BEHIND YOUR SHOPPING

AN ANALYSIS OF CORPORATE RESPONSIBILITY IN HUMAN RIGHTS IN THE SUPPLY CHAINS OF BRAZIL’S LARGEST SUPERMARKETS

A REPORT BY OXFAM BRASIL
DECEMBER 2020
Historically, human rights came late to rural Brazil, and they were most fragile in those areas of the country. Several decades passed before rural workers were included in the country’s labor law framework known as CLT (The Consolidation of Labor Laws). Most cases of modern slave labor in Brazil are linked to agriculture. Rural workers’ wages and family farmers’ earnings are low, placing most of them among the poorest income groups. However, these are essential people who did not stop working during the novel coronavirus pandemic and continued to produce food to be sold at the largest supermarkets in the country and abroad. Concentration of economic power and influence has increased in the food supply chains of these large supermarkets, but it is still unclear to society how these companies ensure that the rights of workers, small farmers and women are respected in those chains. This report analyzes the policies and practices of Carrefour Brasil, Grupo Pão de Açúcar and Grupo Big – Brazil’s three largest supermarkets – and compares them with the large supermarkets in Europe and the United States.
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1. INTRODUCTION

Inequality is one of the most serious problems facing the world. It affects the lives of all people and robs the poor of the chance to have a better life. Everyone has the right to a decent life and to fair and sustainable development.

However, such inequality is neither accidental nor natural; it is maintained by the action – or inaction – of the State and the private sector. This is the case of the agricultural industry, which is not without problems and plays a key role in Brazil. Important supply chains of great economic success start in rural areas and feed large corporations all over the world, but behind them are rural workers, small farmers and women who live in high economic and social vulnerability.

The structural situation of vulnerability experienced by workers, small farmers and rural communities demands attention from all major companies that are linked to food supply chains, including Brazil’s largest supermarkets. In recent years, on an international level, Oxfam has been analyzing and debating how to improve the commitments and practices of large companies linked to the rural world, including the ten top food and beverage corporations, the largest commodity trading companies, and some of the major supermarket chains in Europe and the United States. In this document, Oxfam Brasil focuses its analysis on the three largest supermarkets in the country: Carrefour, Grupo Pão de Açúcar (GPA) and Grupo Big, which together control 46.6% of the sector.

They are not only the largest supermarkets; they also disclose the highest amount of public information on corporate responsibility. When looking at the ten largest supermarkets in Brazil, the difference between those top three and the rest of the group was evident. Given their size and the fact that they are either subsidiaries of multinationals, that is, part of multinational groups, or controlled by large companies and/or global investors, these three companies stand apart from the rest. For this reason, there is higher expectation about how the best practices in terms of responsibility for human rights in supply chains is reflected in their policies.

However, looking at their public documents and comparing them with other large supermarkets in Europe and the US, we found there is room for Carrefour, Pão de Açúcar and Big to improve their practices and commitments and thus align themselves with the world’s best practices. Leading players in a given economic sector – as is the case with these three supermarkets in Brazil – also lead in establishing trends for commitments and practices to be pursued. Other players tend to imitated them and absorb those trends. Given the state of human rights responsibility in Brazil’s retail food supply chain, these companies can positively influence the future of the sector.

This report intends to encourage a “race to the top” for best practices in supply chain responsibility in the themes of Workers, Small Producers, Women, and Transparency and Accountability between Carrefour Brasil, Grupo Big and Grupo Pão de Açúcar. Better commitments and practices by these three companies can help reduce the problems associated with food supply chains in Brazil.
This analysis by Oxfam Brasil aims to contribute to the debate on the root causes of inequality in the country and the role played by large corporations in food supply chains – such as supermarkets – in the effort to combat them. For this purpose, we published the reports “Ripe for Change” and “Sweet Fruit, Bitter Lives” in 2018 and 2019, respectively. Advances in control, management and transparency in supply chains are important ways for companies to fulfill their responsibility to respect human rights and contribute to sustainable development. This work is part of a global effort by the Oxfam Confederation to influence supermarkets in Brazil and in several other countries.

This document aims to show supermarkets that they can and should improve human rights policies and practices in their supply chains, based on internationally recognized best practices. In no way does this report intend to damage the reputation of these companies. The analysis contained in this document is based on public information and was carried out in July, August and September 2020.
2. INSTITUTIONAL RACISM

While this report analyzes respect for human rights in the supply chains of Brazil’s three largest supermarkets, the current context requires addressing racism within companies themselves.

Countless cases have been reported in the media and described by black people where they were victims of racism in supermarkets and commercial establishments in general. These citizens are monitored and followed inside stores because of their skin color; they are seen and treated as suspects; they are approached and urged to prove their innocence regarding unsubstantiated and discriminatory charges. They are often victims of violence, and in extreme situations they might be even killed.

Structural racism is a pillar of Brazil’s power structures, economic model and social relations. It is also institutionalized, in part, by the country’s historical formation as a political process, and thus it pervades public and private institutions in practices that reproduce it and feed it. Being among the dominant players in our society, private companies are an integral part of this dynamic. Nevertheless, companies that acknowledge this are very rare – not to say nonexistent. After all, in our country, the reality of racism has been and still is systematically denied.
From slavery to the racial democracy discourse, from job ads saying “we don’t accept people of color” to jobs post-Afonso Arinos Law (when racial discrimination was outlawed) that began to ask for “good-looking people” to fill positions, racism continues to take on different forms in Brazil – from the cruelest to the most subtle practices. As our society becomes more complex, racism also grows more nuanced. But the most barbaric practices have not disappeared; they live side by side with racism hidden in institutional processes and practices and in the structures of our society. The murder of João Alberto in a Carrefour store in Porto Alegre is just another case in our country’s daily life.

In addition to employing thousands of people, large supermarkets deal with millions of customers every month and influence the realities of people in their value chains. If institutional racism is not tackled, the majority of the Brazilian population – black people interacting with supermarkets in those spheres – may be at risk.

Carrefour is the largest supermarket chain in Brazil. Even so, it is a recidivist in racist and violent episodes. In 2009, Januário Alves de Santana was beaten up in the city of Osasco by the company’s security guards for “stealing his own car”. In 2018, Luiz Carlos Gomes, a person with physical disabilities, was assaulted in São Bernardo do Campo by Carrefour employees after having a beer in the store. Unfortunately though, the situation is more serious, since Carrefour is not alone. Recent episodes have also happened at Extra, a supermarket that belongs to Pão de Açúcar. In early 2019, Pedro Gonzaga, 19 years old, was asphyxiated to death in Rio de Janeiro and a 38-year-old man was tortured in São Paulo.

A serious response to racism by supermarkets must necessarily involve a thorough review of their policies, processes, practices and business relations, including suppliers. That process must avoid measures that mask the problems without solving them or just promote the company’s image. The views and demands of those most affected by supermarket’s racist practices must be considered. The whole process of designing measures against and solutions to institutional racism must start by listening to the so-called “stakeholders” – in this case, black movement organizations and leaders, including those at the frontline, close to the daily suffering of Brazil’s black people.

This review must acknowledge reality. We have to talk about racism directly and bluntly, going beyond the “diversity” discourse. Both the word (racism) and the issue have to be made visible. Increasing the number of black people in decision-making positions is important, but institutional racism within companies has to be addressed with systematic planning, rather than occasional training programs. It is important to bear in mind that racism is not black people’s “problem”; on the contrary, it is a problem created by white people. Companies must promote the debate on whiteness and the presence of racism in their internal institutions, with everyone’s participation. This should be a priority. Racism must be combated daily, permanently, transversally to internal spheres, and that fight must permeate business, political and cultural relations.
Such work must go beyond companies themselves and extend to outsourced services and providers. Some examples: How will major supermarket implement security systems that depart from the current standard in which they hire private companies, often created by and/or employing people linked to the police system\textsuperscript{16} – whose fatal victims are 75% black?\textsuperscript{17} Or: As major food buyers and sellers, how do supermarkets operate regarding working conditions and earnings of family farmers and rural workers – who are mostly black?\textsuperscript{18} Do they realize that the situation of Brazilian rural workers is connected to the country’s colonial and slavery legacy? These are some of the many questions that supermarkets should ask when dealing with their suppliers.

Racism is structural. Therefore, overcoming it will require profound changes in our society. And for that very reason, companies must be committed to a permanent search for extirpating racism from their practices and institutional cultures. Such a commitment can provide concrete gains for the black population and contribute to white people’s behavioral change and commitment. The risk lies in creating mechanisms and structures that may seem positive at first but will only contribute to keeping the situation as it is. That is why the path necessarily includes listening to the black movement and civil society organizations committed to the anti-racist agenda.
3. METHODOLOGY

This report is based on an analysis of corporate policies, statements and commitments that are publicly available on the websites of Brazil’s three largest supermarket chains – Carrefour, Grupo Big and Grupo Pão de Açúcar – with regard to Transparency and Accountability, Workers, Small Farmers, and Women at the beginning of their food supply chains, that is, in rural areas.

A system of indicators and scoring developed by the Oxfam Confederation (Oxfam) – a scorecard – was used for this analysis. To develop these indicators, Oxfam reviewed the following existing standards, methodologies and references: Oxfam’s “Steps Towards a Living Wage in Global Supply Chains,” the UN Guiding Principles Reporting Framework, the Corporate Human Rights Benchmark, the Business and Human Rights Resource Center’s Corporate Human Rights Benchmark and KnowTheChain initiatives, the Organization for Economic Co-operation and Development (OECD) Guidelines for Multinational Enterprises and the Food and Agriculture Organization (FAO) Guidelines on Responsible Agricultural Supply Chains, the Ethical Trading Initiative’s Human Rights Due Diligence Framework, the OECD’s Due Diligence Guidance for Responsible Business Conduct, and GRI’s Standards for Sustainability Reporting. The scorecard was developed between 2017 and 2018, and consultations were held with companies, NGOs, international organizations and experts.

The scorecard is part of Oxfam’s Behind the Price global campaign, focused on supermarkets. Its use for assessing companies is based on Oxfam’s experience with similar methods in the last ten years. An example is Behind the Brands, a campaign that targeted the world’s ten largest food and beverage companies. In addition, Oxfam has already employed similar methods to analyze the world’s top agricultural commodity traders, the policies of the largest mining, oil and gas companies, and those of the top Brazilian multinationals in construction, mining, oil and agribusiness.

THE INDICATORS

The scorecard is divided into four themes: transparency and accountability; rural workers and other food production workers (such as fishermen, etc.); small farmers and producers, and women. Each theme includes eight indicators, except for Women, which has seven indicators. Each indicator includes three sub-indicators. Since the assessment is based only on publicly available information, the companies are assessed by Oxfam experts. Each company’s thematic score is based on a percentage of points available for that theme. Similarly, the total score is based on a percentage of points available for the four themes.
PUBLICLY AVAILABLE INFORMATION

It is crucial for society to know how a corporation sees issues that are material to its supply chains, how it performs risk analysis, due diligence, etc., and the results it has achieved. Therefore, the scorecard focuses on corporate policies, supplier codes of conduct, audit protocols, sustainability reports, impact studies, and analyzes that have been published.

The team performing the analysis examined companies’ websites and those of any subsidiaries, where relevant. Companies that publicly claim that they have certain policies or are involved in certain projects but do not disclose those policies or more detailed information will not score.

In the case of Brazil, we consider companies’ websites in the country but do not consider documents or information that could be available on the websites of their parent companies, such as Carrefour France or Casino. Information that is not easily accessible on Brazilian websites in Portuguese language will be not considered valid for Brazilian stakeholders.

TRANSPARENCY AND ACCOUNTABILITY

The UN Guiding Principles on business and human rights (guiding principles) say that “the responsibility to respect human rights requires that business enterprises have in place policies and processes through which they can both know and show that they respect human rights in practice.”33

Such “showing” involves communication and a degree of transparency and accountability towards potentially impacted individuals or groups, in addition to other relevant stakeholders.

When assessing supermarkets based on the transparency of their policies and practices, we seek to encourage good practices in terms of transparency and disclosure of information about their supply chains. Corporate policies help companies to take stances on certain issues and communicate to society what they think and how their business partners should behave, including suppliers.

Several companies in sectors linked to agricultural supply chains have improved their corporate policies on the themes of rural workers, small farmers, water, land, women and others. Some examples are Coca-Cola, PepsiCo, Tesco, Walmart, Lidl, among others.

Large food and beverage companies, as well as in other sectors, have improved information disclosure about their suppliers. Some prominent examples are Nestlé and Unilever, which, in addition to presenting relevant policies, have also started to disclose their supply chains down to farm level for commodities such as soybean, palm oil, meat, tea etc.34 Other companies have adopted similar practices: in 2020, Lidl published a commitment to advance in this direction for some of its supply chains considered critical.35

Advancing policy transparency and disclosing information about supply chains not only contributes to supermarkets’ compliance with the UN Guiding Principles but also strengthens the sustainability of their supply chains and their reputation in society.
Millions of people around the world work at the first links of food supply chains, showing the scope and potential for companies connected to these chains to contribute to the fight against poverty and inequality and defend sustainable food security. However, many of these jobs do not protect workers, often paying very low wages and violating rights – such as in slave-like labor.

Oxfam has recently published studies demonstrating the poor conditions of rural workers in supermarket supply chains in several places around the world. For example, the case of poor workers and women silenced in fruit production in irrigated hubs of Northeastern Brazil; immigrants working in vegetable production in southern Italy; pesticide contamination of workers and starvation wages in Costa Rica’s banana and pineapple plantations; and poverty and contamination in tea harvesting in India. The conclusion is always the same: the world’s supermarkets need to improve respect for human rights and control over the situation of rural workers in their supply chains.
Indicators under “Workers” assess the extent of the measures put in place by supermarkets so that these rights are respected in their supply chains. Some examples of critical issues include: supporting the payment of living wages (as indicated by the International Labor Organization – OIT – and the Global Living Wage Coalition); supporting the right to free association and collective bargaining; and engagement with rural labor unions to conduct due diligence and monitor these issues.

It is important to note that, in several countries including Brazil, rural workers’ bargaining and negotiating power has been decreasing in recent years. Wages and payment terms (often temporary) are pervaded by structural problems. In Brazil, informal rural waged workers are about 60%, and may be as many as 90% in some states. Oxfam’s 2015 study “In Work but Trapped in Poverty” showed that people who work in food production, despite having jobs and working hard, cannot get out of poverty and vulnerability. That was confirmed in important fruit producing regions of Brazil by Oxfam Brasil’s 2019 study “Sweet Fruit, Bitter Lives.”

SMALL FARMERS AND FAMILY AGRICULTURE

Most rural establishments in the world are family farms. However, small farmers face enormous difficulties to enter and remain in supply chains, and their numbers in fresh or processed product chains are decreasing worldwide. In Brazil, examples include orange juice and fruit from irrigated hubs in the Northeast region (such as grapes and mangos).

Some of the barriers include prices as well as supply and delivery conditions, and they are influenced by supermarkets’ supply policies and practices. By concentrating their sourcing on large producers, supermarkets encourage an agricultural model based on large estates with better positions in the market. That model gives competitive advantages to these suppliers over small ones, as well as more political and economic clout.

Indicators in this theme assess the extent to which supermarkets seek to guarantee access and decent conditions for family farmers and smallholders. Supermarkets’ purchasing policies and practices play a key role in that, while supporting collective organization and advocating specific public policies for family farming are also important.
WOMEN

Women make up the largest group of people employed in food production and agriculture. However, because of machismo and sexism in socially constructed gender roles, they are concentrated in the lowest paid jobs and the most vulnerable conditions. As showed in the study "Sweet Fruit, Bitter Lives," women working in fruit growing are concentrated in jobs with shorter contracts. In the case of family farming, men often control business relations while women are also responsible for production, which reinforces the difference in gender treatment.

In addition, as shown by Oxfam’s 2020 report “Time to Care,” women are in charge of most domestic labor and unpaid family care, having to work several extra hours. In order to change the reality of female rural workers and family farmers, it is crucial to recognize that machismo and sexism are structural factors of gender injustice in society and create barriers for equitable inclusion of women in the labor market.

Even where women have formal jobs along with men, their wages are lower and there are still additional risks of harassment, sexual violence, discrimination and persecution based on gender – for example, in cases of pregnancy, maternity leave, breastfeeding, right to day care, etc.

When assessing supermarkets’ suppliers, indicators in this theme address the extent to which they seek to pay specific attention to women’s rights and the specific violations they suffer. It is important that companies make progress in monitoring and disseminating gender-disaggregated data and adopt the UN Women’s Empowerment Principles.
4. SUPPLY CHAINS AND CORPORATE RESPONSIBILITY IN HUMAN RIGHTS

A comprehensive framework of publicly available corporate policies is essential for companies to exercise more social responsibility, transparency and respect for human rights. A company must disclose to society its stances on key issues related to its operations and their impacts, especially on human rights. Without this, there can be no dialogue with civil society and other stakeholders.

In terms of responsibility for human rights in large corporations’ supply chains, key practices include transparency, information disclosure and public stances on the issues that affect these chains – the so-called “material” issues. Supply chains are complex and hide economic, political and practical relations whose impacts are adverse. Part of the scandals that have affected large companies in the past 30 years came from rights violations in their supply chains. For example: in 1996, Nike was accused of having connections with child labor; in 2009, Adidas, Ford, Honda and other major brands were accused of association with deforestation; in 2011, Zara was denounced for having ties with slave labor; and in 2013 Coca-Cola, PepsiCo and Associated British Foods (ABF) were accused of involvement with conflicts over land. The current structure of supply chains makes transparency and control difficult by excluding the participation of organized civil society. In addition, supply chains often start in territories where the State does not guarantee rights and where there are historically vulnerable groups. How can workers whose rights are violated be heard by purchasing companies if these companies do not disclose who are their suppliers and do not make their policies and practices public? How can communities that are evicted from their land use purchasing companies’ channels to denounce what their suppliers do if there is no transparency or information available?

According to the UN Guiding Principles on Business and Human Rights, large corporations are complicit in human rights problems in their business relations, and that complicity can have both legal and non-legal meanings. In the legal context, it refers to complicity when a crime is committed – something that may involve companies. In the non-legal context, those companies are seen as beneficiaries of abuses committed by others, such as when costs are reduced by slave-like practices in supply chains. In this sense, the UN Principles say that the due diligence process – that is, control and monitoring – should cover the risks of both legal and non-legal complicity. In Brazil, the concept of joint and several liability has been applied by the Labor Prosecution Service and the Federal Prosecution Service in cases of human rights violations in large corporations’ value chains.
The UN Guiding Principles are supposed to be applied in a way that provides special attention to “individuals from groups or populations that may be at heightened risk of becoming vulnerable or marginalized.” In the context of human rights due diligence, the Principles say that risk analysis should go beyond simply identifying and managing material risks to the company itself, to include risks to rights-holders. They also say that people, groups and communities in situations of vulnerability are those who face risks of adverse impacts to human rights.

Therefore, it is important to note that due diligence in supply chains of agricultural and food commodities must necessarily focus on those groups that are historically vulnerable, regarding the structural and persistent issues of threats and rights violation in rural Brazil.

THE ROLE OF SUPERMARKETS IN OUR LIVES

Supermarkets are a constant presence in lives of Brazilian families, whether as a neighborhood market or one of the largest companies in the country. They are among the main places where we buy food and other items that are essential for our lives. Thus, they mediate consumption relations with the sources of these foods, where there are thousands of essential rural workers, family farmers and rural communities.

The supermarket retail sector is economically important for the country, accounting for more than 5% of the GDP. In 2019, its revenues were worth R$ 378.3 billion and it was responsible for 1.8 million direct jobs. In addition, it connects with the whole country through food supply chains and reaches thousands of Brazilians who work and try to make a living out of agriculture.

FIGURE 1 – THE TEN LARGEST SUPERMARKETS IN BRAZIL ACCORDING TO THE BRAZILIAN ASSOCIATION OF SUPERMARKETS (ABRAS)

<table>
<thead>
<tr>
<th>THE TEN LARGEST SUPERMARKETS IN BRAZIL</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2017</strong></td>
</tr>
<tr>
<td>Carrefour Brasil</td>
</tr>
<tr>
<td>GPA</td>
</tr>
<tr>
<td>Grupo Big (Former Walmart Brasil)</td>
</tr>
<tr>
<td>Cencosud</td>
</tr>
<tr>
<td>Irmãos Muffato</td>
</tr>
<tr>
<td>Companhia Zaffari</td>
</tr>
<tr>
<td>Supermercados BH</td>
</tr>
<tr>
<td>SDB Comércio de alimentos</td>
</tr>
<tr>
<td>Sonda Supermercados</td>
</tr>
<tr>
<td>DMA Distribuidora</td>
</tr>
</tbody>
</table>

Source: Annual rankings produced by ABRAS
The three largest supermarkets in Brazil have achieved prominent places in the sector. Together, they have approximately 2,124 stores and combined revenues of about R$ 150 billion. In 2019, Grupo Pão de Açúcar became the largest supermarket in South America after acquiring Grupo Éxito. It has about 110,000 employees, being the largest private employer in Brazil, with operations in 20 states and the Federal District, including 1,076 stores that serve more than 49 million consumers per month. Carrefour Brasil, which is the largest supermarket in the country according to the Brazilian Association of Supermarkets (ABRAS), operates in 26 states and the Federal District. It has 498 stores in 150 cities and employs about 88,000 people. Grupo Big seems to be consolidating its transition from former Walmart Brasil. It has about 550 stores and 50,000 employees in 18 states, in addition to the Federal District, and is Brazil’s third food retail conglomerate.

**FIGURE 2 – COMPARING THE APPROXIMATE REVENUES OF THE THREE LARGEST SUPERMARKETS WITH THOSE OF THE 10TH TO THE 7TH**

![Diagram showing the approximate revenues of the three largest supermarkets in Brazil](image)

Source: Prepared by Oxfam Brasil based on data provided by ABRAS annually.
The year of 2020 was the most challenging in decades. The novel coronavirus pandemic and the resulting worsening of the economic crisis brought huge impacts on people’s lives. While countries – including Brazil – began to implement lockdown, quarantine and social distancing measures to face the virus, the risk of food shortages has become real. However, all actors involved in food production and distribution in Brazil – such as rural workers, family farmers, producers, truck drivers, employees working in supermarkets’ stores and warehouses – have given their exemplary contribution to prevent the situation from worsening and a shortage crisis from being added to the pandemic.

In March and April 2020, going to the supermarket became the main activity “outside the home” for those who did not work in essential areas or were able to work from home. Supermarkets, especially large chains, quickly adapted their stores to offer more safety, redoubled their e-commerce efforts, and kept products available, often going as far as to limit purchases of items such as alcohol-based hand sanitizers and liquid alcohol.

According to ABRAS, the pandemic’s initial economic impact on the supermarket retail industry would have been positive, which resulted in a good economic performance in the first half of 2020. Among the factors contributing to it would be consumers’ eagerness to guarantee supplies, which increased the average value of purchases, since people were stocking up and avoiding leaving home. Other factors were also important such as anticipation of holiday pay, more credit available in the country, government-provided stimulus checks, the release of Time of Service Funds (FGTS), and advancement of the first installment of retirees’ so-called 13th payment.

While the pandemic has clearly shown the role played by supermarkets in guaranteeing supply and resulted in an economically positive performance for the industry in the first half of 2020, this was not the case with other sectors and the majority of the population. Brazil is one of the most unequal countries in the world and the novel coronavirus pandemic “exposed and exacerbated the country’s historical inequalities.” Differences in access to basic services, income generation and social protection left a large part of the population more vulnerable to the effects of the pandemic and the economic and social crisis. Rural workers stand out in the group of essential workers. They are in a vulnerable situation and supermarkets depend on them. As Oxfam Brasil showed in 2019 for fruit farming, they are potentially among the country’s poorest 20% but they continued working to provide the food sold by supermarkets. Therefore, the context of the pandemic has made it even more urgent to improve efforts to control supermarkets’ supply chains with regard to the human rights of rural workers, family farmers and women.
Between August and September 2020, Oxfam Brasil assessed the performances of Brazil’s three largest supermarkets – Carrefour Brasil, Grupo Big, and Grupo Pão de Açúcar – comparing them with 16 of the largest international supermarket chains in the UK, the US, Germany, and the Netherlands. Policies and practices published by each supermarket were examined for evidence of the commitments needed to protect the human rights of workers, small farmers, and women at the beginning of food supply chains.

The three chains selected for analysis are the largest in the sector and the ones that disclose their practices and policies on social and environmental sustainability in food supply chains. Other Brazilian supermarkets do not even have human rights codes for rural workers and small farmers in their supply chains and do not publish sustainability reports regarding their actions. Only Irmãos Muffato has a supplier code. Cencosud in Brazil does not publish sustainability reports according to the GRI (Global Reporting Initiative) standard but claims to do it in Chile. It has a code of conduct available on its website that appears to apply only to company employees. Zaffari has a “social report” on philanthropic actions, but it is far from the GRI standard.
**FIGURE 3 – ANALYSIS OF THE 4TH-10TH LARGEST SUPERMARKETS IN BRAZIL WITH REGARD TO THEIR PUBLIC DOCUMENTS ON RESPONSIBILITY FOR HUMAN RIGHTS IN SUPPLY CHAINS**

<table>
<thead>
<tr>
<th>SUPERMARKET</th>
<th>SUPPLIER CODE</th>
<th>SUSTAINABILITY REPORT ACCORDING TO THE GRI STANDARD IN BRAZIL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cencosud/Gbarbosa</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Irmãos Muffato</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>SDB comércio de Alimentos</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Supermercados BH Comércio de Alimentos</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Companhia Zaffari and Bourbon</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>DMA Distribuidora</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Mart Minas</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Mart Minas</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

Source: Information collected by Oxfam Brasil from material available on supermarket websites.

Despite major differences regarding their Brazilian peers, the three largest supermarkets in the country performed below expectations in the scorecard assessment. Together, they reached an average of 4% on a scale where a company fully responsible in terms of human rights in supply chains would score 100%. The Brazilian supermarket with the best performance was Grupo Pão de Açúcar, with 6.5%. Carrefour ranked second with 2.7%, while Grupo Big came in third with 2.2%.
FIGURE 4 – ANALYSIS OF THE THREE LARGEST SUPERMARKETS IN BRAZIL WITH REGARD TO THEIR PUBLIC DOCUMENTS OF RESPONSIBILITY FOR HUMAN RIGHTS IN SUPPLY CHAINS

Source: Analysis carried out by the Oxfam Brasil team in July, August and September 2020 based on the scorecard of the Behind the Price campaign. Each theme has eight indicators, except for Women, which has seven. Each indicator has three sub-indicators. The thematic score of each company analyzed is based on the percentage of points available for the theme. Similarly, the total score is based on the percentage of points available for the four themes. 68

Carrefour, Grupo Big and Grupo Pão de Açúcar are still far behind the companies with the best corporate practices for responsibility and sustainability in supply chains. Grupo Pão de Açúcar scored higher in Transparency and Workers. Its supplier code addresses more issues and is clearer in its applicability and criteria, in addition to providing more accurate and rigorous information on its relations with workers. Grupo Pão de Açúcar also discloses more information about its process for identifying critical chains for human rights and who is responsible for sustainability in the company’s governance framework. It also scored for being a signatory to the UN Women’s Empowerment Principles. Carrefour, on the other hand, scored in Workers, but lost points for not clarifying the scope of its supplier code, for example. It is also a signatory to the Women’s Empowerment Principles. Grupo Big, even without having published a sustainability report during its transition from Walmart Brasil, scored on Small Farmers, since its website provides relevant information about their work.

There is an obvious difference in scoring between the main supermarkets in Brazil and those in the United States and Europe (England, Germany and the Netherlands) assessed by Oxfam in 2020. 69 Among those 16 European and US supermarkets and the three Brazilian ones, Grupo Pão de Açúcar had the highest score in Brazil and would be in the 14th position out of 19.
Considering that supermarkets in these countries import part of their food products from Brazil, it is reasonable to assume that they are contributing more to human rights in supply chains than Brazilian supermarkets.

**FIGURE 5 – COMPARISON BETWEEN SUPERMARKETS ASSESSED BY OXFAM IN THE US, EUROPE (GERMANY, THE NETHERLANDS AND ENGLAND) AND BRAZIL**

We are not the only ones demanding better commitments, policies and practices in supply chain responsibility by the largest Brazilian supermarkets. In 2019, Oxfam Brasil launched a petition asking the three supermarkets to establish specific measures so that rural workers in their fruit supply chains would be treated with more dignity. More than 75,000 people have already signed it.

A few years ago, Greenpeace Brasil launched the campaign entitled *Carne ao Molho Madeira*, demanding more control and transparency from supermarkets over the beef they sold. The campaign focused on deforestation, encroachment in indigenous lands and slave labor. Carrefour, Grupo Big and Grupo Pão de Açúcar have made progress in these areas, but problems continue to be found in their chains, as reported in 2019 by NGO Repórter Brasil.

All companies operating in Brazil should adopt the best possible practices for control over their food supply chains and respect for human rights, including supermarkets. Brazil’s rural areas are pervaded by poor working conditions, labor informality, slave-like labor, poverty, conflicts over land and water, deforestation, among other problems. Economically, large-scale agriculture remains powerful and is seen as contributing to the country’s GDP and trade balance. However, social and environmental issues persist. If big corporations working with consumers at the end of their chains – such as supermarkets, food companies, beverage companies and others – do not act, the situation will hardly change.
Grupo Pão de Açúcar is controlled by French supermarket Casino and includes subsidiary brands such as ASSÁI Atacadista, Viavarejo, Extra, Minuto Pão de Açúcar, MiniExtra and Barateiro. It had the highest score on Oxfam Brasil’s scorecard. The business group got six out of 93 points (6.5%). Note that this is a low score, below 10% of the indicators used in the scorecard, showing that the company still has a long way ahead in guaranteeing human rights in its supply chain.

Positive highlights:

The company

- mapped the “risks” of violations of workers’ and small farmers’ human rights in its supply chains and has a strategy to address them.
- discloses its governance system, pointing out who is responsible for human rights in supply chains.
- discloses its code (the supplier chart of ethics) to the public; it is easily accessible on its website. It addresses all the main conventions of the International Labor Organization (ILO) and considers not only suppliers’ obligations, but also its own responsibilities, including their business policies and practices.
- is a member of the Institute for the National Pact to Eradicate Slave Labor (InPacto), launched in May 2014 to strengthen, expand and provide sustainability to the actions carried out under the National Pact for the Eradication of Slave Labor.
- has an ethics chart committed to purchasing practices that facilitates application by its business partners, including fair, open and long-term relationships with suppliers.
- is a signatory to the UN Women’s Empowerment Principles.
- has a living wage policy. Its ethics chart item 3.2.6 says: “(...) Suppliers are expected to consider the legal minimum wage not as an end in itself but as a limit to be exceeded rather than reached, so that wages ultimately do more than just covering employees’ basic needs.”

Grupo Pão de Açúcar claims it carried out a robust risk analysis of several supply chains and selected seven priorities. However, it does not disclose its priorities for human rights, thus making it impossible for stakeholders to seek dialogue on issues that affect these chains and that the company would be interested in if it wants to mitigate and even remedy potential rights violations. The UN Guiding Principles on Business and Human Rights state that companies should conduct risk analysis focused on the risks to vulnerable rights holders rather than risks to the company. Not disclosing the critical supply chains identified by the company does not follow that logic.
CARREFOUR BRASIL

Carrefour Brasil scored only 2.5 points out of 93 (2.7%). Brazil’s largest supermarket chain owns hypermarket/wholesaler Atacadão as well as Banco Carrefour, and it has just acquired the wholesaler chain Makro. It is the Brazilian subsidiary of Carrefour, which is the largest supermarket chain in France and one of the largest in the world. Its low performance in the scorecard does not match its leadership in the industry, since it is also the largest chain in Brazil.

Positive Highlights

The company

• is a signatory to the UN Women’s Empowerment Principles. It pledged to launch a booklet on its Diversity Policy to raise awareness about the importance of diversity in the supply chain.

• is a founding member of the Institute for the National Pact to Eradicate Slave Labor (InPacto), launched in May 2014 to strengthen, expand and provide sustainability to actions carried out under said National Pact.

• signed an International Agreement with global labor union UNI in 2015. The agreement established a partnership on working conditions and labor rights, proactive prevention of abuse, and promotion of union rights. The Agreement refers to employees’ rights and included Brazilian union federation CONTRACS, affiliated to UNI.

• has 100% of its private label products with palm oil or its derivatives certified by the Roundtable for Sustainable Palm Oil (RSPO). However, differently from other companies that work with RSPO, it does not disclose these suppliers.

• says it is expanding audits and will reach 100% of suppliers of its private label products by the end of 2020. However, it reported only 57 social impact assessments in fruit and vegetable suppliers in 2019.

In France, Carrefour discloses its highly developed structure of human rights practices and appears to have a strategy to address and prevent negative impacts on its global supply chains, such as its Plan de Vigilance (surveillance plan), which includes a partnership with the International Federation for Human Rights (FIDH) and focuses on mapping and preventing risks to human rights in its operations and supply chains. Unfortunately, Carrefour Brasil does not publish anything similar in the country. The documents found in Portuguese refers only to audits. Carrefour seems to operate under double standards: one for the French company and a different one in Brazil. In France, the company publishes a much broader and more robust range of policies and practices in these areas. In other words, Brazilian stakeholders are not treated with the same level of social responsibility. If Carrefour Brasil adopted public commitments and practices similar to those of its French parent company and disclosed them to Brazilian society, it would certainly improve its performance in the assessment based on this scorecard.
Grupo Big, formerly Walmart Brasil, is the third largest food retail conglomerate in the country, only behind Grupo Pão de Açúcar and Carrefour. It includes supermarket chains Big, Big Bompreço, Super Bompreço, Nacional, Maxxi Atacado, Sam’s Club and TodoDia. It scored only two points out of 93 (2.2%) in our assessment. It is important to note that in the past two years, the company has been making its transition from former Walmart Brasil to Grupo Big and, as a result, much of the information, policies, reports and documents ceased to be available online. However, this transition is also an opportunity, since, as the company restructures itself, it can make the best of the previous experience to move forward.

Positive Highlights

The company

• has a Supplier Standards Manual with the labor standards and policies it implements in its supply chains.

• is associated with InPACTO (the Institute for the National Pact to Eradicate Slave Labor) – whose mission is to promote prevention and eradication of slave labor in Brazil; it declares that it has no business relations with companies that have subjected workers to slave labor and it checks the Dirty List for it.85

• supports family farming. In 2002, it launched its Producers’ Club, a program to support family farming that would provide small farmers with access to the company’s stores. More than 6,500 families in 16 states and the Federal District would benefit from special payment terms and support from a team of agronomists from Grupo Big. Members of the Producers’ Club would be encouraged to seek certifications and sustainable actions, respect human rights and labor laws, in addition to rationally using water and pesticides.86

Grupo Big’s former parent company Walmart (which still holds a 20% stake in it) is assessed by Oxfam America. There is a remarkable difference between the scores of the two groups. In 2020, Walmart scored 27 points (33%), while Grupo Big scored only 2.2%. But it is not just the difference in scoring that draws attention. For example, as a subsidiary of Walmart Brasil, Grupo Big was a signatory to the UN Women’s Empowerment Principles. However, Big does not seem to have followed through with this commitment. Walmart has a relatively good public stance on mapping the risks of human rights abuses in its global supply chains,87 while Grupo Big does not disclose information on the matter. That practice must be adopted in Brazil as well.

THE POSSIBLE WAY FORWARD

The three largest supermarkets in Brazil can make progress and be among those with the world’s best practices and commitments in terms of transparency and accountability, workers, small farmers, and women in their supply chains. The assessment conducted by the Oxfam network on supermarkets in other countries shows that it is possible.
The following supermarkets are assessed in Germany: Aldi North, Aldi South, Edeka and Rewe’s. In the United States, the assessment covers Albertsons, Walmart, Wholefoods, Kroger and Cotsco. Lidl, Plus, Jumbo and Aldi are assessed in the Netherlands, while in England the assessment includes Tesco, Sainsbury’s and Morrisons. In these countries, Oxfam has been using the same scorecard for three years (2018, 2019 and 2020), and supermarkets have improved considerably, as shown in the chart below.

**PERFORMANCE OF FOREIGN AND BRAZILIAN SUPERMARKETS ASSESSED BY THE 2018-2020 OXFAM NETWORK**

Brazilian supermarkets scored an average of 4%. Their situation is worse but not far from that of European and American supermarkets assessed by the Oxfam Network back in 2018. In that first assessment, European companies scored an average of 8%, rising to 15% in the second year and to an average of 25% in the third year, 2020. Not all of them progressed equally, and some European supermarkets continue to score poorly.

The positive highlight is Tesco in England, which currently holds the highest score. Even starting from a high score of 23% in the first assessment in 2018, it doubled its score to 46% in 2020. US supermarkets’ group average was 6% in the first assessment, increasing to 9% in the second assessment and to 12% in the third one. In this case, Albertsons is the negative highlight, since it regressed in the last assessment. Nevertheless, the experience shows that it is possible and feasible for the three largest supermarkets in Brazil to improve their scores.
In 2018, two Dutch supermarkets committed themselves publicly to protecting the rights of workers in their supply chains. Albert Heijn (a subsidiary of Ahold Delhaize) and Jumbo published policies on human rights and due diligence and promised to implement due diligence processes based on the UN Principles.89

Both Dutch supermarkets have pledged to carry out several human rights impact assessments annually, publish results and progress, and establish grievance mechanisms based on good practices. Other companies such as Tesco, Rewe and Sainsbury are working along the same lines to improve their complaint mechanisms. In another important commitment, Albert Heijn and Jumbo will publish an interactive world map showing where their private label products come from.
In 2018, Germany’s ALDI South scored only 1%. After public campaigns, it published its first international human rights policy and adopted measures to identify risks and prevent damage.\textsuperscript{90} Such changes, among others, increased its overall score by 18%.

In 2019, four companies – Jumbo, ALDI South, Tesco and Morrisons – raised their scores on workers’ rights by 15% or more, showing that, companies willing, things can improve.\textsuperscript{91}

Given the scenario in rural Brazil, the country’s supermarkets should make progress in their policies on living wages for rural workers and fair prices to guarantee decent incomes for small farmers. The three companies have gender equality policies but apply them only to their direct operations. An example are the programs to increase the number of women in leadership positions reported by Carrefour,\textsuperscript{92} Grupo Big,\textsuperscript{93} and Grupo Pão de Açúcar.\textsuperscript{94} These programs are restricted to company operations and do not extend to their supply chains, where women work in poor conditions.\textsuperscript{95}

Information transparency and disclosure should also improve in terms of stances and policies acknowledging issues that are important for human rights and supply chains, as well as in disclosing the list of suppliers down to farm level. British chain Morrisons, for example, has made progress in disclosing its list of suppliers, which facilitates the process of denouncing, preventing, mitigating and providing remedy to victims of human rights abuses in supply chains.

Also noteworthy is the lack of recognition and integration of the UN Guiding Principles on Business and Human Rights by the three largest supermarkets in Brazil.\textsuperscript{96} Published ten years ago, the Principles are considered highly advanced and are recognized by governments and multilateral institutions such as the OECD.

The Principles bear the notion of due diligence in human rights, a process that should be robust and broad, and go beyond social audits. Grupo Pão de Açúcar, Carrefour Brasil and Grupo Big depend almost entirely on social audits to be informed about the working and living conditions of farmers who produce food. And yet, they do not necessarily cover all suppliers or those in supply chains that are most critical for human rights. Only one Brazilian supermarket – Grupo Pão de Açúcar – claims to have conducted a due diligence process in its supply chains.\textsuperscript{97}

All Brazilian supermarkets need to do more to engage with stakeholders at the beginning of their supply chains such as rural waged workers’ labor unions. They are relevant actors that work for better labor conditions and to monitor inadequate situations, including slave-like work. If supermarkets aim to ensure good labor conditions for people working at the sources of the food products they sell, talking to these unions is an essential step. In December 2019, English supermarket Tesco came to Brazil to participate in a two-day meeting with fruit-growing labor unions in the country’s Northeast region while Grupo Pão de Açúcar, Grupo Big and Carrefour declined the invitation.
6. CONCLUSIONS AND RECOMMENDATIONS

To reduce inequalities and promote sustainable development, large companies must assume their responsibilities and take steps to improve their supply chains in terms of human rights. Large supermarkets play a key role in food chains and particularly in fresh food supply chains.

We recommend that Carrefour Brasil, Grupo Big and Grupo Pão de Açúcar use Oxfam Brasil’s scorecard to advance in their commitments and practices regarding human rights in their supply chains, in terms of transparency, workers, small producers, and women.

Here are some examples of areas where the performance of the three largest Brazilian supermarkets can improve:
CARREFOUR BRASIL

1. Conducting risk analysis on its food supply chains in Brazil and disclosing the results, including at least three product chains that are considered critical for human rights.

2. Establishing a Plan de Vigilance (Due Diligence plan) for Carrefour in Brazil, with the Plan de Vigilance of Carrefour in France as its minimum standard.

3. Publicizing how the company conducts human rights due diligence, what is considered in the process, what efforts it involves, and how often it is conducted.

4. Committing itself, with a defined deadline, to disclose names and addresses of suppliers at all levels of their high-risk food categories, starting with the fruit supply chain (as recommended by Oxfam Brasil in 2019).

5. Recognizing the limits of audits and committing itself to taking measures so as not to depend exclusively on them.

6. Explaining the scope of the Supplier Code and how it applies to the first levels of supply chains (such as ranches and farms).

7. Adopting a benchmark for living wages in supply chains, according to the Anker methodology promoted by the Global Living Wage Coalition.

8. Disclosing more information on how family farmers benefit from its Sabor e Qualidade Program; if there are mechanisms for paying a fair price; how many farmers participate; and where they are.

9. Encouraging its food suppliers to join the UN Women’s Empowerment Principles and disclose those that do so.
1. Taking advantage of its relationship with Walmart to review policies for human rights in supply chains, seeking to establish a policy in line with the UN Guiding Principles.

2. Becoming a signatory to the UN Women’s Empowerment Principles again and encouraging its main suppliers to do the same.

3. Reviewing its Supplier Code to strengthen it regarding wages, with an unequivocal commitment to living wages; recognizing that in many countries the minimum wage is not enough to meet a person’s basic needs.

4. Recognizing the limits of audits and committing itself to taking measures so as not to depend exclusively on them.

5. Developing and disclosing a due diligence process together with unions and NGOs, publicizing specific sectors/supply chains with potentially high human rights impacts. Disclosing the three most critical supply chains for human rights in Brazil.

6. Committing itself, with a defined deadline, to disclose names and addresses of suppliers at all levels of their high-risk food categories, starting with the fruit supply chain (as recommended by Oxfam Brasil in 2019).

7. Extending the Producers Club’s good practices to all small food producers.
1. Disclosing the risk analysis carried out in their supply chains and the results of the seven chains considered critical for human rights.

2. Recognizing the limits of audits and committing itself to taking measures so as not to depend exclusively on them.

3. Publicizing how the company conducts human rights due diligence, what is considered in the process, what efforts it involves, and how often it is conducted.

4. Committing itself, with a defined deadline, to disclose names and addresses of suppliers at all levels of their high-risk food categories, starting with the fruit supply chain (as recommended by Oxfam Brasil in 2019).

5. Developing a stakeholder engagement process that includes family farmers’ and rural wage workers’ organizations, such as those affiliated with CONTAR and CONTAG, among others.

6. Adopting a benchmark for living wages in supply chains, as provided by the Anker methodology promoted by the Global Living Wage Coalition.

7. Encouraging its food suppliers to join the UN Women’s Empowerment Principles and disclose those that do so.

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Between 2013 and 2016, Oxfam’s ‘Behind the Brands’ campaign used a scorecard with indicators to analyze the policies and practices of the ten largest food and beverage companies – Associated British Foods (ABF), Coca-Cola, Danone, General Mills, Kellog, Mars, Mondelez, Nestlé, PepsiCo and Unilever – on the topics of rural workers, small farmers, women, water, land, climate and transparency. More information at: https://www.behindthebrands.org/

In 2019, Oxfam used an indicator-based scorecard to assess the world’s largest trading companies – Archer Daniels Mitchel Daniels (ADM), Bunge, Barilla, Callebaut, Cargill, Olam and Wilmar – on the themes of Small Producers, Women, Land, Climate, and Transparency and Accountability. More at: https://www.oxfam.org.br/setor-privado-e-direitos-humanos/por-tras-das-marcas/grandes-empresas-falaram-sera-que-seus-fornecedores-escutaram/

Launched in 2018, Oxfam’s ‘Behind the Price’ campaign focuses on the role of supermarkets and responsibility for human rights in food supply chains. In 2018, 2019 and 2020, it used an indicator-based scorecard to assess the policies and practices of the largest supermarkets in Germany, the US, the Netherlands and the UK, on the themes of Workers, Small Farmers, Women, Transparency and Accountability. More information at: https://www.behindthebarcodes.org/

The scorecard is a performance assessment method used by Oxfam to examine corporate policies on themes considered crucial to supermarket supply chains, which have been historically neglected.


In English, the campaign is called ‘Behind the Barcodes.’ In some countries, including Brazil, it is called ‘Behind the Price.’ https://www.oxfam.org.br/setor-privado-e-direitos-humanos/portas-do-preco/?_ga=2.9971389.986032051.1596463242-1679821816.1570063252. Accessed September 23, 2020.


Principles 15, 16 and 24. The concept of “knowing and showing” has been consolidated and used by important instruments such as the GRI, the Global Compact, the OECD Guide for Due Diligence, the Interlaken Group, which the SMETA audit system is based, also includes Tenure of Land, Fisheries and Forests.” The Ethical Trading Initiative Guide, which is used by the retail sector and on which the SMETA audit system is based, also includes this reference. Information disclosure is important for dialogue with stakeholders and also for making complaint mechanisms effective.

According to a study published in 2014 by Dieese, 59.4% of rural waged workers did not have formal contracts. The rate was higher in Brazil’s North and Northeast Regions, where informality is 77.1%. In the states of Acre and Sergipe, it was over 90%. Available at: https://www.dieese.org.br/estudosdespesquisas/2014/estpqesqtrabalhoRural.pdf. Accessed September 23, 2020.


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While Brazil is the world’s largest orange juice producer and exporter, the number of small producers in the country has been decreasing dramatically. https://www.youtube.com/watch?v=3oc3a1ar605feature_emb_logo.
Ahold (based in the Netherlands), Albertsons (USA), Aldi Nord (Germany), Aldi Süd (Germany), Costco (USA), Edeka (Germany), Jumbo (the Netherlands), Kroger (USA), Lidl (Germany), Morrisons (UK), Plus (Germany), Rewe (Germany), Sainsbury’s (UK), Tesco (UK), Walmart (USA), Whole Foods (USA).

Oxfam Brasil analyzed documents that are publicly available on the websites of the three companies in August and September 2020.

Analysis conducted on the companies’ websites in September 2020.

Calculated as scorecard points and then converted into percentages.

The spreadsheet with all indicators, their descriptions and the detailed results of the analysis is available at: [https://www.oxfam.org.br/por-tras-das-suas-compras](https://www.oxfam.org.br/por-tras-das-suas-compras).

The spreadsheet with all indicators, their descriptions and the detailed results of the analysis is available at: [https://oxfamilibrary.openrepository.com/handle/10546/621008](https://oxfamilibrary.openrepository.com/handle/10546/621008).

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Ibid.


OXFAM BRASIL

Oxfam Brasil is a civil society organization created in 2014 to build a more just, sustainable and supportive Brazil by eliminating the causes of poverty, social injustices and inequalities. Oxfam Brasil is a member of the Oxfam network, which is a confederation formed by 20 national organizations working together in about 90 countries, as part of a global movement for change and for building a future free of injustice, poverty and inequality.

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