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UN FORUM SERIES: Measuring achieves little without market-based enforcement and worker participation

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This post was contributed by Greg Asbed, co-founder of the Coalition of Immokalee Workers (CIW).

The litany of brutal human rights abuses in corporate supply chains around the globe just keeps getting longer by the day, and more horrifying with each new exposé.

The deplorable state of workers' rights in the Mexican produce industry, exposed in a hard-hitting series of articles in the LA Times at the end of last year, is one recent case in point. Still more recent than the discovery of widespread child labor, forced labor, and sexual harassment in Mexico's fields was July's searing New York Times look into the gross human rights abuses in the Thai seafood industry.

These cases point at the failure of the traditional Corporate Social Responsibility (CSR) initiatives in place to address those abuses. In Mexico's produce industry, the LA Times report concluded that, "Major U.S. companies have done little to enforce social responsibility guidelines that call for basic worker protections such as clean housing and fair pay practices."

Likewise, in Thailand's seafood industry, the New York Times wrote,

> *[T]hough there is growing pressure from Americans and other Western consumers for more accountability in seafood companies' supply chains to ensure against illegal fishing and contaminated or counterfeit fish, virtually no attention has focused on the labor that supplies the seafood that people eat, much less the fish that is fed to animals.*

Traditional Corporate Social Responsibility does not work because standards without enforcement are little more than empty promises…

But what does it take to effectively enforce human rights?

The CIW's Fair Food Program – which has been called "a smart mix of tools" by the UN Working Group on Business and Human Rights and "the best workplace monitoring program" in the US in the New York Times – offers a proven example of an enforcement-focused approach with verifiable results.

The CIW's Fair Food Program is based on the Worker-driven Social Responsibility model. If this model were to be boiled down to its three essential ingredients, they would be:

- Worker leadership in the drafting of the standards and design of the program;
- Multiple layers of monitoring driven by the informed participation of the workers whose rights are in question;
- Enforcement backed by market consequences rooted in binding agreements with the brands at the top of the supply chain.

You can read more about how these elements work in concert to produce comprehensive, sustainable, and measurable social change in the agricultural industry through the Fair Food Program here.

Focusing on the italicized word in that last sentence – measurable – there is a movement in the world of social responsibility these days that has arisen in response to the abject failure of the standard CSR approach. This new movement recognizes that "robust" codes of conduct and occasional third party audits are simply not up to the task of eliminating human rights abuses.

In an effort both to expose the shortcomings of the *status quo* and demand more of the brands that control vast global supply chains, this new push for accountability is calling for stricter, more public measurement of results from CSR efforts. The idea is that, faced with the objective failure of the current approach, brands will be forced to take more effective measures to protect human rights in their suppliers' operations.

While measuring — or more accurately, verifying — the claimed impact of current social responsibility initiatives is certainly necessary, it is by no means sufficient if we are to get at the root of the growing human rights crisis from factories of Bangladesh to the seas of Thailand and the fields of Mexico and the United States. Indeed, the focus on measurement runs the risk of diverting attention from the real road to progress while creating yet another industry of social responsibility "experts" who derive a handsome living from articulating the exploitation of low-wage workers around the globe but do little or nothing to stop it.

The success of the Worker-driven Social Responsibility model has made one thing very clear: The two most important measures of a human rights program are:

1. an assessment of its enforcement mechanisms and
2. the role of informed workers in the function of those mechanisms.

The lessons from the past several decades of unabated human rights abuse in corporate supply chains are undeniable. Without real enforcement mechanisms, no code of conduct — no matter how "robust" or "high bar" — nor third party audits can protect workers' human rights. The enforcement-focused WSR model, on the other hand, provides not only the best hope for real progress, but within its very mechanisms provides the means for meaningful measurement of outcomes.

The Fair Food Program's complaint investigation process, penetrating audits, corrective action plans (CAPs) derived from violations identified through both of those processes, and remedial audits to measure compliance with the CAPs are all essential to the enforcement of the program's code of conduct and provide a constant means for measurement and documentation of progress toward its human rights goals. And it is those mechanisms, and those mechanisms alone, that have succeeded in ending forced labor and sexual assault where all other efforts, whether private sector or governmental, have failed.

In other words, measurement is an emergent property of a focus on enforcement, because the very tools of enforcement provide the means for the measurement of change. And where workers have no voice, human rights violations flourish.

In the final analysis, the only "stakeholders" with an existential and abiding interest in protecting human rights in corporate supply chains are the humans whose rights are at risk, the workers themselves. The 21st century solution to the failure of the traditional CSR model has already been developed. Worker-driven Social Responsibility, designed, monitored, and enforced

with the active participation of workers, provides the blueprint for industries around the globe, that currently employ millions of men and women in unimaginably harsh conditions, to raise standards in their supply chains. What's more, WSR, in its very enforcement mechanisms, provides the means to measure and evaluate progress toward the fundamental human rights goals enshrined in the United Nation's Universal Declaration on Human Rights.

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