



## Lecture Gerard Oonk marking 40 years Arisa 4th October 2021

It is great to talk to all of you about the history of the India Committee of The Netherlands (ICN) - now Arisa - in the last 40 years and some of its results and lessons learnt.

When human rights were suspended in 1975 by Indira Gandhi an informal group of people having worked or studied in India, started to talk about better informing people about the issues of poverty and social inequality in India, but also about its little known active social movements for change.

A number of politicians in the west felt Indira did the right thing and would really fight poverty as she promised, but the group later forming ICN felt she was fighting the poor instead of poverty.

ICN was officially established as an association in 1980 and soon had a few hundred members. The stated goal was to support progressive movements and critically look at Dutch relations with India. What this meant was however not very concrete yet. Some felt we should work in support of left wing parties and their unions, but most felt we should mainly work with independent social movements and NGOs fighting for the rights of the poor and oppressed. And there were the ones that were willing to cooperate on burning social issues of e.g. fishing people and agricultural labourers.

Some years later years later our slogan became: in solidarity with the oppressed. These included the poor who are lacking basic means for a decent life with enough income and food, land, decent work, housing and access to health and education. But later on we also included a broader human rights focus and focussed a lot more on the position of the so-called 'untouchables', now called Dalits. We then also started looking at caste-based discrimination as not only one of the main causes of poverty, discrimination and exclusion in India, but also as a main source of very serious and systemic human rights violations.

ICN was looking for ways to do more than write articles, statements, books, reports etc. But we were also seeking impact to contribute at least a bit to fighting poverty and oppression.

From 1981 to late in the nineties ICN had a strong focus on the role of Dutch and European development cooperation: how it generally failed the poor and marginalized in India and how development cooperation - which started as plain export promotion - could be used as a force in favour of the poor.

This focus on the poor was tied to solidarity with *organisations* representing their interests and not (primarily) with the Indian government. This was a choice out of principle which resulted in some backlash and later on in a really serious stand-off, including visa problems for me and some colleagues.

An early conflict within ICN was on how to look at and work on development cooperation with India. Should we just criticise the aid as neo-colonial intervention and/or export promotion, or should we also come up with alternatives and push for change as the official goals were *poverty alleviation* and *making India economically more independent*. We decided to criticise where needed but also for proposing alternatives. We showed that such a position can be successful, also in the context of bilateral development aid.

*Case: the threatened livelihood of artisanal fisherman by Dutch trawlers*

Our first success in 1981 was very important to give shape to the sort of solidarity with the poor we had in mind. It tested some methods we could use to make our solidarity practical, even though we were not a funding organisation. This is the story.



We were approached by a national union of traditional fisherman – around 6 million – because the Netherlands had plans to finance the export for 18 so-called deep sea trawlers with development aid. The union informed us that this would greatly harm the traditional fisherman as these trawlers would also fish in the coastal waters which were already overfished. We researched the issue, wrote a booklet and approached the press, members of Parliament and the government.

Also the union wrote to the then Minister of Development Aid that they were in ‘total opposition’ to the deal and considered this aid as ‘poison’. We also got support from FAO fishery experts. The Minister decided to stop the delivery of trawlers half way, he said he understood the problem. For ICN it was a tremendous boost to see how our activities, from research to political pressure, could yield results.

However a few years later large-scale commercial trawler sales were starting to happen which were indirectly supported by the government through bilateral dialogue and feasibility studies. So the Dutch clearly put their export interest above the interests of the poor. We still had to discover methods to tackle this. These methods came later when responsible corporate conduct became a new norm.

Nevertheless we continued our work in the eighties to criticise forms of development cooperation that did not help the poor, like the very large fertiliser aid financed by development aid that mainly reached the richer farmers.

In the same way we looked at European dairy aid for India’s cooperative Operation Flood programme that e.g. depressed opportunities for small (women) farmers undercutting their milk prices.

We also cooperated for years with NGOs and local unions in India working with agricultural labourers to see if the Dutch could contribute with pilots to a social safety net in the form of employment guarantee programmes for the rural poor. The idea was accepted by two Indian states but later dropped after an election in one of the states. Many of you will know there is such a national employment guarantee act now for 100 days per family a year as a social safety net for many.

In total we contributed substantially to a more social approach of Dutch development cooperation with India, as also an official evaluation pointed out. At some point there were a range of programmes on e.g. drinking water, women’s empowerment, primary education and the environment. Also EU dairy aid to India was changed to be ‘less harmful’ for (women) milk farmers. However in 2013 India itself stopped Dutch bilateral development aid, but wanted to link this aid to NGOs, independent institutions, universities etc. But the Dutch government refused.

Since the mid-nineties we already moved to topics that were *not* primarily or not at all linked to development cooperation but to the responsibility of companies for their impact on human rights. And on how governments can help and demand to make that happen. But we also kept on being active on civil human rights, like the murder of thousands of Muslims in Gujarat and the strangling of NGOs. Much to the chagrin of the Indian government however.

#### **Child labour in the carpet industry and then more**

Mid-nineties almost half a million young children in India alone (and more in e.g. Nepal and Pakistan) were working in the carpet industry. The idea of a fair trade mark for carpets without child labour came up in India by the South Asian Coalition on Child Servitude (SACCS) together with *the Indo-German Export Promotion Council*. The latter was fearing for boycotts of Indian carpets. German NGOs took up the issue and soon we and others like FNV and Unicef joined in The Netherlands. We started promoting Rugmark and got some Dutch companies on board as part of a larger effort.

It was our first experience with a trade mark based on social demands. When some problems came up (e.g. a book with a critical story on Rugmark) we slowly discovered that the trade mark was more or less 'captured' by a German business person in alignment with Maneka Gandhi as the chair of Rugmark. It taught us that the initial good intentions did NOT work out and that it mattered very much how such a trade mark is organised. The new carpet trademark GoodWeave slowly emerged which has much stronger standards and involves communities in tackling child labour and labour rights violations. We also concluded: you can learn a lot from something that is not very successful. It can be the starting point of better alternatives and new thinking on the issue.

In the course of this our views on child labour changed: poverty is not the inevitable cause of child labour but child labour rather perpetuates poverty. When children are out of the labour market and at school, adults have more chances to work for better wages. Our experience with MV Foundation, an NGO working in Andhra Pradesh, proved this point in practice. They were getting tens of thousands (later a million in total) children from work to school. Children often became first generation learners in their families while wages for their parents improved.

They did this through a community-based approach working to get all local children into school. Not as an isolated project but as a way to mobilise local village people, but also the local, state and later the central government to put more efforts and money into primary education and get working children to school. The MVF approach of also getting older children into school through bridge courses and classes did become part of the Education Law in 2009.

In the new millennium (2000 +) we targeted our work on three, partly overlapping areas:

- Continuing our work on child labour in the Stop Child Labour Campaign
- Working on labour rights, including child labour, in specific economic sectors linked to multinational companies with presence in the EU
- The issue of caste-based discrimination or rather 'caste apartheid' in India and other South Asian countries

### **Stop Child Labour Coalition**

The vision and results of MV Foundation were the main driving force of the European *Stop Child Labour Campaign* that started in 2003, initially funded by the EU. It started as a coalition of Dutch NGOs and unions from five European countries.

One aim was to support local organisations in India and elsewhere to create new examples where the community approach of the MV Foundation would work. Later on this was also extended to around 10 countries in Africa, after an intensive exchange of experiences between MVF and local organisations. In short, the outcome of this work has been more than remarkable as many evaluations show. It showed that a model that proved to be successful in India would also work in Africa, with local adaptations.

The other main aim was to influence policies in Europe and internationally on child labour and education. This initially included seeking aid for primary education, but even more: making sure aid for education would include strategies to get working children into school which was often lacking.

The global relevance was also to bring MVF's (and our) vision on child labour into the global debate on child labour. This we did 'by showing results on the ground' with the MV Foundation via child labour conferences, engaging with the ILO, the EU and the Dutch and other European governments and Parliaments.



In The Netherlands child labour became a top priority for the government in terms of support for the community-based approach, a focus on companies and child labour and even funding for Stop Child Labour. In the last 10 years Stop Child Labour also started focussing on the responsibility of companies for child labour in their supply chains. It campaigned e.g. on shoe production in India, hazelnuts in Turkey and gold mining in Africa for our favourite electronic products.

### **Working on labour rights and child labour in the framework of Corporate Social responsibility (CSR)**

Working on child labour and other labour issues, we found that what we called Corporate Social Responsibility could be an important angle to demand responsibility and accountability from companies for their impact on society. When we worked on garments and carpets in the nineties we did the same, but at that time there were no credible international principles to guide companies in their behaviour, let alone ways to officially complain and get a remedy if human rights were violated.

With a group of organisations we proposed what the government should do to make companies responsible in the *Manifesto 'Principled Profits'*. We also based a new CSR coalition on it for which I worked part-time 10 years.

In 2001 the OECD Guidelines for Multinational Companies for the first time created such a normative framework with a national complaint mechanism against companies. And in 2011 the UN Guiding Principles on Business and Human Rights were accepted after global consultations. It included a due diligence effort by companies to respect human rights to make sure that human rights violations in all tiers of production are dealt with. Also the revised OECD Guidelines with similar provisions were published.

For ICN this meant that we increased our efforts in research and action (including publicity, political pressure, meetings) on child labour and also other labour rights violations in a number of economic sectors. Besides garments we started working on footballs (around the European and World Cup) and a bit later natural stone and cotton and vegetable seeds.

This was not a one-time effort but an effort of many years to influence these sectors in The Netherlands and, depending on the sector, internationally. All of these sectors would deserve a long separate section but I do not have the time to do that right now. But in all sectors we and our partners have made substantial progress. Just a few highlights:

- With local partners like SAVE and READ ICN has been working to tackle large-scale bonded labour of young girls in the garment and textile sector in Tamil Nadu. With some success, but the struggle is going on. ICN has also played a very active role in getting a Covenant (binding agreement) with half of the Dutch garment sector, unions, NGOs and the government.
- A second sector concerns cotton and vegetable seeds. Hundreds of thousands children worked in that sectors and women were heavily underpaid. Multinationals are playing a leading role, but they were looking away from that problem. Most of them starting acting with a substantial positive impact on the number of children working in the seed sector.
- We started researching and cooperating with Indian partners to tackle the horrible working and living conditions in stone quarries. It was a long and difficult journey but now Arisa has a sound Covenant agreement with Dutch and Flemish companies, governments as well as NGOs and unions.

### **Dalit rights are human rights**

At the end of the last millennium Dalit organisations representing the so-called 'untouchables' started to assert themselves internationally. The struggles going on at home



did not yield enough results and they realised that universal human rights gave them the opportunity to make themselves heard. It was and is a huge human rights issue long ignored. They also asked for international solidarity against caste-based discrimination. It meant we had to reorient our views from mainly class-based (especially informal labour and working children) to taking the caste-angle into full account in all our work as it effects all aspects of the lives of Dalits.

We took up the gauntlet and joined the International Dalit Solidarity Network. It was an uphill struggle to fight for the Dalit cause – of course together with representatives of Dalit organisations from South Asia – with the UN, the EU and also the Dutch government.

In the UN there was a slow but encouraging start with two special rapporteurs of a sub-commission of the Human Rights Council diving deep into the issue of discrimination based on work and descent, which includes caste-based discrimination. In 2007 they presented their final report which also included a draft Principles and Guidelines for tackling the problem.

However, the Human Rights Council never made the Principles and Guidelines permanent. What did happen is that almost all special rapporteurs, treaty bodies and the High Commissioner of Human Rights provided a lot of factual evidence and made strong recommendations on the issue of caste-based discrimination. Navi Pillay e.g. said: *"Time has come to ban the shameful concept of caste"*.

But what struck me the most was the cowardice of most governments, including EU governments, including the Dutch, NOT to put the issue high on the international agenda and make clear that they have to their utmost to ban this 'caste apartheid'. Most western or other governments have not been willing to stand up against a form of caste apartheid that has even been publicly condemned by two Indian Prime Ministers: Inder Kumar Gujral and Manmohan Singh.

International human rights is the ground ICN stood and now Arisa stands on, but it is also an overarching issue which led, in our daily work, to several confrontations with the Indian government:

- Refusal of visa to me and other known ICN employees from 2002 onwards;
- A court case by an Indian garment company - because of alleged defamation and xenophobia by ICN - for publishing a report on labour rights violations at the Indian supplier supplying to a Dutch garment company G-Star (2007). It took a year and negotiations by a Dutch ex-Prime Minister to get us out this problem;
- Strong pushback by the Government of India to open letters to e.g. the Dutch queen, the Dutch PM with suggestions to raise questions on human rights and the shrinking space for civil society.

But of course the related - but far bigger - challenge for independent organisations, activists, media persons etc. in India is to be able to do keep fighting for the rights of all people in India, especially those who are now marginalised and discriminated.

Under the present government the big question for Arisa seems to me how to show your solidarity with those in India whose work and freedom are threatened if they speak up for the rights of others. Should Arisa speak out about the general trend of declining freedom under PM Modi? Or should it avoid a possible 'confrontation' – however fact-based – and primarily protect the work of present partners that are also under pressure to conform and carry on the work, as under the radar, as possible?

It was a great journey to work with so many people inside and outside ICN for justice and human rights in India. I wish Arisa and its partners all the success in the world in carrying this work forward!