

English only

THE PUBLIC/PRIVATE PARTNERSHIP IN THE FIGHT AGAINST HUMAN TRAFFICKING
ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE
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PANEL 3 – PRIVATE SECTOR INITIATIVES ADDRESSING THB

Speech by Greg Asbed, Co-founder of the Fair Food Program

Thank you John, for the kind introduction, and thank you to the OSCE and the Russian government for bringing together so many expert voices in the field of human trafficking for this important conference.

I'd like to begin by inviting you to join me in a thought experiment. Imagine you are out for a drive on a lovely country road surrounded by farms on both sides. You come upon two perfect little farm stands selling freshly picked fruits and vegetables to passersby. Both have their prices on signs by the road, and while the prices are virtually identical, one seems to be consistently a *few* pennies cheaper.

Naturally, you turn your car into the less expensive stand, choose a delicious looking selection of fruits, and approach the register. Just then, a blood-curdling scream comes from the field over the cashier's shoulder. You see a worker, on his knees, being brutally beaten by his boss. Startled, you look across the field and see another worker, a woman, being sexually assaulted by another farm boss. The cashier smiles and says, "That will be \$12.50..."

What would you do? If you are like most people, you would refuse to purchase the fruit and demand an explanation. When the cashier tells you "Oh, don't worry, we have a program to monitor our fields. We visit once a year, and so far, every time we visit, everything has been A-OK!"

Disgusted, you leave the fruit at the register, get into your car, and cross the street to the second stand. There, before selecting your fruit, you look in the fields through an open door, where you see workers and supervisors talking in one corner, other workers picking, still others enjoying a cool drink of water under shade. When you compliment the owner on the conditions you see, she says, "Thank you, we are very proud of our labor monitoring program, would you like to come back and talk with the crew to learn more? They're really the ones who built the program themselves."

From which stand would you buy fruits and vegetables for your family? The answer seems obvious, yet still, in the vast majority of cases, the answer of large retail food corporations presented with the same scenario – competing producers, knowledge of vastly different labor conditions, and a *de minimis* price difference – would depress you. It does me.

I am a Co-Founder of the Fair Food Program, a unique partnership for the protection of farmworkers' fundamental human rights. Our program brings together 14 of the world's largest retail food corporations, from McDonald's to Walmart, dozens of major growers of fruits and vegetables in the eastern United States, and the organization for which I work, the Coalition of Immokalee Workers (or CIW). After nearly a decade of experience, We would submit three truths of social responsibility -- and therefore of the fight against human trafficking -- the we hold to be self-evident:

- that, when it comes to protecting workers' fundamental human rights, not all social responsibility programs are created equal;
- that those programs created — and driven — by workers themselves are more comprehensive and more effectively monitored;
- and that, when combined with effective enforcement power, worker-driven social responsibility programs are not only preferable to any alternative, but, where the option exists, are the *only* ethical choice.

The CIW is a farmworker-based human rights organization that was born in the dirt-poor agricultural community of Immokalee, Florida, to combat the widespread human rights violations that have plagued farm labor in the United States for generations. Violence against women in the form of endemic sexual harassment and sexual assault, systematic wage theft, dangerous working conditions, and, yes, human trafficking were all too common when we began organizing. Florida, in fact, had been dubbed “Ground Zero for Modern-day Slavery” by a federal prosecutor after the CIW helped the US Justice Department investigate and prosecute several high-profile slavery operations in the 1990s and early 2000s.

But after nearly a decade of organizing with consumers to pressure major retail food brands — who leveraged their volume purchasing power to drive down prices to farm owners, creating a strong downward pressure on wages and working conditions for farmworkers — we were able to win binding legal agreements with nearly a dozen leading corporations and launch the Fair Food Program in 2011. Our Fair Food Agreements require participating buyers to take two principal actions: 1) Pay a small premium to help improve farmworkers' sub-poverty income, and 2) only buy from farms that are found to be in compliance with the Fair Food Code of Conduct.

That code, written by the CIW, a workers' organization, is a human rights-based code with true zero tolerance policies for human trafficking, sexual assault, and child labor. If those violations are found on a participating farm, participating buyers *must suspend purchases* from that farm for a minimum of three months, or until the farm fixes the violation. In short, the buyers commit, in binding legal agreements with the workers' organization, to *condition their purchases on compliance with human rights* — with compliance determined by an independent third party monitor that not only undertakes regular audits of participating farms but

investigates and resolves worker complaints through a 24-hour complaint mechanism that is both timely and effective. And workers drive the entire process from start to finish, holding the agreements with buyers, drafting the code, and training workers on the farms on their rights under the code so that they can be the frontline defenders of their own human rights.

Indeed, the Fair Food Program was designed by workers themselves, the very workers whose wages were stolen for generations, whose bodies were violated by their bosses, who were forced, by violence or the threat of violence, to work against their will. For the workers in Immokalee whose struggle gave birth to the Fair Food Program, the pain of the industry's dismal human rights record was their own, it was all around them, and failure was never an option. So they constructed a system of education, monitoring, and enforcement so airtight that it was virtually guaranteed to succeed. For them, taking a leading role in the protection of their own rights was not a matter of philosophy, but a practical necessity if the violations were to be identified, fixed, and, ultimately, prevented.

As you might imagine, the FFP has had unprecedented results, eliminating forced labor and sexual assault altogether, and dramatically reducing the incidence of lesser problems, from wage theft to health and safety violations. It has taken the agricultural industry in Florida from ground zero for modern-day slavery to what experts have called “the best workplace environment in US agriculture” on the front page of the New York Times, and has been praised by the United Nations Working Group on Business and Human Rights as a model for the protection of human rights in corporate supply chains in the rest of the world. In short, the fields covered by the FFP's protections are a living example of the second farm stand in the thought experiment at the start of my presentation.

Yet despite the unprecedented success of the Fair Food Program, and despite its proven capacity for expansion (it is now operating in seven states along the East Coast of the United States and in several crops), many retail food corporations still refuse to participate. In fact, rather than participate in the one proven, recognized program to eliminate modern-day slavery and violence against women in the US, many corporations insist on sourcing from competing industries where those problems remain widespread and unchecked, and where the produce is a few pennies per pound cheaper. They do so for one of two reasons: they are either unwilling to pay the small premium to address grinding poverty in their suppliers' operations, or they are unwilling to genuinely commit the power of their purchasing orders to support a slavery-free supply chain. Instead, they continue to purchase from suppliers where it is virtually certain that gross human rights violations are commonplace.

It is one thing to throw your hands in the air when confronted with a seemingly insoluble problem like human trafficking in the absence of a solution. It is something else altogether to turn your back on a proven solution and intentionally purchase from suppliers where the problem is known to thrive. Until that philosophy changes among the majority of corporate purchasing managers around the globe, we who are dedicated to the fight for fundamental human rights can work miracles – solve the seemingly insoluble -- and people will continue to

suffer unnecessarily for nothing more than a few pennies per pound, and the unconscionable refusal to embrace a proven solution.

(IF TIME)...

Of course, global supply chains today are unimaginably large and complex, and very few worker-led social responsibility programs exist to cover such a scale. And so, it is reasonable to ask, as many corporate supply chain managers do, “*isn’t something better than nothing?*” Perhaps, but not when a demonstrably ineffective “something” stands in the way of the development of an approach that is proven to work. Corporations must begin by embracing a worker-driven, enforcement-focused approach to compliance with human rights standards, and by laying out a strategy for expanding that approach within their supply chains over time. Within that context, working with less effective programs to provide imperfect coverage to parts of the supply chain where worker-driven programs do not yet exist, would not be seen as settling for “something” over nothing, but rather as a reasonable interim measure while you work concretely toward a clearly articulated, higher goal.