



Modern slavery within the tea industry in Bangladesh

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Question

What are the key economic and political factors driving modern slavery within the tea industry in Bangladesh?

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1. Overview

The main factor driving modern slavery within the tea industry in Bangladesh is the extreme marginalisation of tea garden workers, who are mostly descendants of migrants from India, by wider society. Social and economic exclusion mean workers have no alternative to working under highly exploitative conditions in the tea industry.

The review found considerable literature on the working conditions of tea workers, but little on the wider context of their position in society, attention to the plight of tea workers in policy-making, or the macro-economic and political pressures to sustain modern slavery in Bangladesh's tea gardens. Key findings are as follows:

- **Numbers** - Estimates vary but there are over 100,000 tea workers spread over 160-plus tea gardens in Bangladesh, with the total population (including family members) reaching over 400,000 (Ahmmed & Hossein, 2016: p. 6).
- **Working conditions** - There is consensus in the literature that working conditions of tea workers are extremely poor, characterised by long hours, low pay, inadequate accommodation, and very limited education and healthcare facilities – leading to them lagging behind the rest of the population in human development indicators.
- **Lack of roots in Bangladesh** - The tea industry in Bangladesh was established by the British in the 1800s. The overwhelming majority of tea garden workers in the country are descendants of immigrants brought in by the British from India. This means they have no place other than the tea gardens to go to in Bangladesh.
- **Marginalisation** - Tea garden workers are socially and economically excluded in Bangladesh, and thus have negligible opportunities to find alternative work. Socially, they live and work in the tea gardens and have hardly any interaction with the mainstream population, who also look down on them because they are typically low caste Hindus.
- **The payment system** in the tea gardens (particularly for leaf pickers) promotes modern slavery: workers have to reach daily targets (typically 23 kg) and have their wages cut if they fall short – many thus work longer hours or rope in family members (e.g. children) to ensure they meet the target.
- **Weak enforcement of labour legislation** - Tea garden workers are covered by labour legislation, notably the Bangladesh Labour Act 2006, which provides significant rights. However, tea workers have fewer rights than workers in other sectors with regard to casual and earned leave. The bigger issue is lack of enforcement of labour rights.
- **Ineffectual union representation** - Tea garden workers used to be represented by a number of unions but these were rendered ineffective by in-fighting. There is now just one major union for tea workers, but this is hampered by lack of capacity, resources and union leaders being 'bought off' by tea garden owners.
- **Not a political priority** - Political parties have shown negligible interest in the plight of tea garden workers. The Awami League's 2008 election manifesto had one mention of tea workers' rights, but when in power the party did very little over the next few years to help them. Other parties did not mention them in their manifestoes.
- **Limited support** – A number of non-governmental organizations (NGOs) are operating some schools and health facilities in tea gardens, but on the whole there have been few initiatives or programmes to support tea workers.

Women suffer particularly in the tea sector in Bangladesh. The majority of tea pickers – who spend over eight hours each day picking leaves – are women. Typical men’s jobs include working in factories, as supervisors and as security guards. The review found nothing specifically about persons with disabilities in the tea industry in Bangladesh.

2. Scale and nature of problem

The tea industry in Bangladesh is significant: the country is the tenth largest producer of tea in the world, and the ninth largest exporter (Ahmmed & Hossein, 2016: p. 6). There are over 160 tea gardens spread over seven districts, and covering a total area of around 115,000 hectares (Ahmmed & Hossein, 2016: p. 6). The tea gardens are split between two main tea-growing regions: Sylhet in the northeast, and Chittagong in the south. Figures for the number of tea workers vary: a 2014 report by an NGO put the number at around 118,000 (SEHD, 2014: p. 5), while a 2016 ILO study put it at around 100,000 (of which 90,000 are permanent workers and 20,000 casual workers) (Ahmmed & Hossein, 2016). The latter put the total number of people living in tea gardens (including family members) at around 400,000. A recent publication by the Asia Foundation claimed there were more than 140,000 tea workers (TAF, 2016: p. 1).

While estimates for the total number of workers vary, there is consensus in the literature that the conditions of tea workers are extremely poor. One study noted that Bangladeshi tea workers are ‘one of the most exploited communities in South Asia in terms of fair wages, education, health, nutrition and other rights’ (SEHD, 2014: p. 5). As of May 2014, the average daily wage of tea workers in Bangladesh was Tk. 69: this is lower than the wages of workers in other industries in Bangladesh, and lower than the wages of tea workers in other South Asian countries (SEHD, 2014: p. 5). In Sri Lanka, for example, tea workers earned Rs. 550 daily in 2013, equivalent to Tk. 328 (SEHD, 2014: p. 5). As of February 2018, the maximum daily wage of Bangladeshi tea workers had risen to Tk. 85, but this still falls far short of amounts needed to meet basic needs (Arif, 2018).

Permanent workers are supposed to receive additional benefits, most notably accommodation in labour lines (areas where workers’ homes are built) on the tea gardens, as well as weekly food rations, medical and education facilities, and access to land to cultivate crops. [Casual and seasonal workers do not get these benefits.] However in practice there are considerable issues:

- Accommodation is provided but is generally of poor quality and not maintained by the tea garden management; moreover, ownership remains with the tea garden management, with workers facing the constant threat of eviction if they fail to work properly.
- Of the 115,000 hectares of government land allocated for tea cultivation in Bangladesh, only around 45% is actually used for this purpose. Workers are given limited access to land for cultivation, but again ownership stays with the tea garden authorities and people can be evicted from their land (SEHD, 2014: p. 20).
- Provision of rations varies in practice, but even where given these do not compensate for the low wages, meaning that people struggle to survive.
- Medical and education facilities are generally not provided or of very poor quality. Government service provision is extremely limited, because the expectation is that tea garden authorities will provide these for their workers. Thus, there are only three government primary schools and three high schools in 156 tea gardens in the north-

eastern and south-western regions of the country (SEHD, 2014: p. 18). Tea garden authorities have set up 188 schools, all primary schools. Workers suffer from poor health due to factors such as lack of access to clean water and adequate sanitation (open defecation is common), exposure to pesticides and other chemicals (lack of protective clothing) and poor healthcare facilities.

While Bangladesh has made significant progress in improving human development indicators in recent years, the situation of tea garden workers and their families – in particular, women and children - has remained low. Women are largely employed as tea leaf pickers, working over eight hours per day at this, while men are typically employed in factories, as supervisors and as security guards (Masum, 2016). Women often have to carry on working through the last stages of pregnancy; they have poor access to medical services and, despite this being provided for under labour legislation, limited maternity leave (Masum, 2016). Lack of childcare facilities means working mothers are often forced to leave young infants at home in the care of their older siblings, or keep their children with them in the open spaces around where they work (Masum, 2016).

3. Socioeconomic driving factors

Historical origins of tea industry in Bangladesh

The tea industry was established in Bangladesh by the British. The first commercial tea garden was set up in Sylhet in 1854. Workers for the tea gardens were brought in from other parts of the Indian Subcontinent, largely from Bihar and Orissa, as well as Madras, Andhra Pradesh, Madhya Pradesh, West Bengal, Uttar Pradesh and other areas (Kara, 2012; Gain, 2009). Most of those targeted were poor and vulnerable, typically from low caste communities (Arif, 2018). Brokers lured them to Sylhet with promises of job opportunities and a better standard of living (Arif, 2018) – promises which did not materialise.

Over 150 years and four or five generations later, little has changed. Tea garden workers in Bangladesh today are overwhelmingly the descendants of those original immigrants. One researcher reported that virtually every tea worker they met in north-eastern Bangladesh was able to trace their ancestry back to immigrants from Bihar and Orissa. Their ability to trace their ancestry back that far was: 'a testament to how isolated they remained even after so many decades. Across generations the tea plantation workers remained almost entirely the descendants of those trafficked workers, with few new workers entering the plantations – and almost none leaving' (Kara, 2012: pp. 122-123). Lack of land ownership or ancestral home within Bangladesh means the workers have no other place to go to.

Marginalisation of tea workers

Tea garden workers in Bangladesh come from a wide range of ethnic groups, and have their own languages, culture and traditions. The majority are Hindu. These traits, and the fact that they live in labour lines on the tea gardens, mean that they have very little interaction with 'mainstream' Bangladeshi society and they are looked down upon when they do venture out – sometimes treated as 'untouchables' (Gain 2009).

Lack of education and employment opportunities further confine them to the tea gardens. Levels of literacy are very low among tea garden workers. An ILO report which studied almost 300

workers across ten tea estates, found that only 35% of respondents were literate; 43.4% said they had attended some level of primary school but had forgotten how to read and write (Ahmmed & Hossein, 2016: p. 7). Without education and skills, there are few alternative employment opportunities for them. Most tea garden pickers are women, who face further constraints with regard to mobility and the need to care for their children.

When one considers that their homes are tied to their jobs in the tea gardens, this and the lack of skills as well as discrimination they face in wider society, make it easy to understand why they feel forced to continue working under exploitative conditions in the tea gardens (SEHD, 2014). 'Fearful of their future in an unknown country outside the tea gardens, the tea communities keep their voices down and stay content with meagre amenities of life.An invisible chain keeps them tied to the tea gardens. Social and economic exclusion, dispossession and the treatment they get from their management and Bengali neighbours have rendered them to become captive labourers' (Gain, 2009).

Payment system

The payment system in tea gardens serves to promote modern slavery. Tea pickers are paid according to the weight of tea leaves they pick each day. The daily target is around 23 kg (it varies from tea garden to tea garden) (Ahmmed & Hossein, 2016: p. 9). People often have to draw on the help of other family members (including children) to meet this target: if they fall short, their wages are cut, but they get additional remuneration for plucking extra leaves. However, there are common complaints that plucked leaves are not weighed accurately, meaning workers get underpaid (Masum, 2016). Working hours are supposed to be eight hours per day, with typically only one short break for lunch; but workers can be forced to work two shifts consecutively in peak seasons – in some cases, for no extra pay. Moreover, the requirement to meet a daily target or lose wages means that workers can often end up working longer hours (Masum, 2016: p. 14).

4. Other driving factors

Weak enforcement of labour legislation

Tea garden workers are Bangladeshi citizens and as such are covered by labour legislation. For a long time the relevant legislation was the 1962 Tea Plantations Labour Ordinance and the 1977 Tea Plantation Labour Rules. However, in 2006 these and other labour related laws (25 in total) were abolished and replaced by the Bangladesh Labour Act 2006. The 2006 Act provides for various rights for workers, including to a minimum wage of Tk 1,500 per month, a holiday on Sunday (or double rate for working), maternity leave, suitable facilities close by and so on (Gain, 2009; Masum, 2016). However, there is some discrimination in labour legislation for tea workers: in particular, workers in other sectors get 10 days of casual leave while tea workers get none, and other sectors give one day earned leave for every 18 days worked, whereas in the tea sector workers need to work 22 days to get one day of leave (SEHD, 2014: p. 14).

A bigger issue is that labour provisions are generally not implemented in practice. Lack of enforcement is a major reason. Often, tea workers are not aware of their rights under the law (Masum, 2016). They are also fearful of reprisals if they make complaints to the management, e.g. of having their wages cut, being evicted from their homes (Ahmmed & Hossein, 2016). The external mechanism for addressing labour grievances is the labour court. There are only seven

labour courts in Bangladesh: the closest for tea garden workers is the labour court in Chittagong – but even that is physically (and financially) difficult for many to access. The end result is that, despite having strong labour legislation in place, lack of enforcement and grievance redress means tea garden workers are forced to accept exploitative working conditions.

Ineffectual unions

Trade unions are supposed to serve as the voice for workers in a particular industry, articulating their demands and pushing for action through mechanisms such as collective bargaining. Tea workers used to be represented by a number of different unions, but these were ineffective because of internal dissent (Arif, 2018). There is now only one union representing them: the Bangladesh Cha Sramik Union (BCSU). However, it is hampered by lack of capacity, political and financial constraints, as well as lack of unity (TAF, 2016). A further factor identified in the literature is owners giving ‘special facilities’ to union leaders ‘so that they can be influenced to contain any resistance from tea garden workers’ (Arif, 2018). The Asia Foundation is implementing a programme to increase understanding about labour rights and responsibilities among the BCSU, workers, tea garden owners and government representatives (TAF, 2016).

Lack of interest by political parties

The problems faced by tea garden workers in Bangladesh have not been a priority for political parties. In an agenda for action prepared by the NGO Society for Environment and Human Development (SEHD), this is attributed to lack of information about the plight of tea garden workers (stemming from their social exclusion) coupled with lack of interest (SEHD, 2014: p. 9). The Awami League’s 2008 election manifesto included one mention of the rights of the ‘working people in the tea gardens’, but in the next five years in power the party brought about no mentionable change in their lives. In January 2009 the government formed a minimum wage board for tea garden workers, which included representatives of tea workers and tea plantation owners: the board fixed wages for tea workers at very low rates (Tk. 69 in 2014). As noted earlier, these rates are far less than those paid to tea workers in neighbouring countries (SEHD, 2014: p. 11). The Bangladesh National Party (BNP)’s election manifesto talked of the rights of tribal communities, but made no mention of the rights of tea workers or tea communities (SEHD, 2014: p. 11). Similarly, the Workers Party of Bangladesh mentioned the rights of indigenous people but said nothing about the rights of tea workers (SEHD, 2014: p. 11).

Limited interventions to assist tea workers

Some NGOs are running schools and healthcare facilities in tea gardens, but on the whole there are few programmes in place to improve conditions for tea garden workers. Bangladesh has only one Fair Trade Certified tea garden: Teatulia Organic Teas in the north of the country. Set up in 2000 as an enterprise to give local people a living wage while protecting and rehabilitating the environment, it employs over 700 workers.¹ Run as a cooperative, it teaches organic farming and allows members to feed their families and strengthen their socioeconomic condition by earning a profit on their crops. The co-op’s education programmes have improved literacy rates by 50%. Under a cattle-lending programme, members are loaned dairy cows in exchange for cow dung

¹ <https://www.projectnosh.com/food-wire/2016/teatulia-tea-garden-becomes-first-fair-trade-certified-farm-bangladesh/>

used as compost in the tea garden. These and other such measures led to the tea garden being awarded Fair Trade Certification in 2016, but it remains very much the exception among tea gardens in Bangladesh.

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