





Agriculture Workers In Fairtrade Certified Cotton Farms

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CHAPTER 1

INTRODUCTION



Informal workers constituted up to 92 percent of the workforce in India in 2004-05 (NCEUS report 2004). Seasonal migration has emerged as the dominant mode of labour engagement in the informal sector in India. Workers, sometimes with their whole families, migrate from the relatively underdeveloped pockets to the developed areas for short term deployment, constituting what has been termed by a noted researcher as 'footloose labour' (Bremen 1996). Major sectors of economy, especially those requiring manual workers, are populated primarily by migrant workers. These include agriculture, brick kilns, construction, mining and large parts of the service industry. Seasonal migration is pushed not only by the differential availability of economic opportunities between the developed and the under developed regions of the country but also by a clear preference by the employers for migrant workers. Cotton farming has been predominant in India for centuries. India is one of the largest producers of cotton, currently producing a share of 26 percent of the world cotton production. According to the data estimated by the Cotton Corporation of India Ltd. a total acreage of 13.34 million ha has produced a total of about 36 million bales in 2020-2021. Gujarat, Maharashtra, Telangana, Rajasthan, and Haryana are presently the highest cotton-producing states in the country. Around 70 percent of total cotton production of India is produced by these states (ICAC, 2021). The increase in production started after the introduction of *Bacillus Thuringiensis* (Bt) cotton - a genetically modified cotton seed in 2002 by the Indian government. According to Ministry of Agriculture & Farmers Welfare report on Cultivation of GM crops, a total of 12.58 million ha land is used only for Bt cotton production in 2019-2020. Monsanto completely controlled the seed market in India

since its entry in 2002 and also affected other cotton varieties. The research studies reported that although Bt cotton is a mono crop and provides a higher yield, it is highly susceptible to damage. This crop variety leads to excessive soil degradation, ground water pollution and proliferation of insects, pests and loss of surface water etc. (Mohapatra, 2019).

The constant land degradation had deteriorated the conditions of marginal and small farmers. With the aim to improve the situation of farmers at the bottom and to empower producers and workers, the Fairtrade label was introduced under the name Max Havelaar by the Dutch organisation Solidaridad. Fairtrade is a system of social and environmental certification. It was originally designed to improve the position of small-scale producers and farmers. The objective of Fairtrade certifica-



tion is to improve the situation of the farmers at the very bottom of the supply chains, recognizing that cotton farmers are at the sharp end of exploitation and injustice in international trade (Fairtrade Annual Report, 2005). With the aim to empower individual small-scale producers by promoting social, economic, and environmental development within their producer organization, India has started producing Fairtrade cotton in 2011. The system also guaranteed a minimum price for their cotton as well as educating labour about safe and sustainable ways to grow cotton. Makita (2012) states International Cotton Advisory Committee - ICAC (2011) report and mentions that there were 85,000 Fairtrade cotton farmers in the world in 2009-2010. This is a very small proportion of the total number of farmers in cotton production.

Cotton is a tropical and sub-tropical crop. It is a labour-intensive crop and its growing season is long. The crop requires 150-180 days to mature. High labour requirement arises from difficult processes like hand picking of cotton balls and picking the seeds from the cotton balls. India is a large producer of cotton. There are many medium and large farmers involved in produc-

ing cotton.

The main objective of the research is:

- to study the conditions of workers working on cotton farms supplying cotton under the Fairtrade Certificate
- to compare the work conditions of workers working on farms supplying cotton under the Fairtrade Certification with those working on farms that do not come under the Fairtrade certification
- to provide training to the agricultural workers in the cotton farms on their rights as workers.



CHAPTER 2

METHODOLOGY

In order to map the condition of workers and document the comparison between the Fairtrade and non-Fairtrade farms, the research team relied on purposive sampling to identify the respondents for the study. For the exercise of mapping, the research team designed the study using the mixed methods that were used across four small-scale producer Fairtrade companies and other 64 farms of non-Fairtrade were selected for the study of labour condition. Table 1 states the name of the companies selected and location of the study.

Based on the nature of objectives the methodology of this study was drawn from mixed methods that involved col-

lection of primary data through surveys and interviews. For the purpose of mapping the research team relied on digital data collection methods. A schedule (attached in Annexure 2) was developed to capture the short-term work arrangement, long-term work arrangement, migrant labour conditions at work-place, conditions of work, incidences of violence and awareness level of workers concerning their labour rights and entitlements. The field researchers used structured interviews to study the details relating to the workers, the working and living conditions, access to basic amenities, access to government services of health and nutrition, and incidence of child labour on the farms. The

Table 1: Farmer producer companies (Fairtrade) covered under the study

<i>Sl.</i>	<i>Name of the company</i>	<i>Location</i>
1	Suminter India Organic Pvt. Ltd.	Rapar, Kutch, Gujarat
2	Om Organic Cotton Private Limited	Kantabanji, Balangir, Odisha
3	Pratima Agro & Paper Pvt Ltd.	Titlagadh, Balangir, Odisha
4	Pratibha-Vasudha Jaivik Krishi Kalyan Samiti	Khargone, MP

schedule was divided in five sections to capture the detail of the workers. The first section was designed to locate the labour and capture the detail of the farms. Subsequent two sections delved into the long-term and short-term work arrangements. Drawing from the research team's experience of field conditions, the long-term and short-term work arrangement sections were designed according to different work and payment system. The next section which captured the working conditions in minute detail, was designed for all workers. The last section was designed specifically for the migrant workers to capture the living conditions and access to public services at the work place.

The field investigators selected have been working among the labourers at the grass-root level. The team of investigators were orientated and trained by the principal investigators. The proposed survey was to cover five workers from each of the 10 selected farms of a company and two farms in the same location that do not supply Fairtrade certified cotton - thus, 250 workers were mapped from Fairtrade farms and 50 from non-Fairtrade farms were to be surveyed. Although the actual number of surveys is



Map1: Balangir, Odisha

Belpara, Turekela and Muribahal blocks of Balangir district were selected for the research.

different than proposed, which is stated in the table2.

Of the total 268 respondents that were interviewed during the research period, 69 respondents were surveyed in Khargone (Madhya Pradesh), 76 respondents were surveyed in Kutch (Gujarat) and 123 respondents in Balangir (Odisha). The three states Odisha, Madhya Pradesh and Gujarat were chosen together with our research partner Südwind. The following table depicts the number of workers surveyed in different locations.

The maps below show the location of the areas that were surveyed across the districts Balangir, Khargone and Kutch.

Table 2: Location wise break up of Workers Surveyed

S. No.	Field Locations	No. of workers mapped under Fairtrade company		No. of workers mapped under non-Fairtrade farms		Total	
		Male	Female	Male	Female	Male	Female
1.	Rapar, Kutch, Gujarat (Suminter India Organic Pvt. Ltd.)	27	18	16	15	43	33
2.	Balangir, Odisha (Om company)	27	24	17	5	44	29
3.	Balangir, Odisha (Pratima company)	44	6	0	0	44	6
4.	Khargone, Madhya Pradesh (Pratibha-Vasudha Jaivik Krishi Kalyan Samiti)	51	7	11	0	62	7
Total		149	55	44	20	193	75



Map 2: Khargone, Madhya Pradesh
Segaon block of Khargone district.

The shaded area in the district map 1, map 2, and map 3 highlight the locations that were chosen for the research. These locations were selected based on the availability of small-scale producer organizations.

Balangir, Odisha: Balangir is located on the western side of Odisha. The district is divided into 14 blocks. Out of 14 blocks, three blocks (Belpara, Turekela and Muri-bahal) were selected for the study. According to Census (2011), eighteen percent of total population belongs to Scheduled Caste (SC) category and 21 percent to Scheduled Tribe (ST) category. Balangir is a predominantly agrarian district with more than 70 percent of the population dependant on agriculture for their livelihood. Cotton is a predominant agriculture crop of the region. Pratima Organic Grower Group and Om Organic Cotton Pvt. Ltd farms were selected for the study in Odisha state. According to Om Organic site approx. 4,000 producers are involved with Om Organic. According to the Fairtrade Foundation approximately 3,683 producers are involved with Pratima Organic.

Khargone, Madhya Pradesh: Khargone is located in the south-west of Madhya Pradesh, touches the boundary of Maharashtra. The district is divided into 9 blocks.



Map 3: Kachchh/Kutch, Gujarat
Rapar block of Kutch district.

According to Census (2011), SC constitutes 11 percent and ST were 39 percent of total population in Khargone district. Cotton and chilli are the major commercial crops. Khargone is dependent on agriculture, with several other industries developing in the area. The district falls in one of India's biggest cotton-producing regions. Segaon block of Khargone district is selected for the area of research. Pratibha Syntex Limited was selected for the research in Madhya Pradesh state. According to the Fairtrade Foundation site 1,524 farmers are involved in cotton farming under the Pratibha company.

Kutch, Gujarat: Kutch is the largest district in Gujarat. The district is divided into 11 blocks. According to Census (2011), only 14 percent population belongs to SC and ST category. The economy of the district varies in nature. Around one thousand cotton producers in Rapar taluka have been granted 'organic' certification. The field location for this study is also located in Rapar taluka. Suminter India Organic Pvt. Ltd. was selected as the site of the study in Gujarat state. Suminter India Organic Pvt Ltd in corporation with Surendranagar Farmers Producer Company Ltd were involved in farming of cotton crops in Kutch district of Gujarat.

1. Scheduled Castes are sub-communities within the framework of the Hindu caste system. Only marginalised Hindu communities can be deemed Scheduled Castes in India according to the Constitution (Scheduled Castes) Order, 1950.
2. Scheduled Tribes are classified as marginalised communities on the basis of geographical locations. It is the category assigned to tribal community in India.
3. <https://khargone.nic.in/en/district-produce/cotton/>. The district site states that the Khargone produces cotton in large quantity.

CHALLENGES AND LIMITATIONS:

Undertaking the field exercise in the ongoing pandemic posed many challenges to the team of investigators. The team encountered many challenges during the primary data collection period. These challenges ranged from locating the shortlisted companies to constant disruptions by the employers or employers' agents during the interviews and discussions in all field locations. Due to the nature of the study, resistance was also faced from the lower-level management of the companies, who raised objections against interacting with the workers employed in their plots. The supervisors and lower management personnel often harassed and heckled the research team members. This became starkly evident in Fairtrade and non-Fairtrade plots in Madhya Pradesh where the team was questioned repeatedly about the purpose of their visit and the objectives of the study. Even though the team explained and shared in great detail the objective of the study to the representatives of the companies, they did not stop following the team members and were constantly found to be disrupting the interviews and discussions with the respondents.

At the time of conceptualizing the study it was decided that the team would study five companies that undertake Fairtrade certified organic cotton. However, during the period of study, it was found that one of the shortlisted companies Nobel Ecotech in Madhya Pradesh could not be located during field work. Hence this company had to be dropped.

Similarly, another company - Rapar Dhrangadhra Farmer Producer Company, that was selected and shortlisted in Kutch was found to be supplying castor instead of organic cotton under Fairtrade label. However, the company referred the team to another company, Adesar

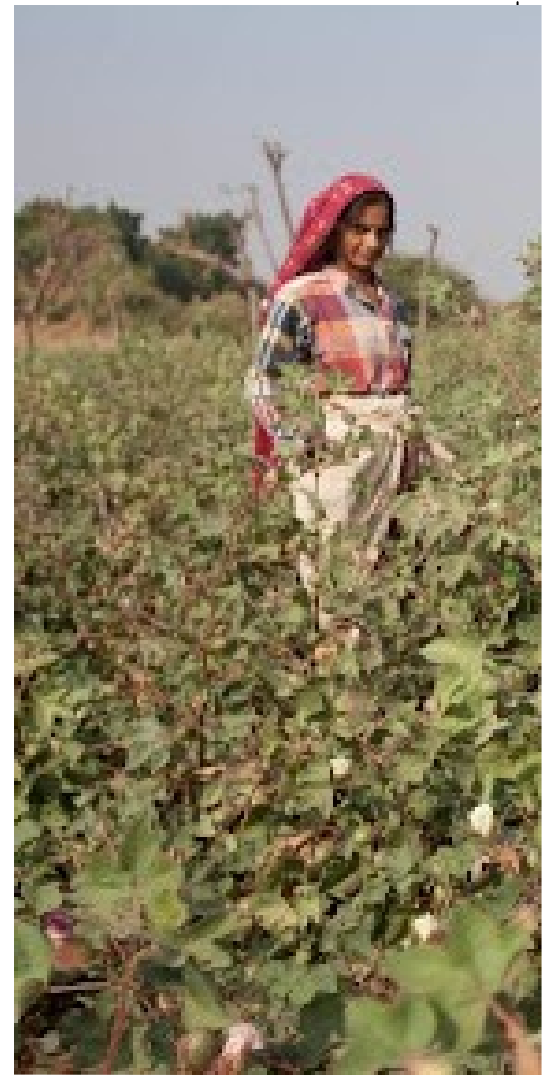
Vistar Khet Utpadan Company, that was not producing Fairtrade certified cotton. Finally, local contact referred to another company, Suminter India Organic Pvt. Ltd., known to be producing Fairtrade organic cotton.

Additionally, the team found difficulties in locating the shortlisted companies and their workers. Many a times the companies were located deep in the interior parts where road connectivity was nearly absent.

The other challenge was the time of field investigation. Gujarat was the only location where migrant workers were found deployed. Due to pandemic, it was difficult to reach at the location for field-investigation on the right time. By the time research team was able to reach the location, some of the migrant workers had gone back to their homes.

The ongoing pandemic added another hurdle. Many respondents were hesitant to engage in a discussion with the field researcher. This was one reason why some questions in the schedule were left unanswered.

The other challenges faced by field research in getting information from respondents was the presence of farm owners during the interview or mapping exercise. The team was able to complete the survey in all the areas with great effort and hard work.





CHAPTER 3

PROFILE OF AGRICULTURE LABOUR

The present section draws in detail the demographic profile of the sampled population as mapped in Fairtrade cotton and non-Fairtrade cotton agriculture areas.

The data collected indicates that 47 percent of the workers are identified as Adivasi or ST in Fairtrade certified cotton farms while 16 percent identified as ST in non-Fairtrade farms.

There were 27 percent SCs and 25 percent were OBCs and only 1 percent of the total sampled population belonged to others category in Fairtrade cotton farms. In the non-Fairtrade farms the table shows that OBCs category has highest percentage at 65 percent. There is difference in state-wise data collected. There were 84 percent of labour identified as STs in

Table 3: Social Classification

Category / State	Odisha (Balangir)		Madhya-Pradesh (Khargone)		Gujarat (Kutch)		Total	
	Fair-trade	Non-Fairtrade	Fair-trade	Non-Fairtrade	Fair-trade	Non-Fairtrade	Fairtrade	Non-Fairtrade
ST	46%	14%	84%	64%	2%	0	47%	16%
SC	21%	0	16%	36%	53%	26%	27%	19%
OBC	33%	86%	0	0	38%	74%	25%	65%
Other	0	0	0	0	7%	0	1%	0
Total no of farms (n)	101	22	58	11	45	31	204	64



Madhya-Pradesh, 46 percent in Odisha, while there were only 2 percent in Gujarat for Fairtrade certified farms. Almost all the workers engaged in cotton production in Odisha and Madhya Pradesh were local. This is natural as both these districts have significant number of ST/SC population and are actually the source areas for migrant workers, especially Balangir. It was only in Kutch district that significant amounts of migrant workers were observed – both inter and intra state. That is the main reason of variation in the caste classification in Kutch district.

The table 4 further indicates that of the total members mapped in the three regions- 48 percent of the people reported as being illiterate, 46 percent

had completed primary schooling, and only 6 percent had completed secondary school. Considering the state of public schooling system in India, the primary level educated individuals can be considered as functionally illiterate. Therefore, it can be said that 94 percent of the workers are functionally illiterate, a frightening figure by itself.

The state-wise data indicated that very few number (total 15) of people has reported secondary education. On the contrary, there is high percentage of people who are illiterate. Although in Balangir district of Odisha 85 people had completed their primary schooling, which was the maximum number in the above data set. Education profile and

Table 4: Education Classification

Education/ State	Odisha (Balangir)	Madhya Pradesh (Khargone)	Gujarat (Kutch)	Total	In %
Illiterate	30	47	52	129	48%
Primary	85	21	18	124	46%
Secondary	8	1	6	15	6%
Total	123	69	76	268	100%

4. OBCs: The Other Backward Castes is categorised to include castes which are educationally and socially disadvantaged. A list of 11 criteria was developed by the Mandal Commission to categorise this class. For further information on this please follow the following link: <http://www.ncbc.nic.in/Writereaddata/Report%20on%20Sub-Categorization%20within%20OBCs%20-2015-%20Pandey635681469081640773.pdf>



social profile of labour together indicate that workers involved in the casual work belong to SC and ST category with little or no education.

Work Arrangements: Short term and Long Term Work Engagements -

The study explored the pattern of engagement of workers on cotton farms as it often had a crucial bearing on labour rights and condition of workers. In India, the workers on agriculture farms can be engaged in two ways - short term for daily wage work or long term for the whole agriculture season. Generally, individual farms may have some workers on a long-term basis and some employed for short terms during peak work-loads like cotton harvesting. Long term engagement that is often accompanied by a monetary advance can degenerate into bonded labour.

Amongst the workers surveyed, a large majority were employed for short term durations. Only 22 workers were found to be engaged on a long-term basis. The remaining 244 workers were involved in short-term agricultural work. The labour engaged for long term had not only been working in the cotton-production but also other agriculture products. Further all 22 workers working on long term basis were in Kutch district. Of these 10 workers worked as *bhagiya* (share-croppers) and other 12 workers were local workers who had been

working regularly with the same landowner.

The short-term and the long-term season agricultural work created a different kind of situation. The medium of agreement, modes of recruitment, payment system differed in the short term and the long-term agricultural work. The following two sections will highlight the conditions of working in the two different arrangements.

Long term workers:

Following from the discussion above, the reader may recall that twenty-two workers were reported to working as long-term agriculture labour in the farm. Respondents shared that either they work as a *bhagiya* or on contractual basis. These two are subsets of long-terms workers. *Bhagiyas* were bound to work in the same field with the stipulated farm owner but long-term local workers were free to work in another farm as well. It was found that 10 respondents worked as a *bhagiya* and the other 12 respondents were local workers who worked on contractual basis.

All 12 contractual workers were found to be working with Fairtrade farm owners. Local labour worked in the farm on daily wages. Furthermore, among 10 *bhagiyas*, 6 *bhagiyas* worked in Fairtrade certified cotton farms and other 4 *bhagiyas* in non-Fairtrade farms. *Bhagiya* labour had been working in the farm on



the agreement against a share of agriculture produce that varied from one-third to one-fourth.

The long-term labour does not only work in the farms producing organic cottons but were also found to be involved in other crops production as well. Respondents reported that local labour work for the same farm owner for the entire agricultural season and also helped them to find pool of workers during peak season time.

It was found that 22 long-term workers that were mapped, about 77 percent of them had been working in this arrangement for about two to five years. While 18 percent of labour had spent more than five years but less than 15 years. The rest of respondents had recently moved into long-term agriculture work. It emerged that 90 percent of workers preferred working for

the same farm-owner because of the cordial behaviour of farm-owner, while 10 percent reported (2 workers) incidence of debt as a reason. Both of the workers were found working in the Fairtrade cotton farm. Although they both had worked in other agriculture work apart from Fairtrade cotton farming. The fact that the workers can incur debt at the time of their need and work through the year to repay it seemed to act as a factor that affected the workers' choice to work as long-term agricultural labourer than as short-term agricultural workers. Field-research team reported that the respondents were hesitant to talk about the debt and advance amount. Another

factor had come out that the presence of farm-owners during interview had left these particular questions unanswered. This was the case both in interviews of Fairtrade as well as on non-Fairtrade farms.

Another factor that determines the workers' choice of farm-owner was the advance that the farmer was willing to lend to the prospective workers. Although only 18 percent respondents of 22 long-term workers had taken an advance from the farm-owner and all of them were reported as bhagiya worker (3 from Fairtrade cotton farms and one from non-Fairtrade farms). Advance amount acted as some kind of security in times of contingencies and crisis for the labour. The reported advance amount varies from Rs. 5000 to Rs. 50,000 depending on the relationship the labour shared with the farm-owner and the number of workers employed. The rest 82 percent of the respondents reported that they did not seek advance amount in the last year of work. It was also reported that the long-term agricultural labour work with the family members in the farm. 63 percent of labour interviewed reported that they had been working in the field with one to three members of their household. Other 37 percent reported that they had come along with family including children in the farm. The next section discusses the short-term agriculture labour in the cotton-farm.

Short-Term Agricultural Labour:

The reader may recall from the previous section that 244 respondents were surveyed for short-term agriculture labour of which 121 workers were from Balangir district of Odisha, 69 labour in Khargone district of Madhya-Pradesh and 54 labour in Kutch district of Gujarat.

It was found that the Fairtrade or non-Fairtrade farm owners looked for casual labour through a network of fellow village person or relatives. Fellow village network plays an integral role to help connect the farm owners with the pool of agricultural workers required in the peak seasons. Additionally, the network of the relatives also helps workers locate work.

Networks used to find the work	Odisha(Balangir)		Madhya Pradesh (Khargone)		Gujarat(Kutch)		Total	
	Fairtrade	Non-Fairtrade	Fairtrade	Non-Fairtrade	Fairtrade	Non-Fairtrade	Fairtrade	Non-Fairtrade
Contractor	-	-	-	-	-	4%	0	2
Fellow village person	75%	100%	100%	100%	67%	89%	82%	95%
Relatives	12%	-	-	-	33%	7%	11%	3%
Other (farm owners)	13%	-	-	-	-	-	7%	-
Total Number of farms (=244)	99	22	58	11	27	27	184	60

Medium of Agreement	Odisha(Balangir)		Madhya Pradesh (Khargone)		Gujarat(Kutch)		Total	
	Fairtrade	Non-Fairtrade	Fairtrade	Non-Fairtrade	Fairtrade	Non-Fairtrade	No. Of Workers	Percentage
Verbal	56%	100%	97%	91%	84%	87%	210	78%
On Paper	-	-	3%	-	-	13%	6	2%
Maintaining a Diary	44%	-	-	9%	16%	-	52	20%
Total(n)	101	22	58	11	45	31	268	100%

The table depicts the various pathways through which the workers found work as Fairtrade or non-Fairtrade cotton casual labour. Table 5 indicates that 82 percent of workers relied on a network of fellow villagers in Fairtrade cotton farms and 95 percent in the non-Fairtrade cotton farms. Approx.11 percent of Fairtrade workers found work through relatives' network and only 3 percent in non-Fairtrade farm. Across the Fairtrade cotton farms, the survey revealed direct recruitment by the farm owner as another mode of recruitment. It is worth noting that these networks and the actors involved in them form a crucial link between the workers and potential employers since these actors also provide source of guarantee for both side of the parties-before they enter into an

agreement.

Once the contact has been made, an agreement is drawn between farm-owner and labour about the wage based on the size of the landholding and cotton quality that is to be cultivated. The nature of the contract remains a verbal agreement. The table 6 shows that maintaining a diary throughout the duration of work was also a medium for agreement. Although, maintaining a diary was mainly used for account keeping during the work; the respondents shared that it was considered as an important medium for contract.

Table 6 elaborates that 74 percent of Fairtrade labour and 92 percent of non-Fairtrade labour had used verbal medium for contract or agreement. It can be observed from the table that 25 percent



of Fairtrade cotton labour had maintained a diary during the period of work. The percent of paper agreement is only 1 percent as compared to other medium in the Fairtrade cotton farming; while the percent of maintaining a diary is only 2 percent in the non-Fairtrade farm. Maintaining a diary meant keeping all accounts, which also meant that there were less chances of unfair payment by owners. Along with the wage agreement the type of work and land-size were also decided in the agreement by both the parties.

Work processes in cotton farms:

During the period of mapping, it was found that the work such as making farm furrows, sprinkling natural pesticides and picking cotton balls constitute as the

peak season and the labour-intensive work requires an additional pool of workers to perform the work. Hence a web of network was required to ensure that all farm work was completed during different time-period. This was also discussed by many workers who had mentioned working in all types of labour processes in the cotton farm. Migrant labour stays at the location for 3-4 months every year and work in the different field as per the requirement of agricultural work. The mapping revealed that 144 workers had reported work such as making farm furrows, 140 workers in sprinkling natural pesticides/pesticides and 145 workers in picking cotton for the Fairtrade cotton farm. In the non-Fairtrade farms, it was found that all of the short-term workers were involved in picking cotton balls.

Number of days worked by the casual labour in the agriculture field:

Table 7 depicts the details of the number of days the respondents had worked in the last season. It can be seen that 37 percent of workers in Balangir district of Odisha had worked in the Fairtrade cotton farming for a period of 0 to 30 days, followed by 42 percent of workers that worked for 30 to 60 days

Table 7: Number of days worked by the respondent

No. of days worked	Odisha (Balangir) No. of Labour		Madhya-Pradesh (Khargone) No. of Labour		Gujarat (Kutch) No. of Labour		Total -
	Fairtrade	Non-Fairtrade	Fairtrade	Non-Fairtrade	Fairtrade	Non-Fairtrade	
0-30 days	37%	0	9%	0	78%	59%	43%
30-60 days	42%	56%	25%	55%	15%	26%	33%
60-90 days	7%	0	43%	45%	7%	15%	13%
90-120days	1%	44%	19%	0	0	0	9%
120-150 days	12%	0	2%	0	0	0	1%
More than 150 upto 180 days	1%	0	2%	0	0	0	1%
Total no. of farms (n=244)	99	22	58	11	27	27	244

and 21 percent of respondents worked more than 60 days. In Khargone district of Madhya-Pradesh, 25 percent of workers had worked for 30 to 60 days and 43 percent for 60 to 90 days. In Kutch, Gujarat, 78 percent of casual workers had worked for 0 to 30 days in the Fairtrade cotton farm.

As stated in the preceding sections, the casual labour worked in different farms according to the demand during the peak season. It was found during the survey that casual labour had been stating total number of days worked in the cotton crops; either Fairtrade or non-Fairtrade. During peak season workers were approached by various other non-organic or non-Fairtrade farm owners. Respondents mentioned that they did not have any idea about the type of cotton that was being produced. From the table above one can say that 76 percent of workers were getting less than 60 days of work in the agriculture. Due to which casual workers from Balangir and Khargone migrated to other state for the work since they could not find enough days of work at the source area. Apart from this, the differences in employment duration seems to be due to regional

factors rather than differences between Fairtrade farms and non-Fairtrade farms.

In Kutch one worker responded (who belonged to Haryana), that they were not getting enough MNREGA work in their home district and were facing issues in payments for the MNREGA work. They were not paid regularly in the MNREGA work and brokers and other mid-management ask for money for paying wages for the work done.

Wages Received by the Respondents:

The respondents were asked how the wages are decided and how the workers are hired. Workers responded that wages depend on the various factors, like availability of labour, land-size, cotton quality, crop production etc. The following table has been drawn from the last received wages information.

Table 8 depicts the daily wages earned by worker respondents. It was found that 61percent of Fairtrade respondents received Rs. 120-178 in Odisha, while same was true for 95 percent of workers in Madhya-Pradesh and 37 percent of

Table 8: Wages Received by the Respondents:

Wages Received (Rs.)	Odisha (Balangir) No. of Respondents		Madhya Pradesh (Khargone) No. of Respondents		Gujarat (Kutch) No. of Respondents	
	Fairtrade	Non-Fairtrade	Fairtrade	Non-Fairtrade	Fairtrade	Non-Fairtrade
120-150	61%	18%	92%	100%	0	0
150-178	0	0	3%	0	37%	19%
178-210	29%	82%	5%	0	44%	78%
210 and more	10%	0	0	0	19%	3%
Total no of farms (n=244)	99	22	58	11	27	27

5. MNREGA: The Mahatma Gandhi National Rural Employment Guarantee Act 2005 provides a legal guarantee for at least 100 days of employment, to begin with, on asset creating public works programmes every year at minimum wages for atleast one able bodied person in every rural, urban poor and lower middle-class household. For details see https://nrega.nic.in/amendments_2005_2018.pdf

6. Rs. 150-178 slab is taken in the Table 8 because Gujarat state government minimum wage rate till December, 2020 was Rs. 178 per day. A notification of increase was announced on 1st January, 2021 by Gujarat Labour minister, and the agriculture minimum wages were increased to Rs. 324.20 per day. For further information the following link can be followed: <https://indianexpress.com/article/india/minimum-wage-for-agri-workers-hiked-to-rs-324-2-per-day-in-january-government-7240677/>

workers in Gujarat. In the non-Fairtrade cotton farms, 18 percent of workers had received the amount between Rs. 120-170 in Odisha, 100 percent in Madhya-Pradesh and 19 percent in Gujarat. It was also observed that 82 percent of non-Fairtrade farm respondents fall under the slab of Rs.178-210 in Odisha, while 61 percent of Fairtrade respondents comes under the slab of Rs. 120-150. Data from Fairtrade workers from Madhya-Pradesh revealed that 92 percent workers and 100 percent of non-Fairtrade workers received the daily wages between Rs. 120-150. The respondents from Gujarat had shown variations in the received wages. 44 percent of Fairtrade workers had received the wages between Rs. 178-210 and 19 percent respondents received more than 210. In the non-Fairtrade 78 percent of workers had received the amount between Rs. 178-210.

When one compares the wages received

Odisha stands at Rs. 308 per day. In comparison to that 100 percent of respondents had been receiving less than the minimum wages. And only 10 percent of them had received close to minimum wages. The similar situation of Madhya-Pradesh has depicted in the table, where 100 percent workers are receiving less than the stipulated Rs. 228 per day minimum wage rate. Thus, the data depicts that except for the Gujarat region, other two states have failed to provide minimum wage to agriculture labour.



The respondents in the survey discussed that they worked for more than 8 hours, that is for about 8-11 hours of work daily. Workers from Kutch shared that they worked from dawn to dusk. The cotton -picking work started from 7am in the morning and would end only at around 6pm in the evening. They usually take less than an hour break for lunch and tea during the

State	Daily Minimum Wage (Rs.)	Percentage of Labour compliance with Minimum Wage Rate
Odisha	308/day	0
Madhya Pradesh	228/day	0
Gujarat	178/day	63

work day. with the minimum wage rate, table 8 and 9 inform the reader that in Kutch region 37 percent of Fairtrade workers had received less than the minimum wage rate; i.e. Rs. 178 per day; and 19 percent of non-Fairtrade labour had received less than the minimum wage rate. A respondent from Kutch district has informed the research team that wage rate varies from farm to farm, and also with the change of season progress. The above data is based on the wages received in the last season. In contractual agreement, respondents mentioned that the rate varies from Rs. 7/kg cotton picked to Rs. 13/kg cotton picked. The rate also depended upon the quality of cotton. So, labour might end up getting Rs. 145 per day to Rs. 200 per day. The agriculture daily minimum wage rate in

work day.

When the respondents were enquired about the pay slip or any other form of documentation concerning payment of wages, few of them had responded that they maintained an account diary while others mentioned that farm-owner maintained their account and paid their daily wages at the end of the day. No-one had mentioned pay slip information.

Wage Discrimination at the farms:

Discrimination of wages question was responded by 244 workers. When workers were asked about the instances of co-worker



receiving higher payment for the same work load; 98 respondents reported no discrimination, 27 reported discriminations of wages at the workplace. The other 119 respondents chose not to respond to this question. Two workers from non-Fairtrade farms reported that wages depended on the cotton flower's quality, hence stated that there was a variation in the wages, but refrained from terming it as wage discrimination. One of the respondents of Fairtrade cotton farms mentioned that wage variation occurs because of different farm and different farm-owner and production quality. He also cleared that he never observed the variation in the wages on the same agriculture farm. Respondents from Odisha had shared that the wage variation existed for different kind of work; but not for the same work. On the questions of women receiving lesser wages than men; 98 respondents had reported gender-based discrimination in wages while 142 respondents denied it; and 4 did not respond to the question. Gender based discrimination, the workers shared, not only in the context of agricultural work. They stated that generally women received lesser wages than men in various other sectors. One of the respondents from Kutch had mentioned that even if women work for as long as men do; women received lesser amount

than men. Although nobody had mentioned wage discrimination for the same type of work.

Incidence of child -labour on the farms:

The issue of child labour has been a pervasive problem in India as well as in the rest of the world. The Census of India (2011) reported that there were 10.1 million child workers in India. In the ILO reports (2017), it has been discussed that agriculture accounts for the majority of child labour, with 59 percent of all child labour is found working in this sector. ILO report (2008) stated that many children work on family cotton farms helping out their families during peak harvest times and hence this was not defined as child labour. The child labour had been redefined by ILO and whether or not work performed by children is defined as child labour depends on the type of work, child's age, the conditions of work and the hours of work. According to the Child Labour Amendment Act 2016, the general minimum age for work should not be less than 15 years.

109 respondents in the study have reported that children below 15 years of age had been working on the Fairtrade cotton field; while another 31

Child Labour	Odisha (Balangir) No. of Respondents		Madhya Pradesh (Khargone) No. of Respondents		Gujarat (Kutchh) No. of Respondents	
	Fairtrade	Non-Fairtrade	Fairtrade	Non-Fairtrade	Fairtrade	Non-Fairtrade
Yes	85%	100%	7%	0	42%	29%
No	15%	0	93%	100%	58%	71%
Total no. of farms (n=268)	101	22	58	11	45	31

respondents had reported children below 15 years of age working on the non-Fairtrade cotton field. Table 10 depicts that the highest incidence of child-labour is in Odisha. 85 percent of respondents of Odisha reported child labour in the Fairtrade cotton field, while all the respondents in non-Fairtrade cotton had reported child labour. In the Madhya-Pradesh, the incidence of child-labour reported were only 7 percent in the Fairtrade. In the Gujarat, incidence of child labour in cotton farming has always been debatable topic, table 10 too informed the presence of child on the field. 43 percent of labour reported the child-labour on the field in Fairtrade and 29 percent in non-Fairtrade.

Child Labour in Family Cotton Farms:

The survey schedule had separate questions for child labour working on their own family farms as the Indian Child Labour Act allows children to work on their household enterprise under certain conditions. From the table it can be seen that 23 workers had mentioned that the farm owners' children had been working in the Fairtrade farm and 3 workers reported the same in the non-Fairtrade. Out of these 26 respondents, 17 of these workers had been working in Odisha, while other 9 workers had been working in Gujarat. Out of these 26 respondents reported family child labour in the farms,

12 (10 from Fairtrade cotton farms and 2 from non-Fairtrade farms) had reported that children had been working on the field for 8 hours a day. Additionally, out of the 10 respondents from Fairtrade cotton farms who had reported family child labour, 2 Fairtrade respondents had been working in the field of Kutch farms and other 8 Fairtrade respondents had been working in the Balangir farms. And in the non-Fairtrade farms all 2 respondents had been working in the Kutch farms. Furthermore, 14 respondents reported that farm owners' children had been working in the field for less than 8 hours but more than 2 hours a day. The data reported clearly shows that the incidence of child labour and children working on family cotton farms are both high in Odisha when compared with the other two states.

The survey was conducted during the pandemic time. It was observed and discussed in many reports that the child labour has increased during pandemic period due to closed education institution and not able to provide education to marginal sections. So, the observation reported could give a more estimation than the usual proportion of the child labour in the Fairtrade farms.

Conditions at the work site:

The table 11 depicts the basic facilities available at the field. All respondents had reported drinking water facility at the

Facilities at Work-place	No. of response in Fairtrade cotton	No. of response in non-Fairtrade cotton
Drinking Water	100%	100%
Water for other uses	12%	25%
Electricity	6%	6%
Food by farm owner	2%	23%
Tea by farm owner	5%	15%
Vehicle for commuting	2%	3%
Total	N=204	N=64

work-site, while 12 percent of Fairtrade labour and 25 percent of non-Fairtrade labour have reported the water for other use as well. Followed by, 6 percent respondents who reported the electricity facility. Respondents had added food, tea and vehicle for commuting as the facility provided by farm owner. Apart from that there was no medical equipment or first aid box reported at the work-site. All of respondents mentioned that there was no toilet facility at the work-site.

Besides the facilities at the work-site, when enquired for unpleasant incidents/accidents/injuries; 30 workers (28 Fairtrade cotton farms labour and 2 non-Fairtrade farm labour) had reported the incidents of accident/injuries at workplace. While respondents generally did not perceive their work as dangerous, there was isolated incidents of snake bite or injuries but did not receive any assistance from farm owner. Although, other respondents had reported that farm-owner had helped two respondents by lending money on urgent basis, which had been deducted from the final payments. In the agriculture work workers were not provided with safety equipment while doing work. A woman respondent had shown her injured hand with many small cuts due to small thorns of cotton plants. On the other hand, 33 respondents from Fairtrade farms mentioned that they were not involved in any dangerous work while the other 235 did not respond to the question.

Incidence of violence:

During the survey, the respondents reported how workers were often subjected to caste-based slurs, verbal violence and mental harassment by the farm owner. Workers have been experiencing verbal violence on a daily basis for years, which has resulted in normalizing the violence-to an extent that many workers do not even consider



it as violence anymore. Although the respondents reported verbal violence, which took the form of name calling and caste related slurs. When workers were asked about whether they had faced any kind of violence; only 62 respondents (24 female respondents and 38 male respondents) reported that they had faced violence. Out of 62 respondents, 39 Fairtrade farm respondents stated (38 respondents from Odisha and 1 respondent from Madhya-Pradesh) that they had faced violence during the work. Furthermore, other 23 non-Fairtrade farm respondents (22 respondents from Odisha and 1 respondent from Kutch) had reported experience of violence during the work.

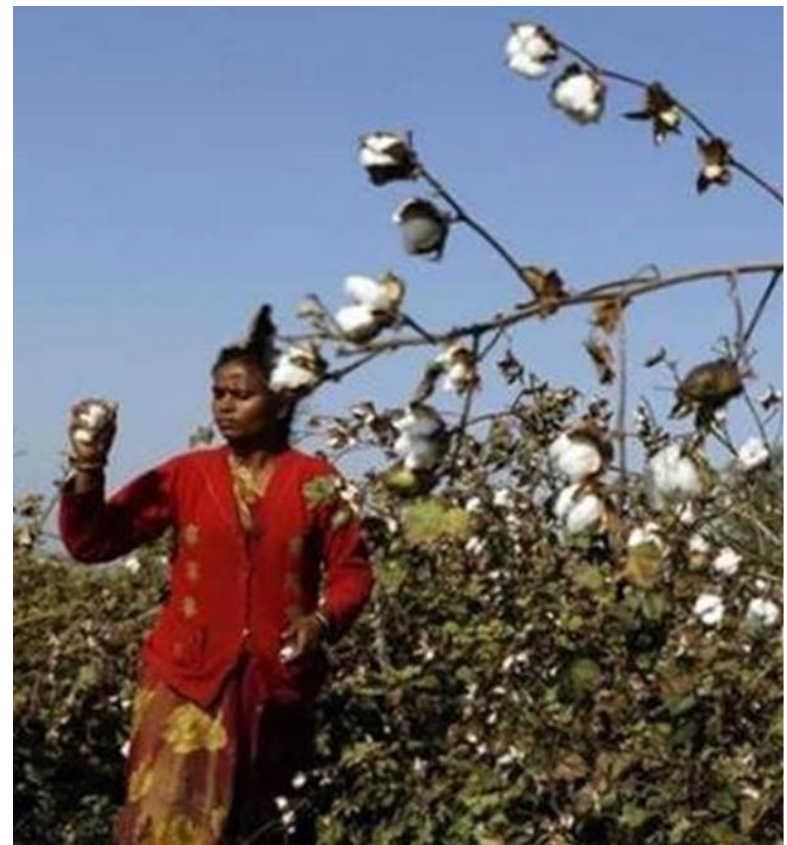
On the other hand, when asked about verbal violence, total number of respondents rose to 140 from 62 respondents as discussed above. A total of 116 respondents (81 male respondents and 35 female respondents) have reported verbal abuse during the work. Out of these, 83 respondents had been working in the Fairtrade farms of Balangir district and 10 Fairtrade cotton respondents were in Khargone. Additionally, four respondents had also reported of having faced mental harassment at their site of work with some farm-owners. The local workers of Kutch discussed the incidence of caste-based discrimination in the region was very high. They had experienced untouchability in the context of food and water while working. 18 had reported the caste-based discrimination at the work-

site and another 41 had also faced discrimination. Although the above respondents refused to share any specific incident or details of the instance when they were subjected to violence.

Migrants Workers:

It had been reported that labour migrates to Kutch district for cotton crops farming work, whereas labour from Balangir district of Odisha and Khargone district of Madhya-Pradesh migrated to other states for work. 22 respondents had migrated to Kutch for cotton farming work. Nine respondents came from Haryana state, five respondents from Punjab state, five respondents were from Rajasthan and the other three respondents were from Kutch district itself. There are two types of migrant worker in the district: one was bhagiya (who stayed at the field/farm) and other was casual labour (stays for 3-4 months). September to December is a peak season time of cotton-picking work. Labour migrates during these seasons and nomadically move from one farm to other.

10 respondents, bhagiyas, had been living in a Kutchha house (house built of mud or unburned bricks) and other 12 respondents, short-term workers, had been living in open or in tent. Bhagiya lived at the farm for whole agriculture season, so bhagiyas himself or farm-owner builds the kutchha-house at the field side area, which was generally located far from



main village and in the middle of agricultural land/farms. Often these structures where the family resided were temporary in nature with little or no utilities. Short-term migrants labour carried a plastic tent along with them for accommodation, because they had mentioned that they had to move from one farm to another on a regular basis. And not all farm-owner provided accommodation at the work-site. Labour usually migrated with their families including children.

Access to Services:

A total of 22 respondents had reported as migrant workers as mentioned in the above section. All of them reported that 3-5 years children didn't have access to Anganwadi, food packets, vaccination services for the children 0-5 years, Auxiliary Nurse Midwife (ANM) visits.

Table 12: Type of Accommodation

Type of Accommodation	No. of response in the Fairtrade cotton	No. of response in the non-Fairtrade cotton	Total
Kutchha House	9	1	10
Pukka House	0	0	0
In Open/tent	4	8	12
Total (n=22)	13	9	22

7. Kutchha house is a house built of mud, bamboo, grass, stones or unburned bricks. These are temporary structures.

8. Pukka house is made up of cement and brick. These are permanent structures.

9. Anganwadi is rural child care centre started by Indian government in 1975 as part of the Integrated Child Development Services program. It is meant to provide nutrition to children below 6 years of age.



encouraged about the labour issues due to absence of organizations working for the interests and entitlements of agricultural labour. Although Farm owners' cooperative were the ones with whom workers worked regularly, yet the cooperatives too had never displayed any interest in the matter of labour rights and issues. It emerged from the findings a serious lack of labour platform in the areas that were studied during the collection of data across the three states.

Awareness related to labour laws and rights:

Only one respondent out of 22, who was Fairtrade cotton farm worker in Kutch, reported that their children were enrolled in a private school nearby. 9 respondents (3 Fairtrade cotton farm worker and 6 non-Fairtrade farm worker) reported that in time of illness, they accessed government hospitals/healthcare and other 13 respondents (10 Fairtrade cotton farm worker and 3 non-Fairtrade farm worker) had accessed private hospitals.

Workers' Organizations:

The workers' organization promote and protect the interest of workers in both the formal and informal economy. Workers are among the most vulnerable groups in India, especially informal sector workers or casual workers. Agricultural workers are unable to form associations and bargain collectively because of work conditions. Rural agricultural workers are at particular risk because they are not adequately protected by law. It has also been observed that the mechanism themselves have been insufficient to promote their collective voice.

During the survey, only 10 male respondents had shared that they were associated with workers' organization. However, they are not directly related to agricultural workers' organization but to a brick-kiln workers' organization. They also mentioned that there is no agricultural workers' union in their areas. Workers were never informed or

As we have discussed in the previous section respondents were not connected or associated with any workers' organization or cooperatives. This section was designed to understand the workers' level of awareness related to labour laws and rights; so that a training could be organized on this basis. A total of 260 respondents reported that they did not know about the government minimum wage rate; while 8 respondents (3 Fairtrade farm workers and 5 non-Fairtrade farm workers) were familiar with laws and rights. All the respondents had mentioned that they did not have any idea about social security measures for workers. Furthermore, none of them were content with the current wages. When respondents were enquired that how could workers get higher wages, one respondent stated 'labour unity' could be one of the ways to raise their voices. Few of them had shared about the dire extent of their vulnerable situation and said that if they did not work, they would die of hunger. One of the respondents had mentioned that they had migrated in order to survive in the world. Another respondent shared that their socio-economic conditions created helplessness regarding their negotiating capability with farm-owner. From the discussions and the interviews with the respondents in both the Fairtrade and non-Fairtrade farms revealed that the workers had minimal to no awareness about their rights and entitlements.



CHAPTER 4

CONCLUDING REMARKS & RECOMMENDATIONS

The above findings elaborate where the institution of Fairtrade cotton stands in the context of casual labour on farms. The Fairtrade system was meant to provide decent working conditions, non-

discrimination environment at the workplace, protect rights of the children and allow no child labour on the field. But the findings highlight that these principles are not implemented on the ground, rather the workers experience violation of

their rights and entitlements every day. Furthermore, almost all the workers are unaware to the extent of violation of their legal rights. To deepen the understanding of the following discussion will elaborate on the various aspects that are relevant to understand the rights and entitlements of the subjects in our study:

The Child Labour (Prohibition & Regulation) Act, 1986 and The Child Labour (Prohibition & Regulation) Amendment Act, 2016, prohibits the employment of children in all occupations. The Act only provides exceptions for the employment of children in families or family-business. However, even in that case the work has to be non-hazardous and must not affect the education of the child.

Section 7 (2) of it mentions that “The period of work on each day shall be so fixed that no period shall exceed three hours and that no child shall work for more than three hours before he has had an interval for rest for at least one hour.”

Section 7 (3) “The work hour shall not be spread over more than six hours, including the time spent in waiting for work on any day.”

The findings of the study show the presence of children in the cotton-picking works. The law prohibits the children for working more than six hours, but in the analysis, it was stated that children are working more than six hours in a day, for up to eight hours. It was observed that in Odisha, the number of respondents who saw children working in the fields was particularly high, in Gujarat the picture is mixed but in Madhya Pradesh it was particularly low as the table 10 shows.

Minimum Age Convention 1973 (No. 138): The convention sets to regulate the minimum age allowed for the children to engage in employment. Article 2(1) specifies the minimum age shall not be less than the age of completion of compulsory schooling, and, in any case, shall not be less than 15 years.

In Odisha and Gujarat, the findings show the presence of children below the age of 15 years in a large extent. It is only in Khargone, that children were not reported as working.

Although the team is also aware of the current situation of pandemics and effects of that on the children’ education. The survey didn’t include the question of increase of child labours in agriculture sector due to pandemic, so the reports would not conclude it in a concrete way. Although the team considering the worsening effect of pandemic recommends the Fairtrade organization to look into the child labour situation especially in Odisha Fairtrade cotton farms (There is detail discussion attached in the Annexure-1 happened between CLRA, Südwind and the Fairtrade Organization).

Minimum Wages Act, 1948- An Act to provide minimum wages to the worker.

India has a complex minimum wage system with regional, sectoral and work-based differences. The findings presented the adverse case in terms of payment of wages. In two of the three locations studied, almost all the workers are being paid significantly less than the statutory minimum wage rate. It is only in Kutch, Gujarat that the compliance is better, though even here more than one third of the workers are not getting statutory minimum wage. The reason of compliance is higher in Gujarat because it has had the lowest minimum wage rate amongst the three states until the end of 2020. Employers generally follow the regional average wages, which entirely depend on the negotiations between labour and farmers and it also depends on the market rate. This has led to paying much less than the statutory wage rates.

The employer of Fairtrade farm owner is obliged to pay the wages with a pay slip containing all necessary information. Payments should be made in

10. [Auxiliary Nurse Midwife \(ANM\)](#) is a village-level female health worker in India. ANM is first contact person between the community and the health services.

11. The Modi-Government has changed the labour laws in major ways – consolidating the numerous laws (and in the process also diluting some of them) into four labour codes. However, these are yet to be implemented. After COVID, some states did suspend labour laws. However, in some cases the courts did not allow this

legal tender. Although the findings suggest lack of any transparent and legal method of payment at the work-site.

The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979- An Act is formed to regulate the employment of inter-state migrant workers. This includes travel allowance and other facilities like; regular payment, suitable conditions of work, medical facilities, suitable accommodation, protective clothing, in case of fatal or serious injury report to specified authorities of both the states and the next of kin of the worker.

As discussed above, inter-state migrant workers were working in only one of the three locations - in Kutch, Gujarat. As stated in the living conditions section, migrant workers were not provided the facilities regulated under this law.

Bonded Labour System (Abolition) Act, 1976- The Act was passed in the Indian parliament to abolish the practice of bonded labour. This is to prevent economic and physical exploitation of the vulnerable sections of the people. 'Bonded labour system' refers the system of forced, or partly forced, labour under which a debtor enters, or has, or is presumed to have, entered, into an agreement with the creditor to the effect that; in consideration of an advance obtained by him/her.

Only a small proportion of the total workforce is engaged in long term contracts and therefore susceptible to bondage. The report has mentioned the glimpse of bonded labour in the long-term labour section, whereas few were continuing to work for the same employer because of debt from the previous years. The reports had highlighted two situation of debt problem, both of the families were found working as a long-term worker. Although, they also mentioned that they



had been also engaged in other agriculture work; the Fairtrade cotton farming was only the small part of their work. The reports highlight a very few instances, but the situation falls under the bonded labour system.

When the indicators of *Occupational Safety and Health* by International Labour Organization are taken in purview and the condition of workers were compared against the content listed below:

- Drinking waters for all workers
- Workplace safety
- First aid equipment and training
- Access to toilets
- provisions of personal protective equipment

Thus, one can infer that with the except of the drinking water facility, all other facilities are not available at the work-site. No one stated about the toilet facilities, medical care facilities available to them. Also, most of the respondents generally did not perceive their work as dangerous, so there was absence of protective equipment requirement. As the report stated few instances of work hazardous, so we can conclude from the



lack of facilities that the conditions of agricultural workers are very vulnerable.

A key area of enquiry was if there is any difference between wages and working conditions between workers working on Fairtrade Farms and workers working on non-Fairtrade Farms. For this reason, a 20 percent control sample was taken. A total of 204 Fairtrade certified farm workers were surveyed and 64 non-Fairtrade farm workers, which accounts for 24 percent of total surveys. While the stipulated number of Fairtrade farms have been surveyed at 50 per producer company, a higher number of non-Fairtrade farms than planned in the methodology, have also been surveyed. The results of this sample have been displayed for all the indicators listed above. As can be seen, for most of the critical indicators like medium of agreement, wages paid, incidence of child labour – there is no significant difference between Fairtrade and non-Fairtrade Farms. This was finding was re-enforced by local field investigators who reported that they observed from their discussions and mapping of the worker, that there

was almost no difference between the two types of farms. The findings whether in terms of violence and discrimination in Odisha, migrant workers' situations in Gujarat and keeping of wage related diaries, all these gives same picture in both the separate institutions. Based on the observations and findings the Suedind and the CLRA team has prepared some recommendations for consideration.

RECOMMENDATIONS

Intensive and detailed discussion in the study and the findings offered by the study make a case for the following recommendations which the Südwind and the CLRA team felt were necessary to ensure rights and entitlements for the workers – so as to fulfil one of the critical objectives of establishing and implementing Fairtrade practices and certifications. Following are few of the recommendations that the study offers:

Based on these findings, Südwind and CLRA recommend that Fairtrade reviews its certification and audit procedures. There is a need for Fairtrade to take a look at its certification and audit procedures as the current study indicates and offers evidence that there is violation of both the India labour laws like Minimum Wages Act, Child Labour (Regulation and Prohibition) Act, Inter State Migrant Workers Act, the Bonded Labour System (Abolition) Act and the minimum labour rights provisions of the Fairtrade CP Standard (prohibition of child labour). The workers do not have access to any social security. In fact, there is no significant difference between Fairtrade and non-Fairtrade farms in terms of deployment of labour, conditions of work, and wage rates paid. The risk of child labour especially in Odisha, the undercutting of minimum wages in all regions investigated, the lack of toilets for the workers, the problematic accommodation of migrant workers in Gujarat and the experiences of violence that workers had to make especially in Odisha and Gujarat- this underlines the need for action.

The Fairtrade certified cotton farms should pay stipulated state government minimum wage rate under Minimum Wage Act, 1948. All the Fairtrade certified farms should follow the Child-Labour (Prohibition and Regulation) Act, 1986.

Fairtrade needs to complement the training for producers with labour rights

training for field workers. The survey pointed out that most field workers do not have any knowledge about their rights. One to two -day trainings were conducted on labour rights in each region in addition to the survey. This should be a regular offer by Fairtrade or the producer organisations for all workers. Only if the field workers know their rights can they provide information in audits about whether these rights are being violated. Training on labour rights is also an important step towards organising workers, without which compliance with labour rights cannot be ensured in the long term.

Fair prices for producers must be complemented by fair wages for field workers. One of the central arguments used by Fairtrade to promote itself is fair prices for producers. The investigation has shown that the field workers do not participate in the fair prices for producers. This must change urgently. In the manufacturing industry, Fairtrade has set standards by demanding living wages in the Fairtrade Textile Standard. It is time to integrate this demand into all Fairtrade standards.

Fairtrade provides all users of the Fairtrade CP standard with a clear timetable for achieving the Fairtrade SPO Standard. The Fairtrade companies/producer organisations investigated have been certified according to the Fairtrade CP Standard as an “entry level standard” for many years. It is not comprehensible why there is no time limit for an “upgrade” to the more demanding Fairtrade SPO standard. If this target exists, then it must be publicly available.

Fairtrade Feedback and CLRA Response

Südwind and CLRA Study “Agriculture Workers in Fair Trade Certified Farms (April 2021)

Thank you very much for sharing the study results with Fairtrade previous to publication. We value field research input as an important source of information for identifying areas of improvement. We also are aware that the systemic inequalities in the production, processing and trading of commodities, along with unfair trading conditions, have been key drivers to enabling child labour both in non-Fairtrade agriculture as well as in a Fairtrade context. From our own internal analysis, child labour and risk to migratory workers remains a challenge that we, as Fairtrade, continue to address. Furthermore, all indicators suggest that during COVID, even more migratory farming families and children have become involved in exploitative and hazardous work, while those already working do so under worsening conditions.

Fairtrade addresses these risks through a number of interventions, including standards requirements, auditing, targeted support services rendered to producer organizations, partnerships with supply chain actors, governments, research institutions, and civil society organizations. We have highlighted examples of our work to address the risks, below:

FLOCERT audits: Identified non-compliances are shared with the Producer Network, NAPP, so they may work together with the producer groups involved to develop and implement corrections. However, based on our current information, none of the organisations listed in the study employ more than 10 workers, who are working for more than 30 hours per week, and are present for one month or more during a year or equivalent (See definition SPO Standard, p.42). In this context, there were no non-compliances reported by

FLOCERT. With reference to the farmers, there were no non-compliances detected in audit reports during the last years. Therefore, there was no call for the local NAPP team to follow up specific measures beyond their regular activities with the farmers.

Please also note that due to the pandemic and movement restrictions, FLOCERT had to stop all physical audits in March 2020. Between March and August 2020, wherever possible, FLOCERT offered remote audits with a limited scope, as approved by Fairtrade International. FLOCERT deferred audits where remote auditing was not an option, which was the case in India. In August 2020, FLOCERT received approval to conduct remote audits for all types of audits, which is now implemented.

NAPP team members make regular visits to the producer groups, and support both in generating awareness and developing the child labour policy of the producer groups (See listed Standard Requirements at the end of this document).

Given the gravity of the findings in the report, we are eager to understand the findings more thoroughly and to follow these up intensively with the necessary degree of due diligence, such as encouraging submissions and processing of allegations. For this, we would be grateful if you could support us with further information (see questions below). Once the details are clear, the input must be compiled in order to place an allegation, either by Südwind directly or by Fairtrade themselves.

Context / General Comments for Südwind

We see the conduction of such a study under COVID-19 conditions as good way to understand the effects of the pandemic on rural areas, agriculture workers, and their working conditions. However, we think it would be inaccurate to interpret the data collected as reflecting an average harvest situation due to the following reasons:

Markets/situation in India were substantially affected last year due to COVID with a high degree of uncommon movement and migration of workers to and from workplace and home region. This led to larger numbers of migrant workers helping out relatives or local farmers on fields, as it was not possible for them to pursue their current employment.

No risk prevention process or plan was put in by the National protection system to curb the rise of child labour during the pandemic, including the period when schools were closed. With no online-schooling available in rural areas, parents were left with the full child care burden, next to their daily work. This led to children often taking up work activities instead.

CLRA Response: Yes, we agree with the above analysis of impact of COVID on agriculture labor. There are chances that the year saw much heavier incidence of child labor than normal because of the schools remaining closed due to COVID. This caveat may be added to project findings.

Comments on methodology

Quoting previous studies contributes to the subjectivity, rather than ob-

jectivity, of the study;

Different numbers of interview partners on the Fairtrade and on the non-Fairtrade side may contribute to a slant towards Fairtrade findings;

Naming non-Fairtrade interviewees and not "Fairtrade" interviewees prevent data validation and contributes to a misbalance ref. the quality of the data;

CLRA Response: In case of Fairtrade interviewees, there exist chances of victimization of interviewees.

It is unclear to us whether it can be methodologically confirmed whether or not the worker interviewed was working on a Fairtrade-certified plot or a field certified by another certification initiative. In the communities there is often a mixed population which is both Fairtrade as well as non-Fairtrade members. Since the producer organizations were not informed of the study, it is difficult to identify which of the workers interviewed were working for Fairtrade-certified farmers and which were working for other farmers. Furthermore, the Fairtrade producer groups do not have lists of the seasonal workers, so they are not able to contribute to this determination. In this context, the names of the Fairtrade interview partners would be helpful in order to validate but also initiate remediation measures;

CLRA Response: CLRA has made intensive efforts to ensure that the survey was conducted on correct farms. In fact, in one location, the survey had to be replanned because at the last moment, it was revealed that the host organization, though a Fairtrade partner, was supplying

other agriculture produce but not cotton.

While it is true that the partner organizations were not informed formally of the study, because of the expectation that they would resist it, the help of local supervisors was taken to identify the farmers who produced cotton for Fairtrade in the study year 2020. In two of the producer organizations, current supervisors shared lists of farmers and introduced the team to the farmers. In the case of the remaining two organizations, ex-employees of the producer organizations provided access to past lists. These were then cross checked in villages to find out which farmers undertook cultivation in the study year.

There is also the fact that the same producer may be producing both Fairtrade and non-Fairtrade cotton. In such cases, the same set of workers would work on both the plots. The study team was informed by farmers and workers that work conditions and wages remained same on both types of farms.

Ref. child labour: The name, age, relation to field owner and description of work activity undertaken by child workers are critical details required to methodologically demonstrate that the definition of child labour in a Fairtrade context is fulfilled.

CLRA Response: *As would be clear from the survey schedule, this information on names, age, and activity has not been collected. Information on relation to field owner has been collected and is available in the report.*

Questions to Südwind and CLRA:

Based on the Research Ethics Polity that Fairtrade has we would like to understand the framework that the researchers followed on the following aspects¹:

Consent of participants:

How were workers contacted?

CLRA Response: *Workers were contacted through the farmer and directly also. List of Fairtrade farms was generated and workers who worked on these farms were surveyed.*

How were participants (primarily the individuals, but also organizations) informed of the objectives of the study and asked for consent (did they fully understand the research objective and volunteer to take part; were they offered to skip any question they preferred not to answer (as well as the explicit opportunity to not participate at all)?

CLRA Response: *The respondents were informed of the objectives of the study, that was to collect information on workers on cotton farms with a view to improve their situation. Oral consent was taken. Some workers did not want to take the survey and were left out. The respondents had the option to skip questions they did not wish to answer.*

Were participants given the real opportunity to contact the research team to be removed from the dataset if desired?

CLRA Response: *As reported in answer to the previous question, workers who did not want to be surveyed were left out.*

Did data collection take place during the

trainings or simply in the field?

If during the trainings, what was the context of data collection with the trainings mentioned in the annex?

If in the field, was fieldwork agreed in advance or were the workers and supervisor / land

owner 'surprised' by the visit?

CLRA Response: *All the data collection has been done either in field or at the residence of the workers. No data has been collected during trainings.*

Field work was normally agreed in advance with the farmers and supervisors in two of the locations where existing supervisors cooperated. In case of two producer companies, the team made a reconnaissance visit first to establish contact with farmers and workers and then visited again for the survey.

Location of interviews:

How were risks of interviews taking place near supervisors/farm-owners (mentioned on p.9) mitigated?

CLRA Response: *As shared earlier, in two of the producer companies local supervisors cooperated with the study team. In remaining locations, once the farms' identity was established, study team interviewed the workers at a location of their convenience.*

Did interviews take place during working hours, and if so, were workers and/or farm owners compensated?

CLRA Response: *Some of the interviews took place during work hours after the consent of the workers and farm owners. No compensation was offered.*

Risk-assessment:

Was a risk assessment conducted (of risks to participants that participated in the study)?

Was a clear hygiene concept followed, in the light of the pandemic?

CLRA Response: *The study team followed the prevalent safety guidelines for COVID 19 including use of masks and sanitizers.*

What were the concrete conditions and what governmental regulations ref. COVID-19 were in place during the performance of the research interviews?

CLRA Response: *Interviews took place at a time when the COVID 19 incidence had come down significantly in India. The main regulations related to use of masks, sanitizers, and social distancing that were all followed.*

Data protection:

Did participants that are listed by name, including persons (e.g. Annex 2) as well as organizations, consent to the use of their names?

How was consent given, e.g. by signing a consent form (at the very least for organizations) or recorded verbally?

CLRA Response: *Oral consent of respondents was taken at the time of interview. But it has not been recorded. No formal consent has been taken from organizations. In one case, a formal visit was made to the organization explaining the study and seeking support, but no support was forthcoming.*

Were the producer organizations and other research participants given the opportunity to review the report/respond?

CLRA Response: *No. SÜDWIND has been in contact with Fairtrade from the very inception of the study. CLRA did explore the possibility of concurrence of producer organizations and access to*

¹ Fairtrade International has a Research Ethics Policy that is applicable to Fairtrade's system commissioned studies and is a benchmark for external studies. The objective of this policy is to ensure that researchers working on studies with Fairtrade, uphold high ethical standards in their research and that participants are treated fairly and ethically, having no harm come to

the data on farmer plots with SÜDWIND.

Method:

Why was the counterfactual group so low; especially in MP (Madhya-Pradesh); only 11 responses?

CLRA Response: *The study was designed for only a 20 percent control sample.*

What implication does this have for the reliability of the results?

Some questions in the survey could have different meanings to different participants. How was the meaning/context of each question made clear?

Q2.4b: I cannot pay off the debt; which debt (this might point to bonded labor and seems interpreted as such, but technically the question can also be understood as referring to unrelated debts)

CLRA Response: *The surveyor made sure that the debt referred to the advance taken at the beginning of the season for farm labour work.*

Q3.4: How many hours do you work for a day? (Breaks seems not to be deducted? This might lead to overestimation of working hours? Same issue with question 4.4)

Q. 3.9: Is there a co-worker receiving higher payment for the same workload? (Steering question)

Q. 3.10: Do women workers get less wages than men for same type of work? (Steering question)

How did the research team identify that the workers were migrant/seasonal or permanent labourers?

CLRA Response: *This is not difficult. The research teams comprised of local activists who have an intimate knowledge of the local areas. In two locations, all the workers were locals hired on short term contracts. Only in*

one location, the team came across both migrants and permanent labourers.

How did the researcher secure that the workers interviewed were working for a farmer member of a Fairtrade-certified group and producing Fairtrade-certified cotton, i.e. how "Fairtrade" workers were identified and clarify that work was undertaken on a Fairtrade farm?

CLRA Response: *This question is already answered. Comment no. 4 on Methods.*

In order to validate the information, we would appreciate if it were possible that the research team shares the names of the workers interviewed on Fairtrade-certified plots. This information would also be central to undertaking remediation procedures (SPO Standard, 3.3.11; CP Standard B3.2.11). Alternatively, it would be helpful if we could receive the names of the plot tenant, to validate the Fairtrade scope.

CLRA Response: *The data can be shared only on the specific assurance of Fairtrade that it will ensure there is no victimization of any person associated with the study. There is high chance of this happening for the local supervisors who helped the study team access the list of Fairtrade farmer plots. The names of the farmers have not been recorded officially in the survey. Only the producer organization name is recorded.*

Questions specific to child labour:

How did the research team identify the children to be seasonal workers not related to the farmers?

CLRA Response: *The response was given by the worker respondent. The study team has not verified this.*

What were the ages of the child workers involved?

CLRA Response: *No data collected on this. The child labourers have been defined as below 15 years of age.*

What were the duration of work hours, what types and conditions of work were the children involved in?

CLRA Response: *The duration of work hours has been recorded. Data on other parameters is not collected.*

As stated above, we see it as of central importance to follow up the findings and initiate the relevant measures on the various levels of our system and hope that we can work closely on this.

Mariska Przyklenk, FAIRTRADE Germany, 16. June 2021

STANDARD EXCERPTS

Small scale producer P 40 & following

Child labour and child protection

Intent and Scope: To prevent labour that is damaging to children based on the content of [ILO Convention 182](#) on the Worst Forms of [Child Labour](#) and on the content of [ILO Convention 138](#) on Minimum Age. "The minimum age specified in pursuance of paragraph 1 of this Article shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years".

This section is applicable to all workers employed by you and by the members of your organization.

This section applies to workers employed directly or indirectly (subcontracted).

3.3.8 No children under 15 years employed

Core	You and your members do not employ children below the age of 15 or under the age defined by local law, whichever is higher.
Year 0	

3.3.11 Remediation of child labour

Core	If in the past you or your members have employed children under 15 for any type of work, or children under 18 for dangerous and exploitative work, you ensure that those children do not enter or are not at risk of entering into even worse forms of labour including hazardous work, slave-like practices, recruitment into armed conflict, sex work, trafficking for labour purposes and/or illicit activities.
Year 1	Any action that you take to ensure this respects the UN Convention on the Rights of the Child (CRC) protective framework, which means that : <ul style="list-style-type: none"> • the best interest of the child are always the top priority; • their right to survival and development is respected; • you apply them to all children without discrimination; • the views of the child are heard and respected; • at all moments they are protected from violence.

Contact production standard P 22

Year 3	Dev	<p>A3.3.2 You must make the registered producers aware of the ILO conventions and encourage them to follow them with regard to their labour force.</p> <p>Guidance: This requirement refers to ILO conventions 29, 105, 138 and 182 on child labour and forced labour</p>
Child labour and child protection		
Year 0	Core	<p>A3.3.3 You must ensure that the registered producers comply with the requirements regarding child labour and child protection in chapter B 3.2 of this Standard.</p>

P 34

Child labour and child protection		
		<p>Intent and Scope</p> <p>This section intends to prevent labour that is damaging to children based on ILO Convention 182 on the Worst Forms of Child Labour addressing “work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children” and on ILO Convention 138 on Minimum Age. “The minimum age specified in pursuance of paragraph 1 of this Article shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years”.</p> <p>This section is applicable to all workers employed by you and by the producer organization. This section applies to workers employed directly or indirectly (subcontracted).</p>
Year 0	Core	<p>B3.2.8 The producer organization and you must not employ children below the age of 15 or under the age defined by local law, whichever is higher.</p> <p>Guidance: In the case of child-headed households where all members of the household are below the age of 18 years, a child’s right approach should be used to interpret the minimum age requirements, giving priority to the best interest of the child.</p> <p>The minimum age requirement also applies to children who are employed indirectly by you or by the producer organization, for example children of workers that support them in the field. If the age of a child is unknown, all efforts must be made to identify the age following child rights guidelines.</p> <p>When there is a high likelihood of child labour as defined by ILO Convention 138 (Minimum age) and ILO Convention 182 (worst forms of child labour) occurring, you are expected to address this and include actions that tackle root causes of child labour such as ensuring safe schooling of children in your Fairtrade development plan. If there are no schools available in the area where children live, all effort should be given to work with national authorities and/or other relevant partners to build schools for children or provide safe transportation so children can attend the nearest schools. If children who migrate temporarily with their working families to areas where no schools are available, temporary schooling alternatives could be sought and provided so children can attend school and receive a quality education.</p> <p>In all circumstances child rights should be given primary consideration, as reflected in the guiding principles of the UN Convention of the Rights of the Child (UNCRC).</p>

ANNEXURE—2

Study on Labour Condition on Cotton Farms supplying Cotton under Fairtrade Standards

by Centre for Labour Research and Action, Ahmedabad, Gujarat

Survey form number _____ Fairtrade/ control

This schedule is to be filled through discussions with Agriculture labourers working on cotton farms that supply cotton under Fairtrade standards. The objective of this survey is to understand and document conditions of work at agriculture farms supplying cotton under Fairtrade standards and see if these match the standards set out in SOP. Before starting the survey, explain the purpose of the survey to the worker and seek his agreement.

1.1 Surveyor Name _____

1.2 Date of survey _____

1.3 Name of the farmer group/ company _____

1.4 Name of the farm owner.....

1.5 Farm Address (Village name/Block/District/State) _____

1.6 Labour Full Name _____

1.7 Home Address of Worker (Village name/Block/District/State) _____

1.8 Social classification of the worker

SC/ ST/ OBC/ Minority/ Other

1.9 mobile number of worker

1.10 What is your education level?

Illiterate/ primary/ secondary/ graduate and above

1.11 Duration of engagement at the farm

For the whole agricultural year season Section 2

For Short term, specific work Section 3

Section 4 and 6 will be filled for all the Agricultural Workers of long term as well as the short term. Section 5 will be filled only for migrant workers.

Section 2: Details of Long Term Work

This section seeks to capture specific details concerning the condition of work for workers engaged for long term that is for whole season or longer.

How many years have you been working on this farm? _____

Did you take any advance for the current season? Yes No

If yes, can you share the amount of advance taken? _____

If working for more than one year, what are the reasons?

I like the employer

I cannot pay off the debt

Any other? Please write

How many family members from your household are working with you?

How are you paid?

Lump sum salary, Go to 2.8

Share of the crop Go to 2.10

Other, please write

If salary, then the amount paid? -----

Duration for which the above amount is paid -----

What is the share of produce you agreed to work on?

a. 1/3 b. 1/4 c. 1/5 d. 1/6 e. others

What is the landholding size of cotton crop given on sharecropping (in Acre)?

_____ (number format)

Production in Quintal _____ number

Earned income from Crop Residue _____ in Rupees

Market Value (per quintal) _____ number

Total spending on cost of the inputs by worker (In Cash)
_____ text

Section 3 – Detail of Short-Term Agriculture-Labour

3.1 How did you get in to agriculture labour work?

Contractor

Fellow Village-person

Relatives

Other

3.2 Type of work done by agriculture labour

Making farm furrows

Sprinkling natural pesticide

Picking cotton

Other

3.3 Total number of days worked on the field? _____ number

3.4 How many hours do you work for a day? _____ number

3.5 If on daily wage, then wage rate _____ number

3.6 If on Contract, then rate of contract _____ number

3.7 If on Contract, then payment _____ number

3.8 Do you receive a pay slip or any form of documentation?

3.9 Is there a co-worker receiving higher payment for the same workload?

3.10 Do women workers get less wages than men for same type of work?

Yes/ No

Section 4: Conditions of work

4.1 What is the medium of agreement?

verbal
on paper
maintaining a diary
other

4.2 Do children below 15 years also work on the field with you?

Yes/ No

4.3 If yes, then do they belong to family of farm owner?

4.4 If yes, then what are their hours of work?

4.5 Are you member of any workers' organization/collective?

Yes / No

4.6 If No, then why not?

There is no such organization
The farmer will not employ me if I become member of a workers' organization or collective or Union
Any other

4.7 If there is a workers organization/collective: Have you notified discrimination against it or against members / representatives of workers organization?

4.8 Have you been encouraged by farm owner or cooperative to organize and represent your interests?

4.9 Have you ever been trained on your rights as a worker during working time?

4.10 Which facilities do you have?

- a. Drinking Water
- b. Water for other uses
- c. Toilets, hand wash facilities
 - separated for men and women
 - how many toilets for how many men and women?
- d. Electricity
- e. first aid box or other medical equipment
- f. people trained in first aid in the workplace

e. Other _____

4.11 Has any injury / sickness happened while working,
 Yes No

4.12 If yes than did you receive any assistance from the landlord/contractor?
 Yes No

4.13 Please describe what kind of assistance you received?

4.14 Do you receive any safety equipment while doing dangerous work?
 Yes/ No/ I have not done any dangerous work

4. 15 Have you faced any kind of violence by the farmer?
 Yes No

4.16 What kind of violence have you faced?
 a. Verbal Abuse/harassment -
 b. Physical Abuse-
 c. Mental harassment-
 d. Gender based violence -
 e. other

4.17 Any instance of violence you would like to share

4.18 Have you ever faced non-payment at the end of the work
 Yes No

4.19 Have you faced any discrimination at work site?
 Yes / No

4.20 Have you been tested for HIV, pregnancy?
 Yes/ No

Section 5: For Migrant workers

5.1 Type of Accommodation
 Kutchha house
 Pukka House
 In Open

5.2 If you have children between 3-5 years, do they go to the Aanganwadi?
 Yes No NA

5.3 Do children 0-3 years and pregnant women get food packets from Anganwadi?
 Yes No NA

5.4 Do children age 0-5 years gets vaccination?

Yes No NA

5.5 Do children 6-14 years go to school at the destination of migration?

Yes No NA

5.6 If there is a pregnant woman, does an ANM visit her regularly for check ups (at destination of migration)?

Yes No NA

5.7 In case of illness, where do you or your family members go for treatment?

a. Govt Hospital/dispensary

b. private hospital/dispensary

c. other _____

Section 6 General awareness of the worker

6.1 Do you know what is the Government minimum wage rate?

Yes / No

6.2 Do you know what are the social security measures for workers like you?

Yes/ No

6.3 Are you content with the wages you get?

Yes/ No

6.4 How can workers get higher wages?

6.5 Would you like to attend a training program to know about your rights?

Yes/ No

6.6 Any other thing you would like to say?

LIST OF MAPS AND TABLES

Map1: Depicting the filed locations Balangir, Odisha

Map 2: Depicting the filed locations Khargone, Madhya Pradesh

Map 3: Depicting the filed locations Kutch, Gujarat

Table 1: Farmer producer companies covered under the study

Table 2: Location wise break up of Workers Surveyed

Table 3: Social Classification

Table 4: Education Classification

Table 5: Modes of recruitment used by the households to find work

Table 6: Medium of Agreement:

Table 7: Number of days worked by the respondent

Table 8: Wages Received by the Respondents:

Table 9: Compliance with Statutory Minimum Wage

Table 10: Number of Response for incidence of child labour

Table11: Access to basic needs at Work-place

Table 12: Type of Accommodation

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Centre for Labour Research and Action



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Centre for Labour Research and Action

Centre for Labour Research and Action (CLRA) promotes workers' rights in the vast informal sector economy of India. It undertakes research to document the work conditions in the informal sector followed by policy advocacy with the state so that the workers receive their due entitlements. The centre has done pioneering work in documenting the seasonal migration streams that feed labour to labour intensive industries like agriculture, brick kilns, building and construction. Its work has facilitated development of an alternative paradigm of organizing workers that factors in the constant movement of workers, the critical role of middlemen, the nature of production process, and the socio-economic profile of workers.

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