

# EXECUTIVE SUMMARY: VERITÉ ASSESSMENT OF FORCED LABOR RISK IN THE COCOA SECTOR OF CÔTE D'IVOIRE

## A. INTRODUCTION

Attention to human rights in the cocoa sector in West Africa has historically centered on the problem of child labor, which has long been known to be endemic in the industry. In recent years, however, a combination of increasing public awareness and intensifying international regulatory pressure has led to a heightened focus on the risk of forced labor — often termed “modern day slavery” — in the sector as well. A statistically representative study by Tulane University and Walk Free Foundation in 2018 estimated that 0.42 percent of adults working in cocoa experienced forced labor in Côte d'Ivoire (CDI) between 2013 and 2017.<sup>1</sup> The same study found that 0.17 percent of children working in cocoa agriculture in CDI were forced to work by someone other than a parent.<sup>2</sup> While percentages are low relative to the overall population, the very large number of people involved in cocoa production in the country mean that victims likely number in the thousands. Given the hidden nature of much human trafficking and forced labor, it is also possible that levels may be significantly higher within isolated pockets in the sector. There is clear need for government, industry, and civil society actors working in the sector in Côte d'Ivoire to better understand the issue of forced labor and take steps to address the root causes of the problem when and where it occurs.

In late 2016, at the request of the International Cocoa Initiative (ICI) and two of its major private sector members, Verité researchers undertook rapid appraisal research to explore the nature of forced labor risk in the cocoa sector in Côte d'Ivoire. The study did not seek to document the overall level of forced labor in the sector, but instead to identify and qualitatively describe the nature of the specific indicators of forced labor that appear to be most relevant in the Ivorian context. Verité based the methodology for this research on the definition of forced labor and methodological

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1 de Buhr, E & Gordon, E. *Bitter sweets: prevalence of forced labour and child labour in the cocoa sectors of Côte d'Ivoire and Ghana*. Tulane University & Walk Free Foundation. 2018. <https://www.walkfreefoundation.org/news/resource/cocoa-report/>.

2 de Buhr, E & Gordon, E. *Bitter sweets: prevalence of forced labour and child labour in the cocoa sectors of Côte d'Ivoire and Ghana*. Tulane University & Walk Free Foundation. 2018. <https://www.walkfreefoundation.org/news/resource/cocoa-report/>.

guidance on forced labor research provided by the International Labor Organization (ILO).<sup>3</sup> Using the ILO's forced labor indicator framework, the Verité study focused on identifying specific risk factors for forced labor faced by cocoa workers, sharecroppers, and primary producers in the country. The study also explored the root causes and contextual factors that contribute to forced labor vulnerability in the Ivorian cocoa sector.<sup>4</sup> Verité then used findings from the study to inform development of a set of recommendations for key stakeholders on potential interventions to combat the forced labor risk identified (see *Recommendations for Addressing Forced Labor Risk in the Cocoa Sector of Côte d'Ivoire*).<sup>5</sup>

## B. METHODOLOGY

The Verité study consisted of desk research (including academic literature, government reports, civil society reports, statistical analysis of previous studies, and a legal review) and two weeks of field research in Côte d'Ivoire in November – December 2016. The field research included expert interviews with government officials, civil society representatives, cooperative representatives, and grassroots/local informants, as well as focus group discussions conducted with producers in the Duékoué and the Soubré regions. Interviews were conducted in French and local dialects by experienced Verité and Ivorian researchers. Findings from the field research were triangulated with previously published research and analyzed using the ILO's forced labor indicator approach. Although ICI provided the funding for the study, Verité conducted the research independently and retained editorial control of the reporting.

## C. SUMMARY OF MAIN FINDINGS

The types of actors assessed for forced labor risk included workers, sharecroppers, and primary producers. Overall, the research found that while forced labor risk is present in the cocoa sector in Côte d'Ivoire, it appears to be limited primarily to a narrow group of people: recently arrived migrant workers. The forced labor risk for individual workers depends on a constellation of factors, including

- 3 International Labour Organization (ILO), Forced Labour Convention, C29, 28 June 1930, C29, [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C029](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C029). International Labour Organization (ILO), 2012. *Hard to see, harder to count - Survey guidelines to estimate forced labour of adults and children*. [http://ilo.org/global/topics/forced-labour/publications/WCMS\\_182096/lang--en/index.htm](http://ilo.org/global/topics/forced-labour/publications/WCMS_182096/lang--en/index.htm).
- 4 Verité did not attempt to determine the prevalence of the specific forced labor indicators identified in the rapid appraisal research.
- 5 Verité, 2019. *Recommendations for Addressing Forced Labor Risk in the Cocoa Sector of Côte d'Ivoire*. <https://www.verite.org/wp-content/uploads/2019/02/Verite-Recommendations-Forced-Labor-in-Cocoa-in-CDI.pdf>.

their age, ethnicity, migration status, living situation, working conditions, earnings, access to documentation, and process by which they were recruited. In this case, those migrant workers from non-cocoa producing areas of Côte d'Ivoire, Burkina Faso, or Mali (and their children, if also working) who have recruitment-related debt and are relatively early (first two to three years) into their employment tenure appear to have the highest vulnerability for forced labor. Migrant workers in the cocoa sector may be adults or children; both are potentially at risk of forced labor. Forced child labor is a Worst Form of Child Labor under ILO Convention 182.<sup>6</sup>

Researchers found evidence that such migrant workers may experience deception during recruitment about the working conditions they can expect, including the hours they will be required to work, the earnings they will receive, and the length of employment that may be required of them, among other factors. Migrants may also have debt linked to their recruitment and transportation, and this debt may serve to bind them to the workplace even if they find the working conditions unacceptable or wish to leave. Wages for new workers at the time of the research were as low as 75,000 CFA/150 USD for an entire season's labor. When these low base wages are combined with wage deductions — including some with inflated interest — for items such as food, medical care, or recruitment transportation costs, workers may end up being paid significantly less than promised or not paid at all. In some cases, workers may have to continue to work beyond the period originally expected in order to access their earnings. Deceptive recruitment, debt bondage, and non-payment of wages are all indicators of forced labor, as is multiple dependency on one's employer (e.g., for housing, food, access to credit, etc.) and other risk factors identified in the research.

Potential elements that may compound the forced labor risk faced by recent migrants and other vulnerable workers were also identified in the Verité study. Such compounding factors include working in a remote area, lack of formal education and/or low level of literacy, and the absence of local systems or resources for workers to address concerns or issues arising during their employment. These factors appear to further inhibit some workers — particularly young or otherwise less savvy workers — from leaving unacceptable work situations to return home or seek alternate opportunities. While these compounding factors do not in themselves indicate forced labor, they should be considered in relation to each other and to the presence of any forced labor indicators in determining overall level of forced labor risk.

The following summarizes findings about the forced labor risks facing hired workers and sharecroppers. For primary producers (i.e., farmers) themselves, who were assessed to have a low overall forced labor risk, the findings below describe how contextual pressures may lead to their use of vulnerable labor:

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6 International Labor Organization (ILO), 1999. *Worst Forms of Child Labour Convention*, C182. [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C182](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182).

## WORKERS

- Hired workers are engaged by either producers or sharecroppers and may be engaged for periods ranging from one day to one year, with the highest use of hired labor occurring during the harvest season. Hired workers may be local or migrant Ivoirians (with migrant Ivoirians typically coming from the northern region of the country, where cocoa is not grown), or they may be transnational migrants from Mali or Burkina Faso. Very short-term workers tend to be local, while workers engaged for a longer period tend to be migrants.
- Family labor (i.e. unpaid family members of the producer or sharecropper) is the most significant source of labor used on cocoa farms, but family members of producers or sharecroppers may also be engaged as hired or contracted labor, leading to significant gray areas between the two categories.
- Wage rates vary but were reported as relatively standard and stable at the time of research: CFA 150,000 – 200,000 per year (USD 242.88 – 323.88) for annual workers or CFA 2,000 – 3,000 per day (USD 3.24 – 4.86) for daily workers. The exception is new migrant workers from non-cocoa producing areas of Côte d'Ivoire or neighboring countries, who are reportedly paid as little as CFA 75,000 (USD 121.44) for a year's work. Annual salaries are typically paid at the end of the harvest and this is culturally accepted. Workers may also receive food, housing, medicine, and some cash advances as needed. There is some risk that the provision of these benefits — which are often perceived by workers to be an advantage associated with cocoa work — can contribute to significant debt loads that could potentially be exploited to extract labor in the case of unscrupulous employers. Risk of such exploitation is higher for child migrants or others with heightened general vulnerability, such as workers in remote areas.
- Workers may seek employment themselves through family networks or through third-party intermediaries. If they go through third-party intermediaries, they may incur debt related to their recruitment and transport, which they must then work off. This can take nearly the entirety of the first year and, in some cases, workers may work for multiple years before they receive standard wages.
- Hired migrant workers may also work for a season or multiple seasons without or at low rates of pay because a producer has promised they will eventually be granted access to a parcel of land for farming or sharecropping; such promises may or may not be honored.
- Children who are working for their parents, such as on a family farm, do not meet the definition of forced child labor under the ILO framework.<sup>7</sup> However, if children are working as a result of their parents being victims of forced labor, they would be considered to be in forced labor as well.

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7 International Labor Organization (ILO), 2012. *Hard to See, Harder to Count: Survey guidelines to estimate forced labour of adults and children*. [http://ilo.org/global/topics/forced-labour/publications/WCMS\\_182096/lang--en/index.htm](http://ilo.org/global/topics/forced-labour/publications/WCMS_182096/lang--en/index.htm).

- Field research did not find evidence that forced recruitment — such as abduction — is currently occurring, although this was described in early media stories on child trafficking in cocoa production.

## **SHARECROPPERS**

- Sharecropping can take several forms, but the most common arrangement is one in which the sharecropper is compensated with one third of the value of the final harvest, sometimes provided in beans or sometimes in cash.
- Many sharecroppers are migrants, particularly from Burkina Faso. In general, migrants may be considered a vulnerable population, but migrant sharecroppers tend to be more established within Côte d'Ivoire than migrant workers. They may have been in the country longer and are required to be skilled in cocoa work, both of which may act as protective factors.
- Interviewees noted that sharecropping is generally perceived as a desirable arrangement for the sharecropper, reporting that sharecroppers themselves sought these arrangements, although there is evidence that some are recruited by third-party intermediaries.
- The primary risk for sharecroppers is that the producers they are working with may not honor the conditions of their arrangement, particularly in relation to payment. There are also instances in which producers charge sharecroppers more deductions than originally agreed for items such as crop inputs, medicine, or food, significantly decreasing sharecropper earnings. However, there are some protective cultural practices that guard against this. For example, sharecropping agreements are reportedly often made in front of village chiefs or other village elders to provide witnesses in the case of disputes. Similarly, in certified cooperatives, producers are reportedly required to document sharecropping arrangements.
- Benefits provided to the sharecropper, such as food and housing, vary, and they are generally regarded as a positive. However, the fact that sharecroppers exist in a general state of dependence on the producer or land owner within the social structure of the village could also create vulnerability to exploitation if the dependency undermines the sharecropper's ability to express any grievances that may arise.
- Sharecroppers, like primary producers, may engage both family and hired labor themselves. Because sharecroppers by definition receive a limited percentage of profits (and in some cases, may be further squeezed via deductions by the producer), the workers engaged by sharecroppers may be at increased risk of labor violations.
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## PRIMARY PRODUCERS (FARMERS, LAND OWNERS)

- In the course of interviews, some individuals who likely could be more accurately described as sharecroppers or workers, self-identified as producers.
- There is limited forced labor risk for primary producers themselves.
- Income levels received by producers from cocoa (as a product of yield, quality, access to inputs, access to credit marketing opportunities, cooperative participation, etc.) can dictate the degree to which they are able to hire adult workers and fairly compensate workers. Many producers struggle to afford local adult labor, leading them to depend on family labor (including family children) or potentially vulnerable migrants.
- Producers who are isolated and have limited access to credit, transportation, and/or collective marketing options may enter a self-perpetuating cycle in which they must sell their cocoa to *pisteurs* (middlemen) who offer them a quick influx of cash for a lower total price than they could receive from a cooperative.

In addition to evaluating risk related to different categories of labor within the Ivorian cocoa sector, the rapid appraisal also collected information on relevant contextual issues, including the geographic distribution of migrants within the country, the role and status of cooperatives, dynamics surrounding land tenure, regional patterns of economic migration, and other aspects.

## D. RECOMMENDATIONS

With support from the International Cocoa Initiative and in consultation with a range of industry, government, and civil society actors, Verité developed a set of comprehensive recommendations in response to the issues identified in this research. Four categories of action are suggested:

- Establishing robust systems to monitor, remediate, and prevent forced labor;
- Strengthening underlying supply chain infrastructure;
- Improving data collection and reporting of forced labor risk factors; and
- Facilitating accountability and independent verification.

For each, Verité recommends specific actions for the Government of Côte d'Ivoire and private sector companies, as well as the role that civil society organizations can play to support the efforts of government and business to identify, address, and prevent forced labor risk. Some guidance is also provided on development of programming and suggested phasing of interventions.

# VERITÉ

**Fair Labor. Worldwide.**

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