



TO THE LAST DROP

Water and human rights impacts of the agro export industry in Ica, Peru: the responsibility of buyers

Report #92

**SWED
WATCH**

Swedwatch is an independent not-for-profit organisation that conducts in-depth research on the impacts of businesses on human rights and the environment. The aim of the organisation is to contribute towards reduced poverty and sustainable social and environmental development through research, encouraging best practice, knowledge-sharing and dialogue. Swedwatch has six member organisations: Afrikagrupperna, the Church of Sweden, Diakonia, Fair Action, Solidarity Sweden-Latin America and the Swedish Society for Nature Conservation. This report, which can be downloaded at www.swedwatch.org, is authored by Swedwatch. The report was initiated by Diakonia and has been conducted together with Diakonia and Diakonia's partner CODEHICA in Peru. Diakonia and CODEHICA stand behind the report and have participated in developing its recommendations.



Author: Malena Wåhlin
Cover photo: Malena Wåhlin
Photos: Malena Wåhlin, Silvano Guerrero
Illustrations: Daniel Fagerström
Layout: Åse Bengtsson Helin
Publisher: Alice Blondel
Published: 13th of November 2018
ISBN: 978-91-88141-25-5

This report has been financed by the Government of Sweden. Responsibility for the content lies entirely with the creator. The Government of Sweden does not necessarily share the expressed views and interpretations.



Table of contents

Executive summary	4
Recommendations.....	6
1. Introduction	7
Methodology	8
Global agreements and the right to water.....	9
2. Background.....	14
Water and climate change in Peru	14
The Ica valley: expansion of the agro export sector.....	16
Effects on water supply	17
3. Swedwatch’s investigation in Peru	22
Regulation and oversight	22
Health and access to clean water	23
Livelihood of small-scale farmers	26
Conflicts and human rights defenders	29
Indigenous peoples at risk.....	33
Impacts on labour rights	38
Impacts on children.....	42
Response of the Peruvian exporters.....	43
4. Human rights and companies’ responsibility	46
5. Performance of Swedish companies buying asparagus from Ica.....	55
The retailers	55
The wholesalers	57
The importers	58
6. Analysis and conclusions	60
Appendix.....	64
Bibliography	72
Endnotes	76

List of Abbreviations

ADEX	Asociación de Exportadores (Association of Exporters)
ANA	Autoridad Nacional De Agua (Peru's National Water Authority)
AGAP	Association of Peruvian Agrarian Producers Guilds
CODEHICA	Comisión de Derechos Humanos de Ica
FPIC	Free, Prior and Informed Consent
HRD	Human Rights Defender
HRDD	Human Rights Due Diligence
HRWS	Human Rights to Water and Sanitation
OECD	Organisation for Economic Co-operation and Development
SDGs	Sustainable Development Goals
SIWI	Stockholm International Water Institute
UNDP	UN Development Programme
UNGPs	UN Guiding Principles on Business and Human Rights

Executive summary

For several years, the World Economic Forum has rated water crises among its top ten global risks in terms of impact, alongside weapons of mass destruction, climate change and the outbreak of infectious diseases. Water scarcity is predicted to increase with climate change and it is already affecting 40 percent of the world's population.¹ Accordingly, wise water management has been identified as one of the keys to fulfil the goals of the Paris Agreement, aiming to keep the rise in global temperatures this century well below 2°C and pursue efforts for 1.5°C.²

Agriculture consumes approximately 70 percent of the world's freshwater, making it the principal user of freshwater supplies.³ This entails a responsibility among businesses operating in the sector to address water scarcity and its subsequent human rights risks. However, while many companies address water-related risks that may affect profitability, related human rights risks are often overlooked. In this report, Swedwatch presents findings from an investigation on the water-related human rights risks associated with the production of agricultural goods. It focuses on the Ica valley in Peru and analyses how these risks are addressed by seven Swedish companies buying fresh vegetables, such as green asparagus, from the area.

Despite being one of South America's most water-stressed countries, Peru is a leading asparagus exporter. While a surge in demand for the water-consuming crop has boosted economic growth and job creation in the country's agro export sector during the last decade, increased pressure on freshwater resources has led to an acute water crisis for local communities. In the Ica valley, the agricultural sector, largely dominated by large-scale export agriculture, accounts for over 90 percent of yearly groundwater extraction while the local population in some areas only have access to water for a few hours a week. Lack of access to water is a violation of a fundamental human right and impacts on the realisation of a wide range of other rights, such as the right to food, health and an adequate standard of living (see page 7 and 8).

Swedwatch's investigation in Peru shows that water scarcity has many severe implications for local communities in the Ica valley. The lack of water and poor water quality cause health problems such as diarrheal diseases and anaemia. Increased competition over water has led to violent conflicts and human rights defenders reporting on the issue have faced threats and other forms of retaliation. Small-scale farmers are forced to leave their lands due to drying wells and lack of irrigation, while effective grievance mechanisms and an inclusive dialogue with affected rights holders on human rights impacts is non-prevalent (see Chapter 3. Swedwatch's investigation in Peru, page 19-24).

While water-related impacts are particularly severe, the agro export sector in the Ica valley also adversely impacts labour rights, women's rights and the rights of children. Though working conditions at exporting farms have improved during the past ten years, Swedwatch research findings indicate that severe labour rights violations still exist. According to interviewees, unfair dismissals are common and the few existing labour unions report widespread harassments against members and their families. Lack of childcare facilities forces workers to leave young children in the care of older siblings, and lack of living wages contributes to health-related problems and poor nutrition among the children of farm workers (see Chapter 3. Swedwatch's investigation in Peru, page 30). When asked to comment on Swedwatch's findings, the Peruvian industry association, Association of Agricultural Producers Guild of Peru (AGAP) expressed disagreement with Swedwatch's perspective and underlined the agro export sector's contribution to poverty alleviation and provision of formal employment.

Based on the UN Guiding Principles on Business and Human Rights (UNGPs) and the OECD-FAO Guidance on Responsible Agricultural Supply Chains, the report scrutinises the responsibility of buyers of agricultural products from Ica and the compliance with guidelines by the seven Swedish companies: retailers ICA, Axfood and Coop, wholesalers Martin & Servera and Menigo and importers Everfresh and Ewerman. The report concludes that the companies' follow-up of their suppliers' compliance with human rights requirements is lacking and that they need to strengthen their processes for human rights due diligence (HRDD). HRDD must include consultation with all groups of affected rights holders in order to capture the full range of human rights impacts. At present, the companies buying vegetables from the Ica valley miss many water-related impacts on human rights and none of the companies scrutinised have been able to show adequate or sufficient processes in place to live up to the basic requirements of HRDD, as stated in the UNGPs (see Chapter 5. Response of the companies buying from the Ica valley, page 38-41, and Chapter 6. Analysis and conclusions, page 42).

In Ica, negative impacts of the agro export companies are linked to the whole sector. Companies that are buyers of fruits and vegetables from the Ica valley should therefore use their leverage to address these issues in joint collaboration with business peers and other stakeholders in order to comply with international guidelines and apply responsible business conduct throughout the supply chain. Addressing the human rights impacts identified in this report is fundamental for contributing to the fulfilment of the Sustainable Development Goals, agreed on by world leaders in 2015, particularly SDG 6 aimed at ensuring access to clean water and sanitation for all.⁴

Recommendations

To all companies that are buyers of fruits and vegetables:

- In line with the UN Guiding Principles on Business and Human Rights and the OECD-FAO Guidance on Responsible Agricultural Supply Chains, conduct, and require suppliers to conduct, human rights due diligence to identify risks and address any impacts that the business may have caused or contributed to. Establish effective grievance mechanisms for potentially affected rights holders.
- Ensure the identification and address of water-related human rights impacts when sourcing from high-risk areas. This should include considerations on availability, accessibility, quality and safety, acceptability and affordability of water for all potentially affected rights holders. When identifying risks and addressing impacts, vulnerable and marginalised groups should be prioritised, and cumulative impacts of the sector should be taken into account.
- Set clear expectations regarding the respect of the human right to water in contracts with suppliers and establish adequate processes for monitoring compliance.
- Given the worsening situation for human rights defenders reporting on agribusiness; adopt and implement a strategy on human rights defenders and include stipulations in requirements for suppliers. Take active steps to help ensure that human rights defenders can carry out their work and activities without fear of retaliation.

To all companies that are buyers of fruits and vegetables from the Ica valley:

- Urgently seek to address water-scarcity in the region and its associated human rights impacts on health and access to water. Leverage should be increased through joint collaboration with business peers and other stakeholders.
- In line with the UN Guiding Principles on Business and Human Rights and the OECD-FAO Guidance on Responsible Agricultural Supply Chains, conduct an extensive assessment of human rights impacts related to agricultural products from the Ica valley in order to fully determine the scale, scope and character of impacts.
- Contribute to the establishment of an inclusive dialogue between all stakeholders on the human rights and environmental impacts related to the sector, and help ensure that human rights defenders can participate without fear of retaliation.

To the Governments of EU member states and Peru:

- Ensure that companies conduct HRDD on their operations, supply chains and investments in accordance with the UN Guiding Principles on Business and Human Rights, especially in countries and sectors with a high risk of human rights violations.

- Improve access to effective grievance mechanisms for victims of business-related human rights abuse and ensure that human rights defenders reporting on such abuse can carry out their work safely and without fear of retaliation. This should be prioritised in National Action Plans on Business and Human Rights, which should be developed in consultation with civil society and potentially affected stakeholders.

1. Introduction

Although the United Nations (UN) has recognised water as a fundamental human right since 2010⁵, over 650 million people lack access to clean drinking water globally.⁶ Water scarcity is predicted to increase with climate change and is already affecting 40 percent of the world's population.⁷ Lack of access to water impacts a wide range of other human rights such as the right to food, health and a decent living standard.⁸ Addressing lack of access to water is therefore a fundamental part of reaching the Sustainable Development Goals (SDGs), agreed on by world leaders in 2015.⁹

Businesses that are major water users in water scarce areas, have a clear responsibility and an important role to play in addressing water-related human rights challenges. According to the Carbon Disclosure Project (CDP), a non-profit that helps companies measure their environmental impacts, many companies have identified lack of water as a threat to the growth and viability of their business.¹⁰ However, many have not yet assessed the water-related impacts their business operations may have on surrounding communities' human rights.

According to the Organisation for Economic Co-operation and Development (OECD), farming accounts for 70 percent of water-use in the world and competition over water is rising.¹¹ While helping ensure access to food, the international food sector has been found to be depleting water sources faster than they are naturally replenished. This is reflected in the fact that fruits and vegetables imported to the European Union (EU) are often grown in water-scarce areas where the production competes with the local population for water.¹² Fresh green asparagus imported from Peru is one such example and the focus of this report.

Peru is one of South America's most water-stressed countries and highly vulnerable to climate change.¹³ Agriculture currently accounts for over 80 percent of water use in the country.¹⁴ Exports of fruits and vegetables have made the agro export sector an important part of the Peruvian economy and a major source of employment. However, in some places the overexploitation of water resources has severe impacts on local communities' access to water.¹⁵ In the Ica valley, on the southern Peruvian coast, the rapid expansion of the agro export sector has led to an acute water crisis. The area has one of the driest climates in the world, thus the agro export companies rely on groundwater for irrigation. Agriculture is estimated to use up to 90 percent of the yearly extracted groundwater,¹⁶ while some communities only have access to water for a few hours a week (see Swedwatch's investigation page 22). Despite the decline of

the water table, agro export companies continue to overexploit the water resources, sometimes in breach of national legislation.

In this report, Swedwatch presents findings from investigations into the water-related human rights impacts of agricultural products imported from the Ica valley. The report explores the responsibility of companies buying such products and scrutinises the performance of the Swedish retailers, wholesalers and importers in meeting international guidelines on business and human rights. The report also covers some of the labour rights abuses in Peru's agro export sector and impacts on women and children identified during Swedwatch's investigation. The aim of the report is to highlight the need for improved human rights due diligence among companies in agricultural supply chains, particularly regarding water-related human rights risks.

Methodology

This report is produced by Swedwatch in collaboration with the Swedish non-governmental organisation (NGO) Diakonia and the Peruvian NGO, Human Rights Commission of Ica (CODEHICA). CODEHICA was founded in 1982 and is a member of the Board of Directors of the National Coordinator for Human Rights in Peru.¹⁷ CODEHICA works with a wide range of human rights issues in Ica and has worked specifically with water-related issues during the past six years.

The report is based on a field study conducted in two parts in the Ica valley, Peru. In December 2017, prior to Swedwatch's visit, CODEHICA conducted interviews with members of local communities affected by the business operations of the agro export companies. The findings from these interviews informed the design of Swedwatch's subsequent field study. In April 2018, Swedwatch and CODEHICA visited seven rural and three urban communities in the Ica region and Swedwatch conducted interviews with different groups of affected rightsholders; women, workers (male and female), small-scale farmers, union representatives and other human rights defenders. Most interviews were conducted individually. Due to a fear of retaliation among workers and members of local communities, the identities of those interviewees have been anonymised. In order to triangulate the interview findings, Swedwatch met with a wide range of local stakeholders, including public officials, academics, NGOs, labour unions, water users' associations and businesses as well as industry associations. Altogether over 100 interviews were conducted.

Women are often disproportionately affected by the impacts of large-scale water-using companies, as they are typically responsible for fetching water and for household activities that require water such as cleaning and cooking. Therefore, three focus groups with female plantation workers were held in order to assess and capture how water-related issues lead to adverse impacts specifically for women and children in the settlements where many of the workers live. Impacts related to labour conditions, such as lack of a living wage, adequate housing and child care services, were also reviewed. Swedwatch has identified an urgent need for further study on the human rights impacts of the agro export sector on children and women in the Ica valley.

Since the initial stages of producing the report, Swedwatch has engaged in dialogue with the Swedish companies scrutinised: the retailers ICA, Coop and Axfood, the wholesalers Martin & Servera and Menigo and the importers Everfresh and Ewerman. Based on the information provided, Swedwatch assessed the companies' performance in identifying and addressing the human rights risks among their suppliers of Peruvian fruits and vegetables from the Ica valley.

Research findings have been measured against international guidelines such as the UN Guiding Principles on Business and Human Rights (UNGPs), the Organisation for Economic Co-operation and Development (OECD) Guidelines for Multinational Enterprises and the OECD-FAO Guidance for Responsible Agricultural Supply Chains.¹⁸ Before publication, the companies were offered the opportunity to read and comment on the report. Official comments can be found on Swedwatch's website.¹⁹ The water-related parts of the report have been developed in close cooperation with the Stockholm International Water Institute, SIWI.²⁰

The report focuses on the responsibility of companies buying fruits and vegetables from the Ica valley. As such, Swedwatch has not conducted research on the exporting companies. However, as the company AGROKASA supplies fresh green asparagus to several of the Swedish companies scrutinised in this report, Swedwatch requested a meeting with the company during the field study in Peru but the request was denied. Swedwatch also contacted AGROKASA and another agro export company, Agrícola Chapi, after the field study to offer them the opportunity to comment on the reported labour rights abuses associated with their companies. The industry organisation Association of Peruvian Agrarian Producers Guilds (AGAP) was also asked to comment on the main findings of the report. Their responses have been included in the report and can be found on page 43.

Global agreements and the right to water

Businesses have an important role to play in fulfilling global agreements such as the 2030 Agenda and the Paris Agreement, both agreed on by world leaders in 2015.²¹ While the 2030 Agenda focuses on eradicating poverty in all its forms and realising the human rights of all, the central aim of the Paris Agreement is to strengthen efforts to combat climate change and countries' ability to deal with its effects.²² According to the Paris Agreement, companies have a responsibility to understand their impact on the climate and the environment, and to prevent contributing to environmental degradation or climate change. Fighting climate change and its effects is also target 1.5 of SDG 1: *By 2030, build the resilience of the poor and those in vulnerable situations and reduce their exposure and vulnerability to climate-related extreme events and other economic, social and environmental shocks and disasters.*²³

According to the Intergovernmental Panel on Climate Change (IPCC), freshwater resources have the potential to be strongly impacted by climate change, which would have wide-ranging consequences for human societies and ecosystems.²⁴ For example, the increased intensity and variability of precipitation is projected to aggravate the risks of flooding and drought in many areas, which in turn is projected to affect water

Small-scale farmers in the Ica valley, Peru, are in a vulnerable position. Their access to water for irrigation is impacted both by climate change and the expansion of large-scale plantations of fruits and vegetables for export.





quality and exacerbate many forms of water pollution.²⁵ Water scarcity in some arid and semi-arid places is predicted to displace up to 700 million people by 2030.²⁶

In its 2018 special report, IPCC highlights that prioritisation of sustainable development and meeting the SDGs is consistent with efforts to adapt to climate change, and that such efforts support an aspirational target of keeping the global temperature rise to no more than 1.5°C.²⁷ According to a 2017 SIWI report, one of the keys to fulfil the goals set in the Paris Agreement will be wise water management and the report concludes that water should be recognised as a key dimension for climate mitigation.²⁸

Lack of access to water has a devastating effect on the health, dignity and prosperity of billions of people, and has significant consequences for the realisation of other human rights such as the right to health and the right to food. In 2010, the UN General Assembly recognised the human right to water and sanitation and acknowledged that clean drinking water and sanitation are essential to the realisation of all human rights.²⁹ The UN Committee on Economic, Social and Cultural Rights has defined the right to water as the right of everyone to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses.³⁰

Ensuring access to clean water and sanitation for all is SDG 6.³¹ Target 6.4 is to: *substantially increase water-use efficiency across all sectors and ensure sustainable withdrawals and supply of freshwater to address water scarcity and substantially reduce the number of people suffering from water scarcity, by 2030.*³² The SDGs reflect a global consensus that the economic, social and environmental aspects of development are interlinked and dependent on each other. Achieving the goal of access to clean water and sanitation is key to achieving a number of other goals such as no hunger (SDG1), zero poverty (SDG2) and good health and well-being (SDG3).³³

FACT

Threats to freshwater availability

- 97 percent of global water resources consist of salt water, only 1 percent is freshwater accessible for human use, the remaining 2 percent being locked in ice caps.³⁴
- Agriculture accounts for 70 percent of all water withdrawals globally and for over 90 percent in the majority of Least Developed Countries (LDCs).
- By 2030, global demand for water is expected to grow by 50 percent.
- There has been a drop of 55 percent in globally available freshwater per capita since 1960.
- Water scarcity currently affects more than 40 percent of the global population.³⁵
- At a global temperature increase of about 2°C the number of people exposed to water scarcity in 2050 will be up to 270 million more compared to the predicted impacts at a temperature increase of 1.5°C.³⁶

Businesses and water-related impacts

For several years, the World Economic Forum has rated water crises among its top ten global risks in terms of impact, alongside weapons of mass destruction, climate change and the outbreak of infectious disease.³⁷

Water risks are increasingly threatening the growth and viability of businesses. For example, industrial production must halt if there is not enough water for production, irrigation, material processing, cooling, washing, or cleaning.³⁸ According to a 2017 assessment by CDP of over 2000 companies, 60 percent faced water-related risks, while 56 percent expected such risks to materialise over the next six years.³⁹ Though this reality has made businesses better able to identify and address water-related risks affecting profitability, their water-related human rights impacts on local communities are often overlooked.

FACT

Water-related human rights impacts

According to the non-profit organisation Shift, a leading expert organisation working to put the UNGPs in to practice, business activities may have a wide range of water-related impacts on local communities.⁴⁰ These include:

Lack of access to water. Water is crucial for basic survival activities such as drinking, bathing, cooking, and cleaning. Lack of access to clean water and sanitation gives rise to a number of health problems such as diarrhoeal diseases. Lack of access to water also create problems for agricultural production and fishing and can therefore have implications for the right to food.

Pollution of water. Chemical use, dumping of waste, and other practices may pollute water sources. Contamination can create health problems for people, and for the animals they depend on for food and income.

Lack of physical access to water. For example, exclusion zones around business operations may include impacts related to access to water, such as impacts on livelihood activities like fishing.

Decreased affordability of water. Depletion, pollution, and blocking access to water resources may affect affordability. Communities may find alternatives more expensive or unaffordable.

Conflict and repression. Confrontations and conflict between communities and large-scale water-using companies may emerge and include intimidation and violence by private or state security forces. Businesses may also exacerbate already existing conflicts between and within communities.

Gender-related impacts. Women and girls are often disproportionately affected by the impacts of large-scale water-using companies, as they are typically responsible for fetching water and are often in charge of community water management systems. When the local water source is no longer available, they have to travel further to get water. This is a problem not only because women could be spending this time on other productive activities, but also because it exposes them to heightened threats to their personal safety.

2. Background

The food sector is one of the most water intensive industries in the world; agricultural products are often among the highest users of water in water-scarce regions.⁴¹ Many fruits and vegetables imported to the EU require significant amounts of water during production and may be linked to increased competition with local communities for water in production countries.⁴² In 2015, the EU imported 11 million tons of fresh fruits and 2.1 million tons of fresh vegetables from outside Europe.⁴³

While the overall consumption of fruit and vegetables in the EU has remained relatively stable in recent years, there has been a growth in the consumption of non-traditional or niche products such as exotic fruits or vegetables, often produced outside EU.⁴⁴ For example, imports of fresh green asparagus have tripled in the last ten years in Sweden from USD 5 million in 2006 to USD 15 million in 2016.⁴⁵ The asparagus from outside EU is usually imported from Peru or Mexico, the largest exporters of fresh asparagus in the world.⁴⁶ This report focuses on the impacts of the production of fruits and vegetables, especially asparagus, in the Ica valley in Peru.

Peru

FACT

Population: 31.77 million

UNDP Human Development ranking: 89 of 180.

21.7 percent of Peruvians, 6.9 million people, live on less than the national poverty line of USD 105 per month. 60 percent of children suffer from anaemia

Corruption Perception Index ranking: 37 of 100 (0= highly corrupt)

Vulnerable employment of total employment: 50,3 percent

Employment of agriculture of total employment: 28,4 percent

Sources: UNDP, Transparency International and WHO

Water and climate change in Peru

Peru is one of South America's most water-stressed countries; it is highly vulnerable to climate change.⁴⁷ Peru has an abundant supply of freshwater in the sparsely populated Amazon basin, but most industries and over 70 percent of the population are based in the arid regions on Peru's Pacific coast. According to the World Bank, Peru will be one of the countries hardest hit by temperature rises with a predicted average temperature increase in the dry season of 0.7°C to 1.8°C by 2020 and between 1.0°C to 4.0°C by 2050, which severely increases the risk of water scarcity and water quality deterioration.⁴⁸

Furthermore, rapid urbanisation around the capital of Lima, sustained economic growth and increasing per capita water use are placing severe pressure on water resources. Pollution from untreated domestic discharges, unregulated mining operations and other sources have jeopardised the water quality. As a result, 60 percent of the country's water resources are reported to be unusable.⁴⁹

The UN Development Programme (UNDP) has warned that climate change is threatening poverty reduction in Peru since its economy is largely linked to business activities that damage the environment and contribute to climate change.⁵⁰ Peru's export-oriented economy is based on goods that use significant amounts of water in their production processes such as irrigated agriculture, which accounts for over 80 percent of water consumption.⁵¹ The mining sector which accounted for 62 percent of total export values in 2017, also causes considerable environmental damage.⁵²

Poverty and conflict

Peru has historically been one of the poorest and most unequal countries in Latin America. Over the last decade, the Peruvian economy has grown steadily, 5.9 percent per year on average, in combination with low inflation. Poverty rates dropped from 48.5 percent in 2004 to 20.7 percent in 2016.⁵³ Yet income inequality is still high, and many human rights challenges remain. In 2017, the country's poverty level rose for the first time in more than a decade and reached 21.7 percent.⁵⁴ Extreme poverty is most common among the rural indigenous communities of the Andes and the Amazon.

In Peru, social conflicts based on the competition for scarce and increasingly contaminated water resources are common.⁵⁵ In July 2017, the UN Working Group on Business and Human Rights visited Peru and noted that the conflicts suggest a failure of government strategies to prevent and mitigate the adverse human rights impacts related to foreign direct investment, especially in mining. The working group also criticised the fact that companies are not required by law to submit social and environmental impact assessments for land used for agricultural purposes, irrespective of the size of the operation.⁵⁶

FACT

Peru's internal conflict

Current social conflicts are still marked by Peru's internal armed conflict between 1980 and 2000 when almost 70,000 people died or disappeared. The Maoist guerrilla organisation Sendero Luminoso (Shining Path), used terrorism to achieve its goal of an agrarian revolution in Peru. The group sought to eradicate elements of the established political and social order – such as community leaders, teachers, professors, and political leaders - and to besiege and starve the cities.⁵⁷ In an effort to combat the insurgency, the government declared a state of emergency in parts of southern and central Peru in 1981. In 1983, the army was brought in to subdue the Shining Path.

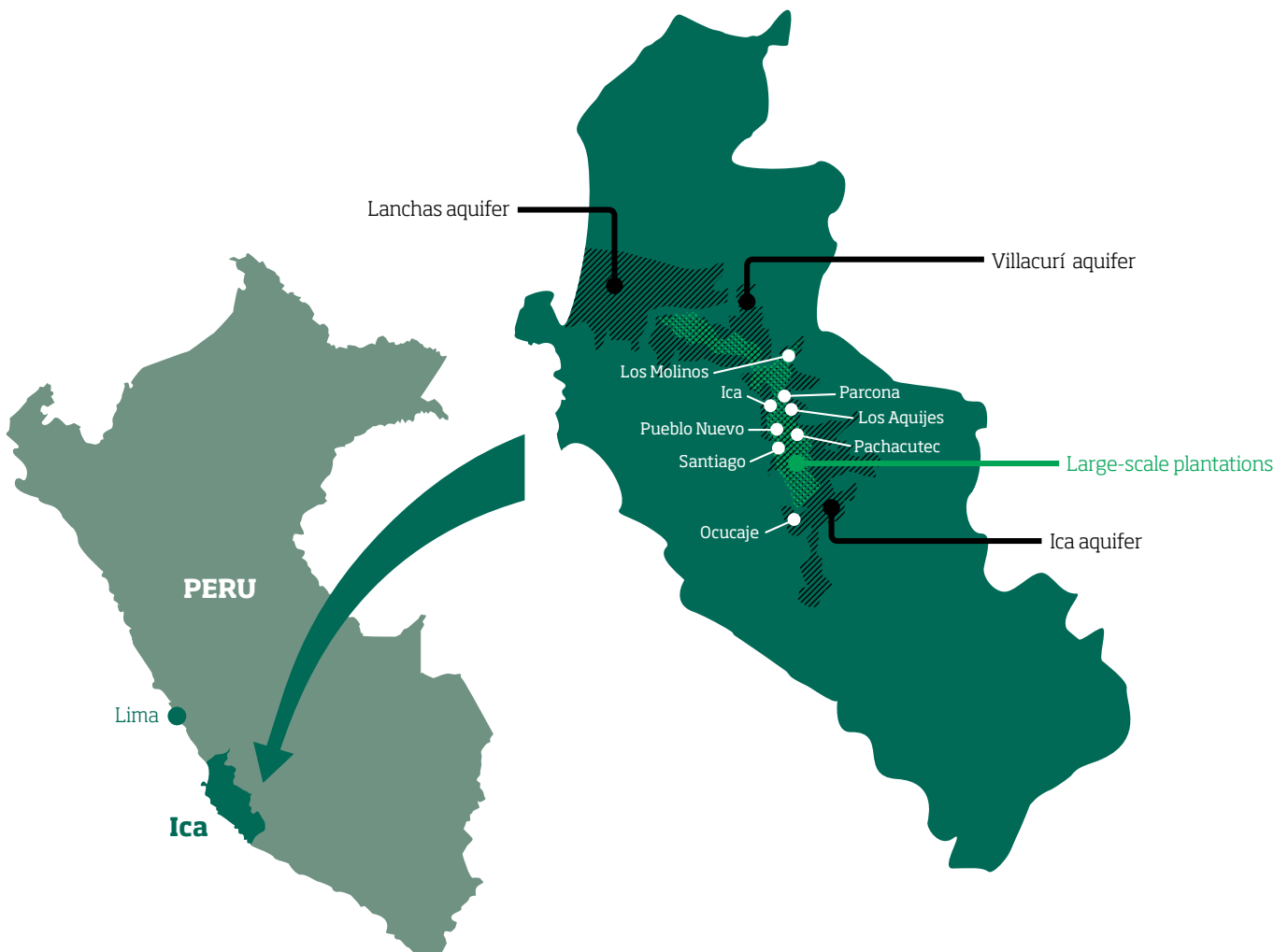
The worst violence was concentrated in the Ayacucho and Huancavelica regions, where both the guerrilla and the Government forces tried to control the native population through terror. Human rights reports reveal that the use of violence against civilians became systematic. During the early to mid-1980s the armed forces perpetrated several massacres in the region and were accused of torturing, raping and forcibly disappearing civilians.⁵⁸ Nearly half a million of Peru's poorest citizens, most of them indigenous peoples, were forcibly displaced by the state or the armed opposition.⁵⁹ Only a very limited percentage of the human rights violations committed during the armed conflict have been brought to trial.⁶⁰

The Ica valley: expansion of the agro export sector

The Ica valley, situated 300 km south of Lima, is one of the most important agro export zones in Peru: it produces nearly one third of the country's fruits and vegetables for export.⁶¹ Ica is characterised by its desert climate; it has a yearly rainfall of about 8 mm.⁶²

Despite the lack of rain, Ica has been an agricultural zone for centuries. Corn, beans, potato and cotton have traditionally been important products. Advances in water technology, including drip irrigation, in the 1980s made it possible to expand production.⁶³ Since the early 1990s agricultural companies, mostly Peruvian, began to buy land and establish a presence in the region, growing fresh asparagus, table grapes and other fruits and vegetables for export to Europe and the United States (US). There was a constant supply of cheap labour among internal migrants who had fled the violence in Huancavelica and Ayacucho during the conflict.

The agro export sector expanded rapidly and received generous support from the state during Alberto Fujimori's term as president (1990-2000) in the form of tax exemptions and flexible labour laws. The sector also received substantial support from the World Bank. The free-trade agreements with the US (2006) and the EU (2012) further increased Peruvian companies' advantage on international markets.⁶⁴



Asparagus the main export crop

In the Ica valley, asparagus can be produced year-round, due to warm temperatures and almost no rain, which prevents the asparagus plant from becoming dormant.⁶⁵ In Peru, asparagus yields on average 11.4 tons per ha per year, being among the highest yields in the world. Asparagus is not native to Peru but was introduced in the 1950s as an export crop. It is rarely consumed by the local population: 99 percent of the asparagus produced in Peru is destined for export. The main destination markets for fresh green asparagus are European countries (25 percent) and the U.S. (70 percent).⁶⁶

Driven by an increased international demand, asparagus quickly became one of the most important Peruvian export crops. Between 2000 and 2013 exports of asparagus more than doubled to nearly 185,000 tons in 2013.⁶⁷ In the Ica valley, asparagus cultivation grew from covering approximately 5,600 ha in 1996 to covering over 15,000 ha in 2018. Asparagus requires relatively large amounts of water, 15,000 m³ per ha.⁶⁸ This can be compared with local fruits and vegetables that require 5,000-6,000 m³ per ha.⁶⁹

The asparagus sector accounts for about 25 percent of the country's total agricultural exports and has an important role in the national economy and the labour market in the regions where it is produced.⁷⁰ Approximately 100 Peruvian companies export asparagus each year. In Ica there are around 20 larger export companies; some of the largest include Agrícola Chapi, Agrícola la Venta, Complejo Agroindustrial Beta and Agrícola Drokasa (AGROKASA).⁷¹

Effects on water supply

The rapid expansion of the agro export sector in Ica has come at a high price in form of diminishing groundwater supplies and limited access to water for local communities. The agro export companies in Ica rely on groundwater for irrigation and according to some estimates the agricultural sector uses over 90 percent of the yearly extracted groundwater.⁷² During the boom of the agro export sector of the last decades, the increasing demand for groundwater has pushed the water balance of the Ica basin into an unsustainable state since more water is extracted than can be recharged. Several academical researchers, journalists as well as Peruvian and international NGOs have reported on this issue.⁷³

The Peruvian water authority, Autoridad Nacional de Agua (ANA) which is in charge of protecting water resources, has recorded a decline of the groundwater table in Ica, in some places up to 1,5 m per year.⁷⁴ However, levels differ between different areas. Aquifers are underground layers of rock that are saturated with water that can be brought to the surface through natural springs or by pumping. The three connected aquifers in the area - Ica, Lanchas and Villacurí - together form the largest underground aquifer in the country, representing 40 percent of Peru's available groundwater resources.⁷⁵ The characteristics of the aquifers differ depending on location; while some parts are recharged directly or indirectly by the Ica river, other parts are non-renewable and cannot be recharged.⁷⁶



In the Ica valley, fresh green asparagus can be grown all year round. Due to the lack of rain it is only irrigated with groundwater, often through drip irrigation.



Reliable data is scarce due to the lack of monitoring. The studies carried out give information on the reserves of the aquifer that range from one billion to four billion cubic meters, which makes it difficult to determine the percentage of reserve consumption. However, the reduction of water in some parts of the Ica aquifers has been concluded to be one of the fastest in the world, according to a 2008 report for the World Bank by some of the world's leading experts on groundwater management. The report showed that cultivation of the desert in Ica caused aquifer exploitation to double between 2002 and 2007.⁷⁷ The total area used for the cultivation of agro export products tripled between 1997 and 2013, from approximately 7,400 ha to more than 22,000 ha. Asparagus and table grapes for export are together responsible for 55 percent of agricultural groundwater extraction in the area.⁷⁸ Other products grown include avocados, tomatoes, onions and citrus fruits.

Socio-economic effects

Due to the expansion of the agro export industry, the population in the Ica region has grown significantly in recent decades, from about 712,000 in 2007 to over 850,000 inhabitants in 2017.⁷⁹ Agro export companies employ around 20 percent of the population. According to national statistics, unemployment is almost non-existent there compared to other regions which has turned Ica in to the least poor region in Peru, based on incomes.⁸⁰

However, the regional Government's poverty assessments, which are based on a broader conception of poverty, have shown that 23 of the 46 districts in Ica were characterised as poor.⁸¹ These assessments take into account a broader range of poverty dimensions, such as lack of adequate housing, overcrowding, lack of hygienic services, number of children aged 6-12 not attending school and the head of the household not having completed secondary school.⁸²

The abundance of employment opportunities in Ica has attracted people from other parts of the country. About 60 percent of the workforce in the agro export sector is from outside Ica, including many internal migrants from the Andes, as discussed above.⁸³ People from other parts of Peru have also come to Ica to look for employment. The informal settlements have emerged around the province capital, also called Ica and in 2017, almost 90 percent of the population was urban.⁸⁴ In many cases the settlements have grown in an uncontrolled way, without sufficient municipal planning of water and sanitation.

Agro export companies in Peru enjoy significant tax exemptions and pay 50 percent less income tax than those in other sectors. The taxes paid are not invested locally but collected in Lima where most companies have their head offices. Consequently, many municipalities in Ica struggle to fund basic infrastructure.⁸⁵ Some of the agro export companies have made social investments such as support to build new schools.

The rapid urbanisation, transition to wage labour and decrease of local small-scale farming in Ica has created new health-related challenges. In 2010 more than 40 percent of the population of the region of Ica suffered from chronic diseases, which is more than 10 percent higher than the national average. Between 2010 and 2013 the

region of Ica had the highest incidence of chronic diseases, especially diabetes and high blood pressure. The region also has the highest rate of chronic disease morbidity nationwide.⁸⁶

Although access to drinking water has improved in Ica, the region has some of the lowest water quality for human consumption in Peru. The poor water quality and high incidence of parasites cause many acute diarrheal diseases and a high prevalence of anaemia.⁸⁷ Around 40 percent of the total population in Ica, and 30 percent of children, are anaemic. Anaemia can have serious effects on children's mental and physical development. 40 percent of the population in Ica suffers from overweight or obesity and it is not unusual to be both overweight and anaemic.⁸⁸

Lack of effective measures against overexploitation

Exploitation of the Ica aquifers began to exceed sustainable limits around 2002 but measures to address the situation were not taken until much later.⁸⁹ Part of the reason that the agro export sector has been able to grow uncontrolled is the historical lack of water- and resource planning. In 2009 a new water law was implemented in Peru and the national water authority, ANA, which is an agency within the Ministry of Agriculture, was established. These changes, supported by the World Bank, aimed to reform water management in line with international best practice and the principles of integrated water resources management.⁹⁰ According to Peruvian law, water for human consumption should always have first priority.⁹¹ A 2017 World Bank report concluded that despite the new measures taken, several water management challenges remained including a lack of strong institutions, reliable data and information for decision making.⁹²

The ANA office in Ica supervises the use of groundwater by both agro export companies and small-scale farmers. In 2011, the ANA introduced a ban on the perforation of new wells in Ica but due to weak implementation the effects have been limited.⁹³ On the contrary, the number of wells continued to increase. The wells that increased the most were wells without a formal permit which according to ANAs registers increased from 615 to 840 in Ica and from 694 to 1271 in Villacurí and Lanchas between 2009 and 2014.⁹⁴ According to the latest available information from the ANA from 2012, the level of overexploitation of the three aquifers was 76 percent in Ica, 100 percent in Lanchas and 262 percent in Villacurí.⁹⁵ In 2012 the ANA introduced a Management Plan for the Undergroundwater Resources in Ica to increase state control over groundwater extraction, but in 2014 the descent of the water table was still 1.4 m per year. At that speed, 76 percent of Ica's agricultural lands and 100 percent of Villacurí's, are likely to be affected by extreme water scarcity by 2026.⁹⁶ The Villacurí aquifer is in a more urgent state.

Since 2015, the ANA has strengthened efforts to ensure that each well in Ica has a formal certificate. ANA is also installing indicators that register each well's water usage to make sure it does not exceed the allowed amount. Furthermore, the ANA uses three drones to ensure that new boreholes are not being made. Based on this information, the ANA is conducting a study of the situation of the aquifers which had not been published at the time of writing.

3. Swedwatch's investigation in Peru

In April 2018, Swedwatch visited ten communities in the Ica region together with the Peruvian organisation CODEHICA to conduct research for this report. The field study included interviews with affected rights holders in the seven rural communities of Los Molinos/Trapiche, Los Aquijes, Pueblo Nuevo, Pachacutec, San Antonio, Fuerza Armada, Ocucaje, and the urban communities of la Tinguña, Vía Rotary and Santa Cruz de Villacurí.

The field study sought to identify potential human rights impacts related to the agro export sector and included interviews with affected communities and workers. Swedwatch also interviewed a wide range of other local stakeholders, including public officials, academics, non-governmental organisations (NGOs) labour unions, water users' associations and businesses as well as industry associations. Research results indicate that measures taken by the business sector and the Government in Peru to address the acute water crisis have thus far been insufficient, despite a general awareness of the urgent situation for over a decade.

The following section outlines the water-related human rights impacts of the agro export sector that were identified during Swedwatch's investigation in Ica. These include impacts on access to clean water for drinking and household purposes. This affects the population in general and particularly poorer rural households and urban settlements, which often comprise a large number of migrant workers. Health problems related to the lack of water and poor water quality affect children and elderly people the most.

As women are mostly responsible for the households, they are particularly impacted by water shortages since they need to spend more time getting water and have limited amounts of water for cleaning, cooking and washing. The lack of water also affects affordability, especially for small-scale farmers who need to make new investments to cope with the increasing water scarcity. Furthermore, the increasing competition over scarce groundwater has created conflicts, sometimes violent, at several levels.

The interviews conducted indicate a need for urgent and careful address by all stakeholders. Community representatives, workers and local government officials expressed deep concern over the current water situation and powerlessness vis-à-vis the agro export companies that the region depends on for employment. All stakeholders interviewed believed that European buyers could engage in stronger efforts to address issues while being mindful that many communities currently depend on the agro export sector for employment.

Regulation and oversight

According to ANA, overexploitation of water and violations of its ban on drilling new wells are common both among agro export companies and small-scale farmers in the region. Agro export companies own about 70 percent of the wells in the area, many of which have been bought from local farmers in recent years.⁹⁷ Breaches of the ANA's

regulations by agro export companies were also confirmed by workers and union members who stated that agro export companies regularly drill new wells or overexploit existing ones.

Reflecting the regularity of violations, in 2017 alone, the ANA initiated around 200 judicial proceedings against agro export companies in Ica for breaching the regulations of groundwater use. When Swedwatch visited ANA's local office in Ica, in April 2018, 50-60 processes had already been initiated since the beginning of 2018. Proceedings covered breaches such as overpassing the allowed amount, deepening wells without permission, and the perforation of new boreholes. In most cases, companies that breach the regulations are obliged to pay a fine. Jorge Ganoza Roncal, the Director of the local ANA office in Ica at the time of Swedwatch's visit, explained:

- If Ica won't have the water it needs in the future, it will die, it will be a ghost town at the end. But it is not easy to shut down a well of a company that provides people with jobs. I say it is a social issue too, because if we as a state close all the companies, where would the workers go? The people of Ica live of agro exporters, because that's where the jobs are, there is nothing else. It's a difficult decision to make.

According to the ANA and the Ministry of Agriculture in Ica, state inspectors have struggled to get agro export companies' permission to monitor farms.⁹⁸ Farms are considered private property and companies therefore have a legal right to deny entrance to the inspectors which often happens.

Challenges regarding oversight are further exacerbated by the fact that public officials often conduct inspections alone, making them more exposed to intimidations and threats by company personnel. This was illustrated in an article by the Peruvian investigative journalism magazine Public Eye in June 2018.⁹⁹ The article also concluded that special authorisations by the authorities themselves have allowed the overexploitation of water to continue. According to the article, the ANA has modified the rules on at least four occasions over the last eight years, allowing companies to formalise wells opened without a license during the bans in Ica.¹⁰⁰ The article also revealed that during the time that these special concessions were granted, two of the agricultural ministers themselves were owners of agro export companies.

Health and access to clean water

In the Ica valley, the water needs of the agro export companies compete with those of the growing population. The insufficient freshwater supply affects different parts of the population to different extents based on their location and the state of the public water infrastructure. According to official statistics, almost 90 percent of the population in Ica has access to public water infrastructure in their homes. Water for consumption is usually extracted through groundwater wells. However, access is often interrupted for long periods and the quality of water is poor, often leading to diarrheal diseases and other health problems such as anemia.¹⁰¹

The right to water is closely linked to the right to health which is a fundamental element of human rights. According to the Committee on Economic, Social and Cultural



The lack of access to water for local communities in Ica means that water has to be stored in plastic containers, sometimes for weeks. Lack of water makes everyday life difficult and increases the risks of several diseases.

Rights, the right to health includes for example access to safe drinking water and adequate sanitation, safe food, adequate nutrition and housing and healthy working and environmental conditions. Ill health is often associated with a lack of clean water, lack of sanitation, and poor management of water resources and systems, including in agriculture. These issues need to be addressed for the attainment of SDG 3: Ensure healthy lives and promote well-being for all at all ages, and SDG 6: Ensure availability and sustainable management of water and sanitation for all.¹⁰²

SWEDWATCH'S FINDINGS

Among the rural and urban communities visited by Swedwatch, access to water for drinking and household purposes ranges between three hours a day at best to three hours every 20 days at worst. Many of the interviewees have access to far less than 50 l a day which is the minimum amount for covering basic needs according to the World Health Organization standards.¹⁰³ The communities report that hygiene is affected when there is not enough water to wash and clean. Water storage is a general problem. While people who can afford to have invested in large water cisterns, poorer households use simple plastic containers, which are poorly covered and associated with high risks of the spread of diseases and bacteria.

Resident of Santacruz de Villacurí:

“This community is made of workers in the agro export sector. There is nothing here, just us and the farms. Our community has a water pump but the water is not enough. When you don’t have enough water, hygiene is affected. The kids here are not used to washing their hands. There are many diseases that spread because of the lack of water, such as diarrhoea. It affects both children and elderly people.”

In several urban settlements, water infrastructure has not yet been installed. According to the local water and sanitation authority (SUNASS), around 13 percent of the population in the district of Ica lack water facilities in their houses. Juan Andrés Soto, Coordinator of SUNASS in Ica at the time of Swedwatch’s visit, explained:

- We have a situation where the poorest people are the ones paying the most for water. The communities that don’t have access to the water infrastructure have to buy water in bottles or from private companies driving around with water tanks.

In some parts of the Ica region, sinking water tables require new investments to be made by the municipalities that often lack sufficient resources. In Parcona District, which provides water to the most densely populated area in Ica,¹⁰⁴ a new pump is needed due to the lack of groundwater. In order to meet community needs, the pump will have to reach depths of 120 m instead of current 60 m depths, according to Juan Andrés Soto.

The urban communities visited by Swedwatch that do have access to water infrastructure regularly experience water shortages due to poor equipment and broken pipelines. Sometimes there is no access to water for two weeks. As a result, women interviewed have had to stop working in order to queue for water from water tanks brought by the municipality.

Resident of La Tinguña:

“The water problems are affecting us women a lot. Water is needed for so many things every day. When we don’t have water, life becomes very complicated.”

The poor quality of water from public infrastructure is partly related to the depletion of the aquifers. When groundwater levels decrease, so does pressure in the water pipes. This means that less water flows during the few hours that local communities have access to water. According to interviewees, this also means that bacteria can grow more easily in the water pipes. Furthermore, problems with water quality are often not properly addressed by local authorities. At the health clinic in the community of Pachacutec, Swedwatch interviewed a doctor who was worried about the health of the community.

- We take water samples every month and for at least three months the water has come out dirty with a lot of bacteria. It is not suitable for drinking but it is what people have. We have reported it to the authorities several times but so far nothing has been done.

In several of the communities visited by Swedwatch, diarrhoea and other health problems related to poor water quality are common, especially among children and elderly people. The water is usually not chlorinated and needs to be boiled before drinking. In some communities the overexploitation of groundwater reserves has led to high levels of salinity in the water which makes it undrinkable.

Asparagus worker and resident of Ica:

“All the agro export companies that exist in the Ica valley use groundwater, despite knowing that water is becoming scarcer every day. There are districts that have only one hour of water a day. I want this to be known, because these companies are filling up their pockets with money but unfortunately the benefits are only for them. If no solution is proposed, the lack of water will get even more critical in a few years.”

The local Ombudsman’s office, Defensoría del Pueblo, has received several complaints related to the water situation, especially as regards water quality. Although issues are not uncommon, many people do not report the problems, according to the local Ombudsman’s office in Ica.¹⁰⁵

Livelihood of small-scale farmers

While agro export companies usually employ drip irrigation and rely on cleaner groundwater to irrigate crops, small-scale farmers who use traditional irrigation methods mostly rely on surface water from the Ica river which flows south from the highlands in the Huancavelica Region to the Pacific Ocean through Ica. Wells with groundwater have been used as a supplement in the driest parts of the year when the river has dried out.

The Ica river has a scarce and irregular water flow as the river only carries water during the summer months, between November/December and March/April. From September to October, irrigation water comes from the Choclococha system, which is a network of storage lakes and channels constructed in the 1950s, that divert water from the highlands to the Ica river.¹⁰⁶

The fields of the small-scale farmers are usually flooded once or twice a year with water diverted from the river, according to traditional irrigation methods. While this practice is not water efficient, water from the flooded fields filters down which makes such traditional activities essential to recharge the aquifers.¹⁰⁷

Since the agro export boom began, agricultural land in Ica has been increasingly concentrated in the hands of fewer and bigger owners. While large-scale land properties (of more than 500 ha) increased 347 percent between 1994 and 2012, small-scale farms (of 5 ha or less) decreased by 27 percent during the same time.¹⁰⁸ There are about 15,000 small-scale farmers in the Ica region according to figures from 2012.¹⁰⁹ Small-scale farmers in Peru produce the majority of products sold in local markets.¹¹⁰



The overexploitation of groundwater by agro export companies in Ica forces small-scale farmers to leave their lands when wells dry out or water becomes more expensive to extract.

Small-scale farmers' decreased access to water for irrigation affects their livelihoods and production, which in turn impacts their rights to food, a decent living standard and work, as these rights are stipulated in the International Bill of Human Rights.¹¹¹ Increasing the agricultural productivity and incomes of small-scale food producers is a prerequisite for fulfilling SDG 2, which aims to end hunger and promote sustainable agriculture.¹¹² It is also essential for the fulfilment of SDG 1: End poverty in all its forms everywhere.¹¹³

SWEDWATCH'S FINDINGS

According to Swedwatch interviews, the major obstacle for local farmers is their lack of access to water for irrigation. Several farmers who have access to wells report a drastic decrease in the amount of water during the past five years, even in places that did not have problems earlier. In some areas, farmers report that their wells have dried up and they cannot afford to deepen them. In other areas, high levels of salinity have become an increasing problem limiting the productivity of crop plants. Climate change and higher temperatures also make the soil drier and the weather more unpredictable, according to the farmers interviewed.

Small-scale farmer in Ocucaje:

“It has become more difficult to survive as a small-scale farmer here because production has decreased. Here we live only of our agriculture, we don’t have any other income and when we don’t make any profit, we can’t send our children to university. I think small-scale farmers will disappear completely here, you can already see it in some areas. When a farmer sees that his farm doesn’t produce, what can he do? He has to sell it to the big companies, because there is no other option for him.”

Swedwatch met many farmers who have been forced to stop cultivation or to leave their lands altogether, as a result of the lack of water. In the area of the Villacurí aquifer, which has the most critical water situation, small-scale farming has nearly disappeared. Since most young people choose to look for employment at farms that produce for export, small-scale farmers experience difficulties in securing needed labour.

The Atalaya Cooperative in the area of Pachacutec is made up of 60 small-scale farmers with about 5 ha of land each who all grow grapes for production of the traditional brandy *pisco*, which is sold at the local market. The cooperative has nine wells, only four of which are currently functioning. It is surrounded by agro export farms that have bought wells from other cooperatives, which have ceased to exist.

Small-scale farmer in Los Aquijes:

“The company fooled us. They wanted to buy our wells and said they would sell us water cheap but then the water got scarcer and they didn’t want to share it with us. It was not put in the contract so there was nothing we could do. Now the water is only for them.”

According to the cooperative, groundwater levels have decreased drastically since 2015 after a nearby company bought several old wells from farmers and began to use them again. The registers of the cooperative show that their four wells carried 87 liters of water per second (l/sec) in 2015, 74 l/sec in 2016 and 70 l/sec in 2017. At the time of Swedwatch’s visit in April 2018 the amount was 59 l/sec. Luis Chacaltaja Raquel, the president of the Atalaya cooperative, explained:

- It continues to decrease and that is of great concern for us. Our members are already struggling and every time they have to pay more for water. Before we used to irrigate a hectare for 12 hours, now we need 20 hours to extract the same amount of water.

Even the farmers who do not have wells claim that they are impacted by the expansion of the agro export industry. According to them, aquifer depletion has contributed to the soils becoming significantly drier. Farmers therefore have to use more water for irrigation which implies higher costs.

Small-scale farmer in Pueblo Nuevo:

“The big agro export companies can do what they want. They keep extracting the water and nothing happens, the authorities just look through their fingers. The solution would be for all of us to work together for the best of Ica so that there could be a total change in the way the water is administrated.”



The grapes of cooperative Atalaya are drying. In 2015, an agro export company bought several surrounding wells and increased extraction of groundwater.

According to small-scale farmers interviewed by Swedwatch, many of the products that they used to cultivate cannot be grown anymore due to the lack of water. Those that can afford to have switched to more water-resistant crops such as pecans, but it takes several years before they become productive and thus requires a significant investment. Others simply grow fewer types of crops, making them more vulnerable to crises and price fluctuations. These changes have also resulted in a poorer diet, since the cultivation of many of the traditional sources of protein such as beans and chickpeas has become rare. Some farmers interviewed by Swedwatch claimed that new pests have become more common after the agro export boom and that they now have to pay more for pesticides, further reducing their profit margins. Many of the farmers are heavily indebted and struggle to repay their loans.

Conflicts and human rights defenders

In many parts of the world, democratic space for civil society is shrinking and threats and violence towards human rights defenders (HRDs) are escalating, often in relation to business activities. This has been highlighted in several reports by the UN Special

Rapporteur on Human Rights Defenders.¹¹⁴ Land and environmental defenders are particularly at risk and in 2017, agribusiness became the most dangerous sector for human rights defenders (see fact box on page 33).

The UN Declaration on Human Rights Defenders of 1998 declares that everyone has the right, individually and in association with others, to promote and strive for the protection and realisation of human rights and fundamental freedoms at national and international levels.¹¹⁵

In Peru, water-related conflicts around business operations are prevalent and sometimes lead to violent disputes. State and non-state actors threaten and harass HRDs working on issues related to land and the environment.¹¹⁶ Police brutality is common and security forces have repeatedly wounded and killed civilians in response to occasional violent protests. This is exacerbated by the fact that the internal armed conflict in 1980-2000 created mistrust between different parts of society and these persist.

To protect HRD's right to work and to ensure responsive, inclusive, participatory and representative decision-making at all levels is key to achieving SDG 16, which aims to promote peaceful and inclusive societies for sustainable development.¹¹⁷

SWEDWATCH'S FINDINGS

In the Ica valley, increased competition over scarce water resources has created conflicts, sometimes violent, at several levels. Generally, an inclusive dialogue on the environmental and human rights impacts of the agro export industry and the water situation is lacking, according to Swedwatch's interviews. Conflicts related to water scarcity have emerged between local communities and agro exporting companies, as well as between members of local communities. The following are two examples of conflicts that have resulted due to increased competition over water resources.

Los Molinos

In San José de los Molinos (Los Molinos), a municipality in the northern part of Ica province, a natural spring by the foot of the mountain used to supply the farmers with water. To address the lack of drinking water in Ica, the local government began diverting this source to Ica in 2015. According to local authorities the project has significantly increased water supplies to the population in Ica. However, in Los Molinos water for domestic use is only available every three to four days. Community members in Los Molinos suspect that much of the water is going to the agro export companies downstream. Swedwatch has not been able to confirm these statements.

The project has threatened the community's access to water for irrigation, severely affecting small-scale agriculture which is the population's main form of subsistence. According to the interviewees the project was imposed on the community with no prior information or consultation. In 2016 the conflict regarding the project escalated and caused major protests. In May the same year, about 150 community members gathered to block operations, demanding more information from the local authorities. A massive police force was called in to break the blockade, using teargas and hitting

protesters with batons according to witnesses. According to interviewees, several protesters faced criminal charges and spent about two weeks in prison. Some of them still struggled with time-consuming and expensive lawsuits when Swedwatch visited the area.

Protester los Molinos:

“We were caught only because we participated in the protests. We didn’t have any criminal record. We simply claimed what is fair, what we had to demand. We have not done anything wrong, nor did we get aggressive with the police, nothing, on the contrary, they came with 180 police officers for a group of 150 protesters. When people saw that their friends were caught and sent to jail, they didn’t dare to raise their voices again.”

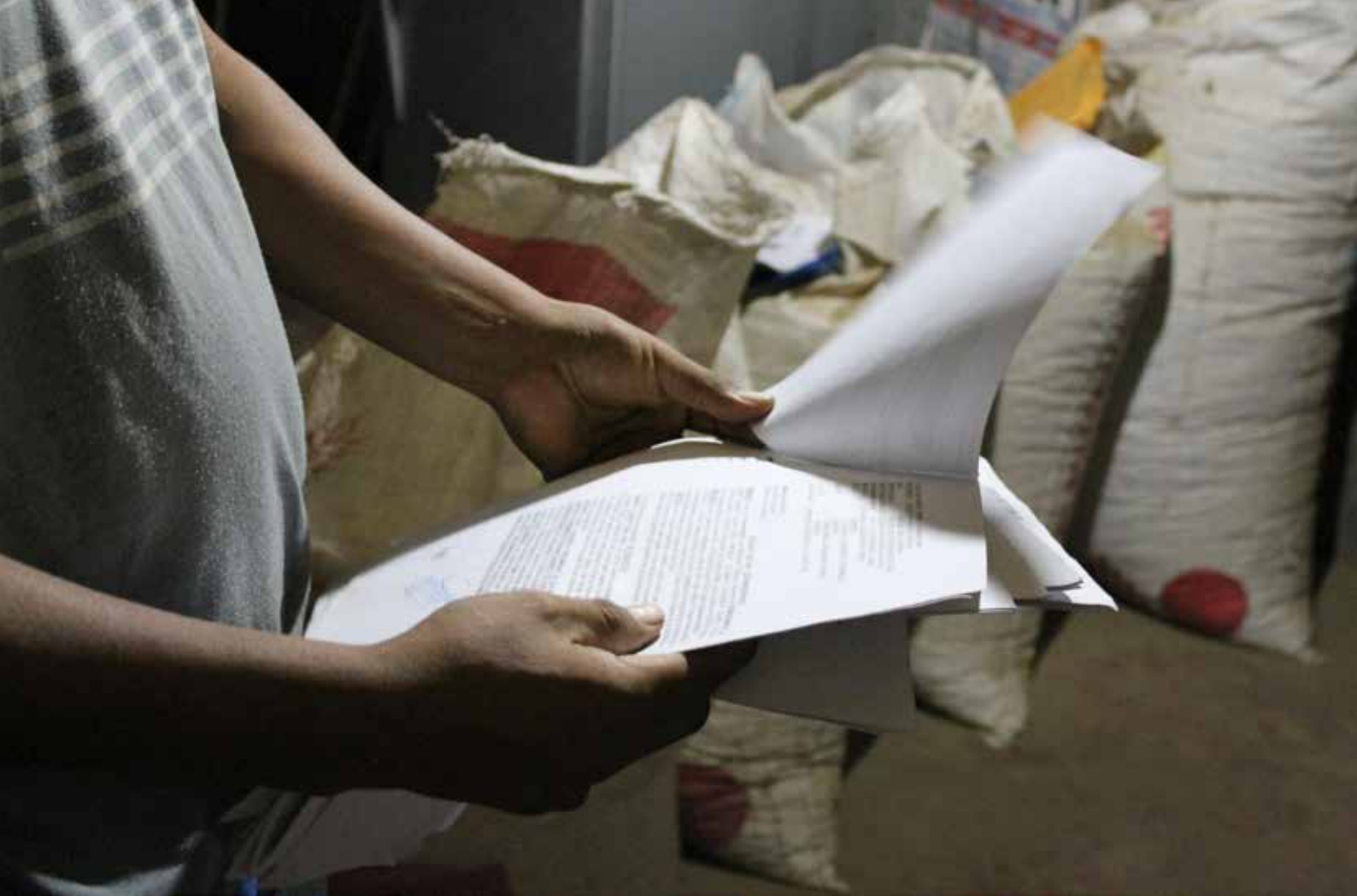
In Los Molinos the conflict dissipated when the mayor (who had earlier opposed the project) began supporting it shortly after the protests. The regional Governor at the time, promised to invest 30 million Peruvian soles for the district of Los Molinos. Promises included the construction of three new wells that would ensure the availability of water both for irrigation and household purposes, according to interviewees. None of these promises have been fulfilled according to the community. The local Ombudsman’s office is investigating the case but had not published any official statement at the time of Swedwatch’s visit.¹¹⁸ The conflict in Los Molinos is partly linked to the agro export sector since the increased water scarcity has caused competition for groundwater between communities.

Ocucaje

In the district of Ocucaje, in the southern part of Ica region, a violent conflict broke out in 2015. According to community members interviewed by Swedwatch, a local resident sold several old community wells, that were no longer functioning, to a nearby agro export company. The wells had belonged to an agrarian cooperative but had not been used for more than 35 years. The wells were put to work again by the company that obtained a legal license to use them through a special permit by the Ministry of Agriculture.

According to interviewees, the company started to build pipes to lead the water to a plantation several kilometres away, which would affect access to water for the small-scale farmers near the well. When the farmers discovered an excavator machine digging a trench for a water pipe, protesters set fire to the plastic pipes. According to the community members interviewed by Swedwatch, the company that was laying the pipes sent a group of men to beat and threaten the protesters. Some of the men had wooden clubs, a machete and a baseball bat. Several persons were injured and some of the protesters faced criminal charges.¹¹⁹ Journalists from the magazine Desert Sun were present and documented the incident.¹²⁰

In some parts of Ocucaje, the community only has access to drinking water brought by the municipality for three hours every 20 days and at best every 10 days, since the water in the area is too salt to drink. However, the ban on new wells was recently lifted in Ocucaje.¹²¹ According to a study commissioned by the ANA, the lack of water



Members of local communities that have protested against the overexploitation of water are often criminalised and face multiple lawsuits.

in Ocucaje is not as alarming as in other places.¹²² However, local farmers claim that the water situation has worsened dramatically since the old wells bought by the company were put into action again. They report that they cannot produce Lima beans and other products as before, which has severe impacts on their livelihoods.

Small-scale farmer in Ocucaje:

“The agro exporters want you to be afraid of them. When we protested against the water they extracted they sent armed men to threaten and beat us. They say that we disturb their business and have reported me to the police at least 15 times. It’s a huge stress for me and my family but I will not stop fighting for this community.”

Lack of grievance mechanisms and consultation

The community members interviewed by Swedwatch did not know of any grievance mechanisms they could use to seek redress for their complaints related to the agro export companies. Interviewees stated that they had had no dialogue with the nearby companies despite being seriously affected by their business operations. Gustavo Echeagaray, director of CODEHICA, which is working with water-related human rights impacts in the Ica valley, noted:

- The level of mistrust against civil society is very high. We are often accused of being anti-development or even terrorists. It makes a dialogue between us and the companies difficult.

There is a general lack of information available on the activities and potential impacts of the business operations of the agro export companies. For example, social and environmental impact assessments and management plans have not been disseminated and are not required by law (see p. 11). Plantations are usually surrounded by high cement walls or thorn bushes; only employees can enter and they are strictly controlled by company guards. Swedwatch observed that several company wells located outside company plantations were protected by armed guards.

FACT

Agribusiness increasingly dangerous for defenders

In 2017, agribusiness surpassed mining as the most dangerous sector for human rights defenders. The number of people killed while protesting against large-scale agriculture around the world more than doubled compared to 2016, according to a report by Global Witness.¹²³ Almost 60 percent of the murders of environmental defenders registered in 2017 were from Latin America, according to the report. Attempts to criminalise HRDs work have been recorded globally and in many countries lawsuits against HRDs are used to intimidate and silence critics, which impedes their freedom of speech. Corruption, impunity, weak land rights, lack of free, prior and informed consent and the exclusion of local communities from decision making processes has been identified by Global Witness as principal root causes of the threats and attacks against defenders.¹²⁴

Indigenous peoples at risk

The water scarcity in Ica have also triggered a conflict with the neighboring Andean region of Huancavelica, the second poorest region in Peru, with almost 40 percent of the population living below the poverty line.¹²⁵ The region's indigenous communities have long opposed a planned expansion of the diversion of water from their communities which aims to redirect increased amounts of water from the Andes to the Ica valley to help address its irrigation needs. In Huancavelica, pastoralism is the primary livelihood activity. The indigenous Quechua-communities in the area raise alpaca, llama and sheep for wool and sometimes meat. Livestock and access to pasture and wetlands are central to their livelihoods and productive systems.¹²⁶

Peru is a signatory of the International Labour Organization's (ILO) Convention on Indigenous and Tribal Peoples (ILO 169) which requires states to protect indigenous rights through good faith consultations and underlines the need to respect indigenous communities' own institutions in decision-making processes.¹²⁷ Peru has also supported the Declaration of the Rights of Indigenous Peoples which states that indigenous peoples have the right to be consulted on proposed development projects on their ancestral lands, through the principle of Free, Prior and Informed Consent (FPIC).¹²⁸ However, Peru has been criticised for not living up to its commitments to respect indigenous peoples' rights, for example through the general lack of FPIC in large development projects.¹²⁹





The dam and canal in the Andean region of Huancavelica was built to sustain the irrigation needs of Ica. It has impacted wetlands and grazing areas that are crucial for the livelihood of indigenous communities.

PHOTO: SILVANO GUERRERO

Respecting indigenous peoples' rights and enforcing the international frameworks established to protect them would contribute to the fulfilment of SDG 2, 10 and 16, which aim to end hunger, reduce inequalities and promote peaceful and inclusive societies for sustainable development, respectively.¹³⁰

SWEDWATCH'S FINDINGS

Although Swedwatch did not have the opportunity to visit communities in Huancavelica, an interview was conducted with one of the community leaders, Silvano Guerrero, in Ica. The indigenous communities in Huancavelica have been heavily impacted by the Choclococha project that was constructed in the 1950s to divert water from their ancestral lands to Ica. They were forcibly and economically displaced when the dam and canal were constructed and have not received any compensation, according to Guerrero. Since then, the communities have experienced how the wetlands have become drier which affects the quality of grass and the health of their animals. Their situation is further exacerbated by climate change and more unpredictable weather conditions. The canal has also impacted the communities' access to water and graze-lands for their cattle.

- Our communities never received any compensation although their livelihoods were destroyed. There is a fear that new projects will be the same. The interests of the agro export industry will always be stronger than ours in the national context, Guerrero said.

Over the past ten years, a number of new Government-supported projects to lead more water from the Andes to Ica have been designed and are now in various stages of development. According to Guerrero, the indigenous communities have not been properly consulted in accordance with the principles of FPIC.¹³¹

The regional Governments of Ica and Huancavelica have recently engaged in dialogue through the Ica-Huancavelica agreement, which states that any projects to divert water to Ica will also include investments and increased opportunities for the communities in Huancavelica. Several stakeholders express hope that the new agreement will help distribute wealth more equally between the poor Huancavelica region and significantly richer Ica region. However, Silvano Guerrero maintains that the interests and voices of indigenous communities are still not sufficiently taken into account.

Beatriz Salazar, a researcher working for the Peruvian organisation Centro Peruano de Estudios Sociales, has followed the conflict over water and its impacts on the communities in Huancavelica for many years and observed:

- What's still missing is representation of the affected communities in the decisions about how the water will be distributed, from where it will be taken and when during the year. It's not just a matter for the regional governments but the affected communities still don't have much say when new projects are planned.

Measures to solve the water crisis

The agro export companies in the Ica valley are also impacted by the water scarcity. In Villacurí, the water association Junta de Usuarios del sector hidráulico Río Seco, administrates the use of groundwater by the few remaining small-scale farmers and a large number of agro exporters.¹³² In Villacurí, agro exporters are reported to need at least 83 million cubic meters of water per year to irrigate their crops-equivalent to 33,190 Olympic swimming pools.¹³³ According to the manager of the association, Nicanor Toro Levano, the water table in some of the wells in the area have sunk 20 m since 2003. The groundwater can now be reached 80 m down instead of 60.¹³⁴

When interviewed by Swedwatch, the Committee of Fruits and Vegetables that is part of the Peruvian industry association for exporters, ADEX, confirmed the severity of the situation. According to Eric Farah, its director, many companies have already started to move to other regions, such as Lima and La Libertad on the northern coast of Peru.

– The situation in Ica means that the companies will not be able to invest or grow more. If a new project is not introduced to recharge the aquifer, we will always have this problem. If people continue to use the water like today it will dry out but no one knows when, that's the million-dollar question.

The Peruvian State's response to the water crisis has been to find new ways to increase the water supply in the Ica valley to sustain the economically important agro export industry. In addition to the planned projects to transfer water from the Andes to Ica, the Ministry of Agriculture has introduced a project to plant trees in the upper part of the Ica valley to help recharge the aquifer. However, there is insufficient funding to implement it on a larger scale.¹³⁵ Furthermore, the ANA is trying to collaborate with the agro export companies to get them to co-fund new projects that could help recharge the aquifers and prevent water from passing Ica and flowing into the sea.¹³⁶

Several companies have started to construct ponds that are filled with surface water from the river which then filters down and helps recharge the aquifer. Another of the water associations, Junta de Usuarios de Aguas Subterráneas del Valle de Ica (JUASVI), that organises mostly agro exporters and administers their use of groundwater, has entered an agreement with the regional Government to fund a system to regulate the floods to recharge the Ica aquifer. While these measures might help temporarily, they do not address the root cause of uncontrolled expansion. A multi-disciplinary group of researchers at the Pontificia University in Lima, studied different dimensions of the water conflicts in Ica and Huancavelica for over a decade. When interviewed by Swedwatch, the coordinator of the group, María Teresa Oré, stated:

– The measures of the authorities are focused on increasing the availability of water but more water will only make the agro exporters expand their business even more. The main challenge that needs to be addressed is the distribution of the water that exists.

As part of the Peruvian Water Law adopted in 2009, Basin Councils, Consejos de Cuencas, are supposed to be established in all basins as an instance of participatory planning for the sustainable use of groundwater and surface water throughout the area of the basin. In Ica the council was established in 2017 and is not yet fully operational at the time of writing.¹³⁷

Impacts on labour rights

Apart from water-related impacts, Swedwatch's investigation in Ica also covered labour rights abuses in the agro export sector. Peru's Constitution guarantees basic labour rights, including freedom of association and protection from arbitrary dismissal.¹³⁸ However, enforcement of the constitution is weak and labour right violations are common in all sectors. The rate of union membership in Peru is approximately 8 percent.¹³⁹

Due to a special labour regime for agricultural workers in Peru, they receive fewer rights and benefits compared to workers in other sectors, for example lower wages, lower social security contributions and reduced annual leave.¹⁴⁰ According to a 2017 study by researchers at the Belgian university KU Leuven, the average monthly wage received in the sector covers only local living costs for one person while most workers have families to provide for. The study showed that 28 percent of sampled households fell below the poverty line and 56 percent below the living wage line.¹⁴¹

In August 2018, the Trade Commissioner of the European Commission sent a letter to the Peruvian Government, expressing concern that Peru is not living up to the agreements on labour rights in the Free Trade Agreement between EU and Peru. The letter mentioned the general lack of respect for the right to organise and the widespread retaliations against union members in Peru.¹⁴² This has also been reported on by numerous international and Peruvian NGOs.¹⁴³

Swedwatch interviewed 32 workers who have worked on one or more of the agro export farms in asparagus or table grape production and/or in packing facilities during the past three years. Of the agro export companies in Ica exporting asparagus to Europe, only two have a labour union, AGROKASA and Agrícola Chapi.¹⁴⁴ Swedwatch met with representatives of both unions and with the central organisation Confederación General de Trabajadores de Peru (CGTP).

To protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, as well as those in precarious employment is central to the fulfilment of SDG 8: Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.¹⁴⁵

FACT

AGROKASA and Agrícola Chapi

AGROKASA and Agrícola Chapi are two of the largest agro export companies in Ica. AGROKASA was founded in 1996 and is part of a larger Peruvian company group, Corporación Drokasa. AGROKASA specialises in exports of asparagus, table grapes and avocado. In Ica, AGROKASA grows asparagus and avocado at its 1,600 ha plantation Fundo Santa Catalina and has two packing facilities. Agrícola Chapi was founded in 1997 and grows avocado and asparagus at its 522 ha plantation Fundo Don Ernesto. It also has two packing facilities. According to the labour unions, AGROKASA exported fruits and vegetables to the worth of USD 57 million in 2015, and Agrícola Chapi to the worth of USD 19 million.

SWEDWATCH'S FINDINGS

Working conditions in the agro export sector in Ica have in many ways improved significantly during the last decade. Since the beginning of 2000, the use of sustainability standards and certifications has spread in the industry, which is usually a prerequisite for entering the European market. Earlier problems such as the lack of formal contracts and underage workers have almost disappeared, at least on the larger plantations according to the workers, trade unions and NGOs interviewed by Swedwatch. According to the Peruvian industry association ADEX, the competition for labour has meant that companies must offer better conditions in order to recruit workers.¹⁴⁶ However, the results of Swedwatch's research indicate that serious labour rights violations still exist, especially related to low wages and lack of freedom of association.

Both unions mentioned the low levels of union affiliation as a serious issue. Neither union has any temporary workers as members although the majority of workers in the sector are employed on a temporary basis. Union membership is low even among permanent employees and the percentage of affiliation has decreased in recent years. At AGROKASA, 66 of the 220 permanent employees and none of the up to 6,000 temporary seasonal workers belonged to the union at the time of Swedwatch's visit. According to the unions at AGROKASA, the fear of being fired is the main reason for the low numbers and dismissals are common even among permanent workers.

Union member:

"Our major concern is that they don't let us grow as a union. Workers that have been employed for five, six or even ten years are sometimes dismissed if they join the union. The fear of being sacked is keeping people away from us."

Due to Peru's special labour laws for agro export companies, workers can be kept on temporary contracts for years since the work is seasonal. The law gives companies the right to legally suspend workers during the off-season. While asparagus workers usually work 10 out of 12 months of the year, workers in table grapes and avocado production are laid off for longer periods and need to save money from their previous earnings to cover for the months without work. The workers interviewed stated that they risk being fired without warning for complaining about the conditions or simply working too slow.

Worker at agro export farm:

"You have to work harder now. Now they pay us based on performance, if you don't perform, they sack you. In the asparagus production you do the same amount of work as three people used to do, that's how it is now. You can earn money but you have to work very hard, bending your back in the sun all day."

Overtime payments have become less frequent and workers are not asked to work on weekends anymore. The employees and union representatives interviewed by Swedwatch see this a negative change since it has meant that they earn less. Instead they have to work more during the eight hours they are paid for and it has become harder to exceed the minimum rate. Unpaid overtime still exists.

The workers state that irregularities are common everywhere, despite the social audits usually conducted at exporting farms. According to some interviewees, workers are told to lie to inspectors. Labour rights abuses mentioned are common at both the plantations and packing facilities according to workers interviewed. Labour conditions at other farms that do not have a labour union are reported to be the same or worse.

According to the unions, temporary workers are paid the minimum wage of 930 soles per month, equivalent to EUR 240, which does not cover the basic needs.¹⁴⁷ They claim that at least 600 soles more would be needed to cover the expenditure of a family. Employment alternatives to the agroindustry are rare and most workers are unemployed outside the production seasons.

Worker at agro export farm:

“They threw out my brother because he complained on the salary. He’s marked now and can’t come back to the company, there is no way for him to get his job back. It was a group of people who made a complaint that they were paid too little and they were all thrown out of the farm and haven’t been able to enter again.”

According to the unions, the companies AGROKASA and Agrícola Chapi do not use middlemen to employ temporary workers. However, many other companies use such agents to collect people to work on a day-to-day basis. Insecurity for those workers is generally worse and, according to the unions, they receive no insurance or benefits and are not compensated for accidents. A local middleman interviewed by Swedwatch stated that products from these farms could end up in some of the bigger companies as well, despite the certifications they often use.

Worker at agro export farm:

“If you complain, they throw you out. When the auditors come you have to lie, you cannot say they exploit us, that they do not give us good food, or too many extra hours and they do not give you an hour of rest. They teach you to shut up and it should not be like that. There is a lot of exploitation of workers.”

Impacts on children

The agro export sector in Ica has been the engine behind the region’s economic growth; the increase in formal wage employment generated has given many people new sources of income. The demand for unskilled labour in the agro export sector has also offered women a new and welcome opportunity to enter the labour market. In many of the agro export farms a large part of the workforce is female. However, the rapid urbanisation and migration combined with the precarious working conditions for many workers in the sector have presented a wide range of new human rights challenges.

Due to the lack of living wages and the lack of local investments in child care facilities, health and public water and sanitation systems in the region, many of the workers living in informal settlements experience low living standards, which affect children’s rights in particular. The children of migrant workers are usually more vul-

nerable since they often have a weak social security net. According to a 2018 study by the Peruvian Ministry of Women and Vulnerable Populations, Ica is also among the regions where sexual violence against children is most common. In February 2018 alone, Ica had 26 cases of reported sexual violence against children.¹⁴⁸ The real number is expected to be much higher since many cases are not reported.

Actions to promote children's rights, migrant workers' rights and decent living wages contribute to the fulfilment of SDGs 3, 4, 5, 10 and 11, which aim to ensure good health and well-being; quality education; gender equality; reduced inequalities; and make cities and human settlements inclusive, safe, resilient and sustainable.¹⁴⁹

SWEDWATCH'S FINDINGS

Some of the women working in the agro export sector interviewed by Swedwatch express satisfaction at having an income of their own and being able to contribute economically to their families. However, most state that they were forced to start working since their family could not survive on the income of their husband, also working in the agro export sector. Even with two incomes it is difficult for them to make ends meet.

Female worker:

"We couldn't survive only on my husband's salary, I had to work, too. When I started to work my oldest was 10 years old, the other 8 years old and they looked after the baby who was 2 or 3 months old. At that age they took care of the minors already."

According to the interviewees, a lack of childcare puts their children in vulnerable situations because the parents need to work long hours. Public childcare is almost nonexistent and the quality low. Instead, young children are usually left with neighbors or older siblings. Parents who work in the agro export industry tend to leave for work around 4:30 am and come home at 6:00 pm, depending on transportation facilities.¹⁵⁰ Many of the women interviewed by Swedwatch have had to leave their babies with their older children of nine or ten years old. Although most children go to school, they often miss classes or have difficulties doing homework since they also take care of their younger siblings. The women expressed a feeling of losing control of and contact with their children and of letting down their older children.

Female worker:

"Many women don't have anywhere to leave their children when they go to work. In my case, I left my baby with my oldest son. He watched the baby until 8, went to school and left the baby with a neighbor, picked him up after school and kept watching, until I returned. There is no time to be with your kids. If you work in the field you come back at 3 or 4 in the afternoon, but if you work in the factory packing, you come back 10, 11 at night. I left the baby alone the whole day, with his brother. You deprive the older children of their childhood, because they have to become the father and mother of their younger siblings."

Low wages also have negative consequences for the nutrition of the workers' children. Some of the workers interviewed by Swedwatch claim that they cannot afford to give their children fruits and vegetables. Since children are left alone all day, parents find it difficult



The agro export sector has offered many women a chance to participate in formal employment but due to the lack of childcare children are often left alone when parents work.

to know how much and what they eat which also leads to poor nutrition, according to the women interviewed. Children are often left some money to buy cheap street food which usually contains more fat and is less nutritious than home-cooked food. Many of them drink soda instead of water.

Migrant worker from Huancavelica:

“I moved here from the mountains. Shortly after we arrived, my husband died, and I was alone with my son. I had to start working but didn’t know where to leave him. Sometimes I had to lock him in, like a chicken. At that time, he was three years old and left alone, sometimes all day. It made me suffer a lot but if there is nowhere to leave him, what can you do.”

Among teenagers in the settlements, social problems such as criminality, drug addiction and pregnancies are common. The absence of parents also exposes children to the risk of sexual abuse by other community members which is common according to interviewees. Norma Espino, a social worker who has worked for many years within health and childcare, expressed:

- The parents lose contact with the children very soon. They don't know if they have been to school or what they do during the days. The kids see no point in education since they are just waiting to get old enough to start working on the farms.

Response of the Peruvian exporters

Prior to publication of this report, the Peruvian companies AGROKASA and Agrícola Chapi and the Peruvian industry association Association of Peruvian Agrarian Producers Guilds (AGAP) were offered the opportunity to read and comment on the above section about the labour rights situation.

AGROKASA is a supplier of fresh green asparagus to several of the Swedish companies through different Swedish and European middlehands. In its response to Swed-watch, AGROKASA states that it is a company oriented towards the sustainable development of Peruvian export products. It has committed to the labour policies contained in the Protocol of Ethical Trading Initiative (ETI), whose demands are more stringent than the conditions required by Peruvian labour law. ETI is an independent, non-profit alliance of businesses, unions, and voluntary organisations that work to improve global supply chains.¹⁵¹

AGROKASA states that the company's operations periodically are subject to external ethical audits carried out by globally recognised audit firms contracted by specific clients. The methodology of the audits includes both individual and group interviews with workers, sometimes up to 2000, conducted in private. According to AGROKASA, it is not possible to influence the answers since the interviewees are randomly selected. Additionally, the reports of these audits are carried out strictly respecting the anonymity of the interviewees.

AGROKASA states that it has signed seven collective bargaining agreements with the union since 2007. The agreements have been signed in direct contact and without the intervention of the labour authority. According to AGROKASA, the unionised workers represent slightly over 40 percent of the permanent personnel.¹⁵² The company states that since 2007, regular meetings are held with the union every two months, to deal with matters related to the employment relationship. In its response, AGROKASA adds that the company has labour policies that aim to raise awareness of the rights and benefits that workers enjoy from their first day in the company.

According to AGROKASA, salaries paid are above the legal minimum wage. Protection equipment is provided when needed as well as transfer to the farm for workers. Furthermore, the company adds that healthy food is provided at no cost to the workers and all staff enjoy the medical care provided through the social insurance EsSalud.¹⁵³

Agrícola Chapi is a supplier to some of the Swedish companies through a Dutch middlehand. According to the company, all its workers receive a basic wage. If a worker wishes to have access to an incentive, he or she must comply with the basics of production and from there achieve a higher yield in productivity to be paid that incentive. According to Agrícola Chapi, it is not true that low-performing workers

are expelled or that workers are asked to lie at audits, according to Agrícola Chapi. In addition, once their work is over, workers receive free transportation and a meal. It is often difficult for the company to recruit enough workers in high-season since many workers prefer to work in other farms that use a middle-hand that collects people on a day-to-day basis and pays a higher daily salary with no social security deductions.

Agrícola Chapi is a member of the CEO Water Mandate (see page 51). According to the company, all its wells have valid licenses and the company also uses a surface water infiltration well to use less groundwater. The company states that it implements recycling programs in areas where there is no garbage collection service, organic garden programs where there are problems of anemia and malnutrition, as well as implementation of water infrastructure in areas where people has little access to water.

After the field study, Swedwatch also contacted the Peruvian industry association AGAP and requested them to comment on the main findings of the report.¹⁵⁴ In a statement sent to Swedwatch, AGAP express "total disagreement and rejection of the perspective of Swedwatch regarding the agro export companies in Ica". AGAP underlines that the agro export sector in Peru has managed to reduce poverty in rural areas by providing formal employment, achieve economic decentralisation of the country and improve the quality of life of thousands of Peruvians, especially by including rural women in the economy and thus reinforcing the development of the sector that grows in two digits each year.

According to AGAP, it is not possible to attribute the responsibility for water scarcity in Ica to the agro export sector, since there are multiple actors that use water and a high rate of informality in the use of this resource. This informal use does not comply with the provisions on water resources and environmental protection, unlike agro export companies and the formal sector of the economy.

Regarding labour rights, AGAP states that the companies in the agro export sector comply with the labour standards of the country, as well as international certifications in socio-labour matters, recognising the fundamental rights of their employees, including freedom of association, and in many cases pay higher salaries than the minimum.

4. Human rights and companies' responsibility

This section highlights international guidelines that are relevant for addressing the human rights and impacts identified in this report (see Annex 1). It includes general guidelines that stipulate how all companies should take human rights and the environment into account in their operations, as well as more specific guidance on how to address water-related impacts associated with business activities and how to ensure sustainable agricultural supply chains. The section is intended to serve as a starting point for relevant stakeholder engagement and actions that contribute to the fulfilment of the SDGs.



In Ica many workers live in informal settlements without access to basic services like water and sanitation.



Identify risks and address impacts

The UNGPs, adopted by the Human Rights Council in 2011, serve as the most comprehensive framework clarifying corporate responsibilities regarding human rights to date; they apply to all businesses. The principles have been incorporated into other guidelines such as the OECD Guidelines for Multinational Enterprises which apply to all OECD countries and adhering countries.¹⁵⁵

While states have the primary duty to protect and fulfil human rights, businesses should respect human rights in all parts of their value chains. It means avoid infringing on the human rights of others and address adverse human rights impacts with which the business is involved. This responsibility exists independently of States' abilities or willingness to fulfil their own human rights obligations and does not diminish those obligations.¹⁵⁶ According to the UNGPs, at a minimum, all human rights specified in the International Bill of Human Rights along with fundamental labour rights detailed in the core ILO conventions should be considered when companies identify their potential human rights impacts.¹⁵⁷

A cornerstone of the UNGPs is human rights due diligence (HRDD) - a process that companies should have in place to identify and address human rights risks and impacts. It includes assessing actual and potential human rights impacts, integrating and acting upon the findings, tracking responses, and communicating how impacts are addressed.¹⁵⁸

In situations that have a heightened risk of severe human rights impacts it is critical for businesses to conduct effective HRDD. A heightened risk might arise from, for example, an operational context including conflict, corruption, and weak governance or business relationships with suppliers, partners or customers with a bad track record.

It could also arise from business activities commonly associated with human rights impacts such as land acquisition, resettlement and extensive water usage, or the presence of groups that are particularly vulnerable to business impacts due to political, social or economic marginalisation.¹⁵⁹ A company is expected to pay extra attention to avoid infringing on the rights of groups that may be particularly vulnerable in a specific context, for example migrant workers or indigenous peoples.¹⁶⁰

When businesses prioritise, the most severe human rights impacts should be addressed first, regardless of the business connection to it. The severity of impacts should be assessed based on how grave the impact is (scale), how widespread it is (scope), and how hard it would be to put right the resulting harm (its irremediable character).¹⁶¹ In order to verify whether the negative impacts are adequately addressed, businesses should track the effectiveness of their response, particularly regarding impacts on individuals from vulnerable or marginalised groups. The process should involve meaningful consultation with affected groups, and businesses should externally communicate how they address the impacts.¹⁶²

States and the UNGPs

The UNGPs distinguish between the state duty to protect against human rights abuses and the corporate responsibility to respect human rights. According to the UNGPs, states should set out clear expectations for businesses operating within their territory and provide effective guidance on how to respect human rights throughout their operations.¹⁶³ In 2014, the UN Human Rights Council called on all Member States to develop National Action Plans on Business and Human Rights to promote the implementation of the UNGPs (see Annex 2). Sweden adopted its National Action Plan in 2015 while Peru is currently in the process of developing one.¹⁶⁴

Companies responsibility according to the UNGPs

The UNGPs define three different types of responsibility. When a business is *causing* the human rights abuse, it is the principal actor in the breach of human rights – either by its actions or its lack of action (omission). If a business is enabling, encouraging, or facilitating human rights abuses, it is said to be *contributing* to the problem – sometimes through or together with a third party. When a business is neither causing nor contributing to human rights abuse, it can still be directly *linked to* the human rights impact through its operations, products, and services via a business relationship.

Companies that cause (or may cause) an adverse human rights impact, should take the necessary steps to cease or prevent the impact. Where a company contributes or may contribute to an adverse human rights impact, it should take the necessary steps to cease or prevent its contribution. When a company is linked to the impact, it should use its leverage to mitigate the impact to the greatest extent possible.¹⁶⁵

The actions taken also vary according to the actor's leverage or ability to address impacts. A business has leverage if it can effect change in an entity's harmful practices. If the business has leverage to prevent or mitigate impacts it should exercise it, or otherwise seek to increase its leverage. If a business is unable to increase its leverage, it should consider ending the relationship with the entity causing harm, but only after assessing the possible negative impacts of doing so.¹⁶⁶

According to the UN Office for the High Commissioner for Human Rights, there can be a continuum between contributing to and having a direct link to an adverse human rights impact. In a statement regarding the UNGPs from 2017, the office clarified that a business involvement with an impact may shift over time, depending on its own actions and omissions. For example, if a business identifies or is made aware of an ongoing human rights issue that is directly linked to its operations, products or services through a business relationship, yet over time fails to take reasonable steps to seek to prevent or mitigate the impact, it could eventually be seen to be facilitating the continuance of the situation and thus be contributing to it.¹⁶⁷

How should businesses respect the human right to water?

The non-profit Shift, an expert organisation working to apply the UNGPs, has developed guidance for companies on how to respect the human rights to water and sanitation (HRWS) together with the CEO Water Mandate (see fact box below).¹⁶⁸ According to Shift, businesses can respect HRWS by using the key elements of the general HRDD process described in the UNGPs, but with a specific focus on HRWS. When assessing impacts on HRWS, businesses should take into account its different dimensions: availability, accessibility, quality and safety, acceptability and affordability. Engagement with affected rights holders is key during all steps in the process.

According to the guidance, companies should:

- Develop and communicate a policy commitment that reflects their responsibility to respect HRWS throughout their operations, including both their own activities and their business relationships.
- Embed respect for HRWS in internal company structures and apply the commitment to business relationships, setting clear expectations about respecting HRWS from the start and throughout the relationship.
- Assess impacts on HRWS and identify who may be involved in impacts on these rights, paying attention to groups or individuals who may be particularly vulnerable or marginalised. During the assessment process companies should consider the impacts arising through business relationships.
- Prioritise impacts for attention by evaluating the severity of potential impacts and the likelihood that they occur, focusing on severity as the dominant factor. When prioritising impacts companies should pay particular attention to cumulative impacts on HRWS that may arise from one or more actors that lead to a negative impact on HRWS. Companies should ensure that impact assessments capture such cumulative impacts so that appropriate action can be taken to address them together with other relevant stakeholders, including the state.
- Address impacts on HRWS by understanding how the company may be involved and use this information to identify appropriate responses. Build and use leverage in business relationships, evaluating possible forms of leverage and using their leverage with suppliers to reinforce suppliers' own responsibility to respect HRWS. Where national law fails to adequately protect international human rights standards, companies should seek to honor the principles of human rights and be able to demonstrate their efforts to do so.
- Track the effectiveness of efforts to prevent and address impacts arising through business relationships as well as their own activities and communicate performance. Improve communication with affected rightsholders and formal reporting on severe impacts on HRWS.
- Establish appropriate processes to provide remedy and design effective operational-level grievance mechanisms (see Annex 3). Map existing external grievance mechanisms and their effectiveness to understand the implications for their own processes for providing remedy to affected rights holders.

Companies should take these steps in order to fulfil their responsibility to respect HRWS, regardless of where they operate or what sector they are in. Companies may also take additional steps to support HRWS regardless of whether they have identified any negative impacts on HRWS from their own operations.¹⁶⁹

FACT

Business initiatives on water

The CEO Water Mandate is a special initiative of the UN Secretary-General and the UN Global Compact, implemented in partnership with the Pacific Institute. Companies that endorse the mandate agree to continuous improvement in six core areas of their water stewardship practice: direct operations, supply chain and watershed management, collective action, public policy, community engagement and transparency.¹⁷⁰

The Alliance for Water Stewardship is a global network that promotes the responsible use of freshwater that is socially and economically beneficial and environmentally sustainable. The alliance has developed a global water stewardship system, centered on the International Water Stewardship Standard (the AWS Standard), that drives, recognises and rewards good water stewardship performance. The AWS standard provides a globally-applicable framework to help major water users understand their water use and impacts, and to work collaboratively and transparently for sustainable water management within a catchment context. The members of the alliance include businesses and other stakeholders.¹⁷¹

Provide access to remedy and grievance mechanisms

Access to remedy for victims of business-related human rights abuses is a crucial, but often neglected, issue in the debate on business and human rights. According to the UNGPs, effective judicial mechanisms are at the core of ensuring access to remedy for victims of business-related human rights abuse. States should ensure that courts are independent of economic or political pressure from other state agents or from business actors, and that the legitimate and peaceful activities of HRDs are not obstructed.¹⁷² States and businesses should also provide effective non-judicial grievance mechanisms to remedy business-related human rights abuses. In order to be effective, non-judicial grievance mechanisms should meet several criteria; for example they should be legitimate, accessible and transparent (see Annex 3).¹⁷³ In practice, effective grievance mechanisms are often lacking and victims of business-related human rights abuse have little chances of obtaining remediation.

FACT

The National Contact Points of the OECD

An example of a non-judicial grievance mechanism is the National Contact Points of the OECD. The OECD Guidelines for Multinational Enterprises proscribe procedures for resolving disputes between companies and the communities or individuals negatively affected by business activities.¹⁷⁴ While the OECD guidelines are voluntary for businesses, OECD-countries are obliged to uphold them. In cases of corporate misconduct a complaint can be filed with the National Contact Point (NCP) - dispute resolution mechanism that should be established in each OECD country. Any interested party - such as a community, a group of workers or individuals impacted by a company's activities, a trade union, or an NGO - can file a complaint against the company for alleged breaches of the guidelines.¹⁷⁵



Cultivation of table grapes in the desert in Villacurí, Ica.

OECD-FAO Guidance for Responsible Agricultural Supply Chains

The OECD Guidelines for Multinational Enterprises provide guidance for responsible business conduct in areas such as labour rights, human rights, environment, information disclosure, combating bribery, consumer interests, competition, taxation, and intellectual property rights. The OECD has also developed several sector specific guides for companies such as the OECD-FAO Guidance for Responsible Agricultural Supply Chains, which is particularly relevant for this report.¹⁷⁶

It builds on other guidelines such as the Principles for Responsible Investment in Agriculture and Food Systems (CFS-RAI) and the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) and the Principles for Responsible Agricultural Investment that Respects Rights, Livelihoods and Resources (PRAI).

The guidance applies to all companies operating in the agricultural supply chain and covers best practice for a wide range of issues such as the environment, labour rights, due diligence, community consultation and grievance mechanisms. It includes a model enterprise policy for responsible agricultural supply chains and builds on core standards that companies should observe to build responsible agricultural supply chains (See Annex 4).

The Children's Rights and Business Principles

In 2012, the UN Global Compact, UNICEF and Save the Children launched the Children's Rights and Business Principles. The principles build on the UNGPs to articulate companies' responsibilities in regard to children's rights. The ten principles clarify that governments at all levels have the duty to protect, respect and fulfil children's rights (see Annex 5). The principles also make clear that all societal actors, including businesses, must comply with applicable national law and respect international standards on children's rights.¹⁷⁷

The principles call on businesses everywhere to respect and support children's rights throughout their activities and business relationships, including in the workplace, the marketplace, the community and the environment. The principles identify a comprehensive range of actions that all businesses should take to prevent and address any adverse impact on children's human rights, as well as measures all businesses are encouraged to take to help advance children's rights.¹⁷⁸

According to Principle 3 d, all businesses should provide decent working conditions that also support workers, both women and men, in their roles as parents or caregivers. Beyond legal compliance, business should pay particular attention to working conditions such as the payment of a living wage, length and flexibility of working hours, provisions for pregnant and breastfeeding women, need for parental leave, supporting migrant and seasonal workers with distance parenting, and facilitating access to good quality childcare, health care and education for dependents.¹⁷⁹

Business and human rights defenders

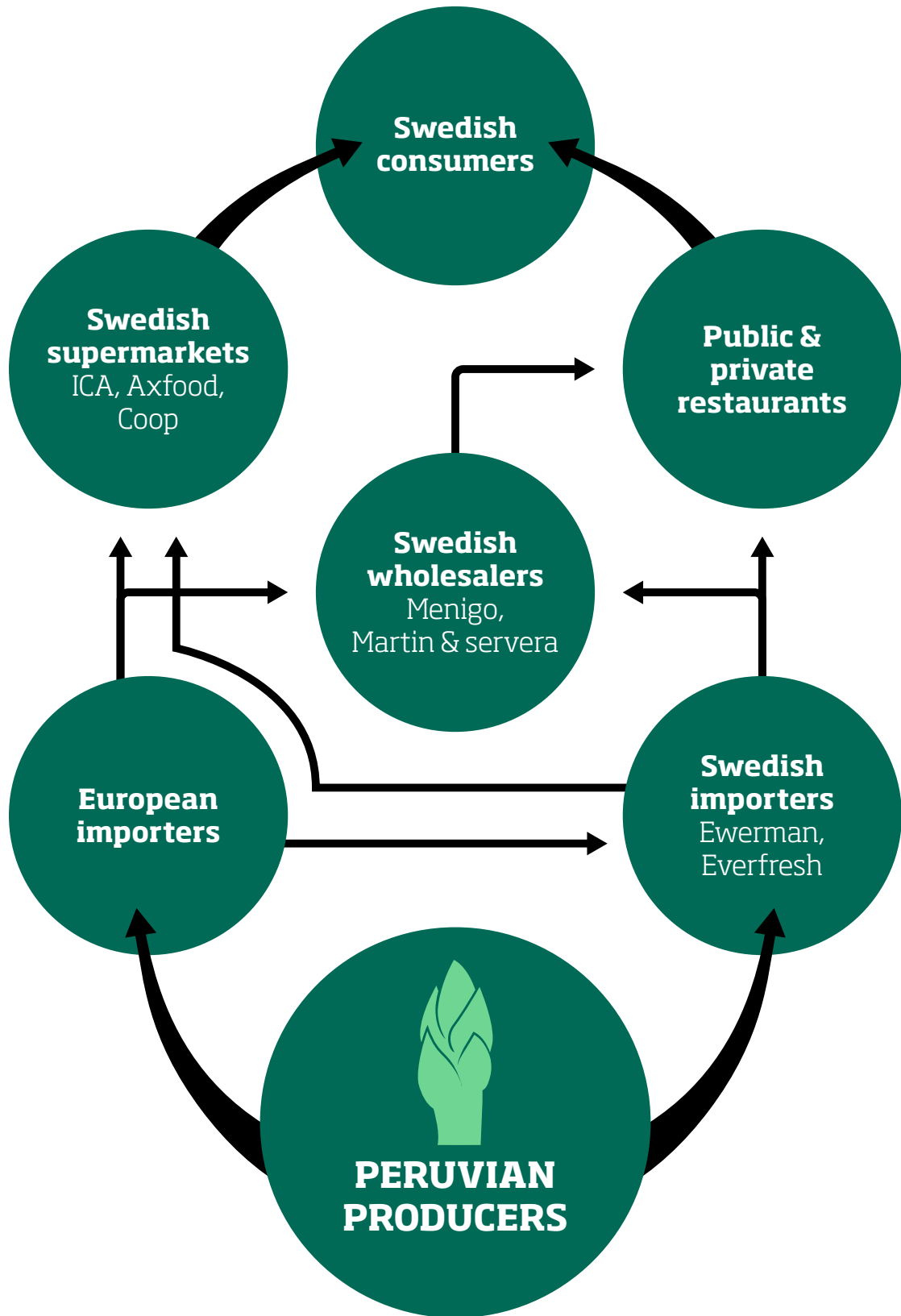
In 2016, the UN Human Rights Council adopted a resolution on protecting HRDs that encourages non-state actors to refrain from undermining their capacity and to express public support for the important and legitimate role of HRDs. It also underlines the responsibility of businesses to respect and consult with HRDs.¹⁸⁰

According to a 2017 report from the Special Rapporteur on HRDs, companies should assess the situation of civic freedoms and human rights defenders in the countries in which they operate, identifying gaps between international standards and national laws and practice. Furthermore, companies should:

- Ensure that their policy commitments on human rights reflect the critical role that defenders play in bringing human rights issues to their attention and address the risks they face in doing so.
- Actively engage with defenders and grass-roots civil society organisations in the elaboration of their human rights policies.
- Address the situation of and risks to company employees in their capacity as defenders, as well as external HRDs, and their opportunities to safely address business-related human rights grievances.
- Establish and implement processes to remediate adverse human rights impacts arising in any area of operations.¹⁸¹

SUPPLY CHAIN

Fresh green asparagus from Ica, Peru



5. Performance of Swedish companies buying asparagus from Ica

This section provides information on the practices of seven Swedish companies that buy fresh green asparagus from the Ica valley in Peru: ICA, Axfood, Coop, Martin & Servera, Menigo, Everfresh and Ewerman. The seven companies scrutinised in this report, have all bought asparagus from Peru and the Ica valley during the past five years (2012-2017) according to the information that Swedwatch has been provided.¹⁸² Some also import avocados from the region. Swedwatch has been in dialogue with the Swedish companies since the initial stages of research for this report. Since the issues were raised with the companies, several of them have taken steps to address the situation in Ica. However, more needs to be done for the Swedish companies to comply with international guidelines.

FACT

The retailers

ICA

ICA Sweden is the leading grocery retailer in Sweden; it has about 1,300 stores. The business is run together with free ICA traders that own and operate their own stores. In 2016 ICA had a turnover of approximately SEK 74 billion.¹⁸³

Axfood

Axfood's business is divided between food retail and wholesale in Sweden. Axfood collaborates with 1,137 stores in Sweden, 274 of which are group-owned. Axfood's brands include Willys, Hemköp, Axfood Närlivs, Axfood Snabbgross, Mat.se, Middagsfrid and Eurocash. Axfood had a turnover of approximately SEK 46 billion. The principal owner is Axel Johnson AB.¹⁸⁴

Coop

The cooperative association KF and the Consumer Association Stockholm, KFS, own 67 percent and 33 percent respectively, of Coop Sverige AB. There are around 655 Coop stores owned by 3.4 million members in 31 consumer associations. Coop Sweden's turnover was approximately SEK 38 billion in 2017.¹⁸⁵

The Swedish retailers ICA, Axfood and Coop have all bought asparagus and avocado from the Ica valley during the past five years. Axfood has bought 116 tons of asparagus from Ica while Coop has bought over 401 tons of asparagus from the Ica region during the period. ICA has stated that it is against its policies to publicly share the concrete figures on the amount imported.

ICA, Axfood and Coop require suppliers to sign and implement their Codes of Conduct which refer to the International Bill of Human Rights and ILO core conventions in line with the UNGPs. The companies use the Country Risk Classification tool of Amfori BSCI, a globally recognised business association that aims to improve companies' supply chain due diligence.¹⁸⁶ ICA and Coop require suppliers in Peru, which

is classified as a high-risk country, to have undergone third party social audits while Axfood requires either third party audits or that their suppliers have a collective bargaining agreement with their employees. The supermarkets also conduct their own audits of suppliers to ensure that they live up to the companies' Code of Conduct.

Generally, the companies state that the large number of suppliers is a challenge; their own audits tend to focus on suppliers to the companies' own brands and do not cover all suppliers from high-risk countries. Instead, the companies require suppliers to have at least one sustainability certification and to provide buyers with the results of third-party audits, which are usually conducted once a year and cover only a limited scope of potential human rights issues. For example, third-party audits often include on-site visits and interviews with workers in the field but not input from other potentially affected rights holders such as local communities.¹⁸⁷

When asked by Swedwatch, the supermarkets responded that they were aware of and had basic information on most of the issues raised in this report. All of them described the water situation in Ica as a major sustainability challenge related to agricultural products from the area. However, only one company, the largest retailer ICA, had visited its Peruvian suppliers of asparagus prior to the dialogue with Swedwatch.

ICA and Axfood are part of an initiative to address water issues in the food sector led by SIWI (see fact box on page 42).¹⁸⁸ As part of the project, SIWI has conducted several field studies, one of which addresses asparagus production in Ica (this was suggested as a focus by ICA that also took part in the field study). During the field study with SIWI, several interviews were conducted with small-scale farmers and one of the water users' associations, JUASVI which works to monitor and recover the groundwater level in the Ica valley. Anders Axelsson, Quality and Social Compliance Manager at ICA, has visited the suppliers twice in order to raise the water issues with them.

- I had a general dialogue with the suppliers about how they work with the water issue which is a big problem in the area. Our suppliers are well aware of the problem and not afraid to talk about the issue but it is difficult to find practical solutions. It's easy to land in the conclusion that they should just pack up and leave but as this is what they live of, they simply cannot do so.

Axfood has made water risks in supply chains a top priority in 2018. According to the company's goals, by 2020, Axfood will have methods that can evaluate how suppliers in regions with water scarcity reduce their water pressure.¹⁸⁹ Coop has not conducted any audit of its suppliers in Ica, instead it refers to the sustainability work of its Swedish supplier.

The wholesalers

Martin & Servera

Martin & Servera is a Swedish wholesaler and distributor of food and beverages with 12 000 customers in Sweden such as restaurants, cafés and fast food chains as well as public hospitals, retirement homes and schools. Martin & Servera is one of Sweden's biggest suppliers of food products to the public market. The Martin & Servera Group consists of the parent company, Martin & Servera, along with several subsidiaries. In 2017 the Martin & Servera Group had a turnover of SEK 14,5 billion. The company is owned by Axel Johnson AB (70 percent) and the Oldmark family (30 percent).

Menigo

Menigo is one of the biggest food suppliers in Sweden. The company is owned by Sysco, a global food service provider based in the United States. In Sweden, Menigo has approximately 15 000 customers within the public and private markets and a turnover of SEK 6 billion in 2017.¹⁹⁰

The wholesalers Martin & Servera and Menigo largely depend on third party audits of suppliers and refer to the sustainability work of their first-tier suppliers. None of them have visited their asparagus suppliers in Ica. According to information provided by Martin & Servera, the company buys asparagus from a Swedish wholesaler of fruits and vegetables. Due to a recent change of supplier, Martin & Servera stated that it was unable to provide Swedwatch with the total amount of asparagus from Ica imported during the past five years but estimates it to be about 14-15 tons a year. Suppliers to Martin & Servera are required to sign the company's Code of Conduct¹⁹¹ and to be certified, for example by Global GAP (see fact box on page 59). Most audits are conducted by a third party but sometimes Martin & Servera make its own assessments of suppliers. Suppliers that do not have a certification end up in a higher risk class. On-site audits are made when required.

According to Menigo, all suppliers must accept Menigo's requirements for suppliers and products that include quality- and environmental policy as well as Menigo's code of conduct.¹⁹² Menigo requires fresh fruit and vegetables growers to be Global GAP certified. Different levels of follow-up are applied based on risk and depending on whether the product is one of Menigo's own brands or a suppliers brand. An in-depth evaluation is made of suppliers in countries categorised as high risk by the business association Amfori BSCI, through questionnaires and certificate reviews. Menigo does not conduct its own social audits, but conducts quality audits of suppliers to its own brands.

About 17 percent of Menigo's fresh asparagus comes from Peru, of which 75 percent comes from the Ica region. Menigo also buys fresh and frozen avocado from Ica. According to Menigo, its Dutch supplier is well aware of the challenges and works closely with the producers, which are Global GAP certified, as well as socially audited. Actions have been taken to implement drip-irrigation. Due to the water situation, some of the suppliers have already started to move to other parts of Peru, according to Menigo. Menigo stated that it will look over its assortment with a particular focus on fruit and vegetables that require a lot of water resources to improve its monitoring of suppliers' water management efforts and to inform customers more about consuming products in season.

The importers

Everfresh

Everfresh is a Swedish importer and sales company for fruits and vegetables, delivering to wholesalers and stores all over Sweden. Everfresh AB is part of Total Produce plc, one of Europe's biggest fruit and vegetable companies. It had a turnover of SEK 4,7 billion in 2017.¹⁹³

Ewerman

Ewerman is a Swedish importer, wholesaler and distributor of fruits and vegetables with two owned brands, SallaCarte and Daily Greens, delivered to hotels and restaurants across Sweden. In 2017 Ewerman had a turnover of SEK 1,47 billion as part of Greenfood, a Swedish business group established in 2016.

Between 2015 and 2018, Everfresh bought approximately 665 tons of fresh green asparagus from Peru, almost 95 percent of which came from the Ica valley. It also bought almost 3,450 tons of avocado from the Ica valley during the same period. According to Everfresh, suppliers are required to sign and implement its Code of Conduct and all suppliers need to be certified by Global GAP. Production facilities in high-risk countries (based on the BSCI Risk List) must have undergone a third party social audit – this includes packing houses and cultivation. Everfresh states that it works with long-term supplier relationships close to the primary producer.

Audits of Everfresh's suppliers are conducted through the parent company Total Produce Nordic (TPN) who made an audit of the suppliers in Ica in 2014. According to Everfresh, major sustainability challenges in the area include to ensure that illegal water sources are not used and affects the local population's access to drinking water. When TPN conducts supplier audits, a visit normally takes 1-2 days. Workers are selected and interviewed at the workplace. After the dialogue with Swedwatch, Total Produce Nordic conducted a new audit of its suppliers in Ica, in October 2018. However, the audit did not include consultation with any local authorities or affected rightsholders apart from workers.

During the period 2013-2017, Ewerman purchased 124 tons of asparagus from Peru. Historically, the Ica region has accounted for about 75 percent of its asparagus import, but in 2018 the share was around 45 percent. In 2015-2017 Ewerman purchased approximately 3170 tons of avocado from Peru, of which about 30 percent came from the Ica valley.

Ewerman's sustainability work is conducted by parent company Greenfood, which took over sustainability issues for the whole company group in 2018. Generally, both third party and internal audits are conducted and in September 2018 Ewerman made an audit in Ica. According to Ewerman, labour rights and water-related issues are major challenges in the area. Greenfood has initiated a dialogue with suppliers in Ica and the local water authority ANA and refers to the measures taken by the ANA and local producers to help recharge the aquifers.



The Ica region in Peru is one of the driest places on earth. Globally, water-scarcity is predicted to displace up to 700 million people by 2030.

FACT

Certifications and water-related impacts

The most common certification used by the producers in Peru is Global GAP, used world-wide to ensure good agricultural practices. It focuses on food-safety but also includes issues such as environmental quality, worker safety and hygiene, and traceability on the farm. For example, producers applying for Global GAP certification must ensure access to drinking water, clean toilets and handwashing facilities for harvest workers on the farm. The standard also requires producers to use water resources effectively at the farm. Its audit reports are not made public.¹⁹⁴

SIWI has conducted a study to map weaknesses and strengths in the ability of some of the most commonly used sustainability tools, SAI Farm Sustainability Assessment Tool 2.0 and Global GAP Integrated Farm Assurance Standard version 5, to assess impact on water resources.¹⁹⁵ This is part of the project with companies in the food sector in Sweden.

The SIWI project will provide recommendations on how the tools can be improved, and what additional measures might be needed to ensure that water is managed in a sustainable manner and water risks are mitigated. According to Elin Weyler, the project manager at SIWI, the current certifications do not sufficiently address the impacts on water related to a whole sector. They rather encourage improvements by individual companies which often fail to address the bigger problem of lack of efficient and sustainable resource planning.¹⁹⁶ A SIWI report that summarises the project concludes that water risk areas need more localised methodologies since the current tools do not address the wider or future water risks, or mitigation.¹⁹⁷

6. Analysis and conclusions

A growing global demand for fresh fruits and vegetables such as green asparagus, avocado and table grapes has led to an agricultural boom in the Ica valley in Peru in recent decades. The findings of this report indicate that while the rapid expansion of the agro export sector has created new employment opportunities for a large part of the population, it has also contributed to a number of negative impacts on the environment and human rights, including:

- A clear overexploitation of freshwater resources, which has jeopardised the local population's access to water for drinking and household purposes and for irrigation. This negatively impacts the human right to water, health, food and a decent living standard.
- Social conflicts, sometimes violent, linked to the water crisis and a lack of grievance mechanisms and dialogue for impacted rights holders. This negatively impacts the human rights to freedom of expression, assembly and affected communities' right to remedy.
- Widespread labour rights abuses including unfair dismissals and retaliation against union members. Low wages and lack of local investments have contributed to poor living standards in settlements for workers, which particularly affect children and migrant workers. This has a negative impact on the human right to health, food and a decent living standard.

The findings in this report demonstrate that all these issues are interlinked and together create a wide range of impacts related to the agro export sector that have so far not been adequately addressed by either the companies in the supply chains, nor the Peruvian State. The water situation and related human rights impacts are particularly severe and need to be urgently addressed. As the agro export sector is the biggest user of freshwater in the area, buyers of fruits and vegetables from the Ica valley have a clear responsibility and an important role to play in addressing the challenges together with their suppliers. Part of the solution could be to require suppliers to apply the AWS Standard (see page 51). Joint action from all stakeholders is needed in order to remediate current impacts and mitigate future risks. These steps are crucial for contributing to the fulfilment of the SDGs.

Companies sourcing fruits and vegetables from the Ica valley should, as they are linked to the impacts, seek to increase their leverage in line with the UNGPs. Furthermore, it could be argued that the companies scrutinised for this report, through their business relationships and access to information regarding impacts, have contributed to the current situation as known risks have not been addressed.

It is commendable that the scrutinised Swedish companies have showed openness to dialogue on issues raised and have shared information regarding their respective supply chains and internal routines. Several of the companies have identified water consumption in the production of fruits and vegetables as a general issue that needs to be addressed. Some have also increased engagement. For example, Axfood has



Lack of local investments and an increasing population puts pressure on local authorities in Ica who have been unable to meet the increased need for basic services such as waste disposal.

made water risks in supply chains a top priority and strive to be able to evaluate how suppliers in regions with water scarcity reduce their water pressure by 2020. ICA and Axfood have joined the SIWI group on water and food and ICA had visited its suppliers to raise water issues before engaging in dialogue with Swedwatch. Both Ewerman and Everfresh (through TPN) have visited their suppliers in the Ica valley during the work of this report.

While these developments are positive, the Swedish companies need to take further actions to comply with internationally recognised standards on business and human rights. The companies should include clear requirements specifically addressing the human right to water in all their contracts with suppliers of agricultural products. Suppliers should also be required to adhere to the FAO-OECD Guidance on responsible agricultural supply chains.

In high-risk contexts, such as the agriculture sector in the Ica valley, rigorous follow-up on suppliers' management of human rights risks and potential impacts on the environment should be a top priority. However, according to information that Swedwatch has been provided, the current sustainability work of the Swedish companies

Asparagus worker, Ica. Drip irrigation has been installed at most of the larger plantations to minimise water use but unsustainable amounts of groundwater are still extracted to irrigate the export crops.



relies heavily on certifications and third-party audits. Though certifications can help increase compliance with labour rights and environmental standards, they are no guarantee against corporate misconduct.¹⁹⁸

When the Swedish companies conduct their own audits, most information is provided directly by the supplier and does often not include, for example, interviews with local authorities or members of local communities. Consequently, there is an apparent risk that misconduct by suppliers is missed and that companies fail to identify severe human rights impacts.

To adequately address the situation in the Ica valley, the companies should ensure that their HRDD processes are designed to capture the full range of potential human rights impacts based on several sources of information, including consultations with potentially affected rights holders. Given the fear of retaliation that many workers experience, they should be interviewed outside their workplace. When possible, local civil society organisations trusted by the affected communities could help to coordinate such dialogues.

Companies that are buyers of fruits and vegetables from the Ica valley should pay specific attention to the increasingly difficult situation for HRDs and the risk of social conflicts related to water and the agro export sector. Peru is a post-conflict society still struggling with many of the scars of its internal armed conflict.

HRDs play a key role in holding businesses accountable of corporate misconduct and business-related human rights abuse. Given the importance of their work for society at large and their fight to uphold fundamental democratic principles, businesses should not only respect but also support HRDs right to work without fear of retaliation. Consultation with rights holders affected and their legitimate representatives will be crucial if the agro export sector is to successfully address the negative impacts and thereby contribute to fulfilment of the SDGs.

Many of the stakeholders interviewed for this report underlined the importance of balancing social and environmental needs when addressing negative impacts related to the agro export sector in the Ica valley. The region depends heavily on the agro export sector for employment and economic growth; to stop buying products from the Ica valley is not a responsible strategy to address the urgent situation and support the affected rights holders.

However, the lack of freshwater is making it increasingly expensive for the agro export companies to continue business operations in the region; several of them have started to look for alternatives elsewhere. The current model is neither socially, environmentally nor economically sustainable. Solutions should focus on finding and sustaining new alternatives for the Ica valley that will not continue the current and unsustainable exploitation of groundwater reserves. Given the increasing impacts of climate change, pressure on freshwater resources is likely to worsen, making such a shift even more urgent.

Annex 1: Human rights risks and impacts of the agro export industry in Ica, Peru

IMPACT/ RISK FOUND	HUMAN RIGHTS IMPACTED	LINKAGE
Lack of access to drinking water	<p>Right to water (CESCR 15¹; CEDAW² 14.2h; CRC³ 24.2c)</p> <p>Right to an adequate standard of living (UDHR⁴ 25.1; CEDAW 14.2h; ICESCR⁵ 11; CRC 27)</p> <p>Right to life (UDHR 3; CRC 6; CESCR 15.3)</p> <p>Right to dignity (UDHR 1; CESCR 15.3; CESCR 15.11)</p> <p>Right to health (UDHR 25; ICESCR 12; CRC 24)</p> <p>Right to adequate food (UDHR 25; ICESCR 11; CRC 24.2c)</p> <p>Social and Cultural Right (UDHR 22; CEDAW 3; CESCR 15.6)</p>	Freshwater supplies threatened by the agro export industry through unsustainable groundwater extraction.
Poor quality of drinking water	<p>Right to water (CESCR 15; CEDAW 14.2h; CRC 24.2c)</p> <p>Right to health (UDHR 25; ICESCR 12; CRC 24)</p> <p>Right to an adequate standard of living (UDHR 25.1; CEDAW 14.2h; ICESCR 11; CRC 27)</p>	Bacteria grow more easily when water flow in the pipes decreases, and water has to be stored.
Lack of access to irrigation water	<p>Right to an adequate standard of living (UDHR 25.1; CEDAW 14.2h; ICESCR 11; CRC 27)</p> <p>Right to adequate food (UDHR 25; ICESCR 11; CRC 24.2c)</p> <p>Right to work (ICESCR 6)</p>	Wells drying due to depletion of freshwater supplies. Drier soils due to sinking water table negatively impacts small-scale farmers.
Lack of living wage and poor living standards in workers' settlements	<p>Right to enjoy just and favourable conditions of work (UDHR 23; ICESCR 7)</p> <p>Right to a fair wage (ICESCR 7; ILO- C131)⁶</p> <p>Right to an adequate standard of living (UDHR 25.1; CEDAW 14.2h; ICESCR 11; CRC 27)</p> <p>Right to water and sanitation (CESCR 15; CEDAW 14.2h; CRC 24.2c)</p> <p>Right to adequate housing (ICESCR 11)</p>	Living wages not paid by agro export companies. Increased population and lack of financing for basic services.
Children not going to school	<p>Right to education (UDHR 26; ICESCR 13 & 14; CRC 28, 29 & 40)</p> <p>Right to have access to the day care facilities for working parents (CRC 18)</p>	Children have to take care of younger siblings when their parents work at farms. Both parents have to work due to lack of living wage. Poor public childcare due to lack of local investments.
Children not eating proper food	<p>Right to adequate food (UDHR 25; ICESCR 11; CRC 24.2c)</p> <p>Right to health (UDHR 25; ICESCR 12; CRC 24)</p> <p>Right to a fair wage (ICESCR 7; ILO- C131)</p>	Children left alone all day when their parents work at farms. Both parents have to work due to lack of living wage. Parents cannot afford proper food and have no control over what children eat.
Children exposed to violations	<p>Right to physical, psychological and social integrity (CRC 19 & 39)</p> <p>Right to safe living condition (CRC 27)</p> <p>Right to have access to the day care facilities for working parents (CRC 18)</p>	Children left alone all day when their parents work at farms easily fall victims of sexual abuse.
Migrant workers at risk	<p>Rights of All Migrant Workers and Members of Their Families (CRMWF⁷ 9, 11, 28, 30)</p> <p>Right to be with parents (CRC 9)</p>	Migrant workers and their children, victims of armed conflict and with weak social network are generally more exposed to all the above impacts related to lack of living wage.

IMPACT/ RISK FOUND	HUMAN RIGHTS IMPACTED	LINKAGE
Unfair dismissals	Right to continue the job (ILO-C158 ⁸ 4)	Workers dismissed without notice for working too slow, complaining or joining a labour union.
Unpaid overtime	Rights to decent working time (ILO C029, 13 ⁹)	Workers not paid for extra hours. Workers have to work harder to earn the same as before as demands on performance have increased.
Retaliation against union members	Right to organise (ILO-C087 ¹⁰ 11) Right to form and join trade unions (ICCPR 22; ILO-C087 1) Right to freedom of opinion and expression (UDHR 19; ICCPR 19.2 and 26)	Union members threatened and dismissed, family members also losing their jobs or cannot get a job.
Lack of grievance mechanisms for affected stakeholders	Right to an effective remedy (UDHR 8; ICCPR 2.3)	No company level grievance mechanism for victims of business-related human rights abuse. Low awareness of non-judicial grievance mechanisms of the state and social and economic barriers to access judicial system.
Lack of dialogue	Right to information (UNDHR 19; ICCPR 19) Right to organise (ILO-C087 ¹¹)	Dialogue between agro export companies and affected rightsholders such as workers and local communities hardly exists.
Violence, threats and intimidation against Human Rights Defenders (HRDs)	Right to freedom of opinion and expression (UDHR 19; ICCPR 19.2 and 26) Right to freedom of association (ICCPR 22; ILO-C087)	HRDs threatened and beaten by both state and private security. Law suits used to criminalise legitimate claims.
Lack of FPIC for indigenous communities	Right to self-determination (ICESCR 1; ICCPR 1; UNDRIP ¹² 3) Right to free prior and informed consent (UNDRIP 10, 11.2, 19, 28, 29.2, 32.2) Right to protect culture (UNDRIP 31; ILO-C169 ¹³ 5.1)	Indigenous communities not consulted according to FPIC-principle on new water projects to divert more water to agro export industry in Ica.
Widespread corruption	Right to be prevented from corruption (UNCC ¹⁴ 5.2 & 13)	High risk of corruption contributing to all of the above and further weakening low state protection of rightsholders and public interests.
Lack of information	Right to information (UNDHR 19; ICCPR 19)	Lack of information about agro exporters operation and impacts, for example no social and environmental impact assessments available despite operating in a high-risk area.

SEE NEXT PAGE FOR NOTES.

Annex 1:

Human rights risks and impacts of the agro export industry in Ica, Peru (notes)

- 1 United Nations Committee on Economic, Social and Cultural Rights. General Comment No. 15: The right to water. 2002. <http://www.refworld.org/pdfid/4538838d11.pdf>
- 2 Convention on the Elimination of All Forms of Discrimination Against Women. <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>
- 3 Convention on the Rights of the Child. <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>
- 4 Universal Declaration of Human Rights. <http://www.un.org/en/universal-declaration-human-rights/>
- 5 International Covenant on Economic, Social and Cultural Rights. <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>
- 6 Minimum Wage Fixing Convention, 1970 (No. 131) https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312276:NO
- 7 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. 1990. <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CMW.aspx>
- 8 Termination of Employment Convention, 1982 (No. 158). 1985. https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C158
- 9 ILO. C029 - Forced Labour Convention, 1930. No 29. Adopted on 14th ILC session in Geneva. May 1932. http://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/ILO_C_029.pdf
- 10 Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). 1950. https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100::NO:12100:P12100_ILO_CODE:C087:NO
- 11 Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100::NO:12100:P12100_ILO_CODE:C087:NO
- 12 United Nations Declaration on the Rights of Indigenous Peoples. 2007. https://www.un.org/esa/socdev/unpfi/documents/DRIPS_en.pdf
- 13 Indigenous and Tribal Peoples Convention, 1989 (No. 169). 1991. https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C169
- 14 The United Nations Convention against Corruption. 2004. https://www.unodc.org/documents/brussels/UN_Convention_Against_Corruption.pdf

Annex 2:

National Action Plans on Business and Human Rights

In 2014, the UN Human Rights Council called on all Member States to develop National Action Plans (NAP) on Business and Human Rights to promote the implementation of the UNGPs.¹ A NAP should outline priorities and help coordinate efforts on business and human rights across different government sectors. In order to be effective, it needs to build on a broad engagement with other sectors such as civil society.

According to the UN Working Group on Business and Human Rights an effective NAP needs to:

- be founded on the UNGPs and should adequately reflect a State's duties under international human rights law to protect against adverse business-related human rights impacts and provide effective access to remedy.
- promote business respect for human rights including through due diligence processes.
- be underpinned by the core human rights principles of non-discrimination and equality.
- be context-specific and address the country's actual and potential business-related human rights abuse.
- be developed in inclusive and transparent processes with relevant stakeholders,
- be reviewed and updated regularly.

¹ https://businesshumanrights.org/sites/default/files/documents/UNWG_NAPGuidance_Version2%200_final_print_09112015.pdf

Annex 3:

Effectiveness criteria for non-judicial grievance mechanisms according to UNGP 31

In order to ensure their effectiveness, non-judicial grievance mechanisms, both State-based and non-State-based, should be:

- (a) Legitimate: enabling trust from the stakeholder groups for whose use they are intended, and being accountable for the fair conduct of grievance processes;
- (b) Accessible: being known to all stakeholder groups for whose use they are intended, and providing adequate assistance for those who may face particular barriers to access;
- (c) Predictable: providing a clear and known procedure with an indicative time frame for each stage, and clarity on the types of process and outcome available and means of monitoring implementation;
- (d) Equitable: seeking to ensure that aggrieved parties have reasonable access to sources of information, advice and expertise necessary to engage in a grievance process on fair, informed and respectful terms;
- (e) Transparent: keeping parties to a grievance informed about its progress, and providing sufficient information about the mechanism's performance to build confidence in its effectiveness and meet any public interest at stake; 34
- (f) Rights-compatible: ensuring that outcomes and remedies accord with internationally recognized human rights;
- (g) A source of continuous learning: drawing on relevant measures to identify lessons for improving the mechanism and preventing future grievances and harms; Operational-level mechanisms should also be:
- (h) Based on engagement and dialogue: consulting the stakeholder groups for whose use they are intended on their design and performance, and focusing on dialogue as the means to address and resolve grievances.

Annex 4:

The OECD-FAO Guidance for Responsible Agricultural Supply Chains

The OECD Guidelines for Multinational Enterprises provide guidance for responsible business conduct in areas such as labour rights, human rights, environment, information disclosure, combating bribery, consumer interests, competition, taxation, and intellectual property rights. The OECD has also developed several sector specific guides for companies such as the OECD-FAO Guidance for Responsible Agricultural Supply Chains, which is particularly relevant for this report.¹

According to the Guidance, companies should:

- Continuously assess and address in decision-making the actual and potential impacts of operations, processes, goods and services over their full life-cycle with a view to avoiding or, when unavoidable, mitigating any adverse impacts. Impact assessments should involve a representative number of all relevant stakeholder groups.
- Hold good-faith, effective and meaningful consultations with communities through their own representative institutions before initiating any operations that may affect them and continue to hold consultations with them during and at the end of operations. Bear in mind the different risks that may be faced by women and men.
- Disclose timely and accurate information related to foreseeable risk factors and the business response to particular environmental, social and human rights impacts to potentially affected communities, at all stages of the investment cycle. Provide accurate, verifiable and clear information that is sufficient to enable consumers to make informed decisions.
- Ensure that the business operations contribute to sustainable and inclusive rural development, including through promoting fair and equitable sharing of monetary and non-monetary benefits with affected communities on mutually agreed terms and explore ways to maximise the positive impacts of business operations on local communities.
- Ensure decent wages, benefits and working conditions, that are at least adequate to satisfy the basic needs of workers and their families and strive to improve working conditions. Seek to prevent abuses of migrant workers. Contribute to the protection of the health and safety of affected communities during the life-cycle of operations. Ensure that business operations contribute to food security and nutrition. Give attention to enhancing the availability, accessibility, stability and utilisation of safe, nutritious and diverse foods.

¹ <http://www.oecd.org/daf/inv/investment-policy/rbc-agriculture-supply-chains.htm>

- Ensure the sustainable use of natural resources and respect legitimate tenure right holders and their rights over natural resources, potentially affected by the business activities, including indigenous and customary rights. When holders of legitimate tenure rights are negatively affected, seek to ensure that they receive a prompt, adequate and effective compensation of their tenure rights being negatively impacted by the business operations.
- Give preference to feasible alternative project designs to avoid or minimise the physical and/or economic displacement of legitimate tenure right holders, while balancing environmental, social, and financial costs and benefits, paying particular attention to adverse impacts on the poor and vulnerable.
- Respect international core labour standards in all operations. Promote the security of employment and co-operate in government schemes to provide some form of income protection to workers whose employment has been terminated. Endeavour to provide stable employment for workers, and observe freely negotiated obligations concerning employment stability and social security.
- Provide for legitimate, accessible, predictable, equitable and transparent operational-level grievance mechanisms in consultation with potential users. Co-operate in other non-judicial grievance mechanisms to enable remediation when business operations have caused or contributed to adverse impacts.
- Prevent and abstain from any form of corruption and fraudulent practices.

Annex 5:

The Children's Rights and Business Principles

In 2012, the UN Global Compact, UNICEF and Save the Children launched the Children's Rights and Business Principles. The principles build on the UNGPs to articulate companies' responsibilities in regard to children's rights. The ten principles clarify that governments at all levels have the duty to protect, respect and fulfil children's rights.

According to the principles, all companies should:

- 1.** Meet their responsibility to respect children's rights and commit to supporting the human rights of children
- 2.** Contribute to the elimination of child labour, including in all business activities and business relationships
- 3.** Provide decent work for young workers, parents and caregivers
- 4.** Ensure the protection and safety of children in all business activities and facilities
- 5.** Ensure that products and services are safe, and seek to support children's rights through them
- 6.** Use marketing and advertising that respect and support children's rights
- 7.** Respect and support children's rights in relation to the environment and to land acquisition and use
- 8.** Respect and support children's rights in security arrangements
- 9.** Help protect children affected by emergencies
- 10.** Reinforce community and government efforts to protect and fulfil children's rights

Bibliography

Amnesty International. Peru 2017/2018. Amnesty International Report 2017/18: The State of the World's Human Rights. Amnesty International. February 2018.

Cancino, Ignacio; Red Peruana por una Globalización con Equidad – RedGE-Centro Peruano de Estudios Sociales – CEPES - 2012. La agro exportación y el acceso al agua para consumo humano en Ica

CBI Ministry of Foreign Affairs. CBI Trade Statistics: Fresh Fruit and Vegetables in Europe. CBI Market Intelligence. Netherlands. October 2015.

CDP. A Turning Tide: Tracking Corporate Action on Water Security. CDP Global Water Report 2017. November 2017.

Facchini, A & Laville, S. Chilean Villagers Claim British Appetite for Avocados is Draining Region Dry. Food. International Edition. The Guardian. May 2018.

Food and Agriculture Organization of the United Nations (FAO). Peru. Amazon Water Resource. September 2015.

Global Witness. At What Cost? Irresponsible Business and The Murder of Land and Environmental Defenders in 2017. Report. July 2018.

Government Offices of Sweden. Action Plan for Business and Human Rights. Ministry for Foreign Affairs. August 2015.

Guppy, L & Anderson, K. Water Crisis Report. United Nations University Institute for Water, Environment and Health, (UNU-INWEH). Hamilton, Canada. 2017

Hepworth N D. et.al. Drop by Drop: Understanding the Impacts of The UK's Water Footprint Through A Case Study of Peruvian Asparagus. Progressio, Centro Peruano de Estudios Sociales and Water Witness International. September 2010.

Human Rights Watch (HRW). Peru: Events of 2017. World Report 2018. January 2018.

ILO. Conventions and Recommendations: International labour standards. Undated.

International Labour Organization (ILO). C169 - Indigenous and Tribal Peoples Convention, 1989 (No. 169). September 1991.

International Service for Human Rights (ISHR). The Situation of Human Rights Defenders in Peru. Briefing paper. March 2017.

ISHR. Shared Space Under Pressure: Business Support for Civic Freedoms and Human Rights Defenders Guidance for Companies. Business and Human Rights Resource Center. September 2018.

James I. The Costs of Peru's Farming Boom. Desert Sun. December 2015.

Larco, Giovanna – Programa Laboral de Desarrollo – PLADES -2014. Condiciones laborales y cadena de valor en la agroindustria de exportación en la región de Ica: caso de Sociedad Agrícola Drokasa, Agrícola Chapi y Agrícola Don Ricardo

Maddocks, A. et.al. Ranking the World's Most Water-Stressed Countries in 2040. World Resources Institute. August 2015.

McGrath, M. Food Trade Drains Global Water Sources At 'Alarming' Rates. Science and Environment. BBC. March 2017.

Muñoz, Ismael; Departamento de Economía de la Pontificia Universidad Católica del Perú - Lima - 2016. Agro exportación y sobrexplotación del acuífero de Ica en Perú OECD. Water Use in Agriculture. Undated.

OECD Watch. Calling for Corporate Accountability: A Guide to the 2011 OECD Guidelines for Multinational Enterprises. October 2017.

OECD/FAO. OECD-FAO Guidance for Responsible Agricultural Supply Chains. OECD Publishing. Paris. 2016.

Office of the United Nations High Commissioner for Human Rights (OHCHR) & World Health Organisation (WHO). Right to Health. Fact Sheet No. 31. United Nations (UN). undated.

OHCHR. Declaration on Human Rights Defenders. The Office of the High Commissioner for Human Rights. Undated.

OHCHR. Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework. UN. Geneva 2011.

OHCHR. OHCHR Response to Request from BankTrack for Advice Regarding the Application of the UN Guiding Principles on Business and Human Rights in the Context of The Banking Sector. June 2017.

OHCHR. Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including the Right to Development Agenda item 3. Thirty-first session. Human Rights Council. A/HRC/31/L.28. General Assembly. UN. March 2016

OHCHR. Special Rapporteur on the Situation of Human Rights Defenders. The Office of the High Commissioner for Human Rights. Undated.

OHCHR. Statement at the End of Visit to Peru by the United Nations Working Group on Business and Human Rights. The Office of the High Commissioner for Human Rights. July 2017.

OHCHR. Universal Declaration of Human Rights (art. 1). Fact Sheet No. 2 (Rev. 1), The International Bill of Human Rights. General Assembly resolution 217 A (III). December 1948.

Oré Vélez, María Teresa, y Gerardo Héctor Damonte Valencia Escasez de agua: Retos para la gestión de la cuenca del río Ica. Perú, PUCP año 2014

Pereira, L M. et.al. (eds.). Food, Energy and Water Sustainability: Emergent Governance Strategies Sustainability. Earthscan Studies in Natural Resource Management. Routledge. 2018.

Rapsomanikis, G. The Economic Lives of Smallholder Farmers: An Analysis Based on Household Data from Nine Countries. Food and Agriculture Organization of the United Nations (FAO)). Rome 2015.

Ross, N & Luu P (eds.). Bringing A Human Rights Lens to Corporate Water Stewardship: Results of Initial Research. The CEO Water Mandate of UN Global Compact & Pacific Institute. August 2012.

Schwarz, J & Mathijs E. Globalization and the Sustainable Exploitation of Scarce Groundwater in Coastal Peru. Pages 231-241. Volume 147. Journal of Cleaner Production. March 2017.

Shift & Pacific Institute. Guidance for Companies on Respecting the Human Rights to Water and Sanitation. January 2015.

The Alliance for Global Water Adaptation (AGWA) & Stockholm International Water Institute (SIWI). Water: A Success Factor for Implementing the Paris Agreement. Policy Brief. SIWI, AGWA, IWA, WaterAid & Te Kopu. March 2017.

The Peru Europe Platform (PEP). Commissioner Cecilia Malmström's Letter. August 2018.

The Principles for Responsible Investment (PRI), World Wide Fund for Nature (WWF) & PwC Germany. PRI-Coordinated Engagement on Water Risks in Agricultural Supply Chains: Investor Guidance Document. PRI, United Nations Environment Programme (UNEP) Finance Initiative and the United Nation (UN) Global Compact. July 2014.

The World Bank. Peru Integrated Water Resources Management in Ten Basins Project. A proposed loan in the amount of US\$ 40 million to the Republic of Peru. Project Appraisal Document. Report No: PAD2104. April 2017.

Torres, F (ed.). Power and Impunity: The Companies that Control Water in the Desert. The Water Lords. Ojo Público. May 2018.

UN Children's Fund (UNICEF). Children Are Everyone's Business Workbook 2.0: A guide for Integrating Children's Rights into Policies, Impact Assessments and Sustainability Reporting. August 2014.

UN Committee on Economic, Social and Cultural Rights (CESCR). General Comment No. 15: The Right to Water. Arts. 11 and 12 of the Covenant on Economic, Social and Cultural Rights (CESCR). E/C.12/2002/11. January 2003

UN. Resolution adopted by the General Assembly on 28 July 2010. 64/292 The human right to water and sanitation. Agenda item 48. Sixty-fourth session. General Assembly. August 2010.

UN Convention to Combat Desertification (UNCCD). Land and Drought. Issues. UN. Undated.

UNFCCC. Climate Change and Freshwater Resources: A Synthesis of Adaptation Actions Undertaken by Nairobi Work Programme Partner Organization. The Nairobi work programme on impacts, vulnerability and adaptation to climate change. United Nations Framework Convention on Climate Change. Bonn 2011

UNICEF, Save the Children & The Global Compact. Children's Rights and Business Principles. March 2012.

UN Declaration on the Rights of Indigenous Peoples (UNDRIP). 61/295. Resolution adopted by the General Assembly. UN. March 2008.

US Department of Labour. Peru: Labour Rights Report. Bureau of International Labour Affairs. Undated.

Wal van der, S & Scheele, F. Goodness Guaranteed: Assessing the Impact of Sustainability Certification, on the Labour Conditions of Farm Workers. The Centre for Research on Multinational Corporations (SOMO). Amsterdam. May 2015.

WHO & Unicef. Focusing on Anaemia: Towards an Integrated Approach for Effective Anaemia Control

World Bank Group: Water. Peru. 2030 Water Resources Group. Undated.

World Wide Fund for Nature (WWF). No Water, No Business: Water Risks in the Swedish Private Sector. August 2015.

Un Climate Change (UNFCCC). The Paris Agreement. November 2016.

UNFCCC. Climate Change and Freshwater Resources: A Synthesis of Adaptation Actions Undertaken by Nairobi Work Programme Partner Organization. The Nairobi Work Programme on Impacts, Vulnerability and Adaptation to Climate Change. Bonn. Germany. 2011.

Intergovernmental Panel on Climate Change (IPCC). Global Warming of 1.5 °C. United Nations Environment Programme (UNEP) and the World Meteorological Organization (WMO). October 2018.

World Economic Forum. The Global Risks Report 2018. 13th Edition. Insight Report. January 2018.

The CEO Water Mandate. The Types of Water Risk: The Many Ways Water Challenges Can Affect Your Business. CEO Water Mandate of UN Global Compact. January 2018.

The Observatory of Economic Complexity (OEC). Asparagus: Fresh or Chilled. 2016."

UN Development Program (UNDP). Cambio climático puede poner en riesgo el progreso en el desarrollo humano del Perú. November 2013.

Endnotes

- 1 Guppy, L &, Anderson, K. Water Crisis Report. United Nations University Institute for Water, Environment and Health, (UNU-INWEH). Hamilton, Canada. November 2017. <http://inweh.unu.edu/wp-content/uploads/2017/11/Global-Water-Crisis-The-Facts.pdf>. Retrieved Oct 2018.
- 2 The Alliance for Global Water Adaptation (AGWA) & Stockholm International Water Institute (SIWI). Water: A Success Factor for Implementing the Paris Agreement. Policy Brief. SIWI, AGWA, IWA, WaterAid & Te Kopu. March 2017. <http://www.siwi.org/publications/water-success-factor-implementing-paris-agreement/>. Retrieved Oct 2018.
- 3 Research by: The Principles for Responsible Investment (PRI), World Wide Fund for Nature (WWF) & PwC Germany. PRI-Coordinated Engagement on Water Risks in Agricultural Supply Chains: Investor Guidance Document. PRI, United Nations Environment Programme (UNEP) Finance Initiative and the United Nation (UN) Global Compact. July 2014. <https://www.unpri.org/environmental-issues/analysing-water-risks-in-agricultural-supply-chains-/498.article>. Retrieved Oct 2018.
- 4 United Nations (UN). Goal 6: Ensure Access to Water and Sanitation for All. Sustainable Development Goals (SDGs). Undated. <https://www.un.org/sustainabledevelopment/water-and-sanitation/>. Retrieved Oct 2018.
- 5 UN. 64/292 The Human Right to Water and Sanitation. Agenda item 48. Sixty-fourth session. General Assembly. August 2010. http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/64/292. Retrieved Oct 2018.
- 6 Guppy, L &, Anderson, K. November 2017.
- 7 *ibid.*
- 8 UN Committee on Economic, Social and Cultural Rights (CESCR). General Comment No. 15: The Right to Water. Arts. 11 and 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR). E/C.12/2002/11. January 2003. https://www2.ohchr.org/english/issues/water/docs/CESCR_GC_15.pdf. Retrieved Oct 2018.
- 9 UN. About the Sustainable Development Goals. SDGs. Undated. <https://www.un.org/sustainabledevelopment/sustainable-development-goals/>. Retrieved Oct 2018.
- 10 CDP. A Turning Tide: Tracking Corporate Action on Water Security. CDP Global Water Report 2017. November 2017. <http://b8f65cb373b1b7b15feb-c70d8ead6ced550b4d987d7c03fedd1d.r81.cf3.rackcdn.com/cms/reports/documents/000/002/824/original/CDP-Global-Water-Report-2017.pdf?1512469118>. Retrieved Oct 2018.
- 11 OECD. Water Use in Agriculture. Undated. <http://www.oecd.org/agriculture/water-use-in-agriculture.htm>. Retrieved Oct 2018.
- 12 McGrath, M. Food Trade Drains Global Water Sources At 'Alarming' Rates. Science and Environment. BBC. March 2017. <https://www.bbc.com/news/science-environment-39431680>. Retrieved Oct 2018.
- 13 Maddocks, A. et.al. Ranking the World's Most Water-Stressed Countries in 2040. World Resources Institute. August 2015. <https://www.wri.org/blog/2015/08/ranking-worldper centE2per cent80per cent99s-most-water-stressed-countries-2040>. Retrieved Oct 2018.
- 14 Food and Agriculture Organization of the United Nations (FAO). Peru. Amazon Water Resource. September 2015. http://www.fao.org/nr/water/aquastat/countries_regions/PER/index.stm. Retrieved Oct 2018.
- 15 Hepworth N D. et.al. Drop by Drop: Understanding the Impacts of The UK's Water Footprint Through A Case Study of Peruvian Asparagus. Progressio, Centro Peruano de Estudios Sociales and Water Witness International. September 2010. http://www.progressio.org.uk/sites/default/files/Drop-by-drop_Progressio_Sept-2010.pdf. Retrieved Oct 2018.
- 16 Globalisation and the sustainable exploitation of scarce groundwater in coastal Peru.
- 17 The Human Rights Commission of Ica – (CODEHICA). <http://www.codehica.org.pe/codehica>

- 18 OECD/Food and Agriculture Organization of the United Nations (FAO). OECD-FAO Guidance for Responsible Agricultural Supply Chains. OECD Publishing, Paris. 2016. <http://www.oecd.org/daf/inv/investment-policy/rbc-agriculture-supply-chains.htm>. Retrieved Oct 2018.
- 19 Swedwatch.org
- 20 <http://www.siwi.org/>. Retrieved Oct 2018.
- 21 UN. 70/1. Transforming Our World: the 2030 Agenda for Sustainable Development. Agenda items 15 and 116. Seventieth Session. General Assembly. October 2015. http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E. Retrieved Oct 2018; UNFCCC. November 2016; UN Framework Convention on Climate Change (UNFCCC). The Paris Agreement. November 2016. <https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement>. Retrieved Oct 2018.
- 22 UN. 70/1. Transforming Our World: the 2030 Agenda for Sustainable Development. Agenda items 15 and 116. Seventieth Session. General Assembly. October 2015. http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E. Retrieved Oct 2018; UNFCCC. November 2016.
- 23 UN. Goal 1: End Poverty in All Its Forms Everywhere. SDGs. Undated. <https://www.un.org/sustainable-development/poverty/>. Retrieved Oct 2018.
- 24 UNFCCC. Climate Change and Freshwater Resources: A Synthesis of Adaptation Actions Undertaken by Nairobi Work Programme Partner Organization. The Nairobi Work Programme on Impacts, Vulnerability and Adaptation to Climate Change. Bonn, Germany. 2011. https://unfccc.int/resource/docs/publications/11_nwp_clim_freshwater_en.pdf. Retrieved Oct 2018.
- 25 *ibid.*
- 26 United Nations Convention to Combat Desertification (UNCCD). Land and Drought. Issues. UN. Undated. <https://www.unccd.int/issues/land-and-drought>. Retrieved Oct 2018.
- 27 Intergovernmental Panel on Climate Change (IPCC). Global Warming of 1.5 °C. United Nations Environment Programme (UNEP) and the World Meteorological Organization (WMO). October 2018. <http://www.ipcc.ch/report/sr15/>. Retrieved Oct 2018.
- 28 AGWA & SIWI. March 2017.
- 29 UN. Resolution A/RES/64/292. August 2010.
- 30 CESCR. General Comment No. 15. January 2003.
- 31 SDG 6. UN. SDGs. <https://sustainabledevelopment.un.org/sdgs>
- 32 *ibid.*
- 33 UN. SDGs. <https://sustainabledevelopment.un.org/sdgs>
- 34 World Wide Fund for Nature (WWF). No Water, No Business: Water Risks in the Swedish Private Sector. August 2015. [http://www.wwf.se/source.php/1601712/15-2965per cent20Vattenrisker_LR_150825.pdf](http://www.wwf.se/source.php/1601712/15-2965per%20cent20Vattenrisker_LR_150825.pdf). Retrieved Oct 2018.
- 35 Guppy, L &, Anderson, K. November 2017.
- 36 IPCC. Global Warming of 1.5 °C. Chapter 3: Impacts of 1.5°C global warming on natural and human systems. United Nations Environment Programme (UNEP) and the World Meteorological Organization (WMO). October 2018. http://report.ipcc.ch/sr15/pdf/sr15_chapter3.pdf. Retrieved Oct 2018.
- 37 World Economic Forum. The Global Risks Report 2018. 13th Edition. Insight Report. January 2018. http://www3.weforum.org/docs/WEF_GRR18_Report.pdf. Retrieved Oct 2018.
- 38 The CEO Water Mandate. The Types of Water Risk: The Many Ways Water Challenges Can Affect Your Business. CEO Water Mandate of UN Global Compact. January 2018. <https://ceowatermandate.org/academy/types-water-risk-many-ways-water-challenges-can-affect-business/>. Retrieved Oct 2018.

- 39 CDP. A Turning Tide: Tracking Corporate Action on Water Security. CDP Global Water Report 2017. November 2017. <http://b8f65cb373b1b7b15feb-c70d8ead6ced550b4d987d7c03fedd1d.r81.cf3.rackcdn.com/cms/reports/documents/000/002/824/original/CDP-Global-Water-Report-2017.pdf?1512469118>. Retrieved Oct 2018.
- 40 Examples taken from: Ross, N & Luu, P (eds.). Bringing A Human Rights Lens to Corporate Water Stewardship: Results of Initial Research. The CEO Water Mandate of UN Global Compact & Pacific Institute. August 2012. http://pacinst.org/wp-content/uploads/2013/02/full_report33.pdf. Retrieved Oct 2018.
- 41 PRI, WWF & PwC Germany. Investor Guidance Document. July 2014.
- 42 For example in Chile: Facchini, A & Laville, S. Chilean Villagers Claim British Appetite for Avocados is Draining Region Dry. Food. International Edition. The Guardian. May 2018. <https://www.theguardian.com/environment/2018/may/17/chilean-villagers-claim-british-appetite-for-avocados-is-draining-region-dry>. Retrieved Oct 2018.
- 43 CBI Ministry of Foreign Affairs. CBI Trade Statistics: Fresh Fruit and Vegetables in Europe. CBI Market Intelligence. Netherlands. October 2015. https://www.cbi.eu/sites/default/files/market_information/researches/trade-statistics-europe-fresh-fruit-vegetables-2015.pdf. Retrieved Oct 2018.
- 44 *ibid.*
- 45 https://atlas.media.mit.edu/en/visualise/tree_map/hs92/import/swe/show/070920/2006/
- 46 The Observatory of Economic Complexity (OEC). Asparagus: Fresh or Chilled. 2016. <https://atlas.media.mit.edu/en/profile/hs92/070920/> /. Retrieved Oct 2018.
- 47 Maddocks, A. et.al. August 2015.
- 48 The World Bank (WB). Peru Integrated Water Resources Management in Ten Basins Project. A proposed loan in the amount of US\$ 40 million to the Republic of Peru. Project Appraisal Document. Report No: PAD2104. April 2017. <http://documents.worldbank.org/curated/en/634181493604098313/pdf/Peru-Integrated-Water-Resources-Mngt-in-Ten-Basins-P151851-PAD-04112017.pdf>. Retrieved Oct 2018.
- 49 WB. Peru. The Water Resources Group. Undated. <https://www.2030wrg.org/work/peru/>. Retrieved October 2018.
- 50 UN Development Program (UNDP). Cambio climático puede poner en riesgo el progreso en el desarrollo humano del Perú. November 2013. <http://www.pe.undp.org/content/peru/es/home/presscenter/articles/2013/11/28/cambio-clim-tico-puede-poner-en-riesgo-el-progreso-en-el-desarrollo-humano-del-per-/>
- 51 <http://waterriskfilter.panda.org/en/CountryProfiles#60/profile>
- 52 Andina. Peru: Mining Sector Accounted for Nearly 10per cent of GDP in 2017. Peru News Agency. May 2018. <https://andina.pe/ingles/noticia-peru-mining-sector-accounted-for-nearly-10-of-gdp-in-2017-711181.aspx>. Retrieved October 2018.
- 53 <https://www.inei.gob.pe/prensa/noticias/pobresa-monetaria-afecto-al-217-de-la-poblacion-del-pais-durante-el-ano-2017-10711/>
- 54 <https://www.inei.gob.pe/prensa/noticias/pobresa-monetaria-afecto-al-217-de-la-poblacion-del-pais-durante-el-ano-2017-10711/>
- 55 Swedwach interview, Defensoria del Pueblo, Lima, April 2018.
- 56 OHCHR. Statement at the End of Visit to Peru by the United Nations Working Group on Business and Human Rights. The Office of the High Commissioner for Human Rights. July 2017. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21888&LangID=E>
- 57 <http://www.perusupportgroup.org.uk/peru-history-armed-conflict.html>
- 58 Peru Support Group. Peru historical Overview: Internal Armed Conflict. Facts & Key Issues. <http://www.perusupportgroup.org.uk/about.php>

- 59 Human Rights Watch (HRW). Peru: Events of 2017. Peru's Truth and Reconciliation Commission. World Report 2018. January 2018. <https://www.hrw.org/world-report/2017/country-chapters/peru>
- 60 *ibid.*
- 61 Pereira, L M. et.al. (eds.). Food, Energy and Water Sustainability: Emergent Governance Strategies Sustainability. Earthscan Studies in Natural Resource Management. Routledge. 2018.
- 62 Average yearly rainfall in the city of Ica according to SENAMHI.
- 63 Laura M. Pereira, Caitlin A. McElroy, Alexandra Littaye, Alexandra M. Girard, 2017, Food, Energy and Water Sustainability: Emergent Governance Strategies
- 64 *ibid.*
- 65 Moore, E. Peru Remains the World's Second Leading Asparagus Exporter – Fastest Growth in the Frozen Sector. Peru, Global Agricultural Information Network Report, USDA Foreign Agricultural Service. July 2017. https://gain.fas.usda.gov/Recentpercent20GAINpercent20Publications/PerupercentE2percent80percent99spercent20Asparaguspercent20Productionpercent20Remainspercent20Strong_Lima_Peru_7-21-2017.pdf
- 66 Schwarz, J. et.al. Sustainability of Global and Local Food Value Chains: An Empirical Comparison of Peruvian and Belgian Asparagus. 8, 344. Sustainability & MDPI. April 2016. https://pdfs.semanticscholar.org/8c90/e2277ea0c06e8505d8af36601b0c9948b607.pdf?_ga=2.204276944.1968881294.1540819572-1437976567.1540819572. Retrieved. Oct 2018.
- 67 *ibid.*
- 68 Damonte, G & Oré M, T. Escacez de Agua: Retos Para la Gestión de la Cuenca del Río Ica. PUCP. Lima 2014.
- 69 Schwarz, J & Mathijs E. March 2017.
- 70 Schwarz, J. et.al. Sustainability & MDPI. April 2016.
- 71 Agrícola Chapi. Fresh Asparagus. <https://www.chapiagricola.com/copia-de-esparrago>. Retrieved 2018; Agrícola la Venta. Asparagus. <https://www.agricolalaventa.com/>. Retrieved Oct 2018; Beta complejo agroindustrial. Espárrago. <http://www.beta.com.pe/>. Retrieved Oct 2018.
- 72 Schwarz, J & Mathijs E. March 2017.
- 73 See for example: Hepworth N D. et.al. Drop by Drop: Understanding the Impacts of The UK's Water Footprint Through A Case Study of Peruvian Asparagus. Progressio, Centro Peruano de Estudios Sociales and Water Witness International. September 2010. http://www.progressio.org.uk/sites/default/files/Drop-by-drop_Progressio_Sept-2010.pdf. Retrieved Oct 2018; Schmall, E. Peru Water Wars Threaten Agricultural Export Boom. World News. Reuters. September 2010. <https://www.reuters.com/article/us-peru-water-feature/peru-water-wars-threaten-agricultural-export-boom-idUSTRE6885QF20100909>, Retrieved Oct 2018
- 74 Schwarz, J & Mathijs E. March 2017.
- 75 *ibid.*
- 76 Hepworth N D. et.al. September 2010.
- 77 Foster, S, Garduño, H, and Vidal, A (2008) Formulación de estrategias y programas para la gestión de los recursos hídricos subterráneos con énfasis en los valles costeros del Perú, Informe de Misión (Lima, Ica, Lambayeque, 17 a 27 de noviembre de 2008) (Formulating strategies and programmes for management of groundwater resources in the coastal valleys of Peru, World Bank Mission Report, 17-27 November 2008), GW-MATE, World Bank Global Water Partnership Associate Programme, World Bank, Washington DC.
- 78 In total 220 hm³/y according to Schwarz, J & Mathijs E. March 2017.

- 79 INEI & Censos 2017. 50 Mo5 MÁ5 QU3 CIFRA5. Censos Nacionales 2017. Primeros Resultados. XII de Población. VII de Vivienda. III de Comunidades Indígenas. Lima, June 2018. https://www.inei.gob.pe/media/inei_en_los_medios/Conferencia_Prensa_CPV2017.pdf. Retrieved Oct 2018.
- 80 Ibid; El Montonero. Ica, la Región Menos Pobre: Región Sureña Entre las Cinco Más Competitivas. Economía. June 2017. <http://elmontonero.pe/economia/ica-la-region-menos-pobre>. Retrieved Oct 2018.
- 81 Gore – ICA. Plan De Desarrollo regional Concertado. ICA – 2016 – 2021. Gobierno Regional De ICA. Undated. https://www.ceplan.gob.pe/wp-content/uploads/2016/07/PRDC-FINAL_ICA.pdf. Retrieved Oct 2018.
- 82 Called the Basic Needs Approach. Ibid.
- 83 Damonte, G & Oré M, T. PUCP. Lima 2014.
- 84 *ibid.*
- 85 Swedwach interview with regional government of Ica, April 2018
- 86 Gobierno Regional de Ica 2017, Plan de Desarrollo Regional Concertado
- 87 *ibid.*
- 88 *ibid.*
- 89 Hepworth N D. et.al. September 2010.
- 90 (i) integration of sectoral policies, (ii) participation of stakeholders, (iii) decentralised management of water resources at the river basin level, and (iv) recognition of water as a social and economic good.
- 91 LEY DE RECURSOS HÍDRICOS. TÍTULO PRELIMINAR. LEY DE RECURSOS HÍDRICOS LEY N° 29338. EL PRESIDENTE DE LA REPÚBLICA POR CUANTO: El Congreso de la República. EL CONGRESO DE LA REPÚBLICA. <http://www.ana.gob.pe/media/316755/leyrh.pdf>
- 92 The World Bank (WB). Report No: PAD2104. April 2017.
- 93 Schwarz, J & Mathijs E. March 2017.
- 94 Muñoz, I. Agro exportacion y sobreexplotacion del acuífero de Ica en Peru. 2016.
- 95 ANA 2012, Plan de Gestión de los Acuíferos del valle de Ica y Pampas de Villacurí y Lanchas.
- 96 GESAAM, Estudio de caso: Plan de Gestión del Acuífero de Ica y el Proceso de Formalización-Regularización de Pozos. 2016.
- 97 Swedwach interview with ANA, Ica, April 2018.
- 98 Swedwach interview Ministry of Agriculture, Ica, April 2018.
- 99 Torres, F. et.al. Power and Impunity: The Companies that Control Water in the Desert. The Water Lords. Ojo Público. May 2018. <https://ojo-publico.com/especiales/acuatienientes/power-and-impunity-the-companies-that-control-water-in-the-desert.html>. Retrieved Oct 2018.
- 100 ANA's response to the article by Public Eye was that because the wells had been in operation for some time the region's aquifer would remain unaffected.
- 101 Gobierno Regional de Ica 2017, Plan de Desarrollo Regional Concertado.
- 102 United Nations (UN). Goal 6. <https://sustainabledevelopment.un.org/sdg6>
- 103 Howard, G and Bartram J (2003) Domestic water quantity, service level and health, World Health Organization, Geneva.
- 104 One of Ica's 14 districts, Parcona has a population of about 8000.
- 105 Swedwach interview with the local Ombudsman's office in Ica, April 2018.

- 106 Schwarz, J & Mathijs E. March 2017.
- 107 Swedwach interview with Juan Luis Camarro, SUNASS, Ica, April 2018.
- 108 Muñoz I. Agro exportacion y sobreexplotacion del acuífero de Ica en Peru. 2016.
- 109 GESAAM, 2015, Gestión del agua en la cuenca del Río Tambo Santiago Ica-Pampas, Diagnóstico 2015
- 110 Rapsomanikis, G. The Economic Lives of Smallholder Farmers: An Analysis Based on Household Data from Nine Countries. Food and Agriculture Organization of the United Nations (FAO). Rome 2015. <http://www.fao.org/3/a-i5251e.pdf>. Retrieved Oct 2018.
- 111 OHCHR. Universal Declaration of Human Rights (art. 1). Fact Sheet No. 2 (Rev. 1), The International Bill of Human Rights. General Assembly resolution 217 A (III). December 1948. <https://www.ohchr.org/Documents/Publications/FactSheet2Rev.1en.pdf>. Retrieved Oct 2018.
- 112 UN. Goal 2 End Hunger, Achieve Food Security and Improved Nutrition and Promote Sustainable Agriculture. SDGs. Undated. <https://sustainabledevelopment.un.org/sdg2>. Retrieved Oct 2018.
- 113 UN. Goal 1: End Poverty in All Its Forms Everywhere. SDGs. Undated. <https://www.un.org/sustainable-development/poverty/>. Retrieved Oct 2018.
- 114 OHCHR. Special Rapporteur on the Situation of Human Rights Defenders. The Office of the High Commissioner for Human Rights. Undated. <https://www.ohchr.org/en/issues/srhrdefenders/pages/srhrdefendersindex.aspx>. Retrieved Oct 2018.
- 115 OHCHR. Declaration on Human Rights Defenders. The Office of the High Commissioner for Human Rights. Undated. <https://www.ohchr.org/en/issues/srhrdefenders/pages/declaration.aspx>. Retrieved Oct 2018.
- 116 Amnesty International. Peru 2017/2018. Amnesty International Report 2017/18: The State of the World's Human Rights. Amnesty International. February 2018. <https://www.amnesty.org/en/countries/america/peru/report-peru/>. Retrieved Oct 2018.
- 117 UN. SDGs 16: Promote Peaceful and Inclusive Societies for Sustainable Development, Provide Access to Justice for All and Build Effective, Accountable and Inclusive Institutions at All Levels. SDGs. Undated. <https://sustainabledevelopment.un.org/sdg16>. Retrieved Oct 2018.
- 118 Swedwach interview with Defensoría del Pueblo, Ica, April 2018.
- 119 James I. The Costs of Peru's Farming Boom. Desert Sun. December 2015. <https://eu.desertsun.com/story/news/environment/2015/12/10/costs-perus-farming-boom/76605530/>. Retrieved Oct 2018.
- 120 *ibid.*
- 121 Resolución Jefatural. Disponen el levantamiento de veda de los recursos hídricos suspendida, a través de la R.J. N° 224-2014-ANA, en lo que corresponde a la zona de Ocucaje. N° 204-2017-ANA. El Peruano. August 2017. <https://busquedas.elperuano.pe/normaslegales/disponen-el-levantamiento-de-veda-de-los-recursos-hidricos-s-resolucion-jefatural-no-204-2017-ana-1556723-1/>. Retrieved Oct 2018.
- 122 ANA. Evaluación Hidrogeológica de la Zona de Ocucaje, ICA. Miniterio De Agricultura Y Riego Autoridad Nacional Del Agua. Dirección De Conservación Y Planeamiento De Recursos Hídricos Autoridad Administrativa De Agua Chaparra Chíncha. Autoridad Nacional Del Agua & MINAGRI. July 2017. http://www.ana.gob.pe/sites/default/files/normatividad/files/memoria_final_ocucaje_2017_anexos_planos.pdf.
- 123 According to Global Witness data, in 2017, 46 defenders who protested against large-scale plantations and cattle ranching were murdered in 2017. Global Witness. At What Cost? Irresponsible Business and The Murder of Land and Environmental Defenders in 2017. Report. July 2018. <https://www.globalwitness.org/en/campaigns/environmental-activists/at-what-cost/>. Retrieved Oct 2018.
- 124 *ibid.*

- 125 Instituto Nacional Estadística E Informática (INEI). Pobreza Monetaria Afectó al 21,7% de la Población del País Durante el Año 2017. April 2018. <https://www.inei.gob.pe/prensa/noticias/pobreza-monetaria-afecto-al-217-de-la-poblacion-del-pais-durante-el-ano-2017-10711/>. Retrieved Oct 2018.
- 126 Hepworth N D. et.al. September 2010.
- 127 The right to FPIC is most clearly expressed and detailed in the United Nations' Declaration on the Rights of Indigenous Peoples' (UNDRIP). United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). 61/295. Resolution adopted by the General Assembly. UN. March 2008. https://www.un.org/esa/socdev/unpfi/documents/DRIPS_en.pdf. Retrieved Oct 2018; International Labour Organization (ILO). C169 - Indigenous and Tribal Peoples Convention, 1989 (No. 169). September 1991. https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C169. Retrieved Oct 2018.
- 128 The right to FPIC is most clearly expressed and detailed in the United Nations' Declaration on the Rights of Indigenous Peoples' (UNDRIP). UN, United Nations' Declaration on the Rights of Indigenous Peoples, 2008. http://www.un.org/esa/socdev/unpfi/documents/DRIPS_en.pdf, retrieved 3 October 2016. https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C169
- 129 Amnesty International. February 2018.
- 130 UN. SDGs. <https://sustainabledevelopment.un.org/sdgs>
- 131 UN. FPIC. 2008.
- 132 Water for irrigation from the river is administrated and charged by so called Water Associations, organising all water users in an area.
- 133 H Torres, F. et.al. May 2018. <https://ojo-publico.com/especiales/acuatenientes/power-and-impunity-the-companies-that-control-water-in-the-desert.html>
- 134 Swedwach interview with Nicanor Toro Levano, Junta del Rio Seco, April 2018.
- 135 According to ANA: The Casa Blanca project, which is a large project designed to allow the recharge of the aquifer, capture the coming water in rainy season, derive water and infiltrate, that will help Ica have a greater recharge, on the other hand we have had meetings with the Pisco Users Board and Río Seco, so that once the Suito Pampa project is executed, which is a dam in the Castrovirreyna area, they can have water in time of friaje, and allow that the initiative of derivation of water of the surpluses of the Pisco river towards Lanchas and Villacuri can be initiated.
- 136 Press release by JUASVI
- 137 <https://www.ana.gob.pe/nosotros/planificacion-hidrica/plan-gestion-cuencas>
- 138 It also provides for collective bargaining and the right to strike, and addresses forced labour, discrimination, protections for women and children in the workplace, minimum wages and working hours.
- 139 US Department of Labor. Peru: Labour Rights Report. Bureau of International Labor Affairs. Undated. <https://www.dol.gov/ilab/reports/pdf/PLRRreport.pdf>
- 140 Schwarz, J. et.al. April 2016.
- 141 *ibid.*
- 142 The Peru Europe Platform (PEP). Commissioner Cecilia Malmström's Letter. August 2018. <https://www.fdcl.org/wp-content/uploads/2018/08/La-Plataforma-Europa-Peru-welcomes-letter-by-Commissioner-Cecilia-Malmstrom.pdf>. Retrieved Oct 2018; Theuws, M & Larco, G. Labour Conditions at Peruvian Fruit and Vegetable Producers: Results of Field Research on the Impact of Sustainability Certification. The Centre for Research on Multinational Corporations (SOMO) and Programa Laboral de Desarrollo PLADES: July 2016. <https://www.somo.nl/wp-content/uploads/2018/10/case-study-Labour-conditions-at-Peruvian-fruit-and-vegetable-producers.pdf>. Retrieved Oct 2018; Wal van der, S. Looking Good on Paper. Review of recent Research on the Impact of Sustainability Certification on Working Conditions on Large farms. SOMO. Oct 2018. <https://www.somo.nl/wp-content/uploads/2018/10/Report-looking-good-on-paper.pdf>. Retrieved Oct 2018.

- 143 See for example https://www.redge.org.pe/sites/default/files/Derechoper cent20Laborales_.pdf, Los derechos sociales y regimens especiales de promoción a exportación: El caso de la agricultura de exportación de Peru.
- 144 Swedwach interview with CGTP, Ica, April 2018.
- 145 UN. SDG 8: Promote Sustained, Inclusive and Sustainable Economic Growth, Full and Productive Employment and Decent Work for All. Undated. <https://sustainabledevelopment.un.org/sdg8>
- 146 Swedwach interview with Eric Farah, Committee of fruits and vegetables, ADEX, Lima, April 2018.
- 147 According to the companies AGROKASA and Agrícola Chapi they pay more than the minimum wage.
- 148 Ministerio de la Mujer y Pablociones Vulnerables. Programa Nacional Contra la Violencia Familiar y Sexual. Informe Estadístico. Violencia en Cifras. Boletín: NO2 -2018. February 2018. https://www.mimp.gob.pe/files/programas_nacionales/pncvfs/publicaciones/informe-estadistico-02_2018-PNCVFS-UGIGC.pdf. Retrieved Oct 2018.
- 149 <https://sustainabledevelopment.un.org/sdgs>
- 150 According to interview with union at Agrícola Chapi, Ica, April 2018.
- 151 Ethical Trading Initiative (ETI). <https://www.ethicaltrade.org/>
- 152 According to the labour union at AGROKASA this is incorrect.
- 153 <http://www.essalud.gob.pe/inicio>
- 154 Association of Peruvian Agrarian Producers Guilds (AGAP). <http://www.agapperu.org/en/>
- 155 In addition to the 34 OECD member states, 12 non-member countries have signed up to implement the OECD Guidelines: Argentina, Brazil, Colombia, Costa Rica, Egypt, Jordan, Latvia, Lithuania, Morocco, Peru, Romania and Tunisia. OECD. Guidelines for Multinational Enterprises. Undated. <http://www.oecd.org/corporate/mne/>. Retrieved Oct 2018.
- 156 UNGP 11 and commentary.
- 157 ILO. Conventions and Recommendations. International Labour Standards. Undated. <http://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang--en/index.htm>. Retrieved Oct 2018; OHCHR. December 1948.
- 158 United Nations Human Rights Office of the High Commissioner. Guiding Principles on Business and Human Rights (UNGPs). Implementing the United Nations “Protect, Respect and Remedy” Framework. resolution 17/4 UNGPs Principle 17. United Nation. New York and Geneva. June 2011. https://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf. Retrieved Oct 2018.
- 159 Shift. Human Rights Due Diligence in High Risk Circumstances: Practical Strategies for Business. March 2015. https://www.shiftproject.org/media/resources/docs/Shift_HRDDinhighriskcircumstances_Mar2015.pdf. Retrieved Oct 2018.
- 160 UNGP 12 and Commentary. June 2011.
- 161 UNGP 14 and Commentary. June 2011.
- 162 UNGP 18 and Commentary. June 2011.
- 163 UNGPs first pillar. June 2011.
- 164 Government Offices of Sweden. Action Plan for Business and Human Rights. Ministry of Foreign Affairs. Sweden. August 2015. <https://www.government.se/contentassets/822dc47952124734b60daf1865e39343/action-plan-for-business-and-human-rights.pdf>
- 165 UNGP 19 and Commentary. June 2011.
- 166 *ibid.*

- 167 OHCHR. OHCHR Response to Request from BankTrack for Advice Regarding the Application of the UN Guiding Principles on Business and Human Rights in the Context of The Banking Sector. June 2017. <https://www.ohchr.org/Documents/Issues/Business/InterpretationGuidingPrinciples.pdf>. Retrieved Oct 2018.
- 168 Shift & Pacific Institute. Guidance for Companies on Respecting the Human Rights to Water and Sanitation. Shift, Pacific Institute and CEO Water Mandate of UN Global Compact. January 2015. <https://www.shiftproject.org/resources/publications/guidance-companies-respecting-human-rights-water-sanitation/>. Retrieved Oct 2018.
- 169 The full Guidance can be found on: <http://pacinst.org/wp-content/uploads/2015/01/Guidance-on-Business-Respect-for-the-HRWS.pdf>. Retrieved Oct 2018.
- 170 The CEO Water Mandate of Global Compact. Mission & Governance. <https://ceowatermandate.org/about/mission-governance/>. Retrieved Oct 2018.
- 171 Alliance for Water Stewardship. About. <http://a4ws.org/about/>
- 172 UNGP 26 and Commentary. June 2011.
- 173 UNGP 31. June 2011.
- 174 <http://www.oecd.org/corporate/mne/>
- 175 OECD Watch. Calling for Corporate Accountability: A Guide to the 2011 OECD Guidelines for Multinational Enterprises. October 2017. https://www.oecdwatch.org/publications-en/Publication_3962. Retrieved Oct 2018.
- 176 OECD/Food and Agriculture Organization of the United Nations (FAO). OECD-FAO Guidance for Responsible Agricultural Supply Chains. OECD Publishing. Paris. 2016. <http://mneguidelines.oecd.org/OECD-FAO-Guidance.pdf>. Retrieved Oct 2018.
- 177 UN, Children's Rights and Business Principles, 2012., UNICEF 2014, Children Are Everyone's Business Workbook 2.0. http://www.unicef.org/csr/css/Workbook_2.0_Second_Edition_29092014_LR.pdf. Annex 3 provides further information about what the principles imply for businesses.
- 178 UNICEF, Save the Children & The Global Compact. Children's Rights and Business Principles. March 2012. https://www.unglobalcompact.org/docs/issues_doc/human_rights/CRBP/Childrens_Rights_and_Business_Principles.pdf. Retrieved Oct 2018.
- 179 *ibid.*
- 180 OHCHR. Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including the Right to Development Agenda item 3. Thirty-first session. Human Rights Council. A/HRC/31/L.28. General Assembly. UN. March 2016. https://www.ishr.ch/sites/default/files/article/files/l_28_with_oral_revisions.pdf. Retrieved Oct 2018.
- 181 UN. Promotion and Protection of All Human Rights: Human Rights Questions, including Alternative Approaches for Improving the Effective Enjoyment of Human Rights and Fundamental Freedoms. Seventy-second session. Item 73 (b). Situation of Human Rights Defenders. A/72/170. General Assembly. UN. July 2017. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N17/220/75/PDF/N1722075.pdf?OpenElement>. Retrieved Oct 2018.
- 182 For the company Everfresh Swedwatch has obtained figures for 2013-2018
- 183 Information taken from the official website of ICA Gruppen. <https://www.icagruppen.se/om-ica-gruppen/#!/>
- 184 The information has been collected from company's official website. <https://www.axfood.com/>
- 185 COOP. Coop Sverige Årsrapport 2017. <https://www.coop.se/contentassets/ceea577a33004baaa560c-b8e4510590c/coop-arsrapport-2017.pdf>. Retrieved Oct 2018.
- 186 Amfori. Country Due Diligence Tool. 2018. <https://www.amfori.org/content/country-due-diligence-tool>
- 187 Wal van der, S. SOMO. October 2018. Looking good on paper.

- 188 SIWI Swedish Water House. Water and Food are Inextricably Linked. Undated. <http://www.swedishwaterhouse.se/sv/klustergrupper/vatten-och-livsmedel/>
- 189 Axfood. Annual and Sustainability Report 2017. Retrieved Oct 2018. <https://www.axfood.com/globalassets/startsidea/investerare/ar17/axfood-annual-and-sustainability-report-2017.pdf>. Retrieved Oct 2018.
- 190 Menigo. About Menigo and Our Organisation. <https://www.menigo.se/en/about-menigo/about-menigo-and-our-organisation>. Retrieved Oct 2018.
- 191 Martin&Servera. Code of Conduct- with Consideration for People, Animals and the Environment. <https://www.martinservera.se/in-english/supplier-to-martin-servera/code-of-conduct>. Retrieved Oct 2018.
- 192 Menigo. Menigos uppförandekod. <https://www.menigo.se/om-menigo/hallbarhet/menigos-uppförandekod>. Retrieved Oct 2018.
- 193 Information is collected from Everfresh's website. <http://www.totalproducenordic.se/everfresh/en/> retrieved Oct 2018.
- 194 Information is collected from the website of Global G.A.P - The Worldwide Standard for Good Agricultural Practices. https://www.globalgap.org/uk_en/. Retrieved Oct 2018.
- 195 SAI platform. <http://fsatool.com/>; Global G.A.P. https://www.globalgap.org/uk_en/who-we-are/about-us/
- 196 Swedwach interview Elin Weyler, SIWI, Stockholm February 2018.
- 197 Weyler, 2018. Unpublished.
- 198 A 2015 report by the Dutch NGO SOMO showed that workplace conditions in the agricultural sector generally are better at certified companies than at non-certified companies reviewed. Despite this, agricultural workers on the sustainability certified farms assessed, complained that up to six of their key workplace rights were not respected. Many farm workers still struggled with low wages and temporary contracts, were not free to join trade unions, feared prosecution of their trade union leaders, had no protective gear to do their work safely and were exposed to discrimination. According to the report, sustainability certification had not achieved payment of living wages for all workers at certified farms. Freedom of association and collective bargaining were the second most violated labour right at the certified plantations reviewed. Wal van der, S & Scheele, F. Goodness Guaranteed: Assessing the Impact of Sustainability Certification, on the Labour Conditions of Farm Workers. The Centre for Research on Multinational Corporations (SOMO). Amsterdam. May 2015. <https://www.somo.nl/goodness-guaranteed/>. Retrieved Oct 2018.

Reports published by Swedwatch

91. Overlooked and undermined. Communities affected by jade mining operations in Myanmar, and the responsibilities of companies providing machinery (2018)
90. Power of the voice. Perspectives from workers and buyers on social dialogue within the Bangladeshi garment sector (2018)
89. Carrying the costs. Human rights impacts in communities affected by platinum mining in South Africa, and the responsibilities of companies providing mining equipment (2018)
88. Risks associated with the global trend of non-standard Employment. A case study on India (2017)
87. Turning the tide. The urgent need to shift capital flows to climate solutions: a case study of ten fund management companies (2017)
86. No business, no rights. Human rights impacts when land investments fail to include responsible exit strategies. The case of Addax Bioenergy in Sierra Leone (2017)
85. Fuel for conflict. Investors and the case of Lundin Petroleum in Sudan (2017)
84. Silent approval. The role of banks linked to the crisis faced by Borneo's indigenous peoples and their forests (2017)
83. Childhood lost. Diamond mining in the Democratic Republic of the Congo and weaknesses of the Kimberley Process (2016)
82. Agents for change. How public procurers can influence labour conditions in global supply chains. Case studies from Brazil, Pakistan and Thailand (2016)
81. Smokescreens in the supply chain. The impacts of the tobacco industry on human rights and the environment in Bangladesh (2016)
80. Far from reality. How the EU falls short in preventing the illicit trade of conflict minerals (2016)
79. Kortsiktigt kretslopp. Mobiloperatörernas ansvar kring återtag av uttjänta mobiler (2016)
78. Scania och Atlas Copco i Colombia: Ökat fokus på mänskliga rättigheter (2015)
77. Derechos Ahogados, Responsabilidades Diluidas. Un informe sobre los abusos en torno a la construcción de la hidroeléctrica Hidroitango en Colombia y la responsabilidad de los actores suecos (2015)
76. Trapped in the Kitchen of the World. The situation for migrant workers in Thailand's poultry industry (2015)
75. Shattered Dreams. Migrant workers and rights violations in the Dubai tourism sector (2015)
74. Ömsom Vin, Ömsom Vatten. En uppföljning av Systembolagets hållbarhetsarbete (2015)
73. Healthier Procurement – Improvements to working conditions for surgical instrument manufacture in Pakistan (2015)
72. Blir guldet till sand? En rapport om fondförvaltning utan klimatmål (2015)
71. 44 barn med föräldrar i textilindustrin (2014)
70. Dränkta rättigheter, flytande ansvar – Om Colombias största vattenkraftverk (2014)
69. Mänskliga rättigheter på hal is – Svenska ishockeyförbundet och dess sponsorer passiva inför Lukasjenkas VM-show (2014)
68. De olympiska kränkningarna – Om OS i Sotji, de svenska sponsorerna och de mänskliga rättigheterna (2014)
67. Vinets väg från druva till glas - En granskning av Systembolagets hållbarhetsarbete (2013)
66. Play fair – en kampanj för schyssta sportkläder (2013)
65. Fruktade kemikalier på costa ricas plantager – en granskning av importerad ananas och mango (2013)
64. Platinautvinning med risker – Vilket ansvar har svenska företag i Sydafrika? (2013)
63. Blåbärssverige – En resa bland bärplockare, brutna löften och framtidsdrömmar (2013)
62. Global expectations on Indian operations (2013)
61. Starkt fokus på kvinnors rättigheter (2013)
60. Blåbärsbranschen tar krafttag för bättre villkor i skogen (2013)
59. Arbetsvillkor i blåbärsskogen (2013)
58. Skattjakten – Var skattar företag med verksamhet i utvecklingsländer? (2013)
57. Investering utan insyn (2013)
56. Förädlad CSR-arbete (2013)
55. Cut and Run (2013)
54. Utan mark, utan makt (2013)
53. Flera steg mot bättre bransch (2012)
52. Vi konsumerar, de kompenserar (2012)
51. Mors lilla Olle III (2012)

50. Från noll koll till full kontroll? – en ny granskning av Clas Ohlson, Jula, Rusta och Biltema i Kina (2012)
49. A lot of gold a lot of trouble – A study of humanitarian impacts of the gold industry in DR Congo (2012)
48. Mera soja – Mindre mångfald – En uppföljningsrapport om soja i Brasilien (2012)
47. A lost revolution? – Women in the garment industry in Bangladesh want more. (2012)
46. Vet du vad din middag åt till frukost? En rapport om fiskmjöl (2012)
45. Allt är inte guld som glimmar – den sanna historien om den smutsiga guldkedjan (2011)
44. Out of Focus – Labour rights in Vietnam's digital camera factories (2011)
43. Mors lilla Olle II (2011)
42. Rena guldgruvan – AP-fondernas investeringar har en smutsig baksida (2011)
41. Mors lilla Olle – så exploateras asiatiska bärplockare i de svenska skogarna (2011)
40. Dyrare kaffe är bra (2011)
39. Leksaksföretagen har agerat efter kritiken (2011)
38. Passive observers or active defenders of human rights? (2010)
37. Konfliktmineraler i våra mobiler (Voices from the inside) (2010)
36. Namibias uran bakom svensk kärnkraft (2010)
35. Etik för dyrt för svenska kaffebolag (2010)
34. Mer kött och soja – mindre regnskog (2010)
33. Olaglig övertid i bilfabriker (2009)
32. Skoföretag har dålig kontroll på miljön (2009)
31. Hårt arbete bakom barnens julklappar (2009)
30. Vägar till ett bättre arbetsliv (2009)
29. Oädel handel: En rapport om import av tropiskt trä (2009)
28. Out of Control: E-waste trade flows from the EU to developing countries (2009)
27. En brännande fråga: Hur hållbar är den etanol som importeras till Sverige? (2009)
26. En exkluderande resa: En granskning av turistens effekter i Thailand och Brasilien (2008)
25. Ett kaffe som märks: Vilka effekter har certifieringar för kaffeodlare? (2008)
24. Illegal Ground: Assa Abloy's business in occupied Palestinian territory (2008)
23. Den blinda klädimporten: Miljöeffekter från produktionen av kläder (2008)
22. Silenced to Deliver: Mobile phone manufacturing in China and the Philippines (2008)
21. Utveckling på vems villkor? Skanskas verksamhet i ecuadorianska Amazonas (2008)
20. Risky Business. The Lundin Group's involvement in the Tenke Fungurume Mining project in the DRC (2008)
19. Improving Working Conditions at Chinese Natural Stone Companies (2008)
18. Powering the Mobile World. Cobalt production for batteries in the DR Congo and Zambia (2007)
17. Svenska textilier – ren vinst, smutsig produktion (2007)
16. Vita rockar och vassa saxar. En rapport om landstingens brist på etiska inköp (2007)
15. Bristande miljö – och etikkontroll. En rapport om Clas Ohlsons och Biltemas inköp (2006)
14. Arbetsarnas situation på varven i Kina (2006)
13. Sandvik och Freeport – Två företag i konflikten om Papua (2006)
12. Chokladens mörka hemlighet. En rapport om arbetsvillkoren på kakaodlingarna i Västafrika (2006)
11. The Price of Oil. Nordic participation in violations in Oil and Gas development on Sakhalin in Russia (2006)
10. Kaffe från Brasilien – en bitter smak av orättvisa (2005)
9. Expansion i låglöneländer med etiska risker – Assa Abloy i Rumänien och Mexiko (2005)
8. Lång väg till rättigheter – Trelleborgs försök att hindra en fackförening på Sri Lanka (2005)
7. En vara bland andra? – migrantarbetarnas situation och svenska företag i Saudiarabien (2005)
6. Handelskung med bristande etik – en rapport om Clas Ohlsons inköp i Kina (2005)
5. Swedish pulp in Brazil – The case of Veracel (2005)
4. Människor och miljö i fruktindustrin – två fallstudier från Chile och Sydafrika (2005)
3. Billig, snabb och lydig – en rapport om kinesiska leksaksarbetare och företagets ansvar (2004)
2. Svensk handel med Burma (2004)
1. Fallstudie om pappersmasseproduktion i Indonesien (2003)

