

HRC Topic 1: Ensuring and Improving Equal Human Rights for Workers in the Textile Industry in Developing Nations

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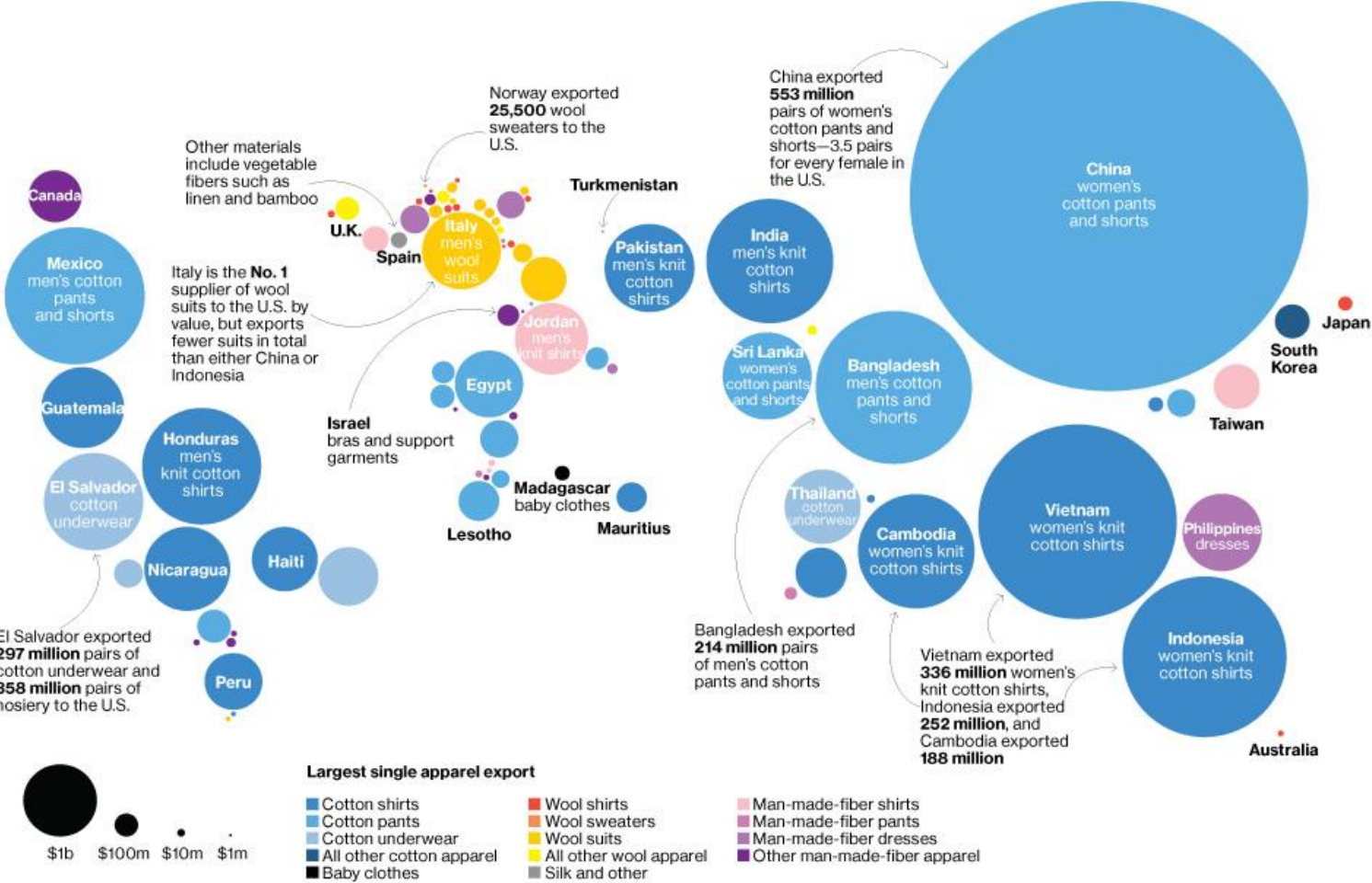
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Introduction

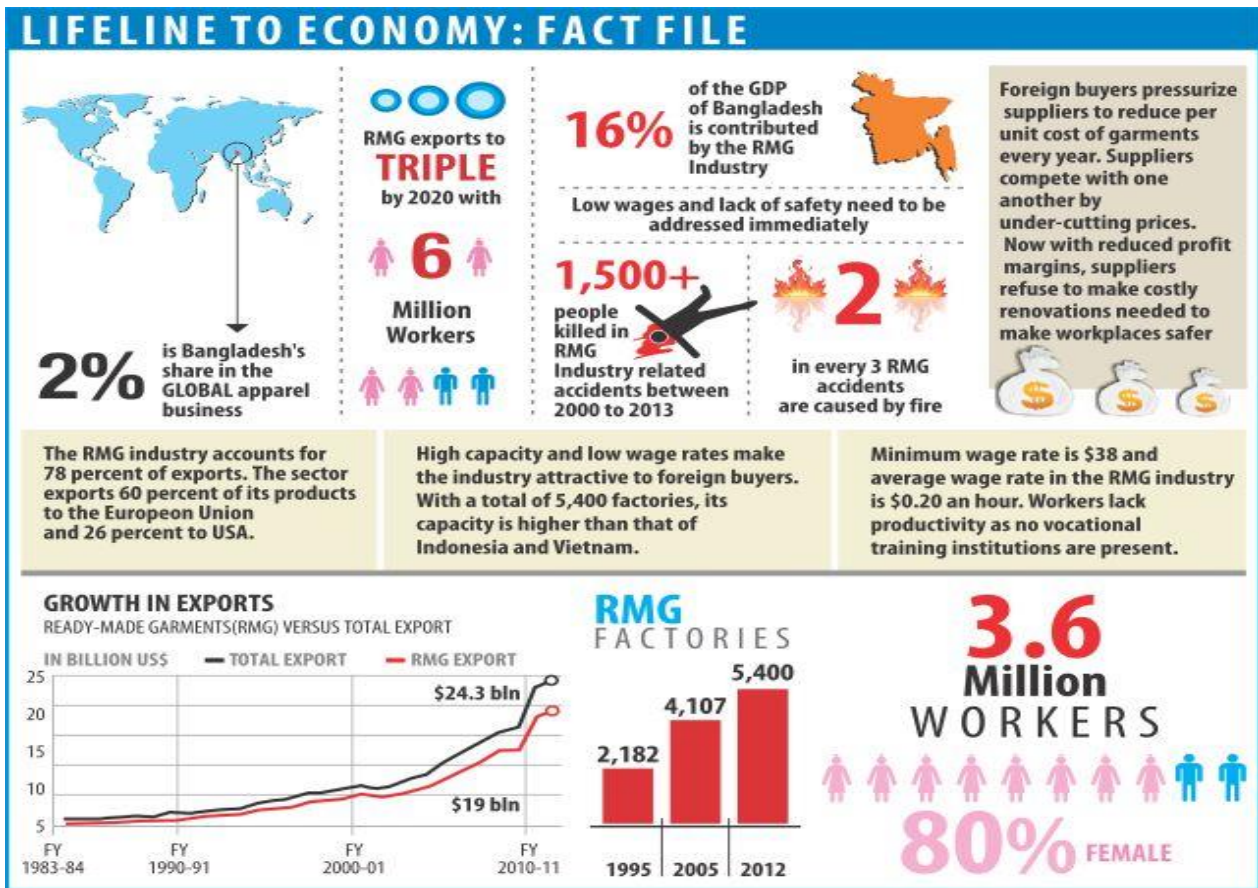
The textile industry deals with the design, production and distribution of yarn and clothing with cotton as its most important natural fibre. It experienced significant growth during the Industrial Revolution in the 18th and 19th centuries. Many revolutionary changes shaped the textile industry, such as facilitating automation with equipment and machinery, industrial engineering education and training and globalization with its moving to markets around the globe. Besides the fact that the garment industry is one of the oldest and largest export industries, the experience of roughly 40 million garment and textile workers around the world has left its mark on lack of power, isolation and invisibility.

Almost three quarters of world clothing exports are made in developing countries where many garment factory workers are migrant worker from rural areas. Its production moves within and between countries seeking for fast and cheap labour. The Multi Fibre Agreement (MFA) was established in 1974 to regulate global trade in garment industry. Under this agreement, developed countries could impose quotas on imports from developing countries. The global garment industry has entered a new 'post quota' era since 2005.

Asia is the major world supplier today and produces more than 32 percent of the world's clothing exports, with China, Bangladesh, India, Turkey and Viet Nam as its Top Garment Producing Countries. Between 1985 and 1990, the production of the Philippines, Indonesia, Thailand and Malaysia increased as a result of investments from The Republic of Korea, Singapore, Hong Kong and Taiwan due to their great production results, leading the world market in exports. The investments and the redistribution of production to countries such as Bangladesh, Pakistan, Sri Lanka, Laos, Nepal and Viet Nam would follow. The production has shifted from the formal to the informal sector in many countries with negative consequences on wage levels and conditions of work.



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Key terms

TCF: The textile, clothing and footwear industry (TCF) covers a range of different products like ready-for-use textiles, clothing, carpet, footwear and technical textiles and textiles for automotive applications.

ILO: The International Labour Organization (ILO) is a specialized agency of the United Nations and deals with social justice such as the support of Human- and Labour Rights.

WIEGO: Women in Informal Employment: Globalizing and Organizing (WIEGO), founded by 10 activists, is a global network which wants to secure livelihoods for especially poor women working in the informal economy.

Types of garment workers

Factory workers: These workers are hired by large factories and work on the territory of their responsible factory.

Contract / agency workers: Contract labour occurs in first tier as well as lower tier factories. Its reliance increases because of its demand for lower prices, shorter lead times and seasonality.

Member of producer groups: A Group-Based Industrial Outwork extends for example at the private house of a lead member. It definitely entails advantages: Flexible time allows more free time activities; a co-investing in a own work-based fund for equipment is possible; better social relationships and working environment; access of loans for the machines; access of occupational health and safety.

Homeworkers: Homeworkers work under an employment or a commercial contract for a sub-contracting firm or its intermediary. The firm or its intermediary is responsible for the supply of work orders, raw material, designs, the marketing of the finished goods, the homemaker for the means of production and the workplace with its production costs and associated risks. They are also subject to delivery deadlines and to quality control of their products.

Main Rights Issues

The production is covered by the laws of the state where it is executed and the International Human Rights, Labour Law and Commercial Law Standards like Human Rights Treaties, ILO Conventions or codes of conduct. Unfortunately, many garment workers in developing countries work in the informal economy. Informal workers 'are not protected under the legal and regulatory frameworks' such as 'characterised by a high degree of vulnerability' (ILO). They are not recognized by the law and do not have access to social security and most forms of labour protection.

Forced labour: Forced labour exists in the spinning and weaving stage of the supply and value chain. For example, the 'Sumangali system' in India: Deceptive schemes forbid young girls to leave the factory terrain.

Women's Rights: Women's Rights play a big role in the garment industry, because the majority of garment workers are female. Sexual harassment, discrimination (lack of adequate nursing facilities and child care; getting paid less than men) and no right to maternity leave are common problems.

Child Labour: Child Labour is a common problem in the garment industry (for example in Uzbekistan or India). Lack of accurate birth records or the monitoring of work study programmes or internships are some reasons.

Reasonable Working Hours: The high demands of the orders urge the workers to work up to 14-18 hours a day for six days a week, like in Bangladesh. The average is 7 to 10 hours each day during the off-peak season.

Safe Working Conditions: The high profile factory collapse at Rana Plaza on April 29, 2013, killed 1,100 people and caught the world's attention to the working conditions in the garment industry. Unsafe working conditions and dangerous practices are a problem in many developing countries, which lead to health problems and dangerous situations (fires, collapses of buildings).

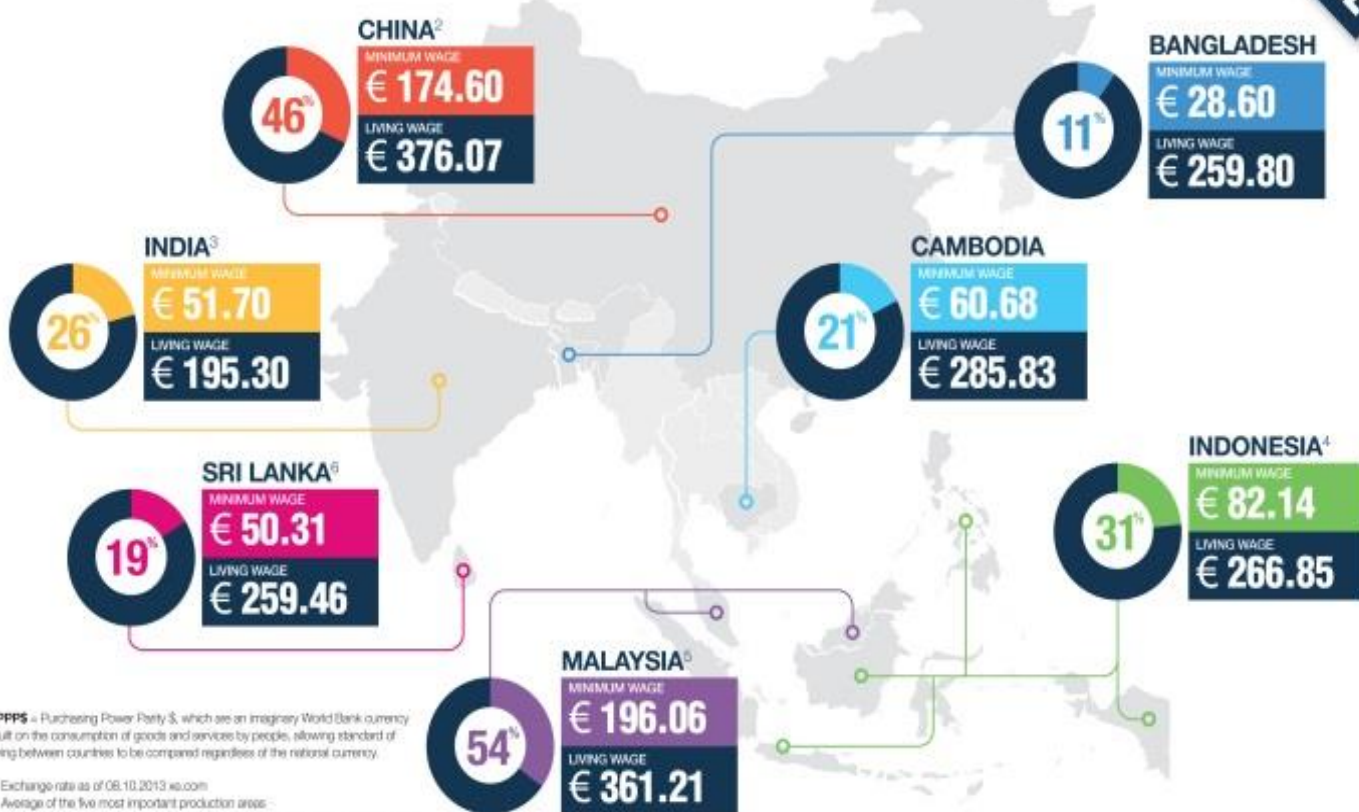
Discrimination: Women, people with lower social status and migrant workers need to struggle with discrimination and can become disadvantaged.

Freedom of Association/ Collective Bargaining: Arbitrary dismissal of TU members or leaders, law enforcement and tight governmental control of unions (for example in China) prevent the right to freedom of association.

Living Wage: In many garment production countries, the legal minimum wages do not amount to a living wage. Long hours of work, bad housing conditions, bad quality of life and low nutrition are the consequences. The wages in Bangladesh are the lowest in the world, about 5,300 taka a month (68 USD, 54 Euro), it could be regarded as economic exploitation.

MINIMUM WAGE VS LIVING WAGE

The difference between the minimum wage¹ and a living wage.
To say instead - The Living Wage is based on the Asia Floor Wage 2013 figure of PPP\$725.



*PPPS - Purchasing Power Parity \$, which are an imaginary World Bank currency built on the consumption of goods and services by people, allowing standard of living between countries to be compared regardless of the national currency.

¹ Exchange rate as of 08.10.2013 us.com

² Average of the five most important production areas

³ Average of key regions: Tamil Nadu, West Bengal, Maharashtra (JuniKilod, Zone II)

⁴ Average of all provinces

⁵ In July 2012 the Malaysian government announced that workers in Malaysia would receive minimum wages of RM 900 (USD291) (for Peninsular Malaysia) and RM800 (USD258) (for Sabah and Sarawak)

⁶ Lowest entrance wage for first year, grade IV and without any bonuses

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Important treaties

The creation and development of many international human rights treaties have enshrined certain internationally guaranteed rights, which affect labour conditions in the garment industry:

ILO Conventions:

- - C029 – Forced Labour Convention
- - C087 – Freedom of Association and Protection of the Right to Organise Convention
- - C098 – Right to Organize and Collective Bargaining Convention
- - C100 – Equal Remuneration Convention

- - C105 – Abolition of Forced Labour Convention
- - C111 – Discrimination (Employment and Occupation) Convention
- - C138 – Minimum Age Convention
- - C182 – Worst Forms of Child Labour Convention

International Human Rights Treaties:

- ICCPR (International Covenant on Civil and Political Rights)
- ICESCR (International Covenant on Economic, Social and Cultural Rights)
- CRC (Convention on the Rights of the Child)
- CEDAW (Convention on the Elimination of all forms of discrimination Against Women)

Previous attempts to solve this issue

- The National Garment Workers' Federation (NGWF) was established in 1984 as an independent, democratic and progressive trade union federation. It has campaigned since its inception for the protection and enforcement of Women's Rights. It has organised over 1,000 factory committees in different garment factories.
- The minimum wage for garment workers was raised in 2010 (a sewing operator's salary now starts at 3,861 taka (£32) a month and a helper's wage at 3,000 taka (£25) a month).
- In January 2011, the Prime Minister of Bangladesh announced that maternity leave would be extended to six months, but it remains unclear whether this will be implemented outside the civil service.
- In September 2014, leading brands (sourcing from Cambodia) wrote a letter to the deputy prime minister, in which they mention their pleasure to pay higher wages to workers.
- Section 195 of the Bangladesh Labour Act (2006, amended 2013) outlaws numerous "unfair labour practices." For example, no employer shall, "dismiss, discharge, remove from employment, or threaten to dismiss, discharge, or

remove from employment a worker, or injure or threaten to injure him in respect of his employment by reason that the worker is or proposes to become, or seeks to persuade any other person to become, a member or officer of a trade union.”

- Two major agreements between global retailers and brands and trade unions – the Accord on Fire and Building Safety in Bangladesh and the Alliance for Bangladesh Worker Safety – were signed after the factory collapse at Rana Plaza in 2013.
- In 2016, a coalition of Clean Clothes Campaign, Human Rights Watch, IndustriALL Global Union, the International Corporate Accountability Roundtable, the International Labour Rights Forum, the International Trade Union Confederation, the Maquila Solidarity Network, UNI Global Union, and the Worker Rights Consortium endorsed the Transparency Pledge. Its aim is to create a level playing field in the industry and move it towards a minimum standard for publishing supplier factory information.

NGOs:

- **Clean Clothes Campaign: Living Wage Campaign**, consumers may sign a petition
- **Stop the Traffic: Make Fashion Traffic Free Campaign**, consumers may exchange their clothes and draw attention to trafficking and exploitation

Useful links

- <https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/3361.pdf>
- <http://www.wiego.org/informal-economy/occupational-groups/garment-workers>
- <https://www.soas.ac.uk/cdpr/publications/dv/file93801.pdf>
- <http://www.actionaid.org/australia/garment-workers-appeal>
- <https://www.hrw.org/news/2017/02/15/bangladesh-stop-persecuting-unions-garment-workers>
- <https://www.hrw.org/topic/womens-rights/labor-rights-garment-industry>

Appendix

- <https://study.com/academy/lesson/textile-industry-changes-problems.html>
- http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_008075/lang-en/index.htm
- <http://www.wiego.org/wiego/about-wiego>
- <https://cleanclothes.org/resources/publications/factsheets/general-factsheet-garment-industry-february-2015.pdf>
- <https://www.npr.org/sections/parallels/2017/04/30/525858799/4-years-after-rana-plaza-tragedy-whats-changed-for-bangladeshi-garment-workers>