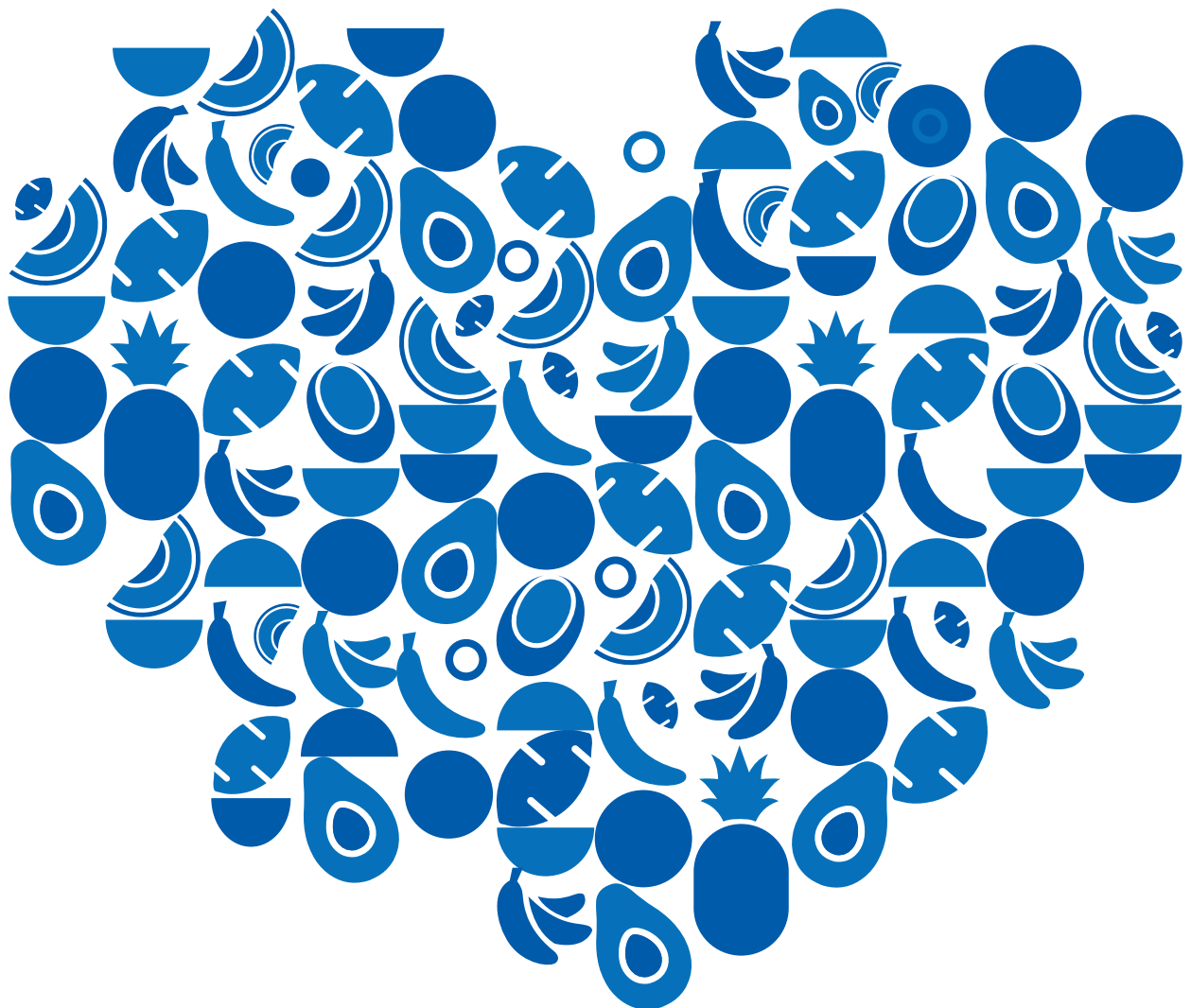




FYFFES GLOBAL CHILD LABOUR REMEDIATION PROTOCOL



INTRODUCTION

Fyffes is against all forms of exploitation of children, and is firmly committed to actions to eradicate child labour from our agricultural supply chains, in line with the *Fyffes Principles*, our *Global Human Rights Policy and Statement* and our *Modern Slavery Statement*. We constantly monitor compliance on human and labour rights through frequent site visits and internal and external audits, and many of our certifications require vigilant monitoring of potential child labour throughout our own operations and supply chain.

Fyffes undertook a Human Rights Impact Assessment in 2019 through an independent non-governmental organisation using methodology based on the UN Guiding Principles on Business and Human Rights. The goal was to better understand the potential risk of occurrence of child labour in our supply chain and own operations. Our assessments have yet to identify any specific instances of child labour in our own operations and we have systems in place to ensure our suppliers are taking adequate measures to prevent child labour. However, we can do more to work closely with smallholders or for children of migrant workers in some Central American and Caribbean countries in any instance of potential or actual cases of child labour. For this reason, we are introducing a Child Labour Remediation Protocol so that we can act swiftly and sensitively in the ‘best interest of the child’ in any potential case.

Millions of children around the world are trapped in child labour¹, depriving them of their childhood, and education, risking their health, safety and condemning them to a life of poverty. Of course, there is work that children can do to help their families in ways that are neither harmful nor exploitative. But many children are stuck in unacceptable work for children – a serious violation of their rights.

Fyffes is an international company with a footprint in many different countries with varying prevalence of child labour and modern slavery from very little risk to high risk. To assess the risk of child labour in each of our markets, Fyffes acknowledges three main resources; US Department of State’s Country Reports on Human Rights Practices², the ILAB Sweat and Toil app and the Global Slavery Index³.

Worldwide it is estimated 60 percent of all child labourers in the age group 5-17 years, work in agriculture, including farming, fishing, aquaculture, forestry, and livestock⁴.

Specifically, Fyffes Human Rights Impact Assessment outlined the risk in the Dominican Republic, where children of undocumented migrant parents, many of Haitian descent, are vulnerable to labour exploitation due to a lack of birth certificate or residency documentation. Also, the Dominican Republic Labour Code permits non-written labour agreements, which weakens accountability and could increase the risk of child labour and labour abuses in smallholdings.

¹Child labour is defined as work for which the child is too young – i.e., work done below the required minimum age. The Convention on the Rights of the Child (CRC) recognizes every child’s right, “to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education,” or that is likely to harm the child’s health or, “physical, mental, spiritual, moral or social development.” The International Labor Organization defines child labour as “work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development.”

²<https://www.ilo.org/ipec/facts/lang--en/index.htm>

³https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/GSI-2018_FNL_190828_CO_DIGITAL_P-1594100208.pdf

⁴<https://www.ilo.org/ipec/areas/Agriculture/lang--en/index.htm>

There are two parts to the child labour remediation protocols; child labour within our own operations and child labour within our supply chain.

APPROACH

1. This protocol is to support the implementation of the *Fyffes Principles*, relating to Human Rights and specifically Child Labour, and to explain the steps to be taken if a child is found performing child labour as per our definition, in one of our own operations or within our supply chain.
2. In countries where the company operates and where local regulations may be less stringent than international human rights standards, Fyffes will apply international standards, such as Convention on the Rights of the Child (CRC) as well as Relevant ILO conventions (C138 - Minimum Age Convention, 1973 + C182 - Worst Forms of Child labour).
3. Fyffes assesses its overall risk of exposure to child labour, in the context of the agricultural sector, the nature of the work performed and the geographies where we have operations through our Human Rights Impact Assessment, which is conducted annually.

SCOPE

This protocol defines a set of operational principles and procedures on how to respond if child labour is ever encountered and applies to all children in all work situations we are linked to by our business relationships in our products own operations and supply chain. This includes permanent, temporary, or casual labour, whether directly or indirectly (i.e. via agencies) employed by the management of the workplace, as well as children who have been trafficked or sold into work.

MINIMUM AGE

Fyffes minimum age of employment is 16 years of age or over the age for completion of compulsory education or the country legal working age, whichever is higher.

In addition, employees under 18 are not employed in any form of hazardous work conditions, as defined by law. Examples of hazardous work for young workers⁵ can include, but is not limited to:

- Working at night
- Working overtime
- Working with the application of agro-chemicals
- Heat-stress

Fyffes, through its Global Health and Safety Committee identifies 'hazardous work' through its health and safety assessments.

Some of Fyffes owned operations may decide to increase the minimum working age to 18 years old, given the difficulty to restrict and control special working requirements for young workers⁵ or because the nature of the overall operations is judged hazardous.

⁵ 'Young workers' are over the minimum age of 16 but below 18. They are still considered "child labour" under ILO Conventions Nos. 138 and 182 if the work they do is hazardous.

PROTOCOL – FYFFES OWN OPERATIONS

1. If a child is found working⁶ on any of Fyffes operations, including on a farm, pack house, corporate office or ripening facility and the child's underage has been confirmed and verified via an identity check, the child will be removed from all work immediately. If the child's identity cannot be verified, it should be assumed a youthful-looking worker is under-age until verifiable evidence to the contrary is provided, the child will be removed from all work immediately.
2. The child should be transferred to a safe place.
3. The contact details of the child's parents/guardian should be obtained.
4. If the child is not with his parent or legal guardian (i.e. if the parent/guardian is actually responsible for sending the child onto the worksite, but is not present, nor an employee of Fyffes), the HR representative or senior manager at the site should contact a parent immediately.
5. Fyffes employees or external auditors encountering child labour in Fyffes own operations should report the matter immediately to human resources and/or the most senior manager within that operation. If there is any concern that the HR representative or senior manager were involved in the intentional recruitment of a child, then the matter should be escalated to the Chief Corporate Affairs Officer (as below) or via the Fyffes Ethics Hotline.
6. The HR representative/ senior manager should also notify the relevant government department and they should also notify the law enforcement if the child is beneath the legal age for work or if it is suspected that the child is the victim of trafficking.

If the child found working has been brought to work by a parent or legal guardian, who is an employee of Fyffes, then the parent / legal guardian should be issued with a written caution and reminded that child labour is not permitted under any circumstances. Fyffes and its subsidiaries will explain to the child the reasons why he/she is removed from work. If this is the second time the parent/guardian has brought the child into the workplace to work, they are likely to face dismissal.

If the child is without parents or guardians, Fyffes will contact a suitable non-governmental organisation to assist the child.

7. If it is suspected that the child is a victim of trafficking, the HR representative or senior manager should speak with the relevant government department or seek advice from a reputable local non-governmental organisation (NGO)⁷, regarding next steps.
8. The HR representative or senior manager should contact the Chief Corporate Affairs Officers, Caoimhe Buckley cbuckley@fyffes.com
9. The Chief Corporate Affairs Officer will contact Fyffes parent company Sumitomo immediately as is required by *Sumitomo's Compliance Policy* and Fyffes Grievances Procedure.
10. The child should be handed over to the parent or guardian that comes to collect the child ONLY IF they can validate they have custody/ guardianship of the child (see footnote 8).
11. The HR representative or senior manager should try to identify and understand the causes of the child's presence in the workplace as well as how the management system failed to prevent child labour. If the investigation shows that the reason relates to the additional income needs of the family where the child comes from, management can explore other options, for example substituting another family member who is fit to work.

⁶For safety reasons, children should not be present on operational sites. However, if the child is simply visiting the parent, this is not 'child labour' but is still not permitted.

⁷ See Appendix

PROTOCOL – SUPPLY CHAIN

1. Fyffes expects all its suppliers to take all necessary measures to prevent child labour in their operations.
2. Fyffes employees or external auditors encountering child labour in Fyffes supply chain should report the matter immediately to Fyffes Compliance Department.
3. Suppliers should follow the steps outlined in the Fyffes Own Operations Protocol above and provide evidence to the Fyffes Compliance Department.
4. The Compliance Department will contact the Fyffes Chief Corporate Affairs Officer, Caoimhe Buckley cbuckley@fyffes.com.
5. The Chief Corporate Affairs Officer will contact Fyffes parent company Sumitomo immediately as is required by *Sumitomo's Compliance Policy* and Fyffes Grievances Procedure.
6. If a child labourer is found working on any of Fyffes supply chain sites, Fyffes will immediately cease ordering the respective goods or services from that supplier until evidence the child has been removed from all work is provided.
3. This virtual team will define and implement an appropriate remediation plan, ensuring that the best interest of the child is central, and that parents / guardians consent is obtained⁹. All actions should be documented in full.
4. The remediation plan will be monitored closely and should be carried out in cooperation with other stakeholders, as appropriate.
5. In the case of a supplier, Fyffes role will be to require the supplier to follow the steps above and Fyffes will hold the supplier accountable for remediation by overseeing the remediation plan.

REMEDICATION AND MITIGATION ACTIONS

1. Once the child's safety has been confirmed and they have been restored to their family or protective custody, Fyffes will undertake an investigation to ascertain how child labour might have occurred.
2. Fyffes will assemble a remediation team made up of Fyffes employees (including the most senior manager at the site, a human resources representative and a member of the Compliance and Sustainability Departments) as well as a representative from the local child welfare agency or organisation⁸.

.....
⁹There may be circumstances in which the parent or guardian does not place the child's welfare central and in these circumstances, their consent may not be obtained.

⁸The appropriate agency or organisation will be determined based on local knowledge and in the best interests of the child.

APPENDIX-

List of reputable NGOs focusing on child labour by country/region

Belize

Child Development Foundation <https://namati.org/network/organization/child-development-foundation-cdf/>

Centro Escolar Mexico Junior College <http://cemjc.edu.bz/>

Brazil

Cipó <https://www.swisspeace.ch/apropos/empowering-youth-to-be-actors-of-change-e/>

Ireland

Blue Blindfold

http://www.blueblindfold.gov.ie/en/bbf/pages/victim_support_organisations

UK

Unicef

https://www.unicef.org/csr/css/Child_labour_resource_Guide_UK_NatCom.pdf

USA

End Child Labor <https://endchildlabor.net/>

Central and Latin America

Terres Des Hommes and their partners in Latin America support child workers organisations

<https://www.terredeshommes.org/>

MOLACNATs (Movimiento Latino Americano y del Caribe de NNATs (MOLACNATs). The Latin-American and Caribbean Movement of working boys, girls and adolescents. Work in Venezuela, Guatemala, Mexico, Nicaragua and Cuba. molacnatsecretariado.ejecutivo@gmail.com

Save the Children International in Latin-America.

<https://www.savethechildren.net/>

Panama office serves Guatemala, Nicaragua, Cuba, Haiti, El Salvador, Venezuela, Bolivia, Peru.

National offices of Save the Children in Honduras, Dominican Republic, Colombia, Mexico.

Plan International also works with many partners in the region. <https://plan-international.org/latin-america>

Mexico Alberto Xicotencati, Casa de Migrante en Saltillo, direccion@cdmsalt.org +52 1 8442 0870

Rest of the world

Save the Children <https://www.savethechildren.net/>

UN HCR <https://www.ohchr.org/EN/Issues/Slavery/UNVTFCFS/Pages/SlaveryList.aspx>