Ergon

New data on detecting forced labour in agriculture
Literature review and research questionnaire

5 January 2018

Contents

1.   Introduction

The ISEAL-funded research project *Integrating new data to improve risk assessments and detection of forced labour in agricultural supply chains* (2017 – 18) is an attempt to **build the evidence base around monitoring and remediating forced labour in agricultural supply chains in order to improve assessment and detection efforts**. This document is an internal interim submission and contains:

- A **questionnaire and interview protocol** for interviews that will be held with UTZ and Sustainable Agriculture Network (SAN) field experts located in the research's three countries of focus (Guatemala, India, Kenya). The primary purpose of these interviews is to understand how forced labour occurs in these locations and how information on its occurrence can be practically obtained (i.e. which methods or indicators), which will support the development of the methodology.
- **A literature review** which has provided a contextual basis for interview questions and selected areas of focus for the interviews. This exercise also provides background knowledge on country forced labour risk factors in the three pilot countries and identifies current leading models for detecting and remediating forced labour.

The desk-based literature review findings have been used to scope and refine the questions selected for the interviews, bringing an understanding of the existing tools and methods available as well as a sense of *what* areas of evidence we need to build around forced labour in the three countries of focus.

2.   Questionnaire and interview protocol

2.1   Interview protocol

2.1.1   Introducing the questionnaire and the project

Interviewers should allow around 5 minutes for the introduction (out of an estimated one hour overall) – a couple of minutes from you, and a couple of minutes for questions from the participant. Your introduction should cover the following areas:

Area	Guidance on what to communicate to interviewees
Overview of research	[Please provide or send the *overview document* prepared by SAN in advance of the call or meeting] This interview is being conducted for a research project on *Integrating new data to improve risk assessments and detection of forced labour in agricultural supply chains.* The project is an attempt to build the evidence base around monitoring forced labour in agricultural supply chains in order to improve assessment and detection efforts. The project will also gather best practices on detecting and remediating forced labour.
The project participants	This is an ISEAL Alliance-funded project led by SAN working in partnership with UTZ (soon to be merged with Rainforest Alliance) during 2017 - 2018. Ergon Associates, a consultancy focusing on labour and human rights, based in London UK, are participating as specialist consultants and will be mostly involved in the initial development of the methodology.
Purpose of the questionnaire	SAN and UTZ are conducting interviews in Guatemala, India and Kenya to understand how forced labour occurs in these countries and what causes it, and to understand from your professional experience what information on it exists or can potentially be gathered to detect it. We are also interested in knowing whether there are any models for addressing forced labour cases when they are found that are known to be effective (in assisting all parties involved) or show promise within the country.
How data will be used	Information shared will be used to develop a research methodology for better monitoring forced labour and related patterns of exploitation in [Guatemala, India, Kenya, as appropriate]. Parts of the methodology are expected to be put into the public domain along with some of the background research. Your contributions may inform these elements, but the detailed content of this interview will not be made public.
Research ethics: confidentiality, attribution, contact point	Confidentiality will be respected and any information you provide will be anonymized to all except for the named project participants. The fact of your participation will also not be shared with any party outside of SAN, UTZ or Ergon Associates, without your express written consent. Ergon Associates have signed a confidentiality agreement pertaining to this study. Please contact Jessica Chalmers, Programme and Partnerships Manager at SAN, on jchalmers@san.ag if you have any queries related to the overall research or interviews.

2.1.2   Recommended interview format and expected outcomes

Area	Guidance on conducting the interview
Format and tone of the interview	Semi-structured. We recommend using the questions as a guide, but some adjustment may be necessary to ensure the questions are appropriate and effective for a particular respondent. As long as the main questions are answered in sufficient detail, the structure can be flexible. The overall tone of the interview should be informal – asking with an open mind and really seeking to get beyond documented, more formal data to learn from the experience, perspective and ideas of those much closer to situations of monitoring forced labour. Please indicate that all thoughts and ideas are welcome.
Gathering information on forced labour and related concepts	Situations that might be forced labour under the international definition may not be called 'forced labour' in the national context. Therefore, we are interested in gathering wider information beyond what is already considered forced labour. The definition of forced labour as well as related concepts we are interested in are set out below. **Please document and follow up with interviewees on any information received that relate to the following issues:** **Forced labour** as defined by ILO Convention No. 29 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." In practice, forced labour may be linked to '**human trafficking**' which refers to "recruitment, transportation, transfer, harbouring, or receipt of persons, by means of the threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power, or of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation." **Other forms of labour exploitation** can be associated with forced labour. We are also interested to know about those, where relevant. They include: <table><tr><td>False promises of good jobs</td><td>Limiting freedom of movement</td><td>Wage withholding</td></tr><tr><td>Abuse of power</td><td>Intimidation (physical or psychological)</td><td>Forced overtime</td></tr><tr><td>Threats to denounce workers to immigration</td><td>Workers pay recruitment fees</td><td>Trapping workers or families in a cycle of debt</td></tr><tr><td>Peer pressure from relatives to work</td><td>Withholding identity documents</td><td>Coercion by violence or threat of violence</td></tr><tr><td></td><td></td><td>Harsh treatment</td></tr></table>
Following through on key points	Many of the interview questions are followed up with intentionally open-ended probing questions (how does it occur? Please describe, etc.) to allow participants to decide for themselves how best to answer and to invite as descriptive a response as possible. In some instances, multiple follow-up questions on the same topic may be needed to gain a full picture of the situation in question. Some of the listed probing questions (*in*

Area	Guidance on conducting the interview
	italics) may relate to pieces of information of particular interest to the project (i.e. impacts on women workers). It is important that interviewers follow up with these questions when not voluntarily offered by participants to ensure we capture less obvious information.
Recording the responses	Based on the outcome of the interviews, please record in as much written detail as possible, answers to the questions set out in the questionnaire. Where the interview did not follow the questionnaire's format, please ensure that at least the following areas are covered in your responses: 1. What are the main situations or problems faced in the country related to forced labour? 2. How are these issues treated by businesses, politicians, NGOs? Are they recognized as 'forced labour'? 3. Victim profile (as applicable), including any differences between situations faced by men and women 4. How can forced labour be spotted? 5. (As applicable) Who are the main actors working on the issue? How do they detect/monitor forced labour or labour exploitation? What indicators do they use? 6. Any other relevant information: Please document any other information they wish to provide on the topic.
Documentation	Please scan or forward any documents or supporting materials sent or referenced by the interviewee.
Space for additional comment on the topic	Since it is important to ensure interviewees have the opportunity to make any additional comments on the topic, we have a penultimate open question to that effect. This often gives rise to useful ideas, reflections or insights which can stem from the interview process itself – please record any ideas arising.
Capturing learning on the interview itself	Finally, we request suggestions on improving the interview which we can capture for future improvement/overall project learning. Please record any such suggestions, and incorporate them in subsequent interviews if you deem it appropriate.

2.2   Questionnaire

The questionnaire is to be administered in three parts. The first part is a set of general questions to be asked of all interviewees. The second component involves country-specific questions targeted at information pertaining to the country context. We recommend allowing equal time for both sets of questions – roughly 25 minutes each. The final closing questions we expect to take approximately 5 minutes.

General questions
1. Do you believe forced labour is a significant risk in the sectors you work in? *Please elaborate. What is at the root of the problem?*
2. Have there been any recent studies or investigations? If so, please share.
3. Are there any other major labour exploitation risks in your sector? In the country?
4. What is the most common way forced labour cases are discovered?
5. Are any practical detection measures currently in place, including any tools in use? *Can you share examples?*
6. Do workers ever report on these issues themselves?
7. What additional information and knowledge sources on forced labour drivers and root causes can we use to better monitor the situation, and how could we access them?

Country specific questions	
Guatemala	1. Which industries are at greatest risk of forced labour? *Why? What is different about these sectors or the workers they employ?*
	2. Who are the victims of forced labour? *What makes them vulnerable to this practice? How can they be identified in the workforce? Are experiences different between women and men?*
	3. Are there any organizations in Guatemala that monitor labour brokers/agents? *Is there a way to tell good agents apart from those associated with trafficking?*
	4. What have been the challenges and successes in providing effective removal, rehabilitation and remediation?
	5. Do workers feel empowered to speak about labour conditions? *Why or why not?*
	6. What is the most effective way to establish communication with isolated workers and communities in remote locations?
	7. If workers had access to a confidential 'hotline' or complaints system, would this improve detection of forced labour? *What would SAN/UTZ need to have in place for this to work correctly?*
Kenya	1. Do you think forced labour is a problem in Kenyan export agriculture? *Why or why not?*
	2. In your experience, have you seen or heard of cases where workers have been forcibly made to work against their will in any commercial agriculture industry in Kenya? If so:
	How did/does it happen? What drives it?
	Who does it happen to? Who are the victims?

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General questions
8. What local issues must be considered in developing effective strategies to help forced labour victims?

Country specific questions	
	How frequently does forced labour occur?
	3. How is information on child labour gathered and what tools/methods are used to monitor the situation? *How well do these work in your view? What could be done better?*
	4. What are the main challenges when monitoring child labour (or forced labour, if relevant)?
	5. What are the most important public or private efforts to improve working conditions in Kenyan Agriculture? *(As relevant) Do they impact forced labour at all?*
	6. Do workers feel empowered to speak about labour conditions? *Why or why not?*
India	1. Do you believe there exist any cases where Indian tea plantation workers are forcibly made to work without pay or otherwise against their will because of debt or other circumstances? *If so, how widespread is this practice?*
	2. What would [SAN or UTZ] need to look for to be able to tell which workers or families were at greatest risk? *What is likely to be different about them?*
	3. Does this practice impact women-headed households any differently (or worse) than those with a man earner? *How?*
	4. Does this or any similar phenomenon impact workers or their families in other industries? I*f so, please describe.*
	5. Which organizations are monitoring or working on these situations? *Can you describe their approach/ activities? Has any approach worked particularly well in your view?* Please describe.

Closing questions
Is there anything additional you would like to say on this topic you think it is important for us to know – any reflections or insights?
Do you have any suggestions for how this interview could have been improved (within reasonable parameters)?

3.   Literature review

The literature review was conducted in two parts. It consists of a set of **3 country forced labour profiles for Guatemala, India and Kenya** (Annexes 1-3) and a **review of tools and models for monitoring and remediating forced labour** used by global organizations working in that area. A summary of findings is set out below.

3.1   Summary: Country forced labour profiles

The profiles contain a top-line overview of known information from reputable third-party resources and internal knowledge databases on how forced labour occurs in Kenya, Guatemala and India and the respective sectors of interest. It includes analysis as to whether forced labour is a wider problem within the country and whether it is linked to national or regional level structural factors or drivers such as poverty, migration patterns, recruitment practices and others. The main findings are set out below:

Country (sector)	Description of forced labour risk	Contextual risk-influencing factors
Guatemala Coffee, banana, palm oil, avocado (flowers, green bean, macadamia, melon and rubber)	• Forced labour is a known risk in agriculture. • Exploitative conditions in the sector are widely recognised and in recent years, indicators and reports of forced labour have been reported in major export products – coffee, palm oil and sugarcane. • Forced labour risk is closely associated with use of third party labour recruiters. • Indigenous peoples, often internal migrants, as well as women, make up the clear majority of those most vulnerable to exploitation in all forms. • Women often work as unpaid family labour in traditionally male-dominated sectors. Where forced labour situations occur, women could become victims along with men. Women may also be at greater risk due to known patterns of discrimination and sexual harassment.	• Isolation • Poverty and internal migration • Indigenous vulnerability • Worker indebtedness • Unethical recruitment practices • Unpaid family labour • Document retention
India Tea, spices	• Cases of workers and their families in cycles of extremely low pay and debt on tea estates in Assam and West Bengal have been documented, and the worst of these cases may constitute a form of 'bonded labour'. • Otherwise, no situations of forced or bonded labour in tea or spices have been directly identified or described as such by stakeholders in recent years. • The tea sector carries a unique risk factor, because of the historical dependency of workers on their employers, as well as extreme exploitation and embedded	• Wider country risk patterns: bonded labour • Discrimination (Caste/tribe) • Isolation • Employer dependency

Country (sector)	Description of forced labour risk	Contextual risk-influencing factors
	hierarchical relationships in enclave economy tea plantations, often with ethnic differences embedded into those hierarchies. • Debt bondage has been historically reported in spice production as well. • A debt-cycle situation that does amount to bonded labour may be difficult for an external observer to distinguish from a situation of indebtedness that does not.	• Illegal pay deductions • Poverty, low pay, debt • Gender
Kenya Tea, coffee, horticulture	• Forced labour is not currently considered a key risk issue in Kenyan agriculture. • There is, however, a risk that conditions for hired child or adult workers could, in exceptional cases, deteriorate into isolated incidences or situations resembling forced labour, though not part of a consistent pattern. • Child labour is widely reported, and children are more vulnerable to poorer conditions, including the risk of forced labour. • Several indicators or symptoms of serious levels of exploitation are present in some cases in Kenyan agriculture (poor living conditions, pay violations, sexual harassment). However, it is involuntary – i.e. effectively forced - overtime which relates to a forced labour situation. • Wider structural issues such as poverty, labour oversupply, child labour and gender discrimination serve to suppress labour conditions but are not directly associated with forced labour.	• Insecure working arrangements • Child labour and vulnerability to poor conditions • Poor living and working conditions • Migration • Productivity pressure which can lead to 'involuntary' overtime

3.2   Summary of monitoring tools and approaches

The second part of the literature review consisted of a high-level review of key global initiatives or organizations working to monitor or eliminate forced labour in global agricultural supply chains. The **purpose was to identify the main components and tools used by these organizations, selected because they either have demonstrated success in or potential towards detecting or remediating forced labour**. The key organizations selected and a short summary of their monitoring tools and models is set out below. The full tables are found in Annex 4.

These tools will be taken forward to later stages of the methodology development. As a separate step, we will be looking at what indicators they use that are relevant to detecting forced labour and will classify the different tools and methods for data gathering to develop a typology of the different data gathering tools available.

Initiative/ organization	Name	Monitoring tools/approaches
	Coalition of Immokalee Workers- Fair Food Program (FFP)	• Corporate partnership – leveraging market power of brands • Worker-led code of conduct and supervisory system • Worker education and empowerment • Complaints hotline • Advocacy and campaigns
	Goodweave "Inspection, Monitoring and Certification /Producer Support Programme"	• Supplier engagement and support • Community outreach and engagement
	Forced labour in the production of electronic goods in Malaysia	• Multi-stakeholder information sharing and outreach • Data triangulation – quantitative data and worker voice • National/sectoral surveys
	Assessment of Monitoring and Remediation Systems (ex. Turkish Hazelnuts)	• Community engagement/ participatory research • Enhanced sector-wide labour assessment • Corporate partnership -linking monitoring with corporate ethical supply chain programme • National/sectoral surveys
	Third-Party Feedback and Monitoring Systems – Uzbekistan cotton	• National/sectoral survey • Partnership with expert international organizations • Building M&E systems and information feedback channels • Complaints hotline • Campaigns/advocacy

Initiative/ organization	Name	Monitoring tools/approaches
	Freedom fund 'Hotspot strategy'	• "Collective impact" - Collaboration with environmental, community orgs. and civil society • Community-based monitoring • Worker and community education and capacity building • Country research
	Issara Institute - Inclusive Labour Monitoring/ Worker engagement model	• Complaints hotline • Worker engagement and capacity building • Worker-informed worksite inspections • Transparent remediation processes – encourages victims to come forward • Corporate partnership • Stakeholder information sharing and outreach • National/sectoral surveys
	Philip Morris International- Agricultural Labour Practices (ALP) Programme & Code	• Supplier engagement and support • Holistic, risk-based monitoring • Continuous improvement

4. Guatemala – country overview: forced labour and human trafficking

Products covered: **coffee, banana, palm oil, avocado** (flowers, green bean, macadamia, melon and rubber)

Introduction

Exploitative conditions, including indicators of forced labour, have been identified in Guatemalan agriculture in recent years. Indicators such as deceptive recruitment and restrictions on freedom of movement have been reported in major export products – coffee, palm oil and sugarcane. Other sectors not covered by the relevant studies may be impacted by risk as well as similar workers and migration patterns across the agricultural sector. Indigenous peoples, often internal migrants, as well as women, make up the vast majority of those most vulnerable to exploitation.

Common risk factors

The key contextual factors are:

Isolation	Poverty and Internal migration	Indigenous vulnerability	Worker indebtedness	Unethical recruitment practices	Unpaid family labour	Document retention

Pen portrait – vulnerable workers

Most labourers in Guatemalan agriculture are indigenous people, who experience high levels of social disadvantage. Many are from the country's highlands and are driven by extreme poverty to migrate internally, as a family, for seasonal harvest work. They are typically recruited by third party labour brokers or agents. For many indigenous peoples, Spanish is a second language, and this can impede their communication with employers. On plantations, children and female partners are often treated as unpaid labour, with their work seen solely as support to the male household head. Where forced labour occurs, women and unpaid family members are also at risk. Women may also be at greater risk due to known patterns of discrimination and sexual harassment.

Key forced labour risk factors and drivers

Indicators of forced labour have been reported in recent years in the coffee, palm oil and sugarcane sectors in Guatemala. These include deceptive recruitment, mounting debt, document confiscation, isolation, use

of private security, threats and abuse, and generally poor living and working conditions. Export-agriculture is high-risk in Guatemala. Those consistently most vulnerable to exploitation are indigenous, internal migrants, who are mostly recruited by third party brokers. Woman also face additional risk, as they are regularly treated as unpaid support workers to their male partners.

Factors	Risk description
Sector specific reports	• Currently, no Guatemalan products feature as products of forced labour on the US Department of Labor's List of Goods. • However, indicators of forced labour have been reported in recent years in export-oriented agricultural work in Guatemala – notably in coffee, palm oil and sugarcane. • Despite some variations in their prevalence, the indicators of forced labour are largely the same across the agricultural sector, not confined to any specific crop or sub-sector. They include deceptive recruitment, debt, document confiscation, isolation, private security abuses, threats and abuse, and generally poor living and working conditions. • Indigenous, migrants and women are consistently the most vulnerable to exploitation in the sector. Sources: Verité, 2012; Verité, 2013; Verité, 2017; Danwatch, 2016; US Department of Labor, 2016b; AUSJAL, 2016.
Wider country reports	• Commercial sexual exploitation is most commonly identified form of forced labour in Guatemala and is high on the government agenda, along with child labour. Other forms of forced labour attract considerably less attention from media and policy makers. • As a sector, agriculture does carry high risk of forced labour, along with private-household domestic work, which mostly comprises indigenous, migrant women. There is a lesser risk in garment manufacturing and other small businesses in cities, such as tortilla shops. However, in many cases it is unclear whether these are situations of gross exploitation or forced labour. • It is noteworthy that independent of sector, indigenous peoples are almost entirely the victims of forced labour in Guatemala, owing to their great social disadvantage. Sources: US Department of State, 2017a; ILO, 2013; AUSJAL, 2016; CLATE, 2013.
Unethical recruitment practices	• Labour brokers visit rural communities to hire and transport migrant labourers (often with their families) to plantations. • Migrants, who are mostly indigenous, often trust brokers who come from their community and speak their native language. • The majority of palm oil and sugarcane workers are hired through brokers. A study in the coffee sector found around 44% of workers were hired this way, and a small amount of whom also paid for the job. • Labour brokers generally receive either a price per worker or a percentage of their wages (5-20%). • In some cases, in the coffee sector, middlemen are reportedly paid the difference between the going rate for workers and what the workers receive - thus incentivising them to get workers to agree to the lowest wages possible. • There are reportedly deceptive recruitment tactics employed in some export oriented industries. Sources: Verité, 2012; Verité, 2013; Verité, 2017; Danwatch, 2016;
Migration patterns	• Most agricultural workers in Guatemala are internal migrants who travel to work for 3-4 months for a harvest. The majority will be hired by labour brokers (see above).

Factors	Risk description
	• Labourers typically migrate from the impoverished rural areas, such as the Highlands, which have a high indigenous population, to other agricultural areas across the country, dependent on the crop and harvest season. • Generally, in products such as coffee and palm oil, it has been found that temporary migrant workers experience poorer conditions and heightened vulnerability compared to their non-migrant counterparts. Sources: Verité, 2012; Verité, 2013; Verité, 2017.
Indigenous vulnerability	• Around half of Guatemala's population is indigenous, and these peoples typically make up most of the agricultural workforce. They are highly socially disadvantaged, and the Inter-American Commission on Human Rights recently described the situation of indigenous people in Guatemala as "verging on segregation", with this visible in their working conditions and exclusion from the formal economy. • There are 23 indigenous languages in Guatemala and indigenous peoples can have limited Spanish, which is their second language. In a study of the coffee sector, it was reported that some workers could not communicate with plantation owners about conditions, leaving them in disempowering positions and more vulnerable to exploitation. • Around 60% of indigenous workers on coffee plantations reported that they earn less than their non-indigenous counterparts, and others identified other forms of discrimination and poor treatment. Sources: IAHCR, 2016; Danwatch, 2016; Verité, 2012.
Document retention	• Migrant agricultural workers hand over their ID documents on arrival and these are generally only returned at the end of the harvest. In an earlier study, only 2.2% of coffee workers experienced this. • Document retention has been reported as even more common in palm oil, with cases of labour contractors not returning the documents at all, which causes significant issues for marginalised rural workers and discourages them from leaving. Sources: Verité, 2012; Verité, 2013; Verité, 2017; Danwatch, 2016.
Isolation	• Plantations in Guatemala can be vast and isolated, increasing vulnerability of workers. For example, migrant workers in palm oil are reportedly very isolated form local communities in Northern Guatemala. • Workers are often dissuaded from leaving plantations, particularly owing to the presence of armed guards. In the palm oil sector, there have been reports of workers not being permitted to leave plantations during the term of their employment. • As middlemen transport migrant workers to plantations, many cannot afford transport home, even if they wish to leave. Sources: Verité, 2012; Verité, 2013
Worker indebtedness	• Plantation workers are paid every two weeks usually. Some report that their pay is withheld until the end of the harvest. A study in the coffee sector found 10% of workers were only paid at the end of the harvest. • In the palm oil sector, there have also been reports of middlemen paying advances to workers during the recruitment stage, increasing their vulnerability to debt. • Workers thus often have cash flow issues and end up in increasing debt to plantation owners or labour brokers by being obliged to buy food and other necessities from shops on the site, which have inflated prices. This can often result in debt exceeding their pay.

Factors	Risk description
	• In addition to deductions for labour contractors and use of site-shops, other questionable deductions from workers' pay are not uncommon. Among coffee workers, around 15% experienced punitive deductions for errors. • In a 2009-2011 study, 60% of coffee workers reported that they did not earn enough to pay their daily living expenses and debts, and almost 80% stated that their pay could not buy them sufficient food. Around 6% ended up having to borrow more money from employers, middlemen, family or fellow workers. However, no workers reported being unable to leave plantations until their debt was paid. • In a study of the sugarcane sector, 63% of workers claimed they were indebted during their employment; and 88% stated that workers cannot leave the plantation before paying off debts. Sources: IAHCR, 2016; Danwatch, 2016; Verité, 2012; Verité, 2013; Verité, 2017.
Unpaid family labour	• Unpaid family labour is common in export agriculture in Guatemala, with indigenous peoples often migrating as families. The male household head is generally considered the labourer with the "contract", be it written or not, and the wife and children work alongside him to reach high piece-rate targets. In this way, men are paid for the whole family's work. • This is particularly the case in the coffee sector, with around 85% of workers having their spouse and/or children work alongside them - almost these workers stated that their "helpers" were unpaid. • Among the small amount of independent female workers in coffee, over half reported gender-based discrimination – they had a far more negative perception of their work and most did not understand payment systems. • Women in palm oil have been reported to be paid significantly less than men, as their income is perceived as being supplementary to a household. • Culturally, indigenous women do not tend to communicate with outsiders, and their position generally makes them more vulnerable to exploitation. Sources: Verité, 2012; Verité, 2013; Verité, 2017.
Threats and abuse	• Coffee workers that spoke to Danwatch also claimed that armed guards are used to intimidate workers, particularly those that complain, with reports that these workers are removed from sites by guards. • In earlier investigations (2009-2011), 4% of surveyed coffee workers reported feeling frightened; 10% claimed they did not feel free to leave before the end of the harvest; and 17% reported having experienced threats, such as threats of dismissal, abuse or violence. • Sugarcane and palm oil workers have also reported threats and verbal abuse, including in internal investigations carried out by Coca-Cola. • In agriculture generally, threats, including death threats, and violence, are common against workers who complain or try to organise or unionise. Several cases of unionist murders occur most years. Sources: Verité, 2012; Verité, 2017; Danwatch, 2016; TCCC, 2015.
Sexual harassment	• Female workers interviewed on palm oil plantations in Southern Guatemala reported that supervisors sometimes requested sexual favours from them. If they did not accede, their supervisors transferred them to worse positions. Sources: Verité, 2013.
Other poor working and living conditions	• It is worth noting that while forced labour and its indicators are not widespread, Guatemalan export agriculture is acknowledged as an area of widespread labour violations and generally poor living and working conditions, independent of product.

Factors	Risk description
	• Informal employment is predominant in Guatemalan agriculture. Almost all workers in agriculture do not have written contracts and most are temporary. • The vast majority (90%) of workers in Guatemalan agriculture earn less than minimum wage. • Piece-rate work with excessive targets is the norm and is a driver of excessive hours and poor OSH across agriculture. In sugarcane, almost half workers reported forced overtime to meet quotas. • Workers in many sectors are provided insufficient PPE. • Food provided by plantations is often insufficient, forcing workers to purchase extra food from plantation-owned stores. Workers often sleep in small shacks provided by the plantation. Sources: Danwatch, 2016; Verité, 2012; Verité, 2013; Verité, 2017; CODECA, 2014.

Relevant initiatives

The Guatemalan government has been under pressure in recent years to focus its attention on the worst forms of child labour, which is a particularly widespread issue, as well as trade unionist violence and commercial sexual exploitation. There are thus a limited number of current initiatives relevant to labour exploitation in agriculture.

Initiative	Actors	Description
Secretariat for Sexual Violence, Exploitation and Trafficking (SVET) - Programmes	Local government	Under its list of programmes, SVET lists labour exploitation and trafficking. However, it is unclear what activities are taking place. In recent years, stakeholders have recognised SVET's advancements in terms of tackling and remedying cases of commercial sexual exploitation.

Legal framework

Category	Description
Prohibition of forced labour	The Constitution prohibits servitude, or any other condition that diminishes human dignity. The Penal Code also prohibits human trafficking for the purposes of forced labour. The Labour Code declares null and void any act or contractual condition which is contrary to, or has the effect of diminishing, any constitutional rights. Sources: Constitution, Penal Code, LC
Anti-trafficking framework	Human trafficking in various forms is prohibited in several pieces of legislation, notably the Penal Code, the Law against Sexual Violence, Exploitation and Human trafficking, as well as the Law of Integral Protection of Children and Adolescents and the Law on Migration. Sources: Penal Code, Law against Sexual Violence, Exploitation and Human trafficking, Law of Integral Protection of Children and Adolescents, Law on Migration, US Department of State,2017a, US Department of Labor, 2016a.

Category	Description
Enforcement	Ministry of Labour and Social Welfare is charged with the implementation and enforcement of labour law. The General Inspectorate of Labour (IGT), which sits within the ministry, is responsible for conducting workplace inspections. Its capacity fluctuates, and it comprised 267 inspectors in 2016, compared to the 313 recommended by the ILO. Inadequate funding and training have been persistent issues with the unit. In 2017, the IGT was granted the power to impose penalties, easing pressure on the Public Ministry and judicial system.
	The Secretariat for Sexual Violence, Exploitation and Trafficking receives cases of commercial sexual exploitation from the IGT, supports victims, trains law enforcement agencies, and leads on anti-trafficking campaigns.
	Sources: US Department of Labor, 2016a, Congreso de la Republica, 2017.

5.   India – country overview: forced labour and human trafficking

Products covered: **tea, spices**

Introduction

No situations of forced or bonded labour in tea or spices have been directly identified or described as such by stakeholders in recent years. Nevertheless, cases of workers and their families in cycles of low pay and debt on tea estates in Assam and West Bengal have been documented, and the worst of these cases may constitute a form of 'bonded labour'. However, because of the dependency of workers on their employers, a debt-cycle situation that does amount to bonded labour may be difficult for an external observer to distinguish from a situation of indebtedness that does not.

Common risk factors

The key contextual factors are:

Wider country risk patterns: bonded labour	Discrimination: caste and tribal groups	Isolation and employer dependency	Illegal pay deductions	Intergenerational poverty, low pay and worker indebtedness	Worker vulnerability – female headed households

Pen portrait – vulnerable workers

Several historical 'legacy' issues are present among the key drivers of forced labour risk. Across India, including in tea and spice farming, lower castes such as Dalits are more vulnerable to situations of forced and bonded labour. In the tea sector, this also extends to descendants of tribal peoples, such as the Adivasi, who were forcibly brought to work in Northern India's tea sector under colonial rule. Vulnerable worker families have remained on the plantations for generations, usually isolated from other local communities in classic enclave economies. Currently, working members of tea plantation households face widely documented issues of low pay and their families struggle with debt as a result. Exploitative lending practices further fuel a cycle of debt and a near total dependency on employers linked to the colonial legacy

of the sector creates a risk of forced labour. Women-headed households are at greater risk of falling in to debt due to lower earnings.

Key forced labour risk factors and drivers

Stakeholders are divided over the question of whether Indian tea is a product of forced labour. Some reports have classified tea plantation household debt cycles as a grey or less-clear form of bonded labour. Contrastingly, other research suggests that debt bondage in Assam and West Bengal does exist, with worker families earning very little and falling into debt cycles. Historical reports have indicated that bonded labour has been a risk issue in cardamom farming, which also occurs in Assam. However, no further evidence of this was identified.

Factors	Risk description
Sector specific reports	• Many key organizations (Ethical Tea Partnership, US Department of State, Anti-slavery International) do not currently identify Indian tea or spices as products of forced labour. However, some reports suggest that serious labour exploitation – potentially amounting to debt bondage - does exist in Assam and West Bengal, particularly in the tea sector, with worker families earning very little pay and falling into cycles of debt to cover basic costs, such as food. • Tea plantation workers are not forced to work against their will or under threat, but cycles of poverty, lack of opportunity and a legacy of dependency on employers tend to restrict options for tea plantation families and leave them financially and circumstantially vulnerable to exploitation. • Historical reports have indicated that bonded labour has been present in cardamom farming, which also occurs in the Assam region. However, no recent reports identified this. Source: US DoL 2016; US Dos, 2016; ILRD, 2015; FAIN, 2016; Antislavery, 2008; Campbell, 2014.
Wider country risk patterns	• Bonded labour is also a wider risk in India, affecting many sectors across nearly all States and territories – this is also a contributing factor to the overall risk profile, reinforcing caste divisions and normalizing certain exploitative working conditions across the labour market. • India has a high incidence of forced, and particularly bonded, labour, and human trafficking of both adults and children across a range of sectors. High-risk products of note include bricks, garments, textiles, and rice. • Migrants from nearby countries such as Nepal and Bangladesh are also subject to forced labour, often in urban centres. • Female victims often suffer sexual abuse while in situations of labour exploitation. Source: US DoS, 2016; US Dos, 2017; US DoL, 2016; Campbell, 2014.
Discrimination: caste and tribal groups	• Forced and bonded labour largely affects lower castes in the Hindu caste system, such as Dalits, and indigenous peoples. These situations can sometimes be generational, with children ultimately being born into bonded labour. Dalits are typically denied education and are illiterate and landless. This makes them particularly dependent on employers and vulnerable to exploitation. • Across the agricultural sector, lower castes commonly work for higher caste landowners. • The historical caste-based concept of "begar", or Dalits undertaking undesirable jobs for free, continues to be appropriated by landowners in cases of agricultural

Factors	Risk description
	debt bondage. This situation has been explicitly described in relation to cardamom farming, but in a report that is more than 10 years old. • Additionally, most workers on tea estates are descendants of traditionally marginalised tribal communities and lower castes, such as the Adivasi and Dalits, who were forcibly brought to Northern India, or deceptively recruited, under colonial rule. • During colonial period, there were strong ethnic distinctions on tea estates between the main workforce and the management, which have been reported to persist today. More senior staff tend to be from upper castes or from outside states such as West Bengal or Punjab, according to a study of tea estates in Assam. Source: ILRF, 2015; Columbia, 2014; FIAN, 2016.
Isolation and employer dependency (tea estates)	• Tea estates are found in remote areas, often in states with high levels of poverty, notably Assam and West Bengal (Darjeeling and Dooars). • Historically, worker families were forcibly kept on estates and isolated from local populations. Presently, isolation is maintained by poverty and lack of opportunities for workers and their children outside the estates. • According to the International Labor Rights Fund (ILRF), this has created an "enclave economy and society", with families generally not envisioning life outside of the estates in West Bengal. • Geographic isolation has left tea-farming families almost completely dependent on employers for housing, food, fuel, medical supplies etc. This can make it difficult to distinguish a debt-bondage situation from one that is not. • Recent investigations into major tea estates in Assam have highlighted systematically poor housing, limited food rations, and highly unsanitary living conditions (e.g. no toilets or drinking water) experienced by worker families. In some extreme cases, these conditions, combined with the low pay, reportedly leave workers malnourished and at risk of serious illness. Source: ILRF, 2015; New Internationalist, 2016; BBC, 2015; Columbia, 2014.
Intergenerational poverty, low pay and worker indebtedness	• Most workers are descendants of tribal communities and lower castes that were brought to Assam and West Bengal in the colonial period. • Low pay and financial need has kept many workers from sending their children beyond primary school. With no education or alternative employment, children and youth join the tea plantation labour force as unskilled workers. This has created intergenerational poverty and dependence on the tea estates, as well as a risk of trafficking that has recently emerged (see below). • Low pay is widely documented and reported in tea estates in Assam and West Bengal. Workers on tea estates reportedly earn low daily task rates and must meet high task rates to receive the rates promised. There is a non-cash in-kind component to pay (housing, food, firewood etc), reducing cash wages. These provisions are often provided by law and in collective bargaining agreements, but employers can and often do deduct around 50% of gross pay for these provisions. These benefits have the potential to deliver good value for workers, but reduce options available in terms of how to deploy their earnings. • Reportedly, if workers do not meet high quotas for the basic daily task rate, their pay is deducted by up to 50%. This also leads to workers engaging in unpaid overtime to meet quotas. • Workers and their families living on tea plantations frequently accept loans from moneylenders when their wages fall short of their expenditure needs. The main

Factors	Risk description
	motivations for seeking loans included: delayed, missed, or non-cash payments of wages; and unforeseen medical expenses or house repairs – the latter two are legally the responsibility of the estate. Source: ILRF, 2015; BBC, 2015; Columbia, 2014, Nazdeek Trust, 2017; FIAN 2016; ETP/Oxfam 2012, FIAN, 2016.
Illegal pay deductions for loans	• Loans are commonly taken out either with the employer or with local money lenders that reportedly had close ties to estate management. In both cases, loan payments were deducted from worker wages and interest rates are reportedly high (20-100%). • According to a 2015 report by the ILRF, a 'nexus between the management and the local moneylenders' allows repayment through illegal wage deductions even for private loans. • In the ILRF research in West Bengal (including Dareeling and Doaars), almost 60% of families on tea estates had active debts. The average debt was INR 7,688 (approx. GBP 75). Source: ILRF, 2015; Prasad, 2015; FIAN, 2016.
Worker vulnerability – female headed households	• Women earn less than men and households with only female earners face a greater risk of indebtedness. • Women are paid less than men under task-rate pay system, as they are traditionally disproportionately represented at the lowest levels of production (plucking), where there are high quotas and limited scope for additional "productivity" pay. Men are more likely to work in non-plucking roles, with scope for higher earnings. Source: ILRF, 2015.
External trafficking risk	• Although not directly related to tea production, there have been considerable reports that some workers and children are trafficked from India's tea estates in the Northeast to urban centres. • Traffickers target tea estates, such as those in Assam, because poor conditions and family debt make it easier to lure residents, particularly young girls, away from the estates. • These cases are not indicators of trafficking or forced labour on the tea estates. Sources: The Guardian, 2014.

Relevant initiatives

Initiative	Actors	Description
Various	Nazdeek Trust	Nazdeek has provided legal and advocacy support to tea worker communities in Assam since 2014. It has also provided training on labour rights, minimum wage and welfare benefits in order to raise awareness. It has also launched a campaign based on the tea plantation exploitation of workers named "colonial to corporates." Nazdeek has collaborated with a number INGOs.
Various	ETP, IDH, UNICEF, Tea brands	A range of programmes in response to the issue of trafficking young people from tea estates to cities. One programme focuses on improving the lives of girls living on tea estates through access to education, coordinating 'exposure visits' to government services, banks, transport, and health facilities etc., and supporting 300 Child Protection Committees (CPCs). 2014-2017.

Initiative	Actors	Description
		ETP wrote in a 2016 letter to its members (a statement under the UK Modern Slavery Act 2015), that it had not found any evidence of trafficked labour or slavery in ETP members' supply chains. Nevertheless, ETP committed to independently audit ETP members' supply chains every year to provide independent verification that, among other things, 'if loans are given, proper procedures are used to ensure that the loan does not tie the worker to the estate.'
Trustea (India Sustainable Tea Programme)	Indian tea sector; Solidaridad; ETP; IDH; Rainforest Alliance etc	Sustainability code for the Indian tea sector working to improve livelihoods of tea workers and improve the image of the industry, among other sustainability goals.

Legal framework

Category	Description
Prohibition of forced labour	Forced and bonded labour are prohibited under the Constitution (Art. 23) and the Bonded Labour System (Abolition) Act (Art 4). Sources: Constitution, BLSA.
Anti-trafficking framework	Trafficking of children is explicitly prohibited in the Labour Code. Components human trafficking are covered in other pieces of legislation, though the country lacks a comprehensive legal framework and victim protection apparatus. Sources: Labour Code, Child Protection Code, Penal Code.
Enforcement	Ministry of Employment, Labour, and Social Welfare (MOL) is responsible for labour law and relevant investigations. The labour inspection component of the ministry is reportedly understaffed -243 inspector/ ILO recommends 690. Inspectors also allegedly lack the resources to focus more widely than the lower risk formal sector. The Ministry of Justice and Human Rights (MOJ) is responsible for prosecuting cases of forced labour, child labour and human trafficking cases. Prosecutions and judicial action is reportedly weak –limited funding, staff lack expertise and independence. Sources: US DoL 2016

6. Kenya – country overview: forced labour and human trafficking

Products Covered: **Tea, coffee, horticulture**

Introduction

Overview

Forced labour is not currently considered a key risk issue in Kenyan agriculture. Child labour, on the other hand, is widely reported. Labour law violations are also reportedly widespread for hired workers. These include involuntary overtime, pay violations, sexual harassment and poor living conditions. Where these occur against the backdrop of wider structural issues such as poverty, labour oversupply, child labour and gender discrimination, there is a risk that conditions for hired child or adult workers could, in exceptional cases, deteriorate into situations resembling forced labour.

Common risk factors

The key contextual factors are:

Insecure working arrangements	Child labour and vulnerability to poor conditions	Poor living and working conditions	Migration

Pen portrait – vulnerable workers

Child labour is a key risk issue in Kenyan commercial agriculture and children have, in the past, been identified as victims of internal human trafficking for forced labour in commercial agriculture. Where forced labour does occur in Kenya, children will be vulnerable to the practice. Among adults, women, casual workers, and workers on smallholder farms appear to be the most likely to be subjected to labour exploitation. Migrants and refugees are reportedly victims of forced labour in Kenya, but largely in domestic work, construction and animal herding.

Key forced labour risk factors and drivers

No evidence was identified to suggest that forced labour currently occurs in Kenyan commercial agriculture. Structurally, cheap labour is in oversupply in these industries and employers will generally have little incentive to resort to deception or coercion to maintain a regular supply of workers. However, this economic structure is also associated with other labour exploitation risks, including poor working conditions, low pay,

long working hours and sexual harassment of female workers, all of which are facilitated by the increasingly casual and insecure working arrangements that predominate in the sector. Productivity pressures at seasonal peaks (such as key retail calendar dates in the horticulture industry) may tip over into 'involuntary overtime', where workers are unduly pressured to work extra hours. These are known risks in horticulture, coffee and tea industries. Consequently, the risk is that poor working conditions employed by particularly unscrupulous employers could potentially amount to forced labour, but probably only in exceptional cases.

Factors	Risk description
Sector specific reports	• The only major recent source that identifies forced labour as a current issue in agriculture is the US Department of State. However, no agricultural products are included on the US Department of Labor's List of Goods Produced with Forced Labour. • Sources from the mid-2000s reported that children were trafficked internally for work in informal agriculture. No other reports within the past 10 years could be found to suggest this could be a current practice. Sources: US DoS, 2017; US DoL, 2016; Solidarity Center 2007; ICFTU, 2005; COTU, 2005.
Country risk context	• Risk of forced labour in Kenya is largely concerned with informal activities including domestic service, artisanal fishing, cattle herding, street vending, and begging • Many of these activities are associated with international migration from Uganda and Rwanda. Refugees from East and Central Africa are also included in the labour force, but tend to be largely concentrated in urban centres, rather than rural agricultural communities. • Trafficking in persons using high recruitment fees, debt and false promises of higher pay occurs in Kenyan agriculture including specific cases in tea and coffee, but not in flowers Sources: US DoS, 2016; US DoS, 2017; Strathers, 2013; UNHCR, 2017.
Insecure working arrangements	• Increasingly 'casualised' working patterns are a risk factor for labour exploitation and potentially for forced labour. Job insecurity experienced by casual workers leaves them more vulnerable to exploitation at work, including demands for fees and bribes during recruitment, sexual harassment of female workers, and subjection to poorer conditions (piece rates, benefits, tasks etc). • Casualisation is reportedly an increasing trend across Kenya's major agricultural export sectors - tea, coffee, flowers and beans. Casual workers are hired for temporary seasonal work sometimes for a couple of months and sometimes day-to-day, with the employment 'contract' ending at the end of each day. These sequential contracts allow plantations to retain workers for longer than 3 months without needing to convert them to fully permanent staff -with employment protections and benefit entitlements– in accordance with Kenyan law. • Use of casual hired labour, in general, is more common in relation to larger (20Ha+) plantations and on smallholder farms during peak season. However, casual labourers on smallholder farms or small processing units are reportedly those most at risk of exploitation, particularly regarding pay. However, the lowest wages are reportedly casual labourers working for smallholder farmers. Source: SOMO, 2011; WoW, 2010; COOP, 2017.
Poor living and working conditions, child labour	• Widespread labour abuses such as wage and hour violations, sexual harassment, poor living and sanitary conditions as well as child labour are reported to exist in both tea and coffee production. None of these situations constitute a standalone

Factors	Risk description
	case of forced labour but there is a risk that particularly poor conditions could resemble forced labour in exceptional cases. • **Wages:** Pay is reportedly very low across Kenya's tea and horticulture industries, especially in picking and processing. Lowest reported wages are reportedly for casual labourers working for smallholder farmers. • In tea, pay is poor at factory and picking level. Pay is worse for tea pickers - who earn very low piece rates per kilogram of tea they pick – rates are reportedly lowest on smallholder farms rather than plantations. • In 2017, it was reported that female flower pickers earned an average of USD 50 per month. According to a 2013 study by Oxfam, workers in green bean farming, which is primarily smallholder, generally earn less than those in floriculture. • **Hours:** Tea pickers and factory workers reportedly work long hours and for six days per week (70+ hours) and often without breaks. High piece-rate quotas and climatic changes fuel reportedly influence unpredictable and long working hours. • **Involuntary overtime** is reportedly also a risk issue in tea, flower and green bean work, particularly during harvesting periods. For example, in an Oxfam study of 12 flower and bean production and packing sites in 11 sites workers states that overtime was "not flexible, negotiable, or properly compensated". • **Sexual harassment:** Sexual harassment of female workers by male colleagues and supervisors has been well-reported in the Kenyan tea and horticulture across the past decade. It has been described as involvement male supervisors pressurising female casual workers into sex acts to secure employment, retain their jobs, avoid wage deductions or under threat of giving them work in dangerous plucking zones. • **Housing:** Conditions of estate housing are reportedly poor and unhygienic for all workers, with reports of cases where there has been no clean water or sanitation. Water-borne illness rates are reportedly high. • **Child labour:** Child labour is widespread in Kenya. 1.9 million children between the ages of 5-17 are working, most often in small-scale family agriculture. Though most child labour occurs in the informal sector, there are reports, and therefore some risk of, children working in the production of export crops. Children have also reportedly been victims of internal trafficking for forced labour in agriculture, though these reports are over 10 years old. Sources: Stop the Traffik, 2016; WoW, 2010; US DoS, 2016; BBC, 2017; Strathers, 2013; Oxfam, 2013; SOMO, 2011; COOP, 2017; Solidarity Center 2007
Migration	• Most workers in Kenyan agriculture migrate within the country to find work, often from within the same agricultural region. Some workers are also reportedly cross-border migrants from Uganda and Rwanda. Migrants are reportedly hired directly or introduced through family and friends, similarly to the recruitment of local workers. Refugees from East and Central Africa are also included in the labour force, but tend to be largely concentrated in urban centres, rather than rural agricultural communities. • Domestic workers from Uganda, herders from Ethiopia, and others from Somalia, South Sudan, and Burundi (major source countries for refugees) are reportedly subject to forms of forced labour in Kenya, according to the US Department of State. Sources: US DoS, 2017; Strathers, 2013; UNHCR, 2017.

Relevant initiatives

Initiative	Actors	Description
Various projects	SNV	SNV has a number of projects active in rural Kenya, including in agriculture. These include the Enhancing Opportunities for Women's Enterprises' (EOWE) programme, which looks to improve business and farming skills among women, and a programme looking to improve smallholder livelihoods in Kenyan coffee.
Better Migration Management	GIZ, EU, BMZ	The programme aims to improve migration management in the region, and in particular to address the trafficking and smuggling of migrants. Aims to strengthen the rights of migrants and protect them better from violence, abuse and exploitation. Kenya is a project country.
Awareness Against Human Trafficking (HAART)	HAART	HAART is an organization dedicated ending modern slavery in Kenya and East Africa. HAART operates training and outreach programmes that have focused on youth. The provide support and rehabilitation services for victims. Most of their work appears to be focused on sex trafficking but forced labour is also nominally within their scope of competence.

Legal framework

Category	Description
Prohibition of forced labour	Forced labour is prohibited under the Constitution and the Employment Act (2007), defined as "any work or service which is extracted from any person under the threat of any penalty, including the threat of a loss of rights or privileges, which is not offered voluntarily…". Sources: Constitution, Employment Act.
Anti-trafficking framework	Trafficking, including for slavery and servitude, is prohibited under the Counter-Trafficking in Persons Act, the Penal Code and the Employment Act. Sources: Counter-Trafficking in Persons Act, the Penal Code and the Employment Act.
Enforcement	The Ministry of Labour, Social Security and Services (MLSSS) enforces labour law in Kenya's 47 counties. There were 87 labour inspectors in place in 2016, compared to the 1,244 labour inspectors recommended by the ILO. The inspectorate is underfunded, with limited capacity, and does not have the power to impose penalties. An anti-trafficking unit sits within the police force and focuses on commercial sexual exploitation, Sources: US DoL 2016

7. Table of forced labour initiatives and monitoring/ remediation components

The second part of the literature review consisted of a high-level review of key global initiatives or organizations working to monitor or eliminate forced labour in global agricultural supply chains. Consistent with the project's scope the **focus here was on non-audit monitoring approaches**. **The purpose was to identify the main components and monitoring tools used by these organizations**, selected because they are:

- Examples of non-audit approaches for monitoring labour rights in agriculture supply chains (and others where relevant) that could apply to forced labour in agriculture
- The most current examples of the models deployed for those purposes
- Potential good practice - where possible, these are concrete examples of methodologies that have been developed and tested in practice or having undergone an evaluation of its strengths and weaknesses

Across most of these initiatives, very little detail is available on remediation approaches, even when remediation is firmly within the remit of the organization or initiative. This is either because the initiative is new or no standardized 'approach' exist for remediating cases and each one is dealt with individually. Project Issara is a notable exception.

Initiative	Participants	Monitoring approach	Remediation approach	Tools and components
Assessment of Monitoring and Remediation Systems (ex. Turkish Hazelnuts)	Fair Labor Association (FLA); Nestlé; Olam; Basuu	Fair Labor Association (FLA) works with members such as Nestlé and its suppliers in Turkey to improve supply chain transparency and implement monitoring and remediation system for tackling labour issues covered by FLA's Code of Conduct. The Nestlé/Turkish Hazelnuts assessments is a good example of a model that carries some lessons on monitoring forced labour. The programme consisted of a comprehensive area-wide assessment addressing short term/ seasonal labour abuse	Remediation measures are set out as recommendations from FLA to Nestlé in a public report published as a condition of Nestlé's membership. Correction plans have called for the company to work with its suppliers to change certain risky practices, such as for workers to be paid	Community engagement/ participatory research Enhanced sector-wide labour assessment Corporate partnership - linking monitoring with corporate ethical supply chain programme

Initiative	Participants	Monitoring approach	Remediation approach	Tools and components
		issues in wider communities/ not just individual workplaces. The purpose if this approach is to examine the wider exploitation context in which forced labour could be found, not just to do with forced labour. FLA researchers undertook unannounced independent external monitoring visits to Nestlé suppliers and hazelnuts farms. The visits also included interviews with local and migrant workers and their accompanying family members, growers, and labour contractors not associated with Nestlé's suppliers.	individually and for payment processes to be changed to account for seasonal migration of workers to and from growing areas.	National/sectoral surveys
Coalition of Immokalee Workers' Fair Food Program (FFP)	Coalition of Immokalee Workers (CIW), Fair Food Standards Council (FFSC), Whole Foods, Ahold, Walmart, Chipotle, Trader Joes, Fresh Market, Sodexo, Subway, Burger King, McDonalds, Yum Brands	Coalition of Immokalee Workers (CIW) is a worker-based organization campaigning on social responsibility, human trafficking, and gender-based violence at work. It's Fair Food Program (FFP) is a model for 'Worker-driven Social Responsibility'. FFP provides a centralized power structure in marginalised immigrant communities in the South of the United States – improving the visibility of the workforce. Under this model, CIW provides training or educational materials on rights to workers, who then become active monitors for forced labour. FFP directly involves these workers in third party compliance audits at participating companies by the Fair Foods Standards Council. FFSC farm audits include interviews with at least 50% of workforce, both onsite and offsite. FFSC also operates a complaints line with high levels of resolution (e.g. 80% in 2015)	Farms that do not pass audits are put on remedial procedure / suspended.

CIW works with authorities when cases of forced labour are uncovered, leading to prosecutions. It has undertaken to mediate less severe cases of abuse between buyers and suppliers.

Illegal recruitment fees are reimbursed by participating growers | Corporate partnership – leveraging market power

Worker-led code of conduct and supervisory system

Worker-informed worksite inspections

Worker education and empowerment

Complaints hotline

Advocacy and campaigns |
| Forced labour in the production of electronic goods in Malaysia | Verité, ILO (intellectual contribution), US Department of Labour, local NGO and sector experts, local field surveyors | The Verité assessment of labour conditions in electronics represents a successful attempt to identify a sector wide pattern of forced labour by triangulating otherwise unrelated reports of labour abuse with feedback from worker interviews and national data sources.

Verité used a cross-sectional, mixed-methods research design for this study, employing a combination of quantitative and qualitative methods to document the current experiences of | Recommendations on remediation were beyond the scope of this monitoring report. | Stakeholder information sharing and outreach

Data triangulation – quantitative data and worker voice

National/sectoral surveys |

Initiative	Participants	Monitoring approach	Remediation approach	Tools and components
		workers in the Malaysian electronics sector. Quantitative, survey-based research was used to assess the presence of indicators of forced labour in the sector and gauge how widespread they were. Surveys were assembled based on the analytic framework for defining forced labour in the ILO report Hard to See, Harder to Count (2012). Demographic and other relevant worker data were also collected in quantitative form Qualitative data from surveys and semi-structured interviews were used to cross-check.		
Freedom Fund – Hotspot Strategy	Freedom Fund, various public and private actors	The Freedom Fund "hotspots" programme is currently implemented in a handful of locations including: Brazil, Nepal, Northern India (Uttar Pradesh and Bihar), Southern India (Tamil Nadu) and Thailand, among others. The "hotspot" approach works to find synergies and establish partnerships with local anti-slavery and civil society organizations, as well as those focused on the needs of workers and vulnerable communities. The purpose is to build capacity of and enable local networks working on a range of social and environmental issues to also understand, directly observe, report on and act against slave labour. Therefore, interventions are context specific and driven by local partner. Interventions are meant to be implemented with measurable targets to track progress over five years.	FF and partners invest in several community-based, frontline organisations in hotspots to support them to protect those at risk of forced labour. Monitoring activities and remediation are joined up under this model.	"Collective impact" - Collaboration with community orgs. and civil society Community-based monitoring Worker and community education and capacity building Country research
Goodweave "Inspection, Monitoring and Certification /Producer Support Programme"	Goodweave, Local employers and exporters	Goodweave's inspection, monitoring and certification (IMC) system depends on worksite visits and audits like any other standards systems. But in addition to the inspections and audits, Goodweave also conducts outreach in producer communities and uses the access it gains to these communities to identify and mitigate child labour risk. Goodweave provides day care, education opportunities etc. This system is targeted mostly at child labour, but also covers forced or bonded labour.	Child labourers are provided with home-based, community-based and/or centre based rehabilitation as appropriate to the situation, in line with guidelines provided by Goodweave and in consultation with the child and his/her family. For adult forced labourers, the necessary remediation actions shall	Supplier engagement and support Community outreach and engagement

Initiative	Participants	Monitoring approach	Remediation approach	Tools and components
		Goodweave provides support to producers as a way of increasing visibility over working conditions. The 'Producer Support Programme' involves health education and services, eye-gear and solar-lamp distribution and improving worker access to public services. These programmes are meant to improve worker welfare while at the same time providing access to employers to "ensure that loom owners are sensitive to the workers' cause and are also willing to adopt the essential work place alterations to safeguard worker livelihood, security and health"	be proportionate to the nature of the situation. If it is a suspected case, then the employer is responsible for taking preventative measures to remove known risks of forced/bonded labour. In confirmed cases, employers are responsible for implementing corrective actions approved by the Goodweave Certification Committee.	
Issara Institute - Inclusive Labour Monitoring	Issara Institute, Humanity United, Freedom Fund, Marks & Spencer, Mars, Nestlé, Tesco, Waitrose, Walmart, Darden Restaurants, Lyons Seafood, Sainsburys and other major international seafood brands	Issara is an independent NGO operating a monitoring system for labour conditions linked up with remediation activities to combat forced labour in Thai seafood. It's monitoring system uses mobile phone technology and worker engagement to monitor labour conditions through supply chains.

Businesses / partner brands share supply chain details with Issara. Issara reaches out to workers and communities to raise awareness about the programme and risks of abusive practices. Information is sourced directly from workers using Issara's multilingual hotline, where workers can call, text or send evidence about working conditions via mobile phones. These are combined with supply chain information collected by surveys, migrant community visits, workplace assessments and port risk assessments undertaken on a more ad-hoc basis. | Issara operates a victim support fund to support the transition of migrant workers who were victims of trafficking. It provides healthcare, legal assistance, relocation, psychosocial care, unconditional cash transfers and assistance obtaining employment. | Complaints hotline

Worker engagement and capacity building

Worker-informed worksite inspections

Transparent remediation processes – encourages victims to come forward

Business partnership.

Stakeholder information sharing and outreach

National/sectoral surveys |
| Philip Morris International- Agricultural Labour Practices (ALP) Programme & Code | Philip Morris International, Verité, Control Union | The ALP internal monitoring mechanism works through a system of field technicians who support farmers to compile Farm Profiles to identify and monitor risks and develop Improvement Plans in cooperation with farmers to mitigate the identified risks. Governance and management is located with | Remediation takes place within the scope of PMI's human rights approach. | Supplier engagement

Holistic, risk-based monitoring

Continuous improvement |

Ergon

Initiative	Participants	Monitoring approach	Remediation approach	Tools and components
		interdisciplinary ALP teams, which have been established in every sourcing country. Immediate risks requiring urgent action are recorded as "Prompt Action" issues, most of which relate to child labour, but also covers forced labour. Monitoring is supplemented by external assessments by Control Union and Verité.		
Third-Party Feedback and Monitoring Systems – Uzbekistan cotton	ILO, World Bank, Government of Uzbekistan	This is a large monitoring programme conducted by the ILO and the World Bank to monitor and verify the government's commitments to ending child and forced labour during 2016 cotton season. The survey involved 350 interviews conducted with ministry officials, public servants, teachers, agriculture experts, villages, NGOs, trade unions, women's groups and youth organizations as well as 9,620 interviews with workers. Two feedback mechanisms established for citizens to report labour violations to call centres. Awareness campaign posters, leaflets, radio and text messages were sent to workers and citizens during the harvest.	Government remediation activities.	National/sectoral survey Partnership with expert international organizations Building M&E systems and information feedback channels Complaints hotline Campaigns/advocacy

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