



# Anthropology UNIVERSITY OF TORONTO

House Foreign Affairs Committee  
Tom Lantos Human Rights Commission

Hearing  
on  
Promoting Labor Rights in the Cut Flower Industry

June 5, 2025 - 2:00 p.m.  
Rayburn House Office Building

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“Human Rights, Labor, and Cut-Flower Production in Ecuador”  
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## 1. Overview

Ecuador is currently the third largest exporter of cut-flowers in the world. Over 5,000 hectares are devoted to flower growing, with a workforce of over 60,000 people involved in direct production. Almost half of Ecuador’s flower exports go to US markets and almost 25% of roses bought in the US come from Ecuador. Ecuador is also a major supplier of carnations and summer variety flowers, as well as premade bouquets to supermarket chains in the US.

In Ecuador, flower growing is primarily concentrated in the northern and central highlands, with several hundred farms grouped in clusters close to rural stretches of the Pan-American highway. These clusters started to appear in the mid-1980s, when the first flower farms grew up on the remains of centuries-old estates (*haciendas*) that were redistributed between workers and estate owning families during the country’s agrarian reforms. Ex-hacienda workers, largely indigenous, formed independent peasant communities that would become, by the 1980s and ‘90s, the primary workforce on the emerging flower farms. Labor on Ecuador’s cut-flower plantations continues to come from these communities, nearby non-indigenous towns, and from domestic migrants who view Ecuador’s cut-flower sector as one of the only labor-receiving areas in the country.

On-farm labor has historically been informally segregated according to a worker’s place of residence. Indigenous workers from neighboring rural communities have generally been assigned to work in flower cultivation, with equal distribution of men and women. Workers sorting and bunching flowers for sale tend to be women and more often come from non-indigenous towns or urban centers. Fumigators, transporters and cold storage room workers tend to be men and are often migrants.

## 2. Routine, Chronic Labor Grievances

Unionization is uncommon in Ecuador's cut-flower sector. Some of the older, larger farms maintain independent unions, while other areas are more prone to forming flower workers' associations or regional unions that draw members voluntarily from various farms. These unions seek to assemble and mount legal defense for worker grievances but tend to be short-lived. The President of the now-defunct Union of Flower Growers of Cayambe recently presented the following as the most common labor disputes facing their members:<sup>1</sup>

- Employers getting months behind on paying workers
- Employers not paying legally-prescribed rates for mandatory overtime during peak seasons or giving employees unsolicited days off instead of overtime pay
- Employees being fired for fictitious reasons, often just before being entitled to collect retirement benefits
- Employers increasing worker output demands to impossible levels, presumably to force workers to quit
- Employees being shuffled repeatedly between radically different jobs and types of work on the plantation
- Employers firing workers during their three-month "probationary" period then hiring them back, repeatedly
- Workers affiliated with unions or associations, or speaking about unionization, being fired, "blacklisted" and unable to find work
- Workers' claims that sources of legal redress—judges and officials in the Ministry of Labor—are controlled by elites with economic interests in the flower sector
- Illegal requests from employers that women present doctors' certificates confirming they are not pregnant and being fired if pregnant
- A strong sense among workers that the repetitive nature of the tasks demanded of them and the heavy agrochemical applications have caused their bodies to break down and a spike in various cancers

These grievances are consistent with those I observed first hand and recorded for the 2001-2015 period, evidencing a structural consistency to both labor rights violations and chronically harmful working conditions in the industry.<sup>2</sup> Some practices used extensively by flower companies during this time—such as the use of third-party labor contractors (*terceristas*) to accentuate worker flexibilization—are now prohibited by law.

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<sup>1</sup> See <https://www.google.com/search?client=firefox-b-e&channel=entpr&q=marcia+lema+floricultores+cayambe#fpstate=ive&vld=cid:673ea1b9,vid:HHNsItnLmYQ,st:0>

<sup>2</sup> See Krupa, Christopher. 2022. *A Feast of Flowers: Race, Labor, and Postcolonial Capitalism in Ecuador*. University of Pennsylvania Press, especially Part IV.

### 3. Flower Grower Initiatives, National Legal Frameworks, and International Conventions

Alongside these endemic labor problems in the industry, we find several factors that would otherwise seem to favor the generalization of a more protected and less precarious workforce or, at minimum, may present openings for achieving deeper legal oversight and compliance with higher labor standards that better meet workers' needs. Here I focus on two factors: the publicly progressive attitudes of Ecuadorian flower growers and the national and international juridical support for labor rights protection.

#### Flower Growers and the Discourse of Progressive Improvement

Ecuador's flower growers are mainly domestic elites and long-term expats, not foreign corporations or global conglomerates. They are generally not local to the rural areas where flower growing is concentrated but bring with them strong nationalist sentiments that frame the expansion of flower plantations into ex-hacienda territories as akin to development work and even offering something like humanitarian relief and opportunities for personal growth to the generally poor and often indigenous people who live in the areas where flower growing is most heavily concentrated. Labor is the centerpiece to this ideology and flower growers have long prided themselves on meeting and exceeding national labor laws, social security programs, and on voluntarily building educational, medical, and recreational programs into their labor relations.

Growers and their producers' associations (such as Expoflores) are generally quite ostentatiously proud of their approach to labor and welcome international oversight. Though the appeal of international certifications among growers has waned in recent years, during my early years of fieldwork from 2001-2015, it was common for exporters to certify their farms with any international agency offering a seal they could display on their boxes—the Flower Label Program, started in 1998 but now defunct, and the International Standards Organization's ISO certifications were, at the time, the big ones, replaced now with the more popular Rainforest Action certificate and the Flor Ecuador certification by Expoflores which, since it began in 2005 has assembled 109 registered companies.

#### Labor Laws and Ratified Conventions

Ecuador has a famously progressive constitution and labor code, especially after its radical overhaul during the early years of the presidency of Rafael Correa (2007-2017). To give a sense of this juridical framework, I here focus specifically on national and international protections against child labor, the most frequently-identified accusation of "egregious" human rights violations in Ecuador's cut-flower industry.

#### National

Article 46 of the **Constitution of the Republic of Ecuador** mandates that children and adolescents are to "receive special protection against any type of labor or economic exploitation," a protection backed by Articles 44 and 45, prioritizing the protection of children's rights within a matrix of social vulnerability. This point is further emphasized by Article 175 of the Constitution, which guarantees special juridical oversight for the "integral" legal protection of the rights of children and adolescents. Articles 54 and 148 of the **Organic Code of Territorial Autonomy and Decentralization** distributes responsibility for

protecting these rights among municipal and cantonal governments. The national **Child and Adolescent Code** confirms the child's standing as a subject of rights backed by the Constitution and further stipulates in Article 81 the legal protection of children against labor exploitation and "any form of slavery, service, or work that is forced or harmful to the [child's] physical, mental, spiritual, moral or social health or which can interrupt their right to education". The Code also, in coordination with the National Council on the Child and Adolescent, establishes the minimum age of employability as 15 years of age (Articles 82) and outlines a specific commitment to the eradication of child labor (Article 83), excepting those classes of work protected as cultural practice (Article 86). The Code identifies specific industries in which children are completely prohibited from working, including mining, garbage dumps, extractive industries or any workplace exposing workers to hazardous chemical, alcohol consumption, and various safety hazards (Article 87). Ecuador's **Labor Code** confirms the laws outlined in the above Articles as also components of the national Labor Code. It also grants state authorities the right to inspect any workplace suspected of using child labor (Article 151).

Additional national forums and committees have been created to specifically attend to child labor in Ecuador, including:

- **CONEPTI (National Committee for the Progressive Eradication of Child Labor)**, formed in 1997, brings together representatives from the Ministry of Labor, Expoflores, and the Unified Workers Front (FUT), an umbrella trade union organization in efforts to eliminate child labor in the flower sector. CONEPTI also oversees the national Inspection and Monitoring System of Child Labor and works with local communities and authorities to educate them about child labor, children's economic rights, and forms of legal redress.
- The **Target 2030 National Plan for the Integral Protection of Children and Adolescents** is a comprehensive governmental initiative focused on youth. Its "national agenda for intergenerational equality" lists the "eradication of child labor, begging, and the street child situation of girls and boys" as its first objective, followed, second, by the provision of special attention for children in systems of justice.
- The **Decentralized National System for the Integral Protection of Children and Adolescents** brought together public and private employers to define the necessary steps to eradicate child labor in Ecuador
- Various **National Plans for Good Living** (Buen Vivir) included broad governmental commitments to ensuring dignified work for all and the elimination of child labor
- The **Ecuador Without Child Labor Program** was an awareness- raising initiative to educate the public about the prevalence of child labor in the country

#### International

Ecuador has also signed on to numerous international conventions supporting children's rights and guaranteeing protection against all forms of child labor. For instance, following Ecuador's ratification of ILO Convention No. 182 in 2002, Ecuador joined Colombia in founding the Social Forum for Flower Production in 2005. The ILO helped the Social Forum prepare a baseline study to assess the prevalence of

child labor in the flower industry and provided technical and financial support to the Forum throughout its existence. Ecuador also signed on to the United Nations' Convention on the Rights of the Child on its publication in 1989, a Convention with specific requirements that states protect children against dangerous working conditions (Article 32) and the deprivation of liberty (Article 37).

Article 417 of Ecuador's Constitution verifies that all international conventions signed by Ecuador pertaining to human rights bear equal juridical weight to those outlined in the Constitution and are to be upheld by the court as national laws.

#### **4. Industrial Restructuring: Outsourced Contracting and Informal Consolidation at the Interface between Economic Systems**

The weighty legislation prohibiting child labor in Ecuador, the international conventions binding Ecuador to protect the rights of children and adolescents, and the progressive attitudes of flower growers toward their workforce—as well as the industry's receptiveness to international monitoring programs—would seem to provide an adequate guarantee against severe labor rights violations in Ecuador's cut flower industry. Representatives of the cut-flower industry frequently refer to these features when contesting accusations that labor rights are routinely violated on flower plantations. These accusations continue, giving rise to new international projects claiming to address rampant labor rights abuses in the industry, such as the \$4.7 million dollar grant recently awarded by the US Department of Labor, through the Bureau of International Labor Affairs, to the Partners of the Americas for their AgroJusto project to eradicate child labor in Ecuador's cut-flower and banana sectors.<sup>3</sup> So where are egregious labor rights violations slipping through this otherwise pretty tight safety net?

Reports of labor monitoring agencies suggest that the greatest potential for severe labor rights violations lies not on the plantations themselves—sites characterized, paradoxically, by both intense investment by flower growers into the health, safety, and wellbeing of their workforce AND the voluminous worker grievances of systemic and routine violations of labor rights listed above—but in the expanding and dynamic interface between the formal plantation sector and the other economic systems it increasingly relies on to provide goods and services essential to its operation. Terms like 'outsourcing' and 'subcontracting' partially capture this dynamic, particularly in their exploitation of ambiguities in the ways informal labor arrangements and not-fully capitalist economic relations are productively folded into the global export trade. Here is one example that was common throughout my field research in Ecuador's flower plantations:

When market conditions encouraged plantation managers to completely change the variety of roses grown in one or more greenhouses or when the soil of newly-built greenhouses were being prepared for cultivation, or when major agricultural structures like irrigation systems or greenhouse structures would break down and need to be hauled away—all extremely grueling, labor-intensive, jobs not directly

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<sup>3</sup> <https://www.dol.gov/agencies/ilab/agrojusto-project-improve-adherence-international-labor-standards-agricultural-sector>

involved in the cultivation or extraction of flowers—managers would contract the work out to a local labor contractor, or *contratista*. The contractor would be paid a set amount for the job and it was up to them to procure, at their discretion, the workers they needed for the job. My book documents the use of very old and very young workers for these jobs, working for their contractor on plantation grounds without any formal affiliation with the cut-flower company or record of their presence, receiving token wages well below national standards and no protective equipment, social security benefits, or other amenities provided to regular workers. The tasks these workers perform are not visible in the official production cycle of cut-flower production yet they are essential to its operation and part of its routine cycle.

Since the publication of my book, this practice has been expanded under a large-scale restructuring of the ways export plantations acquire the flowers they need to complete their orders. The last decade has seen an explosion of micro-sized flower farms of one hectare or less, growing up on the subsistence plots of community-living indigenous peasants who learned both the skills and value of flower growing through years spent working on neighboring plantations. These ex-workers shifted their domestic cultivation from a subsistence or local market good like potatoes or onions to flowers, selling their products either to one of the flower farms in their vicinity or to a secondary buyer who then resells them to the plantations. These farmers generally produce their flowers using the same domestic labor arrangements previously used for subsistence production—all family members, young and old, pitch in, neighbors pay personal debts through labor, labor is exchanged for other services, and so on. Demand for these non-plantation-grown flowers comes from plantations' occasional difficulties meeting all standing orders, particularly of flower varieties unusually sensitive to climate variation or disease, and from the increasing sale of pre-packaged and assembled bouquets to American supermarket chains. Bouquets have some flexibility in the flowers and foliage that can be used to surround the main flower and so can accommodate a range of flowers procured from off-farm sources.

One flower grower I know well recently told me he gets several unsolicited emails daily from different small growers offering to sell him a particularly hard to grow variety of flower he occasionally runs short on. If purchased and then re-sold to his American consumers, neither he nor consumers will have access to accurate information about the labor or environmental conditions used to grow these flowers. If grown under the conditions described above—small family farms using domestic and traditional forms of labor exchange to now produce a global export commodity—a degree of ambiguity haunts how we might assess the degree to which labor rights are violated in the production of these flowers. Is this a potential site for child or forced labor to creep in, a violation whose lack of transparency is exploited for profit by flower companies? Or is it an ingenious adaptation of legally-protected customary economic arrangements to the global export market that helps poor indigenous families finally use a more powerful economic system to their advantage, greatly improving their family's income compared with that procured through the often-discriminatory local markets in which indigenous people sell their produce? Should household heads be paying their family members wages equal to those upheld by national labor laws and should they be making contributions to the national social security plan on behalf of their workers/ family? There is ambiguity in these cases; this ambiguity, however, is expansive as it creates a porous interface between the formal plantation sector and other economic systems and opens up a zone of extra-legality in which

other economic actors, whose means of accessing productive land and labor could be completely unknown and potentially coercive or even criminal. As this tendency for farms to informally outsource some of their production to off-farm sites grows, and as other economic systems are being increasingly folded into the global export economy, product tracing and supply chain transparency will need to adapt, especially as the national context changes under an accelerating human rights crisis already spilling into the cut-flower sector.

## **5. National Alert: A Human Rights Crisis and its Impact on the Cut-Flower Sector**

Since 2023, Ecuador has had the highest homicide rate in mainland Latin America, reporting 38.8 killings per 100,000 inhabitants in 2024.<sup>4</sup> These numbers are up by 58% in 2025, with 3,094 violent deaths reported in the first four months of the year alone.<sup>5</sup> Murder rates are alarming but offer only one small glimpse into the severe human rights crisis currently engulfing Ecuador. While largely attributed to the surge in narcotrafficking groups and criminal gangs operating on the coast, violence has spread throughout the country, including the highland communities where cut-flower growing is most concentrated. Conditions have become too dangerous for families living in the highlands to continue the circular migration patterns they use to reduce their households' dependency on the cut-flower sector. While highland populations are now stuck in place, coastal people are fleeing the violence and increasingly seeking refuge (and work) in the plantation zones, saturating labor markets and deepening the precarity of local populations. We can expect poverty and labor rights violations to rise among cut-flower workers, as well as increased dangers to unions or those promoting them, as is common when mass production continues through periods of widespread violence and radical insecurity.

Adding to this, we will want to keep an eye on the private security companies that operate on cut-flower plantations since they often have close links with national police and military, who have been granted near-total impunity by president Daniel Noboa's revolving state of exception decrees and declaration of internal war with narcotrafficking groups. Local human rights groups and national legal teams—those entrusted with enforcing the country's labor code, upholding workers' rights and prosecuting violations—are overwhelmed by trying respond to the return of cold-war era forms of state violence, including well-documented extrajudicial executions, forced disappearances, and torture by military and police forces, often committed against minors with no connection to gangs or narcotrafficking groups whatsoever.<sup>6</sup> The starting point for thinking about possible interventions into the labor rights of flower workers in Ecuador

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<sup>4</sup> Cavalari, Marina, Juliana Manjarrés, and Christopher Newton. 2025. Insight Crime's 2024 Homicide Round-Up. 26 February. [https://insightcrime.org/news/insight-crime-2024-homicide-round-up/#:~:text=Turks%20and%20Caicos%20\(+121.3%\)%20Turks%20and%20Caicos,in%20its%20homicide%20rate%20compared%20to%202023.](https://insightcrime.org/news/insight-crime-2024-homicide-round-up/#:~:text=Turks%20and%20Caicos%20(+121.3%)%20Turks%20and%20Caicos,in%20its%20homicide%20rate%20compared%20to%202023.)

<sup>5</sup> <https://www.aljazeera.com/news/2025/5/24/ecuadors-daniel-noboa-sworn-in-for-full-term-promising-a-crackdown-on-gangs>

<sup>6</sup> <https://www.cdh.org.ec/ultimos-pronunciamientos/642-desapariciones-forzadas-en-ventana-los-rios.html> ; <https://www.cdh.org.ec/informes/651-desaparicion-forzada-y-muerte-de-loscuatrodelasmalvinas.html> ; <https://www.cdh.org.ec/informes/653-reporte-de-desapariciones-forzadas-en-el-ecuador-31-01-2025.html>

outlined above has to be a consideration of what labor rights mean in an export industry operating essentially under warlike conditions.

## **6. Conclusion and Recommendations**

In conclusion, I humbly offer two recommendations:

1. First, labor rights need to be monitored and assessed in the full matrix of human rights threats and protections affecting working communities. Local human rights groups and legal teams need to be supported in their ability to evaluate and respond to the complex intersections arising between labor rights and human rights especially in contexts of critical insecurity and mass violence.
2. Second, local supply chain accountability and place-of -origin traceability need to be able to track and monitor all inputs into the commodity being sold, which in Ecuador's cut flower industry, is not just single bunches of roses or carnations or sunflowers, but also bouquets and other products that have complex forms of informal micro-industrial consolidation, combining diverse labor systems extending well beyond the central plantation.