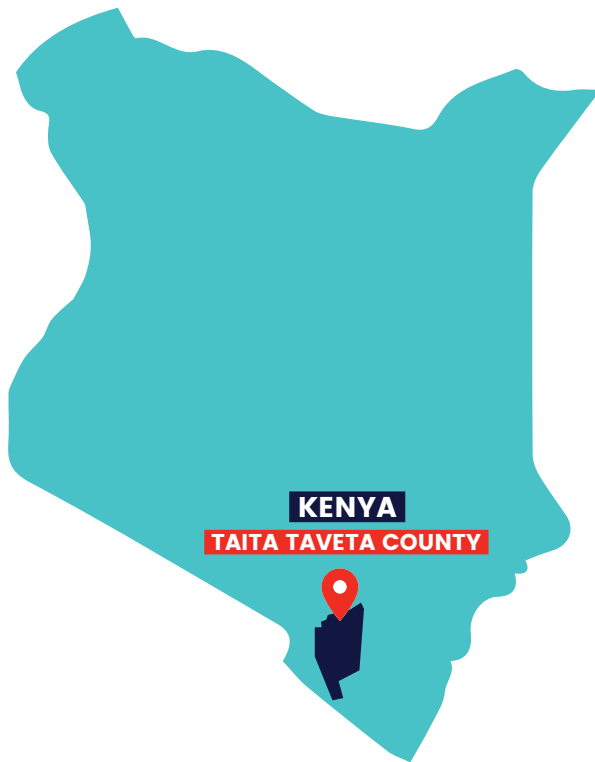


# SISAL CULTIVATION IN KENYA



## WHAT?

Large-scale sisal cultivation used for e.g. ropes, sacks and carpets

## WHO IS INVOLVED?

The following big agriculture corporations:

- **Teita Sisal Estate Limited**, the largest sisal estate in East Africa, owned by an investor of Greek Origin. The company grows sisal mainly for export to Nigeria, China, Spain and Morocco.



## WHO IS AFFECTED?

Communities living in Taita Taveta County in Southern Kenya covering over 32,000 acres of land.

## HUMAN RIGHTS HARMS AND THEIR GENDERED IMPACTS



**GENDER-BLIND  
WORKING CONDITIONS**



**LABOUR RIGHTS  
ABUSES**



**FORCED EVICTIONS &  
DESTRUCTION OF PROPERTIES**



**INCREASE  
SEXUAL VIOLENCE**



**INCREASE IN WORK  
& CARE BURDEN**



**ENVIRONMENTAL DEGRADATION  
& LOSS OF LIVELIHOODS**

Men in powerful positions sexually harass women workers, many remain silent due to normalisation of such behaviour

# WOMEN'S LIVED EXPERIENCES

## SISAL CULTIVATION IN KENYA

### WHAT IS HAPPENING?

The large-scale cultivation of sisal, a plant used to manufacture goods such as rope, sacks and twine, raises important human rights issues connected to land dispossession, land use and employment conditions.

Teita Sisal Estate Limited is the largest sisal estate in East Africa and employs over 6,000 workers to cultivate sisal. This takes place on an area of land of 32,000 acres (though some reports suggest it extends to over 100,000 acres), in Taita Taveta County, southern Kenya.

The sisal cultivation in this location has been linked to decades of land rights disputes. The establishment of a farm in the early 1920s took place without the consultation of communities living on the land. In the early 1990s, thousands of residents of villages were faced with the abrupt destruction of houses, graves, crops and scattering of animals, purportedly on the grounds of encroachment on the company land.

### LABOUR CONDITIONS

Today, the farm employs many community members who live adjacent to the farm as well as immigrant communities who come to search for work. Many employees have shared concerns about their conditions of employment, involving patterns of precarious temporary employment, subcontracting to non-unionised workers, occupational hazards due to excess loads and extremely demanding physical work, and unfair remuneration practices that include the forfeiture of wages if daily targets are not met. Workers report that, within the estate, the company exerts significant control over housing, the supply of electricity and household products, and living arrangements. Children of families employed by the company who reach the age of 18 are required to leave company housing.

***“The estate’s management is not good. When employees complain about their rights or conducive work environment they get fired.”***  
***Former woman staff member of the sisal farm, Kenya***

### COMPANIES INVOLVED

**TEITA SISAL ESTATE LIMITED** – is the one of the largest sisal estates in the world and is owned investor Philip Kyriazi, an investor reportedly of Greek origin. The company grows sisal principally for export to other countries, with the largest markets including Nigeria, China, Ghana, Spain and Morocco.



Sisal plant

The extensive reach of the estate has also been connected to environmental consequences, through extensive monoculture cropping, the use of ancestral land formerly used communally for animal grazing and subsistence farming and the subsequent intensification of grazing and agriculture of remaining parcels of land outside its boundaries. Many residents do not believe the company has social licence to operate.

### IMPACT ON WOMEN AND COMMUNITIES

Strict daily agricultural targets that are unresponsive to worker capability or needs related to gender have a disproportionate impact on women working on the estate. The employment lacks adequate accommodation for pregnancy, breastfeeding or menstruation needs. Sexual harassment is pervasive, with many women reportedly choosing to remain silent in the face of abuse due to the normalisation of this behaviour or because the perpetrator is in a powerful position in one of the companies. Notably, while men employed by the company are permitted to live with spouses not working for the company, women are not allowed to share housing with husbands who are not employed by the company. Societal gender roles mean that even as women undertake demanding physical employment with the company to earn a livelihood, they also have the responsibility for time-consuming domestic work

that includes fetching water, food, cooking and childcare.

***“The headmen makes advances and when we reject them, they start targeting and hating the female employee”.***  
***Woman working at the sisal farm, Kenya***

The activities of Teita Sisal Estate Limited impact employees directly as well as communities more broadly. They are connected to potential human rights issues such as: the right to just and favourable conditions of work (which ensure fair wages, equal remuneration for work of equal value and safe and healthy working conditions); the right to special protection for working mothers; the right to an adequate standard of living; the right to health; the right to a clean, healthy and sustainable environment; protection from inhuman or degrading treatment; the right to protection from arbitrary or unlawful interference with privacy, family or home; the right to self-determination; and cross-cutting guarantees of non-discrimination and equality.

### **COMMUNITY ACTION AND VISIONS FOR THE FUTURE**

Communities employed by the sisal company, or otherwise impacted based on geographical proximity, have called for alignment of its activities with constitutional and legislative protections set out in the Kenyan national legal framework. They call for increased participation of women in the leadership of relevant unions to increase a gender perspective on working conditions, the

involvement of communities in the company's policy development and robust adherence to gender-responsive labour conditions.

Affected communities have made continued attempts to resolve ongoing land disputes. These include taking legal action, community mobilisation efforts, peaceful assembly and dialogue with the company. At the same time, communities have faced threats, backlash, harassment, arrests and ill-treatment in response to their demands.

In 2016, government officials responded to a petition by the community in relation to disputed land boundaries, calling on the company to provide relevant documentation. Communities were disturbed to find their village land listed as part of the company estate in official maps. Following negotiations, only 200 acres of land were returned to the communities out of the 250 acres they had claimed, and the process stalled.

Subsequently, in 2018, the company donated 300 acres and a further 350 acres to the government to settle the claims of over 3,000 squatters, following further negotiations with the national government. This agreement also included water sharing arrangements as recommended by the government, as well as the removal of roadblocks and the creation of an access route to the dam to enable residents to fetch water. However, the dispute has continued, with action by the company in 2021 to fence land, causing continued issues of access to public amenities.

***“The management we had was very bad, such that if a community member goes to fetch firewood they would be arrested for trespass without even being warned. So it seems like their security guards are creating enmity between the community and the company.”***  
***Village leader from impacted community***



Community members fighting for their rights, Teita Sisal Estate in Kenya



A village leader from Majengo Village, she was one of the 35 community persons who were arrested by orders from Teita Sisal Estate, Kenya

## **PATHWAY TO A FEMINIST CORPORATE ACCOUNTABILITY FRAMEWORK**

Women around the world continue to experience business-related human rights abuses and violations differently and disproportionately: from significant barriers to access justice and discrimination in the labour market, to gender-based violence, uneven domestic workloads and unpaid care duties. Systemic gender impacts connected to corporate activities are particularly felt by women in the Global South. Business activities often have a negative impact on people and the planet. The need for a feminist corporate accountability framework in line with human rights obligations and planetary boundaries is urgent.

### **CURRENT STANDARDS ON BUSINESS AND HUMAN RIGHTS**

In the context of the international human rights framework as well as through voluntary commitments, global steps have been taken to adopt rules relating to women, business activities and human rights.

With a specific focus on corporate activities, the UN Guiding Principles on Business and Human Rights (UNGPs) were endorsed by the UN Human Rights Council in 2011 and designed to protect and respect human rights, prevent adverse impacts and ensure access to remedy for business-related harms. The OECD Guidelines for Multinational Enterprises further set out guidance around human rights due diligence requiring businesses to identify, prevent and mitigate adverse impacts and to account for how they address them.

However, the voluntary nature of these existing standards has not translated into meaningful change. And women's experiences are largely excluded from corporate accountability frameworks.

### **GENDERED IMPACTS OF CORPORATE CONDUCT**

Case studies, such as this one, offer specific examples of how women from groups in various contexts experience corporate-related abuses in different and disproportionate ways.

For example, in Uganda, over 35,000 people were forcibly removed from their homes in Kyriandongo by agribusinesses linked to the Global North.

Following the evictions, women experienced violence, loss of livelihoods and restricted access to water and firewood.

Granite mining, in Zimbabwe, connected to Chinese and European companies and investors has impacted on the region's small-scale agriculture due to widespread clearing of vegetation. This male-dominated sector has a knock-on effect for women such as a lack of employment opportunities and increased likelihood of gender-based violence.

In Guatemala, nickel mining by the Swiss-based Solway Investment Group causes significant environmental damage in El Estor, Izabal. Women active in community advocacy have experienced impacts on their lives through ongoing criminalisation and repression.

Large-scale sisal cultivation in Taita Taveta County in Kenya raises human rights issues connected to land dispossession and employment circumstances. Women face gender-blind working conditions and a loss of livelihoods due to environmental degradation.

### **A FEMINIST PERSPECTIVE**

Since 2014, in the context of an open-ended working group of the UN Human Rights Council, states come together every year to advance on an international legally binding instrument on business and human rights. Significant progress has been made to secure a gender-responsive treaty, including acknowledgement of the disproportionate impacts on women and girls, agreement on the need for states and businesses to integrate a gender perspective and gender-sensitive access to justice.

Despite advances, the adoption of a treaty is still several years away. Powerful business lobbies and a lack of engagement of a number of major economies, where transnational companies are based, hamper the treaty process. At the same time, while it is a positive step, the development of mandatory human rights due diligence laws at national and regional levels can also undercut progressive approaches at the international level.

With these concerns in mind, constructive engagement of states to incorporate a feminist perspective and build upon progress that has been made so far is needed.

A UN Treaty on business and human rights offers an opportunity for states to fulfil their obligation to respect, promote and protect human rights, put an end to harmful corporate activities, and harmonise international rules for businesses.

### FIVE KEY RECOMMENDATIONS

To address the structural and gendered impacts of transnational corporate activities during the upcoming session of the working group on the UN Treaty, we call upon states to:

- 1. Engage constructively in the treaty process, build on previous negotiations, and harmonise with human rights and environmental obligations,** including by maintaining and strengthening gender-responsive provisions.
- 2. Ensure women are at the heart of the conversation,** leading with maxim “nothing about us, without us”.
- 3. Prevent harm to people and planet,** including provisions that encourage effective substantive equality analysis and practice.
- 4. Make things right when harm occurs,** ensure that systems of legal liability and provisions governing access to justice, remedy and support services are gender-responsive.
- 5. Put corporate accountability at the heart of broader measures towards economic, climate and ecological justice and transformation.**

This case study is part of the report “Pathway to a Feminist International Corporate Accountability Framework: cases from Uganda, Zimbabwe, Guatemala and Kenya”, which can be found at [actionaid.nl/UNBT](https://actionaid.nl/UNBT)

*Women around the world continue to experience business-related human rights abuses and violations differently and disproportionately: from significant barriers to access justice and discrimination in the labour market, to gender-based violence, uneven domestic workloads and unpaid care duties. Systemic gender impacts connected to corporate activities are particularly felt by women in the Global South.*

## ABOUT THIS REPORT

This report is based on research conducted by Tom K. Balesa and Andrew Byaruhanga, Patrick Ochieng, Geiselle Vanessa Sánchez Monge, James Tsabora, and was compiled by Susie Talbot, as lead author.

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Former staff member of  
Teita Sisal Estate, Kenya