

Assess and Address Position Paper

The Assess and Address Model in the Rainforest Alliance
Sustainable Agriculture Standard

The Rainforest Alliance is an international non-profit organization working in more than 60 countries at the intersection of business, agriculture and forests. We are building an alliance to create a better future for people and nature by making responsible business the new normal.



Introduction

The Rainforest Alliance is committed to building an alliance to create a better future for people and nature by making responsible business the new normal.

There is no place in responsible business practices for grave human rights abuses such as discrimination, forced labor, child labor¹ and workplace harassment and violence. We are committed to engaging and working with stakeholders to protect workers and children from such human rights abuses.

Our experience over many years has shown that merely prohibiting labor abuses is insufficient to promote sustainable improvements for workers and their families. This approach simply drives exploitative and illicit practices underground, making them harder for auditors to detect and for certificate holders to prevent and mitigate.

That's why our improved certification system will adopt an "assess and address" model, which goes much further than a simple prohibition approach in its ability to drive change on human rights. Building on our experiences and the findings of globally recognized human rights organizations, we will work with farmers and farmer groups to assess risks, build capacity, remedy violations and incentivize sustainable progress on human rights².

This approach is focused on prevention, engagement and improvement, which is more sustainable for farmers and workers than immediate disengagement whenever a violation is identified³. It is only through collaboration and investment in building long-term capacity that systemic transformation on both a sector and landscape level will be possible.

The "assess and address" approach is in line with the growing international consensus around due diligence, capacity-building and continuous improvement laid out in the United Nations Guiding Principles on Business and Human Rights, the OECD Guidelines for Multinational Enterprises, and other international frameworks, which ask companies to identify, mitigate, account for and remediate adverse human rights impacts. Many leading companies have adopted such approaches in their own global supply chains.

The Rainforest Alliance will implement this model in relation to four of the requirements in its new draft agricultural standard that has been presented for public consultation mid-June 2019. The final standard will be published in January 2020 and become mandatory for producers in early 2021.

1 Child labor includes the worst forms of child labor as defined by ILO Convention 182, work performed by children under age 15 (unless national law sets the minimum age for work at 14, in which case this age applies), and any other work that may harm the physical, mental, or moral well-being of children.

2 Shift Project, Respecting Human Rights Through Global Supply

Chains, https://www.shiftproject.org/media/resources/docs/Shift_UNGPsupplychain2012.pdf.

3 SOMO, Should I stay or should go: exploring the role of disengagement in human rights due diligence, <https://www.somo.nl/wp-content/uploads/2016/04/Should-I-stay-or-should-I-go-4.pdf>.



Leonie Oso Sona, cocoa farmer in Côte d'Ivoire. Photo by Giuseppe Cipriani



Women working at FEDECOVERA nursery. Photo by Sergio Izquierdo

Rainforest Alliance Vision

Under the new Sustainable Agriculture Standard, the following will be in place:

- Farmers, farm groups, and workers in Rainforest Alliance certified supply chains understand that discrimination, child labor, forced labor and workplace harassment / violence are prohibited on certified farms, and have the knowledge, resources and systems in place to identify and mitigate risks, monitor the implementation of risk mitigation activities, and identify incidents of these abuses on farms.
- If instances of discrimination, child labor, forced labor, and workplace harassment/violence are found on farms, farmers/farm groups understand their responsibilities related to providing remedy, and have access to external parties to support remediation activities as needed.
- Certification Bodies carrying out Rainforest Alliance audits have the knowledge and resources to evaluate farms' performance, to verify if their "assess and address" system is working, and to identify and respond appropriately to instances of discrimination, child labor, forced labor and workplace harassment/violence found during an audit.
- Companies purchasing and selling Rainforest Alliance Certified products know that they were produced in a manner consistent with international best practice on human rights due diligence.

The Problem

Human rights abuses are endemic in global agricultural supply chains. The International Labor Organization estimates that approximately 1.4 million people⁴ are trapped in forced labor in agriculture worldwide, and 108 million children in child labor linked to agriculture⁵. No global data exist on sexual harassment/violence in commercial agriculture, but case studies indicate high percentages.

Farm workers are vulnerable to deceptive recruitment practices, withholding or non-payment of wages, debt bondage, and other indicators of forced labor. Children on farms are vulnerable to hazards such as exposure to pesticides, dangerous machinery, equipment and tools, and handling or transport of heavy loads, among others. Vulnerable workers like young and migrant workers, particularly women, risk discrimination and workplace harassment and violence, including sexual harassment.

4 Per ILO estimates, approximately 13 million adults are in forced labor exploitation in the private economy. Eleven percent of those are in the agriculture and fishing sector. https://www.ilo.org/wcms-sp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_575479.pdf.

5 ILO, Global Estimates of Child Labour, https://www.ilo.org/wcms-sp5/groups/public/@dgreports/@dcomm/documents/publication/wcms_575499.pdf.

These human rights abuses have their origins in complex social, economic and political issues. Root causes of discrimination, child labor, forced labor, and workplace harassment/violence include a lack of social protections and rule of law in many countries, informality in employment, discrimination against minority groups, low educational attainment, and poverty.

No certification program – and no single organization or actor – can change these conditions by itself, but the “assess and address” model recognizes these root causes as key risk factors, and requires farms’ to adjust their system according to their risks.

The Rainforest Alliance Approach

Just as before, the “assess and address” model will require certificate holders to commit to comply with all applicable laws and to respect internationally recognized human rights standards.

We recognize the high risk of certain labor violations within our supply chains, and therefore we will require producers and producer groups to commit to continuous improvement, put a rigorous risk assessment and mitigation system in place, and take immediate action on any cases of discrimination, forced labor, child labor and workplace harassment and violence.

Each farm or farmer group will be required to appoint a person or committee responsible for managing discrimination, forced labor, child labor, and workplace harassment and violence, and to raise awareness of management on these issues. Farms/groups will implement risk assessments using specific Rainforest Alliance guidance, which will be combined with the Rainforest Alliance’s own data on risks. If risks are identified, farms/groups will be required to put in place specific risk mitigation measures. Farms/groups will conduct ongoing monitoring of the effectiveness of these mitigation measures, and to detect cases of abuse on an ongoing basis. The Rainforest Alliance will provide guidance materials and/or training to farms/groups to assist with the implementation of these measures.

External Audits

Audits are carried out by third-party Certification Bodies (CBs). During an audit, auditors will verify the effective implementation of the system: communication, risk assessment, mitigation, monitoring, and remediation. Did the farm/group perform an adequate risk assessment? Has the farm/group addressed the identified issues and improvement points in a mitigation plan? Did the farm/group implement specific mitigation actions and preventive measures? What monitoring steps are in place, and are these adequate for the level of risk identified in this operation? Has the farm/group been able to identify and correctly remediate any labor abuse cases?

Farms/groups that have failed to effectively implement the system will be in breach of our standard, even if no cases of human rights abuses are actually found by the auditor during the audit.



Simon Sigali, nursery worker. Photo by Caroline Irby

The Rainforest Alliance will develop its own risk maps based on data from the certification program and other external sources – for example, in specific producing regions or crops. If the Rainforest Alliance has identified a risk of human rights abuses in a region, but the auditor finds that a farm/group in that region has not implemented an assess and address system, this could be a breach of our standard. Depending on the specifics of the case, this could lead to suspension or decertification. In cases where farms/groups find and remediate cases of human rights abuses, this is evidence that the system is working as it should, so there is no reason for them to be suspended or decertified.

In order to verify the effectiveness of the farm/group’s monitoring system, the auditor will also seek to identify cases of labor violations during the audit itself. If an auditor identifies a violation, the first priority will be to ensure the safety and provide for the immediate needs of the actors involved, using guidance provided in the Rainforest Alliance Remediation Protocol. The CB will then undertake further investigation. This investigation will examine the degree to which the issue(s) found were prevalent on the farm, the severity of the impact on workers, and whether they were perpetrated deliberately. Based on these findings, a decision will be taken on whether the farm can receive/maintain a certificate, whether an existing certificate will be suspended, and/or whether a farm will be decertified.

The Rainforest Alliance will provide specific rules on how audits should be planned and conducted, as well as guidance materials and/or training to CBs to assist with auditing/verifying compliance to this approach. The rules will cover such issues as the duration and frequency of audits and the use of announced vs. unannounced audits.

Remediation Protocol

If any cases of discrimination, forced labor, child labor, or workplace harassment/violence are identified by the farm's monitoring system, or during an audit, the farm/group management must utilize the Rainforest Alliance Remediation Protocol. The Protocol will specify both immediate steps that must be taken to ensure the alleged victim's safety, as well as longer-term steps to ensure full remedy and prevent recurrence of the issue. It will be critically important for farm management/groups and group members to work together (amongst themselves and/or with external parties) to address these challenging issues with complex root causes. In the improvement steps of the "assess and address" model, we encourage farm/group management to engage with external stakeholders/experts to remediation and other issues. The collective wisdom, experience, and connections of our partners and stakeholders will help us deliver the greatest impact.

Conclusion

As an alliance, we know that certification alone cannot address all challenges that farmers and producers are facing today. For this reason, we are working toward an evolved certification system based on the principle that sustainability is a journey of continuous, data-informed improvement rather than a binary pass/fail model. But certification is just one of our four strategic interventions, which also include landscape and community projects, advocacy with governments and other institutions, and tailored programs working one-on-one with companies on their specific challenges. Through all of these interventions, we seek to create a better future for people and nature.



A primary school in Uganda. Photo by Giuseppe Cipriani

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