

Decent Work in Agriculture

Synopsis of the Background paper
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Decent Work in Agriculture**

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The paper prepared as background for the International Workers' Symposium on Decent Work in Agriculture organised by the ILO Bureau for Workers' Activities on 15-18 September 2003 in Geneva builds on previous work undertaken by the ILO, trade unions and other organisations over many years. The emergence of the rights-based approach to development, the growing emphasis on poverty reduction and awareness in some quarters of links between agriculture and sustainable development are all helping to create a more favourable international environment for raising critical issues in agriculture. The aim of the paper is to highlight some of these issues and locate the question of agriculture and agricultural workers centrally within the ILO framework for decent work¹. The rationale for decent work in agriculture thus comes from two distinct perspectives: firstly, the perspective of fundamental and universal rights; and secondly, the role of decent work in sustainable agriculture and poverty reduction, and thus of its contribution to sustainable development understood as economically viable, ecologically balanced and socially just development. It is therefore extremely timely in this period of global transition that particular consideration is given to the concept of decent work in agriculture, the sector which produces the world's food, where millions of men, women and children seek their livelihoods, and where there are still too many deficits in decent work.

The paper is structured around the framework provided by the four inter-related pillars of the Decent Work Agenda, namely, fundamental principles and rights, employment and incomes, social protection and social dialogue. There are many linkages between these and various themes and issues are cross-cutting in nature which suggest a possible focus for developing strategies.

The first section defines the overall context of decent work in agriculture outlining some global processes, linkages and impacts over the last decade which have profoundly influenced the agricultural sector in all regions. The international environment is constantly evolving as a result of globalization processes and developments such as the growth and importance of foreign direct investment (FDI) which provides a greater role for multinational enterprises; the consolidation of corporate control; the internationalism of financial markets; the development and diffusion of communication and transport technologies; deregulation, market reforms and liberalization; and privatisation of the public sector. These processes are reflected in ongoing structural changes in national economies in all regions and have impacted significantly on all categories of the agricultural labour force, namely waged agricultural workers, wage-dependent small farmers and self-employed farmers. There is clear evidence that these impacts are contributing to a range of deficits which are becoming increasingly apparent in the growing inequalities at both global and local levels.

The power of transnational corporations (TNCs) based in the North, and the support they receive from political elites at home and abroad, is seen as a major factor underlying global inequality with many examples of increasing corporate monopolization and control of world food systems and food and agricultural policy-making around the world. Economic policy reforms affecting agricultural production have been widely implemented across Africa, Asia and Latin America and the Caribbean at a time of steady decline from the early 1990s in the market prices of most food commodities, beverages, vegetable oils and agricultural raw materials. The impact of falling prices has been and continues to be borne by agricultural workers and there is evidence of extreme hardship and income insecurity in many contexts.

¹ ILO: *Decent work*, Report of the Director-General, International Labour Conference, 87th Session, Geneva, 1999.

Several important trends are suggested in the paper concerning labour-related aspects of restructuring agricultural enterprises in the face of competition for a niche in global markets. These include *inter alia*: increasing casualization of the agricultural workforce as restructuring is accompanied by a downsizing in the number of permanent workers; the increasing proportion of women in the category of non-permanent workers; the predominance of women among the emerging agricultural industries producing non-traditional agricultural crops, which in turn rely on casual labour; the push for flexibility and increasing recourse to labour contractors and intermediaries; and the role of international labour migration under increasingly irregular conditions. Traditionally it has been difficult to address decent work deficits in agriculture, since casual workers and migrant workers are rarely organized and represented. These trends, which are leading to a further erosion of labour rights and protection for a growing number of workers in the agricultural sector in many countries, are creating enormous challenges for trade unions.

Many of the issues discussed in the paper are not new. What is new is the pervasiveness of particularly exploitative practices and their complex linkages under the impetus of globalization. An underlying and recurring question throughout the paper is *to what extent, if at all, the agenda of corporate globalization can be compatible with the agenda for decent work in agriculture*; what are the areas of possible collaboration and what are the implications for trade union strategies and the role of the ILO? The paper argues that governments, both in the “North” and in the “South”, must be held accountable for the protection of fundamental rights of waged agricultural workers.

Fundamental rights for waged agricultural workers constitute the first pillar of decent work in agriculture, which is examined in the second section of the background paper. Fundamental principles and rights concern four areas, namely: freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; and the elimination of discrimination in respect of employment and occupation². The principle of freedom of association for agricultural workers was one of the first international instruments adopted by the ILO³, and the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No.87) and the Right to organise and Collective Bargaining, 1949 (No.98) guarantee all workers the right to set up representative organisations to defend their rights. However, the paper highlights *de jure* and *de facto* obstacles to accessing and exercising these rights and many violations are reported ranging from regulatory restrictions to repression and assassination of trade union leaders. Some of the negative consequence of constraints on freedom of association and the fundamental right of trade union organisations to defend workers’ rights are reflected in the practice of coercive labour contracting and the persistence of forms of forced and compulsory labour which contribute to the decent work deficits highlighted in the paper. This situation is particularly serious for indigenous workers.

New IPEC estimates show that a much higher proportion of children are working in dangerous and hazardous conditions than was previously assumed, and significant numbers of children working in both hazardous conditions and the worst forms of child labour are found in agriculture. The paper highlights the casual linkages between gender inequalities and child labour in agriculture, where women are not only low-waged casual workers but also working mothers and this, in combination with other factors, places child labour in agriculture right in the centre of the debate on decent work for women.

² ILO: *ILO Declaration on Fundamental Principles and Rights at Work and its Follow-Up*, adopted by the International Labour Conference at its 86th Session, Geneva, 18 June 1998.

³ The Right of Association (Agriculture) Convention, 1921 (No.11).

The paper suggests possible negative synergies among the four areas of fundamental principles and rights as applied to agriculture and agricultural workers, namely: the absence of rights in relation to freedom of association; the persistence of forms of forced labour; the existence in agriculture of some of the worst forms of child labour, and the persistence of *de facto* and *de jure* discrimination and inequalities, as well as discriminatory practices based on ethnic, tribal and racial classifications. Taken together, these areas constitute the antithesis of decent work.

The subsequent three sections of the paper provide further information on conditions for waged agricultural workers in relation to the other three pillars of decent work, namely: employment and incomes; social protection; and social dialogue. The critical importance of promoting fundamental rights in order to address decent work deficits in agriculture and thereby contribute to sustainable agriculture and rural development is emphasised throughout the paper which examines the linkages between agriculture, rural livelihoods and poverty. The highest share of the 1.2 billion people in the world estimated to be living in severe poverty (less than \$1 per day) are in countries with agriculture-dependent economies, with many areas seeing an increase in the incidence of poverty associated with *inter alia* the dramatic decline in commodities prices and declining international and national support for agriculture. A consistent finding over the past decade has been that agricultural waged workers, women and men, who contribute to agricultural production and rural incomes also form a very large subset of the rural poor. These workers should be addressed as key target groups in poverty reduction strategies linked with increased aid targeted to stimulating growth and output in agriculture, especially food production, if progress is to be made towards halving global poverty by 2015.

For many reasons, including escalating poverty among rural populations, increasing numbers of agricultural workers are compelled to seek employment elsewhere, either as migrants in their own country or much further afield. Pressure to migrate is matched by a demand for cheap, low-skilled agricultural labour in destination countries, both in industrialised countries in Europe and North America and in a considerable number of countries in Africa, Asia, Latin America and the Middle East. There are concerns that larger numbers of migrant workers are increasingly vulnerable to abusive recruitment practices and exploitative employment conditions on arrival.

Social protection is the third pillar of decent work and encompasses the broad and related areas of income security, health protection and the assurance of safe and healthy working conditions. For waged agricultural workers these linkages are even more pronounced, as the working and living environments are so closely intertwined and large numbers of workers are often housed in overcrowded and unsanitary conditions within or adjacent to the enterprise. Social protection in its broadest sense is thus central to productive and sustainable agriculture. However, in the relatively few cases where social protection extends to agricultural workers, in practice it refers only to permanent workers thereby excluding millions of casual workers, particularly women who comprise the majority of workers in non-permanent agricultural employment in many countries. Deficits have been consistently and regularly reported on by the ILO, such as a report in 1996 which estimated that fewer than 20 per cent of agricultural wage workers were effectively protected under *any one of the nine* contingencies identified by the Social Security (Minimum Standards) Convention, 1952 (No.102)⁴. With the impact of globalisation and implementation of structural adjustment policies, systems of social protection have become even more necessary than ever in order to curb the harshness of market forces and alleviate poverty, help maintain incomes and ensure adequate access to health care and social services.

⁴ ILO: *Wage workers in agriculture: Conditions of employment and work*, report for discussion at the Tripartite Meeting on Improving the Conditions of Employment and Work of Agricultural Wage Workers in the Context of Economic Restructuring (Geneva, 1996)

The paper reflects the concern and questions being posed about the equity and efficiency of conventional social protection systems in environments with more and more workers in precarious, unstable and unprotected forms of employment and work arrangements. Furthermore, as waged agricultural workers are among the poorest groups in most societies, they have very low contributory capacity. Agricultural workers suffer markedly higher rates of accidents and fatal injuries than workers in most other sectors, and also figure disproportionately among the more than 160 million workers who are estimated to become ill as a result of workplace hazards and exposures to agrochemicals and pesticides. These safe work deficits, most of which are preventable, must be emphasised because there are very few resources for compensation available to the non-permanent majority- temporary, casual, seasonal or migrant workers. The horticultural sector is cited for numerous decent work deficits including its particularly high use of agrochemicals, and the associated risks experienced by large numbers of casual or temporary women workers in particular.

The new Safety and Health in Agriculture Convention, 2001 (No.184), which enters into force on 20 September 2003, reflects the importance attached to this question and, for the first time, agricultural workers have an international instrument which can guide policies and practice in safety and health. The task is now to lobby and campaign in all regions to ensure ratification by governments and comprehensive implementation. Progressive national agricultural safety and health policies and programmes which include the question of infant and child care will contribute to perhaps the most fundamental aspect of sustainable agriculture- the protection of the health, well-being and livelihoods of agricultural workers, women and men, and those who depend on their labour.

Deficits in social protection for waged agricultural workers are further exacerbated through the practice of labour contracting, where abusive systems are contributing to the erosion of rights and protection. The system of labour contracting in all its forms (both national and transnational) now appears to be a central component in labour market institutions in all parts of the world, and underlies many of the decent work deficits identified throughout the paper. It may already be the primary form of employment relationship in some regions and enterprises. This system and practice clearly requires more detailed analysis, further research and better understanding as a basis for developing strategies.

The final section of the paper focuses on social dialogue as the fourth pillar of decent work. Although the agricultural labour force represents the largest single occupational group with over 40 per cent of the world's workforce, waged agricultural workers are still among the least organised and least represented by trade unions and rural workers' organisations. With the impact of globalisation, agriculture has been transformed into a largely unprotected sector of the economy in many national contexts. The reality is that meaningful social dialogue tends to be the exception, rather than the rule. Traditional forms of negotiation and regulation are in some cases no longer effective, legislation is outdated, and the social partners, and governments, as well as the ILO need to explore new approaches and strategies to address critical problems. The paper briefly examines several aspects which appear important to this process.

Firstly, there is the question of *representation* in both quantitative and qualitative terms. Apart from some individual country level data, no comprehensive statistics exist. With a few important exceptions, however, membership of trade unions is believed to be generally declining, as a consequence *inter alia* of increasing casualisation with the impact of globalisation. The qualitative aspect centres on which issues are being represented and by whom? At a time of declining membership the question of "relevance" is critically important. While decent work

deficits are experienced by both women and men, there are deficits which affect different groups of workers and some which impact disproportionately on groups of women, owing to their multiple roles as workers, mothers, wives and carers within communities. How are these deficits being addressed by trade unions? How relevant is the organisation to its potential membership? How is the full potential of women waged agricultural workers to be specifically targeted in strategies to enhance organization and trade union membership? These are pragmatic questions and there is relevant experience in many trade unions to draw on.

The second aspect touches on social dialogue and the emergence of ideas and initiatives under the rubric of corporate social accountability. The development of codes of conduct, for example, needs to be seen against the background of the structure and operation of supply chains in increasingly globalized relationships and there appear to be a number of issues and implications for the way in which trade unions and workers respond to these developments. There are interesting initiatives for further dissemination such as framework agreements, reflecting core ILO Standards, reached through negotiations between a global union federation and multinational headquarters management and illustrated how internal company policy can be transformed through the active process of social dialogue.

Underlying all of the preceding discussion is the need for waged agricultural men and women workers to be organized, represented and able to present their needs and their contributions in the process of social dialogue. The paramount need for respect of fundamental rights, particularly in connection with freedom of association and the right to collective bargaining, has never been greater.

The paper does not set out to provide a comprehensive analysis of the content or process of WTO agreements and their impact on food and agriculture in all regions of the world, although this is clearly one of the overarching aspects and key factors in the overall policy environment. The results of the negotiations at Cancun will be known at the conclusion of the symposium and integrated into participants' discussions. The focus of the paper, however, provides a framework for the wide-ranging discussions and strategy development that are needed in order to move the question of decent work deficits for waged agricultural workers higher up on the international agenda, where it should be. A "decent work agenda" for agriculture and its workers must ensure the inclusion of all categories of workers in the sector and distinguish carefully among the various categories – waged agricultural workers in a variety of employment relationships including permanent and non-permanent forms and self-employed farmers. Deficits exist for all categories, but vary greatly in the extent to which they experiences, in particular for large groups of workers who are without representation and increasingly vulnerable to the impacts of globalisation. The broad agenda and an appropriate strategy will thus need to include basic rights, poverty-reducing jobs, social protection and representation.

The extent and range of deficits presented in the paper pose new challenges for the representatives of the millions of men, women and children who rely on waged work in agriculture, and who are finding it increasingly difficult in reality to rely on employment in agriculture for their livelihoods. The deficits pose challenges, too, for those employers and enterprises grappling with the notion and implications of "corporate responsibility" and "socially responsible investment", and for governments in all regions who are increasingly being called to account for responsible governance. The ILO too, being uniquely placed through its tripartite structure and mandate, is called upon to take up this challenge to decent work in agriculture.