



Looking for synergies

Understanding the current situation of labour rights in the cashew sector in Côte d'Ivoire in relation to upcoming European Union legislation

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Abbreviations

ACA	African Cashew Alliance
AEC-CI	Association des Exportateurs de Cajou de Côte d'Ivoire
ANADER	Agence Nationale d'Appui au Développement Rural
APROTIC	Association Professionnelle des Transformateurs Industriels du Cajou
CBI	Centrum tot Bevordering van de Import uit ontwikkelingslanden
CCA	Conseil du Coton et de l'Anacarde
CGECI	Confédération Générale des Entreprises de Côte d'Ivoire
CICC	Consultative International Cashew Alliance
CILTE	Comité Intersyndical pour la Lutte contre le Travail des Enfants
CISL	Confédération Ivoirienne des Syndicats Libres
CITEF	Comité Intersyndical pour la Transition vers l'Economie Formelle
CNSL	Cashew Nut Shell Liquid
ComCashew	The Competitive Cashew Initiative
CSDDD	Corporate Sustainability Due Diligence Directive
CSH-CI	Centrale Syndicale Humanisme Côte d'Ivoire
CSRD	Corporate Sustainability Reporting Directive
ESG	Environmental, Social & Governance
ETI	Ethical Trading Initiative
EU	European Union
FENACA-CI	Fédération Nationale des Acheteurs d'Anacarde et de Coopératives de Cajou de Côte d'Ivoire
FESACI	Fédération des Syndicats Autonomes de Côte d'Ivoire
GIC-CI	Groupement des Industriels du Cajou de Côte d'Ivoire
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
ICN	Ivory Cashew Nuts
IFC	International Finance Corporation
ILO	International Labour Organisation
MT	Metric Ton
NFRD	Non-Financial Reporting Directive
OHADA	Organisation pour l'Harmonisation en Afrique du Droit des Affaires
OIA	Organisation Interprofessionnelle Agricole
OPCA	Opérateurs Professionnels du Cajou
PPCA	Projet de Promotion de la Compétitivité de la Chaîne de Valeur Anacarde
RCN	Raw Cashew Nut
SAA	Syndicat Agricole Africain
SMAG	Salaire Minimum Agricole Garanti
SMIG	Salaire Minimum Interprofessionnel Garanti
SNI	Sustainable Nut Initiative
SITA	Société Ivoirienne de Traitement de l'Anacarde
UGTCI	Union Général des travailleurs de Côte d'Ivoire
UNATRCI	L'Union Nationale des Travailleurs de Côte d'Ivoire



Introduction

This study is initiated by CNV Internationaal in order to understand the current situation of the labour rights in the cashew sector in Côte d'Ivoire in relation to current and upcoming European Union (EU) legislation, like the Corporate Sustainability Due Diligence Directive (CSDDD). The study has been executed by FairMatch Support in the fall of 2023 due to their knowledge and extensive network in the cashew sector.

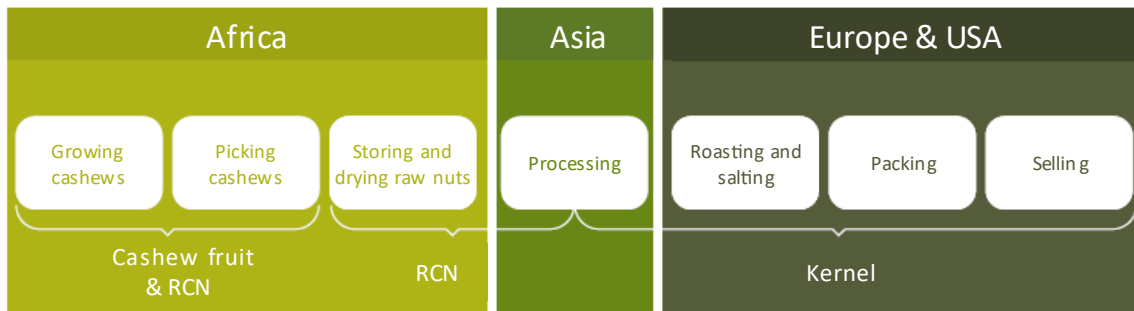


Figure 1 Cashew value chain.

The cashew value chain consists of multiple steps in different countries, a possible chain can be seen in Figure 1. The cashew trees grow in tropical areas. India, Côte d'Ivoire, Vietnam, and Tanzania are the biggest cashew producing countries (Global Cashew Alliance, 2023). The inputs used for cashew production consists of amongst other seedlings and fertilizer. Cashew trees produce cashew apples that hold the raw cashew nuts (RCN). After collection of the apples, the farmers separate the RCN from the cashew apple and dry it. The RCN is stored in bags that are collected by aggregators - cooperatives or traders -, who transport the nuts to local processors or to the port to be shipped to foreign processors. In the processing facilities, the RCN is deshelled and peeled so that the cashew kernel is left. These kernels are rated into 26 different grades dedicated to specific markets. The kernels are packed and transported to roasters or directly to wholesalers and retailers. That is how the cashew kernel ends up in the shopping basket of consumers. The trade flow of the cashews in 2015 can be seen in Figure 2. Since then, the export from India and Brazil has decreased, Africa has started to process, and China has become an emerging market.

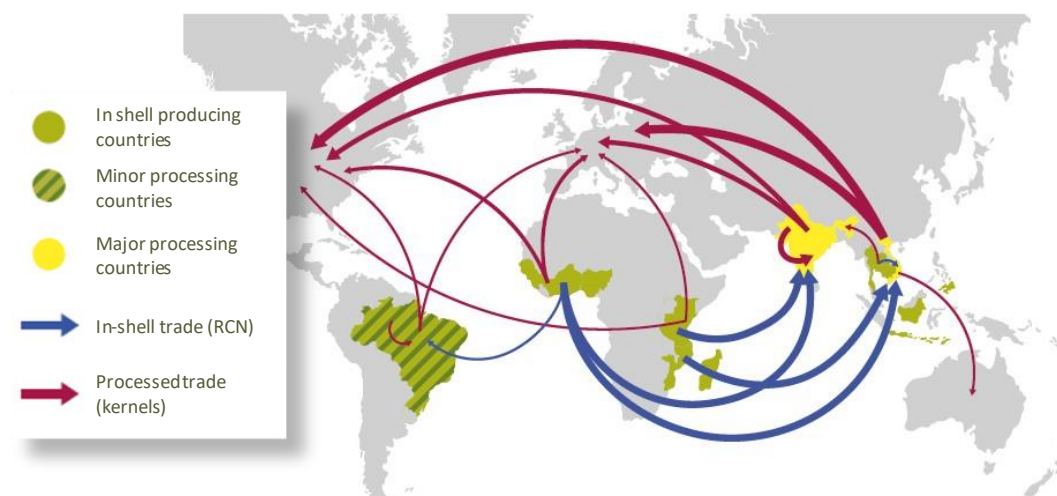


Figure 2 Export of cashew in 2015. Sources: Cashew digest, ACA, Cashew Week, Cashewinfo, Cashew Club, UNComtrade, ComCashew, International Nut & Dried Fruit Council, CCA, VINACA, Trade sources.

The cashew sector in Côte d'Ivoire has seen extensive growth in the past decade. Both direct and indirect supply chain actors work to create a sustainable supply chain, from an environmental, social and governance (ESG) perspective. As with each sector, there are still challenges to overcome. The main challenges currently evolve from the fact that 1) the sector has been growing rapidly in Côte d'Ivoire and 2) the global market price is very volatile, which makes it very difficult for the farmers and processors to invest properly. At the same time the sector does create a lot of working opportunities, which makes it worthwhile to improve working conditions.

This report tries to describe the current situation of the cashew sector in Côte d'Ivoire concentrates on the segments of the supply chain where the largest workforce in Côte d'Ivoire is employed, see the bold names in Figure 3, namely the farmers and processors. This report, however, does not claim to be exhaustive. The information is based on interviews with a range of different actors in the sector and desk research. It is not verified with extensive field research. Generally, the availability of reliable (market) information and analysis in this sector remains a challenge. The majority of the data mentioned in this document is based on data provided by the Conseil du Coton et de l'Anacarde (CCA), responsible for the implementation of policy and regulation in the cashew sector in Côte d'Ivoire.

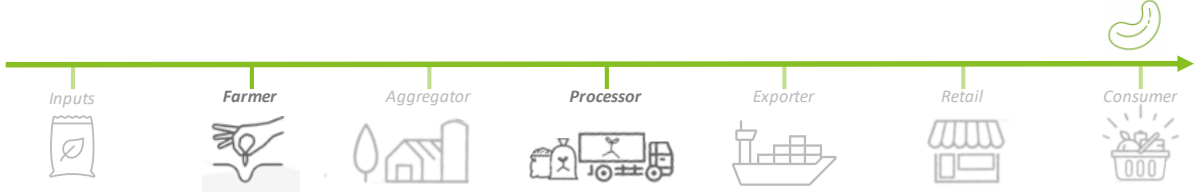


Figure 3 Simplified cashew supply chain of cashew processed in Côte d'Ivoire. Bold actors are within the scope of this report.

The report starts with an overview of the cashew supply chain in Côte d'Ivoire. After the general description of the sector in chapter 1, and the context in chapter 2, it takes a deeper dive on the labour circumstances in chapter 3. Conclusions and recommendations can be found in the final chapter.

1. Cashew supply chain

This chapter describes the different actors in the cashew supply chain in Côte d'Ivoire. For each supply chain step, relevant figures are included, where available, to offer an overview of the step's magnitude and significance.

Cashew was introduced in the last century in the north of Côte d'Ivoire to fight desertification. From the 90's onwards the crop gained commercial interest, first by Indians coming to Côte d'Ivoire. After the civil war, the cashew and cotton sector in Côte d'Ivoire were stimulated to create economic opportunities in the Northern part of the country. Since then, the cashew sector in Côte d'Ivoire has seen fast growth facilitated by strong government support. Côte d'Ivoire moved from an 'average' cashew production to one of the biggest producing countries. The country is pushing for local processing to add value to the local economy. There is estimated that in 2022 in Côte d'Ivoire 1,100,000 MT of RCN is commercialized and 220,000 MT kernel is processed (Gouvernement de Côte d'Ivoire, 2022). Comparing this to 2017 when 710,000 MT RCN was commercialized, and 47,000 MT kernels was processed, illustrates the growth - see Figure 4 - (ComCashew, 2019). The gap between produced and processed is mostly explained by the export of RCN to Asia, specifically India and Vietnam. In India and Vietnam, the processing industry is mature and highly efficient, as a result, it is more cost-effective to handle shipping and processing in those areas. One of the goals of the government in Côte d'Ivoire is to process more than 50% of the production within Côte d'Ivoire by 2030 (Gouvernement de Côte d'Ivoire, 2022). To realize this, they are working to set up three agro-industrial parks - in Korhogo, Boundoukou, and Séguéla - dedicated to cashew (CCA, 2023a).

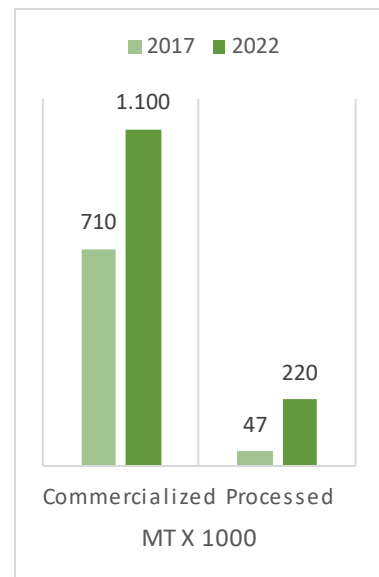


Figure 4 Cashew in Côte d'Ivoire.

1.1 Cashew farmers

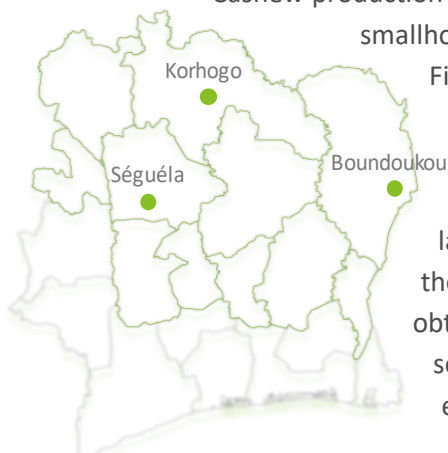


Figure 5 Map of Côte d'Ivoire where the green regions show where cashew is cultivated and the green dots where the agro-industrial parks are planned.

Cashew production creates working opportunities for rural farmers – predominantly smallholders - and their families in the northern part of Côte d'Ivoire, see Figure 5, mainly the savannah region. In this region cashew and cotton are the main cash crops, farmers often produce one or both. In total it is estimated by the CCA that the cashew production covers an area of 1,400,000 ha in Côte d'Ivoire. The land title of the land is generally owned by the men who also do the pruning. Women collect the nuts. For the youth it is difficult to obtain land, but they find other ways to be active in the cashew sector via amongst others the traders and cooperatives. Published estimations mention that within the cashew sector in Côte d'Ivoire in 2021/2022, there were around 330 000 farmers (Guero et al, 2021), 400 cooperatives, and 30-40 cooperative unions (Fitzpatrick, 2022). New estimations of the CCA talk about **450 000 farmers, 800 cooperatives, and 19 regional unions**. Most of

these cooperatives operate as traders, often limiting the involvement of the ‘traditional’ members of the cooperatives which are the cashew producers. Almost all these cooperatives are represented by the federation **Centrale de Cajou COOPCA**. The buyers of the RCN, more than **1 300 buyers**, are grouped in the Fédération Nationale des Acheteurs d’Anacarde et de Coopératives de Cajou de Côte d’Ivoire (**FENACA-CI**)

1.2 Cashew processors

The cashew from Côte d’Ivoire is processed both in processing facilities in Côte d’Ivoire and in Asia. According to the CCA in 2022 around 20% - being 220 000 MT - of the cashew was processed locally of which around 15% - 5 000 MT - was exported to the Netherlands. The CCA estimates that there are currently more than 40 processing units installed, including around 30 that combined makes a nominal capacity of around 350,000 MT/year. These processing facilities can be grouped into 3 categories:

- Large industrial facilities (capacity over 10 000 MT/year) like
 - **CashewCoast** (including **Ivoirienne de Noix de Cajou SA**)
 - **CILAGRI CAJOU**
 - **Dorado Ivory**
 - Ivory Cashew Nuts (**ICN**)
 - **OLAM IVOIRE**
 - Société Ivoirienne de Traitement de l’Anacarde (**SITA**) **SA**
 - **SG AGRO**
 - **QUANG THIEN IMEX**
- Semi-industrial facilities (capacity 1 000 – 10 000 MT/year) like
 - **COOPABO**
 - **NORD CAJOU**
- Small-scale facilities (capacity less 1 000 MT/year) like
 - **COOPCA COPRODIGO**

Most of these processing facilities are members of the association Groupement des Industriels du Cajou de Côte d’Ivoire (**GIC-CI**), according to their own website they currently represent 22 facilities (GIC-CI, 2023). Next to this, there is also the Association Professionnelle des Transformateurs Industriels du Cajou (**APROTIC**). In total the CCA estimates that around **14 200** workers are working in these facilities, in the table below the breakdown can be seen between permanent and temporary contracts. This table also shows that the majority of the workers, around 70%, is female. The processing facilities are interesting employers for youth as well, however, statistics for this group are not available. The permanent workers mostly consist of the management. The temporary workers are the people who are responsible for the operational work in the facility – named processing facility workers in the following chapters -. See the Appendix for an Example of workers needed for a 10 000 MT processing provided by the Bureau National D’Etudes Techniques et de Developpement.

Total workers	Permanent		Temporary	
	Men	Women	Men	Women
14 211	1 317	920	2 881	9 093

1.3 Cashew exporters

The RCN that does not get processed in Côte d'Ivoire is processed abroad. In 2023 there were **58 companies** and **77 co-ops** with a license to export RCN out of Côte d'Ivoire (CCA, 2023b). The Association des Exportateurs de Cajou de Côte d'Ivoire (**AEC-CI**) represents the exporters. The RCN gets exported to primarily India - 25% of the RCN produced in Côte d'Ivoire according to the CCA - and Vietnam - 45% of RCN produced in Côte d'Ivoire -, of which the latter is also a focus country of CNV Internationaal. In Vietnam there are multiple processors that process cashew from Côte d'Ivoire, examples of large players: **Intersnack**, **Long Son**, and **OLAM**. Both countries depend on the cashew production in Côte d'Ivoire for the processing industry to either re-export (Vietnam), or mainly for local consumption of cashews (India).

1.4 Cashew importers

Once the cashew is processed, it gets exported. Europe is the largest importer of kernels; 35-40% of the global cashew import value (CBI, 2022). The kernels get exported to the EU by the owners of the processing companies or via trading companies such as **Daarnhouwer**, **Nuts2**, and **Nutwork**. These companies, sometimes roast in processing facilities in Europe and, sell the cashew to retailers - such as **Albert Heijn**, **Aldi**, **Jumbo**, and **Lidl** – which are the last actors before the cashews end up in the baskets of Dutch consumers.

In Figure 6 a simplified overview is given of the cashew value chain described in this chapter.

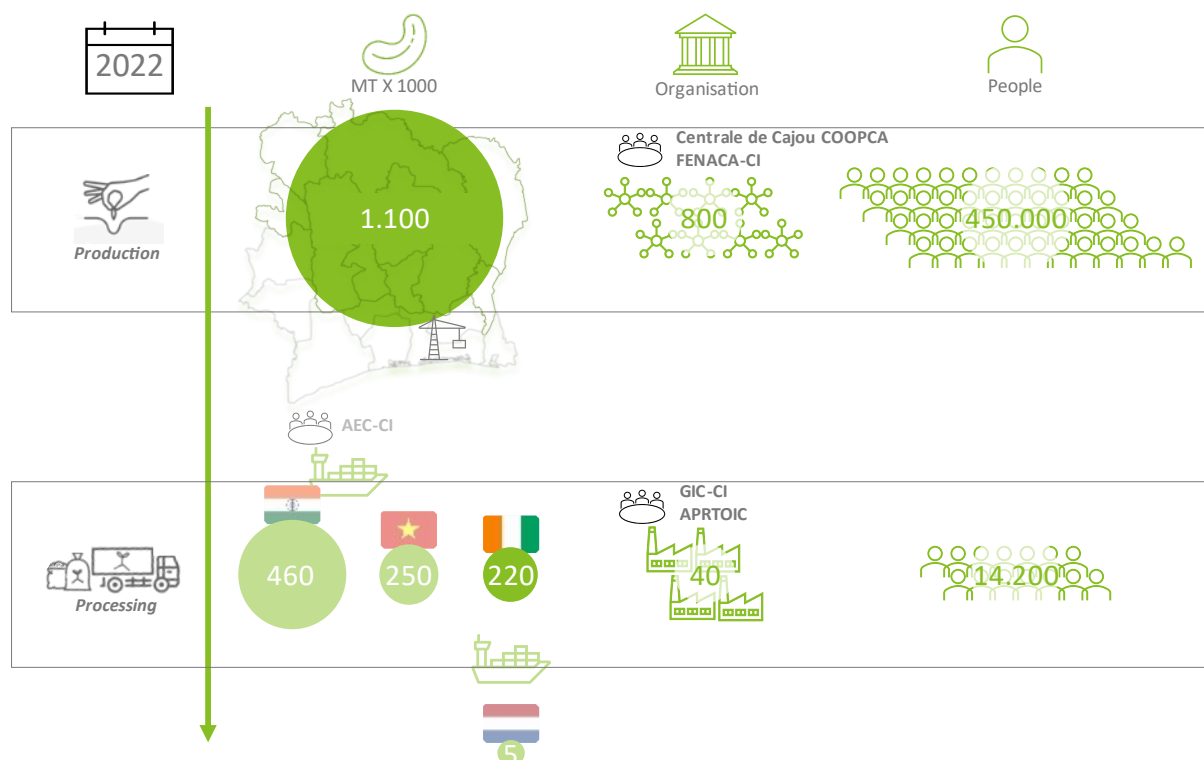


Figure 6 Simplified overview of the cashew sector in Côte d'Ivoire.

2. Context

This chapter gives an overview of the relevant (political) context in which the actors in chapter 1 operate. First, the local context with the attached institutions and organizations is described. Second, a description of the European political context is given. After this description, the chapter will dive into different international operating actors that are - via projects or programs – involved in the Côte d'Ivoire cashew sector. This chapter ends with an indication of the cash flow in the chain.

2.1 Local

The government of Côte d'Ivoire is responsible for the legislative and regulatory context of labour rights in the cashew sector. They are involved in the cashew sector in the following way:

- **Ministry of Agriculture, Rural Development and Food Production** working closely together with:
 - **Agence Nationale d'Appui au Développement Rural (ANADER)**
Created in 1993, responsible for improving the living conditions in rural areas through the professionalization of farmers and agricultural organizations by designing and implementing tools and approaches.
 - **Conseil du Coton et de l'Anacarde (CCA)**
Created in 2013, responsible for the implementation of policy and regulation in all aspects of the sector. The CCA engages in a wide range of activities such as regulation and export monitoring, quality testing, processing training/demonstration, facilitating access to technology, farmer training, distribution of inputs, and international promotion of the sector. This is done amongst others via:
 - **Centre d'Innovations et de Technologies de l'Anacarde (CITA)**
Opened in 2020 in Yamoussoukro, with the aim to be a central hub for expertise, training, processing, and marketing of cashew products.
 - **Projet de Promotion de la Compétitive de la Chaîne de Valeur Anacarde (PPCA)**
Started in 2018, with the aim to improve the competitiveness of the cashew sector in Côte d'Ivoire by improving productivity, quality, and added value. The program is about to begin the 2nd phase which will include sustainability and working conditions.
 - **Organisation Interprofessionnelle Agricole Anacarde (OIA Anacarde)**
Created in 2022, with the aim to 1) build a platform for professionals in the sector to exchange, 2) establish contractual rules between members concerning amongst other prices and quality standards, and 3) strengthen the capacities of the members. Their mandate is to defend the interests of the different actors in the chain. That is why the OIA is composed of amongst other members of Centrale de Cajou COOPCA, FENACA-CI, GIC-CI, and AEC-CI.
- **Ministry of Commerce and Industry**

For the cashew sector in Côte d'Ivoire, the government imposes regulations that include amongst others a minimum RCN price, subsidy and tax exemptions for processors, raw material sourcing quota for domestic processors, RCN exportation tax, and a prohibition for RCN to be exported via land.

2.2 European Union

As the kernels get exported to and consumed in the EU, the EU context is also relevant. In the EU there is a growing interest in the total social and environmental impact of the supply chains that reach the EU, instead of solely focussing on the activities that take place in the EU. This results in (upcoming) EU legislation on social and environmental sustainability like¹:

- **Corporate Sustainability Due Diligence Directive (CSDDD)**
A directive that is adopted as a proposal in 2022, and for which a **provisional deal** was reached in December 2023, which will require companies to identify their adverse risks in all the operations in the supply chain. In the CSDDD the human rights elements focus on labour rights. The CSDDD can help to attract sustainable financing for corrective action plans and roadmaps. In a few member states there is already regulation in place that focusses on due diligence, for example:
 - France
 - **Loi relative au devoir de vigilance**
The legislation, implemented in 2017, includes “reasonable vigilance measures to identify risks and prevent serious violations of human rights and fundamental freedoms, health and safety of persons and environment resulting from the activities of the company and of the companies it controls, either directly or indirectly, as well as the activities of subcontractors or suppliers with whom an established business relationship is maintained.”
 - Germany
 - **Lieferkettensorgfaltspflichtengesetz**
The legislation, implemented in 2023, translates into concrete provisions the way companies must comply with their due diligence obligations in the field of human rights. This involves analysing human rights-related risks, taking measures to prevent and mitigate human rights violations, setting up grievance mechanisms and reporting on their activities.
 - Netherlands
 - **Wet zorgplicht kinderarbeid**
The legislation, adopted in 2019 but not yet implemented, focuses on prevention of the supply of goods and services that have been produced with the help of child labour.
- **Corporate Sustainability Reporting Directive (CSRD) & the Non-Financial Reporting Directive (NFRD)**
The CSRD, adopted in 2021, that builds on the scope of the NFRD, adopted in 2014, requires companies (and by 2029 all non-EU organisations with significant activities in the EU) to disclose information about their operations and management of ESG challenges.

2.3 International actors

Next to the direct supply chain actors and the actors described above, internationally there is a multitude of actors active in the cashew sector in Côte d’Ivoire amongst others:

¹ Many of these regulations focus on a wider range than social sustainability.

Financial institutions

- **The World Bank Group**

International financial institution, established in 1944, with the aim to reduce poverty, increase shared prosperity, and promote sustainable development. The World Bank manages different projects that impact the Côte d'Ivoire cashew sector:

- [PPCA project](#) of the CCA receives \$200 million funding from the World Bank.
- **International Finance Corporation (IFC)**
 - [Guide to Best Practices on Cashew Traceability System](#), released in 2019, that aims to improve access to markets for SMEs in the cashew processing sector in Côte d'Ivoire.
 - [Warehouse Receipt System](#), started in 2016, that enables processors use unprocessed nuts as collateral for working capital loans.
 - Direct investments in the processing facilities².

Governments

- **Government of Germany via**

- **Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)**

German service provider, established in 2011, for international cooperation for sustainable development and international education work.

- [Competitive Cashew Initiative \(ComCashew\) project](#), started in 2009 with a contribution of €106 million up to 2018, aiming to achieve a sustainable poverty reduction in Benin, Burkina Faso, Côte d'Ivoire, Ghana, Mozambique, and Sierra Leone, by enhancing the competitiveness of African cashew smallholders, processors, and other actors in the supply chain.

- **Government of the Netherlands via**

- **Centre for the Promotion of Imports from developing countries (CBI)**

Dutch organisation, established in 1971 by the Dutch Ministry of Foreign Affairs, with the mission to support the transition towards inclusive and sustainable economies.

- [Edible Nuts Benin and Côte d'Ivoire project](#), started in 2019, to help participating companies create an export marketing plan and to improve their corporate social responsibility practices and sustainability in the supply chain. As part of this project, the CCA and CBI have initiated a capacity building program on Corporate Social Responsibility. This started in March 2022 and currently involves 30 processing facilities.

- **Government of the United States of America via**

- **U.S. department of agriculture | USDA Food for Progress Program**

- [Prosper Cashew project](#), started in 2020 with a total fund of \$25 million, that aims to bring together processors and other supply-chain actors, investors, and the public sector to keep the economic and social value of the cashew at its source in West Africa.
- [PRO-Cashew project](#), started in 2019 with a total fund of \$47.3 million, that aims to boost the competitiveness of West African producers by improving efficiency and quality in production and trade, and by working to develop more coherent regional trade and investment policies.

² An increasing number of investment agencies mention an active due diligence policy as an indispensable prerequisite for investment.

International platforms

- **African Cashew Alliance (ACA)**
International association, established in 2006, of African and international businesses with an interest in promoting a globally competitive African cashew industry.
- **Consultative International Cashew Council (CICC)**
International council, established in 2016 in Côte d'Ivoire, with the aim to create a consultation framework as well as synergies between member states towards a sustainable cashew sector.
- **Sustainable Nut Initiative (SNI)**
Pre-competitive collaboration platform, established in 2015, with the goal to improve the circumstances in nut producing countries, to work towards sustainable supply chains, and to find sustainable solutions for the future of the sector.

Non-governmental organisations

Different non-governmental organisations have been focussing on cashew in Côte d'Ivoire, large organisations like the **Bill & Melinda Gates Foundation** as well as smaller organisations like **FairMatch Support**, **Nitidae**, and **TechnoServe**. At this moment, an interesting player involved in the cashew sector in Côte d'Ivoire is:

- **Tony Blair Institute for Global Change**
Non-profit organisation, established in 2016, with the aim to help governments and leaders turn bold ideas into reality. They have been supporting the government since 2019 to achieve the economic transformation goal in amongst others the cashew sector. This includes the development of sectoral policies, private sector development, and investment facilitation.

2.4 Cash flow

As mentioned above, there are multiple actors active in the cashew sector in Côte d'Ivoire which results in different cash flows. Whilst cashew is moving towards the consumer, money is flowing vice versa back in the chain towards the farmers. Next to this cash flow, the government of Côte d'Ivoire taxes the export of the RCN and subsidises local processors. Financial institutions like the World Bank, particularly via the PPCA, finance the development of local transformation. Whilst serious investments are taking place in the sector, financial institutions in general regard the cashew sector in Côte d'Ivoire, and especially the processing, as high risk which makes finding the right funders more difficult. A simplified visualization of (some of) the cash flow can be seen in Figure 7.

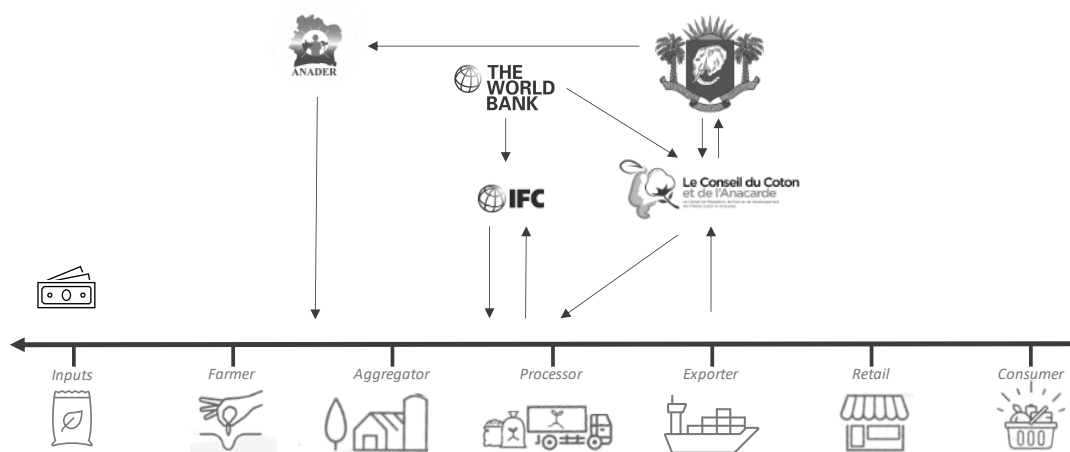


Figure 7 Simplified visualization of (some of) the financial flows in the cashew sector in Côte d'Ivoire.

3. Labour rights & working conditions.

This chapter gives an overview of the current policy and practice surrounding labour rights & working conditions. First, a general description is given. After this description, the chapter will dive into the specific situation of the farmers and the processing facility workers on the topics, see Figure 8 for an overview, for which information was available and materiality was sufficient.



Figure 8 labour rights & working conditions topics covered per actor.

3.1 General

Looking at the implementation of the regulations and the current practice shows that mainly local government related institutes focus on regulating and improving labour conditions. If tackled well, a couple of the current challenges can even be turned into opportunities for the sector. The current challenges, which are not unique for Côte d'Ivoire or for the cashew sector, are caused by the rapid growth and the increased interest of importing countries and come down to a need for:

- More transparency and traceability in the sector,
- More formalization of the cashew sector,
- Profitability and equal value distribution.

Transparency and traceability in the sector

To be able to make a full assessment of the situation, reliable market information and analysis are needed. Both remain a challenge in the sector. Transparency and traceability are key to improve this. The traceability system that is currently in place, is made and controlled by the CCA. This system focuses on the annual registration and verification of the actors and actions in the chain. This system, or an independent system, can be extended to focus on a wider scope that also measures the social (and environmental) sustainability. The cashew sector in Côte d'Ivoire has the advantage that a certain level of due diligence is feasible, as it is amongst others possible for auditors to go in the field. Actors in the chain are using this to improve the transparency and traceability, via the usage of certification like [ACA seal](#) and [Fairtrade](#), and standards from the [Ethical Trade Initiative \(ETI\)](#) and [International Labour Organisation \(ILO\)](#) (GIZ, 2019). The contribution to social sustainability of these certifications and standards are debated.

Formalization of the cashew sector

As mentioned in chapter 1, the cashew value chain in Côte d'Ivoire has significantly grown the last decade. With this growth, challenges such as structuration and formalization arise. The introduction of the CCA was a first important step in this process. For the farmers, formalization and formal representation remain a challenge. The traders' cooperatives are more focussed on the trade and

focus less on the representation of the farmers. This undermines the position of the farmers and makes them more vulnerable in negotiating processes. The processing industry is formalizing, but processing facility workers are limited represented. The organisation of the cashew sector, pushed by L'Organisation pour l'Harmonisation en Afrique du Droit des Affaires (OHADA) 'Acte Uniforme Relatif Au Droit des Societies Cooperatives' (OHADA, 2011), has not included the trade unions. One of the reasons why it is not common for farmers or processing facility workers in the cashew sector to be a member of a trade union. Even though there are trade unions in Côte d'Ivoire, as can be seen in the blue box below. In the current set-up the interests of the actors are defended by the associations and federations that are grouped in the OIA Anacarde. As the OIA Anacarde has just started, the question remains what their exact role will be in the sector.

There are five trade unions in Côte d'Ivoire:

- Confédération Ivoirienne des Syndicats Libres (CISL) **Dignité**
- Fédération des Syndicats Autonomes de Côte d'Ivoire (FESACI)
- Centrale Syndicale Humanisme Côte d'Ivoire (CSH-CI)
- Union Général des travailleurs de Côte d'Ivoire (UGTCI)
- L'Union Nationale des Travailleurs de Côte d'Ivoire (UNATRCI)

These five trade unions are grouped in the Comité Intersyndical pour la Transition vers l'Economie Formelle (CITEF).

Profitability and equal value distribution

To make long lasting improvements in the working conditions and adhere to labour rights, profitability is crucial. Profitability is not guaranteed in the production and processing due to volatility of the market price. Due to this volatility, which can be seen in Figure 9, it is difficult to find investors and plan investments. Lack of capital makes it difficult for farmers or processors to invest, for example investments to improve the labour conditions. Boosting profitability begins with empowering local farmers, cooperatives, and processors. A robust domestic market is the foundation for sustainable growth, capable of withstanding global challenges. The government is actively addressing this issue by promoting local processing. Concurrently, strengthening cooperatives and empowering them to truly advocate for their farmers will further fortify the foundation of the production base. An improved negotiation position helps to create an equal value distribution in prosperous and challenging times.



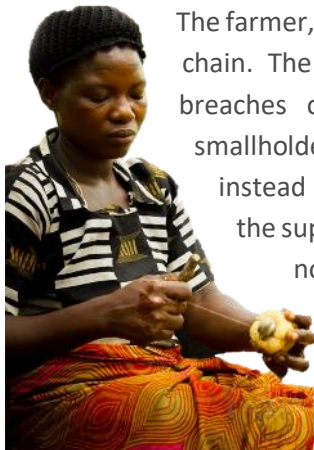
Figure 9 Price trend of cashew kernels, source: ACA.

Another way to create means to invest, is to increase the income. The box below gives an example of how that can be achieved.

Increasing the income can be realized by adding value to current waste streams that are created in the supply chain. For example, the apples - around 5 million MT per year - could become drinks or a raw material for bioplastics. Or the cashew nut shell liquid (CNSL) could be used to produce biodiesel (Guero et al, 2021). The apples could result in additional income for the farmers and the CNSL could do the same for the processing facilities. Currently the apples are barely used and there is estimated that only around 10% of the processing facilities are creating additional value for their waste streams. Adding value to the waste streams has the potential to 1) increase the income which creates the possibility to invest in the working conditions of the processors and farmers and 2) lower the amount of waste which can amongst others improve the soil in the region surrounding the processing facilities that helps to improve the living conditions of the neighbouring communities. Adding value to the waste streams is also something that the government, via the CCA, is investing in (Nitidae, 2023).

To dive deeper in the policy analysis and practice, there is a need to discuss the situation of the farmers and processing facility workers separately.

3.2 Farmers



The farmer, predominantly the smallholder, has one of the most difficult positions in the chain. The production sector is quite informal, which increases the likelihood of breaches of labour rights. The cashews that are predominantly produced by smallholders and their families are traded via other farmers, traders, or middlemen instead of via a 'traditional' cooperative. The current cooperatives mainly focus on the support for production and marketing to comply with the minimum criteria and not so much on the farmer's rights. Next to this, it is difficult for farmers to find representatives for the production sector that can play a significant role. The actors – such as the CCA and buyers of the RCN - in the chain are working to overcome the informal setting and the breaches of labour rights via trainings, legislation, and projects.

Occupational health & safety

The occupational health & safety risks of the farmers are mainly found in the field. Firstly, farmers have the risk to be exposed to reptiles such as snakes and scorpions. Secondly, herbicides, pesticides, machetes, and chain saws are used on the plantation which can cause risks if farmers are not aware or not meeting the safety requirements. Lastly, the work to especially collect the nuts is heavy on the back. These are not risks specific for the cashew production as such, but for smallholder farming in general.

There are ways to mitigate these risks: protective gear such as boots, safety trainings, and mechanization. Who can and will finance ways to mitigate these risks remains often the question. Especially as the work in the field is often performed by women, for whom it can be a struggle to have

access to resources; they are often not the ones that own the land or get the money. There is a movement that is trying to change this, including new rules and women associating.

The CCA is working to mitigate the risks via the Opérateurs Professionnels du Cajou (OPCA) that provides specialized services to producers. Furthermore, tests are underway for the mechanization of fruit collection. Regarding pests, alternative control methods - agronomic, mechanical, biological - have been developed through research and are disseminated via ANADER to producers.

An occupational health & safety risk more for the aggregator than the farmer occurs during the transport. Women often do the first transportation of the collected cashews on their heads to their farms. Once the cashew nuts are aggregated, they are stored in bags that can weigh 80 kilograms. These bags are mainly lifted on and off the trucks by men, which is physically demanding work.

Income

The farmers receive income based on their produce, and that income depends on the market price. Which, as mentioned earlier, is very volatile. If the market price is high, the farmers have the possibility to invest. If the market price is low, it is likely that farmers make a loss. To combat the latter, the government has set a minimum RCN price which was 315 FCFA/kg at the farmgate for the 2023 season (Gouvernement de Côte d'Ivoire, 2023). This price considers the labour costs of a person per activity which, mentioned by the CCA, varies between 2,500 and 3,400 FCFA/day with an average of 3,000 FCFA/day. When labourers are hired for the cashew production this is often daily per activity, which makes it even more difficult to find reliable information for this group. A study to define the “social” price for cashew nuts has just been launched by the CCA and will base its calculation on the minimum subsistence income of the producer.

This helps the farmers, but it does not solve the issue completely. When the market price has dropped below the minimum price, buyers are often not willing to buy anymore or to pay the minimum price. Leaving the farmers with their produce that they in those cases often do not collect at all. This makes it very difficult for farmers to earn a living income³. During the 2023 season, when the market price was low, the government of Côte d'Ivoire organized group purchases to raise the price and improve the situation for the farmers. To really tackle this issue, it is needed for all supply chain actors to work together to make sure the drop in prices is not pushed to the origin.

The prevailing consensus is that enhancing income of farmers is of great importance. This is something that many organisations, like ANADER and ComCashew, have worked on and still are working on. To realize a living income for the farmers, all the actors in the chain need to act. This can be realized with (a combination of) initiatives that focuses on the farmers. For example, increasing:

- the productivity of the cashew plantation via farmers trainings and inputs.
One challenge comes from the fact that the cashew plantations in Côte d'Ivoire generally are aging which lowers the production. The selection and dissemination of high production varieties can help to improve the productivity. Nurseries are acting on this together with people who do the grafting. Another challenge comes from the lack of knowledge and

³ the Anker Living Wage Reference Value for rural Côte d'Ivoire, which is 143,236 FCFA/month in 2023 (Anker Research Institute, 2023).

capacities of farmers. Trainings are given via buyers and the CCA on good agricultural practices to improve the production. These good agricultural practices are increasingly combined with climate smart agricultural practices as climate change is having an impact on the quantity and quality of the cashew⁴.

- the structuration and organization of the farmers to be able to bargain collectively.

Interventions only on farm level are not sufficient. To structurally improve the income of the farmers, value and risks should be distributed more equally in supply chains. This means that for example traders (and retailers) can commit to long(er) term contract to offer farmers a financially secure forecast. Within supply chains, actors could set up joint projects or introduce codes of conduct that emphasize the importance of equal value and risk distribution.

The CCA is currently exploring the possibility of carbon credits as a new source of income for farmers who often end up bearing additional costs resulting from new regulations such as the CSDDD. Next to focussing on cashew solely, it is also possible to increase the income of the farmers by helping them to grow other crops or perform other activities.

Collective agreements

As cashew was initially not introduced in Côte d'Ivoire as a cash crop, the sector was not organised which made it interesting for middlemen to step in to fill the gaps in the supply chain. With the increasing involvement of the government, and regulation from OHADA, the structuring of the production is ongoing. Legislation to promote cooperatives has created two types of cooperatives: farmer and trader oriented. The latter came to existence because due to the legislation it became interesting for traders to create a cooperative as it allows to trade on top of what your members supply.

With 1) the structuring of the production 2) the development of the local processing and 3) increased focus on traceability from foreign buyers, the negotiation power is slowly moving from traders to farmers. Firstly, the structuration of the production gave the producers a significant role in the OIA Anacarde; with amongst others the president of the Centrale de Cajou COOPCA having the role of the president of the executive board. Secondly, the development of the local processing has shortened the supply chain and made the role of the middlemen less logical. Thirdly, the request from buyers to improve the traceability has increased the incentive to invest in relationships with the farmers to be able to comply with legislation. All in all, the bargaining power as production sector is improving.

Freedom of association

The production sector is on its way to become more formal, but still farmers often don't know where to turn to in case of issues. This does not mean that there has been no involvement of trade unions. The first farmers union was the Syndicat Agricole Africain (SAA). The SAA turned into the political party *Parti Démocratique de Côte d'Ivoire* (PDCI). Both organisations were established by Félix Houphouët-

⁴ Climate change also has a wider impact on the livelihoods of all inhabitants of Côte d'Ivoire, including the farmers. To make sure that farmers can still create an income with agricultural production, including cashew, environmental sustainability is important. Focus in the cashew sector on amongst others biodiversity and mitigating deforestation can help to improve the future livelihoods, and to comply with (upcoming) EU legislations.

Boigny who became president of Côte d'Ivoire from 1960 to 1993. After the SAA there has been no specific trade union for farmers in Côte d'Ivoire. The current trade unions in Côte d'Ivoire have showed interest to include cashew farmers as their members. In the past, certain practices have discouraged farmers to become member of a union, amongst others because of fundraising without results. The trade unions have a bit more experience in other cash crops like cocoa. Based on this wider group of (potential) members, amongst others they are currently:

- Lobbying to increase the Salaire Minimum Agricole Garantie (SMAG)⁵ – 36 000 FCFA/month being a third of the living wage reference value⁶ - to the the Salaire Minimum Interprofessionnel Garantie (SMIG) - 75 000FCFA/month -.
- Working to combat child labour via Comité Intersyndical pour la Lutte Contre le Travail des Enfants (CILTE) in the ACCEL Africa project.

Child labour

The government uses a multitude of ways to prevent child labour. Since 2015 there is mentioned in '*le code de travail*' that children younger than 14 years are not allowed to be used on the fields. The government invests in infrastructure such as schools and markets. Next to this, it is forbidden to let children cross the border from neighbouring countries such as Mali and Burkina Faso unaccompanied by their parents and without appropriate documentation. The customs and police are checking along the border. However, it is a long border and with the current political instability in the region there are potential future risks of children put at work in the northern region like Bouna and Ferkessedougou.

Parents generally want to send their kids to school. Having the funds to pay school fees and uniforms, and the distance to the school are often the main issues. The chances for girls to be able to go to school are lower than for the boys as the girls are responsible for supporting their mothers in the daily activities and the girls are also the ones who will likely be married off. When the children cannot go to school or are free on weekends and holidays, families take their children to the fields to be able to look after them. This could be to only stay with their parent or to do some work. If the latter is the case, a lot of the work can still fall under child work instead of child labour, depending on which definitions are used.

To improve the situation of the children there are multiple ways e.g., 1) higher incomes for families to pay the school fees, invest in mechanization, and hire labour or 2) promote going to school for children and especially girls. For the latter, there can be thought of increasing the school canteen project of the government to provide lunch, subsidies for school equipment, and making it easier for children to go to school. Gained experience to combat child labour in the cocoa sector in Côte d'Ivoire can be used in the cashew sector. There must be mentioned that the size of the potential risk of child labour in the cashew sector is very small compared to the cocoa sector.

⁵ The SMAG is mainly used in the cash crops such as palm oil and rubber where there are large plantations with neighbouring villages. In these villages there is invested in basic infrastructure for the agricultural workers such as a health centre and school

⁶ the Anker Living Wage Reference Value for rural Côte d'Ivoire, which is 143,236 FCFA/month in 2023 (Anker Research Institute, 2023).

Concluding this section, a lot of work can be done for the farmers to improve their situation. Before starting a new initiative, it is good to check what the other actors are already doing like ANADER, ComCashew, SNI, and CashewCoast who has won the Fairtrade Africa award in 2023.

3.3 Workers in the processing facilities

The processing sector is more formal and compared to the situation of the farmers there has been more focus on the working conditions of the workers in the processing facilities. This makes the chances of abusive systems to happen lower; according to people in the supply chain the chances of child labour to exist in the processing facilities are generally non-existent.



The processing sector still faces challenges related to the working conditions of the employees. Different facets of processing facilities play a role in shaping the challenges. These facets are 1) the size, 2) the market the facility is targeting, 3) the investor(s), and 4) the management.

1. The size: large industrial facilities, with a certain amount of mechanization, in general have better working conditions for the employees. Often publicly they describe their social sustainability practices e.g., yearly reports on (social) sustainability like [Intersnack](#) and [OLAM](#) or on their website like [CashewCoast](#) and [Dorado](#). Although it is always good to remain alert as to whether the words represent the reality.
2. The target market: western markets, like the EU, demand amongst others more transparency as is mentioned in the supply chain chapter which helps to improve the situation.
3. The investors: investors of the processing facilities having sufficient capital and/or interest to improve the labour conditions is beneficial to overcome challenges.
4. The management: management seeing the additional value in focussing on labour rights and acting on it improves the working conditions.

In general, during the last few years, processing facilities together with other organisations have been working on the working conditions across the board. This can be seen via amongst others the number of facilities that meet the ILO standards. An important driver here, in addition to the government, are the financing institutions as they require due diligence before funding the facilities.

Occupational health & safety

There are always occupational health & safety risks whilst working in an industrial complex, the cashew industry in Côte d'Ivoire is no exception in this regard. The main occupational health & safety risks in the cashew processing facility can result in burns, and respiration and back issues. To mitigate risks, mechanization and protective measures can help. This can be illustrated by focussing on the shelling of the cashew nuts. In especially the large facilities, mechanization of the shelling is common. In some facilities the shelling is still done by hand because the cutting machines are not present or do not work. When the shelling is done by hand, the women, who mainly do the shelling, are at risk to be exposed to the CNSL which causes burns. Protective gear can also prevent burns from CNSL, which is sometimes provided. When provided it is not something that the workers are used to wear as the safety culture is not engrained. However, people are getting more and more aware of the risks.

Contracts and job security

The laws in Côte d'Ivoire, as is common in francophone countries, focus on the employees e.g., via permanent contracts and a minimum salary. On top of the salary, employers/ees pay taxes of around 20 %. As in any country, creative ways are sought to keep (labour) costs as low as possible. The way the processing facility employees are hired depends; some are hired by the processing facility and some via subcontractors. Often it is a combination of the two, the managers by the processing facility and the workers via subcontractors. If the processing facility makes sure that the subcontractor complies with the rules, it is possible that the workers are not worse off.

For processors it is interesting to use subcontractors as managing the size of the workforce can be difficult. The subcontractors, who are also used in several other sectors, ease the administration and the juridical responsibilities. The subcontractors guarantee that the needed workers are there, and the processing facilities do not have to worry about absences due to illness or vacation. The workers hired via the subcontractors are generally mobilized on a daily base. Mobilizing on daily basis makes it easier to replace non-performing workers and lowers the chance of workers to organize themselves in a union as they can change every day. This puts the workers in a more precarious situation.

Salaries & working hours.

Workers in the processing facilities are often paid based on the work that they have performed instead of receiving a fixed salary. The minimum salary for the workers is the SMIG, which is increased on the 1st of January 2023 to 75 000FCFA/month. To stay competitive with processing facilities from Vietnam, the SMIG creates a challenge for the profitability of the processing facility. That is why there is lobbied to use the SMAG, which is 36 000 FCFA/month since 2013.

For the processing facility workers, the SMIG is a bit more than half of the living wage standard⁷. Again, there is the possibility to solely increase the SMIG but if the industry is not able to pay the salaries it does not help the workers. To lower the wage gap 1) the productivity and profitability of the industry can be improved by adding value to the waste streams as mentioned earlier in this chapter, 2) the bargaining power of the workers can be improved by improving their position and increase the amount of workers that are hired with permanent contracts instead of hired on a daily basis, and 3) engaging the entire supply chain as is also a solution for the farmers. The upcoming EU legislation can help to put pressure on the upstream actors to collaborate. Higher wages would also help to motivate the processing facility employees, which would lower the amount of unpeeled cashew nuts to be exported.

Freedom of association and collective agreements

Each company with more than 10 permanent staff needs to have a staff representative, a so called "délégué du personnel". In a company with more than 100 employees a union representative may be designated by the representative union organization (NATLEX, 2023). These representatives are protected by law and cannot be fired easily. In the cashew sector the union representatives are not that common at this moment.

⁷ the Anker Living Wage Reference Value for rural Côte d'Ivoire, which is 143,236 FCFA/month in 2023 (Anker Research Institute, 2023).

The processing sector is in general not a unionized trade. In the beginning, when there were not a lot of processing facilities in Côte d'Ivoire it was also difficult to make a stance. Now the industry is growing, there is the possibility to compare and to talk with each other about the differences. Meaning that the playing field for the unions has improved.

There are discussions taking place on a national level. These discussions involve the government, CITEF, and Confédération Générale des Entreprises de Côte d'Ivoire (**CGECI**) who represents member companies of multiple economic sectors in Côte d'Ivoire. These three organisations work in amongst others a tripartite session, the Commission Consultative du Travail, on the technical implementation of workers' rights. Next to this, there is also Le Conseil National du Dialogue Social, a tripartite council who discusses the strategy. The last big achievement of the Conseil is the increase of the SMIG to 75 000 FCFA.

What the role will be of the trade unions in the cashew sector is still to be defined, there is potential for them to play a positive role. The added value of the trade unions can be on challenges where there can be learned from other sectors in Côte d'Ivoire and overarching issues. The latter will be done anyway as it is the trade union role to defend all the workers. Whether there will be a specific role for the trade unions within the sector will also depend on the role that the already existing associations, federations, and OIA Anacarde will play.

Workplace discrimination

The majority of the employees in the processing facilities is female. For women it is less common to go to high school. Working in the processing facilities is often their first job and the lack of proper schooling often results in adult illiteracy and hinders women to grow on the career ladder. Next to this, facilities dedicated to specific female needs are often not commonly available e.g.: locations to breastfeed or daycare. This results in additional costs or barriers for women to work.

As like any sector, the labour rights in the cashew sector are not perfect. The sector, with the help of other organisations, has improved in the last years and can still improve in the coming years. For both the farmers and the workers the biggest challenge is to improve their position and increase the income/funds to be able to mitigate and prevent breaches of labour rights. Representation, something which is already improving, is crucial to improve the positions. Increased profitability of the sector can help to increase the incomes/funds. To work on this challenge, all actors in as well as outside the chain are needed to work together. There cannot solely be focussed on the social sustainability, but a wider ESG perspective needs to be used.

Conclusion & recommendations

Even though cashew was already introduced in Côte d'Ivoire in the last century, the sector still can be seen as new and relatively young because the attention and focus from the government came in the past decade. Since then, the government has been working on (social) issues via the CCA and ANADER. Now that the OIA Anacarde has started, there is a possibility to tackle challenges more holistically as sector. Whilst tackling the challenges, a strategy in the form of a master plan is advised which helps to move from reaction to proactivity. In this light, the CSDDD and upcoming regulations should be seen as an opportunity instead of a constraint.

To start the discussion, the (upcoming) EU regulations can be translated for the different actors in a social dialogue and used as common goal. This social dialogue is to make sure that not only the local producers and processors bear the responsibility via certifications and standards. In this social dialogue the position of the processing facility workers should be represented as well, which is currently not the case at a policy level. With the knowledge gained in the social dialogue, an internal assessment of the sector in Côte d'Ivoire is needed to get an overview of the current status and the risks attached. Based on the risks, an action plan on the key elements can be developed. To make the most use of what is already available, tools can be internalized that are used by NGO's and companies. Last, but not least, showing the progress made upstream to downstream actors is crucial to turn it in an opportunity for the sector.

The labour rights and working conditions for farmers and processing facility workers need additional focus. Many organisations are working to improve the situation related to occupational health & safety, contracts & job security, salaries & working hours, income, collective agreements, freedom of association, workplace discriminations, and child labour. However, on all these topics more work needs to be done. Improving the position of both groups and increasing the income/funds to improve the situation are essential. Especially for women, who have a less fortunate position.

Possible angles to improve the situation can be to help 1) increase the transparency in the chain, 2) improve the organisation of the supply chain, and 3) increase the profitability of the chain. Working on these angles can improve the position of the farmers and processing facility workers and it can create funds to mitigate labour rights breaches. Whilst working on these angles, it is necessary to fill the knowledge gap that currently exists on the labour setting and especially the outsourcing of workers. As the outsourcing is applicable to other sectors as well, such as workers in the cacao and in the ports, this is especially interesting for the trade unions to investigate and mitigate or prevent labour rights breaches.

To mitigate and prevent labour rights breaches, all actors in the supply chain are needed. The costs to mitigate and prevent labour rights breaches should be absorbed in the total supply chain and the market should become 'preferential' for the ones that work on improvement. Fortunately, it is something that different actors have already started working on so there are potential collaborations and synergies to be found. It is important to maintain a wide focus as the social sustainability does not stand on itself; it is part of the bigger sustainability challenge which includes an environmental and business perspective. All in all, it is a sector that is moving ahead and is implementing chances to comply with (upcoming) EU regulations.

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Appendix

A. Example of workers needed for a 10 000 MT processing facility.

Permanent staff	#
General director	1
Factory director and sales manager	1
Financial admin director	1
HR director	1
Procurement manager	1
Quality manager	1
RCN stock warehouse worker	10
Assistant administration	4
Accountant	2
Calibration manager	4
Fragilization technician	4
Shelling manager	8
Oven technician	4
Peeling manager	4
Classification manager	4
Packaging and inventory manager	3
Packaging and inventory technician	6
Guardian	10
Maintenance worker	10
TOTAL	79

Temporary staff	#
Handling staff	11
Shelling staff	227
Peeling staff	455
Classification staff	15
TOTAL	708

Source: BNTED



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