

# Protecting Workers, Farmers, and Foresters From Forced Labor and Modern Slavery

## The Rainforest Alliance Approach



### INTRODUCTION

According to International Labour Organization (ILO) data, an estimated 2.1 million people are in forced labor in agriculture.<sup>1</sup> Forced labor victims include, for example, farmworkers paid sub-minimum wages, farmworkers deceived or coerced into exploitative working conditions, and sharecroppers (tenant farmers) indebted to landowners. Of the 2.1 million people in forced labor in agriculture, 31 percent are trapped in this situation through debt-bondage.<sup>2</sup>

The global movement in support of the United Nation's (UN) Sustainable Development Goal 8.7 to end forced labor, modern slavery, and human trafficking—as well as recent EU and US human rights due diligence (HRDD) regulations on importing, selling or exporting products made by forced labor—have focused attention on high-risk sectors like agriculture. Governments, multinational companies, agricultural producers, and civil society increasingly recognize the saliency of this issue and the imperative to tackle it.

The Rainforest Alliance is part of this global movement. We are committed to creating a more sustainable world where people and nature thrive in harmony. We partner with diverse allies around the world—rural producers, companies, NGOs, and governments—to drive positive change in global supply chains and in many of the world's most critically important landscapes. There is no place in either sustainable agriculture or responsible business for human rights abuses such as forced labor.

This position paper first presents how the Rainforest Alliance defines forced labor and what we see as the root causes of forced labor in the agriculture sector. We then lay out the Rainforest Alliance's approach to tackling this issue through our certification program, landscape- and community-level programs, tailored supply chain services, and advocacy work. We also call on our partners around the world to join us in investing in structural and sustainable solutions to this global challenge.

### WHAT IS FORCED LABOR?

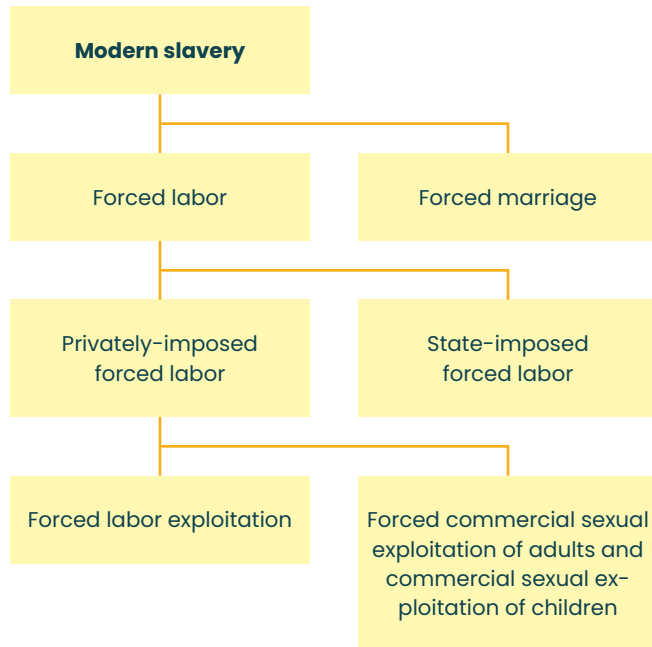
The ILO explains the relationship between modern slavery, forced labor, and human trafficking, as shown in Figure 1. This is a useful framework for all actors working to combat these abuses around the world.

<sup>1</sup> *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage*. International Labour Organization (ILO), Walk Free, and International Organization for Migration (IOM), Geneva, 2022.

<sup>2</sup> Ibid

**FIGURE 1**

Typology of forced labor. Source: Global Estimates of Modern Slavery: Forced Labour and Forced Marriage. *International Labour Organization (ILO), Walk Free, and International Organization for Migration (IOM), Geneva, 2022.*



The Rainforest Alliance uses the ILO definitions of these terms, as shown below.

#### International Labour Organization definitions

**Forced labor** is “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.”

— *International Labour Organization (ILO) Forced Labour Convention, 1930 (No. 29)*

**Modern slavery** is an umbrella term that encompasses the legal concepts of forced labor, debt bondage, forced marriage, other slavery and slavery-like practices, and human trafficking. Essentially, it refers to situations of exploitation that a person cannot refuse or leave because of threats, violence, coercion, deception, and/or abuse of power.

— *Summarized from Global Estimates of Modern Slavery: Forced Labour and Forced Marriage. International Labour Organization (ILO), Walk Free, and International Organization for Migration (IOM), Geneva, 2022, p. 13.*

We have used ILO guidance to develop a detailed definition of forced labor that is used in our certification program.

#### Rainforest Alliance 2020 Sustainable Agriculture Standard definition of forced labor

All work or service required of any person under the menace of any penalty and for which the said person has not offered herself or himself voluntarily.

A person is classified as being in forced labor if they are engaged in work that is involuntary (without the free and informed consent of the worker) and is exacted through threats, penalties, or some form of coercion.

Involuntariness can include, but is not limited to:

- Recruitment through a transaction such as slavery or bonded labor
- State-imposed labor, such as by the military, that does not meet the exceptions provided in ILO Convention 29
- Involuntary prison labor
- Unpaid or extremely low-paid work
- Changes to working conditions (employer, wages, hours, nature of work, conditions/hazards/exposures, time period) without the worker's consent
- Degrading working or living conditions imposed by employer or recruiter
- Involuntary and excessive overtime
- Limited freedom to terminate the work contract or agreement

Forms of coercion can include, but are not limited to:

- Physical or sexual violence
- Physical confinement
- Restrictions on movement or communication
- Fines or other financial penalties
- Deprivation of food, water, toilets, sleep, or other basic needs
- Isolation
- Forced use of drugs or alcohol
- Debt bondage or manipulation of debt, including manipulation of advances and loans
- Requiring monetary deposits, financial or collateral guarantees, or personal possessions as a condition of employment
- Withholding or delay of wages or other benefits
- Retention of identity or other important documents without the worker's consent and/or without providing workers easy access to them
- Threats of dismissal, deportation, legal action, or reporting to authorities

#### WHAT ARE THE ROOT CAUSES OF FORCED LABOR IN AGRICULTURE?

Agriculture is a high-risk sector for forced labor for many reasons, including the prevalence of informal working relationships, the use of short-term or seasonal workers, and the low wages that characterize the sector. Migrant workers, far from home, who may not speak the language of their employers and may come from marginalized ethnic or social

groups, are often the most exposed to forced labor risks. The vulnerability of these workers means they have little leverage when faced with employers who keep workers in degrading or abusive conditions, illegally deduct from wages or pay late, or discipline through violence or fines.<sup>3</sup> The need to find work, often in isolated rural areas, increases workers' reliance on labor providers/recruiters who charge high fees to arrange jobs and accommodation, or on traffickers who facilitate migration but exploit workers in the process. Workers who are hired informally, without contracts, fall outside the protections afforded under most countries' labor laws and law enforcement mechanisms.

The most common root causes of forced labor in agriculture—factors that restrict workers' free and informed consent to employment, and that make workers more vulnerable to coercion—include the following:

- Multi-dimensional poverty: illiteracy, basic education, food insecurity, and inadequate earnings
- Migration
- Reliance on labor providers, brokers, or other agents, subagents, or individuals who use exploitative recruitment practices or charge workers recruitment fees
- Precarious employment<sup>4</sup>
- Discrimination related to age, disability, ethnicity, or gender
- Lack of voice, representation, or meaningful grievance mechanisms
- Personal dependencies, such as debt

Workers are not the only population at risk of forced labor in agriculture. **Farmers**, especially small-scale farmers, also face multi-dimensional poverty. Many smallholder farmers do not own sufficient land for subsistence; in the West African cocoa sector, for example, many, if not most, smallholder farming families live below the World Bank poverty line of US\$1.90 per person per day.<sup>5</sup> These farmers often seek off-farm income on neighboring farms, putting them at risk of exploitative work. Farmers in poverty are vulnerable to debt bondage related to loans from unscrupulous lenders and some are sharecroppers who can become indebted to landowners. Farmers' poverty, in turn, becomes a root cause of worker forced labor. For example, a smallholder cocoa farmer who only receives payment for his or her work at the end of the cocoa harvest, and who has very little cash flow and no access to credit, may only be able to pay workers at the end of the harvest—yet delayed payment to workers constitutes a forced labor risk. Ultimately, **structural economic issues** in global agricultural supply chains are at the heart of many

3 In the Rainforest Alliance [2020 Sustainable Agriculture Standard](#), the maximum percentage of deductions from wages for in-kind benefits is 30 percent, in line with International Labour Organization recommendations.

4 The International Labour Organization defines precarious work as "A precarious job is employment that offers compensation, hours, or security inferior to a 'regular' job...including temporary work and seasonal work." See here: [https://www.ilo.org/wcmsp5/groups/public/@ed\\_dialogue/@actrav/documents/meetingdocument/wcms\\_161381.pdf](https://www.ilo.org/wcmsp5/groups/public/@ed_dialogue/@actrav/documents/meetingdocument/wcms_161381.pdf).

5 Cocoa Barometer 2020. Fountain, Antonie C. and Friedel Huetz-Adams, <https://cocoabarometer.org/>.

**FIGURE 2**

Common sources of debt for migrant workers.

<b>Pre-departure</b>	Interview
	Skills-testing
	Passport
	Insurance
	Medical test
	Visa fees
<b>In transit</b>	Transit travel
	Airfare
	Border crossing fees
<b>On arrival</b>	Residency permit
	Orientation
	Medical test
	Loan interest
	Return transportation

**The Employer Pays Principle:** A worker should never be required to pay the costs of recruitment or placement in work. The employer should pay these costs.

forced labor risks for farmers and workers.

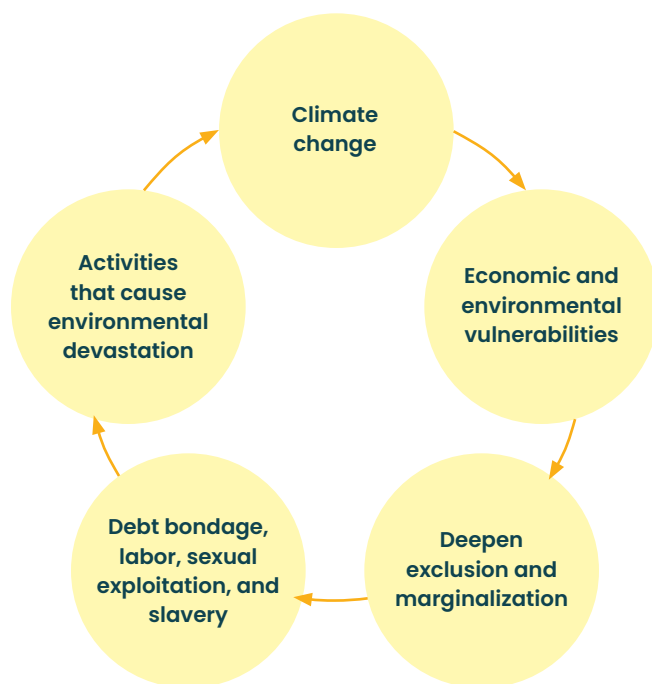
The impacts of **climate change** exacerbate all the above root causes. Rural households whose livelihoods are destroyed by drought, flooding, or changes in temperature are more likely to be pushed below the poverty line. As a result, it is more likely they will engage in precarious work, migrate, and experience discrimination. It is also more likely that they will engage in illicit activities that further intensify climate change impacts, such as farming cocoa on illegally deforested lands. Meanwhile, producers who cannot or do not adapt to climate change impacts are less likely to have profitable, sustainable farms and more likely to have a business model reliant on cheap or exploited labor.

**Gender inequality** is another cross-cutting issue that can exacerbate forced labor risks for female workers. Globally, women and girls account for nearly 12 million of the total 28



**FIGURE 3**

The “vicious circle” of climate change and modern slavery. Source: *Anti-Slavery International*, From a Vicious to a Virtuous Circle: Addressing climate change, environmental destruction and contemporary slavery, 2021.



million forced labor victims.<sup>6</sup> When inequality results in women having less access to knowledge, training, and job opportunities than their male counterparts, they are more likely to have precarious work with lower pay as well as less representation in decision making roles. Inequality also increases tolerance for physical or sexual violence against women.<sup>7</sup> For example, research on women’s vulnerability to forced labor in the cocoa sector has documented instances of verbal abuse, threats, and coercion by their employers, including threats of firing, insults, and other degrading treatment.<sup>8</sup>

### THE RAINFOREST ALLIANCE APPROACH TO TACKLING FORCED LABOR

Tackling forced labor means raising workers’ awareness about their rights and supporting or enforcing the realization of those rights, including the right to freedom of association, collective bargaining, and membership in workers’ organi-

zations. It means building the capacity of farm managers to implement labor management systems that are aligned with responsible recruitment practices and principles of decent work. It also means addressing root causes: supporting workers’ access to education, physical and mental health services, and financial services so they are less vulnerable to exploitation, while at the same time, helping those farmers and foresters who subsist close to the poverty line earn higher incomes so they can afford to pay timely and decent wages to workers. Legislative changes in agricultural producing and consuming countries can also be a crucial factor in addressing the root causes of forced labor.

The Rainforest Alliance takes these actions through four strategic interventions: certification, landscape and community programs, supply chain programs, and advocacy. We drive improvement through global supply chains and in landscapes where workers, farmers, and the environment are at greatest risk.

#### Rainforest Alliance Strategic Interventions

1. Certification
2. Landscape and community programs
3. Supply chain services
4. Advocacy

### Our 2020 Certification Program

Certification is a key tool that the Rainforest Alliance deploys at the farm and supply chain levels, working in collaboration with the farms and food service companies we certify (our “certificate holders” or CHs). In our [2020 Sustainable Agriculture Standard](#), which includes farm-level requirements, group-level requirements, and requirements for supply chain actors such as food processing facilities, we have shifted towards an “assess-and-address” system to tackle forced labor and other human rights abuses.<sup>9</sup> Building upon past learnings, assess-and-address moves away from simple prohibition, as this often drives the problems underground rather than supporting local actors to resolve them. Instead, assess-and-address goes further by requiring that specific measures are in place to identify and mitigate labor risks, monitor them on an ongoing basis, and provide meaningful remediation, in line with international human rights due diligence best practices.

Under the assess-and-address approach, CHs are required to set up an internal committee that is responsible for acting on forced labor issues—along with child labor and workplace violence, harassment, and discrimination. These committees work proactively, and together with local stakeholders, to address forced labor by:

- Raising awareness about what forced labor is and how to prevent it
- Identifying and mitigating risks of forced labor, including by using the [Rainforest Alliance child labor and forced labor sectoral risk maps](#) (see Figure 4)

6 *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage*. International Labour Organization (ILO), Walk Free, and International Organization for Migration (IOM), Geneva, 2022.

7 International Labour Organization. *Global Estimates Of Modern Slavery*. 2017, [https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms\\_575479.pdf](https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_575479.pdf).

8 Genevieve LeBaron & Ellie Gore (2020) Gender and Forced Labour: Understanding the Links in Global Cocoa Supply Chains, *The Journal of Development Studies*, 56:6, 1095–1117, DOI: 10.1080/00220388.2019.1657570

9 The Rainforest Alliance. *Assess-and-Address one-sheet*. <https://www.rainforest-alliance.org/wp-content/uploads/2020/06/2020-program-assess-address.pdf>

- Monitoring work sites for signs of forced labor and to ensure that mitigation measures and remediation activities are on track
- Providing or supporting remediation for workers freed from forced labor, in collaboration with local partners where feasible

The standard also requires that workers have written contracts and mandates CHs to carry out rigorous oversight of labor providers (labor brokers/recruiters), who are often a key factor in forced labor risk. This includes ensuring that all recruitment-related fees and costs are paid by farms, not workers.

To expand the reach of our certification program and safeguard the system's integrity, quality, competitiveness, and credibility, we work with independent [certification bodies](#) (CBs) around the world. Authorized CBs carry out **audits** and certify farms, farmer groups, and supply chain organizations against the Rainforest Alliance 2020 Sustainable Agriculture Standard.

In recent years, we have also made a number of improvements to our assurance approach. We increased our requirements on the competencies of audit teams, mandating a higher level of experience and knowledge on auditing human rights issues, as described in our [Rules for Certification Bodies](#). In addition, we provide guidance and give tailored forced labor training to our authorized CBs on forced labor. These trainings include such steps as checking for illegal deductions from wages and confirming that employers are not re-

taining workers' passports or other belongings. Next to that, we have strengthened our [risk-based assurance approach](#), allowing audit teams to focus their efforts on high risk areas during the planning and execution of the audits. If there is a high risk for forced labor, among other risk factors, there are additional auditing requirements that apply, which are described in our [Certification and Auditing Rules](#).

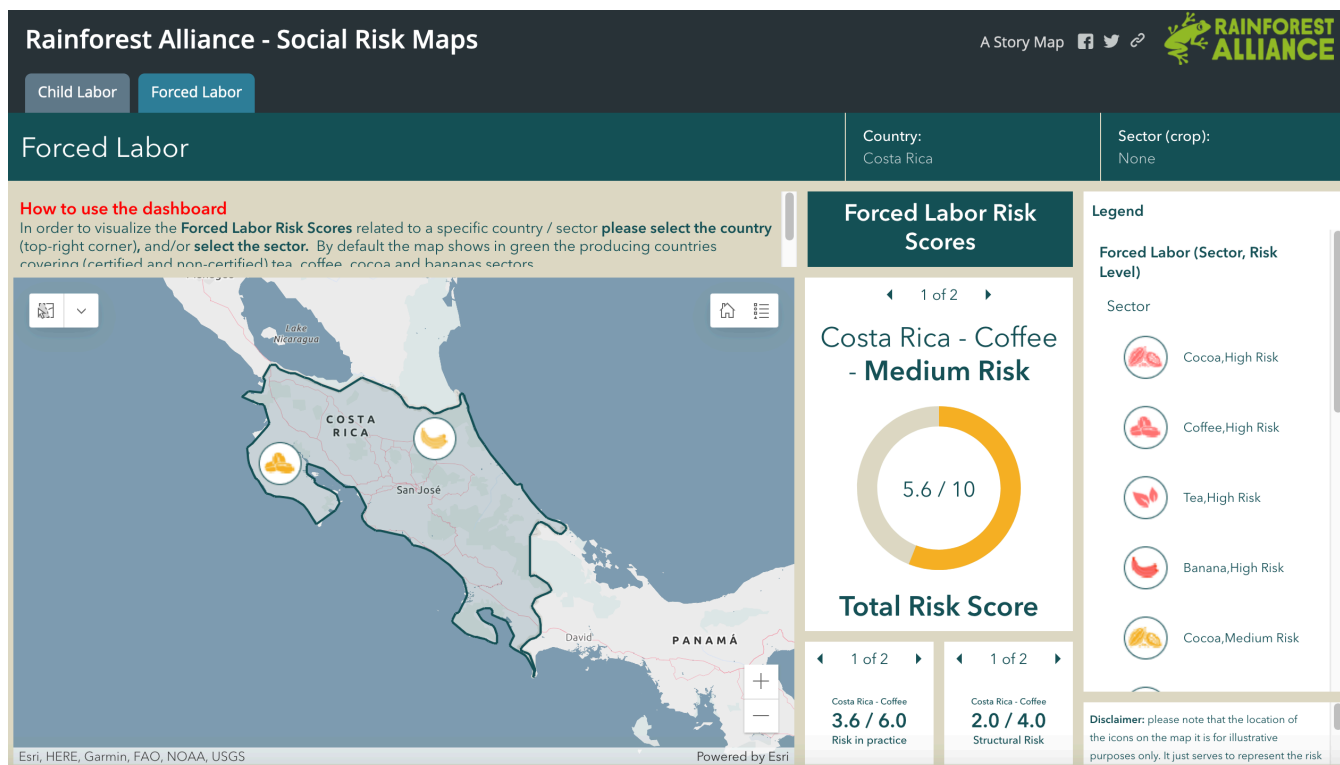
### Landscape and Community Programs

In our experience, certification as a supply chain tool works best when accompanied by broader interventions in the same landscape, targeting the root causes of environmental and human rights challenges. To meaningfully address forced labor in rural communities, it is critical to work with local actors to understand why workers, and sometimes farmers, become trapped in forced labor as well as the most effective ways to address those root causes. For example:

- In Ghana, with funding from the Norwegian government, we are collaborating with the International Cocoa Initiative and Solidaridad to [tackle forced labor in cocoa production and artisanal gold mining](#). In these sectors, migrants from Burkina Faso, Mali, and the northern part of Ghana migrate to work in cocoa-growing areas, which overlap significantly with gold-mining regions. These workers, who sometimes migrate with their families, can be vulnerable to forced labor due to their isolation, dependence on their employers for food and housing, and the customary wage payment practices in the sector.

FIGURE 4

Screenshot of the Rainforest Alliance Child Labor and Forced Labor Risk Maps.





*A Rainforest Alliance trainer consults with a family cocoa farmers in Ghana.*

This project tackles the root causes of forced labor by strengthening access to financial and other social services for farmers, workers, and their families. It builds the capacity of farmer cooperatives to systematically identify and mitigate forced labor risks through human rights due diligence systems and strengthens the public sector to improve delivery of key social protection services to farmers and workers. It also builds awareness among community-based organizations of the human rights commitments that government and private sector actors have made in their communities and trains them to advocate for the realization of those commitments.

- In Turkey, with support from the Dutch government, we are working with companies in the hazelnut sector to [reduce the risks of child labor and forced labor among migrant worker families on hazelnut farms](#). The project involves setting up hazelnut committees to improve collaboration between local authorities and communities and enable area-based approaches to addressing root causes, such as improvements to migrant workers' housing. The project also provides training to labor recruiters who facilitate workers' migration to hazelnut harvesting areas to ensure they uphold worker protections during the recruitment process.
- In Mexico and Costa Rica, with support from the Walmart Foundation, we are partnering with the labor rights NGO Stronger Together to promote and enable [responsible](#)

[recruitment practices of seasonal migrant workers](#) producing avocados, berries, bananas, and pineapples. The project will adapt [Stronger Together's](#) Responsible Recruitment Toolkit to these countries and sectors, build capacity of farmers and labor providers to use the toolkit, and build support for responsible recruitment practices among governments, industry associations, and other stakeholders.

### **Supply Chain Services: Encouraging Corporate Leadership**

Our Tailored Supply Chain Services team works one-on-one with companies to identify where and how they can improve their sourcing practices and interventions on a variety of sustainability topics, including [forced labor](#). For example:

- Our **Corporate Advisory** team supports companies to ensure that their sourcing policies and practices are in line with global best practices, such as the principles, guidance, and definitions of the [Accountability Framework](#).
- Our Tailored Supply Chain Services team helps companies perform **risk mapping and supplier engagement** to identify needs and flag local and regional risks within supply chains.
- We co-develop and facilitate interventions through **field-based partnerships**, facilitating the identification and implementation of interventions at the farm level,



often involving training and coaching of suppliers on key topics like forced labor.

- Our supply chain **monitoring and evaluation** team tracks activities to understand what interventions are working and where additional assistance is needed.

Companies are in a unique position because they can use their purchasing power to influence suppliers and disincentivize worker exploitation. This includes paying prices for commodities that cover the cost of production—including decent wages for workers—and provide an adequate margin for producers to secure a sustainable income. It also means investing in lasting commercial relationships, continuous improvement, and shared responsibility. These steps and constructive long-term buying relationships reduce both the vulnerability of workers, and producers' exposure to the risk of forced labor.

Companies can also help prevent forced labor by working with governments, civil society, and producers to support human rights related legislation and enforcement that benefit farmers, foresters, workers, and climate change adaptation in rural communities. Paying fair tax contributions to governments' national budgets for education, healthcare, economic development, and social care, is also critical because it contributes to an enabling environment in which farming families can break free of the intergenerational cycle of poverty.

### **Advocacy: Influencing Government Policies**

Tackling the root causes of forced labor requires governments to improve and enforce labor laws, license and inspect labor brokers, support safe migration where appropriate, and prosecute businesses and criminal organizations that engage in modern slavery, forced labor, and human trafficking. As noted above, structural economic issues are often at the root of farmer and worker poverty, and governments have a key role to play in addressing this key driver of forced labor, such as supporting the socio-economic empowerment of vulnerable communities and workers.

The Rainforest Alliance advocates, often together with other civil society organizations, to ensure that governments create an enabling environment in which forced labor is monitored, remediated, and ultimately prevented. This includes our work to advocate for governments to enforce corporate responsibility, for example, through the development of effective human rights due diligence legislation. We also advocate by sharing research, working in partnership with local and international NGOs, and being an active member of multi-stakeholder platforms tackling forced labor, such as Alliance 8.7, the International Cocoa Initiative, the Sustainable Coffee Challenge, and Verité's Farm Labor Due Diligence Initiative.

## **CONCLUSION**

For the Rainforest Alliance, tackling forced labor is critical to our vision of improving the livelihoods and well-being of rural people while protecting natural landscapes. When workers and farmers can earn a decent livelihood under decent working conditions, farms are more productive and land

### **SIDEBAR**



*Workers wash and pack bananas on a farm in Costa Rica.*

### **Direct Worker Reporting**

Rainforest Alliance collaborates with &Wider, a third-party provider of "worker voice" technology, to connect our market partners to these services. Through phone-based outreach and surveys to workers on issues such as housing conditions, working conditions, freedom of movement, and payment terms, these services can give partners additional insight into the farms from which they source. They also:

- Create a platform for workers to voice concerns anonymously
- Provide data to farm owners so that they can mitigate and correct concerns prior to an audit
- Provide continuous input throughout the certification period, rather than just once a year

stewardship is more sustainable. Households become more resilient to climate change and less vulnerable to poverty and economic shock. In short: everyone benefits.

Our strategic interventions combine both short-term and long-term solutions to make progress and address root causes in agricultural and forest landscapes. This leads to improved incomes, reduced inequality, and access to services that farmers, foresters, and workers need. But no single organization can tackle these root causes alone. Collaboration with all actors involved is essential—from local governments that can adapt laws and improve enforcement to local civil society organizations in rural communities to companies that invest in farmers' and workers' well-being and livelihoods. Only by working together can sustainable and positive change be achieved. 🌱





The Rainforest Alliance is creating a more sustainable world by using social and market forces to protect nature and improve the lives of farmers and forest communities.

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