

Open Letter

5 October 2021

Dear QU Dongyu Director General of the Food and Agriculture Organisation and Deputy Director-Generals Laurent Thomas, Maria Helena M.Q. Semedo, and Beth Bechdol,

Also,

Guy Ryder, Director General of the International Labour Organisation and Deputy Director Generals, Martha E. Newton, Moussa Oumarou and Greg Vines,

Also,

Special Rapporteur on the Right to Food Michael Fakhri,

Also,

The Office of the High Commissioner for Human Rights,

We write to call on you to address the issue of work in food systems, as researchers and academics who are deeply concerned about the current conditions and future trajectory of food work. We are pleased to see workers acknowledged as part of the International Year of Fruits and Vegetables (IYFV) 2021. However, as a collective, we feel the contributions and needs of workers require much sharper attention [1]. Growing fruits and vegetables is the most labour intensive form of food production, and this sector presents particularly acute issues. The urgent need to address the unacceptable living and working conditions suffered by many food workers demands immediate action from national governments, the private sector, and international agencies alike; we urge you to lead this effort.

We call for UN agencies to recognise the need to improve employment conditions and ensure that development of future food systems protects workers' interests. Specifically, we urge you to use the spotlight of this IYFV to:

- 1) Endorse a positive vision for good food work;
- 2) Leverage existing legal instruments to support food workers; and
- 3) Recognise the essential role of food workers in delivering healthy food, and better reflect the risks and challenges they face in your communications.

1) Endorse a positive vision for good food work.

Our vision is to expand and build upon the existing legal standards and best practice in the sector with aspirational principles for how work in the food system can protect, reward and celebrate those making their livelihoods from this important sector. The principles we propose emerged from an international dialogue, and in response to concerns regarding emerging visions for food systems which often eclipse, rather than prioritize the rights of food workers [2].

Therefore, good food work across all sectors and all scales should:

1. Be recognised as valuable and skilled;
2. Be fairly paid, often well-paid, and personally fulfilling;
3. Be available to everyone regardless of personal identity or immigration status;
4. Be safe, and carried out in a healthy and supportive environment;
5. Use technology where it assists workers;
6. Include opportunities for skills development and career progression;
7. Provide workers with access to social security support;
8. Have conditions and terms determined together with workers; and
9. Enable workers' freedom of association and engagement in collective action.

All such principles should be underpinned by appropriate international law, enforced by nation states, respected by private actors and open to scrutiny by trade unions and civil society groups. Furthermore, it is important that actors whose role it is to protect and enforce labour standards, such as labour inspectorates, be independent of migration enforcement agencies who may undermine their protective roles and decrease workers' trust in them. In order for labour standards to be enforced, national labour inspectorates should also be given sufficient resources to undertake this work, meeting the ILO targets for numbers of labour inspectors [3].

Looking to the future, we are concerned that UN agencies will face increasing pressure to support visions for food systems that exclude or erase human workers. As apparent from criticism of the 2021 UN Food Systems Summit, powerful corporate interests are seeking to shape the future of food production [4]. Particularly in the Global North, technological innovations are currently receiving much funding and attention in pursuit of greater automation. While the promises of automation in agriculture attract new investors, we worry that they are a distraction from focus on the ongoing and intensifying challenges faced by food workers. Their advocates often fail to consider the social implications of these innovations, especially for food workers. This trajectory could further entrench systematic exclusion and loss of livelihood for significant groups of workers, who are often already racialized and marginalized in the food system. Technology-based transformation also risks decoupling agricultural systems from the ecological and social systems within which they are embedded. Fundamentally, these outcomes will undermine the sustainability and resilience of some of our most essential and nutritionally beneficial areas of production, as we risk losing the human skill and knowledge to support diversified food systems.

Automation should not be a vision in itself, rather a tool to aid workers where appropriate, while also advancing a more sustainable food system. We recognise that some use of technology can be worker-friendly, for example the use of table-top strawberry picking so that workers do not need to bend down for long hours, or the elimination of the most arduous tasks through accessible technology. However, no transformation of food systems - including for environmental gains - should be pursued at the expense of workers' wellbeing or livelihoods, now and for the future. As such, technology should be worker-driven and suited to the needs of the workforce [5], and advance both ecological and social equity gains in the food system. We therefore urge you to act in support of a vision for future food systems which takes a more sustainable and just path by bringing workers to the forefront.

2) Leverage existing legal instruments to support food workers.

We note that existing UN instruments offer some protection to food workers. The UN Declaration on the Rights of Peasants (UNDROP) includes the rights of peasants and people living in rural areas to safe working conditions, social protections and adequate training [6]. The International Labour Organisation has highlighted the need for social justice through the Decent Work Agenda which became an updated framework for the support of workers' rights and fairness in an era of globalisation [7]. This was built on by the 2030 Agenda for Sustainable Development, which incorporates the key principles of decent work within its goals [8]. Alongside these and other step-changes, we know that many international conventions exist and are in force that respond to the specific needs for protection of workers in agriculture such as the Labour Inspection (Agriculture) Convention [9]. Many agricultural workers are migrant workers and this makes conventions addressing Labour Migration [10] and the Protection of the Rights of All Migrant Workers and Members of Their Families even more important [11].

However, without due commitment from national governments or suitable enforcement regimes these are failing to secure just conditions for workers. We urge you to work with colleagues across UN agencies to press for full ratification and enforcement of all legal instruments which protect food workers. We also ask that you shape future declarations to further their interests, demanding national governments take non-discriminatory steps to comply with their obligations to respect, protect and fulfill food workers' fundamental rights including the right to: food, health, clothing, housing, work, safety, just and favorable working conditions, freedom of association and collective bargaining, social security, education and culture, as established by the International Covenant on Economic, Social and Cultural Rights [12]. It is imperative to emphasise that the realization of food workers' human rights is not an option, but a state's obligation rooted in legally binding international law.

3) Recognise the essential role of food workers, and better reflect the risks and challenges they face in your communications.

Workers involved in fruit and vegetable production are particularly at risk of exploitation, unsafe work conditions and terms representing modern slavery [13]. The COVID-19 pandemic has exacerbated the risks and challenges that many food workers face. The long history and extent of poor work in the fresh produce industry suggests any expectation that such problems will be resolved by businesses' due diligence is likely to prove woefully insufficient [14]. Rather, broader legal, regulatory and policy changes are needed, including strengthening existing measures [15]. Fair conditions in horticultural work are also hampered by restrictive migration programs which limit many workers' access to labour rights and freedoms within the contexts that they work. Globally, agricultural workers are underpaid and living in conditions of precarity despite them being increasingly recognised as 'essential' workers who are expected to continue work, even in adverse circumstances and at personal risk, as became apparent during the COVID 19 pandemic.

The IYFV is a welcome opportunity to raise awareness of the vital role of horticultural work in sustainable and just futures. The horticultural sector is already a significant employer globally and the importance of horticultural workers in producing nutritious fruits and vegetables will only increase as we make progress towards meeting the UN Sustainable Development Goals (especially goals 2, 3 and 8). Alongside work on enforcement and promotion of legal standards, we urge you to use your communications to highlight the vital contribution of the sector's food workers. We are concerned that the workers crucial to these horticultural supply chains are being neglected in communications around IYFV, and in other national and international campaigns promoting healthy diets and lifestyles. Furthermore, the actual conditions of most horticultural work are too often misrepresented by an idealized portrayal of their experiences, which misconstrues the current realities of food work (see for example the #IYFV Promotional Video [16]).

With what is remaining of the IYFV, we hope to see efforts to better center the lived realities of horticultural workers in your communications. However, international recognition of the essential nature of food workers must be accompanied by an international commitment to advancing their rights, needs and interests.

A way forward

We urge you to recognise and support a positive vision for good food work. Progress towards this vision requires action within and beyond food systems that is mindful of how current challenges are inter-connected and deeply embedded in global inequalities. Our collective research has identified the need for collaboration between actors and agencies focused on sustainable food systems, worker rights and social justice. We believe that you could demonstrate important leadership in this regard by coordinating action across UN agencies to prioritise good food work as a goal for the IYFV and beyond. Our analysis has found that pathways to enable conditions for good food include: educating the public about the value of good food work; and, engaging current food workers in articulating their aspirations for future food work and in developing action towards it. We encourage you to pursue an inclusive, collaborative, and comprehensive approach to policy making for good food work that reflects the principles in our proposed vision. This must go beyond a vision of technological intensification that replaces workers, and towards full participation and representation for food workers in the communities they live and work in. We stand ready to work alongside you to achieve good work for good food.

Yours Sincerely

List of signatories:

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Prof. Anelyse Weiler, University of Victoria

Notes:

[1] We the undersigned are international academics, experts and activists who convened at the 'Good Work for Good Food Forum' in May 2021. The nine point vision presented in this letter emerged from collectively identified priorities, with subsequent drafting by the organising committee and comment open to all forum members. For more information on the Forum, see, <https://work5aday.blogs.bristol.ac.uk/2021/04/20/good-work-for-good-food/>

[2] We recognise that not everyone doing food work does so as a waged worker, nevertheless, this vision for good food work that we propose is intended to be accessible to all food workers.

[3] These targets are: 1/10,000 in industrial market economies; 1/15,000 in industrializing economies; 1/20,000 in transition economies; and 1/40,000 in less developed countries. ILO. 2006. Strategies and practice for labour inspection. Document GB.297/ESP/3. Governing Body, 297th Session, Geneva, p.4. Microsoft Word - GB297-ESP-3-2006-10-0196-1-En.doc (ilo.org)

[4] Fakhri. M. 2021. Policy Brief: Last chance to make the Food Systems Summit truly a "people's summit". Mandate of the Special Rapporteur on the right to food.

https://www.ohchr.org/Documents/Issues/Food/Policy_brief_20210819.pdf

[5] Fischer, M.M.J. 2013. The Peopling of Technologies. In: Biehl, J. & Petryna, A. When People Come First: Critical Studies in Global Health. Princeton: Princeton University Press. <https://doi.org/10.1515/9781400846801>

[6] UN General Assembly. 2018. United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas: resolution / adopted by the Human Rights Council on 28 September 2018. A/HRC/RES/39/12

[7] For work under this agenda see, <https://www.ilo.org/global/topics/decent-work/lang--en/index.htm> and for the establishing convention see: ILO, 2008, ILO Declaration on Social Justice for a Fair Globalization, adopted by the International Labour Conference at its 97th Session, Geneva, 10 June 2008, http://staging2.ilo.org/wcmsp4/groups/public/---dgreports/---cabinet/documents/publication/wcms_099766.pdf

[8] UN General Assembly. 2015. Transforming our world: the 2030 Agenda for Sustainable Development : resolution / adopted by the General Assembly on 25 September 2015. A/RES/70/1.

https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E

[9] ILO, 1969, Convention C129 - Labour Inspection (Agriculture) Convention, 1969 (No. 129), https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C129

[10] ILO, 1949, Migration for Employment Convention (Revised) (No. 97), https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100::NO:12100:P12100_ILO_CODE:C097:NO, and ILO, 1975, C143 - Migrant Workers (Supplementary Provisions) Convention, (No. 143), https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100::NO:12100:P12100_ILO_CODE:C143:NO

[11] UNHCR. 1990. International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families: resolution 45/158 / adopted by General Assembly on 18 December 1990.

<https://www.ohchr.org/Documents/ProfessionalInterest/cmw.pdf>

[12] UNHCR. 1976. International Covenant on Economic, Social and Cultural Rights. Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966, entry into force 3 January 1976, in accordance with article

27. <https://www.ohchr.org/Documents/ProfessionalInterest/cescr.pdf>

[13] See for example Gertel, J. and Sippel, S.R. eds., 2014. Seasonal workers in Mediterranean agriculture: The social costs of eating fresh. Routledge: London.

[14] FAO 2020 The International Year of Fruits and Vegetables, 2021, Background paper p.43-44.

[15] See for example, ILO 2014, Protocol of 2014 to the Forced Labour Convention, 1930. Adopted by the International Labour Conference at its 103rd session, Geneva, 11 June 2014.

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:P029

[16] FAO. 2020. #IYFV2021: Fruits and vegetables, your dietary essentials. Promotional video.

<https://youtu.be/6CZ9mF8EaLI>