

## **Combating child labour in cottonseed production: A statement on the present role of multinational companies in Andhra Pradesh**

**By the M. Venkatarangaiya Foundation**

### **Seeds of sorrow: child labour in cottonseed production**

Hundreds of thousands of children work in production of hybrid cottonseeds in India. They toil relentlessly day after day in horrendous conditions on the farms working long hours in the sun, exposed to harmful pesticides. They are victims of extreme physical and psychological abuse. Discussions and debates in the last couple of years with the Multinational Corporations (MNCs) have only gotten them to finally acknowledge the problem of child labour on their hybrid cottonseeds farms.

### **Whose responsibility?**

For the cottonseed industry to acknowledge that children are working and producing hybrid cottonseeds is in itself a major gain. Children are no longer hidden or invisible. The industry has accepted that they are a part of the problem and therefore acknowledged that they have to be a part of the solution. It only took this position after specific instances of child labour violations were exposed by local child rights groups. The seed industry must take a further step and bear the primary responsibility for labour practices on their farms as it has complete control over production, including the quantity and quality of the seeds, and the location.

### **Association of Seed Industries, MNCs and M.V.Foundation**

#### **Discussions and Action Points**

Over the past one year, the M.V.Foundation (MVF) has had discussions with the MNCs on ways to collaborate to eliminate child labour on cottonseed farms, following which, the MNCs held a district level convention with prospective farmers and announced publicly that child labour would not be tolerated. This was encouraging as it set the mood for the new season in February 2004. Posters and pamphlets were widely distributed on behalf of the Association of Seed Industry (ASI), announcing that children must not be employed. The MNCs also brought on board the national seed industrialists to the discussion table. They declared in a remarkable solidarity that they are all concerned about the plight of children.

Consequently, a Child Labour Eradication Group (CLEG) was created within ASI to jointly monitor farms with MVF and prevent children from working. A decision was also passed to include in the contract with the farmers that children must not be employed and

to share a copy of the contract with M.V. F. It was also decided that the companies would share with MVF lists of all the farmers to allow CLEG to monitor children working on farms. At this point, the process looked promising that it would lead to concrete steps that would soon result in the withdrawal of children from work and their return to schools.

In reality, however, the resolve to end child labour did not transmit down to the lower levels of the hierarchy within the seed industry; village level contracts continue to be negotiated with poor families surreptitiously. The only message that translated down to the field level was of 'we are under watch', which led farmers and seed organisers not to be explicit in their business dealings.

At the State level meetings, the MNCs withdrew their offer to share the lists of farmers with whom they had entered into contracts. In spite of repeated requests made by MVF at each of the meetings, neither the copy of their contract with farmers nor the list of villages was released to the M.V. F. Joint CLEG meetings were not held and children continued to work on the farms as before. The recalcitrant nature of the seed industry led the M.V. Foundation to independently conduct a survey of all the working children on cottonseed farms and bring to the notice of the Seed industry.

In the meantime, a thirteen-year old boy Mallesh, from Dudhekonda village in Kurnool district succumbed to death while spraying pesticides on a cottonseed farm on 29<sup>th</sup> June 2004. A couple of days later two more children, Paramesh and Bhoolakshmi, eight and twelve years old, respectively, died of pesticide exposure also on 3<sup>rd</sup> July in Rampur village, Kurnool district. These incidences, which are in no way isolated cases, caused an outrage in the community and exposed the fact that no real effort was made by the seed industry to prevent children from working.

### **New resolves and action plans**

The pesticide deaths of children provoked a meeting of the MNCs with M.V. F on 9<sup>th</sup> July 2004, where new resolves and decisions were made. During the meeting, the MNCs expressed that they should not be treated on par with national industries, claiming that they cannot be held responsible for all the children working on all the farms. Accordingly, it was decided that an action plan would be drawn up only for areas and villages where MNCs are active. Once again, in accordance with the promises of the CLEG, MVF requested lists of villages and copies of MNCs contracts with farmers. On the issue of penalty, MVF insisted that companies terminate contracts with farmers who employ children. The MNCs, claiming this would not be possible, said they would instead defer to the next season, and not renew contracts. However, they maintained this stand in the previous years as well and there were no termination of contracts even as children continue to work. The MNCs then admitted they could ill afford to terminate the contracts as companies would lose its access to the basic seed. It was clear that even when specific cases of violation of children's rights were presented before them, the MNCs were unwilling to terminate their contracts with the offending farmers for fear of sacrificing their profits. It was obvious that they had a vested interest in protecting the farmer, as it would protect their seeds; penalising or punishing the farmers meant penalising themselves.

### **And follow up....**

As a follow up of the meeting, companies finally provided lists of villages to MVF conducted a preliminary sample survey of 105 farmers on 390 acres of land, where 1,538 children were found working in the month of August 2004, considered a non-peak season. According to the MNCs' own estimates, there are 2,250 acres of land under hybrid cottonseeds production in Andhra Pradesh. During non-peak season, there are seven to eight children working on a farm, whereas during peak season there are at least 15 children per acre engaged in the actual work of cross pollination.

Children commute from villages near and afar, in overcrowded trucks and auto rickshaws early in the mornings and return home only to go back to work the next day. There have been innumerable accidents on the farms involving children getting severely injured, leading to permanent damages. In some cases, the accidents are fatal. During peak seasons, farmers who own large farms, trafficked children to live and work on the farms, so that time was not lost commuting everyday to work and home. Children are constantly kept under their surveillance as they live in poorly maintained sheds away from their homes. Children are forced to work even when they are sick. It is only when a child is seriously ill that the supervisor shows them to a local doctor and even then it is not out of any sympathy for the child, but only to avoid being blamed for risking the child's life.

To date, only two MNCs (Advanta and Syngenta) have shared with MVF a copy of their contract agreements with seed growers. The terms of contract are indicative of the unequal partnership it has with the farmers; the company closely monitors the systems of quality control and production. The liability for not meeting standards is on the farmers, upon which a termination notice can be served for violating the contract.

On the other hand, any reference to child labour is made in one single line as follows:

*"The grower hereby agrees to comply with all the central and state laws including child labour act."*

It does not include penalties thereof for non-compliance with the child labour clause. Thus, the earnestness with which it can dictate business of cottonseed quality standards does not exist in terms of upholding its corporate social responsibility.

### **What must be done?**

To work towards child labour free cottonseed farms, the decisions agreed upon at the meetings must be followed through whole-heartedly by the MNCs.

1. The CLEG has to be constituted at the village and mandal levels. MVF has already given the ASI lists of its contact persons, who are members of the village /mandal level Child Rights Protection Forum, have already been shared with the CLEG. There also needs to be an effort to institutionalise the process of convening meetings with the seed organisers and MVF. The ASI must take up this initiative.

2. The contract of the MNCs with the farmers must make explicit the liabilities when a child is employed on the farm.
3. Lists of all farmers to whom the ASI has issued a warning letter for employing children must be announced publicly in all the gram panchayats.
4. ASI must work towards child labour free farms and declare them as and when adults are being substituted.
5. Systematic reviews with MVF must be held on the status of child labour at the State level.
6. MNC's must assure that children will not be employed in production of cottonseed farms other States, for example in Karnataka and Gujarat.

### **In sum**

How does one take stock of all that has happened in promoting children's right and protecting them from exploitation? In the work of M.V. Foundation with both big and small local farmers, who are independent of global agencies, there have been tremendous gains. Many of those who were adversaries to MVF's causes were converted and have agreed to sponsor the education of those children whom they had previously exploited. They even participated in the campaign against child labour, joined the Child Rights Protection Forums to negotiate with the government to provide infrastructure for schools in their respective villages. They supported parents by giving them the confidence to send their children to schools. They took pride in the fact that they could guide the futures of children in a positive manner. In doing so, they gained respectability of everyone in the community.

However, for farmers who are enmeshed in a complex web of relations with the seed industries, both national and global, they and the children they employ are pitted against heavier odds. Building alliances with such farmers in support of children's rights is constrained as they are locked in an unequal relationship under contractual obligations with the powerful industry. In spite of this, there have been many instances of farmers who extricated themselves from the industries to take a stand against child labour.

What is significant is that there is evidence of greater responsibility towards child rights at the local level and much less care and attention at the national and international levels. It has proven time and again beyond doubt that the powerful global players, who claim to adhere to high codes of conduct and corporate social responsibility, have flouted all norms of human rights and values. They have shown little concern and commitment to protect democratic values and human dignity.

Indeed, the redemption for the exploited children lies in a wholehearted commitment of the MNCs in emulating to the local farmers that they too can afford to do without child labour.

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