

EXPLORING ISOLATED CASES OF MODERN SLAVERY

# Farmworker Protections and Labor Conditions in Brazil's Coffee Sector

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## ABBREVIATIONS

Conatrae	National Commission for the Eradication of Slave Labor
COOCAFÉ	Cooperativa dos Cafeicultores da Região de Lajinha (Cooperative of Coffee Growers of the Region of Lajinha)
COOXUPÉ	Cooperativa Regional de Cafeicultores em Guaxupé (Regional Co-operative of Coffee Growers in Guaxupé)
CRS	Catholic Relief Services
Embrapa	Empresa Brasileira de Pesquisa Agropecuária (Brazilian Agricultural Research Corporation)
IBGE	Instituto Brasileiro de Geografia e Estatística (Brazilian Institute of Geography and Statistics)
MPF	Ministério Público Federal (Federal Public Prosecutor's Office)
MPT	Ministério Público do Trabalho (Public Prosecutors' Office)
MTE	Ministério do Trabalho e Emprego (Ministry of Labor and Employment)
NGO	Nongovernmental organization
PAM	Produção Agrícola Municipal (Municipal Agricultural Production)
PPE	Personal Protective Equipment
RWU	Rural Workers Union
SCAA	Specialty Coffee Association of America

## FOREWORD

During the summer of 2013, we learned that there were 15 coffee estates on Brazil's "Dirty List"—a registry of employers found by inspectors at the country's Ministry of Labor and Employment (MTE) to be employing workers under what Brazil calls "conditions analogous to slavery".

**The revelation raised serious concerns and lots of questions. For answers, we turned to the non-profit organization Repórter Brasil**, a longtime Catholic Relief Services (CRS) partner and an authority on issues of human trafficking and modern slavery in Brazil. The team of researchers assigned to the project delivered invaluable context, insightful analysis and solid reporting. Their responses to our questions can be found in the pages that follow.

**We sought this information partly for our own purposes.** Since 2003, CRS has implemented coffee value chain projects and has developed an expertise in coffee programming. But that work has focused almost exclusively on smallholder farmers and their families. The revelation of slave labor in Brazil's coffee sector helped us to see that despite more than a decade of experience in the coffee sector, we hadn't built relationships with farmworkers or invested to understand farm labor issues in any intentional way. It also prompted a process of introspection through which we recognized that our mission to serve the poorest and most vulnerable people leads us naturally to engage with farmworkers: the tens of millions of men, women and children who toil in anonymity in the coffeelands represent the largest and most vulnerable group of actors in coffee supply chains. Our investment in this report was part of our effort to improve our own "farmworker IQ" in the coffee sector.

**But we weren't interested in keeping the findings to ourselves. From the outset, we intended to share this information with stakeholders in the coffee sector** because we were convinced that we weren't the only ones in coffee with a "blind spot" where farmworkers are concerned. Decades of relentless innovation in the coffee industry to make the coffee trade more inclusive and equitable have allowed smallholder farmers to participate in coffee's promise in a way that would have been scarcely imaginable just a quarter-century ago. But farmworkers have mostly remained on the margins of those efforts and have not participated in coffee's promise in the same way.

**We opted to use the findings as a tool for patient engagement.** As soon as we started receiving preliminary findings in late 2013, we began sharing them discreetly with influential actors within the coffee industry. For two full years, we used the research to patiently engage with coffee-sector stakeholders to raise awareness and contribute to the industry's movement along the continuum from awareness to action. The issue of slave labor in Brazil's coffee sector has been the thin end of the wedge; at the broad end is the wider issue of farm labor in coffee.

Our efforts, joined with those of other sustainability leaders in the coffee sector, have helped to put farmworkers on the sustainability agenda of the specialty coffee industry in ways they hadn't been before. In 2015, our farmworker advocacy efforts contributed to the decision of the Specialty Coffee Association of America (SCAA) to create a Farmworker Committee on its Sustainability Council—a committee we currently chair—and to identify farm labor as one of the industry's "critical issues at origin."

We are publishing the findings of our Brazil research now because the private engagement phase of our work has run its course; we believe they can do more good for farmworkers by fostering discussion in public than in private. We do so with some concerns about how these findings may be perceived, reported and used.

**We hope that this report will:**

- Help raise our collective "farmworker IQ".
- Contribute to the continued movement of farmworker issues from the margins to the mainstream of coffee's sustainability conversation.
- Improve understanding of modern slavery in the coffee sector.
- Demonstrate the unique potential Brazil offers for traction on efforts to eradicate modern slavery from coffee supply chains.
- Provoke indignation and inspire action in the coffee community for farmworker justice that begins in Brazil (but doesn't end there).

We hope that readers, **whether they are public officials, coffee companies or coffee consumers**, will DO the following:

WHO	WHERE	
	Brazil	United States
public officials	<ul style="list-style-type: none"> <li>• Invest to strengthen coffee-sector labor monitoring.</li> <li>• Create a coffee forum at the Ministry of Agriculture.</li> <li>• Develop economic reintegration and livelihood transition programs.</li> </ul>	<ul style="list-style-type: none"> <li>• Expand public-private partnerships to address labor risk in coffee supply chains.</li> <li>• Pass the <a href="#">Business Supply Chain Transparency for Trafficking and Slavery Act</a>.</li> <li>• Continue to allocate funds to programs to fight human trafficking and modern slavery.</li> </ul>
industry leaders	<ul style="list-style-type: none"> <li>• Sign the <a href="#">National Pact to Eradicate Slave Labor</a>. (See <b>ANNEX B</b>.)</li> <li>• Map labor risk in your supply chains.</li> <li>• Strengthen labor dimension of supply-chain audits.</li> <li>• Train employees in labor standards to ensure compliance.</li> <li>• Support programs for at-risk and rescued workers in Brazil.</li> </ul>	<ul style="list-style-type: none"> <li>• Encourage your supply chain partners in Brazil to participate in the National Pact to Eradicate Slave Labor and accompany them when they do.</li> <li>• Map labor risk in your Brazil supply chain.</li> <li>• Engage in dialogue about labor issues with your Brazil supply chain partners.</li> <li>• Support more research on farm labor issues in the coffee sector.</li> <li>• Support programs for at-risk and rescued workers in Brazil.</li> </ul>
coffee consumers	Urge coffee companies and your elected officials to adopt these recommendations.	

We hope readers DON'T do the following:

**Lean away from Brazilian coffee.** We should not lean away from Brazilian coffee because of these revelations—we should lean *into* Brazilian coffee. In recent years, new laws have been passed from London to Washington and beyond to combat human trafficking and modern slavery by increasing supply chain transparency and corporate accountability and cracking down on imports of goods tainted by these crimes. Compliance with those laws requires precisely the kind of information Brazil is delivering.

**Punish Brazil for truth-telling.** If we punish Brazil for telling the truth about what is happening in its coffee sector by backing away from its coffee, we will create a powerful incentive for Brazil and other coffee-growing countries to do the opposite. We should want more of this information, not less. If we discourage governments from sharing information about modern slavery and forced labor we may succeed in removing some unpleasant terms from the conversation, but we will fail to get traction where it really counts: in changing the underlying labor conditions in the coffee sector.

**Come away thinking that this is a just a problem in Brazil's coffee sector.** Brazilian coffee doesn't have a farmworker problem as much as coffee has a farmworker problem. Brazil may be the only coffee-growing country to use the term "slavery" to describe the worst forms of labor abuse in its economy, but the practices described in this report have been documented in other coffee-growing countries. To imagine otherwise would be, in the words of one agricultural expert we consulted in connection with our farmworker advocacy efforts, "wishful thinking".

**Come away thinking that this is just a problem in the coffee sector.** In the version of the Dirty List analyzed for this report, less than 3% of all employers found to be profiting from modern slavery were coffee estates. Estates devoted to cattle ranching, soy, cotton and maize have all historically been more heavily represented among Dirty List employers than coffee estates. Coffee's farmworker problem, in other words, is just a subset of *agriculture's* farmworker problem. We are part of a global agricultural economy in which the food we eat comes from far-flung farms all around the world that we can't see, produced under labor practices we don't well understand. Estimates suggest there are as many as 21 million modern slaves in the global economy today, and our food systems—including but certainly not limited to coffee—rely on modern slavery as much as any other sector of that economy.

**Believe there is a quick fix for coffee's farmworker challenges.** A lasting solution to the farmworker challenges facing coffee will require collective action and some heavy lifting. For much of the time when the research for this report was being conducted, the NY "C" market price was hovering just above \$1 per pound. At that price, few growers can afford to comply with the minimum that is required of them by law, to say nothing of the reinvestment necessary to stabilize labor supply and foster farmworker empowerment. Like so many other sustainability issues in the coffee sector, a serious approach to farm labor is tied to a broader conversation about coffee market

fundamentals that includes reexamination of prevailing price discovery processes, the creation and distribution of value along the supply chain, and coffee's ultimate value proposition in the marketplace.

Since the research on which this policy brief was based ended in mid-2014, several developments have complicated Brazil's campaign to eradicate slave labor, including legal challenges to both the Dirty List and the country's definition of conditions analogous to slavery. These and other developments are described in detail in the [AFTERWORD](#).

Despite these challenges, we are committed to work to eradicate modern slavery and advance processes of farmworker inclusion and empowerment, starting in Brazil's coffee sector.

Why start in coffee? Because the specialty coffee community has a well-deserved reputation for leadership on sustainability issues in the food and beverage sector and an enviable track record of innovation and inclusion. Expanding coffee's promise to include farmworkers in new ways will renew the specialty brand and drive positive impacts to a group of vulnerable people that numbers in the tens of millions.

Why start in Brazil? Because its government has made investments in people, policies, programs and processes over a period of more than 20 years that have made it a leader in the global campaign to end modern slavery. The 2014 edition of the [Walk Free Foundation's Global Slavery Index](#) awarded Brazil a "BB" rating for its efforts to eradicate modern slavery. Only 13 countries scored higher, and no other coffee-growing country achieved a similar rating. Walk Free Foundation awarded Brazil the second-highest score for its efforts to enlist the private sector in its campaign to end slavery—only the United States scored higher. These efforts have created an enabling environment where industry investment is most likely to generate returns in the form of improved supply chain transparency and labor risk mitigation. And if the incidence of modern slavery in Brazil is as isolated as the Dirty List suggests, it is not unreasonable to think that sustained and collaborative engagement by coffee-sector leaders can succeed in eradicating modern slavery from the biggest coffee sector in the world.

**—Catholic Relief Services**

## EXECUTIVE SUMMARY

Over the past 20 years, Brazil has implemented a progressive, creative, multifaceted and multisector campaign to eradicate modern slavery—a campaign that has been cited as a model by multilateral organizations such as the United Nations International Labor Organization (ILO), foreign government agencies including the U.S. Department of Labor, and leading non-governmental organizations (NGOs) specializing in issues of slavery and human trafficking like Free the Slaves.

The Government of Brazil acknowledged the existence of modern slavery in 1995. Since then, a Special Mobile Inspection Group within the MTE has been primarily responsible for enforcing the country’s prohibition on modern slavery, enshrined in *Article 149* of its penal code. *Article 149* prohibits “reducing someone to a condition analogous to that of a slave” and establishes four conditions that violate the prohibition: forced labor, debilitating workdays, degrading working conditions and debt bondage.<sup>1</sup>

When this definition of modern slavery was ratified in 2003, Brazil introduced a new tool in its campaign to eradicate modern slavery: an Employer Register that identifies factories, farms and firms found to be employing workers in conditions analogous to slavery. The “Dirty List,” as it is popularly known in Brazil, is maintained by the MTE, which publishes an updated version of the list semiannually.

The July 2013 edition of the Dirty List included 15 coffee estates found to be employing workers in conditions analogous to slavery. The agents who inspected those estates during unannounced visits secured the release of nearly 400 people who were working against their will or under conditions Brazil’s legal framework describes as slave-like. The labor practices of those estates—recruitment, working and living conditions, worker freedoms, worker compensation, etc.—were the primary subject of the research behind this report.

### **Our research found clear evidence of violations of all four elements of Brazil’s definition of conditions analogous to slavery.**

**Forced labor.** Workers on some estates were compelled to work by the use of force or menace of force. In some cases, work was supervised by armed monitors, creating the menace of threat for workers who sought to leave. In other cases, workers reported physical abuse.

**Debilitating workdays.** Workers performed difficult tasks under punishing conditions, from pounding sun to driving rain, during workdays that regularly exceeded the legal limit of 10 hours. Employers regularly required workers to apply toxic agrochemicals but rarely provided personal protective equipment (PPE). Some estates made PPE available to workers but charged them for it even though Brazilian labor law requires it to be provided free of charge to workers handling hazardous substances.

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<sup>1</sup> [Lei No 10.803, de 11 de dezembro de 2003](#). Amends [Cod. Pen](#), art. 149. (Braz. 1940)

**Degrading working conditions.** Inspectors reported squalid living conditions in migrant worker quarters: houses with dirt floors, bedrooms with no beds or any place to store clothes, kitchen with no stoves or refrigeration to store food, houses with no running water, no trash cans and no system for dealing with solid waste. Workers cooked over open flames on the floor, slept on thin mats on dirt floors, piled their trash on the ground near their houses, walked to fetch water and performed basic biological functions in forests and fields.

**Debt bondage.** Inspectors found that 5 of the 15 estates on the Dirty List were illegally using debts owed by workers to estate owners or labor supervisors illegally as a means by which to limit their freedom and keep them from leaving the farms where they were working. There was also evidence of estates employing other practices, including retention of identity documents, to limit worker freedoms.

Researchers could not generate a reliable estimate of the scope of slave labor in Brazil's coffee sector. However, labor inspectors, prosecutors and others interviewed as part of this research all agreed that limitations on the country's inspection capacity and its inability to inspect every coffee farm referred for inspection keeps the number of coffee estates on the Dirty List artificially low. In other words, the Dirty List likely underreports the real incidence of modern slavery in the coffee sector.

Analysis of the geographic distribution of coffee estates on the Dirty List suggests that modern slavery in the country's coffee sector is not an anomaly confined to one or two specific places in Brazil. **Conditions analogous to slavery are likely to be present in similar proportions in all coffee-growing regions of the country.**

**Risk factors for modern slavery in Brazil include demographic and topographic variables.**

**Demographic risk factors.** Poor, Afro-Brazilian men who migrate to work and have low levels of educational attainment are at greatest risk of being reduced to conditions analogous to slavery in Brazil.

**Topographic risk factors.** Labor demand—and perhaps also the risk of modern slavery—is higher on farms in mountainous areas where harvesting and other farming activities cannot be mechanized.

Two trends—mechanization and the end of on-farm housing for migrant workers—were found to be affecting the incidence of labor abuses and the enforcement of labor laws.

Mechanization doesn't just reduce labor demand; it may also be improving labor conditions for workers who perform the tasks that machines can't. More research is required to further explore this preliminary finding.

Our research also found that the practice of housing migrant workers on coffee farms is waning, which allows estate owners to cut costs and reduce the compliance burden where the country's labor laws are concerned.

This development pushes the costs of housing onto workers, making their economic status more precarious, and complicates labor inspections that have historically focused significant attention on conditions of worker housing. It will likely shift the focus of future inspections and enforcement.

For more than two decades, Brazil has gradually developed a comprehensive toolkit for use in its campaign to bring an end to slavery in the country: a progressive definition of modern slavery; the Special Mobile Inspection Group; the Dirty List; an integrated, multi-agency Commission to Eradicate Slave Labor that has implemented a series of multiyear, cross-sector National Plans; and an innovative mechanism for private-sector engagement called the National Pact to Eradicate Slave Labor. Collectively, these resources create an enabling environment in Brazil that is not found in any other coffee-growing country in the world. CRS and Repórter Brasil advance a series of recommendations at the close of this report for policymakers and private-sector leaders. We believe that these steps will position the coffee industry to leverage these resources more effectively and contribute to the definitive eradication of slave labor in Brazil's coffee sector.

## ABOUT THE RESEARCH

### RESEARCH SCOPE

The research behind this report was structured around four key questions:

1. **What constitutes slave labor on coffee plantations?** How does Brazil define slave labor? What does it mean to be on the Dirty List? What does slave labor look like in the context of the coffee supply chain?
2. **What is the scope of the problem?** How widespread is slave labor in Brazil's coffee sector? Are the cases documented on the Dirty List isolated instances? Or are they representative of a broader reality?
3. **What are the root causes/risk factors?** What are the causes of slave labor? Are there specific factors that increase the risk that farmworkers will be employed under conditions of forced labor or slave labor?
4. **Where is coffee grown on Dirty List estates being sold?** Can we trace coffee from the estates on the Dirty List where it was grown through the supply chain to identify the specific commercial channels through which it is being sold?

### METHODOLOGY

The research was undertaken by three members of the Repórter Brasil staff: Marcel Gomes (project coordinator), Carlos Juliano Barros (research and writing) and André Campos (research).

Researchers conducted interviews with farmworkers, growers, cooperative leadership, trade unionists, prosecutors and labor inspectors. They made field

visits to coffee-growing communities in Minas Gerais and São Paulo. They carefully reviewed official reports issued by the inspectors in the Special Mobile Inspection Group at the MTE on their inspections of coffee estates on the country's Dirty List. And they consulted public databases to collect and analyze official data about those farms beyond the information contained in inspectors' reports. This process began in October 2013 and lasted through mid-2014.

Researchers delivered an English translation of the original Portuguese-language results of the research to CRS during the second half of 2014. CRS worked with the researchers periodically for more than a year to edit the report, expand and refine the analysis, and contextualize the key findings for an international audience that is not necessarily familiar with Brazil's campaign to end modern slavery. The results of this process are presented in the pages that follow.

## CONTEXT

### BRAZIL'S COFFEE SECTOR

As a leading source of employment and income for nearly 2,000 municipalities in Brazil, coffee is one of the most economically dynamic supply chains in Brazil's agriculture sector.

The 2006 Brazilian Institute of Geography and Statistics (IBGE) Farming Census provides the most current official data on Brazil's coffee plantations. According to the agency's data, 287,000 farms produce coffee. Of that total, 200,000 plant Arabica coffee and 87,000 plant Robusta coffee.

As the world's largest coffee producer and exporter, the country has 2.3 million hectares of plantations, including both the Arabica and Robusta varieties. Coffee is grown in 15 states in Brazil, but production is overwhelmingly concentrated in 6 of them: Minas Gerais (52.6%), Espírito Santo (25.4%), São Paulo (9.1%), Bahia (4.7%), Paraná (3.5%) and Rondônia (2.8%).<sup>2</sup>

According to the 2006 census, coffee growers in Brazil are overwhelmingly smallholders. Growers with fewer than 20 hectares planted with coffee represent 87% of all Arabica growers and 83.5% of Robusta farmers. These farms produce 43% and 67% of the country's Arabica and Robusta crops, but account for only 40% and 64.5% of the value of the two crops, respectively. This modest downward skew suggests that larger growers capture disproportionately higher value for their coffee.

Gabriel Bartholo, general manager of Embrapa Café, the federal agency that conducts Brazil's coffee research, estimates that there are 360,000 coffee farmers in Brazil spread across 1,800 towns. Of those, 80% are small producers with areas up to 10 hectares, he says. Although medium and large producers employ only 20% of the farmers in the industry, they account for 75% of all domestic production, according to his calculations.

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<sup>2</sup> Instituto Brasileiro de Geografia e Estatística (IBGE). Produção Agrícola Municipal (PAM) 2012. 2012.

In a context in which data on the number, size and productivity of coffee farms is not conclusive, accurate data on the number of farmworkers in the coffee process is even harder to come by. The best-available federal government estimates suggest that there are eight million people employed by coffee in Brazil.<sup>3</sup> In Minas Gerais alone—which accounts for over half of Brazil’s total coffee production—four million people work in the coffee production chain, from production to processing and transport, across 600 towns of the state.<sup>4</sup>

## **BRAZIL’S CAMPAIGN TO ERADICATE MODERN SLAVERY**

Brazil has been cited as a model for its progressive, creative, multifaceted and multisector campaign to eradicate modern slavery by multilateral organizations such as the United Nations International Labor Organization (ILO), governments including that of the United States, and leading NGOs specializing in issues of slavery and human trafficking, including Free the Slaves.

The government of Brazil enlists a diverse array of tools in its fight against slave labor, including: a progressive definition of modern slavery in its penal code; an integrated, multi-agency National Plan to Eradicate Slave Labor; a Special Mobile Inspection Group whose cross-agency teams are comprised of auditors, prosecutors and police who conduct unannounced inspections of factories, farms and firms; an Employer Register, popularly known as “the Dirty List,” that publishes the names of employers found to be profiting from modern-day slavery. The country’s private sector has also been engaged in the cross-sector campaign through an innovative mechanism called the National Pact to Eradicate Slave Labor. The key elements of this campaign are profiled in this section.

### **ARTICLE 149**

The Government of Brazil has recognized the existence of modern slavery since 1995, and has been working actively to eradicate it ever since. The country’s prohibition on slave labor is enshrined in *Article 149* of the Brazilian Penal Code:

***Reducing someone to a condition analogous to that of a slave, namely: subjecting a person to forced labor or to debilitating workdays, or subjecting such a person to degrading working conditions or restricting, in any manner whatsoever, his mobility by reason of a debt contracted in respect to the employer or a representative of that employer.***<sup>5</sup>

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<sup>3</sup> <http://www.agricultura.gov.br/vegetal/culturas/cafe/saiba-mais>. Accessed on 10/31/2013.

<sup>4</sup> ‘A sustentabilidade da cafeicultura’. Valor Econômico. 09/09/2013.

<sup>5</sup> [Lei No 10.803, de 11 de dezembro de 2003.](#)

*Article 149* identifies four elements as constitutive of conditions analogous to slavery:

- Forced labor: people forced to work under threats/acts of physical or mental violence.
- Debilitating workdays: workers subjected to workdays that go far beyond normal overtime and threaten their physical integrity.
- Degrading conditions: people lodged in substandard housing and/or without access to PPE, decent food or water at the work fronts.
- Debt bondage: workers are tied to labor intermediaries and/or landowners by illegal debts related to expenses on transportation, food, lodging and work equipment.

Brazil's use of the term "slave labor" is progressive, going beyond the scope of most definitions of slavery enshrined in international law.

The language in *Article 149* on "conditions analogous to slavery" is drawn from *Article 5* of the [Slavery Convention of 1926](#). But none of the four practices constitutive of slave labor in Brazil—forced labor, debilitating workdays, degrading working conditions and debt bondage—appears in the definitions of slavery in the Slavery Convention of 1926 or the [Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery](#) (1957). The 1957 Convention does make explicit reference to debt bondage, but identifies it not as "slavery" but one of the "institutions and practices similar to slavery"; it identifies a person subject to debt bondage not as a "slave" but as "a person of servile status".<sup>6</sup> [ILO Convention No. 29](#) (1930) does not include reference to debilitating workdays, degrading working conditions or debt bondage. It does prohibit forced or compulsory labor, but does not define this practice as slavery.

It is sufficient for any one of the four elements of *Article 149* to be present for labor inspectors to find an employer in violation of *Article 149*, but our analysis suggests that when employers are charged with a crime under *Article 149*, inspectors usually produce evidence of two or more of the four criteria.

Furthermore, employers found to be reducing workers to conditions analogous to slavery are also often guilty of other, related crimes under Brazilian law, including but not limited to the following:

- **Brazilian Penal Code, Article 203.** Denying, through fraud or violence, a right guaranteed by law.<sup>7</sup>
- **Brazilian Penal Code, Article 207.** Enticement of workers, with the aim of taking them from one location to another in the national territory.<sup>8</sup>
- **Protocol to Prevent, Suppress and Punish Trafficking in Persons, Article 3(a).** 'Trafficking in persons' shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or

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6 Economic and Social Council, Resolution 608 (XXI), " Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery", April 30, 1957, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/SupplementaryConventionAbolitionOfSlavery.aspx>.

7 [Cod. Pen.](#), art. 203. (Braz. 1940). Amended by [Lei N° 9.777, de 29 de dezembro de 1998](#).

8 [Cod. Pen.](#), art. 207. (Braz. 1940). Amended by [Lei N° 9.777, de 29 de dezembro de 1998](#).

other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.<sup>9</sup>

Brazil's expansive definition of modern-day slavery may be regarded as a model by some observers, but it has also fueled political debate and domestic opposition to *Article 149*. Large, rural landholders and their elected officials in Congress oppose the inclusion of two conditions—debilitating workdays and degrading working conditions—on the grounds that these standards are subjective. During the period in which this research was conducted, this opposition includes 162 of Brazil's 513 congressional representatives and 11 of its 81 governors.

### **MINISTRY OF LABOR AND EMPLOYMENT AND THE SPECIAL MOBILE INSPECTION GROUP**

When Brazil's government acknowledged the existence of modern slavery in 1995, it also established a Special Mobile Inspection Group within the MTE to lead the enforcement of *Article 149*.

The federal-level MTE teams conduct surprise field inspections, usually in response to denunciations issued by workers, labor rights organizations, nonprofits, or other entities. They make their unannounced visits in the company of state prosecutors, who collect information for their own cases, and federal and state police, who provide protection—inspectors have been threatened, injured and killed in the line of duty.

When the inspection teams determine that workers have been subjected to conditions analogous to slavery, they carry out a “rescue” operation that requires employers to pay what they owe to workers, who are free to leave their employers and are eligible for financial assistance and training to aid their reintegration into the legal economy. To date, Brazil has rescued over 50,000 modern slaves.

The administrative process within the MTE rarely takes less than one year, and often takes two years or more. Employers may then be included in the MTE's Employer Register, a public list of individuals and businesses found to be profiting from slave labor that is popularly known as the Dirty List.

Reports of inspections that find workers under slavery-like conditions are also sent to the Labor Prosecutors' Office (MPT) to demand compensation for individual and collective moral damages. In some cases, rather than suing the employer, labor prosecutors can propose a Conduct Adjustment Agreement, which generally comprises improvements in the working environment and the payment of a fine—an expedient that is much faster than a lawsuit.

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<sup>9</sup> United Nations Office on Drugs and Crime. Annex II to *United Nations Convention Against Transnational Organized Crime And The Protocols Thereto* (New York: United Nations, 2004.), <https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>

## THE “DIRTY LIST”

The Dirty List is one of the principal tools of Brazil's public and private sectors in the country's campaign to eradicate slave labor.

When labor inspectors submit their inspection reports indicating evidence of slave labor, it triggers a review process during which authorities examine the evidence and decide whether or not to include the employers in the Dirty List. The list is updated every six months and then made public. In addition to the negative publicity associated with appearing on the list, the employers listed are automatically precluded from receiving public credits known as constitutional financing funds that are widely used in the country to foster economic development. Employers on the Dirty List are also ineligible for credit from some private financial institutions, and often find business partners restricting their commercial relationships as a consequence of their inclusion on the list.

At the end of two years, if the employers have completed the remedial actions required by inspectors, their names are removed from the list. This process does not constitute a legal conviction.

## PROSECUTION

Employers must be tried separately in Brazil's judiciary if they are to be formally convicted.

Until 2006, the state federal courts disagreed over who should hear cases concerning slave labor. The disagreements led to many employers going unpunished. In 2006, it was determined that slave labor crimes would be adjudicated by the Supreme Court. The number of criminal convictions has increased since then, although relatively few cases have been tried.

Furthermore, the Federal Public Prosecutors' Office (MPF) has the power to sue employers for the crime of slave labor as provided for in *Article 149*. Upon conviction, the penalty is set by a federal judicial court, not by a labor court. *Article 149* establishes a penalty of two to eight years in prison, plus fines, for employers convicted of reducing workers to conditions analogous to slavery.

Brazil does not have a unified database to track exactly how many criminal allegations of slave labor have been made and how many owners have been convicted. A recent study based on limited data from the Federal Public Ministry shows a significant disparity between the number of cases considered by Special Mobile Inspection Group to be clear-cut cases of slave labor and the number of criminal complaints brought forward: only one in three violations resulted in a criminal complaint through *Article 149*.<sup>10</sup> As of this writing, there is no knowledge of any employer imprisoned for committing such a crime.

See [SPOTLIGHT ON BAHIA: PROSECUTION](#) for the story of one successful prosecution of a coffee grower for violating *Article 149*.

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<sup>10</sup> Excerpt from document submitted to Brazil's Federal Attorney General by the Pastoral Land Commission of the National Conference of Catholic Bishops of Brazil – CNBB on 19 April 2013.

## SPOTLIGHT ON BAHIA: PROSECUTION

One of the coffee growers who appeared on the version of the Dirty List that was the subject of this research is among the few employers to be convicted by a court in connection with violations of *Article 149*.

On July 17, 2010, MTE inspectors visited Paulo Roberto Bastos Viana's Estancia farm in Barro do Choça, Bahia, and determined that he had employed 17 workers there to conditions analogous to slavery. In June 2013, he appeared on the Dirty List. That same month, he was found guilty by federal justice in a first-level decision.

In issuing his sentence, Judge João Batista de Castro Júnior said, "the exposure of people to degrading working conditions is clear." According to MTE inspectors, the workers were deceitfully recruited by a labor broker who transported the group to the farm in the back of a truck without any kind of protection. No employment contract was signed and no one had regular working

papers. In addition, those in charge of the farm did not provide employees with any type of protective equipment. On the day of the inspection, it was raining hard, none of the workers harvesting coffee had rain gear, and some were shoeless.

The MPF, which filed a lawsuit against Paulo Roberto Bastos Viana, qualified lodging conditions as "inhumane." Workers had no beds or mattresses and were forced to sleep on the floor, mats or cardboard. In addition, "food and personal items were left on the ground in open air, exposed to flies, insects and rodents," as noted in the judge's summary of the sentence.

The penalty was initially calculated at four years' imprisonment. However, during the sentencing, Judge João Batista de Castro Júnior reduced the penalty to community service and payment of compensation of less than one monthly, minimum-wage payment for each worker.

### THE NATIONAL PACT TO ERADICATE SLAVE LABOR

The National Pact to Eradicate Slave Labor was established in 2005 with support from the ILO and in partnership with three local non-profit partners: Repórter Brasil, the human rights organization Observatório Social, and Instituto Ethos, which promotes responsible corporate citizenship and social responsibility in Brazil's private sector.

The Pact is a two-page document that establishes the existence of modern slavery in Brazil, acknowledges the country's obligation under international law to eradicate it and invites companies operating in Brazil that want to join the country's fight against slavery to commit voluntarily to 10 specific measures in that effort. These measures include, but are not limited to:

- Implement clear policies to eliminate slavery from their supply chains and restrict commercial relationships with business partners that appear on the Dirty List.
- Support information campaigns designed to prevent slavery as well as efforts to reinsert workers rescued from slavery into the Brazilian economy.
- Support public-sector efforts undertaken as part of the National Plan to Eradicate Slave Labor.

- Monitor progress against corporate performance indicators.
- Report the results publicly.
- Agree to allow an external committee to monitor compliance with these commitments.

The National Pact has proven to be a valuable tool for private sector firms in Brazil to identify labor abuses in their supply chains while clearly signalling to suppliers that industry must respect with national labor laws. At its peak, this innovative private-sector initiative included more than 300 signatories representing over 30% of Brazil's GDP. Signatories included leading Brazilian firms from diverse sectors including finance, food and telecommunications, as well as Brazilian subsidiaries of many of the world's leading multinational corporations, including Cargill, Carrefour, Dow, McDonald's, The Coca-Cola Company and Walmart, among others. No Brazilian coffee companies have ever signed the National Pact.

Please see **ANNEX A** for the text of the National Pact.

### *NATIONAL COMMISSION TO ERADICATE SLAVE LABOR*

In 2003, Brazil created the National Commission for the Eradication of Slave Labor (Conatrae). Conatrae is a permanent platform for cross-sector engagement that coordinates the efforts of public authorities across the executive, legislative and judicial branches and with private-sector and civil society actors. One of the most visible manifestations of this work has been the "*Escravo, nem pensar!*" campaign led by Repórter Brasil, a multi-faceted awareness campaign that includes print publications, documentaries, radio programs and educational materials to raise awareness among workers and students of Brazil's labor protections. The goal of the commission is to help coordinate the efforts of government and employers to monitor the implementation of a series of consecutive comprehensive five-year plans to eradicate slave labor.

In 2013, prosecutors in the state of São Paulo implemented innovative pilot called Operation Bitter Coffee to engage constructively with farms suspected of employing slave labor. Instead of considering these estates for inclusion in the Dirty List, authorities worked proactively with landowners to identify and remediate violations of labor law. Undertaken at least in part as a result of limited inspection capacity, Operation Bitter Coffee represents a promising new approach that privileges remediation over punishment. For a more thorough overview of the Operation Bitter Coffee initiative, see **ANNEX B**.

## KEY FINDINGS

### RISK FACTORS

#### DEMOGRAPHIC FACTORS

Afro-Brazilian males who live in poverty, migrate and have a low level of educational attainment are at greatest risk of falling into modern slavery in Brazil.

The majority of workers released from conditions analogous to modern slavery by the Special Mobile Inspection Group are young male adults at the peak of their physical strength.<sup>11</sup> According to the ILO, enslaved workers in rural Brazil also tend to be poor and non-white with a very low level of schooling.<sup>12</sup> Around 20% have never attended school.<sup>13</sup> Migration is one of the most common characteristics of Brazilian slave labor: 74% of the victims do not live in the municipality of their birth and 40% live in a state other than that of their birth.<sup>14</sup>

#### UNETHICAL RECRUITMENT

In most of the cases of coffee farms on the Dirty List, MTE auditors report that landowners employed labor brokers, known in Brazil as *gatos*, to recruit farmworkers. *Gatos* tend to recruit from poor communities far from the places workers are employed. In the case of coffee estates on the Dirty List, many workers were transported by bus over 1,000 km to the farms where they were enslaved, with some traveling more than 2,000 km to unfamiliar and remote parts of the country. *Gatos* tended to lure workers with false promises of good pay, lodging and food.

Brazil's *gatos* are part of a global system of labor brokerage in agriculture that represents a leading source of risk for forced labor, human trafficking and modern slavery. The payment system for labor brokerage can create structural pressure on worker rights. Since many brokers are paid a flat fee for their full range of services, including recruitment, transportation, lodging, food service, field supervision and payroll, they take home what they don't spend on services, creating a dangerous incentive to cut corners on worker compensation, health and safety.

According to Roberto Figueiredo, the head of MTE's rural inspection department in São Paulo, coffee plantation workers in midwestern São Paulo represent the "scraps" of the rural labor market—those who failed to find higher-paying jobs on sugar plantations, orange plantations, or urban

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11 <http://www.oit.org.br/content/perfil-dos-principais-atores-envolvidos-no-trabalho-escravo-rural-no-brasil> : Profile of the main actors involved in rural slave labor in Brazil, 2011 (p.57)

12 Noted in the ILO report "Fighting Forced Labour: The Example of Brazil" [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_111297.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_111297.pdf), based on the Study on the Profile of the Principle Actors Involved in Rural Slave Labor, carried out by the Group for Research on Modern-day Slave Labour (GPTEC) of the UFRJ, under the aegis of ILO-Brazil's Project to Combat Slave Labor, 2009.

13 Ibid.

14 Ibid.

construction sites. He also reports that the most common labor problems on coffee plantations involve migrants, most of them from Bahia and Minas Gerais. “Many come with their families, arrive without registration and are lodged like animals,” he says. “It’s pretty scary.”

Patrocínio, in Minas Gerais, is the coffee capital of Brazil. One of the best known *gatos* in Patrocínio is Marli Rosalina, who identifies herself this way: “58 years of age, 23 years of subcontracting.” Apart from what she earns for recruiting and transporting workers, she receives a per diem allowance and a 6% commission on all daily wages paid to laborers she takes to the farms.

### **FARM SIZE AND TOPOGRAPHY**

Mid-sized estates and those located in hilly terrain may be at heightened risk of violations of labor law generally and reliance on slave labor in particular, according to interviews with producers, trade unionists, labor prosecutors and labor inspectors.

Small farms rely primarily on family labor for harvest and other key farming activities. Many large estates, by contrast, have the capability to mechanize many of the key coffee farming functions, reducing their labor demand significantly. Furthermore, large estates participate in international markets more than smaller ones and are increasingly seizing opportunities created by voluntary sustainability standards and other third-party certifications that create incentives for compliance with national labor laws. Mid-sized farms are caught in the middle: they are big enough to generate significant demand for unskilled labor beyond what the family can provide, especially during harvest, but may not be big enough to justify the capital investment necessary for the kinds of mechanized operations that reduce labor demand.

The topography of the farm is a key determinant of the potential for mechanization and therefore has implications for labor demand. Today, the largest coffee producers are located in flat regions, such as Brazil’s tropical savannah known as the *cerrado* in the so-called Triângulo Mineiro in Minas Gerais, where the terrain allows the mechanization of virtually the entire coffee process, from soil preparation to spraying to harvest. There, according to the claims of one local equipment dealer, a single mechanical harvester can harvest one hectare of coffee in four hours’s time. In southern Minas Gerais, where the mountainous terrain precludes mechanization, Federal University of Viçosa engineering professor Juarez de Sousa e Silva estimates that the same task requires a full day of labor from 30 workers.

Where growers have topographical or financial barriers to mechanization of tasks traditionally performed by farmworkers, labor demand and risk of violation of labor laws are higher. For further exploration of this issue, see the section on **MECHANIZATION AND IMPLICATIONS FOR LABOR DEMAND AND WORKING CONDITIONS**.

## DESCRIPTION OF WORKING CONDITIONS DISCOVERED BY INSPECTORS

Of the 15 cases of coffee farms on the Dirty List analyzed for this report, 14 were cited for at least three separate instances of debilitating workdays, degrading working conditions or restricting worker freedom. Several were found to be violating all four prohibitions outlined in *Article 149*. In some cases, inspectors also cited child/underage labor and use or threat of violence against workers.

One farm included in the list was cited for only one of the four conditions degrading conditions. The official audit report describes working conditions that were truly squalid: workers slept on thin foam mats on the floor without bedding; they had no stove and cooked their food over improvised open fires; they had no tables and prepared their food in precarious, unsanitary conditions outside; there was no reliable supply of potable water; the bathrooms were unsanitary and insufficient for the number of workers recruited; the toilets became clogged beyond repair and workers relieved themselves outside in the fields; and there was no trash receptacle, so their refuse accumulated on the grounds outside the workers' quarters. In addition, the estate conducted an elaborate recruitment scheme to bring 49 workers from a far-flung community into these conditions under false pretense—a practice prohibited by both Section 207 of Brazil's Penal Code and the Protocol to Prevent, Suppress and Punish Trafficking in Persons—then failed to pay them for their work.

The table in **ANNEX C** provides summary information culled from auditors' inspection reports from all 15 coffee farms on the version of the Dirty List analyzed for this report.

## SPOTLIGHT ON BAHIA: INSPECTION

In 2013, prosecutors in Vitória da Conquista in the state of Bahia filed two public civil lawsuits against coffee farm owners for subjecting workers to conditions analogous to slavery. The civil lawsuits are based on two separate cases in the jurisdiction of Vitória da Conquista in which MTE inspectors found clear violations of labor laws and affronts to human dignity.

The first operation took place on June 11, 2013, when inspectors found 24 workers in conditions analogous to slavery at the Sândalus Farm, owned by Paulo Silva. The second operation occurred on July 30, 2013, when 29 people were rescued from Sítio Novo Farm, a 104-hectare property belonging to Juarez Lima Cardoso.

On both farms, employees were found without any of the PPE required by law for workers handling hazardous agrochemicals. Some were working barefoot in the fields.

According to the text of lawsuits filed by labor prosecutors against employer Juarez Lima Cardoso, the owner of the Sítio Novo farm had not even arranged beds and mattresses for his employees, who “were forced to sleep in makeshift beds improvised with bricks, boards, cardboard and mats, all provided by the workers themselves.” A nearly identical report on lodging was made by auditors who inspected the Sândalus Farm.

The suit also alleged that housing conditions at the Sítio Novo Farm were extremely precarious: no showers, washbasins, water, toilet paper or garbage cans. The water consumed by workers was yellowish and “visibly unfit for human consumption,” the document claimed.

The workday started at 7 a.m. and lasted until 6 p.m. Each employee picked from 10 to 12 baskets of coffee a day and was paid 2.50 *reais* (approximately 60 cents) per unit. The relationship

between the workers and the estate was completely informal: there was no contract of any sort to confirm employment relations.

Prosecutors are suing the owner of the Sítio Novo Farm for compensation for individual moral damages of 5,000 *reais* for each of the 29 workers found in conditions analogous to slavery. They are also demanding 150,000 *reais* for collective moral damages and 150,000 *reais* for the practice of “social dumping”.

At the Sândalus Farm, prosecutors described “pieces of rotten meat found in the accommodations, to be consumed by workers, since there was no place to store and preserve food.” In addition, the shelter where workers slept lacked a toilet. Instead, there was only “a hole covered with cement for them to defecate and urinate, continuously giving off foul odors.”

The MPT also asked the court to order Sândalus Farm owner Paulo Silva to pay compensation of 5,000 *reais* for individual moral damages to each of the 24 workers rescued, plus 500,000 *reais* as collective damages. According to Brazilian law, compensation for collective damages is justified as a sort of punishment for violating a set of values of society as a whole: reducing workers to conditions analogous to slavery is regarded as a violation of human rights, not just labor rights; it is a violation of human dignity, not merely a violation of individual liberty. Fines paid for moral damages go generally to charities or to the Workers’ Support Fund (*Fundo de Apoio ao Trabalhador*), which pays unemployment benefits.

## DEBT BONDAGE AND OTHER RESTRICTIONS ON WORKER FREEDOMS

Of the 15 coffee estates on the Dirty List, 5 were found to have curtailed workers' freedom through debt bondage, 4 to have illegally retained workers' documents, and 2 to have done both.

Under the *gato* labor recruitment system, farmworkers begin to accumulate debt from the moment they board buses in their home communities to travel to the farms where they will work. The cost of everything provided by the *gato* or the estate owner—transportation, lodging, food, PPE, etc.—is deducted from a worker's future pay, even when these are precarious and fail to meet basic standards for worker health and safety. Estate owners often refuse to let workers leave the farm until they settle their debts, sometimes with the threat of violence.

Beyond debt bondage, many estate owners retain farmworker identity documents under the pretext of registering them with Brazilian authorities as formal workers. Coffee estates on the Dirty List generally fail to duly register farmworkers, but still retain their documents illegally.

## GEOGRAPHIC DISTRIBUTION OF COFFEE ESTATES ON THE DIRTY LIST

There is no evidence to suggest that the practice of modern slavery in the coffee sector is concentrated in any specific growing region. In fact, the locations of the coffee estates cited in the most recent version of the Dirty List suggest precisely the opposite: the geographic distribution of those estates is roughly consistent with the distribution of the country's coffee production according to the IBGE census data cited earlier.

STATE	% OF COFFEE PRODUCTION*	% OF DIRTY LIST CASES**
Minas Gerais	53%	60%
Espírito Santo	25%	20%
São Paulo	9%	13%
Bahia	5%	7%
Rio de Janeiro	<2%	7%

\* Source: *Produção Agrícola Municipal 2012*, Instituto Brasileiro de Geografia e Estatística.

\*\* Source: *Dirty List*, July 2013 edition.

In other words, modern slavery is not an anomaly confined to one or two specific places in Brazil, but is likely to be present in similar proportions in all coffee-growing regions of the country.

## ESTIMATED SCOPE OF THE PROBLEM

Researchers were unable to generate a credible estimate of the scope of the problem in Brazil's coffee sector, but they strongly suspect that the practice is more prevalent than the 15 Dirty List cases examined in this report would

suggest. This assessment is based on the limited capacity for inspections that emerged as a consistent theme in interviews conducted with inspectors and prosecutors at federal, state and local levels.

According to prosecutor Luiz Felipe Costa, based in Vitória da Conquista, Bahia, the inspections conducted by MTE on coffee farms still do not meet the region's needs. "Typically, rural inspections have been made by auditors who come from Salvador," Bahia's state capital, Costa says. But "there are over 80 towns in the MTE catchment area and only five or six auditors."

Paulo Veloso, the MPT municipal prosecutor in Uberlândia, Minas Gerais, agrees. "The region of Patrocínio, for example, requires more attention," he says. "We need more inspections of working conditions, but the MTE has a deficit of inspectors."

Analysis of patterns of MTE and MPT operations reveals that inspections of working conditions on coffee plantations nationwide falls far short of current needs and may be disproportionately low: they lag behind the number of inspections of sugar cane plantations and orange farms despite that fact that coffee employs significantly more workers than either of those sectors.

## **OTHER FACTORS AFFECTING LABOR CONDITIONS AND PROTECTIONS**

### *SHIFTING PATTERNS OF WORKER HOUSING*

Historically, most cases of farmworker exploitation and slave labor on coffee farms in the Triângulo Mineiro area of Minas Gerais occur on farms that house farmworkers. Gilma Xavier, a lawyer for the local Rural Workers Union (RWU), explains that fewer and fewer plantation owners are offering lodging to workers. She estimates that nowadays only 2 out of every 10 farmworkers are housed on coffee farms. The rest share rented houses in communities near the estates where they work.

This approach not only reduces grower costs by transferring lodging expenses to workers, but it also absolves estates from complying with federal standards regarding worker housing. Lucimar Rocah, a *gato* known as Bolão who supervises farmworkers on coffee estates, says, "There's no way my boss will provide rooms. There are a lot of inspection requirements."

During harvest, marginal neighborhoods in Patrocínio such as Enéas and Serra Negra are now filled with migrants who seek work on coffee farms as *boias-frias*, the popular name given to rural laborers in Triângulo Mineiro—it means "cold lunch" and refers to the food they generally prepare in advance to eat in the fields during harvest. These laborers are not recruited by *gatos* or offered lodging on coffee estates. Instead, they seek cheap lodging in urban or periurban areas adjacent to the coffeelands.

"It's very rare for farms to have lodging facilities in the Triângulo Mineiro and Alto Parnaíba region," says Paulo Veloso, the municipal labor prosecutor in Uberlândia.

This trend is complicating farmworker protection by dispersing farmworkers in the general population and making detection of abusive labor situations more difficult.

Veloso believes that with the decrease in the number of farms lodging workers, future inspection operations will focus more on the work environment, such as proper provision of PPE required by law and the construction of living areas at work fronts where workers can rest, access water and sanitation facilities, and eat their meals.

### *MECHANIZATION AND IMPLICATIONS FOR LABOR DEMAND AND WORKING CONDITIONS*

According to Embrapa Café general manager Gabriel Bartholo, machines do almost all the work in the flat terrain of the *cerrado*, even during the harvest period when coffee growers in other areas of Brazil are required to hire a large number of workers. “The whole harvest is mechanized. Even for coffee that falls on the ground, there is a blower that gathers the coffee in the middle of the street, and then the collector machine comes in to pick this coffee from the ground,” he explains.

Gato Marli Rosalina says she is thinking of selling one of the four buses she owns to transport laborers. According to her, mechanization is advancing by leaps and bounds and soon “there will be no work” for the laborers she brings to Patrocínio and its surroundings every harvest. “This year, most farms finished their harvests in just two months. It used to last four months,” the workforce contractor says.

Rosalina’s view is shared by leaders of the local RWU. According to lawyer Gilma Xavier, the number of migrants arriving to Patrocínio has been falling dramatically as mechanization advances. She estimates that over the past 10 years, the number of migrants who came to town looking for work in coffee plantations has fallen by more than half. “Twenty-five thousand workers used to come. Today, it’s less than 12,000,” she calculates.

Indeed, mechanization has advanced at a fast pace at the coffee plantations of Minas Gerais’ *cerrado*, especially over the last five years, causing a considerable reduction in harvest costs. “The cost of a machine-harvested sack ranges from 20 to 25 *reais*. With manual harvesting, it goes to 80 to 100 *reais*,” according to Wagner Gomes, supervisor of the Patrocínio unit of Cooxupé. Cooxupé is the country’s largest co-operative with 12,000 members and a national leader in coffee exports.

But even with the growing penetration of combine harvesters, there are still tasks that cannot be performed by machines or are best carried out by human hands. “Even at large properties we still need to use manpower. The machine is not perfect,” says Fernando Cerqueira, president of the Co-operative of Coffee Growers of the Region of Lajinha (COOCAFÉ), in eastern Minas Gerais, near the border with Espírito Santo.

There are other seasonal tasks that require human labor. These include *repassé*—picking coffee fruits that were not taken from the plant by machines, collecting cherry that has fallen to the ground and manually harvesting young plants that have not reached peak production which can be damaged by machinery. Another task that requires substantial manual labor even on mechanized estates is the *desbrota*, or pruning. Workers who perform these tasks are generally not registered. “There is still much informality in thinning and also in weeding, because it is a short-lasting and very exhausting activity”, says the MPT’s Veloso.

Still, Veloso believes that increases in mechanization and stronger supervision by competent authorities in recent years have generally improved working conditions at coffee plantations.

“Are there problems? Sure, there are. But [precariousness at work] is not as high as it used to be,” he says.

## CONCLUSIONS

The key messages delivered through this research include the following:

**Slave labor in Brazil’s coffee sector is not widespread but is likely to be underreported.** This research produced estimates of the number of coffee farms in Brazil between 287,000 and 360,000. Only 15 of them were on the MTE’s list of employers profiting from slave labor. Researchers were not able to generate a credible estimate of the scope of the problem in the coffee sector, but sources interviewed for this report were in broad agreement that the government’s limited enforcement capacity likely means that the prevalence of slave labor on coffee farms is underreported by the Dirty List.

**Debilitating workdays, degrading working conditions and debt bondage are each elements of modern slavery.** On each of the 15 coffee estates included in the Dirty List, inspectors found evidence of debilitating workdays, degrading working conditions and/or debt bondage. In most cases, inspectors produced evidence of more than one of these conditions, established by *Article 149* as constitutive of modern slavery.

**Sex, race, income, and education are risk factors.** Being male, Afro-Brazilian and poor, and having low levels of educational attainment are leading risk factors for modern slavery in Brazil.

**Unethical recruitment is a leading source of risk.** Workers recruited by labor brokers, especially those recruited in communities far from the farms where they worked, were also found to be at unique risk of slavery. Unscrupulous labor recruitment by *gatos* was correlated with debt bondage, an element of Brazil’s definition of modern slavery and an important constraint on worker freedoms, and other abuses.

**There may be greater risk of modern slavery on mid-sized and upland coffee estates.** Farms of intermediate size may be too large to depend

primarily on family labor but too small or undercapitalized to invest in labor-saving mechanization measures. These midsize farms represent a massive source of labor demand and may be especially inclined to labor-related risk. Similarly, farms located in upland areas with hilly terrain that are not able to mechanize, and must continue to rely on manual labor for essential farming and harvesting tasks, may be at higher risk for labor violations.

**Mechanization is reducing labor demand and may reduce the risk of modern slavery.** The mechanization that has made Brazil one of the world's most efficient producers of coffee has also vastly reduced the sector's demand for manual labor. Labor demand remains high in upland regions where mountainous terrain precludes mechanization. While increased mechanization does not guarantee improved working conditions on coffee estates, sources consulted for this research suggested that labor conditions tend to be better on farms that are highly mechanized. More research is required to further explore the relationship between mechanization and working conditions for farm labor.

**The practice of on-farm housing for farmworkers is ending and the focus of inspections is shifting.** In order to reduce costs and liability, many coffee farms are no longer housing farmworkers as they have done historically. This development leaves workers to fend for themselves on the housing front and will reduce the importance of investment in and inspection of lodging on coffee farms. This development is making detection and enforcement of the prohibition on modern slavery more difficult, and shifting the focus of enforcement of worker health and safety standards away from worker housing to conditions in the field.

**Brazil's progressive labor laws have earned accolades abroad but triggered opposition at home.** Brazil's definition of slave labor, enshrined in *Article 149* of its Penal Code, goes beyond the standard ILO definition of forced labor. Although the expansive definition is consistent with the ILO framework and has helped to make Brazil a model for other countries, it has also helped fuel domestic opposition to *Article 149* in some circles, particularly among large rural landholders and their elected officials in Congress. Specifically, members of Brazil's Congress representing rural areas have opposed the inclusion in the definition of two conditions—debilitating workdays and degrading working conditions—which they perceive to be subjective.

## RECOMMENDATIONS

The following section issues recommendations to key decision-makers in the public and private sectors of Brazil and the United States. Repórter Brasil led the development of the recommendations focused on Brazil, while CRS drafted those focused on the United States. In both countries, coffee consumers can join the global campaign to eradicate modern slavery by asking their favorite coffee companies and elected officials to implement the recommendations below.

### PRIVATE SECTOR—BRAZIL'S COFFEE INDUSTRY

#### *PUBLIC COMMITMENT: SIGN THE NATIONAL PACT FOR THE ERADICATION OF SLAVE LABOR*

Coffee estates have consistently represented 2%-3% of all employers on Brazil's Dirty List in recent years, but to date no coffee company has signed the National Pact or committed publicly to join the country's campaign to eradicate slave labor. The reaction of coffee roasters in the United States to a preliminary release of the key findings of this report suggest to its authors that the practices outlined here are material to their sourcing decisions. Signing the National Pact would be a natural way for Brazilian coffee companies to ensure their downstream supply-chain partners that they are aware of the risks and working actively to mitigate them.

#### *PRIVATE COMMITMENT: MAP LABOR RISK IN SUPPLY CHAINS WITH FOCUS ON LABOR RECRUITMENT*

Companies should map their supply chains to identify sources of labor-related risk. Particular attention should be paid to the nature of labor recruitment for large and mid-sized farms in coffee supply chains, as unethical labor recruitment was identified through this research as a leading source of risk for slave labor and other violations of Brazilian labor law. As part of this process, an exchange of information between companies, producers, the RWU and regional MTE offices could help generate important insights, curb deceitful recruitment of workers prohibited by *Article 207* of the Brazil Penal Code, safeguard labor rights and mitigate brand and supply risks related to labor.

#### *PRIVATE COMMITMENT: STRENGTHEN SUPPLY-CHAIN AUDITS RELATED TO LABOR*

In addition to voluntary third-party certifications and technical assistance programs already implemented by some coffee companies and cooperatives, we recommend a specific program that monitors working conditions on farms. In other industries such as textiles, companies typically build inspection teams that focus exclusively on verifying suppliers' compliance with local labor laws and also corporate purchasing standards. Farm-level audits conducted in connection with such a program should occur during periods of peak labor demand.

### *PRIVATE COMMITMENT: TRAIN EMPLOYEES TO IMPROVE COMPLIANCE*

It is important that coffee companies create training programs for their employees, especially those who deal directly with suppliers, in order to alert them to the existing laws regarding slave labor and mechanisms to combat it, including the Dirty List.

## **PRIVATE SECTOR—U.S. COFFEE INDUSTRY**

### *ENCOURAGE BRAZIL SUPPLY CHAIN PARTNERS TO SIGN THE NATIONAL PACT*

Encourage your Brazilian business units, subsidiaries or supply-chain partners to sign the National Pact to Eradicate Slave Labor and accompany them in their fulfillment of National Pact commitments. While there is currently no valid mechanism for U.S.-based firms to join the National Pact, its leadership encourages coffee companies based outside Brazil to accompany their Brazilian supply-chain partners throughout the process. The National Pact can provide a helpful starting point for dialogue on issues of farm labor between U.S.-based coffee companies and their Brazilian trading partners. National Pact leaders would welcome engagement with U.S.-based coffee companies on an advisory basis to position the National Pact team to better understand the unique challenges and opportunities related to labor in coffee supply chains, and to more effectively serve the coffee sector.

### *ENGAGE IN LABOR DIALOGUE WITH BRAZILIAN SUPPLY CHAIN PARTNERS*

Whether or not your supply chain partners in Brazil choose to sign the National Pact, initiate a dialogue with them around farm labor issues if you haven't already. The legal standards and resources mentioned in this report can be helpful tools in framing those conversations.

### *SUPPORT FARMWORKER RESEARCH*

Slave labor is a narrow subset of a much broader range of related labor issues in coffee; and Brazil is not the only coffee-producing country in which coffee supply chains are coping with legal, reputational and supply risks related to farm labor. The coffee sector needs to better understand issues related to farm labor beyond Brazil and beyond the narrow issue of slave labor. Despite the fact that farmworkers represent the largest and most vulnerable group of participants in coffee supply chains, our collective understanding of rural labor market dynamics and the risks and opportunities related to farm labor in coffee supply chains remains modest. Consider supporting continued research on farm labor issues in the coffee sector in Brazil and elsewhere to help narrow our collective knowledge gap where farm labor is concerned.

### *SUPPORT PROGRAMS FOR AT-RISK AND RESCUED WORKERS*

Throughout Brazil, there is a need for greater investment in both prevention and rehabilitation related to slave labor. This includes information campaigns and alternative livelihoods training for workers at risk and economic

rehabilitation of rescued workers. Consider providing financial support for these initiatives through your Brazilian supply-chain partners, especially if you identify incidents of modern slavery in your supply chains.

## **PUBLIC SECTOR—BRAZIL**

### *STRENGTHEN COFFEE-SECTOR MONITORING*

In view of the importance of the coffee industry to rural employment in Brazil, the federal government should allocate more resources to enforcement actions for coffee-growing regions.

### *CREATE A COFFEE-SECTOR FORUM AT THE MINISTRY OF AGRICULTURE*

In following the example of other agriculture sectors, we recommend the creation of a permanent national forum for direct and ongoing dialogue between Brazil's government and the private sector on labor issues in the coffee sector. Close collaboration with National Pact signatories working in the coffee sector on the specific subject of combating slave labor, and labor irregularities in the coffee sector more broadly, would be ideal points of departure for this work.

### *DEVELOP ECONOMIC REINTEGRATION AND LIVELIHOOD TRANSITION PROGRAMS*

There is a need for investments in job and income creation for migrant and/or enslaved workers upon return to their regions and localities of origin, with special attention to the economic reintegration of coffee workers rescued by the federal government. In addition, alternative livelihoods options are needed for workers displaced from coffee activities by increased mechanization.

## **PUBLIC SECTOR—UNITED STATES**

### *PUBLIC-PRIVATE PARTNERSHIPS*

CRS is committed to work with allies in the public and private sectors to develop new partnership mechanisms that leverage funding across sectors for efforts to end the scourge of human trafficking and modern slavery.

### *PASS THE BUSINESS SUPPLY CHAINS TRANSPARENCY FOR TRAFFICKING AND SLAVERY ACT*

As part of the U.S. Conference of Catholic Bishops (USCCB), CRS calls on the U.S. Congress to pass the Business Supply Chains Transparency for Trafficking and Slavery Act of 2015, which obligates companies operating in the United States with more than \$100 million in annual global revenues to make annual public disclosure of the policies, procedures and programs they have put in place to identify and remediate risks of human trafficking and slave labor in their supply chains. This measure will not put an end to trafficking or slavery,

but its requirements for public disclosure represent an important step forward, and create a positive obligation for companies to review and report regularly on their corporate practices related to these issues.

*CONTINUE TO ALLOCATE FUNDS TO PROGRAMS TO FIGHT HUMAN TRAFFICKING AND MODERN SLAVERY*

We call on the U.S. Congress to reauthorize the Trafficking Victims Protection Act, and to continue to allocate federal funds to initiatives designed to fight human trafficking and modern slavery through U.S. government programs. Of particular importance are research, projects and other related initiatives funded by the U.S. Department of State's Office to Monitor and Combat Trafficking in Persons and the U.S. Department of Labor's International Labor Affairs Bureau, specifically its Office of Child Labor, Forced Labor and Human Trafficking.

## AFTERWORD

Since the research for this report was completed in mid-2014, several important developments have impacted of Brazil's campaign to eradicate slave labor.

### **DIRTY LIST SUSPENSION AND THE “TRANSPARENCY LIST OF SLAVE LABOR”**

During the 2014 year-end recess of Brazil's Supreme Court, just days before the Dirty List was scheduled for its semi-annual update, a powerful lobby for the construction industry filed an injunction with the Supreme Court in an effort to suppress it. The justice who received the injunction on the Court's behalf ruled the list unconstitutional and suspended its publication. No official list has been published since July 2014.

The injunction focused on concerns regarding due process for employers inspected and slated for inclusion in the list. Since the decision of the Supreme Court justice, the MTE has been working discreetly with lawyers from the Presidency and the Supreme Court to address these concerns. The MTE is confident the modifications it has proposed to the process will satisfy the Court and lead to the reinstatement of the Dirty List. However, it is not likely to release new version of the Dirty List procedure until the current injunction is lifted, and there is no clear timeframe for that to happen.

Meantime, private sector leaders and labor rights advocates have taken advantage of Brazil's commitment to transparency to find an alternative to the Dirty List. The leadership of InPACTO and our partners at Repórter Brasil filed a request with the MTE under the country's Access to Information Act—similar to the U.S. Freedom of Information Act—for access to the information the MTE would have published on the Dirty List if it hadn't been suspended. The request was granted, and the organizations jointly published what they are calling the “Transparency List of Slave Labor”. This list is unofficial, but based on official information—an “unofficial official” list—that can inform supply-chain decisions until the Dirty List is reinstated.

### **PROPOSAL TO AMEND ARTICLE 149**

A bill has been introduced in Brazil's Congress to eliminate references to debilitating workdays and degrading working conditions from *Article 149*, which effectively defines modern slavery in the Brazilian context. If successful, the effort would not alter the MTE inspection process but would effectively reduce the scope of practices that could be characterized as modern slavery to just two: forced labor and debt bondage.

### **THE NATIONAL PACT TO ERADICATE SLAVE LABOR BECOMES INPACTO**

Also in 2014, the National Pact to Eradicate Slave Labor went through a restructuring process designed to institutionalize the efforts to date of National Pact signatories through the creation of the Institute for the National Pact to Eradicate Slave Labor, or InPACTO. InPACTO is a trade association

focused exclusively on collaborative efforts among dues-paying members committed to the terms and objectives of the National Pact.

The National Pact was governed by a steering committee comprised of its four founding members—the ILO and its three local, non-profit partners. InPACTO, by contrast, is now led by a full-time Executive Director and a Board of Directors, which is comprised of representatives from different sectors of the Brazilian economy and currently chaired by Walmart Brasil. The new organization is focused on delivering member value through the creation of sector-specific working groups for pre-competitive collaboration, as well as the support for data collection and analysis, performance measurement and benchmarking.

InPACTO has been instrumental in brokering a sectoral dialogue and agreement among firms in the textile industry in São Paulo state. It is also exploring opportunities to create and facilitate a working group for the Brazilian coffee sector that takes into account its unique constraints and opportunities.

To date, no coffee companies have joined InPACTO or committed publicly to the terms of the National Pact to Eradicate Slave Labor.

## ABOUT CATHOLIC RELIEF SERVICES

Catholic Relief Services was founded in 1943 by the Catholic Bishops of the United States to serve World War II survivors in Europe. Today, we reach 85 million people in 101 countries on 5 continents.

Our mission is to assist impoverished and disadvantaged people overseas, working in the spirit of Catholic social teaching to promote the sacredness of human life and the dignity of the human person. Within the United States, CRS engages Catholics to live their faith in solidarity with the poor and suffering people of the world. As part of the universal mission of the Catholic Church, we work with local, national and international Catholic institutions and structures, as well as other organizations, to assist people on the basis of need, not creed, race or nationality.

CRS has addressed human trafficking through more than 145 projects around the world since 2000. Our activities include corporate engagement, victim services, and trafficking risk reduction in development and humanitarian interventions.

### CRS IN BRAZIL

Catholic Relief Services works in Brazil to combat slave labor and human trafficking and promote a culture of justice in close collaboration with the National Conference of Catholic Bishops of Brazil (CNBB), its Pastoral Land Commission, the NGO Repórter Brasil and other local allies. Over the past six years, CRS has supported the implementation of more than one dozen projects in the fight against human trafficking and slave labor.

The CNBB has worked to ensure that religious leaders in the Catholic Church in Brazil are supporting the fight against slave labor and human trafficking through training and advocacy efforts.

The Pastoral Land Commission (CPT) has been working to combat forced labor in Brazil since 1975. CPT's work was instrumental in bringing the government to acknowledge the existence of forced labor in 1995. It continues its courageous work in the field to identify and denounce violations of Brazil's labor laws.

See **ABOUT REPÓRTER BRASIL** for more details about its mission and work.

For more information on CRS, visit [www.crs.org](http://www.crs.org).

For more information on CRS work in Brazil, visit [www.crs.org/our-work-overseas/where-we-work/brazil](http://www.crs.org/our-work-overseas/where-we-work/brazil).

For more information on CRS work to address issues of human trafficking and slavery, visit [www.crs.org/our-work-overseas/program-areas/protection](http://www.crs.org/our-work-overseas/program-areas/protection).

## ABOUT REPÓRTER BRASIL

Repórter Brasil was founded in 2001 by journalists, social scientists and educators to encourage reflection and action and to protect rural people and rural workers in Brazil from the violation of fundamental rights.

Since then, Repórter Brasil has become the most important source of information on slave labor in Brazil. Its reports, journalistic investigations, research and educational methodologies have been used by leaders in government, the business sector and civil society as instruments to combat contemporary slavery, a problem that affects thousands of Brazilians.

Repórter Brasil has two major areas of operations. Its work in the area of Journalism and Research produces information and analysis for social, political and economic leaders in Brazil and throughout the world. Its Educational Methodology practice develops tools to transmit knowledge about social, environmental and labor rights to students and workers. These two program areas are supported by a professional administration and finance team.

Repórter Brasil's work addresses issues that have emerged as priorities in the global economic agenda. Its competitive edge lies in its ability to analyze situations, to anticipate trends and produce knowledge that becomes reference.

Reporter Brazil unites the passion for defending workers' freedom and the dignity of people in the rural areas with the professionalism of those who produce with all technical and scientific rigor. Its independence in the production of knowledge also ensures a dialogue with organizations and social movements, the government and business sector.

For more information on Repórter Brasil, visit [www.reporterbrasil.org.br](http://www.reporterbrasil.org.br).

## ANNEX A

### NATIONAL PACT TO ERADICATE SLAVE LABOR IN BRAZIL

Considering: that there is a list of all employers and/or their middleman who exploit people through slave labor in Brazil (Act MTE 540/2004) by means of physical and moral constraint restricting both free option and free action on part of the workers;

that despite the changes already made and the efforts taken by the companies involved in the various productive chains and by agencies from both the government and civil society there still remains spots of forced labor in Brazil, and in the rural area this forced labour usually assumes the features of slavery because of debts. So the priority of the government and the society should be to eradicate this immediately;

that all kinds of forced labor represent a serious violation of human rights, also condemned by the Universal Human Rights Declaration, by the 29th and 105th Convention from International Labour Organization- OIT, by the Declaration of Fundamental Principles and Rights in Labor from OIT, and by the American Convention of Human Rights;

that the expansion of the promotion of a positive agenda is important, so that the commitment of all enterprises and the various agencies involved with social responsibility and sustainable development can be better valued;

All signatories agree to increase efforts aiming at dignifying and modernizing all labor relations in all the productive chain from all the sectors committed to “Employers Register Act 540/2004” that have kept workers in conditions analogous to slavery. So, within their own capacity, each of the parts agree to:

Define the specific goals for the regularization of labor relationship within these productive chains and this means the formalization of labor relations by producers and by suppliers to fulfill all labor and social securities duties as well as preventive actions referring to the workers' health and security;

Define commercial restriction to companies and/or identified people in the productive chain that make use of degrading labor conditions coupled with practices that are considered slavery;

Support actions in partnership with different areas from the government and nonprofit making organizations that aim at social and productive reintegration of workers that are still working under degrading or unworthy conditions so that they can have opportunities to overcome their situation of social exclusion;

Support actions that provide information to workers who might be vulnerable to the enticement of slave labor force as well as campaigns to the overall society for the prevention of slavery;

Support actions in partnership with public and private agencies to facilitate the professional training and improvement of the freed workers;

Support actions that struggle against evasion of taxes and piracy;

Support and debate proposals that finance and demand the implementation of actions by the Public Power according to the National Plan to Eradicate Slave Labor;

Monitor the implementation of the actions described above and the achievements of the proposed goals as well as the release of the results from this joint effort;

Systematize and make public the experience so that the multiplication of these actions might be advanced contributing to abolition of the exploitation of all kinds of degrading labor and slavery in Brazil as well as in others countries;

Assess the results of the policies and actions in this agreement after a year of its formalization.

In the case of federations and representative agencies, considering they do not have any power to control these measures, their commitment consists of advising their associates they should observe the recommended practices in the present agreement.

Joining this agreement is free to any social actor committed to dignity, formalization, modernization and eradication of degrading labor and slavery.

***-Brasília, May 19th, 2005***

## ANNEX B

### OPERATION “BITTER COFFEE”

Many coffee plantations in midwestern São Paulo were established during the early part of the 20th century during the state’s ‘golden age’ of coffee. Many of these old farms built *colonias*, clusters of small houses for farmworkers that still lodge migrant workers, despite the fact that they have not been maintained. Their precarious state constitutes, in many cases, a violation of labor provisions for worker health and safety. According to prosecutor Luís Henrique Rafael, of Bauru’s Municipal Labor Prosecutors’ Office (PTM), inspections by the MTE in coffee plantations in that part of the state have never been enough.

For this reason, throughout the second half of September 2013, prosecutors with Bauru’s PTM, together with the Federal Highway Police (FHP), carried out operation “Bitter Coffee”, a taskforce to inspect farms between the cities of Marília, Garça and Tupã. “We started receiving many denunciations of improper lodging conditions, precarious work, many unregistered people,” Luís Henrique Rafael said.

According to the prosecutor, most coffee farmers in the region are small and medium producers. “They are old farmers who live on their land. It’s that kind of farmer who formed a family, but their children left for the cities and they stayed on the property,” he describes.

Rafael says that mechanization is advancing on coffee farms in that part of São Paulo, but many small and medium-sized farms still rely on a lot of manual labor, especially at harvest time. According to the prosecutor, the profiles of farmworkers in the region—and the labor violations corresponding to each one—vary according to the size of the farm.

**Small farms.** Small farms receive a significant number of migrant workers from northern Paraná, who arrive with their whole families. “They live on the farm, in precarious houses. And there is plenty of informality: the farm owner usually registers only the father, but the whole family works per production, per sack harvested,” he reports. Besides the lack of employment contracts, another clear problem in small farms is the lack of PPE.

**Medium-sized farms.** On medium-sized farms, which require a greater number of workers than those provided by one family, *gatos* recruit workers who are then taken to work fronts in old buses, often dilapidated vehicles that lack permits. “In these midsize farms, working papers are regular, but the pay is very low” the prosecutor said. “They are paid on the basis of production, but they usually make only the minimum wage. They have to work a lot to make 1,000 *reais*. Any orange picker earns 1,500 *reais*,” Rafael explains.

According to Roberto Figueiredo, the head of MTE’s rural inspection department in São Paulo, coffee plantation workers in midwestern São Paulo represent the ‘scraps’ of the rural labor market—those who failed to find a job on sugar cane or orange plantations, which pay higher wages, or in urban construction sites. “They

are older and physically weaker. Some are even retired. There are many women, too. One farm has even hired homeless people,” Rafael adds.

Throughout the two-week ‘Bitter Coffee’ operation, one of the issues that drew most attention from municipal labor prosecutors in Bauru was the handling and disposal of pesticides required by plantations. “Sprayer operators have no training and they wear no appropriate PPE,” Luis Henrique Rafael explains. “And the problem of pesticide packaging is chronic. They just pile it up, not disposing of it correctly, and they reuse it on the farm as a gallon of water or as a trough for animals to eat,” the prosecutor added.

The objective of Operation ‘Bitter Coffee’ was not to refer landowners to the Dirty List, prosecute them for transgressions or rescue farm laborers found to be working in unsafe conditions. Farmers were fined for noncompliance, but not sued by MPT’s labor prosecutors or processed by MPF’s federal prosecutors. Rather, the initiative was designed to proactively identify areas of concern on farms that were inspected and to secure commitments from farm owners to address them. As a result of the operation, 10 growers signed commitments with prosecutors to remedy problems identified by inspectors. The agreements signed preclude judicial action in these cases as long as farmers make good on their commitments. In the event that they feel some clauses are breached, prosecutors may also sue producers in addition to charging fines.

The table below summarizes the commitments made by each of the 10 farm owners in districts of São Paulo found by Operation Bitter Coffee to be in violation of the labor code.

FARMER NAME	FARM NAME	FARM LOCATION	COMMITMENTS
<b>Emília Crudi Forne</b>	Esmeralda	Vera Cruz	Properly storing pesticides and discarding empty containers; registering workers; promoting health and safety measures at work.
<b>João Faria da Silva</b>	Igurê	Garça	Restricting overtime; repairing electrical installations; providing PPE free of charge; building shelters and bathrooms at work fronts.
<b>Joel Sartori</b>	Pierina	Garça	Signing risk areas; providing PPE free of charge; properly storing pesticides and discarding empty containers.
<b>Maria Izabel Lorezentti Losasso</b>	Santa Marina	Vera Cruz	Building shelters and bathrooms at work fronts; providing drinking water; transporting workers in licensed vehicles.
<b>Paulo Roberto Brito Boechat</b>	Água da Torre	Garça	Building shelters and bathrooms at work fronts; providing drinking water; providing PPE free of charge.
<b>Francisco Eduardo Bernal Simões</b>	Santo Antônio	Herculândia	Providing PPE free of charge; properly storing pesticides and discarding empty containers; promoting health and safety measures at work.
<b>José Luiz Burguetti</b>	Boa Esperança	Pompeia	Transporting workers in licensed vehicles; providing PPE free of charge; building shelters and bathrooms at work fronts.
<b>José Morandi</b>	Boa Esperança	Arco Íris	Properly storing pesticides and discarding empty containers.
<b>Laurinda Ite Pires Morandi</b>	Boa Esperança	Tupã	Provide PPE free of charge; fixing electrical installations; making water available; limiting overtime.
<b>Evelize Drosino Crudi</b>	Santa Marina	Barra do Garça	Providing PPE free of charge; properly storing pesticides and discarding empty containers; promoting health and safety measures at work; building shelters and bathrooms at work fronts; fixing electrical installations.

## ANNEX C

### COFFEE ESTATES ON THE DIRTY LIST—SUMMARY OF FINDINGS

WHERE	WHEN	HOW MANY	WHAT							
Farm Location	Date of inspection	# of workers rescued	Degrading working conditions and exhaustive work hours					Debt bondage and restriction of freedom		Other
	Date of inclusion in Dirty List		Field			Lodging		Working documents retained by employers	Debt bondage	Child and/or teenage labor
			Protective equipment provided free of charge	Shelters and bathrooms	Drinking water	Beds and mattresses	Bathrooms in acceptable condition			
São Gotardo, Minas Gerais	07/2009 06/2013	14	No	No	No	No	No	Yes	No	Yes
Bom Jardim, Rio de Janeiro	08/2011 12/2013	20	No	No	No	No	No	No	No	No
São Mateus, Espírito Santo	05/2009 12/2010	75	No	No	No	No	No	Yes	No	No
Patrocínio, Minas Gerais	08/2008 07/2012	58	No	No	No	No	No	Yes	No	Yes
Paraguaçu, Minas Gerais	05/2010 06/2013	17	No	No	No	No	No	No	No	Yes
Patrocínio, Minas Gerais	08/2010 12/2012	39	No	—	No	—	No	Yes	No	Yes
São João do Manhuaçu, Minas Gerais	07/2009 06/2013	22	No	No	No	No	No	No	Yes	Yes
Machado, Minas Gerais	07/2008 07/2012	16	No	No	No	No	No	Yes	Yes	No

WHERE	WHEN	HOW MANY	WHAT							
Farm Location	Date of inspection	# of workers rescued	Degrading working conditions and exhaustive work hours					Debt bondage and restriction of freedom		Other
	Date of inclusion in Dirty List		Field			Lodging		Working documents retained by employers	Debt bondage	Child and/or teenage labor
			Protective equipment provided free of charge	Shelters and bathrooms	Drinking water	Beds and mattresses	Bathrooms in acceptable condition			
Marechal Floriano, Espírito Santo	06/2010 07/2012	15	No	No	No	No	No	Yes	No	No
Garça, São Paulo	06/2009 06/2013	21	No	—	No	No	No	No	Yes	Yes
Barra do Choça, Bahia	07/2010 06/2013	17	No	No	No	No	—	—	Yes	Yes
Alegre, Espírito Santo	03/2009 12/2010	6	No	—	—	No	No	Yes	Yes	No
Claraval, Minas Gerais	06/2002 06/2004	24	No	No	—	—	No	—	Yes	No
Carmo do Rio Claro, Minas Gerais	06/2008 07/2012	27	No	No	No	No	No	No	No	No
Cássia, Minas Gerais	06/2011 07/2012	20	No	—	No	No	No	No	No	Yes

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