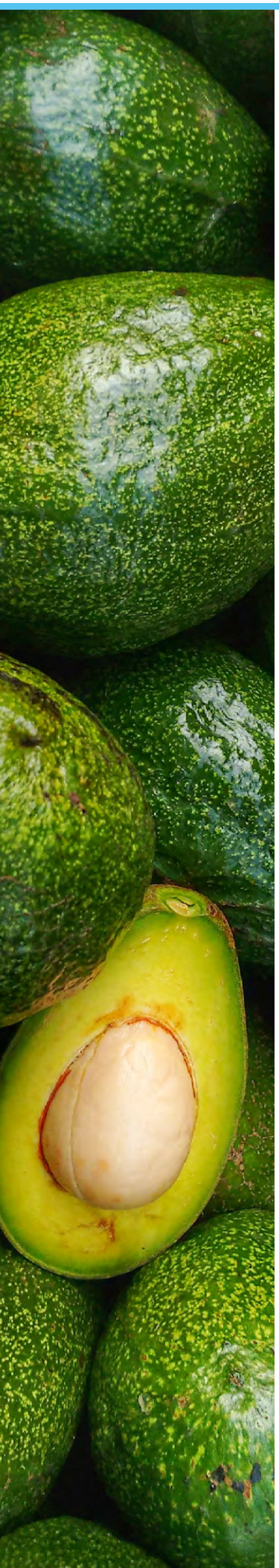


# HUMAN RIGHTS IMPACT ASSESSMENT REPORT

# AVOCADOS FROM PERU

ALDI SÜD Group

2021



# EXECUTIVE SUMMARY

## HRIA SUMMARY: PERUVIAN AVOCADOS

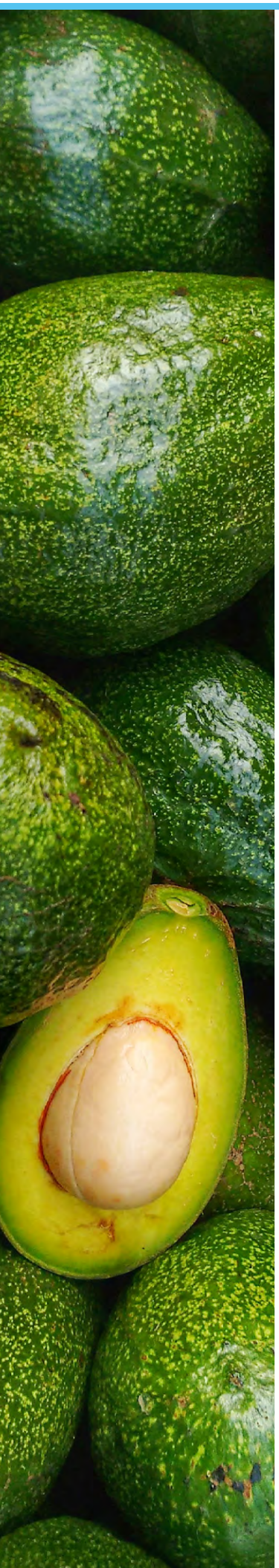
This report supports the implementation of the ALDI SÜD Group's International CR Strategy and presents the key results of a Human Rights Impact Assessment (HRIA) of the Peruvian avocado supply chain conducted by Ergon Associates (Ergon) on behalf of the ALDI SÜD Group (hereafter ALDI).

To conduct this study a rigorous HRIA methodology was followed. This included desktop analysis, remote stakeholder engagement, in-field interviews (limited due to COVID-19 travel and safety restrictions), an impact assessment and the development of recommendations to mitigate, prevent and/or remedy identified impacts.

The assessment considered the different perspectives of people that are affected by activities within ALDI's Peruvian avocado supply chain. This included potentially impacted rightsholders, key supply chain stakeholders, such as avocado producers and processors/packers, direct suppliers, and ALDI employees. The process also engaged stakeholders beyond ALDI's immediate supply chain, including trade unions, government, civil society organisations, and non-governmental organisations (NGOs), allowing ALDI to improve its understanding of avocado production and key human rights issues in Peru.

## UNDERSTANDING THE PERUVIAN AVOCADO SUPPLY CHAIN

- In 2021, Peru is the second largest producer of avocado in the world. Avocados are the largest agricultural export by value, a key contributor to gross domestic product (GDP) and an important source of employment in Peru.
- Production is concentrated in the Pacific coastal regions, with two-thirds of export volume originating from the regions of La Libertad, Lima, and Ica. Important additional production is in Lambayeque, as well as in the far north (Piura) and the central and southern highlands (Junín, Arequipa, Ancash, Ayacucho, Cusco).
- Avocado is a water-intensive crop and is often reliant on substantial irrigation infrastructure to support cultivation, especially in the semi-arid coastal regions.
- Commercial production for export is dominated by a small number of large agribusiness groups that typically exhibit a high degree of vertical integration (growing, sorting/packing, and export). Medium and small producers/producer groups account for a minority of export volume.
- Significant growth in global demand for avocado has supported a steady increase in export prices (notwithstanding seasonal fluctuations), despite the continuing expansion of global production and supply.
- New Peruvian legislation regulating tax and labour regimes for the export agriculture sector entered into force in January 2021. Employers have criticised the legislation for increasing labour costs, while some labour rights advocates consider the amendments are insufficient to ensure adequate protections and entitlements for workers in the sector.



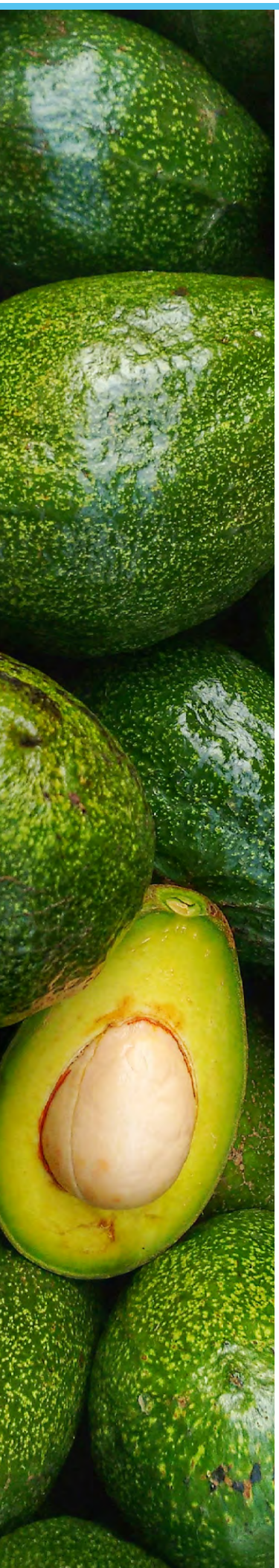
- ALDI maintains "strategic partnerships" for each market. Strategic partnership agreements typically specify estimated volumes for the year as well as quality and Corporate Responsibility specifications (including country of origin, certification requirements, etc).
- European ALDI markets have specific sustainability requirements for avocados.
- In addition to defined standard and certification requirements, ALDI's Code of Conduct, Social Standards in Production and relevant policies and position papers, such as the International Policy Statement for Human Rights and ALDI's Child Labour Policy, are contractually binding for all suppliers.
- ALDI's direct suppliers include vertically integrated producers/exporters (that source, in part, from their own primary production in Peru), as well as importers for the European market that are not directly engaged in primary production or other activities in Peru. All ALDI's direct suppliers operate their own ripening facilities in European destination markets.
- ALDI is a member of the tripartite Ethical Trading Initiative (ETI) Working Group on Peruvian Horticulture and of the ETI/Mondiaal FNV Fruits of Peruvian Dialogue initiative. The latter aims to promote social dialogue among key stakeholders (including producers, international buyers, and worker representatives) around labour and social issues in export agriculture supply chains. Several ALDI direct suppliers and producers in ALDI's avocado supply chain are also members of the social dialogue initiative.

## HUMAN RIGHTS: KEY IMPACTS

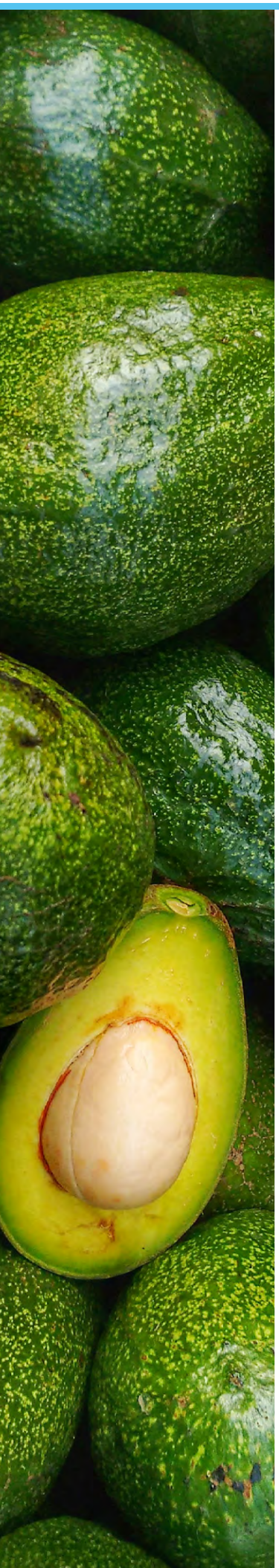
ALDI, like other single retailers, is a relatively minor actor in the Peruvian avocado production sector and has no direct contractual or investment relationships to the supply chain activities in Peru where the most salient human rights impacts occur. As a result, this study concluded that ALDI's relationship to these impacts can be regarded as one of potential linkage with limited influence on its own on the sectoral and commercial root causes of the impacts identified.

Linkage does not determine whether ALDI should or should not act to address impacts. However, it may inform the type of action that can be taken.

Many of the impacts identified through this HRIA are in part driven by root causes related to the wider governance and regulatory conditions in Peru, or they are contextual and linked to inherent features of agricultural production, prevalent labour market characteristics, climate and topographical factors, or societal norms.



| | Rights category | Rights issue | Where the issue takes place: Cultivation | Harvest | Smallholder production | Processing |
|---|---|---|---|---|---|---|
| NEGATIVE IMPACTS | Labour Rights | Working conditions | ✓ | ✓ | ✓ | ✓ |
| | | Freedom of association and collective bargaining | ✓ | ✓ | | ✓ |
| | | Forced labour | | ✓ | | |
| | | Child labour | | | ✓ | |
| | | Non-discrimination and equal opportunities (labour) | ✓ | ✓ | ✓ | ✓ |
| | | Gender-based violence and harassment (GBVH) in the workplace | ✓ | ✓ | ✓ | ✓ |
| | | Availability and accessibility of workplace grievance mechanism | ✓ | ✓ | | ✓ |
| | Civil & Political Rights | Right to life/physical integrity | ✓ | ✓ | | |
| | | Freedom of information and anti-corruption | ✓ | | | |
| | | Freedom of expression, assembly and association (civil/political) | ✓ | | | |
| | Economic & Social Rights | Right to adequate standard of living (housing, food, water) | ✓ | | | |
| | | Right to adequate standard of living (livelihoods - communities, smallholders) | ✓ | | ✓ | |
| | | Right to adequate standard of living (livelihoods - workers) | ✓ | ✓ | | |
| | | Right to health | ✓ | ✓ | | ✓ |
| | Cross-Category Rights | Right to effective remedy | ✓ | | ✓ | |
| | | Non-discrimination (non-labour) | ✓ | ✓ | | |



# IDENTIFIED ACTIONS

Based on the recommendations of this HRIA study, ALDI has developed a supply chain-specific Human Rights Action Plan for those areas, where we do have a potential linkage and therefore leverage to address negative and enhance positive human rights impacts for rightsholders. These are supplier selection and requirements, supplier engagement and dialogue, and producer capacity. Our commitment to strong actions is reflected in the following objectives:

- Continuing and intensifying stakeholder engagement on human rights impacts through the supply chain.
- Strengthening human rights components in supplier dialogue and evaluation during tendering and contract delivery.
- Evaluating living income and living wage for workers on farm level.
- Supporting and strengthening social dialogue opportunities in Peru.
- Strengthening gender equality activities.
- Strengthening social audits at farm level.
- Strengthening water management standards at farm level.

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# BACKGROUND OF THE STUDY

The 2018 Human Rights Risk Assessment (HRRA), which covered the whole ALDI SÜD Group's food supply chains, identified tropical fruit as one of ALDI's high-priority commodity groups (in terms of profile, volume bought and high risk of adverse impacts on the enjoyment of human rights). Avocado is an important product, which is growing in demand. Peru was selected as a focus country for this Human Rights Impact Assessment (HRIA) due to its importance in the global production of avocado and in ALDI's supply chain for avocado specifically.

This public report has been produced by ALDI and summarises the research and results of Ergon Associates' extensive HRIA study on avocado from Peru.

The aim of the HRIA was to provide:

- An understanding of where and how specific supply chain relationships and activities have the potential to impact internationally recognised human rights.
- Expanded information on key risks, including any root causes.
- Engagement with relevant rightsholders and incorporation of their views related to actual or potential impacts.
- Recommendations for concrete actions to mitigate, prevent and/or remedy identified adverse impacts, as well as generate more positive impacts.

# METHODOLOGY

ALDI is aware that it is important to work with consultancies with significant Human Rights Impact Assessment expertise. The Avocado HRIA was managed by Ergon Associates, an independent consultancy firm with specialist expertise in business and human rights, and extensive experience in carrying out Human Rights Impact Assessments on complex international supply chains.

The HRIA team also included local consultants based in Peru. These expert consultants were selected for their expertise concerning business and human rights issues related to the Peruvian export agriculture sector, and their direct experience in conducting remote and in-person stakeholder engagement around controversial and sensitive topics.

Human Rights Impact Assessments are a specialist study designed to support an organisation's due diligence efforts in relation to international standards and frameworks including the UN Guiding Principles on Business and Human Rights and the OECD Guidelines on Multinational Enterprises. The methodology used was designed to identify actual and potential human rights impacts[1] arising from specific business activities and relationships and evaluate and rank impacts according to saliency. Based on engagement with rightsholders and a review of ALDI's functions and capacities, appropriate mitigation or remediation actions have been identified.

1) ALDI understands a potential human rights impact to be a risk of an adverse impact on the enjoyment of rights (e.g. forced labour), or the possibility of a positive impact. This is distinct from an actual human rights impact, which refers to situations where human rights impacts have already occurred, and in the case of adverse impacts require intervention and remediation (see e.g. German Global Compact, 2016).

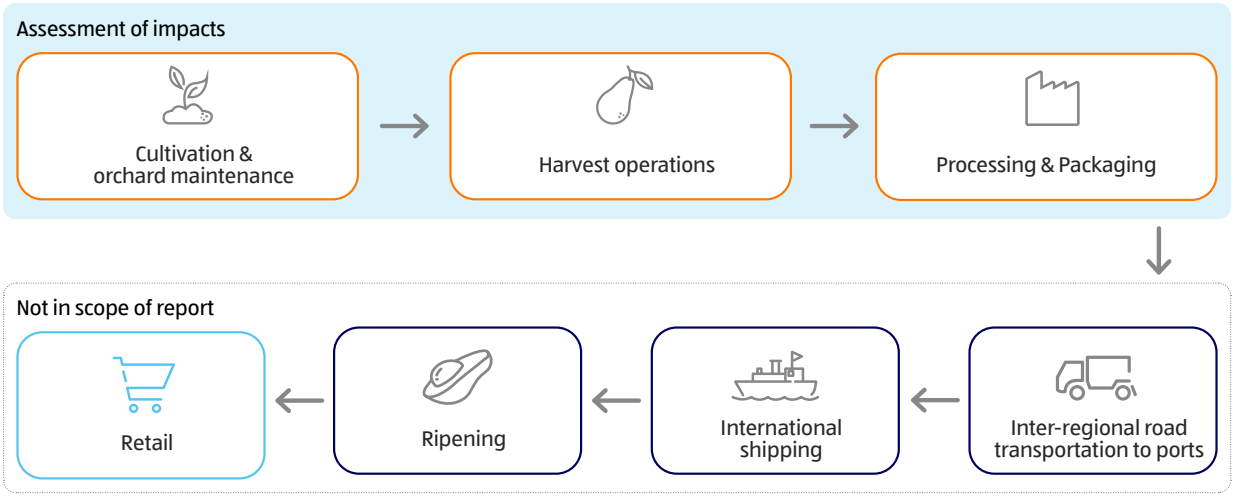
The HRIA was based on the following steps:

| | |
|---|---|
| **Review of activities & processes** | • Review of relevant business and supply chain activities and relationships<br>• Interview with internal ALDI stakeholders (Buying, Corporate Responsibility)<br>• Interview with external stakeholders (suppliers) |
| **Partner with local experts** | • Contracting of local Peruvian experts to provide insight on the value chain context and conduct stakeholder interviews |
| **Scope of impacted human rights** | • Identification of a shortlist of potential rights impacted according to each business activity<br>• Determination of structure for impact assessment |
| **Baseline analysis** | • Desktop review of the legal framework and existing situation in Peru<br>• Identification of underlying factors affecting enjoyment of rights |
| **Stakeholder engagement** | • Mapping of key stakeholders, including those representing potentially impacted workers and communities<br>• Interview with selected stakeholders (led by local partner)<br>• Visits to production sites and interviews with rightsholders (led by local partner) |
| **Impact assessment** | • Application of a methodology to determine saliency<br>• Root cause analysis and determination of ALDI linkage<br>• Identification of highest saliency impacts and ALDI leverage to address them |
| **Recommendations** | • Determination of appropriate actions to address impacts<br>• Development of recommendations for Human Rights Action Plan |

# REVIEW OF BUSINESS ACTIVITIES

The HRIA included a review of ALDI's policies, governance documents and procedures related to procurement and supply chain management. This review included human rights standards and due diligence processes, along with information on activities related specifically to Peruvian avocados.

Desktop research and engagement with supply chain actors identified the key supply chain activities for avocado sourced from Peru. The key supply chain activities in scope were identified as:




The impact assessment focused primarily on the core activities related to primary production; cultivation and orchard maintenance, harvest operations, and processing/packing in Peru. These activities were prioritised after the initial assessment of the full supply chain identified primary production and processing as highest risk in terms of actual and potential human rights impacts. Although there are known risks associated with several other mid- and downstream activities, such as international shipping, ripening, logistics and distribution in destination markets. These are not considered specific or unique to the avocado supply chain and are better assessed through wider sectoral or business activity assessments. A similar rationale applies to on-site services on farms (e.g. catering, cleaning, etc), which are not usually covered in the framework of supply chain certifications and assurance processes and which could be classed as an informal employment.

# PARTNER WITH LOCAL EXPERTS

Two local experts were selected for their knowledge and experience of both the avocado sector in Peru and their deep knowledge of social and labour rights issues in the area. They supported in the stakeholder identification process and conducted on-site visits, including interviews.

# SCOPING POTENTIALLY IMPACTED RIGHTS AND RIGHTSHOLDERS

A scoping process was conducted to identify which human rights are likely to be affected by each supply chain activity. The purpose of this exercise was to produce a shortlist of rights on which to focus on in the subsequent phases of the HRIA. This identification process was based on International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, and included considerations concerning the vulnerabilities of specific groups provided by several other key UN human rights. The initial scoping process considered more than 70 human rights articulated in international covenants and conventions.

Rights were identified as being in scope when:

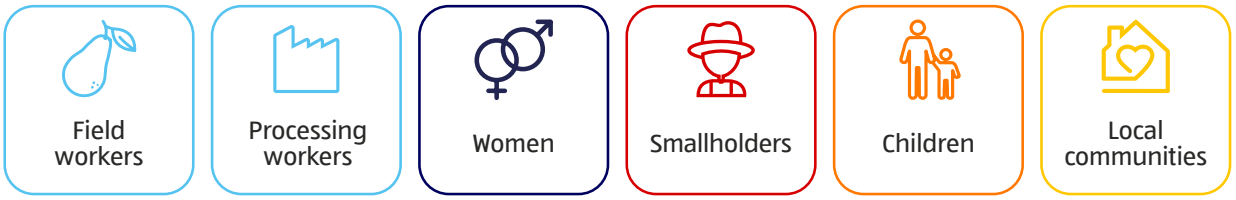
- Sufficient evidence of the rights impact was identified through desktop research.
- Current knowledge of the production, sector or geographic context indicated potential rights impacts.
- Rights relate directly or indirectly to the supply chain activities in scope for analysis.

Impacts on a single right may be identified in relation to more than one supply chain activity. Similarly, different rightsholders may be affected by the same rights impact associated with the same or a different supply chain activity.

## Rightsholders in scope

The initial scoping exercise also aimed to identify categories of rightsholders (i.e., people whose rights might be affected) for inclusion in the HRIA. This process followed the same approach as for rights categories, establishing a shortlist of affected rightsholders from an initial longlist of multiple potentially affected rightsholders based on prior knowledge of the sector, desktop research, and initial consultations with experts and stakeholders.

The final list of rightsholder in scope for this HRIA are:




It is important to note that few categories of rightsholders are fully distinct and a person may be in several categories of rightsholders simultaneously; for example, workers may also be members of local communities.

## Integration of smallholders into the HRIA methodology

Smallholders were incorporated as a distinct category of rightsholders for the purposes of the HRIA and smallholder production was included as a distinct supply chain activity. Initial desktop research and subsequent stakeholder engagement included a focus on identifying specific human rights impacts associated with smallholder production. This included an examination of both impacts on different rightsholders in the context of smallholder production as a supply chain activity and impacts on smallholders as rightsholders in their own respect.

The assessment is not limited to smallholders known to be engaged in production for ALDI, but rather focuses on smallholder production in general. This broader scope responds to data and traceability limitations that make identification of smallholders in lower tiers of the supply chain difficult.

The limited scope of fieldwork in the COVID-19 context precluded in-person visits to smallholders. However, representatives of smallholder associations were interviewed remotely, alongside experts with knowledge of smallholder production in export agriculture supply chain.

## Integration of gender considerations into the HRIA methodology

Stakeholder engagement included a focus on individual and institutional stakeholders that are wellpositioned to provide insight and perspectives on women's role in the avocado supply chain. These included female trade union leaders, women's civil society organisations, and experts specialising in women's economic inclusion/ empowerment (including in export agriculture). Interviews with all stakeholders included specific questions and discussion points focused on human rights impacts affecting women in the sector, both as workers and residents of local communities. In-person fieldwork visits to production sites included a similar focus on impacts affecting women, collecting information on women's workforce participation, company policies and practices concerning equal opportunities and non-discrimination, dedicated focus groups with female workers, and broader interview questions for managers and workers on their perceptions concerning human rights impacts on women in the supply chain.

## Integration of indigenous communities into the HRIA methodology

Indigenous communities were included in the initial long list of rightsholders but taken out of the final assessment. The exclusion of indigenous communities as a distinct group does not imply the absence of adverse impacts on indigenous individuals and communities, but rather that the specific rights impact most relevant to the avocado supply chain activities are better captured in terms of other rights issues (for example, discrimination based on race and ethnicity). The location of most large scale avocado production in coastal regions, where the presence of self-identified indigenous communities is more limited (compared to highland and Amazon regions), means that potential impacts on rights related to land and natural resource ownership and use, cultural institutions and traditions, and full and effective participation in all matters that concern indigenous communities is less prevalent.



### External stakeholder mapping

Key external stakeholders were identified and prioritised through desktop research and expert input from local consultants. The methodology prioritised engagement with rightsholders directly (through in-person visits to production sites in Peru), further consultation with representative stakeholder organisations, industry and employers' associations, trade unions, and civil society organisations (CSOs). Research organisations and individual experts with relevant knowledge and expertise provided valuable input on wider issues affecting rightsholders in the avocado supply chain in Peru.

## THE IMPACT OF COVID-19: REMOTE STAKEHOLDER ENGAGEMENT

Due to international and national restrictions on travel in the context of COVID-19, and to safeguard the health and wellbeing of all stakeholders and the research team, the scope of in-person stakeholder engagement was reduced and remote consultation was prioritised where possible. In addition to field visits, the research team (including local experts based in Peru) were able to conduct interviews via telephone or video conference with a wide range of key institutional stakeholders and experts, including government, industry associations, trade unions, NGOs, and multi-stakeholder platforms.

### Field visits

With the relaxation of some COVID-19 travel restrictions through the first half of 2021, a limited number of in-person field visits to production sites was possible. COVID-19 protocols were put in place for site visits, including:

- COVID-19 testing for the consultant/interviewer prior to the in-person meeting.
- Use of face masks by the consultant and interviewees.
- Use of hand sanitiser before and after each meeting/interview.
- Conduction of interviews outside or in well ventilated areas.

Sites were selected to provide a representative cross-section of producers present in ALDI's avocado supply chain. However, the limitations imposed by COVID-19 reduced the scope, total number and geographic distribution of sites visited. Several sites identified for visits unable to facilitate access due to strict COVID-19 protocols.

Despite the limitations, in-person visits included large and small producers in several key production regions, as well as a major processing facility and an exporter with close links to small producers. The sites visited included:

- 3 large producer/exporters.
- 1 small producer.
- 1 large processing plant.
- 1 exporter working closely with more than 80 individual producers, including many smaller producers (<10 hectares), located across several sub-national regions.

Site visits included management interviews and worker focus groups (including dedicated focus groups with female workers), and a tour of the site to observe practices first-hand.

## External stakeholders engaged[2]

### SUPPLIERS

### (INTER-)NATIONAL STAKEHOLDERS

- Trade unions (including female representatives)
- Smallholder association
- National industry association (producers/exporters)
- Government agency (labour)
- Civil society organisations/experts (including particular expertise on gender issues and smallholder production)
- Multi-stakeholder initiatives/sector initiatives
- Standards and certification experts

### SITE VISITS IN PERU

- Large producers/exporters
- Small producer
- Exporter/service provider
- Processing facility

#### Interviewees

- 77 workers participated in focus groups (additional workers interviewed during site tours)
- 22 female workers participated in focus groups (additional female workers interviewed during site tours)
- Approximately 20 management staff interviewed
- Focus groups and interviews included permanent and temporary workers in a range of cultivation, harvesting, and processing occupations

2) Due to the small scale of the sector, to ensure stakeholder confidentiality, ALDI followed the recommendation of Ergon to not publish any names of or references to individual stakeholders that have been engaged.

### Ensuring meaningful engagement

Data collection and stakeholder engagement aimed to capture diverse views and experiences. Topics for consultation and the resulting interview questions were tailored to each stakeholder group. Some questions were posed to all stakeholders to gain a variety of perspectives; for example, broader questions related to the positive and negative impacts of the sector, and recommendations for positive change.

Measures were taken to create safe spaces for stakeholders to express their views, including clear communication to all stakeholders that:

- The engagement process was confidential and that no information about their views would be shared with ALDI or publicly on a named or identifiable basis without their consent.
- The engagement was being conducted by an independent consultant without any influence from ALDI.
- Independent consultants and local partners would maintain open and confidential lines of communication should they wish to convey any additional information outside of the interviews or express any concerns at any stage.

Steps were also taken to secure informed participation of all stakeholders:

- All prospective stakeholders received an introductory letter in Spanish that outlined the HRIA process and its objectives, as well as the objectives of stakeholder engagement.
- All stakeholders received a factsheet in Spanish prior to the interview, which explained the purpose of the HRIA, their role as a stakeholder in the HRIA process, the measures taken to ensure confidentiality, and how information from the consultation would be used.

Field visit interviews ensured a balanced participation of different worker groups, including workers in different occupations, with distinct employment status (permanent and temporary), and including both women and men. Women-only focus groups were convened to ensure a safe environment for women to express their views more fully. Similarly, targeted engagement with civil society organisations and experts specialising in gender issues, as well as with female trade union representatives, strengthened the application of a gender focus throughout the impact assessment.

As part of ALDI's preparation for the Human Rights Action Plan (HRAP), the HRIA findings will be communicated and reviewed with involved stakeholders, and all interviewed stakeholders will receive a Spanish top line summary of the HRIA and its findings.

## IMPACT ASSESSMENT

A systematic assessment process was used to identify and rank salient impacts on specific rights categories across each of the supply chain activities in scope. This process considered factors such as the likelihood of an impact occurring in relation to a given activity, whether the impact was positive or negative, and its severity, significance and scale.

# LIMITATIONS

- The changing COVID-19 situation reduced the scope of feasible fieldwork visits. Nonetheless, visits included a range of producers (large and small) in distinct geographic locations.
- The local elections in Spring 2021 inhibited and delayed interactions with some stakeholders.
- ALDI's direct leverage and influence over road transportation and shipping is severely limited, and no representative organisations for the relevant rightsholders in those specific parts of the supply chain could be identified. Impact analysis for these activities was conducted based on desktop research and information gathering through other interviews with stakeholders who are knowledgeable about these activities (e.g. traders). Due to this reason, and as outlined in the scoping section, this report does not include detailed findings of these two supply chain steps. A similar rationale applies to on-site services on farms (e.g. catering, cleaning, etc).

External stakeholder outreach is a key element of the HRIA methodology. The external stakeholder outreach phase was designed to:

- Collect the views of potentially impacted rightsholders on the likelihood or potential severity of impacts, as well as their views on potential mitigation actions.
- Identify any stakeholders to follow up with for collaboration to address impacts or to monitor the implementation of certain mitigation measures.



# PERUVIAN AVOCADOS: COUNTRY AND VALUE CHAIN CONTEXT

## SECTOR AND SUPPLY CHAIN OVERVIEW

**KEY FACTS**

### SOCIAL IMPORTANCE

- Export agriculture is a key and expanding source of formal employment in Peru, supporting more than 600,000 formal jobs as of 2021. More than a third of Peru's population work in some form of agricultural activity, with additional employment linked to related up and downstream activities (AdexPeru, 2021).
- Labour in the avocado supply chain is concentrated in primary agriculture (field work, including harvesting) and processing/packing activities.

### PRODUCTION VOLUME

- Peru is the second largest producer of avocado in the world as of 2021 (behind Mexico), with an annual production of approximately 550,000 tonnes. Peruvian avocado production has significantly increased year-on-year since 2015, when total annual production was 377,000 tonnes (MIDAGRI, 2019; Gestión, 2021).
- Export volume: A total of 410,000 tonnes of Peruvian avocado were exported in 2020, up from 310,000 tonnes in 2019 and from 175,000 tonnes in 2015. Projected 450,000 tonnes for export in 2021 (MIDAGRI, 2019; El Peruano, 2020; Agrodataperu, 2021; USDA, 2021).

### EXPORT TRADE

- The total export value of Peruvian avocados was estimated at USD 770 million in 2020, with Europe as the largest export market (at least 60% of total exports). Agricultural exports overall are an important contributor to Peru's annual GDP (USDA, 2021).
- Significant growth in global demand for avocado has supported a steady increase in export prices despite the continuing expansion of global production and supply (USDA, 2021).

### ENVIRONMENTAL FACTORS

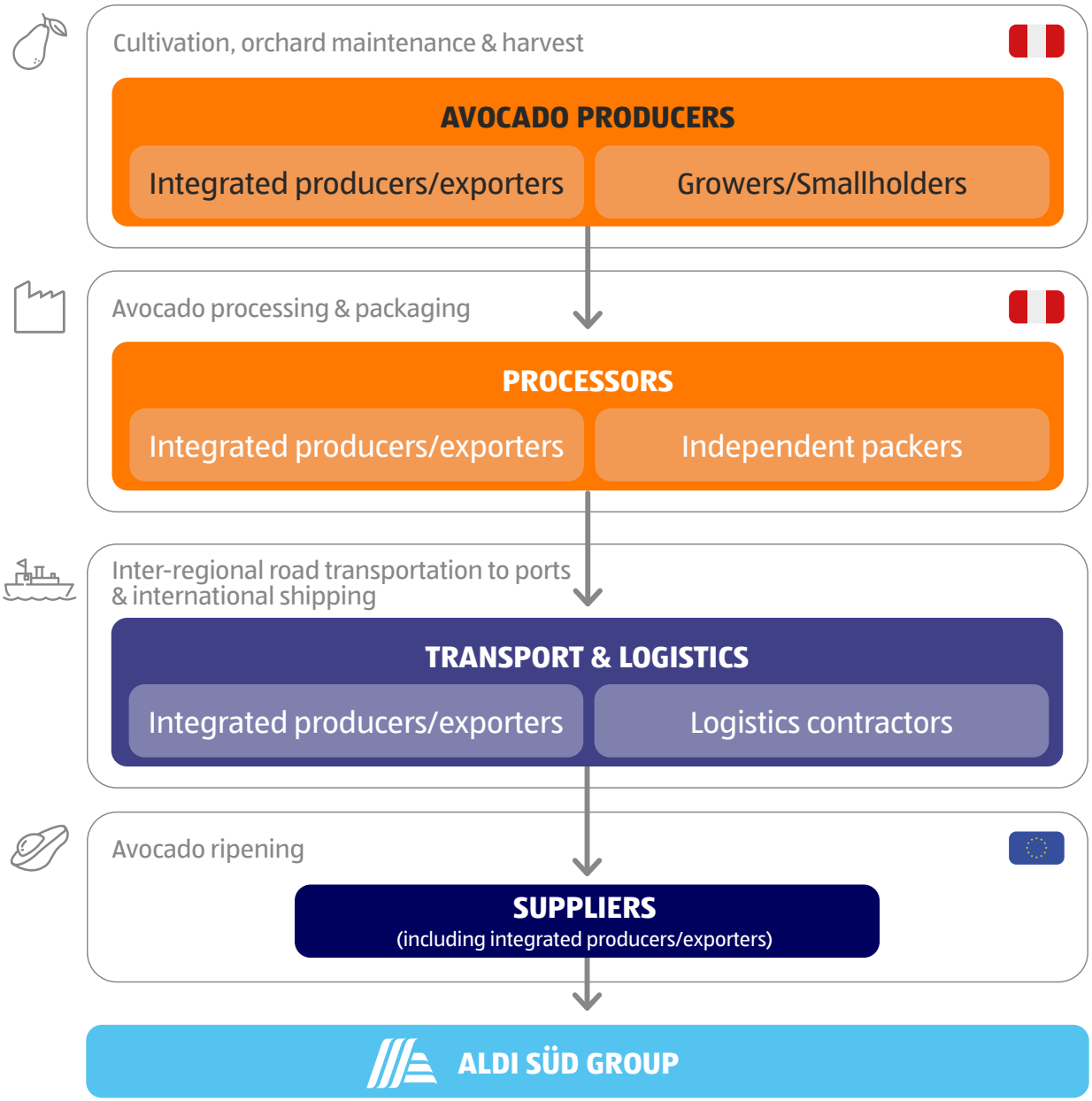
- Avocado is a water-intensive crop. Large scale production typically requires significant irrigation infrastructure to support successful cultivation. This can lead to environmental and human rights challenges for the sector (Wahlin, 2018).

### CULTIVATION

- 30,000 – 40,000 hectares of cultivation area, of which approximately 30,000 hectares are certified for export (MIDAGRI, 2018; USDA, 2021; El Peruano, 2020)
- Production is concentred in the Pacific coastal regions, with two-thirds of export volume originating in the regions of La Libertad (38%), Lima (15%), and Ica (13%). Lambayeque accounted for approximately 6% of export volumes in 2019. Important additional volumes are produced in the far north (Piura) and the central and southern highlands (MIDAGRI, 2019).
- The main harvest period runs from March/April until August/September. Peru's avocado production calendar contributes to its importance in the global market, as the main harvesting period takes place just as seasons in other production countries are closing (FreshPlaza, 2019, 2020).
- The total cultivated area continues to expand, with large and small producers acquiring new land and increasing production due to the high price of avocado exports and government programmes to support crop conversion (Rosales, 2021; ProHass, 2019; Agraria, 2020).

# ALDI'S PERUVIAN AVOCADO SUPPLY CHAIN

Overview of the supply chain of avocados from Peru, illustrating the role of the different stakeholders involved.



## Supply chain activity: Cultivation and orchard maintenance



Cultivation takes place year round and involves various activities related to the development of the avocado crop, including the pruning of avocado trees, weeding, pollination, fertiliser application, pest control, phytosanitary control, and irrigation.

## Supply chain activity: Harvest operations



Fruits at harvest age are cut from trees and placed in harvesting "baskets", then the cut fruit is transferred to an on-site collection area. In more mature orchards with larger trees, harvesting may require workers to climb trees, use elevated platforms or ladders to access high hanging fruit. Normally the fruit is processed, packed, and refrigerated within 24 hours to maintain freshness.

## Supply chain activity: Smallholder production



Although avocado production in Peru is dominated by larger producer/exporters, some smallholder production exists in lower tiers of the export supply chain. Smallholders are defined here as producers under independent ownership with less than 10 hectares of production. Avocado smallholders typically supply larger producer/exporters, rather than dealing directly with the suppliers of European retailers.

Smallholders typically participate in the export supply chain as contracted "out-growers" of larger producer/exporters or as independent producers that sell on a consignment basis to one or more larger producer/exporters. Smallholder production for export markets (as opposed to local markets) represents a relatively small share of total production.

Many smallholders operate as part of larger associations or cooperatives, with some functions – such as nursery development, labour recruitment, fertiliser and pesticide purchase and application, marketing, and commercial relationships centralised at the level of the association.

## Supply chain activity: Processing



On arrival at the processing facility, fruit is sorted and directed to appropriate processing lines. After initial sorting, fruit is packaged, labelled, and moved to cold storage facilities on site to prevent any damage. Finally, packaged fruit is loaded into containers for transport by road to ports for export.

Many producer/exporters are vertically integrated and operate their own processing and packing plants located close to production zones. Other producers outsource processing and packing to external processors. Many larger processing plants are purposebuilt facilities with modern equipment and machinery, including a high degree of automation.

**TRADE UNIONS AND COLLECTIVE BARGAINING IN EXPORT AGRICULTURE:**

The limited presence of trade unions, and alleged anti-union practices, undermines respect for freedom of association and collective bargaining. Trade unions face barriers to organising in the sector, including rapid expansion of business activities, the prevalence of a seasonal and temporary workforce, the proliferation of parallel worker committees, and persistent anti-union attitudes and practices.

In the sector, there are consistent reports from workers and trade unions of systematic anti-union practices on the part of some employers, including blacklisting, threats, and harassment of union officials or workers seeking to organise.

Lack of trade unions means very limited collective bargaining. Collective bargaining is a key mechanism to address salient labour and human rights impacts in the export agriculture sector, especially in relation to wages and pay.

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In place of unions, many companies have worker committees that fulfil some representative functions of trade unions. However, worker committees fall outside the scope of trade union laws and provide none of the guarantees concerning internal structure and activities or independence from management.

Positive initiatives: A previous ETI/Mondiaal FNV programme to enhance workplace relations through social dialogue and collective bargaining resulted in the conclusion of a first-ever Collective Bargaining Agreement (CBA) at the involved company. A new iteration of the expanded programme (Fruits of Peruvian Dialogue) seeks to build on this experience to enhance social dialogue among international buyers, producers, trade unions, and other stakeholders in Peru. The ALDI SÜD Group has been a member of the programme since 2020 to support the work on social dialogue.

**WOMEN IN THE AVOCADO SUPPLY CHAIN AND THE WIDER EXPORT AGRICULTURE SECTOR:**

Women are under-represented in employment in the avocado supply chain and the wider export agriculture sector. The impact assessment identified the following:

- In cultivation and harvest activities, women typically account for less than 25% of the total workforce.
- Women typically comprise a larger share of the workforce in processing facilities.
- Women workers are disproportionately engaged in temporary, fixed-term, casual, and informal work.
- Women are concentrated in specific occupations within the supply chain. In cultivation and harvest operations, women are often segregated into specific roles such as sorting, cleaning, and removing the stalks from cut fruit. In processing activities, women are especially prevalent in packaging and labelling roles, which are considered to require particular care and attention.



# AN INDUSTRY PERSPECTIVE: KEY ISSUES FACING THE SECTOR

## Increased cost of production

New Peruvian legislation regulating tax and labour regimes for the export agriculture sector entered into force in January 2021. The revised law provides for a 30% premium on the national minimum wage for all agricultural workers, an increase in holiday entitlements, profit sharing with workers, and employers' social security contributions. Overall, the new law is estimated to increase labour costs by approximately 10% compared to the previous agricultural law (Vinelli, 2020; LPderecho, 2021; El Peruano, 2021; BakerMcKenzie, 2021; La Ley, 2021).

The overall impact of COVID-19 on Peruvian avocado production was limited. Suppliers did not report notable changes in supply or demand for avocado and they do not foresee future supply challenges. Disruption to labour supply was minimal. However, employers were required to implement strict health and safety measures at farms and in packing facilities in line with government regulations.

## Standards and certification

European markets are increasingly demanding in terms of the quality and social standards required for access. More stringent quality assurance and social standards, combined with different standards, certification schemes, and audit protocols, can create significant costs for producers.

## Social conflict

Recent social conflicts pose an ongoing challenge for producers and suppliers. During widespread protests in 2019 and 2020, many producer and processing facilities were forced to close.

## Climate change

Although the long-term impacts of climate change on avocado production are not widely understood, some suppliers predicted changes to weather patterns, including increased extreme weather events and changes to the El Niño phenomenon that affects climatic conditions along Peru's Pacific coast, which have potential implications for avocado production (Newett, 2017).

# A SMALLHOLDERS PERSPECTIVE: KEY ISSUES

Smallholders engaged in the production of avocado for export, and those seeking to gain access to export markets, face a number of specific challenges. These challenges include:



## Meeting supplier standards

There are high costs and effort associated with achieving and maintaining the necessary quality assurance and social standards required for export markets. These include upgrades to production processes and machinery, development of adequate human resource processes and systems, and the cost of assurance and audit procedures.



## Access to financial support

Smallholders typically have limited access to credit to support significant start-up costs for avocado production and to facilitate ongoing upgrades and expansion. Commercial bank loans come with prohibitively high interest rates that are unsustainable for many smallholders.



## Access to inputs

Smallholders may lack access to technical services and expertise, including agronomic services related to crop development, irrigation systems, marketing, and financial services to facilitate sale of produce for export.

# HOW ALDI BUYS PERUVIAN AVOCADOS

| AREA | DESCRIPTION |
|---|---|
| **Buying practices** | |
| Suppliers | ALDI maintains strategic partnerships for each market. Partnerships are reviewed annually and focus on supplier reliability and quality. |
| Order volumes | Strategic partnership agreements typically specify estimated volumes for the year as well as quality and CR specifications (including country of origin, certification requirements, etc). |
| Tender processes | Tenders specify estimated volumes and a fixed minimum per unit price for the supply period, as well as wider quality and CR requirements already established via the strategic partnership agreement. |
| **Supplier practices** | |
| Supplier profile | ALDI's direct suppliers include vertically integrated producer/exporters (that source, in part, from their own primary production in Peru), as well as importers for the European market that are not directly engaged in primary production or other activities in Peru. All ALDI's direct suppliers operate their own ripening facilities in European destination markets. |
| Supplier sourcing | Some ALDI suppliers own and operate their own primary production in Peru, although volumes sourced from directly owned production areas are relatively small. Volumes from own production are supplemented by additional volumes from contracted external growers and/or other independent producer/exporters. Relationships with contracted external growers are generally long-term and well-integrated and may include the provision of agronomic and other services by ALDI's suppliers.<br>All ALDI suppliers prioritise and have developed direct relationships with producers or producer groups. |
| Sustainability/ standards | Most suppliers rely on third-party standards setting or certification schemes with verification through (third-party) social audits. They also carry out visits to production sites in Peru on a regular basis. |
| **Ethical trade and social commitments** | |
| Product specific standards | European ALDI markets have specific sustainability requirements for avocados as part of ALDI's tropical fruit and fresh fruit and vegetable buying processes. |
| Accepted social standards | Standard requirements are mainly focused at the farm level. Accepted social standards at farm level for high and medium-risk countries include:<br>• amfori Business Social Compliance Initiative (amfori BSCI).<br>• Fair for Life.<br>• Fairtrade/Fairtrade Max Havelaar/Fair Trade USA.<br>• GLOBALG.A.P. Risk Assessment on Social Practice (GRASP).<br>• Naturland, Naturland Fair.<br>• Rainforest Alliance.<br>• SCS Sustainably Grown.<br>• Sedex Members Ethical Trade Audit (SMETA).<br>• Social Accountability 8000 (SA 8000).<br>In addition, all suppliers must also hold a valid GLOBALG.A.P. IFA certification. |

| AREA | DESCRIPTION |
|---|---|
| Water management | ALDI is introducing specific requirements for responsible water management, which includes avocados. Standards on responsible water management that are accepted include: GLOBALG.A.P. SPRING (Sustainable Program for Irrigation and Groundwater Use), Fairtrade, Rainforest Alliance, the Alliance for Water Stewardship and Organic standards. To increase understanding and collaboration on water stewardship, the ALDI SÜD Group is also a member of the Alliance for Water Stewardship. |
| Other supplier requirements and expectations | In addition to defined standards and certification requirements, ALDI's Code of Conduct, Social Standards in Production and relevant policies and position papers, such as the International Policy Statement for Human Rights and ALDI's Child Labour Policy, are contractually binding for all suppliers. |
| Supplier Evaluation and ALDI producer assessments | ALDI will also review avocado suppliers through the annual Corporate Responsibility Supplier Evaluations (CRSE).<br>ALDI commissions ALDI Producer Assessments (APAs) that cover social and environmental criteria. They are linked to the CRSE but are also used as a separate assessment tool. The APAs are based on in-person site visits to producers and packhouses and include worker interviews. |
| Involvement in initiatives and collaborations | ALDI is a member of the tripartite ETI Working Group on Peruvian Horticulture and of the ETI/Mondiaal FNV Fruits of Peruvian Dialogue initiative that aims to promote social dialogue around labour issues in export agriculture supply chains. Several ALDI direct suppliers and producers in ALDI's avocado supply chain are also members. The programme is an effective initiative engaging with key stakeholders both local and international and includes workers and trade unions. |



# PERUVIAN AVOCADOS: IMPACT FINDINGS

This section sets out the key impact findings arising from the HRIA. Findings are based on both desktop research and stakeholder engagement. The specific results are derived from the application of a systematic impact assessment methodology that evaluates the impacts associated with each supply chain activity on each of the rights categories in scope for analysis (see methodology section).

- Labour rights and working conditions have the highest number of identified salient impacts, in particular: working conditions, freedom of association, non-discrimination, and workplace grievances. These impacts are assessed as salient across all business activities.
- There are also impacts on civil and political rights related to cultivation activities due to potential rights impacts in the context of public protests and other disputes around large scale export agricultural projects.
- Cultivation activities are also associated with adverse impacts on the standard of living for local communities, primarily related to water access.
- Although avocado production provides an important source of income and contributes to livelihoods for many workers, there remain adverse livelihood impacts on other workers related to low and irregular wages and income.
- Risks exist for smallholder livelihoods due to their vulnerable position in the export value chain.

## FINDINGS FOR EACH SUPPLY CHAIN ACTIVITY

The sections below summarise the human rights impacts identified for each key supply chain activity, including a rating according to their significance.

### Sector impacts: Cultivation

Cultivation and orchard maintenance activities are primarily undertaken by a small core workforce most of whom are employed by producers on a full-time permanent basis. Employers may also engage some additional workers on a temporary or fixed-term basis to meet specific labour needs during the cultivation process (e.g. for pruning) and/or contract service providers to perform particular tasks (e.g. pest control). Women and men are present in all principal occupations, although men tend to make up the majority of field workers (obreros), technical posts (mechanics, drivers), and management roles as well as the workforce overall. Most permanent workers are paid a salary based on a fixed number of hours of work per week, with most field workers in the sector paid the statutory minimum wage.

Labour Rights | Civil & Political Rights | Economic & Social Rights | Cross-Category Rights

Negative impacts — No impact — Positive impacts

| RIGHTS ISSUE | RIGHTS-HOLDER(S) | IMPACT | IMPACT RATING |
|---|---|---|---|
| **Cultivation** | | | |
| Working conditions | • Workers (field/ maintenance) | Late payment of wages and employers failing to make legally mandated social security contributions, in addition to long working hours, are occasionally found across the sector.<br>More generally, the use of temporary employment contracts even for workers engaged by the same employer over an extended period is widespread, which undermines workers' stability of employment.<br>Inadequate provision of personal protective equipment (PPE), including for workers engaged in the application of fertilisers and pesticides is a common issue in the industry. | |
| Freedom of association & collective bargaining | • Workers (field/ maintenance) | There is very limited trade union presence across the export agriculture sector and, as a result, collective bargaining is rare. There are general reports of anti-union practices on the part of some employers, including harassment of union officials and workers seeking to organise.<br>Worker committees present in many companies as an alternative to unions, have limited scope to serve as an effective mechanism for worker representation. They are often under the influence of management and lack legal status to engage in collective bargaining. | |
| Non-discrimination & equal opportunities (labour) | • Workers (field/ maintenance - migrants)<br>• Women | Women are notably under-represented in primary production activities. Prevalent stereotypes about the relative aptitude of women and men for different occupations result in pronounced gender-based workforce segregation for different supply chain activities (horizontal segregation). Similarly, gender-based vertical segregation means few women are employed in higher paid technical and managerial roles.<br>There are occasional reports in the sector of harassment and poor treatment of workers from highland regions and/or those with indigenous and Afro-Peruvian backgrounds. | |
| Gender-based violence & harassment | • Workers (field/ maintenance)<br>• Women | Workplace sexual harassment against female workers is reported across the Peruvian agriculture sector in general (including avocado production). | |
| Availability & accessibility of workplace grievance mechanism | • Workers (field/ maintenance)<br>• Women | Most larger producers have a grievance mechanism in place, but there is considerable variation in accessibility and effectiveness. In many cases, grievance mechanisms provide inadequate protection for complainants, lack accountability, and are poorly equipped to address issues related to sexual harassment or gender-based violence and harassment (GBVH). | |

Labour Rights | Civil & Political Rights | Economic & Social Rights | Cross-Category Rights

Negative impacts — No impact — Positive impacts

| RIGHTS ISSUE | RIGHTS-HOLDER(S) | IMPACT | IMPACT RATING |
|---|---|---|---|
| Right to life/ physical integrity | • Communities<br>• Workers (field/ maintenance) | There are risks associated with poor road safety standards, with worker transport vehicles frequently involved in road accidents. There are broad risks related to physical violence in the context of disputes and/or public protests around large scale agricultural projects. | |
| Freedom of information & anti-corruption | • Communities | There is a lack of transparency concerning company activities and the alleged corruption of some public officials, which can affect outcomes related to a wide range of human rights. | |
| Freedom of expression, assembly & association | • Communities<br>• Workers (field/ maintenance) | There are general, sector wide reports of restrictions on public protests and threats against community activists and human rights defenders in the context of social/environmental issues. | |
| Adequate standard of living (housing, food, water) | • Communities | There are general, sector wide reports of restricted access for local communities to adequate water supply, linked to the activities of large scale agricultural enterprises. | |
| Adequate standard of living (livelihoods - communities/ smallholders) | • Communities | Restricted access to local water supply has been linked to significant adverse impacts for crop cultivation (and dependent livelihoods) for small scale agricultural producers. | |
| Adequate standard of living (livelihoods - workers) | • Workers (field/ maintenance) | There are mixed reports concerning the adequacy of wages in the avocado industry to support a decent standard of living. Total remuneration in many cases may not be sufficient to cover basic living costs for workers and their families. | |
| Right to health | • Workers (field/ maintenance)<br>• Communities | For workers, there are general sector wide reports about potential health impacts from chronic exposure to hazardous chemicals (fertilisers and pesticides) without adequate PPE. For communities, there are alleged adverse health impacts associated with limited or poor-quality water supply. | |
| Right to effective remedy | • Communities | Limited accessibility and capacity of judicial processes may adversely affect the right to effective remedy for various human rights violations. | |
| Non-discrimination (non-labour) | • Workers<br>• Women<br>• Communities (children) | There are general, sector wide reports of increased incidence of GBVH, including sexual assaults against women and minors, in some communities surrounding large scale agricultural projects. | |

## Sector findings: Harvest

Harvest workers are contracted on a temporary basis, usually for between one and three months, with potential extensions or renewals. Most harvest workers have formal employment contracts, although trade unions maintain that some informal employment persists (even at larger export-oriented producers). Most harvest workers are drawn from local communities, although there is a significant minority of migrant workers (primarily young men) from other regions of Peru (especially since the COVID-19 pandemic, which has had severe adverse impacts on employment in many non-agricultural sectors). Many workers are harvest workers that return to either the same company each year or rotate between different crops produced in the same site or area according to seasonal labour demands. Workers from outside the area usually rent accommodation in local towns and settlements on a private basis; few producers provide worker accommodation. However, almost all producers offer free or subsidised private transport from local towns to production sites, sometimes operated by the producers' own employees (drivers) or outsourced to local transport providers.

Labour Rights | Civil & Political Rights | Economic & Social Rights | Cross-Category Rights

Negative impacts — No impact — Positive impacts

| RIGHTS ISSUE | RIGHTS-HOLDER(S) | IMPACT | IMPACT RATING |
|---|---|---|---|
| **Harvest** | | | |
| Working conditions | • Harvest workers | Working hours may be excessive in the context of time-sensitive harvest operations. The industry wide use of temporary employment contracts undermines workers' stability of employment and there are reports of recruitment fees, mostly in the context of informal labour and of recruitment agencies used. There are some reports of late payment of wages and employers failing to make legally mandated social security contribution.<br>Health and safety risks are especially high during busy harvest periods, both due to hazards inherent in the work activities and the presence of a non-permanent workforce that may lack awareness of risk and procedures. | |
| Freedom of association & collective bargaining | • Harvest workers | Trade union presence is limited across the export agriculture sector and collective bargaining is rare. There are general reports of anti-union practices on the part of some employers, including harassment of union officials and workers seeking to organise. The temporary nature of harvest work is a particular challenge for trade unions seeking to organise workers and it exacerbates workers' vulnerability. | |
| Forced labour | • Harvest workers | There are no specific reports to suggest that forced labour is a significant issue in avocado production. However, there are sporadic reports of forced labour cases in commercial agriculture in Peru and some wider risk factors, such as an increase in the proportion of potentially vulnerable foreign and internal migrant workers in the context of COVID-19. | |

Labour Rights | Civil & Political Rights | Economic & Social Rights | Cross-Category Rights

Negative impacts — No impact — Positive impacts

| RIGHTS ISSUE | RIGHTS-HOLDER(S) | IMPACT | IMPACT RATING |
|---|---|---|---|
| Non-discrimination & equal opportunities (labour) | • Harvest workers<br>• Women | Women are notably under-represented in harvest activities and prevalent stereotypes about the relatively aptitude of women and men for different occupations result in pronounced gender-based workforce segregation for different supply chain activities (horizontal segregation). Some employers report a preference for women in specific roles; for example, for cutting/cleaning of fruit after picking, while there are some reports of direct discrimination against women in hiring.<br>There are occasional reports in the sector of harassment and poor treatment of workers from highland regions and/or those with indigenous and Afro-Peruvian backgrounds. | |
| Gender-based violence & harassment | • Harvest workers<br>• Women | There are general sector wide reports of workplace sexual harassment of female workers across the export agriculture sector, including some related to workers in avocado production. Overall, these risks may be enhanced in the context of harvest operations due to the presence of a large, temporary workforce and the remoteness of some worksites. | |
| Availability & accessibility of workplace grievance mechanism | • Harvest workers<br>• Women | Most larger producers have a grievance mechanism in place, but there is considerable variation in accessibility. Effectiveness of workplace grievance mechanisms may be especially limited in the case of harvest workers due to lack of awareness of existing procedures, concerns about reprisals, and high staff turnover rates. | |
| Right to life/ physical integrity | • Communities<br>• Harvest workers | There are (contextual) risks associated with poor road safety standards, with worker transport vehicles frequently involved in road accidents. | |
| Adequate standard of living (livelihoods - workers) | • Harvest workers | The adequacy of wages in avocado production to support a decent standard of living has been reported across the sector. However, even for permanent employees, total remuneration may not be sufficient to cover basic living costs in some cases. | |
| Right to health | • Harvest workers | There are potential long-term adverse health impacts associated with exposure to harsh working conditions and inadequate health and safety procedures across the avocado sector. Sector wide risks related to non-compliance with COVID-19 safety protocols affect harvest workers as well as permanent employees. | |
| Non-discrimination (non-labour) | • Harvest workers<br>• Women<br>• Communities (children) | There are general reports of increased incidence of GBVH in some communities surrounding large scale agricultural projects. | |

## Sector impacts: Smallholder production

The position of smallholders (mostly) in lower tiers of the export supply chain means overall visibility of labour and other human rights impacts is more limited.

Smallholders are especially vulnerable to price fluctuation and may have limited leverage to negotiate prices with their larger producer/exporter buyers. Smallholders often face significant resource constraints that limit their capacity to achieve and maintain standards required by export markets. Although precise data are missing, prevalent land tenure patterns mean women are likely to be under-represented among smallholders.

Labour Rights | Civil & Political Rights | Economic & Social Rights | Cross-Category Rights

Negative impacts — No impact — Positive impacts

| RIGHTS ISSUE | RIGHTS-HOLDER(S) | IMPACT | IMPACT RATING |
|---|---|---|---|
| **Smallholder production** | | | |
| Working conditions | • Workers (field/ maintenance and harvest) | Key labour rights risks and impacts associated with cultivation and harvest in avocado production in general are broadly relevant to smallholder production. However, there is an enhanced risk of poor working conditions, especially in relation to health and safety standards and compliance with legal standards on working hours and remuneration, due to greater use of causal and/or informal labour, lack of human resource capacity, and limited oversight from labour authorities. | |
| Child labour | • Harvest workers (minors) | No specific reports of child labour in smallholder avocado production, but minors may take part in hazardous forms of work at times in the context of family labour. | |
| Non-discrimination & equal opportunities (labour) | • Smallholders<br>• Women | Societal gender norms and the related (historical and ongoing) low proportion of female landowners mean that most smallholders (owners) are men. | |
| Gender-based violence & harassment | • Women workers | No specific reports, but wider context – informal employment, absence of formal human resource capacity, lack of oversight from labour authorities, endemic societal risks of GBVH – enhances the overall risk of workplace sexual harassment and other forms of GBVH. | |
| Adequate standard of living (livelihoods - communities/ smallholders) | • Smallholders | Various factors increase adverse livelihood risks for smallholders: they are often vulnerable to price fluctuation and have little leverage to influence or refuse prices offered by potential buyers; they lack financial resources to sustain operations through short-term market shocks; and they may struggle to access export markets that offer higher prices. | |
| Right to effective remedy | • Smallholders | Limited accessibility and capacity of judicial processes may adversely affect the right to effective remedy for smallholders. | |

## Sector findings: Processing

Processing plants are located in and around major cultivation areas, with many owned and operated by vertically integrated export agriculture producer/exporters. The level of technology used in processing plants varies, but many use modern equipment and machinery in purpose-built facilities. Workers are a mix between those employed under the general labour regime on a permanent basis (mostly for administrative or managerial roles), and processing line workers that are typically employed under the special agricultural regime, usually on a temporary or fixed-term basis according to seasonal variation in demand. Most workers are residents of the local area, including some internal migrant workers who have relocated to the region. Compared to cultivation and harvest, the workforce includes a significantly larger proportion of women. Packing facilities, like their grower counterparts, typically provide free or subsidised transport services to/from work for their workers, usually outsourced to local service providers.

Labour Rights | Civil & Political Rights | Economic & Social Rights | Cross-Category Rights




| RIGHTS ISSUE | RIGHTS-HOLDER(S) | IMPACT | IMPACT RATING |
|---|---|---|---|
| **Processing** | | | |
| Working conditions | • Processing workers | Working conditions vary significantly across packing plants within the supply chain. Most workers are employed formally but on temporary (seasonal) contracts, which may leave workers vulnerable to coercion from managers. Working hours can be long, especially during busy periods. | |
| Freedom of association & collective bargaining | • Processing workers | There is a lack of trade union presence, which undermines prospects for collective bargaining. There are general reports of anti-union attitudes and practices on the part of some employers, while the non-union worker committees present in many enterprises are not effective alternative mechanisms for worker representation (see under Cultivation). | |
| Non-discrimination & equal opportunities (labour) | • Processing workers<br>• Women | Although women comprise an important share of the processing workforce, there remain pronounced patterns of horizontal segregation (women concentrated in roles such as packing and labelling) and vertical segregation (most supervisors are men). These workforce patterns indicate a lack of equal opportunities. | |
| Gender-based violence & harassment | • Processing workers<br>• Women | There are occasional reports in the sector of sexual harassment against women workers by male supervisors, although conditions across the sector are reportedly improving. | |
| Availability & accessibility of workplace grievance mechanism | • Processing workers<br>• Women | There are issues related to the accessibility and effectiveness of workplace grievance mechanisms, especially concerning inadequate protection for complainants (e.g. anonymity), appropriate means of escalation, and gender-sensitive procedures. However, impacts vary significantly across companies, with notable cases of good practice at some companies visited for this HRIA. | |
| Right to health | • Processing workers | There are general risks of adverse health impacts associated with specific processing activities, including: respiratory illnesses from exposure to cold temperatures, urinary infections from insufficient bathroom breaks, and musculoskeletal problems due to long hours standing and/or heavy lifting. | |

## Sector findings: Women

When considering gender specific impacts, it is important to note that impacts can be inter-sectional, meaning they affect different rightsholders (as well as different individuals and groups within the categories of rightsholders) in different ways. This means that the identified gender-specific impacts may affect individuals and groups within the broad category "women" differently, depending on factors such as their sexual orientation, ethnicity, age or class. For example, GBVH in primary production activities affects women specifically, while an underdeveloped workplace grievance mechanism may affect women differentially because women are more likely to experience GBVH at work and require a grievance mechanism that can address such complaints. In other cases, impacts may affect men and women, but women may experience some impacts disproportionately due to underlying structural and contextual factors; for example, women may face enhanced risk to livelihoods due to low wages because they are concentrated in more precarious forms of employment. In most cases, the specific impacts highlighted in this section refer to specific or differential impacts, while disproportionate impacts are summarised via the broader discussion of root causes.

Impacts on women in the sector are primarily related to non-discrimination and equal opportunities in employment, including workplace GBVH, with wider implications for worker livelihoods. The table below summarises some of the most important impacts across different supply chain activities.

Labour Rights | Civil & Political Rights | Economic & Social Rights | Cross-Category Rights

Negative impacts — No impact — Positive impacts

| RIGHTS ISSUE | RIGHTS-HOLDER(S) | IMPACT | IMPACT RATING |
|---|---|---|---|
| **Cultivation and harvest** | | | |
| Non-discrimination & equal opportunities (labour) | • Workers (both field/ maintenance and harvest)<br>• Women | Women are under-represented in cultivation and harvest activities and typically account for <25% of the workforce. Proportionally, more women work in harvest operations compared to year round cultivation activities, with the result that women are disproportionately exposed to temporary and other precarious forms of employment.<br>Few women are employed in higher paid technical and managerial roles, contributing to gender pays gaps. Stereotypes also drive direct discrimination against women in hiring, with employers openly expressing a preference for men over women for many field work and/or technical roles in cultivation and harvest activities. | |
| Availability & accessibility of workplace grievance mechanism | • Workers<br>• Women | In many cases, grievance mechanisms provide inadequate protection for complainants, and especially for female workers in cases of sexual harassment or other forms of GBVH. In this context, affected workers often have no alternative except to leave employment, contributing to adverse impacts on women's livelihoods. | |
| Gender-based violence & harassment | • Women workers (both field/ maintenance and harvest) | There are reports of workplace sexual harassment against female workers across the export agriculture sector, including the avocado industry. | |
| Adequate standard of living (livelihoods - workers) | • Workers (both field/ maintenance and harvest)<br>• Women | There are mixed reports concerning the adequacy of wages in avocado production. Total remuneration may not be sufficient to cover basic living costs for many workers and their families, and women are likely to be affected disproportionately due to their over-representation among temporary and casual workers. | |

Labour Rights | Civil & Political Rights | Economic & Social Rights | Cross-Category Rights

Negative impacts — No impact — Positive impacts

| RIGHTS ISSUE | RIGHTS-HOLDER(S) | IMPACT | IMPACT RATING |
|---|---|---|---|
| Adequate standard of living (livelihoods - communities/ smallholders) | • Communities (including women) | Avocado production has been linked to restricted access for local communities to adequate water supply. These impacts may affect women disproportionately due to the high number of women engaged in small scale agricultural activities (production of cash crops for local markets). | |
| Right to effective remedy | • Communities (including children)<br>• Women<br>• Workers | There are general reports of increased incidence of GBVH in some communities surrounding large scale agricultural projects. | |
| **Smallholder production** | | | |
| Non-discrimination & equal opportunities (labour) | • Smallholders<br>• Women | Although precise data are missing, prevalent land tenure patterns mean women are likely to be under-represented among smallholders. | |
| **Processing** | | | |
| Working conditions | • Workers (including women) | It is generally reported that long working hours during processing peaks can be linked to a number of different occupational health issues. This impacts women in particular, given their increased share of total employment in processing activities. | |
| Non-discrimination & equal opportunities (labour) | • Processing workers<br>• Women | Although women comprise an important share of the processing workforce, there remain pronounced patterns of horizontal segregation (women concentrated in roles that require skills stereotypically considered “female specific”, such as care and attention to detail for packaging and labelling) and vertical segregation (most supervisors are men). These workforce patterns indicate a lack of equal opportunities. | |
| Gender-based violence & harassment | • Processing workers<br>• Women | There are some reports of sexual harassment against women workers on the part of male supervisors, although conditions sector wide are reportedly improving. The prevalence of male supervisors is a general risk factor concerning sexual harassment and other forms of GBVH. | |
| Availability & accessibility of workplace grievance mechanism | • Processing workers<br>• Women | The differential impact of limitations in available workplace grievance mechanisms, outlined for cultivation and harvest activities, similarly apply to processing activities. | |

# UNDERSTANDING ROOT CAUSES AND ALDI LINKAGE

## ROOT CAUSES

To further understand the most important human rights impacts, as well as develop targeted actions to mitigate, prevent and/or remedy these impacts, the assessment has considered the root causes of these impacts. For significant and enduring change, it is these root causes that should be addressed as far as possible.

The root causes for every salient impact were identified. Root causes for the different impacts were found to be multiple and overlapping: an impact always has more than one root cause, and one root cause can contribute to or drive various impacts.

The root causes fall into three key groups:

| GROUP | ROOT CAUSE |
|---|---|
| Sectoral & commercial drivers | 1. Limited producer capacity to implement social/human rights standards and promotion of good practices.<br>2. Lack of capacity in trade unions.<br>3. Labour market informality.<br>4. Fluctuating demand for labour.<br>5. Limited capacity of smallholders to meet and maintain requirements for export market access.<br>6. High demand for water (in context of water scarcity). |

Description:

1. Lack of producer capacity to implement effective social and human rights standards across their operations.
2. Direct impact on freedom of association and collective bargaining, with the additional implications for a wide range of other labour rights and working conditions.
3. High levels of informal employment persist across the Peruvian labour market.
4. Agricultural production, including avocado production, has uneven demands for labour throughout the year. These operational factors result in the prevalence of temporary and seasonal employment that is precarious in nature.
5. Smallholders may lack financial and/or technical capacity to upgrade production and business processes to meet and maintain Quality Assurance and social and environmental standards required by many international buyers.
6. High demand for water for avocado production leads to scarcity in most production regions.

| GROUP | ROOT CAUSE |
|---|---|
| **Government & regulatory framework** | 1. Labour legislation allows for repeated use of temporary and fixed-term contracts.<br>2. Weak enforcement capacity by the labour inspectorate.<br>3. Institutional corruption.<br>4. Weak capacity and/or governance deficits concerning state and private security forces.<br>5. Limited access to and effectiveness of judicial processes for remedy. |

Description:

1. General labour law allows for the repeated use of temporary and fixed-term contracts (up to five years) for workers employed on a permanent basis, creating precarious work.
2. The labour inspectorate has severe resource constraints that limit its capacity which can lead to negative impacts on labour rights.
3. Corruption of local officials has significant negative effects on effective governance of business and commercial activities, social and environmental factors, and protection of civil freedoms.
4. Public protests and strikes often turn violent, with injuries and deaths among both state security personnel and protesters.
5. Peru's judicial system is severely overburdened and may not be able to provide remedy for potential human rights violations, especially for more vulnerable rightsholders.

| | |
|---|---|
| **Contextual drivers** | 1. Climate and topography (heat, water scarcity).<br>2. Societal gender norms.<br>3. Poverty, economic inequality, labour market deficits (including inter-regional differences).<br>4. High levels of social conflict often focused on export-oriented sector and economic activity. |

Description:

1. Production areas are concentrated in the semi-arid coastal regions, where water resources are limited.
2. Women typically assume a disproportionate share of care and household work, reducing time for paid employment and leading to an over-representation among informal workers. Gender-based occupational stereotypes mean men are often preferred for work perceived to require greater strength, for technical roles, and for managerial or leadership roles; traditional patterns of land tenure mean there are few smaller producers owned or run by women.
3. Poverty and economic inequality means many workers are in positions of extreme vulnerability with limited scope to confront employers over abuses, or refuse inferior working terms and conditions
4. Export-oriented companies and activities are often the subject of such conflicts and public protests.

### Understanding root causes of adverse human rights impacts on women

A number of root causes and drivers contribute to adverse human rights impacts on women in particular, including:

- **Producer capacity to implement equal opportunities:** Many producer companies lack the awareness and/or financial and technical capacity to implement effective measures to ensure equal opportunities for women and men in employment.
- **Informality:** Women are over-represented among informal and casual workers. Informality contributes to multiple potential impacts related to labour rights and working conditions as well as worker livelihoods, given that informal workers are extremely vulnerable to abuses on the part of employers and have very limited recourse to effective remedy through workplace grievance mechanisms or judicial processes.
- **Fluctuating labour demand:** Agricultural production, including avocado production, has inherently uneven demands for labour throughout the year, leading to prevailing practices to employ workers on temporary and fixed-term contracts that are inherently precarious in nature.
- **Societal gender norms and stereotypes:** Women typically assume a disproportionate share of care and household work, reducing time for paid employment and leads to an over-representation among temporary or informal workers.

## LINKAGE TO ALDI

The UNGPs and the OECD Due Diligence Guidance for Responsible Business Conduct discuss categories of attribution to impacts in terms of those that an enterprise:

1. can cause
2. can contribute to
3. can be directly linked to

As a retailer of avocados, with no direct ownership or investments in avocado producers in Peru, ALDI is not considered to directly cause or contribute to human rights impacts associated with avocado production in Peru. However, ALDI can be potentially linked to impacts and/or root causes identified in this HRIA on the basis of its action or inaction concerning specific areas of commercial activity.

Root causes of identified impacts that have a linkage to ALDI's commercial behaviour are:

- The suppliers that ALDI selects and the requirements its places on those suppliers, such as those relating to human rights due diligence or the implementation of defined social standards can have potential impacts on rightsholders in Peru.
- Frequency, volumes and timings of ALDI orders and other supermarkets that may have limited influence on working conditions.
- Transparency in pricing and the offer of price premium for products that meet higher social standards (for example, require effective implementation of a living wage at producer level) can contribute to positive change "on the ground" as well as promoting a shift in industry practices and priorities.

While most impacts identified can be linked to ALDI through supplier selection and requirements, lower relevance has been identified regarding the commercial activities of purchasing practices and price.

Many of the impacts identified through this HRIA are largely driven by root causes related to broader contextual/structural factors; for example, limitations of the Peruvian judicial system to provide for effective remedy; official corruption that affects freedom of information (in the context of commercial disputes for smallholders); or endemic risk factors related to societal gender-based violence and harassment (GBVH) affecting workers and communities.

## Relation between linkage and leverage

Within a supply chain context, the concept of linkage has close ties to the concept of leverage. For root causes, and subsequent impacts, to which ALDI is linked, ALDI generally has greater leverage to bring about change because there is a pathway connecting ALDI practices with the root cause or impact in question. However, ALDI linkage to impacts and related root causes does not determine whether ALDI should or should not take action to address a certain impact. Linkage may, however, inform the type of action that can be taken.

ALDI is committed to acting not only in areas where linkages to its activities exist, but also in areas where it can make a difference. These include through relationships with existing stakeholders and multi-stakeholder initiatives (MSIs), to address structural and/or systemic issues, and develop new relationships as necessary for issues where a collaborative approach is more relevant.

## Identified impacts with linkage

The table below displays all identified issues from the impact analysis in terms of their saliency. Each mark represents an impact finding in relation to the value chain activity (columns) and the rights category (rows). Positive impacts appear green; negative impacts appear amber, or red. Cells marked with an "X" are those impacts that are linked or potentially linked to ALDI – with one or more ALDI business activity associated with one or more ALDI business activities associated to a significant root cause of that impact.



ALDI Linkage

Negative impacts — No impact — Positive impacts

| | | Cultivation | Harvest | Smallholder production | Processing |
|---|---|---|---|---|---|
| Labour rights | Working conditions | ALDI | ALDI | ALDI | ALDI |
| | Freedom of association and collective bargaining | ALDI | ALDI | | ALDI |
| | Forced labour | | ALDI | | |
| | Child labour | | | ALDI | |
| | Non-discrimination and equal opportunities (labour) | ALDI | ALDI | | ALDI |
| | Gender-based violence and harassment (GBVH) in the workplace | ALDI | ALDI | ALDI | ALDI |
| | Availability and accessibility of workplace grievance mechanism | ALDI | ALDI | | ALDI |
| Civil & political rights | Right to life/physical integrity | ALDI | ALDI | | |
| | Freedom of information and anti-corruption | ALDI | | | |
| | Freedom of expression, assembly and association (civil/political) | | | | |
| Economic & social rights | Right to adequate standard of living (housing, food, water) | ALDI | | | |
| | Right to adequate standard of living (livelihoods - communities, smallholders) | ALDI | | ALDI | |
| | Right to adequate standard of living (livelihoods - workers) | ALDI | ALDI | | |
| | Right to health | ALDI | ALDI | | ALDI |
| | Land rights | | | | |
| Cross-category rights | Right to effective remedy | | | | |
| | Non-discrimination (non-labour) | | | | |

# SUMMARY & CONCLUDING REMARKS

This HRIA has been developed in response to the global Human Rights Risk Assessment conducted in 2018, which identified tropical fruit, including avocado, as a high-priority raw material with considerable human rights risks. As a result, ALDI commissioned this project to identify potential and actual human rights impacts and to understand where its leverage lies in mitigating adverse impacts (and, where possible, enhancing any positive impacts).

Through this project, ALDI was able to gain in-depth knowledge of the Peruvian avocado supply chain and identify salient impacts potentially linked to ALDI's business activities and where ALDI has leverage to initiate change. The HRIA findings help strengthen ALDI standards and due diligence, enabling ALDI to build on its commitment to mitigate, prevent and/or remedy adverse human rights impacts related to its business activities.

Key findings from the HRIA include:

1. Salient human rights impacts can be attributed to a range of root causes and drivers, including those related to structural characteristics of the export agriculture sector and the practices of key supply chain actors, the Peruvian legal and governance framework, and other social and environmental contextual factors (including poverty, gender norms, and water scarcity).

2. ALDI linkage to root causes and impacts is mostly related to how ALDI selects and manages its relationships with suppliers, which in turn can influence the practices of supply chain partners in Peru. There are fewer potential linkages via purchasing practices and price in the case of Peruvian avocados.

3. Some of the most salient impacts are related to labour rights and working conditions, including impacts related to employment terms and conditions, freedom of association, non-discrimination, and concerning workplace grievances. Adverse impacts associated with labour rights and working conditions are assessed as potentially salient across all supply chain activities.

4. Although avocado production provides an important source of income and contributes to livelihoods for many workers in Peru, there remain adverse livelihood impacts on some workers related to low and/or irregular wages and income.

5. There are also potential adverse impacts on smallholder livelihoods due to their vulnerable position in the export value chain.

6. There are also salient impacts related to civil and political rights, primarily associated with adverse rights impacts in the context of public protests and other disputes around large scale export agricultural projects (including those involving avocado production).

7. Avocado production, as with other export agriculture activities, may also be associated with adverse impacts on the standard of living for local communities, primarily related to water access.

ALDI's 2030 Vision is to "make sustainability affordable for all its customers" and bring responsibly sourced products into every household. This can only be achieved by seeking to understand the challenges that the workers and rightsholders in its supply chains face and identify ways to respect their human rights and improve their living and working conditions.

Working in complex supply chains is challenging and collaboration is key. Many of ALDI's future actions will be achieved by improving relationships with existing stakeholders and multi stakeholder initiatives or developing new relationships.

ALDI is committed to acting not only in areas where linkages to its activities exist, but also in areas where it can make a difference. The development of a Human Rights Action Plan detailing time-bound, strategic measures to mitigate the most salient impacts in the supply chain, while acknowledging the prevalence of contextual and regulatory challenges, is critical.

The ALDI SÜD Group would like to thank Ergon Associates, ALDI suppliers and all the other stakeholders and rightsholders who took part in this impact assessment. ALDI would not be able to increase its own knowledge or identify the needed actions without their open and honest contribution.



# HUMAN RIGHTS ACTION PLAN

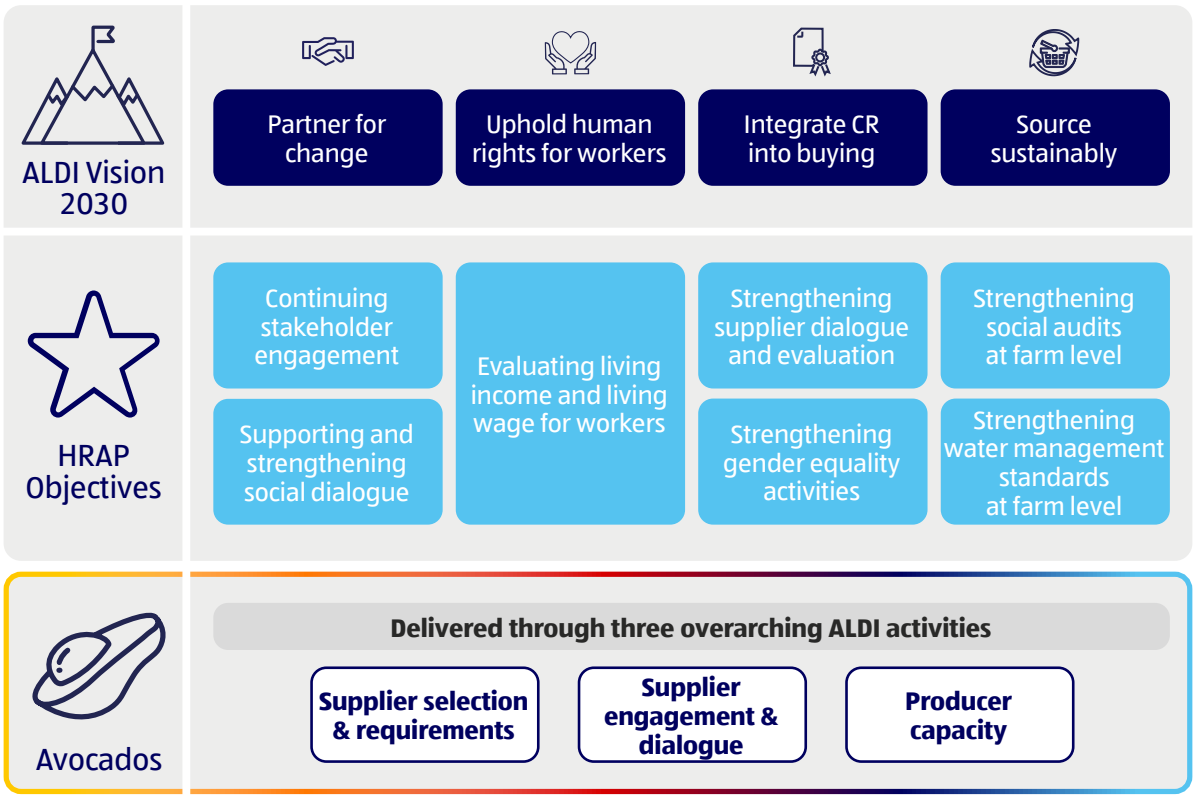
Building on the HRIA's pivotal insights, this section sets out concrete actions, independently developed by ALDI to mitigate and/or prevent the most significant negative impacts identified within the Peruvian avocado supply chain. The Human Rights Action Plan (HRAP) is based on Ergon's detailed findings and their recommended measures, attributed to the following focus areas:

- Supplier selection and requirements.
- Supplier engagement and dialogue.
- Producer capacity.

For significant and enduring change, it is the identified root causes that should be addressed. The outlined objectives focus on tackling the root causes linked to ALDI activities, as this is where ALDI has the greatest leverage. This also includes collaborative action, which can increase ALDI's sphere of influence, to tackle those impacts and root causes, where ALDI's influence as a single retailer is more limited. Each objective in the HRAP addresses a number of root causes that, in many cases, contribute to potential or actual impacts on multiple different rights categories and/or rightsholders.

Finally, it is important to note, that ALDI does not see the HRAP as a static set of aspirations. ALDI is committed to continuously evaluate the effectiveness of the measures taken and amend the Action Plan when new insights become available. The key measures presented in the HRAP either adapt existing activities or develop new activities that can contribute to mitigating and/or prevent adverse impacts or enhancing positive impacts along the Peruvian avocado supply chain.

## ALDI's International CR Strategy supports the implementation of the Human Rights Action Plan



| **OBJECTIVE: Continuing and intensifying stakeholder engagement** | |
|---|---|
| Root causes addressed/Rights categories impacted: | |
| Cross-cutting:<br>• Raising awareness of rights and standards.<br>• Ensuring actions are targeted and impactful. | |
| Key measures: | Timeline: |
| • Translation of HRIA key findings and Action Plan to Spanish and share the results with involved stakeholders. | 2022 |
| • Collaborative review and refinement of action plan with selected stakeholders. | 2022 |

| **OBJECTIVE: Strengthening supplier dialogue and evaluation during tendering and contract delivery** | |
|---|---|
| Root causes addressed: | Rights categories impacted: |
| • Limited producer capacity to implement standards and promote good practice.<br>• Lack of capacity in trade unions.<br>• Anti-union attitudes among management.<br>• Weak enforcement capacity by the labour inspectorate. | • Multiple impacts, especially those requiring proactive initiatives or programmes to address limited producer capacity (e.g. worker livelihoods, non-discrimination, and gender-based violence and harassment, smallholder livelihoods).<br>• Freedom of association and collective bargaining. |
| Key measures: | Timeline: |
| • Share findings of HRIA with first tier avocado suppliers and strengthen periodic dialogue with suppliers on the issues and impacts identified through the HRIA. | 2022 |
| • Identify existing supplier and producer good practices and evaluate opportunities for support. | Start: 2022 |
| • Raise awareness among suppliers of upcoming CR Supplier Evaluation (CRSE) processes and long-term CR expectations.<br>• Identify support options, including guidance, to help suppliers meet requirements. | Start: 2022 |
| • Pilot and subsequent CRSE roll-out to avocado suppliers, including on farm assessments focusing on areas such as: effective worker representation and grievance mechanisms. | Start: 2022 |
| • Continue and further strengthen the identification and awareness of relevant human rights issues regularly within supplier meetings. | Start: 2022 |
| • Follow up on farm assessments based on risks. | Start: 2022 |

| **OBJECTIVE: Evaluating living income and living wage for workers** | |
|---|---|
| Root causes addressed: | Rights categories impacted: |
| • Limited producer capacity to implement standards and promote good practice (on living wage).<br>• Poverty, economic inequality, labour market deficits (including inter-regional differences). | • Adequate standard of living (livelihoods – workers and smallholders). |
| Key measures: | Timeline: |
| • Gather gender-aggregated wage data in avocado production utilising farm assessments and compare against living wage benchmarks. | Start: 2022 |

| **OBJECTIVE: Supporting and strengthening social dialogue in Peru** | |
|---|---|
| Root causes addressed: | Rights categories impacted: |
| • Lack of capacity in trade unions.<br>• Anti-union attitudes among producer/processing management.<br>• Limited producer capacity to implement standards and promote good practice (with potential positive effects on impacts related to other root causes).<br>• High levels of social conflict. | • Freedom of association and collective bargaining (and multiple impacts arising from or exacerbated by lack of effective social dialogue, such as working conditions, worker livelihoods, freedom of expression and assembly, etc). |
| Key measures: | Timeline: |
| • Participate and support the ETI/Mondiaal FNV Fruits of Peruvian Dialogue programme, including continued dialogue with suppliers to help facilitate a sectoral approach. | Ongoing |

| **OBJECTIVE: Strengthening gender equality activities** | |
|---|---|
| Root causes addressed: | Rights categories impacted: |
| • Limited producer capacity to implement standards and promote good practice (with potential positive effects on impacts related to other root causes).<br>• Societal gender norms.<br>• Poverty and economic inequality. | • Working conditions (including Operational Health and Safety).<br>• Non-discrimination and equal opportunities and gender-based violence and harassment (GBVH).<br>• Adequate standard of living (worker livelihoods). |
| Key measures: | Timeline: |
| • Publish a policy for gender equality in supply chains, specifically on expectations regarding gender equality, non-discrimination, and GBVH. | Accomplished |
| • Utilise the International Policy on Gender Equality in ALDI's Supply Chains to raise awareness among suppliers on gender issues and to collect and share best practices of suppliers (e.g. gender sensitive health and safety provisions). | Start: 2022 |
| • Evaluate further incorporation of gender equality criteria in ALDI's CR Supplier Evaluation (CRSE). | 2022 |
| • Gather and analyse gender-specific data down to production/farm levels as part of our ALDI Producer Assessments (APA). | 2023 |

| **OBJECTIVE: Strengthening social audits at farm level** | |
|---|---|
| Root causes addressed: | Rights categories impacted: |
| • Limited producer capacity to implement standards and promote good practice (with potential positive effects on impacts related to other root causes).<br>• Societal gender norms.<br>• Lack of capacity in trade unions.<br>• Anti-union attitudes among management.<br>• Labour market informality (to the extent that more effective grievance mechanisms can incorporate informal workers). | • Accessibility and effectiveness of workplace grievance mechanisms (including access for non-employee workers of on-site service providers).<br>• Non-discrimination and gender-based violence and harassment (GBVH).<br>• Multiple impacts related to working conditions and labour rights (for which grievance mechanisms provide potential means of remedy). |

| Key measures: | Timeline: |
|---|---|
| • Review social standards and identify best practice on effective workplace grievance mechanisms verification and their extension to all workers on-site (including service providers). | 2022 |
| • Conduct regular review of standard schemes including criteria on human rights and assurance processes. | Ongoing |
| • Engage with standard scheme holders to further improve the standard schemes. | Ongoing |

**OBJECTIVE: Strengthening water management standards at farm level**

| Root causes addressed: | Rights categories impacted: |
|---|---|
| • Limited producer capacity to implement standards and promote good practice.<br>• High demand for water (in context of water scarcity).<br>• Climate and topography (water scarcity).<br>• High levels of social conflict. | • Multiple impacts related to water access/use (including community livelihoods) and impacts related to protests or disputes around water issues (freedom of information, expression/assembly, right to remedy, etc). |

| Key measures: | Timeline: |
|---|---|
| • Analyse outcomes of responsible water management requirements in consultation with suppliers/growers and standard schemes and other relevant stakeholders as applicable to support a scaling of good water management practices. | 2023 |



# ANNEX

## SELECTED KEY SOURCES


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