

Clean Clothes

**Newsletter no. 21
May 2006**

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Editorial

In pursuing its goal of improving conditions for workers in the global garment industry the Clean Clothes Campaign encourages companies at the top level of industry supply chains — the brand name clothing companies and retailers — to take responsibility for conditions where their products are made. In many CCC activities, campaigners strive to make clear the role that these companies can and should play in ensuring that the rights of workers are respected. Over the years the response from these manufacturers and retailers in various countries has been varied; some companies appear to take to this task more seriously than others, who hesitate to engage in serious efforts to do something about the widespread violation of workers' rights. In this issue of the CCC newsletter this point is made clear, for example in the response or lack of response of some companies to the recent tragic death and injury of garment workers in factories in Bangladesh (see page 20 for more details). Work needs to be done by all companies that choose to produce their clothes in Bangladesh, where it is widely known that conditions are unsafe for workers. However, despite being presented with indisputable evidence, not all companies have acknowledged or acted upon their responsibility to take action to alter this unacceptable status quo.

Thomson and Thompson, the two famous detectives from the Tintin comic, joined the CCC picket November 2005 at a BSCI conference in Brussels. They were heard remarking that the BSCI fails on key criteria such as transparency and involvement of workers and trade unions.



The Clean Clothes Campaign (CCC) aims to improve working conditions in the garment industry worldwide and empower (women) garment workers. The CCC is made up of coalitions of consumer organisations, trade unions, researchers, solidarity groups, world shops, and other organisations. The CCC informs consumers about the conditions in which their garments and sports shoes are produced, pressures brands and retailers to take responsibility for these conditions, and demands that companies accept and implement a good code of labour standards that includes monitoring and independent verification

of code compliance. It is important to recognise that all initiatives undertaken by companies to address their responsibility for workplace conditions are not equal. While some companies are taking steps to participate in the development of systems and processes that genuinely involve workers and their organisations in identifying problems and drawing up and implementing sustainable solutions, many others still make only superficial attempts to follow-up on outstanding issues. While some years ago it was internally-drafted codes of conduct that companies were pushing as evidence of their commitment to workers' rights, now, increasingly, it is membership in code compliance projects.

The public, as well as industry itself, needs to cast a critical eye over these initiatives to see what they really involve. In this edition of the newsletter an article on the Business Social Compliance Initiative (BSCI), an industry-led group that brings together European garment retailers, discusses how this initiative presents itself as something that it is not (see page 10).

While this might make things sound a bit confusing, from the CCC's perspective there is absolutely no unclarity about what the top priorities are: the input that we receive from workers and their organisations is that organising remains a critical issue. If companies are serious about their commitment to ensuring good conditions for the workers in their supply chains they will have to take concrete action to see that workers can form the organisations that they chose to, in order to be able to voice their needs and negotiate collective agreements with their employers. The initiatives they join or support should be those that clearly and concretely support worker organising and have clear channels of participation for workers/their organisations. For the CCC international solidarity action to support worker organising is the ongoing initiative that we're committed to – we hope you will join us!



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of code compliance. The Clean Clothes Campaign cooperates with organisations all over the world, especially self-organised groups of garment workers (including workers in factories of all sizes, homeworkers, and migrant workers without valid working papers).



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News from the CCCs

Winter Olympic Games – IOC on Thin Ice

The Winter Olympic Games in Turin, Italy in February 2006 were the focus for continued pressure on the International Olympic Committee (IOC). As with the Games in Athens in 2004, the same basic message remains — that the Olympic ideals of respect, dignity and fair play should apply also to the workers who produce sportswear.

The Play Fair Alliance, which brings together trade unions and labour rights groups worldwide, has continued to press the case,

A “ski instructor” from the Belgian CCC demonstrates his moves for sportswear workers’ rights in a busy Brussels’ shopping street, February 2006.



as part of its “From Athens to Beijing” strategy. In the run-up to the Turin Games, the CCC published an update “How Are They Doing?” on the steps being taken as a result of the campaign by the IOC, the World Federation of Sporting Goods Industries, and seven major sportswear brands to improve conditions in the sportswear sector.

The CCC is dismayed in particular at the IOC’s lack of commitment to ensuring that internationally-agreed workers’ rights are respected by the Olympic movement. In October 2005 the ICFTU global union federation (on behalf of the Alliance) met with the IOC marketing department in Geneva. The IOC undertook internal discussions within its secretariat on the issues raised. So far, no outcomes of this process have been received.

Therefore, through the CCC website and other actions, people were urged to send a message to the IOC President Jacques Rogge, asking him to take responsibility for the conditions in which merchandise bearing the Olympic emblem is made. The CCC argues that, in the Olympics Charter and in practice, the IOC needs to make sure, in consultation with relevant stakeholders, that workers’ rights are respected in all Olympics-related contracts. Some 1,200 e-mails were sent to Rogge from the Netherlands alone, from the network that includes FNV trade unionists. We hope to hear from Mr. Rogge soon.

For more information see
www.cleanclothes.org/campaign/06-02-20.htm

Belgium: Creating a Snowstorm

In terms of winter sports, Belgium is not a big country. Only four Belgian athletes took part in the Turin Games. However, in terms of labour rights campaigning, Belgium is much bigger. Among their activities in the run-up to the Olympics in Athens two years ago, campaigners handed over a petition of 100,000 signatures to the Belgian National Olympic Committee and the Fila sports-wear company.

To keep the fire burning during the Turin Olympics, on February 15, 2006 activists dressed in winter sportswear created a snowstorm in Brussels and encouraged shoppers in a busy street to take part in “winter games.” The action drew a lot of attention from the public and the press.

The action was supported by the Brussels City Council, which used the occasion to announce that it will be putting a “social clause” in all its future tendering for the workwear of its employees.

For more information see www.vetementspropres.be
and www.wsm.be



Dutch CCC activists gather in front of the Royal Palace in The Hague to send a message to Prince Willem-Alexander who is a member of the International Olympic Committee, February 2006. Their poster "Willem Wordt Wakker" means "William Wake Up," also the title of a popular song from the sixties.

Netherlands: Breaking the Ice with Royalty

The Dutch Crown Prince Willem-Alexander is a member of the IOC. So, in February activists from the Dutch CCC went to his palace in The Hague to hand over the "Programme of Work for the Sportswear Industry" (POW) and to ask him to commit himself to improving labour rights in factories producing products bearing the Olympic logo. The Dutch activists wore the royal colour orange. However, the palace guards refused the colourful supporters entry, and so the POW had to be left at the gate. Sadly, there has been no response from the Prince as yet.

As they did in June 2004 in the run up to the Athens Olympics, the Gods of Olympus returned to Vienna's busy shopping streets in February, 2006. Their signboards announced "00:00 Labour rights in the sportswear industry," and postcards were distributed to the public to send to IOC President Jacques Rogge.



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UK: Father Christmas Evicted for Campaigning

On November 25, 2005, Father Christmas paid an early visit to Philip Green care of the Top Shop Store, Oxford Circus, London. The present he was delivering was an oversize Advent calendar, bearing the legend "Merry Christmas Mr Green. Please Don't Be Mean." He also brought messages from young people concerned about the rights of workers in factories producing clothing for Green.

Green is the UK's fifth richest man. The Arcadia Group of fashion outlets that he owns is the UK's biggest women's wear retailer. It owns seven high street labels: Dorothy Perkins, Burton, Top Man and Top Shop, Wallis, Evans, Bhs and Miss Selfridge, whose products are available in more than 2,000 UK outlets, as well as international stores in another 20 countries.

Father Christmas's support was enlisted by the UK CCC/ Labour Behind the Label (LBL) and campaign group No Sweat, after no response to repeated attempts to contact Green. Sadly, Father Christmas was ejected for his efforts. However, with simultaneous actions taking place also in Brighton, Birmingham, Norwich, Bristol, Sheffield, Northampton and Leicester, the pressure was on.

Three days later, Green took the unusual step of personally approaching activists outside the Oxford Circus store, but only to ask them to stop their protest. Later he accepted a call from Martin Hearson of LBL, but has so far not followed up on his promise to hold further conversations.

Arcadia has a code of conduct whose contents are relatively good. However, there is no public information about how it is implemented and verified. The Arcadia group has so far not engaged constructively with campaign groups, trade unions or factory managements over specific cases. Nor has it agreed to join the Ethical Trading Initiative, one of the few British clothing retailers not to do so.

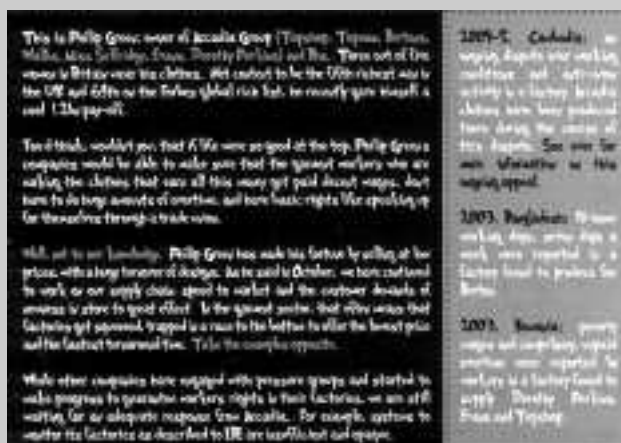
Green told the *Guardian* newspaper, "We have contracts with all the factories who make our clothes and do our best to ensure that the workers are treated fairly. If factories do not comply, then we don't do business with them." LBL has been quick to point out that such a "cut and run" policy over cases of non-compliance does not help the workers involved, but leaves them even worse off than before.

Then in mid-February, Top Shop announced a new deal to stock Fairtrade cotton clothes in its stores. They will be lines produced by "alternative trade" companies Gossypium, People Tree and Hug. Retailing these extra lines says nothing, however, about improvements in the working conditions of Arcadia's own supply chains.

Green has massively increased Arcadia Group profits since purchasing the company in 2003. His method was revealed when

he said in October 2005, “We have continued to work on our supply chain, speed to market and the customer demands of newness in store to great effect.” These are of course practices that pressure supplier factories into competing to offer the lowest prices and fastest turnaround times, with negative consequences for workers.

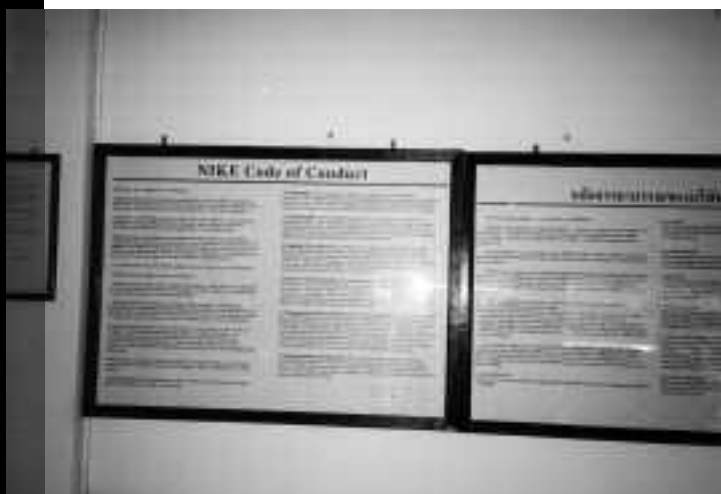
UK CCC action card



Frequently Asked Questions

How far down the subcontracting chain does a company's responsibility go?

Industry support for workers' rights should go beyond posting a document on a wall.



How far down the subcontracting chain does a company's responsibility go?

The CCC takes the position that a company's responsibility encompasses its complete subcontracting chain all the way down to garment homeworkers. Subcontracting is a system used to reduce costs or enhance flexibility by contracting work out to suppliers in whose factories workers often suffer from worse conditions and more labour rights violations than in the buyer company. Restricting compliance with a code of labour standards to only one or a limited number of tiers of suppliers could actually result in more subcontracting to suppliers whose workers are not covered by the code.

According to the CCC, the responsibility of the clothes producer or retailer does not extend to conditions in fibre, cloth or thread-producing textile factories, which have their own specific problems.

What about small- or medium-sized companies with limited resources? They surely cannot be held responsible for working conditions in their supply chain to the same extent as powerful transnational companies?

It is obvious that all companies have a responsibility. If companies — large and small — are able to commit important resources to, for example, the quality control of their products, they should be able to commit sufficient resources to ensuring that workers enjoy human and labour rights and decent working conditions. To take up their responsibility, small- or medium-sized companies need not necessarily work individually. They can collaborate and, for example, join a project via their respective federations and so exchange information on systems, methods and procedures and share the cost of monitoring and verifying conditions in their supply chains. In the Netherlands, for example, the small- and medium-sized clothing retailers and producers participate in the Fair Wear Foundation through their federations MITEK and MODINT.



For more FAQs about the CCC, please visit:
www.cleanclothes.org/faq/index.htm

Inside a National CCC: Sweden

The Clean Clothes Campaign is an international campaign, consisting of a loose, informal international partner network of NGOs, unions, individuals and institutions in most countries where garments are produced, organisations in “consumer” countries where these garments are sold, CCC “project groups” in several garment-producing countries (Eastern Europe, India), an international secretariat (based in Amsterdam) and Clean Clothes Campaigns (CCCs) in nine European countries. These CCCs are autonomous coalitions consisting of NGOs (consumer, research, women’s, fair trade and youth organisations, solidarity groups, churches, etc.) and trade unions, each with a coordinator and a secretariat. CCC coalitions can be found in Austria, Belgium (North and South), France, Germany, the Netherlands, Spain, Sweden, Switzerland and the United Kingdom.

Although the European CCCs share a common aim and cooperate on joint projects, they each have their own flavour — due to their composition, history, cultural context and style. We’d like to share with you the workings of the different campaigns. Second in this series is the Swedish CCC: Rena Kläder.

Rena Kläder exhibition at the annual “Bok & Bibliotek” bookfair in Gothenburg, 2004.



Rena Kläder – The Beginnings

In June 1997 the documentary film “Fashion at What Price?” about the Swedish retailer H&M was shown on Swedish television. The film seemed to come out of the blue and kicked off a debate in Sweden among the public and organisations that were concerned about the issues of rights violations raised in the film. Within months the CCC, or Rena Kläder in Swedish, was formed by trade unions and the research organisation Fair Trade Centre.

In the first years, Rena Kläder saw independent verification and monitoring of labour standards as vital, and so from 1998 to 2001 a pilot project was run with the brands H&M, Indiska, Lindex and KappAhl. So, at this time the Swedish CCC focussed largely on work with specific companies. In 2002 the current coordinator Joel Lindefors was hired. His assignment was to find funds to set up a campaign that would encompass more areas of CCC work. He succeeded, receiving money from the Swedish government for the period 2003-2006.

The first year was used to build up the national coalition and to become more involved in international networking. In 2004, Rena Kläder came into full swing with the “Play Fair at the Olympics” campaign. And it seemed to hit home — while in 2003 thirty actions took place under the CCC flag, in 2004 122 were recorded.

2005 saw the Swedish CCC take on yet more activities. There was a school education tour, a company roundtable, and the campaign began circulating international urgent appeals. Preparations began for some big new campaigns, in particular one on public procurement scheduled to start in 2006.

Rena Kläder’s Structure

From 2001, nine organisations formed the Rena Kläder coalition; recently this grew to ten (see box). New organisations can apply for membership and the platform decides who to accept. Members have to agree with the CCC areas of work and aims, and pay a membership fee of 3,000 SEK (approximately €300) a year.

The coalition organisations meet twice a year. A smaller working group of five is elected to steer the campaign on a more regular basis, meeting around once a month; representatives from any of the member organisations can also participate in these meetings. There, national issues and campaigns are discussed, as well as the international issues that are relevant for the Swedish CCC.

Rena Kläder’s coordination office is based in the LO-TCO Secretariat for International Trade Union Development Cooperation (a trade union development organisation). Lindefors thinks this is a good idea, to keep the union involved in the campaign, to attract funding and to be able to make use of the resources, network and contacts that they have.

Targeted Activities

A major focus of the Swedish CCC has been the “Play Fair at the Olympics” campaign. In one well known action, a troop of

The Rena Kläder Coalition Is Made Up Of:

Development NGOs

- > Kooperation Utan Gränser (SCC) www.swecoop.se
- > Emmaus Stockholm
- > LO-TCO Biståndsnämnd www.lotcobistand.org

Research Organisations

- > Fair Trade Center www.fairtradecenter.se

Trade Unions

- > IF Metall – www.ifmetall.se
- > Handelsanställdas Förbund (Commercial Employees' Union) www.handels.se
- > SKTF (Swedish Union of Local Government Officers) www.sktf.se

Youth Organisations

- > Röda Korsets Ungdomsförbund (Red Cross Youth Association) www.rkuf.se
- > Svenska Kyrkans Unga (Youth of the Swedish Church) www.svenskakyrkansunga.se
- > Förbundet Vi Unga (Young Folks Association) www.viunga.se

activists ran through Stockholm clad in black, stopping traffic and passers-by to perform a rap song describing poor working conditions in the garment industry and, in the final verse, saying what was expected of the companies and Olympic Committees.

Rena Kläder is very keen on activities that reach a younger audience. Alternative fashion shows, music festival tours and other creative ways of campaigning have been designed to focus on specific target groups. Lindefors sees this as a very important aspect of campaigning: carefully constructing your message towards your chosen audience, instead of loosely shooting from the hip.

To give that audience — and organisations within the coalition — more tools with which to take action, the campaign now circulates the CCC's international urgent appeals. When these cases involve a Scandinavian brand, the campaign tries to follow up more intensively. In 2006, the campaign hopes to build on this work with more cases and a stronger support network.

Also in 2006, a new campaign will be launched in Sweden on public procurement. In order to promote respect for human rights by the public bodies to whom people pay their taxes, the campaign is going to try and persuade cities to buy ethically-produced workwear. Rena Kläder will market this local government behaviour as "modern" and "trend-setting," as well as a way for the region or community to become more attractive to residents.

The primary target will be local politicians and civil servants, with activists convincing them through action meetings, examples of best practices and success stories, readymade resolutions and guidance on procurement practices, backed up

by research into the buying policy of six Swedish regions. It is set to be the biggest Rena Kläder campaign yet, in cooperation with the Swedish Fair Trade organisation.

The Swedish Context

Generally, in Sweden there are very few activist campaigns and almost none like Rena Kläder. The most similar one is the Fair Trade campaign, which works with the same organisations and activists as Rena Kläder. As a result they feel there is space for the CCC Sweden to operate and grow.

While Rena Kläder might have a way to go before it can boast high name recognition, the issues taken up by the campaign are quite well known in Sweden, according to Lindefors. Nowadays activists don't need to explain basic garment industry labour rights issues. School children are already interested and keen to hear more; an encouraging indication of the new generation's perspective on the issues. But they are a generation that wants to be engaged in a different way — and so Rena Kläder tries to cater their campaign structure to those needs: specific projects, aimed at young people that enable them to participate even if they aren't able to commit a lot of time.

New Collaboration in Scandinavia

In the region awareness-raising about garment workers' rights is carried out not only in Sweden, but also by NGOs and trade unions in Finland, Denmark and Norway. Yet there has been surprisingly little cooperation between the Scandinavian groups.

So, in January 2006, CCC Sweden organised a Nordic meeting. The aim was to share experiences and knowledge as well as to strengthen the dialogue and cooperation between similar initiatives, networks and organisations in the four countries.

It turned out that many of the groups present are involved in campaigning on public procurement, sportswear or Scandinavian fashion companies. Together with joint research and work on urgent appeals cases, this gives ample opportunity for cooperation with the European campaigns with whom CCC Sweden has most in common. And perhaps some day a new CCC will emerge from this internationally-oriented Rena Kläder work...



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What is the BSCI and how does it measure up?



The Business Social Compliance Initiative (BSCI) was set up in 2003 to represent the interests of European companies coming under scrutiny for the labour conditions at their suppliers around the world.

The BSCI was founded by the Foreign Trade Association (FTA), which represents the interests of importing retailers in Europe. The FTA has a record of lobbying strongly for free trade and was motivated to set up the BSCI to preempt binding European Union/government regulation on corporate social responsibility in response to anti-sweatshop campaigns.

The stated aim of the BSCI is to audit and monitor the social performance of member companies' suppliers and to do this by using one common, voluntary system. The BSCI is largely for the retail sector, but is open to importers and manufacturers of consumer goods in Europe. Today, Dutch, German, Swedish, Swiss and Finnish retailers and brands dominate the BSCI's fifty-plus membership. They include Lindex and KappAhl from Sweden, Migros from Switzerland, Ahold and Vendex/KBB from the Netherlands, plus KarstadtQuelle, Metro and Otto from Germany. Two European retail associations, the German Foreign Trade Association (AVE) and Textilimportörema of Sweden, are

also members. The BSCI's current focus is on textiles, clothing, shoes and toys — the areas of production most under the spotlight from labour rights advocates. The BSCI intends to broaden its scope in the future.

Code Weak on FoA

The BSCI has created its own code of conduct, along with a procedure for assessing and improving supplier performance against this code. The BSCI code refers to International Labour Organisation conventions and United Nations declarations. However, in the CCC's view the BSCI code has a major flaw: it is ambiguous on freedom of association (FoA) and does not explicitly state that the employer must respect workers' right to form or join unions of their choice and to bargain collectively. It only encourages members to strive to provide workers with a living wage.

The BSCI recommends its code as a minimum. For best practice, the BSCI currently recommends that its members seek certification for their suppliers with the (stronger) SA8000 standard of Social Accountability International (SAI).



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Some Suppliers Audited

In principle all suppliers of BSCI members should be subject to auditing, however currently in practice this is not the case. Most BSCI member companies select suppliers to audit, based on certain "risk" criteria.

Audits are conducted by companies that can provide evidence of Social Accountability International (SAI) accreditation and have a contract with the BSCI, laying down the terms and conditions of the cooperation. Member companies and suppliers can choose an auditor from a list of such commercial auditors. If deficiencies are found during an audit, corrective actions must be agreed upon (corrective action for non-compliance with some issues are compulsory, but for others this is only voluntary). The audit procedure is repeated every three years, from the start of the initial audit.

Costs related to audits and any corrective measures are to be negotiated between the BSCI member and its suppliers. However, unequal power relations exist between buyers — big international companies — and suppliers who are often local production facilities. With little leverage to make demands on their clients, suppliers are likely to bear the overwhelming share of the costs, as well as the responsibilities for improvements.

In any case, from the CCC's perspective, any system that is focused solely on auditing falls short. For many years labour rights activists have criticised the over-reliance on social audits in monitoring labour conditions, for many reasons:

- > While audits may be able to uncover violations of codes that are quantifiable such as working hours or pay levels; they are much weaker in revealing rights-based requirements such as trade union freedoms to organise without harassment.
- > Audits often fail to identify or analyse the causes of violations.
- > Auditing can create a culture of cheating by managements who need certification but are also trying to keep down costs.
- > Social auditors are often associated with management and therefore lack the trust of workers during interviews.
- > It is commonplace for audit interviews to be held inside the factory and workers are often instructed on what they must say.
- > Auditors often lack the knowledge of local circumstances and therefore the capacity to establish meaningful contacts with local trade unions and NGOs; this is especially important when it comes to finding effective corrective action.
- > Companies that perform audits might be influenced by business interests; they might not reveal damaging information that could jeopardise their future contracts.

"Business Sweatshop Cover-up Initiative"?

About twenty representatives of the Belgian and Dutch CCCs, together with partners from India, Bangladesh, Pakistan, Turkey and Macedonia, picketed the first major conference of the BSCI in Brussels in November 2005.

They carried signs with slogans such as "Business Sweatshop Cover-up Initiative" and "Bad Social Compliance Initiative" and distributed leaflets on the shortcomings of the audit-based system. The peaceful picket was held by the main entrance, and later in the street, when BSCI had police come in to remove the demonstrators.

Protesters also highlighted the ongoing struggle for compensation by the victims of the collapsed Spectrum sweater factory in Bangladesh. Spectrum produced for several BSCI member firms (see page 21). The CCC told the press, "The Spectrum case demonstrates not only the failure of the BSCI and their members to ensure that the workers producing their products have safe and healthy working conditions, but also their failure to adequately respond when workers rights are violated."

No Complaints Mechanism for Workers

A mechanism for handling complaints is essential if working conditions are to be improved and workers' rights respected. Workers and their organisations must be able to supplement the "snapshot" auditing that takes place once every three years, and to do this without fear of retaliation. There is no complaints mechanism associated with the BSCI Code.

No Independent Verification

According to the BSCI, its monitoring system is credible because "the audits are conducted by external professionals with a high level of expertise about the subject." All audits are conducted by SAI-accredited auditors, including from the big multinational audit firms such as SGS and ITS Intertek.

However, the CCC believes that when a buyer hires an auditor to monitor a workplace it is not very different to having the work carried out by the buyers themselves. To be credible, independent verification of the audits that buyers commission (i.e. their internal monitoring) is necessary.

Recognising that company self-regulation is not good enough, there are now a number of "multi-stakeholder initiatives" (MSIs) involving business interests and trade unions and/or NGOs. The aim of such MSIs is to develop more systematic and effective approaches to code implementation, monitoring and verification, as well as broader accountability to civil society. However, BSCI has chosen to be separate from such MSIs.

Lacks Stakeholder Involvement

Despite a lack of sufficient stakeholder input and participation in decision-making, at times the BSCI portrays itself as an MSI.

As well as local roundtables, the BSCI reports it is setting up an Advisory Council of “stakeholders” whose role will be to advise on BSCI systems and deal with complaints arising from its auditing activities. The Advisory Council is planned to include trade unions, NGOs, the European Commission, and the ILO. The CCC, Oxfam and European Trade Union Federation: Textile, Clothing and Leather (ETUF:TCL) have all been approached to join, but have so far refused.

The Advisory Council and local roundtables are insufficient to ensure the voices of workers and others are heard in BSCI’s processes. The Advisory Council will only meet once or twice a year. Given the high-level of resources needed to establish an effective complaints mechanism, this cannot be seen as a serious attempt to handle complaints.

If BSCI and its member companies had decided to join an existing MSI, not only would they benefit from earlier experiences, they would also have a ready-made stakeholder dialogue to engage in.

Initiative Not Transparent

The BSCI does not publish an annual report, or any summarised data from its audit reports. Nor does it publish information about its members such as the location of their suppliers, the number of suppliers, or how many suppliers have been audited or will be audited. So it is impossible to evaluate what any individual BSCI member company is doing.

Even Advisory Council members will only receive samples of audits, and they will be obliged to keep all information they receive and the contents of their discussions strictly confidential.

Questionable Credibility

A credible approach to code compliance requires quality in-house monitoring, along with independent verification, plus complaints procedures. Stakeholders must be represented throughout all the key processes.

For these reasons, the CCC seriously doubts whether the BSCI can deliver on its claims to have “more efficient implementation procedures than other monitoring systems,” or to be achieving “higher satisfaction for workers and consumers,” or that it “optimises working conditions” (source: www.bsci-eu.org).

In the CCC’s view, the BSCI represents an incomplete, minimalist model for compliance with labour standards. It relies on weak auditing, is not accountable to the public, and does not involve key stakeholders. It is significantly weaker than other monitoring and verification initiatives active in the garment sector today. European retailers seeking to take concrete steps to ensure respect for labour standards in their supply chains will have to do much more than join on to the BSCI if their commitment to workers’ rights is to be taken seriously.



Weak Social Audits No Help to Workers

Today, a decade after “social auditing” got going, tens of thousands of such audits are commissioned each year by hundreds of brand-name companies and retailers. A whole industry of commercial social auditors, self-assigned experts, and quasi-independent ethical enterprises has grown, touring supplier factories to assess how well they are implementing thousands of company codes of conduct.

A November 2005 report “Looking for a Quick Fix: How Weak Social Auditing is Keeping Workers in Sweatshops,” published by the CCC International Secretariat, assesses this social auditing industry. It describes the failure of the majority of social audits carried out by multinational audit firms, including those used by BSCI. It looks at the ways in which factory owners prepare for audits, for example, and how workers are largely ignored by the auditors. Some 670 workers from over 40 factories in 8 countries testified that their conditions do not meet the international minimum standards outlined in the codes of conduct of their buyers, many of whom are BSCI member firms.

The report concludes that “mainstream social auditing consistently manages to miss crucial violations of workplace rights, in particular regarding what are described as ‘intangible’ areas such as freedom of association, working hours, abuse and harassment.”

The non-specialist retail sector (supermarkets, discount and department stores) and mail order firms in particular are using weaker methods of social auditing — the “quick fix” approach. These methods are seriously flawed and largely discredited not only by labour rights advocates but also by those within the industry with experience in this field. The impact on working conditions is at best superficial and, more worryingly, it could lead to a “lowering of the bar.”

The report can be downloaded from the CCC website: www.cleanclothes.org/publications/quick_fix.htm



Asian Garment Producers Expand in Africa

Workfloor Experiences Highlight Problems

African governments, under intense competition to attract foreign investment, offer investors incentives such as duty-free imports, tax breaks, and relaxed labour laws. Companies have also been encouraged to set up there by the US Government's African Growth and Opportunities Act (AGOA) which gives duty-free access to the US market for goods produced in the continent.

As a result, Eastern and Southern Africa became very attractive to the global garment industry at the beginning of this century, especially for Taiwanese and other Asian producers supplying international buyers. Operating virtually without restrictions, they enjoy low costs and high production rates. Yet they return little of their profits to their host African countries through decent employment or government revenues. Incentives for foreign investors may create some jobs. However, since the phase-out of the Multi-Fibre Arrangement (MFA) system of quotas, factories supplying international buyers have increasingly been shutting down. Therefore if these factories are here-today/gone-tomorrow, offer below subsistence wages and unhealthy working conditions, and meanwhile displace African domestic industry, the global garment industry will bring no solutions to poverty in Africa.

On average, about 80% of garment workers in Eastern and Southern Africa (except for Malawi and Zimbabwe) are women. They face high exploitation, with poverty wages and forced overtime in unhealthy workplaces, along with verbal, physical and sexual abuse.

There is union success in some locations. However, unions face restrictive labour legislation and many companies unwilling to sign recognition agreements. Workers are often afraid to join unions for fear of losing their jobs. There is also a need for more skills development and equipment for union organisers.

Support for African Garment Unions

In May 2005, the International Textile, Garment and Leather Workers' Federation (ITGLWF) and the Amsterdam-based labour research organisation SOMO (part of the Dutch CCC) held a workshop in Swaziland focusing on conditions at Asian-owned factories in Eastern and Southern Africa producing largely for international retailers such as Wal-Mart. Participants included shop stewards and union organisers from nine Eastern and Southern African countries, as well as Taiwan, along with labour researchers and campaigners from South Africa, Kenya, Europe, the US, and Asia.

The workshop proved to be an excellent opportunity to exchange information, develop collaboration and integrate these African developments into global campaigns. Plans were developed in particular for Asian organisations to help support their African counterparts. Shop stewards produced repeated reports of verbal and physical abuse of workers, forced overtime, low wages and obstruction of union activity. The following account of the Asian-owned Tri-Star factory in Tanzania is one example of the information shared at this gathering.



Workers at a jeans factory in Lesotho.

Tri-Star in Africa

"On the invitation of the African government and as a new venture of the Tri-Star Group I have started a major operation in the African regions specially to take advantage of the African Growth Opportunities Act (AGOA) where there is no quota and duty restrictions for the exports of garments to the USA and as a result to produce garments for very attractive prices."

Deshabandu Kumar Dewapur, chairman of Tri-Star, Sri Lanka
(Quoted on www.lankae.com/lankae/yellowpages/Tristar/abroad.htm)

Tri-Star is a Sri Lankan garment company that closed a number of its home country factories and shifted to Africa in recent years, to benefit from investment incentives and AGOA trade preferences with the US. However, here too it has already closed down again when it suits, with little regard for the impact on its workforce or the host countries' economies.

In **Kenya**, the Apparels Tri-Star factory in the Athi River Export Processing Zone, benefited from a ten-year tax holiday. According to the Kenyan Human Rights Commission, workers suffered from overcrowding, poor ventilation, insufficient protective equipment, and sexual harassment. In August 2001 there was a strike, after which several workers were summarily dismissed. Once the tax holiday was over, Tri-Star closed its Kenyan operation.

In **Uganda**, Apparels Tri-Star started producing in 2002. Here it continues to expand. It has a new joint venture worth US\$20 million with ISIS Pacific Capital Inc., a New York-based textile and garment company, to set a spinning, weaving and dying mill

up at its facility at Bugolobi, Kampala. In 2004, the ITGWLF filed a complaint to the ILO against the Ugandan government for Tri-Star's failure to recognise the Uganda Textiles, Garments, Leather and Allied Workers' Union. At the end of 2005 management finally recognised the union.

In **Tanzania**, the Tri-Star Group set up its Star Apparels factory in 2003 in an export processing zone in Dar Es Salaam. At its height, Star Apparels produced around 6,000 pieces a day, mostly shorts, pants, and skirts for companies such as Wal-Mart in the US.

Star Apparels' workforce, largely women, grew to 1,000 by the end of 2004. During a factory visit by a labour research organisation, the factory had adequate light and ventilation, workers' stations seemed comfortable, safety procedures were posted, and facilities for meals and healthcare were provided. The executive director told the researcher that conditions were good because of stringent requirements from buyers.

When it came to labour relations, however, the executive director was less clear. "Trouble" had been "instigated by trade unions" in Tri-Star operations in Kenya and Uganda, he said. If his workers chose to become members, he would be "open," though these proved to be empty words.

By April 2005, Star Apparels was placed under receivership, reportedly after failing to service its debts. A month later, after less than two years of operations, it closed down.

In Tanzania: A Supervisor's Story

Edward Seynia Makaranga was a supervisor and workers' representative at Star Apparels. His view is that Tri-Star cut and ran because the Tanzanian workers got organised. Here he tells how optimism for the future turned to bitter disappointment.

"I was one of the first people to be hired as a supervisor at Tri-Star. That day I was very proud to get a job and the future looked good..."

After six months had passed, management gave workers probation contracts with a minimum wage of 48,000 Tanzanian Shillings (US\$47) for six months, promising that workers would receive a wage increase and permanent job contracts after the six months. It seemed strange at the time that management did not allow any of the workers to read the probation contract's contents and whoever tried to attempt reading the contracts was told to leave the factory premises.

By the time the probation period had elapsed, the honeymoon was over. Life in the factory was tough. Below are some of the conditions that workers were forced to endure:

- > All pregnant women were ordered to write a resignation letter so the factory could get away without meeting the legal requirements of maternity leave;*
- > Working hours were increased by 1.5 hours/day, to a total of 9.5 hours/day;*
- > Overtime was compulsory, forcing workers to work from Monday through to Sunday, without rest days;*
- > When workers had to work overnight as overtime after a full day's work, the hours were 6 p.m. to 6 a.m. and workers had to report back to work in the day after three hours of rest;*
- > No leave was entitled to any worker; if there was a funeral of a close relative, only a day was given without pay;*
- > There was verbal and sexual harassment of young women workers from Indian and Sri Lankan expatriate staff;*
- > Trade unions were not allowed at all; if anyone was discovered having contacts with a trade union representative, you were immediately dismissed without payment;*
- > Random and unfair dismissals of employees.*

I did not like the things that were happening at the factory. Fellow workers would come to talk with me about problems because they knew I had a good relationship with management, as a supervisor. But management never took the concerns I raised seriously.

Management had refused to let the garment workers' union in and so our consultation with the union was done in secret, as we feared losing our jobs. On September 11, 2004, all the workers gathered in the canteen during the tea break to have discussions with the management in order to reduce some unfair conditions in the factory. The employer became very angry and ordered all workers to leave the company premises.



Edward Seynia Makaranga was a supervisor and workers' representative at Star Apparels, a Sri Lankan owned factory in Tanzania. He shared his stories with participants at an ITGLWF-SOMO workshop in Swaziland, in May 2005.

We did not hesitate. We quickly called in the media. Reporters and TV presenters came, giving us coverage on the television, in the newspapers and even on radio stations. After a few hours, all workers agreed to go home as the employer demanded.

The following day the workers found the gates closed and [were told to] report to work after three days. When we returned three days later, the Labour Commissioner Mr. Joggic was there and said the workers should appoint their representative to go and open the queries at the Ministry of Labour and Youth. That was how I, Edward Seynia Makaranga, came to represent the workers, together with 48 other representatives, although soon after this we were all suspended by the employer.

We consulted the trade union and began organising workers that were still employed at the factory. The trade union was not allowed inside the factory and so we recruited and held our meetings outside. After two months in suspension, we found a letter on the desk of the labour officer saying that we were fired.

Two months later, once the trade union began to pressurise the factory in an attempt to protect our worker rights, the factory was closed down. All the workers were out of work with no notice and no compensation.

Life has been hard for all the workers that lost their jobs from the closure... None of us had savings as we did not really earn very well in our jobs. The workers that were the sole providers for their families were the most distressed... Our dreams of a better future had been destroyed. We had been fooled by Tri-Star and many of us felt worse off than before we started working at the factory.

I have been looking for other work but have not had much luck. I am better off than others because my wife works, but we have a small child and the little money my wife gets is barely enough for us to survive on. But I do not regret choosing the side of the union over management for, despite management's attempts to win my loyalty, I would have lost my job along with all the other workers when they closed down. With the union, I at least did not betray my fellow workers and we tried to protect workers from terrible exploitation by Tri-Star."



Useful Resources on Organising in Africa

A series of four publications published by the ITGLWF, specifically to assist garment workers' organising in Asian multinationals in Africa is available online:

"Asian Multinationals in Africa: Information and Strategy Guide"

www.itglwf.org/pdf/booklet1.pdf

"Asian Multinationals in Africa: Developing Union Strategy and Capacity"

www.itglwf.org/pdf/booklet2.pdf

"A Story of Organising: A Shopfloor Workbook"

www.itglwf.org/pdf/booklet3.pdf

"Africa-Asia Labour Networking," report of the Swaziland workshop, May 2005

<http://www.cleanclothes.org/ftp/05-Swaziland-report.pdf>



OECD Guidelines: Useful for Workers' Rights?



February 12 action at sailing event at the Melbourne Port in Australia to support the workers at North Sails/Global Sports Lanka in Sri Lanka. An OECD complaint was filed by unions against the Austrian owners of the factory.

Among the few international instruments agreed by governments about how corporations should behave are the “OECD Guidelines for Multinational Enterprises”. The OECD, or Organisation for Economic Co-operation and Development, is made up of thirty states from the industrialised countries plus some from the Central-Eastern European region. It has advisory committees from the international trade union movement (the Trade Union Advisory Committee, TUAC) as well as business (the Business and Industry Advisory Committee, BIAC).

The Guidelines, adopted in 1976 and revised in 2000, cover a wide range of issues including human rights, labour relations, the environment, consumer protection, disclosure of information, anti-corruption, and taxation. On labour issues, ILO standards underpin the Guidelines including respect for the right to organise and bargain collectively. The Guidelines have been endorsed by all thirty OECD members, plus a further eight non-member states.

The standards are voluntary — a company can choose whether or not to abide by them. There are no punishments or sanctions to penalize a company that violates them. However, each endorsing government must set up a National Contact Point (NCP) to oversee their implementation.

NCPs differ in structure from country to country, but are often located in the trade or foreign ministry. They are responsible for publicising the Guidelines and for dealing with complaints against companies alleged to be in violation of them. NCPs do not monitor whether or not companies are following the Guidelines.

Once an NCP has received a complaint and has assessed it is admissible, it acts as a mediator between the complainants and the company in question to negotiate a resolution acceptable to both parties.

If the company is found to have violated the Guidelines, the NCP should explain this to the company and offer recommendations

to remedy the problem. If the parties cannot agree upon a resolution, the NCP is expected to publicise its findings.

Because of the central role they play, the effectiveness of the NCPs is a crucial factor in determining the extent to which the Guidelines make a positive difference to respect for workers' rights.

"In reality some NCPs are pretty useless while others play an active and positive role in making recommendations and creating a forum for discussion between the parties involved," noted Neil Kearney of the International Textile Garment Leather Workers Federation (ITGLWF), which has filed complaints with the OECD in a number of cases involving rights violations at garment factories (including the Global Sports Lanka and GP Garment cases in Sri Lanka and the ChoiShin / Cimatextiles case in Guatemala). "This can be just the opening that unions need in order to establish a dialogue with the company concerned and to work to establish industrial relations based on mutual understanding."

How to Use the Guidelines

How do unions and NGOs go about filing complaints against companies for violations of the Guidelines, and how useful is it for winning respect for workers' rights?

To get some answers the CCC spoke with Joseph Wilde, a researcher at SOMO, the Centre for Research on Multinational Corporations, in the Netherlands, which is also the secretariat of OECD Watch, set up in 2003 to facilitate civil society activities around the Guidelines. OECD Watch is a network of 49 NGOs from 29 countries in Europe, the Americas, Australia, Africa and Asia.

Q. How is a complaint filed under the OECD Guidelines?

A: A letter with the complaint should be sent to the most relevant National Contact Point. If the problem is taking place in a country that has endorsed the Guidelines, the letter should be sent to the NCP in that country. If it is taking place in a country that has not endorsed the Guidelines, the letter should go to the NCP in the home country of the company in question.

The OECD Guidelines do not specify what the complaint must contain, but several NCPs have done so, and OECD Watch has developed its own format for assessing whether a case is feasible. There must be sound documentary evidence that one or more of the Guidelines has been violated. Cases are stronger if the company involved has signed a document saying that it will abide by the Guidelines. For example, in the Netherlands all companies that receive export credits or investment insurance from the government must sign such a document.

It does not cost anything to file a complaint. However, taking the time and energy to gather the evidence, document the case, and travel to meetings can be expensive.

Q. Some cases have been rejected by NCPs on the basis that the complaints are not "within an investment nexus." What does this mean?

A: The Guidelines are vague about how far down the supply chain a company's responsibility goes. They state that enterprises should "encourage, where practicable" their business partners, including suppliers and sub-contractors, to apply principles of corporate conduct compatible with the Guidelines.

This ambiguity has allowed some NCPs (and almost all businesses) to take a narrow view of supply chain responsibility. They say that companies are only responsible for their own direct activities and those of their suppliers in which they have direct capital investment, i.e., an "investment nexus" exists. This interpretation is dangerous because business activities are increasingly being outsourced to contractors and sub-contractors.

Many NGOs and trade unions are insisting that companies take responsibility for behaviour patterns throughout their supply chains. After all, it is the terms and conditions laid down in their contracts that determine much of what goes on in their supplier factories.

Q. What other reasons have NCPs used to reject complaints?

A: Some NCPs use the fact that there are ongoing legal proceedings in a host country to delay consideration of a case or to reject it outright. This is widely seen as another way that NCPs shirk their responsibility to promote adherence to the Guidelines.

Q. Can complainants publicise the cases they take up?

A: Confidentiality has been one of the most contentious issues concerning the complaint procedure with some NCPs. The OECD's Procedural Guidance is clear that confidentiality only applies after the NCP has made its initial assessment of a case and the two parties have agreed to enter into a dialogue. Results will normally be transparent.

BIAC has lobbied tirelessly to extend confidentiality to all phases of the process. They have even objected to NGOs publicising that a complaint has been filed.

This has been supported in practice by some NCPs who withhold company names and details of the complaints they have received in their annual reports, even for cases that have been concluded.

Confidentiality taken to such extremes makes the whole process meaningless. Those NCPs who favour blanket confidentiality claim that secrecy helps to resolve cases, but this is not supported by the facts. In the experience of OECD Watch members, any positive outcome is, at least partly, the result of the publicity surrounding the filing of a complaint.

SEW

Q. Have companies been found to be in breach of the guidelines? If so, what is their “punishment” and has this had the desired effect?

A: NCPs say that their role is not to adjudicate, but rather to act as a facilitator of dialogue between the company(ies) and the complaining party(ies). In this way, most cases are settled without the NCP having to declare a breach.

There have been a handful of cases in which NCPs have issued recommendations to guide and improve corporate behaviour. An OECD Watch review of five years cites several. For example, in a case taken by the UK-based NGO Rights and Accountability in Development (RAID), the Anglo American mining company agreed to a better deal for its Zambian workforce when it left the country.

However, cases are more often left to drag on, directed elsewhere, or other excuses found, as a TUAC analysis of some fifty complaints taken up with NCPs also shows.

TUAC and OECD Watch are urging trade unions and NGOs in each OECD member country to lobby for an NCP advisory board, parliamentary scrutiny, multi-ministry involvement and, above

all, active promotion by their government of the Guidelines to which they have signed up. Governments should come under pressure to make sure that the Guidelines are respected in their own public procurement and the awarding of public subsidies. There are also new OECD guidelines for state-owned enterprises.

As a result of its review, OECD Watch concluded:

*“Five years on, **there is no conclusive evidence that the Guidelines have had a positive, comprehensive impact on multinational enterprises.** [...] As a global mechanism to improve the operations of multinationals, the Guidelines are simply inadequate and deficient. Without the threat of effective sanctions, there is little incentive for companies to ensure their operations are in compliance with the Guidelines. Therefore, OECD Watch believes that governments must establish legally binding, international social and environmental standards and corporate accountability frameworks”* (OECD Watch, “Five Years On: A Review of the OECD Guidelines and National Contact Points”).



For more information, see www.oecdwatch.org and www.tuac.org

UNFAIR

Urgent Appeals

Bangladesh: Unsafe Conditions Continue to Cost Workers Their Lives

By now, most campaigners for the rights of garment workers will know, and probably have taken action, about the terrible tragedy when the Spectrum factory in Bangladesh collapsed on April 11, 2005. Sixty-four people were killed; over 70 injured; and hundreds left jobless.

Now, more than a year later, despite all the campaigning in Bangladesh and internationally, most of the companies sourcing at the factory have done little to assist the Spectrum victims and their families or to stop the terrible hazards that garment workers in Bangladesh face.

What is more, in February-March 2006, there were four more tragedies involving garment factories. An estimated 88 more people lost their lives and about 250 were injured (see box, page 23).

Spectrum was not the first and it has proven not to be the last, but merely one in a long line of preventable industrial accidents in the garment/textile sector in Bangladesh.

"It is heartbreaking that year after year women and men are killed while making clothes for stores in our communities," noted Ineke Zeldenrust, of the CCC International Secretariat, upon learning of the four new incidents at Bangladeshi workplaces. "The events of the last few days are a glaring indictment of the continued failure of industry, both locally and internationally, to ensure workplace safety. We call upon all those connected to these facilities to come forward and take responsibility for making sure that this senseless loss of life comes to an end."



Structural Change is Essential

The failure to implement safety measures in the garment/textile sectors in Bangladesh has resulted in a situation where the death and injury of workers has become alarmingly routine. Follow-up to these tragedies from local and international stakeholders must include:

- > Support for adequate rescue and relief efforts and financial compensation for the injured workers and the families of the dead;
- > Full, independent and transparent investigation and follow-up for all these incidents; and
- > Immediate structural measures to prevent future, similar incidents. This must include workers' access to safe channels through which they can communicate their concerns on issues such as health and safety to their employers.

In the CCC's view, industry along with public authorities (at the local and international levels) must launch an immediate initiative to take on the safety issues that plague the garment industry in Bangladesh. This has to include a structural review of multi-story buildings and facilities inspection mechanisms.

In April 2005, at the time of the Spectrum collapse, the CCC and partners recommended that an independent international oversight committee/program be formed that is charged with examining occupational health and safety regulations and their implementation (including emergency regulations) in the garment/textile sector in Bangladesh. This still needs to be done. The committee should be given a multi-year assignment in order to ensure that there is follow-up on any recommendations made.



In December 2005 Belgian trade unionists from the Carrefour retail chain joined representatives of the National Garment Workers Federation and workers at the site of the Spectrum factory, which produced clothes for Carrefour before the collapse.

Spectrum One Year On: Victims Still Waiting

During the year following the collapse of the Spectrum garment factory there have been various fact-finding missions, discussions with companies that sourced there, and widespread international publicity. Yet some of the 70-plus injured are still in need of follow-up medical treatment. Former workers and the families of the 64 killed are still seeking compensation. Some are still waiting for the overtime wages and severance payments they are owed.

Among the few positive moves, the Spanish company **Inditex**, whose Zara brand was produced at the factory, has circulated a proposal for a compensation fund. It was drafted in close collaboration with the International Textile, Garment and Leather Workers' Federation (ITGLWF), and has been sent to all companies sourcing at Spectrum and the adjoining Shahriyar factory.

Along with Inditex, other companies that had their goods produced at Spectrum/Shahriyar include: KarstadtQuelle, Steilmann, New Yorker and Kirsten Mode (all based in Germany), CMT Winfield and Solo Invest (France), Carrefour (France and Belgium), Cotton Group (Belgium), and Scapino (the Netherlands).

The trust fund seeks to properly compensate the injured workers and families of those who perished at Spectrum. The proposal outlines the purpose of the fund and how it would operate. It also estimates the possible payments, based on calculations that take wages, family composition and injury level into account.

Trade unions in Bangladesh, assisted by the Bangladeshi NGO Incidin, have been collecting the necessary data to make the final calculations for each of the families of the dead and for each of the injured.

The trust fund will be overseen by a board of trustees, assisted by two committees which will advise the trustees on the disbursement of funds. One will comprise those contributing to the fund, and the other will be made up of representatives of the Bangladesh Garment Manufacturers and Exporters Association (BGMEA) and Bangladeshi trade unions.

The proposal is gaining support. However, as this newsletter was going to press, several key sourcing companies are still reluctant to commit themselves.

The CCC is calling on each sourcing company to make a public statement saying that they are ready to (1) participate in a trust fund along the lines of the Inditex-ITGLWF proposal, (2) participate in a meeting to settle details of the fund once all research is completed, and (3) to pledge sufficient funds to ensure the total sum proposed.

International Campaigning Continues

To keep up the pressure, four Belgian trade union delegates went to Bangladesh in December 2005, and two survivors of the Spectrum tragedy, Jahangir Alam and Nura Alam, visited four European countries in February 2006.

Belgium and France: Focus on Carrefour

In December 2005, four trade union delegates from the Carrefour retail chain in Belgium, accompanied by the coordinators of the two CCCs in Belgium, went to Bangladesh to investigate the Spectrum situation. Carrefour was one of the buyers of Spectrum-made clothing.

The Belgian delegates visited the Spectrum site at Savar and met with former Spectrum workers. They also met representatives of the Carrefour sourcing office in the country with whom they pursued the trust fund proposal.

They also paid visits to two current Carrefour suppliers, Tusuka and Jinnat, and discussed with managers and workers there how workers can be better involved in social audits carried out for Carrefour. The Belgian CCC is pushing Carrefour to publish its full list of suppliers in Bangladesh.

Then in February 2006, the two Spectrum workers Jahangir Alam and Nura Alam arrived in Europe. At a first meeting with Carrefour management in Belgium, they were advised to refer the matter to Carrefour International. This they did at a meeting in France on February 20, with the company's Sustainable Development Director, Veronique Discours-Buhot. She said she was willing to consider the trust fund proposal but she also listed several preconditions. Among these was a need for other companies to join the trust fund, and recognition of the contributions already made by Carrefour to the Spectrum victims (worth about 1% of the estimated sum for the trust fund).

Jahangir Alam and Nura Alam also had a meeting with 36 representatives of Belgian trade unions, mainly from the retail sector, and another with French NGOs and trade unions on

Urgent Appeals

Farsana was working at the KTS factory and suffered serious burns to her face and body during the February 23 fire there.

strategies to put more pressure on Carrefour. The Spectrum case has been taken up at the Carrefour Belgian Works Council and is due for discussion at the Carrefour European Works Council.

Meanwhile, the **Cotton Group** was not willing to meet with the Spectrum workers and so far has not agreed to participate in the trust fund.

France: SOLO Invest says "Yes"

Though Carrefour is dragging their feet, Jahangir Alam and Nura Alam had a positive meeting with **SOLO Invest**, a brand sourcing at Shahriyar in 2004. Although no longer contracting at this factory at the time of the collapse, they agreed to contribute to the fund. SOLO Invest also expressed their willingness to develop their code of conduct implementation procedures, in consultation with the French CCC (l'Ethique sur l'Etiquette).

Netherlands: Scapino Side-Steps

A meeting with **Scapino** proved disappointing. The company is trying to avoid its responsibilities by stressing that it stopped sourcing at the factory ten months before the collapse, even though labour rights violations and lack of safety measures were already a fact at that time. Scapino managers were not willing to tell the Spectrum workers whether they would join the trust fund or not.

A public meeting the following day was attended by NGOs, students, company representatives, consumers and press. Held in a textile museum in Tilburg, there was a lively discussion about the actions needed to improve labour conditions in the garment industry, the respective responsibilities of governments and sourcing companies, and the safety of workers organising to defend their rights.



Germany: No Progress with KarstadtQuelle or Steilmann

Both companies approached by the German CCC refused to meet Jahangir Alam and Nura Alam. In the press, **KarstadtQuelle (KQ)** claims it is ready to give financial compensation but seems to take no further steps and has shown no willingness to participate in the trust fund. On February 20, fifteen CCC activists lit 64 candles in front of a KQ department store in Berlin, one for each of the deceased. Together with the Spectrum workers, they collected over 100 consumers' signatures demanding that KQ join the trust fund. Four major German newspapers ran articles giving the workers' views on the factory collapse and how the buyers are reacting.

Outstanding Demands

Meanwhile, CCC has been contacting the other brands that sourced at Spectrum/Shahriyar but were not included in the Spectrum workers' tour, to join the trust fund initiative and the planning meeting. The **New Wave Group** in Sweden for example, has been contacted by the Swedish CCC and has agreed to contribute to the trust fund.

The outstanding demands of the Spectrum case are:

- > The formation of a trust fund to pay compensation, as proposed by Inditex/ITGLWF.
- > Severance payments legally due to workers who have lost their jobs.
- > Payment of overtime that is still due to some workers.
- > A comprehensive safety programme, including a structural review of multi-story buildings and the establishment of preventative safety measures in the garment sector, to ensure that a tragedy like this never takes place again (see more below).

On their departure from Europe, Jahangir Alam and Nura Alam said, *"We will go back with the hope that the committed companies will keep their promises of contribution to the trust fund, although we are a bit disappointed that the exact amount of payments isn't clear yet"*.

Steps Needed to Prevent Future Tragedies

Three of the incidents in February 2006 were within three days of each other, and brought local trade unions and other labour rights organisations out on demonstrations across Bangladesh. On March 2, a national half-day strike was observed in the garment sector. Four days later, the fourth tragedy occurred.

Local unions and labour rights' NGOs are very angry. After the Spectrum collapse in April 2005 they called for a number of measures: the arrest and prosecution of factory owners where these tragedies occur, as well as fines for those factories that continue to lock exits during working hours; the Bangladesh Garment Manufacturers and Exporters Association (BGMEA) and the Government to revoke the licences of factories that do not meet health and safety standards; all international buyers to take immediate measures, both individually and collectively, to implement their codes of conduct so that workers no longer risk their lives when producing clothes.

However, the action taken was clearly inadequate. The Bangladesh Government created a "Social Compliance Forum for Readymade Garments" headed by the Minister for Commerce. The Forum has met several times and established two task forces, one on safety and one on labour welfare. However, their activity seems to have been limited to compiling a long list of improvements needed, most already required by law.

Meanwhile, the MFA Forum, a loose association of international buyers, trade unions and international organisations, held meetings in Bangladesh and discussed the long-term structural measure needed to ensure compliance with labour standards. The Forum reportedly involves buyers for 90% of the total volume of garments produced in Bangladesh, and therefore could wield significant influence in encouraging a comprehensive safety review and concrete structural changes in the industry there.

The three February 2006 fires did seemingly push the Bangladesh Government and industry into action. In late February, Parliament passed a bill outlining construction regulations,

2006: More Bangladeshi Garment Worker Deaths and Injuries

- > February 23: Fire at KTS Textile Industries in the Kalurghat Industrial Area of the port city of Chittagong. An estimated 64 people dead (including 12-14 year old girls) and a further 100 injured.
- > February 25: Phoenix Building collapsed in the Tejgaon industrial area of Dhaka; 22 people dead and 50 injured.
- > February 25: Imam Group in Chittagong. 57 people injured after a transformer explosion caused workers to rush for exits which were too narrow.
- > March 6: Sayem Fashions in Gazipur. Three dead and approximately 50 injured following a stampede, when workers fearing fire tried to exit and found the way was blocked by boxes.

What You Can Do

- > Contact the Bangladesh Government and the BGMEA to demand that they take action in relation to the KTS, Phoenix, Imam, and Sayem factory tragedies, and also take steps for sustainable sector-wide improvements. Adapt and send the sample letter from the CCC website:
www.cleanclothes.org/urgent/06-03-15.htm#action.
- > Contact companies in your country that produce their garments in Bangladesh. For more information on companies to contact, see the website of your national CCC:
www.cleanclothes.org/contacting.htm

For more details on these cases see
www.cleanclothes.org/urgent/06-03-03.htm



Sign held by protestor at March 22, 2006 demonstration organised by the National Garment Workers Federation, Bangladesh, demanding follow-up on health and safety problems in garment factories.

Urgent Appeals



violations of which are punishable with fines and up to seven years' imprisonment. The government also gave the BGMEA until March 19, according to local media sources, to inspect and begin shutting down all factories that are not in compliance with safety standards. Of prime concern to labour rights advocates is whether or not workers of any facilities that are shut down will be given fair compensation.

Teams composed of the BGMEA, the labour inspectorate, fire service, and the urban development/planning authority RAJUK started inspections. Local reports say that the government's factory inspection office (under the Directorate of Labour) seriously lacks capacity. There are only twenty inspectors for a reported 50,000 factories (all industries) in the country.

"Inspecting factories only makes a difference when workers and their organisations are involved," noted Zeldenrust, in a statement following the four tragedies. "Otherwise, auditors remain blind to the reality that workers face and are unable to draw up plans to follow-up and fix the problems in a way that's sustainable in the long term and can make a meaningful improvement."

Meanwhile, labour rights organisations in North America and the CCC in Europe continue to push the individual buyers sourcing at the factories where these recent tragedies occurred to follow-up. As this edition of the newsletter went to press none of the companies contacted had taken action.



For more information on Spectrum and more recent cases in Bangladesh, see
www.cleanclothes.org/news/spectrum_disaster.htm
www.cleanclothes.org/news/06-02-bangladesh.htm

Mazaffar, 25 years old, lost his right leg due to injuries sustained in the collapse of the Spectrum Sweater factory. A trust fund to provide for workers such as Mazaffar with compensation will determine what their future life is like.

Mexican Rights Activist Threatened with Death

Continued action is needed to help defend garment workers' rights in Mexico. In January 2006, Mexican labour rights activist Martin Barrios Hernández was unjustly imprisoned in Puebla. Barrios, president of the Human and Labour Rights Commission of the Tehuacan Valley, had been working on a case of unfair dismissal of 163 garment workers. Following a storm of local and international protest, Barrios was released after two weeks.

However, there remain very serious concerns about his safety and that of others working to prevent rights abuses in the garment sector. On February 12, Barrios received separate but identical warnings from two trusted sources. He was told that a local *maquila* owner has hired someone to kill him.

The warnings came on the same day that a Zapatista leader spoke to a rally in the nearby community of Altepeixi, condemning the State Governor and *maquila* owners for the arbitrary arrest and detention of Barrios and for exploiting *maquila* workers. Meanwhile a national scandal had broken out, in which compelling evidence linked the Puebla State Governor and a major blue jeans manufacturer with a plot to arrest and rape human rights advocate and journalist, Lydia Cacho.

At the time of Barrios' release, members of the Commission that he heads warned that *maquila* owners in Tehuacan were angry about the state government's decision to bow to public pressure and set Barrios free.

The situation is very dangerous. Following a request from the Mexican Human Rights Centre "Miguel Agustín Pro Juárez," the Inter-American Commission on Human Rights (IACHR), which is the human rights body of the Organization of American States (OAS), has made a formal request to the Mexican Government to provide protection to Barrios. Amnesty International has also sent out an urgent alert. Labour rights advocates in North America have been calling on their governments and on brand-name companies sourcing from Puebla to express their concerns to the Puebla state government. So far six international brands — American Eagle Outfitters, Gap Inc., Levi Strauss, PVH, Polo Ralph Lauren and Warnaco — that buy apparel products from Puebla in Mexico have taken action, sending a joint letter to Puebla Governor Mario Marin Torres to take proactive steps to ensure the physical safety of Martin Barrios and the members of the Commission.



For more background on this case and information on action you can take to support Barrios and the work of the Human Rights Commission, see the CCC website:
www.cleanclothes.org/urgent/06-03-08.htm#action

New Resources

Coming Clean on the Clothes We Wear: Transparency Report Card

This 95-page study was published by the Ethical Trading Group (ETAG) in Canada in December 2005. It assesses and compares 25 retailers and brands selling apparel in the Canadian market on the basis of:

- > their programmes to achieve compliance with recognised international labour standards in the factories where their products are made, and
- > the steps they are taking to communicate these efforts to the public.

The Transparency Report Card does not attempt to evaluate actual labour practices. Nor does it assess how companies' labour standards policies and compliance programs apply to their retail employees. The focus is exclusively on supply chains and based solely on information made public by the companies being researched. It is part of ETAG's campaign for greater transparency — our right to know how our clothes are made. A December 2005 postcard action, encouraging consumers to contact individual retailers based on their Report Card scores, accompanied the launch of the report.

Available at
www.maquilasolidarity.org/campaigns/reportcard/index.htm

Made by Women: Gender, the Global Garment Industry and the Movement for Women Workers' Rights

Published by the CCC International Secretariat in December 2005, "Made by Women" includes feature articles on important themes relating to gender and labour rights. It also profiles seventeen women in different countries, deeply involved in the movement for garment workers' rights.

When the CCC came onto the scene in Europe in the early 1990s, one of the things motivating those mainly female activists was a desire to make people aware of the fact that almost universally it was women who were making our clothes under bad conditions, and that there were reasons for that. Through this publication, the CCC aims to refocus on this gender aspect, debate it and document case studies of initiatives that address it. It is aimed at those directly involved in the CCCs and their supporters and more extensively among other NGOs and trade unions, as well as those in the industry and the multi-stakeholder initiatives who are trying to address labour practices in the sector.

For a hard copy, contact: info@cleanclothes.org

Also available at www.cleanclothes.org/publications/06-01-made_by_women.htm



Ethical Trading Initiative: Briefing Papers

The Ethical Trading Initiative (ETI) in the UK has published six briefing papers based on presentations and discussions at the ETI biennial conference "Ethical Trade: Shaping a New Agenda" held in London, May 12-14, 2005. The aim is to provide new ideas and practical guidance to ethical trade practitioners struggling to address difficult challenges in code implementation.

The papers start with one on the problem of the "quick fix" approach to social audits and how to find lasting solutions that really make a difference to workers. The next seeks to highlight the potential benefits for sourcing companies of working with trade unions in supplier countries and provides practical guidance to retailers/brands/suppliers and trade unions on how to make the most of such partnerships. A third draws on the experience of two very different companies in developing supplier-level code management systems. The fourth looks at the issue of shifting production to new locations and its effects on workers. The fifth deals with how purchasing practices impact on working conditions. The final paper provides a summary of all five papers.

Available at:

www.ethicaltrade.org/Z/lib/2005/05/eticonf/index.shtml#brief



Play Fair at the Olympics: CD-ROM

The "Play Fair at the Olympics" campaign is one of the biggest ever mobilisations against abusive labour conditions. Hundreds of organisations and many top athletes have participated in over 35 countries, and more than half a million signatures were collected in support of the campaign prior to the Olympic Games in Athens. Over 500 local campaign events helped to win extensive coverage on television, radio and in the press all over the world. This CD-ROM, produced by the CCC International Secretariat, brings together photos, personal stories, campaign accounts, reports and evaluations. While not able to include all activities across the globe, it certainly gives a good idea of what went on!

The CD-ROM can be ordered from info@cleanclothes.org

The contents are also available at:

www.cleanclothes.org/campaign/pfoc/index.html

How Are They Doing?

The Winter Olympics in Turin in February 2006, halfway between the Athens Olympic Games in 2004 and upcoming Beijing 2008 Olympics, was time to take stock of progress so far in relation to "From Athens to Beijing - A Programme of Work for the Sportswear Industry," which outlines the steps to improve conditions in the sector supported by the "Play Fair at the Olympics" campaign. This assessment from the CCC covers the steps taken by the International Olympics Committee, the World Federation of Sporting Goods Industries, and the individual sportswear brands Asics, Fila, Kappa, Lotto, Mizuno, Puma, and Umbro, and therefore what the outstanding campaign demands on them are. It is a mixed bag of results, and there is clearly much more to do during the next two years leading up to the Games in Beijing.

Available at: www.cleanclothes.org/companies/06-01-30.htm

The CCC Guide on Code Implementation and Verification Reference CD-ROM

This reference CD-ROM, produced by the CCC in October 2005, presents an easy-to-read compilation of resources on codes of conduct. It provides links to materials developed by the CCC and others related to code content, implementation systems and mechanisms for verification. The guide also includes discussion on the usefulness of codes as a strategy for improving the implementation of international labour standards throughout supply chains and the primary challenges for the future. It focuses on CCC work undertaken to ensure that companies take

responsibility for labour conditions at all levels of their production chains.

This guide is an essential tool for those newly active in the debate, helping the reader to identify and locate the materials they need. It will also help those more directly involved in research, (pilot) projects, campaigns or other activities, particularly in understanding the European and international dimension. As most of the materials draw on experiences in Europe, this guide does not claim to be comprehensive.

The CD-ROM can be ordered from info@cleanclothes.org

The contents are also available at:

www.cleanclothes.org/codes/index.htm

Primer on Freedom of Association and the Right to Collective Bargaining

This CCC Primer, produced in November 2005 and focusing on the global apparel industry, provides background information on freedom of association and collective bargaining, particularly in the context of multi-stakeholder initiatives and codes of conduct. It highlights how freedom of association and collective bargaining are universal human rights. It details the international instruments where these standards are codified and how they are dealt with — both through International Labour Organization mechanisms and national legislation. It then gives brief explanations of key subjects relating to organising and collective bargaining and deals with how freedom of association and collective bargaining are treated in various code initiatives. In final sections, it raises key points for further consideration and cites sources for more information.

Available at: www.cleanclothes.org/codes/05-foa_primer.htm

International Documents on Corporate Responsibility

This 576-page book brings together many of the principal international, regional and national instruments drafted by intergovernmental organisations or states, as well as codes of conduct formulated by industry associations, trade unions and non-governmental organisations. The coverage includes the fields of human rights, international criminal and environmental law, labour standards, international trade, armed conflict, sustainable development, corruption, consumer protection and corporate governance. Each legal document is briefly introduced by outlining its historical origins, principal actors involved, controversial negotiation issues and implementation procedure, along with further reference material. While most of these texts are available on-line, to have them accessible in a single volume



might be useful for those who often work with codes of conduct. However, at £120 (€175), the volume is not cheap.

Edited by Stephen Tully, published by Edward Elgar Publishing, Cheltenham, UK, 2005. ISBN: 1843768194

Corporate Social Responsibility: A Guide for Trade Unionists

This 48-page booklet, published by the Irish Congress of Trade Unions for trade unionists in Ireland (North and South) explains what CSR is, what motivates the companies involved, and the various arguments about the extent to which it can be used to promote workers' rights and therefore how trade unionists relate to it. As ICTU General Secretary David Begg says, there is a need "to ensure it becomes more about genuine dialogue and not just management systems and checklists." This booklet provides a good overview for use not only by trade unionists and labour-rights activists in Ireland and the UK, but beyond.

Available at:

www.ictuglobalsolidarity.org/uploads/CSR%20REPORT.pdf



