY ON THE ADMINISTRATION OF JUSTICE;
 - BUREAU OF WORKING CONDITIONS, DOLE - SPECIALIZED TRAINING OF THE LABOR INSPECTORATE;
 - OCCUPATIONAL SAFETY AND HEALTH CENTER - ACTION RESEARCH ON CHILDREN IN THE PYROTECHNICS INDUSTRY;
 - TUCP - INSTITUTIONALIZING CHILD LABOR PROGRAMS IN THE TRADE UNION MOVEMENT;
 - RELIGIOUS OF THE GOOD SHEPHERD - TRAINING SERVICES FOR CHILDREN AT RISK FOR PROSTITUTION;
 - (DOLE) INSTITUTE OF LABOR STUDIES - TRAINING OF PROGRAM IMPLEMENTORS ON CHILD LABOR;
 - COUNCIL FOR THE WELFARE OF CHILDREN - TRAINING OF CHILD LABOR ADVOCATES AMONG REPRESENTATIVES OF YOUTH ORGANIZATIONS.

KAMALAYAN

7. BEGUN IN LATE 1991, WITH A LIMITED GEOGRAPHIC BASE IN METRO MANILA, THE KDF HAS EXPANDED DRAMATICALLY. ITS

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DEPT FOR DRL/LEA, EAP/RSP, EAP/PIMBS

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E.O. 12958: N/A
TAGS: ELAB, PHUM, SOCI, ILO, AAFLI, RP

SUBJ: CHILD LABOR PROGRESS IN THE PHILIPPINES

RELATIONSHIP WITH AAFLI AND THE TUCP, DATING FROM EARLY 1994 (REF A), ENDED ITS DEPENDENCE ON A CLOSE RELATIONSHIP WITH DOLE AND IMPARTED TO IT A ROLE OF NATIONAL INFLUENCE. THE KDF NOW OPERATES NOT ONLY IN METRO MANILA AND SURROUNDING PROVINCES OF LUZON, BUT ALSO MAINTAINS REGIONAL OFFICES IN THE VISAYAS (ORMOC, LEYTE) AND MINDANAO (DAVAO). RECOGNIZING A NEED FOR LEGAL HELP IN PROSECUTING EMPLOYERS WHO EXPLOIT CHILDREN, THE KDF HAS BEGUN WORKING WITH ATENEO UNIVERSITY'S HUMAN RIGHTS CENTER. KDF'S INTERNATIONAL LINKS HAVE ALSO EXPANDED. KDF NOW NETWORKS WITH BANGKOK-BASED CHILD WORKERS IN ASIA (CWA), SOUTH ASIAN COALITION ON CHILD SERVITUDE (SACCS) AFFILIATE BLLF (THE BONDED LABOUR LIBERATION FRONT) IN PAKISTAN, AND THE ANTI-SLAVERY INTERNATIONAL IN LONDON. IN AUGUST, KDF EXECUTIVE DIRECTOR ALEX APIT PLANS TO ATTEND THE WORLD CONGRESS AGAINST COMMERCIAL EXPLOITATION OF CHILDREN IN SWEDEN, WHERE HE HOPES TO MEET SACCS LEADER KAILASH SATYARTHI.

8. WHILE THE KDF HAS HAD GOOD RELATIONS WITH PHILIPPINE TELEVISION REPORTERS (WHO ON OCCASION HAVE ACCOMPANIED JOINT DOLE/NBI/KDF TEAMS IN RAIDS ON SUSPECTED CHILD LABOR EMPLOYERS), IT HAS NOT GAINED MUCH INTEREST THUS FAR AMONG PRINT MEDIA JOURNALISTS. KAMALAYAN'S MOST IMPORTANT LOCAL ALLY REMAINS THE TRADE UNION MOVEMENT, WHERE IT IS EXPANDING BEYOND ITS CONTACTS WITH THE TUCP.

KAMALAYAN AND THE TUCP

9. KAMALAYAN'S CLOSE TIES TO THE TUCP WERE VISIBLE ON MAY DAY, WHEN A KDF REPRESENTATIVE HELD A PLACE OF HONOR AT THE TUCP'S RALLY AND A KDF MAY DAY "STATEMENT" WAS DISTRIBUTED TO RALLY ATTENDEES. WRITTEN AS A SALUTE TO WORKERS ON LABOR DAY, THE STATEMENT SPOKE ABOUT CHILD LABOR IN TERMS THAT MILITANT TRADE UNIONISTS COULD UNDERSTAND.

10. EXCERPTS FROM THE KDF STATEMENT TEXT FOLLOW:

WE...CALL ON ALL FILIPINO WORKERS AND THEIR VARIOUS UNIONS, FEDERATIONS AND LABOR CENTERS TO EXTEND THEIR CONCERN TO THE PLIGHT OF CHILDREN IN LABOR OR DEEPEN SUCH CONCERN INTO CONCRETE ACTIONS FOR THE ELIMINATION OF CHILD LABOR. THERE ARE CHILDREN IN MANY FACTORIES, SWEATSHOPS, LIVESTOCK FARMS, PLANTATIONS, DOMESTIC WORK AND PROSTITUTION DENS. THEY ARE NOT ONLY MADE TO WORK LIKE ADULTS, THAT IS, TO PERFORM TASKS THAT ONLY ADULTS CAN DO, THEY ARE ALSO TREATED AS CHILDREN, THAT IS, AS UNQUALIFIED ONES TO WHOM, MANagements INSIST, THE LAWS ON THE HOURS OF WORK, MINIMUM WAGE, BENEFITS AND RIGHTS DO NOT APPLY. INDEED, WHILE THEY ARE DOING THE SAME WORK AS ADULTS AND ARE MADE TO WORK FOR EVEN LONGER HOURS, THESE CHILDREN ARE GIVEN ONLY THE CHEAPEST WAGES. AND MANY OF THEM ARE DOING HAZARDOUS WORK OR ARE WORKING IN HAZARDOUS ENVIRONMENTS SUCH AS THOSE EMPLOYED IN FACTORIES AND PLANTATIONS WHICH INVOLVE THE USE OF SHARP-BLADED TOOLS OR MACHINES, DANGEROUS CHEMICALS, OR OTHER MATERIALS, IN PYROTECHNICS, MINING, QUARRYING, FISHING, AND OTHERS....

THEY ARE NOT OUR COMPETITORS, MUCH LESS ANTAGONISTS. ON THE CONTRARY, THEY ARE OUR BROTHERS AND SISTERS IN THE UNIVERSAL FAMILY OF THE LABORING CLASS. MOREOVER, THEY ARE OUR CHILDREN. THUS, IT IS OUR GREAT RESPONSIBILITY TO LOOK FOR THEM, DISCOVER THEM AND COME TO THEIR AID. WE MUST ASSIST THEM EMANCIPATE THEMSELVES FROM BONDAGE, RESTORE THEMSELVES AND REINTEGRATE WITH THEIR FAMILIES, PEERS AND COMMUNITIES, AND FIGHT LEGAL BATTLES FOR THE SAKE OF JUSTICE. WE MUST ASSIST THEM RAISE THEIR CONSCIOUSNESS, ORGANIZE THEMSELVES, AND LAUNCH ACTIONS MEANT TO INAUGURATE REFORMS IN THE LAWS, GOVERNMENT ORGANIZATIONS, POLICE, ETC. AND AMONG EMPLOYERS AND RECRUITERS, REFORMS THAT ADVANCE THE CAUSE OF ELIMINATION OF CHILD LABOR.

YOU WHO ARE IN FACTORIES AND OTHER WORKPLACES AND YOU WHO
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DEPT FOR DRL/LEA, EAP/RSP, EAP/PIMBS

DEPT PLEASE PASS DOL/ILAB FOR BOB SHEPARD AND SONIA ROSEN

E.O. 12958: N/A

TAGS: ELAB, PHUM, SOCI, ILO, AAFLI, RP

SUBJ: CHILD LABOR PROGRESS IN THE PHILIPPINES

ARE ORGANIZED IN UNIONS ARE NO DOUBT IN THE BEST POSITION TO HELP THE CHILD WORKERS. LOOK FOR THEM IN YOUR WORKPLACES, NEIGHBORING WORKPLACES AND OTHER WORKPLACES, DISCOVER THEM, AND TREAT THEM AS YOUR BROTHERS AND SISTERS AND ALSO AS YOUR CHILDREN, AND SERVE THEM, WORK FOR THEIR EMANCIPATION AND DEVELOPMENT. BUILD THEIR SOCIAL AWARENESS, ORGANIZE THEM, BRING THEM INTO YOUR MOBILIZATIONS, AND JOIN THEM IN THEIR MOBILIZATIONS. EXTEND YOUR ORGANIZATIONS TO THEM AND MOBILIZE SUCH ORGANIZATIONS FOR THE CAUSE OF THEIR RIGHTS. USE YOUR ORGANIZATIONS TO PRESSURE MANAGERMENTS INTO COMPLIANCE WITH THE LAWS AND CHILD LABOR LAWS, THAT IS, INTO REJECTING CHILD LABOR, BANNING PARTICIPATION OF 15 TO 17 YEAR OLD WORKERS IN HAZARDOUS WORK, AND PROVIDING THEM ENOUGH PROTECTION AND OPPORTUNITIES FOR ADVANCEMENT AND DEVELOPMENT AS WORKERS AND AS HUMAN BEINGS.

AND BRING THE ISSUE OF CHILD LABOR INTO THE MAINSTREAM OF THE BROADER STRUGGLE FOR THE WORKERS' RIGHTS, JUSTICE AND DEVELOPMENT. IN ALL DIALOGUES, NEGOTIATIONS AND/OR CONFRONTATIONS WITH THE ECONOMIC AND POLITICAL POWERS, BE

SURE CHILD LABOR IS ONE AMONG THE PRIORITY ITEMS IN YOUR AGENDA. AND PRESS FOR CHANGES, IMPROVEMENTS, AND/OR DEVELOPMENTS IN POLICIES AND LEGISLATIONS THAT ADVANCE THE QUEST FOR THE ELIMINATION OF CHILD LABOR IN THE COUNTRY.

COMMENT

11. THE KDF HAS BEEN SENDING OUT THE MESSAGE THAT CHILD LABOR IS NOT CAUSED BY POVERTY BUT BY EXPLOITATION. TO THIS END, IT HAS SOUGHT TO ENLIST GRASS ROOTS WORKERS IN POOR COMMUNITIES WHERE CHILDREN ARE RECRUITED, TO EDUCATE PARENTS TO KEEP THEIR CHILDREN IN SCHOOL, AND TO FIND ALLIES AMONG TRADE UNIONS AND SOCIAL-MINDED NGO'S. KDF ACTIVITIES COMPLEMENT THOSE OF GOP AND INTERNATIONAL AGENCIES, WHICH OPERATE ON OFFICIAL, LEGAL, RESEARCH, AND FUNDING LEVELS. THE COMBINED RESULT HAS BEEN A MULTI-FACETED PROGRAM AIMED AT ELIMINATION, NOT ALLEVIATION, OF CHILD LABOR AND A SOCIETAL UNDERTAKING TO ACHIEVE THAT RESULT IN A FORESEEABLE FUTURE. NEGROPONTE

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SIT: LORIN MALLEY RAGAN SCHWARTZ

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ORIG: SECSTATE WASHDC
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RUEHBJ/AMEMBASSY BEIJING 0000
RUEHLM/AMEMBASSY COLOMBO 0000
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RUEHKT/AMEMBASSY KATHMANDU 0000
RUEHKG/AMEMBASSY KINGSTON 0000
RUEHKG/AMEMBASSY KUWAIT 0000
LABOR COLLECTIVE
RUEHLR/AMCONSUL LAHORE 0000
RUEHMU/AMEMBASSY MANAGUA 0000
RUEHPF/AMEMBASSY PHNOM PENH 0000
RUEHRB/AMEMBASSY RABAT 0000
RUEHSJ/AMEMBASSY SAN JOSE 0000
RUEHGP/AMEMBASSY SINGAPORE 0000
INFO: ////
SUBJ: REICH GENEVA PRESS CONFERENCE ON WORKER RIGHTS AND TRADE
TEXT:
UNCLAS STATE 123742

E.O. 12958: N/A
TAGS: ELAB PHUM ETRD ILO WTO
SUBJECT: REICH GENEVA PRESS CONFERENCE ON WORKER RIGHTS AND TRADE

1. THIS CABLE TRANSMITS A USIS TRANSCRIPT OF U.S. SECRETARY OF LABOR ROBERT REICH'S PRESS CONFERENCE IN GENEVA ON JUNE 11, 1996. IT IS ONE OF THE MOST COMPREHENSIVE HIGH LEVEL POLICY STATEMENTS ON THE SUBJECT OF WORKER RIGHTS AND TRADE AND WILL BE USEFUL IN PROMOTING U.S. VIEWS ON THIS HIGH PRIORITY ADMINISTRATION POLICY. POSTS MAY ALSO WISH TO MAKE USE OF SECRETARY REICH'S ADDRESS TO THE 83RD INTERNATIONAL LABOR CONFERENCE IN GENEVA, ALSO ON JUNE 11, WHICH WAS TRANSMITTED BY GENEVA 4248 TO THE LABOR COLLECTIVE, AND WHICH WILL BE REPEATED TO OTHER ADDRESSEES.

2. SUMMARY:

U.S. SECRETARY OF LABOR ROBERT REICH SAYS THAT PUBLIC SUPPORT FOR FREE TRADE WILL DETERIORATE UNLESS NATIONS

ADHERE TO INTERNATIONALLY RECOGNIZED LABOR STANDARDS.

"UNLESS CITIZENS HAVE CONFIDENCE THAT ALL NATIONS ARE OBSERVING THESE BASIC HUMAN RIGHTS, IT WILL BE MORE DIFFICULT TO JUSTIFY TO THEM ADDITIONAL LIBERALIZATION OF TRADE," REICH TOLD REPORTERS DURING A JUNE 11 PRESS CONFERENCE IN GENEVA.

REICH, WHO EARLIER THAT DAY ADDRESSED A PLENARY SESSION OF THE INTERNATIONAL LABOR ORGANIZATION (ILO), SAID THAT THE CLINTON ADMINISTRATION VIEWS THE ESTABLISHMENT OF A WORKING PARTY ON THE SUBJECT OF CORE LABOR STANDARDS WITHIN THE WORLD TRADE ORGANIZATION TO BE AN IMPORTANT STEP TOWARD PROMULGATION OF THOSE STANDARDS AROUND THE WORLD.

HE ALSO SAID THAT HE SENSED A GREATER WILLINGNESS OF MINISTERS TO DISCUSS THE LABOR-TRADE LINK COMPARED TO TWO YEARS AGO WHEN HE FIRST ADDRESSED THE ILO ON THIS ISSUE.

REICH POINTED OUT THAT U.S. CONSUMERS ARE INCREASINGLY RELUCTANT TO BUY GOODS MADE IN SWEATSHOPS OR PRODUCED FROM THE LABOR OF VERY YOUNG CHILDREN.

END SUMMARY.

3. (BEGIN TRANSCRIPT)

SECRETARY REICH: THANK YOU VERY MUCH. SINCE YOU'VE ALREADY BEEN BURDENED WITH MY PREPARED REMARKS, LET ME JUST ADD A VERY FEW WORDS, AND THEN ANSWER ANY QUESTIONS YOU HAVE.

I MET EARLIER TODAY WITH THE DIRECTOR-GENERAL OF THE WORLD TRADE ORGANIZATION AND MADE SEVERAL OF THE SAME POINTS THAT I MADE TODAY IN MY PREPARED REMARKS. THE MAIN ISSUE IS SIMPLY THIS: THERE ARE "CORE LABOR STANDARDS" WHICH EVERY NATION IN THE WORLD SUBSCRIBES TO, AT LEAST BY THE LETTER OF THE LAW. SOME NATIONS DO NOT IMPLEMENT THESE CORE LABOR STANDARDS, BUT THEY DO REPRESENT ASPIRATIONS THAT ARE MORE OR LESS UNIVERSAL. THESE CORE LABOR STANDARDS ARE DIFFERENT FROM THE LEVEL OF WAGES, OR THE PRECISE LEVEL OF WORKING CONDITIONS IN VARYING NATIONS. WAGE LEVELS, AND LEVELS OF WORKING CONDITIONS, WILL OBVIOUSLY VARY ACCORDING TO A NATION'S ABILITY TO AFFORD THEM. TO THAT EXTENT, WAGES AND MANY WORKING CONDITIONS ARE "DEVELOPMENTAL." AS A NATION DEVELOPS, WE EXPECT MEDIAN WAGES TO INCREASE AND WORKING CONDITIONS TO IMPROVE.

BUT CORE LABOR STANDARDS -- AS WE ARE BEGINNING TO UNDERSTAND THEM, AS THE ILO HAS DEFINED THEM, AS THEY'RE BEGINNING TO BE DEFINED ELSEWHERE -- ARE UNIVERSAL STANDARDS WHICH SHOULD NOT VARY ACCORDING TO A NATION'S ABILITY TO AFFORD THEM. THEY'RE NOT QUESTIONS OF WHAT CAN BE AFFORDED; THEY'RE QUESTIONS OF BASIC RIGHTS AT THE WORKPLACE. THESE CORE LABOR STANDARDS INCLUDE THE RIGHT NOT TO BE ENSLAVED OR BONDED AT WORK; THE RIGHTS OF YOUNG

CHILDREN NOT TO WORK; THE RIGHT OF FREE ASSOCIATION AND THE RIGHT TO FORM A UNION; AND THE RIGHT AGAINST DISCRIMINATION -- DISCRIMINATION BASED ON RACE OR RELIGION OR OTHER CHARACTERISTICS HAVING NOTHING TO DO WITH THE QUALIFICATIONS TO WORK.

TOMORROW WE WILL BE TALKING MORE SPECIFICALLY ABOUT THE RIGHTS OF YOUNG CHILDREN AND THE PROBLEM OF CHILD LABOR AROUND THE WORLD. I WILL BE TALKING TO A GREATER EXTENT ABOUT THAT. BUT IT SEEMS TO ME THAT WE NEED TO DISTINGUISH THESE CORE LABOR STANDARDS FROM DEVELOPMENTAL STANDARDS -- IN ORDER TO ALLAY THE FEARS OF SOME NATIONS THAT, BY DISCUSSING THESE CORE LABOR STANDARDS IN THE CONTEXT OF THE WORLD TRADE ORGANIZATION, WE THEREBY INVITE PROTECTIONISM OR CREATE A PRETEXT FOR PROTECTIONISM. THAT IS NOT THE CASE. I BELIEVE THE WORK OF THE ILO ON CORE LABOR STANDARDS IS VITALLY IMPORTANT. BUT IT IS FAR TOO EASY TO ASSIGN THE ILO THIS WORK -- THE WORK OF ENCOURAGING THE DEVELOPMENT OF CORE LABOR STANDARDS, OF ENCOURAGING COUNTRIES TO ADHERE TO CORE LABOR STANDARDS -- AND TO SIMPLY ASSUME THAT NO OTHER ORGANIZATION, NO OTHER INTERNATIONAL BODY, NO OTHER FORUM, IS AN APPROPRIATE PLACE IN WHICH TO APPLY THE ILO'S WORK. THE WORLD TRADE ORGANIZATION IS, IN THE VIEW OF THE UNITED STATES, AN APPROPRIATE FORUM IN WHICH TO DISCUSS CORE LABOR STANDARDS, AND VARIOUS NATIONS' RECOGNITION IN FACT -- NOT AS A MATTER OF PRINCIPLE OR ASPIRATION -- OF THOSE CORE LABOR STANDARDS.

IN ADDITION TO THE JUSTIFIABLE CONCERNS OF A HUMANITARIAN NATURE, THERE IS ALSO A POLITICAL CONCERN. UNLESS PEOPLE AROUND THE WORLD FEEL CONFIDENT THAT OTHER NATIONS ARE OBSERVING CORE LABOR STANDARDS, IT WILL BECOME INCREASINGLY DIFFICULT AS A POLITICAL BATTLE TO CONVINCING VOTERS TO SUPPORT ADDITIONAL FREE TRADE MEASURES, ADDITIONAL LIBERALIZATION OF FREE TRADE. UNLESS CITIZENS HAVE CONFIDENCE THAT ALL NATIONS ARE OBSERVING THESE BASIC HUMAN RIGHTS, IT WILL BE MORE DIFFICULT TO JUSTIFY TO THEM ADDITIONAL LIBERALIZATION OF TRADE. THEREIN LIES A SECOND IMPORTANT REASON WHY THE WORLD TRADE ORGANIZATION IS AN IMPORTANT FORUM IN WHICH TO DISCUSS THESE MATTERS.

I EMPHASIZE THAT DISCUSSION OF CORE LABOR STANDARDS SHOULD NOT BE A PRETEXT FOR PROTECTIONISM. BUT THE UNITED STATES VIEWS THE ESTABLISHMENT OF A WORKING PARTY IN THE WORLD TRADE ORGANIZATION -- A WORKING GROUP ON THE SUBJECT OF CORE LABOR STANDARDS -- AS AN IMPORTANT NEXT STEP TOWARD GREATER UNDERSTANDING AND PROMULGATION AROUND THE WORLD OF THE CRITICAL IMPORTANCE OF THOSE STANDARDS.

THERE ARE MANY OTHER THINGS TO TALK ABOUT, BUT LET ME END ON THAT NOTE AND OPEN TO ANY QUESTIONS YOU MAY HAVE.

QUESTION: WHAT WOULD YOU LIKE TO SEE AS THE OUTCOME OF THE WORKING GROUP AT THE WTO? WOULD YOU LIKE TO SEE, EVENTUALLY, THE WTO TO HAVE THE ABILITY TO APPLY SOME KIND OF ECONOMIC SANCTIONS FOR COUNTRIES THAT VIOLATE

CORE LABOR STANDARDS?

REICH: AT THE VERY LEAST, WE NEED TO ENCOURAGE A DISCUSSION OF HOW BEST TO HELP ALL NATIONS RESPECT AND ACHIEVE THESE CORE LABOR STANDARDS. TECHNICAL ASSISTANCE MIGHT BE APPROPRIATE IN SOME INSTANCES. ADDITIONAL HELP IN THE FORM OF FINANCIAL ASSISTANCE MIGHT BE USEFUL. RIGHT NOW THE LABOR DEPARTMENT IN THE UNITED STATES, FOR EXAMPLE, IS WORKING WITH SEVERAL NATIONS ON THE PROBLEM OF CHILD LABOR, IN HELPING THOSE NATIONS MOVE YOUNG CHILDREN OUT OF FACTORIES AND INTO SCHOOLS. THERE MAY BE OTHER METHODS OF PERSUASION SHORT OF TRADE SANCTIONS. IT MAY BE, ON OCCASION, MORE TRADE, NOT LESS TRADE, IS A WAY TO ENCOURAGE THE RESPECT OF BASIC LABOR STANDARDS. BUT UNLESS WE BEGIN TO HAVE A DISCUSSION ABOUT THESE THINGS, WE WON'T KNOW HOW BEST TO ENCOURAGE THE RESPECT OF THESE BASIC LABOR STANDARDS. WE CAN'T KNOW UNTIL WE HAVE A DISCUSSION WHERE THAT DISCUSSION MIGHT LEAD. BUT I FEAR THAT, BY PREVENTING SUCH DISCUSSION FROM OCCURRING, WE MAY BE DOING MORE HARM THAN GOOD -- WE MAY BE INVITING A BACKLASH AGAINST GLOBAL TRADE AND INVESTMENT.

QUESTION: WOULD STRONGER METHODS OF PERSUASION EVER BE NECESSARY?

REICH: I DON'T WANT TO RULE OUT ANYTHING AT THIS POINT. I WANT TO STRESS, THOUGH, THAT SITUATIONS MAY VARY WHAT IS EFFECTIVE IN ONE CIRCUMSTANCE MAY BE VERY INEFFECTIVE ELSEWHERE. BUT UNLESS WE, AS AN INTERNATIONAL TRADING COMMUNITY, GET ON WITH THE BUSINESS OF TRYING TO FIGURE OUT HOW TO ENCOURAGE EVERY NATION TO PROTECT CORE LABOR STANDARDS, THEN WE ARE GOING TO FIND OURSELVES WITH A DEEPENING DISTRUST ON THE PART OF MANY PEOPLES OF THE ENTIRE INTERNATIONAL TRADE REGIME.

QUESTION: THE U.S. HAS BEEN CALLING FOR SOME TIME FOR THESE LABOR STANDARDS. MANY OTHER COUNTRIES ARE VEHEMENTLY OPPOSED. ARE YOU SEEING ANY SHIFT IN ATTITUDES?

REICH: I'M SEEING A SLIGHT SHIFT IN ATTITUDE. TWO YEARS AGO I WAS HERE AT THE ILO AND SPOKE ON THIS ISSUE, AND DISTINGUISHED BETWEEN CORE LABOR STANDARDS AND DEVELOPMENTAL STANDARDS. AT THAT TIME THE RESISTANCE WAS VERY STRONG AMONG MANY DEVELOPING NATIONS AND ALSO AMONG NOT A FEW DEVELOPED NATIONS. TODAY I'VE HAD INFORMAL DISCUSSIONS WITH A NUMBER OF MINISTERS FROM DEVELOPING NATIONS AND DEVELOPED NATIONS. I'VE ALSO MET WITH THE DIRECTOR-GENERAL OF THE WORLD TRADE ORGANIZATION. AND ALTHOUGH THERE'S A DANGER OF BEING OVERLY OPTIMISTIC, I DO SENSE MORE WILLINGNESS TO DISCUSS THE ISSUE, TO DEVELOP A PROCESS, TO AT LEAST REACH SOME ACCOMMODATION. I BELIEVE THAT AMONG MANY MINISTERS THERE IS A SINCERE BELIEF THAT, BY PRESSING THIS ISSUE THE UNITED STATES IS NOT SEEKING A BACK DOOR TOWARD PROTECTIONISM. IN FACT QUITE THE CONTRARY. WE ARE SEEKING A FRONT DOOR TOWARD A MORE LIBERALIZED TRADING REGIME WORLDWIDE.

QUESTION: THERE HAVE BEEN QUITE EXTENSIVE DISCUSSIONS ON THIS ISSUE WITHIN THE ILO -- WHICH RAN INTO SOMETHING OF A DEAD END REGARDING THE LINK WITH TRADE. WHAT MAKES YOU THINK THE WTO DISCUSSIONS WOULD HAVE A DIFFERENT OUTCOME, THAT WOULD BE MORE PRODUCTIVE?

REICH: I DON'T BELIEVE THAT THESE DISCUSSIONS NECESSARILY LEAD TO DEAD ENDS. AS I JUST SAID, I DETECT MORE WILLINGNESS NOW, THREE YEARS AFTER I FIRST PRESENTED THIS ISSUE, TWO YEARS AFTER I DISTINGUISHED BETWEEN CORE LABOR STANDARDS AND DEVELOPMENTAL STANDARDS. MORE WILLINGNESS NOW TO REACH AN ACCOMMODATION, OR SET UP A PROCESS FOR REACHING AN ACCOMMODATION, THAN BEFORE. I AM A GREAT BELIEVER IN HAVING MORE THAN ONE FORUM IN WHICH TO DISCUSS DIFFICULT INTERNATIONAL ISSUES. IT'S SOMETHING OF A COPOUT TO RELEGATE THESE DIFFICULT ISSUES TO THE ILO ONLY. IT'S TOO EASY FOR TRADE MINISTERS, FINANCE MINISTERS, ECONOMIC MINISTERS, AND OTHERS, TO WAVE THEIR HANDS WHEN IT COMES TO LABOR STANDARDS AND SAY, "WELL, THAT'S NOT REALLY FOR US. THAT'S FOR THE ILO." THERE'S A FAR BETTER CHANCE OF MAKING PROGRESS IN THIS AREA IF WE HAVE A CONCERTED ATTEMPT IN MANY FORA TO EXAMINE THE QUESTIONS AND THE ISSUES. ALSO, LET ME SAY THIS: WE'VE MADE PROGRESS TO THE EXTENT THAT THE ILO HAS REACHED SIGNIFICANT CONSENSUS ON IDENTIFYING THESE CORE LABOR STANDARDS -- AND DISTINGUISHING THESE CORE STANDARDS FROM WHAT MIGHT BE TERMED DEVELOPMENTAL STANDARDS, THAT IS, WAGES AND WORKING CONDITIONS THAT APPROPRIATELY RISE AS A NATION'S INCOME RISES. I THINK THAT WAS ONE OF THE HARDEST STICKING POINTS WE HAD BEFORE, BECAUSE BY TALKING ABOUT LABOR STANDARDS BROADLY -- WITHOUT DISTINGUISHING BETWEEN CORE STANDARDS AND DEVELOPMENTAL STANDARDS -- IT IS TOO EASY TO BE DRAWN INTO A DISCUSSION WHICH COULD BECOME A PRETEXT FOR PROTECTIONISM. AFTER ALL, NOT ALL NATIONS CAN AFFORD THE SAME WAGES OR PRECISELY THE SAME WORKING CONDITIONS. ONE NEEDS TO PUT THAT PART OF THE DISCUSSION TO ONE SIDE, AND REASSURE DEVELOPING NATIONS THAT THAT IS NOT THE SUBJECT AT HAND. NOW HAVING REACHED SOME CONSENSUS ABOUT WHAT THOSE CORE LABOR STANDARDS ARE, AND HAVING NOTED THAT ALMOST ALL NATIONS ALREADY HAVE LAWS PROTECTING THOSE CORE LABOR STANDARDS, THE DISCUSSION THEREAFTER IS AN EASIER ONE TO PROCEED WITH.

QUESTION: MR. SECRETARY HOW MANY ILO CONVENTIONS HAVE BEEN RATIFIED SO FAR BY THE UNITED STATES?

REICH: ONLY 12. IN THE LAST SIX YEARS, FIVE. WE HAVE READIED CONVENTION NO. 111, IN TERMS OF TRIPARTITE SUPPORT, AND I WILL BE FORWARDING THAT ON TO PRESIDENT CLINTON FOR FORMAL RATIFICATION.

QUESTION: YES, BUT DON'T YOU THINK THAT THE U.S. HAS A VERY WEAK STAND HERE TO FIGHT FOR THE WORKING CLASS, IF THEY'RE NOT ABLE TO RATIFY ILO CONVENTIONS?

REICH: NO, FOR TWO REASONS. NUMBER ONE, WE HAVE A VERY STRONG RECORD ON THESE CORE LABOR STANDARDS AND, AS I

SAID IN MY PREPARED REMARKS, WE ARE VOLUNTEERING TO BE THE FIRST NATION TO BE SUBJECTED TO A REVIEW BY THE ILO TO NOTE THE EXTENT TO WHICH OUR WORDS MATCH OUR DEEDS. SECONDLY, THE PACE OF RATIFICATION HAS PICKED UP IN RECENT YEARS. I DO NOT DEFEND THE SLOW PACE OF RATIFICATION PRIOR TO THE LAST FIVE OR SIX YEARS. I DON'T KNOW WHY IT TOOK SO LONG, I THINK IT'S NOT DEFENSIBLE.

QUESTION: REGARDING TOMORROW'S DEBATE ON CHILD LABOR, IS YOUR MAIN THRUST GOING TO BE ONE OF EXPANDING DEBATE OF CORE LABOR STANDARDS TO OTHER FORA -- OR WHETHER YOU WILL BE APPROACHING IT WITH CERTAIN SPECIFIC MEASURES, CONCRETE MEASURES THAT THE UNITED STATES HAS, IN REGARD TO ELIMINATING OR REDUCING CHILD LABOR.

REICH: YES, I WILL BE TALKING ABOUT CONCRETE IDEAS TOMORROW. AT THE RISK OF REDUCING YOUR INTEREST IN WHAT I HAVE TO SAY TODAY, I MAY NOT REVEAL WHAT THOSE CONCRETE IDEAS ARE RIGHT NOW. OTHERWISE YOU MAY LEAVE! LET ME JUST SAY THIS: IN THE AREA OF CORE LABOR STANDARDS, AS WELL AS IN THE SPECIFIC AREA OF CHILD LABOR, IT'S VERY IMPORTANT NOT TO BE SANCTIMONIOUS. THE UNITED STATES HAS SOME PROBLEMS. WE'VE IDENTIFIED THE SCOURGE OF SWEATSHOPS IN OUR MIDST AND, FOR THE LAST THREE YEARS, I'VE BEEN FIGHTING VERY HARD TO GET MAJOR RETAILERS AND MAJOR MANUFACTURERS IN THE GARMENT INDUSTRY TO JOIN US IN OUR EFFORTS TO POLICE THE 22,000 CUTTING AND SEWING SHOPS IN THE UNITED STATES. MORE THAN HALF OF WHICH ARE NOW VIOLATING THE FEDERAL LABOR LAWS. A THIRD OF WHICH ARE SUBJECTING WORKERS TO SERIOUSLY UNHEALTHY AND DANGEROUS WORKING CONDITIONS. WE DO NOT HAVE A MAJOR CHILD LABOR PROBLEM, ALTHOUGH IN SOME OF THE SWEATSHOPS WE HAVE FOUND CHILD LABOR. BUT THE IDEAS I WILL BE DISCUSSING TOMORROW -- AND ALSO THE DATA I WILL BE SHARING TOMORROW ON CHILD LABOR -- ARE IDEAS AND DATA WHICH HAVE AS MUCH RELEVANCE TO THE UNITED STATES AS TO THE REST OF THE WORLD. HAVE I WHETTED YOUR APPETITE?

QUESTION: YES, I'M FAMISHED, COULD YOU GIVE US YOUR IDEAS?

REICH: LET ME SAY JUST ONE MORE THING, AND THEN I'LL WAIT FOR TOMORROW. SOME OF YOU MAY KNOW THAT LAST SUMMER, IN AUGUST OF 1995, THE LABOR DEPARTMENT DISCOVERED SLAVE LABOR IN EL MONTE, CALIFORNIA. AN ACTUAL SWEATSHOP IN WHICH WORKERS WERE CUTTING AND SEWING GARMENTS FOR SALE TO MANUFACTURERS AND MAJOR RETAILERS IN THE UNITED STATES. THOSE WORKERS WERE BEING HELD IN BONDAGE. THERE WAS BARBED WIRE AROUND THE COMPOUND. THEY WERE THREATENED WITH MURDER IF THEY LEFT THE COMPOUND. NOW THE OWNER OF THAT PARTICULAR SWEATSHOP IN EL MONTE, CALIFORNIA, IS NOW IN PRISON. SINCE THAT REVELATION WE HAVE FOUND OTHER SWEATSHOPS IN THE UNITED STATES IN WHICH CONDITIONS WERE NOT AS BAD AS EL MONTE BUT IN WHICH, FOR EXAMPLE, WORKERS WERE LOCKED IN THEIR FACTORY FOR 12 HOURS AT A TIME, OR THERE WERE SERIOUS DANGERS TO HEALTH AND TO LIFE AND LIMB. WE HAVE

AGGRESSIVELY PURSUED THOSE SWEATSHOPS, SEEKING TO CLOSE THEM, TO PENALIZE THE EMPLOYERS. BUT WE MUST GET THE ACTIVE COMMITMENT AND INVOLVEMENT OF MAJOR RETAILERS AND MAJOR MANUFACTURERS, WHO ARE DIRECTLY AND INDIRECTLY CONTRACTING WITH THE SWEATSHOPS. WE HAVE 800 INSPECTORS. EVEN COMBINED WITH THE STATE LABOR DEPARTMENT INSPECTORS, WE HAVE NO MORE THAN 1,250 INSPECTORS TO POLICE 22,000 CUTTING AND SEWING SHOPS -- AND 6 MILLION WORKPLACES -- AROUND THE UNITED STATES. SEVERAL WEEKS AGO A WELL-KNOWN CELEBRITY IN THE UNITED STATES WAS EMBARRASSED TO DISCOVER THAT HER NAME ON A LINE OF CLOTHING WAS PRODUCED IN A SWEATSHOP IN THE UNITED STATES, IN FACT IN MANHATTAN, NOT FAR FROM WHERE SHE TELEVISED HER DAILY TELEVISION SHOW. THIS ALSO HAS GALVANIZED PUBLIC OPINION, PUBLIC CONCERN, ABOUT THIS ISSUE. WHEN THE PUBLIC IS FOCUSED ON A PARTICULAR PROBLEM -- BE IT SWEATSHOPS, CHILD LABOR, OR WHAT HAVE YOU -- THERE IS OPPORTUNITY FOR REFORM IN WAYS THAT THERE IS NOT SUCH OPPORTUNITY WHEN PUBLIC ATTENTION IS NOT SO FOCUSED.

QUESTION: IT'S ONE THING TO AGGRESSIVELY PURSUE WITHIN THE UNITED STATES OR WITHIN ONE'S OWN COUNTRY. BUT HOW DO YOU, THE UNITED STATES, AS A LEADING COUNTRY IN THE WORLD, PUT PRESSURE UPON OTHER STATES -- WE'RE TALKING ABOUT A GLOBAL PROBLEM HERE -- TO CONFORM TO THE KINDS OF LABOR STANDARDS YOU WOULD LIKE TO SEE? DO YOU PROPOSE CERTAIN SANCTIONS? DO YOU SAY THAT YOU WON'T BUY CERTAIN PRODUCTS FROM COUNTRIES THAT USE CHILD LABOR?

REICH: THERE ARE TWO MAJOR AVENUES OF REFORM. ONE WE'RE DISCUSSING HERE TODAY AND WILL BE DISCUSSING TOMORROW, THAT'S THROUGH INTERNATIONAL INSTITUTIONS, GOVERNMENT-TO-GOVERNMENT, AND SO FORTH. THE OTHER IS THROUGH RETAILERS, MANUFACTURERS, AND, ULTIMATELY, CONSUMERS. MOST CONSUMERS IN THE UNITED STATES SAY, ON SURVEYS, THAT THEY DO NOT WANT TO BUY GOODS MADE IN SWEATSHOPS AND THAT THEY WOULD RATHER NOT BUY GOODS PRODUCED FROM THE LABOR OF VERY YOUNG CHILDREN. THAT CONSUMER CONCERN, TRANSLATED INTO THE BEHAVIOR OF MANUFACTURERS AND RETAILERS, CAN ALSO BE QUITE IMPORTANT FOR REDUCING THIS PROBLEM, FOR IMPROVING THE PLIGHT OF YOUNG CHILDREN AROUND THE WORLD. YOU MAY BE FAMILIAR WITH THE "RUGMARK" ON CARPETS. THERE IS AN EXAMPLE OF HOW CONSUMER INTEREST HAS LED TO CERTAIN REFORMS.

QUESTION: YOUR REMARKS APPEAR TO BE HEADING IN THE SAME DIRECTION AS PRESIDENT CHIRAC, FROM WHAT WE'VE HEARD EARLIER TODAY. YOU MENTIONED HAVING TO CONVINCING DEVELOPING COUNTRIES, BUT DO YOU FEEL YOU HAVE THE SUPPORT OF OTHER G-7 NATIONS -- AND HOW MUCH IMPORTANCE DO YOU PLACE ON A UNITED STAND ON THIS ISSUE FROM INDUSTRIALIZED COUNTRIES?

REICH: I THINK IT'S IMPORTANT TO GET THE SUPPORT OF AS MANY INDUSTRIALIZED COUNTRIES AS POSSIBLE, AND DEVELOPING NATIONS AS WELL. WITH REGARD TO THE FIRST PART OF MY DISCUSSION, THAT IS, HAVING A WORKING GROUP IN THE WTO,

TO LOOK AT AND DEVELOP STRATEGIES FOR ENCOURAGING NATIONS TO PROTECT BASIC, CORE LABOR STANDARDS -- THERE HAS BEEN SOME PROGRESS ALONG THAT LINE. IN MY DISCUSSIONS WITH OTHER INDUSTRIALIZED NATIONS, I HAVE FOUND INCREASING INTEREST IN PURSUING THIS ISSUE. AGAIN, SO LONG AS IT'S NOT A PRETEXT FOR PROTECTIONISM, SO LONG AS WE'RE SEPARATING BASIC, CORE LABOR VALUES FROM DEVELOPMENTAL STANDARDS. I THINK IT WOULD BE INAPPROPRIATE FOR ME TO REVEAL ANY PARTICULAR DISCUSSIONS I'VE HAD WITH PARTICULAR MINISTERS. LET ME JUST SAY THERE IS INCREASING SUPPORT FOR MOVING IN THIS DIRECTION. I CAN'T TELL YOU HOW THAT SUPPORT WILL MANIFEST ITSELF--WHETHER WE WILL HAVE ENOUGH SUPPORT SO THAT BY THE NEXT G-7 MEETING WE COULD HAVE A FORMAL STATEMENT. I DON'T WANT TO RAISE EXPECTATIONS UNDULY. I THINK THE IMPORTANT POINT IS THAT WE ARE MAKING PROGRESS.

QUESTION: YOU'VE BEEN GETTING QUESTIONS FROM THE DEVELOPED WORLD. I'M WRITING FOR A DEVELOPING WORLD NEWSPAPER. WHAT I SEEM TO GET, REGARDING CHILD LABOR, IS A CRITICISM OF COUNTRIES WHO, ACCORDING TO THE ILO REPORT, SEEMED TO TOLERATE OR LET CHILD LABOR FLOURISH. I THINK EVERYONE DOES REALIZE THAT NO PARENT, BASICALLY, WOULD LIKE TO SEND THEIR CHILDREN TO WORK UNLESS THEY HAVE TO. NOW, ISN'T THAT THE ISSUE TO TACKLE, THE ECONOMIC CONSIDERATIONS? RATHER THAN SETTING RULES AND REGULATIONS, TO SEE THEM IMPROVE ECONOMICALLY?

REICH: UNDOUBTEDLY. THERE'S A BROAD ECONOMIC FRAMEWORK IN WHICH THE DISCUSSION OF CORE LABOR STANDARDS CAN AND SHOULD TAKE PLACE. TAKE, FOR EXAMPLE, THE EMPLOYMENT OF VERY YOUNG CHILDREN, OFTEN FOR LONG HOURS, NOT JUST FOR TWO OR THREE HOURS, BUT OFTEN ALL DAY LONG. IT SEEMS TO ME THAT THAT ISSUE, AND THE PROBABLE SOLUTION TO THAT ISSUE, IS BEST COUPLED WITH A DISCUSSION OF HOW TO GET THOSE YOUNG CHILDREN INTO SCHOOL. BECAUSE IF EDUCATION IS NOT PART OF THE SOLUTION, THEN A REMEDY COULD HAVE THE UNINTENDED CONSEQUENCE OF FORCING THOSE CHILDREN INTO EVEN WORSE EMPLOYMENT, UNDERGROUND, LEADING TO CONDITIONS THAT ARE EVEN LESS TOLERABLE THAN THE CONDITIONS ORIGINALLY CITED. THE QUESTION THEREFORE IS HOW TO HELP ENSURE THAT THOSE YOUNG CHILDREN ARE NOT WORKING WHEN THEY COULD BE, AND SHOULD BE, IN SCHOOL. HOW TO ENCOURAGE THE MOVEMENT FROM LONG HOURS OF WORK INTO SCHOOLHOUSES. I DON'T PRETEND TO HAVE ANY EASY ANSWER FOR HOW TO DO THAT. BUT IT SEEMS THAT MIGHT BE A USEFUL FRAMEWORK FOR DISCUSSING THAT PARTICULAR CORE LABOR PROBLEM.

QUESTION: THERE IS DUE TO BE A NEW CONVENTION ON CHILD LABOR, ON THE WORST FORMS OF LABOR ABUSE, IN THE ILO BY THE END OF THE CENTURY. HOW MUCH OF A SOLUTION WILL THIS OFFER?

REICH: OBVIOUSLY TO WHATEVER EXTENT WE CAN REACH AGREEMENT ON TREATIES, CONVENTIONS, LAWS, INTERNATIONAL AGREEMENTS OF WHATEVER KIND, THESE ARE ALL STEPS IN THE RIGHT DIRECTION. BUT REMEMBER THAT MANY OF THESE CORE

LABOR STANDARDS ARE ALREADY PROTECTED IN THE LAWS OF NATIONS. THE PROBLEM IS NOT SO MUCH TO GET FORMAL AGREEMENT AS IT IS TO HELP AND ENCOURAGE ALL NATIONS TO ACTUALLY IMPLEMENT THESE PROTECTIONS. FOR A WHOLE VARIETY OF CIRCUMSTANCES NATIONS MAY FIND IT DIFFICULT TO IMPLEMENT THESE STANDARDS. I GIVE YOU THE CASE OF THE UNITED STATES. WE HAVE LAWS AGAINST THE EMPLOYMENT OF PEOPLE FOR MANY HOURS, LONGER THAN 40-HOUR WORKWEEKS, WE HAVE LAWS AGAINST CHILD LABOR, WE HAVE LAWS AGAINST UNSAFE AND UNHEALTHY WORK CONDITIONS. SOME OF THESE ARE PERHAPS MORE DEVELOPMENTAL STANDARDS IN THE WAY THAT I'VE TRIED TO DISTINGUISH BETWEEN CORE AND DEVELOPMENTAL. BUT WE HAVE LAWS NONETHELESS. THE PROBLEM IS THAT SOME OF THOSE LAWS ARE BEING FLOUTED. AS I SAID BEFORE, IN THE 22,000 CUTTING AND SEWING SHOPS IN THE GARMENT INDUSTRY, MORE THAN HALF OF THEM ARE PAYING SUBSTANTIALLY BELOW THE MINIMUM WAGE IN THE UNITED STATES. OVER A THIRD OF THEM ARE SUBJECTING WORKERS TO SERIOUS HEALTH SAFETY VIOLATIONS. AGAIN, THESE MAY NOT BE CORE LABOR STANDARDS. I'M USING IT ONLY TO ILLUSTRATE THE POINT THAT HAVING LAWS ON THE BOOKS, OR TREATIES, OR CONVENTIONS, MAY BE AN IMPORTANT STEP IN THE RIGHT DIRECTION. BUT THEY'RE ONLY STEPS. THANK YOU VERY MUCH.

(END TRANSCRIPT)

TALBOTT

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SUBJ: STATEMENT ON CHILD LABOR BY SECRETARY REICH

TEXT:
UNCLAS STATE 126700

E.O. 12958: N/A
TAGS: ELAB, PHUM, SOCI, ILO
SUBJECT: STATEMENT ON CHILD LABOR BY SECRETARY REICH

REF: STATE 115151

THE FOLLOWING IS THE STATEMENT OF U.S. SECRETARY OF LABOR, ROBERT B. REICH TO THE ILO MINISTERIAL MEETING ON CHILD LABOR IN GENEVA, SWITZERLAND ON JUNE 12. POSTS WILL NOTE SECRETARY REICH'S REFERENCE TO THE NEXT DEPARTMENT OF LABOR REPORT TO CONGRESS ON CHILD LABOR (REFTEL). US MISSION GENEVA WILL REPORT SEPARATELY ON THE JUNE 12 MINISTERIAL MEETING ON CHILD LABOR.

BEGIN TEXT:

MR. CHAIRMAN:

I WANT TO THANK THE DIRECTOR GENERAL AND THE STAFF OF THE SECRETARIAT FOR ORGANIZING TODAY'S DISCUSSION. IT SEEMS SADLY IRONIC, PERHAPS, THAT THE EXPLOITATION OF CHILDREN IS AT THE TOP OF THE ILO'S AGENDA EVEN IN THE LATE

TWENTIETH CENTURY. HOWEVER, IT IS ENTIRELY APPROPRIATE THAT THE ILO BE THE INSTITUTION TO KEEP THIS ISSUE BEFORE THE WORLD, AND TO LEAD THE WAY TO PRACTICAL SOLUTIONS.

IF NATIONS ARE TO BE MEASURED BY HOW WE TREAT OUR

CHILDREN, WE STILL HAVE MUCH TO ANSWER FOR. CHILD POVERTY, CHILD SLAVERY, THE COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN, AND THE ABUSE OF CHILDREN IN WORK ARE ALL PROBLEMS TO BE SOLVED -- IN SOME INSTANCES GROWING PROBLEMS. BY THE ILO'S OWN ESTIMATE, THERE ARE AT LEAST 73 MILLION CHILDREN AGES 10 TO 14 WHO ARE EMPLOYED FULL-TIME OR NEARLY FULL-TIME, WORLDWIDE. THE TOTAL NUMBER OF WORKING CHILDREN IS PROBABLY IN THE HUNDREDS OF MILLIONS. IN TWO STUDIES UNDERTAKEN BY THE U.S. DEPARTMENT OF LABOR IN THE LAST TWO YEARS, WE HAVE DOCUMENTED THE WIDESPREAD EXPLOITATION OF CHILDREN THROUGHOUT THE WORLD. AMONG THE CONDITIONS WE FOUND WERE:

O - CHILDREN IN GLASS FACTORIES EXPOSED TO BROKEN GLASS AND INTENSE FURNACE HEAT WITHOUT PROTECTIVE CLOTHING, AND SOMETIMES WITHOUT EVEN A PAIR OF SHOES ON THEIR FEET.

O - YOUNG GIRLS TRAFFICKED OVER LONG DISTANCES AND FORCED INTO PROSTITUTION.

O - CHILDREN ON SUGAR CANE PLANTATIONS WIELDING MACHETES AND SUFFERING SELF-INFLICTED, FREQUENTLY INCAPACITATING WOUNDS.

THE NON-ALIGNED LABOR MINISTERS MET IN DELHI IN JANUARY 1995 AND DECLARED: "WE ARE AWARE AND HOLD THAT THE PRACTICE OF EXPLOITATIVE CHILD LABOR WHEREVER IT IS PRACTICED IS A MORAL OUTRAGE AND AN AFFRONT TO HUMAN DIGNITY."

THE QUESTION IS HOW TO MOVE FORWARD. WHAT WE MUST PURSUE HERE ARE PRACTICAL MEANS TO ACHIEVE THE ENDS WE ALL DESIRE. I THINK THE ANSWER LIES IN AT LEAST FOUR AREAS.

FIRST, WE MUST INCREASE GLOBAL PUBLIC AWARENESS OF THE PROBLEM -- INCLUDING THE AWARENESS OF GOVERNMENTS. THE MEETING TODAY IS AN IMPORTANT ELEMENT OF THAT CAMPAIGN. IF WE LOOK BACK ONLY THREE YEARS, CHILD LABOR EXPLOITATION WASN'T EVEN ON THE GLOBAL POLITICAL AGENDA. TODAY, THE ILO IS PLANNING A LEADING ROLE IN THIS NEW AWARENESS EFFORT. THE INTERNATIONAL PROGRAM FOR THE ELIMINATION OF CHILD LABOR, IPEC, IS LEVERAGING THE RESOURCES PROVIDED BY THE GERMAN GOVERNMENT, MY GOVERNMENT, AND OTHERS, AND

BRINGING A COORDINATED CHILD LABOR STRATEGY TO TWO DOZEN NATIONS NOW.

ONE IMPORTANT IPEC PROJECT RECENTLY LAUNCHED WITH U.S. GOVERNMENT ASSISTANCE WILL ENABLE THE ILO TO WORK WITH THE BANGLADESH GARMENT MANUFACTURERS AND EXPORTERS ASSOCIATION TO REMOVE CHILDREN FROM GARMENT FACTORIES THERE AND PLACE THEM IN SCHOOL PROGRAMS. IF WE CAN SUCCEED IN STOPPING CHILD EXPLOITATION IN THE GARMENT SECTOR IN BANGLADESH, WHY CAN'T WE DO IT ELSEWHERE?

MY DEPARTMENT IS CURRENTLY PREPARING A REPORT -- FOR RELEASE THIS FALL -- THAT WILL PROVIDE SPECIFIC INFORMATION ON OUR COUNTRY'S TOP 20 GARMENT IMPORTERS,

THEIR SUBSIDIARIES, CONTRACTORS AND SUBCONTRACTORS, AND THEIR CODES OF CONDUCT REGARDING THE USE OF CHILD LABOR. WE ARE ALSO PLANNING TO FORMALLY RECOGNIZE OUTSTANDING EFFORTS OF THOSE COMPANIES THAT DO ENSURE THEIR PRODUCTS ARE NOT MADE BY EXPLOITED CHILDREN.

OF COURSE, AWARENESS ALONE, IN THE ABSENCE OF CHANGED BEHAVIOR, WON'T BRING RESULTS. A SECOND AREA WHERE WE NEED GREATER ACTION IS IN SPURRING OTHER NATIONAL AND INTERNATIONAL INSTITUTIONS TO PARTICIPATE IN THE SOLUTION. AS LABOR MINISTERS, WE KNOW THAT WE HAVE TO FIGHT OUR OWN INTERNAL BATTLES FOR RESOURCES TO PROTECT WORKERS -- INCLUDING CHILD WORKERS. WE CAN'T ENFORCE OUR LAWS AGAINST CHILD LABOR, AND AGAINST THE SWEATSHOPS THAT FOSTER CHILD LABOR, WITHOUT THE RESOURCES TO DO IT. WE ALSO KNOW THAT EDUCATING CHILDREN IS THE SUREST WAY TO REDUCE CHILD EXPLOITATION. WE SHOULD LEAVE HERE ENERGIZED TO CONTINUE THE BATTLE ON HOW RESOURCES ARE ALLOCATED. THIS IS JUST TOO IMPORTANT TO LEAVE TO FINANCE OR BUDGET MINISTERS.

ADDITIONALLY, WE SHOULD INSIST THAT INTERNATIONAL FINANCIAL INSTITUTIONS FULLY INTEGRATE THE CHILD LABOR ISSUE INTO THEIR DECISIONS. THE WORLD BANK AND OTHER DEVELOPMENT BANKS MUST DO ALL THEY CAN TO FOSTER THE EDUCATION OF CHILDREN, AND NOT THEIR EXPLOITATION.

THIRD, WE CAN AND SHOULD LOOK TO ADOPT ADDITIONAL INTERNATIONAL LAW THAT MAY BE USEFUL TO ELIMINATE EXPLOITATIVE CHILD LABOR. WE VERY MUCH WELCOME THE WORK TOWARDS A NEW ILO CONVENTION IN 1998 -- AND WE WILL BE ACTIVE PARTICIPANTS IN THIS EFFORT.

WE SHOULD EXAMINE WHAT ROLE THE WORLD TRADE ORGANIZATION COULD PLAY. AS I STATED IN THE PLENARY SESSION YESTERDAY, TRADE LIBERALIZATION AND THE IMPLEMENTATION OF CORE LABOR STANDARDS MUST GO HAND-IN-HAND -- FIRST, BECAUSE IT IS RIGHT, AND SECOND, BECAUSE SEPARATING THE TWO RISKS STALLING GLOBAL ECONOMIC PROGRESS. WITH THIS IN MIND, CAN WE REALLY HAVE A SENSIBLE SET OF TRADE RULES IF THEY ARE INDIFFERENT TO THE TRADE IN ITEMS PRODUCED BY EXPLOITED CHILDREN?

FOURTH, BEYOND BUILDING AWARENESS, PROVIDING RESOURCES FOR EDUCATION AND LAW ENFORCEMENT, AND WRITING NEW INTERNATIONAL LAW, WE CAN AND MUST DO MORE TO FIND INCENTIVES TO ELIMINATE CHILD LABOR. LET ME TURN, FOR A MOMENT, TO THE ISSUE OF ABUSIVE LABOR CONDITIONS IN THE GARMENT INDUSTRY IN THE UNITED STATES, AND PARTICULARLY WHAT WE ARE DOING TO COMBAT IT. WE KNOW THAT AMERICAN COMPANIES WANT TO PROTECT THEIR GOOD NAMES, AND CONSUMERS, BY AND LARGE, WOULD RATHER NOT PURCHASE GOODS MADE BY EXPLOITED WORKERS. OUR CURRENT EFFORTS, THEREFORE, HAVE SOUGHT TO ENLIST THE HELP OF OUR BUSINESSES AND OUR CONSUMERS IN ENSURING THAT MINIMUM STANDARDS ARE OBSERVED IN THE PRODUCTION OF GARMENTS MADE IN OUR COUNTRY.

COMPANIES AGREE TO PARTICIPATE IN A COMPLIANCE PROGRAM TO ASSURE THAT THEIR GARMENTS ARE NOT PRODUCED IN THE UNITED STATES UNDER ILLEGAL CONDITIONS. WE THEN PROVIDE THIS INFORMATION TO THE PUBLIC. WE ARE NOW EXPLORING OTHER INITIATIVES TO ENLIST CONSUMER SUPPORT. FOR EXAMPLE, A VOLUNTARY LABELLING PROGRAM HAS NOW EMERGED FOR HAND-KNOTTED CARPETS, CALLED "RUGMARK." THIS SYSTEM HAS GAINED WIDE ATTENTION IN THE UNITED STATES, AND I AM EXPLORING THIS FURTHER WITH REGARD TO OTHER PRODUCTS.

I WOULD LIKE TO PROPOSE THAT WE ASK THE SECRETARIAT OF THE ILO TO PRODUCE A STUDY ON EXTENDING SUCH VOLUNTARY LABELLING PROGRAMS TO OTHER SECTORS WHERE CHILD LABOR IS A PROBLEM. WE SHOULD ASK THAT THIS STUDY BE READY FOR OUR CONSIDERATION WITHIN ONE YEAR.

LABELLING PROGRAMS ARE LIKELY TO GO FORWARD WITH OR WITHOUT THE ILO. BUT I BELIEV TRIPARTITE INVOLVEMENT AND COOPERATION IS THE BEST APPROACH. THE UNITED STATES IS PREPARED TO FULLY PARTICIPATE IN SUCH AN EFFORT. CONSUMERS WILL RESPOND TO SUCH A CAMPAIGN -- AND IF THEY DO -- MANUFACTURERS WILL. CHILD LABOR WILL NO LONGER BE PROFITABLE IF THE EXPLOITERS HAVE A HARD TIME SELLING THEIR PRODUCTS.

LET ME ONCE AGAIN THANK THE DIRECTOR GENERAL AND THE STAFF WHO HAVE PREPARED THIS MEETING. WE MUST AND CAN SUCCEED IN THE HIGH MORAL CALLING TO SPARE OUR CHILDREN FROM THE WORST FORMS OF ABUSE AND EXPLOITATION. WE WILL DO OUR PART TO HELP THE EFFORT. THANK YOU.

END TEXT.
CHRISTOPHER
BT
#6700

NNNN

SECT: SECTION: 01 OF 01

SSN: 6700

TOR: 960618230913 M2277454

DIST:

SIT: LORIN MALLEY RAGAN SCHWARTZ
SIT: NSC

Cable

PREC: ROUTINE
CLASS: UNCLASSIFIED
LINE1: RAAUZYUW RUEHCAA5546 2221551-UUUU--RHEHAAX.
LINE2: ZNR UUUUU ZZH ZEX
LINE3: R 091548Z AUG 96
LINE4: FM SECSTATE WASHDC
OSRI: RUEHC
DTG: 091548Z AUG 96
ORIG: SECSTATE WASHDC
TO: WORLD TRADE ORGANIZATION COLLECTIVE
INFO: ////
SUBJ: LABOR STANDARDS: WHITE HOUSE STATEMENT ON APPAREL
TEXT:
UNCLAS STATE 165546

E.O. 12958: N/A
TAGS: ETRD ELAB ECON KTEX WTRO
SUBJECT: LABOR STANDARDS: WHITE HOUSE STATEMENT ON APPAREL
INDUSTRY PARTNERSHIP

1. SUMMARY: ON AUGUST 2, APPAREL AND FOOTWEAR INDUSTRY LEADERS MET WITH THE PRESIDENT, SECRETARY OF LABOR REICH, AND OTHER ADMINISTRATION OFFICIALS TO UNVEIL A NEW PARTNERSHIP THAT WILL WORK TO DEVELOP A SERIES OF OPTIONS ON HOW COMPANIES VOLUNTARILY MIGHT ADOPT PRACTICES TO ASSURE CONSUMERS THAT PRODUCTS ARE MADE IN COMPLIANCE WITH ACCEPTABLE LABOR STANDARDS AND WITHOUT EXPLOITATIVE LABOR. THE PARTNERSHIP WILL REPORT BACK ON OPTIONS DEVELOPED IN SIX MONTHS. THE INFORMATION IN THIS MESSAGE IS INTENDED TO HELP POSTS RESPOND TO ANY QUERIES FROM HOST GOVERNMENTS, LOCAL INDUSTRY, OR PRESS. IF-ASKED POINTS ARE INCLUDED IN PARA 3-4; A STATEMENT RELEASED BY THE WHITE HOUSE IS INCLUDED IN PARA. 5; THE PRESIDENT'S REMARKS ARE INCLUDED IN PARA. 6. END SUMMARY.

2. THE PARTNERSHIP FOLLOWS CONSIDERABLE PUBLICITY SURROUNDING INCIDENTS OF APPAREL PRODUCED UNDER "SWEATSHOP CONDITIONS," I.E., IN CONDITIONS THAT VIOLATE LABOR STANDARDS. THE ISSUE HAS BEEN RECEIVING INCREASING ATTENTION WITHIN THE INDUSTRY FOR SOME MONTHS. WHATEVER OPTIONS ARE DEVELOPED WILL BE BE VOLUNTARY AND WOULD BE IMPLEMENTED IN MANNER THAT IS FULLY CONSISTENT WITH OUR INTERNATIONAL TRADE OBLIGATIONS. AN ACTIVE CAMPAIGN BY ORGANIZED LABOR, COUPLED WITH MEDIA ATTENTION ON VIOLATIONS OF LABOR STANDARDS IN THE APPAREL INDUSTRY, MEAN THAT THIS ISSUE WILL LIKELY CONTINUE TO ATTRACT PUBLIC AND CONGRESSIONAL ATTENTION IN THE U.S.

3. POSTS MAY USE THE FOLLOWING POINTS ON AN IF-ASKED BASIS TO RESPOND TO ANY INQUIRIES:

-- THE PRESIDENT ANNOUNCED A COMMITMENT BY THE LEADERS OF THE APPAREL AND FOOTWEAR INDUSTRIES IN THE U.S. TO EXPLORE OPTIONS ON ASSURING THE AMERICAN PUBLIC THAT THE PRODUCTS THEY MAKE AND SELL ARE NOT PRODUCED UNDER EXPLOITATIVE LABOR CONDITIONS.

-- THERE IS CONSIDERABLE PUBLIC AND CONGRESSIONAL INTEREST IN THE U.S. IN THIS ISSUE. THE ADMINISTRATION AND THE U.S. APPAREL AND FOOTWEAR INDUSTRY ARE RESPONDING TO THAT INTEREST.

-- THE NEW PARTNERSHIP ANNOUNCED BY THE PRESIDENT INCLUDES A VOLUNTARY EFFORT BY U.S. COMPANIES, LABOR REPRESENTATIVES, AND NON-GOVERNMENTAL ORGANIZATIONS TO DEVELOP OPTIONS ON HOW COMPANIES MIGHT VOLUNTARILY ADOPT PRACTICES WHICH ARE DESIGNED TO ASSURE CONSUMERS THAT APPAREL AND FOOTWEAR ARE NOT PRODUCED WITH EXPLOITATIVE LABOR AND IN A MANNER INCONSISTENT WITH BASIC WORKER RIGHTS. THE GROUP IS TO REPORT BACK TO THE PRESIDENT IN SIX MONTHS.

-- THE PARTNERSHIP COMPLEMENTS EFFORTS TO COMBAT THE PRODUCTION IN THE U.S. OF APPAREL MADE IN VIOLATION OF U.S. LABOR LAWS. U.S. COMPANIES WILL BE ASKED TO ENSURE THAT THEIR PRACTICES ABROAD ARE CONSISTENT WITH CORE LABOR STANDARDS AND DO NOT INVOLVE THE EXPLOITATION OF CHILDREN.

4. IF ASKED HOW THIS INITIATIVE RELATES TO OUR EFFORTS TO ESTABLISH A WORKING PARTY ON TRADE AND LABOR IN THE WORLD TRADE ORGANIZATION (WTO), POSTS CAN RESPOND:

-- WE HAVE SAID PREVIOUSLY THAT THERE IS A RELATIONSHIP BETWEEN TRADE AND LABOR STANDARDS, AND THAT IT MERITS AN OPEN AND NON-CONFRONTATIONAL DISCUSSION IN THE WORLD TRADE ORGANIZATION, STARTING AT THE UPCOMING WTO MINISTERIAL IN SINGAPORE IN DECEMBER.

-- DISCUSSION OF THIS ISSUE IN THE WTO IN A TRANSPARENT MANNER WILL COMPLEMENT EFFORTS IN THE INTERNATIONAL LABOR ORGANIZATION, AND WILL HELP US MAINTAIN PUBLIC SUPPORT FOR OPEN TRADE.

5. BEGIN TEXT OF WHITE HOUSE STATEMENT:

INFORMING AMERICA'S CONSUMERS:

AN APPAREL INDUSTRY PARTNERSHIP

AUGUST 2, 1996

A BREAKTHROUGH AGREEMENT. TODAY PRESIDENT CLINTON ANNOUNCED A COMMITMENT BY THE LEADERS OF THE APPAREL AND FOOTWEAR INDUSTRIES THAT HE HOPES WILL LEAD TO A SYSTEM FOR ASSURING AMERICANS THAT THE CLOTHES AND SHOES THEY BUY ARE MADE UNDER DECENT AND HUMANE WORKING CONDITIONS. THE PRESIDENT MET WITH LEADERS FROM THE FOOTWEAR AND APPAREL INDUSTRIES, REPRESENTATIVES FROM UNIONS AND

NON-GOVERNMENTAL ORGANIZATIONS WHO HAVE COME TOGETHER IN PARTNERSHIP TO ENSURE THAT AMERICAN GOODS MEET ACCEPTABLE LABOR STANDARDS. THIS GROUP IS WORKING TO GIVE CONSUMERS THE INFORMATION THEY NEED TO MAKE RESPONSIBLE DECISIONS.

A VOLUNTARY EFFORT TO DEVELOP OPTIONS. AFTER TODAY'S MEETING WITH THE PRESIDENT, THIS PARTNERSHIP WILL WORK TO DEVELOP A SERIES OF OPTIONS FOR HOW COMPANIES CAN:

ASSURE THAT THEIR PRODUCTS ARE MADE IN COMPLIANCE WITH ACCEPTABLE LABOR STANDARDS; AND

SIGNAL TO CONSUMERS THAT PRODUCTS OFFERED FOR SALE ARE PRODUCED WITHOUT EXPLOITATIVE LABOR.

A NEED TO WORK TOGETHER. CONSUMERS HAVE SAID THAT THEY DO NOT WANT TO SUPPORT SWEATSHOP LABOR WITH THEIR PURCHASES, AND GOVERNMENT CAN DO ITS PART TO ENFORCE THE LABOR LAWS. BUT REAL CHANGE IS NOT POSSIBLE WITHOUT THE PARTICIPATION OF THE INDUSTRY ITSELF, WHICH IS WHAT MAKES THIS ANNOUNCEMENT SO IMPORTANT. PARTICIPANTS IN TODAY'S MEETING INCLUDE LEADERS FROM NIKE, LIZ CLAIBORNE, WARNACO, PHILLIPS VAN HEUSEN, L.L. BEAN, TWEEDS, PATAGONIA, NICOLE MILLER, KAREN KANE, LUCKY BRANDS, AS WELL AS KATHIE LEE GIFFORD, LABOR LEADERS, AND OTHER NON-GOVERNMENTAL ORGANIZATIONS.

A PROGRESS REPORT TO THE PRESIDENT. THE GROUP WILL REPORT BACK TO THE PRESIDENT IN SIX MONTHS.

A RECORD OF ACTION FOR AMERICA'S WORKERS. THE CLINTON ADMINISTRATION KNOWS THAT MANY COMPANIES IN THE AMERICAN APPAREL INDUSTRY PROVIDE GOOD JOBS, DECENT WAGES AND FINE CLOTHING. IN ORDER TO MAKE A FAIR MARKETPLACE FOR THOSE LAW-ABIDING COMPANIES, THE ADMINISTRATION HAS CREATED A THREE-PRONGED "NO SWEAT" STRATEGY TO COMBAT ILLEGAL PRACTICES:

ENFORCEMENT. THE DEPARTMENT OF LABOR'S WAGE AND HOUR DIVISION CONDUCTS TARGETED ENFORCEMENT SWEEPS IN MAJOR GARMENT CENTERS, AND NOTIFIES MANUFACTURERS OF THE "HOT GOODS" PROVISION OF THE FAIR LABOR STANDARDS ACT, WHICH PROHIBITS THE SHIPMENT OF GOODS MADE IN VIOLATION OF U.S. WAGE LAWS.

RECOGNITION. IN DECEMBER 1995, DOL ISSUED ITS FIRST TRENDSETTER LIST, HIGHLIGHTING RETAILERS AND MANUFACTURERS THAT HAVE ASSUMED RESPONSIBILITY FOR MONITORING THE LABOR PRACTICES OF CONTRACTORS THAT MAKE THEIR GARMENTS. FIRMS THAT ARE MONITORED HAVE SIGNIFICANTLY FEWER VIOLATIONS OF LABOR LAWS.

EDUCATION. DOL IS SPEARHEADING A GARMENT PUBLIC SERVICE ANNOUNCEMENT INITIATIVE AND A NEW INTERNET WORLD WIDE WEB SITE, TO PROVIDE INFORMATION TO CONSUMERS INTERESTED IN HELPING TO COMBAT SWEATSHOPS.

(END TEXT OF STATEMENT)

6. BEGIN TEXT OF REMARKS BY THE PRESIDENT:

REMARKS BY THE PRESIDENT
IN APPAREL INDUSTRY PARTNERSHIP STATEMENT

THE ROSE GARDEN

AUGUST 2, 1996

THE PRESIDENT: I JUST HAD A VERY PRODUCTIVE MEETING WITH REPRESENTATIVES OF SOME OF OUR NATION'S LARGEST APPAREL AND FOOTWEAR COMPANIES, AS WELL AS REPRESENTATIVES OF LABOR, CONSUMER, HUMAN RIGHTS AND RELIGIOUS GROUPS. THEY ALL ACCEPTED MY INVITATION TO MEET HERE TODAY TO DEAL WITH AN ISSUE THAT IS RIGHTLY ON THE MINDS OF MILLIONS OF AMERICAN CONSUMERS. JUST A YEAR AGO TODAY, THE DISCOVERY OF MORE THAN 70 PEOPLE WORKING IN VIRTUAL SLAVERY BEHIND BARBED WIRE IN A GARMENT FACTORY IN EL MONTE, CALIFORNIA, AWAKENED AMERICANS TO THE FACT THAT SOME OF THE CLOTHES AND SHOES THEY BUY ARE MANUFACTURED BY PEOPLE WHO WORK UNDER DEPLORABLE CONDITIONS. THE WELL-DOCUMENTED EPISODE INVOLVING KATHIE LEE GIFFORD ALSO AWAKENED MANY PEOPLE TO THIS PROBLEM.

WE ALL ARE OUTRAGED BY THESE AWFUL REVELATIONS, BUT AS LEADERS WE HAVE A RESPONSIBILITY TO DO SOMETHING ABOUT THEM. WHEN KATHIE LEE LEARNED THAT SOME OF THE GARMENTS WITH HER NAME ON THEM WE'RE BEING PRODUCED UNDER TERRIBLE WORKING CONDITIONS, SHE DIDN'T BURY HER HEAD IN THE SAND. INSTEAD, SHE REACTED QUICKLY, DECISIVELY, AND RESPONSIBLY. THAT'S WHAT ALL THE REST OF US MUST DO AS WELL.

OUR NATION HAS ALWAYS STOOD FOR HUMAN DIGNITY AND THE FUNDAMENTAL RIGHTS OF WORKING PEOPLE. WE BELIEVE EVERYONE SHOULD WORK, BUT NO ONE SHOULD HAVE TO PUT THEIR LIVES OR HEALTH IN JEOPARDY TO PUT FOOD ON THE TABLE FOR THEIR FAMILIES. THAT'S WHY I AM PLEASED TO ANNOUNCE THAT THE COMPANIES GATHERED HERE TODAY HAVE AGREED TO BEGIN WORKING TOGETHER TO PUT AN END TO THIS TERRIBLE PROBLEM.

THEY HAVE AGREED TO DO TWO THINGS. FIRST, THEY WILL TAKE ADDITIONAL STEPS TO ENSURE THAT THE PRODUCTS THEY MAKE AND SELL ARE MANUFACTURED UNDER DECENT AND HUMANE WORKING CONDITIONS. SECOND, THEY WILL DEVELOP OPTIONS TO INFORM CONSUMERS THAT THE PRODUCTS THEY BUY ARE NOT PRODUCED UNDER THOSE EXPLOITATIVE CONDITIONS. THEY HAVE AGREED TO REPORT BACK TO ME WITHIN A MAXIMUM OF SIX MONTHS ABOUT THEIR PROGRESS.

HUMAN AND LABOR RIGHTS ARE NOT BRAND NAMES. THEY ARE THE MOST BASIC PRODUCTS OF OUR DEMOCRACY. I WANT TO COMPLIMENT THE COMPANIES THAT ARE HERE: PHILLIPS-VAN HEUSEN, L.L. BEAN, PATAGONIA, NICOLE MILLER, KAREN KANE, WARNACO, TWEEDS AND, OF COURSE, FRANK AND KATHIE LEE

GIFFORD, LIZ CLAIBORNE, AND NIKE -- COMPANIES THAT HAVE PLEDGED TO LIVE UP TO THEIR RESPONSIBILITIES. AND I WANT TO SEE THE RESULTS THEY PRODUCE.

THE ULTIMATE TEST OF THEIR COMMITMENT WILL BE FOR THEM TO PRODUCE TOUGH CRITERIA TO MAKE SURE THAT SWEAT SHOPS ARE NOT USED AND TO MAKE SURE CONSUMERS KNOW IT. AND THEN WHAT WE WANT TO DO IS TO PERSUADE OTHERS IN THIS COUNTRY TO FOLLOW THEIR LEAD AND TO FIND WAYS TO MAKE SURE, AGAIN, THAT CONSUMERS KNOW IT.

I DON'T KNOW WHAT FINAL STRATEGIES THEY WILL COME UP WITH. I DO HOPE THEY'LL DEVELOP MEASURES THAT MIGHT INCLUDE LABELS, CLEAR SIGNS IN STORES OR OTHER MEANS OF GETTING THE INFORMATION DIRECTLY INVOLVED TO CONSUMERS SO THAT CONSUMERS AT THE POINT OF SALE HAVE AN OPPORTUNITY THEMSELVES TO BE RESPONSIBLE CITIZENS IN THEIR PURCHASES.

THIS IS A GOOD START. AS I SAID BEFORE, WE KNOW THAT THE FIRST JOB OF BUSINESS IS TO PRODUCE A PROFIT. THAT IS THE FOUNDATION OF OUR FREE ENTERPRISE SYSTEM. BUT FOR THE SYSTEM TO SUCCEED, GOOD CORPORATIONS MUST ALSO BE GOOD CITIZENS. OUR SUCCESS IN THE 21ST CENTURY DEPENDS MORE THAN EVER ON THE RIGHT KIND OF PARTNERSHIP BETWEEN ALL OF US TO MAKE AMERICA THE PLACE IT OUGHT TO BE AND TO SET A STANDARD FOR THE ENTIRE WORLD.

WE'RE ALREADY WORKING WITH THE HIGH-TECH COMMUNITY TO PUT COMPUTERS IN SCHOOLS, WITH THE MEDIA AND ENTERTAINMENT INDUSTRY TO RATE TELEVISION PROGRAMS. TODAY, WE ARE EMBARKING ON A NEW PARTNERSHIP. I HOPE THAT IT WILL BECOME A VITAL PART OF THE BATTLE AGAINST SWEATSHOPS HERE IN THE UNITED STATES AND AGAINST ABUSIVE WORKING CONDITIONS AND PARTICULARLY CHILD LABOR EVERYWHERE IN THE WORLD.

THANK YOU.

(END TEXT OF REMARKS)

CHRISTOPHER

SECT: SECTION: 01 OF 01
SSN: 5546
TOR: 960809121957 M2352019
DIST:
SIT: NSC

Cable

PREC: ROUTINE
CLASS: UNCLASSIFIED
LINE1: RAAUZYUW RUEHGTA5997 2951515-UUUU--RHEHAAX.
LINE2: ZNR UUUUU ZZH
LINE3: R 211515Z OCT 96
LINE4: FM AMEMBASSY GUATEMALA
OSRI: RUEHGT
DTG: 211515Z OCT 96
ORIG: AMEMBASSY GUATEMALA
TO: RUEHC/SECSTATE WASHDC 7207
INFO: RUEHBO/AMEMBASSY BOGOTA 2415
RUEHME/AMEMBASSY MEXICO 0805
RUEHDG/AMEMBASSY SANTO DOMINGO 0032
RUEHZA/ARA CENTRAL AMERICA
RUEHUL/AMEMBASSY SEOUL 0188
RUEHC/DEPTLABOR WASHDC
SUBJ: AMBASSADOR MEETS LIZ CLAIBORNE EXECUTIVES

TEXT:
UNCLAS SECTION 01 OF 02 GUATEMALA 005997

SECSTATE FOR DRL/IL:IRONS, PAPAZIAN
SECSTATE PLEASE PASS USTR:ROSENBAUM
DEPTLABOR FOR ILAB:WHOLEY

E.O. 12958: N/A
TAGS: ELAB PHUM PGOV GT
SUBJECT: AMBASSADOR MEETS LIZ CLAIBORNE EXECUTIVES

1. SUMMARY: DURING AN OCTOBER 15 MEETING WITH LIZ CLAIBORNE CEO PAUL CHARRON AND OTHER EXECUTIVES, THE AMBASSADOR DESCRIBED GUATEMALA AS IMPROVING AS A GOOD PLACE TO DO BUSINESS, AND A COUNTRY ON THE RIGHT TRACK UNDER NEW LEADERSHIP. HE COMMENDED LIZ CLAIBORNE'S STANDARDS OF ENGAGEMENT AND ITS POLICY OF EMPHASIZING WORKER RIGHTS WITHOUT DICTATING CULTURAL NORMS. AT A SPEECH DURING A DINNER OCTOBER 15, CEO CHARRON EMPHASIZED TO A GATHERING OF CARIBBEAN AREA, CENTRAL AND SOUTH AMERICAN SUPPLIERS THE IMPORTANCE OF WORKER RIGHTS AND THE VALUE OF INDEPENDENT MONITORING. VICE PRESIDENT FOR CORPORATE AFFAIRS STAYED UNTIL OCTOBER 19 AND MET WITH LABOR ACTIVISTS TO DISCUSS ESTABLISHING AN INDEPENDENT MONITORING MECHANISM IN GUATEMALA. END SUMMARY.

2. THE AMBASSADOR MET WITH PAUL CHARRON, PRESIDENT, CHAIRMAN AND CEO OF LIZ CLAIBORNE. ALSO PRESENT WERE SENIOR VICE PRESIDENT ROBERT ZANE, VICE PRESIDENT FOR SOURCING RICHARD OWEN, VICE PRESIDENT FOR CORPORATE AFFAIRS AND GENERAL COUNSEL ROBERTA KARP, AND GUATEMALA MANAGER JUAN MEJIA. LABATT ATTENDED AS NOTETAKER. CHARRON SAID THE GROUP HAD VISITED TWO MAQUILAS AND HAD

MET WITH VICE MINISTER OF THE ECONOMY RODOLFO VALENZUELA, AND PLANNED TO MEET WITH PRESIDENT ARZU, OFFICIALS AT THE MINISTRY OF LABOR, AND ARCHBISHOP PROSPERO PENADOS. LIZ CLAIBORNE IS CONCENTRATING MORE OF ITS SOURCING IN CENTRAL AND SOUTH AMERICA, HE ADDED, AND WILL INCREASE ITS ORDERS FOR CLOTHING SEWN IN GUATEMALA.

3. THE AMBASSADOR SAID GUATEMALA IS INCREASINGLY A GOOD PLACE TO DO BUSINESS. THE GOVERNMENT IS RUN BY HONEST TECHNOCRATS, AND HAS GOOD ECONOMIC AND FINANCIAL LEADERSHIP. THE PEACE PROCESS IS ON TRACK, AND THE COUNTRY APPEARS TO BE MOVING IN THE RIGHT DIRECTION. THE ACCORDS SIGNED AS PART OF THE PEACE PROCESS ARE A BLUEPRINT FOR THE FUTURE. THE GOG INTENDS TO CONCENTRATE ON PROVIDING BASIC SERVICES TO ITS CITIZENS WHILE CONTINUING TO OPEN THE ECONOMY AND IMPROVE WORKER RIGHTS. GUATEMALA IS BUSINESS-FRIENDLY AND OPEN TO FOREIGN INVESTMENT. HE ADDED THAT THE EMBASSY HAS A GOOD RELATIONSHIP WITH THE MINISTRY OF LABOR AND THAT THE GOG IS MAKING PROGRESS ON WORKER RIGHTS ISSUES.

4. CHARRON SAID LIZ CLAIBORNE IS CONCERNED WITH QUALITY AND VALUE, BUT ALSO WITH THE SOCIAL ENVIRONMENT IN WHICH ITS PRODUCTS ARE MANUFACTURED. THE COMPANY DOES NOT DICTATE CULTURAL AND SOCIAL VALUES, BUT DOES USE ITS INFLUENCE TO CREATE A GOOD WORK ENVIRONMENT. IT HAS MOVED MORE PRODUCTION TO THE WESTERN HEMISPHERE TO TAKE ADVANTAGE OF VARIOUS TRADE BENEFITS. THE AMBASSADOR COMMENTED THAT USG POLICY EMPHASIZES FREE TRADE IN THE WESTERN HEMISPHERE AND THAT GUATEMALA IS IN A GOOD GEOGRAPHICAL POSITION, ON THE BORDER OF THE NAFTA AREA. GUATEMALA ALSO HAS A REALISTIC REGIONAL ORIENTATION, AND SEES ITSELF AS AN IMPORTANT ELEMENT IN ECONOMIC GROWTH IN CENTRAL AMERICA.

5. THE AMBASSADOR COMMENDED LIZ CLAIBORNE FOR ITS COMMITMENT TO WORKER RIGHTS, NOTING THAT A GOOD REPUTATION FOR HIGH STANDARDS CONTRIBUTES TO BUSINESS SUCCESS. CHARRON SAID HE HAD MET LABOR SECRETARY REICH, AND THAT VICE PRESIDENT ROBERTA KARP IS CO-CHAIRMAN OF PRESIDENT CLINTON'S TASK FORCE ON SWEATSHOPS. LIZ CLAIBORNE IS WORKING WITH THE GROUP "BUSINESS FOR SOCIAL RESPONSIBILITY." THE AMBASSADOR ENCOURAGED CHARRON TO KEEP IN TOUCH WITH THE EMBASSY AND WISHED THE COMPANY CONTINUED SUCCESS.

6. AT A DINNER OCTOBER 15, CEO CHARRON ADDRESSED REPRESENTATIVES OF SUPPLIERS FROM FACTORIES IN MEXICO, THE DOMINICAN REPUBLIC, EL SALVADOR, GUATEMALA, HONDURAS, AND COLOMBIA. KOREAN AMBASSADOR TO GUATEMALA JIN YUP CHU ALSO ATTENDED. CHARRON EMPHASIZED THE NEED FOR VERSATILITY, FLEXIBILITY, SPEED AND QUALITY, THEN ADDED THAT LIZ CLAIBORNE'S CUSTOMERS CARE ABOUT SOURCE COUNTRY WORKING CONDITIONS. HE EMPHASIZED THAT ATTENTION WITHIN THE US TO LABOR RIGHTS IN OTHER COUNTRIES IS NOT A PASSING FAD, ADDING THAT MAINTAINING A HIGH-QUALITY WORK ENVIRONMENT IS ESSENTIAL TO PRODUCING HIGH-QUALITY CLOTHING.

7. ALL LIZ CLAIBORNE SUPPLIERS MUST OBEY AND ENFORCE LOCAL LABOR LAWS, PROVIDE AND MAINTAIN A SAFE WORK SITE, AND POST LIZ CLAIBORNE'S STANDARDS OF ENGAGEMENT, WHICH HAVE BEEN TRANSLATED INTO 15 LANGUAGES, SAID CHARRON. TREATING WORKERS WITH RESPECT IS GOOD BUSINESS. WORKERS UNCLAS SECTION 02 OF 02 GUATEMALA 005997

SECSTATE FOR DRL/IL:IRONS, PAPAZIAN
SECSTATE PLEASE PASS USTR:ROSENBAUM
DEPTLABOR FOR ILAB:WHOLEY

E.O. 12958: N/A
TAGS: ELAB PHUM PGOV GT
SUBJECT: AMBASSADOR MEETS LIZ CLAIBORNE EXECUTIVES

HAVE THE RIGHT TO ORGANIZE IF THEY SO DESIRE, AND ALL SUPERVISORS MUST BE AWARE OF THIS AND ALSO OF LIZ CLAIBORNE'S STANDARDS. CHARRON THEN EMPHASIZED THE IMPORTANCE OF INDEPENDENT MONITORING BY LABOR RIGHTS AND HUMAN RIGHTS GROUPS. INDEPENDENT MONITORING ENHANCES A FIRM'S CREDIBILITY, AND HELPS PRODUCERS TO OBTAIN AN OBJECTIVE ASSESSMENT OF THEIR WORKING CONDITIONS. CHARRON CLOSED HIS TALK BY URGING HIS SUPPLIERS TO CONTINUE TO INNOVATE AND IMPROVE, BOTH IN THE FIELDS OF QUALITY PRODUCTION AND WORKER RIGHTS.

8. COMMENT: BOTH IN HIS TALK WITH THE AMBASSADOR AND IN HIS LATER SPEECH, CHARRON EFFECTIVELY CONVEYED LIZ CLAIBORNE'S COMMITMENT TO RESPECT FOR WORKER RIGHTS, HEALTH AND SAFETY CONDITIONS, AND SOUND BUSINESS ETHICS. END COMMENT.

9. VICE PRESIDENT FOR CORPORATE AFFAIRS AND GENERAL COUNSEL ROBERTA KARP REMAINED IN GUATEMALA UNTIL OCTOBER 19 AND MET WITH ARON CRAMER OF THE RESEARCH AND CONSULTING GROUP "BUSINESS FOR SOCIAL RESPONSIBILITY," ATTORNEY JON ROSENBLUM OF THE INTERNATIONAL LABOR RIGHTS FUND, AND ALLEN HOWARD OF U.S. TEXTILE WORKERS' UNION CONFEDERATION "UNITE." THEY VISITED SEVERAL MAQUILAS WHICH PRODUCE FOR LIZ CLAIBORNE, MET AND SPOKE WITH WORKERS, AND ALSO MET WITH A NUMBER OF LOCAL LABOR RIGHTS GROUPS AND RESEARCH OFFICES AS PART OF AN EFFORT TO SET UP AN INDEPENDENT MONITORING ENTITY FOR MAQUILAS WITH WHICH IT CONTRACTS IN GUATEMALA. MS. KARP OFFERED TO KEEP IN TOUCH WITH US ON THIS PROCESS.
PLANTY

SECT: SECTION: 01 OF 02
<^SECT>SECTION: 02 OF 02
SSN: 5997
<^SSN>5997
TOR: 961021115101 M2454863
<^TOR>961021115117 M2454865
DIST:
SIT: NSC

Cable

PREC: IMMEDIATE
CLASS: UNCLASSIFIED
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LINE2: ZNR UUUUU ZZH
LINE3: O 101128Z DEC 96
LINE4: FM AMEMBASSY LONDON
OSRI: RUEHLO
DTG: 101128Z DEC 96
ORIG: AMEMBASSY LONDON
TO: RUEHIA/USIA WASHDC IMMEDIATE 7041
INFO: RHDLCNE/CINCUSNAVEUR LONDON UK//019//
RUEHGP/AMEMBASSY SINGAPORE 2173
RUEHOL/AMEMBASSY BONN 2070
RUEHBW/AMEMBASSY BELGRADE 0906
RUEATRS/DEPT OF TREASURY WASHDC
RUEHVJ/AMEMBASSY SARAJEVO 0306
RHEHAAA/WHITEHOUSE WASHDC
RUEHRO/AMEMBASSY ROME 7056
RUDOVFA/3AF RAF MILDENHALL UK//PA//
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RUEHVEN/USMISSION USVIENNA 0331
RUEKJCS/SECDEF WASHDC
RUEBBEA/DOT WASHDC
RUCNDT/USMISSION USUN NEW YORK 0685
RUEHDL/AMEMBASSY DUBLIN 0153
RUEHVB/AMEMBASSY ZAGREB 3490
RUEHBS/AMEMBASSY BRUSSELS 5487
RUEHDC/USDOC WASHDC
RUEHBL/AMCONSUL BELFAST 9726
RUEKJCS/DIA WASHDC
RUEHFR/AMEMBASSY PARIS 0170
RUEHMO/AMEMBASSY MOSCOW 7321
RUEHC/SECSTATE WASHDC 9952
RUEAIIA/CIA WASHDC
SUBJ: LONDON 12/10 MEDIA REPORT
A) ROADCAST

ON THE NATO MINISTERIAL IN BRUSSELS TOAY, BBC-TV
TEXT:
UNCLAS SECTION 01 OF 05 LONDON 015030

USIA

PERISHABLE INFORMATION - DO NOT SERVICE
USIA FOR I/GWEU; R/C; R/MR; WEU; NEA; VOA NEWS/CA; PL
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PARIS FOR USIS UNESCO; OECD;
VIENNA PASS USDEL-CSCE;

E.O.1256:N/A

SUBJECT: LONDON 12/10 MEDIA REPORT
A) ROADCAST

ON THE NATO MINISTERIAL IN BRUSSELS TOAY, BBC-TV
REPORTED THIS MORNING:

"THE QUESTIO IS NOT WHETHER NATO WILL EXPAND, BUT RATHER
WHOTHE NEW MEMBERS WILL BE. POLAND, HUNGARY AND THE
CZECH REPUBLIC ARE THE MOST LIKELY TO BE ASKED. T THE
SAME TIME, NATO IS ANXIOUS TO BUILD A NEW ELATIONSHIP
WITH RUSSIA AND HER MILITARY. BUT THE RUSSIAN MILITARY
FEARS THAT NATO WANTS TO TAKE ADVANTAGE OF ITS WEAKNESS.

"BY WAY OF COMPENSATION, NATO IS OFFERING A SPECIAL
RELATIONSHIP TO MOSCOW... ENLARGEMENT IS A TRICKY ISSUE,
BUT THERE IS NO DOUBT THAT IT WILL GO AHEAD. WHAT THEY
HAVEN'T DONE YET IS TO RECONCILE OR MOLLIFY THE
RUSSIANS. RUSSIA IS TOO BIG TO IGNORE, AND TOO BIG TO
ANNOY."

B) MAJOR PRESS STORIES

1. BOSNIA
 2. NATO
 3. WTO
 4. CHINA
 5. NORTHERN IRELAND
- C) SUMMARY

1. BOSNIA

THE "DAILY TELEGRAPH" ARGUED THAT NATO FORCES SHOULD BE
ALLOWED TO GET TOUGHER IN PURSUIT OF IMPLEMENTATION OF
THE DAYTON ACCORDS. THE "GUARDIAN" SAW THE POLITICAL
SITUATION IN SERBIA SOON COMING TO "THE CRUNCH" AS
INTERNAL DISSENT ASSAILS PRESIDENT MILOSEVIC.

2. NATO

A REPORT IN THE "TIMES" AND AN EDITORIAL IN THE
"FINANCIAL TIMES" POINTED TO DIFFERENCES BETWEEN PARIS
AND WASHINGTON UNDERMINING THE COHESION AND PURPOSE OF
THE ALLIANCE. THE "TIMES" REPORTED A "POISONED
ATMOSPHERE" DEVELOPING IN BRUSSELS. THE "FINANCIAL
TIMES" CONCLUDED: "BOTH THE UNITED STATES AND WESTERN
EUROPE NOW NEED TO SETTLE THEIR DIFFERENCES TO
CONCENTRATE ON THE MOST IMPORTANT TASK AHEAD: ENLARGING
THE ALLIANCE TO BECOME A FORCE FOR STABILITY THROUGHOUT
THE CONTINENT."

3. WTO

THE WORLD TRADE ORGANIZATION'S SINGAPORE MINISTERIAL WAS REPORTEDLY "SOURD" BY DIFFERENCES ON HUMAN RIGHTS AND LABOR STANDARDS. IN EDITORIAL COMMENT, THE "TIMES" SAID THE WTO "IS SUCCUMBING TO THE POLITICISATION FROM WHICH GATT WAS CREDITABLY AND UNUSUALLY FREE."

UNCLAS SECTION 02 OF 05 LONDON 015030

USIA

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WHITEHOUSE FOR NSC-WEUROPE, NSC FOR LAKE;
USMISSION USNATO FOR USIS
PARIS FOR USIS; UNESCO; OECD;
VIENNA PASS USDEL-CSCE;

E.O.12356:N/A

SUBJECT: LONDON 12/10 MEDIA REPORT
A) BROADCAST

4. CHINA

THE BEIJING AUTHORITIES WERE REPORTED TRYING TO "HOLD BACK" THE PACE OF CHANGE IN CHINA, WHILE THE WHITE HOUSE WAS REPORTED ANXIOUS ABOUT "TURMOIL" NEXT JUNE WHEN HONG KONG REVERTS TO CHINESE SOVEREIGNTY. NO EDITORIAL COMMENT.

5. NORTHERN IRELAND

ONE PAPER REPORTED THAT DIFFERENCES BETWEEN LONDON AND DUBLIN ON CONDITIONS FOR ADMISSION TO PEACE TALKS MIGHT PERSUADE THE IRA TO STICK WITH THE VIOLENT OPTION. NO EDITORIAL COMMENT.

D) TEXT

1. BOSNIA

"THE TOKEN TASK FORCE"

THE CONSERVATIVE "DAILY TELEGRAPH" EDITORIALIZED 12/10:

"THE DAYTON TIMETABLE AND THE FAILURE TO IMPLEMENT ITS TERMS MADE A SUCCESSOR MILITARY FORCE INEVITABLE IF BOSNIA WAS NOT TO FALL APART...

"COME THE SUMMER OF 1998, WILL IT THEN BE THOUGHT NECESSARY TO EXTEND THE FOREIGN MILITARY PRESENCE ONCE MORE, BECAUSE OF THE CONTINUED FRAGILITY OF THE BOSNIAN STATE? THAT IS THE PROSPECT WHICH WESTERN GOVERNMENTS' TERROR OF TAKING ANY CASUALTIES IN BOSNIA CONTAINS. IT

IS SAD TO SEE AN ALLIANCE WHICH KEPT THE SOVIET UNION AT BAY FOR NEARLY HALF A CENTURY REDUCED TO SUCH DEBILITATING, AND EXPENSIVE, TOKENISM.

"IF NATO TROOPS ARE PREVENTED FROM PURSUING THE DAYTON GOALS WITH PROPER DESPATCH, THEY SHOULD NOT BE IN BOSNIA AT ALL. KEEPING THEM THERE WITH THEIR HANDS TIED CAN ONLY WEAKEN WHAT IS STILL CONSIDERED THE MOST EFFECTIVE MILITARY GROUPING IN THE WORLD."

"THE FORCE THAT MILOSEVIC FEARS"

THE LIBERAL "GUARDIAN" EDITORIALIZED 12/10:

"THE SERBIAN STRUGGLE HAS BEEN DRAWN OUT AND INCONCLUSIVE, BUT IT MUST SOON COME TO THE CRUNCH..."

"THE INTERNATIONAL COMMUNITY IS HOVERING OUTSIDE THIS CRISIS UNCERTAINLY. INTERNATIONAL CRITICISM IS IMPORTANT, BUT INTERNAL DISSENT IS VITAL... "IN THE END, MR. MILOSEVIC WILL BE DEFEATED OR NOT BY THE INTERNAL FORCES AGAINST HIM. INTERNATIONAL CRITICISM OF HIS ACTIONS SHOULD BE EXPRESSED FULLY AND FORCEFULLY."
UNCLAS SECTION 03 OF 05 LONDON 015030

USIA

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USMISSION USNATO FOR USIS
PARIS FOR USIS; UNESCO; OECD;
VIENNA PASS USDEL-CSCE;

E.O.12356:N/A

SUBJECT: LONDON 12/10 MEDIA REPORT
A) BROADCAST

2. NATO

"PARIS RIFT WITH U.S. POISONS HOPES FOR A SLIMMER NATO"

THE CONSERVATIVE "TIMES" REPORTED 12/10:

"AN INCREASINGLY DAMAGING RIFT BETWEEN THE UNITED STATES AND FRANCE OVER THE FUTURE COMMAND OF NATO'S SOUTHERN MILITARY HEADQUARTERS IS UNDERMINING ALL EFFORTS TO RESTRUCTURE THE ALLIANCE, ACCORDING TO WESTERN DIPLOMATIC SOURCES. THEY ADMITTED THAT THE DISAGREEMENT BETWEEN WASHINGTON AND PARIS WAS POISONING THE WHOLE ATMOSPHERE..."

"ALL THE PRINCIPAL ISSUES RELATING TO NATO'S FUTURE ARE

CAUGHT UP IN THE ROW: FRANCE'S REINTEGRATION INTO NATO'S MILITARY STRUCTURE, EUROPE'S SEARCH FOR A BIGGER IDENTITY WITHIN THE ALLIANCE, AND EVEN THE EXPANSION OF NATO."

"NATO IN KNOTS"

IN EDITORIAL COMMENT, THE INDEPENDENT "THE FINANCIAL TIMES" SAID 12/10:

"THE CONSTRUCTION OF AN ENLARGED, EUROPEANISED NATO, ANNOUNCED WITH MUCH FANFARE IN BERLIN SIX MONTHS AGO, IS PROVING A TRICKIER BUSINESS THAN WAS FIRST EXPECTED. AS NATO FOREIGN MINISTERS GATHER IN BRUSSELS TODAY, A HOST OF TRANSATLANTIC DIFFERENCES, MAINLY PITTING PARIS AGAINST WASHINGTON, IS UNDERMINING THE ALLIANCE AND HARMING ITS CREDIBILITY IN CENTRAL AND EASTERN EUROPE.

"THAT IS AN UNFORTUNATE STATE OF AFFAIRS, TO PUT IT MILDLY, AT A TIME WHEN NATO'S MESSAGE TO BOTH RUSSIA AND FUTURE MEMBERS OF THE ALLIANCE NEEDS TO BE FIRM, CONSISTENT AND VERY CAREFULLY CRAFTED..."

"PRESIDENT BILL CLINTON'S APPOINTMENT OF SENATOR WILLIAM COHEN AS DEFENSE SECRETARY IS AN INDICATION OF HIS DETERMINATION TO MAINTAIN HIS NATO COMMITMENT. BOTH THE UNITED STATES AND WESTERN EUROPE NOW NEED TO SETTLE THEIR DIFFERENCES TO CONCENTRATE ON THE MOST IMPORTANT TASK AHEAD: ENLARGING THE ALLIANCE TO BECOME A FORCE FOR STABILITY THROUGHOUT THE CONTINENT."

3. WTO

"U.S. BID TO ENFORCE LABOR RIGHTS SOURS WORLD TRADE FORUM"

THE CONSERVATIVE "TIMES" REPORTED 12/10:

"A QUARREL OVER EFFORTS TO ENSURE HUMAN RIGHTS IN THE GLOBAL WORKPLACE PITTED BRITAIN AGAINST THE UNITED STATES AND FRANCE YESTERDAY, SOURING THE START OF THE FIRST UNCLAS SECTION 04 OF 05 LONDON 015030

USIA

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WHITEHOUSE FOR NSC-WEUROPE, NSC FOR LAKE;
UQMISSION USNATO FOR USIS
PARIS FOR USIS; UNESCO; OECD;
VIENNA PASS USDEL-CSCE;

E.O.12356:N/A

SUBJECT: LONDON 12/10 MEDIA REPORT

A) BROADCAST

MINISTERIAL SESSION OF THE WTO.

"THE DISPUTE WAS OVER WHETHER TO INCLUDE MINIMUM LABOR STANDARDS IN TRADE RULES, AN AMERICAN-BACKED MOVE THAT ANGERS DEVELOPING COUNTRIES...

"THE BIG GULF IN SINGAPORE DIVIDES THE INDUSTRIALIZED NORTH AGAINST THE DEVELOPING SOUTH..."

"TRADED AWAY"

IN EDITORIAL COMMENT, THE SAME PAPER SAID 12/10:

"GOVERNMENTS ATTENDING THE FIRST MINISTERIAL MEETING OF THE TWO-YEAR-OLD WORLD TRADE ORGANIZATION IN SINGAPORE THIS WEEK HAVE MUCH TO CONGRATULATE THEMSELVES ABOUT...

"INSTEAD OF BUILDING ON SUCCESS IN SINGAPORE, HOWEVER, GOVERNMENTS ARE BEHAVING LIKE PARTY-POOPERS..."

"ALMOST EVERY AGENDA ITEM IS DEADLOCKED. AN IMPORTANT FINANCIAL SERVICES DEAL HAS BEEN STALLED SINCE LAST MAY BY A LAST-MINUTE AMERICAN WALKOUT. THE E.U. IS HOLDING UP AN INFORMATION TECHNOLOGY AGREEMENT WHICH WOULD HELP BUSINESSES THE WORLD OVER BY MAKING COMPUTERS AND COMMUNICATIONS CHEAPER. STILL MORE OMINOUS ARE THE SIGNS THAT THE WTO IS SUCCUMBING TO THE POLITICISATION FROM WHICH GATT WAS CREDITABLY AND UNUSUALLY FREE..."

"WASHINGTON TOO IS PLAYING POLITICAL GAMES WITH THE WTO. BACKED BY FRANCE, IT WANTS TO OBLIGE ALL WTO MEMBERS TO OBSERVE 'CORE LABOR STANDARDS' SUCH AS COLLECTIVE BARGAINING AND, IN PARTICULAR, TO END 'EXPLOITATIVE' CHILD LABOR. WITH AROUND 250 MILLION CHILDREN AT WORK, MANY OF THEM IN SWEATSHOPS, THIS MAY SEEM INNOCENTLY BENEVOLENT. BUT IT PASSES OVER THE HARD FACT THAT IN SOME COUNTRIES EITHER POOR CHILDREN WORK OR THEY AND THEIR FAMILIES STARVE.

"THE INTERNATIONAL LABOR ORGANIZATION IS THE PLACE TO TAKE UP THESE CONCERNS. THIRD WORLD GOVERNMENTS SUSPECT, WITH REASON, THE EXISTENCE OF A PROTECTIONIST AGENDA WHICH WOULD MOVE ON FROM CHILD LABOR TO ATTACK ONE OF THEIR FEW COMPETITIVE ADVANTAGES, THEIR LOW LABOR COSTS. THE WTO SHOULD STICK TO ITS AMBITIOUS CORE TASK OF MAKING TRADE RULES AND MAKING THEM STICK; AND AMERICA SHOULD BE OUT THERE HELPING, INSTEAD OF DIVERTING IT DOWN A POLITICAL CUL-DE-SAC."

4. CHINA

"PEKING TRIES TO HOLD BACK CHANGE"
THE CONSERVATIVE "TIMES" REPORTED 12/10:

"CHINA IS IN THE MIDDLE OF THE HARSHTEST POLITICAL
UNCLAS SECTION 05 OF 05 LONDON 015030

USIA

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WHITEHOUSE FOR NSC-WEUROPE, NSC FOR LAKE;
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PARIS FOR USIS; UNESCO; OECD;
VIENNA PASS USDEL-CSCE;

E.O.12356:N/A

SUBJECT: LONDON 12/10 MEDIA REPORT
A) BROADCAST

CAMPAIGN SINCE THE VIOLENT SUPPRESSION OF PRO-DEMOCRACY
DEMONSTRATIONS IN TIANANMEN SQUARE IN 1989...

"THE CAMPAIGN IS A MOVEMENT TO HAUL CHINA'S FAST-EVOLVING
SOCIETY BACK ONTO A NARROWER, MORE CONTROLLABLE TRACK.
THE COMMUNIST PARTY IS NERVOUS AS IT APPROACHES 1997,
WITH THE RETURN OF HONG KONG TO CHINESE SOVEREIGNTY AND A
LATER, CRUCIAL PARTY CONGRESS USHERING IN LEADERSHIP
CHANGES, AND THE POSSIBILITY THAT THE AILING DENG MIGHT
PASS FROM THE SCENE..."

"TRANSFER OF COLONY VEXES U.S."

THE SAME PAPER CARRIED A SIDEBAR REPORT 12/10:

"THE WHITE HOUSE HAS PLACED HONG KONG AT THE TOP OF ITS
LIST OF CONCERNS OVER FUTURE SINO-AMERICAN RELATIONS AND
SAID AN UNDEMOCRATIC TRANSFER OF THE BRITISH COLONY TO
CHINESE SOVEREIGNTY COULD SOUR PRESIDENT CLINTON'S POLICY
OF ENGAGEMENT WITH BEIJING.

"EVEN AS MR. CLINTON DECLARED A THAW IN RELATIONS
YESTERDAY WHEN HE MET GENERAL CHI HAOTIAN, THE CHINESE
DEFENSE MINISTER, A WHITE HOUSE OFFICIAL WAS REPORTED AS
SAYING FEARS OF TURMOIL HAD BECOME THE BIGGEST
UNCERTAINTY."

5. NORTHERN IRELAND

"DARK LOGIC DRAWS IRA BACK TO WAR"

THE CENTRIST "INDEPENDENT" REPORTED 12/10:

"THE OUTCOME OF YESTERDAY'S ANGLO-IRISH SUMMIT, WHICH
SEES THE BRITISH AND IRISH GOVERNMENTS STUCK IN
DETERMINEDLY POLITE DEADLOCK, MAY WELL CONFIRM THE IRA IN
THEIR BELIEF THAT THE NEXT PHASE SHOULD BE ONE OF WAR.

"WHEN THEY MET IN LONDON YESTERDAY, JOHN MAJOR AND HIS
IRISH COUNTERPART, JOHN BRUTON, AFFIRMED THERE IS MUCH

COMMON GROUND BETWEEN THEM. BUT THE TWO GOVERNMENTS
COULD NOT REACH AGREEMENT ON THE CRUCIAL QUESTION OF
WHETHER TO GUARANTEE REPUBLICANS THAT ANOTHER CEASEFIRE
WOULD BRING THEM INTO NEGOTIATIONS...

"THIS IS BEING DULY NOTED BY THE REPUBLICANS WHO, IT CAN
BE PRESUMED, WILL NOW VIEW THEIR OPTIONS HAS HAVING BEEN
NARROWED BY THE OUTCOME OF YESTERDAY'S TALKS. THE
CHANCES ARE, HAVING CONCLUDED IN THEIR COMPASSIONLESS
ANALYSIS THAT JAW-JAW IS NOT ON OFFER, THEN IT WILL HAVE
TO BE WAR-WAR." O'BRIEN

SECT: SECTION: 01 OF 05

<^SECT>SECTION: 02 OF 05

<^SECT>SECTION: 03 OF 05

<^SECT>SECTION: 04 OF 05

<^SECT>SECTION: 05 OF 05

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