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Abstract

Workers on tea estates at the beginning of the tea value chain have historically been and continue to represent some the most marginalised agricultural workers. The tea sector in India is the country's largest formal sector in terms of employment. Yet, wages of tea workers are the lowest among the formal labour force and their living conditions are appalling (Bhowmik 2015: 29).

In this paper, I discuss whether fair trade certification, i.e. the certification of products whose production adheres to a set of social, environmental and governance standards as fair tradecompliant, can contribute to a transformation of the tea chain, able to support moves towards more decent work. This discussion is based on a review of existing studies of the impact of fair trade on tea cultivation in India. With Biekart et al. (2016), I refer to such progressive societal change driven by civic actors as forms of 'civic innovation'. Given tea workers' marginalisation, the analysis of fair trade tea cultivation offers a litmus test of the potential of fair trade certification to promote inclusive development in line with the 8th Sustainable Development Goal to "[p]romote inclusive and sustainable economic growth, employment and decent work for all" (UN 2015).

Kev words

civic innovation, decent work, fair trade certification, India, tea plantations

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1. Introduction

The tea value chain provides employment for millions of people world-wide. So far, however, employment in the tea chain has not been synonymous with decent work for a large share of the workers involved. In the global south, an estimated 13 million people are employed in cultivation and harvesting of tea alone, out of which around 4 million are wageworkers (Groosman 2011: 1-2). Workers on tea estates at the beginning of the tea value chain have historically been and continue to represent some the most marginalised agricultural workers. In India, the tea sector is the country's largest formal sector in terms of employment. Yet, wages of tea workers are the lowest among the formal labour force and their living conditions are appalling (Bhowmik 2015: 29). Therefore, commenting on a 2015 report on the conditions of workers in the Assam tea plantations, Ron Oswald, the General Secretary of the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF) noted the urgent need for dialogue on "what must be done urgently to ensure living wages, decent working conditions and respect for the human rights of tea plantation workers" (IUF 2015).

During the past three decades, non-governmental systems of labour regulation, such as fair trade certification, have aimed to contribute to moves towards decent work. Decent work is understood here as involving "[...] opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men" (ILO 2015). Fair trade emerged from alternative trade movements of the 1960s and 1970s in cooperation with social movements in Latin America (Jaffee 2012: 102-5). It aimed to offer small producers in developing countries an alternative to capitalist exchange relations. Therefore, fair trade products were initially distributed through non-commercial outlets (Biekart et al. 2016: 17). Today, typical for non-governmental governance, fair trade is characterised by its voluntary nature, multistakeholder organization, and market-based incentives for participation (Raynolds 2014: 499). It is set up as a third-party certification system, mainly in the agro-food sector, with Fairtrade International as the largest umbrella organisation.

Fair trade encompasses the socio-economic relations of trade along the value chain (Dolan 2008: 308). In contrast to other forms of non-governmental regulation where the scope of responsibility is limited to the conditions of production and the producer price is not normally addressed, fair trade emphasises a commitment to a fair price for producers (Blowfield 2003: 16). This is especially relevant in the context of the deteriorating terms of trade for tropical commodities such as tea.

Tea is a relatively new addition to the fair trade portfolio compared to more established lines, such as coffee and bananas. Market niches have built up since the 1990s, yet, to date, fair trade tea represents a small share of the global market only. However, this niche has expanded rapidly during the past decade, including in large supermarkets (Figure 1, Ramamurthy 2012: 367).

Following Raynolds (2014: 499), I refer to 'fair trade' as the overall movement, while 'Fairtrade' refers to the certification system overseen by Fairtrade International.

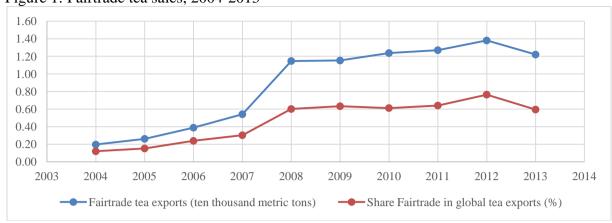


Figure 1: Fairtrade tea sales, 2004-2013

Sources: Fairtrade International (various years), FAOSTAT (no date)

Fair trade has not been welcomed unanimously. Enthusiasts claim that fair trade can supplement and even support government regulation and see it as "an alternative globalization process that empowers farmers in the South" (Sen and Majumder 2011: 35). Sceptics, in contrast, find little difference between the workings of fair trade–influenced and conventional value chains. They see fair trade as further entrenching the market system, that way challenging the legitimacy and efficacy of state regulation (O'Rourke 2003: 3, Sen and Majumder 2011: 35).

More specifically in the context of plantation crops, Makita (2012: 88) summarises that "[s]upporters of plantation certification regard the Fair Trade label as 'a powerful tool for forcing [planters] to improve labour conditions in industries notorious for abusing workers and exposing them to highly toxic pesticides' (Jaffee, 2007: 218)", while critics underscore that "[...] the primary beneficiaries of Fair Trade certification will be the plantation owners, not the workers". Given the inequities of the plantation system, Besky (2008: 3, emphasis by the author) therefore raises the question: "Can a plantation *ever* be 'fair?""

Because both views elide the unique situations in which workers live and work, Makita (2012: 88) calls for more research to find out under what environment and by what method workers actually perceive fair trade.

This paper responds to Makita's call. It discusses whether fair trade certification can contribute to a transformation of the tea chain, supporting moves towards more decent work. Fair trade accreditation requires compliance with a set of minimum labour standards as well as the establishment of a mechanism for the payment of fair trade premiums into a 'development fund' operated jointly by management and workers (Neilson and Pritchard 2010: 1844)². Wageworkers are expected to benefit from fair trade directly through the better working conditions that the certification enforces as well as indirectly through fair trade premiums that are used for worker communities (Makita 2012: 87). In recent years, global premium payments to tea producers have oscillated between 4 and 5 million Euro annually (Figure 2).

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The disbursement of the fair trade premium to workers and management is independent of the fee that producers have to pay to the certifying body. While the premium depends on the value of certified product sales, the certification fee depends, among others, on the number of workers and processing installations.

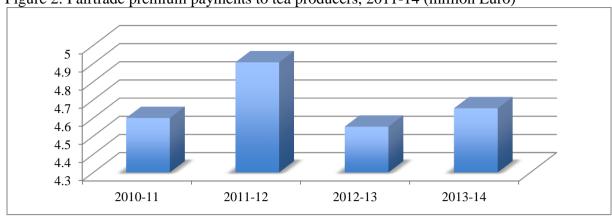


Figure 2: Fairtrade premium payments to tea producers, 2011-14 (million Euro)

Sources: Fairtrade International (various years)

Progressive transformations driven by civic actors have been referred to as forms of civic innovation (Biekart et al. 2016). The notion serves as a normative benchmark in this paper. On the basis of their discussion of the transformative potential of fair trade certification, Biekart et al. (2016: 17) argue that: "[...] we need to analyse both the specific activisms that aim to generate change, as well as assess the extent to which practices in the establishment have been altered or adjusted as a consequence." In this paper, I focus on the second part of this approach to assess civic innovation. Given the economic and social marginalisation of workers on tea estates, the analysis of the impact of fair trade certification on labour conditions in tea cultivation offers a litmus test of the potential of fair trade to promote civic innovation. This is in line with the Sustainable Development Goals that aim to promote inclusive and sustainable economic growth, employment and decent work for all based on partnerships between different societal actors (UN 2015).

A review of existing studies of the impact of fair trade on tea cultivation in India forms the basis of this paper. India is the second tea-producing country after China. In contrast to other main producing countries, where tea cultivation is dominated by smallholder agriculture, since colonial times, the Indian tea sector has been dominated by plantation agriculture (Groosman 2011: 3). Waged employment in fair trade tea cultivation is concentrated in Indian plantations and growing (Fairtrade International 2015: 17). In contrast to a wealth of studies on fair trade-certified smallholder farmers, few studies have focused on the impact of certification on large estates (Makita 2012: 87). This is especially the case for fair trade production in South Asia (Besky 2008: 3).

The paper is organised as follows: Based on an outline of the tea chain in India and the role of fair trade certification in section 2, it zooms in on the impact of fair trade on employment, equality and workers' empowerment in section 3. I discuss these effects from the perspective of civic innovation in section 4. In the final section, I conclude with reflections on how to move towards a fuller realisation of this innovative potential in Indian tea fields.

2. Labour and fair trade in the Indian tea chain: an overview

The production of tea had represented a case of a global value chain (GVC) long before the term was coined. The concept denotes products' trajectories from conception and design, through production, retailing and final consumption (Mohan 2016: 53). In the context of GVCs, employment relations transcend national boundaries and direct contractual relations

between workers and employers. Rather, they are influenced by a range of actors that structure and govern production relationships across space. This is certainly the case for the tea chain, which has spanned across continents since colonialism. The British colonial state initiated commercial large-scale tea production in India in the early 19th century. The commercialisation of agriculture was promoted to supply cheap consumption goods for the growing working classes in during the Industrial Revolution in Western Europe.

Today, Indian tea supplies both the vast domestic and foreign markets. Out of the 1,197 million kg of tea produced in India during 2014-15, 80 per cent originated from North Indian states, mainly from the Assam valley as well as from the Darjeeling district and the Dooars region in West Bengal. The bulk of tea produced in South India is cultivated in Tamil Nadu followed by Kerala (Tea Board of India 2015: 72). Auction prices for South Indian teas are considerably lower than for Northern produce, with the gap widening since the 1990s (Tea Board of India 2015: 16). Only a sixth of the output is exported, with Russia, the UK and Iran being the main destinations. Despite its smaller overall production, South Indian tea accounted for 44 per cent of the country's tea exports in 2014-15 (Tea Board of India 2015: 74).

Most of the tea processing, retailing, trade, blending and packaging are in the hands of relatively few multinationals, such as Unilever and Tata Global Beverages. This strong vertical integration in the tea supply chain (Groosman 2011: 1) has enabled the dominant buyers and retailers of tea to capture a significant proportion of value in the chain (Lalitha et al. 2013: viii). Tea prices are governed by the auctions which themselves are controlled by a powerful group of traders. According to Lalitha et al. (2013: viii), the control over tea prices exerted by these cartels of traders represents a key hindrance to raising wages across the sector through redistribution of profit margins.

At present, more than a million women and men are estimated to work on Indian tea estates, the majority of them in North India (Figure 3).

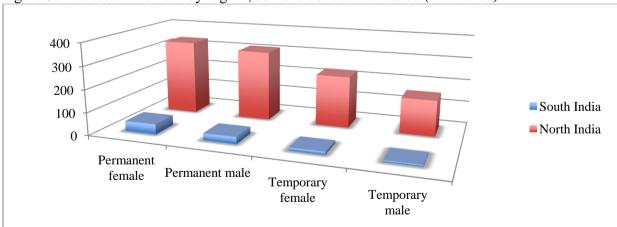


Figure 3: Tea estate workers by region, sex and contractual status (thousands)

Source: Tea Board of India (2015: 75)

Inequality between female and male workers persists in Indian tea estates despite progressive legislation. Against the backdrop of wide gender-based inequities that characterise Indian agriculture rooted in the structural marginalisation of women (Dewan 2015), e.g. the stipulation that female and male plantation workers receive equal wages for the performance of equal tasks based on the Equal Remuneration Act and collective

bargaining agreements in the tea sector is extra-ordinary and an important step towards greater economic equality.

Having said that, persistent gender-based inequality in tea estates is veiled, among others, behind horizontal and vertical occupational segregation. Women and men are concentrated in different tasks (horizontal segregation) and different positions in the estate's hierarchy (vertical segregation). It is largely women workers who harvest the tea leaves. Men work in the factory, in contrast, processing the plucked tea. They supervise female labourers, or are employed as security persons, drivers, pruners or sprayers (Besky 2008: 2, Lalitha et al. 2013: 22-23). Women rarely make it into better-paid supervisory and managerial positions.

Besides these gender features, workers on tea estate are commonly socially marginalised on the basis of their ethnicity, migratory status and caste. For instance, workers in Assam as well as the Dooars and Terai tea districts of West Bengal are mainly from the tribal belt of Central India, namely, Jharkhand and the contiguous tribal areas of Madhya Pradesh and Orissa (Bhowmik 2015: 29). On tea estates in Tamil Nadu, too, Lalitha et al. (2013: 103) perceive a significant increase in migrant labour from the states of Jharkhand and Assam in recent years. The Darjeeling work force is largely of Nepali origin (Makita 2012: 93, Moore 2010: 13). With 74 per cent, the vast majority of workers on Tamil Nadu tea estates are from the scheduled castes (GoI 2009: 54).

These marginalised social identities further entrench class-based hierarchies that the plantation system inherited from the colonial period. Makita (2012: 91) refers to four broad layers in this hierarchy, with management, including plantation managers, assistant managers and factory managers, at its top. They are followed by staff, including all white-collar employees in senior supervisory positions. The sub-staff, that includes all other subordinate employees in supervisory positions, represents a third layer. Rank-and-file workers engaged in either the field or factory operations form the bottom rung of this class ladder.

Globalisation seems to have re-shaped these hierarchies, though. Makita (2012: 91-92) highlights that the patron-client relations that have characterised the relationship between post-colonial planters and managers on the one side and plantation workers on the other side have weakened in the context of globalisation. Sharma and Das (2009, in Makita 2012: 91-92) explain this as a result of increasing competition with other tea-producing countries. To enable plantation owners to produce high-quality tea at low cost, planters started to curtail welfare expenses and reduce the number of permanent workers, instead paying low wages to casual labourers on a piece-rate basis (Makita 2012: 92). Besides, many tea estates were closed when tea plantation owners started to invest money in other economic sectors in response to the Indian government's liberalisation policy. In these circumstances, especially male plantation workers have tried to find employment outside the tea plantation sector. Makita (2012: 92) perceives the weakened patronage from the plantation management as a mixed blessing as it: "[...] implies emancipation from the traditional bondage system as well as increased uncertainty and vulnerability in workers' livelihoods."

From their very inception, tea plantations relied heavily on migrant labour recruited and working under extremely exploitative conditions in virtual enclaves under management controls that were reminiscent of the slave plantations. While there have been improvements with regard to the conditions of work and wages, many of the deprivations that characterised the historical plantations, such as poor housing, education and health facilities, remain even today.

The 1951 Plantations Labour Act (PLA), drafted shortly after Indian independence, has had an important role to play in improving labour conditions on estates. Covering all Indian plantations larger than 5 hectares or more wherein 15 or more persons are employed (GoI 2014: 24), it guarantees plantation workers' social welfare, insisting that owners provide workers housing, health care, food rations, and schooling for their children (Besky 2008: 2). The office of the Inspector of Plantations is in charge of monitoring these obligations (Bhowmik et al. 1996: 97, in Neilson and Pritchard 2010: 1838).

Alongside the PLA, the unionisation of a large part of the Indian plantation workforce has contributed to improvements in working conditions (Besky 2008: 1-4, Neilson and Pritchard 2010: 1838). Without unions, Besky (2008: 4) observes, knowledge about Indian labour laws deteriorates. As a result, work hours can become longer, infrastructure can crumble, medical services can halt, and food rations can diminish. Unionisation has historically been high on Indian tea plantations. In 2008, it ranged from 70 per cent of workers in Tamil Nadu up to 100 per cent in West Bengal and Kerala (GoI 2009: 38). Such high levels of unionization are uncommon for sectors with a strong representation of women workers. While they are well represented among the trade union membership, few women make it to trade union leaders. As a result, their specific concerns are rarely addressed at union level (Sivaram 2002: 60).

Despite the remarkable trade-union activity in the plantation sector, tea workers' working and wider living conditions are still far from rosy. While the combination of monetary and in-kind benefits guaranteed by the PLA lifts tea workers above other agricultural workers, the quality of the facilities provided to them is often poor, and their wages are at the lowest level in comparison with other workers in the organized sector. A study commissioned by Oxfam and the Ethical Tea Partnership (ETP) finds that Northeast Indian tea pluckers' compensation excluding productivity payments only just reaches the World Bank poverty line. It represents around 40 per cent of the Indian average income level (ETP and Oxfam 2013: 22). The steep decline in global tea prices since the late 1990s caused plantation owners to successfully argue for a freeze in base wages. The parallel implementation of a range of salary incentive mechanisms led to an intensification of working conditions (Neilson and Pritchard 2010: 1897).

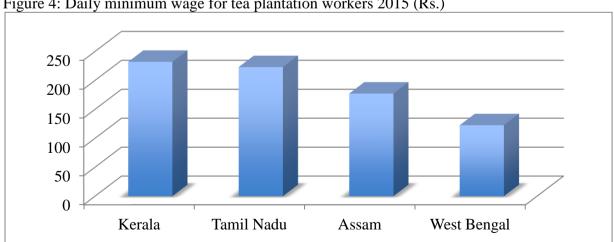


Figure 4: Daily minimum wage for tea plantation workers 2015 (Rs.)

Sources: Economic Times (2015), Sarkar (2015), Singh (2015)

Especially tea pluckers' work is arduous and hazardous. During the monsoon, they are drenched each day, with colds, flu and more serious related ailments as a result. Pluckers also bear the hazards of insect and snakes bites (Neilson and Pritchard 2010: 1897). Other key occupational health hazards include pruning accidents and exposure to pesticides while mixing and spraying (Lalitha et al. 2013: 69). Besides material working poverty, tea workers experience structural stigmatisation on the basis of their occupational and social identities. Makita (2012: 91) therefore argues that: "Even in the 1990s, however, there were very few tea plantations where all the provisions of the PLA had been fully implemented (Singh et al., 2006: 59; Sharma and Das, 2009: 45). Given this fact, the safe working conditions required by Fair Trade are by no means redundant, but remain in favour of the workers."

India is the country with the largest number of fair trade-certified tea plantations. This was the joint result of Indian plantation owners actively courting fair trade certification in the 1990s, hoping to capitalize on a growing market for luxury black teas in Europe and the USA, and a desire on the part of fair trade organisations to incorporate more crops into the fair trade system (Besky 2015: 1144). In 2014, 34 Indian tea producers were Fairtrade-accredited, of which 31 were large-scale plantations. Certified Indian tea producers employed 78,100 people in the same year (Fairtrade International 2016a: 106-107).

Compared to the more than 1,000 large tea estates in the country (Vermeulen and Dengerink 2016: 52) and the more than one million workers they employ, however, these are small numbers. Less than 5 per cent of the national tea production was Fairtrade-certified in 2011-2012 (UNCTAD 2016: 21). Besides, both for small producers and plantation companies in Indian tea cultivation, Fairtrade sales represent a comparatively low share of their overall revenues. Neilson and Pritchard (2010:1841) therefore conclude that fair trade remains on the margins of the Indian tea industry, offering advantages to some producers, but being largely irrelevant to most.

3. Employment, equality and worker empowerment through fair trade?

Fairtrade International (2016a: 104; 2015: 10, 106), too, perceives a weak impact of certification for the involved farmers and workers. The umbrella organisation attributes this situation to the low share of their production - less than ten per cent on average - that certified tea producers sell on Fairtrade terms (Fairtrade International 2016a: 104). It sees its new strategy for wageworkers as a way to improve this situation. In 2012, Fairtrade International announced a "New Workers Rights Strategy" that aims to empower workers to negotiate improvements in their wages, terms of work and overall livelihoods themselves. Its basic principles are a commitment to freedom of association, to a living wage and the Fairtrade premium, as well as to the joint body of workers and management representatives as the group that manages and decides how to spend the Fairtrade Premium (Fairtrade International 2012: 2-3).

Table 1: Reviewed studies on the impact of fair trade on tea workers in India

Author(s) (year of publication / study)	Region	Scope	Methodology	Type of fair trade certification
Besky (2008/2006)	Darjeeling	Several estates	Ethnography, based on qualitative interviews, participant observation	Fairtrade
Lalitha et al. (2013/2010-2012)	Nilgiris	7 certified estates, 1 non-certified estate	Worker survey, checklists, focus group discussions (FGDs), case study interviews	Ethical Tea Partnership, Fairtrade, UTZ
Makita (2012/2009)	Darjeeling	1 certified estate	Semi-structured interviews with all worker households	Fairtrade
Moore (2010/2008)	Darjeeling, Nilgiris	5 certified, 4 non-certified estates	Participant observation, semi-structured interviews, worker survey	Fairtrade
Neilson & Pritchard (2010/2004-8)	South India		Ethnography, based on qualitative interviews	Ethical Tea Partnership, Fairtrade
Sen (2009/2004-8)	Darjeeling	(focus on) 1 certified estate	Participant observation, survey, semi-structured interviews, life histories	
Vermeulen & Dengerink (2016/2013)	Tamil Nadu	19 certified (various types of certification), 41 non-certified estates	Management survey, observation	Fairtrade, Ethical Trading Initiative, UTZ

In this section, I review the current state of research on the impact of fair trade certification in the Indian tea sector. The section focuses on the question whether certification has contributed to a progressive transformation of the situation of Indian tea workers towards decent work in the form of their access to productive employment, equality and empowerment at work. The overview of the scope and approach of the reviewed studies provided in Table 1 shows that most existing studies cover the time before wageworkers' labour conditions on tea plantations attracted more attention by the largest players in the field of fair trade. The comparison between certified and non-certified estates is rare. The table also highlights a complete gap of studies on tea plantation workers in Assam, the state in which half of the Indian tea is cultivated.

Productive Employment, Fair Income?

As mentioned above, in 2014, more than 78,000 wageworkers were employed in Fairtrade-certified tea production in India alone. While representing a share of six to seven per cent of the total labour force in tea cultivation and harvest in India, only, the number is not negligible either. This is especially relevant against the backdrop of estate closures since the turn of the millennium, in West Bengal, in particular. The closure led to a loss of income and food security for thousands of workers, causing a shocking estimated 1,200-1,800 starvation deaths among former tea workers and their household members (Bhowmik 2015: 30).

Yet, how productive has this employment been for the workers involved? The standard for several fair trade organisations has been the requirement to pay wageworkers at least the legislated minimum wage (e.g. Ethical Tea Partnership 2013: 13, UTZ Certified 2014: 24). Fairtrade International's New Workers' Rights Strategy goes beyond that by stipulating a commitment to a living wage as "a wage that covers the basic needs of a worker and her or his family, including food, clothing, shelter, healthcare, education, transport to work and a little extra for unforeseen circumstances" (Fairtrade International 2012: 2).

The reviewed studies that compare certified with non-certified tea estates in India find only minor differences in the wages that workers are paid. This is in line with assessments of fair trade impacts on plantation workers in Africa (Cramer et al. 2014). Overall, wage levels are low and insufficient. Focusing on tea plantations in Tamil Nadu, Vermeulen and Dengerink (2016: 63) point out that, for permanent workers, the lowest wages are slightly higher on certified estates than on non-certified estates. However, this difference is statistically significant for women workers only.

In the same cultivating region, Lalitha et al. (2013: 42), too, find low wages and no significant differences in daily wages for the different categories of estates once supervisors are excluded. The authors explain this similarity by the consistent implementation of a collective bargaining agreement (CBA). It involves the estates as represented by the Nilgiri Planters Association, trade unions and the concerned state government department (Lalitha et al. 2013: 42, Vermeulen and Dengerink 2016: 63). As a result, for almost all the workers included in their study, whether from certified or from the one non-certified estate covered, the income from the tea estate is just enough to cover basic food requirements for the family. The majority of workers were able to meet their food requirements only, because of the presence of the public distribution system where households get rice at a subsidized rate (Lalitha et al. 2013: 58). Having said that, Lalitha et al. (2013: 42-46) find overtime payments and bonuses to be significantly higher on certified estates.

Besky's (2008: 5) earlier study, which focuses on tea workers in a certified estate in Darjeeling, highlights mismatches between the claims of estate workers and management as well as between the stipulations of the PLA and tea workers' realities. According to pluckers, piece rates per kilogram of tea have remained unchanged at US\$ 0.15 since the inception of fair trade certification in the 1990s with a common harvest of 8-10kg per day. In contrast to this practice, the PLA regards plantations as factories, guaranteeing workers hourly or daily wages, not per unit payments. Her findings are supported by Sen's (2009: 137-138) research in the same cultivating region. She points out that workers therefore perceived certification "as a sham" (Sen 2009: 137). In Besky's (2008) case study, the estate's owner quoted much higher hourly earnings of almost two dollars, in which benefits provided to workers by law were factored in. It seemed that TransFair USA accepted this exorbitant figure without question (Besky 2008: 5).

Many of workers' basic needs covered by the notion of a living wage are actually addressed by the benefits stipulated in the PLA. According to Besky (2008: 5) this act "attempts to concretize socially just wages". Vermeulen and Dengerink (2016: 64) whose study focuses on UTZ-certified estates in Tamil Nadu find better provision of services to workers in certified estates. Housing, electricity, pension, schools, child care, nurseries, medical clinic, transport are available to permanent workers on all of certified estates, while being available to permanent workers on 70 - 90% of non-certified estates. Lalitha et al. (2013: 62), in contrast, do not find significant differences between permanent workers in certified and non-certified estates who are entitled to social security and welfare on the basis of their contract. A higher proportion of workers at the certified estates had contracts, while the non-certified estates had a significantly higher percentage of casual workers without contracts. Managers in the certified estates included in Lalitha et al.'s (2013: 62) pointed out that due to labour shortages in the sector they extend certain benefits to temporary workers, which are not required by law, such as the Providence Fund and bonuses.

Moore's (2010) comparative study, too, finds little difference between certified and non-certified estates in Darjeeling and Tamil Nadia, but rather between the two regions. She describes two progressive Fairtrade-certified estates in the Nilgiris, which provide workers with amenities that are much further-reaching than required by either the PLA or Fairtrade standards (Moore 2010: 25). These cases lead her to wonder: "[...] what function [Fairtrade] serves for estates that already hold the ideals of social responsibility paramount" (Moore 2010: 25). Neilson and Pritchard (2010: 1844) offer an answer to Moore's question, referring to one of these progressive estates. They point out that the tea plantations that are most likely to seek fair trade accreditation are those servicing higher value segments of the world market. For producers of high-quality teas fetching returns well above international standard prices, fair trade provides an additional point of brand differentiation. Therefore, they argue that the embrace of certification needs to be understood not only as an act of corporate social responsibility to its workforce, but also within an overall agenda to position its brands and reputation to best effect within lucrative market segments.

This indicates that it might actually be estates that already adhere to better labour practices that seek certification or attract the attention of fair trade certifiers (Besky 2008: 1), rather than certification benefitting estates with the most disadvantaged workforce. This possibility of a reverse causality needs to be considered in impact assessments of fair trade certification.

Equality of Opportunity?

With its common commitment to non-discriminatory labour relations, the question is whether fair trade certification has a positive impact on the persistent gender-based inequities in tea estates.

Lalitha et al. (2013: 127) find that plantation companies' adherence to the Equal Remuneration Act means that there is no gender discrimination in wages. Certification did not make a difference in this respect. However, they identify the same gender-based segregation of tasks in the estates included in their study that was described above, "[...] reflecting the prevailing gender discrimination which ascribes plucking as an appropriate task only for women" (Lalitha et al. 2013: 38).

While the certified Darjeeling plantation that Sen (2009) studied branded itself as empowering women by promoting them to supervisory positions, women perceived themselves as disempowered: Just because they were women, they could not even move up to the level of a field supervisor (Sen 2009: 131-133). The more constrained employment opportunities for women workers in comparison to men are also expressed in the fact that male workers diversify their income more with employment outside the estate, leading to relatively lower incomes for women both on certified and the non-certified estate (Lalitha et al. 2013: 55-56).

I will turn to the question whether women's interests are represented through trade unions and other collective bodies in the sub-section below.

Empowering Workers Through Organisation?

Strengthening workers' collective agency through freedom of association and collective bargaining is widely seen as enabling the guarantee of other labour rights and

supporting moves towards decent work as a result. The commitment of fair trade organisations to workers' collective agency has two components. On the one hand, certification commonly requires the guarantee of workers' right to form and join trade unions. On the other hand, fair trade premiums are managed through collective bodies consisting of worker and management representatives, enabling worker participation in key decisions on the estate. Ensuring that workers have the freedom to negotiate their terms of work is one of the foundational principles of Fairtrade International's New Workers' Rights Strategy. It reiterates these two commitments to workers' participation and empowerment (Fairtrade International 2012).

The reviewed studies confirm the high degree of unionisation of Indian tea estates, independent of certification. Simultaneously, they raise critical questions about whether union membership empowers workers within the (certified) tea chain. Lalitha et al. (2013: 65) find higher union membership rates among workers employed in Tamil Nadu fair tradecertified estates. They have 96 per cent membership, on average, while membership rates range between 84 and 91 per cent in non-certified estates. According to them, it is the historical presence of trade unions and the tripartite agreement that shape freedom of association and collective bargaining rather than certification. In Vermeulen and Dengerink's (2016: 64) interviews with estate managers, access of labour unions comes out as comparable for certified and non-certified estates. Their appreciation, however, is different. Managers of certified farms are significantly more positive about the contribution of unions to the relation with their workers than those of non-certified farms.

Several studies highlight the continued marginalisation of women in plantation unions, independent of certification. Lalitha et al. (2013: 65) point out that few of the women who participated in their study stated that they attend union meetings, as those are regarded as male territory. Actually, during one of the waves of their research, none of the women with whom the researchers had interacted was a union member. Respondents explained this by saying that, traditionally, it had been men who were engaged in the trade union activities (Lalitha et al. 2013: 66). Sen (2009) finds a similar gender bias in the context of Darjeeling tea cultivation. According to her in-depth study of a certified plantation, the search for ethnic identity among Nepali minorities in India resulted in a further increase of male domination in unions. She therefore concludes that fair trade certification turns a blind eye to patriarchal structures that silence the voices of female workers in male-dominated labour union politics (Sen 2009: 106).

In specific cases, certification acted as an impediment for workers' collective agency, though. In Besky's (2008: 2, 6) case study of Darjeeling tea cultivation, unions were dissolved shortly after fair trade certification. While the author does not claim that fair trade certification caused this dissolution, she calls attention to the possibility that the regulations of fair trade certification might be displacing the Indian state's regulatory institutions. The standards of TransFair USA who certified the estate in question did not require the presence of unions, but of 'democratically organized bodies'. The 'joint body' for the governance of the fair trade premiums was seen as fulfilling this criterion. Yet, its composition and (in)activity did not forebode well for workers' participation and empowerment: The joint body was composed of male managers and supervisors and female office staff. It never met during the three months she spent on the plantation. Other studies of the same region report similar findings (Makita 2012: 98-99, Moore 2010: 16-19, Sen 2009: 109). According to Sen (2009: 109): "[...] the Joint Body was not a democratic space; the management controlled every conversation".

As several authors point out, the common lack of workers' participation is also rooted in a lack of awareness among workers and unionists about fair trade (Makita 2012: 97, Moore 2010: 10, Sen 2009: 24). Makita (2012: 100-101) argues that this invisibility of fair trade is used to entrench relations of patronage between tea workers and management. This is because fair trade premiums financed additional services and benefits for workers without them being aware of it. In fact, their perception that it was management's generosity that funded these benefits strengthened their patronage ties.

Lalitha et al. (2013) more recent study from Tamil Nadu is more positive about workers' knowledge of fair trade standards as a requirement for their ability to claim their rights. During a range of discussions with workers, they found (2013: 99-100) that in one recently Fairtrade-certified tea estate, workers had solid knowledge of Fairtrade, of the Joint Management Committee, of procedures regarding the committee election and for selecting projects for premium funds. A majority of 70 per cent of the committee was selected from the workers, with adequate representation of women. Here, management did not have voting rights, but only the workers.

Finally, Sen and Majumder (2011: 31) highlight the possibility that the even critical discourses around fair trade may give rise to social mobilisation. This is because fair trade cultivates certain kinds of expectations in producer communities, even among excluded groups. These expectations may serve as a launching pad for critical counterpolitics that tend to challenge and contest national and political economic relationships undergirding fair trade. Sen and Majumder (2011: 41-43) illustrate this with Darjeeling women tea workers' demand for 'real fair trade', claiming a separate share of the cooperatives' fair trade premium for their own economic projects (Sen 2009).

4. Fair trade certification as civic innovation?

This section takes stock of what existing studies find regarding the impact of fair trade on tea cultivation in India. It discusses these findings in the light of the question whether fair trade certification has the potential to promote civic innovation in Indian tea estates.

What comes to the fore in the review above is sobering: Workers' wages on Indian tea plantations have remained low and insufficient. The situation appears to be even more severe on tea estates in North India in comparison with the South. In contrast to the ambition to make a dent regarding poor labour conditions of workers at the beginning of the global tea chain, fair trade certification seems to have made little difference here.

The same holds true for tea workers' entitlements to social security. The stipulations of the PLA rather than benefits accessed through fair trade certification bring plantation workers' compensation closer to a living wage. This legal framework is enforced largely because of awareness-raising and lobbying of trade unions. Here, certification seems to have a role to play: There are indications that fair trade-certified estates hire less casual workers who are not entitled to benefits under the PLA.

Despite a common commitment to non-discrimination in employment and occupation, gender-based occupational segregation is common with low paid, largely female tea pluckers stuck at the bottom of the wage ladder. For women, upward mobility is rare, be it on certified or non-certified estates.

Regarding fair trade's ambition to empower marginalised workers, recent research shows slightly higher union membership rates in fair trade-certified estates. In-depth qualitative studies highlight the possibility, though, that the sometimes rather unspecific understanding of freedom of association to include the governing bodies of the fair trade premiums might actually strengthen the power of the estate management rather than allowing for greater worker participation.

Overall, several authors raise the question of a reverse causality in the relation between fair trade certification and tea workers' working conditions. Their findings suggest that certification has become an attractive branding option for the more well-managed companies rather than fair trade changing labour practices significantly.

How do these gaps between the ambition and the reality of fair trade in the Indian tea sector relate to the notion of civic innovation?

It seems that the progressive transformation towards more decent labour conditions for wageworkers on Indian tea plantations that fair trade aims at, is currently driven by the relationship between certifying bodies and the estate management. Workers as the civic actors with the greatest stake in civic innovation, however, have largely remained excluded from voice and agency for change. This is related to the history of fair trade certification in Indian tea cultivation. In contrast to its origins in coffee cultivation in Latin America, fair trade is very much an idea that comes from outside, rather than from the ground up (Besky 2015: 1144). Of the power relations that marginalise the large group of tea pluckers, it is mainly the skewed trade relations between Southern producers states and Northern buyers and consumers of tea that fair trade addresses with higher prices.

Despite different ambitions, the class hierarchy on estates - entangled with post-colonial patronage - as well as gender hierarchies that marginalise women workers both in the sphere of work and at home seem to remain outside the ambit of fair trade interventions. This prevents workers' - and especially women workers' - interests to be voiced and protected effectively. These findings parallel results of Fairtrade International's own assessments of gender equality in smallholder producers. In smallholder organisations that included the Fairtrade tea sector in Kenya, women are poorly represented as members, leaders and salaried employees. This is in spite of the fact that they often dedicate more time than men to their households' tea production. Main barriers for women's participation include the fact that producer organisation rules, structures and practices that link membership to land ownership or registration of land or crops create a bias in favour of men. Besides, expectations that women should perform the majority of unpaid care work, often limits their availability for active participation. These barriers are compounded by negative attitudes regarding women's suitability for leadership and technical roles (Smith 2015: 20-30).

The fair trade movement seeks to empower those not conventionally empowered in a free market system, including wageworkers (Besky 2008: 3). Following Kabeer (2005: 13), empowerment is understood here as "[...] the processes by which those who have been denied the ability to make choices acquire such an ability". In order to exercise strategic choices, the agency to challenge power relations, resources that can serve as the medium through which agency is exercised as well as the actual achievement of the types of lives that people want are required (Kabeer 2005: 13-5). Based on the review above, one can argue that, so far, certification has not improved tea workers' financial and organisational

resources. Therefore, it could not support them in challenging their marginalisation in multiple and intersecting power hierarchies in an act of empowerment. As a result, the outcomes of the fair trade certification of Indian tea plantations have remained insignificant. Some authors have argued that certification has even contributed to entrench power relations that reproduce workers' poverty and marginalisation (Besky 2008, Makita 2012).

Biekart et al. (2016: 7) suggest that power struggles between different civic actors need to be made explicit and understood for civic innovation to be possible. Moore (2010: 30) specifies this for fair trade-certified tea in India: "[...] rather than the current simplistic technical regulations, FT must recognize power dynamics". These dynamics include the ambiguous role of the plantation management, which acts both as a middleman, but simultaneously as a barrier to fair trade for tea workers (Besky 2008: 3). Relevant power struggles in this context also extend to "gender inequalities, that keep the poorest or the most disadvantaged groups from accessing the benefits of fair trade" (Sen and Majumder 2011: 31).

Civic innovation emerges from coalitions of civic actors. As highlighted above, there are crucial omissions in the coalitions formed around fair trade-certified tea in India. State actors in charge of implementing the comprehensive regulatory toolset of the PLA seem not to be linked to the certification process. In this context, Sen (2009: 104-105) shared how she "[...] was told by one Darjeeling Tea Association bureaucrat in November 2006, "If the Plantation Labor Act was followed and properly updated there would be no need of Fair Trade." In theory, PLA implementation and fair trade certification could mutually reinforce and complement each other. Yet, in practice, there is a risk that a shift to certification as an alternative to state regulation actually weakens state bodies and other crucial actors such as trade unions (Besky 2008, Neilson and Pritchard 2010: 1847).

Most importantly, according to the reviewed works, workers' role in fair trade certification has been very weak. Analyses of other forms of non-governmental labour regulation from across the globe have shown that in order to empower workers in global value chains and redress the precariousness and poverty that characterise their work and livelihoods, these types of labour governance need to be driven by the workers whom they are supposed to benefit (Siegmann 2015, Siegmann et al. 2016, 2014). This is currently not the case in fair trade-certified tea plantations in India: it is not tea workers' demand for decent work that certification responds to, but the estate management's capacity to acquire certification.

This leads to a very different argument regarding fair trade's potential for upscaling than the one expressed in Biekart et al. (2016: 12-14). They see upscaling to the mainstream of supermarkets as a major risk for fair trade as a civic innovation. From the perspective of worker-driven innovation, in contrast, the real issue is whether workers drive the process of an alternative norm governing global value chains. If that is the case, then, rather then being watered down (Biekart et al. 2016: 13), more progressive norms can actually cascade (Siegmann et al. 2016: 123).

5. Outlook

It is only of recent that Fairtrade International as the largest player in the fair trade movement has started to operationalize and implement its new global strategy for wageworkers (Fairtrade International 2014, 2012). It obviously aims to address some of the

weaknesses identified by the reviewed studies of the role of fair trade certification in the Indian context. For instance, the new "Fairtrade Standard for Hired Labour" explicitly understands independent and democratic trade unions as the best means for achieving freedom of association and collective bargaining (Fairtrade International 2014: 23). Moreover, it stipulates a cap to the share of management advisors in the Fairtrade Premium Committee (FPC) (Fairtrade International 2014: 10). This therefore seems a good moment to translate the results of this meta-analysis into suggestions for ways in which fair trade can become a more effective contribution to civic innovation.

The most important conclusion is probably that if fair trade certification is to contribute towards more decent work and better living conditions of Indian tea workers, then fair trade organisations have to put workers' interests and agency centre-stage rather than to treat them as passive objects of auditing in a relationship mediated by the estate management.

This involves taking their knowledge as a starting point and frame them in a way that emphasises their interests rather than those of potential consumers. This would address the concern of a female tea plucker in Darjeeling who vents her frustration about certifiers: "We do not know each other's language. We are called to the meeting of the Joint Body where nothing substantial is discussed. We are shown in a way which says nothing about our lives and frustrations. I know the real story; I know what our lives are like." (Sen 2009: 139).

Shifting towards such a worker-driven process of certification would involve a more direct relationship of fair trade bodies with workers and their representatives. This could take the form of a participatory social auditing that puts greater emphasis on the involvement of workers and their organisation in the process of code development, implementation and assessment (Auret and Barrientos 2006). Apparently, this is being considered within Fairtrade International. In their New Workers Rights Strategy, they express the intention to explore the idea of a "joint-certificate", whereby workers could be co-signatories to their company's certification contract (Fairtrade International 2012: 3).

The findings synthesised above have highlighted that women workers' empowerment is necessary to ensure that the most marginalised actors benefit from fair trade. As Lalitha et al. (2013: 130) suggest, this could involve targeted investments of Premium funds in ways, which support women's skills training and promotion etc. Besides, awareneness-raising is required among estate management, trade unions and other actors to encourage them to commit to action on gender inequality and women's empowerment. Fairtrade International's recent gender strategy reflects some of these suggestions, in principle (Fairtrade International 2016b).

Effective coalition-building with other civic actors concerned about working poverty and marginalisation among Indian tea workers could be another key component of a worker-driven strategy for fair trade. More adequate coalitions are led by local workers representatives, but also work together with state actors in charge of effective implementation of the PLA in order to reinforce each other's objectives. Such locally-driven coalitions that address labour rights guarantees at various levels - from the local situation where struggles for decent work intersect with other – e.g. gender, ethnic, caste – politics, via the national level where discussions about entitlements and regulation for secure livelihoods are located, to the transnational where workers can more directly connect with consumers through fair trade.

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