



ENABLE Training Toolkit

Implementing Responsible Sourcing and Production
in Agricultural Supply Chains

MODULE 5: Remediating Child Labor and Forced Labor

Facilitator Manual

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I. MODULE AT A GLANCE

MODULE 5: Remediating child labor and forced labor		Time in minutes
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1.1 REMEDIATION STRATEGY

1. What do we mean by remediation?

Objectives

- Understand the concept of remediation.
- Discover the differences between remedial actions and systematic actions.
- Recognize the need for a company to remediate any harm caused directly or indirectly through its operations or its business partners.

Description of activity

1. Ask participants to write a definition of remediation in the context of a human rights' due diligence program.
2. Ask them to make paper airplanes from the sheets of paper with their definitions.
3. Ask participants to form a line at the end of the room and fly their airplanes at the same time.
4. Then ask participants to walk to and stand by their airplanes.
5. Participants whose planes have flown farthest should state their definition first.
6. Questions to reflect over in plenary:
 - a. What is the difference between a remedial action and a systematic action?
 - b. How do we know what should be the best remedial action?
 - c. If we can't repair the damage, what do we do?
 - d. Do we have to compensate for harm?
 - e. How do we know what is the best way to reduce the likelihood of damage recurring?

Key learning points

- Companies need to account for potential adverse effects of actions on people and prevent and mitigate them through human rights due diligence.
- Remediation and remedy both refer to the process of providing remedy for an adverse human rights impact and the substantive outcomes that can counteract, or make good, the adverse impact.
- Remedy as an outcome describes actions that a company takes to reverse, or fix, negative impacts on workers:
 - remedial actions are aimed at fixing, alleviating or reversing a negative impact suffered by individual workers; and
 - systematic actions are aimed at improving overall conditions and preventing the same or similar impacts from recurring.

Time: 25 minutes

- Individual work: 5 minutes
- Plenary discussion: 20 minutes

Slides

- Slides 2-3

Tips

- It is important that facilitators be familiar with national legislation and international conventions ratified by the country where the training is taking place.
- The airplane activity is an introduction, or reminder, to participants that there are many ways of making “airplanes,” or “things that can fly” in the same way that there are many ways to approach a problem. Not all of airplanes look alike, but they can achieve the same objective. See if any of the participants have wrinkled their paper airplanes into balls (likely those whose airplanes and flown the farthest); their “airplanes” no longer look like airplanes. But what does an airplane look like?
- You may want to write the words remedial action and systematic actions on two flip charts, so that participants realize which of the module’s exercises are remedial actions to address specific damage done, and which are systematic actions that try to minimize recurrence. This will also help participants understand the difference between action planning and a more holistic approach.

Facilitator notes

Extracts from: [Access to Remedy—Operational Grievance Mechanisms: An Issues paper for ETI Version 2.0— revised, 25 Oct. 2017, Laura Curtze and Steve Gibbons](#)

Remedy and remediation can be defined in various ways: According to the U.N. Office of the High Commissioner for Human Rights' (OHCHR) interpretive guide of the UNGPs, “remediation and remedy refer both to the process of providing remedy for an adverse human rights impact and the substantive outcomes that can counteract, or make good, the adverse impact.”

Remedy as an outcome...describes actions that a company takes in order to reverse, or fix, negative impacts on workers. What constitutes an appropriate remedy for a given situation is highly context-specific and deciding on it requires careful consideration of the facts of an individual grievance, the background and local context, as well as the rights holders’ perspective on what would be appropriate. Unsurprisingly, then, there is limited insight into how effectiveness of remedies can be assessed beyond the examination of individual cases.

Remedy for human rights can take various forms. In a workplace context, these could include, for instance, compensation, payment of money owed (e.g., back pay, overtime pay), reversal of an employment decision (e.g., where a worker was unfairly dismissed), removal from work and education for underage workers, or an apology. The outcome of a grievance mechanism may also give rise to actions which are not strictly remedy for past harm, but aimed at preventing future similar negative impacts, for example: training of managers; promotion of information about workers’ rights; disclosure of supply chain locations; opening up future promotion opportunities to disadvantaged groups.

Remedy as a process...refers to the process of providing remedy for an adverse human rights impact. As such, it includes the way in which a company deals with cases where workers’ human rights impacts have been negatively impacted, including not only the decisions it takes on remedy, but also the way in which it enables those who have been impacted to seek remedy. Providing or facilitating access to remedy is closely linked to the provision of remedy itself, but it is not the same:

- remedial actions are aimed at fixing, alleviating or reversing a negative impact suffered by individual workers, such as, for example, financial compensation, back-payment or reinstatement; and
- systematic actions are aimed at improving overall conditions and preventing the same or similar impacts from reoccurring, such as training for managers and supervisors or enhanced management systems.

Extracts from: *Back to Basics: How to Make Stakeholder Engagement Meaningful for Your Company*
Jonathan Morris, Associate, Advisory Services, BSR Farid Baddache, Director, Europe, BSR January 2012

Once a potential or actual negative human rights or labor impact has been identified, the company should collaborate with suppliers and other relevant stakeholders to agree upon measures to:

- prevent a potential negative impact from occurring;
- repair damage or compensate for actual negative impacts;
- reduce the likelihood and/or consequence of a potential negative impact.

2. How can we repair the damage?

Objectives

- Review the different steps to manage a specific case where a right has been impacted and requires remedial action.
- Understand the sequence.

Description of activity

1. Label individual strips of paper with the following steps to manage a specific case:
 - Identify the situation/harm
 - Assess the needs of the individuals affected
 - Determine the type and level of response
 - Design a plan to reinstate the right, repair the damage and/or compensate individuals
 - Implement the plan
 - Follow-up and review
 - Close the case
 - Capture lessons learned
2. Distribute complete sets of the actions among the groups.
3. Have a plenary discussion about the logical sequence of these steps, and what needs to be done to accomplish each step.
4. Questions to reflect over in plenary:
 - a. Is there a logical sequence to these steps?
 - b. What do we mean by reinstating the right, repairing the damage, and compensating for harm?
 - c. What should we do in each of these steps?
 - d. Are there other steps that could be important when putting in place a remedial action to repair harm?
 - e. What process do you currently follow to take remedial action?

Key learning points

- The specific harm and needs of those affected need to be analyzed.
- It is essential to follow up on the specific cases to ensure that damage has been repaired before closing the cases.

Time: 40 minutes

- Group work: 10 minutes
- Plenary discussion: 30 minutes

Slides

- Slides 4-5

Materials

- Complete sets of labels/papers with the different steps for all groups

Tips

- Make sure the strips of paper have no numbers/letter on them and are presented to groups in no particular order.
- Participants potentially and place steps in different orders.

Facilitator notes

Extracts from: ILAB – Comply Chain (<https://www.dol.gov/ilab/complychain/>)

Improving Victim Situations

Audit teams must be prepared to encounter a broad range of situations with respect to child or forced labor in the workplace, from individualized cases to situations involving systemic and egregious abuse. Prior to the audit, auditors should prepare themselves with knowledge of local resources, including law enforcement and organizations that provide victim services. Companies that have gathered this type of data as part of their risk assessments and communication efforts, and captured it in their information systems, are best equipped to prepare auditors by providing this information in advance.

As a guiding principle, auditors' immediate actions and the ongoing corrective actions taken by management should focus on what is best for the victims in question. Cases of egregious abuse that contravene local law should be reported to local law enforcement authorities, but this should be done in a manner that ensures the safety and well-being of the victims. Below is general guidance for actions that can be taken in response to various findings of child labor and forced labor.

Child Labor / Underage Labor

If the audit identifies a child in the workplace who is under the country's legal working age, the child should be removed from work immediately. If the audit identifies a child who is of legal age to work in the country, the appropriate immediate response depends on the company's code of conduct. If the company has set a minimum age that is higher than the legal minimum, the child should be removed from work immediately if he or she is below that age.

However, it is critical to keep in mind the possible consequences for the child. The child and his or her family will lose income, and unless it is replaced, the child may simply find a different job, potentially under worse conditions for the child's health, safety or well-being. Companies can take steps to mitigate this situation by:

- Providing a stipend to the child's family to make up for the lost income, if the child's family can be contacted;
- Offering the child's job to another member of the family who is of legal age to work;
- Providing alternative income generation opportunities to the child's parents or adult relatives;
- Ensuring that the child attends school or an alternative educational facility, paying associated fees as needed and tracking the child until he or she is of age to work;
- Providing the child, a training or apprenticeship opportunity when he or she is of legal age for such programs, and committing to provide the job back once he or she is of full legal working age;
- Linking the child to educational, developmental, psycho-social and other services provided by the government or non-governmental organizations (NGOs); and
- If the child has been living away from his or her family, reuniting the child with the family while ensuring that it can provide a protective environment, and provide the applicable services.

Hazardous Child Labor

No child under age 18 should be involved in the Worst Forms of Child Labor specified in ILO Convention 182 (see Step 3, Develop a Code of Conduct). If children are found in such situations, the best approaches include:

- Eliminating any dangerous work activities from the child's job, and closely monitoring the child's work activities on an ongoing basis;
- Helping the child identify other safe income-earning opportunities, if there is no feasible way to reduce hazards in his or her current work environment;
- Ensuring that the child is not working too many hours or at times that endanger his or her health, well-being or education;
- Finding a way for the child to make up for the lost income through other earning opportunities, a stipend or family interventions, in the event working hours are reduced; and
- Linking the child to educational, developmental, psycho-social and other services provided by the government or NGOs.

These activities are resource intensive. The relationships you have worked hard to build are vital at this stage, helping you to find resources and expertise available in the community. Of course, there are communities with very few resources and educational institutions.

3. Who does what?

Objectives

- Discuss the different roles of different actors in the remediation action.
- Practice using a RACI grid to introduce it as a useful tool in any remediation process.

Description of activity

1. Ask participants to take the RACI grid and assign roles and responsibilities to the different actors who may participate in the remedial process.

STEPS	BRAND	SUPPLIER	AFFECTED PERSON	UNION	FLA	OTHERS
Identify the situation/harm.						
Assess the needs of the individuals affected.						
Determine the type and level of response.						
Design a plan to reinstate the right, repair the damage, and/or compensate individuals						
Implement the plan.						
Follow up and review.						
Close the case.						
Capture lessons learned.						

2. The different roles that can be assigned are the following:
R= Responsible A= Accountable C= Consulted I= Informed

Responsible: Those who do the work to complete the task.

Accountable: The person ultimately answerable for the thorough completion of the deliverable or task; the person who ensures the prerequisites of the task are met and who delegates the work to those responsible.

Consulted: Those whose opinions are sought.

Informed: Those who are kept up-to-date on progress (often only to completion of the task).

3. After participants have reflected on possible roles, have groups discuss what responsibility each actor might take.
4. Have a plenary discussion to analyze who should participate in each step.
5. Questions to reflect over in plenary:
 - a. Would this RACI grid ensure that different actors take ownership of the process?
 - b. Would this distribution of responsibilities make anyone uncomfortable?
 - c. What would your role as a company be in the remediation?

Key learning points

- A responsibility assignment matrix, also known as RACI matrix, describes the participation of various actors in completing tasks or deliverables for a project or business process.
- Integrating different actors in the process will ensure that they take ownership of the process.
- Depending on the specific case, a variety of actors can participate in the process.

Time: 35 minutes

- Individual work: 5 minutes
- Group work: 10 minutes
- Plenary discussion: 20 minutes

Slides

- Slides 6-7

Tips

- This activity is included in the general section of remediation, as the RACI grid can be used in the process of any given remedial action. That said, it would be best for participants to practice using a RACI grid by working on a specific case study so they can visualize who might add value to each step.

Facilitator notes

Extracts from: [REMEDIATION GUIDANCE—AGRICULTURE REPORTS](#)

Ensure that the plan is developed in consultation and substantive participation with the party who is going to implement it (the supplier, the intermediary or the farm). Unless they agree to the remediation plan and suggest ways to address noncompliance, the remediation plan will not achieve its intended outcomes.

Engage with local stakeholders, CSOs, and communities for the creation, revision and implementation of the policies, procedures and systems to ensure relevance of the actions and get their support.

Ensure that these policies and procedures are communicated to suppliers, intermediaries, farmers and workers. It is recommended that the communication come in the form of training instead of simply posting the policies on a notice board.

Assign a responsible person to both ensure that the remediation is implemented and to follow up on and provide oversight to ensure the system is working.

4. How can we prevent it from happening again?

Objectives

- Recognize root-cause analysis as an efficient tool to identify contributing factors to a given problem, as well as possible causes, in order to aim corrective measures at an efficient systematic remediation plan.
- Practice exploring root causes of a problem.

Description of activity

1. Read the case study below and identify what might be root causes of child labor.

Mandy lives in Dreamland village. Mandy lives her parents and two brothers. She lives in a farm that is about three hectares (ha), like most in the area. Each farm produces about 300 kilograms (kg) of beans per 1 hectare per year. One kg of beans is paid CFA 1,000 (around USD 2). The farm's income per year is about CFA 900,000 (around USD 1,800). From this money, the family pays the workers (1 per ha) and spends for farm maintenance. Any remaining money pays for the family's basic needs, including scholarship and health for all the family members.

Mandy's dad is usually makes the decisions concerning the farm. He decides how to spend the money and often does not show management awareness.

Maintenance is accomplished using rudimentary tools; consequently, the farm needs manpower to conduct necessary production tasks. Mandy's brothers do not want to live in Dreamland for much longer; neither do the rest of the young people in the town. They want jobs that are more remunerative. But there is a great labor shortage and all three help out on the farm.

Despite public and private investment over recent years to build schools in rural and remote areas, many localities still lack good schools or cannot accommodate all the children of age to attend. Many of the schools built by the private sector are limited to three grades.

In the towns, young people lucky enough to obtain higher education are nevertheless unemployed: education doesn't always translate to success. For this reason, parents are not motivated to send their children to school.

Last year, Mandy's neighbors lost their farm. They had no social insurance or savings or additional resources to support their children's scholarships. Mandy worries that this happens to her, too. She doesn't know it, but her parents don't have social insurance either (there is none available for the farmers), so in the case of an unfortunate event (loss of their farm due to fire, illness or death of the farmer, crop disease) her family would be put in a precarious situation.

2. Have each group share what they believe are possible root causes of Mandy working in Dreamland.
3. Hold a plenary discussion where the root causes are put forward.

Key learning points

- By using root-cause analysis, corrective actions can be put in place to eliminate the problem (not just the symptoms) and corrective efforts yield permanent results.
- By directing corrective measures to root causes, we will be able to minimize recurrence, although complete recurrence after a single intervention is seldom possible.

Time: 40 minutes

- Group work: 10 minutes
- Plenary discussion: 30 minutes

Slides

- Slides 8-9

Tips

- There is no single tool to perform a root-cause analysis (RCA). RCA tools include:
- Cause and effect diagram (also called fishbone or Ishikawa diagram), a process flowchart, and fault tree analysis. Participants can use whatever tool they are familiar with. If they have never performed an analysis, they can be given the following guidelines to perform a simple RCA using a fishbone diagram:
 - Draw a flat horizontal line as a “backbone” and a box to the right of the backbone as a “head.”
 - On the head write the problem: “Mandy, a child below legal working age, is laboring on the family cocoa farm.”
 - Once the problem has been identified, look for the possible factors contributing to the problem. Each factor will be a “rib.” the goal is to identify from three to six main ribs. The objective of creating ribs or categories is to organize ideas.
 - Label each rib as one of the factors, leaving enough space for causes.
 - Make sure that the group asks the “why” question for each of the main causes they identify, in order to ensure that they analyze each possible cause and not just symptoms.
 - Next, identify the possible causes contributing to the problem.
 - Once we have identified the second level of causes, ask “why” are they happening?
 - Dig deeper, continue to ask “why,” until participants better understand the situation—in other words, strive to reach successively “deeper,” more meaning levels.
- Elements that should be appear in the diagram include: poverty, poor income management, use of rudimentary tools, lack of manpower, lack of insurance or a saving system, lack of school infrastructure, unemployment, etc.

Facilitator notes

Extracts from: REMEDIATION GUIDANCE – AGRICULTURE REPORTS

Understand the underlying causes of the noncompliance by conducting root-cause analysis. A noncompliance can have multiple causes such as lack of management systems, lack of proper oversight or lack of proper information and training. It is therefore imperative to understand the reason of non-compliance before developing a remediation plan. The reasons may be rooted in regional culture, religious culture, socioeconomic status, gender issues, policy structures etc. Thus, it is advised to be comprehensive in this type of analysis.

5. What causes do we address?

Objectives

- ✓ Develop action-oriented recommendations to address each of the causes that have been identified.
- ✓ Acknowledge that recommendations should directly address root causes.
- ✓ Practice making recommendations to address root causes, ensuring a SMART format.
- ✓ Use a template for identifying and tracking recommendations.

Description of activity

1. Ask the groups to come up with a list of causes they can address.
2. Groups should discuss the following:
 - a. What causes would you address?
 - b. Is your list of addressable causes shorter than the initial list of causes?
 - c. Why have you chosen = particular causes?
 - d. What recommendations would you make to address these causes?
3. Have a plenary discussion where the groups provide input and recommendations to address each cause.
4. Write recommendations on a flip chart.
5. Questions to reflect over in plenary:
 - a. Are there different recommendations to address different causes?
 - b. Are there causes that no group has targeted for remedial action?
 - c. Which causes would require immediate action?
 - d. Which of the actions would require further partnership with other stakeholders or actors?
 - e. What will happen if causes are not addressed?

Key learning points

- Once we have found the root causes and contributing factors, we will be able to evaluate the best method to effect change to improve the situation.
- Most problems have multiple root causes, or at least enough contributing causes that we must focus corrective and preventive efforts on different situations.
- Recommendations need to be SMART.

Time: 45 minutes

- Group work: 15 minutes
- Plenary discussion: 30 minutes

Slides

- Slides 10-11

Tips

Remedial actions include:

- 1) Increase the price of cocoa beans.

- 2) Conduct research and promote the results to increase the production of farmers, avoid destruction of forest, limit the need for manpower and increase farm income.
- 3) Look at the possibility of insurance for farmers to cover risk.
- 4) Set up an Internal Monitoring System to cover the overall supply chain and provide extension services to farmers that include awareness training and monitoring on relevant topics.
- 5) Promote transparency in the supply chain through public reporting.
- 6) Continue to improve school infrastructures.
- 7) Design a country-level training system to encourage diversification of employment opportunities and increase possibility of children migrating to other employment sectors.
- 8) Intensify income-generating avenues for other family members, mainly for women.

Facilitator notes

Extracts from: Helena Perez, RCA, Tools for Sustainable Compliance, 2008

There are different approaches that management can take:

- It may think that it would be costlier to actually remove the root cause than to continue to deal with the symptoms and does nothing.
- As implementation of different approaches requires different levels of resource expenditure, management may decide to start off with the cause that implies the least investment of resources.
- Because of the perceived immediacy, management may opt for the solution that is fastest in terms of implementation in order to get quick results in dealing with the situation.

It is likely that these approaches will not achieve sustainable results, and it may be that we will have to work with management to help them see that there are other solutions they can take that can mitigate the problem and that in the long term, the resources spent maybe less. What is important is that management focuses on the causes identified and chooses where to start, instead of deciding to deal only with the symptoms of the problem. Otherwise, the problematic situation will likely reoccur, and management will need to deal with it over and over again.

Management should not try to deal with all possible causes at the same time, but rather determine priority areas. The Pareto principle suggests that most effects come from relatively few causes. A rule of thumb is that 80 percent of the problems are caused by 20 percent of the causes (machines, raw materials, operators, etc.). Therefore, efforts aimed at the right 20 percent of the causes can solve 80 percent of the problems very efficiently. Finally, remember that there can be multiple approaches to deal with a problem. Once the cause is identified, the recommendations on how to address it can vary.

Extracts from: USDA's Guidelines for Eliminating Child and Forced Labor in Agricultural Supply Chains: Practitioners' Guide, 2018

It is important that the corrective measures in the plan be clearly described, that date-certain and realistic deadlines for implementation be set, and that responsibility for implementation of the various tasks be defined. Suppliers should follow up and document the implementation of the corrective action plan and keep the company informed about the progress of remediation.

6. Who should cover the costs of the remediation?

Objectives

- Discuss the advantages and disadvantages of different actors covering the costs of a remediation process.

Description of activity

1. Divide the class into three groups and ask them to stand.
2. Number each group.
3. Present statements to the groups. Ask one group to defend the statements, another to attack, a third to decide which group presents the best arguments.
4. The defendant and the attacker should stand on opposite sides of the room, and the group being convinced should stand in the middle.
5. Individuals of the group being convinced will move to one group (defenders or attackers) according to their judgment of the winning argument.
6. The facilitator can allow a four-minute discussion for each statement.
7. In Round 1:
 - a. Group 1 must defend the statement.
 - b. Group 2 must attack the statement.
 - c. Group 3 needs to be convinced.
8. In Round 2:
 - a. Group 1 needs to be convinced.
 - b. Group 2 must defend the statement.
 - c. Group 3 must attack the statement.
9. In Round 3
 - a. Group 1 must attack the statement
 - b. Group 2 needs to be convinced
 - c. Group 3 must defend the statement
10. The statements can be any of the following:
 - a. Brand should cover 100 percent of remediation costs.
 - b. Supplier should cover 100 percent of remediation costs.
 - c. Brand and supplier should share of remediation costs.
 - d. Agents should also contribute of remediation costs.
 - e. The government or national institutions should also contribute to the costs.
11. Wrap up the activity by summarizing the main arguments.
12. Questions to reflect over in plenary:
 - a. Will sharing costs send specific messages to different actors?
 - b. Will commitment and ownership shift depend on who takes on costs?
 - c. If suppliers assume all of the costs, what will the consequences be?
 - d. What is realistic?

Key learning points

- Responsibility for costs to improve working conditions will depend on the context.

Time: 30 minutes

- Plenary discussion: 30 minutes

Slides

- Slides 12-13

Tips

- Arguments may get repetitive after the first round.
- Encourage participants to think about consequences, stakeholders' opinions, etc., when considering arguments.
- Make participants aware that costs can be measured in time or other means as well as money, as a remediation plan might employ different resources offered by different stakeholders.

Facilitator notes

Extractions from: [USDA's Guidelines for Eliminating Child and Forced Labor in Agricultural Supply Chains: Practitioners' Guide, 2018](#)

While the implementation of the action plan is a responsibility of the suppliers, the purchasing company needs to monitor systematically the status of the implementation of the corrective actions and remediation measures. According to the progress achieved, the company decides if the supplier may be suspended or if the commercial relationship continues and the producers and suppliers continue delivering normally. It is important that during the implementation of the corrective actions, an active dialogue is maintained as in some cases the supplier needs more time or additional support to comply with the requested improvement.

The success of the corrective actions depends much on the willingness of the supplier, but also on the fact that no unrealistic goals are set. The success rate of corrective actions is higher when workers, internal committees such as the Health and Safety committee and in case of child labor remediation, specialized NGOs or third parties are engaged and help to define the measures that need to be adopted.

In many cases, the implementation of corrective actions is accompanied by significant costs. In the case of small producers, this might be a factor that hinders them from participating in the supply chain of an international food and beverage company, unless the purchasing companies consider paying better prices to allow for additional investments by the producers. If agents or traders are the commercial link to these producers, the company can exercise influence over the agents and traders by making clear that the conditions of any purchase have to comply with the supplier code provisions and traders and agents may provide better financial conditions to the producers they relate to.

Extracts from: [Operational Procedures for Remediation of Child Labor—Impact](#)

In many countries, there are existing government or civil society-backed organizations, processes, and projects tackling child labor. It is crucial to identify and work with these initiatives in order to avoid duplication of effort.

At this stage, it is very important to define and agree on the roles and responsibilities of each party and to confirm who will be funding the remediation program. Ensuring the child's welfare must be the first priority for any remediation program. It is vital that the remediation team understand the specific needs,

circumstances, and aspirations of each child and his or her family and the drivers which pushed the child into work. Specialist support may be needed to understand the full picture. The remediation program must be designed to tackle these specific drivers and to reduce the risk that they push the child back to work again.

Key stages are:

- Identification of the remediation team, including local experts. These may include trade unions, local NGOs, government resources, health professionals (for example educational psychologists), or knowledgeable individuals.
- A thorough investigation into the specific circumstances of each child, including family background, education history and economic circumstances. This should also include discussions with each child about their ambitions and how education can help in achieving them and meetings with parents exploring why the child was not already placed in school. If the child does not want to go to school, it is necessary to work hard to find out the reasons why. (These can include difficulty in reintegration if the child has dropped out or never attended school; previous experience of bullying or corporal punishment at school, previous experience of poor teaching and boring lessons; language barriers in the case of migrant child workers who do not speak the language used in schools etc.). This understanding will enable the team to develop an educational solution which is more attractive to the child.
- Identification of an appropriate school/training or tutoring facility. This should match the needs and circumstances of each child. Besides basic literacy, the education should ideally involve learning skills which will be useful in gaining good employment as an adult. If the child is close to the legal working age, vocational training can be appropriate, particularly if it enhances the earning capacity of the child when they return to work legally. In the case of children who are away from home/have migrated for work, with or without their families, it is important to evaluate educational/training/tutoring facilities both in the child's home town and in the host area.
- Identification of an appropriate accommodation facility.
- Agreement of who will fund the remediation costs, including education costs, any travel expenses and ongoing payment of a stipend not lower than the local minimum wage. This should continue at least until the child reaches the national minimum working age or 15, or finishes the agreed training/educational/tutoring course in the remediation program, whichever is the longest.
- Agreement on who will be responsible for monitoring the ongoing program, how much this will cost and who will pay for this.
- Commitment from the supplier/site to re-hire the child when he or she reaches legal working age, should the child and his/her parents wish it.
- Consulting with the parent/guardian of each child in the design of the specific remediation program for each child.
- Obtaining signed agreements from the parent/guardian of each child and all parties to the remediation setting out the elements of each child's remediation program (remuneration, school etc.) and the duties of each party in ensuring the success of the remediation.

7. Can my company's purchasing practices impact child labor and forced labor?

Objective

- Explore and acknowledge the impact companies can have on child labor and forced labor.

Description of activity

1. Ask participants to come up with examples of purchasing practices that they think can have negative impact on working conditions, specifically on child labor and on forced labor.
2. Ask everyone to come up with three different examples and write them on three sticky notes.
3. Have all participants stand and walk around the room, asking colleagues about their examples.
4. Ask participants to tally how many people have come up with similar examples.
5. Collect the ideas that have come up most often. Have a plenary discussion explain different actions that companies can implement that can impact suppliers and contribute to the promotion of human rights.
6. Questions to reflect over in plenary:
 - a. Are examples similar across different sectors?
 - b. What could companies do to try to avoid these situations?
 - c. How can employees responsible for CSR or human rights issues and those responsible for purchasing practices better coordinate?

Key learning points

- A company's own practices could contribute to or adversely impact labor and human rights in the supply chain.
- These practices should be adjusted in order to prevent, mitigate or remedy such impact.

Time: 40 minutes

- Individual work: 5 minutes
- Sharing around the room: 15 minutes
- Plenary discussion: 20 minutes

Slides

- Slides 14-15

Materials

- Sticky notes
- A pen or candy as prize

Tips

- You may want to do this activity in groups, but having participants walk around makes it more dynamic and makes it likely that individuals come up with a better range of examples.
- Facilitators could also consider giving a prize (small recognition, like candy or a pen) to the person who came up with the most unique example or practice.

Facilitator notes

A company's own practices could contribute to or cause adverse impacts on labor and human rights in the supply chain. The company should identify actual or potential adverse impacts on labor and human rights that are directly or indirectly linked to the company's own procedures or practices using root cause analysis. These procedures or practices should be adjusted in order to prevent, mitigate or remedy such impacts. In apparel production, necessary adjustments may be related to product design, the choice of materials, the geography of the business' supply chain, production processes or purchasing practices.

Examples of purchasing practices that can have negative impacts on working conditions are late payment of orders that results in delayed payment to workers and negotiated prices that do not allow the suppliers to pay workers the wages they are required by law.

This highlights the importance of a continued and open dialogue between a company and its suppliers to ensure that the business' purchasing practices support, rather than undermine, the requirements for fair labor practices laid down in a company's supplier Code of Conduct.

1.2. CHILD LABOR REMEDIATION

8. What principles should a child labor remediation strategy ensure?

Objectives

- Acknowledge the right of children to social, physiological and physical development.
- Recognize the right of children to participate in the decisions that attain them.
- Understand the concept of a child's best interest.

Description of activity

1. Explain to participants the three principles that ensure any child labor remediation: Best interest of the child, the right to development, and the right to participate in the decisions that affect them.
2. As a plenary, read the following case study:

During an orchard visit, you see a girl who appears to be 7 or 8 years old with her mother. Her mother is from Syria, and she speaks Turkish. They are under the government protection scheme so the mother may legally work in agriculture. The mother tells you that her child is not working; she is just helping her. When you look carefully, you realize that there is no basket in front of the child, and she has a book in her pocket. You would like to interview the child, but her Turkish is poor, but she has a concerned look. You recommend to the mother that she send the girl to summer school. The mother tells you that she registered her at primary school when they first arrived in Turkey. However, the girl hated the school because the other students were making fun of her Turkish, so she doesn't want to leave her mother.

3. Questions to reflect over in plenary:

- a. Do you think sending the child to summer school is in her best interest?
- b. In such circumstances, would you try to persuade the mother to send her child to summer school?
- c. How will you include the child to decision-making process?

Key learning points

- In all actions concerning children, the interest of the child shall be the primary consideration.
- The best interest of the child is a flexible and adaptable concept, defined on case-by-case basis according to the specific situation of the child.

Time: 30 minutes

- Facilitator explanation: 10 minutes
- Plenary discussion: 20 minutes

Slides

- Slides 16-17

Tips

- You may develop another case study more specific to local context or develop additional ones, so each group analyzes a different case. If the best interest of the child is a priority for participants, another two case studies could be developed and a whole hour dedicated to this activity.

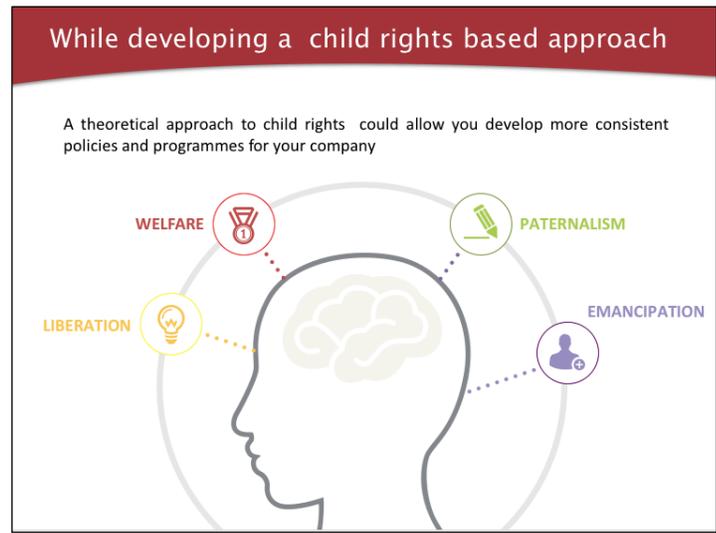
Facilitator notes

Extracts from: [Decent Work in Agriculture Facilitator Guide for Field Workers, Fair Labor Association](#)

The Principle of the Child's Best Interest: According to Article 3, CRC assumes that the parents will realize their responsibilities in a way that will make sure to uphold the best interest of the child. Although there is not always a clear and unambiguous definition of this principle that is valid for every occasion, it is possible to offer a conceptual framework that can define it. This principle charges the decision makers (such as state institutions and families etc.) to determine the consequences of the decisions which may affect the child/children to an important degree; and always take into consideration and prioritize the benefits for the child, while assessing and examining the results of their activities. This principle, therefore, aims to make up for a state of affairs in which children have no direct or indirect political rights concerning the decisions, which have a bearing on themselves.

Definition: “In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the interest of the child shall be the primary consideration.” —Article 3.1 CRC

- The best interest of the child is a flexible and adaptable concept, should be defined on case by case according to the specific situation of the child.
- While assessing the situation, child’ view, identity, family environment, care, safety, vulnerability, child’s health and education needs to be taken into account



Definition: Right to life is an inherent right, and state parties shall ensure to the maximum extent possible the survival and development of the child:

- the right to life should be interpreted broadly—child social, physiological and physical development;
- states have both positive and negative duties—protect the right and prevent detrimental actions.

Definition: “State Parties shall assure to the child who is capable of forming his or her views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.”

- The child should be informed and supported, and communication should allow meaningful participation.
- The environment should be child-friendly and informal.

9. What do we do when we find a child?

Objectives

- Identify immediate remedial actions that can be taken when child labor is identified.
- Discuss how removing the child from labor can be accomplished.
- Understand that systematic measures need to be taken to eliminate or reduce child labor.

Description of activity

1. Ask groups to read the following case study and discuss a possible solution for their companies.

You are an agronomist working for a big cocoa distributor. You have recently been assigned additional roles. Traditionally you visited the farms you source once a year, providing them with support and controlling the quality of the product. Now your company is committed to reducing child labor in its supply chain, and you are asked to participate in the monitoring and remediation efforts. Your company has not yet

set up a procedure to address specific child labor cases, so it will be based on your experience and the experiences of your colleagues in other regions with similar responsibilities.

You visit one of your farms, and you find the following:

Jason is 14 years old. He doesn't go to school; he helps in the family farm. Jason usually takes on the more laborious tasks, like carrying the heavy loads. He is happy to do it, not only because he helps his family out, but also because of it is practical and useful training for him as a future farmer. His parents also learned from their elders.

You visit another farm, and you find the following:

Before or after school, Ana and Sara, who are 10 and 12, fetch the water and the wood for the farm; they also feed animals and do other tasks to help. In the mornings they have to walk several kilometers to school, which is overcrowded and has scarce resources. The family doesn't have access to electricity on the farm, so it's hard for the girls to study in the evenings.

Based on these experiences, suggest to your boss what you should do, and what your company should do.

2. Have representatives of each group provide the plenary with the outcomes of their discussions.
3. Have a plenary discussion on how companies could manage specific cases of child labor.
4. Questions to reflect over in plenary:
 - a. Are these children performing child labor?
 - b. What could be immediate remedial actions?
 - c. Should we report these cases to authorities?
 - d. Can we remove the child from the tasks?
 - e. What is the best interest for the child?

Key learning points

- Children need to stop performing tasks that can jeopardize their moral, health or physical well-being.
- Assessment studies to identify the needs of individual children and their families should to be taken into consideration by companies and stakeholders.
- Remedial actions should approach individual cases with time-honored, measurable objectives.

Time: 35 minutes

- Group work: 10 minutes
- Plenary discussion: 25 minutes

Slides

- Slides 18-19

Tips

- Participants could come up with a list of steps, or with a checklist of actions, as a solution for the case.
- Remind participants of activity No. 2, where they were given a set of steps to remediate cases and repair harm, which they can also use for this activity:

- Identify the situation/harm.
- Assess the needs of the individuals affected.
- Determine the type and level of response.
- Design a plan to reinstate the right, repair the damage and/or compensate.
- Implement the plan.
- Follow-up and review.
- Close the case.
- Capture lessons learned.
- This is the first approach to remediation. It is not expected that participants can draft a remediation plan for all cases where they find child labor. With this activity, we try to approach cases from a working framework.

Facilitator notes

Extracts from: [Children's rights in impact assessments, A guide for integrating children's rights into impact assessments and taking action for children, UNICEF, Danish Institute for Human Rights, 2013](#)

Actions

- Improve infrastructure (electricity, water, gas, toilets) for workers living in harvest regions.
- Establish child-friendly spaces, play, and sports centers, and summer schools in selected areas to support the mental and physical development of children under the supervision of experts.
- Establish mobile health-care teams.
- Establish user-friendly, easy-to-access grievance and feedback mechanisms that would bring workers into direct contact with public authorities and private actors.
- Standardize salaries and working hours.
- Conduct regular audits of child labor and overall working conditions by both public authorities and private actors.
- Conduct compulsory health and security inspections of working and living conditions and equipment in harvest areas.
- Provide safe transportation from living areas to gardens.
- Intermediaries must be considered an integral part of the current system and included in all efforts to improve working conditions in hazelnut harvesting.
- To assure this, every effort should be made to incorporate them as legal and accountable actors, and
- Producers, brands, government, or NGO trainers should raise awareness among
- intermediaries about child labor and the need to improve workers' living and working conditions during the harvest.
- Companies and civil society should engage with agriculture intermediaries to provide case management and referral activities through intermediaries when child labor is found.

Public-sector actors should prioritize the following goals:

- Collect and publish necessary data (e.g., updated statistics about child labor in Turkey and establishment of a database for seasonal agricultural workers).
- Establish clear roles and responsibilities for all actors.
- Conduct regular awareness-raising training, experience-sharing meetings and field visits for public actors.
- Appoint a specific actor responsible for coordinating regional efforts.

- Create institutional roadmaps to boost institutional ownership.
- Cooperate more effectively with the private sector and nongovernmental organizations.

Establish an appropriate child-friendly age verification procedure. In cases, where job applicants have no formal identification or where forgery of identification documents is common, establish alternative procedures that are reliable and child-rights compatible:

- Arrange for a medical examination prior to employment, taking care to always respect the child's right to personal dignity and privacy.
- Cross-check written documents and affidavits to discover false documentation.
- interview employees and applicants who appear to be below the minimum age.
- Obtain school enrollment certificates.

Develop a mechanism for all current employees and make it a permanent part of the recruitment process for new workers. Ensure that a similarly effective age verification procedure is applied throughout the value chain.

Continuously monitor and analyze information on children employed in violation of minimum age requirements; the company can do this alone or in partnership with other actors. This information will provide knowledge on the situation, trends, and impact of company actions to address minimum age violations.

Aim to remove children from child labor (immediately from hazardous situations) while providing alternatives that prevent them from being pushed into more dangerous survival alternatives, such as sexual exploitation or trafficking. Before an underage worker is dismissed from employment, make sure a remediation program is available, such as:

- assistance with access to education, transitional schooling or vocational training;
- replacing a child laborer with an adult family member to compensate for the family's loss of income.

Keep in mind that each incident requires an approach tailored to the child's age, working conditions, home situation and education level, and the availability of schooling. Companies can cooperate with parents or caregivers, schools, local NGOs and child rights organizations and government agencies to find the best solution.

Extracts from: [Decent Work in Agriculture Facilitator Guide for Field Workers](#), Fair Labor Association

What are the possible recommendations for farmers for the prevention of child labor?

- Farmers can establish an age verification system for the workers working in the fields. On a rudimentary level, a child labor verification system may comprise information concerning identification, date of birth and name, recorded in daily attendance registration and notebook entries to help determine the ages of the workers. It is essential, however, that the workers support their statements with the copies of relevant documentation, e.g., ID photocopies.
- Workers record also facilitate the follow-up of the payments and working hours
- In the discovery of a young worker in the field, the division of tasks should be adjusted to the required working conditions of young workers.

- Farmers should alert intermediaries, such as labor contractor or supervisors to matters of child labor and conditions of young workers.
- If the company or project partner has developed a system of referral, farmers should be informed about the institutions and bodies that they may contact in the discovery of child labor.

What should be done when a child is discovered during the monitoring visit?

It is recommended to establish a referral system/procedure while creating the monitoring system, to address the steps to be taken in case a child worker is discovered. There are 3 main points to determine in a referral system.

- **Service Providers:** The state and state actors have a significant role in child protection. Civil society organizations also strive to participate in these efforts. Therefore, it is essential to determine the respective roles for and the nature of the partnerships between civil society organizations and state institutions; especially considering the fact that a monitoring system aiming at the prevention of child labor involves measures such as the removal of the child from the work environment, and a subsequent transfer to a safe environment. For instance, to address questions of the following type, it is necessary to make an analysis of the partners involved and develop a shared understanding of child monitoring that will be guided from the start: Which service providers should be contacted if the child is disabled? Which service providers will do the follow-ups to ensure the continued attendance of the child at school? Which service provider should remove the child from the orchard?
- **Operational Procedures:** This heading refers to the procedures to be followed if a child worker is discovered in the field. In practical terms, all the processes that may play out with respect to the situations in the field need to be determined in the procedures. Questions such as those involving the parties to contact; the average time for intervention; the keeping of records and the follow-ups should all be explained, and responsibilities distributed.
- **Criteria for Referral:** The criteria determine the situations in which referral might be necessary and introduces a rating system for classifying emergency. The following subjects need to be addressed under the criteria: What are the age groups for which referral is necessary? Can a referral be made in situations where the family does not consent? What type of interventions are possible for young workers when work hours conform to standards, but the work environment is not compatible with job safety and health?

Extracts from: [Decent Work in Agriculture Facilitator Guide for Field Workers, Fair Labor Association](#)

Remediation and Elimination of Child Labor

The actions to be taken in response to the discovery of child workers can be analyzed into two groups like short-term and long-term activities. In the first stage, if a child worker is discovered, the referral that has been developed needs to be put into effect. The ideal course is the immediate removal of the child from the work site in consideration of the work conditions and the best interest of the child. However, in view of questions such as the consent of the family and legal responsibility, directing the child and the family to institutions in charge or conversely, directing the institutions in charge to the orchard in question may be the appropriate solution. In this context, the second stage is the design of the remediation program and the

specification of the institutional competence as well as responsibilities. The third stage consists of the system of follow-up that will be created to prevent the child from returning to work site. The monitoring process, monitoring, intervention and the follow-up require both material and human resources. Therefore, establishing what resources will be used for remediation is another crucial step.

In the middle and long run there are 4 main fields of activity, which the company may follow in order to prevent child labor:

- **Policy Commitment:** Companies should develop standards aiming at preventing child labor and make these standards a part of the daily work processes. The policies must be supported with relevant procedures.
- **Communication:** The policies and procedures developed to address child labor need to be shared with the public as well as commercial partners and stakeholders. Additionally, performance and monitoring outcomes concerning child labor should be presented to the stakeholders.
- **Stakeholder Relations and Lobbying:** Often child labor is not merely an isolated problem seen in the supply chain of a given company, but rather a consequence of problems which implicate other actors: the lack of legislature implementation, poverty, and inadequate access to education are some of these problems. Therefore, actions for remediation should also include stakeholder relations and lobbying.
- **Program Development:** Problems such as poverty and inadequate legislation can only be solved by the development of large-scale programs targeting these issues. Remediation activities should aim at developing long-term programs targeting root causes or participating in similar programs as well as supporting the existing ones.

Extracts from: [Training Manual Workshop 2 The CLM Initiation Workshop Handouts, ILO](#)

Referral

Establishing a referral system means that an agreement is made with the service providers that they accept and assume the responsibility of providing assistance to child laborers found during the monitoring process.

This agreement must be formal and based on the practical realities and capacities of the service providers. The services may be provided through government entities (schools and health stations), NGOs or faith or community-based initiatives on education, skills training, counseling and self-help. You will need to consider:

- the resources and physical capacities of the service providers, and
- commitment and ability to receive and provide services,

When you develop a referral system, you must also agree on the nature and responsiveness of the referral mechanism.

- Is it meant to be a mechanism that can be activated immediately to address an urgent child labor situation in a workplace? This would be the case in some factory-based monitoring projects, for example, where girls and boys found working in hazardous conditions are immediately removed and enrolled in schools.

- Is it a slower step-by-step process where, once a problem is identified, a task force or similar group assesses different possible options? If so, the child laborers' situation is then addressed within the shortest delay possible.

A purpose of CLM is to make sure that child laborers identified through the CLM are helped and provided with better alternatives. CLM needs to be able to track the individual child laborer from when s/he is identified through the resolution of the problem.

Extracts from: Child Labor Resource Guide, UNICEF

- Remove the child from the workplace if involved in harmful activities.
- Identify why children are working.
- Obtain an assurance that no working child will be dismissed.
- Obtain the names of all working children so that checks can be made that they have not been dismissed
- Assess the tasks children are performing and their working hours and conditions.
- Identify if the child has access to education and, if not, where and how this can be provided.
- Identify key local community partners to monitor and assist implementation.
- Assure management at the workplace that they will not be excluded as suppliers at this point in time.
- Develop an "exit" strategy with specified timelines.

10. What systematic solutions address child labor?

Objectives

- Recognize the importance of taking multi-dimensional approaches to eliminate child labor.

Description of activity

1. Divide the plenary into three groups.
2. Assign each of the groups with one of the following initiatives:
 - a. Child Labor Free Zones
 - b. Gender Action Learning at Sustainability
 - c. Supply Chain Approach
3. Ask them to read the information that is given to each of them and use a flip chart paper to make a poster explaining the initiative's components.
4. The poster should answer the following questions:
 - a. What are the objectives?
 - b. How are the objectives achieved?
 - c. Who are the target audiences?
 - d. Who participates in the design and implementation?
5. Ask a representative from each group to explain the main elements of the approach that his or her group analyzed.
6. Questions to reflect over in plenary:
 - a. Do you think that these approaches are complimentary?
 - b. How do they complement each other?
 - c. Why do you think a multi-dimensional approach to the elimination of child labor is necessary?

Key learning points

- Many child labor initiatives do not get to the root cause of child labor: poverty, lack of livelihood opportunities, and lack of access to education.
- Viable solutions must go beyond simply identifying farms with child labor, data collection, and reporting.
- Lasting solutions have to be multi-dimensional.

Time: 30 minutes

- Group work: 10 minutes
- Plenary discussion: 20 minutes

Slides

- Slides 20-21

Materials

CASE 1: Child Labor Free Zones¹ (CLFZ) promote an area-based approach to addressing child labor issues in the communities and embed access to quality education as a key feature for children in poor farming communities.²

Child labor free zones (CLFZ) can be established by using an area-based approach that focuses on geographical areas, such as a community, plantation, etc., where many children are engaged in labor. This approach was first implemented in India by the MV Foundation; they created the child labor free zone approach by empowering stakeholders such as community leaders, school administrators, religious leaders, and employers to change the prevailing mindset of children being extra laborers for farms. MVF's efforts led to more than a million children leaving the labor force and enrolling in school. The Stop Child Labor Coalition³ has been promoting the CLFZ approach since 2003 and, together with local partner organizations, implemented several programs in India, as well as in several countries in Africa and Central America establishing CLFZ.

Leveraging the lessons learned from MVF's experience in India, FLA, and Hivos (coordinator of the SCL coalition) will create a standard approach that can be adapted and replicated in Côte d'Ivoire. The area-based approach and the Child Labor Free Zones were discussed as the most effective and successful way to combat child labor in Africa in the 2013 Kampala Declaration.⁴ A recent evaluation of the "Out of Work Program" of Stop Child Labor brings forward that the Child Labor Free Zone approach is not only leading to reduction of child labor and increased school attendance but also of reduction of domestic violence and better income opportunities for adults. The evaluation report also provides good insights in the role companies can have in implementing a CLFZ approach⁵.

¹ <https://hivos.org/focal-area/stop-child-labour>

² Specific activities on monitoring and progress measurement are embedded in the various interventions. A baseline survey or situation analyses are done to learn about the households, child labor trends, scope, value of education, level of awareness, etc.

³ <https://www.stopchildlabour.org/about-stop-child-labour/>

⁴ <http://www.indianet.nl/pdf/FinalDeclarationOnCLFZsUganda19042013.pdf>

⁵ http://www.stopchildlabour.org/assets/Final-report-Hivos-child-labour-programme-evaluation-2017_ZN.pdf

Community participation is a fundamental element for the success of this concept. At every level, people's participation is ensured so that the community takes the responsibility and ownership of progressively eradicating child labor and working on universal education in the area. For community participation, a mobilization process is done using pressure groups within the communities, awareness campaigns and tools such as street plays, posters and rallies.⁶ Consistent follow-up is carried out with the families and employers to keep child labor from resurfacing.

Education remains the primary means through which low-income children break out of the poverty cycle and lift their families or communities out of poverty. As such, an essential part of eliminating child labor through the CLFZ approach in rural, agricultural communities involves ensuring that children have access to quality education. FLA and Hivos intend to work with experienced stakeholders to create safe settings where children can access formal quality education as well as vocational training for older children in need of rehabilitation and skills for gainful employment. Beyond this, FLA and Hivos intend to engage government officials in enforcing child labor laws and factor child labor challenges into education policies.

CASE 2: Gender Action Learning at Sustainability (GALS)⁷ targets issues at the household level and builds the economic resilience of the community members (esp. women). The approach focuses on improving livelihood, gender balance, and justice at household and community levels.

GALS is a community-led empowerment methodology⁸ used by the FLA for past four years in the cocoa sector in Côte d'Ivoire⁹ which aims to give women as well as men more control over their lives and catalyze and support a sustainable movement for gender justice. In particular, GALS aims to promote women's human rights as stated in the 1979 United Nations Convention on Elimination of All Forms of Discrimination Against Women through community-led gender justice advocacy and mainstreaming into other development interventions.

GALS starts with the individual at different levels from farmers to government and donors: women and men develop their individual visions for change and leadership, with achievable targets and roadmaps to move towards these visions, based on analysis of their current situation, past achievements and opportunities/strengths, and challenges. A key focus is changing gender inequalities within the family and community as challenges, which prevent both women and men at all levels from achieving their vision.

The individual visions, plans, achievements, and challenges are then aggregated and analyzed collectively within communities, organizations and institutions to improve decision-making at all levels. Use of diagram tools as well as distinctive participatory principles enables inclusion of very poor people as informed and respected partners in participatory planning processes, even if they have not had the opportunity to learn to read and write. The methodology also develops the conceptual, analytical, "deep listening" and communication skills of powerful individuals, institutions, and policy makers, as well as enabling their own personal development planning.

⁶ Activities proposed under this intervention focused on mobilising community, forming and strengthening social structures, promoting the involvement of suppliers and companies in the campaign, and lobbying with the government for school strengthening and effective implementation of the labor laws. These activities are based on the principles of inclusion, cooperation, and non-discrimination and emphasize a multi-stakeholder approach that is founded on the concept of rights and employs collective energies towards the common goal of withdrawing all children from work and bringing them to school.

⁷ <http://www.galsatscale.net/>

⁸ http://www.galsatscale.net/_documents/GALSatScale0overviewCoffee.pdf

⁹ <http://www.fairlabor.org/report/gender-dialogue-project-ivory-coast>

The participatory process develops practical and sustainable methodologies and guidelines, which can be integrated into a livelihood, market, and value chain development, financial services and economic policy and decision making. The methodology forms a solid basis for more inclusive, effective and cost-efficient democratic policy development and gender advocacy.

As stated earlier, poverty in a family is often the main reason why child labor persists, so strengthening the socio-economic status of families is an integral part of eliminating child labor. FLA and Hivos intend to develop and implement the robust economic strengthening programs that help build economic resilience in farming communities through the use of three specific tools (Soulmate Visioning, Increasing Income Challenges Action Tree, and Vision Road Journey). The focus will be on increasing household income and especially for women who are better placed to then send children to school, improve their food security and nutrition and have better decision making.

CASE 3: Strengthening supply chain governance and management systems by working closely with sourcing companies, their suppliers, cooperatives or traders to improve supply chain transparency, access to remedy, advocacy and leverage government programming.¹⁰

Supply chain approach is a companies' and suppliers' driven approach with companies in the lead, involving various stakeholders at different tiers of their supply chain. In this approach, the companies advocate for improvements in working conditions in their supply chains through establishing standards, monitor child labor through household survey and conduct an impact evaluation, implement training and capacity building activities and facilitating remediation at the supplier level. These help them fulfill the various criteria as mentioned in the U.N. Guiding Principles.

Companies' focus on interventions at the suppliers and other sub-suppliers as they may be perceived to present risks to companies' brand reputation or production processes.

Companies could play an important role in managing their supply chains and by having a partnering attitude with their suppliers and other supply chains partners to work collaboratively on agreed improvements. Companies also help collaborate through industry platforms, disseminate information, and work together with other stakeholders through consultation and dialogue to bring about sustainable change in their supplier base.

FLA has been using the CLEAR (Child Labor Elimination Action and Remediation) approach with one affiliate member since 2014. The CLEAR methodology is based on the following Guiding Principles, to ensure its scalability, sustainability and replicability in other parts of the supply chain (in cocoa and other commodities):

1. Integration of project activities with core operations and existing sustainability programs run by the

¹⁰ According to the US Department of Labor 2016 report "In 2016, Côte d'Ivoire made a significant advancement in efforts to eliminate the worst forms of child labor. The Government enacted the Anti-Trafficking Law that carries more stringent penalties for offenders and adopted a Constitution that explicitly prohibits child labor and enshrines the right to education for both boys and girls. The National School of Administration integrated new modules on child labor into the curriculum for labor inspectors. With the assistance of UNICEF, the Government published a report on the expansion of its child labor monitoring system, SOSTECI, that included child labor prevalence data in three departments. In addition, the First Ladies of Ghana and Côte d'Ivoire signed a joint declaration and cooperative agreement against cross-border human trafficking. The Government also launched a Ten-Year Education Training Plan and entered a partnership agreement with the International Cocoa Initiative to expand SOSTECI and improve school infrastructure in support of the National Action Plan for the Fight Against the Worst Forms of Child Labor.

- companies and suppliers;
2. Co-creation of the program design, activities and documentation with company's staff, supplier cooperatives and associated communities;
 3. Action learning approach to implementation, which is based on the truth build into the proverb: "Tell me, and I will forget; show me, and I may not remember; involve me, and I will understand."

Leveraging existing national programs to avoid duplication and wastage of resources.

Tips

- Encourage groups to illustrate their posters and not only use words to describe their programs.

Facilitator notes

Extracts from: [Project Title: Setting up Child Labor Free Zones and Towards Economic Resilience in Cocoa Communities in Côte d'Ivoire](#)

Research has shown that economic mobility, quality education, economic independence of women and respect for the needs and rights of children and women can not only reduce but, lead to the abolishment of child labor.

The CLFZ and GALS approaches are an opportunity for employers, including for sourcing companies and their suppliers, to demonstrate their willingness to tackle child labor, gender inequalities, and lack of livelihood by getting involved in it. Given that in the CLFZ and GALS, these issues are approached as a 'community issue' instead of only as a "parents or employer issue," it does not blame companies and suppliers as the perpetrators. All actors have a role to play, and active involvement of companies and suppliers is perceived as an effort to contribute to communities (at large) from where their products may be sourced.

Given that the CLFZ and GALS approach does not target a specific sector or supply chain, but all children and households in a geographical area, even the immediate employers do not feel confronted. CLFZ and GALS approach creates strategies based on ground level needs in each area of intervention.

While companies act as influencers of the CLFZ and GALS in the project areas, the most active role for companies is conceived to set up their internal teams to act as facilitators who could aid and join local implementing partners in community mobilization, industry mobilization, farmer training, awareness raising, supporting community committees (including for youth, women, saving schemes, etc) and undertake advocacy efforts with the local governments to improve the education infrastructure and the implementation and impact assessments.

Besides providing support to the CLFZ and GALS, the impact of the intervention will be more effective and sustainable when strengthened by supply chain approach working towards greater supply chain transparency, public reporting, access to remedy, and ensuring workers rights throughout the supply chain.

The Supply Chain Approach will add and strengthen a systems-based and process-driven sophistication to the pilot and help identify mechanisms by which these activities can be sustained by the supply chain actors and scaled over time. The close contact that the supply chain partners will have with the CLFZ and GALS

approaches will help them evaluate what components can be taken up in further work they undertake within their internal programs in cocoa or other commodities supply chains. The CLFZ and GALS approach will inform companies about the living conditions of the families and operating structures of the communities who are in their supply chain and positively influence the social aspects of their supply chain policies.

1.3. FORCED LABOR REMEDIATION

11. What actions can a farmer put in place to prevent forced labor?

Objectives

- Revise the concept of forced labor.
- Revise the concepts of threat of penalty and lack of consent.
- Identify key actions that farmers can put in place along different moments of the employment relationship to avoid possible forced labor situations.

Description of activity

1. Ask groups to take a flip chart paper and place it horizontally on the table. Have them draw a road map that represents the employment relationship.
2. Ask them to draw a starting line and above it write the word "recruitment."
3. Have them also draw the finish line and above it write "termination."
4. Explain to them that there are three phases in the employment relationship where forced labor can be found: at recruitment, during work, and at the moment of termination.
5. Ask groups to come up with a list of actions that they can place along the employment relationship that the farmer should put in place in order to prevent forced labor. For example:
 - a. Recruitment:
 - i. Provide a job description to workers or explain the tasks and conditions of the work.
 - ii. Prepare a written contract.
 - iii. Hire workers directly avoiding middle people or agencies.
 - b. Working conditions:
 - i. Ensure that hours of work stay within the legal limits.
 - ii. If providing housing, ensure it meets standards.
 - iii. Ensure that workers have access to their IDs at all times.
 - iv. Ensure workers can leave the farm premises at any time.
 - v. Pay workers their salaries at regular intervals.
 - c. Termination:
 - i. Ensure that workers understand they can terminate their employment contracts at any given time provided they give legal notice.
 - ii. Ensure that workers are not indebted to their employers and that employers cannot terminate workers' employment.
6. Once participants have come up with a list, have a plenary discussion revising those actions.
7. Questions to reflect over in plenary:
 - a. How many of FLA's code elements do you see reflected in these actions?
 - b. How many of these practices do you think are not commonly ensured in the farms where your commodities or products grow?
 - c. Which ones do you think you have leverage over?

Key learning points

- One indicator in itself may not point towards forced labor, but the combination of indicators is a strong indicator of forced labor.

Time: 45 minutes

- Group work: 15 minutes
- Plenary discussion: 30 minutes

Slides

- Slides 22-23

Materials

- Flip chart paper
- Markers

Tips

- The facilitator can also explain these actions as good practices in hiring, in working conditions, or in termination.

Facilitator notes

Extracts from: FLA understanding forced labor

The following process defines some good practices that the employers or relevant supply chain partners can ensure:

1. Reaching out to possible (migrant) workers about employment possibilities;
2. Preliminary discussion with workers on the nature of work and terms and conditions (such as activities, hours of work, compensation, living conditions etc.);
3. Provision of an employment contract in language understandable to the worker;
4. Provision of a permanent employment contract to casual or contract workers doing work that can be considered permanent;
5. Safe and free transportation (transit) of workers from home-base location to the work locations;
6. Free of cost preparation of paperwork for workers (such as travel documents, insurances, identify and age verification documents, etc.) required for employment;
7. Any monetary advancement provided to the workers for travel or as confirmation of employment (without risk of debt bondage);
8. Introduction of the workers to the plantation/ farm/factory management;
9. Negotiation of the working conditions and compensation with management;
10. Setting and monitoring realistic work targets (with acceptable working hours and provision of fair compensation);
11. Arrangements for housing/accommodation of the workers (free of cost, sufficient quality and without restrictions of movement);
12. Resolution of worker grievances or complaints that may arise while working on the plantations;
13. Access to services (such as medical, child care in the case of families, schools for the children of workers, legal advice, etc.);

14. Actual compensation (cash and in-kind benefits) paid to the workers and the wage disbursement schedule;
15. Provision of free repatriation of the workers at the end of their contracts.

12. What could be done in a specific case?

Objectives

- Practice identifying forced labor indicators.
- Identify corrective actions that can be put in place to remediate indicators of possible forced labor.
- Understand that there are multiple approaches to addressing one indicator.

Description of activity

1. Ask working groups to read the following case studies:
 - a. Daniel Mamosa, a 19-year-old plantation worker in Indonesia
 - b. Fidan, a 16-year-old seasonal migrant worker in the hazelnut sector in Turkey
 - c. Willy Bassolé, a 15 years old working in the cocoa sector in Cote d'Ivoire

CASE 1: Daniel was born on one of the many islands of Northern Sumatra in Indonesia. At the age of 19, he was approached by Akanda, a man from the next village. Akanda works in Kalimantan on a palm oil plantation 2,000 km away and tells Daniel about the great work and good pay. He has arranged jobs for other workers from their region before, and he convinces Daniel to join some people from the village traveling to Kalimantan. Daniel has been promised a job as truck driver.

Together with a group of 25 workers aged 14 to 50, they travel to Sumatra and stay in the housing provided by Akanda. Akanda explains they he needs to arrange their contracts first before they can continue their journey to Kalimantan, which takes two weeks. During this time Daniel and the others are not allowed to leave the house.

The contract presented to the new recruits is not with a palm oil plantation but with a labor-contracting company for whom Akanda works. The new recruits have to sign the contract before they can leave the house and travel to Kalimantan. The contract includes a clause that the workers would not be able to decide themselves what work to do and they will do any type of work that the employer demands. The daily wages are less than what they expected (less than USD 3 per day). If they do not sign the contract, they must pay for their return home themselves—costly travel. Some of the new recruits argue but are beaten by Akanda.

After arrival at the plantations, Daniel learns that he is not allowed to leave the plantation and needs to submit his passport to the recruiter. His job is not driving a truck but harvesting and collecting fresh fruit. He is given a long sickle to cut the heavy bunches which. He must load fruits in a wheelbarrow and transport them to a collection point. The work on the plantation is heavy, takes long hours. He does not get time for breaks as he is expected to harvest many bunches of fruit per day to meet the target to earn his daily wages. He does not get any days off.

The wages he earns is hardly enough to buy food and other basic utilities. The prices in the local shop are higher than he was used to, and other shops are too far away, as he is not allowed to leave the premises. After four months, Daniel gets injured and takes a loan from the recruiting company to pay for medical

treatment. After one year, Daniel is still not able to pay off his debt. Daniel often thinks about leaving but the plantation is remote, and there is hardly any transportation. He recalls that one of his co-workers tried to run away but was captured by the police and brought back to the plantation. The co-worker was beaten by one of the security guards in front of the other worker and now does the dirtiest work.

CASE 2: As the eldest girl among nine children ranging in age from 5 to 18, Fidan, who is 16, dropped out of school in fourth grade because her family owed money. In late April or early May, she and her family left their home in Şanlıurfa to work as seasonal migrant workers. Their first stop was Konya in western Turkey, where the family settled for three months to work in the sugar beet fields. To reach their destination, the contractor rented a minibus for approximately 1,800 Turkish liras and deducted this cost from in lump sum at the end of the season. Before leaving, the family, stocked up on food for the summer. "We buy on credit from food stores and pay them when we return," Fidan says. "Elsewhere, people charge double when they see we are seasonal migrant workers."

This year the family will need to find a new labor contractor. The last middleman who recruited them for the hazelnut harvest has still not paid them wages totaling 3,000 TL (750 USD). He said he would only pay 1,000 TL (250 USD). They have no contract to support their claim, they merely agreed on the departure time when they first met him through an acquaintance. Details about their wages, destination point, and accommodation conditions were not made available to them.

In retrospect, Fidan says they should have anticipated trouble. Six family members, including two of her siblings ages 14 and 12, worked 12 hours a day in the hazelnut gardens. When they used the toilet during working hours, the labor contractor and the garden owner accused them of slacking. They had daily breaks but were often pressured to finish their work. Shouting and verbal abuse were common occurrences. He even made them work in the rain. Each time, they complied without a word because he threatened to withhold their wages. Wages are only paid at the end of the season; they had to comply.

Living and accommodation conditions were challenging. They stayed in a half-demolished storehouse in Düzce with no access to running water. The garden owner did not allow them to collect firewood from his land. The labor contractor did nothing to help; he told Fidan's family they must bear the conditions for the short harvest period of four weeks. Other intermediaries had deceived them in the past. One year, another contractor recruited them for the cherry harvest. In fact, the contractor hired them to work in the cumin fields. He said they would not have accepted the job if he told them the truth.

All family members must work without a day off until the end of the harvest to maximize their income, and every penny earned help during this period since they start off their journey already indebted. Also, they deduct 10% commission from their daily minimum wages. The family must pay its debts and survive on the remaining amount of money until the next season.

CASE 3: Willy Bassolé is a young boy from Burkina Faso. He was attending school in Burkina Faso until his family decided it was time for him to earn money for the family. His father contacted Bamouni Boubié, a friend originally from Burkina Faso who owns a cocoa farm in Côte d'Ivoire. Bamouni agreed to hire Willy as an annual worker and brought him to Côte d'Ivoire in 2017. He was transported in the bus without a passport or any identification documentation.

He was told to move to Côte d'Ivoire to work with Bamouni. He had no knowledge of the contents of his employment contract, the job he has to do, or how much he will get paid. These aspects were negotiated between his father and Bamouni.

In Côte d'Ivoire, he stays with Bamouni in a rudimentary house located near the farm. When community members or others inquire who he is, he was told by Bamouni to say he is from the extended family of Bamouni, which is not true. Willy knows nobody in Côte d'Ivoire apart from his employer, Bamouni. He knows nobody in the village as he is involved in farm activities all day long and is too tired at night for any socializing.

Willy appears to be a child somewhere between 14 - 15 years old. Yet his employer presents him as 18 years old. He has no identification or other documentation that could establish his age. If external people visit the farm (for e.g., FLA staff or cooperative staff), his employer has forbidden him to talk to them without his presence.

Willy heard about a complaint mechanism available somewhere at the cooperative but heard that it is only for the farmers. He would not dare complain about his situation to anybody, as he fears the aggressive reaction of his employer and would not know where else to go.

The arrangement made by his father is for a minimum of three years. Willy is involved in all tasks related to cocoa farm maintenance: preparing the land, clearing with a machete, applying chemicals, cutting and transporting cocoa pods, etc. He is busy all year long. When there is less to do on the cocoa farm, Willy is asked to help on the cassava farm managed by Bamouni's wife. Willy is not paid for the work he does, not even pocket money. It is not necessary since he is provided house and food. At the end of each year, Bamouni sends the annual payment directly to his father in Burkina Faso. Willy must remain silent and work so that his family can receive money.

2. Ask participants to answer the following questions:
 - a. What indicators could reflect a forced labor situation?
 - b. What actions could be put in place to remediate each situation?

3. Draw on a whiteboard or a flip chart a table similar to the following one:

	Indicator of forced labor	Corrective action
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		

4. Have each group call out one of the indicators, and have the other groups call out other possible remediation actions.
5. Continue the activity until you have covered all possible indicators. Questions to ask:
 - a. How many corrective actions could we put in place to correct one single case of forced labor?
 - b. If you were a client of this palm oil plantation, or the hazelnut or cocoa farms, what would you ask the owner to do?
 - c. What other systematic elements could be contributing to this situation?
 - d. Do you think that are other institutions or stakeholders that should put in place remedial actions in order to avoid this situation recurring in the future?

Key learning points

- One indicator could be addressed through different corrective actions.

Time: 60 minutes

- Group work: 20 minutes
- Plenary discussion: 40 minutes

Slides

- Slides 24-25

Tips

- The facilitator can decide if the whole group analyzes one case or if each group takes a different case. The cases address different sectors in different counties with different issues, although the indicators and remedial action analysis are useful in any of the cases. If time allows, do all three cases. The full activity should take 90 minutes.
- This is a good moment to emphasize to participants that there is no one way to address possible indicators of forced labor and that there are no right or wrong approaches.
- It is likely that some participants will not agree on the specific force labor indicators.

13. What could be systematic solutions to address forced labor?

Objectives

- Understand the complexities of remediating systemic forced labor in certain areas and sectors.
- Practice identifying underlying causes of forced labor in specific circumstances.
- Explore different possibilities of actions to address systematic forced labor in certain areas or sectors.

Description of activity

1. Have participants read the following case study:

In Malaysia, almost 80 percent of workers in the palm oil sector are foreign migrants, recruited through recruitment agencies. Several reports and stakeholders have discussed this system and explained that it is riddled with deceptive recruitment practices, high recruitment fees, passport retention and poor payment of wages. The recruitment fees charged to workers are so high that they tend to indebt workers. Migrant

workers come from Indonesia, Nepal, Bangladesh, India, Myanmar, and the Philippines. Foreign migrant workers are involved in field operations like harvesting (collecting fruit bunches), pruning and spraying. The supervising and administrative work at the plantations is mostly done by Malaysian workers with a permanent contract.

Malaysian recruitment agencies collaborate with similar agencies in the labor-supplying countries to identify and bring in the required number of workers. The Malaysian Ministry of Home Affairs needs to approve the recruitment of foreign workers, with the requirements and procedures differing according to the country of origin of the migrants. It is relatively easy for a company to get workers from Indonesia and Nepal; while Bangladesh authorities are regulating the labor supply from their side and provide a list of available Bangladeshi workers.

Labor brokers play an important role in the recruitment and human resources management of the migrant workers, including arrangement of payments, accommodation, transportation, and obtaining work permits and visas. The broker usually has a contract with the company for whom the workers are being recruited. The contract generally includes terms of payment, number of workers and length of time of work. No clauses on ethical recruitment are included. In the entire recruitment process, several layers of subcontractors may be involved. It should be noted that the system of involving labor contractors and recruitment agents has disadvantages for the companies. Often migrant workers selected by these third parties are not well skilled, prepared and motivated for plantation work.

Recruitment of migrant workers is a highly profitable business, as the agents receive payments from both the employers in need of workers and the migrants searching for work. It is also common for recruitment agents to levy additional service charges to the migrants for making arrangements and registration of immigration documents. To be able to cover these up-front costs, the majority of the migrant workers borrow from relatives, friends, or the agent, under the impression that they will be able to pay back their debt easily with the wages they will be receiving. In reality, the wages are lower than promised, and the migrant workers often find themselves in a bonded situation.

Over the years, many migrant workers either left their employer or did not get their permit renewed but remained in Malaysia, which has resulted in many migrants being undocumented. In 2011, there was a government program to legalize workers, and it was revealed that 50% of the 4.6 million migrants in the country were undocumented. This program did not succeed in the registration and legalization of all migrant workers, and therefore there remains a high number of undocumented workers who fear being found by Malaysian authorities and sent to immigration retention centers or jail.

2. Distribute a flip chart paper to each group. Ask them to divide the paper into three equal parts and write the following in each section:
 - a. Improvement of laws, regulations, enforcement and legal framework, and enforcement of current laws
 - b. Improvement of supplier companies' practices
 - c. Capacity building of various actors active in the palm oil supply chain
3. Distribute three sticky notes to each participant.
4. Ask them to write actions that could be taken in the country by one or several actors (it does not have to be the brand/supplier company).
5. Have them stick the notes in the corresponding areas.

6. Ask participants to group similar actions, disregard repeats and come up with a consolidated list of possible actions for each of the remediation proposals. They should list them on their flip chart papers.
7. Ask groups to take away the sticky notes and hang their papers on the wall.
8. Give each participant three sticky dots. Ask everyone to vote for three actions where their company could contribute.
9. Questions to reflect over in plenary:
 - a. What were remedial actions proposed?
 - b. What stakeholders would need to be involved?
 - c. What type of remedial action do you see your company participating in to contribute to eliminating forced labor?

Key learning points

- Systematic remedial actions will require the joint efforts of multiple stakeholders.
- Remedial action proposals need to come from the ground.

Time: 60 minutes

- Individual work: 5 minutes
- Group work: 15 minutes
- Voting: 10 minutes
- Plenary discussion: 30 minutes

Slides

- Slides 26-27

Materials

- Flip chart paper
- Sticky notes
- Markers
- Tape
- Sticky dots

Facilitator notes

Extracts from: FLA Understanding Forced Labor

In Malaysia, the top three solutions raised by stakeholders were similar to those proposed for Indonesia, although the order of priority differed:

1. Improvement of laws, regulations, enforcement and legal framework and enforcement of current laws. Specifically, it was recommended that the Malaysian government should:
 - Review and amend existing laws and regulations to stop forced labor.
 - Enforce existing laws properly.
 - Regulate and monitor recruitment agencies and protect workers participating in recruitment corridors.

- Adequately resource labor inspectors to conduct farm-level assessments of working conditions in the farms.
 - Facilitate, and make the process easier, for birth registration and documentation of children of workers.
 - Create policies so that the migrant workers are fully recognized under the national law.
 - Expedite legalization of undocumented migrant workers.
2. Improvement of supplier companies' practices (Figure 10) was the most often mentioned solution. Specifically, stakeholders highlighted the following ways with respect to which suppliers could improve recruitment and employment practices:
- Employers pay the recruitment fees.
 - Workers are issued a proper contract by the suppliers, which includes clear terms and conditions.
 - Workers are made aware of the terms and conditions of their employment, to which they voluntarily agree, and their rights.
 - Workers work reasonable hours and are not forced to work overtime or have unreasonable production quotas.
 - Workers are paid according to national law, including benefits.
 - Passport retention practices are eliminated.
 - Living conditions for workers are improved.
 - Better arrangements are made for undocumented workers.
 - Wages are increased.
 - Transparency in the supply chain is increased with a stronger focus on traceability.
 - Standardization of practices is strengthened.
3. Capacity building of various actors active in the palm oil supply chain (Figure 9), including growers, suppliers, and companies. More specifically, their capacity should:
- Strengthen root cause analyses and remediation.
 - Decrease reliance on certification or legal compliance audits. Instead, have more robust field visits with the purpose of getting a better understanding of labor conditions and identifying how they can be improved.
 - Strengthen, activate and support labor unions, and have them represented among industry groups like RSPO.
 - Strengthen capacity building of various internal and external auditors and certification bodies, so they can recognize and understand forced labor indicators.
 - Strengthen capacity building of recruitment agencies on components of ethical recruitment and emphasize what risks to look for.

In addition, respondents mentioned the following efforts that can be taken to improve the forced labor situation in the two countries:

- Advocacy efforts by palm oil buyers, such as putting pressure on, and providing incentives for, suppliers to commit, improve and demonstrate progress, and promoting transparency and good practices to eliminate forced labor;
- Hearing workers' voices, for example through improved access to work sites and plantations, as well as through grievance mechanisms;

- Improved assessments and in-depth research on labor situations and wages to provide a better understanding of root causes (a number of stakeholders mentioned the need to calculate and pay living wages to workers);
- Multi-stakeholder collaborations for strengthening labor rights monitoring and addressing challenges related to the recruitment process of migrant workers, including recruitment fees and worker permits.

14. Who could be implementing partners?

Objectives

- Explore different stakeholders that a company could involve in an effort to address forced labor in a country or sector.
- Discover how participants perceive the leverage or influence of different stakeholders.

Description of activity

1. Place a strip of tape or string across the floor of the meeting room. Make sure that it is taped to the ground, so it is safe to walk.
2. Ask participants to stand.
3. Explain to participants that you will be calling out names of stakeholders and that they have to individually consider how much influence each of them has when it comes to improving recruitment process and improving working conditions.
4. Explain that one end of the string is “very little” and the other end is “a lot,” and that everywhere along those two extremes are “tranges in the middle.”
5. Call out each of the following stakeholders, and one by one let participants locate themselves along the string depending on their perceived level of influence:
 - a. Suppliers operating large plantations
 - b. Small-scale producers
 - c. National government setting regulatory requirements
 - d. International traders and processors of the specific product in question
 - e. International companies sourcing the specific product
 - f. International traders and processors of the specific product
 - g. Local and regional authorities responsible for law enforcement and inspections
 - h. Civil society organizations working on the issues of workers and communities
 - i. National labor unions representing workers
 - j. Labor contractors and recruitment agencies responsible for attracting or contracting workers
 - k. Industry-based associations
 - l. Workers on plantations or farms
 - m. Certification bodies/due diligence agencies conducting audits and or standard compliance verification
 - n. International labor unions and confederation unions
6. Questions to reflect over in plenary:
 - a. Which actors seem like those with higher leverage?
 - b. Have you worked with any of these actors in the past to address system compliance issues?

Key learning points

- Efforts to eliminate forced labor should be jointly undertaken with the support of several stakeholders.
- A consultation process is welcome to identify which stakeholders to engage with.

Time: 20 minutes

- Plenary discussion: 20 minutes

Slides

- Slides 28-29

Tips

- This exercise can be done as a general exercise or specific to a sector or country.
- There are no right or wrong answers; at the same time, facilitators and participants get an idea of where everyone stands with relation to stakeholder engagement and public-private partnerships in remediation efforts.
- The facilitator can also add an "others" category and allow participants to specify other actors that may come to mind.

Facilitator notes

Extracts from: [Identifying, Managing, Mitigating and Preventing Forced Labor and Modern Slavery ETI](#), Auret van Heerden

WORKER-LED ACTION ON FORCED LABOR

Workers, trade unions, and other support groups have a key role to play in exposing forced labor. While there are significant challenges for the victims themselves to come forward (as highlighted in Box 2), trade unions and other workers organizations have a clear interest in exposing forced labor. Forced labor lies at the extreme end of the spectrum of abuse of workers' basic rights: the right to choose their employer or to leave their place of work; and the right to negotiate the terms and conditions of their work, including pay and hours of work. Collective bargaining is rare for vulnerable and migrant workers – not only because they are employed on temporary terms, but also because they often cannot speak the local language. They do not have the same access to employment or bargaining rights as other workers who live permanently in host countries, let alone access to basic services such as healthcare. Cross-border cooperation between trade unions can help inform potential victims of the dangers and their rights. Trade unions in both sending and receiving countries can team up to provide briefings and documentation to migrant workers and to pressure authorities to ensure that their rights are respected.

Most international framework agreements (IFAs) between global unions and multinational enterprises have specific clauses on forced labor, and some of them provide for joint action in the event of any cases being identified. The IFA signed between the International Textile, Garment and Leather Workers Federation (ITGLWF) and Inditex, for example, dealt with issues such as 'deposits' that workers may be required to pay and the retention by employers of workers' personal and travel documents. It also provided for joint investigations by the company and the union.

WORKING WITH NGOS AND THE MEDIA

NGO campaigns have also made good use of the media to mobilize public and official action against forced labor and trafficking for labor exploitation. Both mainstream and social media continue to play a critical role in raising awareness about the spread of modern slavery and forced labor as well as exposing specific cases. This is very powerful in focusing the attention of those implicated—whether companies, government authorities or suppliers—and catalyzes action. The CNN Freedom Project is probably the highest profile example of media focus,²¹ but the print media have also done extensive work in exposing trafficking networks and the industrial sectors they feed into.

THE VALUE OF MULTI-STAKEHOLDER INITIATIVES

Multi-stakeholder initiatives such as the ETI have a valuable role to play in convening critical actors that can make a real difference through collaborative efforts. Their role includes providing a safe space for companies to collaborate on a pre-competitive basis when dealing with labor rights challenges in their supply chains; lobbying governments for more effective regulation (the ETI’s role in the creation of the Gangmasters Licensing Authority is a case in point); facilitating direct engagement between companies and trade unions, as well as ‘critical friend’ partnerships with NGOs. Where this works well, their value lies in long-term, systemic change. But this is not always possible, and it is certainly not easy, particularly in relation to forced labor.

But multi-stakeholder coalitions are more difficult to mount in countries where there is little regard for human rights or space for democratic institutions. In such countries, governments may see such initiatives as threatening or undermining their state functions, or as an admission of failure on the part of the enforcement agencies. Uzbekistan, for example, refused for many years to accept that it had a problem of forced and child labor in the cotton harvest before eventually agreeing to allow the ILO to monitor a harvest season.

15. What do you see your company doing?

Objectives

- Explore and understand different remediation actions.
- Reflect over the current due diligence system in the company.
- Consider possible future remedial actions.

Description of activity

1. Ask participants to take the following remedial actions and consider the likelihood of their companies considering them as preventive strategies to prevent forced labor situations.

		Very unlikely	Likely	Very likely
1	Conduct mapping exercises to understand: <ul style="list-style-type: none"> ○ Migration patterns of workers (seasonal, group versus individual, emerging trends, etc.) ○ How workers are physically transported ○ Migration routes ○ The process of recruitment in the home country ○ The first point of contact for workers in the recruitment process 			

	<ul style="list-style-type: none"> ○ Country/area of origin ○ The steps taken for migrant workers to get accepted and to travel from “home” to the plantation ○ Fees paid by workers for the main routes (including a detailed overview of all the steps/elements that these fees should cover) ○ Actual costs involved in the recruitment process ○ The various layers of contractors and sub-agents involved, both in Malaysia as well in the main countries of origin and including making the power relations/major influencers visible ○ Overview of all the requirements and expectations that the recruitment agents—in Malaysia and in the main countries of origin—need to meet, both looking at the regulatory frameworks, government policies, and demands from industry members ○ Experiences, violations, and risks involved regarding all the above-mentioned points 			
2	Define sample terms and conditions on ethical recruitment and advocate for (or enforce) contract amendments between suppliers and companies and labor recruitment agencies to include such terms and conditions as part of their contracts.			
3	Multinational companies working with local suppliers should include specific criteria for labor recruitment in the supplier contracts. One way for suppliers to pay attention to these issues is to attach as an addendum to the contracts the set of benchmarks and actions in case of violation of agreements including providing concrete information and opportunities to raise complaints.			
4	Even though a number of research studies have been conducted and are available, neither companies nor suppliers understand forced labor indicators and how to address them. Training for suppliers and labor recruitment agencies on those topics can raise the overall awareness of forced labor. Workers and management at the plantations should be trained together in the same session so that they have a common understanding of do's and don't's.			
5	Companies and suppliers should work toward a more professional, standardized and transparent recruitment system, with information available in various languages, using terminology understandable to workers from the main countries of origin.			
6	It is imperative that companies and suppliers have a functioning, easy to use worker voice and grievance mechanism. Companies			

	should seriously consider the use of technology for the same. There is need to strengthen the existing grievance handling mechanisms and base them on the UNGP's eight effectiveness criteria.			
7	Suppliers and companies should establish clear procedures for the payment by the employer of the costs and fees involved in the recruitment process of new workers. They should also define clear procedures for the reimbursement of costs and fees paid by current workers as a remediation measure.			
8	Institute a forced labor policy and benchmarks in supplier codes and responsible sourcing guidelines that include at a minimum the three forced labor PIPs and as a next step include several other indicators so as to make company expectations clear to suppliers.			
9	Ensure communication of employment terms and conditions and rights to workers through its suppliers and internal CoC application. This includes workers having proper contracts, access to PPE, and access to decent wages while working within the legal work hours limits.			
10	During monitoring and verification visits, pay special attention to verifying the labor recruitment process, the age of workers at the time of recruitment, and whether workers' family members are assisting to finish allotted activities to be able to earn minimum wages.			
11	Conduct dialogue with suppliers on their lack of engagement with this scoping exercise and to resolve their current concerns.			

2. After participants are finished, ask those who have checked "very unlikely" to stand up and clap; those who have checked "likely" to clap, and those who have written "very likely" to take their colleagues clapping as a compliment and just sit and listen.
3. Questions to reflect over in plenary:
 - a. How likely are companies to put in place many of these actions as part of their due diligence efforts?
 - b. Which are less likely to be implemented?
 - c. What might be the challenges with each action?
 - d. Which are being implemented already?

Time: 25 minutes

- Individual work: 5 minutes
- Plenary discussion: 20 minutes

Slides

- Slide 30

Facilitator notes

Extracts from: Identifying, managing, mitigating and preventing forced labor and modern slavery ETI, Auret van Heerden

Remediation is a key concern, both because it is challenging to truly make reparations for the harm that is done to victims and because the danger of further victimization is ever-present. Trafficked and forced laborers face termination, deportation and a possible reckoning with their creditors if exposed. As with child labor, a zero-tolerance policy should not jeopardize the position of the victims. Buyers should be careful to maintain and use their leverage as constructively as they can. Terminating the supplier, or imposing financial penalties, may be appropriate but only once provision has been made for protecting the forced laborers involved. The priority in remediation must be to secure their economic and social situation – ideally with the cooperation of the employer and the authorities. If that cannot be relied on, the buyer may have to work with civil society organizations to provide support to the workers.

A point worth emphasizing here is that the multi-factor nature of forced labor means that the counter-measures must also be multi-factor. Some interventions may be more strategic than others, but if not accompanied by other measures they may well have unintended consequences. Regulators, buyers, suppliers, workers representatives and civil society all have a part to play in remedying cases of forced labor.

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About the Fair Labor Association

Since 1999, Fair Labor Association has helped improve the lives of millions of workers around the world. As a collaborative effort of socially-responsible companies, colleges and universities, and civil society organizations, FLA creates lasting solutions to abusive labor practices by offering tools and resources to companies, delivering training to workers and management, conducting due diligence through independent assessments, and advocating for greater accountability and transparency from companies, factories, farms, and others involved in global supply chains.