

BCI Forced Labour Task Force

Terms of Reference

27 March 2020

Background

The Better Cotton Initiative (BCI) is a global not-for-profit organisation and the largest cotton sustainability programme in the world. BCI exists to make global cotton production better for the people who produce it, better for the environment it grows in and better for the sector's future. The Better Cotton Standard System (BCSS) provides a holistic approach to sustainable cotton production which covers all three pillars of sustainability: environmental, social and economic. Each of the elements – from the Principles and Criteria (P&C) to the collection of farm-level results data – work together to support continuous improvement at the field level and protect the credibility of Better Cotton. The BCI assurance model is a critical component of this system, and includes the verification and oversight mechanisms to ensure that licensed Producers¹ comply with Core Indicators of the P&C, and continue to make sustainability improvements year on year.

Decent Work is currently covered under Principle 6 of the [BCI P&C v2.1](#), and forced labour is prohibited under Core Indicator 6.3.1 (*'All forms of forced or compulsory, including bonded or trafficked labour, are prohibited.'*), which applies to all Producers. Compliance with Core Indicators is verified through a combination of self-assessments, support visits by the Implementing Partner, and external assessments carried out by BCI or approved third-party verifiers².

The BCSS, including its assurance model, was developed specifically to balance credibility and accessibility, and to support BCI's mission of working with a large and diverse range of (predominantly smallholder) cotton farmers at a global scale. BCI's current Standard and assurance model have not been designed to specifically identify or prevent forced labour issues in high-risk areas, and particularly in cases where there is evidence of state involvement in forced labour.

Over the last couple of years, BCI has been actively engaged in dialogue on forced labour issues with our stakeholders, including civil society organisations, brands and retailers, and other expert organisations. These efforts were initiated originally in line with BCI's aspiration to explore the possibility of developing a Better Cotton Programme in Uzbekistan when enabling conditions are met. Over the last year, the focus has broadened to also include increasing concerns about forced labour in the cotton production and processing, and yarn, textile and manufacturing sectors in Xinjiang, China. Building from this dialogue, BCI is now looking to engage our stakeholder network to help strengthen and meet the Core Indicators of Principle 6—Decent Work—of our BCSS, with an initial focus on Forced Labour.

To that end, BCI is forming an **expert Task Force** to review the BCSS (including the assurance model, relevant indicators in the Principles & Criteria, capacity building approach, operating context for BCI projects, and selected operating procedures), along with key drivers of forced labour. Based on this review, the Task Force will then develop

¹ In the context of the Better Cotton Standard System, Producer refers to either an individual Large Farm or a Producer Unit (group) of Smallholder Farmers or Medium Farms. Licenses to sell Better Cotton are granted at Producer level.

² For more information on the assurance model, refer to the [BCI Assurance Manual v4.0](#)

recommendations to improve the effectiveness of the BCSS in identifying, preventing, mitigating and remediating forced labour risks.

Objectives and focus areas

The members of the Task Force will be asked to contribute their expertise and subject knowledge in the following key areas:

1. To review existing Better Cotton Standard System elements – including relevant indicators from the Principles & Criteria, the assurance model, capacity building approach, and related standard operating procedures (SOPs), amongst others. This review will take into account existing knowledge and information sources around key drivers of forced labour in cotton production.
2. To develop recommendations on how to strengthen the BCSS and SOPs as related to identification, prevention, and reduction of the risk of forced labour, including in the following three main areas:
 - a. **Risk-based approaches:** data sources, methodologies, and due diligence checks to identify specific regions, circumstances, or Producers where risks of forced labour are highest. Since BCI operates a large-scale global programme, it will be important to have a tiered approach where areas with high risks of labour violations receive enhanced prevention, monitoring, and verification resources. Recommendations in this area could include for example relevant third-party data sources, labour profiling and risk assessments, or monitoring techniques such as worker feedback or whistleblowing tools, etc. It could also include recommended methodologies to assess the feasibility of the operating context for BCI projects.
 - b. **System improvements for high-risk regions specifically:** this could include suggested revisions to BCI indicators, along with best practice verification or capacity building approaches that would apply in high-risk contexts only. Recommendations in this area might cover adjustments in auditing practices, enhanced recruitment methodology, direct-to-worker feedback tools, grievance mechanisms for farmers and workers, additional training and responsibilities for Implementing Partners, etc.
 - c. **General system improvements:** changes in the BCSS or SOPs that could be implemented globally (at scale) to help BCI teams, verifiers, and partners better understand labour issues, gather relevant information from farmers and workers, and more effectively flag potential risks around labour violations. This could include for example additional questions around labour recruitment practices or working conditions during self-assessment or external assessments; or enhanced training on worker interview techniques for BCI team members and verifiers.

Although the primary focus of the Task Force will be on forced labour, it is anticipated that recommendations are likely to cover a broader set of interrelated Decent Work elements, such as child labour, freedom of association and collective bargaining. These recommendations will be taken into consideration by the BCI Leadership Team and BCI Council – some recommendations may be possible to implement in the short/ mid-term, while others may feed into the next Better Cotton Standard review.

Consultation opportunities

BCI recognises that multi-stakeholder engagement is critical to ensure the final recommendations of the Task Force represent a broad set of interests and voices in diverse regions where BCI operates. Consultation with these groups may take the form of local webinars or focus group discussions to review the draft recommendations of the Task Force, and all feedback will be shared with the Task Force to consider.

BCI will also provide consultation opportunities for BCI Members (such as brands and retailers) to understand the draft recommendations and provide input or raise questions for the Task Force to consider.

Final outcome and next steps

Final recommendations from the Task Force will be produced in the form of a written report. In the interest of transparency, it is expected that the final recommendations of the Task Force will be made public. All Task Force members will have the opportunity to review and to disassociate their organisation or make a statement of dissension in the (unanticipated) case that they do not wish to be associated with some of the recommendations.

The final report of the Task Force will be reviewed and discussed by the BCI Leadership Team and the BCI Council, with the aim to feed into future improvements of the Better Cotton Standards System and SOPs.

Piloting of recommendations

After the Task Force has delivered their initial recommendations, BCI anticipates a second phase of work where selected high-priority recommendations will be piloted or field-tested. This would likely take place in Q3-Q4 2020 and will be led by BCI (with strong stakeholder input). This would be outside the initial scope of work of the Task Force (as outlined above). However, Task Force members may be invited to perform an advisory role in this pilot phase, subject to further discussion and mutual agreement.

Timeframe and format

The Task Force will carry out its main engagement between **April and August 2020**, with a draft set of recommendations expected to be prepared by early August. The Task Force will convene through regular virtual meetings (approximately every 2-3 weeks), coordinated and facilitated by the BCI Assurance Team. In between virtual meetings, Task Force members would be requested to spend a moderate amount of time (estimated a couple of hours) to review draft documents and provide input ahead of the next call, to ensure the group can make efficient use of meetings.

All Task Force meetings will observe Chatham House rules – participants are free to use information discussed during the meeting but should not identify the source of the information or his/her organisation.

The Task Force will be supported and coordinated by the BCI Assurance Team. The Assurance Team will be responsible for all communication, scheduling of meetings, developing of draft documents, and consolidation of expert Task Force feedback and comments. The Task Force participation will be made public with brief information about members published online on BCI website.

Pending major changes to COVID-19 pandemic-related travel restrictions, a possibility of an in-person working session will be explored. Alternatively, depending on schedules, one or two half-day online workshops would be anticipated. All travel and meeting expenses would be covered by BCI – please refer to *the BCI Travel and Expense Policy* for more information.

Overview of expected Task Force timeline:

| Activity | Expected timeline (Week commencing) | | | | | | | | | | | | | | | |
|-------------------------|-------------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| | 30-Mar | 06-Apr | 13-Apr | 20-Apr | 27-Apr | 04-May | 11-May | 18-May | 25-May | 01-Jun | 08-Jun | 15-Jun | 22-Jun | 29-Jun | 06-Jul | 13-Jul |
| Finalise membership | | | | | | | | | | | | | | | | |
| Kick-off call | | | | | | | | | | | | | | | | |
| Regular calls | | | | | | | | | | | | | | | | |
| In-person meeting - TBC | | | | | | | | | | | | | | | | |
| Final recommendations | | | | | | | | | | | | | | | | |

The total expected time commitment for Task Force members is estimated at **48 hours** over the April – late August period.

Expected time commitment

| Activity | Estimated hours | Comments |
|--|-----------------|---|
| Participate in calls | 16 | 2 hours x 8 calls |
| Document review between calls | 14 | Expected 2 hours between each call |
| In-person meeting 1* | 16 | 2 days in-person working session (excludes travel time) |
| Finalisation of recommendations | 2 | Possible virtual session on near-final recommendations |
| Total estimated hours April to August | 48 | <i>Assumes one in-person session of approximately 2 days.</i> |

*Subject to lifting of travel restrictions due to COVID-19 outbreak. May be replaced by a half-day online workshop

Proposed Membership

The Task Force will be composed of approximately 10-12 individuals, including:

- Representatives from civil society organisations with expertise in social and labour issues. This will include both BCI member organisations, and those who are not BCI members but have demonstrated an interest in engaging with us to strengthen our systems to better address forced labour in the agricultural sector, and if possible, cotton farming
- Representatives from BCI member Brands and Retailers with demonstrated expertise in labour issues in the agricultural sector
- Representatives from consultancy organisations with significant experience on forced labour issues (particularly in agriculture)

Potential members will be asked to submit a short summary of relevant experience or CV. Final membership of the Task Force will be confirmed by the BCI Senior Leadership Team, based on the following factors:

- Relevant knowledge and experience relating to forced labour and other decent work issues, especially in the agricultural sector
- Knowledge of agricultural auditing, verification, and monitoring systems, especially in the context of decent work issues
- Willingness to participate in a consensus-based multi-stakeholder process
- Ability to dedicate the necessary time and effort to participate in Task Force meetings and document reviews, as outlined above

Further information

For additional information or questions, please contact Chelsea Reinhardt, Head of Standards and Assurance: chelsea.reinhardt@bettercotton.org

Annex 1: BCI Travel Expense Policy

BCI will reimburse all travel and expenses associated with direct attendance of an in-person meeting of the BCI Forced Labour Task Force. Expense claims will be reimbursed upon prior approval and supported by adequate documentation (invoices/ itemized receipts). Clear, readable, scanned copies of all receipts are required. Originals are not required and the claimant may retain these for their own records.

Airfare

BCI will reimburse the lowest economy class airfare, based on the principle to book direct flights wherever possible (direct flights have significantly lower CO₂ footprint, and reduces travel time). For travel lasting 6 hours or more BCI will reimburse reasonable additional cost to fly 'economy plus' or purchase of extra leg room. BCI is unable to reimburse business or first class travel.

Train

Train fares are covered for standard 2nd class only. If 1st class is booked, the difference between first & second class will remain at traveller's personal costs.

Accommodation and Subsistence

BCI will aim to process the traveller's accommodation arrangements. Where this is not possible, BCI will reimburse accommodation in a single room, in a 2 or 3 star hotel (EU standards).

Other costs incurred (visa, insurance, health)

Visa, travel insurance and vaccinations/ medication (if they are advised by the medical authorities for travel into the country of destination) costs will be covered by BCI supported by scanned receipts. Consult with local medical providers on which vaccinations are required for travel to developing countries.