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**Freedom of Association, the Key Enabling Right for Achieving Decent Work for the Rural Women and Girls**

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\* The views expressed in this paper are those of the author and do not necessarily represent those of the United Nations.

## **INTRODUCTION**

Rural women make up a quarter of the world's population<sup>1</sup>. They play a vital role in improving rural livelihoods and strengthening rural communities through provision of enhanced food and security and nutrition, income generation and providing for the overall well-being of their families.

In recognition of this role, the UN October 15 designated the International Day of Rural Women.

However, despite this increased attention, rural women and girls continue to face systematic and persistent barriers to the full enjoyment of their human rights<sup>2</sup>. Rural women's rights and specific needs remain insufficiently addressed in laws, national and local policies and budgets of States parties, as well as in investment strategies at all levels. Even where such laws and policies do take into consideration rural women's condition and foresee special measures addressing them, they are often not effectively implemented.

Data suggest that globally, and with only a few exceptions, "rural women fare worse than rural men and urban women and men for every MDG indicator for which data are available."<sup>3</sup>

Much needs to be done to ensure that rural women producers have access and ownership of land, have access to credits, to markets, to technology, to all measures that will empower them to eradicate the poverty and hunger confronting their family.

However, it is the view of the IUF that while there is considerable research on rural women producers, rural women workers, especially those working in agriculture, are not so well researched or understood and there is consequently little focus on the policy measures needed to assist them.

The International Labour Organisation estimates that 1.1 billion people are engaged in agriculture. This includes roughly 300-500 million waged workers, many of whom are employed on plantations. Although agriculture's share in total global employment has fallen from 41.2 per cent to 28.6 per cent over the past two decades, agriculture remains the backbone of many low-income countries, accounting for 60 per cent of employment in the least developed countries as a whole and contributing up to two-thirds of gross domestic product. In low-income and lower-middle-income countries, agriculture is the principal source of employment for women. In southern Asia and sub-Saharan Africa, over 60 per cent of working women are engaged in agriculture, often in time- and labour-intensive activities, which are unpaid and unprotected.

Women are employed in all agricultural sectors. They work as day labourers, as seasonal workers, as migrant workers, on plantations and in pack-houses, in glasshouses and cold

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<sup>1</sup> *UN Women 'In Focus: Commission on the Status of Women 2012.*

<sup>2</sup> *UN-Women in cooperation with FAO, IFAD and WFP, 'Report of the Expert Group Meeting on "Enabling rural women's economic empowerment: institutions, opportunities, and participation," held from 20 to 23 September 2011 in Accra, Ghana.*

<sup>3</sup> *(UN Department of Economic and Social Affairs, 'The World's Women 2010: Trends and Statistics,' United Nations: New York, 2010. See also: Statement of the Committee on the Elimination of Discrimination against Women on the post-2015 development agenda and the elimination of discrimination against women, 57<sup>th</sup> session, February 2014.)*

store, although the percentage of the workforce that they constitute varies and job classification are often gender defined. In the tea sector which globally employs millions of workers, women are the largest part of the tea plucking workforce – in the India tea sector 80% of the workforce is female.. In the banana industry women are mainly confined to pack houses while women’s role in sugar cane harvesting varies enormously – in Africa women do not generally cut cane whereas in the Caribbean they do. In newer crops like cut flowers and export horticulture women make up a majority of the workforce both in harvesting and packing. In Kenya 55,000 people work directly in the cut flower sector, the vast majority are women. In many cases women are in precarious temporary and seasonal working making them vulnerable to sexual harassment as they are often required to give sexual favours to (male) supervisors to ensure their employment,

### **Decent work deficits in agriculture.**

For both men and women employed in the agricultural sector is regrettably characterised by significant decent work deficits. Agricultural workers are often denied access to even the basic of rights covered in the ILO’s core conventions in particular to freedom of association and the right to bargain collectively.

A 2008 ILO report<sup>4</sup> concluded that “While improvements have been made in the protection of agricultural workers in some countries, in many others, they are not covered by labour legislation and other regulations protecting workers. Furthermore, where laws do exist, lack of resources and political will to enforce the provisions as well as isolation, poor literacy, poverty and lack of organization, often prevent workers from fully asserting their rights. The labour protection gap for these workers remains huge.” “Such exclusions are often due to their employment status (e.g., self-employed, smallholder farmers, casual and seasonal workers) or because they belong to vulnerable groups (e.g., women, migrant workers, indigenous peoples, lower castes) making them particularly susceptible to abuse. In addition, labour inspection is often non-existent or weak.

“The labour protection gap is huge and hence the dimension of the decent work deficit for rural workers. This severe decent work deficit needs to be addressed if approaches to address rural employment and reduce poverty are to be successful.”

The IUF believes, and my key premise is, that freedom of association is the key enabling right to ensure workers can organize together in trade unions to bargain collectively for sustainable improvements in their living and working conditions. Yet there is clear evidence that male and female rural workers are systematically denied this fundamental right.

A 2015 ILO report <sup>5</sup> looked at the application of specific instruments<sup>6</sup> it has adopted to promote freedom of association for rural and agricultural workers. It found that “ A number of the same problems that existed previously have been reported to the

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<sup>4</sup> *ILO 2008 Promotion of rural employment for poverty reduction*

<sup>5</sup> *ILO 2015 CEACR report: Giving a voice to rural workers*

<sup>6</sup> *ILO Conventions 11 and 141*

Committee as current obstacles to the establishment, growth and functioning of rural workers' organizations: the informality of the sector and heterogeneity of existing labour relations; severe socio-economic and cultural disadvantage; inequitable labour relationships and distribution of benefits; lack of education and awareness; prevalence of child labour, forced labour and discrimination; the particular disadvantage experienced by women; large numbers of particularly vulnerable or marginalized workers; and often insanitary, unstable and isolated living conditions".

So what is our evidence that rural women exercising their right to form and join a trade union and to bargain collectively will change things?

## **WHAT WE HAVE DONE**

The IUF has been involved in working around the issues to bring positive results to rural women and girls. Affiliates have carried out several activities to improve on the working conditions of women in its sectors, including those in the agriculture sector. Women working in the plantations have benefitted from capacity building trainings such as occupational safety and health through body mappings, formation and functioning of safety and health committees as well as women committees.

The union has a policy of having at least 40% of women representation in leadership levels. Leadership trainings given to women members have resulted in some of them being elected into trade union decision-making bodies and also participate in negotiations to secure their rights leading to the uplifting of their livelihood. The impacts of our work are numerous, and we still look forward to achieving some more together with our affiliates, collaborators, stakeholders, governments and employers, among others.

Let me present my own experience in a little more detail:

### **IUF Africa Regional Women's Project**

This is a priority project of the IUF for women workers within its sectors in sixteen (16) sub-Saharan Africa countries.

In Lusaka 2006 and Geneva 2007, the Conferences recognized that deep and pervasive gender discrimination remains a universal reality in the world of work and in society in general and that many aspects of globalization are making it worse. Therefore conference pledged the IUF to ensure that gender perspective is fully and transversally integrated into all its policies, activities and programmes at all levels; hence, the birth of the African Regional Women's Project.

The IUF African Regional Women's Project is to increase the bargaining power of women workers including domestic workers leading to improvement in working conditions, rights, gender equality and health and safety at workplace, ensuring decent work and thereby enhance women's participation in trade unions.

The project is built on the four pillars of organizing and recruitment; capacity building (education & training); women's participation & representation; network & alliance building; and, campaign & advocacy.

Some significant achievement has been made and the true manifestation are the formation of National Project Coordinating Committees, which was a core group of women trainers in each of the participating nine English and seven French speaking countries; improvement in collective bargaining process; built network and strengthen

solidarity among members and IUF affiliates. There has also been increased participation of women in trade unionism, among others such as:

- Trainings conducted on workers' and trade union rights
- Training men to understand and support gender equality work – men tailored training
- Bargained for gender equality and rights, including maternity and parental rights
- Created and strengthened Women's Committees to ensure that women-only spaces exist to identify and put gender issues on the agenda.
- Involved men in discussions of issues that affect women to contribute to the improvement of conditions of women workers in the sectors through collective bargaining.
- Attracted young women members to become more active in the unions
- Equipped members with requisite knowledge and skills;
- Quantitatively got women represented and qualitatively ensured their effective and active participation.
- Sexual harassment and gender based violence cases have been reported and addressed
- Got ILO Conventions ratified such as 183 on Maternity Protection (Benin, Mali, Burkina Faso, Senegal)
- Supporting the organization of domestic workers unions in member countries and the formation of the International Domestic Workers Network and Federation.
- Leading the fight for governments to ratify ILO Convention 189 on Decent Work for Domestic Workers
- Education given on Occupational Safety and Health, sexual harassment, Gender Based Violence.
- Campaigning and securing childcare facilities especially for rural women workers

### **IUF Work In Banana Industry**

In 2001 the IUF signed a framework agreement for on rights at work on the Latin America plantations of the banana transnational company, Chiquita. In 2013, an annex was added to the agreement to establish joint work with the company to eliminate sexual harassment. The agreement was further strengthened by a pilot project to increase women's employment in Chiquita plantations

In Africa, the IUF is also to improve working conditions of women banana workers. Some achievements to date include:

- Increase of women in the negotiation teams
- Union prioritize advocacy work
- Negotiating for better child care and nursing facilities
- Development of communication skills and empowering workers to educate their fellow workers about rights in the workplace
- Enhancement of workers' rights
- A more systematic mechanism between IUF and concerned affiliates and Fairtrade International which could oversee the application of the Hired Labour Standard and discuss areas of mutual concern.

## **Pakistan**

Over the past two and a half years the IUF Asia/Pacific region has supported women workers' organizing in rural areas of Sindh province in Pakistan with a focus on women employed in agriculture, domestic work and home-based food production in Sanghar District. The organizing plan was concentrated on one community where women could support each other in the three sectors, before expanding recruitment to other districts. This organizing culminated in the formation of three separate unions in the first three months of 2016, with founding conferences electing their respective leadership, and decided their union dues, programs and policies.

- Sindh Haryani Union is a union of 1,000 women agricultural workers employed on farms.
- Massi Union Sindh is a union of 80 domestic workers who are bonded through family debt and are working off this debt.
- Gharu Mayun Union is a union of 500 home-based women workers in the same area who make food at home that is sold through delivery.

On April 18, 2016, they formed the Sindh Nari Porhyat Council (SNPC), Sindh Women Workers Council to strengthen their mutual support and solidarity in an extremely difficult environment. As bonded labour, the Massi union members especially need this support. The three unions have a combined membership of 1,580 women.

So we believe that when rural women can exercise their right to join a trade union and bargain together they can win significant improvements in their living and working conditions. What does this mean for the Commission on the Status of Women and its work?

### **WAY FORWARD.**

The ILO, its standards and its technical co-operation have a key part to play in empowering rural women and ending hunger and poverty. The instruments are there :

- Plantations Convention, 1958 (No. 110),
  - Labour Inspection (Agriculture) Convention, 1969 (No. 129),
  - Rural Workers' Organisations Convention, 1975 (No. 141),
  - Workers with Family Responsibilities Convention, 1981 (No. 156)
  - Maternity Protection Convention, 2000 (No. 183)
  - Safety and Health in Agriculture Convention, 2001 (No. 184)
  - Domestic Workers, 2011 (No.189).
- The CSW, in support of UN policy coherence, should encourage States to ratify and implement these Conventions.
  - It should also call on Governments to review national legislation with a view to promoting the extension of national labour law to all rural workers. National legislation should take into consideration the specificities of rural work and spell out the rights and responsibilities of all concerned, governments, employers and workers. Governments should adequately resource rural labour inspection and ensure inspectors have gender awareness training to be able to assist vulnerable women workers.
  - Develop innovative communication strategies to ensure that rural women workers are aware of their rights in particular maternity rights;

- Develop skills training programmes and vocational training qualifications for rural women workers.
- Going beyond the mere existence of a right to be consulted or involved. Governments should ensure that consultation and involvement of rural workers' organizations takes place in practice and is effective. Given the specificities of the rural sector, governments are encouraged to take active steps to ensure that rural workers' organizations are represented in social dialogue at different levels and that their voice is heard on various matters impacting upon rural communities and rural development.
- The CSW should support Global Policy Coherence that calls for a new approach to agriculture:
  - ✓ That places right to food and decent work in agriculture at its centre
  - ✓ Agriculture that does not rely on child labour but has a skilled, trained and fairly remunerated workforce
  - ✓ That is environmentally sustainable.
- The Committee on the Elimination of Discrimination against Women (CEDAW) General Recommendation on the Rights of Rural Women spells out ways that the situation of the rural woman and girls can be improved, which should be adhered to
- Expand social protection coverage for all, according to principles of equity, efficiency and sustainability, based on national circumstances.