

THE WORKERS BEHIND THE CITRUS FRUITS

A focused Human Rights Impact Assessment of Coop
Sweden's Moroccan citrus fruit supply chains



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ABSTRACT

This paper reports on a focused human rights impact assessment (HRIA) of Coop Sweden's Moroccan citrus supply chains. The HRIA aimed to assess the actual and potential human rights impacts at the production stage of the value chain in Morocco, to identify their root causes, and to provide recommendations to relevant stakeholders concerning their mitigation and/or remediation.

The assessment took just over a year and consisted of five phases of analysis using a methodology aligned with the UN Guiding Principles on Business and Human Rights (UNGPs). The field phase took place between January and April 2021.

The HRIA was commissioned by Coop Sweden, who wanted a better picture of working conditions in the citrus sector and of the experiences of workers in seasonal production.

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Cover photo: Women selecting and preparing mandarins for export. Location: Morocco ©OZ/Alamy Stock Photo

FOREWORDS

COOP SWEDEN AB

We would like to acknowledge and thank Oxfam for the report on the working conditions in the Moroccan citrus production sector. We as Coop Sweden AB have acquired important knowledge and insights in said sector. Despite the ongoing pandemic situation over the last few years, Oxfam has managed to interview people and organizations, which we deem both professional and impressive. We would like to thank Oxfam for the adequate information which enlightens the individual perspective of the worker in the Moroccan citrus industry. We as Coop Sweden AB are proud to be a financial contributor to their work.

The results and findings are of a serious nature and action must be taken immediately.

It is of the utmost importance to bring about change within food chain companies such as ours. We must take action to bring the business of seasonal citrus production in Morocco to change its course in the right direction. The list of recommendations for action provided in the report is an important inspiration on how to proceed.

This assessment addresses ongoing systematic abuse of human rights within the production lines. We hope that Oxfam's report can be a start for the transformation of citrus production in Morocco and subsequently other seasonal agricultural sectors. Coop Sweden AB hopes that the report will inspire other organizations like ours to take action.

We as Coop Sweden AB believe that an open and constructive dialogue is a start for solving the issues described in the report. They are impossible to solve on our own but through collaboration we can make a change.

The first step in our plan of action is to create an organization of food chain companies and suppliers to discuss and resolve these important issues. We do not believe that discussions alone can impact these matters, but our hopes are that the organizations we gather will be able to take action collectively.

Mattis Bergquist
Chief Sustainability
Coop Sweden AB

OXFAM

The publication of this report comes at the crest of a series of important developments in business and human rights across the world. The COVID-19 pandemic – which began towards the end of 2019 – turned a searing spotlight on the egregious inequalities and human suffering across the world that Oxfam has long been fighting – not least wide-ranging human and labour rights violations in food supply chains. At the same time, recent developments in Europe have started to raise hope that respect for human rights is within reach for the many thousands of people producing our food.

THE MOVEMENT TO ENSURE BUSINESSES UPHOLD HUMAN RIGHTS IS GAINING MOMENTUM.

For many years, Oxfam has documented wide-ranging human and labour rights violations in food supply chains across the world. Ever since Oxfam launched its Behind the Brands campaign in 2013, we have been asking companies to move beyond reliance on social audits of suppliers for compliance with company codes of conduct. We have called for companies to transform the way they do business in order to truly be sustainable, and called on them to move towards robust processes of human rights due diligence, in line with the UN Guiding Principles on Business and Human Rights (UNGPs).

In 2019, Oxfam published a focused human rights impact assessment (HRIA) report on the Italian tomato supply chain of SOK Corporation, Coop Sweden's sister cooperative supermarket in Finland.¹ The assessment was a pilot to test the company's new approach to assessing human rights impacts in high-risk supply chains. SOK had decided to move 'beyond audits' and to better align with the UNGPs. The assessment was at that point, to our knowledge, the most comprehensive human rights impact assessment by a major food retailer in a food supply chain. In 2020, Oxfam worked with Systembolaget, Sweden's monopoly alcohol retailer, to conduct a focused human rights impact assessment of its Italian wine supply chains. Beyond Sweden and other Nordic countries, more and more retailers across Europe have committed to conducting human rights impact assessments to strengthen their due diligence.

In 2020 – with the goal to make due diligence something well beyond such voluntary commitments by a few European businesses – Oxfam Sweden and 60 other Swedish civil society organizations called on the Swedish government to make human rights due diligence mandatory for all companies, across their entire value chain and operations. The call asked for Sweden to actively push for binding human rights due diligence legislation for companies at the EU level. The call was supported by 41 Swedish businesses – among them Coop Sweden AB – and over 20,000 private individuals.

Joining this welcome sweep of human rights awareness – and action – Coop Sweden AB joined forces with Oxfam with a view to examining human rights within its own supply chains. The systematic denial of the rights of workers at the agricultural production stage in Morocco revealed in Oxfam's report *Social protection, building dignity*² made Moroccan citrus a strong candidate for Coop's HRIA, especially as Morocco was, at the time, an important citrus sourcing country for Coop Sweden AB.

In March 2021, an overwhelming majority of the European Parliament adopted a proposal for mandatory corporate due diligence to identify, prevent, mitigate and account for human rights violations and negative environmental impacts in businesses' supply chains.³

Oxfam warmly welcomed this news,⁴ which served to validate our work on business and human rights over the past several years. However, we (along with other major civil society organizations) also called on the EU to ensure that the legislation was mandatorily applied to all businesses, had a stronger and harmonized due diligence obligation covering the entire value chain, and that the due diligence definition was built on the internationally recognized UNGPs and the OECD Due Diligence Guidance for Responsible Business Conduct. We also called for meaningful and effective consultation with a wide range of stakeholders in order to establish and implement a company's due diligence strategy. Moreover, we called for the EU legislation to include effective deterrents in case of non-compliance with the due diligence obligations, or for harm caused.

Finally, in February 2022, the European Commission presented its long-awaited proposal for a directive on Corporate Sustainable Due Diligence. Oxfam and many others, including representatives from investors, business and trade unions, welcomed the proposal. However, the long-awaited proposal was a far cry from what is needed to truly protect people and the environment from harmful business practices.

The EU member states and the European Parliament will discuss the proposal, and hopefully agree on a final directive that makes all companies responsible for their business practices, with no chance to escape responsibility through loopholes. Once adopted, the directive will surely put human and environmental due diligence higher up companies' agendas. Businesses who have been working with more robust due diligence processes, including HRIAs, have the opportunity to be ahead of other companies and can lead the way in shaping business practices that respect the human and labour rights of workers in their supply chains.

THE IMPORTANCE OF SUSTAINED, DILIGENT AND MEANINGFUL COMMITMENT TO DUE DILIGENCE

This human rights impact assessment of Coop Sweden's Moroccan citrus supply chain meets the stronger criteria that Oxfam (and other major civil society organizations) have called for in the EU legislation – it covers the entire value chain, from the workers who pick the fruit to the companies who sell it to Coop Sweden AB, to Coop Sweden AB's own purchasing practices and how it communicates with its customers and members. The methodology is

based on the UN Guiding Principles and the OECD Guidelines, and it draws on consultation with a wide range of stakeholders that can feed into Coop Sweden AB's human rights due diligence strategy.

We applaud Coop Sweden AB for engaging with Oxfam on this important endeavour and hope that it will provide the co-operation with valuable information and advice on how to ensure that human rights are respected in *all* its agricultural supply chains.

We urge Coop Sweden AB not to allow its recent restructuring, nor the vagaries of price-driven purchasing priorities that are so typical across our global food system, to undermine the work it has already done in this arena. And we hope that there will be no non-compliance or harm caused through the under-resourcing or de-prioritization of human rights in its supply chains. Our study demonstrates that a wide range of human rights abuses are likely in its Moroccan citrus supply chain, many of which Coop Sweden AB has leverage to address. But it will require sustained, diligent and meaningful commitment to do so. Many people's rights depend on the actions Coop Sweden AB decides to take, and the urgency to act on the recommendations cannot be stressed enough.

We offer Coop Sweden AB our heartfelt support and encouragement in taking this work forward into the future. Through serious efforts by companies like Coop Sweden AB to identify, prevent, mitigate and account for human rights violations, we can get closer to realizing more resilient food supply chains, and, more importantly, a decent and dignified standard of living for the many thousands of workers that produce the food on the supermarket shelves – all of which is ever more pressing in the aftermath of a global pandemic.

Suzanne Standfast
Secretary General
Oxfam Sweden

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EXECUTIVE SUMMARY

BACKGROUND, OBJECTIVES AND METHODOLOGY

Coop Sweden AB prides itself on its reputation as a sustainable retailer and has been voted most sustainable brand four times – most recently in 2021 – by its customers (many of whom, since it is a cooperative, are also its members, and therefore its owners). Yet it is aware that there is a high risk of human rights abuses in its agricultural supply chains and is keen to identify their root causes. Some of those causes may be beyond its control, but Coop's own policies and practices may be contributing to others. By identifying those that are linked to its own practices, Coop will be better equipped to find ways to address them.

The problem of human rights abuses of agricultural workers is not restricted to any one country, commodity or company, but rather is endemic throughout global food and beverage value chains. Labour exploitation has been identified by Oxfam and others in other Moroccan fruit and vegetable sectors such as red berries and tomatoes, and significant labour rights abuses have been reported in other major citrus-producing countries.

This human rights impact assessment (HRIA) aims to assess Coop's actual and potential human rights impacts at the production stage of the company's Moroccan citrus supply chains, to identify their root causes, and to make recommendations to Coop and key stakeholders for prioritized actions to address, mitigate and/or remediate identified impacts.

The methodology used aligns with the UN Guiding Principles on Business and Human Rights (UNGPs) and is informed by the OECD Due Diligence Guidance for Responsible Business Conduct.⁵ The decision to focus on citrus supply from Morocco was based on the following factors:

- Morocco – and the Souss region in particular – is a long-term sourcing location for Coop;
- Morocco is classified by amfori BSCI (Business Social Compliance Initiative), the index used by Coop to inform its human rights work, as a country at higher risk of human rights issues;
- Everfresh, Coop's first-tier citrus supplier in Morocco, expressed willingness to participate in the assessment and facilitate access to sub-suppliers;
- Oxfam has a team based in Morocco which has previously assessed human rights in the agricultural export sector.

The main data sources include:

- academic and grey literature;
- documents shared by Coop and Everfresh;
- semi-structured interviews with staff at Coop, Everfresh and one sub-supplier;
- interviews with 100 workers in the Souss region, of which 59 were women;
- a focus group discussion on sexual abuse and discrimination with 12 women workers;
- interviews with other stakeholders, including transporters, labour inspectors, worker representatives and a packaging station manager;
- a roundtable with 32 stakeholders, including representatives of government, private enterprise, trade unions, academia, NGOs, transporters and workers. (See Annex 3 for details of participants).

CONTEXT

A key aspect of the Moroccan agriculture labour force is the predominance of women – both on farms and in packaging stations. Their precarious working conditions and labour rights challenges have been the subject of extensive research, particularly in sectors such as strawberries and red fruit, although far less attention has been paid to the citrus sector. This assessment starts to address that gap.

In addition to being part of networks such as the Swedish Ethical Trading Initiative and BSCI, sourcing certified products, and implementing a supplier Code of Conduct, in 2020 Coop’s social responsibility strategy sought to go ‘Beyond Audit’ through a series of initiatives in different supply chains, including this HRIA.

In seeking a partner to deliver the HRIA, Coop identified Oxfam as having a track record in delivering HRIs of agricultural supply chains – such as the HRIA of the Italian tomato supply chain of SOK supermarket – as well as experience of working on human rights in Moroccan agriculture.

IDENTIFIED HUMAN RIGHTS IMPACTS IN COOP’S MOROCCAN CITRUS SUPPLY CHAIN

Interviews with 60 farm and 40 packaging station workers were conducted in the region that Coop sources from, but the research team were not given access to workers confirmed to be working within Coop’s direct supply chain. This means that we cannot be 100% certain that the human rights impacts that we found evidence of apply to Coop’s supply chain. However, there is a sufficiently strong likelihood that either these workers are part of Coop’s supply chain or that workers who are part of Coop’s supply chain are experiencing similar or the same issues. Hence, we have described most of the risk of these impacts as being an *actual* risk in the sourcing region and a *potential* (including assessment of likelihood) risk in Coop’s supply chain (see Table 1).⁶ Under the UNGPs, ‘actual’ impacts are those that have already occurred or are ongoing, and ‘potential’ impacts are those for which there is a risk of occurrence in the future.⁷

Table 1: Identified human rights impacts in Coop’s Moroccan citrus supply chain

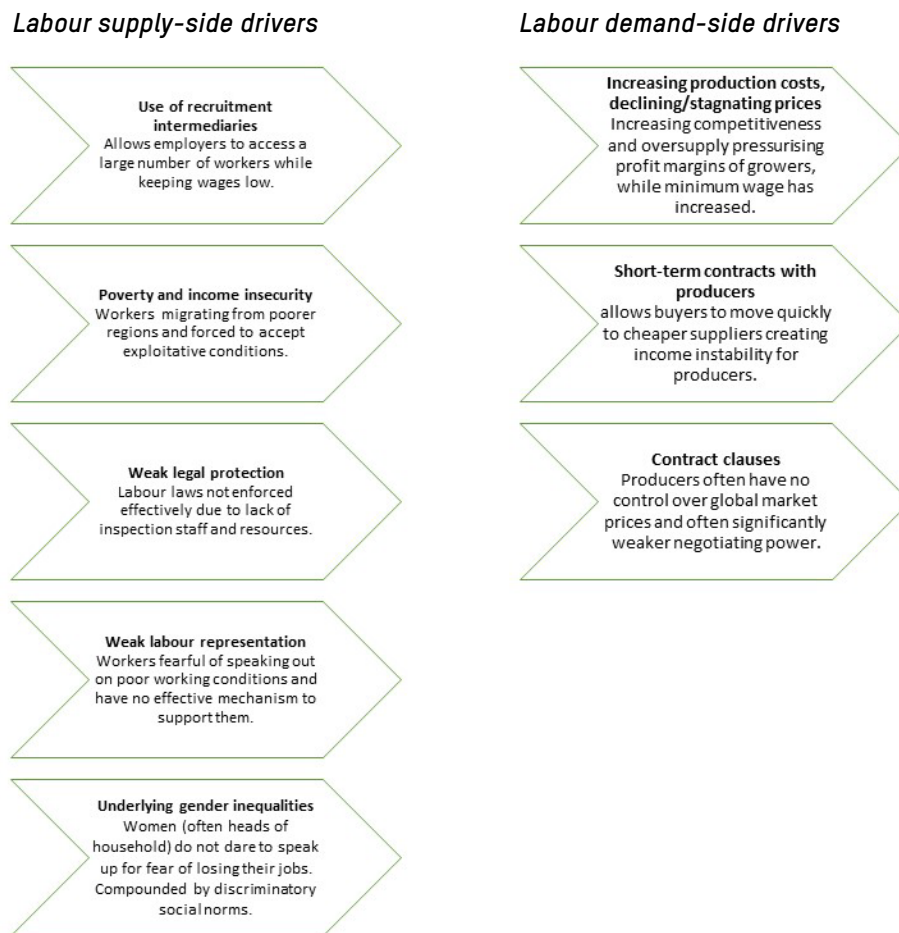
<p>Forced labour</p>	<p>The risk of forced labour and severe exploitation in Coop’s supply chain should be considered a <i>very likely</i> risk.</p> <p>There is a high risk that many workers remain under the strong influence of intermediaries (for example, for recruitment, payment and/or transport) and therefore there is a risk of practices occurring that would meet indicators of forced labour under the International Labour Organization (ILO) operational definition.</p> <p>The risk is likely to increase during peak seasons when employers need more workers, as they often rely on intermediaries to access additional staff.</p>
<p>Sexual harassment and gender discrimination</p>	<p>The risk of sexual harassment and gender discrimination in Coop’s supply chain should be considered a <i>very likely</i> risk.</p> <p>It is well documented that sexual harassment and gender discrimination is rampant in Morocco’s agriculture sector. From the literature and interviews with workers, it is also evident that there is high risk of gender discrimination and sexual harassment in the citrus sector. The sector employs a significant proportion of female workers and it is thus likely that a significant proportion of workers in Coop’s supply chains are affected. This was verified by the women’s focus group discussion for this study.</p>
<p>Low and insecure wages</p>	<p>The risk of low wages in Coop’s supply chain should be considered a <i>very likely</i> risk.</p> <p>Based on the seemingly widespread nature of low wages across the sector, and the large proportion of workers</p>

	interviewed reporting that they do not earn the minimum wage and cannot cover their basic needs, it is considered highly likely that a significant proportion of workers in Coop's supply chains are affected. The lack of social security coverage further exacerbates workers' vulnerability, leaving them with no income during the COVID-19 pandemic, while the lack of written contracts further reduces workers' ability to claim their rights. This study also found evidence of gender inequalities in pay, particularly at the farm level.
Health and safety risks at work and in transport to work	The risk of health and safety concerns in Coop's supply chain should be considered a <i>very likely</i> risk. The evidence from the literature and interviews strongly indicates that workers are often not provided with personal protective equipment and that serious health and safety risks at the workplace and in transport to work are prevalent. In addition, women experience gender discrimination and sexual harassment in transport to work.
Infringements of freedom of association	The risk of infringements of freedom of association in Coop's supply chain should be considered a <i>likely</i> risk. No evidence was found of any practices impeding workers' freedom of association, but there is a high risk of infringements of freedom of association given that trade unions in Morocco are heavily repressed and membership among agricultural workers in the citrus sector is low, particularly at the farm level and among women workers.
Lack of access to remedy	The risk of lack of access to remedy in Coop's supply chain should be considered an actual impact. Given the inadequacy of public grievance mechanisms in a poorly functioning system, repression of trade unions, significant numbers of interviewed workers not knowing how to or not feeling safe reporting an offence or complaint, and the absence of a grievance mechanism in Coop's supply chain, it is considered likely that a significant proportion of workers in Coop's supply chains are affected, particularly at the farm level.
Excessive working hours	The risk of excessive working hours in Coop's supply chain should be considered a <i>likely</i> risk. Based on the interviews, it is considered likely that a proportion of workers in Coop's supply chain are affected – particularly during peak periods at the packaging stations. The pressure for long hours is likely exacerbated during peak seasons by the industry's need to ensure harvesting takes place in a fairly narrow window, before the fruit starts to spoil. In addition, there is evidence that overtime is not being paid at a premium rate – particularly for women on farms.

ROOT CAUSE ANALYSIS

The assessment uses a political economy approach to identify the root causes of the impacts identified above. It analyses the exercise of power within underlying social and political structures, examining the 'rules of the game' rather than the actions of any individual player. This helps to assess the extent to which Coop's own practices and those of its suppliers may be contributing to these impacts and how they might address them. Figure 1 summarises the demand and supply-side drivers of human rights impacts.

Figure 1: Labour supply and demand-side drivers in the Moroccan citrus sector



ATTRIBUTION AND PRIORITIZATION OF IMPACTS

Table 2 summarizes the major adverse human rights impacts identified and their assessment against key criteria outlined in the UNGPs.

Following the UNGPs and OECD guidance, the human rights impacts identified by this study are categorized in terms of their severity, scope (how many people are likely to be affected), remediability, and the likelihood of their occurrence. We have also indicated our assessment of whether Coop’s own practices are contributing to those impacts and what leverage it may have to address them.

Where we have found *actual* human rights impacts in the region from which Coop sources its citrus fruits, we have deemed these to be *likely* in Coop’s supply chain. Although we do not have direct evidence of workers in Coop’s supply chain experiencing these impacts, neither do we have evidence that there is any difference in how they are treated from the workers we interviewed.

Table 2: Summary of identified adverse human rights impacts

	Severity	Actual or potential?	Contribution	Leverage
	Scope (small, medium or large) Scale (minor, moderate or major) Remediable? (not possible, possible or likely)	(if potential – unlikely, likely or very likely)	(caused, contributed or linked)	(low, moderate or high)
	Forced labour			
	<i>Medium scope, major scale, remediable</i>	<i>Actual in sourcing region – very likely in Coop supply chain</i>	<i>Contributes</i>	<i>Low – moderate</i>
	Sexual harassment and gender discrimination			
	<i>Medium scope, moderate – major scale, remediable</i>	<i>Actual in sourcing region – very likely in Coop supply chain</i>	<i>Linked</i>	<i>Low</i>
	Low wages			
	<i>Large scope, moderate scale, remediable</i>	<i>Actual in sourcing region – very likely in Coop supply chain</i>	<i>Contributes</i>	<i>Moderate – high</i>
	Health and safety risks on farms and in transport to farms			
	<i>Large scope, major scale, remediable for most</i>	<i>Actual in sourcing region – very likely in Coop supply chain</i>	<i>Contributes/linked</i>	<i>Moderate</i>
	Restrictions to freedom of association			
	<i>Large scope, moderate scale, remediable</i>	<i>Actual in sourcing region – very likely in Coop supply chain</i>	<i>Linked</i>	<i>Low – moderate</i>
	Lack of access to remedy			
	<i>Large scope, moderate scale, remediable</i>	<i>Actual</i>	<i>Caused</i>	<i>High</i>
	Excessive working hours			
	<i>Medium scope, moderate scale, remediable for most</i>	<i>Actual in sourcing region – very likely in Coop supply chain</i>	<i>Contributes</i>	<i>Moderate</i>

RECOMMENDATIONS FOR ACTION

Human rights impacts	Recommendations
Top priorities	
General	Draft and publish a Human Rights policy for Coop and its supply chains.
Forced labour, sexual harassment and gender discrimination, low wages, excessive working hours, health and safety risks on farms and transport to farms	<p>Make a commitment to the Dhaka Principles⁸ and the Employer Pays Principle.⁹</p> <p>Have a policy and a system that proactively prevents forced labour from occurring.</p> <p>Ensure that citrus prices enable all appropriate costs for ensuring decent working conditions.</p> <p>Establish relevant training for buyers and align incentives for buyers to human rights performance of suppliers.</p> <p>Ensure price benchmarking which takes ethical costs of production – including labour costs – into account.</p> <p>Use long-term and more direct contracting and incorporate this into the supplier code of conduct.</p> <p>Improve the transparency of Coop’s citrus (and other) supply chains and make information on these publicly available.</p>
Forced labour	<p>Support the establishment of alternative recruitment models among Coop suppliers.</p> <p>Call on the Government of Morocco to impose heavier fines and punishments for the use of forced labour.</p>
Sexual harassment and gender discrimination	<p>Put women’s empowerment at the heart of business operations.</p> <ul style="list-style-type: none"> • Sign up to the UN Women’s Empowerment Principles, and report on progress annually. • Develop a gender policy for sourcing in this and other supply chains, and ensure that all suppliers and relevant stakeholders are aware of it. • Work with women’s and workers’ organizations to conduct regular gender-sensitive safety studies, validate findings and develop solutions, and conduct training and awareness sessions at supplier sites. • Support suppliers in providing women-only transport to and from work that is of a safe standard, with no overcrowding. • With suppliers and other relevant organizations, establish a gender-sensitive grievance mechanism that women can have confidence in using to raise concerns and complaints about sexual harassment and abuse. • Engage in advocacy with the Government of Morocco, calling on it to improve laws to protect women at work, at home and travelling between the two.
Low wages and excessive working hours	Support a living wage for women and men workers throughout the supply chain and make a time-bound commitment to factor living wage and income benchmarks into price negotiations and contract terms with suppliers.
Health and safety risks on farms and in transport to farms	Ensure that workers in Coop’s supply chains have adequate training, equipment and processes to keep them safe and in good health at work, and while travelling to and from work.
Cross-cutting	<p>Ensure that workers in Coop’s supply chain are informed about their rights through training and awareness-raising programmes.</p> <p>Work on a time-bound, comprehensive action plan to address the findings and recommendations of this HRIA, including regular reporting of progress on implementation and consideration of future updates to the HRIA.</p>

Medium priorities	
Restrictions on freedom of association	<p>Be vocal and visible in supporting freedom of association and collective bargaining in all supply chains; this may involve lobbying the government and industry associations and supporting the necessary training and governance to implement it.</p> <p>Engage in advocacy in collaboration with trade unions, calling on the Government of Morocco to strengthen laws that protect freedom of association and the right to organize and to strike when conditions do not meet human rights standards.</p>
Lack of access to remedy	<p>Support the establishment of effective site-level grievance mechanisms for agricultural workers in Coop's supply chains.</p> <p>Assess the feasibility of supporting the establishment of alternative independent and democratic worker representation groups that can detect and report cases of labour rights violations to Coop and other relevant actors.</p> <p>Support the provision of a one-stop-shop for employment justice in the citrus-growing regions to provide accurate information and basic mediation services.</p>
Cross-cutting	<p>Engage in advocacy with the Government of Morocco, through a trade association and/or in collaboration with other companies, or alone, calling on it to adequately enforce labour laws by providing sufficient inspection staff and resources.</p> <p>Publish Coop's human rights policy and strategies in full and be transparent about the findings of studies on human rights issues in its supply chains.</p>
Lower priorities	
Cross-cutting	Educate consumers about the cost of ethical production in citrus (and other products).

NEXT STEPS

Coop Sweden AB has committed to communicate about this assessment report externally and internally to its stakeholders and has published an action list outlining first steps (see Annex 6) which the co-operation will take to pursue the recommendations for actions that are given in this report. Coop Sweden AB stressed that this action plan is a work in progress and has committed to publish a more detailed action plan. Further details in this regard are included in Coop Sweden AB's Concluding Remarks at the end of this assessment report. Oxfam's reaction to the action plan is included in Oxfam's Concluding Remarks.

1 INTRODUCTION

1.1 BACKGROUND AND OBJECTIVES

The corporate responsibility to respect human rights, one of three pillars comprising the UN Guiding Principles on Business and Human Rights (UNGPs), means that companies should avoid infringing on the rights of others and address harmful human rights impacts with which they are involved.¹⁰ The responsibility relates to all internationally recognized human rights.¹¹

To meet this responsibility, companies should have in place:¹²

- a policy commitment to respect human rights;
- a human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights;¹³
- processes to enable the remediation of any adverse human rights impacts they cause or to which they contribute.

This human rights impact assessment (HRIA) of the Moroccan citrus supply chains of Coop – one of Sweden’s largest retailers – can be seen as part of Coop’s efforts to undertake more robust human rights due diligence processes. HRIAs are an important tool to enable companies to ‘know and show’ their human rights impacts, which can provide additional insights that go ‘beyond audits’ – the industry-standard tool for assessing compliance with a company’s supplier code of conduct.

The assessment aims to assess Coop’s potential and actual human rights impacts at the production (growing and packing) stage of the company’s Moroccan citrus supply chain, where women workers are most vulnerable, to identify their root causes, and to make recommendations to Coop and key stakeholders of prioritized actions to address, mitigate and/or remediate identified impacts.

1.2 METHODOLOGY

The methodology used in the HRIA is aligned with the UNGPs and informed by the OECD Due Diligence Guidance for Responsible Business Conduct.¹⁴ In its analysis of root causes of human rights impacts and many of the recommendations that ensue, it also draws on the field of international political economy and notably that of global value chain analysis.¹⁵

The assessment covers the full spectrum of human rights – aligned with the UNGPs. However, based on Oxfam’s experience of working in the agricultural export sector in Morocco,¹⁶ particular focus was given to women’s realization of human rights.

The decision to focus on citrus supply from Morocco was based on a number of factors. First, Coop is aware that the agricultural sector in general is characterized by a high risk of human rights issues. Second, Morocco is a long-term sourcing country for Coop – mainly from the Souss region – although the volumes of citrus fruit sourced fluctuate. Morocco is classified by amfori BSCI (Business Social Compliance Initiative) as a country at higher risk of human rights issues, with a score of 41.7 (scores below 60 are considered higher risk).¹⁷ Third, Coop’s first-tier citrus supplier from Morocco expressed willingness to participate in the assessment and facilitate access to sub-suppliers.

Oxfam’s team based in Morocco has previously assessed human rights in the agricultural export sector, which provided valuable knowledge, experience and contacts which inform this study.

The research team was led by **Mira Alestig**, Oxfam Sweden’s Research Lead for Climate and Food Justice. Mira coordinated the relationship between Oxfam and Coop, liaising first with **Christina Snöbohm**, then Coop’s Senior Sustainability Strategist, and subsequently with Sustainability Manager **Mattis Bergquist**. She interviewed Coop

and Everfresh staff and other stakeholders – with some of these interviews conducted with **Tim Gore** (then Oxfam International’s Head of Policy, Advocacy and Research for Climate, Food and Land). Mira Alestig then drafted this report based on a literature review and the findings from stakeholder interviews, local research and wider analysis.

The lead researcher in Morocco was **Pauline Grégoire**, formerly Oxfam in Morocco’s Private Sector Relations Officer. When Pauline left her position, **Abdeljalil Laroussi**, Oxfam in Morocco’s Influence and Campaigns Manager, took over the role as the lead researcher in Morocco. He worked closely with **Khalil Dekiki**, Oxfam in Morocco’s CSR and Private Sector Relations Officer, and **Hiba El Khamal**, Oxfam in Morocco’s Head of Economic and Social Rights and Gender Justice Programmes. **Aicha Sakmassi**, Executive Director of the Moroccan women’s organization Association Voix de Femmes Marocaines (AFVM), was responsible for overseeing and advising the consultants – including **Said Fares** – who conducted the worker interviews. Independent consultant **Sabita Banerji** provided the final draft of the report (while Mira took maternity leave), which was peer reviewed by Oxfam colleagues **Irit Tamir**, **Sarah Zoen**, **Caroline Brodeur** and **Monica Romis**.

All interviewed workers gave their consent for participating in the assessment process and for their anonymized answers to be used in this report, in line with the principles of stakeholder engagement included in Annex 4.

The assessment took over a year and consisted of five phases of analysis. Table 3 outlines the main steps in the full assessment process. The field phase, between January and April 2021, included in-depth engagement with rights-holders at the production stage and relevant stakeholders in Morocco. Table 4 provides details of the stakeholders interviewed.

Table 3: Phases and main steps in the assessment process

Phase and objectives	Steps taken	Period
1 Context analysis <ul style="list-style-type: none"> Build understanding of the generic dynamics of the value chain in question. Assess the approach to human rights in theory in Morocco and in Coop. 	Literature review in Arabic, French and English, including major human and labour rights issues related to the value chain in question, value chain analyses and broader public policy analysis related to Morocco.	March – June 2020
	Semi-structured interviews with staff at Coop Sweden, Everfresh and their sub-suppliers, including representatives of commercial/buying teams and sustainability teams.	
	Review of relevant Coop Sweden documents.	
2 Mapping of a range of human and labour rights impacts at the growing and packing stage of the value chain, with a particular focus on women's rights and labour rights. <ul style="list-style-type: none"> Identify actual and potential human rights impacts in Coop supply chains in practice. 	Semi-structured individual and group interviews with workers, close to half of whom are women, and semi-structured interviews with key stakeholders such as representatives of (informal) labour providers/transport providers.	January – April 2021
	Semi-structured interviews with Coop Sweden citrus suppliers.	
	Review of relevant Coop Sweden documents.	
3 Root cause analysis, prioritization, recommendations <ul style="list-style-type: none"> Identify root causes of human rights impacts in Coop’s supply chains 	One workshop convened online with key value chain actors (such as retailers, processors/exporters, producers, experts, Government of Morocco, civil society and labour rights organizations, and worker representatives), focused on discussion of root causes and opportunities for change.	May – June 2021

<p>according to an analytical framework.</p> <ul style="list-style-type: none"> • Prioritize human rights impacts for Coop to address to guide the company's use of resources. • Develop prioritized recommendations to Coop to address the root causes of human rights impacts. 	<p>Value chain analysis of the pricing dynamics in a typical citrus fruits value chain from Morocco to Sweden.</p> <p>Note: It has not been possible to model the distribution of value at each stage in the chain as per our normal approach as Coop was not able to provide the relevant figures for supply chain pricing structures and trends.</p>	
	<p>Prioritization exercise conducted on the basis of the severity of the impact; the extent of Coop Sweden's contribution to the impact; and the extent of Coop Sweden's leverage to achieve change.</p>	
	<p>Initial recommendations drafted, identifying a shortlist of key interventions that Coop Sweden could make to its own policies/processes, its relations with its suppliers, and/or with other external stakeholders or processes.</p>	
<p>4 Validation</p> <ul style="list-style-type: none"> • Test and improve analysis, conclusions and recommendations. 	<p>Written comments on draft report from Coop Sweden staff and suppliers to test and validate initial findings, conclusions and recommendations.</p>	July 2021
	<p>Opportunity to comment offered to selected Coop Sweden's suppliers on relevant excerpts of the draft assessment.</p>	
	<p>Internal review within Oxfam.</p>	
<p>5 Finalization and communication</p> <ul style="list-style-type: none"> • Provide an opportunity for Coop to outline an initial response to the assessment findings, and to communicate initial lessons from the HRIA. • Provide an opportunity for Oxfam to respond to Coop's immediate response to the assessment, and to communicate initial lessons from the HRIA. • Ensure the HRIA is made publicly available and initial communications undertaken. 	<p>Second draft of report submitted to Coop Sweden, incorporating additional inputs from the validation phase.</p>	August 2021 and April 2022
	<p>Coop Sweden concluding remarks drafted, including setting out immediate actions as a result of the assessment process.</p>	
	<p>Oxfam concluding remarks drafted, including initial reactions to the Coop Sweden concluding remarks.</p>	
	<p>Oxfam publication of assessment, including both sets of concluding remarks.</p>	
	<p>Coop Sweden stakeholder engagement event held to present the assessment.</p>	

Table 4: Number of stakeholders interviewed during the assessment

	Number of interviewees		Total	%	
	Women	Men		Women	Men
Workers					
Citrus farms	24	36	60	40	60
Citrus packaging station	25	15	40	62	38
Transporters	0	8	8	0	100
Workers union representatives					
Farms	2	3	5		
Packaging station	1	4	5		
Total			10	30	70
Labour inspection departments					
Chtouka Ait Baha		1	1		
Taroudant		1	1		
Total			2	0	100
Managers					
Farms		4	4		
Packaging stations		0	0		
Total			4	0	100
Totals	52	72	124	42	58

Two senior members of Coop’s sustainability team and the Business Manager responsible for fruit, vegetables and flowers were interviewed for the HRIA, along with sustainability and purchasing staff at Everfresh – a key first-tier supplier of Moroccan citrus to Coop.

One (former) Coop supplier was interviewed – Sub-supplier A – a small/medium-scale citrus-exporting, vertically integrated company owning several farms and one packaging station.

The roundtable meeting convened in February 2021 to share and validate the initial study findings was attended by two government representatives, one from private enterprise, three from trade unions, two from academia, and 15 in total from eight NGOs, as well as one transporter, one consultant and six workers. Therefore, in total 161 individuals were consulted for this study.

APPROACH TO RIGHTS-HOLDER ENGAGEMENT AND METHODOLOGICAL LIMITATIONS

Oxfam intended to interview workers in two settings:

- Workers in packaging stations and on farms that are part of Coop Sweden’s citrus supply chain, facilitated by suppliers who agreed to participate in the assessment process;
- Workers on citrus farms in the region who may not be employed by a company that is part of the Coop Sweden supply chain.

Combining these two approaches would have given a better picture of the range of working conditions in the wider sector and therefore could be indicative of the potential human rights impacts in Coop Sweden’s supply chains. In addition, the approach would have meant that findings were not limited to companies that agreed to participate in this assessment process, addressing the concern that those suppliers of Coop Sweden where human and labour rights impacts may be most severe would be least likely to participate.

Although Oxfam strove to include interviews from packaging stations and farms that could be confirmed to be supplying Coop Sweden, no supplier was able to facilitate this. The lack of engagement by companies in the assessment process means that conclusions about working conditions in Coop Sweden's supply chains must necessarily be more cautiously expressed. While the human rights impacts that workers told us about were *actual* impacts, we can only say that it is highly *likely* that these impacts are also experienced by workers in Coop's supply chain. In the absence of compelling evidence that Coop supply chain workers are treated any differently, this is a reasonable assumption.

The field survey – which was closely overseen by local NGO, AFVM – was carried out at the main citrus production and processing areas, including the industrial area of Ait Melloul Prefecture, Taroudannt province (the towns of Sebt El Guerdan, Ouled Teima, Ait laaza and Ouled Tarna). A group of four investigators was selected, based on gender and residing close to the workers' homes, and trained. The fieldwork coincided with preventive measures being introduced against COVID-19, including travel permits and 9 pm curfews. This limited the meeting and contact time with workers, who usually finish work at 6 pm and then need to travel home. Interviews had to be carried out outside the workplace to ensure that workers were able to freely express their views. This meant having to interview workers before they left for work at 5 am, or after they returned home at around 6:30 pm.

These limitations also made it particularly difficult to interview workers about gender discrimination and sexual harassment. This was addressed by conducting an additional focus group discussion with 12 women workers specifically on this topic.

2 COUNTRY AND INDUSTRY CONTEXT

2.1 OVERVIEW OF THE MOROCCAN CITRUS SECTOR

Morocco is the ninth largest exporter of citrus, accounting for around 4% of world exports in 2019 – behind larger exporters including Spain, South Africa and China. Clementines accounted for more than half of Morocco’s citrus exports in terms of volume (53%), followed by mandarins (24%) and oranges (21%). Lemons and grapefruit together accounted for 2%.¹⁸

Morocco’s citrus is grown all year round, with most varieties grown between October and June. Citrus is grown in the central and northern regions of the country (Figure 2). The Souss Valley is by far the most important citrus production area in the country – accounting for nearly half of Morocco’s citrus production, and about 70% of its total citrus exports.^{19 20} Other major citrus-producing regions include Gharb, Oriental, Tadla, and Haouz.²¹

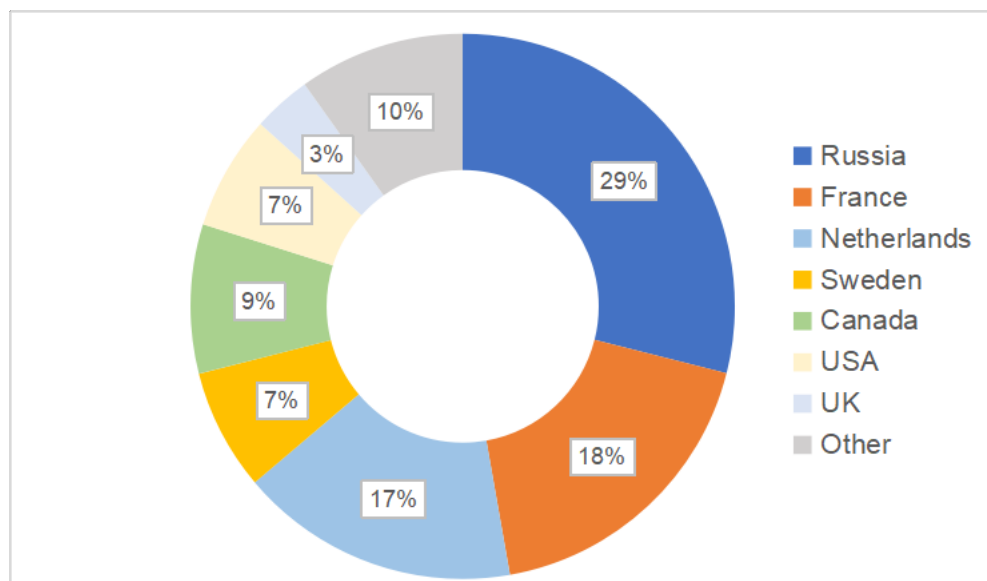
Figure 2: Morocco’s main citrus-growing areas in the northern and central regions



Source: MEYS (2020)²²

Citrus remains a major export sector, with the main markets of the European Union (France, Netherlands, Sweden) and Russia accounting for 42% and 29% of export value between 2014 and 2018, respectively. However, recent years have seen efforts to diversify to North America and Africa (Figure 3) .

Figure 3: Top importers of Moroccan citrus in value (average 2014 to 2018)



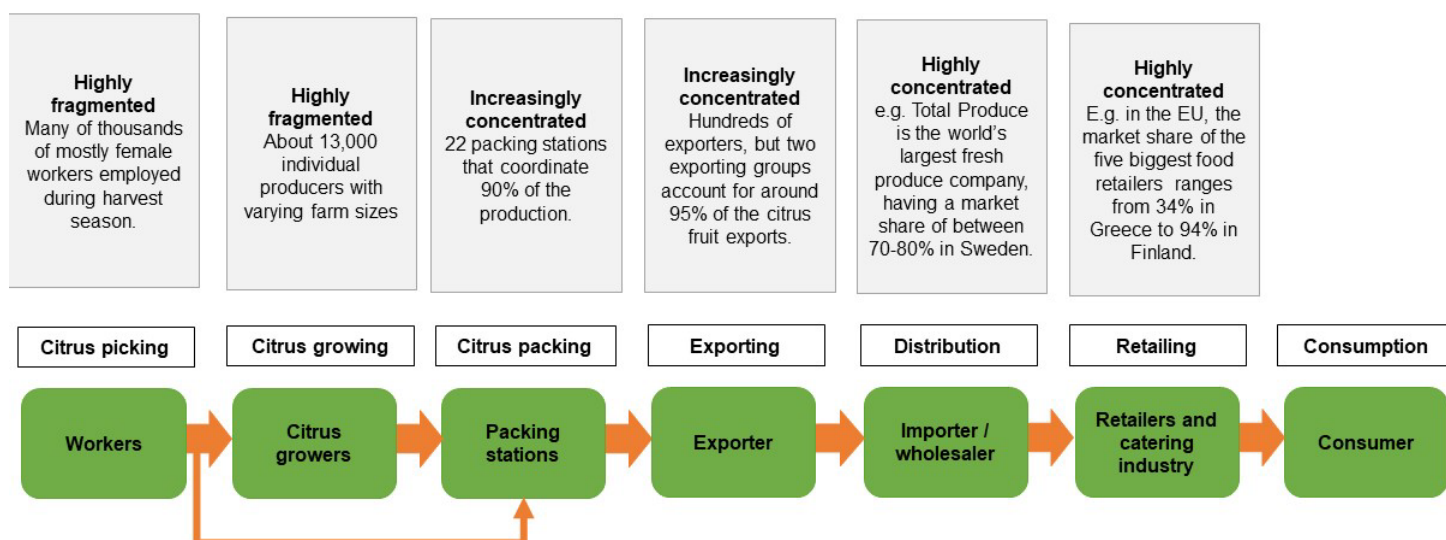
Source: Diagram created by Oxfam from figures provided by ITC Trademap. <https://www.trademap.org/>

Because of its importance to domestic and foreign markets, the citrus sector benefits from significant subsidies and support programmes, supported by Morocco’s agricultural development strategy, ‘Green Morocco Plan (2008 to 2020)’, followed by ‘Génération Green 2020-2030’, with which Morocco plans to improve the country’s gross domestic product (GDP) and double exports in the next 10 years.²³

THE DUALITY OF MOROCCAN CITRUS PRODUCTION

The citrus value chain involves different stages: from citrus growing, to packaging, distribution, retailing and consumption (Figure 4).

Figure 4: Main stages and actors in the citrus value chain



Source: Original Oxfam diagram.

The value chain is characterized by significant concentration at the retail stage, and fragmentation and duality at the citrus production stage. Downstream, the food retail sector is highly concentrated in the major importing countries of Moroccan citrus. For example, in Europe – the biggest destination of Moroccan citrus – the market share of the five largest food retailers in each market ranges from 34% in Greece to 94% in Finland.²⁴ Upstream, the market is more fragmented, with hundreds of exporters in Morocco – although the two biggest groups of

exporters, Maroc Fruit Board (MFB) and Fresh Fruit Morocco (FFM), account for around 95% of the country's citrus fruit exports between them (70% and 25%, respectively)²⁵ in a trend of increasing concentration. There is also concentration at the packaging stage, with around 53 packaging stations, mainly in Souss-Massa and Berkane.²⁶ The production stage is fragmented, with about 13,000 individual producers.²⁷ Many thousands of primarily women workers are employed on farms at the production stage as well as in packaging stations.

At the production stage, there is a striking dichotomy between large and small farms, with concentration and vertical integration trends also observed here. More than 70% of farmers in the agricultural sector, including the citrus sector, work fewer than five hectares, but account for only a quarter of the total land under cultivation in Morocco.²⁸ In the citrus sector large-scale producers, including international private companies from, for example, Spain and France, are increasingly concentrating citrus production.²⁹ Cooperatives are also increasingly consolidating farms, including into large farms that have their own processing and packaging stations. Often fully integrated cooperatives of small farmers and private companies (both Moroccan, as well as joint ventures with European companies) carry out citrus exports.³⁰

CHALLENGES AND COMPETITIVE PRESSURES FACING SMALL-SCALE PRODUCERS

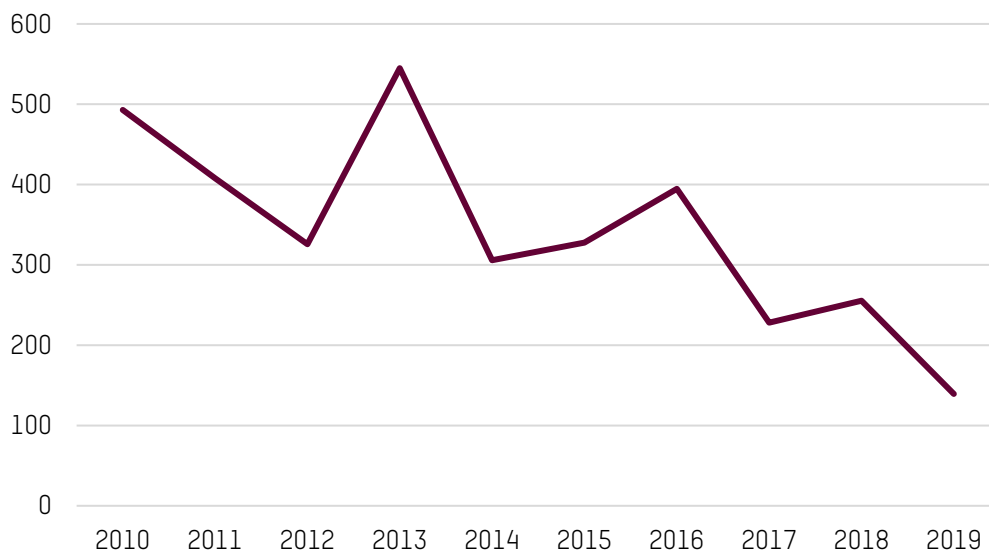
Morocco's agricultural policy encourages export and the international market offers higher prices, while domestic markets have become saturated and fruit prices have plummeted.³¹ However, there are several challenges and competitive pressures which small-scale producers in particular are vulnerable to and which prevent them from fully reaping the benefits from citrus export.

Domestically, the sector is subject to considerable volatility as a result of erratic climatic conditions and the increased prevalence of drought (Figure 5). Water scarcity is a major challenge and Morocco has suffered a drought every three years over the past few decades,³² putting producers' incomes at risk. It is not rare for citrus yields to drop by 50% during seasons with droughts. For example, the 2018/19 season saw a 50% drop in citrus production on average, and 75% in regions such as Souss-Massa, leading to a significant reduction in exports.³³

To limit the damage, many producers decided to give up on exports during the 2018/19 season and instead sell their produce on the national market. This also happens when the produce does not comply with international standards, for example, in terms of pesticide residue, and size, calibre and maturity of fruit. Tons of products that are 'not good enough' flood the national market, resulting in a drastic reduction of prices, which in turn leads to a reduction of income for farmers, with small-scale farmers especially vulnerable.³⁴

Conversely, overproduction due to beneficial climatic conditions is equally challenging. For example, citrus production in the 2016/17 season significantly increased in Morocco. However, due to a lack of sufficient and modern packaging stations and cold-storage facilities, many farmers had to dump their products on local markets, causing local citrus prices to drop drastically (see Figure 5). Because of these low prices in the local markets, some livestock farmers were feeding their animals with citrus fruit.³⁵

Figure 5: Producer price of Moroccan oranges (\$/tonne, 2010 to 2019)



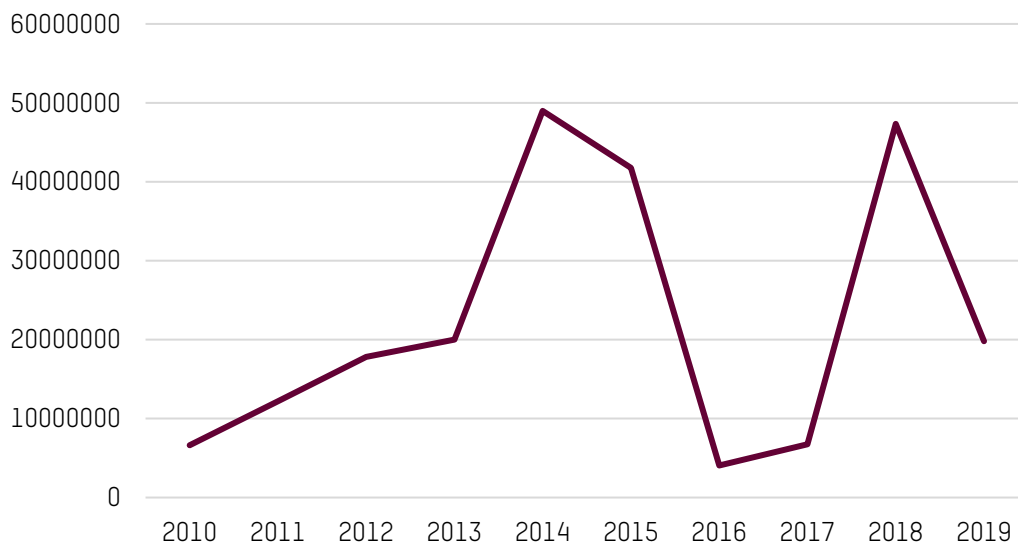
Source: FAO (n.d.)³⁶

Meanwhile, small-scale producers face the increasing power of other actors in the value chain, despite the government's Green Morocco Plan intending to help reduce inequalities in the value chain. The plan aimed to organize smaller-scale farmers around private actors or professional organizations with strong managerial capacity. Large operators were encouraged to bring together small farmers by sharing equipment, agricultural inputs and good practices, thereby reducing inequalities in the value chain and increasing the efficiency and capacity of larger-scale producers and exporters. However, the aggregation frequently did not benefit smaller-scale producers, who often lack organization and negotiation skills, resulting in high dependency on the aggregator. Small-scale producers find themselves having to use the seeds and fertilizer provided by the aggregator while – although their product is guaranteed to be bought – they do not know in advance at what price this will be.³⁷

The increasing power of retailers in international supply chains and strict quality requirements is another trend which impacts citrus producers (and other fruit and vegetable producers). While large retailers are able to maintain prices at a competitive level, they also are increasingly demanding on product and supply standards. As a result, traders or importers are becoming more protective by imposing strict delivery terms and passing economic risks on to their suppliers.³⁸ Producers feel the consequences of this, particularly during seasons of oversupply, which happen increasingly often in Europe. Buyers are seen to avoid risks by hiding behind protocols and certifications and may not pay the minimum agreed price.³⁹

Internationally, Moroccan citrus producers also face increasing competition from other countries such as Spain, Egypt and Turkey, which has led to Morocco losing market share in its traditional export markets.⁴⁰ According to the Morocco Citrus Producers' Association (ASPAM), Spain has the advantage of being in the EU, and therefore of being able to market its products more easily at the EU level, while Egypt and Turkey have the advantage of production costs, including labour costs, being much lower than in Morocco. Unlike Morocco, Egypt also has easy access to water and low energy costs.⁴¹ The combination of these factors has contributed to the reduction in recent years of citrus exports from Morocco to Sweden. (See Figure 6.)

Figure 6: Value of Morocco trade in edible fruit, nuts, citrus fruit peel and melons with Sweden since 2010 (\$)



Source: UN Comtrad (n.d.)⁴²

LABOUR IN MOROCCAN AGRICULTURE AND CITRUS PRODUCTION

Agriculture remains a strategic sector for the Moroccan economy. It contributes about 12% of Morocco's GDP⁴³ and remains the largest provider of employment, employing about 33% of the workforce in 2019.⁴⁴ The citrus sector in particular plays an important socio-economic role since it generates nearly 25 million working days per year, 18 million of which are in orchards and 7 million in the packaging and processing industry and other related activities.⁴⁵

A key aspect of the Moroccan agriculture labour force is the predominance of women – both on farms and in packaging stations. Their precarious working conditions and labour rights challenges have been the subject of extensive research – particularly in the strawberries and red fruit sectors, although far less attention has been paid to the citrus sector – a gap which this assessment starts to address.

Union representatives explain that the feminization of labour on farms and in packaging stations is 'the results of producers' preference to employ women, who they believe to be more submissive and willing to work'.⁴⁶ Work conditions for women are mostly precarious, with low pay, an absence of formal and permanent contracts, lack of access to social security, significant health and safety risks, and inadequate means of transportation.^{47 48 49}

Over-exploitation and slavery-like work conditions are made possible by the presence of informal recruitment practices in many of Morocco's agricultural sectors. Employers often recruit workers in public places called *mouquet* and pay them at the end of each day without a written or oral contract.⁵⁰ Informal labour providers (*waqqa*) serve as intermediaries, gathering labourers for employers. Both recruitment practices increase workers' job insecurity and allow employers to avoid taking any responsibility for these workers, increasing the risk of labour rights violations.^{51 52}

Women workers experience significant exposure to violence and harassment in the workplace is common. Previous Oxfam research has shown that labour providers in the red fruit sector recruit women who negotiate daily wages, transport them to the fields and supervise their work, and have disproportionate power over women workers, who must often cope with sexual harassment as well as verbal abuse.⁵³ Despite a number of regional differences (such as culture and levels of poverty levels) national Oxfam staff confirm that there are similar conditions at citrus farms. Indeed, in some cases the same people may be seasonal workers on both strawberry and citrus farms. The Moroccan Association for Human Rights (AMDH) and other organizations have even reported cases of rape on farms.⁵⁴

Box 1: The impact of COVID-19 on the Moroccan citrus sector and women's rights

Due to lockdowns introduced as a response to the COVID-19 pandemic, consumer demand for citrus decreased in Europe, Morocco's major export market, resulting in declining prices.⁵⁵ In the 2020/21 season, purchase prices in the European distribution chain temporarily dropped by half, from €1.20 to €0.60.⁵⁶ Morocco's High Commission for Planning found that 70% of the rural population and 77% of farmers experienced a reduction in income in 2020.⁵⁷

The losses incurred by the citrus industry during the pandemic will likely mean greater price pressure on producers, which is invariably associated with an increased risk of human rights abuses, making already vulnerable workers even more so.

The high proportion of women in the labour force working informally are particularly vulnerable economic activities being interrupted due to lockdown measures.⁵⁸ AMDH reported that the pandemic has worsened the conditions of women, as unemployment increased and work hours were reduced for many, which exacerbated vulnerability and increased poverty among women.⁵⁹ Many women reported losing their jobs without any financial compensation and/or having to work in unsafe working environments. Their exposure to violence in all its forms also increased during the pandemic,⁶⁰ notably sexual violence.⁶¹ Moreover, additional domestic work resulting from the closure of schools and lockdown measures also most likely weighs on women, who already shoulder the majority of unpaid domestic activities in Morocco.⁶²

2.2 COOP SWEDEN'S MOROCCAN CITRUS SUPPLY CHAINS

Coop is a cooperative grocery chain and one of Sweden's largest players in the retail sector. There are around 800 Coop stores in Sweden, owned by 3.5 million members in 30 consumer associations.⁶³

Within the Coop Group, Coop Sweden (CSAB) is responsible for all issues related to purchasing and category management with 'full responsibility for a product range that will drive sales and create the conditions for the stores to become profitable'. Coop Sweden is also responsible for quality assurance and sustainability issues. Coop's customer promise is to offer 'affordable, sustainable food enjoyment'.⁶⁴

THE VALUE CHAIN STRUCTURE

Coop Sweden sources Moroccan citrus fruits through two channels.

- The majority of citrus fruits is sourced through Coop Sweden's own procurement team, in close cooperation with Everfresh – Coop Sweden's first-tier supplier.⁶⁵
- A smaller proportion is sourced through Coop Trading – the inter-Nordic procurement company for Coop retailers in Denmark, Finland, Norway and Sweden.^{66 67}

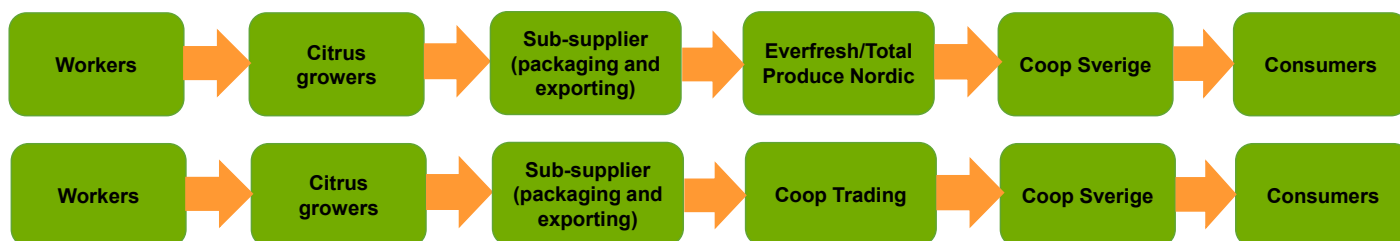
The main actors in these supply chains are depicted in Figure 7. In line with the general trends identified in Section 2.1, the value chain is characterized by significant market concentration downstream, with Coop accounting for a market share of about 17% in Sweden.⁶⁸

Everfresh is one of Sweden's leading fruit and vegetable companies, a part of Total Produce Nordic that in turn is part of the Irish group Total Produce Plc.⁶⁹ In February 2021, the merger of Dole Food and Total Produce was announced, creating the world's largest fresh produce company.⁷⁰ In Sweden, the parties have an estimated market share of between 70-80%.⁷¹

Coop Sweden has long-term agreements with Everfresh, and it has been a consistent supplier to Coop Sweden for the last 13 years. According to procurement staff, Coop Sweden and Everfresh have well-developed cooperation around sustainability and ongoing dialogue around food safety, environmental protection and ethical trade.⁷²

In the 2019/20 season, Coop Sweden sourced products from three different Moroccan sub-suppliers. Sub-supplier A is a vertically integrated supplier which packages and exports citrus fruits, but also has own farms. These account for around 80% of total production, with 20% sourced from other farms.⁷³

Figure 7: The structure of Coop Sweden’s Moroccan citrus value chains



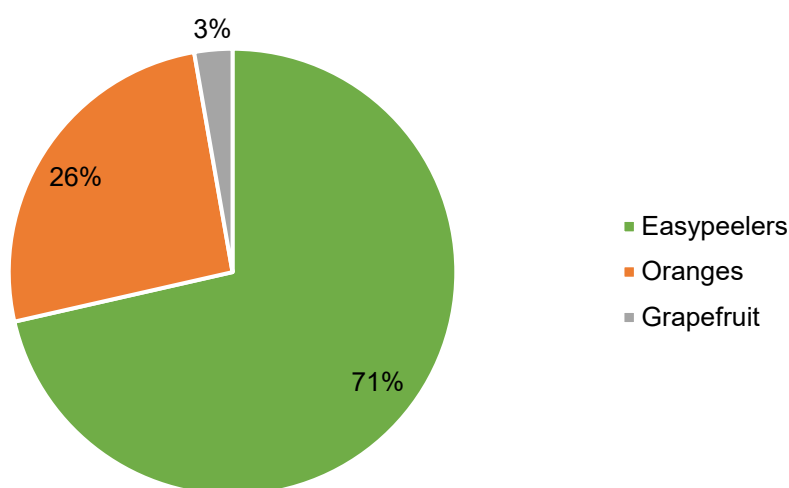
There are a series of price-setting mechanisms along the chain. Legally, worker wages should be set according to the Guaranteed Minimum Agricultural Wage (‘SMAG’) for agricultural workers and the Guaranteed Minimum Wage (non-agricultural) (‘SMIG’) for workers in packaging stations. Prices between Everfresh and sub-suppliers, and between Everfresh and Coop Sweden, tend to be set each season in biannual contracts (twice a year).^{74 75} Consumer prices tend to be benchmarked on weekly basis as they can change drastically.⁷⁶

While Everfresh has been a consistent supplier to Coop over the last 13 years, there have been frequent changes in the sub-suppliers during this period. In the 2019/20 season, Everfresh/Total Produce started to source from three new sub-suppliers.⁷⁷ Notably, with one – Sub-supplier A – the work relationship was ended after only one season.

THE MOROCCAN CITRUS FRUIT PRODUCT RANGE

The majority of Coop’s citrus fruits sourced from Morocco in terms of volume are easy peelers (mandarins, clementines), followed by oranges. Coop first sourced grapefruit from Morocco in 2020. Volumes can vary greatly from year to year due to crop quality and are therefore depicted as averages for 2017 to 2020 (Figure 8).⁷⁸

Figure 8: Proportion of different citrus fruits based on volume (2017 to 2020 averages)



COOP CITRUS PURCHASING BY VOLUME AND PRICE, 2018 TO 2021

As Figures 9 and 10 show, while the price in Swedish Kroner⁷⁹ per kg that Coop has paid for citrus from Morocco has steadily and gradually increased, the volume purchased has varied dramatically – possibly due to fluctuating supply driven by climate change. Coop informed us that more citrus is now being purchased from countries such as Egypt, due to lower prices and the availability of the right quality of fruit. However, Moroccan fruit of varying

grades of quality continue to be purchased for different purposes, such as processing. Such changes in sourcing are likely to have a significant impact on the income stability of workers in Moroccan citrus farms.

Figure 9: Price trends for purchases by Coop of Moroccan citrus (SEK per kg)

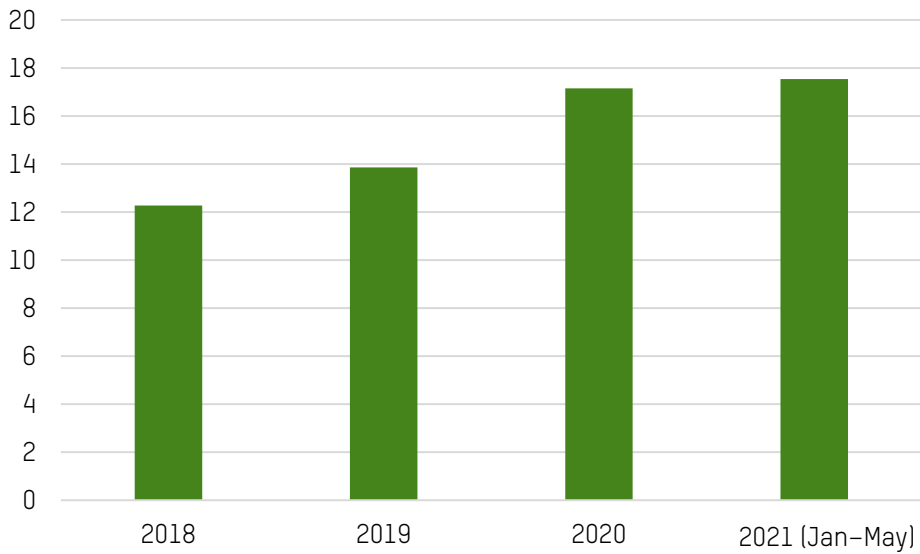
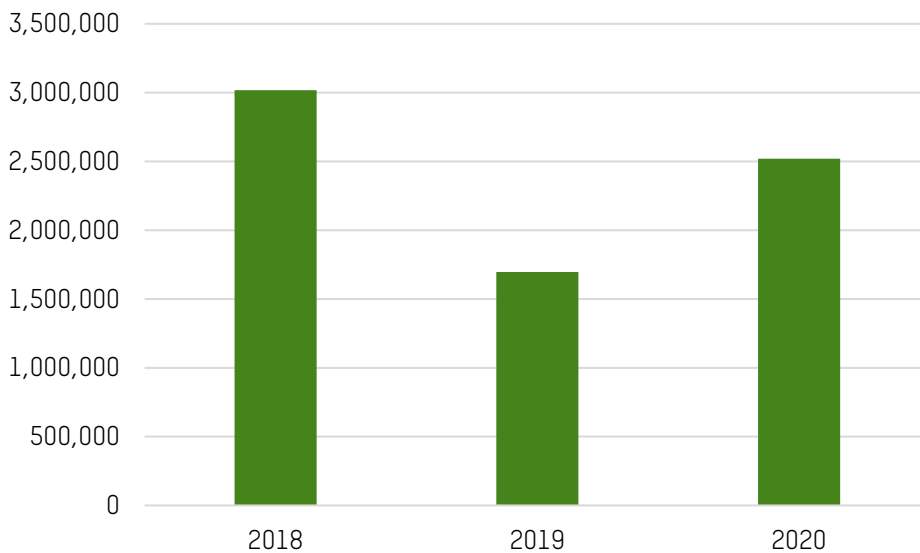


Figure 10: Volume trends for purchases by Coop of Moroccan citrus (kg)



Ideally, we would have analysed data over a longer time period to gain a fuller understanding of import price and volume trends. We requested these data from Coop and Everfresh for the last 10 years – or, if the data were not available, that a purchasing/sales staff member could provide a narrative overview of trends based on their personal experience – but were told that neither were available.

3 HUMAN RIGHTS IN COOP SWEDEN'S CITRUS SUPPLY CHAIN IN THEORY

This section covers the obligations of the Moroccan state and the commitments made by Coop Sweden with regards to human rights. Assessing these 'in theory' obligations and commitments is an important precursor to evaluating the extent to which human rights are impacted in practice, and to evaluating the extent of Coop's leverage to address actual or potential harms that the company may cause, contribute or be directly linked to.

3.1 HUMAN RIGHTS IN MOROCCO IN THEORY

A detailed overview of the most relevant elements of the human rights legal framework in Morocco is included in Annex 1, with key elements discussed below.

The Kingdom of Morocco is a member of the United Nations and has ratified many UN human rights conventions,⁸⁰ including seven out of the eight Fundamental Conventions, notably not the Freedom of Association and Protection of the Right to Organise Convention (C087).⁸¹

Serious problems related to the implementation of core labour rights remain in law (and practice, as discussed in Section 4).⁸² Between 2016 to 2020, the International Trade Union Confederation (ITUC) registered nine cases of regular violations of rights, notably infringements on the rights to freedom of association and the right to strike. Cases included the systematic dismissal of trade union leaders, proposed legislation to limit the right to strike, repression of protests, anti-union rulings, and anti-union repression.⁸³

Morocco has passed laws to protect workers' rights on, for example, forced labour, wages, working hours, rest days and breaks, and health and safety (see Annex 2 for a non-exhaustive outline of the major elements of the human rights framework in Morocco in relation to the agriculture sector). However, around half of workers operate in the informal economy, and there are loopholes in the labour and business regulations. The government has been criticized for not adequately enforcing labour laws due to a lack of inspection staff and resources.⁸⁴

FREEDOM OF ASSOCIATION AND COLLECTIVE BARGAINING

The right to freedom of association is enshrined in Article 29 of the Moroccan Constitution and regulated by the Labour Code. However, the legislation has major weaknesses and authorities have restricted the rights to freedom of association on several occasions in recent years. According to the Global Rights Index, organized workers experience 'regular violations of rights' – government and/or companies are regularly interfering in collective labour rights and/or failing to fully guarantee important aspects of these rights.⁸⁵ For example, unions have at various times been repressed through the arrest or disappearance of their members.

In theory, Moroccan workers are free to form or join a trade union without prior authorization, however they must follow **cumbersome administrative procedures** which effectively limit their freedom of association. Moroccan law allows an association to operate once it has submitted registration documents to the local administrative authorities and received a corresponding receipt.⁸⁶ Using this loophole, authorities often impede the work of associations by declining to process these administrative formalities. For example, AMDH, Morocco's largest human rights group, reported in September 2020 that the authorities had declined to process the documents of 79 of its 99 local branches.⁸⁷

The right of organizations to elect their representatives is also limited by the requirement that union officials must be Moroccan nationals.⁸⁸

In March 2020, the government attempted to further restrict the freedom of association and freedom of expression in **draft law no. 22.20** on the use of social media. This aims to criminalize calls for boycotts and the

dissemination of 'false information'. Article 14 of the draft law stipulates that anyone who calls for a boycott of a specific product or service in public or through social networks should receive a prison sentence of between six months and three years, as well as a fine of between 5,000 and 50,000 MAD (\$500 to \$5,000).⁸⁹

The draft law was introduced only two years after a successful organized boycott of companies who were found to hike up consumer prices. Following the campaign, companies such as Danone Centrale, Sidi Ali, and Afrika Gas eventually reduced their prices. The new legislation would impede such non-violent criticism of a company or business practice, thus violating the peaceful exercise of freedom of expression.^{90 91} Human rights NGOs and several parliamentarians severely criticized the government's proposals, leading to the bill being temporarily suspended on 4 May 2020. Critics, however, demand the full withdrawal of the draft law,⁹² which, at the time of writing, remains suspended.

The Labour Code recognizes the right to collective bargaining, but this right is strictly regulated. Most importantly, the law imposes an **unreasonably high threshold on the membership numbers** needed for the trade union to be recognized. Collective bargaining can only be conducted by the 'most representative' union, which must have at least 35% of the total number of employee delegates elected.⁹³ The Labour Code thereby restricts collective bargaining, in violation of International Labour Organization (ILO) Convention 98 on the Right to Organise and Collective Bargaining⁹⁴ – which Morocco has ratified (although it has not ratified Convention 87 on Freedom of Association and Protection of the Right to Organise).⁹⁵

RIGHT TO STRIKE

Article 29 of the Constitution guarantees the right to strike, though with notable restrictions which seriously limit this right. The legislation gives **unreasonable power to employers who are subject to strikes** and poses **restrictions on the type of strike action**. Under the Labour Code, employers can suspend any worker who prevents non-strikers from going to work for seven days. A second offence during the year can lead to a 15-day suspension. Employers also have the right to seek the criminal prosecution of any strikers who hold a sit-in, damage property, or carry out active picketing.⁹⁶

In addition, the government can **break up demonstrations** in public areas held without government permission and can prevent factory occupations. Article 288 of the Labour Code prohibits the right to strike by **criminalizing the 'concerted cessation of work'**, punished with a penalty of one month to two years' imprisonment, against ILO convention C105 which stipulates that a worker who has taken part in a peaceful strike cannot be subjected to criminal penalties and cannot be handed a prison sentence.⁹⁷

In 2019, **draft law 15-97** aimed to further limit the right to strike. The planned legislation would force unions to hold direct talks with employers before calling a strike and could impose fines on employees who strike unlawfully. It 'makes the right to strike impossible and imposes fines and imprisonment penalties which would criminalize union membership', according to the Democratic Work Federation (FDT). Ahmed Bouhrou, former director of labour at the Ministry of Employment, stressed that Article 16 of the draft law 'requiring the signature of three-quarters of workers before going on strike is exaggerated and is an indirect impediment to the freedom to strike'.⁹⁸ The proposed legislation was drafted without consultation or negotiation with trade union organizations, in contravention of core ILO Conventions 87 and 98. The law has not yet been passed. However, in March 2020, authorities banned public protests as part of a package of measures to contain the spread of COVID-19.⁹⁹

GENDER-BASED DISCRIMINATION, SEXUAL HARASSMENT AND WOMEN'S RIGHTS

The Constitution guarantees the rights of both women and men to education and work without prejudice. Article 346 of the Labour Code, for example, enshrines the principle of equal pay for work of equal value. The country has also ratified conventions concerning discrimination and maternity protection.¹⁰⁰

Major weaknesses exist in the law protecting women from gender-based discrimination, including sexual harassment. **Law 103-13 on the Elimination of Violence Against Women**, which entered into force in 2018, criminalizes all forms of gender-based discrimination, including public harassment, sexual assault, and cybercrimes.¹⁰¹ However, it does not comply with international standards because articles establishing Islam as

the state religion 'provide substance for opt-out clauses to broader declarations on gender equality' and the body set up to enforce them – the Authority for Parity and the Fight Against Discrimination – lacks independence and authority.¹⁰² It is worth mentioning here that Morocco has not ratified Convention 190 against violence and harassment in the work environment.^{103 104}

Most notably, Law 103-13 did not reform the definition of sexual assault or rape. The Penal Code of Morocco, Article 486 still defines it as 'the act whereby a man has sexual relations with a woman against her will', essentially requiring women to have physical injuries as proof of resistance.¹⁰⁵ Another major weakness is that sexual relations outside of legal marriage remain illegal in Morocco under Penal Code Articles 489 to 492.¹⁰⁶ As a result, women do not report violence or harassment under Law 103-13 as they fear being prosecuted themselves.¹⁰⁷ Lastly, Law 103-13 does not establish any provisions for the reporting, investigation, prosecution, or trial of cases of violence against women. Neither does it create obligations and procedures for law enforcement and justice system personnel. These unclear policies and procedures severely hinder the process of responding to cases of violence against women.¹⁰⁸ For instance, in one city, NGOs reported that doctors do not provide medical certificates to women who report rape without instructions from a prosecutor.¹⁰⁹

FORCED LABOUR

In 1957, Morocco ratified ILO Convention (1930) on forced labour and in 1966 it ratified ILO Convention 105 (1957) on the abolition of forced labour. The Labour Code prohibits forced labour under Articles 10 and 12.¹¹⁰ Exploitation and forced labour of children under 15 years old is also criminalized under Article 467-2 of the Penal Code.¹¹¹

However, the legislation has major weaknesses as punishment is mostly limited to fines which are not a sufficient deterrent. According to Sections 10 and 12 of the Labour Code, an employer using forced labour or having employees working against their will, is liable to a fine of between 25,000 and 30,000 MAD.¹¹² Only cases of repeated violations can be penalised by a prison sentence, although the judge can also simply opt for a fine if they consider it appropriate.¹¹³

3.2 HUMAN RIGHTS IN COOP SWEDEN IN THEORY

This section is organized according to the elements required of companies to respect human rights, as set out in Principle 15 and subsequent principles of the UNGPs.

GOVERNANCE AND POLICY COMMITMENT TO HUMAN RIGHTS

As a cooperative, Coop is effectively owned by its 3.5 million members. Customers pay 100 SEK to become a member, which entitles them to special offers and discounts on prices. They can also join the Coop Members Panel, where they 'have the opportunity to influence the development of stores, product selection and other important areas within Coop'¹¹⁴ by taking part in surveys. Coop – to which Coop Sweden belongs – therefore feels an obligation to meet members' expectations. Its customer promise is to 'offer affordable and sustainable eating pleasure'. Coop's vision is to be the 'good force' in the food environment of Sweden, to be 'a leader in sustainability and dare to be uncomfortable'.¹¹⁵ Coop states that it is not driven by short-term financial interests and can therefore make decisions that lay the foundation for long-term sustainability,¹¹⁶ which it defines as 'combining long-term ethical responsibility with environmental, social and economic responsibility'.¹¹⁷ Staff interviewed as part of this HRIA all stressed that sustainability is in the company's DNA and guides its actions.¹¹⁸

When it comes to Coop's commitment to respecting human rights, Coop states that it is connected to the UN Global Compact (via KF)¹¹⁹ and its 10 principles are set out in Coop's **sustainability policy and internal and external code of conduct**.¹²⁰

In 2018, Coop underwent changes to its business model and organization. Coop Sweden was mandated to develop a common sustainability strategy and policies for the entire Coop Group.¹²¹ According to Coop, this signalled a greater focus on sustainability within the Group.¹²² Within Coop Sweden, sustainability was placed under an overall quality and sustainability manager. Whereas previously, the quality and sustainability manager

reported to the CEO, the role now reports to the marketing director, a situation which has received some criticism.¹²³

In response to requests for Coop's sustainability policies and strategy – which do not appear to be publicly available – the research team only received its supplier Code of Conduct (which must be signed by prospective suppliers, who must also agree to submit to audits) and its Sustainability Declaration.¹²⁴ The latter is a new tool that enables customers to scan own-brand product barcodes for information on a number of sustainability measures, including working conditions, legal compliance, traceability, and environmental issues. Our review of the tool found both strengths and weaknesses (see Section 6). A social audit of Coop's citrus supply chain was conducted by the company, but the report was not provided to the research team.

Coop has been voted Sweden's most sustainable brand four times by its customers, most recently in 2021, demonstrating that its brand is strongly associated with sustainability.¹²⁵

HUMAN RIGHTS DUE DILIGENCE PROCESSES

In the context of its global supply chains, Coop states that it wants to work with suppliers 'who share our view of what is good for people, animals and nature.'¹²⁶

Like many multinational companies, Coop's primary due diligence approach to human rights in its global supply chains is to require suppliers to sign up to its **Code of Conduct**, commission **third party audits or supplier visits** to check for compliance with the code, and demand **corrective action plans** if and when areas of non-compliance are identified. Coop Sweden also requires suppliers to adhere to its **Product and Supplier Requirements**.¹²⁷

Coop Sweden is part of the Swedish Cooperative Federation (KF) which has signed up to the UN Global Compact on Business and Human Rights.¹²⁸ Its Code of Conduct is based on the UN Global Sustainable Development Goals, the UN Global Compact, the Universal Declaration of Human Rights, the UN Convention on the Rights of the Child and the Elimination of All Forms of Discrimination against Women, the OECD Guidelines for Multinational Enterprises and the ILO Conventions.¹²⁹ The code covers many of the standard labour rights issues, including freedom of association and collective bargaining; no discrimination; fair remuneration; decent working hours; occupational health and safety; no child labour; decent working conditions; and no forced labour. In addition, it also covers protection of the environment and ethical business behaviour.

Coop Sweden requires its suppliers to comply with the requirements of the Code of Conduct and take measures to ensure that their subcontractors also comply with its requirements. If improvements are not made within 12 months, Coop retains the right to terminate its agreement with the supplier.¹³⁰

Coop Sweden's Product and Supplier Requirements¹³¹ set out various technical and quality requirements for suppliers of Coop private labels, supplier brands and indirect goods and services. They include signing BSCI's Code of Conduct and undergoing BSCI audits, if in a high-risk country as defined by BSCI, and that they 'shall have goals and strategies regarding sustainable development that are integrated into its operation. The goals should include social responsibility' (among others). Human rights are not explicitly mentioned in the document.

The requirements are only sent to suppliers with whom Coop Sweden has direct purchasing agreements, although the supplier should 'require their suppliers and subcontractors to comply with Coop Sweden's Product and Supplier Requirements and forward them to their supply chain'. Notably, the requirements stipulate that 'the suppliers shall be familiar with all the stages in production, from raw material to final delivery,' and 'shall have goals and strategies regarding sustainable development that are integrated into its operation. The goals should include social responsibility, resource efficiency improvements, climate change, biodiversity and chemicals'.¹³²

Coop Sweden conducts audits to ensure compliance with the Code of Conduct and Coop Sweden's Product and Supplier Requirements.^{133 134} Coop Sweden's sustainability staff noted the limitations of audits.¹³⁵ Partly to address these limitations, Coop Sweden also has several projects as part of its Beyond Audits initiative – including this HRIA. Nevertheless, as a result of Coop Sweden's most recent restructuring process, the Beyond Audit project will receive less focus in the future and Coop Sweden will once again rely mostly on audits.¹³⁶

The company also stresses that it conducts desk audits in which Coop assesses whether suppliers' documentations meet Coop requirements¹³⁷ as well occasional supplier visits,¹³⁸ although sustainability staff highlighted the limited resources available to undertake these.¹³⁹

The extent to which Coop Sweden's due diligence approach is adequate to mitigate human and labour rights risks in Morocco is explored in Section 6, alongside other potential weaknesses of the company's human rights due diligence processes.

RIGHT TO ACCESS REMEDY

Coop has not established a grievance mechanism for workers in its global supply chains and interviewed sustainability staff stressed the need for effective grievance mechanisms so that affected people in its supply chains have the possibility to lodge complaints or disputes.¹⁴⁰

3.3 HUMAN RIGHTS IN EVERFRESH IN THEORY

GOVERNANCE AND POLICY COMMITMENT TO HUMAN RIGHTS

Everfresh's sustainability report states that it respects human rights at all levels of the supply chain.¹⁴¹ The human rights policy of Total Produce Nordic – Everfresh's parent company – states that: 'Human rights must be respected in all our business areas and processes. Regardless of where we conduct our business, we must set up processes that enable us to identify, prevent and mitigate potential negative impacts on human rights that we may possibly cause or contribute to through our business. If we discover that we have caused or contributed to negative effects, we should strive to remedy them'.¹⁴² However, this policy is not publicly available, and therefore not accessible to workers in the supply chain who, in theory, should be covered by it.

Total Produce Nordic management teams are responsible for the approval of the policy (which also applies to Everfresh), while the human resources team and the sustainability manager are responsible for annually reviewing compliance with the policy. Any deficiencies in compliance are reported to the management team.¹⁴³

HUMAN RIGHTS DUE DILIGENCE PROCESSES

Similar to Coop Sweden – and many multinational companies – Everfresh's primary due diligence approach to human rights in its global supply chains is to require suppliers to sign up to its Code of Conduct, commission third party audits or supplier visits to check for compliance, and demand corrective action plans if and when areas of non-compliance are identified.

Total Produce Nordic's Code of Conduct – which also applies to Everfresh – is based on the 10 principles of the UN Global Compact.¹⁴⁴ In order to check that their suppliers adhere to the requirements, the company performs regular visits, which are normally announced. These visits are conducted by the technical department as well as third-party auditors and are planned on the basis of a risk assessment based on factors such as food safety, labour law and social aspects, as well as technical parameters.¹⁴⁵ All suppliers from risk countries, as defined by amfori BSCI, must have performed a social audit, or be planning one within a reasonable time frame.¹⁴⁶

Everfresh stresses that it works to ensure quality, environmental care, social responsibility and sustainable agriculture. For example, the company requires all its suppliers to be certified according to GLOBALG.A.P. (Good Agriculture Practice) and IP Sigill (Integrated Production).¹⁴⁷

GRIEVANCE MECHANISMS

Total Produce Nordic's human rights policy – which also applies to Everfresh – states: 'We expect all of our business relationships to notify us as soon as they have identified something that may cause, contribute to, or be directly linked to a serious adverse effect on human rights'. However, the company has no effective grievance mechanisms in place for agricultural workers in its supply chains.¹⁴⁸

4 HUMAN RIGHTS IN COOP SWEDEN'S MOROCCAN CITRUS SUPPLY CHAIN IN PRACTICE

This section draws on both primary and secondary research sources to identify actual and potential human rights impacts in Coop Sweden's Moroccan citrus supply chains. Under the UNGPs, 'actual' impacts are those that have already occurred or are ongoing, and 'potential' impacts as those for which there is a risk of occurrence in the future.¹⁴⁹

Box 2: Systemic challenges across food and beverage value chains

The problem of human rights abuses of agricultural workers is by no means restricted to any one country, commodity, or company, but is endemic throughout global food and beverage value chains.¹⁵⁰

Labour exploitation has been described by Oxfam and others in other Moroccan fruit and vegetable sectors, such as red berries and tomatoes.^{151 152}

Labour rights abuses have been reported in other major citrus-producing countries including Spain, where migrant workers – including many from Morocco – face exploitative working conditions.^{153 154} In 2020, Philip Alston, the UN Rapporteur on extreme poverty and human rights, visited Spain and reported, '... workers living in a migrant settlement in conditions that rival the worst I have seen anywhere in the world. They are kilometres away from water, and live without electricity or adequate sanitation. Many have lived there for years and can afford to pay rent, but said no one will accept them as tenants. They are earning as little as €30 (£26) per day.'¹⁵⁵

There have also been reports of human rights violations in the citrus industries of many other countries, including Australia,¹⁵⁶ Italy,^{157 158} Turkey,¹⁵⁹ Belize,¹⁶⁰ Brazil,¹⁶¹ and South Africa.^{162 163}

4.1 DESCRIPTION OF INTERVIEWED RIGHTS-HOLDERS

Interviews were conducted with 60 farm workers and 40 packaging station workers, and about half were women (49%). Although the intention was to interview workers in farms and packaging stations supplying Coop, this was not possible as no supplier was willing to facilitate these interviews. The interviewees were therefore workers residing within the region, who may or may not be working in Coop's direct supply chain.

Women made up a significant share of the interviewees, particularly at packaging stations. Women accounted for 40% of the interviewed workers at the farm level, but 63% at the packaging station level. According to interviewed stakeholders, more women work in packaging due to the 'more physical demanding work' at the farm level, while the sorting and packaging of fruits is traditionally considered to be more suitable for women.

Most workers were relatively young, local people from Souss-Massa, with low levels of education. The share of illiterate workers was particularly high among women. Most workers were under 40 (75%) and came from the Souss-Massa region (78%), with only 22% from other regions in Morocco. About half of the workers only had primary education (51%) and 24% were illiterate. The share of illiterate workers was higher among women (35% versus 14%).

Many workers have more than three dependants who rely on them for financial support. This is particularly demanding for women workers who are the head of the household. The vast majority of workers had dependants (92%), with 70% having more than three dependants. Among female workers, a significant proportion were the head of the household, with 37% either divorced or widowed.

The share of workers who are not informed about their rights is significant: 82% of farm workers and 58% of packaging station workers said they do not know about their rights.

4.2 HUMAN RIGHTS IMPACTS

Findings have been organized here according to different issues of concern, and are prioritized in line with the guidance given in the UNGPs in Section 6. For each issue, we provide background information, including findings from the literature review and previous Oxfam research. We then go on to detail the findings from the worker interviews. Tables 5 to 11 summarize the human rights frameworks for each of the issues of concern.

FORCED LABOUR

Table 5: Human rights framework concerning forced labour issues

Relevant human rights and international conventions	Relevant legislation	Relevant principle in the Coop Sweden Code of Conduct
Freedom from torture, cruel, inhuman and/or degrading treatment or punishment ¹⁶⁴	Labour Code, Title III, Article 10 prohibits the requisition of employees to perform forced labour or work against their will.	Point 9. Prohibition of forced labour and disciplinary action ¹⁶⁵
Right to enjoy just and favourable conditions of work Article 7 of the International Covenant on Economic, Social and Cultural Rights ¹⁶⁶		
ILO C029 – Forced Labour Convention, 1930 (No. 29)	Ratified by Morocco	

The Global Slavery Index estimate that in 2018, there were approximately 85,000 people living in some form of modern slavery in Morocco and that about 48% of the population are vulnerable to modern slavery.¹⁶⁷

In the agricultural sector, the risk of forced labour is widespread and many organizations report slavery-like work conditions due to the presence of labour providers who serve as intermediaries. The intermediary system (which Oxfam also found in the strawberry sector) blurs the employment relationship between the employee and employer and allows employers to access large numbers of workers without taking any responsibility for them.¹⁶⁸
¹⁶⁹ ¹⁷⁰ Using intermediaries enables employers to avoid providing decent working conditions: for example, they can keep wages much lower¹⁷¹ and omit to register workers for social security.¹⁷²

In the Souss-Massa region, some companies also recruit farm workers in public places (*moukef*) and pay them at the end of each day without a written or oral contract. This recruitment practice increases workers' job insecurity.¹⁷³

Box 3: Findings from the worker interviews regarding forced labour

The interviews clearly indicated that the intermediary system is also prevalent in the citrus sector, with intermediaries having significant influence and power over workers.

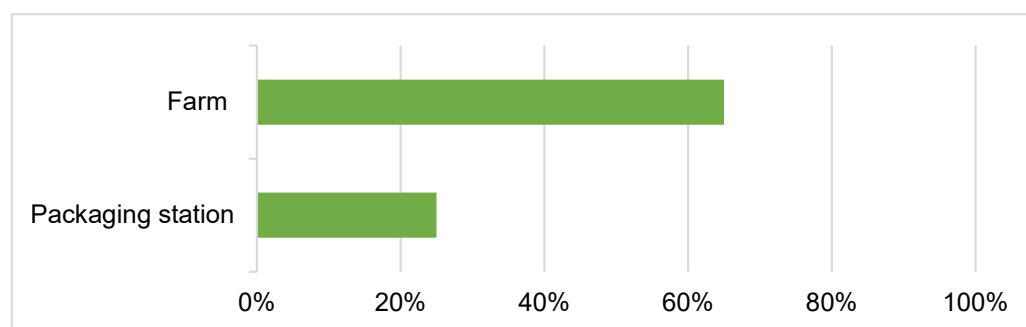
Many workers depend on intermediaries to secure their job, to pay their wages, and/or for transport, with 7% reporting that they had paid someone to secure their job.

Intermediaries are either *caporales* (gangmasters), recruitment agencies and transporters. *Caporales* come from the same neighbourhood where they recruit workers, facilitating the recruitment as they are known and trusted in the local community. *Caporales* may operate informally or formally.¹⁷⁴ Recruitment agencies are formally contracted by the employer to recruit workers, while the majority of transporters interviewed operate informally.

According to interviewed packaging station managers, the importance of intermediaries to secure labour increases in the event of a labour shortage, or an increase in activity (e.g. during peak seasons).

Many workers received their wages from intermediaries or transporters, not their employer (Figure 11). At the farm level, 64% of workers received their wages from intermediaries, while 27% of packaging station workers did so.

Figure 11: Share of farm and packaging station workers receiving their wages from intermediaries



The fact that workers depend on intermediaries for their jobs, payment of wages and transport gives the intermediaries significant power over them and makes workers vulnerable to exploitation and abuse. The precariousness of their work situation is further exacerbated as many workers do not have a contract and reported that they did not know about their rights. These are serious barriers to workers claiming their rights and securing better working conditions.

Box 4: Risk of forced labour in Coop Sweden's supply chains

There is an *actual* risk of forced labour and severe exploitation in the region from which Coop sources citrus fruit, and therefore within Coop's supply chain it is *very likely*. This is contrary to the rights to just and favourable conditions of work and the forced labour convention.

Given the interview findings and evidence from the literature, there is a high risk that many workers remain under the strong influence of intermediaries and therefore there is a risk of practices occurring that would meet indicators of forced labour under the ILO operational definition, including 'multiple dependency on an employer' and 'being under the influence of the employer or people related to the employer for non-work life'. The risk is likely to increase during peak seasons when employers need more workers, as they often rely on intermediaries for these.

The small number of interviewees who confirmed that they had paid someone to secure their job also indicates the likelihood of forced labour.

Based on the seemingly widespread influence of intermediaries in the citrus sector, it is considered very likely that a significant proportion of workers in Coop's supply chains are affected.

SEXUAL HARASSMENT AND GENDER DISCRIMINATION

Table 6: Human rights framework concerning sexual harassment and discrimination

Relevant human rights and international conventions	Relevant legislation	Relevant principle in the Coop Sweden Code of Conduct
Rights of women Convention on the Elimination of All Forms of Discrimination Against Women, 1979	Moroccan Constitution, Article 9, Labour Code: 'Any discrimination against employees on the grounds of race, colour, sex, disability, marital status, religion, political opinion, trade union membership, national extraction or social origin which has the effect of violating or impairing the principle of equality of opportunity or equal treatment in employment or occupation, in particular in respect of recruitment, conduct and conditions of work, distribution of work, vocational training, salary, promotion, the granting of benefits, disciplinary action and dismissal, shall likewise be prohibited.'	Point 2. Prohibition of discrimination: 'With regards to employment, wage, access to education, promotion, termination or retirement any form of discrimination – on grounds of gender, gender identity or expression, age, belief, ethnic affiliation, nationality, disability, illness, membership in workers' organizations (including trade unions), political beliefs, sexual orientation or other circumstances that can result in discrimination – is prohibited.'
Right to enjoy just and favourable conditions of work Article 7 of the International Covenant on Economic, Social and Cultural Rights	Labour Code, Article 346: 'Gender-based wage discrimination for work of equal value is prohibited.'	
Right to a world of work free from violence and harassment		
ILO C190 – Violence and Harassment Convention, 2019 (No. 190): 'recognizes the right of everyone to a world of work free from violence and harassment, including gender-based violence and harassment, and recognizes that violence and harassment in the world of work can constitute a human rights violation or abuse, and that violence and harassment is a threat to equal opportunities, is unacceptable and incompatible with decent work.'	<i>Not ratified by Morocco</i>	
ILO C100 – Equal Remuneration Convention, 1951 (No. 100) ¹⁷⁵	Ratified by Morocco	
ILO C111 – Discrimination (Employment and Occupation) Convention, 1958 (No. 111): ¹⁷⁶ 'Each Member for which this Convention is in force undertakes to declare and	Ratified by Morocco	

pursue a national policy designed to promote, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in respect thereof.'		
ILO C183 – Maternity Protection Convention, 2000 (No. 183)	Ratified by Morocco	
ILO C156 – Workers with Family Responsibilities Convention, 1981 (No. 156)	<i>Not ratified by Morocco</i>	
ILO C190 – Violence and Harassment Convention, 2019 (No. 190)	<i>Not ratified by Morocco</i>	

Sexual harassment, abuse and gender discrimination in Morocco’s agriculture sector are well documented¹⁷⁷ – including a previous Oxfam report on conditions for strawberry farm workers, which found evidence of widespread gender discrimination and sexual abuse.¹⁷⁸ Professor Mohamed Bouchelkha, from the University of Agadir, outlined why producers generally prefer to employ women:

‘The female workforce is not very demanding, does not revolt, does not ask a lot, is not demanding at the level of working conditions ... They are easy, they are submissive to the working conditions given to them.’¹⁷⁹

Other research found that precarious working conditions in the agricultural sector disadvantage women disproportionately, as they do not only have to cope with long and unpredictable working hours but are also expected to undertake the biggest workload at home, including unpaid care work. The lack of nursery facilities places additional strain on women with young children.¹⁸⁰

Box 5: Findings from the worker interviews regarding sexual harassment and gender discrimination

There is strong evidence that both sexual harassment and gender discrimination are rife in the citrus sector.

While few workers reported harassment issues during the interviews (11% of farm workers and 8% of packaging station workers) and workers' representatives, packaging station managers and labour inspectors stated that workers do not experience sexual harassment and discrimination, or that sexual harassment claims were 'rare', a different picture emerged from the focus group discussion with women workers.

From the testimonies from these women, harassment in the sector is a normal phenomenon. One woman said: 'To work in this environment, you have to be ready to be harassed'. According to the women, harassment occurs both from people above them in the hierarchy, and from co-workers and transporters.

From the discussions, it became clear that harassment is rarely denounced for multiple reasons. Harassment is considered taboo, and victims, who are generally illiterate and unaware of their rights, fear losing their jobs, reduced wages or having ongoing problems with their managers and co-workers. The precariousness nature of employment in the sector appears to make women workers even more vulnerable. Distrust towards the authorities was mentioned as another reason.

Stakeholders at the roundtable discussion reported that many women faced sexual harassment and that divorced women, who are often living far away from their children, are particularly vulnerable to employers taking advantage of them as they can expect little family support, and depend entirely on their jobs to survive. They are thus forced to accept any working conditions.

According to AFVM, farm workers are more vulnerable to harassment (verbal, physical, psychological, or sexual) than workers at packaging stations as the latter are generally a more controlled and monitored environment – not least due to social audits.

Interviews with workers highlighted gender discrimination in the recruitment process, job allocation, division of responsibility, job promotion, and job training: 19% of farm workers reported gender discrimination (29% for women and 12% for men), compared with 10% of packaging station workers (8% for women and 13% for men). In addition, many workers reported that women do not receive maternity leave (67% of farm workers and 13% of packaging station workers).

Box 6: Risk of sexual harassment and gender discrimination in Coop Sweden's supply chains

There is an *actual* risk of sexual harassment and gender discrimination in the region that Coop sources from, and it should therefore be considered as *very likely* in Coop's supply chain. This is in breach of numerous rights to equal treatment and non-discrimination.

From the literature and worker interviews, there is high risk of gender discrimination and sexual harassment in the citrus sector. The sector employs a significant proportion of female workers and it is thus likely that a significant proportion of workers in Coop's supply chains are affected.

LOW AND INSECURE WAGES

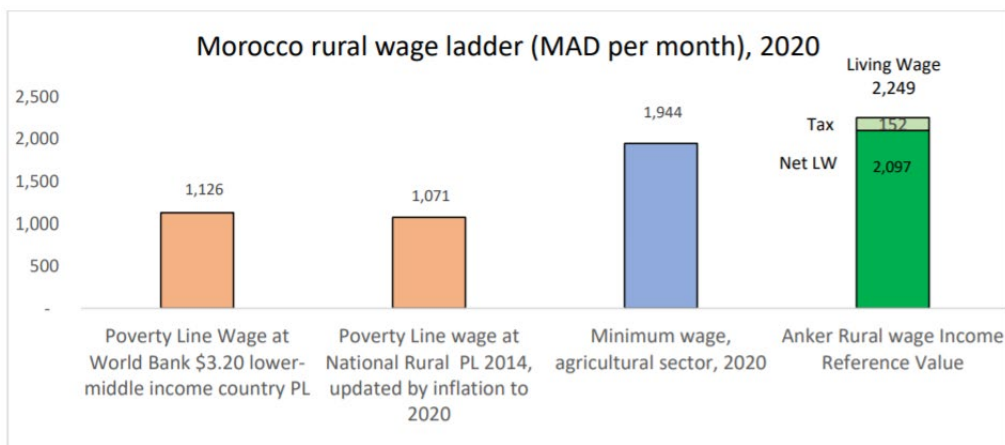
Table 7: Human rights framework concerning low wage issues

Relevant human rights and international conventions	Relevant legislation	Relevant principle in the Coop Sweden Code of Conduct
Right to enjoy just and favourable conditions of work: ¹⁸¹ Remuneration that provides all workers with a decent living for themselves and their families	Labour Code, Article 356 Workers have the right to a minimum wage. The current agricultural minimum wage (SMAG) is 76.70 MAD a day. The industrial	Point 3. Fair compensation: 'The Company must respect the employees' right to receive fair wages sufficient to provide them and their families with decent housing and the social benefits to which they are legally entitled. The Company must, as a minimum, comply with the minimum wages

	<p>minimum wage (SMIG) is 14.81 MAD an hour.</p> <p>Labour Code, Article 201 Regardless of how the employee is remunerated, overtime gives rise to a 25% wage increase if it is worked between 6 am and 9 pm for non-agricultural activities and between 5 am and 8 pm for agricultural activities, and a 50% wage increase if it is worked between 9 pm and 6 am for non-agricultural activities and between 8 pm and 5 am for agricultural activities.</p> <p>Labour Code, Article 370 Employers must deliver to employees a proof document ('a payslip').</p>	<p>set by the country's government or industry standards approved in collective bargaining agreements. The highest minimum wage of the two is to be complied with. Unlawful or disciplinary payroll deductions are not allowed. The Company must ensure that employees regularly receive precise information on salaries and benefits. The Company must also ensure that the disbursement of pay and benefits is made in a practical manner for the employees.'</p>
ILO C026 – Minimum Wage-Fixing Machinery Convention, 1928 (No. 26)	Ratified by Morocco	
ILO C131 – Minimum Wage-Fixing Convention, 1970 (No. 131)	Ratified by Morocco	
ILO C095 – Protection of Wages Convention, 1949 (No. 95)	<i>Not ratified by Morocco</i>	
ILO C100 – Equal Remuneration Convention, 1951 (No. 100)	Ratified by Morocco	

Despite recent increases in the minimum wage for agricultural workers¹⁸² – which is among the highest in Africa, and which, if paid, would put employees significantly above the poverty line – real wages in Morocco have increased only very slightly.¹⁸³ The legal minimum wage is not always respected by employers,^{184,185} but even when it is paid, it remains below the living wage level calculated by the Global Living Wage Coalition (Figure 12). This means that even when agricultural workers receive the minimum wage, it is insufficient for them to enjoy a basic but decent standard of living.¹⁸⁶ A forthcoming Oxfam-commissioned study has estimated that the living wage gap for farm workers is as large as 44%.¹⁸⁷

Figure 12: Morocco rural wage ladder



Source: Global Living Wage Coalition (2020)¹⁸⁸

As a result, poverty in Morocco’s agricultural sector is endemic. This was evident in Oxfam’s previous research on the Moroccan strawberry sector, which found that the wages paid to workers did not, even in the best case, exceed the minimum wage guaranteed by law.¹⁸⁹

Many companies in the agricultural sector also use a pay system, prohibited by law, which is a combination of salaried work and piece work – where the worker is paid based on completing a given task rather than per hour worked.¹⁹⁰ As a result, women in the fruit sector were found to only earn about €7 per day.¹⁹¹ By setting goals that are impossible for workers to reach, companies keep workers’ pay below the minimum wage.¹⁹² Women picking aromatic plants, fruit, and blossoms reported: ‘We work all day picking blossoms, which are very light and must be handled one by one. In the best of cases, the weight picked is no more than 1kg per person per day, although, in order to be paid the salary for a day’s work, we are expected by the company to pick 50kg. This means that what we receive is a fiftieth of the minimum daily wage.’¹⁹³

The non-compliance on minimum wages is also a result of a weak labour inspection system, with minimum wage laws rarely being enforced and many agricultural workers being informal, undeclared, and not having contracts.¹⁹⁴ As a result, the Committee of Experts on the Application of Conventions and Recommendations (CEACR), which is charged with examining the application of ILO conventions and recommendations by ILO member states, made a direct request in 2019 to the Moroccan government to guarantee the payment of minimum wages in the informal economy.

Wage discrimination is also prominent, with women often receiving less pay and granted fewer opportunities to improve their wages or working conditions.¹⁹⁵ Most workers in the agricultural sector also support between one and eight people – which renders the wages even more insubstantial.¹⁹⁶ Meanwhile, the prices that families pay for their basic needs continue to rise (Figure 13).

Figure 13: Moroccan consumer price index, 2010 to 2019



Source: The World Bank (n.d.)¹⁹⁷

The coverage of the government social security measure, the National Social Security Fund (CNSS), further limits workers’ abilities to meet their basic needs. Coverage across all workers is limited, particularly seasonal workers

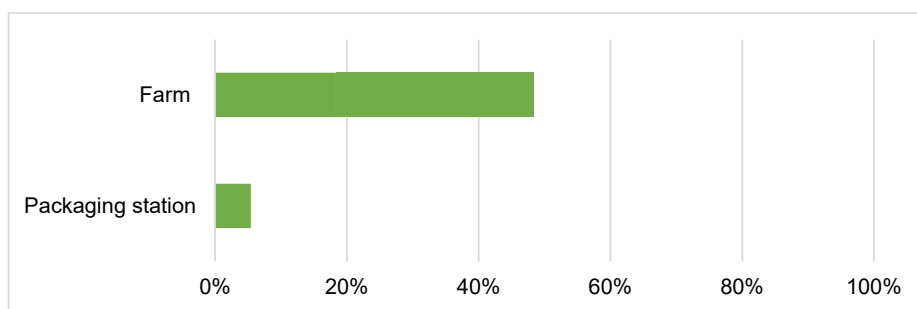
who may not be aware that they are entitled to it. In theory, the CNSS can provide a family allowance which could significantly improve workers' living conditions. For example, a woman with two children can increase her income by 40% through accessing the family allowance.¹⁹⁸

According to AMDH, the COVID-19 pandemic has exacerbated the situation, particularly for women workers. Many women workers lost their jobs as a result of the pandemic, exacerbating their vulnerability and poverty. Married, widowed and divorced women were excluded from receiving government benefits that were available to those who had lost their jobs. For workers in the informal sector to receive the temporary grant, the head of the household had to submit the application and use communication techniques (such as internet access) that are not necessarily available to all households.¹⁹⁹

Box 7: Findings from the worker interviews regarding low and insecure wages

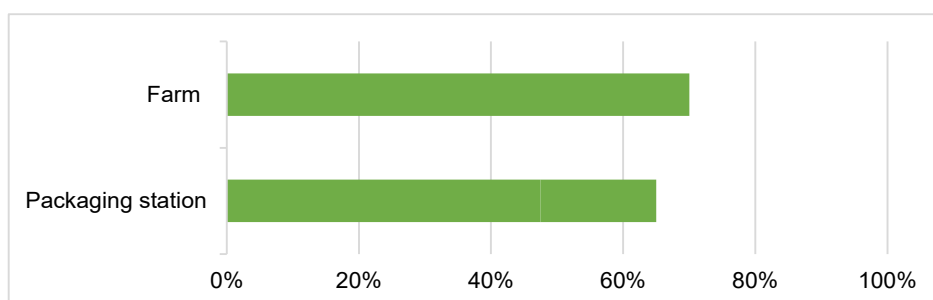
A third of the workers interviewed (31%) received less than the minimum wage. The minimum wage was more likely to be respected at the packaging station than the farm level (similar to Oxfam's findings in the Moroccan strawberry sector). At the farm level, 48% of workers are paid less than the minimum wage (46% of women and 50% of men) compared with 5% of packaging station workers (13% of women and no men) (Figure 14).

Figure 14: Share of farm and packaging station workers not being paid the minimum wage



Wages rarely covered workers' basic needs. More than 65% of workers said their wages do not cover their basic needs (Figure 15), which was slightly higher at the farm level (70% of men and 65% of women) and higher among men (73% versus 63%).

Figure 15: Share of farm and packaging station workers who cannot cover their basic needs from their wages



At the same time, many workers had more than three dependants who rely on them for financial support, rendering their wages even more inadequate. This is particularly difficult for the significant share of women workers who are the head of the household and sole provider (37% of women were divorced or widowed). Stakeholders at the roundtable discussions reported that women who are household heads often do not negotiate wages, but just accept what is offered due to their reliance on their work. In addition, employers can simply recruit other workers if their wages demands are too high, due to the high availability of agricultural workers.

About a fifth of workers (21%) reported wage discrimination based on gender: 25% of farm workers (26% of women and 25% of men) confirmed that women were paid less, while 15% of packaging station workers (8% of women and 27% of men) did so.

In common with other agricultural sectors, low pay goes hand-in-hand with insecurity of tenure. A significant share of workers were in casual or seasonal employment (84%) and had no contract (30%). This is serious as without contracts, workers cannot join trade unions, claim their entitlements from their employer or receive help from organizations to claim their entitlements, or claim government social welfare entitlements.²⁰⁰

Gender-based wage discrimination

According to the workers, the principle of equal pay for equal work is not fully respected in the citrus sector, with 26% of women workers on farms and 8% in packaging stations saying that there is gender-based wage discrimination. The lower share of women in the latter can be explained by the fact that packaging stations mainly rely on women for similar sorting and packaging operations.

While packaging station managers interviewed denied any form of wage discrimination, the workers' claims of gender-based wage discrimination were backed up by the workers' representatives.

Income insecurity

A significant share of workers had casual or seasonal employment without a contract, and social security coverage for workers is low. Most workers were casual or seasonally employed (84%), with this higher at the farm level (94% versus 83%) and higher among women (94% versus 75%). Most workers are employed for less than six months a year (72%), despite them returning to work for the same employer year after year. The share is higher among women and higher at the packaging stations. However, interviewed packaging station managers considered the majority of their workforce to be permanent.

About a third of the workers did not have a contract – with this significantly higher at the farm level (53% of farm workers did not have a contract, compared with 2.5% of packaging station workers). The coverage of social security benefits remains very low at the farm level: 51% of farm workers said they were not covered by social security (37.5% of women and 60% of men). Almost all packaging station workers reported that they were covered by social security.

COVID-19 and the impact on wages

During the pandemic, more than half of the workers lost their jobs, often resulting in a serious reduction in income due to the limited coverage of the CNSS (see also section below on health and safety risks).

Fifty-two percent of farm workers reported losing their jobs (27% of women and 68% of men), and 40% of packaging station workers (36% of women and 47% of men). This resulted in a loss of income for the majority of workers: 52% of the farm workers who lost their jobs did not receive any government assistance (67% of women and 39% of men), and neither did 75% of packaging station workers (78% of women and 71% of men).

Box 8: Risk of low and insecure wages in Coop's supply chains

There is an *actual* risk of low and insecure wages in the region from which Coop is sourcing citrus, and it therefore should be considered as *very likely* in Coop's supply chain. This is contrary to the right to just and favourable conditions of work.

Based on the seemingly widespread nature of low wages across the sector, with a large proportion of workers reporting that they do not earn the minimum wage and cannot cover their basic needs, it is considered highly likely that a significant proportion of workers in Coop's supply chains are affected. The lack of social security coverage exacerbates workers' vulnerability, leaving them with no income during the COVID-19 pandemic. The lack of written contracts further reduces workers' abilities to claim their rights. There is also a risk of pay inequality between men and women, particularly at the farm level.

EXCESSIVE WORKING HOURS

Table 8: Human rights framework concerning excessive working hours

Relevant human rights and international conventions	Relevant legislation	Relevant principle in the Coop Sweden Code of Conduct
Right to an adequate standard of living ²⁰¹	Labour Code, Articles 184 and 196 The Labour Code provides for a working time of 44 hours per week (2,288 hours a year) except for agriculture, where it can extend to 48 hours per week (2,496 hours a year). The maximum working day is 10 hours, but the Labour Code (Article 196) allows it to be extended by regulation, in the event of an increase in the workload. Additional hours must be paid as overtime.	Point 4. Decent working hours: 'The Company must comply with applicable national legislation and industry standards regarding working hours and public holidays. Working time must not exceed 48 hours per week on a regular basis. Overtime must be regulated in accordance with ILO conventions. Workers are entitled to a break every working day and at least one day off every seven days.'
	Labour Code, Articles 205 and 206 All workers have the right to 24 hours of rest, one day per week.	
	Labour Code, Articles 217 to 230 All workers have the right to paid leave for national holidays, or receive extra pay for working on these days.	
International labour standards do not give specific guidance on hours of work in agriculture. Instead, they leave to the competent authority in each country to determine the appropriate limits, in consultation with the national employers' and workers' organizations. ²⁰²		

Long or excessive working hours are common in the agriculture sector and are often the flipside of low wages and wages paid as piece rates, as workers are incentivized to work longer hours and take fewer breaks in order to increase their take-home pay. Extreme working hours, with shifts longer than 12 hours without adequate rest can cause burnout, stress, and repetitive strain injury, and limit productive working lives.²⁰³

Research by Via Campesina on working conditions in Morocco's strawberry sector found that farm workers have no fixed finish time and working hours, with these depending on the amount of work to be done and the availability of transport.²⁰⁴ Oxfam reported similar findings, with working hours in the strawberry sector often exceeding those set out by the Labour Code. In addition, the requirement for weekly rest was rarely respected, and overtime did not give rise to increased payment.²⁰⁵

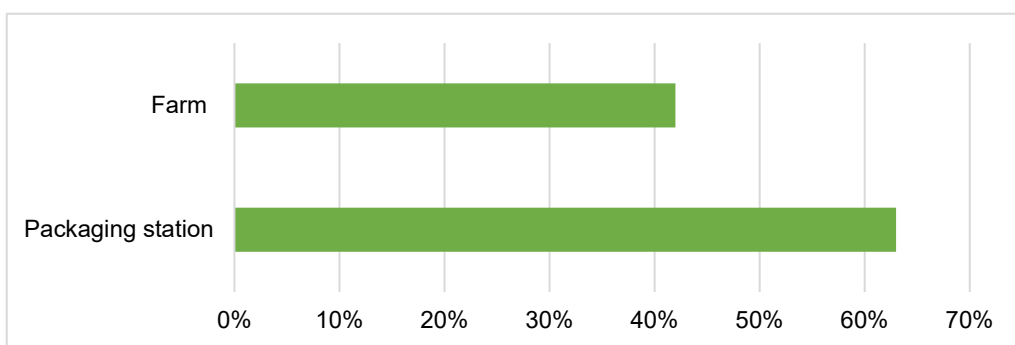
Box 9: Findings from the worker interviews regarding excessive working hours

According to workers, there are 8-hour working days at the packaging stations and farms, or 208 hours per month. The fact that the interviews were conducted during low season is likely to have had an impact on workers' answers.

Overtime and night work are, however, introduced – especially during peak periods during the high season. While no farm workers reported working night shifts, 32.5% of packaging station workers reported having worked at night (24% of women and 47% of men).

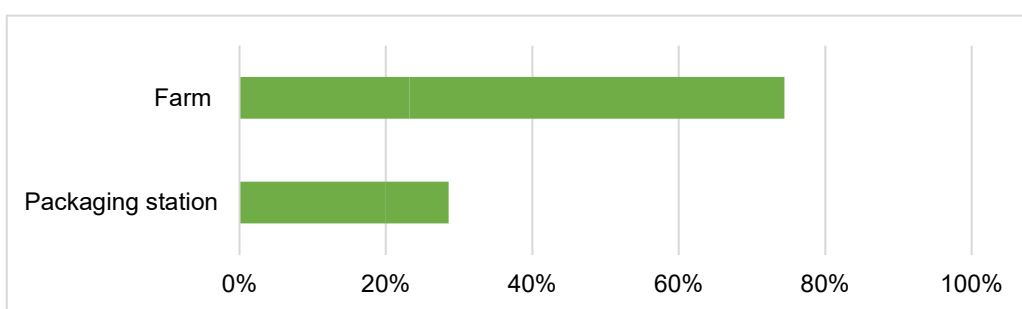
Half of the workers reported having to work more than 8 hours a day to cover their basic needs (63% of packaging station workers, compared with 42% of farm workers) (Figure 16). This need is likely to incentivize workers to work long or excessive working hours to increase their take-home pay.

Figure 16: Share of farm and packaging station workers having to work more than 8 hours a day to cover basic needs



Contrary to the Labour Code, overtime is often not adequately compensated. More than half of the workers reported that overtime pay was no different from the pay for regular hours (53%). More farm workers (74%) reported this than packaging station workers (29%) (Figure 17). The lack of a contract makes workers more vulnerable to this issue.

Figure 17: Share of farm and packaging station workers who do not receive a premium payment for overtime work



Box 10: Risk of excessive working hours in Coop’s supply chains

There is an *actual* risk of excessive working hours in Coop’s citrus sourcing region, and it should therefore be considered *likely* in Coop’s supply chain.

Based on the interviews, it is considered likely that some workers in Coop’s supply chain are affected – particularly during peak periods at the packaging stations. The pressure for long hours is likely exacerbated during peak seasons by the industry’s need to ensure harvesting takes place in a fairly narrow window, before the fruit starts to spoil. In addition, there is a risk of overtime work not being paid at a premium rate.

HEALTH AND SAFETY RISKS AT WORK AND IN TRANSPORT TO WORK

Table 9: Human rights framework concerning health and safety issues

Relevant human rights and international conventions	Relevant legislation	Relevant principle in the Coop Sweden Code of Conduct
Right to an adequate standard of living ²⁰⁶	Labour Code, Article 304 An independent occupational medical service must be set up at industrial, commercial and craft enterprises, as well as agricultural and forestry enterprises and their dependencies if they employ at least 50 employees.	Point 5. Health and safety in the workplace ²⁰⁷
ILO C155 – Occupational Safety and Health Convention, 1981 (No. 155)	<i>Not ratified by Morocco</i>	
ILO C174 – Prevention of Major Industrial Accidents Convention, 1993 (No. 174)	<i>Not ratified by Morocco</i>	
ILO C184 – Safety and Health in Agriculture Convention, 2001 (No. 184)	<i>Not ratified by Morocco</i>	

HEALTH AND SAFETY RISKS AT WORK

The health and safety of workers in Morocco’s agricultural sector is often neglected, as farms and packaging units frequently do not meet basic health and safety work regulations.^{208 209} Adverse health effects due to pesticides include acute and persistent injury to the nervous system, lung damage, injury to the reproductive organs, dysfunction of the immune and endocrine systems, birth defects, and cancer.²¹⁰ According to WHO, between 2008 and 2014, there were more than 2,000 causes of acute pesticide poisonings in Morocco. Of those, 50% of the pesticides involved were class I (extremely or highly hazardous) and II (moderately hazardous), according to WHO classifications.²¹¹

The challenges to ensuring the health and safety of workers are amplified by a generally poor health system where cases of negligence, leading to deaths or mistreatment, are frequent. Rural areas in particular suffer from the lack of nearby and efficient health facilities. A large proportion of Moroccans do not have medical coverage, and the fragmented health insurance system is inefficient.²¹² Oxfam found that few workers in the strawberry sector were registered with the CNSS, that provides health insurance, access to free healthcare services, short-term benefits and a retirement allowance. At the national level, no more than 22% of agricultural workers are registered with the social security system.²¹³

Women workers picking aromatic plants, fruit, and blossom reported that their employer did not register them with CNSS, while retaining their pay deductions, leaving them with no coverage in case they became ill.²¹⁴ For many Moroccans, health problems lead to interruptions in income, and a potential slide into poverty.²¹⁵ Out of fear of losing their jobs, some women hide their pregnancies as long as possible and return to work shortly after

giving birth. One woman also reported: 'I went back to work right after having a mastectomy. I paid for all of my treatment, and I had to depend on charity in order to do so.'²¹⁶

HEALTH AND SAFETY RISKS IN TRANSPORT TO WORK

Workers in Morocco's agricultural sectors often depend on inadequate transportation which ensures neither their comfort nor their safety.

Agricultural workers often travel long distances – up to 100km – to reach their workplace.²¹⁷ Employers often covers the costs of transporting workers to avoid higher accommodation costs.²¹⁸ Most transport uses large, overloaded trucks not designed for personnel transport. These often transported between 50 and 80 workers, standing up. Legally, the vans can accommodate nine people, but often transport 35 people on average and, in some cases, up to 55 workers.²¹⁹

Transport is often informal, with transporters lacking passenger authorization, appropriate driving licenses for public passenger transport, and insurance, and agreements with employers are mostly verbal.²²⁰ Outsourcing recruitment and transport allows employers to avoid responsibility for poor transport conditions and possible accidents.²²¹ The poor conditions of many roads – particularly during the rainy season – amplifies the challenges of providing workers with safe and appropriate transport conditions.^{222 223}

The transportation of workers is a problem across agricultural sectors and regions in Morocco, and road accidents are common.^{224 225 226} Every year, workers are injured, disabled or die as a result of accidents.²²⁷ For example, in March 2018, nine workers and two agricultural workers were killed and dozens injured in an accident in the Chtouka Ait Baha region²²⁸ and in May 2019, two pregnant workers died and 20 other workers were injured in Larache.²²⁹

Box 11: Findings from the worker interviews regarding health and safety risk on farms and in transport to work

Health and safety risks at work

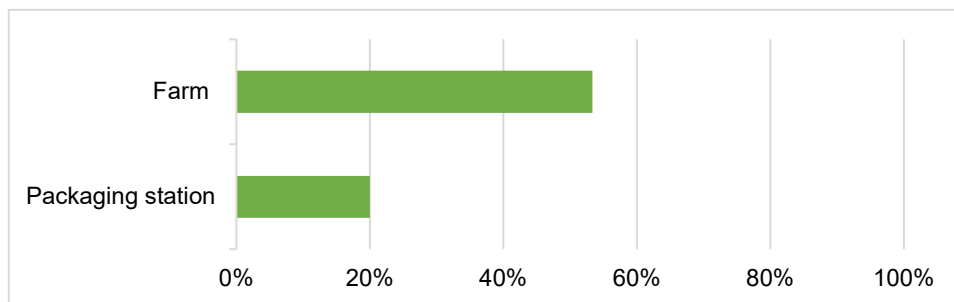
According to interviewed workers, occupational health and safety at farms and packaging stations remains a serious concern. This was confirmed by workers' representatives.

The situation seems to be somewhat better at packaging stations. According to the labour inspectors, packaging stations have set up safety and hygiene committees to promote health and safety prevention in compliance with the regulations, and packaging station managers state that they have a health and hygiene committee (HSC) and a working doctor on site, in addition to the inspections carried out by labour inspectors. Nevertheless, serious concerns also remain in packaging stations.

Eight percent of workers' representatives at the farm level say that they do not meet hygiene and safety standards, and 60% of workers' representatives at packaging stations say that hygiene and safety standards are only partially applied.

More than 50% of farm workers and 20% of workers in packaging stations do not have adequate personal protective equipment (PPE) to ensure their safety at work (Figure 18).

Figure 18: Share of farm and packaging station workers who do not have adequate personal protective equipment (PPE)

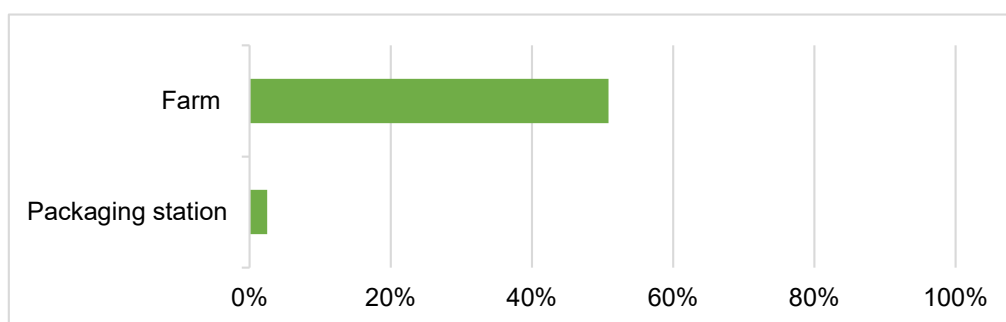


Although more than 95% of farm and packaging station workers say they can take toilet breaks as needed, a significant number of workers report that the sanitary facilities are inadequate (58% of farm workers and 20% at packaging stations).

Fifty-one percent of farm workers interviewed said that they did not have social security coverage (37.5% of women and 60% of men), leaving them vulnerable if ill and limiting their access to health services.

At the packaging stations, however, almost all workers reported having social security coverage (Figure 19). According to the labour inspectors, packaging stations generally comply with the Labour Code, because of the requirements of international clients, such as certification and social audits.

Figure 19: Share of farm and packaging station workers who do not have social security coverage



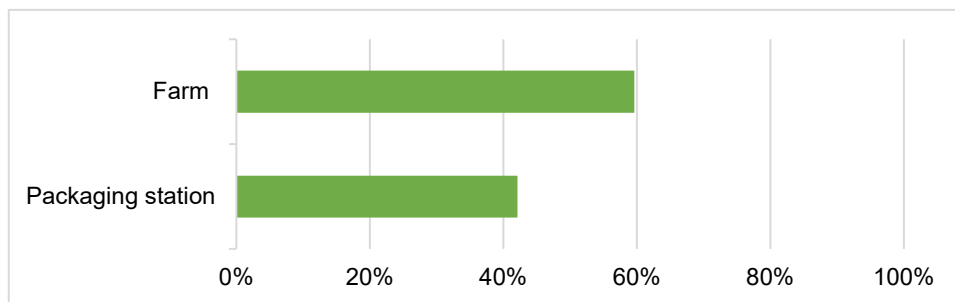
CNSS does not cover workplace accidents and companies are expected to arrange this privately. Nevertheless, 56% of farm workers and 20.5% of packaging station workers reported that they did not have insurance to cover work-related accidents.

Health and safety risks in transport to work

The interviews confirmed that transportation remains unstructured in the citrus sector – with transport that does not meet safety and hygiene standards.

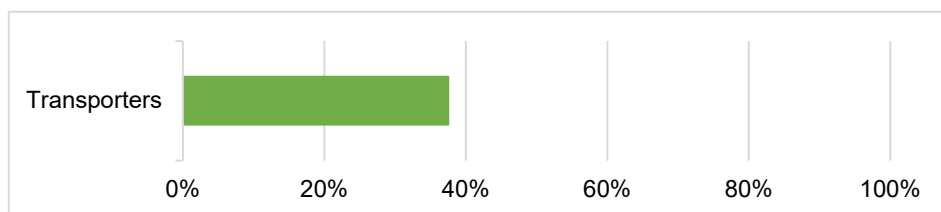
Workers' transport is mainly organized informally. The majority of transporters reported that they were not controlled by the authorities, with the most prevalent means of transport in the citrus sector reported to be van-type vehicles (pickups) which – as confirmed by the literature – do not meet conventional transportation standards and are not appropriate to ensure the safety of workers. The majority of workers confirmed that the maximum passenger capacity is not respected (59% of farm workers and 42% of packaging station workers) (Figure 20).

Figure 20: Share of farm and packaging station workers reporting that maximum passenger capacity is not respected



Gender discrimination and harassment while being transported to work is another serious concern. Women-only transport is rarely provided. According to the transporters, only 25% of the transport is reserved only for women, and 37.5% of the transporters reported receiving complaints from workers about harassment and discrimination while being transported to work (Figure 21).

Figure 21: Share of transporters receiving complaints from workers about harassment and discrimination



Health and safety and COVID-19

Sixty-two percent of the farm workers and 80% of the packaging station workers said that their employers have made workers aware of preventive measures against COVID-19 at their workplace.

Moreover, 78% of farm workers and 95% of workers in packaging stations reported that the means of transport had been adapted. These adaptations were mainly a reduction in the number of passengers, along with preventive measures against COVID-19.

Box 9: Risk of health and safety concerns in Coop's supply chains

There is an *actual* risk of health and safety concerns in Coop's citrus sourcing region, and it should therefore be considered as *very likely* in Coop's supply chain.

Evidence from the literature and interviews strongly indicates that workers are often not protected and that serious health and safety risks are prevalent, both at the workplace and when being transported to work. In addition, there remains a serious risk of gender discrimination and sexual harassment in work transport.

Although the general health and safety situation seems to be somewhat better for workers at packaging stations, it is likely that a significant proportion of the workers in Coop's supply chains are affected of serious health and safety concerns.

RESTRICTIONS ON FREEDOM OF ASSOCIATION

Table 10: Human rights framework concerning freedom of association

Relevant human rights and international conventions	Relevant legislation	Relevant principle in the Coop Sweden Code of Conduct
Right to freedom of association and collective bargaining	Labour Code, Title III, Article 9: 'Any infringement of the freedoms and rights relating to the exercise of trade union rights is prohibited inside the company.'	Point 1. Freedom of association and the right to enter into collective agreements ²³⁰
	Moroccan Constitution, Article 8: 'The Constitution recognizes the right to form trade unions and professional federations.'	
ILO C011 – Right of Association (Agriculture) Convention, 1921	Ratified by Morocco	
ILO C0-141 – Rural Workers' Organisations Convention, 1975	<i>Not ratified by Morocco</i>	
ILO C087 – Freedom of Association and Protection of the Right to Organise Convention, 1948 ²³¹	<i>Not ratified by Morocco</i>	

In Morocco, legal provisions severely restrict the freedoms and actions of trade unions (see Section 3.1). Workers are also confronted with regular violations of their right to freedom of association. Between 2016 and 2020 alone, ITUC registered nine cases of regular violations of rights – ranging from the systematic dismissal of trade union leaders, to proposed legislation to limit the right to strike, and an anti-union ruling in the Moroccan city of Agadir.²³² The government often suppresses strikes and strictly controls journalists' meetings with NGO representatives and political activists. Unions are often repressed, with members arrested and disappeared.²³³

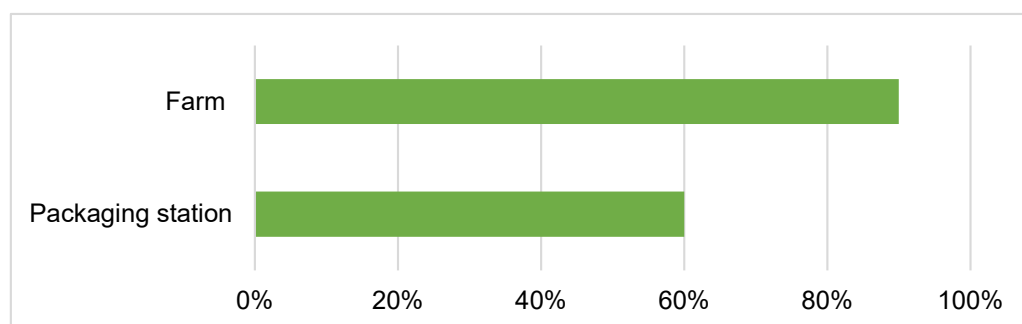
Several domestic NGOs report that employers often use temporary contracts to discourage employees from affiliating with or organising unions. In 2015, for example, Les Conserveries Marocaines DOHA – a company producing frozen and canned fruits and vegetables – tried to stifle a worker protest by hiring huge numbers of temporary workers, in violation of labour laws. Workers had initiated a strike to protest the dismissal of 51 workers, half of them union members.²³⁴

Intimidation and the threat of losing their jobs discourage the majority of agricultural workers from joining trade unions and acting in defence of their own interests. In many cases, members of agricultural workers' union offices lose their jobs as soon as the creation of a union office is announced.²³⁵ In 2017, the rate of unionization of agricultural workers was no higher than 0.5%.²³⁶

Box 10: Findings from the worker interviews regarding restrictions on freedom of association

The vulnerability of workers in the citrus sector is further exacerbated by their very low trade union representation (Figure 22), although it is higher at packaging stations than at farms (90% of farm workers have no trade union representation, compared with 60% of packaging station workers).

Figure 22: Share of farm and packaging station workers without trade union representation



Women's membership in trade unions or in staff representation (delegates) remains very low in the citrus sector. Only 4% of women farm workers are members of a trade union or staff representation committee, compared with 50% of women packaging station workers. This undermines their abilities to claim their rights.

Box 11: Risk of infringements of freedom of association in Coop's supply chains

There is a *potential* risk of infringements of freedom of association in Coop's supply chain.

No evidence was found of any practices impeding the freedom of association of workers, but there is a high risk of infringements given that trade unions in Morocco are heavily repressed and membership among agricultural workers in the citrus sector is low, particularly at the farm level and among women workers. It is considered *likely* that many workers in Coop's supply chains are affected.

LACK OF ACCESS TO REMEDY

Table 11: Human rights framework concerning access to remedy

Relevant human rights and international conventions	Relevant legislation	Relevant principle in the Coop Sweden Code of Conduct
<p>Universal Declaration of Human Rights, Article 8 – Access to justice: 'Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.'²³⁷</p> <p>International Covenant on Civil and Political Rights, Article 2, Section 3. 'Each State Party to the present Covenant undertakes:</p> <p>(a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;</p> <p>(b) To ensure that any person claiming such a remedy shall have his right thereto determined by competent</p>	<p>Moroccan Constitution, Article 6 – Right to be treated equally by the law: 'The law shall be the supreme expression of the will of the nation. All natural and legal persons, including public authorities, shall be equal before the law and must comply with it.'</p> <p>Moroccan Constitution, Article 118 – Right for all to have effective remedy by competent tribunal: 'Access to justice shall be guaranteed for any person to defend his or her rights and interests which are protected by the law.'</p>	None

<p>judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;</p> <p>(c) To ensure that the competent authorities shall enforce such remedies when granted.’²³⁸</p> <p>Constitutive Act of the African Union: Article 4(m) the principle of ‘respect for democratic principles, human rights, the rule of law and good governance’ and in Article 3(h) the objective to ‘promote and protect human and peoples’ rights in accordance with the African Charter on Human and Peoples’ Rights and other relevant human rights instruments’.²³⁹</p>		
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Ensuring access to remedy – whether through state-based or private (e.g. workplace) grievance mechanisms – is a key pillar of the UNGPs. However, workers in Morocco’s agriculture sector lack options to raise complaints about their treatment.²⁴⁰ State-based grievance mechanisms are widely recognized to be limited at best and flawed at worst. The justice system is deemed to be inadequate and dominated by capitalist interests – ‘incapable of confronting the giants of the private sector, which have close ties to the centres of economic and political decision-making’.²⁴¹

A 2019 survey by HiiL²⁴² found that 350,000 people a year were affected by serious legal problems related to employment. It found stark gender differences in access to justice, describing women in Morocco as being in a more vulnerable socio-economic position, having lower levels of formal education and less access to the internet than men. Accordingly, women were less likely to take legal action and when they did, to report lower rates of resolution of their legal problems than men.

The survey also found that while people in Morocco are generally quite confident of finding fair resolutions to most legal problems, they are ‘more sceptical and reserved about their likelihood of finding fair resolutions to these kinds of disputes’. This despite the fact that respondents reported that one in 12 serious legal problems are related to employment, which have a significant impact on their livelihoods. ‘Only domestic violence is more impactful’, according to the report. Employment problems in particular are ‘associated with a high level of disrespect’; particularly for women, who also reported harassment at work as a serious problem. Interestingly, in almost all cases under the employment justice category, the employer was the other party in the dispute and women were found to be less likely than men to act to resolve an employment problem, often because ‘the other party was more powerful’.

In addition to these gender differences, the research found that people in rural areas have less access to legal institutions and are less knowledgeable on how to resolve their problems. The implication for this study is that rural women, such as those who work in citrus production, are the least likely to have effective access to justice.

Trade unions could offer a vehicle through which workers can raise grievances; however, trade unions are heavily repressed in Morocco (see Section 3.1 and section above on restrictions on freedom of association). Trade union membership among agricultural workers is very low and employers often used temporary contracts to discourage employees from affiliating with or organising unions.²⁴³ The grievance mechanisms of trade unions are therefore unlikely to be used.

Workers similarly have little access to effective workplace grievance mechanisms in Coop’s supply chain, with neither Coop nor Everfresh providing grievance mechanisms in its supply chains.

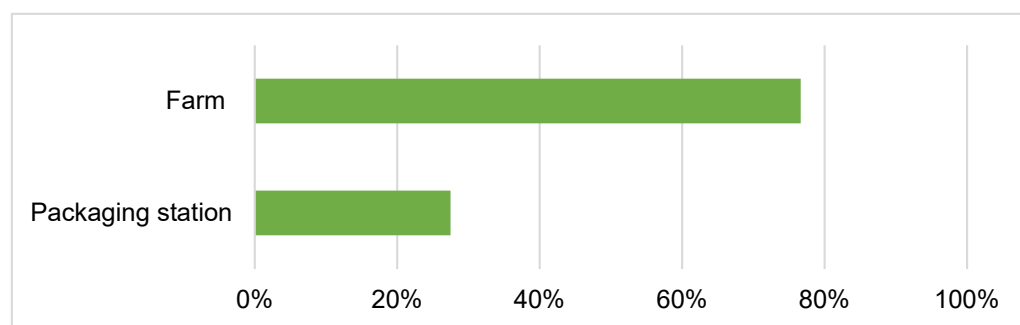
Box 12: Findings from the worker interviews regarding lack of access to remedy

According to the interviewed labour inspectors, three company-based avenues for remedy are possible for agricultural workers: individual, via trade unions, or via worker representatives. However, according to the worker interviews these are either rarely present or unlikely to be used.

Workers report that trade union representation is low in the citrus sector, although higher at packaging stations than at farms (40% at packaging stations, and only 10% at farms). Worker representatives to whom workers could bring complaints are rarely present, although again more likely at packaging stations than farms (50% at packaging stations and 12% at farms).

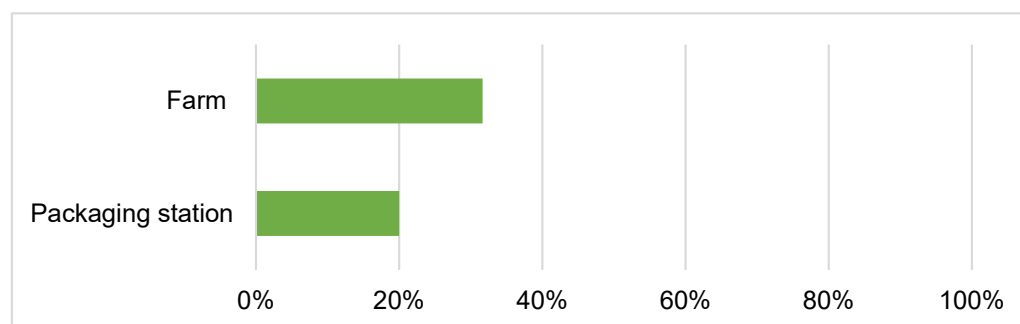
In addition, a significant share of workers do not know how to raise claims or the complaints procedure, in the absence of a formal grievance mechanism (Figure 23). Seventy-six percent of farm workers do not know about claims or complaint procedures, compared with 27.5% of packaging station workers. On farms, more men than women said that they did not know the complaints procedure, while in packaging stations this was reversed.

Figure 23: Share of farm and packaging station workers not knowing how to raise claims or the complaint procedures



Thirty percent of farm workers did not feel safe to report an offence or complaint (Figure 24). While all man packaging station workers reported feeling to do so, 32% of women workers did not.

Figure 24: Share of farm and packaging station workers not feeling safe to report an offence or complaint



Only a minority of workers stated that their employer reacts favourably in case of worker's complaints or claims, making it even more unlikely that workers will seek remedy (40% of farms workers stated that their employer reacts favourably, compared with 22.5% of packaging station workers).

Box 13: Risk of lack of access to remedy in Coop's supply chains

There is an *actual* risk of lack of access to justice in Coop's supply chain.

Given the inadequacy of public grievance mechanisms in a poorly functioning system, repression of trade unions, a significant proportion of workers not knowing how to or not feeling safe reporting an offence or complaint, and the absence of grievance mechanisms offered in Coop's supply chains, it is considered likely that a significant proportion of workers in Coop's supply chains are affected, particularly at the farm level.

5 ROOT CAUSE ANALYSIS

This section identifies the root causes of the human rights impacts identified (Section 4), and explores major initiatives that have been launched to address these causes. Doing so helps to inform the judgements reached regarding the extent to which Coop Sweden causes, contributes to and/or is directly linked to these impacts (Section 6.1), and to the extent of Coop's leverage in addressing adverse impacts, as discussed in Principle 19 of the UNGPs. This analysis also informs the recommendations for Coop Sweden's action to address these impacts (Section 6.3).

Box 14: What is a 'root cause'?

LeBaron et al. note that reference to the need to address 'root causes' has become routine among governments and companies addressing forced labour and other human rights abuses in global value chains, but with little consensus on how these should be conceptualized or defined.²⁴⁴ Here, we follow their proposal to analyse root causes using a political economy approach, which they define as the study of 'underlying social and political mechanisms and principles that structure systems of social organisation.'

As they note, 'The study of political economy is the study of these structures. It examines the 'rules of the game', rather [than] the actions of any individual player. It is also the study of power and its unequal distribution, specifically the power to affect the shape of the global economy.'

The root cause analysis draws on the field of global value chain analysis, in the context of broader approaches to international political economy²⁴⁵ (Box 14: What is a 'root cause?'). This section is structured according to the framework developed by Oxfam, informed by these approaches, for identifying root causes of labour exploitation in global food value chains.²⁴⁶ This distinguishes structural drivers of the problem according to two categories, namely those associated with the:

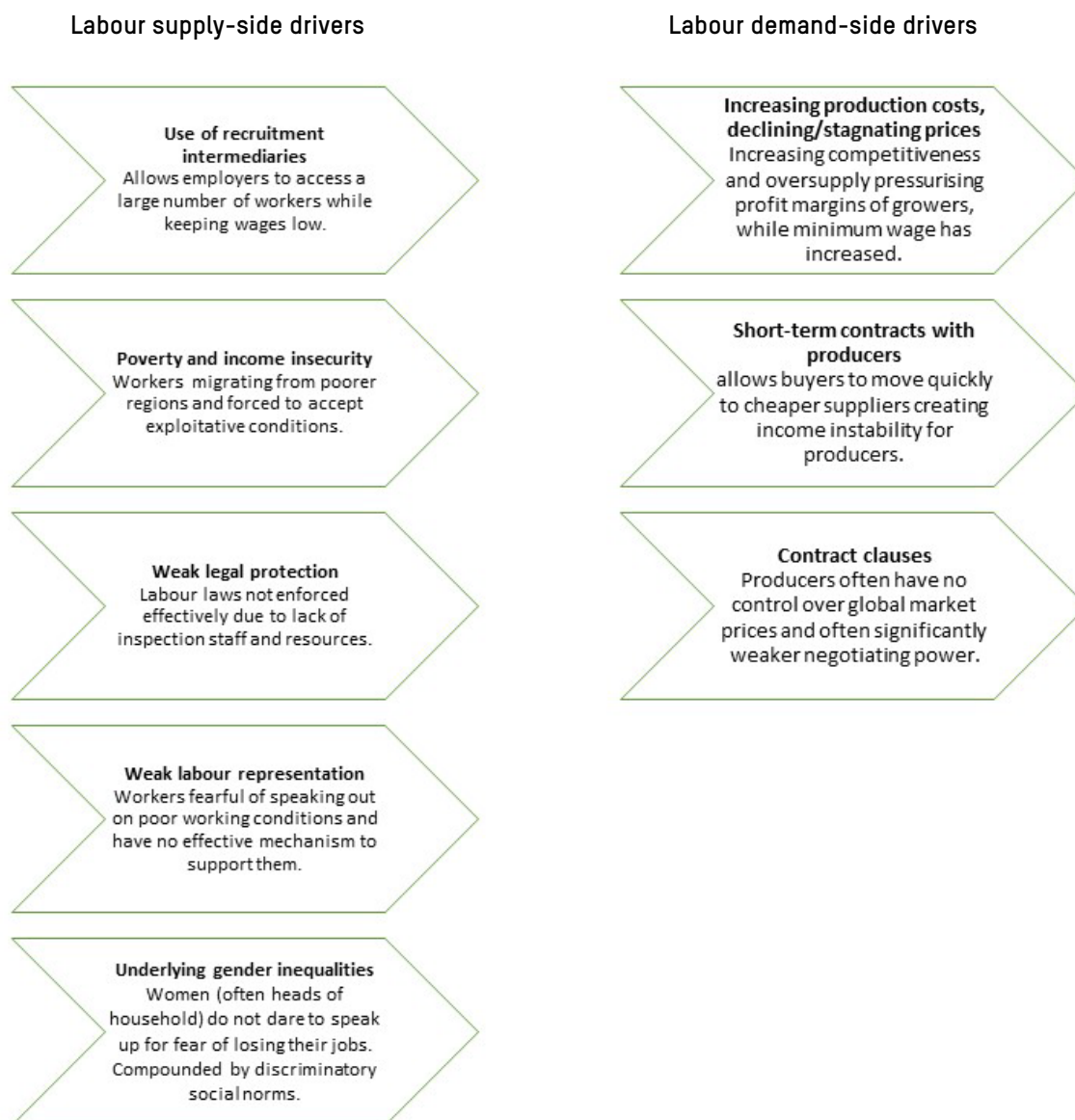
- **supply of labour that is acutely vulnerable to exploitation in sourcing countries** – often reflective of the suppression and/or decline of the relative bargaining power of workers and/or small-scale food producers;
- **creation downstream in global value chains of demand for cheap labour in countries from which they source** – often reflective of the increasing market concentration and resulting buying power of food retailers and other buyers in global food value chains.

The nature and implications of such bargaining power asymmetries have been well recognized and discussed by, for example, EU institutions,²⁴⁷ the former UN Special Rapporteur on the Right to Food, Olivier de Schutter,²⁴⁸ the ILO,²⁴⁹ and a range of civil society and multi-stakeholder initiatives.²⁵⁰

Figure 25 summarizes the main root causes identified under this framework.

The root causes of labour exploitation and rights abuses in Morocco identified are common to many countries and commodities, although some – such as internal economic migration patterns – are particular characteristics of the country. This means that Coop – and other retailers – should be able to draw valuable lessons from this analysis and apply it to other parts of their supply chain where similar abuses are occurring.

Figure 25: Root causes of adverse human rights impacts in Coop Sweden’s Moroccan citrus supply chains



5.1 LABOUR SUPPLY-SIDE DRIVERS

A variety of factors is driving the breaching of human rights of citrus workers from the supply side. The weak bargaining power of citrus farm and packaging station workers, coupled with the weakness or absence of mechanisms to support them in defending their rights, make poor working conditions more likely. The factors identified in the region associated with Coop’s Moroccan citrus supply chain are discussed below.

THE USE OF INTERMEDIARIES

Outsourcing recruitment and transport allows employers to access a large number of workers while keeping wages low. Villagers are recruited by intermediaries and transported in crowded trucks to the farms. This saves employers the cost of permanent accommodation nearer to the workplace or a wage sufficient to cover rent.²⁵¹ There is also anecdotal evidence that salary payments at the end of the season are not always respected.²⁵²

POVERTY AND INCOME INSECURITY

Subsistence farmers other in agricultural regions of Morocco are facing increasing income insecurity as a result of the government's Green Morocco Plan promoting the development of large agricultural operations for export. The benefits that were foreseen for small farmers have not always materialised, with poverty levels increasing among many small farmers. This has led them to migrate to other regions, including the Souss region, in search of work on larger farms.²⁵³ Their poverty and migration status makes them highly vulnerable to exploitative working conditions such as low pay, leading to debt. Others are recruited more locally by intermediaries who travel to remote villages where poverty levels are high and where there is little or no alternative employment.²⁵⁴ This again, makes them vulnerable to human rights breaches which they are not empowered to challenge. A surfeit of such workers further weakens their bargaining position, as those who complain can easily be replaced by others desperate for work under any conditions.

WEAK LEGAL PROTECTION AND INADEQUATE LABOUR INSPECTIONS

The vulnerability of workers to labour exploitation is further heightened by the lack of legal protection for their rights under Moroccan law (Section 3.1). ILO conventions and labour laws and regulations are not enforced effectively in the country due to a lack of inspection staff and resources.²⁵⁵

Most workers interviewed for this assessment (67% of farms workers and 65% of packaging station workers) stated that they were not subjected to inspections by labour inspectors. Previous Oxfam research on the Moroccan strawberry sector found that such labour law violations persist partly because of insufficient resources to ensure labour inspections in the agricultural sector.²⁵⁶

WEAK LABOUR REPRESENTATION

Offering flexible labour markets is a way of attracting foreign investment, but this inevitably leads to a lack of worker protection, and trade unions are not strong enough to fight for that protection, particularly given the legal restrictions on the right to strike (Section 3.1). Without trade union support, or effective alternative grievance mechanisms, workers remain fearful of speaking out on poor working conditions as they can easily lose their jobs, and the exploitation thus continues unchallenged.

Research by Hiil found that rural women in particular have limited access to justice, given their low levels of formal education, knowledge of rights and socioeconomic position. This was backed up by previous research into Morocco's strawberry sector.²⁵⁷

UNDERLYING GENDER INEQUALITIES

It is widely acknowledged that in sectors such as agriculture that employ largely female workforces, the risks of gender-based violence and harassment are particularly high. As stressed by IFC, 'this vulnerability to exploitation is heightened when women are in casual, low-paid employment with limited security'.²⁵⁸ This HRIA confirms that all these characteristics hold true for the citrus sector.

Stakeholders at the roundtable meeting convened in February 2021 to discuss human rights in the Moroccan citrus supply chain confirmed that there is an underlying 'macho' culture in Morocco, where men are seen as having greater power and status than women. Women who are heads of household are particularly vulnerable as they do not dare to speak up against poor working conditions or breaches of their human rights for fear of losing their jobs and the means to support their families.

Reports of sexual harassment and abuse, including demanding sexual favours in return for advancement at work, are rife in the sector. However, women are unlikely to report such abuses due to feelings of shame and the threat of being fired. Even if they have the courage to do so, justice may not be served due to the power imbalance between them and their abusers, and the prevailing male-dominated culture.²⁵⁹

These inequalities are compounded by the weaknesses in the legislation designed to protect women. In addition, labour inspections, even if there were enough of them, fail to emphasize gender equality; for example, in 2014,

inspectors reviewed 12,833 companies and found only 37 violations related to paid maternity leave and 54 related to women's right to work.²⁶⁰

INITIATIVES TO ADDRESS LABOUR SUPPLY-SIDE DRIVERS

Boxes 15 to 17 explore a variety of initiatives by trade unions, NGOs, and industry players designed to address root causes related to the supply of vulnerable labour in the Moroccan agricultural and citrus sector. These can be informative for Coop in developing efforts to address the identified human rights impacts in its supply chains.

Box 15: Women's rights promotion through unions in Morocco – CDT collective bargaining agreement

'More than 1,000 workers at the Domaines Brahim Zniber agro-industrial complex in 2015 negotiated a landmark collective bargaining agreement that raised wages, and provided access to healthcare and bathroom and meal breaks.

Crucially, because women were at the bargaining table, the agreement protects women from being fired when they marry and includes access to maternity leave and time off to care for sick children. Women now can receive training for higher paid jobs, like tree pruning, from which they were previously excluded.

Years of gender equality training by the CDT [Confédération Démocratique du Travail] and Solidarity Center and their ongoing support for collective action led to women taking a strong role in negotiating the agreement, which has set a standard that other agro-industrial complexes are set to follow.²⁶¹

Box 16: Improving the working conditions of women in Morocco's berry sector – Better Strawberries Group

This Oxfam-initiated programme works closely with local, national and international actors – including supermarkets and berry importers (forming the Better Strawberries Group) – to address very poor working conditions for women in the strawberry sector in Morocco. According to local Oxfam staff in Morocco, seasonal workers are likely to move from one sector to another for work and it is therefore possible some of them also work in the citrus sector.

The programme consists of three major components:

1. The **Association of Women Workers**, formed to enable women workers to defend their rights themselves.
2. The **Observatory**, a social audit of enterprises and public institutions to detect and report cases of labour rights violations.
3. A **campaign**, led by local NGOs, to provide a continuous link with local communities and deliver the following interventions:
 - a. **The Caravan Project**. This raises workers' awareness of the Labour Code and the right to social protection and identity through caravans visiting farms and factories.
 - b. **National Social Security Fund (CNSS) Unit**. This aims to raise awareness and support women workers, as well as producers (upon request), on all aspects related to the CNSS, including regularization of declarations, consultation of stages in the system, and access to CNSS services.
 - c. **Identity Unit**. This aims to raise awareness, support and provide guidance for women workers and their families on the regularization of wedding certificates, as well as accessing identification and civil status documents, all of which are essential prerequisites to access CNSS services and all their rights as citizens.

Key results by 2014:

- More than 1,400 women had received their national ID card.
- All companies directly supplying the UK market had obtained their CNSS registration, and more than 3,025 people, including nearly 2,700 women, had been helped to get their CNSS card or check that an existing card was still valid.
- A transporters' association had been created.
- Producers had increased awareness of the importance of healthy labour relations and non-violent communication in the workplace.
- Tension between supervisors/ *waqqafs* and employees in packing stations and processing factories had decreased, where labour relations are formalized by contracts.
- Seventy percent of reporting packaging stations/processing units were ensuring that they paid the minimum wage.
- Women knew their rights and were increasingly refusing jobs that did not pay the minimum wage.²⁶²

Box 17: Coop Italy's flagship initiative *Buoni & Giusti* ('Good & Fair'), aimed at tackling the gangmaster system

Coop Italy's efforts to tackle the gangmaster system (the use of labour providers or gangmasters) in critical fruit and vegetable – including citrus – supply chains in Italy provide a valuable example of good practice that could be adapted to other regions, including Morocco.

Coop Italy's flagship initiative to tackle gangmastering was *Buoni & Giusti* ('Good & Fair'). The project's success was based on numerous factors, such as involving the whole supply chain, stepping up legislative enforcement, and using new technologies like blockchain.

One key drawback is the fact that businesses that try to positively change receive no incentives, thus making it difficult to compete with an illegal system that is nevertheless extremely efficient.

Good cooperation with farmers is also key to the success, and Coop Italy guarantees farmers a fair price for their produce. Coop Italy also set up the Network of Quality Agriculture Work, which asks its agricultural suppliers to adhere to the principles imbedded within *Buoni & Giusti*.²⁶³

5.2 LABOUR DEMAND-SIDE DRIVERS

Low wages and poor working conditions that amount to breaches of human rights are also driven from the demand side. The demand from buyers for cheap and reliable sources of citrus, and increasingly imbalanced power dynamics in favour of buyers, leads to producers cutting corners on worker welfare and measures that would ensure that their human rights are respected.

INCREASING PRODUCTION COSTS, DECLINING OR STAGNATING EXPORT PRICES

Low and declining primary producer prices, often accompanied by a low and declining share of value-added captured by primary producers, is widely recognized as a root cause of increased human and labour rights risks in global food value chains,²⁶⁴ and can be understood as creating a demand for low-cost labour in countries of production.

The international citrus market has become increasingly competitive in recent years, putting pressure on the profit margins of smaller-scale citrus growers in particular (Section 2). While the increases in the agricultural (SMAG) and industrial (SMIG) minimum wages in Morocco have not been sufficient to enable workers to enjoy a decent standard of living, particularly when inflation is taken into account, they have further shrunk the already narrow margins of production companies and farms. Sub-supplier A confirmed that: 'Price is the main factor that

can impact wages. Expenses are increasing and margins are shrinking'. As we have seen, the price per kg that Coop has paid for citrus from Morocco over the last four years has only very slightly increased.

The failure of prices paid to producers to keep up with rising production costs is partly due to the oversupply of citrus (and other fruits) in Europe. This is exacerbated by the climate-driven fluctuations in supply driving buyers such as Coop to seek sourcing countries beyond Morocco.

Oversupply can have the effect of flooding the European market and severely depressing prices – and therefore increasing downward pressure on wages. For example, in 2018, a significant drop in prices resulted from excessive export volumes from countries including Morocco, South Africa and Peru, which the European market could not absorb.²⁶⁵ A similar glut in Morocco in 2016-17 led to cold-storage facilities being overloaded, and produce being dumped on the local market – even being used as animal food – again leading to a drastic drop in prices.²⁶⁶ Morocco's Green Plan was designed in part to address this issue, by 'doubling production of late oranges and easy peelers and broadening the range of varieties targeted for the European market',²⁶⁷ but as we have seen, it created other challenges for smaller growers.

SHORT-TERM CONTRACTS WITH PRODUCERS

Another key driver of labour rights abuses is retailers failing to offer suppliers security through long-term contracts. As a 2021 Principles for Responsible Investment (PRI) report put it: 'Long-term relationships can provide suppliers with stability and security, allowing them to invest in the business. Long-term relationships also avoid short notice requirements and lead times, which otherwise can increase the risk of forced labour'.²⁶⁸

Without such long-term relationships, as a global Joint Ethical Trading Initiative/ILO supplier survey in 2017 demonstrated, producer companies of all sizes, but particularly small-scale farmers, are unable to provide workers with long-term contracts.²⁶⁹ Contracts between buyers and suppliers for fresh produce are often negotiated on a very short-term basis in sourcing countries. This allows purchasers to move quickly to new suppliers if prices increase or lower-cost suppliers become available in a different location.²⁷⁰

The interviews with Everfresh and Coop staff confirmed that although they recognize the benefits of long-term relationships for trust and transparency, they sometimes need to take on a supplier at very short notice and may stop sourcing from them just a year later. This is partly due to the need to minimize sourcing risks (which are particularly high in the fresh produce sector due to climate variability: see Section 2.1) but also driven by consumer price pressure. Whatever the reason, this failure to offer suppliers long-term orders provides little certainty for producers. This is further elaborated in Section 6.1.

CONTRACT CLAUSES AND HIGH QUALITY STANDARDS

Due to the unequal power distribution in the value chain between the large numbers of small growers and producers and the increasingly small number of large buyers, producers often have no control over global market prices and significantly weaker negotiating power. Buyers can impose contract clauses that allow them great flexibility, but gives little to no security for farmers. The Centre for the Promotion of Imports from developing countries (CBI), explains that: 'small margins and the continuous pressure on efficiency by large retail chains cause the European market to react strongly to changes in production and product availability. This scenario makes traders and importers very cautious.'²⁷¹

They can also exert great pressure on growers by imposing severe quality demands on producers. The CBI advises developing country producers that: 'as an exporter, you may get punished immediately when products are not up to standard or when market results are poor. In these circumstances, buyers may not pay the minimum agreed price'.²⁷² For farms and packaging units operating on very thin margins, this can be financially devastating and is likely to have a knock-on effect on wages and working conditions.

It is also a reality in Morocco that produce that does not comply with international standards – that is not good enough in terms of pesticide residues, size, calibre, maturity and so on – then floods the national market, resulting in a drastic reduction of prices,²⁷³ with, no doubt, an accompanying reduction in wages and quality of working conditions.

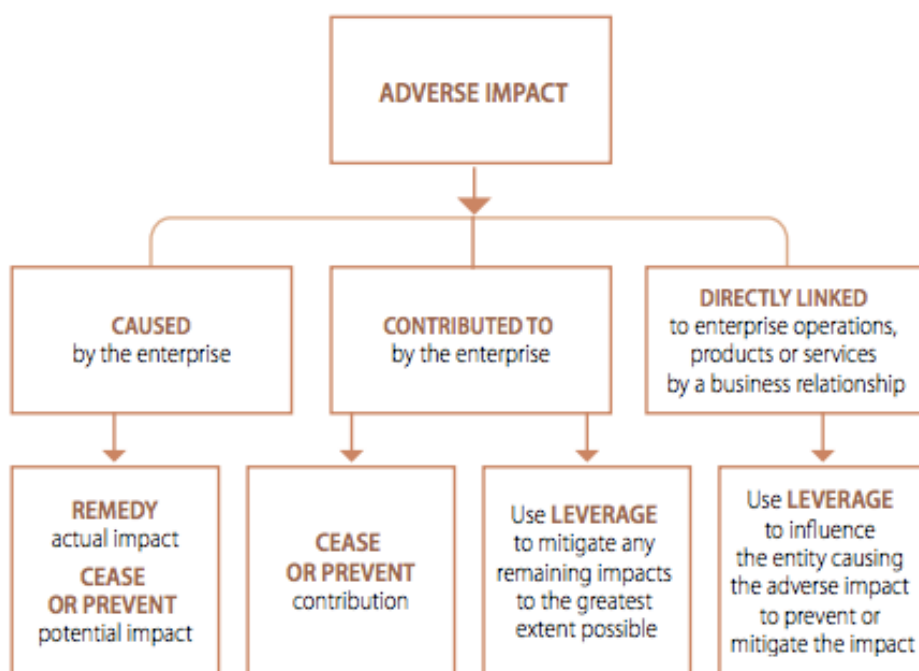
6 ATTRIBUTION, PRIORITIZATION, REMEDIATION AND MITIGATION

This section assesses the relationship between Coop and the identified human rights impacts (Section 4) and their root causes (Section 5). It prioritizes the identified impacts according to principles outlined in the UNGPs, and presents recommended actions for Coop and its first-tier suppliers.

6.1 ATTRIBUTION OF IMPACTS

Under the UNGPs, the nature of the company's response to identified adverse human rights impacts should be determined according to the extent to which companies have 'caused', 'contributed to' or are 'directly linked to' the impact (Figure 26) and to the extent of the company's leverage in addressing the impact.²⁷⁴ This section approaches these questions according to the OECD Due Diligence Guidance related to these questions.

Figure 26: The implications of the relationship of a company to an adverse human rights impact



Source: OECD (2018)²⁷⁵

Box 21: Assessing the attribution of adverse impacts

The OECD Due Diligence Guidance for Responsible Business Conduct suggests a company should be considered to 'cause' harmful human rights impacts if the company's activities on their own would be sufficient to result in the impact.

The root cause analysis (Section 5) suggests that for the vast majority of impacts identified, this is clearly not the case. The critical question therefore is whether Coop should be considered to 'contribute to' or to be 'directly linked to' the identified human rights impacts identified in Section 4.

The OECD Guidance suggests that in considering whether a company contributes to a harmful impact, it is necessary to assess the extent to which:

- the **company's activities increased the risk** of the impact occurring;
- the **company could or should have known** about the impact or risk of the impact occurring;
- any of the **company's activities mitigated the risk** of the impact occurring.

WHAT ELEMENTS OF COOP SWEDEN'S ACTIVITIES MAY BE INCREASING THE RISK OF ADVERSE HUMAN RIGHTS IMPACTS OCCURRING?

- **Prices paid to suppliers in Coop's supply chains not keeping up with costs** From the limited data supplied to Oxfam for this study, it appears that the prices paid by Coop for Moroccan citrus have not increased very much over the past four years. Meanwhile, the legal minimum wage has gone up and the consumer price index has increased significantly, meaning prices paid to suppliers in Coop's supply chains are not keeping up with costs. Many smaller producers are going out of business, unable to cope with this discrepancy between prices and costs.
- **Benchmarking supplier prices without consideration of labour costs**

Both Coop and first-tier supplier staff were clear that there is no explicit reference made to the costs of production – let alone the labour costs of production – when benchmarking prices. Sustainability staff stated that, 'social compliance is not part of pricing process'. Prices are driven by customers, and by comparing with what different suppliers are offering. These suppliers may not have been subject to rigorous human rights due diligence processes and such benchmarking can have the effect of depressing prices throughout the chain to levels that do not reflect the costs of ethical production. As a result, it is not always the most sustainable supplier that is chosen by or for Coop.
- Further, benchmarking prices cannot account for changes in labour costs, for example, during a pandemic. According to packaging station managers interviewed, COVID-19 prevention protocols have been introduced by transporters, including social distancing, reducing the number of passengers per vehicle, disinfection and requiring travel authorization. The implementation of these measures has resulted in an estimated 7,000 MAD additional cost per container, which will not necessarily be taken into account by the current price setting process.
- **Benchmarking consumer prices without consideration of labour costs**

Coop and Everfresh staff stress that offering the cheapest price is not the most important aspect. Coop stated that: 'protecting the brand is very important; more important than offering a cheaper price'. This should serve to mitigate the risk of low prices putting pressure on the labour costs of production to some extent. However, only increased transparency of the labour costs of production of citrus will allow Coop to assess whether prices are sufficient to cover labour costs and decent working conditions, and can give greater confidence that Coop's pricing is not contributing to an increased risk of adverse human and labour rights impacts.
- Coop explained that their prices have to be in line with the market – in other words, with other supermarkets. But such benchmarking can become a 'race to the bottom' and as such, have the effect of depressing prices throughout the chain to levels that do not reflect the costs of ethical production. The tension between Coop's ambition to be an ethical retailer and the need to keep prices for consumers low is reflected in its 2018 Annual Report: 'We are the most sustainable food chain and in recent years we have taken great strides in the field of food delight, with a variety of activities and campaigns. However, the customer has a great focus on price value today, and that is also where we have our relatively greatest challenge'.²⁷⁶
- **Length of contracts with sub-suppliers**

In common with many food retailers, Coop has a tendency to change supplier often, sometimes sourcing from a supplier for no more than one year or even one season in order to find the best deals. This puts additional cost and resource pressure on the supplier. Short-term contracts mean that Coop may miss major human rights impacts taking place in some supplier workplaces. Coop's sourcing volume from Morocco has fluctuated due to climate-driven supply instability, leading it to seek more stable markets such as Spain and Egypt, and depriving Moroccan producers of an important customer.
- In these circumstances and given the limited volumes that Coop sources from each supplier, it is challenging to demand compliance with standards. The research team were told of an example of a (non-citrus) supplier

who was asked to undergo and pay for an audit at considerable expense, but then Coop changed supplier only a year later because the product was about 5 cents cheaper per kg from another supplier.

- The sourcing of products from multiple locations facilitates frequent switching between suppliers within a country or between countries, based on price, often at short notice. This 'leaves suppliers vulnerable to rapid changes in demand and can encourage a race to the bottom between different suppliers based on price' according to previous Oxfam research.²⁷⁷
- Everfresh understands that it is important to protect growers and ensure that trade terms enable them to be viable. They have seen that it is possible over a few years to develop an 'open-book' relationship in which costs – including labour costs – are fully transparent. But the short-term contract culture which characterizes supermarket food sourcing means that such relationships are often not achieved, and suppliers themselves are discouraged from investing to address human rights issues.
- **Deferred payment for products**
The practice of paying for consignments after delivery places growers, especially smaller growers, at a disadvantage as their return on investment is never secure. For example, Sub-supplier A sources around 20% of its produce from other smaller farms. It provides them with financial advances to meet labour, management and production costs until they receive payment at the end of the harvest. Recently, it has not had the resources to support all its growers in this way. This, combined with low prices paid by buyers further downstream, discourages growers in this precarious position from paying better wages. Although Sub-supplier A is not currently in Coop's supply chain, the fact that this is common practice in the sector was confirmed by interviewees in other parts of the supply chain.

TO WHAT EXTENT DO COOP SWEDEN'S ACTIVITIES MITIGATE THE RISK OF ADVERSE HUMAN RIGHTS OCCURRING?

- **Code of Conduct and Product and Supplier Requirements**
Coop relies heavily on its Code of Conduct approval process. This is usually checked before tender, but sometimes a supplier is needed quickly and the process can take place after the relationship starts. This means that critical issues could be missed. Everfresh told us: 'Our requirement is just to have compliance one step down the chain, although we request that suppliers are familiar with all the stages in production'. This would not guarantee compliance further upstream in the supply chain, and would be challenging to verify and monitor in practice.
- Coop's Code of Conduct suggests that: 'The Supplier shall have goals and strategies regarding sustainable development that are integrated into its operation. The goals should include social responsibility, resource efficiency improvements, climate change, biodiversity and chemicals. The Supplier must, on request, be able to report its targets and its work as regards sustainable development.' However, Coop sustainability staff confirmed that it is very hard to measure the level and quality of suppliers' sustainable development goals and impacts. These are not requirements but more of a vision statement, and are probably not read by most suppliers.
- **Social audits**
An integral part of the Code of Conduct approach is the social audit. This is also heavily relied upon by Coop and its suppliers as a mechanism for managing human rights issues in the supply chain. However, there is significant evidence in the secondary literature and in this HRIA that suggests that audits can miss critical issues. Previous Oxfam research into Morocco's red fruit sector showed that: 'The audits undertaken at exporting farms and facilities, required by international buyers (and sometimes conducted by supermarket staff) are regularly criticized by women workers. During focus group discussions conducted by Oxfam between September 2013 and June 2014, 30% of women workers reported that the factories were "transformed" on the days of the audits'.²⁷⁸
- Sustainability staff at Coop acknowledge that similar limitations apply to their citrus supply chain. They are concerned that audits provide just a brief and possibly inaccurate snapshot in time rather than an in-depth understanding of longer-term issues; that they are often announced beforehand, allowing potential cover-ups of problems; that auditors may not have the right competencies to do social audits; and that workers may not always be able to speak freely about their conditions.
- This reluctance to speak freely was clear in this assessment: workers were not open to talking about sexual harassment and gender discrimination in the shorter interviews. In the absence of an adequate grievance

mechanism there is no structure in place for them to feel heard in the workplace. It was not until a safe space with trusted interviewers was provided for an in-depth engagement (the focus group discussion) that the true picture emerged about these serious issues. There were also large differences between what workers reported about sexual abuse and what worker representatives and labour inspectors reported. Coop and Everfresh are likely to encounter similarly misleading reports from worker representatives while conducting their own field visits.

- Finally, the extensive evidence of widespread use of ‘grey’ or informal labour in the sector means that checks of contracts and payrolls are inadequate to ensure compliance with the Codes of Conduct for all workers.
- **Certifications**
Many retailers – including Coop – rely on the certification of products by standards bodies such as Fairtrade and Rainforest Alliance. But the limitations of certifications to mitigate human rights impacts are widely known. Coop requires social audit reports down to the supplier and processing levels, but not at the farm level – apart from GLOBALG.A.P. GRASP certification, which includes some assessment of workers’ rights.²⁷⁹ In Oxfam’s experience, human rights abuses of workers, especially women, are more prevalent in the field than the factory, which is a more structured environment with closer oversight of workers and supervisors.
- **Sustainability Declaration**
Coop has worked hard to develop its Sustainability Declaration, enabling customers to quickly and easily access sustainability information about the product they are about to buy. Its rollout offers an opportunity for Coop to address some of the shortcomings listed above and to take additional mitigation measures. However, this HRIA identified a number of weaknesses in relation to its workers’ rights indicators. These include:
 - Reliance on amfori BSCI’s country risk classification, which is more to do with country governance than labour rights.
 - Reliance on averages of indicators, making them liable to water down significant human rights risks.
 - Reliance on certification schemes.
 - Assigning a lower priority to risks in country of production (processing) than the country of origin of a particular good, instead of weighting the risk equally.
 - The declaration not being fully integrated with due diligence processes. Coop needs to allow for additional information to be included from its own due diligence or other sources, such as media.

TO WHAT EXTENT DID COOP SWEDEN KNOW OR COULD HAVE KNOWN ABOUT THESE ADVERSE HUMAN RIGHTS IMPACTS OR THE RISK OF THESE IMPACTS OCCURRING?

Coop staff indicated a mixed level of awareness about the nature of human and labour rights risks in the Moroccan citrus sector, and the limitations of some of the existing measures to manage them. However, its participation in this HRIA suggests that Coop is mindful of the nature and severity of the risks in Moroccan citrus production. At the very least, it knows that Morocco is classified as a risk country by amfori BSCI, which is the standard that Coop uses, and it may also have been aware of prevailing abuses in the red fruit sector in Morocco that were made public by previous research.

6.2 PRIORITIZATION OF IMPACTS

The UNGPs acknowledge that where companies are unable to address all of their adverse impacts simultaneously, it may be necessary to prioritize, starting with the most severe impacts, especially where a delayed response may affect the impact’s remediability.²⁸⁰ The OECD Due Diligence Guidance further suggests that this prioritization process should be based on the severity of the impact and the likelihood of it occurring.²⁸¹ In Table 12, the impacts identified in Section 4 are assessed against each of these criteria, using a simple three-part scale for each. The impacts considered of highest priority are indicated in red, medium priority in orange, and lower priority in yellow.

Table 12: Prioritization of identified human rights impacts

	Severity	Actual or potential?	Contribution	Leverage
	<p>Scope (small, medium or large)</p> <p>Scale (minor, moderate or major)</p> <p>Remediable? (not possible, possible or likely)</p>	(if potential – unlikely, likely or very likely)	(caused, contributed or linked)	(low, moderate or high)
	Forced labour			
	<i>Medium scope, major scale, remediable</i>	<i>Potential – very likely</i>	<i>Contributes</i>	<i>Low – moderate</i>
	<p>Likely to affect a significant proportion of the agricultural labour force in Coop supply chains due to the prevalence of intermediaries who are unregulated and have been known to leverage poverty in order to pressure people into working in poor conditions against their will.</p> <p>May entail some of the most serious violations of human rights.</p> <p>Alternative business models for more ethical recruitment exist and are being explored by other actors in the sector.</p>	<p>Given the prevalence of intermediaries suggested by this assessment’s evidence and in the literature, it is very likely that at least some such workers will be working on farms from which Coop’s suppliers source.</p>	<p>Among a variety of root causes, Coop, along with buyers in the sector as a whole, is contributing to the demand for cheap labour through its purchasing practices, including prices that do not take account of labour costs, short-term contracts and deferred payment.</p>	<p>Low – with regard to action by the Moroccan government, for example, to improve formal recruitment options.</p> <p>Moderate – with regard to action to establish more ethical private recruitment models for producers in the Coop supply chain (including by contributing to the costs of doing so). However, given that the Coop share of the Moroccan suppliers’ total production volumes is likely quite low, raising labour costs would require action from a critical mass of other buyers and suppliers too.</p>
Sexual harassment and gender discrimination				
<i>Medium scope, moderate – major scale, remediable</i>	<i>Potential – very likely</i>	<i>Linked</i>	<i>Moderate</i>	
<p>A significant proportion of the agricultural workforce in the citrus sector are women. It is therefore likely that the number of women affected by discriminatory practices is quite high.</p> <p>This assessment found evidence of sexual harassment and discriminatory practices on the basis of gender – including on transportation to and from work – and such abuses constitute</p>	<p>On the basis that evidence was found that suggests that many women are affected, and the documented widespread sexual harassment and discriminatory practices in the agricultural sector in the secondary literature, it is likely that some women will face such impacts on farms and packaging stations from which</p>	<p>The root causes of gender discrimination and sexual harassment and/or violence relate to social norms about the role of women and the abuse of power by men. While Coop could take actions that could help to mitigate the risks faced by women, it is hard to conclude that Coop’s actions have materially increased those risks, except by</p>	<p>Coop could provide support and training for employers in developing gender policies (e.g. see ETI work in South African fruit farms²⁸²). It could improve gender-related requirements in the Code of Conduct, such as the provision of women-only transport and establishment of gender-sensitive grievance mechanisms.</p> <p>It could also join advocacy calls for</p>	

	<p>some of the most serious rights violations.</p> <p>Improved drafting and implementation of antidiscrimination and sexual harassment and abuse laws would provide greater protection.</p> <p>Suppliers and farms with better gender policies and grievance mechanisms could reduce inequalities and vulnerability to abuse, as could trade union representation.</p>	<p>Coop's suppliers' source.</p>	<p>contributing to a culture of low pay and insecure labour in which women are usually more vulnerable.</p>	<p>better legal protection for women, such as:</p> <p>Amending laws that provide opt-out clauses for declarations on gender equality.</p> <p>Ratification of ILO Convention 190 against violence and harassment in the work environment.</p> <p>Reform of the definition of sexual assault or rape.</p> <p>Establishing provisions for reporting, investigation, prosecution, or trial of cases of violence against women under Law 103-13.</p>
Low wages				
	<p><i>Large scope, moderate scale, remediable</i></p>	<p><i>Potential – very likely</i></p>	<p><i>Contributes</i></p>	<p><i>Moderate</i></p>
	<p>Very likely to affect the vast majority of the agricultural labour force in Coop's supply chains (and the vast majority of the agricultural labour force across the sector).</p> <p>Workers can survive, but low wages can mean their right to food is at risk, for example.</p> <p>All workers could be paid higher wages.</p>	<p>Given the widespread nature of low wages suggested by the evidence found for this assessment and in the literature.</p>	<p>Among a variety of root causes, Coop, along with buyers in the sector as a whole, is contributing to the squeezing of labour costs in supply chains through its purchasing practices.</p>	<p>Given that the Coop share of the Moroccan suppliers' total production volumes is likely quite low, raising labour costs would require action from a critical mass of other buyers and suppliers too.</p>
Health and safety risks on farms and in transportation to farms				
	<p>Large scope, major scale, remediable for most</p>	<p>Potential – very likely</p>	<p>Contributes/linked</p>	<p>Moderate</p>
	<p>Very likely to affect the vast majority of the agricultural labour force in Coop's supply chains.</p> <p>Lack of attention to health and safety risks can result in short- or long-term illness, accidents and death.</p> <p>Most workers could have health and safety mitigation measures in place at work and in transport. However, remediability is not possible for those who</p>	<p>Given the widespread health and safety risks on farms and in transport to farms suggested by the evidence in this assessment and in the literature.</p>	<p>Contributes – in terms of, for example, PPE provision and transport</p> <p>The lack of adequate safety equipment and/or the lack of safe transport options provided is likely a result of the need for farmers and packaging stations to squeeze their labour costs. Coop, along with buyers in the sector as a whole, is</p>	<p>Given that the Coop share of the Moroccan suppliers' total production volumes is relatively low, ensuring adequate safety equipment and transport would require action from a critical mass of other buyers and suppliers too.</p>

	have lost their lives due to poor health and safety protection.		contributing to this squeezing through its pricing strategies. Linked – in terms of healthcare provision This is a service that should be provided by the relevant authorities.	
	Restrictions on freedom of association			
	<i>Large scope, moderate scale, remediable</i>	<i>Potential –likely</i>	<i>Linked/contributed</i>	<i>Low – moderate</i>
	<p>Due to the suppression of trade unions, workers are severely restricted in formally joining unions.</p> <p>Lack of access to formal protection and means of negotiation and grievance reporting puts workers at a severe disadvantage and undermines their ability to fight for all their other rights.</p> <p>Remediable, but difficult given the suppression of unions and workers’ right to strike.</p>	<p>Trade union representation is low according this assessment’s findings and the literature. Stakeholders at the roundtable discussions confirmed that workers tolerate poor working conditions as they fear losing their jobs and are unable to negotiate better conditions.</p>	<p>Linked</p> <p>Lack of freedom of association is caused by local and national circumstances, including Moroccan labour laws.</p> <p>However, Coop’s purchasing practices may contribute to short-term or non-existent contracts.</p>	<p>Coop could collaborate with other companies and with trade unions to lobby at the Moroccan and EU levels for better laws to protect workers through trade unions. Given the lack of possibility of formal trade union membership, Coop could also collaborate with others to build support and awareness via worker representatives, and to support NGOs to help workers set up committees, learn their rights and present collective grievances to employers.</p> <p>Coop should also consider changing buying practices (along with others in the industry) to enable (and require) formal and longer contracts for workers.</p>
	Lack of access to remedy			
	<i>Large scope, moderate scale, remediable</i>	<i>Actual</i>	<i>Caused</i>	<i>High</i>
	<p>Affecting the vast majority of the agricultural labour force in Coop’s supply chains (and in the sector as a whole). No effective grievance mechanisms appear to be in place for workers in Coop’s supply chains</p> <p>Ensuring access to remedy is a key pillar of the UNGPs.</p>	<p>State-based grievance mechanisms are widely recognized to be limited at best and flawed at worst.</p> <p>No grievance mechanism is administered either by Coop or Everfresh with respect to farms and packaging stations from which it sources.</p>	<p>While addressing the lack of effective formal mechanisms to enable access to remedy is the responsibility of the Moroccan government, the lack of any grievance mechanism for many workers in the Coop supply chain is a</p>	<p>Coop could enact policies that would create gender-sensitive grievance mechanisms, albeit to ensure they are effective would require close collaboration with suppliers, producers, trade unions and other actors. These should comply with</p>

	<p>Grievance mechanisms could be created either through the state or private companies like Coop in the supply chain.</p>		<p>direct result of Coop not having a policy to ensure that either Coop or its suppliers make grievance mechanisms available to all workers in their supply chains.</p>	<p>UNGP criteria, including that they should be developed in consultation with workers as rights holders.</p> <p>Coop could also facilitate resources and training for suppliers and workers, and provide guidance and linkages with expert organizations and trade unions from other regions/countries that could help set up grievance mechanisms at the local level.</p>
Excessive working hours				
	<p><i>Medium scope, moderate scale, remediable for most</i></p>	<p><i>Potential – likely</i></p>	<p><i>Contributes</i></p>	<p><i>Moderate</i></p>
	<p>Likely to affect many the agricultural labour force in Coop’s supply chains (and the vast majority of the agricultural labour force in the sector as a whole) – particularly during peak seasons.</p> <p>Excessive working hours, with few if any breaks, can cause burnout, stress, and repetitive strain injury and limit productive working lives. Excessive hours become an additional health risk when combined with intensity of pace, high temperatures and lack of medical services.</p> <p>All workers could have their working hours reduced. But no remediation is possible for those workers who have already suffered permanent health damages as a result of excessive working hours.</p>	<p>Based on the evidence in this assessment and the literature, it is likely that a proportion of workers in Coop’s supply chain will be affected – particularly during peak periods at the packaging stations, given the industry’s need to ensure harvesting takes place in a fairly narrow window, before the fruit starts to spoil.</p>	<p>Excessive working hours are significantly incentivized by low wages paid as piece rates.</p> <p>Among a variety of root causes, Coop, along with buyers in the sector as a whole, is contributing to the squeezing of labour costs in supply chains through its purchasing practices.</p>	<p>Given that the Coop is one of many citrus buyers from Morocco, for any changes in pricing or purchasing practices to have an effective impact on excessive working hours would likely require collaboration with other companies, with whom Coop may also need to call for legislative changes.</p>

6.3 RECOMMENDATIONS FOR ACTION

This section proposes recommendations for Coop Sweden and its first-tier supplier to address the identified adverse human rights impacts in the company’s citrus supply chains, according to the prioritization process outlined in Section 6.1, and informed by the root cause analysis in Section 5 (Figure 25).

The recommendations cover a range of actions that Coop Sweden and/or its first-tier supplier can take in relation to their own policies and practices, and actions that they can take to influence others – including the Moroccan state as the primary duty-bearer in this instance – to change policies and/or practices to mitigate the risks of adverse impacts.

Top priorities, highlighted in red, should be pursued within six months, medium priorities in orange within a year, and lower priorities in yellow within 18 months.

Table 13: Recommendations to Coop to address identified human rights impacts in its Moroccan citrus supply chains

Human rights impacts	Recommendations
Top priorities	
Overarching	<p>Draft and publish a Human Rights policy for Coop and its supply chains.</p> <p>Coop’s Human Rights policies and strategies are distributed amongst various documents and initiatives including its Sustainability Declaration and Code of Conduct for suppliers. While its overarching human rights commitments may derive from the wider Coop Group policies, it is important that Coop Sweden itself has a comprehensive human rights policy that is clearly communicated to and understood by all staff and suppliers and which shapes and drives the way they work. The policy should draw together Coop’s human rights commitments (see the recommendations below for what these should include) and how it proposes to meet them, what are its expectations of its staff and suppliers, and above all, what commitments it will make for its own actions such as purchasing practices and sourcing strategies, to protect human rights. For guidance, Coop may refer to ETI’s Guide to Buying Responsibly.²⁸³</p>
Forced labour, sexual harassment and gender discrimination, low wages, excessive working hours, health and safety risks on farms and in transportation to farms	<p>Make an explicit commitment to the UNGPs, ILO conventions, Dhaka Principles and the Employer Pays Principle.</p> <p>Have a policy and a system that that proactively prevents forced labour from occurring.</p> <p>Ensure that citrus prices enable all appropriate costs for ensuring decent working conditions.</p> <p>Currently, citrus prices are benchmarked without taking into account the ethical costs of production. This can have the effect of depressing prices throughout the supply chain and increasing the risks of labour rights abuses as sub-suppliers are incentivized to keep production costs low. Buyers are best placed to understand the price dynamics around the products in their portfolio and – if explicitly mandated to do so – to undertake due diligence of prices being quoted.</p> <p>Establish training and incentives</p> <ul style="list-style-type: none"> • Bring the buying and sustainability functions in Coop and Everfresh further together and give more explicit responsibility to buyers to undertake due diligence of prices quoted by suppliers. Empower buyers to propose changes to practices that may increase the risk of human rights abuses in the supply chain. • Train buyers in gender-sensitive human rights due diligence to understand the impact of their purchasing practices on Coop’s suppliers’ ability to respect the human rights of women and men in their operations and supply chains. • Require buyers to include the costs of ethical production in price negotiations with suppliers. • Establish new key performance indicators (KPIs) for buyers to incentivize human rights due diligence and not only lower prices. <p>Ensure price benchmarking takes the ethical costs of production into account</p>

	<ul style="list-style-type: none"> • Require suppliers to disclose the labour costs of production as part of their quotation, and be prepared to be equally transparent about Coop’s costs. • Develop an ‘open-book’ relationship with suppliers – and encourage them to do the same with their suppliers – in which costs, including labour costs, are fully transparent. • Commission third party studies on the costs of ethical production in citrus (and other high-risk supply chains) – which should include the cost to suppliers of Coop meeting these recommendations. <p>Coop Italy provides a precedent in its establishment of a fair price with suppliers, acknowledging that ‘if you pay little, farmers start a vicious circle that generates illegality and exploitation...’²⁸⁴</p> <p>Use long-term and more direct contracting</p> <ul style="list-style-type: none"> • Use longer-term contracts based on open-book approaches that give more security to suppliers and more transparency around price formation. • Shorten supply chains where relevant, with more direct sourcing from producers. • Explore the feasibility of encouraging more direct purchasing from women producers and women-led cooperatives.
	<p>Improve the transparency of Coop’s citrus (and other) supply chains and make information on these publicly available.</p> <p>Publishing this information will enable trade unions, NGOs and others to help monitor whether Coop’s standards are being upheld, and can help identify root causes if they are not. According to Human Rights Watch: ‘The more supply chain data is publicly available, the more likely it is that abusive conditions will be reported – whether publicly or to the brands whose supply chains are implicated – and the more likely it becomes that problems can be solved’.²⁸⁵</p> <ul style="list-style-type: none"> • Make the names and locations (to site level) of all suppliers publicly available in a single, annually updated list, including information on the workforce (number and gender split of seasonal and permanent workers, highlighting when work is subcontracted, whether freedom of association is ensured, and collective bargaining undertaken). <p>This could be incorporated into the Coop Sustainability Declaration²⁸⁶, under parameter 10 on ‘Law Compliance and Traceability’, which tries to capture ‘transparency and traceability in the raw material chain’. A simple grading system could be developed in which products for which Coop can publish details of the actors at all tiers of the supply chain receive the highest score, products for which Coop can publish only the first-tier suppliers receive a lower score, and products for which no information is public receive the lowest score.</p> <p>There are several relevant precedents from other retailers and food companies on how to make supply chains publicly available (see Annex 5).</p>
Forced labour	<p>Support the establishment of alternative recruitment models among Coop suppliers.</p> <p>The lack of formal recruitment models is a root cause of reliance by farmers and packaging stations on intermediaries. Establishing private alternative recruitment models seems the most likely option to bring about change.</p> <ul style="list-style-type: none"> • Work with Everfresh, sub-suppliers, the Ethical Trading Initiative (ETI), Oxfam Morocco and Moroccan trade unions to explore options for the establishment of alternative recruitment models that offer the best protection to both women and men (i.e. are gender sensitive). <p>Recruitment models established by, for example, Thai Union²⁸⁷ or Princes²⁸⁸ can offer guidance. A study of Thai Union’s ethical recruitment model for the seafood supply chain, for example, found that it is crucial for retailers to engage directly with recruitment agencies and workers and embrace an approach of continuous improvement, informed by independent</p>

	<p>monitoring.²⁸⁹ If this recruitment policy is to succeed, retailers must factor the true costs of ethical recruitment into purchasing practices.²⁹⁰</p> <p>Advocacy: call on the Government of Morocco to impose heavier fines and punishments for the use of forced labour.</p> <p>Strong incentives are required for suppliers to cease using forced labour since it is one way of cutting costs. If fines are sufficiently heavy – and if they are properly policed and implemented – the cost of using forced labour will outweigh the savings. This would also provide a much stronger message that forced labour is not acceptable in any supply chain.</p>
Sexual harassment and gender discrimination	<p>Put women’s empowerment at the heart of business operations.</p> <ul style="list-style-type: none"> • Sign up to the UN Women’s Empowerment Principles, as recommended by the UN Global Compact, of which Coop is a member.²⁹¹ • Include an indicator on gender equality from Oxfam’s Commitment to Reducing Inequality Index (CRII) in Coop’s Sustainability Declaration.²⁹² • Develop a gender policy to apply to sourcing in this and other supply chains, ensuring that human rights due diligence includes gender-disaggregated data wherever relevant. A useful tool to help companies do this was developed by BSR in 2019.²⁹³ • Understand the factors that increase the risk of gender-based violence and harassment and put in place appropriate policies, systems and training to identify and address these risks, and to provide effective channels for remedy. Bear in mind that gender-based violence and harassment is a particularly sensitive issue on many levels, and should be approached with great caution, preferably by experts in the field.²⁹⁴ • Work with women’s and workers’ organizations to conduct regular gender-sensitive safety studies to identify potential areas where workers feel unsafe (such as in isolated spaces or enclosures). A useful tool is to get workers to visually map safe and unsafe areas in the workplace, home, and journey to and from work.²⁹⁵ Work with these organizations to find and implement solutions to the issues emerging from the studies. • Based on the above, support sub-suppliers to restructure the physical work environment and schedules to reduce isolated spaces and provide women-only transportation options to all women workers to and from worksites, and support suppliers in providing women-only transport that is of a safe standard, with no overcrowding.²⁹⁶ • With suppliers and other relevant organizations, establish a gender-sensitive grievance mechanism that women will have confidence in using to raise concerns and complaints about sexual harassment and abuse. • Provide gender-related training for all suppliers and workers, giving a clear signal from the top that sexual harassment is not tolerated. • Engage in advocacy with the Government of Morocco, calling on it to: <ul style="list-style-type: none"> ○ amend laws that provide opt-out clauses for declarations on gender equality; ○ ratify Convention 190 against violence and harassment in the work environment; ○ reform the definition of sexual assault or rape; ○ use Law 103-13 to establish provisions for reporting, investigating, and prosecuting cases of violence against women. <p>Suggestions from the women-only focus group discussion</p> <ul style="list-style-type: none"> • Create boxes where complaints about harassment can be anonymously posted. To this, we would further recommend that these boxes be placed where women will not be seen using them; that a robust process for responding to grievances is in place; and that female workers are involved in the process of assessing and investigating grievances.

	<ul style="list-style-type: none"> • Set up surveillance cameras to minimize the number of areas where sexual harassment and abuse can take place unobserved (though not where the boxes are located). • Establish an NGO by women for women within the villages with the largest concentration of citrus workers, to gather evidence of harassment and abuse and advocate for change.
<p>Low wages and excessive working hours</p>	<p>Support a living wage for women and men workers throughout the supply chain and make a time-bound commitment to factor living wage and income benchmarks into a company's price negotiations and contract terms with suppliers.</p> <p>The HRIA has shown that the legal minimum wage is often not paid and that workers often need to work more than 8 hours to meet their basic needs.</p> <ul style="list-style-type: none"> • To establish living wage benchmarks, Coop could work collaboratively with other supermarkets, suppliers, trade unions, civil society and other stakeholders to identify the cost-of-living needs for workers in citrus supply chains (and others with high risks of human and labour rights violations). This should be used as the basis to close the gap between prevailing and living wages or incomes, as well as the gender pay gap. • Support the expansion of amfori BSCI's monitoring of living wage gaps and explore more widely accepted living wage assessment approaches, such as the Anker methodology²⁹⁷. • Engage in multi-stakeholder sectoral initiatives to improve wages in high-risk supply chains. • Commit to publishing an annual statement to show progress against agreed objectives. <p>Relevant precedents have been set by the recent actions of Dutch retailers towards their banana supply chains,²⁹⁸ of German retailers²⁹⁹ and of Unilever, showing that numerous leading European retailers and food companies are now committed to taking action to close living incomes/wage gaps.³⁰⁰ Doing so relieves the pressure on workers to take on excessive working hours to supplement their standard pay.</p> <p>The risk of excessive working hours can also be mitigated by planning orders and delivery deadlines that take into consideration how many person hours will be required to meet them in the time available.</p> <ul style="list-style-type: none"> • Coop should engage with suppliers as far upstream as possible to fully understand what is entailed in fulfilling their purchase requirements and how these might impact on workers at the production and packing levels – and then amend purchasing practices accordingly.
<p>Health and safety risks on farms and in transport to farms</p>	<p>Ensure that workers in Coop's supply chains have adequate training, equipment and processes to keep them safe and in good health at work and while travelling to and from work.</p> <ul style="list-style-type: none"> • Encourage and support the establishment of freely elected health and safety committees on farms and packaging stations. Support the provision of health and safety training – including on sexual harassment and gender-based violence. • Encourage and support the provision of PPE and ensure that the PPE provided works for both women and men. • Ensure that farms and packaging stations from which Coop is sourcing citrus have an adequate number of clean and secure toilets for female and male workers, and that clean drinking water is readily available. • Include clauses on lighter work for pregnant women and adequate maternity leave in the gender policy – and support suppliers in implementing this. Work with local women's groups to monitor their effectiveness. • Ensure that suppliers are covering the medical costs for all workplace-related injuries and illnesses, including those linked with transport to and

	<p>from the workplace. In order to do so, the price they receive for their produce will need to be sufficient to cover such costs.</p>
<i>Cross-cutting</i>	<p>Ensure that workers in Coop’s supply chain are informed about their rights.</p> <p>The assessment has shown that the majority of workers are not informed about their rights, which seriously limits their agency to demand change.</p> <ul style="list-style-type: none"> Establish training and capacity development to ensure workers in Coop’s supply chains are informed about their rights. <p>The ‘Better Strawberries’ initiative in Morocco, a collaboration between supermarkets and berry importers, the ETI, and Oxfam, offers a relevant precedent. As part of the initiative, a caravan project was set up which focused on raising workers’ awareness of their rights. Women promoters also addressed cases of rights violations and provided referrals to women working in factories and farms.³⁰¹ In 2019, Axfood (in collaboration with QuizRR) launched a pilot capacity development project on digital training on labour rights for migrant workers from Cambodia and Myanmar in Thailand, which could be adapted to the Moroccan context.³⁰²</p>
	<p>Work on a time-bound, comprehensive action plan to address the findings and recommendations of this assessment, including regular reporting of progress with regards to implementation and consideration of future updates to the assessment. Validate this plan with relevant stakeholders, including women’s rights organizations.</p> <p>An action plan and regular monitoring and reporting of progress is a critical component of the human rights due diligence process. Coop should consult internally and with relevant stakeholders, including Everfresh, sub-suppliers and stakeholders that participated in the roundtable discussion in Morocco, on how to address the findings and recommendations of this HRIA and where the HRIA fits in ongoing due diligence.</p> <p>Coop should commit to publish the resulting action plan by October 2022. The plan should:</p> <ul style="list-style-type: none"> specify the resources allocated and roles and responsibilities to implement the proposed measures; include a timeline to address all adverse impacts identified; show how the root causes will be tackled by Coop, including how to collaborate with existing efforts and actors as well as new strategies to be implemented; specify the expected outcomes for the rights holders; specify how Coop will monitor the efficiency of the proposed measures; Include a gender analysis throughout. <p>Also engage with SOK Corporation on their experience and learning on how it addressed the findings and recommendations of the HRIA of its Italian tomato supply chain.³⁰³</p>
Medium priorities	
Restrictions on freedom of association	<p>Be vocal and visible in supporting freedom of association and collective bargaining in all supply chains, and support the necessary training and governance to implement it.</p> <ul style="list-style-type: none"> Signal public support for the work of trade unions active in the Moroccan agricultural sector. Producer companies may be less likely to suppress trade unions if they know that their customers support them. Lobby the Moroccan government – ideally in collaboration with other fruit and horticulture importers – for the creation of a more enabling legislative environment for freedom of association and collective bargaining. Reach out to relevant trade unions to consult on possible joint advocacy efforts. In the absence of effective unions (but not as an alternative to them), encourage the formation of alternative, independent and democratic worker presentation groups to engage with management on human rights

	<p>issues and working conditions. Provide appropriate training. A useful precedent on working in this way is ETI’s work in the Bangladeshi garment sector.³⁰⁴</p> <ul style="list-style-type: none"> • Work in collaboration with other companies sourcing fruit from Morocco and with trade union federations, NGOs and/or multi-stakeholder initiatives to strengthen the capacity of existing trade unions. ETI provides an encouraging precedent in its report on working with trade unions in Colombia, Mexico, and Peru’s horticulture sector for export,³⁰⁵ as does Oxfam’s good practice guide for retailers.³⁰⁶ <p>Engage in advocacy in collaboration with trade unions calling on the Government of Morocco to:</p> <ul style="list-style-type: none"> • ratify Convention (C087) on Freedom of Association and Protection of the Right to Organise; • review administrative procedures which effectively limit freedom of association – stop delaying the processing of documents; • allow non-Moroccans to become union officials; • fully withdraw draft law 84, that aims to criminalize calls for boycotts and the dissemination of ‘false information’; • review Article 29 of the Constitution so that workers who go on strike are protected from dismissal; • lower the threshold on membership numbers that are necessary for a trade union to be recognized; • stop criminalizing the ‘concerted cessation of work’, which goes against ILO convention C105 stipulating that a worker who has taken part in a peaceful strike cannot be subjected to criminal penalties and cannot be handed a prison sentence; • withdraw Article 16 of draft law 15-97, requiring the signatures of three-quarters of workers before going on strike.
Lack of access to remedy	<p>Support the establishment of effective grievance mechanisms for agricultural workers in Coop’s supply chains.</p> <p>Ensuring access for workers to effective grievance mechanisms is a core expectation of the UNGPs.</p> <p>Coop can learn from similar experiences, for example from UK retailer Marks & Spencer. The company has several mechanisms in place which are accessible to all individuals and communities connected with its business to make human rights complaints or raise concerns.³⁰⁷ Since 2020, Marks & Spencer reports annually on the use and performance of these mechanisms. It also publishes how it has addressed specific third-party challenges it has received since 2014.³⁰⁸</p> <p>Support the provision of a one-stop-shop for employment justice in the citrus-growing regions to provide accurate information and basic mediation services, as recommended by HiIL following its study of access to justice in Morocco.³⁰⁹</p>
	<p>Assess the feasibility of supporting the establishment of alternative independent and democratic worker presentation groups that can detect and report cases of labour rights violations to Coop and other relevant actors.</p> <p>A relevant precedent is the Observatory set up as part of the Better Strawberries Initiative in Morocco, which aimed to detect and report cases of labour rights violations. Guidance and legal support were also an important part of the work.³¹⁰</p>
<i>Cross-cutting</i>	<p>Proactively work towards strong and enforced human and labour rights in Morocco.</p> <p>Collaborate with other supermarkets, suppliers, trade unions, women’s rights groups and civil society organizations to demand that relevant government bodies in Morocco guarantee human and labour rights standards. This will</p>

	<p>create a higher, but equal, playing field and raise the bar for all supermarkets and institutional buyers.</p> <p>Engage in advocacy with the Government of Morocco, through a trade association, in collaboration with other companies, or alone, calling on it to adequately enforce labour laws by providing sufficient inspection staff and resources.</p> <p>Publish Coop’s human rights policy and strategies in full and be transparent about the findings of studies on human rights issues in its supply chains.</p>
Lower priorities	
<i>Cross-cutting</i>	<p>Educate consumers about the cost of ethical production in citrus (and other products).</p> <p>Coop’s vision is to offer ‘affordable, sustainable food enjoyment’ and it is under pressure to maintain affordable prices that are competitive. Educating consumers about the implications of low prices is one means to counteract this pressure. Coop’s Sustainability Declaration could be a potential avenue to do so – balancing the promise to offer affordable prices with the promise to be an ethical business and raise awareness of the damaging effect on human rights of low prices. A precedent is offered by the Coop Italia marketing campaign as part of its flagship initiative, Buoni & Giusti, aimed at tackling labour brokerage in some critical fruit and vegetable supply chains – including citrus – in Italy.³¹¹</p>

CONCLUDING REMARKS

COOP SWEDEN AB

Coop Sweden AB is one out of five big food chains in Sweden providing customers with food and food related-products every day. Coop Sweden AB is a co-operation owned by 3.7 million members all over Sweden. Our history traces back to 1899 when we started selling 'clean and reliable products', as we called it. Our goal is to be an inspiration and a provider of affordable and sustainable food to make day-to-day life easier for the customer in Sweden.

With regards to the Oxfam report we still have work to do. Thanks to the human rights impact assessment report by Oxfam, we have been notified of the challenges regarding human rights issues in our supply chain. Oxfam has addressed similar issues several times which are shown to be common and systematic in the food sector. The report at hand focuses on citrus production in Morocco. But all seasonal agriculture experiences similar challenges with poor working conditions, low wages and bad working possibilities once the season has ended. This human rights impact assessment finds, among other issues, illiteracy among workers, women workers having close to no health and safety protection, and bad housing. These issues are well addressed in the report.

As Oxfam writes, the findings are not unique to Coop Sweden AB's suppliers – it is the same for the whole food industry sector. Coop Sweden AB hope that this report may be a start for a deeper, more involving and action-orientated discussion regarding human rights in the food industry. We hope that this will not only lead to discussing the issues at hand, but also to actions preventing them from happening.

In the list of recommendations for action provided by Oxfam, the challenges at hand are summarized and analyzed. The list is divided into three levels: top, medium and lower priority recommendations for actions. The different levels indicate in which time frame the actions should be pursued: the top priorities within six months, medium priorities within a year and lower priorities within eighteen months. This shows that we have work to do.

Coop Sweden AB will bring our biggest suppliers Everfresh and Total Produce, as well as Kooperativa Förbundet (KF), our overall organization, together to set up a working group. In the group we will identify key roles in every respective organization in units such as assortment, purchasing, sustainability, public relations (PR) and communication. Within these roles we hope to learn as much as possible from the human rights impact assessment. In the established working group, a list of actions will be agreed upon, which will be based on the already provided list of recommendations for action in this report. We will discuss challenges, exchange knowledge, create a systematic working method and, if possible, solve the addressed human rights impacts.

Once the list of actions is created internally within Coop Sweden AB, we will present the findings of the human rights impact assessment and provide a much bigger list of actions for the entire Swedish food industry. In collaboration with the Ethical Trading Initiative Sweden (ETI Sweden), we aim to implement possible solutions within the sector. The collaboration with ETI is already ongoing.

In the annex of this report, we present our list of actions (see Annex 6). It will be used internally at Coop Sweden AB and be shared with our suppliers as well as the whole food industry. The list below is based on the report, sections 6.2 and 6.3. The list presented in the annex is a work in progress and will hopefully provide a starting point for discussions in the working group.

As a final note, Coop Sweden AB wants to thank Oxfam for their well performed extensive fieldwork in the middle of a pandemic. The report and the insights from it have been presented to us in a constructive manner. We hope that we can, in collaboration with others, make a change for the individual worker in the food sector.

Oxfam is aware that the list of recommendations that conclude this report may seem daunting. However, what this study has revealed is an agricultural supply chain of a European retailer that is typical of its kind, characterized by the same inequalities, opacities and imbalances of power as many other similar supply chains – and one which has failed to detect what are likely to be serious human rights breaches through the traditional audit approach.

But Coop Sweden AB is not – or at least should not be – a typical retailer. A cooperative driven by thousands of socially conscious members in one of the world’s most affluent yet equitable countries, one that has won multiple awards for its sustainability should – and could – be streets ahead of its less socially conscious counterparts.

TOWARDS A PUBLIC TIME-BOUND ACTION PLAN

Oxfam welcomes that Coop Sweden AB recognizes that the results and findings of this study are of ‘serious nature and action must be taken immediately.’ It seems contradictory, however, that a co-operation that recognizes the need for immediate action also appears to downgrade its work on human rights, causing, not least, the delay in the publication of this assessment and subsequent action. Many of the identified human rights breaches are very serious and require immediate and concrete actions to achieve tangible progress in realizing human and labour rights for the workers in its supply chain.

Oxfam welcomes the steps that Coop Sweden AB has set out to date (see Annex 6), including setting up a working group to learn from this human rights impact assessment, gathering good examples of gender-sensitive grievance mechanisms, and advocating for broader change in the Swedish food sector.

We also welcome the fact that Coop Sweden AB has committed to work on an action plan that is transparent towards its members and other stakeholders. We stress the importance of concluding a public time-bound action plan against which the Coop Sweden AB can regularly report progress and be held to account. We also stress the importance of having an effective action plan in place to turn the findings into concrete changes. The plan should specify the resources allocated and roles and responsibilities to implement the proposed actions, include a timeline to address all adverse impacts identified, show how the root causes will be tackled by Coop Sweden AB, specify the expected outcomes for the rights holders, and specify how the co-operation will monitor the efficiency of the proposed actions.

We welcome that Coop Sweden AB has committed to raising awareness about the issue of pricing and cost in food production – both internally and among its competitors. This is important as among a variety of root causes, Coop Sweden AB, along with buyers in the sector as a whole, are contributing to the squeezing of labour costs through their purchasing practices, which undermines respect for human and labour rights. We stress that beyond raising awareness, it will require changes to Coop Sweden AB’s own policies and purchasing practices to ensure that citrus prices enable all appropriate costs for ensuring decent working conditions.

Coop Sweden AB also mentions that it aims to use its ‘Sustainability Declaration’ as a tool for costumers ‘to see how third-party certifications will help to solve some of the issues described in this study’. However, while certifications have benefits, they often fall short of ensuring adequate and robust social standards. Coop Sweden AB should take additional mitigation measures to ensure that its ‘Sustainability Declaration’ addresses such shortcomings.

TOWARDS SUSTAINED, DILIGENT AND MEANINGFUL COMMITMENT TO DUE DILIGENCE

It will no doubt require a major, root-and-branch overhaul of Coop Sweden AB’s systems and practices – as well as those of its tier-one suppliers – to tackle all the risks outlined in this report and to meet all the recommendations: from ensuring that its pricing policies take decent labour costs into consideration, to placing women at the heart of its business practices, to being fully transparent about its human rights policies *and* practices, and educating its customers about the importance of human rights in its supply chains.

This in turn will require a level of commitment and resourcing that will be challenging within Coop Sweden AB's current structure and priorities, in which human rights appear to have been downgraded. Coop Sweden AB appears to go back to relying on a traditional audit approach rather than working towards more robust processes of human rights due diligence that are in line with the UN Guiding Principles on Business and Human Rights – including the use of human rights impact assessments.

It is disappointing that none of Coop Sweden AB's current suppliers were willing to take part in this study and as a result, Coop Sweden AB and its suppliers may argue that the report does not supply cast-iron evidence that workers in their direct supply chain are affected by the issues documented here. However, we hope that they will acknowledge that, in the absence of evidence *to the contrary*, it is highly likely that the human rights breaches we have identified in the area that Coop Sweden AB sources from are experienced by those who work for Coop Sweden AB's suppliers.

We hope that the evidence provided by this study convinces Coop Sweden AB's leadership that the identification and prevention of human rights violations in its supply chains is possible and urgently needed if its customer-members and the workers in its supply chain are to be able to say that Coop Sweden AB is not only the most environmentally sustainable retailer in Sweden, but also the most socially sustainable.

We thank and commend Coop Sweden AB for continuing to participate in and support this assessment despite the internal changes that took place during its development, and despite the COVID-19 pandemic which made this, like everything else, so much more challenging to achieve. Going forward, we ask Coop Sweden AB to quickly take concrete action to pursue the recommended actions outlined by Oxfam in this report and work towards a sustained, diligent and meaningful commitment to due diligence. We commit to following up periodically and assessing Coop Sweden AB's progress – so that we will move closer to ensuring respect for human rights in food supply chains.

ANNEXES

ANNEX 1: ASSESSMENT RESEARCH TEAM

Mira Alestig Research Lead, Climate and Food Justice, Oxfam Sweden	Lead author and researcher
Sabita Banerji Independent consultant	Supporting author
Pauline Grégoire Former Private Sector Relations Officer, Oxfam in Morocco	Lead researcher in Morocco until April 2020
Abdeljalil Laroussi Influence and Campaigns Manager, Oxfam in Morocco	Lead researcher in Morocco
Khalil Dekiki CSR and Private Sector Relations Officer, Oxfam in Morocco	Researcher in Morocco
Aicha Sakmassi Executive Director, Association Voix de Femmes Marocaines (AFVM)	Researcher in Morocco, responsible for overseeing and advising consultants
Said Fares Advices Consulting	Researcher in Morocco, responsible for conducting field research
Oxfam colleagues Irit Tamir, Sarah Zoen, Caroline Brodeur and Monica Romis	Peer review

ANNEX 2: HUMAN RIGHTS IN MOROCCO IN THEORY

The table below provides a non-exhaustive outline of the major elements of the human rights framework in Morocco in relation to the agriculture sector.

Issue	Law/regulation	Rights
Contracts		
The contract of employment is usually considered indefinite.	Labour Code, Article 16	Right to enjoy just and favourable conditions of work
Fixed-term contracts are permitted on certain grounds, including seasonal work and extraordinary and occasional work.	Labour Code, Article 16	
Wages and working hours		
Workers have the right to a minimum wage. The legal minimum wage is not less than the amounts fixed by regulation for agricultural and non-agricultural activities after consultation with the most	Labour Code, Article 356 Amount of Minimum Wages: Decree No. 2.19.424 – July 2019	Right to an adequate standard of living; right to enjoy just and favourable conditions of work; right to health

<p>representative professional organizations of employers and trade unions of employees.</p> <p>The minimum wage for agricultural activities (SMAG) was increased to 76.70 MAD per day in 2020.</p> <p>The minimum salary for non-agricultural activities (SMIG) was increased to 14.81 MAD per hour in 2020.</p>		
<p>The Moroccan Labour Code provides for a working time of 44 hours per week (2,288 hours a year) except for agriculture, where it can extend to 48 hours per week (2,496 hours a year). The maximum working day is 10 hours, but the Labour Code (Article 196) allows it to be extended by regulation, in the event of an increase in the workload. Additional hours must be paid as overtime.</p>	Labour Code, Articles 184 and 196	
<p>Regardless of how the employee is remunerated, overtime gives rise to a 25% wage increase if it is worked between 6 am and 9 pm for non-agricultural activities and between 5 am and 8 pm for agricultural activities; and a 50% wage increase if it is worked between 9 pm and 6 am for non-agricultural activities and between 8 pm and 5 am for agricultural activities.</p>	Labour Code, Article 201	
<p>Exceeding the working hours (Article 184) and non-payment of extra hours (Article 201) are punished by a fine of 300 to 500 MAD.</p>	Labour Code, Article 203	
<p>Breaks, rest and leave</p>		
<p>All workers have the right to 24 hours of rest one day per week.</p>	Labour Code, Articles 205 and 206	Right to enjoy just and favourable conditions of work
<p>All workers have the right to paid leave for national holidays, or receive extra pay for working on these days.</p>	Labour Code, Articles 217 to 230	
<p>Maternity leave is compulsory for from 7 weeks before (earlier if work is dangerous to the mother or unborn child's health, with a maximum of 8 weeks before and 14 weeks after childbirth) until 7 weeks after childbirth.</p> <p>Paternity leave is for 3 days' duration.</p>	Labour Code, Article 153	

<p>All workers have the right to annual paid leave determined by collective agreements, generally:</p> <ul style="list-style-type: none"> • one and a half effective working days per month of service; • two days of actual work per month of service for employees under the age of 18. 	Labour Code, Article 231	
<i>Freedom of association and collective bargaining</i>		
Any infringement of the freedoms and rights relating to the exercise of trade union rights is prohibited inside the company.	Labour Code, Title III, Article 9	Right to freedom of association; right to form and join trade unions and the right to strike
The Moroccan Constitution recognizes the right to form trade unions and professional federations.	Moroccan Constitution, Article 8	<p>Morocco has ratified C098 – Right to Organize and Collective Bargaining Convention, 1949 (No. 98) and C0154 on collective bargaining</p> <p>Morocco has not ratified C087 – Freedom of Association and Protection of the Right to Organise Convention, 1948; C011 – Right of Association (Agriculture) Convention, 1921; or C0141 Rural Workers' Organisations Convention, 1975</p>
<i>Forced labour and child work</i>		
It is prohibited to requisition employees to perform forced labour or work against their will.	Labour Code, Title III, Article 10	Freedom from torture, cruel, inhuman and/or degrading treatment or punishment; right to enjoy just and favourable conditions of work
It is prohibited to hire a child who is under 15 years old.	Labour Code, Article 143	<p>Morocco has not ratified the Protocol of 2014 to the Forced Labour Convention, 1930</p> <p>Morocco has ratified Convention No. 182, Worst Forms of Child Labour Convention, 1999; and Minimum Age Convention, 1973, Convention No. 138</p>
<i>Equality</i>		
Employees have the right to benefit from literacy and continuing education programmes.	Labour Code, Article 23	Right to equality before the law, equal protection of the law, and rights of non-discrimination; rights of women
Any discrimination against employees on the grounds of race, colour, sex, disability, marital status, religion, political opinion, trade union membership, national extraction or social origin which has the effect of violating or impairing the principle of equality of opportunity or equal treatment in employment or	Labour Code, Article 9	<p>Morocco has ratified C0100 – Equal Remuneration Convention, 1951 (No. 100); and C111 – Discrimination (Employment and Occupation) Convention, 1958 (No. 111)</p> <p>Morocco has not ratified C190 – Violence and Harassment Convention, 2019</p>

occupation, in particular in respect of recruitment, conduct and conditions of work, distribution of work, vocational training, salary, promotion, the granting of benefits, disciplinary action and dismissal, shall likewise be prohibited.		
Equality of all citizens before the law. Creation of an Authority for parity.	Moroccan Constitution, Article 19	
Gender-based wage discrimination for work of equal value is prohibited.	Labour Code, Article 346	
<i>Right to safety and health</i>		
Right to safety and health	Labour Code, Article 305 An independent occupational medical service must be set up at industrial, commercial and craft enterprises, as well as agricultural and forestry enterprises and their dependencies if they employ at least 50 employees.	Morocco has not ratified C0184 Safety and Health in Agriculture Convention, 2001

ANNEX 3: LIST OF PARTICIPANTS AT ROUNDTABLE DISCUSSION IN APRIL 2021

Profiles	Name	Number of representatives
Ministry of Labour and Occupational Integration	Directors of the Souss-Massa region	2
Private enterprise	Sofia South	1
	Consulting Center	1
Trade unions	UMT	2
	CDT	1
Academics	Ibn Zohr University	2
Study office (consultant)	Advices Consulting	1
Workers		6
Transporters		1
Non-government organizations	Oxfam in Morocco	2
	Oxfam Sweden	1
	Al Ouafae	1
	Action Feminie	1
	Oumouma	1
	International Handicap	2
	Oum Al Banine	1
	Between Them	1
	AVFM	5
Total		32

ANNEX 4: PRINCIPLES FOR STAKEHOLDER ENGAGEMENT

VALUES FOR ENGAGEMENT

TRANSPARENCY

The interviewed stakeholders should always be informed about the purpose of the interview, including how the information will be used and by whom, who has commissioned the assessment, the name of the persons interviewing them, and be provided with contact details.

ACCOUNTABILITY

The team will document the interviews, but not disclose them unless required by law. In that case, sensitive information will be anonymized. The interviewed stakeholders must know the names of the interviewing team members.

All interviews with rights-holders are voluntary and the interviewee must be informed of this at the beginning of the interview. The interviewers must be certain that the interviewee has fully understood the purpose and use of the interviews, and has given their consent before the start of the interview. In case the stakeholders wish to complain about the interviews, they should be provided with a mechanism for raising concerns.

PARTICIPATION AND INCLUSION

The collection of information will use different methods, where the focus is on listening to the interviewee in a setting where they feel comfortable. Female workers should be interviewed by a female team member. The interviewer seeks to understand the interviewed stakeholder's opinion and views on the impacts, their causes and mitigation.

At the reporting phase anyone that is criticized should be given the right to reply before publication of any substantial negative information.

EQUALITY AND NON-DISCRIMINATION

The team seeks engagement with all groups or sub-groups of employees and rights-holders based on a principle of equality and non-discrimination. The report will reflect that value as all information is equally important for the report and recommendations are based on that value.

PROTECTION OF RIGHTS-HOLDERS

In the course of the field visit and after the visit, the team will not disclose any sensitive information that could be related to any particular person, unless required by law. The team is required to ensure all information is kept confidential.

The names of the rights-holders interviewed should not be saved unless it is necessary to follow up with them. In that case it is voluntary for the rights-holder to disclose his/her name. If the rights-holder does not want the team to follow up with him/her, the team will create an internal report to document the issue and position of the individual, but will not name the individual in this report.

If the team receives information about clear violations of human rights or law, the team will inform the client about such cases. If the concern relates to a specific individual, the team will get full written informed consent from the person to report the matter to the client. If the individual does not want the concern reported, the team will create an internal report to document the concern and position of the individual in relation to reporting the concern. The name of the individual will not figure in this report.

PRINCIPLES FOR INTERVIEWS

1 INTERVIEW OBJECTIVES

All interviews aim to:

Map concerns (impacts) and their severity

Impacts upon a human right. Although the interviewee may not be aware about the categorization of the impact as a human right, they are likely to express their concerns (e.g. lack of training in using safety measures or hazardous chemicals; we don't report incidents etc.)

The severity of an impact in the interviewee's view. The interviewee may indicate a number of concerns, but the interviewer should attempt to make them describe how essential the negative impact is regarded. The interviewer should have in mind that severity depends on the circumstances, but generally the more people affected the higher the severity; the higher risk of irreversibility the higher severity (e.g. if the impact threatens physical and mental health and integrity, or it may lead to destruction of the environment, cultural habits or local way of living) or if it involves a certain level of scale of impact, such as slavery, forced or bonded labour, degrading and inhuman treatment, child labour, right to life, or discriminatory practices.

Map the causes (contributing factors) of the negative impacts, the potential solutions and the key actors for mitigating the impact

Whenever an interviewee raises a concern (or a negative impact), the interviewer should ask them to describe what causes the concern, if the interviewee has suggestions for a solution, and who could actually contribute to mitigating the concern.

Map the relevant systems for protecting human rights

When an interviewee raises a concern (impact), the interviewer should try to ask the interviewee if there are authorities (formal or informal) with the competence to monitor, regulate or handle the concern. Interviews with public officials from governmental agencies, local administrations or the Human Rights Commission are more likely to provide information about the overall system, while the individual rights-holders may identify the local system. The rights-holder may also inform the interviewer about the efficiency of such systems.

2 WHO TO INTERVIEW

The general objective is to have interviewed a considerable number of the rights-holders, with different backgrounds depending on the circumstances. It is important to include a variety of rights-holders.

Staff

If possible, 5-10% of the staff should be approached to be interviewed.

Other groups potentially impacted by activities

Interviews here depend on the accessibility of these other groups. In some cases, representatives of groups of people can provide greater value.

Relatives of staff

Whether it is appropriate to conduct interviews with relatives of the staff depends on the staff member's opinion, which can be discussed in the interview. If they feel comfortable then the team will attempt to conduct a couple of interviews.

Interviews with management

Interviews with management can give valuable insights into impacts and the mechanisms causing or contributing to them.

Interviews with community stakeholders

Interviewing local stakeholders at various levels and groups that may not normally be interviewed, for example, women or vulnerable groups (or their representatives), may provide strong insights. Sometimes, interviews with local businesses, such as restaurants and cafés, can also give good insights. When interviewing stakeholders, it is important to keep the focus of the interview on the business relation that is being assessed, if the purpose is not more general background information.

Interview with workers of sub-contractors

The approach will be discussed with the management at an opening meeting, if not prior to the field visit.

Interviews with other stakeholders

The researcher should seek to interview a number of external stakeholders with the principle of balance and objectivity in mind. In particular, it is important to hear from stakeholders that are identified to cause or contribute to the impact, or have a role in addressing the impact.

Interviews with government bodies should be discussed with the management at the opening meeting at the latest, in order to ensure transparency. Sometimes, business relations are nervous about such interviews, particularly if they are in the process of having licenses renewed.

3 CONDUCTING THE INTERVIEWS

Follow the principles for engagement

All interviews should observe the principles for engagement. It is important to ensure that interviewed rights-holders feel comfortable. Consequently, the division of work in the assessment team should be considered. A team of male and female interviewers (and with local knowledge, if possible) should be sought as interviews with female staff should be conducted by female interviewers in certain cultural contexts.

Use of an interpreter

All interviews should be conducted in the native language of the interviewee. If an interpreter is used, it is very important to ensure that they have the appropriate skills. If it is necessary for a female team member to interview female rights-holders, the interpreter should also be female.

Location of interviews

The interview locations should be carefully considered. It is important that interviews are carried out in a setting that creates trust and does not expose the interviewee to any risks. It is preferable that interviews are conducted outside the production site, even if sometimes interviews with staff could be conducted at the site.

Engagement of management

It is recommended that the management of the facility is aware of the assessment and introduces the assessment team to staff or otherwise communicates to the staff that this exercise is supported by management and that they respect the confidentiality and the participation of staff. However, to protect workers' safety and to enable confidentiality it is important to assess whether informing management about the assessment is reasonable.

Grievance mechanisms

At each interview interviewees are given information on who they can contact in case of concerns related to the research, for example about the consequences of being involved or how the interview was conducted. The contact information for concerns should preferably include a representative of the client, the assessment team and, if possible, a third party. These concerns could be raised anonymously.

The standard interview

The interview starts with an introduction of the team, purpose and use of information as well as principles of confidentiality, followed by introducing the interviewee and expectations in case of rights-holders.

At the beginning of each meeting, the team should hand out a leaflet indicating the purpose and use of information as well as principles of confidentiality, the name of the team members, their contact details, including while at the site, and who to contact with any concerns.

At the end of the interview, the interviewee is asked, if she/he has any questions for the team. Rights-holders are informed that if they wish to discuss anything further they are welcome to contact the team when the team is at the site or at the location mentioned in the leaflet.

ANNEX 5: PRECEDENTS FROM RETAILERS AND FOOD COMPANIES ON HOW TO MAKE SUPPLY CHAINS TRANSPARENT AND PUBLICLY AVAILABLE

- UK supermarket **Marks & Spencer** publishes an interactive map of where it sources clothing and food products – including the names and locations of factories, what they make and how many people work there.³¹²
- UK supermarket **Morrisons** has published its first-tier supply chain³¹³ and has committed to continually increase the transparency of its supply chains. Morrisons will publish full supply chain details across three high-risk food categories by 2022.³¹⁴
- UK supermarket **Asda** publishes a digital map with details of the seafood supply chains used in its own-brand products.³¹⁵
- UK supermarket **Tesco** discloses a list of its first-tier fashion and footwear manufacturers³¹⁶.
- UK supermarket **Waitrose** (part of the John Lewis Partnership) publishes a list of its first-tier suppliers of own brand home, fashion and food goods.³¹⁷
- Dutch supermarket **Albert Heijn** publishes a map of the production locations of its products by country, product group and supplier. It plans to expand the information on the map, by providing data about the production processes of fresh products such as vegetables, fruit, dairy, meat and fish.³¹⁸
- Dutch supermarket **Jumbo** publishes details of the first-tier suppliers for its private-label products.³¹⁹
- US food manufacturer **Mars Inc.** discloses data on its first-tier and second-tier cocoa suppliers.³²⁰
- Chocolate manufacturer **Hershey's** publishes its supply chains – including videos about its peanut and almond farmers and information about the cooperatives the company supports.³²¹
- A number of UK tea brands publish their tea supply chains following a public campaign by the NGO Traidcraft Exchange.³²²

ANNEX 6: ACTION PLAN OUTLINING FIRST STEPS COOP SWEDEN AB

Action (based on section 6.3 in the report)	Explanation	Timeline
Set up a working group from Coop, KF, Everfresh and Total Produce.	Together learn from this HRIA and discuss UNGPs and how to make a commitment.	First meeting during Q2 2022
Co-work with Oxfam	If possible, get more action orientated knowledge and connect with local network in Morocco with Oxfam's support.	Discussion about how to work together will start in Q2 2022
Present this report together with Oxfam.	Plan and perform a media event.	Planning in Q1 2022
Gather We-Effect and Vi Skogen for exchange experiences and knowledge.	Both organizations in the KF sphere are important for Coop Sweden's work with human right. Involving them in discussion, actions and the work is of course a must.	As part of the media actions
Creating an action plan that is transparent towards our members and other stakeholders.	Start by order of priority that Oxfam suggested in this report in section 6.2 and 6.3.	After the meeting with our suppliers
Raise awareness about the issue of pricing and cost in food production and use this HRIA and citrus production in Morocco as an example.	Start internally within Coop Sweden. Expand the discussion to our competitors via ETI Sweden.	After creating the action plan
Gather food sector actors and perform action orientated roundtable discussions. Possible network organization is ETI Sweden or Hållbar Livsmedelskedja in Sweden.	Some of the addressed issues in the report are impossible to solve as one player, Coop Sweden. It is necessary to be stronger with more ("all") organizations in the food sector.	Plan for gathering in late spring 2022 and action discussions in Almedalen in July 2022
Bring the findings of this HRIA into ETI Sweden and start roundtable discussion with other members such as Systembolaget.	Exchange knowledge, best practices and together get into 'action and solving mood'.	Parallel with other actions above
Search for and gather best practices for gender sensitive grievance mechanisms and systems.	Make an 'example book' and bring the best examples into action in the supply chain. Use the same systematic way also for other suppliers.	Parallel with other actions described above
Use the Sustainability Declaration as a tool for costumers to see how third-party certifications will help to solve some of the issues.	It is of importance, even if Oxfam considers it to be a lower priority, that the costumers understand. The Sustainability Declaration will help with that.	Parallel with other actions described above
Take action points into the budget process and pinpoint for project money in 2023	Right now it is the budget process and you always need finance for starting to solve and take action.	November 2022

ENDNOTES

- 1 T. Gore. (2019). *The People Behind the Prices: A Focused Human Rights Impact Assessment of SOK Corporation's Italian Processed Tomato Supply Chains*. Oxfam. DOI: 10.21201/2019.4030. Retrieved 28 May 2021, from <https://oxfamilibrary.openrepository.com/bitstream/10546/620619/1/rr-people-behind-prices-tomato-060219-en.pdf>
- 2 J. Theroux-Seguin. (2015). *Social protection, building dignity! Improving working conditions of women workers in the berry sector of Morocco*. Oxfam Intermón. Available at <https://policy-practice.oxfam.org/resources/social-protection-building-dignity-improving-working-conditions-of-women-worker-560924/>
- 3 *MEPs: Companies must no longer cause harm to people and planet with impunity* European Parliament Press Release. March, 10th 2021 <https://www.europarl.europa.eu/news/en/press-room/20210304IPR99216/meps-companies-must-no-longer-cause-harm-to-people-and-planet-with-impunity>
- 4 *Oxfam welcomes European Parliament's vote on corporate rules for supply chains*. Oxfam Press Release. March 10th, 2021 <https://www.oxfam.org/en/press-releases/oxfam-welcomes-european-parliaments-vote-corporate-rules-supply-chains>
- 5 OECD. (2018). *OECD Due Diligence Guidance for Responsible Business Conduct*. Retrieved 26 November 2018, from <http://mneguidelines.oecd.org/OECD-Due-Diligence-Guidance-for-Responsible-Business-Conduct.pdf>
- 6 In previous HRIA reports when we have identified human rights impacts in a particular sourcing region but could not confirm a link with the retailer commissioning the study, we have described such risks as a *potential* in their supply chains. However, we now feel that it is more accurate to describe these impacts as *likely* in their supply chains – since we do not wish to undermine workers' testimony that the impacts are *actual*. The use of the term *potential* implies that the impacts may happen in the future, which is not quite accurate in this context.
- 7 United Nations. (2011). *Guiding Principles on Business and Human Rights*. Principle 17.
- 8 The Dhaka Principles for Migration with Dignity (the "Dhaka Principles") are a set of human rights-based principles to enhance respect for the rights of migrant workers from the moment of recruitment, during overseas employment, and through to further employment or safe return to home countries. They are intended for use by all industry sectors and in any country where workers migrate either inwards or outwards. <https://www.ihrb.org/dhaka-principles/about>
- 9 The principal that "No worker should pay for a job - the costs of recruitment should be borne not by the worker but by the employer." <https://www.ihrb.org/employerpays>
- 10 United Nations. (2011). *Guiding Principles on Business and Human Rights*. Principle 11. Retrieved 26 November 2018, from https://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf
- 11 United Nations. (2011). *Guiding Principles on Business and Human Rights*. Principle 12.
- 12 United Nations. (2011). *Guiding Principles on Business and Human Rights*. Principle 15.
- 13 This should include four key steps: assessing actual and potential human rights impacts; integrating and acting on the findings; tracking responses; and communicating about how impacts are addressed.
- 14 OECD. (2018). *OECD Due Diligence Guidance for Responsible Business Conduct*.
- 15 See, for example, G. Gereffi, J. Humphrey and T. Sturgeon. (2005). *The Governance of Global Value Chains, Review of International Political Economy*, 12(1), 78–104.
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