

Public Eye rejoinder to company reactions in response to our report “Agricultural Commodity Traders in Switzerland: Benefitting from Misery?”

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We welcome the chance to issue a rejoinder to the companies' reactions in response to our report. Considering the responses, we would like to make the following observations and comments:

Out of the 11 company responses (of a total of 16 companies investigated more closely in the report), 5 can be considered rather generic statements which do not refer to neither the report as such nor to any specific information contained therein. It seems that those companies prefer to highlight and point to existing policies or codes of conduct rather than deal with actual allegations or demonstrate actions taken to address the root causes of the issues portrayed in our report. While many admit that there remains a lot to be done to tackle issues in this sector, the focus still seems to lie largely on policies and standards. Moreover, many companies point to the fact that there is a joint responsibility that requires collaborative efforts to tackle such issues. We agree that no player alone can solve all the problems springing from the unequal distribution of power and the resulting injustices. However, the past experiences of focusing on selective and philanthropic measures rather than on the bold and swift implementation of the United Nations Guiding Principles on Human Rights (UNGPs) have proven that corporate self-regulation is failing and that binding measures are overdue.

Moreover, companies should no longer be able to hide behind policies, the fact that they might have inherited issues from previous businesses nor the shortcomings of others. Rather, they should move from showing commitment and output to demonstrating actual impacts (such as concrete progress towards achieving a living income). A crucial instrument towards achieving their corporate responsibility to respect human rights, the UNGPs and its core piece, Human Rights Due Diligence, is absent. It is shocking that all but one company that responded to our report fail to mention the UNGPs. It has been 8 years since they were adopted by the UN Human Rights Council and they have since become the reference point for business responsibilities when it comes to respecting human rights. There is even a guidance which was developed by a multi-stakeholder forum for the Swiss commodity trading sector on implementing the UNGPs. Only one company mentions their commitment to the guidance despite the sector association's recent claims, that the [guidance is already largely implemented by its members and codifies existing practice](#).

We welcome the responses of the companies that provided a bit more detail regarding the contents of our report. Some have clarified inaccuracies when it comes to certain data used such as the size of their landholding or ownership of plantations. Due to the opacity of the sector, the available sources which we had to rely on might not have reflected the current state of affairs. Others point to the fact that our report relies on dated information about cases that are mostly resolved. Without more current information or evidence as to the satisfactory resolution of the mentioned violations, however, we must rely on said public data. While some companies accuse us of failing to provide context, hardly any have provided evidence themselves as to the alleged remediation of the cases. We welcome any evidence-based information provided by the companies with a view to updating specific data on our website if justified.

We therefore reaffirm that the key findings of our report, none of which were contested by any of the companies, are valid and that after decades of failed corporate self-regulation, binding measures to tackling the issues in the sector are long overdue.