

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 70 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 child labor¹, forced labor², discrimination³, and workplace violence and harassment⁴. We are committed to 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 identify and mitigate.

That's why our improved certification system will adopt an "assess-and-address" system, 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 certified operations to assess risks, build capacity, remedy violations and incentivize sustainable progress on human rights⁵.

This approach is focused on prevention, engagement and improvement, which is more sustainable for farmers, processing operations, and workers than immediate disengagement whenever a violation is identified⁶. 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 system in relation to four of the requirements in its new Sustainable Agriculture Standard that was published for public consultation in June 2019. The standard goes into effect in July 2021.



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:

- Operations and workers in Rainforest Alliance certified supply chains understand that discrimination, child labor, forced labor and workplace harassment and violence are prohibited in certified operations, and have the knowledge, resources and systems in place to identify and mitigate risks, monitor workplaces, and identify incidents of these abuses.
- If instances of child labor, forced labor, discrimination and/or workplace violence and harassment are found, operations 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' and companies' performance, to verify if their "assess-and-address" system is working, and to identify and respond appropriately to instances of child labor, forced labor discrimination and workplace violence and harassment 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 people⁷ are trapped in forced labor in agriculture worldwide, and 108 million children in child labor linked to agriculture⁸. No global data exist on sexual harassment/violence in commercial agriculture, but case studies indicate high percentages.

Agricultural workers are vulnerable to deceptive recruitment practices, withholding or non-payment of wages, debt bondage, and other indicators of forced labor. Children on farms and in agricultural processing facilities 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 violence and harassment, including sexual harassment.

These human rights abuses have their origins in complex social, economic and political issues. Root causes of discrimination, child labor, forced labor, and workplace violence/harassment 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" system recognizes these root causes as key risk factors, and requires both operations and Certification Bodies to adjust their systems according to specific risks.

The Rainforest Alliance Approach

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

In addition, each operation will be required to appoint a person or committee responsible for managing forced labor, child labor, discrimination and workplace violence and harassment, and for raising awareness of management on these issues. Operations 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, operations will be required to put in place locally-appropriate risk mitigation measures. Assess-and-address committees will conduct ongoing monitoring of workplaces and must remediate any cases found using the new Rainforest Alliance Remediation Protocol. The Rainforest Alliance provides tools, guidance materials and training to certified operations to assist with the implementation of these measures.

The Rainforest Alliance also has its own child labor and forced labor risk maps, based on data from independent, external sources as well as internal topic and country expertise. These maps help define what risk mitigation measures operations must take, and help Certification Bodies focus their audit approaches.

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 operation perform an adequate risk assessment? Has the operation addressed the identified issues and improvement points in its management plan? Did the operation implement specific mitigation actions? What monitoring steps are in place, and are these adequate for the level of risk identified in this operation? Has the operation been able to identify and correctly remediate any labor abuse cases?

Certified operations 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. They will be given a chance to put such systems in place within 12 weeks before being decertified.

In order to verify the effectiveness of the operation’s monitoring system, the auditor will also seek to identify cases of labor abuse that the monitoring system may not have found. If an auditor identifies a case, 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 a further “severity test.” This test examines the degree to which the case(s) found were prevalent, the level and nature of impact on workers, and whether the



Simon Sigali, nursery worker. Photo by Caroline Irby

actions were perpetrated deliberately. In cases found to be “severe,” CBs have discretion to suspend and/or withdraw certificates, as described in the Certification/Auditing Rules, including violations of applicable criminal law.

The Rainforest Alliance has published 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 cover such issues as the duration and frequency of audits and the use of announced versus unannounced audits.

Remediation Protocol

If any cases of child labor, forced labor, discrimination, or workplace violence and harassment are identified by the operation’s monitoring system, or during an audit, the 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. It will be critically important for management and group members, where applicable, to work together (amongst themselves and/or with external parties) to address these challenging issues with complex root causes. We encourage management to engage with external stakeholders/experts as part of remediation. 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 other agricultural operations 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.

For further information, please contact info@ra.org.



A primary school in Uganda. Photo by Giuseppe Cipriani

References

- 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 Forced labor is defined by ILO Convention 29 as all work or service which is exacted from any person under the threat of a penalty and for which the person has not offered himself or herself voluntarily.
- 3 Discrimination is defined by ILO Convention 111 as Any distinction, exclusion or preference made based on race, color, sex, sexual orientation, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.
- 4 Workplace violence/harassment is defined by ILO Convention 190 a range of unacceptable behaviors and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm. It includes gender-based violence and harassment.
- 5 Shift Project, Respecting Human Rights Through Global Supply Chains, https://www.shiftproject.org/media/resources/docs/Shift_UNGPssupplychain2012.pdf.
- 6 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>.
- 7 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/wcm-sp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_575479.pdf.
- 8 ILO, Global Estimates of Child Labour, https://www.ilo.org/wcm-sp5/groups/public/@dgreports/@dcomm/documents/publication/wcms_575499.pdf.

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