

Superlist Social 2023

Which supermarket prioritises human rights?

Netherlands, edition 1

SUPER
LIST 

Content

Summary	4
Preface	6
Introduction	7
Transparency and accountability	8
Workers	12
Small-scale farmers	16
Gender	20
Recommendations	
Recommendations for all supermarkets	25
Albert Heijn – average	26
Aldi – average	26
Dirk - laggard	27
Ekoplaza – average	27
Jumbo – average	28
Lidl - forerunner	28
PLUS - laggard	29
References	30

SUMMARY

Supermarkets have yet to properly safeguard human rights in food production chains

No supermarket shows far-reaching measures for respecting human rights in their supply chains. Supermarkets do have policies and they are gaining a better understanding of where the risks of child labour, discrimination and exploitation occur. But concrete actions by supermarkets to respect the rights of workers, farmers and women remain largely absent. Lidl leads the way in the Superlist Social rankings, followed by Albert Heijn, Ekoplaza, Aldi samenvatting and Jumbo in the middle and PLUS and Dirk are the laggards.

Ranking Superlist Social 2023

Which supermarkets take the lead in safeguarding human rights?

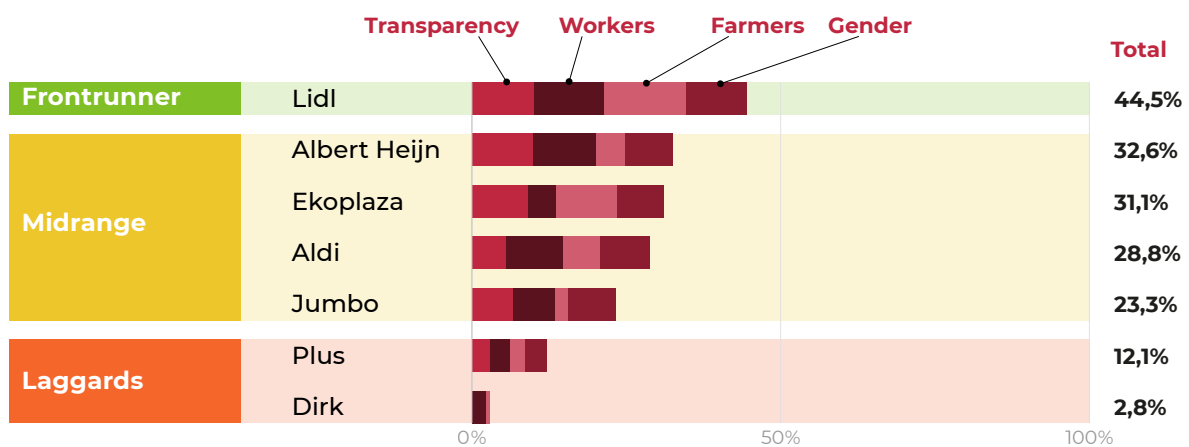


Figure 1. Ranking of supermarkets in Superlist Social, with total score and supermarkets' performance on the individual issues transparency, workers, farmers and gender.

SUMMARY

Supermarkets have a lot of steps to take

Food producers often have little say in the sourcing conditions at supermarkets. No supermarket is transparent about the distribution of value or participation in the chain, or takes steps to make this distribution fairer. Company-wide risk analyses give supermarkets insight into the risks of human rights violations in the chains. Supermarkets hardly follow this up by conducting (proper) in-depth human rights impact assessments in these risk chains. For instance, they do not make clear in reports whether farmers' unions, farmers' cooperatives and workers themselves are involved in the research. Also, the assessments often do not include an action plan.

Some initiatives show opportunities

This research also uncovered several good examples that show how supermarkets can indeed take steps to make a positive contribution. For example, all supermarkets are taking some action to ensure that workers in the banana chain are paid a living wage. Supermarkets also recognise the need to support small-scale farmers. Some living income projects, especially in the cocoa sector, show potential and opportunities for further expansion. However, these initiatives are limited to only a few chains like cocoa and bananas, and are hardly applied yet in other chains, where such an approach is also badly needed.

About Superlist Social

Superlist Social is an initiative of Questionmark's think tank, supported by Oxfam Novib and Solidaridad. The project builds on Oxfam Novib's research since 2018 into the role of supermarkets in protecting human rights in supply chains. Superlist Social is part of the wider Superlist research programme, in which Questionmark researches and uncovers the contribution of supermarkets to a healthy and sustainable food system.

Reading guide

Supermarkets that perform well on a specific indicator within the research are marked with the icon **this counts** in the margin.

Not all the measures we come across go far enough to count in the rankings, but even the small steps in the right direction are worth noting. We mark those initiatives with the icon **good step**.

The methodology with the comparative criteria for Superlist Social is available [here](#). The data on which the scores are based are available [here](#).



this
counts



good
step

Preface



Charlotte Linnebank
Director Questionmark

“This is the first Superlist Social in the Netherlands to compare how supermarkets comply with human rights. This completes the first edition of Superlists in the Netherlands and provides insight into how Dutch supermarkets have so far committed to a healthy, sustainable and fair food system. This baseline measurement on human rights shows that supermarkets are not yet taking far-reaching measures. We know that since the arrival of international guidelines, supermarkets have drawn up policies for better safeguarding human rights in chains, but it is high time they were more transparent about this and translated commitments into practice.”

“There is still plenty of opportunity for exploitation on supermarket shelves. It was recently revealed that migrant workers in Spain picking tomatoes are living in slums. Earlier, Oxfam Novib also published about human suffering on mango plantations in Brazil and women in the Indonesian fish industry losing their jobs due to pregnancy. Meanwhile, supermarkets are making mega profits. Superlist Social shows that supermarkets are still doing too little to address such human rights violations. The commitments thatets have made in recent years, partly due to pressure fromign, need to be turned into action. This can only happen if supermarkets engage meaningfully with the people whose rights are under pressure. This report identifies some examples of what supermarkets already do well. Time for supermarkets to make a clear choice for human rights and really ban exploitation from their shelves now.”



Eline Achterberg
Human rights and business expert, Oxfam Novib



Heske Verburg
Managing Director
Solidaridad Europe

“Superlist Social shows that supermarkets are still doing too little to improve the distribution of value in the chain. Poverty is a driving force behind issues such as deforestation and child labour. A living income is necessary to effectively address sustainability in sectors such as cocoa and coffee. Supermarkets can play an important role here. We already see several hopeful initiatives at supermarkets that can be scaled up. It is now 12 years since the ratification of the OECD Guidelines. With that, it is high time for supermarkets to start identifying and investigating high-risk products across the breadth of their assortment, so that they can take measures in close cooperation with suppliers, farmers and workers.”

Introduction

Society is becoming increasingly aware of the importance of ethical and responsible business operations, including respect for human rights throughout the food production chain. However, human rights are still often under pressure in food production. Human rights violations such as child labour, workplace violence, discrimination, low wages and income have still not been eliminated.

Supermarkets bear a responsibility to implement sound policies to ensure that human rights violations in food supply chains are prevented and addressed. Since 2011, international guidelines from the United Nations (UN) and the Organisation for Economic Co-operation and Development (OECD) have required companies to establish a process to identify human rights, labour rights and environmental risks in order to then prevent, address and remedy them. These guidelines provide concrete guidance for companies to respect the rights of everyone who produces our food. The Dutch government also expects companies to subscribe to the OECD Guidelines and has pledged to enshrine this in legislation as well (House of Representatives, 2023).

What is Superlist?

Superlist is a multi-year research project that provides insight into how supermarkets help their customers eat healthy, sustainable and fair food. After an initial series of Superlist research, Questionmark compares Dutch supermarkets on their commitment to human rights in this first edition of Superlist Social. The supermarkets included in this research are Albert Heijn, Aldi, Dirk, Ekoplaza, Jumbo, Lidl and PLUS. This selection was chosen because they represent over 80 per cent of the Dutch market. Ekoplaza was added because of its explicit claim on sustainability. Superlist Social distinguishes four issues: transparency and responsibility, workers, small-scale farmers

and gender. The methodology and comparative criteria for this research were published on 15 December 2022, after consultation with supermarkets, the Scientific Council and civil society partners, among others: Oxfam Novib and Solidaridad. The data were collected by Questionmark between 15 December 2022 and 15 February 2023.

The underlying data on which the ranking is based can be viewed [here](#).

Albert Heijn, Aldi, Jumbo, Lidl and PLUS were previously assessed by Oxfam Novib in the Behind the Barcodes research¹. The method used for Superlist Social builds on this earlier research. So, these supermarkets were already familiar with the method in its old form. Dirk and Ekoplaza were included for the first time in a comparison of human rights policies.

Superlist Social allows supermarkets to compare their commitment to human rights in their food supply chains with those of their competitors and learn about good policies and practices. In this way, supermarkets can contribute to a more sustainable and fairer food system and increase their positive impact (Questionmark, 2022).

¹ See Oxfam Novib's Behind the Barcodes research.

1 Transparency and accountability

MOST NOTABLE FINDINGS

- Food producers often have little say in sourcing practices. No supermarket has policies to achieve fair value distribution.
- Five supermarkets conduct human rights impact assessments (HRIAs) in specific supply chains. However, these assessments were almost all incomplete. Only Aldi's assessments included union and NGO involvement, good problem analyses and clear action plans.
- Lidl is the most advanced in making suppliers transparent about where its products come from and in developing a grievance mechanism for chains.

How transparent are the supermarkets?

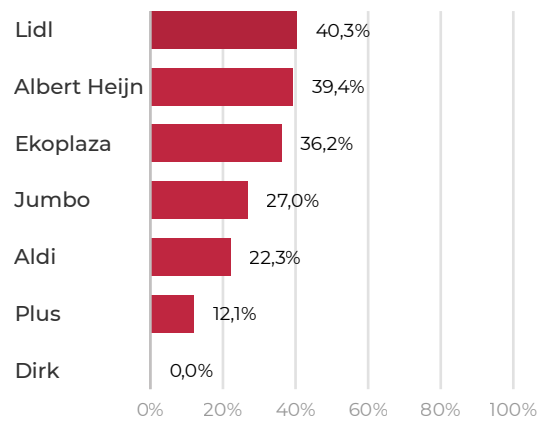


Figure 2. Supermarkets' efforts on transparency and responsibility.

Supermarket shelves contain products from all over the world. Supermarkets bear a responsibility to transparently implement responsible policies that ensure human rights violations in these supply chains are prevented and addressed.

Supermarkets are not helping producers have a say in sourcing practices

A supermarket's sourcing practices affect the extent to which human rights are respected in supply chains. Sourcing practices include agreements on various aspects, such as price negotiations, delivery terms, production

conditions and quality requirements. For a fair assortment, it is important that supermarkets translate their human rights policies into their sourcing practices. This is subject to laws such as the Unfair Trading Practices Act², as well as voluntary guidelines such as the *Ethical Trading Initiative* (ETI) directive³. Supermarkets are not transparent about how they eliminate unfair trading practices. Only **Albert Heijn** explains for each unfair trading practice how it ensures that it does not occur when buying. The other supermarkets have not clearly detailed how they eliminate unfair trading practices in the chain. **Ekoplaza** pledges in its due diligence report



² See also the government's policy on unfair trading practices.
³ Guide to buying responsibly from the Ethical Trading Initiative



to adjust its sourcing policy, but has not yet publicly published this sourcing policy. Besides eliminating unfair trading practices, a supermarket can also actively engage in fair trading practices. None of the supermarkets indicate whether and how they do this.

Food producers, including small-scale farmers, often have little control over sourcing conditions, including price and working conditions. Due to pressure from supermarkets to keep prices low, supermarkets negotiate for low product prices. Workers further down the chain then receive lower wages or are not paid overtime because of the low prices, or (small-scale) farmers have to sell their products below cost price. No supermarket can prove that their sourcing practices contribute to a fair distribution of control in the chain.

Four supermarkets conduct an annual risk analysis

Through a broad risk analysis, supermarkets can examine which supply chains are high-risk chains⁴. It is important that supermarkets conduct this risk analysis annually, to identify the problems in the chains and take action on

them. Only **Albert Heijn, Ekoplaza, Jumbo and Lidl** demonstrably conduct an annual risk analysis.

Supermarkets conduct incomplete Human Rights Impact Assessments (HRIAs).

Besides a broad risk analysis, in-depth *Human Rights Impact Assessments (HRIAs)*, are important in high-risk chains to address the most serious human rights violations. Albert Heijn, Aldi, Ekoplaza, Jumbo and Lidl have pledged to conduct and publish at least three HRIAs a year. PLUS, pledges to conduct at least one HRIA a year. This while human rights problems deserve structural attention. Dirk pledges nothing.

Albert Heijn and Jumbo have both published three HRIAs in the past year. Aldi and Ekoplaza have each published two assessments⁵. Only Aldi's assessments are complete. This is because an important part of a HRIA is the action plan, which describes how problems found are addressed and recommendations from stakeholders are followed up. Only **Aldi has published** HRIAs including action plans for its citrus chain from Spain and its tea chain from India in the past year.



Transparency and responsibility

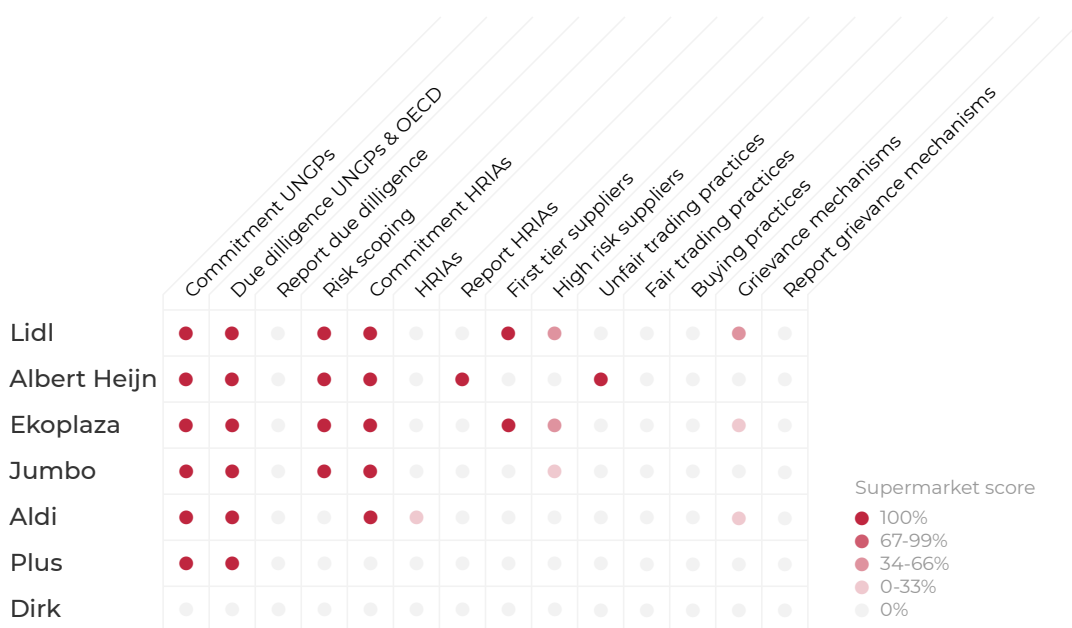


Figure 3. Distribution of efforts on transparency and responsibility between the different indicators.

4 Supply chains where workers and farmers are at high risk of human rights violations.

5 For Superlist Social, only human rights policies and reports published between 1 February 2022 and 15 February 2023 were considered. Policy and reports before 1 February 2022 were reviewed in Oxfam Novib's Behind the Barcodes.

The Albert Heijn and Jumbo HRIAs from 2022 and early 2023, on green beans from Morocco and shrimps from Vietnam, among others, do not contain action plans. In addition, these reports lack proper problem analysis. Albert Heijn's summaries, for instance, miss important problems that were identified in the assessment. For example, plastic pollution of water caused by the production of green beans appears to have serious and irreversible consequences for the local ecosystem and human and animal health, but this is barely mentioned in the summary and is classified as 'low risk'. Jumbo's assessments also miss the involvement of stakeholders such as farmers' unions and NGOs.



Finally, it is very important to know whether an action plan is followed up. **Albert Heijn** reports on follow-up actions to improve working conditions in its citrus chain in South Africa.



Lidl has published a progress report on its tea chain after the Superlist Social⁶ data collection that meets the requirements. Aldi and Jumbo describe global actions in action plans, without clearly substantiating what they are doing in the chain to improve the situation of workers, farmers or women.

Supermarkets mostly lack transparency about suppliers

Five supermarkets do not publish a complete list of suppliers. Only Ekoplaza and Lidl publish a recent overview of all first-tier suppliers⁷. Lidl also publishes most information on suppliers from high-risk areas and is therefore ahead in terms of supplier transparency. Albert Heijn and Jumbo only publish first-tier suppliers for their own branded products and Dirk and PLUS refer to their buyer Superunie. Albert Heijn, Jumbo, Dirk and PLUS all lack an indication of when this was last updated.



Especially for products from high-risk chains, it is important to know exactly where the food comes from. **Jumbo and Lidl** are ahead in this: both supermarkets have made three chains fully transparent. **Ekoplaza** deploys blockchain



technology to make the jasmine rice chain in Cambodia transparent, but does not do so for the entire rice chain. Aldi publishes only first-tier suppliers from high-risk chains, but for these chains it is important to have the entire chain in view.

Supermarkets lack proper grievance mechanisms

Grievance mechanisms are essential for understanding abuses in the chain. If workers and farmers, especially women, can submit their grievances to the supermarket or another body, the supermarket can take action to help resolve the problems. Most supermarkets have an online grievance mechanism, but this often focuses on internal grievances from supermarket staff. People working in high-risk chains often cannot access this because, for example, they do not have internet, cannot read, do not know the language or have insufficient guarantee that they can remain anonymous and protected. Especially for these people, there should be an opportunity to make grievances known.

Lidl is the only supermarket to have launched a grievance mechanism specifically for supply chains. However, this is not yet suitable for all high-risk chains. Lidl is working further on specifying the current grievance mechanism so that it can be deployed for all high-risk chains.

Aldi and Ekoplaza are also working on setting up grievance mechanisms for high-risk chains. Ekoplaza is picking this up together with trade association Bionext. This is a good example of cooperation for improvement in chains. Many of the supermarkets have been referring to the Food Covenant⁸ for several years to set up a joint grievance mechanism for high-risk chains. However, nothing is yet known about what this will look like in concrete terms.

In addition, **Lidl** is taking a good first step in reporting grievances. For instance, Lidl describes the number of grievances in 2022, the nature of these grievances and the countries from which these grievances come. Lidl in Spain has also set up a new grievance system



6 Documents published after the data collection period were not included in the research.
 7 The parties from which the supermarket buys directly. There may be several suppliers between the supermarket and the producer of the food.
 8 See: IMVO Food Covenant



for berry chain workers. This uses a hotline, and grievances can be submitted via Whatsapp in any language. No reporting is yet available on this particular grievance system, so it is still unknown whether the system works well.

Supermarkets have *due diligence* policy; reporting remains largely absent

A robust *due diligence* process helps a supermarket address human rights violations in the supply chain. As a definition of *due diligence*, we use the United Nations (UN) definition: "Taking adequate measures to identify, prevent where possible, and mitigate potential adverse human rights impacts, remediate actual impacts, and account for how these adverse human rights impacts are addressed." (UN, 2011)

All supermarkets, except Dirk, have published *due diligence* policies, based on the Organisation for Economic Cooperation and Development (OECD) Guidelines and the United Nations Guiding Principles on Business and Human Rights (UNGPs).

Albert Heijn, Jumbo and Lidl report annually on the implementation of these policies, with **Ekoplaza** reporting for the first time in 2023. Aldi and PLUS have not yet reported on the implementation of the *due diligence* policy in 2022/23.

Stakeholder engagement is an important part of *due diligence* reporting, because reporting is about the people whose rights need to be protected or the groups that represent them. No supermarket provides sufficient evidence for this. Supermarkets should involve these groups in determining how to take action to improve their conditions.



⁹ PLUS published their 2022 annual report reporting on human rights after the data collection period of Superlist Social.

2 Workers

MOST NOTABLE FINDINGS

- All supermarkets recognise that the minimum wage is often not a living wage, and is insufficient for workers to make ends meet. However, this problem -outside the banana chain- is not explored further, let alone solved.
- Only Albert Heijn, Aldi, Ekoplaza and Lidl have public labour rights policies. Countering forced labour is part of the public policy only at Albert Heijn, Aldi and Lidl.
- Only Albert Heijn and Ekoplaza publicly argue about the importance of legislation to better protect labour rights.

What do supermarkets do for workers?

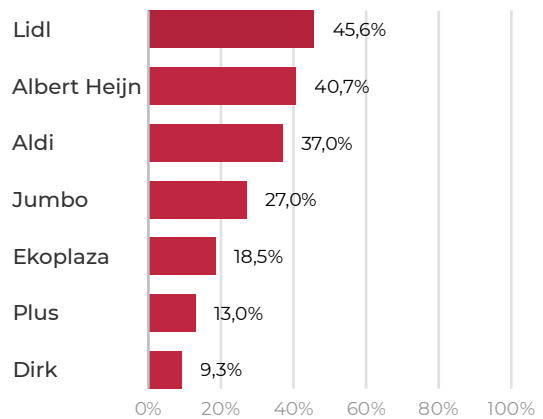


Figure 4. Supermarkets' efforts on workers rights.

Globally, 1.23 billion people work in food production and supply chains, 857 million of whom work in primary agricultural production (FAO, 2023). As a result, the food sector has great potential to contribute to living wages for workers. In reality, conditions in this sector are not always favourable for workers: long hours, little to no pay, dangerous working conditions and poor living conditions are just some examples of abuses workers face. In addition, forced or child labour is used in some chains (ILO, 2022).

Living wage initiatives show that action is possible

An important part of human rights policy is living wage. Many countries have a legal minimum wage, but this is often not enough to live decently on. All supermarkets recognise this. Superlist Social therefore speaks of a living wage: the income workers should earn to achieve a decent standard of living for themselves and their families (RVO = Netherlands Enterprise Agency, no date).

All supermarkets report on living wage in the banana chain. **Albert Heijn, Dirk, Jumbo and PLUS** publish through a joint project in the banana chain on closing the living wage gap





by 75 per cent. **Aldi and Lidl** have a joint living wage commitment in the banana chain and report on this themselves. **Ekoplaza** pledges to publish annually on the living wage gap in the banana, coffee and rice chains from 2023.

Progress in the banana chain through the various initiatives shows that supermarkets are willing to cooperate on human rights. Supermarket partnerships on living wage in bananas, and the reporting on this, are a good step that is worth ambitious following. For the future, it is important to raise the ambition to fully close the living wage gap, and to extend this initiative to other chains.

Some supermarkets have public labour rights policies

Supermarkets work with many suppliers from all over the world. It is therefore important for supermarkets to check whether workers are treated well in all countries where the supermarkets (in)directly operate and purchase. The International Labour Organisation (ILO) has drawn up standards for this, which supermarkets can use as guideline.

Albert Heijn, Aldi, Jumbo and Lidl have published labour rights policies that use ILO's fundamental standards. **Ekoplaza** has made a commitment to draft policies in line with these international standards, but these policies have not yet been published. Dirk and PLUS do not yet have a public labour rights policy in line with ILO standards, nor have they made a commitment to publish it. The public policy of their buyer Superunie is not fully in line with ILO standards.

Forced labour is one of the worst forms of human rights violation. Unfortunately, it has not yet been eliminated from supermarket food supply chains. Specific policies to prevent it are therefore needed. At **Albert Heijn, Aldi and Lidl**, combating forced labour is part of their public labour rights policies. The public labour rights policies of Jumbo, Dirk and Ekoplaza lack a clear explanation of how they combat forced labour in the chain. PLUS provides no evidence of its own commitment, but refers to the terms of Fairtrade.



Workers



Figure 5. Distribution of efforts on workers rights between the different indicators

Stakeholder engagement is not visible in labour rights policy

No supermarket sufficiently reports on the involvement of stakeholders, including workers and farmers' unions, in drafting and implementing labour rights policies. For example, reporting does not show whether supermarkets engage structurally with workers and farmers' unions and in what way stakeholder input is integrated into policy and practice. For the development and implementation of labour rights policies, input from workers and their representatives, such as farmers' unions or NGOs, is essential.

Advocating for the importance of enshrining labour rights in law is an exception

Workers' rights are often at odds with the strong competition on low prices that characterises supermarkets. Adequate protection of labour rights requires a level playing field in that area. Supermarkets can play an important role here by calling on the government to set clear frameworks.

In January 2023 **Ahold Delhaize** spoke out on the importance of European International Corporate Social Responsibility (Dutch IMVO) legislation to protect labour rights (TROUW, 2023). France and Germany already have IMVO legislation in place. The Dutch government agreed in the coalition agreement to introduce national IMVO legislation (RVO = Netherlands Enterprise Agency, 2022). **Ekoplaza** expressed positive views on developing Dutch IMVO legislation in general in February 2023. **Aldi** wrote a position paper on the importance of legislation in 2020, but has since not strengthened or followed up on this call. The other supermarkets have not spoken publicly about the importance of protecting labour rights through legislation.

Supplier support is present at some supermarkets

Supermarkets cannot impose improving working conditions as a requirement on their suppliers alone. As a powerful party in the chains, supermarkets do have an important

role in supporting suppliers. Some supermarkets report on support to suppliers, but evidence on improving working conditions is lacking. Albert Heijn, for example, reports on AH Foundation projects. These projects focus on supporting community living conditions, such as building schools. While these are good initiatives, they do not ensure structurally improved working conditions.

If supermarkets discover very serious labour rights violations and immediately stop buying from a supplier for this reason, this often actually results in a worsening situation for the workers working there. Working with the supplier to improve the situation helps the workers more. Supermarkets all pledge not to drop suppliers if abuses are found. Only Aldi and Lidl provide evidence of this. Aldi, for example, works with the supplier to improve management systems to resolve abuses faster. Lidl tries to eliminate child labour by educating partners and workers about child labour. Aldi and Lidl are making a start with these steps, but there are still big steps to take. The other supermarkets do not give concrete examples of how they contribute to improved working conditions at their suppliers.

Lidl commits to collective organising in supply chains

Collective organising in farmers' unions is a fundamental labour and human right. It can help negotiate wages, working conditions and facilities. Supermarkets recognise the importance of collective organisation, but **Lidl** is the only supermarket to have formulated a general approach to support collective organisation. For example, by making the right to collective bargaining a sourcing condition. Lidl has also signed and reports on the Freedom of Association Protocol. **Ekoplaza** pledges to draw up an action plan on this theme by 2023. **Aldi** is participating in pilot projects to support collective organising, but has not yet drawn up an action plan.





3. Small-scale farmers

MOST NOTABLE FINDINGS

- No supermarket is transparent about the current value distribution in the chain. In addition, supermarkets provide limited examples of stable sourcing relationships with small-scale farmers.
- Most supermarkets show through some examples that they support small-scale farmers. Lidl, with its Way to Go projects, shows a good first step towards supporting and collaborating with small-scale farmers.
- Supermarkets seem to be particularly committed in the cocoa sector. The various projects, on living income among others, undertaken there to support small-scale farmers show potential to apply this kind of collaboration in other chains as well.

What do supermarkets do for small-scale farmers?

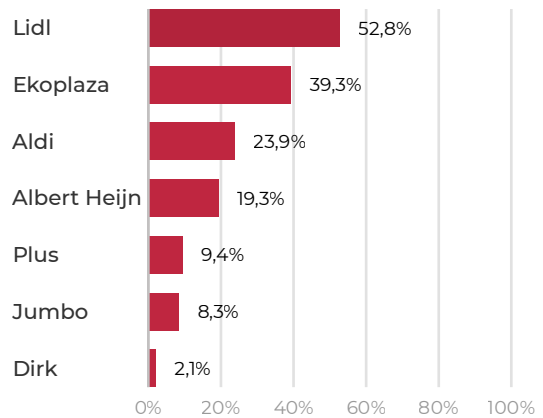


Figure 6. Supermarkets' efforts for small-scale farmers' rights.

Some of the products found in supermarkets, such as chocolate and coffee, come from small-scale farmers. Think of individuals who alone or as a community produce food on a small scale for the market and to earn a living, often using family labour. Supermarkets need to properly represent the interests of these small-scale farmers throughout the chain to ensure their resilience and prosperity and to prevent their exploitation.

Supermarkets are not transparent about value distribution in the chain

Producers should receive fair compensation for their sold products, so that production costs are covered and labour is rewarded. Moreover, profits on a sold product should be shared fairly along the chain, and not go to one or a few parties. Small-scale producers do not always have the bargaining power and resources to demand fair compensation for their products. Large-scale buyers, such as supermarkets, must ensure that these parties also receive fair compensation and a fair share of

the profits. No supermarket takes convincing action when it comes to fair value distribution in the chain.

Transparency about the distribution of value in the chain is essential here. Supermarkets are not at all transparent about the distribution of value in the chain. It is impossible to find out from any supermarket how value is distributed in the chain. Lidl is the only supermarket with a commitment to become transparent and publish an action plan on value distribution in food supply chains. Ekoplaza stresses its strong support for the *true price principle* and talks with farmers about profit distribution, but is not transparent about this.



Limited examples of stable sourcing relationships

Supermarkets should establish stable sourcing relationships with small-scale farmers wherever possible. Supermarkets should ensure fair, transparent, stable and long-term agreements with small-scale farmers. **Aldi, Ekoplaza and Lidl** have pledged to establish long-term, fair agreements with small-scale farmers. **Lidl** is



the only supermarket to report on fair agreements, with examples of fair contracts in some of their cocoa, coffee and cashew chains¹⁰.

Ekoplaza maintains direct contact with suppliers wherever possible. In the Netherlands, Ekoplaza has personal contact with farmers, and in Spain and Italy Ekoplaza has contacts who visit local farmers. By keeping the chain short, Ekoplaza says it ensures fair deals.



Five supermarkets support small-scale farmers in some specific chains

All supermarkets, except Dirk, recognise the need to support small-scale farmers. Most supermarkets also show through some examples that they support small-scale farmers.

Albert Heijn, Aldi and PLUS apply Tony's Open Chain to some of their own brand chocolate. This is an initiative by Tony's Chocolonely to make the cocoa chain more transparent and fairer. **Ekoplaza** participates in a Fairtrade reforestation project in Ecuador aimed at improving farmers' incomes through the sale of own-brand Happy Chocolate. For its Way to Go line in the cocoa, coffee, and cashew chains, **Lidl** works with Fairtrade and local cooperatives to



Small-scale farmers

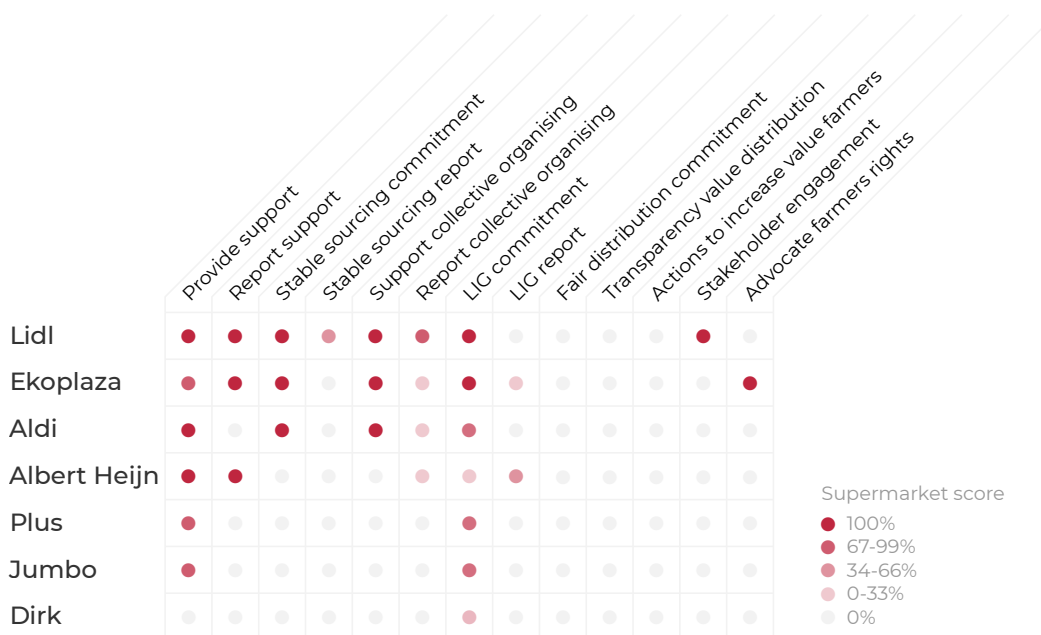


Figure 7. Distribution of efforts on small-scale farmers' rights between the different indicators.

10 Through the Way to Go initiative

improve the incomes of small-scale farmers.

Some actions to achieve a living income

Small-scale farmers are independent entrepreneurs and are not protected by a statutory minimum wage. Superlist Social therefore speaks of a living income that should constitute a minimum for small-scale farmers in supply chains: the income that small-scale farmers should earn to achieve a decent standard of living for themselves and their families. Moreover, their income should enable them to build up a buffer, and to make necessary investments.



Aldi, Ekoplaza, Jumbo, Lidl and PLUS recognise that small-scale farmers often do not earn enough to cover their basic costs. However, only **Ekoplaza and Lidl** commit to measuring and publishing the gap between actual income and living income in some chains. The other supermarkets make no clear statements on this.

There are already some actions on living income at supermarkets. As with living wage, progress is in only one food chain. For living income, that is the cocoa chain. **Albert Heijn, Dirk, Jumbo and PLUS** participate in the *Dutch Initiative on Sustainable Cocoa* (DISCO) initiative, aiming for a living income for the cocoa chain in 2030. Dirk and PLUS participate in this through purchasing organisation Superunie. **Aldi and Lidl** pay cocoa farmers a premium based on a living income, on top of the Fairtrade premium.



Only **Albert Heijn and Ekoplaza** report concrete figures on the gap between actual income and living income. For example, **Albert Heijn** reports on the gap in the cocoa chain in Ghana and Ivory Coast and **Ekoplaza** on the jasmine rice chain in Cambodia. Both supermarkets also report on progress in these chains. **Lidl** reports the difference between the market price and the price needed to achieve a living income, on which they base an additional premium. However, Lidl does not report on the



total gap between the actual and living income a small-scale farmer receives.

One supermarket advocates for the rights of small-scale farmers

Ekoplaza is the only supermarket to publicly stand up for the rights of small-scale farmers. In a call for Dutch International Corporate Social Responsibility (Dutch IMVO) legislation in *Bio Journaal*, **Ekoplaza** says: "We stand for fair food, being transparent about its origin, which comes directly and indirectly from small-scale farmers through producers. A fair price gives them a living wage with which they can invest in a healthy future. We have always taken these values for granted, but have never formulated them into official policies. For us, a first policy is a nice step in which we can grow with corporate responsibility." (*Bio Journaal*, 2023). Other supermarkets do post about small-scale farmers via social media, but in doing so they limit themselves to their own chains without a broader call for change, such as through legislation.



Collective organisation supported by half of the supermarkets

Forming farmers' cooperatives can help small-scale farmers take a stronger position in negotiating for better conditions. **Aldi, Ekoplaza and Lidl** have pledged to support the collective association of small-scale farmers.

Albert Heijn, Aldi, Ekoplaza and Lidl provide examples of actual support to collectively organise small-scale farmers, especially in the cocoa chain. **Albert Heijn and Aldi**, for example, report on progress with Tony's Open Chain. **Ekoplaza** supports a project in Ghana to, among other things, eliminate child labour in local cocoa production. **Lidl** works with farmers' cooperatives in Ghana, Honduras and Tanzania to support small-scale farmers and improve the position of women.





Stakeholder involvement is unclear in developing policies on small-scale farmers' rights

Supermarkets do not sufficiently report on the involvement of stakeholders such as small-scale farmers, organisations representing them or NGOs in drafting policies focusing on small-scale farmers' rights. For example, reports do not show whether supermarkets engage structurally with farmers and farmers' co-operatives and in what way stakeholder input is integrated into policy and practice. **Lidl** is the only supermarket to report on stakeholder engagement to improve conditions for small-scale farmers. Lidl's February 2023 Progress Update is a good example of reporting on human rights policies.



4 Gender

MOST NOTABLE FINDINGS

- Supermarkets make commitments to work on gender equality and the majority of supermarkets have established gender policies. However, targets and specific action plans for high-risk chains are lacking, and supermarkets do not report on progress.
- Only Aldi has an action plan to tackle gender-based violence.
- Dirk and PLUS show no intention to set up gender policies yet.

What do supermarkets do for gender rights?

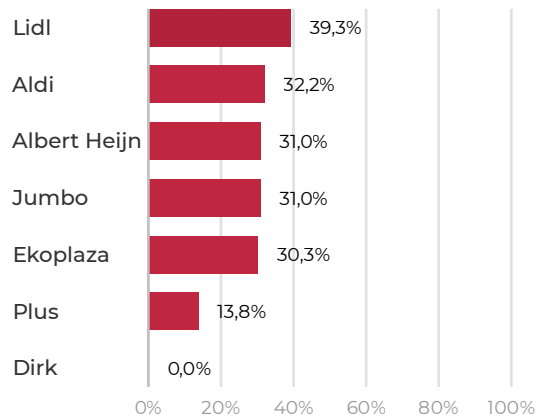


Figure 8. Supermarkets' efforts for gender rights

Women working in food supply chains often have the lowest-paid jobs and often have to fear for their safety. Workplace violence, discrimination and lower wages are examples of abuses women face worldwide. In addition to women, people from the LGBT+ community also disproportionately face discrimination in food supply chains.

The majority of supermarkets have drawn up gender policies

Albert Heijn, Aldi, Jumbo and Lidl have drawn up gender policies for their own staff and supply chains. Aldi, Jumbo and Lidl also explicitly mention the LGBT+ community in their gender policy. Ekoplaza also has a gender policy, but this policy only applies to its own staff.



Supermarkets take limited action on gender equality

Supermarkets can take several steps to promote gender equality. By gender equality, Superlist Social means the equal rights of

women and girls, LGBT+ and non-binary people to be free from gender-based discrimination and violence. Actions to promote gender equality include closing the gender pay gap, countering gender-based violence, and promoting women's membership in farmers' unions and farmers' cooperatives.



Albert Heijn, Aldi, Ekoplaza, Jumbo and Lidl recognise that women are often paid less for the same work as men. In addition, these supermarkets also make a commitment to work on closing the gender pay gap in the coming years. Dirk and PLUS do not acknowledge the existence of the gender pay gap, nor do they make a commitment to take action on it.

Only Aldi has an action plan against gender-based violence



Many workers and especially women face forms of harassment or violence at work. **Aldi** is the only supermarket with an action plan to tackle gender-based violence. This plan is still generally formulated, but is a good basis for a

specific approach per high-risk chain. **Albert Heijn, Ekoplaza, Jumbo and Lidl** pledge to publish an action plan against gender-based violence by 2023. Dirk and PLUS do not have an action plan and do not undertake to publish one.



Aldi and Lidl have overall action plans against gender inequality



Aldi and Lidl are the only supermarkets with action plans to address gender inequality. These action plans are not developed specifically for each chain and therefore do not count towards the rankings. However, these action plans do form a good basis for expansion to specific high-risk chains. **Albert Heijn and Jumbo** promised to publish action plans. Dirk, Ekoplaza and PLUS do not have action plans to address gender inequality and do not commit to publishing them either.

Some supermarkets support specific suppliers in respecting women's rights

Besides actions in their own operations to promote women's rights, supermarkets also

Gender

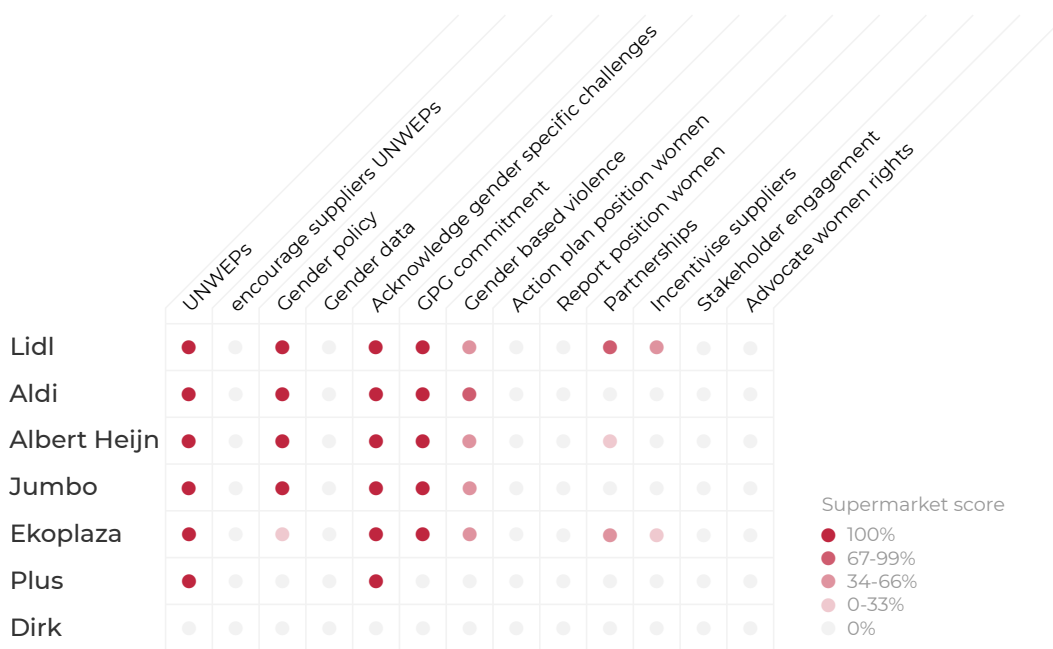


Figure 9. Distribution of efforts on gender rights between the different indicators.

have a responsibility to work in partnership with suppliers to respect women's rights and encourage them to continuously improve. Only Lidl and Ekoplaza have examples of mechanisms through which suppliers are supported to respect women's rights. For example, **Lidl** works with farmers' cooperative COMSA aimed at strengthening the role of women in coffee production in Guatemala and Honduras. **Ekoplaza** supports women in Egypt to become more independent by, for example, helping them set up their own businesses. Ekoplaza does this through a partnership with tea brand Cleo's. These specific examples are good first steps, but broad and structural actions in high-risk chains are still missing.



Specific data on gender is lacking

One step to address gender inequality is to make the problem transparent. Publishing gender-specific data¹¹ and understanding the barriers women face in supply chains is important here. No supermarket publishes gender-specific data, for example on women's wages compared to men's. **Aldi and Lidl** do pledge to publish gender-specific data for at least three high-risk chains by 2023.



Reporting on progress on gender equality fails to materialise

Lidl is the only supermarket to report annually on its progress in improving the position of women in the Way to Go coffee and cocoa chain. **Albert Heijn and Jumbo** pledge to publish human rights impact assessments specifically on the position of women in the coming years. Aldi pledges to regularly update the action plan against gender inequality with the latest developments, but has not yet done so since the action plan was published in 2021.



Supermarkets endorse gender equality principles (UNWEP)

The United Nations Women's Empowerment Principles (UNWEP) are designed for companies to support women in the workplace, labour market and community (UN, 2022). Companies sign the UNWEP to confirm that

they respect and want to implement these principles. **Albert Heijn, Aldi, Jumbo and Lidl** have signed them. **Ekoplaza and PLUS** have expressed their intention to sign.



Suppliers have an important role in chains, and so too in improving the position of women. A commitment from suppliers to adhere to UNWEP is a good start and supermarkets can encourage this. **Lidl** is the only supermarket with a concrete target on actively encouraging suppliers to sign UNWEP. However, Lidl has not yet published a comprehensive list of suppliers, so the status of progress on this objective cannot be verified. **Ekoplaza** says it will encourage suppliers to sign UNWEP by including this in their sourcing specifications. However, these sourcing specifications have not (yet) been published. Albert Heijn, Aldi and Jumbo say they do inform suppliers about the UNWEP, but concrete targets are lacking.



Supermarkets do not publicly stand up for women's rights

No supermarket publicly stands up for women's rights. Supermarkets do post about women or gender equality via social media, but in doing so, they limit themselves to describing what they are already doing themselves, whereas it is important to also engage in broader safeguarding of women's rights by addressing governments, for example.

Stakeholder involvement in women's rights policy development is lacking

No supermarket adequately reports on stakeholder engagement. For example, reporting does not reveal whether supermarkets engage structurally with women workers and small-scale farmers, women's organisations or NGOs, and in what way stakeholder input is integrated into policy and practice. For the development and implementation of gender policies, input from these stakeholders is essential.

¹¹ Data such as: wage data, number of workers with temporary or informal contracts, membership of farmers' unions or farmers' cooperatives, the share of companies in the chain with a female owner, or the share of women in low vs. high-paid positions.



Recommendations

Superlist Social aims to provide insight into which supermarkets are committed to respecting and protecting human rights in their food supply chains, and which are still lagging behind in this area. In addition, Superlist Social aims to make Dutch supermarkets aware of their responsibility to respect and protect human rights in their chains, understand where they stand and what steps they could take. After an extensive analysis of the human rights performance of several supermarkets, we drew up specific recommendations for all supermarkets and for each supermarket to help supermarkets improve their food supply chains and contribute to a more sustainable and fairer food system.

The methodology of Superlist Social consists of steps that supermarkets can take to soundly implement their human rights policies and practices. Below, we make some recommendations of important first steps that supermarkets can take to improve their human rights policies and implementation of these policies.



Recommendations for all supermarkets

- **Report annually on progress on human rights policy and its implementation.**
- **Involve stakeholders meaningfully in policy formulation and implementation, and report on it.**
Stakeholder engagement should be meaningful. This means active, regular and constructive communication with stakeholders, including clear feedback to action plans. Clearly indicate in the action plans how stakeholder input has been dealt with. Write down which issue was discussed when and with which organisation. Clearly indicate in the action plans how stakeholder input was dealt with.
- **Publish at least three human rights impact assessments every year that include at least:**
 - Cover all relevant human rights impacts in the chain;
 - Contain action plans identifying possible solutions to all the problems found in the study.
 - Meaningful stakeholder engagement.
- **Increase transparency on value distribution in the chain.**
It is not clear how value is distributed in the chain for any product at any supermarket. Publish the value distribution in supply chains, such as the share of the price each party, especially small-scale farmers, in the chain receives for the product.
- **Ensure that all people in all supply chains have access to a grievance mechanism that complies with the UNGPs.**
- **Focus here on high-risk chains.**
Grievance mechanisms should be legitimate, accessible, predictable, equal and transparent.
- **Expand existing projects and collaborations to other (high-risk) chains.**
Projects in the banana and cocoa chains, for example, show that progress on living wages and incomes is feasible.
- **Publish gender-specific data, starting with high-risk chains.**
One step to address gender inequality is to make the problem transparent. Publishing gender-specific information and understanding the barriers and human rights violations women face in supply chains is important here.

Albert Heijn - average performer



In addition to the above recommendations for all supermarkets, the further recommendations for Albert Heijn are:

→ **Report annually on the follow-up of human rights impact assessments already carried out.**

Reporting on actions in the citrus chain in South Africa is a good example. Make this a standard practice for all high-risk chains for which HRIAs have been conducted, and continue to follow up annually.

→ **Increase transparency on suppliers.**

Indicate when the world map of first-tier suppliers was last updated and do so at least annually. In addition, work on publishing all levels of suppliers from high-risk countries.

→ **Supplement sourcing practices with a public commitment to never negotiate a price below the cost of production.**

At a minimum, this should include paying a living wage/income and the costs associated with sustainable production.

Aldi - average performer



In addition to the above recommendations for all supermarkets, the further recommendations for Aldi are:

→ **Publish at least three human rights impact assessments every year.** The two assessments published in 2022 are content-wise. Conduct similar assessments in other high-risk chains.

→ **Report annually on the follow-up of human rights impact assessments already carried out.**

The action plans of the HRIAs on tea and citrus are in order, but for the future it is important to know whether these actions are actually implemented and to what extent they contribute to improving working conditions in these chains. This can be done, for instance, through a due diligence report, separate from the biennial sustainability reports.

→ **Increase transparency on suppliers.**

Start by publishing all first-tier suppliers and update this list annually. In addition, make a commitment to publish all levels of suppliers of high-risk chains within two years. The commitment of publishing six high-risk chains by 2027 is too far in the future.

Dirk - laggard



In addition to the above recommendations for all supermarkets, the further recommendations for Dirk are:

- **Publish human rights policies in line with UNGPs and OECD Guidelines for all supply chains.**
- **Issue reports on the actions already underway in the supply chains, so that this can be understood by third parties.**
- **Work with buyer Superunie on improved human rights policy.**

Dirk purchases a large part of its range through Superunie. Dirk must ensure that human rights are also guaranteed in that part of the assortment. For this, Dirk could ensure a number of issues within Superunie, especially issues directly related to

suppliers, such as: transparency, ensuring ILO standards in supplier contracts, eliminating unfair trading practices and setting up a grievances mechanism. Together, Dirk and Superunie (possibly with more partners) can work on supporting suppliers, understanding the risks, human rights impact assessments and action plans, and engaging with stakeholders.

Ekoplaza - average performer



In addition to the above recommendations for all supermarkets, the further recommendations for Ekoplaza are:

- **Follow up on commitments made.**
Ekoplaza has laid a good foundation for its human rights policy in its first due diligence report. In the report, Ekoplaza pledges to publish its sourcing policy, labour rights policy, gender policy and various action plans, among others, in line with the conditions set.
- **Publish concrete figures on living wage and income.**

Ekoplaza talks about paying fair prices to producers, so that they can work in an environmentally and animal-friendly way and have a sustainable livelihood. It is important here that Ekoplaza also publishes the living wage/income benchmark for relevant region calculated according to

a recognised standard. Without precise information about the price Ekoplaza pays and how this price compares to living wage or income, it is difficult to find out whether this price is really fair.

- **Increase transparency on high-risk suppliers.**

Publishing all layers of the banana chain is a good start. Expand this to more high-risk chains.



Jumbo - average performer

In addition to the above recommendations for all supermarkets, the further recommendations for Jumbo are:

→ **Report annually on the follow-up of human rights impact assessments already carried out.**

For the future, it is important to know whether actions are actually implemented and to what extent they contribute to improving working conditions in high-risk chains.

→ **Increase transparency on suppliers.**

Indicate when the world map of first-tier suppliers was last updated and do so at least annually. In addition, work on publishing all levels of suppliers from high-risk countries.

→ **Supplement sourcing practices with a public commitment to never negotiate a price below the cost of production.**

At a minimum, this should include paying a living wage/income and the costs associated with sustainable production.

Lidl - forerunner



In addition to the above recommendations for all supermarkets, the further recommendations for Lidl are:

→ **Expand the Way to Go initiative to multiple (high-risk) chains.**

The Way to Go initiative in three high-risk chains is a good start, but there are still many opportunities to apply it more widely.

→ **Make sourcing practices publicly available.**

Lidl's Sustainable Sourcing Policy is a central part of all contracts Lidl enters into with business partners. However, this Sustainable Sourcing Policy is not publicly available and it is therefore not possible to find out whether Lidl applies fair sourcing practices.

→ **Publish concrete figures on living wage and income.**

Lidl speaks of an additional premium on its Way to Go products, which supplements to a living wage or income. It is important that Lidl also publishes the living wage/income benchmark for relevant region calculated according to a recognised standard. Without precise information on the price Lidl pays and how this price compares to living wage or income, it is difficult to ascertain whether this price is truly fair.

PLUS - Iaggard



In addition to the above recommendations for all supermarkets, the further recommendations for PLUS:

→ **Report clearly on PLUS' role in ongoing initiatives with Fairtrade, where human rights compliance is concerned.**

It is unclear in current reporting what PLUS' role is in the initiatives with partner Fairtrade regarding human rights.

→ **Increase transparency on suppliers.**

Publish a list of first-tier suppliers and update it at least annually. In addition, work on publishing all levels of suppliers from high-risk countries.

→ **Work with buyer Superunie on improved human rights policy.**

PLUS buys a large part of its range through Superunie. PLUS must ensure that human rights are also safeguarded in that part

of the assortment. PLUS could ensure a number of issues for this within the Superunie context, especially issues directly related to suppliers, such as: transparency, ensuring ILO standards in supplier contracts, eliminating unfair trading practices and setting up a grievances mechanism. Together, PLUS and Superunie (possibly with more partners) can work on supporting suppliers, understanding risks, human rights impact assessments and action plans, and engaging with stakeholders.

References

Bio Journaal, 2023. 'Ekoplaza welcomes Dutch IMVO legislation'. Bio Journaal. 14 February 2023. <https://www.biojournaal.nl/article/9503466/ekoplaza-juicht-nederlandse-imvo-wetgeving-toe/>

FAO, 2023. 'Almost Half the World's Population Lives in Households Linked to Agrifood Systems'. Newsroom. FAO. 3 April 2023. <https://www.fao.org/newsroom/detail/almost-half-the-world-s-population-lives-in-households-linked-to-agrifood-systems/en>

ILO, 2022. Global Estimates of Modern Slavery : Forced Labour and Forced Marriage. ILO. International Labour Office. <https://doi.org/10.54394/CHUI5986>

Questionmark, 2022. 'Superlist Research Framework'. Haan, Gustaaf, Willem van Engen, Deborah Winkel, and Charlotte Linnebank. Questionmark

RVO, 2022. 'IMVO laws and mandatory due diligence rules'. RVO.nl. RVO. 19 September 2022. <https://www.rvo.nl/onderwerpen/imvo-wetten-en-regels>

RVO, s.d. 'Living income is a way out of poverty'. RFO.co.uk. RVO. Accessed 8 May 2023. <https://www.rvo.nl/onderwerpen/leefbaar-loon>

TROUW and Mulder, 2023. 'In Germany, corporate responsibility is mandatory. Will the Netherlands follow?' Wed. TROUW, and Jelmer Mulder. 17 January 2023. <https://www.trouw.nl/duurzaamheid-economie/in-duitsland-is-verantwoord-ondernemen-verplicht-volgt-nederland~b830fc16/>

House of Representatives, 2023. 'Proposal of law by members Van der Graaf, Jasper van Dijk, Thijssen, Van der Lee, Hammelburg and Boutkan containing rules for due diligence in value chains to counter human rights and environmental violations in the conduct of foreign trade (International Corporate Social Responsibility Act)'. Text. House of Representatives. 22 March 2023. <https://www.tweedekamer.nl/kamerstukken/wetsvoorstellen/detail>

UN, 2011. 'HUMAN RIGHTS DUE DILIGENCE : UN Guiding Principles Reporting Framework'. UN. 2011. <https://www.ungpreporting.org/glossary/human-rights-due-diligence/>

UN, 2022. 'Endorse the Women's Empowerment Principles | UN Global Compact'. UN. 2022. <https://www.unglobalcompact.org/take-action/action/womens-principles>

Colophon

Superlist Social the Netherlands

Edition 1, May 2023

Initiative and implementation

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This research is an initiative of Questionmark's think tank, supported by Oxfam Novib and Solidaridad



OXFAM Novib

Solidaridad

Version

1.0 - May 2023

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Questionmark (2023), Superlist Social 2023: Which supermarket has an eye for human rights?

Amsterdam: Questionmark Foundation.

<https://www.thequestionmark.org/download/superlijst-report-social-2023-v1.0.en.pdf>