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## **Violations for export**

Produced in mountains over 2,000 meters high, with a mild climate and nutrient-rich volcanic soil, Colombia's coffee is known for its high quality. For three centuries, the country's beans have been harvested by hand and result in a smooth drink that is cherished in many parts of the world. For some experts, these characteristics make it the world's best.

Companies such as <u>Starbucks</u> and <u>Nestlé</u> take advantage of these qualities to add value to their product, selling <u>"100% Colombian"</u> coffee and strengthening their brands with high-quality beans.

In 2024, the country harvested 14.7 million 60-kilo sacks of coffee – the highest figure in 29 years, 1 according to the FNC (Federación Nacional de Cafeteros de Colombia, or the National Federation of Coffee Growers of Colombia). With

this harvest, the country became the world's third largest coffee producer, behind only Brazil and Vietnam.<sup>2</sup> Eighty-five percent of the 14.7 million sacks harvested were exported,<sup>3</sup> 40% of which went to the United States.<sup>4</sup>

Between August 2024 and January 2025, Colombian coffee was shipped to multinational giants such as Olam, NKG and Louis Dreyfus, according to customs data accessed by **Repórter Brasil**. These are some of the companies responsible for distributing the product – still green – to companies that roast the beans and sell them to end consumers. Starbucks and Nestlé as well as lesser-known names such as Jacobs Douwe Egberts, owner of the L'OR labels, are some of the roasters that purchased Colombian coffee beans during that period.

Even though 96% of Colombian farms are small properties of up to five hectares, 5 some 330,000 temporary workers might be needed each year to harvest the coffee. 6 Migrant labourers travel to coffee-growing areas to work during the

harvest season and then return to their hometowns. There is also another group of workers known as "andariegos" -Spanish for itinerants.7 Without fixed addresses, they move

from farm to farm in search of coffee plantations.

without their employers taking responsibility and paying for any health care.

Living for months on farms in the middle of the mountains, some of these workers sleep in dark, dirty and poorly ventilated quarters, with bunk beds jammed together in small spaces. This was the scenario found by **Repórter Brasil** in



#### **ANDARIEGOS (ITINERANTS):**

coffee harvesters with no fixed residence, who travel from farm to farm in search of work.

Paid on a piece-rate basis, labourers working in Colombia's harvest - called "recolectores," Spanish for pickers - accept long working hours to earn more.8 Employment contracts are rare, and informality in the industry may exceed 80%, according to data released in a 2022 survey by the International Labour Organization (ILO).9 Colombia's terrain is marked by the Andean mountains. In the event of work accidents such as machete cuts or falls in steep areas where coffee trees are planted, the workers must seek medical treatment by themselves, without health insurance or

SMALL

## **PROPERTIES**

Colombian farms are up to

5 hectares



January 2025, when it visited properties in Antioquia and Huíla – two of Colombia's 22 coffee growing states. <sup>10</sup> **Repórter Brasil**'s investigation and field trip were joined by members of Voces por El Trabajo, <sup>11</sup> an organization that conducts research on working conditions in various sectors of the Colombian economy.

All farms visited displayed signs with certification seals. In theory, those certifications guarantee that the farms have been inspected and that their socio-environmental "good practices" have been confirmed.



How do they certify these farms that do not provide social security? How can you tell me that they will comply with the law?



PAOLA CAMPUZANO JARAMILLO

ILO project coordinator in Colombia

"Which documents support this certification? In a farm where they don't even keep a list [with harvesters' names]?," she adds.

Since 2020, Campuzano has headed a project that aims to guarantee fundamental rights in Colombia's coffee harvest. "Our coffee industry has almost 300 years of history and we haven't been able to provide fair working conditions for coffee producers and harvesters," she says.

While deforestation is not as alarming as social issues, cutting trees to expand the coffee plantation area in the country is also a matter of concern to experts. A study published in 2022 examined the area deforested and then planted with coffee between 2011 and 2019 in 647 municipalities of 19 Colombian states.<sup>12</sup> The study found that 4.6% of the municipalities were located in areas of high deforestation and high coffee production.

Environmental concerns also result from new trade requirements for exporting coffee beans. The European Union's Deforestation Regulation (EUDR), approved in 2023, prohibits imports of coffee, soy, cattle, timber, rubber, cocoa and palm oil from forest areas deforested after 2020.<sup>13</sup> The implementation of the EUDR was postponed after discussions with agribusiness sectors that asked for more time to adapt to the new rules.<sup>14</sup> The law is expected to come into force in December 2025 for medium and large companies and in June 2026 for micro and small businesses.<sup>15</sup>

## **PRODUCTION**

In 2024, the country harvested

14.7 million

sacks of coffee

330.000

temporary workers in the harvest Source: FNC (National Federation of Coffee Growers of Colombia)

## **GLOBAL TRADE**

85%

of production was exported

40%

exports went to the United States

Colombia's coffee industry has been seeking to prepare for the new rules since the beginning of the European discussions. In April 2024, the first containers of "deforestation-free" coffee were shipped to the EU.<sup>16</sup>





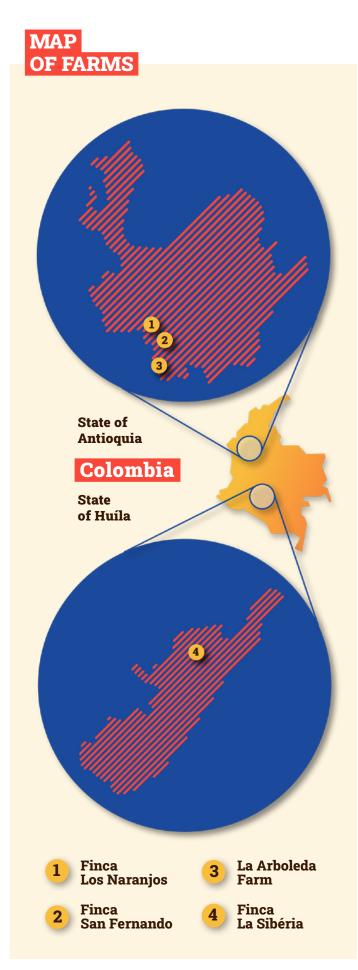
One of the properties visited by **Repórter Brasil** in January 2025 is **Finca Los Naranjos**, located in the mountains around the town of Salgar, Antioquia state. The Spanish word "finca" designates properties smaller than medium and large farms.

Finca Los Naranjos has 300,000 coffee plants. A sign on the property indicates that it has been certified by Fairtrade International. "Sustainable growth," "decent work" and "fair trade relations" are the principles advocated by the organization,17 which has one of the most widely recognized certifications in the world.

When **Repórter Brasil** visited the property, 14 workers were finishing harvesting the last ripe coffee beans from its plantations. The group included mostly young Venezuelans who had left their country in 2023.

All labourers on the property were informally employed, according to the harvesters and the farm manager interviewed by **Repórter Brasil**. However, this is not an isolated case. A study conducted by the FNC with 7,578 harvesters in 2016 pointed out that only 1.5% of those workers had formal employment contracts. More up-to-date data such as that presented in the 2022 ILO study indicate that informality may exceed 80% in the country's coffee harvest, as mentioned in the previous chapter.

"It's total informality," says Robinzon Piñeros Lizarazo, a professor of social sciences at SurColombiana University in the state of Huíla who studies labour relations in Colombia's rural areas. "This informality is determined by the contractual relations they have. It's a verbal contract. If we asked how many formal contracts there are, we'd find very few."





ACCOMMODATION AT FINCA LOS NARANJOS, IN SALGAR, ANTIOQUIA, WITH LITTLE LIGHT AND VENTILATION



ACCOMMODATION PROVIDED TO WORKERS AT FINCA LA SIBERIA, A FAIRTRADE-CERTIFIED PROPERTY IN PALERMO, HUÍLA STATE

As much as 150 temporary workers are hired by Finca Los Naranjos to harvest coffee, according to the manager. He also explained that there are two lodging facilities on the property, which accommodate 35-40 people. **Repórter Brasil** noted that what both environments had in common were the bunk beds arranged in dark, poorly ventilated rooms. There were no lockers to store personal items. In order to have a little more privacy, some workers improvised curtains from coffee sacks.

One of the workers interviewed by **Repórter Brasil** was 24-year-old Hermes Martinez. The young man, born in



FOR PRIVACY, WORKERS AT FINCA SAN FERNANDO COVER THE SIDES OF THEIR BUNK BEDS WITH FIBRE BAGS.

the Urabá region, northern Antioquia, migrated to Salgar to harvest coffee. Without formal contracts, he and hundreds of other coffee workers do not contribute to social security and are left without protection in the event of workplace accidents. "The boss's only concern is that I pick coffee," Martinez says, when asked about working and living conditions on coffee farms.

Martinez, however, says that he has been to places that are worse than Finca Los Naranjos. There, he explains, drinking water is guaranteed, which is not always the case in other regions.

**Finca La Siberia** is located in Palermo, in the state of Huíla, Colombia's largest coffee producer.<sup>20</sup> With six hectares, up to 15 temporary workers are needed for the harvest.

Coffee farmer Lucas Quintero Vargas, 62, manages his property by himself. He claims that his product holds the **Fairtrade** seal.

For this harvest, Vargas said he paid each seasonal worker 1,000 Colombian pesos (0.2 US dollars) per kilo harvested, in addition to providing food and lodging. The accommodation offered to the workers and visited by **Repórter Brasil** consisted of bunk beds with thin mattresses and no bedding. Moreover, two beds were on the porch, protected from the wind only by cloths. The three bathrooms did not have showers or even doors. In the kitchen, a wood-burning stove was used for preparing meals.

When contacted, Fairtrade said that "further investigation" was needed to confirm whether the La Siberia and Los Naranjos farms actually belong to members of cooperatives certified by the seal (more details below).

A SIGN AT FINCA SAN FERNANDO INFORMS THAT THE PROPERTY HOLDS STARBUCKS'S C.A.F.E. PRACTICES SEAL



Another property visited was **Finca San Fernando**, in the municipality of Ciudad Bolívar, Antioquia. With 135 hectares, the property hires up to 300 workers during harvest season, from September to November. Its five lodging facilities accommodate up to 60 workers each.

"The main characteristic [of the industry's accommodations] is that there are many people in a few square metres," points out Robinzon Lizarazo. After examining photos of Finca San Fernando's lodgings, he states that he has seen worse. "Here you can see the cement floor. There is electricity and running water. There are places where there is no water or the source is far away."

Finca San Fernando is certified by Rainforest Alliance, the administrator told **Repórter Brasil**. The certifier, however, states that the property has only applied for certification and still needs to undergo an audit process to actually get the seal (more details below).

## Starbucks' good practices

On a sign, Finca San Fernando also shows off the C.A.F.E. Practices certification, American multinational Starbucks's ethical coffee sourcing program. Created in 2004 in partnership with Conservation International, <sup>21</sup> the program assesses coffee suppliers based on more than 200 indicators related to transparency, quality, and social and environmental responsibility.

A sign at Finca San Fernando informs that the property holds Starbucks's C.A.F.E. Practices seal.

## **Buyer market**

According to the property's manager interviewed by **Repórter Brasil**, the certified coffee produced at Finca los Naranjos is sold to the Salgar Coffee Growers' Cooperative (Cooperativa de Cafeicultores de Salgar),<sup>22</sup> which is linked to the National Federation of Coffee Growers of Colombia.<sup>23</sup>

Created in 1927,<sup>24</sup> the FNC represents the interests of the country's producers in addition to guaranteeing the purchase of coffee at more than 500 points of sale from 33 cooperatives.<sup>25</sup> All exporters operating in Colombia must register with the Federation.<sup>26</sup> The FNC also operates as a private company itself, exporting Colombian coffee.

In addition to exporting coffee via the FCN, the Salgar cooperative also sells certified coffee to exporter Expocafé S.A., according to cooperative employees interviewed by **Repórter Brasil**.<sup>27</sup>

Vargas stated that he delivers his coffee production to Cadefihuila, the Huíla Department Coffee Growers Cooperative (Cooperativa Departamental de Cafeicultores de Huíla).<sup>28</sup> In this year's harvest, he claims to have delivered 180 loads of

coffee (equivalent to 22,500 kg<sup>29</sup>) to the cooperative, which is also linked to the FNC. Vargas explains that, because he holds the Fairtrade certification, he gets a bonus of 50,000-60,000 pesos per load sold.

The United States were an important destination for coffee exported by the FNC in August 2024-January 2025, according to customs data accessed by **Repórter Brasil**. Important clients include the multinational Sucafina and the Rothfos Corporation, a company of German business group NKG,<sup>30</sup> considered the world's largest buyer of green coffee.<sup>31</sup>

During the same period, Rothfos Corporation was also the destination for coffee exported by Expocafé S.A., as well as Volcafe USA, which belongs to London-based ED&F Man Commodities group.<sup>32</sup> Both sales were made to the United States.

Sucafina and Volcafe were on the list of coffee suppliers of American company Starbucks in 2024, as was FCN itself.<sup>33</sup> FCN and Expocafe also appear on the latest list of coffee suppliers released by Nestlé in September 2023.<sup>34</sup>

The product of Finca San Fernando is sold to several coffee buyers in the municipality of Ciudad Bolívar, says its manager Luis Guillermo. The main buyer, according to him, is Cafexport, a partner of multinational Sucafina in Colombia.<sup>35</sup>

# What certifiers and coffee companies say

When asked to comment on the working conditions at farms visited by **Repórter Brasil** that hold good practices seals, Fairtrade said that in the case of small-scale producers – such as coffee growers that are cooperative members – the farms are not individually certified. For this reason, it stated that "further investigation is needed to confirm that the farms named 'Finca La Siberia' and 'Los Naranjos' are owned by members of a Fairtrade certified cooperative."

The organization said it had referred the cases presented here to FLOCERT, an independent certifier responsible for verifying violations of Fairtrade standards. CLAC, the Latin American and Caribbean Coordinator of Small Producers and Fair Trade Workers (Coordenadora Latino-americana e do Caribe de Pequenos Produtores e Trabalhadores do Comércio Justo) was also notified to follow up on the allegations presented. "Each allegation is reviewed on a caseby-case basis. If violations of our Standards are found, then we would act accordingly," Fairtrade responded.

**Repórter Brasil** also pointed out to Fairtrade that the standards to be followed by producers associated with small-scale producers' organizations include no criteria on accommodation for seasonal workers. While some coffee growers are included in the category of "small-scale producers," they hire seasonal



harvesters. In the case of Finca Los Naranjos, there are up to 150 workers per season. Farmers classified as small producers do not have minimum parameters required by the certifier regarding the conditions they must provide when hosting temporary workers during harvest season.

The organization said that it "recognises that it needs to do more to ensure the benefits of Fairtrade reach workers on smallholder farms, including temporary, seasonal, and migrant workers." However, the organization pointed out that "many farmers earn very little and some sell only a fraction of their products on Fairtrade terms and therefore requiring them to provide accommodation for workers is a tall order."

Rainforest Alliance stated that Finca San Fernando has not yet been certified by the organization. While the farm has applied for certification, it still needs to undergo an auditing process.

Starbucks responded that the property is not currently a member of the C.A.F.E. Practices program. The company did not inform when it ceased certifying the farm.

Colombian company Cafexport, identified as a client of Finca San Fernando by the property's manager, stated that the farm is not part of its sustainability programs or its supply chain. **Repórter Brasil** asked the company whether this commercial relationship ever existed and when it had last purchased coffee from the property. **Repórter Brasil** had not received a response by the time this report was published.

When asked about working conditions at farms, Volcafe did not respond to specific cases and stated that it has a rigorous due diligence process to assess and mitigate risks in its supply chain. "We take allegations of human rights violations seriously and are

committed to eradicating forced labour and all forms of abuse in the coffee supply chain," reads the company's statement.



#### **DUE DILIGENCE:**

the process of identifying, preventing, mitigating and taking responsibility for harm to human rights and environmental violations that a company has caused or contributed to.

Multinational company Nestlé did not comment on the specific cases presented by **Repórter Brasil**. The Swiss company stated that it is "committed to promoting decent working conditions and upholding human rights throughout its supply chain" and that it works with its suppliers to "investigate immediately and take action as necessary" in the event of allegations of non-compliance with its standards.

German group NKG stated that Finca La Siberia is not on its list of suppliers to its export company in Colombia, SKN Caribecafé. Regarding Finca Los Naranjos, in Salgar, the company explained that it has already sourced coffee from a property with the same name and in the same location but more investigations were needed to determine whether it is the same farm. "In any case, the business relationship ended in 2023 and SKN Caribecafé did not purchase any coffee from this farm in 2024," reads the company's statement.

NKG also stated that its subsidiaries – US-based Rothfos Corporation and Germany-based Bernhard Rothfos – did not purchase coffee from the properties mentioned. "However, due to the complexity of the supply chain, we can never completely rule out the possibility that coffee from these farms may have entered our supply chain through third party sales," the company admitted. NKG also stated that it was "committed to creating transparency and sustainability" in its business in the sector.

The FCN did not comment on the cases presented in this report. The organization said it recognizes the challenges of rural work and that it "neither ignores nor minimizes the situation of informality that surrounds this activity as a whole."

For the Federation, the high level of informality in rural Colombia is a result of the lack of applicable regulations on pensions and labour risks, and a contribution model adapted to the reality of the rural world "would enable the population working in plantations and dispersed rural areas to become part of the formal sector." The organization also highlighted that 80% of Colombian coffee producers are included in

the category of family farmers, according to data from the National Agricultural Survey. "Therefore, any regulation of social protection must be adjusted to this reality," it added.

Sucafina, Expocafe and the coffee growers' cooperatives of Salgar and Huíla had not responded to questions by the time this report was completed.

See the companies' full statements at the end of this report.

In addition to the interviews conducted in January, **Repórter Brasil** also sought out the owners of the farms presented in this report to comment on the working conditions offered at the properties.

The contact details of the owners of the Los Naranjos and San Fernando farms, where **Repórter Brasil** spoke with the managers, were not located. **Repórter Brasil** also sought out producer Lucas Vargas, owner of La Siberia, again. He acknowledged that the accommodations on the property needed to be improved and said he plans to do so in August, when the first-semester harvest is finished on his property.





From a high mirador at the **La Arboleda** farm, in the mountains surrounding the municipality of Andes, Antioquia, one has an idea of the size of the property: almost every hill in sight is covered with coffee belonging to its owner Rigoberto Luis Franco Arroyave.

Arroyave says that his farm is considered one of the largest in Colombia. During harvest season, up to 500 workers are needed to pick all the beans produced there. The property has 12 lodging facilities that accommodate up to 80 workers each, according to its manager.

Harvesting the famous Colombian product is hard work. Steep hills where mechanization is impossible are covered with coffee plants. Workers have to cling to trees to keep from falling. They are also responsible for carrying sacks full of coffee – 60 kilos on average – to the inspection and weighing point.

"Workers who harvest in these areas know that they will be working on sloping terrain, in

furrows where they can slip," explains Robinzon Lizarazo, a researcher at the SurColombiana University. "So, accidents can happen, such as falls, or feet and arm injuries. In addition, since they are in higher areas, it rains more. And then come lung problems, flu and other [diseases]."

In other countries such as Brazil, the world's largest coffee producer, all the beans are pulled out at once from branches. They fall on a tarp on the ground and are then collected and sacked. In Colombia, in order to harvest only the ripe beans, workers have to pick one at a time, thus ensuring good flavour for the beverage. Female harvesters usually paint their nails ruby – a dark, almost purple red – which will guide them in harvesting ideally ripe beans.

Forty-year-old harvester Ricardo Solano Carillo left home at the age of 12 to work in coffee. He is one of the thousands of itinerant workers in Colombia's coffee industry. After leaving La Arboleda in Antioquia, his plan was to move to the state of Tolima.

Carillo has never had a formal employment contract and has never contributed to the country's social security system. "I'm running out of strength," he says. Reflecting on coffee harvesters who are in their 60s and 70s and still work, he says



he hopes he will not work that long. "I pray to God to take me before that." The worker still dreams of saving enough money to buy his own piece of land.

On the largest farms observed by **Repórter Brasil**, workers are divided into groups. Each group has one worker assigned as its organizer, who will tell which coffee rows should be harvested. This person also organizes the procedure for weighing the beans. He or she is the liaison with the foreperson responsible for the farm's harvest, who will monitor weighing and take note of how many kilos each worker harvested in order to make the corresponding payment.

After the beans are weighed, the crew at La Arboleda can go to one of the property's 12 camps to rest. One of the facilities visited by **Repórter Brasil** had 37 bunk beds.

Arroyave, the owner, stated that La Arboleda holds several certification seals, such as **4C** (The Common Code for the Coffee Community) and **Rainforest Alliance**, the world's main seal for good socio-environmental practices. A sign on the property (see photo) also mentions Starbucks' sustainable coffee program **C.A.F.E. Practices**.

However, 4C and Starbucks claim that, at the time **Repórter Brasil** visited the property, it was no longer verified by their respective good practice seals (see below). Transparency gaps in certification processes may explain this discrepancy between what is displayed on farm signs and what certifiers claim (read more in "Conclusion").

Arroyave is one of the only farm owners in Colombia to hold individual certification from the Rainforest Alliance. The process is usually quite costly, and individual certification is an indication that the producer is more structured than most small landowners.

## **Long working hours**

In addition to informality and lack of access to Colombia's social protection system, harvester labourers work long hours.

As on other coffee farms in the country – whether they are certified or not – work may exceed 8 hours per day and 48 hours per week – the maximum limit allowed in Colombia at the time of publication of this report. From July 2025 on, the maximum working week in the country will be 42 hours.<sup>36</sup>

Workers typically start harvesting coffee at 6:30 a.m. and stop at 4 p.m., when the sun begins to set, but they remain in the fields until their sacks are weighed and their earnings are calculated. "In theory, [the maximum working hours] should be enforced, but that doesn't really happen," explains Fábio González, director of the Ministry of Labour in the state of Antioquia.

"Working hours are long. Workers tell me: 'I work really hard in these two months and save money to go back [to my hometown],"



TOILETS AT LA ARBOLEDA LACKED SHOWERS. THE WATER FOR BATHING CAME DIRECTLY FROM THE PIPE, SO IT WAS NOT POSSIBLE TO ADJUST ITS TEMPERATURE.



SHED ADAPTED FOR WORKER ACCOMMODATION AT LA ARBOLEDA, IN ANTIOQUIA. HERE – A SMALL SPACE FOR SO MANY PEOPLE – HARVESTERS WILL REST IN ORDER TO RESUME THEIR WORK AGAIN THE NEXT DAY.



CERTIFICATION SIGNS AT LA ARBOLEDA.

adds Robinzon Lizarazo from SurColombiana University. "This is all a consequence of the piece-rate wage system."

Itinerants may work long days even after the coffee harvest is over because they work on other crops throughout the year. The dynamics of other harvesters are highly variable, and it was not possible to identify a pattern. The workers interviewed state that they receive extra pay when their workdays exceed 8 hours.

This dynamic of long working hours can also occur with coffee growers who work on the harvest. Vargas, owner of Finca La Siberia, says he works up to 19 hours a day at peak harvest season, stopping only for quick meals. "Some days I get up at 4 or 4:30 a.m. and work until 10:00 or 11:00 p.m.," he explains.

Given his age, he could already consider retiring. When asked how much he would earn, he laughs, embarrassed. "I've never contributed to any of that. I've never paid for retirement, insurance," he says. "It's all very expensive." If Vargas, who is a small producer, was unable to contribute to his own retirement, informal workers who do not have land to cultivate will face even greater difficulties.

For Paola Campuzano from the ILO in Colombia, foreign companies that buy Colombian coffee can be part of the solution to this problem by contributing to workers' social security (see "Conclusion").

## **Buyer's market**

La Arboleda's owner Arroyave said he sells his coffee to whoever offers the best price. According to him, one of his main clients this season was export company Carcafe, owned by the multinational Volcafe.<sup>37</sup>

In addition to Volcafe itself in the US and the UK, Carcafe also exported to other clients in Europe, according to customs data accessed by **Repórter Brasil**. From August 2024 to January 2025, the Colombian company supplied coffee to Nestlé in France and to NKG and Tchibo in Germany.

# What certifiers and coffee companies say

The Rainforest Alliance has acknowledged that Finca La Arboleda holds its certification. In 2024, an audit conducted on the property had already detected non-conformities related to labour contracts and lodgings. After learning of the facts presented by **Repórter Brasil**, the Rainforest Alliance said that a new on-site audit will be conducted to check whether these non-conformities have been effectively resolved.

4C said that La Arboleda was certified by the organization between June 2023 and August 2024 and is not currently active in the program. The organization said it will place an alert on the 4C database. If La Arboleda seeks 4C certification again, "it will undergo a rigorous extra compliance audit under our Integrity Program, in addition to the standard certification audit." 4C has already stated, however, that accommodation at the property is "inconsistent with 4C's definition of adequate housing, which includes basic amenities like separate beds, proper sanitation, and safe construction."

Starbucks responded that La Arboleda is not currently part of C.A.F.E. Practices. The company did not say when it ceased being verified by the program, stating only that the verification process occurs every one to two years. "These farms (Finca La Arboleda, Finca San Fernando) had been verified previously, but those verifications lapsed, and we were no longer purchasing from them at the time of the investigation," Starbucks explained.

Tchibo confirmed that it sources coffee from Colombian company Carcafe but said that the beans purchased during the period covered by **Repórter Brasil**'s investigation did not come from La Arboleda, in Antioquia.

Carcafe had not responded to questions by the time this report was completed.

NKG, mentioned in the previous chapter, stated that it had not purchased coffee from La Arboleda.

La Arboleda did not respond to additional questions emailed by **Repórter Brasil**.



# Payments close to the national minimum wage

When Ricardo Carillo was interviewed by **Repórter Brasil** in January, he and other labourers at La Arboleda used to earn 1,400 pesos per kilo of coffee harvested. He says he can harvest 98 kg per day on average.

This means that, in periods of high production, if he harvests as much as he can for 22 days a month (excluding weekends), he can earn 3 million pesos per month. However, wage deductions of food expenses have to be considered.

Payment deductions vary according to the arrangement made between the property owner and the harvesters. On some farms visited by **Repórter Brasil**, food and housing were provided free of charge, but the amount paid per kilo harvested was lower than that offered in other areas.

On the largest farms visited, the properties provided food, but its value was deducted from wages.

Considering the amount charged for food at La Arboleda, for example, which was 22,000 pesos per day, Carillo's monthly wages would fall to 2.3 million pesos<sup>38</sup> or 565 US dollars. In Colombia, the minimum wage is 1.4 million pesos,<sup>39</sup> which corresponds to 343 US dollars.

However, earnings above the minimum wage are not guaranteed. Without a minimum value established in the contract, rural workers' incomes vary a lot. They may harvest less coffee if, for example, it rains for several consecutive days or they fall ill.

A study published in 2022 by the ILO in Colombia indicated that coffee harvesters in the country who are paid piece rates may earn less than the national minimum wage.<sup>40</sup> –

"This dependence on individual effort, measured in kilos harvested, may lead workers to sell their labour during the off-season in exchange for food and lodging," says an excerpt from the study. "The law requires a minimum wage, but this is not always met," adds Fabio González, director of the Ministry of Labour in the state of Antioquia.



COFFEE BEAN WEIGHING STATION IN DOWNTOWN ANDES, ANTIOQUIA DEPARTMENT

Coffee producers also say they are having to spend more and more to pay temporary workers. "We used to hire harvesters for 400, 500, 600 pesos [per kilo harvested]. Right now, it's 1,400 pesos," explains Arroyave, owner of the La Arboleda farm. The values paid to harvest coffee have kept pace with the historic rise in international prices.<sup>41</sup>

## Payment by the day

When **Repórter Brasil** visited Finca San Fernando, 60 workers were harvesting the last coffee of the season. Unlike other farms visited, the workers were paid by the day. After the cost of the food provided by the farm was deducted, they earned 32,000 pesos per day – or 7.7 US dollars.

Luis Guillermo, manager of Finca San Fernando, explained that the only record he has of the temporary workers hired

is a list with their full names, social security numbers, phone numbers and ethnicities. This last piece of information is a requirement of the Rainforest Alliance, he says.

When asked about the possibility of formalizing workers' contracts, Guillermo explained that payments would be significantly reduced, since benefits such as social security would be deducted. He also stated that, given the "floating nature" of harvesters – a reference to the itinerant workers known as "andariegos" – producers are unable to register them.

The Rainforest Alliance does not require – unless national legislation requires it – formal, written employment contracts for labourers who work for less than three consecutive months. In such cases, the certification program accepts verbal employment contracts. Regarding working hours, the program specifies the maximum regular workday as eight hours (read more "Good practices advocated by certifiers").



Colombia has no labour legislation setting minimum parameters for temporary workers' accommodation on farms, such as number of beds, bathroom conditions, and food. There is also no regulation on working hours and wages that consider the particularities of farm work. This is explained by Estefanni Barreto Sarmiento, a Colombian labour lawyer specializing in international labour standards.

Sarmiento explains that there are general standards for health and safety at work that apply to all sectors of the economy. One of these standards is Resolution 0312 of 2019. It sets minimum health and safety standards, requiring the provision of a safe and healthy environment for workers. Another example is ILO Convention 155, ratified by Colombia, which sets mandatory measures to protect workers' health in all contexts.

For Sarmiento, there is a "regulatory void" and "insufficient mechanisms to ensure effective enforcement of standards" in the context of rural work. She emphasizes that Colombia's model for formal hiring must be adapted to include employees who work in seasonal harvests such as coffee. This would allow "adapting health and safety conditions at work and creating an adapted inspection system," she says. "Clear and specific regulations would be essential."

## **Child labour persists in Colombian farms**

Informal employment deprives Colombian rural workers of rights such as maternity and paternity leave. Pregnant harvesters need to resume work quickly after their children are born. "These women are working on coffee plantations and they bring their entire families with them. Then the children start working, and it's the same story," says Paola Campuzano Jaramillo, ILO project coordinator in Colombia.

The study produced by the ILO in 2022 also indicated that child labour in coffee harvesting in Colombia is "persistent."<sup>44</sup> "We haven't managed to solve the problem of adolescent and child labour within the sector," Campuzano emphasizes.

This scenario is not clear in Colombian statistics. Official figures, recorded in the System for Identification, Registration and Characterization of Child Labour and its Worst Forms (SIRITI), linked to the Colombian Ministry of Labour, indicate that only 61 children and adolescents were found working in coffee in the country in 2024. The data were obtained under the Access to Information Act.

There may be underreporting, as acknowledged by the Colombian Ministry of Labour. "It is important to clarify that it is not that this problem does not exist in the regions; rather, the territories have not yet applied surveys in the areas identified as high risk, which is why SIRITI does not detect the reality of child labour in places where coffee is grown," the Ministry reinforced in response to the Access to Information Act request.

Colombia's DANE (the National Administrative Department of Statistics) estimates that 2.9% of the country's children and adolescents work,<sup>45</sup> according to the most recent bulletin published, which considers data from October to December 2024. The data on child labour is not broken down by sector of the economy; it only considers the 5-17-year-old age group.

A study conducted by the United States Department of Labour corroborates the data presented by the Colombian government. A survey published in 2023 indicates that 3.3% of Colombian children aged 5-14 worked in rural areas. <sup>46</sup> It also shows that 19.3% of adolescents aged 15-17 worked in jobs considered dangerous in rural areas. The data is not broken down by sector, but coffee production is listed among sectors of the Colombian economy that employ child labour.

Still according to a study by the US Department of Labour, the Colombian Ministry of Labour provided technical assistance and promoted awareness campaigns on child labour issues in more than 550 municipalities in 2023, in addition to a program that uses cultural, sporting and scientific events to remove vulnerable children from labour.

Data from UNICEF (the United Nations Children's Fund) – the UN agency that works to protect the rights of children and adolescents – estimates that 7% of children and adolescents in Colombia are involved in work considered harmful to their health and development.<sup>47</sup> The data considers all types of work and were collected in July 2024.

In 2023, Colombian organization Crece (the Centre for Regional Coffee and Business Studies) conducted an assessment that presents different causes for child labour in production of Colombian coffee. <sup>48</sup> The study points out the use of family labour to reduce hiring costs in an environment where there is no separation between home and work in the context of small producers.

The study also found that, in the absence of education and recreation options, some families choose to take their children to work in coffee to avoid exposing them to risk behaviour. Another finding is that families where parents have a low level of education tend to employ child labour.

Colombia ratified the main international conventions that address child labour. However, the United States Department of Labour is concerned about the issue because the minimum age (15)<sup>49</sup> to apply for a work permit in Colombia is lower than the age for compulsory schooling, which is 18.<sup>50</sup> "Children may be encouraged to leave school before the completion of compulsory education," states the agency's report.<sup>51</sup> The department recommends strengthening measures that guarantee access to education and social actions in the country, in addition to raising the minimum age to apply for a work permit to 18.

Since 2017, the Colombian government has had a Public Policy for the Prevention and Eradication of Child Labour and Protection of Working Adolescents. <sup>52</sup> The program includes combating child labour in agriculture and establishing evaluation and monitoring mechanisms to assess progress.

#### **Forced labour**

The Colombian Ministry of Labour was unable to say how many cases of forced labour were found on coffee farms in the country in the last harvest season. According to the ministry, the country's labour inspectors only prevent the practice. If the crime is found during farm inspections, the complaint must be filed with the Prosecution Service.

**Repórter Brasil** contacted the agency to find out the number of cases of forced labour caught in the act and others under investigation in the coffee sector. The response from Colombia's Prosecution Service was that the public consultation does not present data broken down by sector. "Note that this does not mean that there are no records of cases with these characteristics; however, this information may be contained in the files of the Prosecution Service offices that are or have been aware of each of the cases in question, which cannot be identified through our information systems," the agency stated to **Repórter Brasil**.

Colombia adopts the concept of "forced labour" as defined by ILO in 1930,<sup>53</sup> that is, work "exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily."<sup>54</sup>

In neighbouring Brazil, the largest coffee producer in the region, forced labour is just one of the four elements that characterize "work under slave-like conditions," a crime established in article 149 of the Penal Code. <sup>55</sup> The other three elements are debt bondage, degrading working conditions, and exhausting working hours.

When any of these four elements is found by labour inspectors, workers are rescued and employers are included in the so-called Dirty List of Slave Labour published by the federal government with the names of those responsible for employing forced labour. "You [in Brazil] are much more advanced in this area," says Fábio González.

In 2024, coffee plantations came second among Brazil's economic sectors in terms of number of victims rescued from slave-like conditions.<sup>56</sup>

As for employment contracts for coffee harvesters, the FNC stated that Colombia's labour legislation "has gaps regarding how to apply concepts typical of urban employment contracts to rural activities, especially in coffee growing, where itinerancy and temporary employment are common." According to the federation, "it can be said that the majority of the coffee-growing workforce may be informal, but it is not illegal – these are different concepts – due to the lack of adequate and applicable regulations."

# 0,07% of coffee farms are inspected

The number of farms actually inspected in Colombia may explain the low occurrence of cases of child and forced labour. In 2024, only 464 properties dedicated to coffee plantation were inspected by the Subdepartment of Labour Inspection. The data were obtained through a request for clarification to the agency under Law 1712/2014, which establishes the right of access to public information in the country. This figure is only 0.07% of the total number of coffee farms in Colombia, estimated at 654,200,57 according to an ILO study based on data from 2020.

Of this total, 406 inspections were conducted as preventive technical support. "In preventive inspections, they can say: 'We've been to these farms and we've done training on the issue of child labour, forced labour.' But for me, that's not enough because we're not touching the critical issues. For example,

where does an inspector actually go to say whether or not there is child labour?" asks Paola Campuzano from ILO in Colombia.

"My first suggestion is to review the matter of preventive inspections," adds the ILO coordinator, who believes that Colombia's inspection framework does not sanction employers who do not offer decent working conditions.

### "There is no decent rural work"

Stuck among coffee trees at farms located on steep terrain, the workers who harvest Colombian beans are far from enjoying the labour rights offered in urban centres.

"Labour legislation has always been designed for large cities," explains Fabio González, territorial director of Colombia's Ministry of Labour in Antioquia. "There is no labour law, even in villages. You get there and the only ones who are subject to the law are municipal workers, hospital workers and teachers. No one has decent work anymore according to the ILO," he adds.

For the ILO, decent work is that which includes a series of characteristics such as fair wages, social security and protection, freedom of association and equal opportunities and treatment.<sup>58</sup>



There is no decent or dignified rural work. Some conditions border on slavery. Because the work is not decent, there is no social security, and there is no future in rural areas



**FABIO GONZÁLEZ** territorial director of Colombia's Ministry of Labour in Antioquia

# Colombia approved labor reform but excluded rural workers

Proposed by President Gustavo Petro's government<sup>59</sup>, a labor reform was approved<sup>60</sup> in Colombia in June 2025. However, the articles specifically addressing rural labor were removed<sup>61</sup> during the first stage of voting in the Colombian House of Representatives (the lower house of Congress).

The Congress passed the proposal amid political tension<sup>62</sup> in the country, following the president's attempt to call a popular referendum on his labor and pension initiatives. Among the main changes is the redefinition of the daytime work schedule to a maximum of eight hours, ending no later than 7 p.m., with an additional 35% pay for nighttime work. Work on Sundays and public holidays will receive increasing bonus rates, reaching up to 100% by 2027<sup>63</sup>.

## The proposal

The reform, introduced in March 2023 by the Colombian Executive, <sup>64</sup> included two articles on rural labour: the creation of an agricultural contract <sup>65</sup> encouraging formalization of permanent and seasonal employment relations and the establishment of a workday for farming. <sup>66</sup> It made the duration of contracts more flexible, allowing for benefits to be paid per day. The article underscored that daily wages could not be lower than the national minimum wage. A third article also provided guarantees on housing conditions of permanent employees of rural properties. <sup>67</sup>

"Our rural world will continue to see violations of labour rights. This is the only way to have productive agriculture, according to parliament," says Fábio González from the Ministry of Labour in Antioquia. "This is more similar to slavery than to a business model for agriculture. This part of the reform was very bad," he adds.

For the FNC, the articles on rural work that were included in the labour reform introduced by the Colombian government "could be improved to better reflect the reality of rural areas and the coffee industry."





Certifier codes of conduct that attest to good socio-environmental practices include criteria that aim to avoid the scenario found during **Repórter Brasil**'s fieldwork on Colombian coffee farms.

See below the main social criteria of the four seals held by the properties visited during the investigation, according to local sources consulted.

#### 4C

working hours

The 4C certification (Common Code for the Coffee Community) divides its 12 principles into three dimensions: economic, social and environmental.<sup>68</sup>

The criteria listed in the social dimension include ensuring that "fair employment contracts are in place and are complied with,"<sup>69</sup> that there are "fair working conditions with regard to working hours,"<sup>70</sup> not exceeding 48 hours per week, in addition to generally indicating that "adequate housing is provided to permanent and/or temporary workers."<sup>71</sup>

As for the occupational health and safety criterion, 4C also recommends that workers are "aware of and trained according to health and safety risks and measures."<sup>72</sup>

Some of 4C's criteria, especially those that address the working conditions of formally hired employees, do not apply to smallholders.<sup>73</sup> According to the certifier's definition, smallholders are those employing the labour force of family members or exchanging favours with neighbours, and whose properties do not exceed five hectares.

#### **Rainforest Alliance**

The Rainforest Alliance standard divides its criteria into six topics: management; traceability; income and shared responsibility; agricultural production; social; and environmental.

For the Rainforest Alliance, the social requirements of its certification seek to "empower producers and workers to realize better working and living conditions for themselves and their families."

In this dimension, the basic requirements<sup>75</sup> for obtaining the Rainforest Alliance seal include maintenance of written contracts for workers employed for at least three consecutive months or verbal contracts registered by the employer for those with shorter employment periods.<sup>76</sup> According to the certifier, these contracts must include paid vacations and medical leave and protection in case of illness, disability or accidents.

The organization also points out that "workers do not work more than eight regular working hours."<sup>77</sup> In collective lodgings, the Rainforest Alliance requires workers to have "safe, clean and decent living quarters considering local conditions,"<sup>78</sup> with a minimum space of 1 metre between bunk beds and a place to store personal belongings.

These criteria apply to medium and large-size farms and also to small properties that hire 10 or more workers for at least three consecutive months or more than 50 temporary workers per year.<sup>79</sup>

#### C.A.F.E. Practices

C.A.F.E. Practices, which stands for Coffee and Farmer Equity, is the ethical coffee sourcing program of American company Starbucks. The properties that supply the product to the multinational are evaluated for indicators of transparency, quality, social responsibility and environmental leadership.<sup>80</sup>

The C.A.F.E. Practices certification lists different numbers of criteria for small producers (127) and medium and large producers (188).<sup>81</sup>





The criteria for both property sizes include a minimum wage even for temporary workers who are paid on a piece-rate basis.<sup>82</sup> The same group must also receive the benefits required by national legislation, such as social security, vacations and disability pension.<sup>83</sup>

Regarding accommodation, the C.A.F.E. Practices criteria only indicate that permanent and temporary workers must have "habitable housing,"<sup>84</sup> with guaranteed access to water<sup>85</sup> and "safe access to sanitary facilities."<sup>86</sup> None of these three criteria are considered "mandatory."

"Coffee farmers need to protect the rights of people working on their farms and must have measures in place that promote a safe, fair and humane work environment," announces Starbucks when promoting its verification programme.<sup>87</sup>

#### **Fairtrade**

Fairtrade advertises itself as the "most recognised and trusted sustainability label working to make trade fairer for the people who grow our food."88

The organization explained to **Repórter Brasil** that, in the case of producers associated with certified cooperatives, Fairtrade requires adherence to the <u>Fairtrade</u> Standard for Small-Scale Producer Organizations.<sup>89</sup>

The criteria include providing "clean toilets"<sup>90</sup> for workers and "put[ting] effective measures in place to ensure that their hiring and working conditions also comply with this Standard.<sup>91</sup>

Although Colombian coffee producers provide lodgings to temporary workers for the harvest – in the case of Finca Los Naranjos, there can be up to 150 workers per season – the Fairtrade Standard for Small-Scale Producer Organizations does not list any requirements on accommodation.

The criteria for producers associated with cooperatives are simpler than others required by Fairtrade, such as the Fairtrade Standard for Hired Labour. Under the criteria for this type of certification, Fairtrade expects temporary worker accommodation to "ensure structural safety" and "reasonable levels of decency, privacy, security and hygiene, and include regular upkeep." They also include an obligation to formalize written contracts for temporary employees who work on the property for three months or more and demand that certified producers guarantee an "alternative through other means" to temporary and migrant workers who are not entitled to legal benefits.

"The fact that production takes place on smaller farms does not exempt suppliers from complying with labour legislation and respecting human rights," points out Ravenna Alves, Head of Rural Justice and Development at Oxfam Brazil.

Alves considers the fact that certification does not include specific requirements to guarantee labour rights on cooperative-associated farms to be a shortcoming and says that certifiers must "adopt zero tolerance" towards informality, which "harms the structure of labour relations, weakening workers' collective organization and union representation."



## **Opaque relations**

Properties visited by **Repórter Brasil** in Colombia had signs displaying seals from different certification programs. In addition, farm managers and owners attested that their coffee plantations held good practice seals. Some of these relations, however, were not confirmed by the certifiers.

Fairtrade explained to **Repórter Brasil** that it would need more time to verify the certification status of certain farms. In some cases, Starbucks and 4C argued that their seals for the properties visited had expired in the months prior to **Repórter Brasil**'s visit. According to the Rainforest Alliance, a property that displayed its logo on a sign was still being audited in order to be granted the certificate.

The uncertainties caused by this "war of versions" are reinforced by low transparency of certification programs regarding the farms that were granted their seals. None of the websites of the organizations mentioned in this report has an open platform that accurately indicates all properties certified. In the case of individual farm certifications, the Rainforest Alliance website, for example, only provides the name of the property and the seal holder, without basic information such as municipality and state or the geographic coordinates of the area. 96 In the case of group certifications - when several producers are certified in the same process, usually with the help of a certified company or cooperative - participants' individual details are not provided. It is precisely the group certifications that cover most certified coffee farms.

On the website of FLOCERT, the certifier responsible for granting the Fairtrade International seal, the search system finds "Fairtrade-certified business partners." In April 2025, the list of Colombian enterprises operating in the Fairtrade-certified coffee trade included no farms. The system only showed companies, cooperatives and producer associations.

Fairtrade did not clarify whether it plans to improve transparency mechanisms. The program stated that FLOCERT issues certificates to smallholder organizations and that its audits verify their updated membership list.

The Rainforest Alliance, in turn, said it is committed to "protecting certificate holders' data," including farmer and farm group locations. The certification program stated that it only shares this information with selected organizations such as certifiers and auditors.

4C said it recognizes the importance of transparency and said it is exploring "options to enhance public access to information about farm-level certifications."

Starbucks did not detail plans to increase transparency about farms included in the C.A.F.E. Practices program.

Jorge dos Santos Filho, leader of the Coordination of Rural Employees of the State of Minas Gerais – Brazil's main coffee-producing state – points out that this situation undermines the monitoring of good practices on certified coffee farms. "Without transparency, there is no oversight by workers' movements, and society does not demand it. When there is no demand, rights can be violated," he states.

# Without social security, workers become invisible

Another problem found in the investigation is the lack of formal contracts in labour relations. Invisible, coffee workers are left out of the social security system, without access to pensions, sick pay or any protection in the event of work-related accidents.

Another proposal discussed by the ILO and other organizations that seek to guarantee fundamental rights in Colombia's coffee harvest<sup>98</sup> is increasing contributions to the National Coffee Fund,<sup>99</sup> managed by the FNC.

Currently, coffee producers that export their product must pay 6 cents for each pound (approximately 454 grams) of coffee exported to the FNC.<sup>100</sup> The organizations suggest increasing this contribution and that this increase be borne by international buyers. The additional amount that would enter the National Coffee Fund, according to the proposal discussed by organizations of the coffee industry, would fund a social security mechanism for their workers.

"This way, we can include them in a contribution-based social protection system, so that if they suffer an accident at work, they have the possibility of receiving financial benefits to recover," explains Paola Campuzano from the ILO. "A euro cent or a dollar cent may not be much for the end consumer, but here it solves the problem of social protection," she adds.

Campuzano explains that international coffee export companies participated in the talks that gave rise to this proposal. "The exporters agreed that we need to talk about social protection. Because, if you don't have social protection, you can't objectively demonstrate that the producers you trade with are complying with basic minimum labour standards," she points out. "In other words, our end buyers have to be part of the solution."

The Colombian government, in partnership with the ILO and other organizations, launched the #FamiliasCafeteras<sup>101</sup> campaign to raise awareness among workers and producers about the

importance of guaranteeing social security and occupational health in the industry. The initiative seeks to promote decent work, encouraging formalization of workers' contracts and improvement of health and safety conditions at work.

## European legislation cracks down on violations

A quarter of Colombia's coffee exports are intended for the European Union. <sup>102</sup> The economic bloc is preparing to implement a new due diligence law aimed at identifying, preventing, mitigating and responding to socio-environmental violations that companies have caused or to which they have contributed.

The Directive on Corporate Sustainability Due Diligence came into force in the European Union in June 2024.103 The new rule applies to companies operating in the bloc – whether they are local companies or subsidiaries of multinationals – with annual revenues exceeding 450 million euros and more than 1,000 employees.

Member states will have to transpose the directive into their own legal frameworks by July 2027. The new regulation is expected to be fully in force by July 2029. National laws that follow similar principles are already in force in countries such as France<sup>104</sup> and Germany<sup>.105</sup>

In practice, European importers of Colombian coffee will need to invest in transparency and traceability to ensure a product free of socio-environmental violations in its supply chain.

For experts interviewed by **Repórter Brasil**, there is still distrust regarding the effectiveness of the new rules. "Due diligence laws definitely force companies to be more careful. Will this be the change that changes everything? I don't think so," says Fabio González, from the Ministry of Labour in Antioquia. "They'll find [other] ways to launder their coffee by exploiting worker's rights."



## Full statements of companies and certifiers

#### **FAIRTRADE**

Responses to questions from Repórter Brasil about coffee farms and worker conditions in Colombia

Please note: Cooperativa Departamental de Cafeicultores de Huíla (Cadefihuila) and the Cooperative de Caficultores de Salgar are Fairtrade certified producer organisations and therefore must adhere to the Fairtrade Standard for Small-scale Producer Organisations not the Fairtrade Standard for Hired Labour Organisations that **Repórter Brasil** referred to.

The small scale producer organisation certification does not recognise individual farms but the members who own the farms and therefore further investigation is needed to confirm that the farms named "Finca La Siberia" and "Los Naranjos" are owned by members of a Fairtrade certified cooperative.

1) In the case of certified producers who hire workers, Fairtrade includes the obligation to formalize written employment contracts for temporary workers who work for three months or more on the estate (Criterion 3.5.7.). A copy of this employment contract is provided to the workers (Criterion 3.5.8.). Has this criterion been breached in the cases presented?

The Cooperativa Departamental de Cafeicultores de Huíla (Cadefihuila) is a Fairtrade certified small producer organisation and therefore must adhere to the Fairtrade Standard for Small-scale Producer Organisations. Section 3.3.24 of the Standard requires that all permanent workers have a legally binding contract and that they understand the terms of the contract. These contracts may be verbal as per Colombian national law. Furthermore, Section 3.3.23 states that migrant or seasonal workers who are employed must also meet the requirement of the Standard.

This applies to farmers who employ more than 10 workers, who work more than 30 hours per week, and who work for at least one month during the year.

Any violations of the Fairtrade Standard must be reported to FLOCERT, Fairtrade's independent certifier, who checks for these breaches in their thorough investigations. FLOCERT will have to investigate to determine any breach of the Fairtrade Standard.

2) Fairtrade also requires that temporary workers' accommodation "guarantees structural security" and "reasonable levels of decency, privacy, safety and hygiene, and includes regular maintenance" (Criterion 3.5.27.). Sanitary facilities must have toilets and showers with clean water. Has this criterion been breached in the cases presented?

The Fairtrade Standard for Small-scale Producer Organisations Section 3.3.32 requires clean toilets/latrines with hand washing facilities close by for workers. These facilities must be separate for women and men and the number of facilities is in proportion to the number of workers.

This applies to farmers who employ more than 10 workers, who work more than 30 hours per week and who work for at least one month during the year.

Again, any violations of the Fairtrade Standard must be reported to FLOCERT, Fairtrade's independent certifier, who checks for these breaches in their investigations. FLOCERT will have to investigate to determine any breach of the Fairtrade Standard.

3) Fairtrade also points out that the maximum weekly working hours allowed by certification is 48 hours a week (Criterion 3.5.9.). However, workers on certified farms interviewed by the report claim to work from sun up to sun down, exceeding the maximum limit of 8 hours a day. How does Fairtrade monitor compliance with this criterion?

The 48 hours refer to the Fairtrade Standard for Hired Labour Section 3.5.9 that states that companies must comply with applicable national and local legislation and industry standards regarding working hours and overtime regulations.

While we have identified the two organisations you mentioned as being certified as small producer organisations, which

means the Hired Labour Standard does not apply. Fairtrade only certifies SPOs in coffee, no estates/plantations, as 95 percent of Latin American coffee farms are smaller than five hectares.

For small producer organisations, section 1.1.0.21 of FLOCERT's Compliance Criteria is applicable. It states that "there are no indications that you or your members violate national legislation on the topics covered by this standard."

Only in case that one of the small producer organisations members or the small producer organisation itself has more than 10 workers that are present for one month or more during a year working more than 30 hours per week or equivalent, must the SPO also adhere to additional Compliance Criteria from the Small-scale Producer Organisation Standard.

Regarding the way FLOCERT conducts its checks - FLOCERT checks during any audit/investigation if working hours are in compliance with the applicable legal requirements in Colombia. We do this by checking contracts and records of overtime and potentially conduct worker interviews. Under Colombian law the weekly working hours are 46 hours, allowing for up to two extra hours per day/12 extra hours per week.

## 4) Does Fairtrade believe that the cases presented in the report are in line with Fairtrade's mission to "make trade fairer for the people who grow our food"?

Fairtrade International does not all believe that these allegations are in line with our mission and values. We believe that farmers and workers should be paid a fair price and that they have decent working conditions and can help build sustainable livelihoods. We have chosen to work in areas where producers struggle with poverty and lack of stability so that we can make a difference. We take all allegations of workers' rights violations very seriously, and we view any form of exploitation and abuse as unacceptable.

It is important to remember that no certification scheme can guarantee that there are no worker rights violations. However, compliance with our rigorous Standards is checked through regular audits by our independent certifier FLOCERT. The audits involve physical inspections of fields, plants and offices as well as document and finance reviews and confidential interviews with staff members.

#### 5) What actions will Fairtrade take after becoming aware of the cases presented by Repórter Brasil?

Fairtrade Standards contain clear language prohibiting these violations based on the International Labour Organization (ILO) conventions and recommendations. Fairtrade takes immediate steps to follow-up to act to protect the people involved when an allegation is made.

To address these allegations, here's what we have done:

We have referred the allegations to the Fairtrade International Protection Committee, as per our Act to Protect policy. This committee reviews and refers allegations to one or more of our producer networks, whose trained staff undertake a safe follow-up assessment. In this case, the Latin American and Caribbean Network of Fair Trade Small Producers and Workers (CLAC) was notified.

We have also referred the allegations to our independent certifier, FLOCERT, for follow up on the certification side. Still, we strongly encourage anyone with information about suspected violations of Fairtrade Standards to report them confidentially to FLOCERT, whether via their multilingual WhatsApp channel, website, email, or telephone. This enables more targeted and effective follow-up. Each allegation is reviewed on a case-by-case basis to determine the best course of action to enable safe outcomes for impacted persons.

# 6) Information on Fairtrade-certified producer associations is published on the FLOCERT platform. Why isn't Fairtrade transparent about certified properties? Does the organization plan to move forward with transparency mechanisms for certificates at farm level?

FLOCERT issues certificates for small producer organisations - cooperatives that are the legal entity with who FLOCERT has contractually binding relations. The members of such cooperatives in coffee are individual smallholder farmers. In each small producer organisation audit, we check the current member list of any cooperative and sample production conditions with members.

Whether "Finca La Siberia" and "Finca Los Naranjos" are farms owned by cooperative members will be investigated. In general, the prevalence of very similar farm names, the need for verification of field/farm ownership, plus additional exact location checks require careful investigation.

#### Follow-up questions sent by Repórter Brasil (31/03/2025)

- 1) Even in the case of hiring a considerable number of seasonal workers, does Fairtrade consider this producer to be a "small-scale producer" just because he is linked to a producers' cooperative? What is the criteria adopted?
- 2) Why are there no criterias regarding the accommodation of seasonal workers in the "Fairtrade Standard for Small-scale Producer Organizations", given that, even under these terms, the hiring of migrant and seasonal workers is common?
- 3) In view of the information presented above, can Fairtrade confirm whether "Finca La Siberia" and "Finca Los Naranjos" are Fairtrade certified farms owned by Fairtrade certified cooperative members and whether the certification status will change after the information provided by **Repórter Brasil** about the work conditions on these two farms?

#### **Fairtrade**

- 1) The Fairtrade Standard for Small-scale Producer Organisations (SPO) defines an SPO not by the number of workers, but by the size by hectares of the farms: "The maximum size of the cultivated land where a member grows a Fairtrade crop is equal to or below 30 hectares." The standard also defines for the farms: "Small-scale producers are farmers who are not structurally dependent on permanent hired labour and who manage their production activity mainly with family workforce."
- 2) The Small-scale Producer Organisation Standard does not have a requirement on workers housing like the Hired Labour Standard (Section 3.5.27). Fairtrade recognises that it needs to do more to ensure the benefits of Fairtrade reach workers on smallholder farms, including temporary, seasonal, and migrant workers. The SPO Standard reviews in the recent years have sought to strengthen workers' rights (such as accommodations) through improved labour conditions. It is, however, important to note that many farmers earn very little and some sell only a fraction of their products on Fairtrade terms and therefore requiring them to provide accommodation for workers is a tall order. Fairtrade seeks multi-stakeholder commitment to improve the livelihoods of farmers and subsequently, workers in this context, through pathways such as living income strategy and human rights commitment.

In reference to the "common use" of seasonal workers: Smallholders hire workers during the coffee harvest, however many farmers (some 66%) just hire them for some days a year, and it's usually less than a week.

3) We would not immediately decertify based on these allegations. We will, however, as mentioned in our earlier communication investigate further. Each allegation is reviewed on a case-by-case basis. If violations of our Standards are found, then we would act accordingly.

#### RAINFOREST ALLIANCE

The Rainforest Alliance recognizes the human rights challenges affecting coffee supply chains in Latin America, and we take allegations of violations within our certification program very seriously. Whenever we are presented with credible, concrete evidence of human rights violations on any certified operations, we conduct our own investigation. If that investigation confirms violations of our certification program's rules, the certificate holder is given the opportunity to take corrective action within a designated time-period. If the issue is not resolved, the farm stands to have its certification suspended or canceled, which is stated clearly in the <u>rules of our program</u>.

Regarding the points raised in your reporting, the Rainforest Alliance states that:

- Finca San Fernando has not yet been Rainforest Alliance-Certified. While the farm has applied for certification, it still needs to undergo an auditing process by an independent third-party Certification Body in accordance with our standard.
- Certificate Holder Finca La Arboleda took immediate actions to address non-conformities related to work contracts and housing conditions following a <u>regular audit</u> by an independent third-party Certification Body in 2024, and these non-conformities were closed later in the same year after a follow-up audit. However, after receiving the information provided by **Repórter Brasil**, the Rainforest Alliance will conduct further investigations to verify that these non-conformities have been effectively resolved in accordance with our certification program's requirements and local regulations.

- At the Rainforest Alliance, we believe that addressing human rights challenges in agricultural supply chains requires a systemic and multi-stakeholder approach to collaboration. That's why, as part of our <u>assurance</u> activities, we have involved the International Labour Organization in training sessions for certification bodies over the past few years. With these activities, we aim to strengthen the capacity of certification bodies to assess our standard's requirements within the context of local regulations.
- It is important to emphasize that our mission is to contribute to making agricultural production more sustainable and to promote the continuous improvement of production and working conditions in production chains. In this way, we also believe it is important to give individuals and organizations the opportunity to remain in our program after correcting their conduct and demonstrating a commitment to keeping them in line with the law and certification rules in order to contribute to the improvement of production chains as a whole.
- We are committed to protecting certificate holders' data, including farmer and farm group locations, according to our <u>privacy policy</u> and <u>standard</u>. We only share this information with select third parties, such as auditors and certification bodies, in order to support the certification program. For example, we may share information with auditors to confirm certification audit data. We may also share anonymized and aggregated certification-related information with third-party researchers.
- The Rainforest Alliance Certification program is based on a model of continuous improvement and should not be viewed as a panacea. The system is designed to consider the various realities and complexities of different countries and sectors while providing flexible assurance systems. While certification serves as a valuable mechanism for mitigating risks and promoting responsible practices, no single organization can address these deeply complex challenges on its own. Human rights issues in agriculture require a broader and more holistic approach to systemic change, including legislation and regulatory reforms, education, and a commitment to addressing root causes. The key to success lies in partnerships, where every stakeholder along the supply chain— from governments and NGOs to retailers and brands— plays a key role in shared responsibility.
- Certification is one of the most successful and proven tools available for driving progress towards sustainability practices. Research has shown that credible certification programs lead to tangible benefits such as improved worker well-being and livelihoods, increased yields and prices for farmers, and improvements in ecosystem quality. Certification is an important part of the solution but should not be seen as a silver bullet. While it can help mitigate risks and promote responsible practices, it cannot by itself solve any country's entrenched socioeconomic problems.

#### 4C

4C Responds to Questions about Finca La Arboleda, Colombia

4C Services acknowledges the recent allegations of labour rights violations at Finca La Arboleda, as reported by **Repórter Brasil**. We are treating these allegations with the utmost seriousness and appreciate **Repórter Brasil**'s reporting, which is vital for our compliance efforts. Using the reporter's GPS coordinates, we have confirmed Finca La Arboleda's identity and its corresponding records in our system. However, we must clarify that this farm was part of a 4C certified unit only between June 2, 2023, and August 6, 2024. **The farm is currently not part of any 4C certified unit.** 

However, despite the farm's status outside of our system, we would like to address the specific concerns raised by **Repórter Brasil** to demonstrate our commitment to transparency and provide insight into our standards and processes.

Addressing Specific Concerns:

- **Verbal Labour Contracts (Criterion 2.1.10):** 4C standards require written labour contracts, aligning with local laws and regulations. While oral contracts may be permissible under specific national legislation (as in Colombia) and in exceptional cases, they must adhere to 4C guidance and verification protocols.
- Excessive Working Hours (Criterion 2.1.13): The 4C Code of Conduct addresses working hours and overtime, acknowledging the demands of harvest season activities. It mandates a maximum of 48 working hours per week, or fewer if required by national law. Overtime must be voluntary, fully compensated, and limited to 12 hours per week. Exceptions are permissible only during peak harvest season, and for a maximum of two months. 4C provides

verification guidance for auditors, which includes reviewing timesheets, working time records, and payment slips, conducting worker interviews, and engaging with community stakeholders as needed to confirm compliance.

- Adequate Housing (Criterion 2.2.1): The described housing conditions at Finca La Arboleda are inconsistent with 4C's definition of "adequate housing," which includes basic amenities like separate beds, proper sanitation, and safe construction.
- **Alignment with 4C's Mission:** Even though this farm is not currently part of the 4C system, this situation highlights the value of stakeholder input in driving continuous improvement and effective implementation of our standards.
- **Transparency at Farm Level:** We recognize the importance of transparency and are exploring options to enhance public access to information about farm-level certifications, while considering crucial requirements on data protection regulations.
- **Minimum Wage**: We acknowledge the complexity of ensuring fair compensation for farmers within the diverse economic landscapes of coffee-producing regions. Instead of setting fixed minimum prices, 4C focuses on strengthening farmers' economic resilience through sustainable practices, improved productivity, and access to premium markets. This approach aims to empower farmers to navigate market fluctuations effectively.

#### 4C's Role and Responsibilities

As an independent third-party certification scheme, 4C establishes sustainability standards for green coffee production. While system users, including companies and their cooperating groups of producers and farmers, are primarily responsible for implementing and complying with these standards, 4C ensures compliance through rigorous audits conducted by independent Certification Bodies (CBs) and its integrity program. These independent CBs, working in collaboration with 4C, conduct regular and additional audits to verify compliance with 4C requirements, thereby ensuring neutrality and credibility. We emphasize that 4C operates independently and maintains a clear separation between standard-setting and implementation.

#### Strengthening Trust and Ensuring Compliance

To further uphold the integrity of our system, we have established the 4C Integrity Program. This program includes rigorous integrity audits and a grievance and complaint channel, enabling us to effectively monitor compliance and address any reported issues. We are committed to thoroughly investigating any allegations brought to our attention and taking appropriate action.

To maintain the integrity of the 4C system concerning La Arboleda farm, we have placed an alert in our database. If Finca La Arboleda seeks 4C certification again, it will undergo a rigorous extra compliance audit under our Integrity Program, in addition to the standard certification audit. This will ensure all past non-conformities are resolved and current standards are met before reincorporation. We will also require the farm to remove the unauthorized, outdated 4C logo shown in the reporters' photos.

#### Our Commitment to Continuous Improvement

4C remains steadfast in its commitment to assessing and addressing reported risks through targeted interventions. We continuously evaluate real-world conditions to ensure compliance with our requirements and drive positive change within the coffee sector.

Recognizing the inherent challenges in auditing sensitive social risks, 4C is leading a joint project, made possible by a grant from the ISEAL Innovations Fund, with support from the Swiss State Secretariat for Economic Affairs (SECO) and the UK International Development, to enhance the detection of human rights violations in audits. This project will introduce more responsive and context-specific approaches, improving human rights due diligence. As part of this initiative, 4C will conduct free training sessions on human rights, labour, and social topics in Colombia, open to all 4C system users. Additionally, 4C will develop online training materials tailored to the local context for farmer accessibility.

Certification is a proven tool for progress, but it cannot always provide a 100% guarantee that all farmers and certified units are following the requirements. Certification supports also risk assessments and mitigation measures. Its effectiveness is maximized when combined with stakeholder engagement, robust grievance mechanisms, civil society oversight, and supply chain transparency.

4C is dedicated to collaborative improvement and invites comments from all stakeholders. We urge ongoing collaboration with companies, producers, and civil society organizations to address the systemic challenges highlighted in the industry, working together towards a more sustainable and equitable coffee sector.

Cologne, 28th March 2025

#### **STARBUCKS**

At the time of the investigation neither of these farms (Finca La Arboleda, Finca San Fernando) were C.A.F.E. Practices verified, and Starbucks was not buying coffee from them.

We take allegations like these extremely seriously and require suppliers to comply with our <u>Supplier Code of Conduct</u>. We are actively engaged with farms to ensure they adhere to our standards and each supply chain is required to undergo reverification regularly. We remain committed to working with our business partners to meet our expectations. This is how we work with supply partners like Federación Nacional de Cafeteros de Colombia (FNC).

The cornerstone of our approach to buying coffee is <u>Coffee and Farmer Equity (C.A.F.E.) Practices</u>, which was one of the coffee industry's first set of ethical sourcing standards when it launched in 2004 and we continuously work to improve these standards. As you may know, C.A.F.E. Practices was developed in collaboration with Conservation International. C.A.F.E. Practices is a verification program that measures farms against economic, social, and environmental criteria, all designed to promote transparent, profitable, and sustainable coffee growing practices while also protecting the well-being of coffee farmers and workers,

their families, and their communities. To maintain an active status in the program, each supply chain is required to undergo reverification regularly.

**Follow-up question sent by Repórter Brasil (27/03/2025):** Is it possible to know when these (month/year) two properties lost their status of "verified" on C.A.F.E. Practices?

**Starbucks:** reverification occurs every one to two years. These farms (Finca La Arboleda, Finca San Fernando) had been verified previously, but those verifications lapsed, and we were no longer purchasing from them at the time of the investigation.

#### **NESTLÉ**

Nestlé is committed to promoting decent working conditions and upholding human rights throughout its supply chain, actively working to prevent human rights abuses and labor violations. We take all allegations of non-compliance very seriously. Where there are claims that our standards have not been met, we work with our suppliers to investigate immediately and take action as necessary.

Moreover, our supplier list is updated on a yearly basis once information is available after the reporting period. It should be available shortly.

#### **NKG**

Statement by Neumann Kaffee Gruppe

Regarding reports about labor rights violation within the Colombian coffee sector

We have read with great dismay the report on labor rights violations in the Colombian coffee sector. Neumann Kaffee Gruppe (NKG) does not tolerate any form of human rights violations such as forced labor, including human trafficking and slavery-like practices. NKG is committed to eliminating forced labor and any other form of labor rights violations within our sphere of influence. We have immediately launched an internal investigation into the matter and have reviewed our business relationships with the farms mentioned in the report:

- Finca La Arboleda, located in Andes, in the state of Antioquia
- Finca La Siberia, located in Palermo, in the state of Huíla
- Finca Los Naranjos, located in Salgar, in the state of Antioquia.

Regarding our Colombian export company SKN Caribecafé, we can confirm that we did not and do not have a farm called La Arboleda in the Andes, Antioquia, or a farm called La Siberia in Palermo, Huila as part of our supply chains. We had a farm

called Los Naranjos in Salgar, Antioquia, as part of a supply chain in the past. To be able to verify if it is the farm mentioned in the report with certainty, we would need to know the name of the farm owner or the exact location. In any case, the business relationship ended in 2023 and SKN Caribecafé did not purchase any coffee from this farm in 2024.

Our US-based importer, Rothfos Corporation, has sent a request to its suppliers asking whether they have purchased coffee from these farms and sold it to Rothfos Corporation. These requests are still open, so we will not be able to provide more detailed information before the deadline.

Update, March 27, 2025: The supplier of Rothfos Corporation, FNC, confirmed that no coffee from these farms was allocated to Rothfos Corporation or will be shipped in the future.

We can confirm that our German import company, Bernhard Rothfos, had and has no direct business relations with any of these farms.

Update, March 27, 2025: This means that we are currently seeing no business relationships with these farm.

However, due to the complexity of the supply chain, we can never completely rule out the possibility that coffee from these farms may have entered our supply chain through third party sales.

Once we have fully identified potential business relationships with the farms, we can take appropriate action. This could be that we agree with the producers on improvements to working conditions on the ground and monitor these steps closely. However, it may also be that we suspend or permanently terminate the business relationship. We will continue to investigate that matter and of course keep you informed about any new findings.

NKG is well aware of our responsibilities in the countries we operate in. We always act with respect for and in compliance with fundamental rights and national legislation. We have written down our values and beliefs as the basis of our business in our NKG Code of Conduct; this is an integral part of our value-oriented corporate culture. In order to fulfill our responsibility for a growing, sustainable coffee industry in the future, we have, among other things, launched the NKG Responsible Business Program. The program sets specific goals that define responsible and sustainable business practices at NKG. In this context, please refer to the NKG Sustainability Report 2024, published on September 2, 2024, which provides insights into the Responsible Business Program and where NKG stands and where we want to go in the future. Two of our key objectives are to "strengthen sustainability performance within our supply chains" and "improve transparency and ethical behavior in collaboration with our direct suppliers."

NKG is committed to creating transparency and sustainability in our coffee supply chains. Our program NKG Verified includes traceability and compliance with critical criteria such as no worst forms of child labor, no child labor, no forced labor, school attendance, no use of prohibited pesticides, protection of forests and ecosystems, and continuous improvement. To meet our human rights due diligence obligations, we established our Supplier Code of Conduct (SCoC) in 2022, in which we set our values and expectations towards our suppliers. The SCoC has been actively communicated to our key suppliers. Suppliers are encouraged to communicate the SCoC to sub-suppliers as well.

Despite our efforts, we are still in the process of addressing labor issues in the coffee industry. Due to the complex structure of the coffee supply chain, it remains a challenge to cover the entire supply chain. In addition, we cannot guarantee that suppliers who are part of this supply chain are always fully compliant. However, we work closely with our suppliers and are constantly striving to improve working conditions. As NKG, we are committed to critically reviewing our own actions, improving or adapting them as necessary, and to being and remaining in constant communication with our suppliers and customers. For further questions please do not hesitate to contact us!

#### Further Links and information:

- Responsibility Neumann Kaffee Gruppe (NKG)
- NKG Code of Conduct
- NKG Responsible Business Program
- NKG Sustainability Report 2024
- Supplier Code of Conduct

#### **TCHIBO**

As a company committed to human rights in accordance with international standards as laid out in our "human rights and environmental policy in agricultural supply chains" we handle grievances and allegations with due care.

We have checked our traceability data. We did buy coffee from Carcafe during the period in question, but this coffee did not come from Finca La Arboleda in Antioquia, but from farms in other regions of Colombia

#### **FNC**

Por medio del presente, damos respuesta a sus inquietudes enviadas por correo electrónico el día 24 de marzo del presente año.

A continuación las preguntas formuladas por usted y sus respectivas respuestas:

#### 1) ¿Qué medidas tomará FNC tras conocer los casos presentados por Repórter Brasil?

La problemática de la protección social para la mano de obra dedicada a la actividad de la caficultura, incluida la de los mismos productores de café en Colombia, ha sido de atención y estudio permanente por parte de la Federación.

La Federación, ni desconoce ni minimiza la situación de informalidad que rodea toda esta actividad, la cual no es ni diferente ni especial frente a la situación de la ruralidad y del campo colombiano. De manera reiterada hemos sido voceros de iniciativas para generar políticas públicas que conduzcan a mejoras y avances en esta materia.

No puede olvidarse que durante más de 9 décadas el mayor órgano de gobierno para la conducción de la política cafetera colombiana, ha sido conformado por los Ministros más importantes del ejecutivo de nuestro país. En la actualidad los Ministros de Hacienda, Agricultura, Comercio Exterior y el Director del DNP comparten con los representantes de los 15 Comités departamentales de cafeteros el Comité Nacional de Cafeteros. Como se ha indicado y es reconocido, en términos generales, en el campo colombiano existe un alto nivel de informalidad por falta de una normativa aplicable en pensiones y riesgos laborales que en conjunto con el régimen subsidiado de salud (el 95% de los caficultores está cubierto por éste) permita la inserción en la formalidad a la población que labora en el campo y en la zona rural dispersa.

Fruto de ese trabajo conjunto, en materia de Seguridad y Salud en el trabajo se expidió por parte del Ministerio del Trabajo una normatividad diferencial para las Unidades de Producción Agropecuaria (UPAs) con menos de 10 trabajadores permanentes. (Decreto 1072 de 2015, Decreto 171 de 2016, y Resolución 312 de 2019).

De otro lado, es necesario tener en cuenta que para cualquier consideración de orden legislativo o regulatorio se deberá recordar que la gran mayoría de la caficultura colombiana cabe dentro de la definición de "Agricultura campesina, familiar y comunitaria" como el sistema de producción y organización gestionado y operado por mujeres, hombres, familias y comunidades campesinas, indígenas, negras, afrodescendientes, raizales y palenqueras que conviven en los territorios rurales del país (UPRA, 2024).

A partir de la definición anterior, y teniendo en cuenta que el 96,9% de los caficultores en Colombia, son pequeños caficultores con menos de 5 has. sembradas en café (SICA, FNC, 2024), se clasifican dentro de la agricultura campesina, familiar y comunitaria. Con datos de la Encuesta Nacional Agropecuaria (DANE, 2019), alrededor del 80% caben en la definición de agricultura familiar donde la fuerza de trabajo como su nombre lo indica es esencialmente familiar. Cualquier regulación en materia de protección social deberá entonces ajustarse a esta realidad.

Además, un estudio sobre los recolectores de café encontró que alrededor del 45% de ellos son productores en unidades de producción agrícola familiar de tamaño pequeño (menos de 1 ha). De otra parte alrededor del 20% de los recolectores son itinerantes interdepartamentales, es decir que migran a lo largo de la zona cafetera siguiendo el comportamiento de la cosecha con el fin de maximizar sus ingresos provenientes de esta actividad. El remanente, o sea el 35%, son itinerantes intradepartamentales (Ensayos de Economía Cafetera, No.32 (2016/17), Federación Nacional de Cafeteros "La recolección de café en Colombia. Una caracterización del mercado laboral").

La legislación laboral colombiana hoy vigente presenta vacíos respecto de cómo aplicar conceptos propios de los contratos laborales para actividades urbanas a las actividades rurales y sobre todo en la caficultura en donde la itinerancia y la temporalidad son el denominador común.

De conformidad con lo expuesto y teniendo en cuenta sus afirmaciones, se puede decir, que la mayoría de la población laboral cafetera puede estar en la informalidad, más no en la ilegalidad - conceptos distintos -, por falta de una regulación adecuada y aplicable.

Igualmente se recuerda que las relacione

s laborales no requieren un documento escrito, se pueden formalizar de manera verbal. Adicionalmente la mayoría de las labores del campo son labores ocasionales, accidentales o transitorias, de corta duración, y en épocas de cosecha, además de ser desarrolladas en zonas en donde no existe conectividad ni servicios bancarios, presupuestos necesarios, mas no suficientes para la inclusión y formalización del campo.

# 2) ¿La misión de la FNC de "procurar el bienestar del caficultor colombiano" también incluye los recolectores de café? ¿La FNC cree que ha logrado su objetivo de garantizar condiciones laborales más justas para todos los involucrados en la cadena productiva del café colombiano?

La misión de la FNC, tal como lo establece el artículo 2 de sus Estatutos, es "procurar y promover prioritariamente la prosperidad y el interés general de los productores de café". Igualmente, y de conformidad con el artículo 3, la FNC "tiene por objeto orientar, organizar y fomentar la caficultura colombiana y propender porque sea rentable, sostenible y mundialmente competitiva, procurando el bienestar del productor de café a través de mecanismos de colaboración, participación y fomento ya fuere de carácter social, económico, científico, tecnológico, ambiental, industrial o comercial, buscando mantener el carácter de capital social estratégico de la caficultura colombiana."

La FNC trabaja a diario para lograr el objetivo del mayor bienestar de los caficultores de Colombia, incluyendo las condiciones laborales más justas para todos los involucrados en la cadena productiva. Por supuesto, siempre hay oportunidades de mejora y en ellas enfoca sus mayores esfuerzos la FNC.

## 3) ¿La FNC cree ser posible garantizar condiciones decentes de trabajo para los recolectores de café que trabajan en las fincas colombianas? ¿Cómo?

Como se indicó en la respuesta anterior, la FNC hace esfuerzos constantes para mejorar las condiciones de vida de los caficultores del país, llevando a cabo distintos proyectos, programas y actividades. Se recuerda que la FNC es una entidad sin ánimo de lucro, de carácter gremial, integrada por los productores de café federados en el país.

4) La reforma laboral, propuesta en marzo de 2023 por el Ejecutivo colombiano, incluyó dos artículos sobre el trabajo rural: la creación de un contrato agropecuario (artículo 29), incentivando la formalización de relaciones laborales permanentes y estacionales, y el establecimiento de un jornal agropecuario (artículo 29), que flexibilizaba la duración de los contratos, permitiendo el cobro de beneficios por día. Estos puntos fueron excluidos durante la aprobación del texto en la Cámara de Representantes. ¿La FNC estaba a favor de mantener estos dos puntos? ¿Cuál es la valoración de la FNC sobre la reforma laboral?

La FNC considera que los artículos mencionados eran susceptibles de ser mejorados en el sentido de recoger de una mejor manera la realidad del campo y de la caficultura.

Por otra parte, una lectura cuidadosa de los artículos relacionados con el campo, no permitían lo que se indica en su pregunta y en particular las cotizaciones por días y con la flexibilidad para tener en cuenta actividades estacionales, y actividades en distintas fincas a lo largo del día y la población itinerante, requerían para lograr una oportuna y adecuada inclusión en la población laboral.

## 5) ¿La FNC evalúa que la informalidad en las relaciones laborales durante la cosecha de café es un problema a enfrentar? ¿Existe alguna estrategia o propuesta por parte de la Federación para reducir este problema?

La Federación de manera permanente y en su interacción con el gobierno nacional sigue generando iniciativas que mejoren la calidad de vida de quienes participan en la caficultura. No puede olvidarse que este gremio ha contribuido con bienes públicos apreciados por la población tales como vías terciarias para conectar el territorio y permitir sacar la cosecha y entregarla en los más de 500 puntos de compra organizados, servicios médicos, escuelas rurales, vinculación a la salud contributiva y subsidiada, vinculación a los BEPS y demás proyectos productivos y actividades que hacen de la FNC una de las organizaciones que más progreso y desarrollo han llevado al campo.

En los últimos 10 años, la FNC ha invertido y ejecutado proyectos de inversión social para beneficiar las familias caficultoras colombianas por un valor aproximado de COP \$2,213 billones (USD 539 Millones a la tasa de hoy), de los cuales casi el 70% son el resultado de la gestión de aliados privados, públicos, nacionales e internacionales y el 30% a inversiones directas del Fondo Nacional del Café.

Del total de esta inversión, el 54% se ejecutó en proyectos relacionados con el eje económico, impactando directamente en la rentabilidad de las fincas, mejorando la productividad y mejoramiento del precio. El 39% se invirtieron en proyectos de tipo social relacionados con el mejoramiento de infraestructura vial, educación, saneamiento básico, mejoramiento de vivienda rural entre otros y un 7% en proyectos de tipo ambiental orientados a la gestión del agua y recursos naturales.

También hay que recordar que años atrás esta entidad acompañó una importante iniciativa que se convirtió en el "el piso de protección social" (PPS) como mecanismo de protección social, dirigido especialmente a trabajadores que ganaban menos de un salario mínimo mensual legal vigente (SMMLV) y que obligaba a los contratantes de esa mano de obra a contribuir con el 15% del ingreso para lograr un beneficio periódico que en conjunto con un seguro inclusivo, se convirtieran en ese primer paso hacia la formalización y la protección social de dicha población. Dicho mecanismo, consagrado en el artículo 193 de la ley 1955 de 2019, infortunadamente fue declarado inexequible por la Corte Constitucional por vicio de forma (por estar contenido en una ley del plan) en su sentencia No. 276 del 19 de agosto de 2021.

Por último, se señala que tal y como exigen diversos estándares voluntarios de sostenibilidad, las auditorías y verificaciones anuales deben ser realizadas por terceras partes independientes y acreditadas por los mismos sellos - organismos de certificación y/o verificación. El cumplimiento de este proceso permite contar con cadenas de suministro de café certificado como 4C, Rainforest, Fairtrade y C.A.F.E Practices, entre otros.

Los organismos de certificación se adhieren a los protocolos de certificación de los distintos estándares de sostenibilidad y realizan las auditorías en medio de la cosecha a una muestra representativa de los productores que participan en cada programa. Estas auditorías abordan temas relacionados con condiciones laborales, protección de los derechos humanos, entre otros aspectos sociales y ambientales, de acuerdo con la legislación nacional aplicable y como requieren los acuerdos internacionales.

En conclusión, la FNC no tiene ninguna injerencia sobre los organismos de certificación, terceros imparciales, ajenos a la FNC los cuales realizan las auditorías correspondientes para evaluar si otorgan o no el certificado en mención a un grupo de caficultores específico.

Cordialmente,

REYNALDO ANDRÉS DÍAZ MEDINA Representante Legal Suplente

#### **CAFEXPORT**

Ante su invitación a responder en la discusión, le informo que la finca San Fernando de Ciudad Bolívar mencionada en su correo no hace parte de nuestros programas de sostenibilidad ni de nuestra cadena de suministro.

## **NÃO RESPONDERAM**

As empresas colombianas Carcafé e Expocafe e as cooperativas de cafeicultores de Salgar e Huíla não responderam aos questionamentos enviados pela **Repórter Brasil**. A compradora Sucafina também não enviou respostas.

Os donos das fazendas Los Naranjos e San Fernando não foram localizados pela reportagem. Entrevistado pessoalmente pela **Repórter Brasil** durante a viagem de campo, o proprietário da fazenda La Siberia não foi localizado pela reportagem novamente para responder perguntas adicionais. Já a Fazenda Arboleda não respondeu aos questionamentos enviados até o fechamento deste relatório.

## NOTES

- 1 https://federaciondecafeteros.org/wp/listado-noticias/produccion-de-1479-millones-de-sacos-de-cafe-no-se-registraba-des-de-hace-29-anos-en-el-periodo-marzo-a-febrero/
- 2 https://www.fas.usda.gov/data/production/commodity/0711100
- 3 https://federaciondecafeteros.org/wp/listado-noticias/produccion-de-1479-millones-de-sacos-de-cafe-no-se-registraba-des-de-hace-29-anos-en-el-periodo-marzo-a-febrero/
- 4 Ibid.
- 5 https://federaciondecafeteros.org/app/uploads/2024/09/Economi%CC%81a-Cafeterea-No.-37.pdf (p. 135)
- 6 https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@americas/@ro-lima/@sro-lima/documents/publication/wcms 863074.pdf (p. 31)
- 7 https://www.gatopardo.com/articulos/los-andariegos-el-viejo-oficio-de-recolectar-cafe-en-colombia / https://diariolaecono-mia.com/tomemos-cafe/item/3181-andariegos-seres-humanos-que-cambian-vida-por-cafe.html
- 8 https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@americas/@ro-lima/@sro-lima/documents/publication/wcms\_863074.pdf (p. 42)
- https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@americas/@ro-lima/@sro-lima/documents/publication/wcms\_863074.pdf (p. 41)
- 10 https://www.minagricultura.gov.co/CadenaProductos/Paginas/Cafe.aspx
- 11 https://vocesporeltrabajo.org/
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