RESPONSIBLE SOURCING TOOL

Food and Berage | Tool 4.1

PROTECTIONS AGAINST TRAFFICKING IN PERSONS

Evaluating the Anti-Trafficking Requirements of Voluntary Sustainability Systems

> *Voluntary sustainability initiatives are widespread in the agricultural segments of food and beverage supply chains; examples include the 4C Association, Bonsucro, the Ethical Tea Partnership, Fair Trade International, Fair Trade USA, GlobalG.A.P., ProTerra Foundation, Rainforest Alliance, the Round Table on Responsible Soy (RTRS), and the Roundtable on Sustainable Palm Oil (RSPO).*
>
> *Each initiative has a particular focus; some systems are almost entirely focused on environmental sustainability of agronomy practices for example, while others encompass a broader approach that includes social issues such as labor or land rights and land tenure. Within systems that do include a social component, the details of standards and the operational frameworks for assessment and validation can vary widely. To illustrate: While all of the initiatives listed above provide standards to participating members, not all conduct assessments against those standards to offer certification. Further, while some initiatives provide consumer-facing labeling, others are focused on a business-facing model intended to build market demand for participating producers.[1]*
>
> *Due to the wide variety of sustainability initiatives, it can be challenging to assess the degree to which each system addresses the risk of human trafficking, including forced labor in supply chains.*

The following questions can be used to guide company assessments of current or potential certification systems in their supply chains.[i]
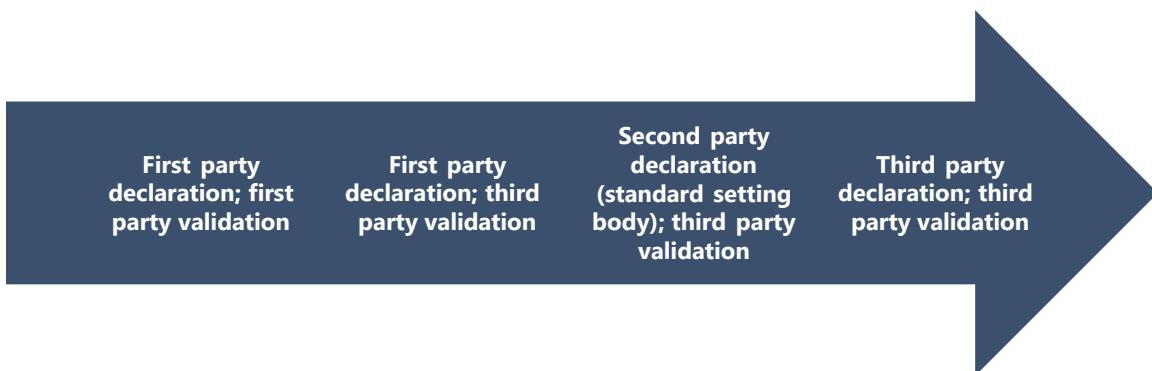
SCOPE

- **Within the scope of broader voluntary sustainability initiatives (that may focus on environmental or other social issues), how comprehensive are anti-**

human trafficking standards and guidance? Some environmentally focused certification systems may not include any specific reference to human trafficking. While nearly all certification systems that do cover labor issues will have a standard that prohibits human trafficking, stronger systems will also cover relevant associated issues such as the use of labor recruiters, the charging of recruitment fees, and identity document retention. They will also provide comprehensive guidance on validating these standards. Companies should cross reference certification standards against their own internal Codes of Conduct and Benchmarks for good practice, noting potential gap areas. (Tools 2 and 3 offer a sample code of conduct and recruitment and employment benchmarks.)

- **How does the geographic and supply-chain scope of coverage of the initiative overlap with assessed areas of highest risk in the company's supply chain?** (See Tool 6, Supply Chain Mapping and Risk Assessment.)

- **What level of premium or price differential is paid to producers for participation in scheme?** Particularly for smallholder producers, a lack of access to financial resources and credit can incentivize reliance on vulnerable labor such as children and/or migrants. Premiums or price differentials for compliance with comprehensive labor standards can increase the possibility that producers will be able to afford to fairly compensate the workers they engage.

- **Does the program make provisions for evaluating the well-being of hired workers on farms of participating producers?** Research has suggested that hired workers may not benefit from grower participation in sustainability or certification systems,[ii] and some initiatives have moved towards models that more directly assess conditions, including trafficking vulnerability, of hired workers.

- **Does the initiative include a system to educate producers or other employers on core labor rights and human trafficking?** Does it provide other capacity-building services to producers and employers?

- **Does the initiative include a system of worker education that covers all core labor rights and human trafficking?** Does it provide other capacity-building or services to workers?

ASSESSMENT COMPONENTS

- **What forms of assessment and verification are conducted against initiative standards, if any?** If assessments are conducted, how independent is the assessment process? How much does the process rely on self-reported information from the producer? The International Institute for Sustainable Development (IISD) lays out the following matrix of levels of independence of assessments from least independent to most independent. IISD notes that the higher the level of independence, the lower the potential risk business interests can influence findings and outcomes.

First party declaration; first party validation	First party declaration; third party validation	Second party declaration (standard setting body); third party validation	Third party declaration; third party validation

iii

- **Does the initiative provide standards tailored to the realities of smallholder producers?**

- **What is the unit of assessment or certification and the scope of the assessment/certification program?** Some systems assess implementation of the standards to the level of individual producers, while others assess and certify to the level of cooperatives or other types of producer groups. In general, conducting assessments at the lowest levels of the supply chain will provide greater insight into working conditions for the most vulnerable workers. Further, assessment to the level of a cooperative can present barriers to participation for the smallest producers. Some systems allow for producers who are otherwise un-organized to

seek group certification.[iv] Some systems extend certification from producers up the supply chain to the level of processors, allowing for greater coverage of potentially vulnerable workers. How does the scope of worksites inspected/assessed compare to the overall number of worksites in the supply chain? If a smaller percentage of worksites are assessed, while there may be lower costs to producers, there may be a corresponding increased chance that issues go unidentified. It is also important to note that while the unit of assessment is often a single farm, in reality, workers may move from farm to farm during the growing season of a particular commodity and thus may experience different degrees of vulnerability at each farm.[v]

- **What is the frequency of assessment?** Higher frequencies of assessments suggest increased ability to surface potential issues in complex and frequently changing environments. What are the data components and methodologies of assessments? Direct testimony from workers, particularly the most marginalized workers — which includes migrant workers — is crucial for adequately assessing and remediating risk of human trafficking. Unannounced/surprise visits to worksites that include interviews with workers (following guidance provided in Tool 10, a Migrant Worker Interview tool) are more likely to surface issues. Similar to questioning what percentage of worksites in a supply chain are covered, it is important to understand what percentage of workers at any given worksite might be interviewed. Even under the most comprehensive systems, assessments are unlikely to uncover all issues, so the strongest systems will provide other mechanisms for workers to directly and confidentially express grievances and seek resolution. If auditors or assessors are utilized, what systems are in place to ensure they are adequately trained on human trafficking and related issues? It is critical that assessors can identify abuses and their root causes in practice.

SUPPLY CHAIN MANAGEMENT

- **What product traceability requirements are in place?** Product traceability systems contribute to quality assurance of any certification programs and can also lay the groundwork for companies to more accurately map their supply chains for purposes of addressing and remediating the risk of human trafficking. The primary types of product traceability systems are: book and claim, mass balance, segregation and identity preservation.[vi]

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- **What systems are in place to ensure continuous improvement and remediation of issues identified?** What processes are in place should a producer or company fail to meet expectations? To what degree are findings or grievances shared publicly and/or with key stakeholders? Any sustainability system can only benefit workers to the degree that it leads to meaningful change over time. Initiatives should have systems for monitoring and evaluation of impact over time, as well as transparent public reporting on challenges identified and progress made.

- **Does the initiative have a mechanism to collaborate with other stakeholders in the labor-rights and anti-trafficking fields, such as a working group tasked with external engagement?** This is an important indication of whether the initiative is able to keep abreast of important developments in this rapidly evolving field, and whether the certification system is dynamic or static in its approach to worker protections.

End Notes

[i] https://www.scaa.org/PDF/Sustainable%20Coffee%20Certifications%20Comparison%20Matrix%202010.pdf

[ii] TransFair Germany; Max Havelaar Foundation Switzerland. Assessing the Impact of Fairtrade on Poverty Reduction through Rural Development. 2012. https://www.fairtrade-deutschland.de/fileadmin/DE/mediathek/pdf/fairtrade_impact_study_evaluation_report_en.pdf
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[iii] International Institute for Sustainable Development. The State of Sustainability Initiatives Review 2014: Standards and the Green Economy. 2014. https://www.iisd.org/sites/default/files/pdf/2014/ssi_2014.pdf#page=31

[iv] International Institute for Sustainable Development. The State of Sustainability Initiatives Review 2014: Standards and the Green Economy. 2014. https://www.iisd.org/sites/default/files/pdf/2014/ssi_2014.pdf#page=31

[v] Ven der Wal, Sanne. Looking Good on Paper: Review of Recent Research on the Impact of Sustainability Certification Conditions on Large Farms. SOMO. October 2018. https://www.somo.nl/looking-good-on-paper/

[vi] International Institute for Sustainable Development. The State of Sustainability Initiatives Review 2014: Standards and the Green Economy. 2014. https://www.iisd.org/sites/default/files/pdf/2014/ssi_2014.pdf#page=31