



Terms of Reference (ToR) for developing IEC material / module on due diligence

Name of the organization: Fairtrade

Nature of Work: Hiring of consultant /agency required to develop content on due diligence.

Apply by 12th March 2024.

Network of Asia and Pacific Producers:

Fairtrade Asia Pacific, registered as Network of Asia and Pacific Producers' (NAPP) Hong Kong, is a mission based social enterprise which facilitates Fairtrade producers in Asia and Pacific region to be effective in various functions and activities across the region through a wide range of products and services. To that end, NAPP engages in advocacy, consultancy, support services – marketing and financial, information dissemination and training. NAPP is a multi-stakeholder body comprising representatives of producer organizations, Fairtrade Premium Committees, small farmer organizations and promoting bodies who are certified by or registered with the Fairtrade International. As the official representative of Asian and Pacific Producers within Fairtrade International, NAPP also works to ensure that Asian and Pacific realities and conditions are considered while setting Fairtrade Standards without compromising on the basic principles of Fairtrade.

For more information please visit: www.fairtrade.net or www.fairtradenapp.org

The consultant / agency will work keeping in mind that the content will be used within the Asia-Pacific regional context. The consultant / agency will coordinate with the HREDD Manager and will take overall guidance of the Social Compliance and Risk Senior Manager (Asia Pacific). The assignment is envisioned to start in March 2024.

Context:

On 29 June 2023, the European Union (EU) deforestation-free regulation (EUDR) entered into force with a focus on agricultural commodities like soy, beef, palm oil, wood, cocoa, coffee, rubber and some of their derived products, such as leather, chocolate, tyres, or furniture.

Under the Regulation, any operator or trader who places these commodities on the EU market, or exports from it, must be able to prove that the products do not originate from recently deforested land or have contributed to forest degradation.

The Regulation on deforestation-free products repeals the EU Timber Regulation. As of 29 June 2023, operators and traders will have until 29 December 2024 (18 months) to implement the new rules. Micro and small enterprises will enjoy a longer adaptation period, as well as other specific provisions.¹

¹ https://environment.ec.europa.eu/topics/forests/deforestation/regulation-deforestation-free-products_en

On 23 February 2022, the European Commission adopted a proposal for a Directive on corporate sustainability due diligence (EUCSDDD). The aim of this Directive is to foster sustainable and responsible corporate behaviour and to anchor human rights and environmental considerations in companies' operations and corporate governance. The new rules will ensure that businesses address adverse impacts of their actions, including in their value chains inside and outside Europe.²

Fair Trade Companies and Producers for the most part do not fall directly under the directive, however, will be indirectly affected by being part of the supply chains of larger companies and having to fulfil and document new compliance requirements set by them.

Both regulations are already now affecting Fair Trade Companies in Germany as well as producer groups in the Global South, who are increasingly scrutinized for potential compliance risks as well as having to implement new documentation procedures, answer a diverse range of questionnaires by commercial partners, and being expected to implement new processes to mitigate and/or remediate risks without necessarily being supported financially for the associated costs. Especially economically marginalized small-holder cooperatives, which are the main target group of Fair Trade, are increasingly questioning how they will be able to comply with the new requirements by buyers and fear being pushed out of the market. Anecdotally, it can already be seen that some companies shift their sourcing away from small-holder farmers which are seen as a higher risk and rather source from larger, vertically integrated businesses with well-documented plantations.

Objective

NAPP aims to enable compliance of a larger number of supply chain partners in German Fair Trade supply chains with the new regulations.

The overall aim is to develop a practical approach, methods and examples of facilitating meaningful stakeholder engagement. In this process we will put to test how sustainability systems can act as tools for meaningful stakeholder engagement as part of a company HREDD process. We envision that eventually the rightsholders will gain improved capacity to engage and influence HREDD work.

Women are often especially affected by human rights and environmental due diligence violations. Special care will therefore be taken to analyse their situation and include targeted measures based on women's needs and the 3R principles.

The focus of the intervention is deliberately on organizations that are part of the Fairtrade control system since the current regulations add further obligations and costs of compliance. This focus is also useful as it will show that the principles of Fair Trade can serve as a blueprint for how due diligence and environmental protection have been implemented and practiced for over 50 years. The intervention will show that even though the new regulations will

² https://commission.europa.eu/business-economy-euro/doing-business-eu/corporate-sustainability-due-diligence_en#why-does-the-eu-need-to-foster-sustainable-corporate-behaviour-and-responsible-corporate-governance

require additional work for producer organizations, they are well equipped to implement them with appropriate support due to their integration into the Fairtrade systems.

Job Purpose

Human Rights and Environmental Due Diligence (HREDD) training materials are being designed to educate and equip individuals and businesses with the knowledge and skills necessary to identify, prevent, mitigate, and account for how they address their impacts on human rights. The training materials will encompass the legal framework and understanding of business in human rights. The IEC materials will also cover the due diligence process in a self-explanatory manner that will elaborate on the necessary steps.

Additionally, the IEC materials will also encompass cross cutting issues as gender equality and women's empowerment. child labour and bonded labour. Substantial case studies will provide hands-on training that would be derived from real-world scenarios to help participants understand the application of HREDD in different contexts.

Key Features :

The agency/consultant is required to develop the IEC materials keeping in mind that the audience would be from a different background or, would seek a very layman perspective to the complex HREDD language. The intended IEC materials would entail :

- Structurally and logically divided parts / modules.
- Visually appealing formats such as infographics and illustrations that would be self-explanatory.
- Case studies that are derived from real life situation and would relate to farmers and supply chain actors daily life experiences.
- Embedded in the local context, agro-based cultural practices and language.
- Based upon the traditional farm practices, crop patterns and the agro-economy.
- Be a ready reckoner for all stakeholders
- Adaptive elements to facilitate role plays, story-telling and stimulation exercises.

Deliverables

- Each of the 10 structured training material/module will be placed for review in small lots before finalization.
- The language of the content will be in English and in consideration to the above mentioned features.
- The final version of IEC materials will need to be completed by 15 April, 24
- All the IEC materials will be submitted will have to be shared with the use of appropriate logos provided by Fairtrade NAPP Comms.
- The IEC materials / modules will be submitted in digital format with enabled editing features.

- The submitted IEC materials/modules will be the copyright of the Fairtrade NAPP and will be used by others for non-commercial purpose with credit to Fairtrade NAPP.

Eligibility :

We are looking for a consultant / agency having a team with the following skills and qualifications:

- More than 5 years of experience in content development with data visualization capabilities.
- Prior experience of working on human rights or, legal training content development would be an added advantage.
- Demonstrable experience in developing content development for development sector.
- Track record of such content development production with successful completion.
- Experience in managing and coordinating the content development process and delivering agreed outputs on time and within the finalized budget.
- Excellent and demonstrated understanding of human rights along with the due diligence process.

How to Apply :

Interested consultant / agencies fulfilling the eligibility criteria are invited to submit the following application documents: Expression of interest outlining how the consultant/ agency meets the selection criteria and their understanding of the ToR and technical requirements.

- A proposed methodology and work plan with time frame
- Copy of profile of the consultant/ agency, including the CVs of the consultant or, key team members in case of an agency.
- Two recent examples of similar content developed by the applicant consultant/ agency.
- Financial proposal detailing itemized fees.
- Contacts of 2 references / agencies where recent assignments have been undertaken and completed. Fairtrade NAPP may ask the consultant /agency for a presentation on the work envisaged.

N.B.: Please mention – “Application for the IEC material/ module on HREDD in the email subject line and send it to the email raj.b@fairtradenapp.com with CC to sonia.dominica@fairtradenapp.org and bindu@fairtradenapp.org by March 12 2024.

Fairtrade NAPP reserves the right to cancel the request for proposal without assigning any reason whatsoever.

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