Flowers for Justice
Implementing the International Code of Conduct
This paper is jointly presented by

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☐ the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers (IUF), Geneva, and by
☐ the German section of the International Human Rights organisation FIAN (FoodFirst Information & Action Network).

Authors: Frank Brassel & Cruz Emilia Rangel
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The paper forms part of an international flower campaign by unions and NGOs. Information about this work are available at

FIAN
Overwegstraße 31
D-44625 Herne
Germany
Phone: ++49(0)2323/490099
Fax:   ++49(0)2323/490018
E-mail: flan@flan.de
homepage: www.fian.de

Further copies of this paper, also a Spanish version, are available at the FIAN office or at:
Friedrich-Ebert-Stiftung
Friedrich-Ebert-Straße 149
53175 Bonn
Germany
Phone: ++49(0)228/883518
Fax:   ++49(0)228/883575
E-mail: lisette.kloeppel@fes.de
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1. An economic overview

1.1 The world market for cut-flowers

Cut-flowers are an internationally traded commodity. The world market for cut flowers, with an export volume of 4 Billion US-Dollar in 1998, is growing in a constant way, by about 15% every five years since the early eighties. The biggest buyer is Germany which is importing nearly one third of all internationally traded cut-flowers. During recent years the percentage of the USA, Japan and other European countries is growing. In the industrialised North the consume of cut-flowers is highest, amounting to a total of approximately 30 Billion US-Dollar per year.

By far the biggest exporter, with a share of more than 50%, are the Netherlands. But they lost a little bit of their market share specially to new competitors from the South. What is interesting is that after the „pioneer“ Colombia in the seventies and eighties new producers from the South gained bigger importance on international markets in the nineties. That is particularly true for Ecuador on the US market and for African countries on the European markets.

Today, nearly every third cut-flower traded on the world market originates in the Southern hemisphere where flower production started only 35 years ago. From 20.8% in 1990 the market share increased according to the International Trade Centre of UNCTAD to an estimated 28.4% in 1995. This tendency is continuing, although at a lower level. In 1999 the percentage of the South of world wide export of cut-flowers had exceeded 30%, including Israel even 35%.

If one takes into account that the majority of the products from the Third World are roses and carnations, in these segments the percentage of the South, specially in winter times, is much higher. In the US, and in many European countries, from December to April every second rose or even more is coming from Africa or Latin America.
At first glance it seems strange that a perishable good like a cut-flower is grown in the tropics. But with the precondition of the globalisation in place - easy access to cheap communication and transport - there is enough reason for this business. Flowers need good light for at least 10 hours per day, possibly all year around. The temperatures should be between 10 and 25 degrees. In addition to this one needs water, land and labour. All this the South can offer in abundance. Technology, know how and capital in most cases is provided by the North.

Whoever spend a winter in Central Europe, knows that the climatic conditions are not in favour of flower production during this time. To put heating and lightning a glasshouse if outside temperature is at about zero and the sun doesn't come out for days is very costly. Therefore, to grow flowers in a broad range of the highlands around the equator makes sense in business terms. First studies indicate that even under environmental terms flower production in the South consumes less energy, including air transport, than flower growing in a high-tech greenhouse in the North. Beside this, many growers in the North have two complaints about the situation in their country: “the ever-increasing cost of labour” and “all the environmental conditions imposed” on the industry, as Jeremy Partewa a known international consultant puts it. Implicitly this gives the reason for the phenomenal growth of the flower industry in the South: in most countries environmental destruction of this chemical- and water-intensive industry is free of charge, and labour costs can be reduced to a minimum. Both aspects are very much against the living and working conditions of the workers in flower farms and in adjacent communities, as shown below.
1.3 Why flowers in the North?

"European consumers of cut-flowers and pot plants have a sophisticated taste and demand high quality, innovative products," says Joanne McIntyre, one of the editors of the industry's leading magazine FlowerTech. "Although consumption patterns within Europe differ from country to country, flowers are generally purchased for gifts (43 %), special occasions such as birthdays and weddings (25 %) and home decoration."

In the USA and Japan the meaning of cut-flowers is not much different. Roses and others are used to say a greeting to your dear ones, to express positive feelings and to get a piece of nature into home, specially during the cold part of the year. In winter the most cut-flowers are sold, before Christmas, at Valentine's and Mother's Day. And exactly during this period, the climatic advantages are clearly on the side of the South. Of course, there is a visible contradiction between the expectation of the consumer and the reality in many flower plantations, what has to be taken more and more into account by the trading community itself.

"Consumers expect flowers to be colourful and beautiful, and the emotional factors associated with flowers is important," continues McIntyre. "European consumers demand fresh products with long vase lives, and are becoming increasingly critical regarding certain aspects of the product." This is a clear reference to the negative reports about the bad working conditions and environmental destruction by the flower industry, in the North and in the South.

The cut-flower industry is a profitable industry, otherwise the growth rates wouldn't be this high. But the question is who profits from the industry, specially in the South where it expanded so much over the last three decades. Definitely the industry brings jobs to developing countries (whereas it is not very labour intensive in the high-tech greenhouses of the North). Between 10 to 25 or even 30 workers per hectare is more than any other agro-industry offers, banana plantations do not even create one job per hectare. Of course, one has to observe the quality of these jobs which will be done later on. There are nearly 200,000 direct jobs in the Southern export flower production, mainly for women, and a substantial figure, possibly between 20 and 30 % more, for indirect jobs in transport, plastic construction, commercial, etc. sectors. The costs that these jobs bring to the South, e.g. long term health and environmental effects, are visible but there is a lack of scientific studies.

With regard to prices for flowers, there is a basically negative tendency, specially for flowers from the South. There is no internationally binding price for cut-flowers, but the prices on the Dutch auctions, the most powerful bodies in the sector, are generally seen as indicative by traders. Carnations has been the product which made Southern exporters important actors on the world market in the seventies and eighties. During recent years overproduction and changes in consumption patterns made carnations less profitable. But whereas the prices for carnations grown in Holland stagnate, the prices for imported carnations continuously went down on the Dutch auctions – nearly 30 % between 1991 and 1996. Carnation production in the South today only makes sense in huge quantities.
The prices for roses, the most popular flowers among consumers worldwide, went through a similar development. Locally produced roses gained slightly in prices during the last years whereas imported roses suffered a price decline of more than 20% between 1991 and 1996 at the Dutch auctions. The exception are high quality large roses, which gained in prices and are more and more produced in Latin America and also in Africa.

Overall, one has to see that cut-flowers is still a product with relatively good and stable price compared to traditional exports of the South, like tea or coffee. That was one of the reason why the World Bank and other financial institutions of the North recommended this export industries to Southern countries, as one possibility to repay debts. The competition on the markets will intensify, quantity only won’t be enough in the future. Quality pays, and new product line will have to be developed. Therein, environmental and social quality might play a bigger role.

### 1.5 Who profits?

Prices don’t say too much about who profits. This depends more on the distribution of costs and income, and there is in floriculture a clear tendency in favour of the North. All high cost inputs and services are of Northern origin, specially from Holland, Germany, UK and more recently Israel. This is true for

- the know how, e.g. consultants,
- the technology and infrastructure, like glasshouses and spray equipment,
- the pesticides,
- in many cases the capital invested,
- the plant material
- the air transport, in most cases,
- the commission for the marketing agent.

For an African country this would mean, that the rose comes from Kordes in Germany, the consultant from Holland, the greenhouse structure from a French company, the pesticides from Swiss and German multinationals, the capital any European, probably British or Dutch investor, the rose would be shipped by KLM or Lufthansa Cargo, the commission goes to the Dutch auctions or a Swiss wholesaler. This means that probably more than 90% of all costs in African flower production are to be paid to Northern companies.

Labour costs are a minor factor. A study for the ILO estimated wages in the young Tanzanian flower industry, which is actually employing quite a lot of workers, as only 3.4% of all operational costs, including air freight and commissions. Jeremy Pertwee gives in his new handbook for rose growers an example for Kenya and calculates about 7.7% labour cost against nearly 38% in Holland. So, in the South there is certainly a lot of scope for improving the labour situation. This becomes also clear if one looks at the costs for transport, which are usually two or three times higher, or of chemical inputs, which reach at least the same amount as labour. And the international flower industry is always able to cope with changing transport and ever increasing prices for pesticides.

Striking is the comparison between costs for plant material and labour, for example in Kenya the most important African producer. On one hectare of roses you would usually need about 70,000 young plants, which cost per average 0.9 US-dollar and additionally 1 dollar royalties. If one calculate a write off period of 7 years, that are costs of nearly 20,000 dollar per year and hectare, a lot more than all labour costs.

Summing up: The flower industry is a big business which created many jobs during the last 30 years in developing countries. The industry is an element of the international partition of labour with economic advantages for the North, and social and environmental disadvantages for the South, but important gains in the generation of employment. At least, more and more consumers start, and therefore also the industry, to look into the social and environmental quality of the product and the production process of cut-flowers. That is a positive sign and badly needed, what will be seen if we have a look at the situation in some of the most important flower producing countries.

### Note:

One major problem one has to take into account is the lack of reliable data on flower production and trade. Most statistics rely on the information given by the industry itself. There is a lack of independent in-depth studies on the economic performance of the sector and on the world market. In producing countries, according to industry sources, a lot of cheating is done to evade taxes, etc. At the same time also in the EU, after the establishment of the common market in 1993, the AIPH-Yearbook of the International Horticultural Statistics, depletes a „destruction in comparability of the import and export data from former years“, e.g. obviously a lot of under-declaration of trade takes place, also to evade taxes. So, the figures presented should be understood as indicators of economic tendencies rather than absolute correctness.
2. Case Studies for some flower producing countries

In this part selective short case studies of producing countries are given with the relevant data and specific issues for each country. Of course, this can't be complete, since more and more countries are coming into the world market. It would be worth to present details of some newcomers like Zambia, the country with the highest growth rates at the moment, increasing its export earnings by floriculture from 1 million US-Dollar in 1992 to 42 million in 2000. Or India, which produces on more than 30,000 hectares traditionally flower for a rather big internal market and showed strong growth rates during the last decade, making it the most important supplier to the Japanese market, although overall exports didn't exceed 20 million US-Dollars. The situation of Zimbabwe, the second biggest African flower exporter, is tackled in the chapters 4 and 5. Little attention has been paid for example also to Costa Rica which is providing roughly 12% of all foliage to the world market. All this has to be left to further studies. In the following we concentrate on the leading countries in Africa (Kenya), Europe (Holland) and Latin America (Colombia), and look into the developments of Ecuador and Tanzania, two focus countries of the flower campaign.

2.1 Holland, the complete northern chain

Holland is the most important flower producing and trading country. In the middle of the 17th century it already exported tulips, at that time the only consumers were princes and aristocrats, therefore the prices were very high. In 1637, the first auction for tulips was sporadically established in Aalmea, a time known as "tulipmania". In 1994, the Dutch were exporting two billion bulbs to 80 different countries.

Table 5: Farms and cultivated area in Holland

<table>
<thead>
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<th>Table 5: Farms and cultivated area in Holland</th>
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<tbody>
<tr>
<td>Bulbs</td>
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<tr>
<td>Flowers in greenhouses</td>
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<tr>
<td>Hectares</td>
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<tr>
<td>Flowers in open soil</td>
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<tr>
<td>Flowers in greenhouses</td>
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</table>

Owners and cultivated area

In the last years the number of open sky greenhouse bulb producers has lightly decreased. The planted area presents variations: the bulb area grows and the area for open soil and greenhouse flower growing is maintained. There is a tendency to concentration. This process has been encouraged from the state to make the sector competitive.

It has to be noted that the area of flowers in greenhouses is greater than those of vegetables and fruit. A study of the ILO points out two reasons for this: flowers are economically more attractive, it is possible to diversify with different flower varieties and it represents less insecurity in the framework of the common agriculture policy of the European Union.

Competitiveness

Furthermore, apart from the Dutch tradition, there are other advantages: like the technical educational system that offers possibilites for agriculture; development of appropriate technologies in propagation, enterprises for the construction of greenhouses and the automation of many work processes; even computer programs to regulate the microclimate, humidity, air and light, and on the more general level low-cost internal transport; great investment in roads, highways and trains. Also, the flat landscape is an advantage as the nearness to the North Sea, which avoids extreme temperatures.

However, the most important competitive advantage is the governmental support for the high energy consumption that farms require for heating and lighting. Recently, in face of the combustible price raising the horticulturists, the floriculturists included, received special subsidies of 170 million guilders (approximately 70 million USD).

The auctions

The concentration process has also happened in the auctions. In 1989 existed 40 auctions, its figure decreased to 27 in 1995. Seven have specialized in flowers: Aalsmeer, Holland (Westland), Flora (Rijnsburg), Z.O., Neerland, Oost Nederland, Eelde and Vleuten. Aalsmeer and Westland control 83% of all sales. The auctions are originally regional organisations of the cultivators and structured as owner's cooperatives. The auction of Aalsmeer has affiliates from all Holland and it is internationally well known.

In 1992, the first imported flowers entered into Aalsmeer, in 1995 they represented a 10% and in 2000 a 20%. Recently, the Holland and Rijnsburg auctions were united, with an international orientation as well. The Dutch auctions control about 60 or 70% of the world's total flower trade. The objective of the auctions is to serve the interests of the cultivators in front of the buyers, and they are the main meeting point for buyers and sellers. The members pay 4.6% for services on transactions, foreigners pay from 1.3% more, depending on the product.
Official data point the existence of about 25,000 jobs in the sector, however the unions state that they might reach to 30,000 or 35,000 jobs from which only 35% have permanent contracts and the rest is hired by temporary job agencies. The highest pay rate average for full-timers is 35 guilders per hour (approximately 13 dollars), according to the collective bargaining agreement (CBA). The CBA covers also the temporary job agencies. But the union has problems enforcing that part of the agreement because often workers do not report violations of the CBA as they are afraid to loose their job.

Permanents may work full or part-time and they do receive social benefits. The working time is 38 hours per week. Quite some cultivators have the tendency of hiring illegal migrants of different nationalities, who are in a very weak position to claim their rights. During vacations they hire students and young people for a maximum of seven weeks, in that way they don’t have to pay social benefits or taxes.

The labour situation can be seen from some information given in the magazine “Vakblad voor Bloemisterij” of 3. 9. 1999, that says:

- Only 26% of cultivators prioritize in the toxicity of the products used
- 43% of sprayers do not use safety protections when they work
- 23% eat, drink or smoke while preparing mixtures.

Unions

It is estimated that the union FNV counts with about 2,500 to 5,000 members in farms, from a total of 13,000; about 1,000 in the auctions, of 4,500; from 500-1,000 workers from a total of 15,000 in wholesalers. There are sector-wide CBAs (flowers, bulbs and wholesaler) which covers all workers, also those not affiliated to the union. The flower auctions have their own CBAs, too.

The flower industry in Colombia was promoted by the World Bank as a development strategy for Third World countries. It emerged in the mid-sixties within a policy of diversification of exports of the so-called non-traditional products. The Bogota Region in Colombia offers many natural and economic advantages for the production of flowers: flat topography, quality of soil, adequate light, best temperature for glasshouse production (between 17 to 25°C), allowing a permanent output throughout the year. A further advantage is the close distance to the international airport for sending a fresh product.

Like any agricultural product as for example food, floriculture doesn’t pay tax as other industrial sectors. The importation of inputs is also free of tax (especially of agro-chemicals) and it enjoys preferential import tariffs into the USA and the EU.

There are approx. 500 companies producing on 4,900 hectares more than 40 flower varieties. Colombia is the world’s second largest exporter after Holland, which constitutes 14% of the value of world exports. Its most important markets are North America with 78% and the EU with 12%.

According to company figures, the flower industry has generated nearly 75,000 direct and 50,000 indirect jobs. According to other sources the flower industry didn’t create more than 60,000 direct jobs.

The process of flower production does not have many mechanised tasks and it benefits from the abundant and inexpensive labour offer, particularly from young, peasant migrants; factor which has contributed to the rapid growth of the floriculture.

**Table 6**

<table>
<thead>
<tr>
<th>Exports of cut-flowers from Colombia (in USD millions)</th>
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<tbody>
<tr>
<td>1965</td>
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<td>1970</td>
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<td>1975</td>
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<td>1995</td>
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<td>1999</td>
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Social Labour and environmental Impact

- Seventy percent of the workers are poor, migrant women with little skills in the flower sector. Because of this, women tend to be subordinated and obedient and in addition do not count with the relevant organisational experience.
- The flower industry is characterised by short-term contracts of between one and six months and subcontracts, often paying for specific tasks, and thus, wage or social benefits are not paid.
- This flexibilisation of labour relations has generated a high rate of rotation of workers and women in particular see themselves forced into accepting these precarious conditions.
- Throughout the decades, companies’ demands regarding the performance of workers have increased: more output in lesser time, more quality and longer hours. Wages, presently at USD 130 have remained 200% below the poverty line for a family.
- The working population lives in deprived areas, has no possibilities of making any savings, is often ill as a result of being exposed to pesticides and suffer from skin disease, bronchitis, headaches or as result of the bad body position adopted during sowing and classification (spine deformation, problems with the joints).
- The homes of women flower workers are characterised by the high degree of family violence, marriage problems and single motherhood. The infrastructure in the community or in the company leaves much to be desired.
- Flower production has replaced the production of local crops. Food is brought in from other regions at a higher price, reducing consumption as a result.
- The most visible impact on the environment is the depletion of the soil and contamination of the main sources of water supply for human consumption, the intensive use and disposal of chemicals, freely released into the natural water basins and the ground, which has lost much of its fertility.
- According to the Program „Flor Verde“ (= green flower) of the employers association Asocolflores (see chapter 4.4) the use of active ingredients of pesticides per year per hectare has been reduced in their pilot farms to 115 kg. According to other sources in the year 1997 the use in the flower farms was as high as 212 to 337 kg.
- The landscape in the mountain plateau, on which Bogota lies 2,600 m above sea level, has dramatically changed as a result of the amount of plastic used for the greenhouses. There 92% of all Colombian cut-flowers are grown.
- Although there are some differences, in general companies violate the basic human and workers rights, such as social allowance payments, social security payments, maternity leave, overtime, unfair dismissal and above all the right of association is deprived.
- Companies interfere with the free association and promote “yellow” unions. There are 20 unions registered, 13 which date back to the sixties, 6 from the eighties and only 4% of workers belong to them. All free trade unions were made to vanish and there is only one left with few members which was set up in the nineties. The companies’ “Flor Verde” programme does not recognise the right of association of workers, which is not to accept for the international public in a case like Colombia, where more than 3,000 trade unionists were killed in the last decade, although not in the flower sector. Unions and other social organisations that have given support to the flower workers also face persecution.

FACATATÍV Diosce
Facatativá, 12 July 2001

To the
Owners and Managers of Flower Companies
ASOCOLFLORES
Bogotá

Dear Sirs,

We feel greatly concerned about the worsening of the working conditions for flower workers that have been taken place recently, about the increasing trend to fire the entire workforce, about the low wages and unfavourable working contracts and about the fact that certain benefits have been reduced such as bonuses for company loyalty.

It is a known fact that companies follow a policy that is against the organisation of workers, with the effect that autonomous and independent workers’ organisations then become weak or disappear. We have grounds to believe that there is a fear that workers’ unions negatively affect company interests and are, therefore, not viewed as a positive venue. In contrast, the social doctrine of the Church advocates that “Past experience teaches us that organisations of this type are an indispensable element in the social lives of workers, especially inside modern industrialised societies, ... they are an expression of the struggle for social justice, human rights, ... It is, however, not about fighting a cause “against” others ... It continues to be a constructive factor for social order and solidarity, one which we no longer can do without...” (Laborum exercens No. 20).

We take into account that the flower-agribusiness has been and still is an important source of employment for thousands of workers. We are aware that there are companies which offer job security, a safe working environment and good wages to their workers. The question is why cannot this be the general rule applied by all companies?

The Diocese of Facatativá and the Diocesan Commission of the Workers’ Priests make an appeal to the owners and managers of flower companies so that, on the base of your Catholic faith and social responsibility, you will contribute to achieving a positive dialogue with workers, so that their demands are heard, and thus their living and working conditions are improved.

We, on our behalf, commit ourselves to ensure a mutual approach that will facilitate a constructive dialogue.

Yours faithfully,

LUIS GABRIEL ROMERO FRANCO
Bishop for Facatativá

MIGUEL ANGEL CORTES VASQUEZ (Minister)
Co-ordinator Social Pastoral

MICHELE JEANNE, Workers’ Priest
Co-ordinator for the Diocesan Commission
2.3 Ecuador, jobs for indigenous farmers and effects on the community

Ecuador started producing cut-flower at the beginning of the eighties, also with the support of the World Bank. It enjoys tariff preferences by the USA and the EU. Economically flower production gained more importance than the traditional banana production. In 1998, flowers represented 3.5% of total exports. Ecuador offers an adequate climate for crop production in addition to cheap labour. The roses produced there are extremely beautiful, have a long vase life, and represent two-thirds of all cut-flower exports. Around 250 species of roses are grown and are fetching the best market price.

The beginning of the flower industry in Ecuador is linked to the expansion of big-size Colombian companies who took advantage of the low cost of land and labour in the region around Quito. Many factors played a part in this rapid development and growth: their experience in the business, availability of technical experts, Spanish as the common language, short distance between the farms, the Quito international airport and the US market and also the labour laws which offered certain advantages. The participation of Colombian producers in the market is still very important. "40% of the greenhouses in Ecuador belong to Colombian producers", said Asocolflores' president in January 2000 in an interview.

According to an ILO working document on flower production in Ecuador, the number of producers went up from 39 in 1990 to 179 in 1997 and the area from 286 ha to 1549 ha in the same period. But according to a study by the Institute for Environment and Development of the Andean Communities, IDECA, in 1998 there were 334 companies registered in the employers association Expoflores. The amount of land cultivated grows by 20% annually and now covers 2,950 hectares.

IDECA's study gives the value of exports based on information from Ecuador's Central Bank in USD Millions as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Value</th>
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<tbody>
<tr>
<td>1990</td>
<td>13,598</td>
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<tr>
<td>1992</td>
<td>29,926</td>
</tr>
<tr>
<td>1994</td>
<td>59,164</td>
</tr>
<tr>
<td>1996</td>
<td>99,093</td>
</tr>
<tr>
<td>1998</td>
<td>141,370</td>
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However, according to ITC's Website in Geneva in 1998 Ecuador exported cut-flowers for the value of USD 201 million, a figure which is similar to the number of hectares planted. It is evident that there is a certain problem regarding the declared amount of exported flowers which does not coincide with the figures given as sales in the international markets. There are no studies which have looked into this yet, and whether this fact is linked to tax evasion or tax advantage.

The main markets are: USA 70%, Holland 5%, Germany, Switzerland, Russia and Japan.

ILO's working document defined the number of direct jobs in 1996 at 19,758, an average of 13.3 workers per hectare. Recent figures indicate that there are currently about 39,000 flower workers in Ecuador. Approximately 70% are women of between 22 and 25 years of age, who work on sowing, collecting and post-harvest tasks and men in the stages prior to seeding, irrigation and fumigation. Wages in 1997 were USD 147 per month. In March 2000, one could witness the economic crisis that Ecuador was going through at that moment, hitting workers hard with wages down to USD 45 (and went up to 120 USD in 2001). The question is, what happened to the money that wasn't spent for wages any more, since business continued in a constant way?

Social and cultural impacts

The study by IDECA on the impact of the flower industry on the peasants, points out that the availability of jobs has slowed down migration of the communities Ceyabe and Pedro Moncayo, particularly of young men, who used to travel far looking for work in the textile, heavy machinery industry and building sector. It has also extended to a new segment of society: married and single women who traditionally worked on small plots of land. Nowadays most family members see in the flower companies their only possibility of having a paid job that allows them to progress and put an end to the poverty attached to peasant economy, due to the lack of fertile land, water and incentives.

Here follow some findings from the study of IDECA:

- "Relations inside the families and the indigenous communities are changing in the way that the individual and most immediate needs are satisfied, leaving behind the traditional mores of mutual help, work in community and in solidarity." "The peasant-indigenous woman is losing contact with her children."

- "Men and women workers have failed to get organised. Independent trade unions and their leaders are persecuted. Claims regarding labour instability, exhausting working days and low wages are on the increase."

- "The most common health problems are: respiratory complaints, throat infection, cataracts in the eyes, and frequent headaches. Also anaemia as a result of a poor diet; many workers go to work without having had breakfast."

- "The biggest risk is the use of pesticides and lack of protection because workers are not informed about the dangers posed by the substances, not trained to apply them."

The flower industry has employed a lot of young Indigenous women in Ecuador. (Photo FIDAN)
Conflicts with the adjacent communities

The environmental impact caused by the flower industry has given rise to various conflicts with the neighbouring communities, from air pollution and waste disposal to depletion of water. One piece of local legislation requires that companies now set grounds leaving a distance of 1,000 m from the residential areas and that 20% of the company grounds be left for green areas and fances, for recreational and sport facilities and offices. Companies are required to present an environmental management plan, which should also include information on waste disposal, establishing that up to 80% of the substances used in fumigation should be organic and biological components and that only chemicals with a blue and green label should be used. This legislation puts a ban on the use of sulphur. Failure to comply can lead to a fine and even to closure. The affected communities have mobilised themselves calling the local environmental officials to intervene, and have already achieved some success. An agreement between one company and UNOPAC, as representative of the community, has been signed.

2.4 Kenya, weak laws for a strong industry

Kenya has the oldest and strongest flower industry in Africa. For more than 20 years it has been producing cut-flowers, predominantly roses and carnations. In 1999 this East African country exported flowers for more than 140 million US-Dollar. More than 90% of these exports go to Europe, where Kenya recently replaced Israel as the most important non-European supplier. The growth showed an impressive increase over the last decades, but the workers have profited very little from this "rosy" business. Today, about 40,000 people are employed in more than 120 commercial flower farms with about 1,900 hectares. There are also quite some small farmers doing contract-growing for big farms. Many big companies are dominated by European investments, also local politicians are said to be influential in the sector. The economically positive development has been promoted by the tax-free import into the European Union due to Kenya's preferential status as ACP-Member. Also international financial assistance by the World Bank and USAID helped in this process as did historical relationship to UK, which facilitated direct sales to big British supermarket chains.

In a strong contrast to the long-standing economic boom of the sector, most of the workers are suffering precarious conditions. The Kenyan government and most of the employers are paying very little attention to social and labour rights, and to health and environment standards in the flower industry. Women form the majority of Kenyan flower workers and are exposed to very harsh conditions. Under Kenyan law, women are guaranteed only two months paid maternity leave, at the same time forfeiting her annual leave of three weeks. This means that, in real terms, maternity leave in Kenya is reduced to five weeks only – far below the international standards of 12 weeks as prescribed by the Convention No. 103 concerning Maternity Leave of the International Labour Office (ILO) of 1952. Kenya's competitors on the world market for cut-flowers like Zimbabwe, Tanzania or Ecuador comply by law with international standards. The Kenyan legal regulation on maternity leave is a clear violation of basic human rights of women who produce the flowers – which mostly are meant as a gift for European women. With regard to the neglect of occupational health women are frequently discriminated, too. In many cases they are receiving less protective clothing than male workers, also if they are doing the same job.

There is no sufficient legal regulation in Kenya for the provision of basic personal protection for the workforce in flower farms, although the application of toxic pesticides is very high. The government has not even developed any meaningful precautionary legal and practical framework for necessary training and equipment of pesticide sprayers. The right to just and favourable working conditions of Kenyan flower workers are at stake, as prescribed by Article 4 of the International Covenant on Economic, Social and Cultural Rights to which Kenya is a member.

This is confirmed by the study of Dr. Chayo, which in a survey found effects by pesticides on the blood (acetylcholinesterase inhibition) among 36% of all checked persons in the Naivasha area, the main flower growing area of Kenya. The effects of these pesticides on the environment haven't been studied properly yet. But residents of Naivasha complained about the reduced water level in the big lake which many flower farms use for irrigation.

The social situation of the majority of the Kenyan flower workers is extremely poor. The legal minimum wage is very low (approximately 28 US-D per month), not sufficient for a decent life. In Kenya exist the biggest flower farms of the world, where are living inside the compound more than 10,000 people from all regions and ethnic groups of Kenya, but there is no social or psychological assistance which is common in bigger farms in Latin America. The majority of
the medium size farms provide neither housing nor sufficient housing allowances or transport to their workers. Due to the very high incidence of formally casual labour these problems are even aggravated. About 65% of Kenyan flower workers are employed as "casuals" - sometimes for years. These "casuals" are not entitled to any social benefit, like maternity leave. There are cases in which even big and modern farms cancel the contract with a woman worker if she gets pregnant. Usually, casual workers don't receive any protective clothes and are lacking knowledge about a more sustainable way of flower production which rejects the indiscriminate use of pesticides in favour of non-chemical ways of controlling pests and diseases. Of course, it's impossible for "casual" workers to join a union.

Only 15 farms of all flower farms in the country, agreed to a Collective Bargaining Agreement with the Kenyan Plantation and Agricultural Workers Union (KPAWU). The unions sector has been confronted by strong government interference and hostile employers' position as can be seen from the following letter to the management one of the biggest flower farms in the world.

This country needs investors with human touch

"We must assure you that we will not stop at no other juncture both locally and internationally, until that you would have recognised workers fully participation in their independent and free trade union. Your refusal and perpetual enslaving of workers is tantamount to both human and trade union rights abuse. You have practised the same unabated for years but we feel as a registered trade union in an independent country that we must stop you. This country needs investors with human touch and you happen to be an investor without human touch and therefore you remain suspect, in the eyes of Kenyan as your sole aim is to exploit under whatever circumstances."

Frank Atwell, General Secretary of KPAWU to Oserken, one of the biggest flower farms in Kenya and in the world. November 1999

2.5 Tanzania - collective bargaining agreement for social standards

The work in the international flower industry is characterised by precarious conditions. This specially affects the feminine workforce, which is the major in the rose companies from Tanzania, a country from East Africa in which the flower industry started in the 90's. The great inflow of international capital and knowledge created a little boom, but such was not the case in the compliance with the international social and environmental standards.

Between 1994 and 1998 flower production was tripled, in the same time labour was doubled in 12 companies until reaching 2,374 workers from which 60% were women. A report to the ILO reported excessive working shifts and low payment to unskilled workers. The report showed an interesting chart based on the information given by the companies about the operational costs of a rose plantation, where the low percentage destined to labour calls the attention. (See page 24)

All over the world there exist reports about the flower industry regarding low wages, temporary contracts, lack of safety in the workplace during the use of pesticides and the oppression against unions. That's why the Flower Campaign appeared. It reached agreements with some producers, unions and flower importers about social and environmental standards: the Flower Label Program (FLP). These standards are controlled independently. When in the fall of 1999 two farms from Arusha (Tanzania) applied for the FLP label, they weren't granted it. Many basic social and environmental aspects were not given sufficient attention. However, the farms were given concrete advice in order to be able to enter the FLP afterward.

During the next inspection in April 2000, clear improvements were noticed. So, close to 90% of the 800 workers had obtained a permanent work contract. Furthermore, the election of a union committee was allowed. There have also been improvements in health care; however in this and other aspects, changes are still necessary. The companies' management asked for these actions, and they were granted the FLP label although under conditions.

One principle of FLP (for details see chapter 5) is to not to grant a label just to the bests companies, but to help to the greatest number of people as possible to get their rights and also to ensure not to leave companies without experience out of market. Tanzania is one of the poorest countries of the world, lacking workplaces for youth. Arusha, the tourism capital located on the base of Kilimanjaro, suffers the same situation. In that sense the FLP has proved to be a good possibility for improving the quality of workplaces.
On the fall of 2000 the Tanzanian Plantation and Agriculture Work Union (TPAWU) and these two companies signed a very good collective bargaining agreement (see Annex 2). It not only agreed a 50% raise on the wages above the established minimum, but also special protection measures for female workers and the establishment of a ceiling for temporary work contracts. The CBA clearly complies with the International Code of Conduct.

### Table 7
Operational costs for a rose farm in Arusha/Tanzania

<table>
<thead>
<tr>
<th>Category</th>
<th>Cost (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chemical and Fertiliser</td>
<td>4.2</td>
</tr>
<tr>
<td>Technical Advice</td>
<td>0.6</td>
</tr>
<tr>
<td>Electricity</td>
<td>1.9</td>
</tr>
<tr>
<td>Fuel</td>
<td>1.6</td>
</tr>
<tr>
<td>Wages</td>
<td>3.4</td>
</tr>
<tr>
<td>Freight</td>
<td>16.0</td>
</tr>
<tr>
<td>Marketing (Commissions)</td>
<td>52.0</td>
</tr>
<tr>
<td>Depreciation</td>
<td>1.3</td>
</tr>
<tr>
<td>Interest</td>
<td>18.9</td>
</tr>
<tr>
<td>Rent</td>
<td>0.2</td>
</tr>
</tbody>
</table>

(Source: Semoj/Mbelwa, page 10)

3. The Main Features of the Flower Industry

Looking into the situation of different flower producing countries one can identify some specific characteristics which are about the same in all countries. The industry is highly capital intensive and labour intensive at the same time, the workforce is predominantly female, the flexibilization of labour relations is widespread as is the high chemical input with effects on health and environment. There is an enormous non-compliance with protection of social and labour rights and environmental protection by many companies and by national governments. Unions, finally, which should correct these shortcomings are oppressed in many cases or aren’t able to cope easily with the challenges of this new industry. These main features are presented now a little bit more in detail.

#### 3.1 Highly capital and labour intensive

The production of beautiful, perfect-looking flowers is an attractive business for both national and foreign companies, especially in countries in which such natural resources as water and soil, light and an adequate temperature during most of the year, in addition to plenty of labour force, exceptionally coincide. Above all, where the intensive use of all these resources has little or no cost at all.

The cut-flowers industry requires enormous amounts of investment for equipment which is manufactured in the North. These increase the costs of production like planting material, pesticides and cold rooms which guarantee a product that is fresh, free of pests and enjoys a long life after sold to the consumer. The expenses for the marketing, which mainly in the hands of multinational actors is also high (15-20%). In the Dutch auctions the prices for flowers in the whole world are fixed every day.

Depending on the variety of flower, the initial investment required in countries of the South for its production is a minimum of 300,000 USD per hectare, depending on the flower variety. “Small producer” in Ecuador cultivates a minimum of 6 hectares. In Holland, three times more investment is needed for the same area.

The flower production for export is a modern, hi-tech business in which flowers are merely another industrial product. Here, distances play no role, so

Gradling hall in a Colombian farm. (Photo: PARI)
the greenhouses can be situated in Latin America, Asia or Africa and the local flower shop or supermarket, where they are sold, in Europe or in the States. It requires at all stages a great amount of labour, preferably carried out by women. The number of workers employed per hectare is not only dependent on the level of the technology used for production, therefore in Holland one needs only between 4 and 5 workers. It depends also on the rhythm and intensity of work that has been imposed on the women workers throughout the years, and this, at a very high social cost for them and their families, who altogether have very few possibilities of social contact in their working and living environment.

According to an ILO working document of 1998, in Colombia, in 1993, 14 workers were required per hectare, and more recent information puts this figure between 10 and 12. In Africa, where the flower industry is 10 to 15 years old, the figure comes up to 20, 25 and even 30 workers per hectare, depending on the country and the company. In 1999, the flower co-ordination visited a company in Tanzania which, through the use of modern technology, will be reducing the amount of workers from 12 to 8 per greenhouse. In Zimbabwe in some visited farms the average amount of workers per hectare was 37.

The creation of jobs and of foreign revenue amidst the economic crisis facing many producer countries of the South are the main reason for the granting of tax privileges by governments to the cut-flower industry. The governments also permit precarious working conditions in the farms and are lax regarding make them comply with the basic rights of workers.

In most flower producing countries, with the exception of Zimbabwe, there is a strong impact of the industry on the political powers, or even a nexus between the two. This has reduced to a minimum the control of the relevant institutions and authorities of the compliance with the basic rights of the workers.

The minimum wage paid by the flower industry to men and women workers in countries of the South is the minimum stipulated by governments with a substantial fall in real terms over the past two years. In Colombia for example from USD 160 to 130; in Ecuador from USD 120 to 45 and in Zimbabwe from USD 23 to 18.

The size of a commercial flower farm is between 3 and 50 hectares, there are very few which are bigger. One could classify them as small, medium and big farms, but in any case the necessary investment is huge.

In Colombia the owner of the flower farms mainly have been nationals, but four years ago Dole started to buy big flower farms, which represent about 20% of all land in Colombia devoted to flower growing. As mentioned before, in Ecuador Colombians own 40% of all the flower farms, there is no other relevant foreign investment in the sector. In Kenya and Tanzania the investments of Dutch, British, German and Swiss nationals is well-known. In Zimbabwe, the majority of the farm owners are of British origin.

### Table 8

<table>
<thead>
<tr>
<th>Flower Type</th>
<th>1979</th>
<th>1993</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carnations</td>
<td>30.00</td>
<td>18.54</td>
</tr>
<tr>
<td>Roses</td>
<td>18.00</td>
<td>11.44</td>
</tr>
<tr>
<td>Pompons</td>
<td>18.00</td>
<td>12.27</td>
</tr>
<tr>
<td>Gypsophila</td>
<td>20.00</td>
<td>12.69</td>
</tr>
<tr>
<td>Cirsanthermus</td>
<td>20.00</td>
<td>12.87</td>
</tr>
<tr>
<td>Statice</td>
<td>14.00</td>
<td>10.67</td>
</tr>
<tr>
<td>Daisy</td>
<td>14.00</td>
<td>4.67</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>23.61</td>
<td>14.20</td>
</tr>
</tbody>
</table>

In countries of the South women workers constitute between 65 and 70% of the work force in flower farms. They are responsible for all kinds of tasks relating to the growth of the plants, which demand permanent control, precision and supervision, in addition to classifying and packing, stages which require careful work; characteristics which are usually attributed to women due to their abilities and domestic roles.

Amongst the tasks carried out by the women are in the greenhouse: sowing, weeding, tying of plants with string, taking off excessive number of buds and petals, cutting and irrigating. And the post-harvest tasks: selecting cold room and packing. In Colombia, women are also employed as supervisors, but do not work in the eradication of crops, fumigation or maintenance.

Although women workers enjoy this type of work, and even feel attached to the flowers they look after, it is, nevertheless, a very tiring activity. It requires much physical effort due to the different body positions adopted during the working activities, like long hours of standing, kneeling or bending down, as well as the long hours of solar radiation that they are exposed to inside the greenhouse, working in the various stages in rooms with different temperatures like the cold room and during classification and a permanent contact with pesticide residues. In addition to this, they work between 8 and 14 hours under supervision to ensure the highest and most efficient work performance, especially during the most busy periods.

Much has been researched in Colombia on the impact that the flower industry has had on women workers and their families. The flower campaign was started in 1989, in Germany and Switzerland, as a result of the violations of basic human and labour rights suffered by the women workers. Since then, similar types of problems have been established in Ecuador and Kenya and other countries.

Here follow some aspects, result of research, seminars and workshops carried out in Colombia that illustrate the situation of women workers, and which is comparable to that in Africa and Ecuador.

- One of the most eminent problem of women workers is sexual harassment at work, encouraged by a situation of authority and subordination between the workers and their male supervisors, without the possibility of this being sanctioned.
In many companies it is still usual for women to have to prove their condition of non-pregnancy. In Africa, it can often be observed women working without any protective clothing, next to their male colleagues who, in contrast, wear full protective equipment like uniforms, head protection, boots and gloves.

Another problem is the economic dependence of women workers on a badly paid job. Most are heads of family with two or more children and without prospects of a better job. The work load continues at home; their inability to offer better opportunities to their children, due to lack of support by the company or the government, constitutes one more constraint factor, often leading to family tension.

All of these conditions influence the social and emotional life of workers, who complain to have no time to spare in such family activities as school or community meetings.

However, the work situation offers them the possibility of making friends with the other women, even if time for breaks is scarce. In addition, they tend to think that having the possibility of a job allows them to lead a dignified life, and their children to have better opportunities in life later on.

A recent study carried out in Ecuador on the impact of the flower industry on peasants states that “earning a salary has given women self-determination vis-à-vis men in their society, influencing their self-confidence”. However, there is still ground to be won with regards to gaining the recognition of family and community.

### 3.3 Flexibilisation of labour relations

In spite of the introduction of technology for the production of flowers, it still needs daily care and therefore requires much hand labour. According to information by Holland’s Bloemenbureau, in Holland there are 25,000 jobs linked to the direct production, with 10,000 more at busy periods, and about 71,000 in the entire process: markets, distributors, retailers and wholesalers. All in all there are nearly 200,000 direct jobs of flower workers in the South.

This situation notwithstanding, the industry offers no work stability, with mainly temporary work contracts of one, three, six and eight months, according to the country, often made through a third party like a contractor and payment by piece work. The amount of permanent contracts may be as low as a total of 35%, as is also the case in Holland. It is a characteristic of the flower industry that most women workers are employed with a temporary contract.

These contract modalities are conducive to an employer-worker relationship that is on an informal basis, the flexibilisation of labour laws works against the possibility of the workers to organise themselves or to engage into collective bargaining. It also reduces the amount of social benefits, fact which often companies exploit as a competitive market strategy and to obtain more profit.

The flexibilisation of labour laws has also played a role in that workers no longer value their work, thus do not dare claim their rights, often having a problem trying to find out to whom to address their claims. There are little chances of improving their position within the company, their length of service and experience is no valued.

Such situation has lead workers constantly look for other companies who may offer slightly better working conditions. In Colombia there are women who have worked for 2, 5 or even 10 years continuously in the flower industry, however always on a “rotation” basis, within different companies. In 1998, when a pilot project on the Code of Conduct was started in Zimbabwe, it was found that all women had worked for many years in the companies without any kind of contract, were regarded as “casual workers”.

So, the workers can be sacked without a previous notice. Anyone may be employed, but the preference is for young men between the ages of 15 and 17 and women of between 17 and 30. Workers may live on company grounds, as they do in Africa, or in an area near by. However, many travel even up to three hours to get to work. The cost of a room is of between 25 to 30% of their wages.

Taking into account this difficult situation, it’s always surprising to note how positively workers react when they learn that consumers in the North are concerned about their living and working conditions, if they receive information on the world flower market and the increasing pressure on the companies to comply with social and environmental standards.

### 3.4 High chemical input with effects on health and environment

One of the characteristics of the flower industry is the massive use of agro-chemicals which are dangers to human health and the environment. There exist many well known studies on their use and contamination of ground water in Holland, where its application is now banned.

In Colombia, according to a study carried out by the National University in 1994, which focused on the flower production in the town of Madrid, these substances are the single method of pest control, applied during the entire process of production.

The study reveals that all categories of toxic substances are applied, many of them banned such as Endosulfan, Lindan, Malathion, which are in the red list of the North Sea Conference Declaration.

Many companies do not comply with the training for fumigators of 60 hours as required by Colombian law and their protective clothing is inadequate. The lapse of time for re-entry after fumigation is not sufficient: although there some companies which comply with the necessary 12 to 24 hours, in many farms
Table 9
Chemical substances used by the flower industry

Acaricides
Bactericides
Soil correctives
Disinfectants
Fertilisers
Soil fumigants
Fungicides
Herbicides
Humidiﬁers y surfactants
Insecticides
Molusquisticides
Nematicides
Preservatives
Growth regulators

Fumigation takes place while workers are inside, and one can even find children mixing substances without protective equipment as well.

The researchers found out that the river which is part of the water supply to the District of Madrid, was contaminated with sewage water and agrochemical residue. It was also revealed that the cutting of stems were used as cattle feed. The study recommended to look into the impact on human and animal health and of the ground.

In the companies, the places where most workers concentrate are precisely the high risk areas, i.e., inside the greenhouse and in the classiﬁcation room. These workers are confronted with a difﬁcult microclimate at the workplace, pollution of the environment, heavy workload and psychological stress. The most common health complaints are in the respiratory system, lungs, skin diseases, varicose veins, peptic acid illness.

In Tiquipaya, the centre of the Bolivian flower industry, exactly 3.75% of all newly born babies during the year 2000 had malformations. 8.7% of all patients of the local hospital were attended due to miscarriages. For these incidents the University “Nuestra Señora de la Paz” is demanding strict regulations of the most dangerous pesticides.

Visits made to various companies in Ecuador and Africa by members and experts on pesticides from the Flower Campaign conﬁrmed the use of toxic pesticides which are known to be carcinogenic and mutagenic, in addition to a the inefﬁcient residue disposal and the lack of programme by the chemical industry to prevent and inform about the problems caused by the products they sell.

3.5 Non-compliance of national governments with protection of labour rights

Governments fail to use the mechanisms that ensure the compliance and protection of labour rights and social beneﬁts, such as health and safety at work, and labour court tribunals to pass any sanctions.

- In Colombia, almost 100% of the diaries made by trade unions relating to unfair dismissal, companies’ failure to pay wages or social rights of workers resulted in a negative judgement for the union.

- In Kenya, maternity leave is 5 weeks long, three further weeks can be taken, but are taken off the total holiday period. Overtime is not taken into account and there is no training, nor medical care for pesticide sprayers.

- In Ecuador, it has been found that companies have not complied with the belt of land around the area of production that companies are required to leave by law (the local Council decree in Cayambe stipulates 1,000 m). The local community organised mobilisations to force the company to comply and follow the case with the local ofﬁce for the environment (UNOPAC Agreement, Cayambe).

Also in a “developed” country like Germany, a government research in the biggest province revealed that in the horticulture industry the most basic protective measures for the workers were not complied with: There was no detailed information for pregnant women on the risk of pesticides for their health, re-entry times after pesticide use were neglected, there was not enough ventilation in the pesticide storage.

Moreover, the international conventions by the ILO, although ratified by countries (see Annex 3), are not part of the national law, or, in countries with good legislation compliance is law.

Therefore, the proposal to have international standards for the international flower industry – as incorporated in the International Code of Conduct (see Annex 1) and applied with independent control – shows up as an instrument of solidarity to get justice for the flower workers. This proposal will be presented in detail in chapter 4 and 5.
3.6 Anti-trade union policy and union constraints

The process of flower production requires precision and rigour. Absolutely everything has to be under strict control. It seems that an anti-trade union policy is also part of this. With the exception of Zimbabwe, trade unions are almost non-existent in the flower industry of the South. In Holland, the percentage of organised workers only comes up to 20%. In 1999, Kenya's plantation and agricultural workers union, KPAWU, only gathered 3,400 members from the flower industry. Companies owners argue that trade unions are not necessary because workers are satisfied with the working conditions and wages, and that people are no longer interested in trade unionism because it has ended up in political intrigue, corruption and, just like NGOs, they ruin companies", as said in a seminar in Quito in March 2000 by a representative of the employers association.

In Colombia, not only the flexibilisation of labour relations has influenced the existence of trade unions, but also direct repression, unfair dismissals. Once workers are fired, their names are placed on a "black list". This person will no longer find a job in another company. Some companies recruit "informers" who propagate fear and mistrust among workers. And whenever workers win a court claim by means of which workers have to be paid compensation, owners close the company and open a "new" one, with clear disadvantages for the workers. This way, the trade unions came to an end and now there only "exist" UTRACUN and FETRABOC unions, which are promoted by the employers.

Colombian producers have even penetrated into the international scene with their own trade unionism: At the Conference on Colombian flowers in the European Parliament in Brussels, in 1994, a delegate of FETRABOC participated only to disagree on the statements made by a woman worker on the problems facing flower workers. He didn't mention a single critic about the working situation in the flower farms. It is important to note that the Colombian employers argue that a large number of women workers are members in Utracun, in this way pursuing to gain the backing up from the international trade unions.

On the other side, trade unionism have had various sorts of difficulties in the different producer countries in incorporating with success the complexity of the women flower workers to an organisational process, because most women have no labour experience, are indigenous or migrants or are family women. The employment of very young women is characteristic of this non-traditional agricultural sector; promoting flexibilisation of labour much before it came to form part of the law.

A study on flower trade unions carried out in Colombia in 1996, made the analysis that when trade unions were strong in this sector at the end of the seventies, beginning of the eighties, the specific needs of women were not taken into account during the process of collective bargaining and these women workers distanced themselves from the union, as they did not feel it playing a part in their every-day life.

One mistake made at that time by the trade unions was not to recognise the solidarity extended to them from other grassroots initiatives and support services in the areas of legal assistance, health, gender, offered to workers. A lot of time passed before Colombian unions understood the need to play a role with consumers for a market strategy, without being afraid of losing their identity. During this time the anti-trade union became much stronger.

It is still necessary to evaluate which will be the contribution that the International Code of Conduct can make in such circumstances, that is, within a context by which anti-trade union policy is strong, to analyse the relationship between the appearance of the flower industry and its rapid growth in different parts of the world. Perhaps these experiences could serve to reflect on the different contexts that exist in Africa and Latin America and in the different countries in each continent.

One important development to take into account is definitely the recent experience by Tanzania's plantation and agricultural union, TPAWU, which has recently signed a collective bargaining agreement with a company as part of the requirements by the Flower Label Programme, FLP, based on the International Code of Conduct for production of cut-flowers.
4. The International Code of Conduct

The beauty of a rose is a strong contradiction to the ugly face of working conditions in many rose farms around the world. This message has entered into the hearts and minds of many consumers in Northern countries after the Flower Campaign started in Switzerland and Germany in the year 1990. Starting point was the situation in Colombia, biggest producers in the South, from where many complaints about human rights violations, health effects, etc. were lodged. Since the government authorities didn't react properly, Colombian unions and NGOs looked for support in the outside world, specially in the importing countries.

4.1 The Flower Campaign

The organisers of the Campaign (in Germany: the protestant funding agency Bread for the world, the International human rights organisation FIAN, and the Genval rights organisation terre des hommes) didn't want to go against the industry. They were never in favour of a boycott, since the flower workers are dependent on their jobs. That is specially true for the majority of the workers: the women, who are responsible to sustain a whole family. In consequence, the Flower Campaign since then is trying to reach human working and living conditions for the flower workers in Colombia, and elsewhere.

To achieve these objectives the Campaign organises public action on the issues involved and maintains a continuous dialogue with flower producers, traders and representatives from governmental bodies, consumer organisations, development experts, horticultural specialists and European chemical companies. The aim of the Campaign is to bring these actors together in their shared responsibility for a humane and ecologically sustainable production of cut-flowers.

In 1993, as a response to the campaign the German importers and the Colombian exporters proposed the "Colombian Clean Flower Declaration", which was intended to provide an independent monitoring of the legal national prescriptions. Since violations of the labour laws in Colombia were widespread, and the national law was not so bad but its implementation hardly controlled, the Flower Campaign and its Colombian counterparts agreed to assist in this process, especially in defining the crucial aspects of the labour law and mechanisms of independent monitoring. But before entering into a final agreement, the Colombian government and the Colombian growers association Ascolflores withdrew from the project.

Nevertheless, the Flower Campaign decided to follow this path of, first, defining fundamental criteria for a human flower production and, second, developing models of implementing these criteria in a transparent way for the consumer markets, since it was public pressure that made the traders move. In the meantime, also groups in Holland, Sweden and UK had taken up the issue publicly and joined hands with the campaigns in Switzerland and Germany.

In 1995, the Flower Campaign proposed a "quality seal for cut flowers", including ecological, social and labour aspects and independent mechanisms of control of the companies. Unfortunately, the existing fair trade labelling organisations argued that the dispersion of the cut-flower trade into more than 15,000 small outlets in Germany would make a seal difficult to control.

Therefore, in August 1998, the Flower Campaign proposed jointly with other organisations the International Code of Conduct (ICC) for cut-flower production. The ICC is based on the universal Human Rights, the ILO conventions and basic environmental standards – as well as on the experiences this long South-North-Campaign.

4.2 Content and structure of the ICC

The ICC was presented, in close cooperation with partner organisations in the South by the International Flower Co-ordination, a broad coalition, in which are represented the IUF, the German and Swiss Flower Campaign, German and Dutch Unions and by British, Dutch and Swedish NGOs. (see annex 1) The ICC and its "Guidelines" were and are meant as a tool for discussion with the industry, with fair trade or social labelling initiatives, and can serve a lot in the comparison of the local/national situation with international standards most flower producing countries officially are obliged to comply with.

It was clear from the beginning that the ICC was not to replace collective bargaining nor unionisation in the farms, as expressed in the preamble of the Code. It's also not to be seen as the only way of political action towards the serious shortcomings in the flower industry. But the ICC proved to be one practical instrument of international cooperation for the improvement of working conditions on the farms and of the living conditions in the respective area.

The ICC is directed towards the typical (medium size) plantation structure in flower production. Cut-flowers is hardly a sector for small growers, although there is some contract-growing for bigger ones. But investment into the infrastructure, new varieties, logistics, modern technology, expensive pesticides as well as the necessary experience and contacts into the international trading community...
make it a capital-intensive agro-industry, being labour-intensive at the same time. This is reflected in the ICC with a strong reference to ILO labour standards. It's worth going through the Code in detail to understand its main features and its dynamic:

- Freedom of association and collective bargaining is in the first rank. Where the workers have the possibility to organise in a union and to defend their own rights the activities of a flower campaign or the ICC in the long run wouldn't be necessary. Collective bargaining would be possible and should be oriented to international labour standards. International pressure can help to implement these basic human rights.

- Equality of treatment is of major importance since the majority of all flower workers are women and widely discriminated. This is reflected in the form of their contracts (mostly casuals), lack of proper protective clothing and sexual harassment. To overcome this discrimination is of utmost importance for the enjoyment of basic human rights for the women workers and would be a major motivation for increased female activities in workers or community organisations. This has to include also adherence to the international standards of at least 12 weeks paid maternity leave (ILO Convention 103).

- Living wages are the aim of the ICC. Of course, the legal minimum wage has to be paid in all farms but that is usually not enough to reach poverty threshold, to live a decent life. So, additional social benefits should be in place. Wages have to be paid in cash, not in kind. There has to be a pay slip which must be in a way that workers understand all its details.

- Working hours have to be limited to a maximum of 48 hours per week or whatever lower the national law or collective bargaining agreement prescribes. One very important point is that overtime has to be limited to not more than 12 hours per week, and that at least one day per week has to be free from work. That is the minimum to recover from hard labour.

- Health and safety have to be main tasks by the company. For example, appropriate protective clothing must be provided free to all workers, as well as safety training and regular medical check-ups. In the hot climate of a greenhouses the provision of clean drinking water is a necessity. In cases of housing projects on the compound of the farm they have to meet basic standards for size and hygiene.

- Since the use of pesticides and chemicals is extremely high in flower production there are a number of regulations in the ICC referring to this issue. The short and medium-term aim of the code is not a biological flower, there has been very little progress in this regard even in Europe. The intention is to stop the use of the most poisonous and carcinogenic pesticides, to improve protective clothing and training of the sprayers and workers, and to implement rigid re-entry times of 6-24 hours in the greenhouse after the use of pesticides. With these measures strictly applied, the risk for the workers and for the environment can be reduced to a minimum.

- The guarantee of a security of employment is a precondition to the enjoyment all other rights in the ICC. Therefore it's defined as an important social right, without being covered by an ILO convention. All permanent work has to be executed by workers with a permanent contract. Otherwise, a good training on health and pesticides would be as impossible as the application of freedom of association. In this context, it's a necessity that each worker gets a copy of its contract.

- The protection of the environment must be a priority area due to the high use of water and chemicals of the farm. Therefore, all possible protective measures and a certain distance to the next village have to be observed.

- The use of child labour is not allowed in farms which apply for ICC. This means that no person below the age of 15 may be employed and that youth under 18 years may not work under hazardous conditions, like pesticide application.

In ICC farm there may be no forced labour, which also refers to bonded or prison labour.

To implement the Code the International Flower Co-ordination made some general recommendations. The basic concept is to have a broad independent body with all involved parties to oversee the whole process. Additionally, the Co-ordination developed the "Guidelines for the socially and environmentally responsible production of cut-flowers" which are an essential part of the ICC and should act as guidelines for independent monitoring and verification, which is a must in the implementation. Beside of all the the International Flower Co-ordination sees the participation of workers, unions and local organisations as a precondition for the meaningful implementation of the ICC. The idea is to have an agreement with growers not with growers associations, although any support by them is welcome. The growers should give regularly reports about the progress of the ICC implementation.
4.3 Better flowers mean better prices?

The ICC is not necessarily previewing better prices for flowers from certified farms. The reason is that it is not a fair trade approach but a human rights based approach, which should not only depend on the willingness of the consumers to pay more money.

The ICC is based mainly on the human rights covenants and on the conventions of the ILO, which are part of the International human rights system, insofar the governments and the flower plantations are obliged to fulfill these criteria. That is not only true for those countries which ratified the specific conventions. With the approval of the "ILO Declaration on Fundamental Principles and Rights at Work" in 1998, all ILO core conventions are compulsory for all ILO member states and employers.

Additionally, many criteria of the ICC are incorporated in national laws. Of course, the national law of the respective country also has to be complied with. In case that the ICC and the national law address the same issue, the stricter regulation applies. Since the flower industry is an international industry, the logical it seems that the industry complies with national and international social standards. And compliance with national laws and international human rights hasn't to be paid extra, it should be normality. Globalisation of the economy is a fact, globalisation of labour rights shouldn't leave behind.

Farms that are complying with ICC, as in FLF (see chapter 5.2), don't receive any extra price. Of course, the farms wouldn't mind better price, like any entrepreneur in the world, but their main interest are direct and possibly long-term contracts, with supermarkets or with wholesalers. This would give them security to find a market, and a relatively good market if the consumers opt for ICC certified flowers. Flowers are a perishable good, so, if you can't sell them at a certain time of the year, you have to throw them away.

Recently, the Swiss fair trade organisation Max Havelaar opted to go into labeling cut-flowers, but only those one which are ICC certified. For these flowers consumers in Switzerland will have to pay a little more, and exporters will receive a little more for their flowers. This extra money should go into specific programs for social improvements in the farms, on which the workers and management do common decisions. The effects of this concept and its co-ordination with the ICC based farms and organisations have to be seen in the next future.

Codes of Conduct

Over the last decade lots of Codes of Conduct have been published by different actors. The majority of the codes have been used by Multinational Cooperations and employers associations to counter public criticism or to preempt such criticism. These codes remain very weak. For example, the ILO in 1998 analysed 215 codes, and only 15% included freedom of association and collective bargaining as criteria. Codes from the employers side usually give more importance to environmental than to social standards. Independent monitoring or participation of workers, unions and NGOs is hardly existing in company codes. Therefore, a certain reservation against these codes and its tendency of "privatisation of human rights" is understandable.

But codes of conduct have to be understood as a result of public criticism of violations of labour rights in the globalized production. These violations should be tackled by the International Labour Organisation (ILO), but the ILO is not having a real sanctioning mechanism. Therefore, many unions and NGOs see codes of conduct as one short-term instrument to improve working conditions in multinational co-operations, sweatshops or plantations around the world. The ICFTU presented a model code with the ILO core conventions and proposals for mechanism of independent monitoring. There are also some codes where unions and/or NGOs made agreements with a company or a sector, for example the IUF with the food company Danone.

In the meantime, there are also bigger approaches of co-operation among NGOs, unions and business, partly with government support, to co-ordinate the code approach. Known in this regard is the Ethical Trading Initiative (ETI) in UK and SA 8000 from the US. First experiences indicate that it's not so easy to have such approaches feasible on the grassroots and accessible by workers and local organisations.

The International Code of Conduct (ICC) for the cut-flower industry originates from a long struggle and North-South Campaign. The ICC is a proposal by unions and NGOs, which now is on the table for discussion or approval by the trade and the industry. The ICC is based on the ICFTU model code, on ILO core conventions. The involved unions and NGOs try to have it's process of implementation as open as possible for local organisation and the workers of the farms. Of course, also in the flower industry there are a lot of codes by the industry itself, which don't have much in common with the ICC.
4.4 Reaction of the industry – Employers’ Codes of Practice

The different publicity campaigns by NGOs and unions, especially in Europe, made known to a larger public the negative effects of floriculture in the South (and in the North). Given the emotional character of flowers the interest among media and consumers was rather big. Since the mid-nineties the importers and producers started to react to this criticism. In the meantime, nearly all important trade associations of the sector have different “Codes of Practice”, compiling some environmental and to a lesser extent also social orientation for their work. That is specially true for producers in Africa, Colombia and Ecuador, and also in Europe.

This means that the most important actors in the world market – with the remarkable exception of the US – reacted to the flower campaign. Social and environmental standards today are on the agenda of the flower business. This is definitely a major success of the flower campaign during the last decade. But, of course, codes of practice in the first step are just another paper. One has to analyse and implement these codes to judge their importance and effectiveness to implement social and environmental standards. A good orientation to do this are the criteria and the measures of implementation of the ICC. In the following we present a short overview of the most important Codes of Practice which have been drafted by Traders and/or Employers.

FLP

The German “Flower Label Programme” FLP originated 1996 as a purely business to business code between the German importers association BGI and the Ecuadorian exporters association Expolflores. It was a reaction to the critical mood in the German public about working conditions in the flower industry. When the Colombian Clean Flower Declaration (see above) collapsed, the Ecuadorian industry proposed a similar scheme which was implemented in first farms with support of Ecuadorian and German governmental institutions. Neither the workers of the farms, nor the unions and NGOs of the two countries were involved. There was independent professional auditing done, but the criteria was not sufficient. For example, freedom of association was explicitly excluded as a criteria for the business FLP. In the meantime, these deficiencies have been removed, and the ICC was introduced into FLP (see chapter 5.2).

MPS

The Dutch “Horticultural Environmental Programme” MPS (Milieu Programma Sierplanten) was introduced not only for the flower but for the whole horticultural industry in the Netherlands. The big flower auctions were instrumental in bringing MPS into existence, specially to improve the image of the Dutch flower industry. This foundation is equipped with a multimillion dollar budget. Starting in Holland in early 1995, the following year it was extended to other European countries (Belgium and Denmark), since 1998 also to Southern countries (Israel, Kenya, Tanzania, Zambia, Zimbabwe, contacts in Latin America and Asia). By the end of 1999 exactly 3.633 farms were registered in MPS, the big majority of those (3.309) were from Holland. Compliance with MPS regulations is controlled by the Swiss-based audit multinational SGS.

MPS is not a code based on fixed criteria but more an environmental management system, based on a comparison among the farms with regard to the use of pesticides, fertilizer and energy (in Africa also water) and the waste management. Those farms who register with a relatively low use are qualified as MPS A (approx. 60 % of all MPS farms), the others in categories B and C. In the early years the inclusion of social standards has been explicitly excluded by MPS officials. Due to the public pressure in Holland and other parts of the world MPS since 1998 is working on a “social chapter”, which is existing as the 5th version as of now. The chapter is oriented towards ILO wording without referring to its conventions. About half a dozen of African farms up to now are called “MPS socially qualified”, participation of workers, unions and NGOs isn’t existing, the real impact of the social chapter is not to measure for outsiders.

Recently, in a very interesting development, after a lot of public pressure and debate, a letter of intent has been signed to include ICC into MPS. (see next chapter)

Flor Verde

The Colombian Flowers Exporters Association, Asocolflores, has a code called “Flor Verde” (Green Flower) which was first implemented in 1996 covering 23 farms. It has a focus on environmental issues, not even including the whole Colombian labour legislation, not to speak about international standards. The rights to freedom of association and collective bargaining have been excluded in Flor Verde. In the Colombian context, where most unionist are killed per year than in all other countries of the world together, that is shocking.

In addition, the environmental part is less based on fixed criteria but on environmental management, similar to MPS. There is no independent monitoring system in place, therefore it’s difficult to judge about the effects of Flor Verde, which according to Asocolflores’ information is covering in the meantime 2.300 hectares.

Until now Asocolflores rejected all proposals to include ICC standards and implementation mechanisms into Flor Verde. That is more a pity since before a group of company worked under the name of “Ecoflor” with criteria which came relatively close to the ICC. Nowadays, all Ecoflor farms became part of Flor
Verde and Asocolflores as a policy blocked any pilot projects based on international social standards and independent monitoring.

KFC

In the biggest African producer country, Kenya, on paper the best employers' code has been published. This was done by the Kenya Flower Council (KFC), which unites the big farms of the country. Edition 4, dated January 1999, of its Code of Practice includes many of the ICC criteria, less stability of labour, but is missing any involvement of workers, unions and NGOs. The commercial audit company Bureau Veritas is doing auditing of KFC’s code, but restricting this to monitoring the self-audit documents by KFC’s employees and selected spot checks of the farms. Results of these are not known to the public.

In mid 2000 KFC joined hands with the Fresh Produce Exporters Association of Kenya (FPEAK) to present the Kenya National Code of Practice. This is a rather weak document, referring only to the national laws which are far behind international standards and insufficient to cope with the risks caused by the flower industry, or to satisfy interest of the consumers.

COLEACP

In order to provide orientation and to harmonise the different employers codes the COLEACP, a mixed private-public body of the European Union for the promotion of Horticulture in the ACP States, drafted in 1998 a so-called “generic framework” for the codes in Africa. Its focus is more on environmental issues but includes also important social aspects without mentioning the human rights covenants and the ILO conventions. There is dialogue, but no co-operation with unions and NGOs from the side of COLEACP. Following a conference in September 2000 (where participated exporters associations from Burundi, Ghana, Jamaica, Kenya, Tanzania, Uganda, Zambia and Zimbabwe) an up-date of COLEACP's Generic Framework can be expected soon.

In line with these various African flower producers associations have published own codes, like the Zambia’s ZEGA or Zimbabwe’s HPC, which basically all refer mainly to environmental issues and national laws, leaving known international standards and independent monitoring aside.

Union Fleurs

In July 1999 there has been a meeting in London chaired by the Union Fleurs (International Flower Trade Association) looking into the different codes and label approaches in the sector. Beside of the Union Fleurs chairman and its Dutch board member in the meeting participated Asocolflores from Colombia, MPS from Holland, BGI from Germany and the Kenya Flower Council. The idea was to find a way to handle the different, partially competing labels in the market. For producers as for traders these divergent labels are a problem in marketing and advertising. Union Fleurs wanted to try to develop a common international standard for the production of cut-flowers, which in a second step also should be discussed with international unions and NGOs. Obviously, this interesting process wasn’t pushed through due to internal disagreements.
5. The first experiences with ICC implementation

The International Code of Conduct for the production of cut-flowers provides a good basis for flower production and flower trade. This has been proven over the last 3 years in an unusual co-operation of unions and NGOs with producers and importers/florists. The ICC nowadays is not only an excellent reference for judging other codes, but also a feasible tool to implement workers rights and basic environmental protection.

5.1 The pilot project with Migros

A breakthrough in implementing the ICC was the pilot project with the Swiss supermarket chain Migros in October/November 1998. Migros is a direct buyer of many cut-flowers in the South, has a certain tradition of social and environmental responsibility, and is one of the biggest single clients, if not the biggest, of the Dutch auctions. Migros is selling more than one third of all cut-flowers in Switzerland, a high-consume country. The two Swiss supermarkets sell 55% of all flowers, and an even higher percentage of cut-flowers imported from the South.

In mid-1998, after many years of discussion with the Swiss supermarkets, Migros proposed a pilot project on base of the ICC in the Zimbabwean farms selling to Migros. The International Flower Co-ordination accepted the offer, and the IUF Regional Co-ordinator for Africa, an independent Swiss pesticide expert and a representative of FIAN went to Zimbabwe. Choosing the farms they wanted to see, had full access to all relevant documents and data, separate interviews with the workers and managers. Of the 4 farms 3 were described as fit for the Code if they promised to have certain improvements during the next half year, specially regarding permanent contracts (for women), paid maternity leave, protective clothing, etc. After long discussions the farms agreed to this, and inspections after six months showed compliance with the ICC. Afterwards the international Flower Co-ordination managed to have these farms accepted also in the Flower Label Programme, so the concrete improvements for the workers will be described in chapter 5.4.

The pilot project with Migros put a lot of pressure on other actors. It helped to have pretty fast an agreement with the German flower importers association BGI about the renewed "Flower Label Programme" (FLP). The formal agreement was signed in January 1999, its public launch was before Mothers Day in May 1999. The ICC was incorporated completely into FLP, and its 10 criteria are now the message which all workers in participating farms of FLP (like Migros) have to know. In the new FLP the NGOs and unions are directly responsible in the whole process as well as the workers and the local organisations in the respective countries should be involved.

FLP functioning on base of ICC

FLP is a rather complex building. Therefore, we give in the following a short description of its main structure, tasks and actors. (See also page 46)

Responsibility of the overall program is with the Board of Directors of FLP. Therein the following four groups have one vote each:
1. The German Flower Campaign (Bread for the World, FIAN, terre des hommes),
2. the IUF-affiliate IG BAU (Union for construction, agriculture, environment),
3. the producers and
4. the traders (importers association BGI and German Florists Association)

The Board decides on the basic direction of the work of FLP, the criteria of the program and the certification agency for the independent inspections of the farms. The board is also responsible for public relations and marketing.

The board members receive all inspection reports about the plantations and decide on base of the report and other available information about the grant of the label and recommendations which have to be implemented until the next follow-up inspection. Board members have the right to full insight into all details of the program. This means, for example, that the participating NGOs and unions have the right to enter each plantation.

The criteria of FLP are comprising all 10 paragraphs of the ICC. The detailed "Guidelines for the socially and environmentally responsible production of cut-flowers" serve as preparatory document for newly interested farms and as inspection tool for the certification agency. Interested farms contact the FLP office, get the Guidelines and further information. If they are interested also a consultancy visit before inspection can be arranged, partially with assistance of the
German government agency. If the farm applies for FLP certification, first it sends in relevant basic information about conditions of production (Pre-Inspection Questionnaire). After this, the first inspection takes place, paid by the farm. This first inspection is always done by an international agency in the moment by the German based Agrar-Control GmbH. The ACG is a private agency under the Chamber of Agriculture of Rhineland which is administrated commonly by the government, producers and the union. The ACG is a known certification agency for quality controls and worked as such in the European agriculture. Always two specialists of the ACG (one for the social part, the other for the technical part) do the inspection of the farm, have access to all documents, do separate interviews with the workers and prepare an extensive report for the FLP Board. All FLP certified farms should be re-inspected each year, partially without prior information. For these re-inspections the FLP Board names a professional institution in the respective country. If a farm refuses re-inspection, it losses the FLP label.

At least as important as the independent professional inspections is the right to lodge complaints of the workers. It's the employees of a plantation who best know where the problems are. These complaints must be presented in a confidential way, without the risk of dismissal. The Flower Campaign has respective contacts with church institutions, NGOs and unions in the different countries. It's worth to mention that the confidential statements in the interviews with the ACG inspectors are noted in a separate report which only goes to the representatives of the unions and the NGOs in the FLP Board.

Local organisations have the possibility to accompany the process and to make use of FLP. FLP certified farms are publicly known. They committed themselves to strict social and environmental standards. The workers, unions and NGOs can, in cooperation with their international partners, make prove of this in the day to day reality.
5.3 Training for workers

In the process to implement the ICC in the FLP farms it is important to involve the workers themselves. For this purpose IUF, Friedrich-Ebert-Foundation and FINAN are running a comprehensive educational programme. Topics in this programme are: the social and environmental consequences of the flower industry, the direct consequences for the workers, the world market for cut-flowers, the North-South-Co-operation and history of the Flower Campaign, the ICC, the exact functioning of FLP, the inspections and the possibilities of an independent monitoring by the workers and their organisations.

The first seminar took place in March 1999 in Zimbabwe in cooperation with GAPWUZ (General Agricultural and Plantation Workers Union of Zimbabwe). There was a broad discussion about the recommendations FLP gave to the farms, which go beyond the national laws. First ideas about the qualification of the workers to accompany this process were developed. A NGO supports this process in a project funded by Bread for the World.

In October 1999, a regional seminar for Eastern Africa of agricultural workers unions took place with participants from Kenya, Tanzania and Uganda. The idea of a letter campaign against missing social and health protection, especially of women in the Kenyan flower industry came up. The participants from Tanzania wanted to place a strong focus on having negotiations with the FLP certified farms about freedom of association and collective bargaining. Both ideas were realised later on with quite some success.

In the meantime different follow-up activities took place in the region:
- a national seminar on the ICC with shop-stewards from Kenyan flower farms,
- the first regional women flower worker seminar in June 2000 in Arusha,
- a workshop to draft a training manual for workers to strengthen their capacities to struggle for their rights and enter into dialogues with the employers.

In Ecuador, the country with the most FLP farms, two seminars took place in early 2000. One was directed directly to workers and grassroots organisations. Another workshop involved NGOs, employers, environmental authorities and unions to discuss about the efficiency of FLP in Ecuador. In the meantime, a national network was formed by NGOs and grassroots organisations to exchange information and to support flower workers.

In March 2000, in Colombia first workshops were done with a network of organisations that is supporting flower workers and the North-South-Co-operation for international social standards. A delegate of the International Flower Co-ordination presented the ICC also in a Latin American seminar, Cactus and the Latin American Network against Pesticides organised in July 2000 in Bogotá.

It was possible by this training programme to have a stronger participation of the workers and their more detailed presentation of complaints to be included into the recommendations of FLP. The mutual understanding about this "strategy of the market", which is a base of FLP, was improved, chances and limitations were analysed. It became clear that the strengthening of the self-organisation of the workers and an improvement of the legal situation in most countries are necessary and for the latter the Guidelines of the ICC can be used as orientation. The ICC in the meantime is available in English and Spanish, in Kikuyu and Shona, in German and Dutch. Networks of different organisations developed in some countries to observe and to monitor this process. In some cases the dialogue between the local organisations and the employers could be initiated. Beside of these first successes certain problems remain: Until now there is fear among some workers to participate in such seminars since this might lead to dismissal. Some employers associations, for example in Ecuador, stick to their anti-union position. At the same time for some unions it's not easy to get into co-operation with a NGO. All actors share the disappointment about the position of the chemical industry which doesn't offer any assistance to avoid risks for health and environment by the flower industry.

MPS - soon "sodally qualified"?

The Dutch MPS system (see above) in 1998/99 was engaged in serious debates by NGOs and unions about the inclusion of the ICC into its environmental management system. At first MPS had told that they wouldn't see any reason to take up social standards, after a while they wanted to include those ones on occupational health but no other labour rights. Then MPS wanted to apply a "social chapter" only in the South, since in the North there would be good laws. Specially the Dutch agricultural workers union FNV Bondgenoten had to remind the MPS managers about some serious shortcomings in the flower industry of the Netherlands. The NGOs made clear that for any code or label double standards would be impossible. A social chapter only for African and Latin American producers would be a clear discrimination.

Finally, in September 2000 MPS signed with FNV and the NGOs OLAA and INZET a letter of intent to look for a practical way to introduce the whole ICC into MPS. This was a first major breakthrough. Now, in a process with pilot projects in flower farms in the North and in the South, with some additional research and also with an intended international participation of the IUF and the International Flower Co-ordination. It's hoped to find an agreement during the next 3 years.
5.4 Improvements by ICC

As of today there are about 50 flower farms in Ecuador (29), Kenya (6), Tanzania (2) and Zimbabwe (11), and two joining from Colombia recently, which implemented all ICC criteria, accepted independent inspection and were certified under ICC. Flowers from these farms are sold in Germany, Switzerland and in Austria under the FLP Label. All FLP board members, also the unions and NGOs, give a clear message to consumers in these countries: "If you want to buy a cut-flower, please look for those ones with the label." That's not the typical work of the participating unions and NGOs but it's a way to give incentives to more farms to participate in FLP/ICC. And it's an alternative for the consumer to buy flowers produced under human working conditions.

The program gets a very good media coverage. The new Flower Label Programme has incorporated all aspects of the ICC. In this sense it is a feasible concept to integrate international social and environmental standards as a new quality into the world market for cut-flowers. FLP was able to bring together different social actors, which have different political interests and motivations, in the search for human rights and environmental protection. There have been very concrete results from this work:

- The participating farms in Zimbabwe had to reduce the nationally accepted 51 hours week—a legacy of the Apartheid structure in Zimbabwean agriculture—to the international maximum of 48 hours work. That means each week 3 hours more for the workers to devote to the family or other social functions. In other farms excessive overtime was reduced.
- The role of the women workers has improved a lot. In Zimbabwe, for example, all women workers in the FLP farms got a permanent contract which enables them to enjoy their basic right of paid maternity leave of 12 weeks. Until the first ICC pilots with Migros (as explained above) all of the women workers—which also in Zimbabwe compose about 65% of the workforce—were "permanent casuals" and never in their life had received payment during their maternity leave, which is fundamental for the health of the woman and the child.
- Not only for maternity leave, but for every aspect of social security and organizing the private life permanent contracts are crucial, but due to the international tendency of flexibilization in the normal flower farms hard to find. Nowadays, in all FLP certified farms in Africa and Latin America the vast majority of the workers, except newly recruited, have permanent contracts directly with the farm.
- This is a precondition to enjoy the right to freedom of association. Workers who have a contract for only a couple of weeks or months, can hardly engage themselves in a union. This basic human right receives a lot of attention in the ICC and in FLP.

For example, one farm in Kenya couldn’t be accepted after the first inspection since there were credible reports about repression against union members. Management accepted the criticism and in a second inspection, in which an IUF-representative took part, it could be noted that the workers had had the right to elect freely their own farm committee to present the legitimate demands and proposals of the workers. The farms also wanted to join the collective bargaining agreement for the floriculture sector in Kenya.

In Tanzania, the local IUF-affiliate was able to form union committees in the 2 FLP farms near Arusha and to get a specific and very good CBA with the management, which incorporates many aspects of the ICC. (see Annex 2)

- An important aspect are wages and social security. The ICC defines a living wage as the main aim, whereas the legal minimum has to be paid in any case. This is exceeded in all FLP certified farms. Still there is some discussion needed to define the exact amount of the living wage, since the minimum wage in none of the participating countries is enough to reach the poverty line. Of course, the issue of wages is a major task of unions and has to be settled in CBAs.

Most FLP farms give additional extra-legal benefits. In Zimbabwe, for example, it was a major success to agree on free land for all workers to grow their own food, beside of food subsidies. These are also given in the canteens which can be found in most farms in Ecuador. Housing projects, educational programs and medical treatment are other important elements. These criteria for social benefits still need further attention and systematisation.

- Due to the high use of pesticides occupational health is a priority area. The biggest need probably was in the African farms where in many cases the most basic protection was lacking when ICC started to be implemented. Now, the workers receive in general good protective clothing and shoes, and a basic training. Additionally you have strict re-entry intervals implemented, between 6 and 24 hours after application of pesticides. The long period is specially in Africa a problem where due to the high temperature one has to harvest 3 times a day.

- A breakthrough could be reached in the case of blood testing, which can check the cholinesterase level, which is an indicator for long-term effects of certain pesticides. When farms in Zimbabwe and Tanzania were for the first time confronted with this prescription of the ICC Guidelines they said such medical technology wouldn’t be available in their countries. But his could easily be overcome. Nowadays, all sprayers and at least a random group of workers get regularly blood checked, and negative effects were found in a few cases. Those workers were transferred to other workplaces, since the organism can recover if the cholinesterase problem is identified early. These simple tests, also not yet the perfect solution, can save health and live of workers.
There have been first successes in the reduction of pesticides. More advanced FLF farms could reduce the amount up to 30% or even nearly 50%. At least as important is that the very poisonous substances (WHO lab) get eliminated. In many farms in Ecuador there are not yet used any more, in others there are time frames and programmes to replace them. For this purpose FLF organizes seminars with the pesticide managers and the chief sprayers. That doesn’t lead to organic flower farming yet. But with the aforementioned steps the most risks for the workers in FLF certified plantations get avoided.

Reduction of pesticides means also more environmental protection. This is also true for the ICC rule to have waste waters filtered and water consumption reduced. But the water issue needs still much more research and attention. Also aspects of recycling of pesticide containers or greenhouse plastic sheds are not yet well resolved in some countries.

Last but not least we have to mention that there is no child labour and no forced labour in FLF certified farms. This is regularly checked.

Beside of these practical results in the farm it’s also worth to mention the political success of the ICC. It’s today the main point of reference for all discussions on social standards in the flower industry. That is true for the discussion in the importing countries but also in the South. For example, the Zambian plantation workers union NUPAW used the ICC in the national discussion with the industry body as the base for their own proposal, in which they added some important national legislation on occupational health. Also the ILO, which had commissioned quite some studies on social and environmental effects of the flower industry, showed interest in the ICC and the Guidelines and will put them into their homepage.

The points mentioned indicate that ICC helps to improve the lot for the workers. Best successes could be reached when there was a close North-South working relationship. This should be strengthened in the future.

One has to note that the improvements are only to confirm in the ICC certified plantations. A lot of flower farms around the world -- probably even the majority -- continue with bad practices, exploit and fire the workers as they like, don’t allow unions and use the most poisonous pesticides in a very irresponsible manner. To bring more farms to compliance with ICC standards one has to increase pressure on them and to improve the work of the respective NGOs and unions. Before going to the general recommendations we should have a brief look on some weaknesses of the ICC implementation.

5.5 Problems in ICC implementation

The strength of the ICC in its implementation in the Flower Label Program is the direct connection with the market forces. This at the same time is a certain limitation of the approach: the direct pressure is only on the participating farms. This is true for example in the case of Colombia as a whole, or in Europe. But as more farms are entering into the program there is more pressure on the industry as a whole.

More serious is that in this co-operation the business connections partially dictate the pace and the geographical direction, e.g. if there is a farm from any country applying for the FLF label, the unions and NGOs have to do an immediate follow-up. That becomes difficult where the unions are not strong or hardly existing, like in the case of Ecuador where the IUF is not having an affiliate in the agricultural sector. This can lead to a sidelining or even replacement of unions if the unions -- and also grassroots organizations or NGOs -- don’t take up the challenge. Otherwise, it can easily appear to the workers, that the management of the farm is making a gift to the workers by joining FLF and improving some conditions. FLF is comprising the internationally accepted basic rights for the workers and more employers are finally complying with them since there is national and international pressure to do so. This has to be explained to the workers and also their possibility to take actively part in this program.

All this puts a lot of pressure on the international unions and NGOs and their local counterparts, since these networks are not always as strong as wished. And the flower trade is a very international actor, being present in more than 50 countries around the globe. A definite deficit in this context is that the ICC hasn’t found many supporters in North America yet, the biggest market for flowers from Latin America. One should not overestimate ICC/FLF as an instrument. It can only intervene in specific situations like flower farms if there is a certain openness to do so. It will definitely take more time to convince Colombian growers to take part in the process, since they are very powerful and since the confrontation of labour and capital in this country is so fundamental and bloody that a single initiative can’t overcome this easily. At the same time, in Zimbabwe the openness of the farmers was much bigger since they see international support from unions and NGOs and the support of the national union as important to secure their basic existence in the political conflict on the land issue in this country.

One has to take into account also the historical development of the ICC to understand its impact in different countries. In Zimbabwe, it were basically the unions and NGOs who made the ICC and later on FLF a reality. Therefore, the concrete results of the program and also the communication between the diffe-
rent actors at the national and at the international level is relatively deep going. Opposite, in Ecuador the ICC was introduced later into the FLP system, which before existed as an intra-business system. Therefore, participation of workers and independent organisations is accepted by the farms only very reluctantly. Beside of this the ICC/FLP cannot from one day to the other resolve all the problems the flower industry, the chemical companies and the hosting governments didn't look for for decades. For example, to have a good training for all sprayers and also for the workers about the safe handling of pesticides, specially in Africa appropriate concepts and institutions have to be developed. This will take time and cannot be completely resolved only in the framework of codes of conduct. Here, definitely government regulations have to come in.

Last but not least, there are also shortcomings in the presentation of the ICC/FLP in the consuming countries. It's not all as professional as it could be. To introduce a new brand mark in the market, and that's what FLP is doing, multinational companies usually invest a couple of million US-dollar into extensive pr-work. In the case of FLP, all depend on a couple of thousand US-dollar the participating farms pay as yearly fee and the participating organisations bring in as contribution.

And ICC/FLP depends in the markets on the activities many thousands of volunteers from the unions, the church as well as development, environmental and human rights groups organise in close co-operation with their Southern counterparts. That of course, is more a strength than a weakness of the program and should be further developed.

6. Recommendations and Perspectives

The International Code of Conduct (ICC) for cut-flower production proved, opposite to many company codes, as a valid instrument to set standards for the international flower industry and to realise important improvements for the workers in participating farms as well as for their support organisations. Therefore, the strategy of the ICC should be continued and should be improved. In the following some concrete proposals are presented.

6.1 Capacity Building

The ICC is not an end in itself. It is only a tool to enable the workers and other people in affected communities to raise their own issues, to enjoy their full economic, social and cultural rights as workers and human beings. The ICC concept offers scope for workers, unions and NGOs to do a specific independent monitoring of ICC certified farms, up to now those of FLP. For this purpose there should be

- the appointment of one responsible person in each union for the overview of the ICC implementation and the national and international networking on the issue
- regular national and regional training seminars for capacity building with workers, unions, community workers, NGOs, etc. on the international standards of ICC, on the national laws and regulations and on possibilities of independent monitoring
- the development of a respective grassroots training manual on the ICC
- the development of a tool for workers, trade unions and local organisations to check on their own the compliance of a farm with ICC standards
- an exchange of experiences among unions and grassroots organisations from different regions and countries how to use the ICC to influence local legal regulations or CBAs.
6.2 Women Workers a Priority

The flower industry is a predominantly female sector, at the same time women are very much discriminated in the flower farms. This has to be given more priority in the implementation of the ICC.

For the verification and monitoring process of the ICC more appropriate instruments and training for auditors, for the unions and the women workers themselves have to be developed.

A detailed analysis on gender implications in the flower industry, specially in African countries, would be necessary to define a strategy to involve more women in union/community work and to cater more for the needs of women workers. This would be also helpful for the educational work in the Northern markets, where flowers are given as a gift mainly to women. The German NGOs, for example, think about a specific activity on 8 March 2002, the International Women's Day.

6.3 Social Standards beyond a Voluntary Code

The ICC is a limited instrument, which is based on voluntary agreements and inspections. If the farms don’t want it any more, for example if the pressure from consumers countries gets weaker, they can move out of this scheme. But international social standards and national labour laws are binding to all countries. Therefore, stronger measure of implementation and compliance with social standards are important to find:

The IUF should strive for an international agreement (or even CBA) with the flower industry, e.g. its international association Unions Fleurs, and other parties involved on the base of the ICC and its Guidelines.

The unions of countries where ICC certified farms are existing could try to get a sectoral CBA which contains the standards of the ICC and its Guidelines.

Unions and NGOs should strive to propose missing legal regulations in their countries which are a necessity to guarantee a human flower production, like a living wage, sufficient maternity leave, proper health and safety measures, a basic training for pesticide sprayers, regulations for the use of water and pesticides, etc.

In a longer perspective, the unions and NGOs should consider the formation of an International foundation to implement the ICC and its Guidelines in all relevant flower producing countries, also uniting the different approaches in this regard.

One step in this direction could be a conference with the ILO bringing together the findings of their different country studies with the results of ICC implementation.

To strengthen the ICC at the national and international level as the basic orientation for flower production and flower trade there should be signature campaigns in the year 2002 addressed to national producers/traders as well as to the international bodies, which could be presented in an internationally co-ordinated activity in 2003.

6.4 International Networks

The flower industry is an international industry, the ICC is an international project. Therefore the international network and the international contacts should be intensified.

The IUF should look for funds for a flower campaigner to avoid to be sidelined by the industry or by the NGOs.

There should be South-South exchange programs. For the Africans to see for example the work stress in Latin farms but also the partially succeeded protective measures for health and environment. For the Latinists to see for example the social and cultural context of harsh exploitation of women in many African farms but also the successs in getting unions and CBAs.

There should be also grassroots exchange programs of unions between North and South, for example for the florist sales women to understand poor conditions of many workers, for the African worker to understand the dynamics of the market and the relatively precarious jobs of sales women at the end of this chain.

6.5 Scientific Studies

Last but not least there is a need of further studies, in which unions, NGOs and the scientific community should co-operate and should urge governments and industries to assist, on the implications of the flower industry in specific regions/countries. The results could help in resolving wrong developments or avoid them in new producing areas. Important issues would be:

Short and long term effects of pesticides in greenhouses and its surroundings, specially in Africa there are no reliable data available (a fault of the governments and the industry).

Economic viability studies of flower farms to assist in the estimation of a living wage, as one perspective of a proposal by the unions toward the flower industry.

Waste water treatment, specially biological control using constructed wetlands.

Biological methods of plant production in flower production

The effects of the use of approximately 10 000 m² water per hectare and year in commercial flower production on the surrounding communities and ecosystems, and methods to reduce the water use.

Eco-friendly recycling of the plastic waste and the chemical containers.
6.6 Working Plan

These proposals should serve as the base for discussions on international level between the involved unions and NGOs. As a result priorities should be defined, responsibilities should be taken by the different actors, to agree on an overall, but feasible and binding working plan for the next 2-3 years. After this period the implementation of the working plan has to be evaluated.

Table 1
Expenditure by Consumers for Cut-Flowers (in US-Billion)

Table 2
Imports into EU from non-EU-countries (in million ECU)

Table 3
Imports into the USA (millions of US$)

Table 4
Direct jobs in the export flower industry in the South

Table 5
Farms and cultivated area in Holland

Table 6
Exports of cut-flowers from Colombia (in USD millions)

Table 7
Operational costs for a msa farm in Arusha/Tanzania

Table 8
Average of workers in direct employment per ha according to the type of flower in the Bogotá Region 1979 and 1993

Table 9
Chemical substances used by the flower industry

AGG Agrar Control GmbH (Alemán)
ASOCOFLORÍES Colombian flower exporters association
BGFl German flower wholesalers and importers association
CELEACP Acuerdo para la Horticultura del Grupo de puntos del Pacifico asiático y africano.
ECOFLORÍES Ecuadorian flower growers and exporters association
FES Friedrich Ebert Foundation
FETRABOC Federación de trabajadores de Bogotá y Cundinamarca (Colombia)
FIAN Food First Information & Action Network
FLP Flower Lab Programme
FWV Dutch Trade Union Confederation
FPSTE Fresh Produce Export Association of Kenya
GAFFWUZ General Agricultural and Plantation Workers Union of Zimbabwe
GTZ German society for technical co-operation
HPC Horticultural Promotion Council (Zimbabwe)
ICC International Code of Conduct for the socially and environmentally responsible production of cut-flowers
ICFTU International Confederation of Free Trade Unions
IG BAU German union for construction, agriculture and environment
ILU International Labour Organisation
IUUF International Union of Food, Agricultural, Hotel, Restaurants, Catering, Tobacco and Allied Workers
KFC Kenya Flower Council
KPAWU Kenyan Plantation and Agricultural Workers Union
MPS Dutch Environmental Management Program for Horticulture
NGOs Non-Governmental Organisations
SADC Social Accountability 8000
TAPWU Tanzanian Plantation and Agricultural Workers Union
UNIONAC Unión Nacional de Organizaciones populares del Ayacucho y Cayambe (Ecuador)
UTRACUN Unión de trabajadores de Cundinamarca (Colombia)
ZEGA Zambian Export Growers Association
International code of Conduct for the production of cut-flowers

Preamble

The following code aims to guarantee that flowers have been produced under socially and environmentally sustainable conditions. The code provides a concise statement of minimum labour, human rights and environmental standards for the international cut-flower industry. Companies should pledge to require their suppliers, contractors and sub-contractors to observe these standards. The code is concise in order to display it in workplaces and in order to avoid any confusion between these basic principles and the application of principles. An independent body, established to provide independent verification of compliance with the code and to assist companies to implement the code, will provide an auditable check-list of practices and conditions that are consistent with the standards set forth in the code.

The company pledges to observe the core ILO standards, the universal human rights standards and basic environmental standards, which are the base for this code. The company pledges to make observance of the code a condition of any agreement that it makes with contractors and suppliers and to require them to extend this obligation to their sub-contractors. The company accepts that the implementation of the code is subject to independent verification. The code establishes only minimum standards that must not be used as a ceiling or to discourage collective bargaining. The company shall comply with all national laws and legal regulations. When national law and these criteria address the same issue, that provision which is most stringent applies. The text of the code, which is intended to be posted where workers can see it, shall also include a means by which workers can report failure to comply with the code in a confidential manner.

Code of Conduct

1. FREEDOM OF ASSOCIATION AND COLLECTIVE BARGAINING
The rights of all workers to form and join trade unions and to bargain collectively shall be recognised (ILO Conventions 87 and 98). Workers representatives shall not be subject of discrimination and shall have access to all workplaces necessary to enable them to carry out their representation functions. (ILO Convention 135)

2. EQUALITY OF TREATMENT
Workers shall have access to jobs and training on equal terms, irrespective of gender, age, ethnic origin, colour, marital status, sexual orientation, political opinion, religion or social origin (ILO Conventions 100 and 111). Physical harassment or psychological oppression, particularly of women workers, must not be tolerated.
3. LIVING WAGES
Wages and benefits paid for a standard working week shall meet at least legal or industry minimum standards and always be sufficient to meet basic needs of workers and their families and to provide some discretionary income. Pay should be in cash, direct to the workers, promptly and in full. Information to wages shall be available to workers in an understandable and detailed form.

4. WORKING HOURS
Hours of work shall comply with applicable law and industry standards. In any event, workers shall not on a regular basis be required to work in excess of 48 hours per week and shall be provided with at least one day off every week. Overtime shall be voluntary, shall not exceed 12 hours per week, shall not be demanded on a regular basis and shall always be compensated at a premium rate.

5. HEALTH AND SAFETY
A safe and hygienic working environment shall be provided. Companies shall provide free and appropriate protective clothing and equipment, and comply with internationally recognised health and safety standards. (ILO Convention 170) Workers and their organisations must be consulted, trained and allowed to investigate safety issues. There should be regular monitoring of workers' health and safety. Companies shall supply drinking water, provide clean toilets and offer showers and washing facilities. Where housing is provided, it should comply at least with the minimum standards for size, ventilation, cooking facilities, water supply and sanitary facilities. (ILO Convention 110, Articles 85-88)

6. PESTICIDES AND CHEMICALS
Every company should assess the risks of the chemicals used and apply measures to prevent any damage to the health of their workers. Companies shall record and reduce pesticide and fertilizer use by adequate techniques and methods. No banned, highly toxic (WHO I) or carcinogenic pesticide and chemical should be used. Safety instructions and re-entry intervals must be strictly observed and monitored. Spraying, handling and storing pesticides and chemicals should be done by specially trained people with suitable equipment. Store apparatus and equipment must be clean, safe, handy and conforming to international standards.

7. SECURITY OF EMPLOYMENT
Work which is by its nature not seasonal or temporary shall be done by workers on permanent contracts. Provisions for non-permanent and seasonal workers, including freedom of association, should be not less favourable than for permanent workers. Every worker shall get a copy of their contract.

8. PROTECTION OF THE ENVIRONMENT
Companies should make every effort to protect the environment and the residential areas, avoid pollution and implement sustainable use of natural resources (water, soil, air, etc.).

9. CHILD LABOUR IS NOT USED
There shall be no use of child labour. There shall be no workers under the age of 15 years or under the compulsory school-leaving age, whichever is higher. Children under 18 shall not work in hazardous conditions. (ILO Convention 138) Adequate transitional economic assistance and appropriate educational opportunities shall be provided to any replaced child workers.

10. NO FORCED LABOUR
There shall be no forced labour, included bonded or involuntary prison labour (ILO Conventions 29 and 105). Nor shall workers be required to lodge "deposits" or their identity papers with their employer.

Section of Implementation
1. To oversee the implementation of the Code of Conduct an independent body, accepted by all parties involved (for example trade unions, NGOs, employers), shall be formed.
2. This body will set the terms for an independent process of verification of compliance with the Code of Conduct.
3. The companies shall report regularly about the progress made in the implementation of the Code.
4. The independent body shall make provisions for workers, trade unions and other concerned groups to lodge complaints about violations of the Code, which if serious, have to be followed-up.
5. The Code shall be translated into local languages and prominently displayed in the place of work.

Language:
The English version of the text of this Code is the authoritative version.

August 1998

proposed by:
□ IUF – International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations, Geneva
□ Flower Campaign, Germany (Bread for the World, FIAN, terre des hommes)
□ IG BAU – Trade Union for Construction, Agriculture and Environment, Germany
□ FNV – Trade Union Confederation, Netherlands
□ OLAA – Organisatie Latijns Amerika Aktiviteiten, Netherlands
□ INZET, Netherlands
□ Fair Trade Center, Sweden
□ Flower Coordination, Switzerland
□ Christian Aid, UK

Contact:
FIAN, Oberwegstr. 31, 44625 Herne, Germany
Phone: ++49/2323/490099
Fax: ++49/2323/490018
E-mail: fien@fiian.de
Annex 2

Voluntary Agreement (Excerpt)
Between
Kiliflora LTD. and Kilimanjaro Flowers LTD. (Herein referred to as the employer) and
Tanzania Plantation and Agricultural Workers Union
(TPAWU – Herein referred to as the UNION)
In the matter of better terms and conditions of employment for the workers employed by the employer,

1.0 PREAMBLE
I. Whereas by terms of Recognition the EMPLOYER and the UNION agree that the EMPLOYER has recognized the UNION as the properly constituted body and sole labour organization representing the interests of workers.
II. Whereas the EMPLOYER and the UNION wish to enter into a collective bargaining agreement to cover all workers employed by KILIFLORA LTD. And KILIMANJARO FLOWERS LTD.

2.0 EFFECTIVE DATE OF THE AGREEMENT AND GENERAL CONDITIONS
This agreement will become effective from 1st of July 2001 and shall remain valid for a period of twenty-four (24) months.

3.0 EMPLOYMENT
Working hours: working hours for all permanent employees shall not exceed 40 hours per week (spread over six days of the week). Should there be interruptions/un-notified/un-scheduled work, permanent workers shall be paid full wages for the interrupted hours and the company will deploy them in other duties.
Overtime
Overtime for entitled workers shall be those in excess of 40 hours in a working week. Similar work that will be done on Sundays and Public holidays will be regarded as overtime and this shall be paid twice (x2) normal hourly rates.
Overtime shall be at the discretion of management. However, overtime should not exceed 12 hours per week. Workers shall have at least 24 consecutive hours of rest per week.

4.0 LABOUR CONDITIONS AND HEALTH AND SAFETY
It is hereby agreed that 80% of the workforce will comprise of permanent employees and that the number of female employees should equal or be more than that of male employees.
It is hereby agreed that no female employee will be subjected to pregnancy tests as a precondition for recruitment.
It is hereby agreed that the EMPLOYER shall not practice or allow child labour.
It is hereby agreed that the EMPLOYER shall bear responsibility of protecting the health of workers and that of the environment, hence:
EMPLOYER shall establish a policy on OHS and working environment in line with ILO Convention No. 155 Act 4 and 11.

EMPLOYER shall organise work in such a way as not to endanger the safety and health of employees.
EMPLOYER shall adhere to International Standards and Codes of Conducts relevant to the cut flower industry.
EMPLOYER shall adhere to rules and regulations governing the importation, registration, distribution, and use of chemicals as set out by the Tropical Pesticide Research Institute (TPRI), the World Health Organisation (WHO), the United Nations Environmental Program (UNEP), and the Food and Agriculture organisation (FAO).
EMPLOYER shall provide pesticide and safety information (including labels and Safety Card) to employees. This information should be given in both Khaswahili and English.
EMPLOYER shall hang a board outside all green houses and other places where pesticide spraying has taken place; these boards should indicate the name of the chemical, the time it was sprayed and the time when re-entry is permitted.
The UNION branch shall have the right of requesting labels or hazard safety cards from the EMPLOYER.
The EMPLOYER shall institute optimum supervision in all high-risk areas such as spraying yards, construction and grading sites.
The EMPLOYER shall allow the establishment of OHS committees and shall facilitate their activities.
The EMPLOYER will provide functional First Aid kits at all work sites and that he will provide training to employees.
The EMPLOYEE shall provide free medical service and that regular medical examinations will be provided.
The EMPLOYER will provide appropriate uniforms and personal protective (PPE) to its employees particular those working in high-risk areas.
The EMPLOYER shall ensure that waste-water is treated or disposed in a way that does not endanger employees and the environment.

5.0 SOCIAL ISSUES
The EMPLOYER shall register their employees to the social security scheme. The EMPLOYER shall have educational programmes to its employees and encourage cultural activities in cooperation with surrounding communities.
Female employees must be taken to avoid reproductive health risks. In particular, pregnant women shall only perform work which excludes contact with pesticides and other chemicals.
Female employees shall be entitled to maternity leave of three (3) months on full pay.
Nursing mothers shall be allowed one (1) hour during working hours for the purpose of feeding their babies at least for the first twelve (12) months.
Transport to and from the farm shall be provided by the EMPLOYER alternatively an allowance shall be paid.
Housing: a permanent employee who is not provided with free housing by the EMPLOYER shall be entitled to a housing allowance of not less than 75s.
The EMPLOYER shall provide to a housing allowance of not less than 75s. EMPLOYER shall provide to a housing allowance of not less than 75s.
If a permanent employee is given reasonable housing, accommodation and refuses such an accommodation for personal reasons, he/she shall not be entitled to a house allowance.
Countries' Ratification of ILO Conventions

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