

# Human Rights Due Diligence focused on Forced Labour in Own Operations | Maturity Journey Framework | Draft for Consultation

## Coalition Charter Commitment

Forced labour remains difficult to detect and measure, meaning traditional assessment methods do not capture the full extent of the problem thus hindering both business decision making and governmental policies to efficiently target the issue. Furthermore, current efforts to address forced labour are mixed and patchy. This gap in data on the true scale of forced labour risks, and the lack of robust approaches to tackling the problem, inevitably often leads to weak and untargeted mitigation efforts.

Therefore, CGF members of the Human Rights Coalition - Working to end forced labour commit to activate and implement the following objective targeting the eradication of forced labour:

***Establish and deploy HRDD systems focused on forced labour in our Own Operations with the aim of reaching 100% coverage by 2025***

Human Rights Due Diligence (HRDD) system consists of the processes that aid business to become aware of the actual and potential human rights impacts associated with their business, which enables them to prioritise and manage the areas of greatest risk and leverage.

Deploying a HRDD system focused on forced labour in own operations should allow us to have more visibility of and work on interconnected human rights pertaining to forced labour issues or risks. While there are many human rights risks or issues that shall be considered, forced labour has been identified as the most salient human rights risk that our industry is being commonly challenged with. We will therefore at this stage tailor our HRDD framework to specifically detect risks and cases of forced labour and to provide a consistent and targeted approach at industry level.

## Key definitions:

<b>“Own Operations” (CGF definition)</b>	Defined as the company itself, the entities it owns, the entities in which it holds a majority of voting shares and the facilities it manages. Contractors, sub-contractors or agencies supplying a company with labour or services in facilities that that company directly manages should also implement similar employment practices so as to mitigate the risks of forced labour.
<b>Addressing Forced Labour for workers in “Own Operations” (CGF definition)</b>	<p>For the purposes of identifying and addressing forced labour risks to workers within own operations, the definition of “worker” should include any labour employed directly by the member company and should include any third-party labour engaged by contractors or labour agencies for the performance of regular and ongoing work in own operations. Coalition members should disclose the specific scope of third-party workers included in their commitments, assessments, reporting and other HRDD actions.</p> <p>e.g.</p> <ul style="list-style-type: none"> <li>• Outsourced temporary or seasonal workers</li> <li>• Workers maintaining and repairing critical infrastructure (e.g. janitor, electricians, plumbers)</li> <li>• Construction workers</li> <li>• Merchandising sellers</li> </ul> <p>Note: these identified workers categories are not intended to be the authoritative or exhaustive list of “worker”.</p>
<b>Human Rights Due Diligence (HRDD) (UN Guiding Principles Reporting Framework definition)</b>	Due Diligence is an ongoing risk management process to identify, prevent, mitigate and account for how a company addresses its actual and potential human rights impacts. The guidance recommends four key steps: assessing actual and potential human rights impacts; integrating and acting on the findings; tracking responses; and communicating about how impacts are addressed.
<b>Human rights issues / risks</b>	Human rights risks refer to the potential adverse impacts that a company can have on the enjoyment of human rights.

<b>(UN Guiding Principles Reporting Framework definition)</b>	
<b>Priority Industry Principles (PIPs) (CGF definition)</b>	<p>While certain employment and recruitment practices may not initially appear problematic, in aggregate or combined with other forms of leverage, they can result in forced labour, particularly among vulnerable workers. The principles that have been identified by members of The Consumer Goods Forum cover three of the most problematic, yet often common employment practices across the world that can lead to cases of forced labour. We will take active measures to apply these Principles across our global value chains and own operations, to cases where such practices may lead to forced labour.</p> <p>The Priority Industry Principles (PIPs) state that:</p> <ul style="list-style-type: none"> <li>• Every worker should have freedom of movement;</li> <li>• No worker should pay for a job;</li> <li>• No worker should be indebted or coerced to work.</li> </ul> <p>Please see the full text of the PIPs and the guidance document:  <a href="https://www.theconsumergoodsforum.com/wp-content/uploads/2018/05/Guidance-on-the-Priority-Industry-Principles.pdf">https://www.theconsumergoodsforum.com/wp-content/uploads/2018/05/Guidance-on-the-Priority-Industry-Principles.pdf</a></p>

**Purpose of this document:** This document aims to provide a program maturity journey to address forced labour through human rights due diligence in an organisation’s own operations. In line with the Human Rights Coalition of Action’s focus on forced labour, this journey places a deliberate emphasis on actions which aim to identify and address forced labour risks. In some instances, the steps outlined below may go beyond or be more specific than the guidance of the UN Guiding Principles.

This document is a DRAFT and is still pending adequate legal review.

**Table 1** aims to define a set of minimum requirements members should strive to achieve at each of the 3 stages of maturity. The requirements are cumulative from stage 1 to 3:

1. **Launched:** Initial, basic steps towards human rights due diligence addressing forced labour risks in own operations are in place and provide a foundation for future programme growth.
2. **Established:** A functional human rights due diligence programme addressing forced labour risks for own operations is in place and is actively deployed for prioritised locations.
3. **Leadership:** A human rights due diligence programme for forced labour risks in own operations is in place for all locations and delivering outcomes for vulnerable workers.

By the end of 2025, all CGF Human Rights Coalition of Action members should aim to reach the ‘Leadership’ level in order to meet the coalition charter commitments on HRDD for forced labour in own operations.

**Table 1 – Minimum Requirements**

HRDD steps	1. Launched	2. Established <i>in addition to Launched</i>	3. Leadership <i>in addition to Established</i>
<b>1. Policy Commitment and governance</b>	<p>1.a. There is a publicly available <b>commitment against forced labour</b> aligned with the <b>Priority Industry Principles (PIPs) stating:</b> <i>Every Worker should have freedom of movement   No Worker should pay for a job   No Worker should be indebted or coerced to work</i></p> <p>1.b <b>Governance and management systems are developed</b> to be conducive of the <b>commitment against forced labour</b>.</p>	<p>1.a. There is a publicly available <b>Human Rights Policy</b> that refers to the PIPs and the UNGPs, or other internationally recognised instrument pertaining to forced labour risks.</p> <p>1.b <b>Governance and management systems are established</b> to be conducive of the <b>commitment against forced labour relating to direct labour in own operations</b> and begins to <b>expand to any third-party labour</b> engaged by contractors, sub-contractors or labour agencies for the performance of ongoing work in own operations.</p> <p><b>Management responsibility</b> related to addressing forced labour risks <b>is clearly defined</b> including risks associated with recruitment, <b>covering direct and third-party labour</b>.</p>	<p>1.a. The Board or equivalent of the Company is assigned official responsibility for the monitoring of the Human Rights Policy.</p> <p>1.b <b>Governance and management systems are established</b> to be conducive of the <b>commitment against forced labour relating to direct labour in own operations</b> and <b>have expanded to any third-party labour</b> engaged by contractors, sub-contractors or labour agencies for the performance of ongoing work in own operations.</p>

HRDD steps	1. Launched	2. Established <i>in addition to Launched</i>	3. Leadership <i>in addition to Established</i>
2. Assess Human Rights potential and actual impacts	<p>2.a. A process to <b>identify forced labour risks</b> and <b>other human rights risks</b> in own operations is <b>being developed</b>.</p> <p>2.b. <b>Assessment processes and tools</b> (e.g. risk evaluation, audits, etc.) are <b>being developed</b>. Their scope includes forced labour related risks (including passport retention, recruitment fees, any form of coercion).</p>	<p>2.a. The <b>human rights risks</b> in own operations <b>are identified</b>.</p> <p>2.b. Forced labour <b>assessment</b> processes and tools are actively and regularly <b>conducted in prioritised own operations globally</b>, including direct and third-party labour. At a minimum, assessments must identify potential risks related to forced labour (including passport retention, recruitment fees, any form of coercion).</p>	<p>2.b. Forced labour <b>assessment processes and tools</b> are actively and regularly <b>conducted</b> covering <b>full scope of own operations globally</b> (including areas such as warehouses and logistics sites and all offices, etc.) including direct and third-party labour. Companies may deploy different processes and tools in particular parts of their own operations, depending upon risk.</p>
3. Integrate and Act in order to prevent and mitigate	<p>3.a. With the governance and management system in place, the forced labour <b>commitment is communicated internally</b> and relevant staff (e.g. Procurement / Human Resources) <b>trained</b>.</p>	<p>3.a. Immediate steps are taken to <b>mitigate forced labour issues relating to direct labour</b> identified through the assessment processes and grievance mechanisms, including through training and education.</p> <p>3.b As identified through the assessment processes and established grievance</p>	<p>3.b <b>Grievance mechanisms are extended to third-party labour</b> working regularly <b>on own sites</b> either through own or the contractors', sub-contractors' or labour agencies' mechanism.</p>

HRDD steps	1. Launched	2. Established <i>in addition to Launched</i>	3. Leadership <i>in addition to Established</i>
	3.b. A <b>grievance mechanism</b> that is guided by the UNGPs, <b>for direct labour is being developed.</b>	mechanisms, necessary actions are taken, with relevant contractors, sub-contractors or labour agencies for them to <b>mitigate forced labour risks relating to their direct labour</b> working regularly on <b>own prioritised sites.</b>	As identified through the assessment processes and established grievance mechanisms, necessary actions are taken, with relevant contractors, sub-contractors or labour agencies for them to <b>mitigate forced labour risks relating to their direct labour</b> working regularly on all <b>own operation sites.</b>
4. Track the effectiveness of responses	4. <b>Awareness raising and training activities</b> regarding forced labour risks, including number of workers, labour agencies, contractors or sub-contractors reached are being recorded.	4. <b>Outputs</b> relating to forced labour risks <b>are monitored and impact tracked over time:</b> e.g. compliance status, action plan implementation.	4. <b>Outcomes</b> relating to forced labour risks <b>are monitored and impact tracked over time:</b> e.g. reduction in number of grievances received by facility; reduction in recruitment fees paid by workers, if any, etc.
5. Report	5. There is annual public reporting about <b>the Company's approach to forced labour and future implementation plans</b> (e.g. as a stand-alone exercise, as part of the sustainability reporting, modern slavery statements etc.)	5. There is annual public reporting about <b>the Company's approach to addressing forced labour through HRDD.</b>	5. Annual public reporting includes: issues related to forced labour found in company's own operations <b>identified through HRDD</b> , the <b>mitigation steps</b> taken and outcomes.

HRDD steps	1. Launched	2. Established <i>in addition to Launched</i>	3. Leadership <i>in addition to Established</i>
6. Remedy	6. Effective remediation measures for forced labour impacts are being explored, including through collaborative actions.	<p>6. <b>Remediation processes</b> are in place for addressing forced labour in <b>own prioritised operations</b>.</p> <p>Necessary actions are taken, with relevant contractors or labour agencies for them to address <b>forced labour relating to their direct labour</b> working regularly on <b>own prioritised sites</b>.</p>	<p>6. <b>Remediation processes</b> are in place for addressing forced labour <b>for all own operations</b>.</p> <p>Necessary actions are taken, with relevant suppliers, on a risk basis, to enable them to <b>address forced labour relating to direct labour</b> working regularly <b>on all own operations'</b> sites.</p>



## Table 2: Illustrative examples

To be developed.