



**Food and Agriculture Organization
of the United Nations**

**WORLD BANANA FORUM—WBF
WORKING GROUP 03 LABOUR RIGHTS**

**Diagnosis on the labour rights situation in the international banana industry:
PAPER ON OCCUPATIONAL HEALTH AND SAFETY**

Presentation to the 2nd World Banana Forum—February 2012. Ecuador

An important area of labour rights is that of occupational health and safety. This has been commonly stressed by the different actors of the global production chain, to the Coordinating Committee of the Working Group on Labour Rights—WG03, in the consultations regarding our ‘diagnosis on the labour rights situation in the international banana industry’.

The request was addressed but given the broad extent of the subject occupational health and safety was demarcated within the objectives of the WG03, which seek to forge an understanding among different actors towards the effective implementation of labour rights within international banana production and trade. For this reason, the WG03 seeks to create initiatives that promote dialogue among these actors and the topic of occupational health and safety is of paramount importance for these discussions.

The WG03 builds on the provisions of the following International Labour Conventions of the International Labour Organization (ILO):

C184 Safety and Health in Agriculture, 2001

C187 Promotional Framework for Occupational Safety and Health, 2006

Both agreements refer to the importance of dialogue and tripartite agreements on agricultural production, to promote policies and programs on the improvement of health and safety in enterprises.

The topic was introduced as part of the central themes of the diagnosis and inquiries made by members of the Coordinating Committee of WG03, through the use of interviews, investigations by Non-Governmental Organizations (NGOs) and inquiries on the Web of the banana companies.

This paper presents the general conclusions of the investigations. The Coordinating Committee of WG03 on Labour Rights has prepared suggestions and guidelines for working on the issue of Occupational Health and Safety, to be delivered to the plenary of the World Banana Forum, which is to meet in Ecuador in February 2012.

1. Conclusions on Occupational Health and Safety in global banana production:

The investigations refer not to the state of the occupational health and safety situation, but to the existent state of dialogue and policies regarding health and safety at work in the sector, in accordance to the ILO Conventions No. 184 and 187.

The report illustrates results of a questionnaire to 55 union leaders from 13 countries, to learn their opinion on the policy and dialogue taking place in their countries regarding – in a tripartite manner - Occupational Health and Safety. The following can be concluded:

- In Costa Rica, Nicaragua, Colombia, Guatemala and Panama, most union leaders believed that their country's government or companies are making no progress towards establishing policies on occupational health, however the issue should have more attention, mainly issues such as agrochemicals, aerial spraying, social security and especially diseases that are not yet recognized as related to their work. The legislation concerns itself with the functioning of companies in a bipartisan manner, and focuses on capacity building and prevention.
- In contrast, Peru and Ecuador, even though there are laws on the topic, there is no corresponding national policy given the lack of dialogue with companies and a more decisive government plan of action.
- In all countries, occupational health care also depends on the size of firms, the existence of collective bargaining and the union organization of workers.
- 64% of banana exports from the Dominican Republic are organic. However organic plantation workers report having health problems due to continuous contact with organic fertilizers and pest control substances. The use and the requirement of protective equipment are very low or not present in medium and small plantations. Additionally, there are no prevention measures offered to the communities in the case of contact with the chemicals used.
- Capacity building for workers, the reduction of cost through technological packages, and the intensification of labour and medical coverage in cases of work related sickness or injuries are all measures to be included on a tripartite agenda.
- In Africa, in terms of the production in Cameroon, it is concluded that there is no national policy, and little government intervention or institutions, much depends on whether companies are adopting private certification or act as suppliers to the commercial brands of large corporations, requiring them to adopt programs on health and environment. In the case of Ghana, it is noteworthy, as the single banana producing country to ratify the ILO Convention 184. Partially inspired by the country's intention to position itself better in the international market, applying rules to improve production practices, private and ethical trade certification.
- As for the Philippines, it is concluded that there are no national policies in place. There is armed conflict in some of the regions where bananas are produced. It has been noted

that the current government has committed itself to address issues such as aerial spraying of agricultural chemicals, but there is still no compliance. Similarly, the issue of workers' health workers is developed by the companies, with little involvement of or dialogue with trade unions.

Within the business sector— including both transnational sectors such as the suppliers and domestic producers, those who make up the majority of the employment sector — occupational health needs to be addressed independently from the following factors:

- Being a commercial brand that obeys the demands of consumer segmentation in regards to social, labour, and environmental responsibility. In such cases, companies seek the application of established standards in the form of codes of conduct, social responsibility programs designed for banana communities, private certifiers and/or ethical trade, which give consumers confidence and strengthen the corporate image in the market; mainly the emphasis has been on the environment.
- The companies, especially the large production and trading companies, as well as the unions and associations of producers express their sense of responsibility for the health and welfare of workers through the adoption and development of health and environmental programs.
- In the field of health, but mainly that of the environment, there are existent investigations and papers on these new technologies, but there is little information on the whether or not these have been adopted for occupational health matters.

Other actors that intervene in the international production and trading business, especially in the case of retailers and supermarkets, establish conditions through the ethical market and accept the products on the grounds that they are accredited by private certification schemes.

Despite the efforts, which are thoroughly recognized, there is still no confidence in the banana production given the utilization and dependence on agrochemicals, which is perceived as the prime risk to the health of workers and communities.

2. Overall Conclusions:

The Working Group on Labour Rights of the World Banana Forum, observe with concern that both the agriculture related ILO Conventions on Occupational Health No 184 and No 187, have not been ratified by the banana producing countries. This situation indicates that there are no tools in place that facilitate or strengthen a tripartite dialogue to develop better national and international policies concerning occupational health in the producing sector.

The application of national legislation on Occupational Health and Labour Risks greatly depends on how demanding the authorities working in the country are and their relationship with the organized labour sector.

In terms of occupational health and safety, dialogue is critical. It can help unions improve their interventions, the companies improve their risk and disease prevention programs and services,

and the governments to better mediate social dialogue and monitor compliance with national policy on occupational health.

3. Proposal of the WG03 to the World Banana Forum

3.1 The Working Group on Labour Rights 03 to the World Banana Forum proposes to support the initiative put forward by the International Campaign for Ratification of Banana Exporting Countries to the ILO Convention No. 184 on Safety and Health in Agriculture (2001) to develop in the course of the next two years.

3.2 In this regard, the support of organizations such as the ILO is very important especially in areas related to the ratification procedure by signatory States. Support is also necessary from the United Nations Organization for Food and Agriculture - FAO, as well as international IUF trade union, which has taken initiative in promoting the ILO convention.

3.3 Calling all actors in the international banana production and trade to apply the standards that are set out in ILO Conventions especially those already mentioned (No. 184 and 187), the national legislation of the banana producing countries related to commissions permanent health business, and to possibly form such committees in cases where they are not considered by the national law.

The Working Group on Labour Rights will develop a program of action for this campaign for 2012 and 2013.

ANNEX – MODEL LETTER TO GOVERNMENTS

CAMPAIGN FOR THE RATIFICATION OF CONVENTION 184 WORLD BANANA FORUM- WBF

(Name of the organization or the company in the country being addressed) Mr(s):

President:

Republic of:

Dear Sir/Madam:

We would like to draw the attention of your Government - as active members of the World Banana Forum- to a participatory call for action from the actors involved in world banana production and trade whose objective is to pursue the sustainable development of the banana industry.

We consider it important for all banana producing countries to adopt the International Labour Organization's Convention 184 on Health and Safety in Agriculture, and particularly Recommendation 192 as adopted by the International Labour Conference at its 89th meeting in June 2001.

This agreement not only improves upon the previous ILO Conventions on conditions of occupational health and safety in agriculture but also commits States to create a national policy on this issue, involving both the organised labour sector and employer's representatives.

We are confident that your Government understands the importance of protecting and improving the health of the agricultural labour sector and reducing the risks of their workplace activity, such as exposure to chemicals - the main source of accidents and occupational diseases in the global agricultural sector.

We urge your Government to begin the process of ratification of ILO Convention No. 184 as soon as possible, according to the procedures committed to by the State signatory of the International Labour Organization and the relevant protocols within your country.

Through this action, your Government would be making an important contribution to the objectives of the World Banana Forum, working towards the sustainable production and trade of bananas. Likewise, all the actors involved in the World Banana Forum would give due recognition of this decision, benefiting banana production and trade within your country.

Sincerely

(Signature of the organization or company)

C.c (All those at the national level who the signatories deem appropriate)

World Banana Forum Secretariat

<http://www.fao.org/economic/worldbananaforum/wbf-aboutus/en/>.

Coordinating Committee of Working Group 03 on Labour Rights

Email: wbf.wg03@gmail.com