

Workshop Access to Remedy

# Agrofood Sector



## Compliance with competition law

As participants of this meeting, we need to be mindful of competition law and rules.

This implies, inter alia, that we:

- can exchange and discuss publicly available information with each other, as well as not commercially sensitive information, but
- are not allowed to discuss or exchange commercially sensitive information with each other.

**Please inform the chairperson of this meeting if you know or think that a subject being discussed concerns commercially sensitive information.**

**Commercially sensitive information** = strategic information that takes away the insecurity about a competitor's or competitors' future actions/market conduct. Examples of that type of information are:

- Prices and pricing elements (e.g. current prices, rebates, refunds, calculation methods).
- Price strategies or planned price changes (increase /decline).
- Other trading conditions.
- Cost structures, profit margins, capacity and output.
- Plans on future business, investment, mergers/take overs, product, marketing/advertisement.
- Purchasing or bidding plans and other commercial strategies.
- Sales volumes or numbers, sales quota and market shares.
- Propriety technical developments.
- Individual dealings with customers or suppliers including the status or content of (yearly) negotiations.

## Meeting guide

1. Active participation is encouraged.
2. Are you NOT talking? Turn mute ON.
3. KISS! (Keep It Short & Simple).
4. Is your internet connection slow? Turn video OFF.
5. Other problems? Leave and re-enter the meeting QUIETLY.
6. Do you have a question/remark? Leave your name in the chat box, the moderator will give you the floor.

# Programme

## Introduction

### **Part 1: Access to Remedy in Practice**

With Rainforest Alliance, Fair Trade, CNV, &Wider, Tony's Chocolonely

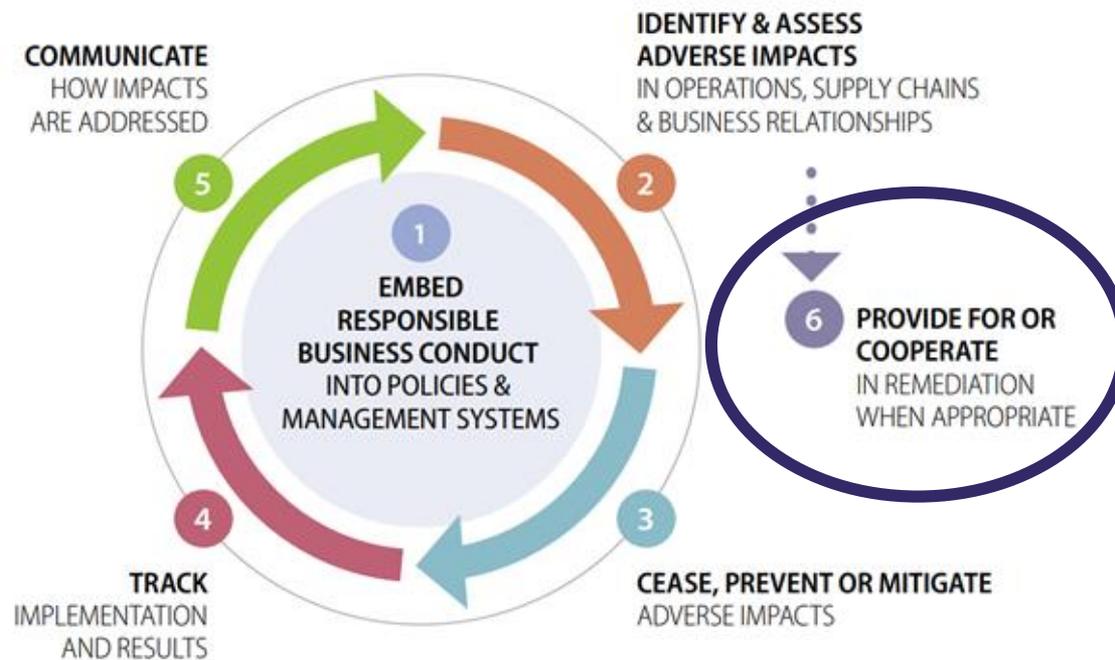
### **Part 2: Access to Remedy in the coffee value chain**

With Global March Against Child Labour and Rainforest Alliance

### **Part 3: Wrap up and closing**

## Background & context of Agrofood sector workshop

FIGURE 1. DUE DILIGENCE PROCESS & SUPPORTING MEASURES



## Objectives

- to discuss and brainstorm about how access to remedy can be implemented in practice
- to inform and inspire participants to join in and collaborate on putting access to remedy into practice

## Your questions

How/where to start? How to build a multi-party access to remedy solution.

How can companies determine whether they have to provide remedy and how (how to put into practice 'access to remedy')?

Can land rights issues experienced by local communities be better addressed through NCPs or do we need sector-specific remedy structures?

How to ensure that remedy is effective?

How to scale up a proven access to remedy model to other countries and regions?

What actions for access to remedy at EU level?

How can local stakeholders and those impacted gain direct access to remedy through an IRBC agreement and be involved in the research phase of a complaint?

How can food companies downstream the supply chain organize and implement effective grievance mechanisms across many high risk commodities sourced from multiple countries?

How do we make sure affected communities know about the remedy mechanisms in place?

How to best integrate this in subsidy and assignment agreements of RVO

What are best practice examples of working grievance mechanisms?

# How to use Mentimeter?



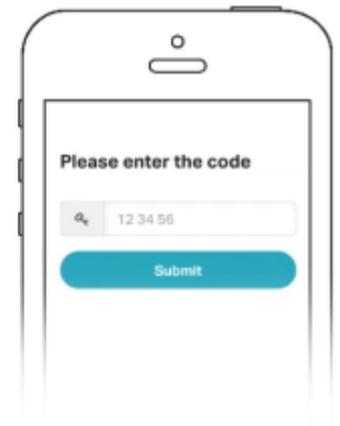
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*Grab your phone*

[www.menti.com](http://www.menti.com)

2

*Go to [www.menti.com](http://www.menti.com)*



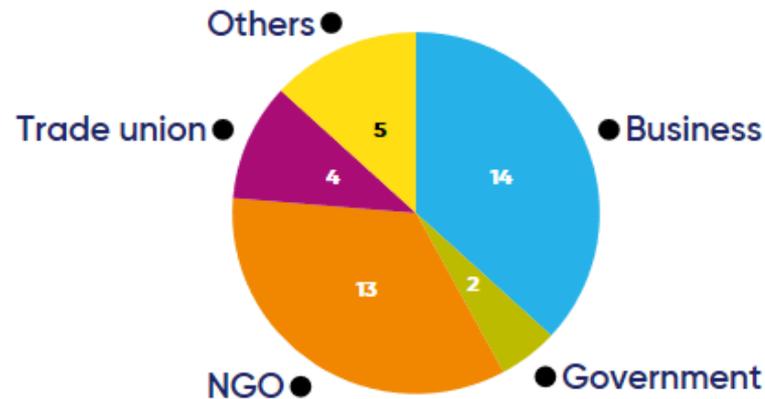
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*Enter the code and vote!*

**Code: 28 06 34 0**

Go to [www.menti.com](http://www.menti.com) and use the code 28 06 34 0

# What kind of organization do you represent?



## Part 1: Access to Remedy in Practice



**Lea Esterhuizen**

CEO, &Wider



**Kunera Moore –  
Korthals Altes**

Global Lead Child Labor,  
Rainforest Alliance



**Tytti Nahi**

Lead on Business and  
Human Rights, Fairtrade



**Marieke de Vries- den  
Hollander**

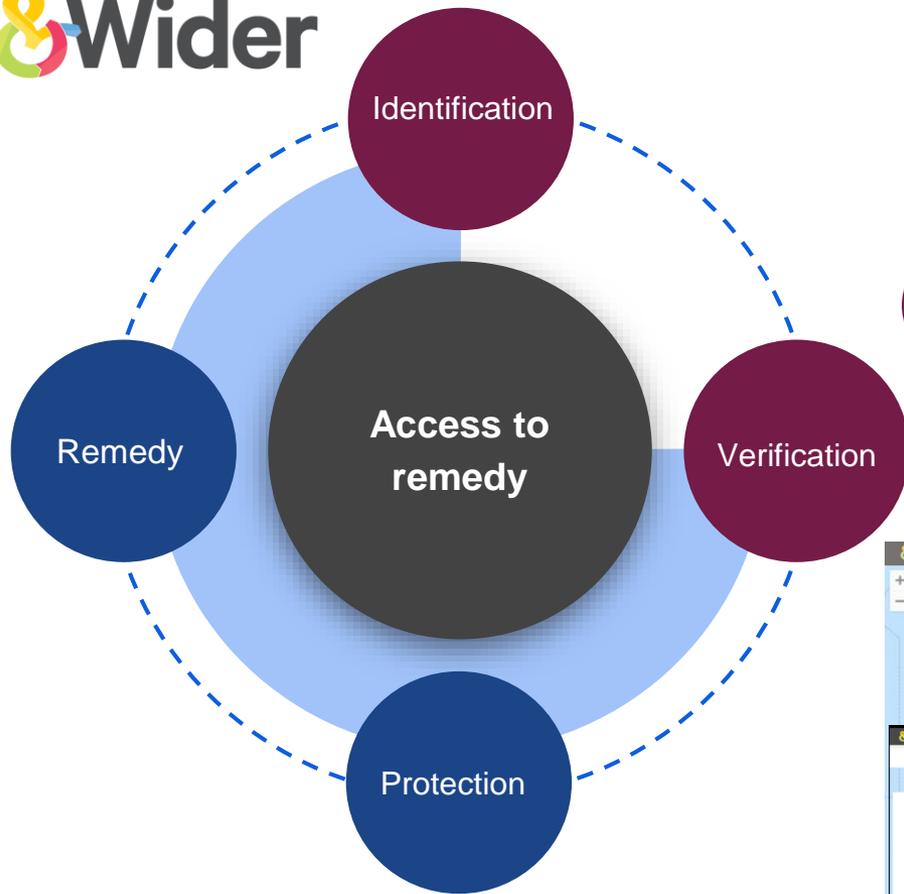
IRBC specialist, CNV  
Internationaal

## Part 1: Access to Remedy in Practice



**Lea Esterhuizen**

CEO, &Wider



Reporting Channels for Identification and Verification

Opt in systems for incident reporting

Opt out systems for workforce-wide monitoring

Grievance Mechanisms & Helplines



## Part 1: Access to Remedy in Practice



**Marieke de Vries- den  
Hollander**

IRBC specialist, CNV  
Internationaal

## Reporting and Verification in Sugar through the Collect- Tool

- Countries: Bolivia, Colombia, Costa Rica, Guatemala & Nicaragua
- Topics: Salary, wages, overtime, FoA, CBAs and Social Dialogue
  - January 2021 tool in sugar, textiles, mining



## Grievance mechanism: National Labour Observatory Guatemala

- Social media campaigns; increasing labour rights awareness, campaigns on access to remedy.
- Labour right violations are reported by workers (individual or a group) of any sector. All cases are discussed and legal advice or support is given by the Grievance Committee.
- Research on specific violations and current events; Covid-19 effects on labour rights, National Living Wage research, migrant workers, OSH

## Part 1: Access to Remedy in Practice



**Tytti Nahi**

Lead on Business and  
Human Rights, Fairtrade

# Meeting stakeholders' **expectations** **and principles** for business and human rights

Fairtrade tools for  
strengthening  
access to remedy

- Standards
- Auditing
- Producer support
- Development programmes
- Dialogue with governments
- Awareness raising throughout supply chains

**Empowering people  
to voice grievances**



**Grievance  
mechanisms**



**Remediation**



FAIRTRADE

## Fairtrade tools for strengthening access to remedy



FAIRTRADE



### Empowering people to voice grievances

#### FAIRTRADE TOOLS

Democratic farmer cooperatives and worker committees + development plans.

Tailored human rights training, trade union & NGO collaboration.

Social dialogue at workplace.

Trader support (targeted investments + premium + min price).

#### LESSONS LEARNT

Trader investment low.



### Grievance mechanisms

#### FAIRTRADE TOOLS

Global channel  
100+ cases in 2019

Grievance mechanisms in plantation criteria 2014 →

Community based monitoring for child + forced labour and gender-based violence.

#### LESSONS LEARNT

Takes awareness raising to set up a human rights-based mechanism.



### Remediation

#### FAIRTRADE TOOLS

Remediation at case → area → country level for child labour, forced labour and gender-based violence.

Community-based pilots in 13 countries.

#### LESSONS LEARNT

Government systems often weak.

How to remediate systemic violations?

Contributions from traders, manufacturers, retailers are essential.

## Part 1: Access to Remedy in Practice



**Kunera Moore –  
Korthals Altes**

Global Lead Child Labor,  
Rainforest Alliance

## Trusted, transparent systems to report & remediate human rights violations

### Zero-tolerance



With any case detected, you will be decertified right away!!

Child labor,  
forced labor,  
worker violence & harassment  
discrimination



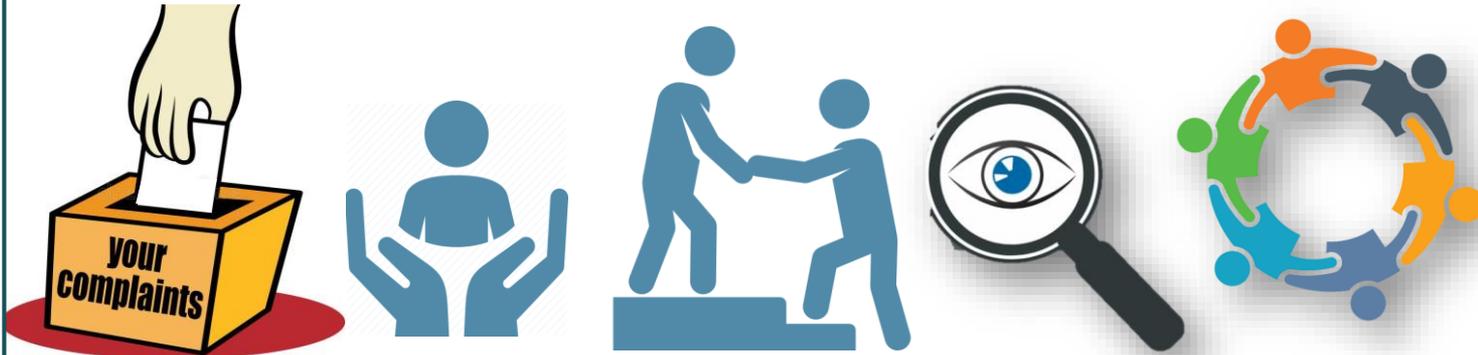
### Assess-and-address



Risk based approach to

- identify and mitigate risks
- prevent potential cases
- report grievances
- remediate cases

## Remediation of cases - shared responsibility



### Creating enabling environment

- Meaningful dialogue
- Member & worker representation
- Collaboration
- Local solutions
- Respecting national & international law
- Supply chain investment

CLMRS since 2015 - Cote d'Ivoire, Ghana, Turkey, Uganda  
 Assess-and-address pilots 2020-2021 - Ghana, Cdl,  
 Uganda, Ethiopia, Malawi, Honduras

# Recommendations for success

## What can companies do?

### Check if the necessary ingredients are present:

- 1. PARTNERSHIPS:** The coverage of CSOs is global, creating room for building local partnerships in all core sourcing geographies (between local producers/producer organisations, NGOs, government and unions)
- 2. RELIABLE REPORTING CHANNELS:** Establish monitoring and grievance systems that work effectively at the local level to detect issues and provide reliable anonymous channels that workers can use to safely report workplace wide issues as well as individual level grievances.
- 3. VERIFICATION:** Ensure there is a clear protocol for when and how reported issues are subsequently verified, where required concurrent with triggering worker protection, and subsequent remediation processes.
- 4. FINANCING REMEDIATION:** Establishing means to fund remediation, either when directly linked or in preparation for financing remediation programmes where needed
- 5. SUPPORT FROM EXPERTS:** While the responsibility for enabling safe channels for workers to report issues (such as grievance mechanisms and monitoring systems) and for conducting remediation lies with businesses, there are CSOs and providers that can support you in this process.

## Part 1: Access to Remedy in Practice



**Paul Schoenmakers**

Head of Impact, Tony's  
Chocolonely

## Part 2: Access to Remedy in the coffee value chain



**Rashida Nakabuga**  
Country Director Uganda ,  
Rainforest Alliance



**Marco Dubbelt**  
Senior programme  
manager, Global March  
Against Child Labour



<https://www.youtube.com/watch?v=c2a0SXbxCMg>

## Part 2: Access to Remedy in the coffee value chain



**Rashida Nakabuga**  
Country Director Uganda ,  
Rainforest Alliance



**Marco Dubbelt**  
Senior programme  
manager, Global March  
Against Child Labour

## Area Based Approach

- Work in partnership with NGO's, trade unions, private sector, government
- Stakeholder engagement
- Commonly accepted way to address child labour.
- Child Friendly village, Child labour Free Zone, Integrated area based approach.
- Used by among others: Unicef, Save the Children, International Cocoa Initiative.

# Access to remedy

- Inform
- Giving access to rights
- Addressing salient human rights risks
- Rehabilitation
- Without access to remedy due diligence is not relevant.

# Characteristics

- Addressing child labour in a certain area.
- Not from only from one company's perspective
- Useful tool for companies who have less leverage in their supply chain.



## **Part 3: Wrap up and closing**

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**Thank you for your participation!**

Contact us at: [internationalrbc-agreements@ser.nl](mailto:internationalrbc-agreements@ser.nl)