

Dark Chocolate

Understanding human trafficking risks in the chocolate supply chain; we have a choice.

A report by LexisNexis® and STOP THE TRAFFIK to investigate the link between chocolate and human trafficking.



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 - Supply Chain Directors, Procurement Directors and others involved in relationships with suppliers
 - Corporate Social Responsibility and Corporate Communications professionals
 - Non-Governmental Organisations and other campaigners seeking to understand how media cover societal issues

Definition of terms¹

Child Work

In developing countries around the world including in Africa it is seen as normal for children to help their parents on the farm. Child work remains a means of socialisation and education, and skills development prepares children for their future adult life. Also, it is not only the parents that train the child in a particular trade, but often a family relative and even other community members as well.

That said, it should also be noted that children have rights as stated in the UN Convention on the Rights of the Child, “which include rights to adequate food, shelter, clean water, formal education, primary health care, leisure and recreation, cultural activities and information about their rights.”

Child Labour

The International Labour Organisation (ILO) characterises the term ‘child labour’ as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development.

It refers to work that is mentally, physically, socially or morally dangerous and harmful to children and interferes with their schooling by depriving them of the opportunity to:

- attend school;
- obliging them to leave school prematurely; or
- requiring them to attempt to combine school attendance with excessively long and heavy work.

The ILO Minimum Age for Employment Convention (C138) delimits the age at which children are allowed to work as age 15. Light work, as long as it does not hamper school attendance, is allowed at 13 and 14. Both Côte d'Ivoire and Ghana have ratified ILO Convention 138.

The Worst Forms of Child Labour

The Worst Forms of Child Labour (WFCL) is defined by Article 3 of ILO Convention 182:

- all forms of slavery or practices similar to slavery, such as the sale and trafficking of children
- the use, procuring or offering of a child for prostitution
- the use, procuring or offering of a child for illicit activities
- work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

Both Côte d'Ivoire and Ghana have ratified ILO Convention 182.²

Human Trafficking



Human trafficking is defined as the trade in humans including by use of threat or the force of threat, or other forms of coercion, for the purpose of exploiting those humans, such as for slavery (including sexual slavery), forced labour or services, and extraction of organs or tissues. As reported in The Human Trafficking Handbook it is, along with arms dealing and the illegal drugs trade, one of the three largest criminal industries in the world, with an estimated \$32 billion in annual profits. According to the International Labour Organisation 2012 Global Estimate of Forced Labour, there are some 20.9 million people in forced labour, bonded labour and commercial sexual servitude at any given time, of whom 44% are estimated to be trafficked which is almost 9.2 million people.

Tessa-Jane Beaumont

Legal Director for LexisNexis® International



The Nexis® Human Trafficking Awareness Index™

Using a licensed collection of the most influential news sources from more than 120 countries, the LexisNexis® Human Trafficking Awareness Index™ measures media coverage of human trafficking to highlight key trends at national and global levels. The Index is intended to support the work of campaigners and other organisations in understanding perceptions of human trafficking in its various forms. This report was developed in partnership with STOP THE TRAFFIK as part of this Rule of Law initiative. STOP THE TRAFFIK (www.stopthetraffik.org) is a global campaign organisation working to prevent human trafficking. For further information on the LexisNexis® Human Trafficking Awareness Index™ please visit www.nexis.co.uk/humantrafficking or email nexisinfo@lexisnexis.co.uk.

This report focuses on the 476 English language articles identified in the Nexis® Human Trafficking Awareness Index™, since the launch of the Index in May 2010 until May 2013, directly relating to human trafficking and the global cocoa supply chain. Representing a tiny fraction of the articles within the Nexis® database they nonetheless provide deep insight into this issue. A significant proportion of the licensed content is not available on the open web and it is all structured and enriched to make analysis easy.

We examine the link between chocolate and human trafficking by analysing:

- media coverage of the largest companies in the industry and implications for supply chain professionals;
- how Non-Governmental Organisations drive media awareness and influence key initiatives for change;
- the role of certification and how organisations can incorporate it into their broader supply chain risk management.



Throughout the report, this icon identifies the number of related articles from the Human Trafficking Awareness Index™

850,000

over 850,000 new news articles are loaded onto the Nexis® database in the average week

750

Each week an average of 750 of those documents relate to the topic of Human Trafficking (0.088%)



...and just 3 (0.004%) of those documents relate to trafficking within the cocoa supply chain

The Index identifies articles on human trafficking but does not identify articles solely on child labour. This is not its aim and also not STOP THE TRAFFIK's focus. However, as chocolate manufacturers have made commitments regarding combating child labour rather than eradicating child/human trafficking, not all of these commitments show up in the Index. They are important as these commitments are directly of influence in changing the cocoa industry and indirectly of helping to eradicate child/human trafficking.

Fast facts on cocoa

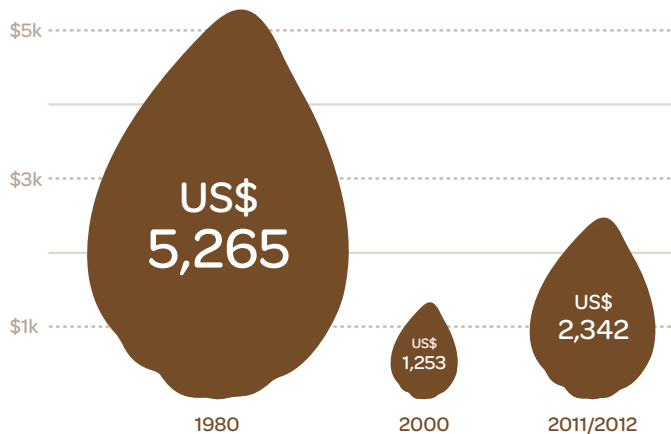
As a crop, it is subject to volatile price fluctuation based on natural supply and demand cycles as well as geopolitical risk.³

Cocoa is a commodity subject to the economic and financial crisis of 2008-2009. However, the Cocoa Barometer 2012 shows that although the price for a tonne of cocoa has doubled in the past decade from US \$1,253 in 2000 to US \$2,342 in 2011/12, it still remains at merely half the level of 1980 (US \$5,265). Not only are the prices low, daily cocoa prices vary wildly, further exacerbating the situation of farmers.

The Cocoa Barometer 2012 states that: 'While the major companies are able to protect themselves against price fluctuations through long-term supply contracts, and by hedging transactions at the cocoa stock exchange, farmers have no such protection against falling prices at all. A notable exception is Ghana, where relative security is provided within the harvest season through Cocobod's price guarantee. In the Ivory Coast, the recent founding of the Conseil du Café-Cacao might be a good step towards the same direction, although it is too early to be able to measure any impact.'⁴

Cocoa has a number of applications but by far its largest use is in industrial, speciality and consumer chocolate and confectionery. It is grown only in developing economies but consumed almost exclusively in the developed world.⁵

Cocoa price per tonne



What is the link between chocolate & human trafficking?

The majority of cocoa is produced on small farms, not on large-scale plantations run by rich land owners. UNICEF says the “mosaic of small-scale growers struggle to make ends meet” and they “rely on child labour to increase the family revenue”.⁶

Cocoa harvesting is backbreaking and hazardous work. The harvesters have to go into the bush to access the cocoa trees that grow the precious cocoa pods. Wielding dangerous machetes, they cut down the pods and crack them open. The cocoa beans are then extracted, dried and bagged for sale.⁷



“
CNN reported in January 2012 that chocolate’s billion-dollar industry starts with workers like Abdul, a boy from Burkina Faso who had been brought to a farm in the Ivory Coast by a stranger after his father died. Abdul squats with a gang of a dozen harvesters on the farm. He holds the yellow cocoa pod lengthwise and gives it two quick cracks, snapping it open to reveal milky white cocoa beans. He dumps the beans on a growing pile. He told CNN he didn’t get paid for the work but just got food, an occasional tip from the owner and the torn clothes on his back.

Abdul is 10 years old,
a three-year veteran
of the job.

He has never tasted
chocolate.”⁸



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Over 40% of the cocoa that makes the world's chocolate comes from the Ivory Coast, West Africa. It's highly likely that the pods that make your favourite chocolate bar come from here.

Thousands of boys as young as ten years old from the Ivory Coast and neighbouring countries are trafficked to pick and harvest these pods. Their freedom is taken and they are forced to work long hours on the cocoa plantations without receiving any money for their work. They are beaten and work in dangerous conditions using machetes to open the cocoa beans.

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STOP THE TRAFFIK.

WORLD TRAFFIC FUND



What is the scale of the problem?

Due to the hidden and illegal nature of human trafficking, gathering statistics on the scale of the problem is difficult. The following statistics show some of the estimates from relevant institutions.

The numbers



Where does it happen?

Cocoa is grown in a total of 50 countries around the world as African Business Review reported on 16th November 2012.¹³ Plus News reported on 15th March 2012 that the cocoa harvested in West Africa accounts for 70% of worldwide production while Latin America and Asia, together with Oceania, are each responsible for 13% of cocoa crops.¹⁴

There is an unsurprising correlation between higher volumes of articles on human trafficking and the larger cocoa bean producers, such as Ivory Coast. What is unexpected is reporting on human trafficking from neighbouring Mali which is not a cocoa bean producer but is where agents target children to work on the cocoa plantations.

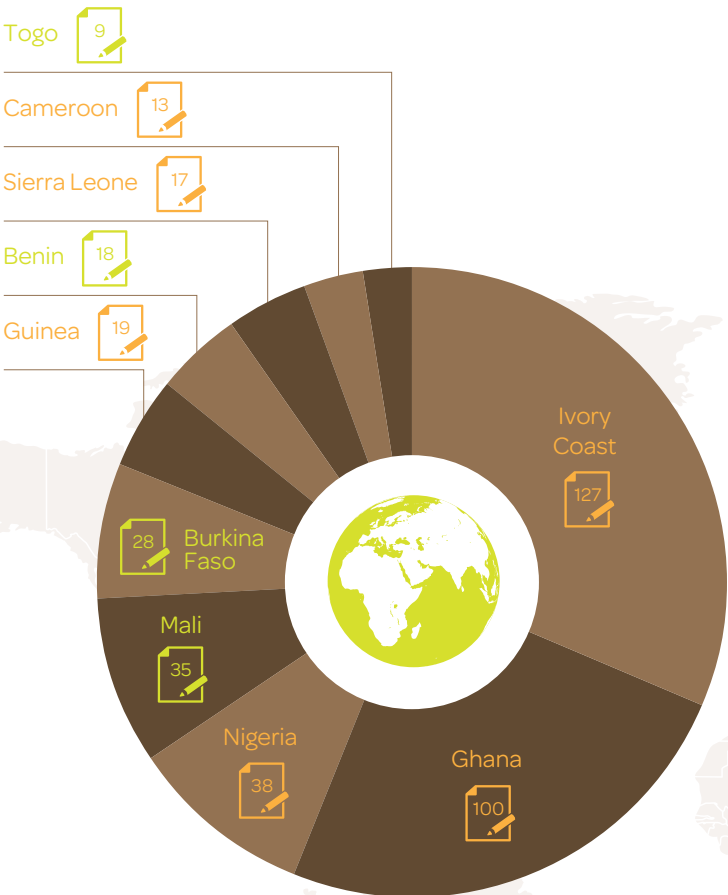
Key



Number of articles on origin of victims (countries from which people have been trafficked to cocoa plantations in the Ivory coast)

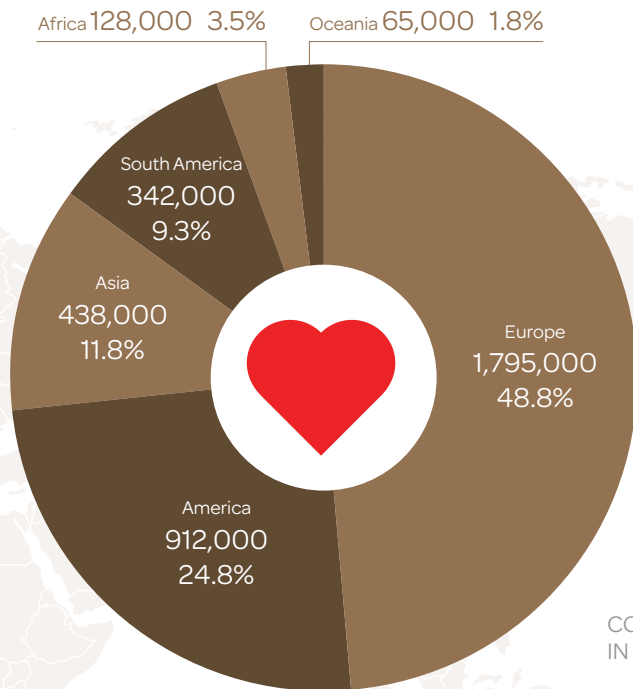


Articles on cocoa producing countries linked to human trafficking on cocoa plantations



The top chocolate loving nations

The European chocolate industry, which processes cocoa and makes chocolate, is the largest in the world, as reported in Plus News on 15th March 2012.¹⁵



CONSUMPTION OF COCOA
IN TONNES 2010/2011¹⁶

The need for insight into emerging markets

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Emerging and developing markets feature heavily in many companies' supply chains due to access to raw materials or commodities. Doing business abroad carries risks however and failing to comply with anti-bribery & corruption and other legislation is an increasing focus of both local enforcement agencies and regulators outside these markets who are increasingly applying an extraterritorial remit. Legislation such as US Foreign Corrupt Practices Act (FCPA) and UK Bribery Act 2010 aims to stamp out bribes paid to foreign government officials, unfair business conduct and reduce the social impact of inherent corruption. Failure to manage these risks is leading to companies receiving million dollar fines, debarment from government procurement lists and damaged reputations.

Mark Dunn

Market Planning Manager for LexisNexis® solutions for anti-money laundering, anti-bribery & corruption and sanctions screening

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The chocolate calendar



On average the issue of trafficking in relation to chocolate is reported in 3 articles per week. The moments in the year when people buy each other gifts of chocolate are unsurprisingly accompanied by peaks in media attention on the issue.



Valentine's



The Seattle Times paid attention to human trafficking related to chocolate on 1st March 2013. The article mentioned that "Americans purchased more than 127 million pounds of candy this [2013] Valentine's Day". It discusses the choice consumers have to buy ethical chocolate, addressing that "the chocolate industry is plagued by abuses, from child labor to human trafficking".¹⁷



Easter



The Daily Examiner reported on 21st April 2011 that the "average American eats around 11 pounds of chocolate each year, and the weeks leading up to Easter show the second biggest US sales spike of the year after Halloween - 71 million pounds according to a 2009 Nielsen report. A recent press release from Kraft claims that worldwide, more consumers purchase chocolate during Easter than any other season."¹⁸



Halloween



In 2010, Americans spent nearly US \$2 billion on Halloween candies and treats, according to the Foreign Policy Blogs Network, 22nd October 2011.¹⁹



Christmas



On 20th December 2012, Africa News published an article titled "Africa; Chocolates and slavery" which reported: "For many, Christmas is upon us once again. And like every other year chocolate will be sold in vast quantities. But unbeknownst to most consumers, some of the chocolate they buy will have partly been the product of slavery and child labour in West Africa."²⁰

The implications for Supply Chain professionals



Articles in the Index associated high profile brands with human trafficking related to the chocolate industry 216 times. By contrast the traders, who are arguably closer to where the trafficking is occurring, received just 12 mentions. These figures highlight how the reputational impact for the chocolate industry comes at the top of the Supply Chain where firms are interacting with consumers.

The Index data shows that several of the largest companies within this Supply Chain have demonstrated leadership. Techniques such as supplier risk and vulnerability analysis, audits, demanding certifications during tendering and enhanced supplier relationship management should all be considered by buying organisations seeking to influence positive change through their Supply Chain. The scale of coverage for some of the larger company-led initiatives illustrates the reputational benefit from getting this right (and the risks in getting it wrong). The horsemeat contamination issues earlier this year underlined the importance of traceability and integrity across food Supply Chains. Risk segmentation should

include an assessment of brand prominence – negative coverage will invariably fall over the most prominent brand within any given Supply Chain, often regardless of whether it is Tier 1 or Tier 3 or 4.

Supplier Relationship management

If Supply Chain professionals take away only one point from this compelling research it is the need for effective supplier relationship management and visibility through the multiple tiers of your Supply Chain. Risks can emerge at any level and impact the dominant brand; equally the dominant brand can use good supplier relationship management techniques to cascade good practices and better standards throughout the Supply Chain.

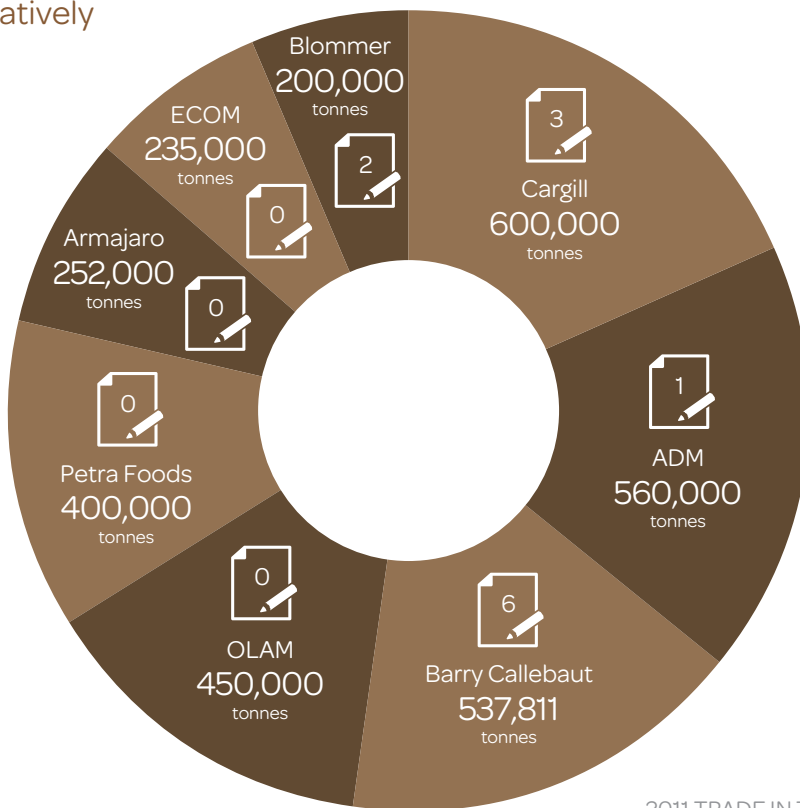
Alan Day

Chairman of State of Flux



The cocoa supply chain – the main traders²¹

The major trading companies have relatively low profiles with just 9 articles making specific reference to the firms in articles about trafficking in the industry.



2011 TRADE IN TONNES



Barry Callebaut



India Retail News reported on 23rd August 2012 that Barry Callebaut, a major cocoa processor and trader, launched a US \$41 million cocoa initiative in March 2012 to boost farm productivity and improve family livelihoods in key cocoa producing countries. The article makes a comparison with

Hershey's which "has promised to invest US \$10 million by 2017 in West African cocoa programs, but that breaks out to \$2 million per year - a small sum relative to the US \$10.6 million that Hershey's CEO, John Bilbrey, was paid in 2011 and the US \$6.1 billion in profits the company posted during the same period."²²

Cargill



Tom Neuhaus, professor emeritus at Cal Poly and the president of Project Hope and Fairness, was quoted in The San Luis Obispo Tribune on 30th December 2010: "The fact is, about 75 per cent of all American chocolate products are made with Ivorian beans and an \$18 billion chocolate industry depends on them. So Ivory Coast matters. This is reinforced by the fortress that serves as the American embassy in Abidjan and by the fact that Archer Daniels Midland and Cargill control most of the Ivorian cocoa industry. Another fact that Americans ignore: Child slavery and child trafficking are practiced in Ivory Coast."²³

On 30th September 2010 PR Newswire reported that in response to the Tulane Report, Global Exchange, Green America, International Labor Rights Forum, and Oasis USA stated: "It is clear from this report that the cocoa industry is not doing enough to address these problems... The Payson Center's report recommends that companies institute traceability systems for their cocoa Supply Chains starting at or near the farm level and work with product certification schemes which no longer represent a niche market. ...The report identifies major industry actors that have made commitments in this area, including Mars, Kraft, Nestlé and Cargill."²⁴

Blommer



India Retail News reported on 23rd August 2012 that "Blommer Chocolate Company, the largest cocoa

processor in North America, recently announced plans to invest US \$45 million in cocoa sustainability efforts by 2020."²⁵

The cocoa supply chain – the chocolate manufacturers

In recent years several company-owned projects have been launched. There is also a variety of industry-wide initiatives which focus on a sustainable cocoa production without forced labour, including the International Cocoa Initiative and the World Cocoa Foundation which have been reported on in the global media.

The International Cocoa Initiative (ICI) is mentioned in 14 articles in the Index. The Associated Press defines it on 8th October 2010 as “an industry funded organization charged with implementing the Harkin-Engel protocol” in order to end children “working in exploitative conditions on cocoa plantations”.²⁶ The World Cocoa Foundation is mentioned in 9 articles in the Index, an industry initiative which according to 3BL Blogs’ article on 13th February 2013, has “begun to address the root causes of child labor.”²⁷

Mars



In These Times reported that Mars has partnered with the Rainforest Alliance and other certification organisations including Fairtrade and UTZ to ensure its entire cocoa supply of 100,000 tons is “sustainably produced” by 2020. Mars is the first global chocolate company to promise to source 100% certified cocoa by 2020.

Mars’ Galaxy candy bar, popular in the United Kingdom, began bearing the Rainforest Alliance Certified green seal in 2010.²⁸

Mondelēz



(Previously Kraft, includes - Cadbury, Green & Blacks.)

Business Day (South Africa) reported on 13th June 2012 that Kraft Foods SA became the first big South African business to achieve Fairtrade certification for its Cadbury Dairy Milk slabs, guaranteeing farmers a better price for cocoa, a basic ingredient of chocolate.²⁹



The chocolate empire includes: **Cadbury** “Australia: Cadbury and Green & Blacks agreed in 2010 to clean up their cocoa supply chains and Cadbury released its first Fairtrade certified product line in June 2010” reported Food & Pack (Australia) in June 2010.³⁰



Green & Blacks The Brandon Sun reported on 1st October 2012 that the British chocolate firm, Green & Black’s announced in March of 2011 that it had fulfilled its pledge to go entirely organic and fair trade as of the end of that year. This made the company, which is a small part of the Cadbury’s and Kraft empire, the world’s largest retailer of fair trade chocolate.³¹

In November 2012 Mondelēz unveiled ‘Cocoa Life’ the company’s largest cocoa sustainability effort to date, investing US \$400 million over the next ten years to improve the livelihoods and living conditions of more 200,000 cocoa farmers and about one million people in cocoa farming communities. Cocoa Life focuses on four key topics:

- Farming: helping farmers improve their yields and livelihoods to earn larger incomes.
- Community: empowering cocoa farming families to create the kind of communities they and their children want to live in, while promoting gender equality.
- Youth: working towards eliminating child labour by helping communities tackle its root causes. Making cocoa farming a more attractive profession for the next generation.
- Environment: protecting the landscapes in which cocoa is grown to maintain eco-systems and provide viable environments and farming land for future generations.³²


Hersheys

 In March 2013 Hershey's announced its 21st Century Cocoa Plan which includes its commitment announced in October 2012 to source 100% third-party certified cocoa for all of its chocolate products worldwide by 2020. It has announced the following milestones: At least 10% by the end of 2013, 40 to 50% by the end of 2016 and 100% by 2020. The company has committed to source cocoa through certification organisations including UTZ, Fairtrade USA and Rainforest Alliance.

The Plan also includes accelerating and expanding its CocoaLink mobile phone program, an agricultural and social training programme; the further development of its farmer and family development center; and will regularly report on its progress.


The Los Angeles Times and other sources reported in November 2012 that the Louisiana Municipal Police Employee's Retirement System, a public pension fund with holdings in Hershey's, filed a lawsuit against Hershey's Co. in Delaware Chancery Court over the company's alleged use of cocoa sourced from West African plantations using child slave labour. The suit aims to force Hershey's to open its company files so that investors can learn which cocoa suppliers it uses.³³

Nestlé

 One of the top 10 child labour stories of 2011 according to the States News Service was that Nestlé agreed to hire the Fair Labor Association (FLA), a non-profit monitoring group, to look for child labour and other problems in its supply chain in the Cote d'Ivoire.³⁴ Just-food global news reported on 4th July 2012 that the FLA had reported its investigation which revealed "numerous violations of Nestlé's labour code, especially with regard to child labour". Nestlé said it supported all 11 recommendations in the report and

planned to act on them. The company launched an Action Plan to run from 2012 to 2016 to address the issue.³⁵

Ferrero

 On 16th April 2012 Food Navigator reported that Ferrero announced its plans to verify the cocoa it sources through organisations including UTZ Certified, Rainforest Alliance and Source Trust as follows: 20% by 2011/2013, 40% by 2013/2015, 60% by 2015/2017, 80% by 2017/2019, 100% by 2020³⁶

STOP THE TRAFFIK keeps campaigning against Nestlé as the Nestlé Cocoa Plan only covers 15% of Nestlé's cocoa supplies, leaving 85% neglected.³⁷ Antonie Fountain (STOP THE TRAFFIK Netherlands) raises the question: "10 of the 11 suggested actions deal with the cocoa that's actually coming from the Nestlé Cocoa Plan itself, but that only covers about 15% of Nestlé's entire cocoa usage. So the question I really have is what is the plan to actually hit the other 85%, which is actually where most of the problems are?"³⁸



Non-Governmental Organisations (NGOs), and campaigns

Campaigns and projects working on ending human trafficking on cocoa plantations are referenced in a significant proportion of the English language articles uncovered by the Human Trafficking Awareness Index™.

NGO's campaigns and projects

Related English language articles in May 2010-May 2013

Top 10





STOP THE TRAFFIK has run a campaign to end human trafficking in the chocolate industry since the organisation was established in 2006. Its activities are based around grassroots campaigning around the world, targeting specific chocolate manufacturers and brand owners. Through online presence, awareness raising in communities and schools, postcard campaigns, and occasionally through phone call campaigns, STOP THE TRAFFIK engages a broad variety of grassroots supports to call on chocolate manufacturers and brand owners to make real work of ending trafficking in their supply chain. This is backed up by regular advocacy conversations with chocolate manufacturers and industry associations.

Campaigns have included Mars (with Mars' commitment to 100% certification by 2020 following soon after), Nestlé (with a commitment to 100% Fair Trade certification on KitKat following soon after), and Ferrero, with a timeline for 100% certification as a result. Currently, STOP THE TRAFFIK are focussing on Mondeléz.

We have put pressure on Nestlé

Just-Food Global News reported on 28th November 2011 that the food giant announced that it is working with the Fair Labor Association (FLA), a non-profit initiative that works with major companies to improve working conditions in their supply chains. The move drew praise from STOP THE TRAFFIK, an organisation that opposes human trafficking. A spokesperson said: "After

years of campaigning by thousands of STOP THE TRAFFIK supporters, we are encouraged to see that companies like Nestlé are beginning to realise that there is a significant problem with the trafficking of children to work on the cocoa plantations in Ivory Coast, plantations that supply the cocoa which makes our chocolate. While it is important to examine child labour as a whole, we also urge Nestlé to begin by looking at the worst forms of child labour, including human trafficking."³⁹

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Cherie Booth QC is patron of STOP THE TRAFFIK. Quoted in the Daily Post (Liverpool) on 19th October 2011 after a speech at the International Slavery Museum to mark anti-slavery day [18th October], she said: Whether it's the chocolate we eat that comes from forced labour or girls working in massage parlours, all these things are happening in the twenty-first century when slavery is supposed to have been abolished.⁴⁰

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“Raise the Bar Hershey’s” is a campaign by the US coalition of Global Exchange, Green America, International Labor Right Forum and Oasis USA

On 13th October 2011 CSRWire reported about the campaign calling on Hershey’s to commit to buying cocoa certified as being produced without child labour, forced labour, or trafficked labour in time for Halloween. The two articles mention that the campaign followed Hershey’s continued failure to make reasonable efforts to keep labour abuses out of its supply chain.⁴¹

CSRWire also mentioned in its article that “Raise the Bar, Hershey’s!” has also produced a mock-commercial which reveals the exploitation behind the “child labor chocolate” many trick-or-treaters will receive this Halloween” [2011]. This commercial was created pro bono by an ad agency in Indianapolis with the intention to play it during the Superbowl in the stadium during the game. With this concession from Hershey’s, Raise the Bar agreed not to run the commercial at the Superbowl, but they stated they want to see more action from Hershey’s, as reported in The Business Insider article.

The Business Insider reported on 1st February 2012 that ‘So Raise the Bar’ attacked Hershey’s via Facebook and Change.org, resulting in the generation of 50,000 signatures on Change.org. Also, they got their supporters to pile on Hershey’s Facebook page, flooding it with messages. “They did “brand-jamming” to flood the Internet with photos and videos of Hershey’s products. This generated more than 100,000 letters to Hershey’s, got supporters to dress up in costume and deliver them to Hershey’s on Halloween.”⁴²

India Retail News reported on 23rd August 2012 that “41 consumer-owned grocer cooperatives and natural food retailers operating 62 stores released

an open letter calling on The Hershey’s Company to take action to end child slave labor on cocoa farms in the Ivory Coast (Cote D’Ivoire). The retailers are asking Hershey’s to fully commit to ethically sourced cocoa produced under fair labour standards. The letter, unveiled at Patriot News Online (<http://www.pennlive.com>) and the “Raise the Bar, Hershey’s!” campaign site (<http://www.raisethebarHershey’s.org/food-coops-and-natural-grocer-sign-on-letter/>) also says that the consumer cooperatives are concerned about carrying the Hershey’s brands – Dagoba and Scharffenberger – until Hershey’s demonstrates a clear commitment to being a leader in the movement to end child slave labour on West African cocoa farms. The letter follows a July report by the Fair Labor Association (<http://www.fairlabor.org/report/assessment-nestle-cocoa-supply-chain-ivory-coast/>) that found child labor still is rampant on Ivorian cocoa farms.”⁴³

Targeted News Service on 25th March 2013 reported “The “Raise the Bar, Hershey’s!” coalition welcomed last week’s announcement from the Hershey’s Co. that it has set deadlines to achieve its 100% certification goals and will be working with three independent, third-party certification firms to verify its cocoa is made in a responsible manner. Hershey’s announcement came after years of pressure on the chocolate industry, and Hershey’s in particular, to address the problems of forced child labour on the farms from where they source their cocoa in West Africa. The “Raise the Bar, Hershey’s!” coalition urges Hershey’s to report publicly and regularly on its progress toward meeting its certification goals. Additionally, the coalition urges Hershey’s to invest greater financial resources in programs that specifically address child labour on the cocoa farms from where it sources. Mars, Hershey’s main competitor in the United States, has committed US \$300 million to sustainable cocoa initiatives by 2021, or 0.1% of 2012 sales. Hershey’s, on the other hand, has committed only US \$10 million by 2017, or 0.03% of its 2012 sales.”⁴⁴

STOP THE TRAFFIK's chocolate box

STOP THE TRAFFIK has identified six steps covering a range of factors that chocolate companies should take to bring about the end of child trafficking in the cocoa industry.

Certification



Public deadline
for certification

A public deadline to
certify their entire
range of cocoa



Product
certified

At least one product
or a range certified



100% certified

100% of their
chocolate
range certified

Programmes



Report on
money spent

Annual reporting on
money spent to redress
child trafficking including
clear communication on
non-economic impacts



Ensure a living
income

Clear action taken to ensure
that farmers and dependents
receive a sufficient and fair
income for cocoa



Impact
assessment

Public assessment of
programme impacts by
independent third
party auditors.

STOP THE TRAFFIK has ranked the five biggest global chocolate companies against these criteria, find out more at <http://www.stopthetraffik.org/campaign/chocolate/page/chocolate-box>

Certification

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STOP THE TRAFFIK believes that certification through credible, independent standards bodies such as Fairtrade, UTZ Certified and Rainforest Alliance, is a key step in eradicating child trafficking in the chocolate industry, although it's not the only one. Certification is not without its faults, and certification is also not a guarantee. However, the standards bodies do seek to prevent trafficking and other forms of exploitation from happening. And if it should happen that trafficking or other exploitative child labour is found, the standards bodies have systems in place to deal with the situation.

More information: STOP THE TRAFFIK Campaign Info Sheet, available on <http://www.stopthetraffik.org/campaign/chocolate>



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The past years have seen a significant rise in certified cocoa production.⁴⁵



On 14th February 2011 M2 PressWIRE reported that Fair Trade Australia & New Zealand announced that Australia had seen a 15% increase in sales of certified Fairtrade products in 2010⁴⁶. Sales of fair trade certified chocolate grew from US \$4.5 million in 2009 to US \$79 million in 2010. In the same year, chocolate replaced coffee as Australia's biggest selling fair trade product, according to an article in the Daily Examiner (Grafton, Australia) on 21st April 2011.⁴⁷



Investment Adviser reported on 14th March 2011 that sales of fair trade cocoa products have nearly tripled in the UK since 2004.⁴⁸



Canada NewsWire reported on 12th February 2013 that World Vision Canada stated that about 95 per cent of chocolate sold worldwide is still not certified to be free of child, forced or trafficked labour.⁴⁹

Fairtrade



Fairtrade consists of 25 organisations which work together to “connect disadvantaged producers and consumers, promote fairer trading conditions and empower producers to combat poverty, strengthen their position and take more control over their lives” in order to create “a world in which all producers can enjoy secure and sustainable livelihoods, fulfil their potential and decide on their future.”⁵⁰

Rainforest Alliance



The Rainforest Alliance was established in 1987 with the vision of a world where people and the environment prosper together. It works to conserve biodiversity and ensure sustainable livelihoods by transforming land-use practices, business practices and consumer behaviour.⁵¹

UTZ



In the 90s two business partners, a Belgian-Guatemalan coffee grower, Nick Bocklandt, and a Dutch coffee roaster, Ward de Groote, initiated the idea of the UTZ program after observing the benefits and limitations of the coffee market and consumer labels (certifications) available at that time. Together they initiated the UTZ program to implement ‘sustainable quality’ on a large scale in the worldwide market. They chose the name “Utz Kapeh”, which means “good coffee” in the Mayan language Quiché.⁵²



We see certification as a valuable element to include within the supplier risk process. Pre-qualification surveys provide an ideal mechanism to screen out potential suppliers who don’t meet your standards. It is also important to have a monitoring mechanism to ensure you are aware if suppliers lose their certification. Across the Food Beverage and Tobacco Industry we also see clients asking suppliers for certification in other areas such as RSPO (Roundtable on Sustainable Palm Oil) for palm oil, HACCP (Hazard Analysis Critical Control Points) for sugar and other products and GRAS (Generally Regarded As Safe) for edible oils, beverages and nutraceuticals. Though certification is a commonly used method to mitigate risks, organisations should also map and monitor supply chains for their critical categories. This enables organisations to understand the risks existing in the category irrespective of the suppliers they transact with thus also providing them with the opportunity to set standards rather than follow standards set by others.

Jagdish Unni

Vice President – Risk at Beroe Inc.



These certification bodies are recognised by many NGOs and international institutions and emphasised in the Index

1987

1990

1993

1997



1987

Rainforest Alliance established.

1988

Launch of the first Fairtrade label, Max Havelaar under the initiative of the Dutch development agency Solidaridad. The first Fairtrade coffee from Mexico was sold into Dutch supermarkets. It was branded Max Havelaar, after a fictional Dutch character who opposed the exploitation of coffee pickers in Dutch colonies.

Late '80s/early '90s

The Max Havelaar initiative is replicated in several other markets across Europe and North America: Max Havelaar (in Belgium, Switzerland, Denmark, Norway and France), Transfair (in Germany, Austria, Luxemburg, Italy, the United States, Canada and Japan), Fairtrade Mark in the UK and Ireland, Rättvisemärkt in Sweden, and Reilu Kauppa in Finland.



1997

Fairtrade Labelling Organizations International (FLO) was established in Bonn, Germany to unite the labelling initiatives under one umbrella and harmonise worldwide standards and certification.

Rainforest Alliance cocoa programme in partnership with Ecuadorian conservation group Conservación y Desarrollo was launched.



1999

1999

A UTZ office was opened in Guatemala City.

2002

Fairtrade International launches the international FAIRTRADE Certification Mark. The goals of the launch were to improve the visibility of the Mark on supermarket shelves, facilitate cross border trade and simplify export procedures for both producers and exporters. Producer representatives join the FLO Board of Directors.

2002

2002

The UTZ head office was opened in The Netherlands. Since the market launch in 2002, UTZ Certified has grown to be one of the leading sustainable coffee programs worldwide. Based on this success, UTZ Certified has developed sustainability models for cocoa and tea, and provides traceability services for RSPO (Roundtable on Sustainable Palm Oil) certified sustainable palm oil, and the Better Cotton Initiative.

2004

2004

Fairtrade International splits into two independent organisations: FLO, which sets Fairtrade standards and provides producer support, and FLO-CERT, which inspects and certifies producer organisations and audits traders.

2007

2007

Utz Kapeh updated its name to UTZ Certified to reflect the wider range of commodities in the UTZ program.⁵³

Fairtrade International is recognised by ISEAL as one of seven organisations that have reached the highest standards for defining ethical trade. Global sales increased by 47%. Producers become full members/co-owners of FLO.⁵⁴

Rainforest Alliance certifies 250 farms in Côte d'Ivoire - their first cocoa certification in Africa.

Towards change

Around the world several steps have been taken by governments which are either directly or indirectly of influence on eradicating human trafficking in the cocoa industry.

California Transparency in Supply Chains Act 2012



The California Transparency in Supply Chains Act 2012 took effect on 1 January and requires retail sellers and manufacturers in California to publicly disclose their efforts to eradicate slavery and human trafficking throughout their direct supply chains. The legislation applies to retailers and manufacturers with more than \$100 million USD in annual worldwide gross receipts. It affects more than 3,000 companies doing business in California. These companies represent approximately 87% of economic activity in the state, which has the eighth largest economy in the world.⁵⁶ Large supermarket chains which sell chocolate also have to comply with this law. The States News Service reported on 18th January 2012 that US supermarket chain Safeway participated in a roundtable focused on the new California law. Green America's Fair Trade Campaigns Director said after the roundtable: "For more than ten years, consumers have called on chocolate companies to take more responsibility for their supply chains the passage of California's SB657 will require that all companies disclose what they are doing to prevent labor abuse in their supply chains, and therefore, finally address these issues."⁵⁶


The List of Goods Produced by Child Labour or Forced Labour published by the U.S. Department of Labor (DOL)



The aim of the List of Goods is to inform businesses on the importance of supply chain monitoring and to call for increased leadership from the private sector in fair labour practices and supply chain transparency. It also seeks to inform consumers and investors in order to prevent human trafficking and forced labour/ as reported by US Official News on 1st June 2011.⁵⁷

Mondaq Business Briefing reported on 19th July 2011 that the initial 2009 list published by the U.S. Department of Labour identified 122 goods which were found to be produced with forced labour or child labour in approximately 60 countries. Examples of such goods included: cotton (15 countries), sugar cane (14 countries), coffee (12 countries), rice (8 countries), cocoa (5 countries: Cameroon, Ivory Coast, Ghana, Guinea, Nigeria), bricks (15 countries), garments (6 countries), carpets (5 countries) and footwear (5 countries), among others.⁵⁸

Harkin-Engel Protocol

 The Harkin-Engel Protocol is a 2001 initiative instigated by two US congressmen, Senator Harkin and congressman Eliot Engel to eradicate the worst forms of child and forced labour in the cocoa industry, as reported by Africa News on 17th September 2010.⁵⁹ Initially, they wanted to introduce it as legislation but after intense lobbying by the cocoa industry it became a voluntary code. A new plan was put in place, calling for a 70% reduction in internationally unacceptable child labour by 2020, which is being funded by US \$10 million from the U.S. Labour Department and US \$10 million from companies in the industry, as reported by States News Service on 7th May 2013.⁶⁰

“

Finance Against Trafficking writes on its website “The interesting factor to identify here is that America’s corporations have a great influence on the rest of the business world. Therefore their commitment to the reduction of profits from human trafficking should be commended, providing that other US states follow their footsteps. [...] Applicable to California, this Act has become increasingly relevant to businesses and international policy. Although this is a state level initiative, it is intended to set the pace for the rest of America and more importantly on a global scale.

www.financeagainstrafficking.org

”



The International Cocoa Agreement



The International Cocoa Council composed of both cocoa producing and cocoa consuming member countries was established in 1973 and put into effect the first International Cocoa Agreement which was negotiated in Geneva at a United National International Cocoa Conference. Since then there have been seven Agreements; the latest one came into force in October 2012 and will be in force for ten years and provides a new framework for promoting international cooperation in the world cocoa economy. It was reported on by various sources, including African Business Review on 16th November 2012.⁶¹ Europolitics Agriculture reported on 23rd March 2012 that the Agreement has already been signed by the three largest cocoa exporters (Ghana, Indonesia and the Ivory Coast) as well as by the Dominican Republic and Switzerland; the European Parliament formally approved on 14th March 2012.⁶²

Cocoa Barometer



The Cocoa Barometer 2012 is a report on the sustainability developments and challenges facing the cocoa sector and responses to them compiled by a group of NGOs including Oxfam, Solidaridad and STOP THE TRAFFIK. It provides information about the issues facing the cocoa industry, the lives of cocoa farmers, cocoa production and global demand. It also points out additional changes which have been made by governments across the world, as well as by consumer and producer led initiatives, specifically those originated in European and cocoa producing countries. The Barometer concludes that “at present a true sector-wide approach to the economical, ecological and social crises in the global cocoa production still needs to take significant shape” as reported by Just-Food Global News on 3rd April 2013.⁶³

The 2013 Slavery, Slavery-like Conditions and People



On 8th March 2013, States News Service reported that the following information was released by the office of the Prime Minister of Australia: "The Gillard Government today announced a new Australian Government Anti-Slavery Initiative, - the Slavery, Slavery-like Conditions and People Trafficking Act - which seeks to eliminate modern slavery in Australia and overseas. The Government will ensure that its procurement rules and practices assist in identifying and stamping out slavery." ⁶⁴

Targeted News Services reported on 28th February 2013, "The new offence of forced labour will protect those in situations of extreme labour exploitation, poor conditions and underpayment or non-payment of wages, where the person has been coerced to work and isn't free to stop working or leave the place where they are working. The bill reflects the work and advocacy of many organisations including Anti-Slavery Australia, ACRATH, Good Shepherd Australia & New Zealand, the Law Council of Australia, Not for Sale, Project Respect, Salvation Army, STOP THE TRAFFIK, Women Lawyers Association and World Vision." ⁶⁵



The European Commission has a dedicated website on the fight against Human Trafficking and regularly issues press releases on the topic. In April 2013 it released a report on the rights of the victims and an awareness piece on the matter which also covered the current status of the implementation of the Human Trafficking Directive 2011/36/EU in the EU. According to that report only 6 out of the 27 EU Member States have fully transposed the Directive. On a related matter, it is notable that the Transparency in UK Company Supply Chains (Eradication of Slavery) Bill 2012-13 reflected the recent Californian and Australian legislation targeting slavery and visibility in the supply chain but failed to complete its passage through Parliament.

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How can you help end human trafficking?

STOP THE TRAFFIK is a grassroots movement working to prevent human trafficking through campaign-driven community action around the world. Human trafficking is a global crime; millions of men, women, and children are recruited by deception or coercion and moved within countries and across borders, for exploitation.

STOP THE TRAFFIK equips thousands of activists to raise public awareness and work in their communities with local authorities, law enforcement agencies, businesses and community groups to take local action. We have global partnerships with the United Nations and the UK's Serious Organised Crime Agency (SOCA). Together we are turning communities into places where it is harder for traffickers to hide themselves and their victims.

If you would like to find out more about how you can help to make a change in the chocolate industry, find out more about which certified chocolate you can buy where you live and how to campaign for change by hosting a chocolate fondue party for example, visit <http://www.stopthetraffik.org/campaign/chocolate/what-you-can-do/13> or contact info@stopthetraffik.org

If you work in the retail industry and would like support to mitigate the risk of human trafficking within your company, visit www.financeagainsttrafficking.org or contact info@financeagainsttrafficking.com. Later this year Finance Against Trafficking will launch ChainChecker, an online auditing tool which can give insight in this risk and advise on how to prevent it.



Our campaigns:

Target decision makers from the private and public sector and civil society to exert their influence to prevent human trafficking.

Build the global movement by continually reaching out to new people so they know what human trafficking is, how it affects them and what they can do about it.

Gather information from the community to develop up-to-date information to rival the traffickers' network.

Focus on chocolate companies to deliver on their promises.



Raise money for projects that protect those who are most vulnerable by informing and educating them.

As media coverage and the statements of the companies themselves show, the last few years have seen a significant increase of investment by major chocolate companies, with the goal to combat trafficking and other forms of child labour in cocoa production. The scale of investment, however, is still not sufficient to tackle the problem holistically. Additionally, it is unclear whether the programmes are working, as there are few to no impact studies of these programmes available. Also, the core of the activities of these programmes seem to be focused on increasing productivity of farms. With an increase of productivity, more labour is needed. If there are not robust systems in place aimed specifically at monitoring and remediation of trafficking and other forms of child labour, there is a real risk that some of these programmes would lead to more, not less, trafficked children on the farms. STOP THE TRAFFIK would like to encourage the chocolate industry to continue to create change and to monitor and evaluate the processes that have been started to end trafficking in cocoa production.

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About STOP THE TRAFFIK

Since 2006 STOP THE TRAFFIK activists have campaigned to say we want ingredients like violence, forced labour, and exploitation taken out of chocolate. Gradually small changes have started to happen and today the chocolate industry portrays a very different picture from when we started. Finance Against Trafficking is a project by STOP THE TRAFFIK, run by business professionals from a variety of sectors, which supports businesses to mitigate the risk of human trafficking in their companies.

Jantine Werdmüller von Elgg

Jantine is Global Project and Development Coordinator at STOP THE TRAFFIK, an NGO which exists to end the buying and selling of people. Jantine joined STOP THE TRAFFIK in 2010 and has worked in partnership with the United Nations to develop a large scale awareness raising project for major sporting events called GIFT box. This was successfully launched at the London 2012 Olympics. Jantine also works with the private sector on the development and delivery of STOP THE TRAFFIK's Finance Against Trafficking initiative. She has a background in International Relations.

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James is Head of Strategic Alliances at LexisNexis®, responsible for developing partnerships with third parties whose market offerings can be enhanced by integrating capabilities from LexisNexis®. He is the inventor of the LexisNexis® Human Trafficking Awareness Index™ which is designed to help partners in their fight against trafficking.

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