





## November 17th, 2021 HUMAN RIGHTS IN AGRICULTURAL VALUE CHAINS

Moving from Risk to Impact







the mondo vacionible para todas las generationes



- Michael von Luehrte (4C Services)
  - Marcelo Burity (Nestlé)
- Katia Masias Bröcker (Meo Carbon Solutions/FSS) & Lisa Heinemann (Welthungerhilfe/FSS)
- Alejandra Rueda (Nes Naturaleza)

Moderation: Prof. Dr. Gernot Klepper, IfW Kiel



#### **Human rights in Agricultural value chains**

From Risk to Impact: Implementing HRDD in agricultural production in the Global South



#### Legislative Advances in Europe in Switzerland and the EU



#### All public and private stakeholders need to work together to drive continuous improvement

#### **Governments**

providing legislative framework and level playing field for businesses to operate under, enforcement of laws in producing countries critical

#### **Farmers**

the beginning of the supply chain, fragmented and weakest link of the supply chain

#### Merchants

bridging from producers to end-users (logistics/quality control/traceability/ price risk management)

#### Banks

financing of producers and commodity flows including stock holdings

#### **End-users**

providing consumers with products of need and choice, meeting legal but also voluntary sustainability standards



## The global framework UNGPs and SDGs – what needs to happen for implementation?

 Clear legislative rules with realistic targets and timeline for implementation

- Alignment with producing countries / dialogue and reinforcement of labor laws
  - Education / Orientation of producers
- Financial incentives for producers / economics are driving change
- Living income / human rights / education are interlinked



## The status of HRDD legislative implementation – still too much fragmentation and open questions...



- Swiss Commodity Sector Directive addressed HRDD already in 2019
- The RBI counterproposal of the parliament is being detailed and concretized by the government in the ordinance
- Due Diligence for large corporations with risky operations (conflict minerals or child labor) enter into force in 2022, mandatory in 2023, first reporting to be published in 2024 (verification by an independent expert)
- Non-financial reporting will also be expanded to climate/environmental impact indicators
- The Swiss government aims at concrete improvements, avoid greenwashing and seeks a collaborative approach with the private sector including ppp to drive on the ground change

- Supply Chain Law was voted on in July 2021 with tighter DD requirements and responsibilities across the entire supply chains
- yet new government will have to define
- Proposed legislation goes further than the EU DD legislation

## The status of HRDD legislative implementation – still too much fragmentation and open questions...

- Due Diligence Legislation under discussion should be finalized in early 2022
- Private sector is totally supportive for a level playing field
- Initial timeline for implementation of reporting requirements for large corporations is like the Swiss timeline

#### Obstacles:

- EU Commission is moving slowly due to constant push back from the EU Parliament (political impasse)
- New German government can and will influence direction of the DD legislation, alignment to German Law is required for harmonized EU law
- Outcome of Glasgow COP26 meeting might add to tighter reporting requirements
- Deforestation directive is essentially ready for implementation first draft should be circulated on Nov 17!
- However, DD requires independent 3<sup>rd</sup> party verification at all levels and aspects of the supply chain
- 4C is perfectly equipped to support companies but also the public sector to monitor respective on the ground data using modern technologies like satellite imagery for land use change

## Some final thoughts

• Will the high energy prices derail some of the ambitions of the Green Deal?

 The high energy prices are impacting fertilizer prices (plus 400%) and lead subsequently to lower agricultural production and food security!

 The European legislative efforts are an important step – but need to be brought also into the context of China, India and the US being the largest commodity importers and economies

 Producing country governments need to step up legislative adjustments and controls for HR – this is a long-term process.
 We can not mandate change from Europe and need to convince governments about the benefits

 HRDD is closely linked to the wellbeing and economic situation of producers!

 Without producers no products to trade/transport/process and consume!









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#### **Voluntary Sustainability Schemes and Due Diligence**

	Conventional Coffee	Responsibly Sourced Coffee
Transparency and Traceability	To seller/shipper/coop-mill	Traceable to the group of farms where it was grown
Sustainability Standard	N/A	Produced in accordance with sustainability standards
Independent Assessment	N/A	Verified or certified by independent third parties

Responsibly Sourced Coffee: Know where coffee came from and how it was grown

A fundamental step towards Due Diligence

Vulnerabilities	Mitigation
<ul> <li>Level of assurance, not a guarantee</li> <li>A "picture" at the moment of the audit, of the sample of visited farms</li> </ul>	<ul> <li>More frequent checks = when it matters</li> <li>Risk-adjusting sample = where it matters</li> </ul>

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## The Food Security Standard (FSS)

## Realizing the Right to Food in Global Value Chains

Katia Masias Bröcker Lisa Heinemann FSS-Team 17<sup>th</sup> November 2021

With support from







#### **Food Security is a Human Right**



The Universal Declaration of **Human Rights** (10 Dec. 1948), Article 25 (1):



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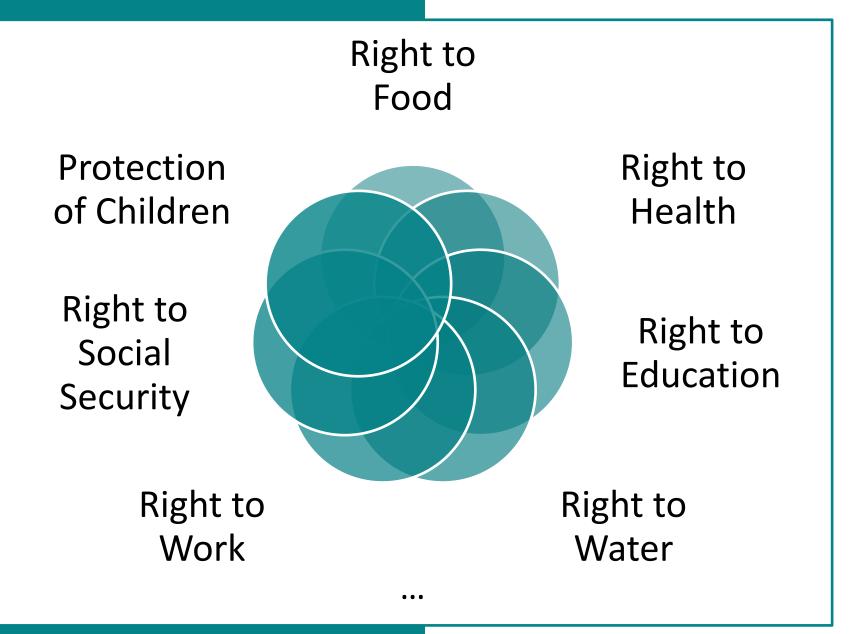
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"Everyone has the **right** to a standard of living adequate for the health and well-being of himself and of his family, including **food**, clothing, housing, medical care and necessary social services..."





Mutual dependencies with Right to Food



## What is the Food Security Standard (FSS)?

- ✓ **Joint initiative currently lead by Welthungerhilfe and Meo**. It is also supported by the German government with food security being on of its priority topics.
- ✓ FSS ensures the food security of farmers, workers and encompasses the situation of nearby communities.
- ✓ The FSS enables companies to fulfil farmers' and farm workers' right to food and thereby to practice social responsibility from the very first point in the supply chain.





## Implementation and verification within the framework of existing sustainability standards

#### Food Security Standard

- Criteria and Indicators
- Food security assessment tools
- Checklist and handbook for auditors

Existing sustainability standards



Right to food respected in agricultural production





## Integrating food security in sustainability standards

#### **Examples of early adopters**

4C FSS Add-on was finalized and recognized by FSS. Now it is available for producer groups interested in becoming the first to apply. 4C is the only coffee certification system that has integrated FSS so far.



✓ ISCC FSS Add-On is recognized by FSS. The Add-on was successfully integrated into two regular ISCC audits at sugar cane plantations in Latin America.





## FSS in Human Rights Due Diligence Management Moving from Risk to Impact

1.
Food Security Standard
• Human Rights Commitment

5.
FSS Certificates & Reports

4. Certification incl. FSS

Audit reports

- Monitor food security
- Complaints mechanism
- Documentation
- Third-party verification
- Audit reports

2. Risk Analysis

Report Embed Hight

Embed Human Rights 3.

**Prevent &** 

Mitigate

4. Monitor 2.

- National Food Security
   Assessment Tool
- Quick Assessment Tool
- Full Pre-Audit Assessment

3.

#### **Certification incl. FSS**

- Rights-based approach
- Training and awareness raising
- Participation & dialogue
- Local development



#### **National Food Security Assessment Tool**

→ Context analysis / potential human rights risks

2. | Access to Water

2/2 Questions

**High Risk** 



#### 2.1 | Water Scarcity

Identify the audit country and region on the map

> GO TO PAGE

Enter the **corresponding classification regarding water scarcity** into the field of data entry.

- little or no scarcity
- approaching physical scarcity
- physical scarcity
- economic scarcity
- not estimated

#### **High Risk**

Water resources are scarce and/or hard to access. There is a high risk of water not being sufficiently available on site.

## Food Security Quick Assessment Tool

#### → Actual food security situation

neighbours,...)?

#### FSS-QAT questionnaire for external stakeholders Name of the interviewee: Function/role (e.g. school teacher, village head, etc.): \_\_\_ Organization/employer (if individual is representing this entity): \_ Location (area, community) represented: \_ (dd/mm/yyyy) Oral consent to interview given: Yes No Date of interview: Please make sure that you ask as much as possible about the communities/villages in the area of influence including potentially resettled communities! Please mark the answer with a Please ask the questions below: 1. Are you representing/talking about one or several One Several communities? 2. What is roughly the number of people (households, Number of households/farmers/workers/pupils/ workers, patients,...) you are representing/talking about? Yes No 3. Are you or members of your family engaged in any activities → If yes please list activities or relationship: with the operational unit? Yes No 4. Do people in this area/community still grow their own food → Please list why not (at least partially)? If not, why not? 5. Was the local food production affected by unusual, Yes No extreme weather events in the last 12 months? Yes, readily available 6. Is there all year round enough food available at decent prices for purchase nearby (market, village shop, Somewhat available or at high prices

Not always available or at very high prices

#### Full Pre-Audit Assessment | FSS Checklist

→ Identification of gaps and pathways to full certification

Criteria	Indicators		
4. Ensure market access and contribute to local development			
<b>4.1</b> Local value creation must be supported.	<b>4.1.1</b> Measures to support local value creation and close income gaps in the area of influence of the operation shall be identified in a consultation process with relevant stakeholders and implemented.		
4.2 Access to markets for local communities must not be reduced.	<b>4.2.1</b> The time and effort required for local communities to access food markets must not be negatively influenced by the farm's operations.		
5. Safeguard long-term fa	rm profitability and fair business conducts		
5.1 The operation shall be economically viable in the long term.	<b>5.1.1</b> A business or management plan shall be available, implemented, and regularly reviewed and updated, and shall include plans and measures to support the long-term economic viability of the operation.		
5.2 Fair, legal and transparent arrangements shall be implemented with all contract/smallholder farmers and service providers.	5.2.1  Written contracts/agreements formulated in a language understood by all partie shall be in place and co-signed copies shall be made available to all parties. In the case of group contractual arrangements (e.g. cooperatives), all members shall have a copy. Agreement/contracts shall clearly define:  - price/quality parameters,  - exit arrangements, and  - compensation measures in the event of farm/group manager bankruptcy.		
	The prices paid to contract farmers/smallholders must be fair. In the case of smallholders, the prices shall be based on living income estimates, when they are available for the region. If no living income estimates are available, prices shall be set following the FAO Guiding Principles for Responsible Contract Farming.		
	<b>5.2.3</b> Agreed-upon payments to farmers/smallholders shall be made in a transparent and timely manner.		



## INTEGRATING THE FSS IN RESPONSIBLE SOURCING

#### 3. Prevent & Mitigate

#### **Certification incl. FSS**

- Rights-based approach
- Training and awareness raising
- Participation & dialogue
- Local development

## TO IMPACT...

#### 4. Monitor

#### **Certification incl. FSS**

- Monitor food security
- Complaints mechanism
- Documentation
- Third-party verification
- Audit reports





#### Why to include the FSS into certification



- Companies have to respect all human rights
- The Right to Food is interlinked with other human rights
- Sustainability certification is
  - an important tool to support corporate HRDD
  - an entry point for further engagement
- FSS Add-On
  - complements existing certification by strengthening human rights criteria related to food security
  - provides tools for continuous improvement and impact measurement to address food security
  - supports to increase supply chain resilience and mitigate reputational risks
- Holistic sustainability management is a competitive advantage

## Let's go for it!



#### **CONTACT DETAILS:**

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With support from





by decision of the German Bundestag

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## Due diligence in Agricultural Value Chains

ALEJANDRA RUEDA-ZARATE NES NATURALEZA 11/10/2021

## CONTENT



#### **GENERAL CONTEXT**

**ACTING NOW** 

A GLANCE TO THE FUTURE

### **NES NATURALEZA**





3 CONTINENTS +15 COUNTRIES

+30 COMPANIES CERTFIED + 40 COMPANIES TRAINED ON SUSTAINABILITY

+ 4000 SMALLHOLDERS TRAINED



## Sustainable Agriculture











**PEOPLE** 

**PLANET** 

**PROFIT** 

**BUSINESS RELATIONSHIPS**  **OPERATING** CONTEXT

**BUSINESS ACTIVITY** 

## Sustainable Food System





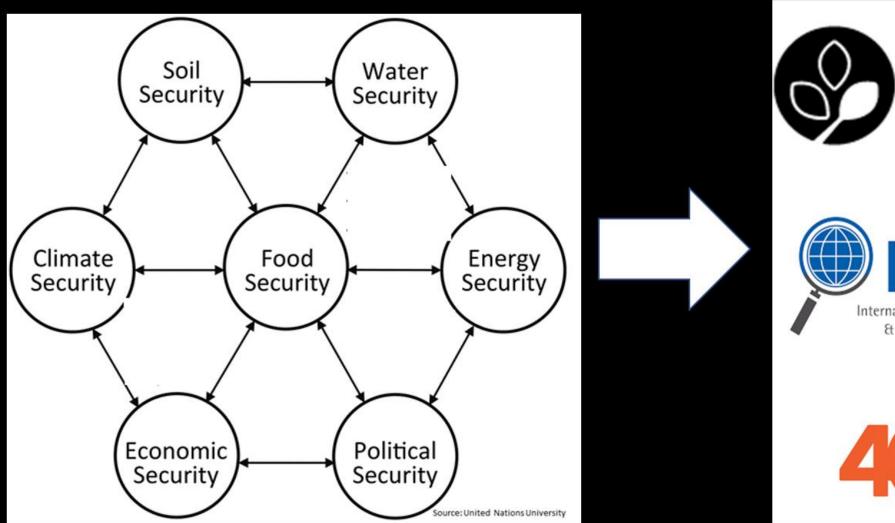
**Inclusive** business





### Main drivers of a sustainable food system













### **ACTING NOW**

### Model of Shared responsability







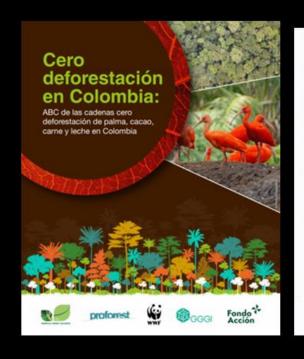
## Zero deforestation commitments Latam oil palm agroindustry





Colombia commits to zero deforestation in prioritize supply chains since 2017 and ratified 2020









Honduran palm oil sector commits to deforestation-free supply chain

## Sustainability Training Programs















## Oil Palm Adaptive Landscapes (2015-2021)













Project Consortium:





















WITH 78 LEADERS

## WISSMA >>

WIlmar Supports Sustainable MAnagement







SUSTAINABLE MANAGEMENT

TRACEABILITY

SECURE RAW MATERIAL

COMUNICATION

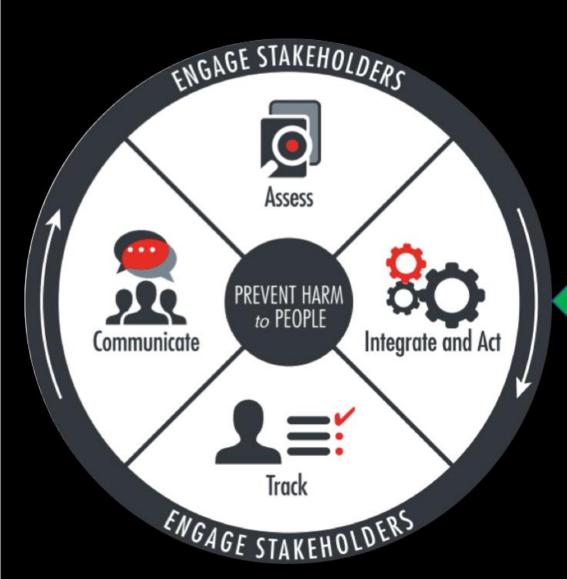
**RELATIONSHIP WITH COMMUNITIES** 



### A GLANCE TO THE FUTURE

## Human Rights Due Dilligence





Identifying Human rigths Risk issues

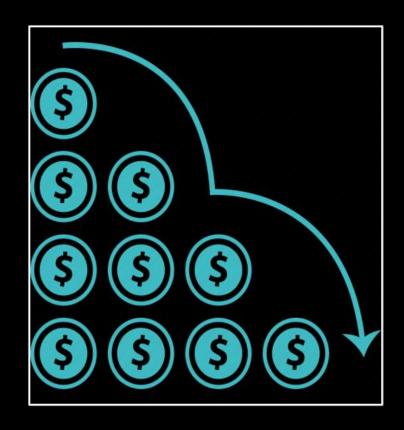
Identifying vulnerable groups preventive and mitigation plans

Monitoring results

## Benefits to the supply chain









## Trustable Supply chain Integration









# THANK YOU!

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"They did not know it was impossible so they did it"

— Mark Twain

