THE FAIR LABOR ASSOCIATION SYNGENTA PROJECT REPORT 2006
Monitoring the Agriculture Sector
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EXECUTIVE SUMMARY

A report of child labor at Syngenta's cotton seed farms in the Indian state of Andhra Pradesh made headlines in European newspapers in the summer of 2003. The Swiss multinational was confronted with massive controversy after these shocking accusations. The fact that children were still found working in farms despite Syngenta's child labor policy, which had been in place for some years, led Syngenta Seeds Inc. to realize that a more comprehensive strategy was needed. They approached the FLA to help them develop an effective internal monitoring system and a structure for independent verification of this process.

To this effect, the FLA commissioned two independent studies to assess the risks of child labor in Syngenta's Indian cotton seed supply chain. Based on the results of these studies, a new approach to internal and external monitoring was established. In addition to the child labor issue, the studies also revealed concerns with wages, hours and occupational safety and health.

These reports confirmed that the FLA methodology could be adapted to the agricultural sector with a few key adjustments. The cooperation with Syngenta determined that all major components of the FLA system (adopting the code, collecting information and addressing compliance issues) could be applied to compliance work on farms. The FLA worked with Syngenta to develop appropriate standards and benchmarks against which monitors could measure the level of compliance on the farms. Syngenta staff was also trained to collect compliance information, but instead of a conventional compliance checklist, task-mapping and risk assessment tools were introduced to identify compliance risks and remedial priorities.

The involvement of farmers, their families and communities makes it necessary to adopt an inclusive strategy. Emphasizing the local stakeholder engagement in defining and addressing compliance issues, the new FLA 3.0 methodology lends itself to the agricultural sector. Syngenta therefore initiated a series of stakeholder dialogues with NGOs and other representatives of the industry to discuss the main compliance issues and remedial strategies. The significance of those meetings was confirmed by the range of stakeholders involved and the willingness of the companies to discuss sensitive issues such as prices and wages. In December 2006 the third such forum will be held to discuss the first monitoring results and to seek input in designing and delivering remedial strategies. To change the way seeds are farmed, those strategies will need coordinated action by companies, NGOs and government agencies at the workplace and in the community.

BACKGROUND

Various studies have highlighted issues related to child labour and working conditions on farms producing cotton seeds in India(1). Focusing on the nature and magnitude of the child labour problem in cotton seed fields(2), these studies mainly analyse the reasons for employing children, their working conditions, the impact of cotton seed work on education and the health conditions of working children in the Indian State of Andra Pradesh(3). These studies have been echoed by reports in the international press(4,5).

Currently, about 200 seed companies are involved in the production and marketing of hybrid cotton seeds in India, including multinationals like Monsanto, Advanta, Bayer and Emergent Genetics. Until 2004, Syngenta was the biggest producer of cotton seeds in the world, with hybrid cotton seed production in four Indian states accounting for approx. $3m in revenue. Of those states, Andra Pradesh (AP) only accounted for 10% of the production, yet the presence of child labor on some of the 1200 small farms in AP caused the public controversy over Syngenta's corporate social responsibility.

When Syngenta first approached the Fair Labor Association in July 2003 the multinational was advised to research the actual situation on the cotton seed farms in India. That information could then be analysed and remedial strategies developed. Having gained expertise in the apparel and footwear sectors, the FLA was keen to learn how its methodology could be adapted to the agricultural sector, in particular to cotton seeds farms in India. Syngenta was to be the first company from the agricultural sector employing the FLA monitoring methodology.
The **Fair Labor Association (FLA)** is a collaborative effort to improve working conditions in factories around the world. By working cooperatively with diverse stakeholders, the FLA promotes the highest standards for labor rights by monitoring compliance with its Workplace Code of Conduct and remediation of any non-compliance. The FLA Code of Conduct is a comprehensive set of rules developed in accordance with International Labor Organization standards.

**Compliance with international labor standards is a process, not an event**

The FLA methodology is based on participating companies’ willingness to adopt a Code of Conduct and implement it throughout the company’s supply chain. This process includes setting up a comprehensive compliance program and effective internal monitoring structures. In addition, each company’s facilities are checked randomly by independent external monitors. These accredited monitors are contracted by the FLA.

Once problem areas have been identified in the monitored facilities, the FLA works with the company to correct them and independently verifies the status of the remedial process. Finally, the FLA publishes the status of the participating company’s internal compliance programs as well as the independent external monitoring results. This ensures the monitoring program is being implemented with integrity.

Cotton seeds are the start of the supply chain that ends with the production of apparel but the FLA methodology focuses on the point at which the substantial transformation of the product takes place and as a result the FLA had never worked in industries such as farming and textile production that are upstream of apparel production. However, the FLA welcomed the opportunity to gain experience in this area and to test the wider applicability of its methodology.

In order to meet the special monitoring requirements of the agricultural sector, the FLA and Syngenta agreed to collaborate on a pilot project. The objective of the project was to determine whether the agricultural sector could be integrated into the FLA and to assess how the FLA’s methodology would need to be adjusted to meet the special conditions in the agricultural industry. A three year project implementation period was determined. It was agreed that the FLA would start with collecting additional information on the agriculture sector, help Syngenta staff to design an internal monitoring process and finally, that the FLA and Syngenta would jointly develop a monitoring methodology appropriate for the agricultural sector.

**FLA - SYNGENTA PROJECT**

In the first phase of the project in October of 2003, Auret van Heerden, President and CEO of the FLA, visited the hybrid cotton seed farms in India to make an initial assessment of the potential for FLA monitoring. Subsequently, a strategy for internal monitoring was developed, building on the visits of the production and quality controllers who inspect the farms approximately four times during the production cycle. In addition to their normal consultation with the farmers, the controllers would also discuss how to meet the company’s social standards. The internal monitoring would then be verified through random Independent External Monitoring visits, conducted on batches of the one-acre farms rather than the individual farms.

The FLA commissioned two task-mapping and risk assessment studies of the seed production process in order to clarify the compliance risks and the remedial strategies appropriate to each task and risk.

The FLA also helped to set up a process of stakeholder dialogue in order to integrate the relevant stakeholders. The direct involvement of farmers, their families and communities in the agricultural sector required an inclusive compliance strategy to confront the child labor issue.

Parallel to this, the FLA had developed a new monitoring methodology (FLA 3.0) for its work in industrial workplaces. This new approach to compliance is based on a multi stakeholder process which serves to identify, prioritize and remedy compliance risks, preferably through capacity building. This project is based on this concept, and therefore represents further testing ground for the FLA 3.0 methodology.
Task Mapping and Risk Mapping Study of the Agriculture Sector
For the project, a methodology was developed to identify the risks in the agriculture sector by mapping each task in the production cycle and then assessing the risk associated with each task. To this end, two separate studies were carried out in April 2004 and October 2004.

The first study concluded that Syngenta’s new monitoring strategy was feasible. Recommendations were then made regarding the design of the internal monitoring system and the next steps Syngenta could take to implement the Code of Conduct in a sustainable way. Furthermore, the consultant assessed potential monitors with expertise in monitoring child labor in India.

The second study was aimed at assessing the risks of working on cotton seed plantations in India, dealing with the design of a reliable monitoring system. The report was based on findings in Andra Pradesh and Gujarat and discussed the nature of work in cotton seed production and the risks of code non-compliance, particularly in areas such as Child Labor, Occupational Safety and Health, Harassment and Abuse, Wages, Hours, Benefits and Forced Labor. It also assessed the educational disadvantage of child laborers as well as the work of NGOs in this field that could support Syngenta Monitoring. Syngenta acknowledged that for compliance levels to increase, code awareness had to be established, internal monitoring staff trained and compliance data collected and analyzed regularly.

Syngenta Activities
The implementation of the Syngenta monitoring program started with the publication of a company-wide communication from the head of Syngenta Seeds, informing all staff about their participation in the FLA. That memorandum pointed out that Syngenta was committed to implementing the FLA Code of Conduct throughout its seeds operation world-wide, starting with the monitoring of child labor issues in the hybrid cotton seed sector in India. Two internal workshops in India were conducted by the FLA staff in order to ensure that everybody in the company’s seed business was familiar with the FLA methodology. The General Manager, production managers and “organizers” (essentially agents) of Syngenta Seeds India were informed about the company’s Monitoring Plan and the strategies for its implementation, including the Code of Conduct, Monitoring Guidance and Compliance Benchmarks.

Interaction with the local Syngenta staff revealed the complex social and economic issues underpinning the existence of child labor (see box). Syngenta’s program operated at both the community and production levels. Syngenta included a “no child labor” clause in their contracts with organizers and farmers, started education and awareness raising programs amongst organizers and farmers, provided assistance to local schools and women’s groups in the affected villages and supported the development of child labor free farms run by women. Drama productions were mounted to spread the message at village level and educational posters and leaflets produced by the Association of Seed Industry were distributed.
Interfacing with the Stakeholders

The FLA and the Swiss Foundation Philias facilitated a series of stakeholder dialogues with Syngenta, other companies in the industry and NGOs. The first meeting of stakeholders took place in Brussels and was attended by the International Labour Organization (ILO), the Indian Government, the India Committee of the Netherlands (ICN), Amnesty International, the International Federation of Chemical, Energy, Mine and General Workers' Unions and the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers’ Associations (IUF) among others. During this first forum, Syngenta put a comprehensive list of social responsibility issues on the table – labor, environment, sustainable development – and had representatives of all their business units present to engage with stakeholders. Critics appreciated Syngenta’s openness and their willingness to engage in a public debate and offered to work jointly with Syngenta on the issues at hand.

During the meeting, it was decided to have a follow-up forum in India (Hyderabad), which took place in June 2005. It was attended by companies, NGOs, researchers, monitoring groups and government agencies. The participants agreed to establish three working groups for discussion purposes. The first group was to focus on labor rights and the empowerment of women, the second on production and supply issues, including pricing policies, and the third group was to deal with the campaign strategy to eliminate child labor in cotton seed production in India. All stakeholders agreed that the relationship between price and working conditions on the farms needed discussion. The NGOs argued that the prices paid to the farmers were too low to allow them to employ adult labor and implement adequate health and safety standards. The companies responded by providing a detailed breakdown of costs in the supply chain to demonstrate how they arrived at the purchase price. This was probably the first time that multinational enterprises discussed the link between prices and working conditions with stakeholders. The openness of these discussions demonstrated that Syngenta and other companies in the seed business were prepared to make a sincere effort to improve working conditions.

In addition, Syngenta continued to work with other representatives of the seed industry in India in order to mount an industry-wide response to the problem of child labor. They approached the Association of the Seed Industry (ASI) to take up the issue of CSR in general and child labor in particular. One of the results of the efforts on the sectoral level was the establishment of the Child Labour Eradication Group (CLEG) (see box).

CLEG consists of various companies and NGOs. The group’s objective is to eliminate child labor in hybrid cotton seed fields and to re-integrate the children into the educational system. The group follows a strategy that consists of three major steps. The first step involves the monitoring of the farms. CLEG helped to form committees at the district, mandal and the village level, which will visit the farms regularly. The information gathered by the local monitoring committees will then be discussed in the CLEG. The second step concerns the farmers’ participation. In order to provide incentives to eliminate child labor, the companies agreed to pay a 5% premium on the normal procurement price for seeds on condition that the farmers don’t employ children. However, should the committees find evidence of child labor on the farms, a number of cumulative warnings would follow. The first warning would result in the loss of the 5% “no child labor” premium. The second warning would result in the reduction of the procurement price by 10% and at a third stage, the warning would result in companies either rejecting the seed and/or not dealing with the farmer in future. The CLEG has also promoted a program of “preferred villages”, in which the companies would try to get the majority of farmers to renounce child labor and produce exclusively for them. In so doing, the farmers in the preferred villages would not only benefit from the price premium, but they would also be granted technical assistance by the companies.

In the months to come, the innovative concepts of multi stakeholder monitoring, payment of price incentives for compliance and the use of designated villages need to be tested. If these approaches prove to be effective, they will have great potential to expand throughout the agricultural sector and possibly even to other sectors.
Unanticipated Challenges
The implementation of Syngenta’s monitoring program in India was interrupted by internal changes at Syngenta, particularly the company’s decision in early 2005 to sell their global cotton seed business. The monitoring of the cotton seed production could therefore not be launched. Nevertheless, Syngenta has continued to support the CLEG program despite its decision to leave the cotton seed sector.

FLA continued to work with Syngenta to implement the program in the rest of its seeds business in India. It was agreed that the FLA should help the company examine the risk profiles of the different production chains through a

- The development of Seed Production Practices (Code of Conduct).
- The development and submission of the Internal Monitoring Plan to the FLA.
- The compilation of a list of farms and submission of the same to the FLA.
- The development of the appropriate tools for collecting and analyzing compliance data, including questionnaires and a database.
- The identification and training of Syngenta production staff and organizers to collect information on each field visit, receive and analyze checklists.
- The organization of additional stakeholder forums to agree on monitoring matrixes that

HYBRID VEGETABLE SEED PRODUCTION
The FLA and Syngenta agreed that they would shift their attention to hybrid vegetable seed production. This posed extra challenges for the FLA and Syngenta as additional research had to be conducted. However, the two years of experience from the cotton seed business facilitated the finalization of the monitoring methodology for hybrid vegetable seed production.

The following steps were defined in the implementation process:

- The mapping of the tasks involved in hybrid vegetable seed production and identification of high risk activities.
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General Findings:
Syngenta operates through third party seed organizers who work with seed farmers. The contract between Syngenta and the seed organizers sets production targets for each organizer. This includes the type and quantity of seeds, the price of the foundation seeds that are supplied by Syngenta, the procurement price that will be paid to the farmers and the service charges/commission that the organizers will receive (depending on the quality of the seeds).

Hybrid vegetable seed production is a highly labor and capital intensive activity. Small seed crops like sweet and hot pepper or tomato require a large labor force to carry out different operations. The hybridization processes (emasculating and pollination) are vital tasks which can only be done manually.

Women play a dominant role in vegetable seed production. Nearly 90% of the workers in tomato, hot and sweet pepper, okra and eggplant production are women. Women are exclusively employed for the weeding while men mostly carry out pesticide and fertilizer application activities. The women are generally paid less than the men for the same activities.
In all production locations visited in Maharashtra, Gujarat and Karnataka there was a general practice of using children (both hired and family members) in seed production. The children are paid less than other workers. However, all interviewees reported that this practice is non-existent on their farms due to pressure from Syngenta field staff.

Seed farmers need a secure labor force to carry out different operations and so they make long-term agreements with workers by paying advances and loans (Rs. 3,000 – 4,000) (USD 65 – 90) that bind workers throughout the season of three months. This practice is more prevalent in Gujarat where migrant laborers from the nearby state of Rajasthan are used.

Task Mapping and Associated Compliance Risks in Production Processes:

- Sowing and transplanting: this is skilled work (except for okra and beans) involving the transplanting of seedlings developed in the nurseries. No major compliance risk is involved.

- Fertiliser application: fertilizers (both bio and chemical) are applied to plants directly by spreading or through drip pipes. No major risk is involved.

- Pesticide application: during the peak season pesticides are applied manually by spraying with a hand pump twice a week. The workers do not use any personal protective equipment while spraying these chemicals. The pesticides used are highly toxic and harmful. Personal protective equipment such as gloves and masks are not used in storing, mixing and spraying the pesticides. Significant risks involved.

- Weeding: weeding is done manually. No major risk is involved.

- Staking, Pruning, removal of off-type plants: staking facilitates the handling of plants during emasculation and pollination and keeps ripening fruits above ground to prevent rotting. No major risk is involved.

- Hybridization: this involves emasculation (removing stamens without damaging the stigma, style or ovary and carried out manually in the evening: 3:00 – 6:00 p.m.) and pollination (manually exposing the stigma and dipping the stigma into the pool of pollen; carried out with fast and repetitive movements in the morning 5:00 – 9:00 a.m.). The risk of child labor, forced labor and excessive overtime in the hybridization process is very high.

- Harvesting: collection of fruits from plants. This is also a labor intensive activity. Pepper and Tomato crops in particular require large numbers of workers. There is a risk of farmers using child labor (family and hired) and forced labor to minimize costs and force laborers to work long hours.

- Seed extraction, cleaning, and acid treatment: this is done manually. The acids used for cleaning seeds are highly toxic and need careful handling with protective clothing. High risk involved.
Training Needs of Syngenta Field Staff, Organisers and Farmers

Syngenta field staff, seed organizers and farmers have only a limited understanding of the company’s policy on labour rights, health and safety standards or the FLA’s workplace code of conduct. Amongst staff there is, however, a general yet inconsistent awareness about the dangers related to child labor. Syngenta’s contractual ban on child labor did not provide seed organizers with an adequate definition and benchmarks for child labor.

**Syngenta’s Internal Monitoring Plan**

The internal monitoring plan was developed in a multi-stakeholder consultation process including the FLA, the local academic who conducted the task mapping and risk mapping study, Syngenta’s regional production managers, organizers, supervisors and some farm growers and workers. The plan consists of setting up management information systems to gather and analyze data from the farms, recruiting and training staff, establishing policies and standards and developing monitoring tools and methodologies to implement the program and put in place remedial plans. Consultation with a wide range of stakeholders is an integral part of the plan.

Policies and Standards

Syngenta formally stated its commitment to adopting and upholding the FLA Code in a memo from the head of Seeds sent out to all Syngenta employees. Syngenta also developed its own Corporate Social Responsibility policy and human rights code of conduct that corresponds to the FLA standards and is published on Syngenta’s website. By adopting the FLA Code, Syngenta is not only committed to monitor and remedy child labor but also all other code elements stipulated in the FLA COC, including forced or bonded labor, harassment and abuse, discrimination, health and safety, freedom of association, wages and benefits, hours of work and overtime compensation.

A Seed Production Practices (Code of Conduct) document was developed for the Indian region, translated into the local languages and distributed to farmers. The Seed Production Practices document is attached to the agreement given to the organizers before the start of the production season. Additional awareness raising on these standards is provided through: a) joint meetings with farmers in each location; b) additional explanations of contractual provisions; c) verbal com-
Regular monitoring visits will determine whether the growers respect and implement the standards outlined in the Seeds Production Practices document.

Project Coordinator and Staff Trainings
A full time manager was hired to supervise the internal monitoring activities of Syngenta. Training modules have been designed according to the capacity gaps identified in the initial studies. These include both monitoring and remedial modules for child labor but also issues like occupational health and safety and environmental protection. Production Managers, Senior Supervisors and Key Organisers are trained to conduct monitoring activities and additional staff were identified to support the data collection and analysis. To supervise and coordinate all activities a Project Supervisor was nominated at each production location.

Workshops for Syngenta staff will be held covering the following topics: Syngenta’s commitment to the FLA Program, Seed Production Practices (Code of Conduct), Internal Monitoring Methodology, Introduction to Internal Monitoring Tools and guidelines, Data Collection and Entry, Data compilation and analysis and Report Writing.

Information Management Systems, Monitoring Tools and Methodologies
The factory list used by the FLA for the industry has been transformed into a farm list. This farm list will provide details about the farms (approx. 5000), and will be updated by Syngenta on an ongoing basis. Syngenta is obliged to submit an updated farm list for each crop to the FLA twice per season, and to show proof that they monitored all ten vegetable seeds.

Syngenta has developed an internal monitoring tool and corresponding guidelines to monitor social conditions based on the results of the task mapping and risk mapping study. Production staff, organizers and supervisors were trained during the second half of 2006. The first phase of the plan is to collect data from 5% of small seeded farms and 20% of large seeded farms producing for Syngenta by the end of 2006. These percentages will progressively increase to 100% by the end of the third year of project implementation.

In order to collect data, the following protocol will be used: a) Identification of farms to be monitored; b) Monitoring visits combined with production visits; and c) Visits during the three activities which were identified as high risk (Post Planting, Hybridization and Harvesting, Acid Treat-
ment). Data from all locations will be analyzed per crop on a seasonal basis and a report generated twice a year for the FLA. In this report, an implementation plan of the remedial activities will be developed.

Outreach to stakeholders
The consultation in Hyderabad in December 2006 will provide a third opportunity for Syngenta and the FLA to gather perspectives from stakeholders to strengthen the monitoring and remedial processes.

Progress to Date
The FLA’s South Asia Coordinator, Richa Mittal, has been working with Syngenta on the development of their internal monitoring tools and protocols and the establishment of an internal monitoring team. Syngenta has cooperated with the FLA in the development of their COC for the agricultural sector and the non-compliance reporting mechanism.
Syngenta’s internal monitoring is now under way in all three production centres in India (Gujarat, Karnataka and Maharashtra) using a tool that has been integrated into Syngenta’s existing Quality Tool. The new tool - known as the “Crop Card” - has been used to collect data on over 400 farms. This data was entered into a database and is being analysed in consultation with a local expert. A total of 75 organisers and supervisors involved in monitoring the Syngenta supply chain have attended workshops on code awareness, the use of the crop card and the collection and compilation of data. Syngenta has planned for internal staff training by experts on child labor monitoring, Health & Safety as well as legal minimum wage requirements. Syngenta submits a monthly update of their activities to the FLA.

FLA staff have observed training sessions in Gujarat and Maharashtra and accompanied Syngenta staff to oversee the collection of data in the field in Karnataka and Maharashtra. Interviews with workers and farmers in the fields suggest some awareness regarding the use of child labor and health and safety (H&S) issues. However, there is limited understanding of other code elements such as wages and benefits, hours of work and harrassment and abuse. Syngenta is also in the process of strengthening its existing networks with local stakeholders such as village schools, village heads and political leaders of the area in order to enlist them in the monitoring and remedial efforts.

**FLA INDEPENDENT EXTERNAL MONITORING PLAN**

The FLA is working with an accredited third-party monitor, International Resources for Fairer Trade (IRFT) based in Mumbai, to develop a methodology and independent external monitoring tool for the agricultural sector. The FLA Workplace Code of Conduct and the benchmarks have been adapted to the agricultural sector and needs and impact assessment tools developed.

Monitoring guidance is being written for the independent external monitors to monitor the agriculture sector. This guidance lays special emphasis on external information gathering on local labour practices, the review of field operations and practices, root cause and gap analysis, and review of the internal monitoring system of the company. At the same time, the FLA is also in the process of developing the qualifications and accreditation criteria for independent external monitors for agriculture.

Protocols for IEMs/assessments/remedies and reporting requirements for agricultural entities are also being drafted. Syngenta has provided the FLA with a Farm Access letter and started submitting their Farm List for various seeds and production locations. The FLA staff is in the process of uploading these farm lists into their database. A random sample of 5% of the farms producing for Syngenta will be drawn for Independent External Monitoring, starting in 2007. The above mentioned tools and reporting mechanisms will be used to collect and analyse data from the IEMs and communicate to the public on the progress of the project.
CONCLUSION

The project shows that the FLA methodology—with minor modifications—can be effectively applied to the agricultural sector. The FLA believes that the project continues to be a valuable learning experience for both Syngenta and the FLA. It provides a vehicle for testing innovative approaches to multi-stakeholder monitoring in an endeavor to achieve sustainable compliance.

It is to be expected that critical stakeholders will continue to demand transparency and accountability from companies in the agricultural sector. The development of a methodology for the monitoring of the supply chain of agricultural products therefore represents a milestone for Syngenta and for the whole industry.

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PHOTOGRAPHS: Courtesy of Syngenta