

CODE OF CONDUCT - IMPLEMENTATION GUIDELINES

1. VISION AND OBJECTIVES

- A. Bonsucro recognises that sugarcane production, processing and sourcing provides an opportunity to create lasting value for the people, communities, businesses, economies and eco-systems in all cane-growing origins in line with the Sustainable Development Goals but also has the potential for adverse environment and social impacts.
- B. The Code of Conduct Implementation Guidelines ("**Implementation Guidelines**") is intended to provide guidance to Members on how they may meet their commitments under the Code of Conduct ("**Code**"). Members may be able to demonstrate compliance with the Code by equivalent or improved processes (which are designed to achieve the same and/or greater actions) to those set out in these Implementation Guidelines. Should a Member consider that they are operating equivalent processes, they should be ready to explain the equivalence of their own measures and why they are more suitable for the Members' own operations, if and when required.
- C. Bonsucro's objective is to create a platform to accelerate change and support Members with the continuous improvement of producer communities and sugarcane supply chains. The fact of cause, contribution or direct linkage to adverse environmental and social impacts alone will not constitute a breach of the Code where Members are able to demonstrate compliance with relevant standards and continuous improvement to address those impacts.
- D. The Code and Implementation Guidelines will be reviewed at least every [5 years] by Bonsucro and may be updated from time to time. Members will be notified of any suggested changes to the Code and Implementation Guidelines and will be given an opportunity to contribute.

2. SCOPE

- A. Where a number of related entities have chosen to take membership as a group or cohort of members ("**Member Cohort**"), the name of each entity forming part of that Member Cohort (together with other identifying information, for example, a company number) must be specified on application for membership. Where one entity in a Member Cohort is found to be in breach of the Code, any consequences apply to the membership of the entire Member Cohort. For the avoidance of doubt, "group" or "cohort" in this context does not refer to a corporate group.
- B. Members are split into the following broad categories (as further specified on the Bonsucro website [\[link\]](#)):
 - i. Farmers;
 - ii. Farmer Associations and Cooperatives;
 - iii. Mills;
 - iv. Intermediaries;
 - v. End Users; and
 - vi. Civil Society.

- C. Bonsucro recognises that the roles and responsibilities set out in the Code will apply differently to different categories of Members. Illustrative guidance on how it is expected to apply to individual members is set out in below.
- D. Prospective Members, and existing Members on the coming into force of the Code, will need to complete the Code of Conduct Self-Assessment ("**Self-Assessment**") to identify where specific action is required to bring its sugarcane production, processing and sourcing in line with the Code. For Prospective Members, this will be part of the Member on-boarding process and they will need to provide a copy of the completed Self-Assessment to Bonsucro. Existing members should be ready to provide it to Bonsucro if requested within 12 months of the Code of Conduct coming into force.
- E. The Self-Assessment template will be reviewed from time to time with any material changes being notified to Members for comment.
- F. Bonsucro recognises that not all existing and Prospective Members will immediately be in a position to fully comply with the Code and Implementation Guidelines. This should not prevent them from becoming (or continuing as) Bonsucro Members if, within 12 months of the date this Code and Implementation Guidelines coming into force (or the date of its application form, if a prospective Member), they put together and start implementing an action plan with time-limited commitments which will ensure that they reach full compliance within a reasonable period. What is reasonable will depend on the individual circumstances of the Member. Members will report to Bonsucro the status of their action plan or their compliance with the Code of Conduct (by updating the Self-Assessment) yearly when membership fees are paid.
- G. Where any *bona fide* complaints or issues are raised in relation to a Prospective Member during the [30 day] membership application period and which are not submitted as complaints to Bonsucro's Grievance Mechanism, Members must commit to addressing these issues in their action plan.
- H. Notwithstanding the period to work towards compliance contained within the Implementation Guidelines, should any existing or Prospective Member's non-compliance (or other issue which may bring the reputation of Bonsucro into disrepute) mean that Bonsucro considers (in its sole discretion) that the Member's conduct is incompatible with continued membership, Bonsucro reserves the right to suspend or cancel membership of any Member (or place conditions on that membership) whilst the Member implements its action plan.

ROLES AND RESPONSIBILITIES

3. COMMIT & ACT

- A. Members' obligations under the Code are not a substitute for, nor should they be considered to override compliance with, applicable domestic laws and regulation. The Code is not intended to put Members in situations where they face conflicting requirements. However, where applicable domestic laws and regulation conflict with the obligations under the Code, Members should seek ways to honour their obligations to the fullest extent which does not place them in violation of domestic law. Compliance with national law also includes complying with court orders.

Continuous improvement

- B. Members can demonstrate continuous improvement by, for example:

- i. for Farmers: making a time-limited commitment to achieve and maintain certification, over an increasing percentage of a Member's production;
 - ii. Farmer Associations and Cooperatives and Mills and Mill Association:
 - a) promoting sustainable sugarcane and supply chain policies and processes, including as set out in the Code;
 - b) making a time-limited commitment to producing and/or sourcing an increasing percentage of Bonsucro certified sugarcane and sugarcane-derived materials; and/or
 - c) investing in improvement projects to demonstrate tangible economic, social and environmental benefits;
 - iii. for Intermediaries and End Users:
 - a) promoting sustainable sugarcane and supply chain policies and processes, including as set out in the Code;
 - b) making a time-limited commitment to source an increasing percentage of Bonsucro certified sugarcane-derived material using Mass Balance certification or Bonsucro Credits; and/or
 - c) investing in improvement projects to demonstrate tangible economic, social and environmental benefits;
 - iv. for Civil Society:
 - a) providing support, research and advice to Bonsucro and its Members on the sustainable production and sourcing of sugarcane and its derivatives, for example, by supporting members to put together time-limited action plans;
 - b) playing a role in supporting Member compliance with the Code and the monitoring of commitments;
 - c) participating in the Grievance Mechanism Support Group to support individuals and communities with complaints to Bonsucro's Grievance Mechanism;
 - d) promoting Bonsucro through their networks;
 - e) creating consumer and business awareness of risks and opportunities in the sugarcane sector;
 - f) promoting engagement with governments; and
 - g) driving smallholder farmer inclusion.
- C. Bonsucro recognises that there will be other commercial and practical factors which will interplay with Member' commitments set out above. Any time-limited commitment to achieve, maintain or source Bonsucro certified sugarcane and/or sugarcane-derived material shall be developed to be achievable within any constraints a Member considers itself to be under: small steps are still important steps to achieving Bonsucro's vision.

- D. Where certification is not possible because of a Members' specific circumstances, for example, because of the physical characteristics of the production area or for commercial reasons, Members may demonstrate continuous improvement in other ways and be ready to explain how they are demonstrating this commitment. All Members should be able to demonstrate respect for human rights and support the protection of forests and other natural ecosystems.
- E. Any time-limited commitment to achieve, maintain or source Bonsucro certified sugarcane and/or sugarcane-derived material shall be developed to ensure that Members' existing contractual commitments upon joining or upon the coming into force of this Code can be honoured.

Respect for Human Rights

- F. A responsibility to respect human rights refers to internationally recognized human rights – understood, at a minimum, as those expressed in the International Bill of Human Rights (Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights) and the principles concerning fundamental rights set out in the International Labour Organization's Declaration on Fundamental Principles and Rights at Work.
- G. Members can demonstrate respect for human rights and support for the protection of forests and other natural ecosystems by addressing salient environmental and social impacts in sugarcane production, processing and sourcing in line with the OECD-FAO Guidance for Responsible Agricultural Supply Chains and the UN Guiding Principles on Business and Human Rights.
- H. Members' efforts to demonstrate respect for human rights and support for the protection of forests and other natural ecosystems will vary in complexity with the size of the Member, the risk of involvement in adverse environmental and social impacts, and the nature and context of its operations and/or supply chain as they relate to sugarcane production, processing and/or sourcing. This means Members' responses will be appropriate to the size, sector, operational context, ownership and structure of the Member.
- I. Members should have in place an effective grievance mechanism or remediation process that shall be formulated with reference to the Effectiveness Criteria in the UN Guiding Principles on Business and Human Rights to enable affected individuals and other stakeholders to raise concerns of non-compliance with their policy commitments.

4. COMMUNICATE

- A. Guidance on what Members will be required to report on, and whether or not this will be published, will be contained in the Reporting Guidelines.