



Pakistan

Country Report

2015

An overview of the garment and textile industry in Pakistan

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1. Introduction

This report gives information on Pakistan in regard to its garment industry and the situation of workers employed in the garment industry. Firstly, general information on the country given followed by an overview of its major industries. Next, the reports details on the garment industry, on economic data, and on the working conditions of garment workers in Pakistan. After that the international and national rights of the workers will be regarded as well as Pakistan's compliance with these rights. Subsequently, the role of the consumer will be looked into and lastly a summary of the report will be provided detailing on three big issues in Pakistan's garment and textile industry.

2. Location and background

Geography and history:

Pakistan is located in Southern Asia and shares borders with India to the south-east, Afghanistan to the north-west, Iran to the west and China to the north-east. Pakistan's landscape features mountainous regions as well as plains and deserts. Pakistan's climate is mostly characterised by the rainy season from July to September and the dry season from February to May. By area it is the 36th largest country in the world.

Historically, Pakistan faced many changes and shifts concerning population, religions, and territory. This made Pakistan the ethnically and linguistically diverse country it is today. The largest ethnic group are the Punjabis. The official language in Pakistan is English and inter-provincial communication between the various linguistic groups is mostly done in Urdu.¹ 97% of all Pakistanis is Muslim.

Social demographics:

Its population makes it the sixth biggest country in the world with approximately 187,561,850 inhabitants. Birth rates in Pakistan have been increasing since the 1950s and in 2013 there have been 4,941,000 live births. Life expectancy at birth is 66 years for males and 67 years for females (2009).²

¹ http://en.wikipedia.org/wiki/Demographics_of_Pakistan#Gender_ratios

² http://en.wikipedia.org/wiki/Demographics_of_Pakistan#Gender_ratios

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The unemployment in Pakistan lies by 6.6% (2013).³ This number is predicted to increase.⁴

The literacy rate amongst adults is 54.9% (2008-2012).⁵ 72.1% of the kids get enrolled in primary school.⁶ The literacy rate is lower for females and also less females than males attend school. In regards to education, there are large discrepancies due to different levels of income – school attendance amongst the richest 20% is much higher than amongst the poorest 20%.⁷

Government and politics:

Pakistan is an Islamic federal parliamentary republic with separated power of Judiciary, Executive and Parliament. The highest courts in Pakistan are the Supreme Court and the Federal Shariat Court of Pakistan. The most influential party is the Pakistan Peoples Party.

The rule of law and the performance of the judiciary are classified as poor. Corruption is a big issue in Pakistan.⁸

Economy:

Pakistan's economy is classified as semi-industrialised. It has the 26th largest purchasing power in the world. The country made it to the list of lower-middle-income-countries, but still 55% of the population earns less than 2 USD per day.⁹

3. General industry overview

+++ garment industry is among Pakistan's main industries +++ agriculture +++ challenges and outlook +++

Major industries:

³ http://www.indexmundi.com/pakistan/unemployment_rate.html

⁴ <https://www.cia.gov/library/publications/the-world-factbook/fields/2129.html>

⁵ http://www.unicef.org/infobycountry/pakistan_pakistan_statistics.html

⁶ http://www.unicef.org/infobycountry/pakistan_pakistan_statistics.html

⁷ http://www.unicef.org/infobycountry/pakistan_pakistan_statistics.html

⁸ <http://www.heritage.org/index/country/pakistan>

⁹ <http://tribune.com.pk/story/662013/ilo-report-pakistans-unemployment-rate-to-remain-same-till-2018/>

Among Pakistan's major industries are the sugar industry, the food processing industry, and the textile industry including cotton production, textile production and garment production.¹⁰

Garment and textile industry:

Garments and textiles make up 60% of the country's exports.¹¹ Garment exports constitute 8% of Pakistan's GDP¹² and they have a value of 140.5 million USD (2012).¹³ About 40% of the industrial work force is employed in the garment and textile industry.

Obstacles to economic growth:

The agriculture sector and all other sectors that have to do with food are highly dependent on good weather conditions. The garment industry is not and that is one reason why it is an important and growing field in Pakistan's economy. The main driver of economic growth is the demand in the domestic market. By 2015 the GDP is predicted to grow due to a stronger domestic market as well as a stronger global market.¹⁴ A big problem for economic growth is the unreliable power supply.¹⁵

4. Garment industry overview

***+++ around 5,000 garment factories +++ garments are a major export product +++
powerloom sector +++ 4th largest cotton production in the world +++***

Factories and brands:

In Pakistan there are around 5,000 garments and textiles factories.¹⁶ There is no reliable information regarding the number of companies involved in trade and retail of garments

¹⁰ <http://www.nationsencyclopedia.com/Asia-and-Oceania/Pakistan-INDUSTRY.html>

¹¹ <http://www.guesspapers.net/2298/major-industries-of-pakistan/>

¹² <http://www.textile.gov.pk/gop/index.php?q=aHR0cDovLzE5Mi4xNjguNzAuMTM2L21vdGkvdXNlcmZpbGVzMS9maWxlL1RleHRpbGVfUG9saWN5X0ZpbmFsX18yMDEwXzA5XzA2LnBkZg%3D%3D>

¹³ <http://tribune.com.pk/story/457787/garment-exports-rise-26-but-exporters-displeased/>

¹⁴ <http://www.adb.org/countries/pakistan/economy>

¹⁵ <http://www.economist.com/news/asia/21596554-slowly-lights-may-be-coming-again-urdu-rate-growth>

¹⁶ http://www.just-style.com/news/garment-workers-stage-wage-protest_id109552.aspx

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produced in Pakistan. Amongst the brands producing in Pakistan are for example Nike Kohl's, Dears, WalMarkt, Gap, Old Navy, Macy's and others.¹⁷ In 2012 the value of Pakistan's garment exports was 140.5 USD¹⁸ and the garment industry makes up for the majority of the country's exports.¹⁹

Textile production:

There are at least 396 textile mills in Pakistan²⁰ (some sources say there are over 500 mills).²¹ These mills are producing different sorts of textiles: 315 of them are spinning, 44 weaving and 37 composite units.²² Weaving relates to industrial powerloom, which is a form of production that is present in Pakistan. The workers in this sector produce spun and open-end yarn, grey, printed dyed fabrics and bed linen. The exact number of workers in this sector is not clear, but there are more than 200,000 workers. These workers in the mills are the ones with the lowest salaries in Pakistan's garment and textile sector. Also, working conditions in the mills are often repressive with no social security, health facilities and pension benefits.²³

Cotton:

Pakistan produces and consumes cotton to almost equal terms. It is the world's 4th largest producer and the 3rd largest consumer of raw cotton.²⁴ Pakistan produced about 115.9 bales of cotton in 2010 and produced only 102.9 bales.²⁵ One of Pakistan's major sources of cotton imports is India; others are the US and Brazil.²⁶

So, Pakistan produces garments as well as textiles. Pakistan produces the raw material (cotton) for many fabrics, it produces fabrics in power loom factories and it produces garments in

¹⁷ <http://tribune.com.pk/story/371784/from-manufacturing-to-branding-garment-manufacturers-operate-with-squeezed-margins/>

¹⁸ <http://tribune.com.pk/story/457787/garment-exports-rise-26-but-exporters-displeased/>

¹⁹ <http://www.businessweek.com/articles/2012-04-26/pakistans-textile-industry-is-dangerously-fragile>

²⁰ <http://aptma.org.pk/Aboutus.asp>

²¹ <http://www.ukessays.com/essays/economics/analysing-the-garment-industry-of-pakistan-business-essay.php>

²² <http://aptma.org.pk/Aboutus.asp>

²³ <http://www.socialistworld.net/doc/2300>

²⁴ <http://www.ukessays.com/essays/business/understanding-the-textile-industry-of-pakistan-business-essay.php>

²⁵ <http://online.wsj.com/articles/SB10001424052748703565804575238103271699066>

²⁶ <http://www.mydigitalfc.com/commodities/indian-cotton-exports-look-bright-pakistan-demand-313>

garment factories. Due to this interconnection of garments and textiles, it is not always clear if information and data refer to textiles or garments.

5. Economic data on the garment industry

***+++ garment exports are worth 12.9 billion USD +++ majority of garment exports goes to US
+++ import of cotton +++ Pakistan's dependence on garment exports +++ GSP+ status +++***

Import and export of garments and textiles:

Pakistan exports and imports garments and textiles and in the following both will be regarded.

Pakistan's total exports of garments are steadily going up, presumably due to more production. In 2008 garment with a value of 10.62 billion USD were exported,²⁷ while in 2013 garment exports were worth 12.9 billion USD. Garments worth 2.98 billion USD were going to the US. The majority of Pakistan's garment exports go to the EU; in 2013 the exports to the EU were worth 6.1 billion.²⁸

An import product of Pakistan in regards to the garment and textile industry is cotton. In 2009 Pakistan imported cotton worth 1 billion USD.²⁹

Local dependence on garment exports:

In regards to local dependence on garment and textile export, on the one hand Pakistan is somewhat dependent of the export income since textiles are the country's major export product. Pakistan is a world-wide supplier of garments and textiles and the exports are a major source for foreign currency earnings. On the other hand, Pakistan's own market has a growing demand for textiles and garments and its domestic market is a growing source of income.³⁰

²⁷ http://en.wikipedia.org/wiki/Economy_of_Pakistan#Textiles

²⁸ <http://ec.europa.eu/trade/policy/countries-and-regions/countries/pakistan/>

²⁹ http://www.worldsrichestcountries.com/top_pakistan_imports.html

³⁰ <http://www.ukessays.com/essays/business/understanding-the-textile-industry-of-pakistan-business-essay.php>

Trade preferences:

Pakistan has GSP+ status and thus it enjoys duty-free access to the European market.³¹ GSP+ means full removal of tariffs and it is only granted to countries that ratify and implement international labour conventions and human rights standards. The scheme aims at sustainable development and good governance since the countries it is granted to can lose this preferential status when they do not ratify and implement human rights and labour law conventions anymore. The European Commission monitors this. About 20% of Pakistan's global exports are covered by GSP+.³²

6. Garment workers

+++ garment workers are major part of Pakistan's labour market +++ insufficient working conditions +++ long working hours +++ safety issues in factories +++ low wages +++ weak trade unions

No reliable data found concerning the number of textile and garment workers in Pakistan. However, garment and textile workers are a major part of Pakistan's labour market since they make up for 38% of the manufacturing workforce.³³

Working

conditions:

In regard to working conditions, there are many aspects that should be improved. A major issue in Pakistan's factories is safety. Two years ago on 11 September 2012 there was a fatal fire in a factory in factory of li Enterprises in Karachi, Pakistan. This fire killed over 250 people.³⁴ In 2012 another fire killed more than 30 garment workers in a factory in Lahore.³⁵ The main reason for the fires and the high numbers of victims is the lacking safety measures such as fire extinguishers and emergency exits.³⁶

³¹ <http://www.dawn.com/news/1072051>

³² <http://ec.europa.eu/trade/policy/countries-and-regions/countries/pakistan/>

³³ http://www.textileasia.com.pk/pakistan_textile.htm

³⁴ <http://www.cleanclothes.org/ua/2013/cases/ali>

³⁵ <http://www.bbc.com/news/world-asia-19555338>

³⁶ <http://www.bbc.com/news/world-asia-19555338>

Wages:

Another issue for garment workers is exploitation in regard to wages, working hours and worker's rights. The wages are amongst the lowest in Pakistan. Since a new law was passed in 2012, the minimum wage is different per sector. There are different minimum wages in the powerloom sector, for footwear workers, silk, jute, textile, woolen fabric and leather sector. All these minimum wages are around 300-450 Rs per day (8 hours of work).³⁷ However, often workers have to do compulsory overtime. Concerning the worker's rights, in Pakistan workers often get no permanent contracts even though they have been working in a factory for years.³⁸ This leads to the workers fearing to lose their jobs and makes exploitation and maltreatment even easier for managers and factory owners. An aggravating factor is discrimination against female workers in many factories.

Area	Minimum Wage	Context	Living Wage
All over Pakistan	The minimum wage is set at 10,000 Rs (100 USD; 76 EUR) ³⁹ per month for unskilled workers. ⁴⁰	Buying food that makes for the recommended 2,000 calories per month costs about 10,200 Rs. ⁴¹	For Pakistan there is no living wage calculated by Clean Clothes Campaign.

Trade unions:

Yet another issue for garment workers in Pakistan is the low stand of trade unions. The right to form unions as well as the right to collective bargaining and the right to strike are often severely infringed by factory owners and by Pakistani police.⁴² Maybe the gravest case in recent years was the arrest and torture of six garment workers after they had founded their own trade union,

³⁷ <http://www.paycheck.pk/main/salary/minimum-wages/minimum-wages-2012-13>

³⁸ <http://www.ethicalfashionforum.com/the-issues/wages-workers-rights>

³⁹ <http://www.xe.com/currencyconverter/convert/?Amount=10000&From=PKR&To=EUR>

⁴⁰ <http://www.paycheck.pk/main/salary/minimum-wages>

⁴¹ http://www.numbeo.com/food-prices/country_result.jsp?country=Pakistan

⁴² <http://labourwatchpakistan.com/?p=2543>

the Power Loom Mazdoor Union. These six people and six more are accused of extortion and terrorism under the Pakistani Anti-Terrorist Act.⁴³ The 12 accused are still in trial.

7. Legal instruments and enforcement mechanisms

+++ Human rights law +++ ILO Conventions +++ national law +++ forced labour +++ child labour +++ women's rights +++ living wage +++ freedom of association +++ non-discrimination +++ reasonable working hours +++ safe working conditions +++

7.1 Pakistan's legal obligations:

There are a number of national, regional, and international laws which prescribe various rights and obligations to both workers and employers in the Garment and Textile Industry. This section considers such legislation, as well as its implementation and enforcement in the garment and textile industry in Pakistan. Before turning to the laws themselves, consideration should be given to the national and international legal framework under which Pakistan operates. On an international level, Pakistan has incurred rights and obligations from various human rights treaties, and International Labour Organisation (hereinafter 'ILO') conventions which it has ratified.

International law

The main treaties that are of importance in connection to the rights of workers are:

- 1) The International Covenant on Civil and Political Rights (herein after: ICCPR)**
- 2) The international Covenant on Economic, Social and Cultural Rights (herein after: ICESCR)**
- 3) The Convention on Elimination all forms of Discrimination of Women (herein after: CEDAW)**
- 4) The Convention on the Rights of the Child (herein after: CRC).**

These treaties are binding upon states that signed and ratified them. Pakistan ratified all these treaties; however, it has made reservations and declarations for many Articles of these treaties.

⁴³ <http://www.cleanclothes.org/ua/2013/cases/al-karam>

This means that the respective Articles are not binding upon Pakistan or that Pakistan has more freedom to interpret the articles in way which would benefit the state. There are mechanisms to check if the parties to the treaties comply with their obligations. One important mechanism for that is the individual complaint mechanism. Under this procedure, individuals can bring a claim against the state to seek for enforcement of a right granted under a treaty.

ILO Conventions

As mentioned above, another source of international law in regards to workers' rights are the ILO Conventions. These Conventions are binding upon the states that have ratified them. There are eight core ILO Conventions.⁴⁴

Out of the eight core ILO Conventions, Pakistan has ratified all eight:⁴⁵

1) C029 – Forced Labour Convention

2) C087 – Freedom of Association and Protection of the Right to Organise Convention

3) C098 – Right to Organize and Collective Bargaining Convention

4) C100 – Equal Remuneration Convention

5) C105 – Abolition of Forced Labour Convention

6) C111 – Discrimination (Employment and Occupation) Convention

7) C1338 – Minimum Age Convention

- When ratifying, Pakistan specified the minimum age: 14 years

8) C182 – Worst Forms of Child Labour Convention

Relevant additional ILO conventions that Pakistan has ratified:⁴⁶

1) C001 – Hours of Work (Industry) Convention

2) C014 – Weekly Rest (Industry) Convention

⁴⁴ http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-islamabad/documents/policy/wcms_143046.pdf

⁴⁵ http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11200:0::NO::P11200_COUNTRY_ID:103166

⁴⁶ http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11200:0::NO::P11200_COUNTRY_ID:103166

3) C019 – Equality of Treatment (Accident Compensation) Convention

National law

Another source of law that grants rights to individuals is the national law of Pakistan, for example the Constitution and other statutory laws, or the jurisprudence of the court. This law can be invoked before national courts. The national law relevant in labour issues in Pakistan is the Pakistani Constitution and the BLSA Act.

7.2 Enforcement

International Law

When a state signed and ratified a treaty, it is binding upon it and as Article 26 of the Vienna Convention on the Law of Treaties (VCLT) says, states that have ratified a treaty must carry out its obligations in ‘good faith.’ Enforcement of international law is possible if the state party not only ratified the treaty but also the agreement allowing for individual complaints. These agreements usually are Optional Protocols (OP) to the treaties. Pakistan has not entered into any of the agreements that make individual complaints possible. So, in theory Pakistan must comply with the rights and obligations of the treaties, but there is no way to enforce a right in case of a violation by Pakistan. The enforcement mechanisms for each of the relevant treaties are detailed below.

ICCPR – The Human Rights Committee (HRC) is the ICCPR’s monitoring and enforcement body. States that have ratified the ICCPR must submit periodic reports to the HRC when requested to do so (around once every five years). Additionally, the HRC may hear interstate complaints. Finally, an individual complaint mechanism exists, but only if the state has also signed the first Optional Protocol (OP) to the Convention. ***Pakistan has not signed this OP*** which means individuals may not bring complaints to the Human Rights Committee (HRC) which governs the ICCPR.

ICESCR – The Committee on Economic, Social and Cultural Rights (CESCR) is the ICESCR’s monitoring and enforcement body. As with the HRC, CESCR receives periodic reports from contracting states. Furthermore, CESCR holds ‘General Discussion Days’ and at times will visit states to gather information on compliance. Under the ICESCR, individual complaints are only permitted if the contracting state has signed the OP to the ICESCR. Again, ***Pakistan has not***

signed this OP and as such, the CESCR may not hear individual complaints from Indian nationals.

CEDAW – The Committee on the Elimination of Discrimination against women is CEDAW’s monitoring and enforcement body. As with the abovementioned treaties, state reporting is once again one of the main ways in which compliance with this treaty is monitored. The committee may make general recommendations after receiving state reports. Individual complaints are permitted if the contracting state has signed the optional protocol. **Pakistan has not signed this OP**, meaning that individual complaints before the committee are not possible for Pakistani individuals.

CRC – The Committee on the Rights of the Child is the CRC’s monitoring and enforcement body. State reporting comprises the main way in which this treaty is enforced.

To summarise, Pakistan has the obligation to comply with the content of the treaties mentioned above because it signed and ratified all of them. However, Pakistan does not always comply as it was mentioned in the “Compliance” sections. Since Pakistan did not sign any of the Optional Protocols that allow for individuals to enforce the treaty Articles, it is not possible to force Pakistan to abide by the treaties. So, in theory Pakistan must comply with the treaties, but in practice there is no legal mechanism to force Pakistan to comply.

ILO Conventions:

Enforcement of ILO Conventions is not possible even though compliance with the conventions is compulsory for signatories.

ILO Conventions form part of international law and as such, Pakistan has an obligation to comply with the conventions which it has ratified. In terms of enforcement, the ILO provides for both a supervisory system and a complaint mechanism.

Member states can file complaints against other member state in case of a violation of the obligations under an ILO Convention. The ILO then can form a Commission of Inquiry and investigate in the allegations. In case it finds violations by the signatory, this commission can give recommendations to the country and it can organize other member state to collectively put pressure on the country. This is not a legal procedure of enforcement, but more of a diplomatic approach and indeed can be a successful mechanism for the enforcement of workers’ rights.

Especially the pressure by the international community is a powerful means to make states comply with the obligations under the ILO Conventions.

Furthermore, the ILO provides for a periodic reporting system, meaning that periodically a state must submit a report to the Committee of Experts on how it is applying and working to implement the provisions of the conventions which it has ratified. For the fundamental conventions, this report must be submitted every two years. For all other conventions, the report must be submitted every five years.⁴⁷

It is also worth noting that the ILO operates a special Freedom of Association Committee which monitors the right to freedom of association in countries, regardless of whether they have ratified the relevant ILO conventions or not. ***Complaints regarding freedom of association may be brought by employers and workers associations before this special committee.***

National law:

National law can be invoked before national courts. Pakistan's court system comprises the Supreme Court, Provincial High Courts, and other lower courts exercising civil and criminal jurisdiction. Pakistan also has Labour Courts.⁴⁸ Claims can be brought before the lower courts or the Labour Court. Appeals from the low courts go to the High Courts and appeals from the Labour Court go to its own forum of appeal.⁴⁹

However, individuals can encounter many obstacles when trying to invoke their rights. These obstacles can be high costs for legal aid, corruption, little knowledge about the rights granted, ineffective judgements, and many more. One way to impair these obstacles in order to make national law accessible to individuals would be to provide (free) legal advice and services. Problems in Pakistan's judiciary specifically are a delay of justice which this leads to very long trials and high costs for the parties;⁵⁰ also, bribery and other forms of corruption are common which is a major constraint to justice; another problem is that the civil and criminal codes are considered outdated and full of loopholes.⁵¹

⁴⁷ <http://ilo.org/global/standards/applying-and-promoting-international-labour-standards/committee-of-experts-on-the-application-of-conventions-and-recommendations/lang--en/index.htm>

⁴⁸ <http://infopak.gov.pk/judiciary.aspx>

⁴⁹ <http://infopak.gov.pk/judiciary.aspx>

⁵⁰ <http://www.pri.org/stories/2012-02-03/pakistani-judicial-system-groans-under-corruption-volume-cases>

⁵¹ <http://www.internationallawyer.info/2011/11/problems-with-pakistani-judicial-system.html>

7.3 Overview of the laws and the compliance

This table gives an overview of the laws and the implementation on the issues of forced labour, non-discrimination, women's' rights, child labour, freedom of association, living wage, reasonable working hours and safety.

Area	International Law	Ratified ?	Pakistani Law	Implementation
<i>General</i>	<i>ILO Conventions, ICCPR, ICESCR, CEDAW, CRC</i>		<i>Pakistan's Constitution and the BLSA Act.</i>	<i>The rights granted and the reality is not always the same; eventually, the situation depends on the implementation.</i>
<i>Forced Labour</i>	ILO Conventions 29 (1930) 105 (1957) ILO Convention 29 defines forced labour as "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily" ^[1] and obliges all signatories to suppress forced labour in the shortest time possible.	Ratified (1957 and 1960)	Art 11 of the constitution prohibits forced labour. Bonded labour is prohibited by the BLSA Act. ⁵²	Bonded labour is an issue in Pakistan, for adults as well as children; especially in the textile sector. ⁵³
	ICCPR, Arts 7,8 (1966)	Ratified (2008)		

⁵² <http://www.dol.gov/ilab/reports/child-labor/pakistan.htm>

⁵³ http://www.ilo.org/global/topics/forced-labour/publications/WCMS_096991/lang--en/index.htm

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<i>Non-Discrimination</i>	ILO Conventions 100 (1951) and 111 (1958)	Ratified (2001 and 1961)	Discrimination is prohibited by Art 25 and Art 38 of the Constitution.	Discrimination of women is commonplace. ⁵⁴
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⁵⁴ <http://www.equaltimes.org/women-workers-in-pakistan-an?lang=en#.U84t1fl vTA>

	<p>ICCPR, Arts 2, 26 (1966) ICESCR, Art 2(2) (1966) CRC, Art 2 (1989) CEDAW, Art 1 (1979)</p> <p>However, Pakistan made several reservations. For the ICCPR, Pakistan declares that Article 3 which grants equal rights to men and women must be interpreted in accordance with Pakistani law and Sharia law.⁵⁵ Moreover, Pakistan does not recognize the competence of the Committee to receive reports by the Member State in order to evaluate the compliance with the treaty.⁵⁶ For the CEDAW, Pakistan declared that all Article 1 must be interpreted in accordance with Sharia law and the Constitution.⁵⁷</p>	<p>Ratified (2010) Ratified (2008) Ratified (1990) Ratified (1996)</p>		
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⁵⁵ http://www.bayefsky.com/html/pakistan_t2_ccpr.php

⁵⁶ http://www.bayefsky.com/html/pakistan_t2_ccpr.php

⁵⁷ <http://www.un.org/womenwatch/daw/cedaw/reservations-country.htm>

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Women	CEDAW	Ratified, however, it declared that the treaty must be seen under Sharia law and the Pakistani Constitution.	Discrimination on basis of sex is prohibited by Art 25 (2) and Art 38 of the Constitution.	Women often get lower wages than men for the same jobs and maternity leave is often not granted. Also, many unions are only led by men without female representation. ⁵⁸
Child Labour	ILO Conventions 138 and 182 (1999)	Ratified (2001)	Employment below 14 years of age is prohibited by Art 11 (3) of the Constitution. The 18 th Amendment of the Constitution puts the obligation on the provinces to care for child welfare. In relation to the textile industry, only carpet weaving is declared prohibited for children. ⁵⁹	Child labour exists in Pakistan, especially related to the textile industry ⁶⁰ when it comes to cotton picking and working in mills and power looms. ⁶¹ Bonded child labour exists i.a. in carpet weaving. ⁶²

⁵⁸ http://www.equaltimes.org/women-workers-in-pakistan-an?lang=en#.U84t1fl_vTA

⁵⁹ <http://www.dol.gov/ilab/reports/child-labor/pakistan.htm>

⁶⁰ <http://www.voanews.com/content/violence-discrimination-against-women-rises-in-pakistan/1533279.html>

⁶¹ http://somo.nl/publications-en/Publication_4058

⁶² http://www.equaltimes.org/women-workers-in-pakistan-an?lang=en#.U84t1fl_vTA

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	CRC, Art 32	Ratified		
Freedom of Association/Collective Bargaining	ILO Conventions 87 (1948) 98 (1949)	Ratified (1951 and 1952)	Art 17 of the constitution grants the right to form and join trade unions.	Freedom of association is often impaired because joining unions is often not possible or connected to punishment. Moreover, collective bargaining is often not possible or not effective because of lacking implementation. ⁶⁴ Less than 2% of Pakistan's garment workers is unionised. ⁶⁵
	ICCPR, Art 22 ICESCR, Art 8	Ratified Ratified		
Living Wage	ILO Conventions 26 131	NOT ratified	The minimum wage is set at 10,000 Rs per month for unskilled workers. ⁶⁶	Pakistan's minimum wage is set at 10,000 Rs per month for an unskilled worker. This is about 100 USD. Nutritious and healthy food for one month is estimated to cost just over 10,000 Rs for one person, so the entire monthly salary. ⁶⁷ Sometimes, factories vary the wages

⁶³ <http://www.dol.gov/ilab/reports/child-labor/pakistan.htm>

⁶⁴ <http://www.socialistworld.net/doc/2300>

⁶⁵ <http://www.industrial-union.org/unsafe-garment-industry-needs-trade-unions>

⁶⁶ <http://www.paycheck.pk/main/salary/minimum-wages>

⁶⁷ http://www.numbeo.com/food-prices/country_result.jsp?country=Pakistan

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				depending on the size of the order. This can lead to lower payments. ⁶⁸
	ICESCR, Art 7: obliges member states to ensure that workers receive fair wages that allow them to live a life with decent standards	Ratified		
Reasonable Working Hours	ILO Convention 1 (1919)	Ratified (1921)	Prescribed by the Factories Act of 1934, no more than 9 hours per day and 48 hours per week are allowed. For workers under 18 the maximum is 42 hours per week. ⁶⁹	It occurs that workers have to work 10 or more hours a day. ⁷⁰
	ICESCR, Art 7: working hours should be reasonable and should consider time for rest and holidays	Ratified		
Safe Working Conditions	ILO Convention 155 and 19	NOT ratified	The state has to promote just and humane conditions of work (Art 37, Pakistani Constitution).	Often, factories are cheaply built or not well maintained. Electric wiring is often highly insecure. Emergency exits are often missing or are inaccessible. The risk of fire is high. Moreover, there are often no separate facilities for men and

⁶⁸ <http://www.spiegel.de/international/world/criticism-over-damages-offered-by-german-discounter-for-pakistani-dead-a-862918.html>

⁶⁹ http://www.ilo.org/ifpdial/information-resources/national-labour-law-profiles/WCMS_158916/lang--en/index.htm

⁷⁰ http://www.equaltimes.org/women-workers-in-pakistan-an#.U8410fl_vTA

				women, which puts primarily females in potential danger. ⁷¹
	ICESCR, Art 7: member states must make sure that individuals work under safe conditions.	Ratified		

8. Consumers

+++ demand and supply +++ influence on the garment workers +++ garment exports +++ consumer opinion +++

Working conditions of garment workers, wages, working hours - all this gets influenced by the demand for the clothes. When the demand is high, garment workers have to produce more and thus have longer shift. When the demanding power aka the consumers wish to pay less for garments, the wages of workers go down and working conditions can get worse, because not enough money is there to be spent on safety and facilities in the factories. These are just examples to show that the demand indeed influences the supply and the conditions under which the supply happens. The effects of demand and supply are also noticeable for the garment workers in Pakistan, since they supply a rather large part of the world with garments:

The largest export destination for garments made in Pakistan is the US. The EU is also one of the main export destination for Pakistan⁷² and 75% of all Pakistani exports to the EU are clothes.⁷³ One reason why the EU is as popular for Pakistan as an export region is that the EU granted

⁷¹ <http://www.dawn.com/news/785398/alarm-over-unsafe-working-conditions-in-factories>

⁷² <http://ec.europa.eu/trade/policy/countries-and-regions/countries/pakistan/>

⁷³ <http://ec.europa.eu/trade/policy/countries-and-regions/countries/pakistan/>

GSP+ status to Pakistan. This allows Pakistan to export without tariffs. This also has effects on the consumers in the EU because it makes clothing cheaper and hence is an incentive to buy more which increases the need for garment supplies.⁷⁴

This shows that it is not just the responsibility of the Pakistani government to improve the conditions for garment workers, enforce the laws and strengthen unions, but that brands and we as consumers also are responsible for improving the workers' situation. We can take on this responsibility, e.g. by changing our shopping habits: instead of buying more than we need we could buy just enough - this would already make a big difference for the workers.

Consumers in Germany have recently said that it is important to them that clothes are cheap, as a survey revealed. For 86% it is important or very important that clothes are available for cheap prices.⁷⁵ However, 84% also said that it is important or very important to them that garments are made under fair conditions and about one third said they would not buy a piece of clothing if they knew that it was produced under degrading conditions. 50% of the respondents said that they consider 10€ to be a reasonable price for a t-shirt. So, in this survey it is very clear to see that many people are aware of the bad conditions in many of the factories where clothes are made and that most of the people do not approve of that situation, but that they are also not willing to pay more.

Another recent incident in which consumers were involved was the discovery of additional price tag sewn into Primark garments. Consumers in the UK found these additional price tags sewn into the clothes they bought at Primark and these tags had statements on them like "degrading sweatshop conditions" and "forced to work exhausting hours".⁷⁶ These tags were allegedly stitched and sewn in by garment workers as a cry for help by presumably Bangladeshi or Pakistani workers. In the UK and in other countries this incident made headlines and many consumers were shocked by it. This shows that many consumers are not aware or ignore the fact that sweatshop conditions must be bad when clothes are as cheap as they are at Primark until they are made aware of it like they were by the tag sewn into the Primark dresses.

⁷⁴ <http://ec.europa.eu/trade/policy/countries-and-regions/countries/pakistan/>

⁷⁵ <http://yougov.de/news/2014/08/12/umfrage-verbraucher-wollen-bei-kleidung-fair-und-b/>

⁷⁶ <http://www.theguardian.com/commentisfree/2014/jun/25/primark-label-swanea-textile-industry-rana-plaza>

9. Overview and Recommendations

**+++ summary +++ big issues for garment workers in Pakistan +++ law enforcement +++
safety +++ women's rights +++**

To summarise, some of the major problems for Pakistan's garment workers will be discussed below and possible solutions and recommendations will be given.

Law enforcement

A big issue for Pakistan's garment workers is that rights are difficult to enforce. Rights such as safe working conditions in theory exist for Pakistani individuals, but they are not applied in practice even though Pakistan has the obligation to grant such rights. The problem is that Pakistan enters into international treaties and makes national legislation without making enforcement accessible to individuals. International treaty laws cannot be enforced because Pakistan's government did not take the necessary steps for that, like signing the Optional Protocols as it is discussed in the section "Enforcement". Also the ILO Conventions cannot be enforced; however, they still are an important instrument. They set the standards that should be achieved for workers all around the globe and they are an instrument with political importance. Moreover, the ILO works together with national governments to improve labour conditions and labour rights. In Pakistan, the ILO works on different projects including abolition of child labour, gender equality and strengthening of law enforcement.⁷⁷ The ILO's goal for Pakistan is to implement the Decent Work Agenda; the focus of this agenda lies on achieving a decent and productive work environment which is fairly remunerated and happens under safe conditions.⁷⁸

Strengthening law enforcement in Pakistan is an issue that is central to improving the working conditions in factories. The national law of Pakistan provides for standards that would allow relatively decent working conditions, but the state often lacks implementation and enforcement is often difficult or not possible at all. Pakistan has a long history of struggle with judicial independence and superiority of the executive⁷⁹ and even though actions are taken towards more judicial independence, it remains to be an issue. According to Transparency International,

⁷⁷ <http://ilo.org/islamabad/whatwedo/projects/lang--en/index.htm>

⁷⁸ <http://ilo.org/islamabad/country/lang--en/index.htm>

⁷⁹ http://www.faiobserver.com/region/central_south_asia/pakistans-struggle-for-independent-judiciary/

corruption in law enforcement is common.⁸⁰ The most common kinds of corruption in connection with law enforcement are bribery, for example by members of the courts as well as biased police forces.⁸¹ Corruption in law enforcement and a dependent judiciary have grave influence on the notion of the *rule of law*, which is an important basis for every democracy. The *rule of law* doctrine includes supremacy of the constitution, legal certainty and constraints to the governmental powers, and others. When these things are not granted like it often is the case in Pakistan, there is no functioning democracy.

A way to improve working conditions for garment workers is definitely strengthening law enforcement and compliance. This can be achieved by implementing stricter laws against corruption so that the judiciary and the police have a chance to become independent. However, this is likely to be a long process.

Safety

A big issue is also safety. Even though Pakistan's Constitution includes the right to safe and humane working conditions, there have been major incidents in the past years that prove that this right granted in the Constitution has not much force. On the 11th September 2012 there were two fires in Pakistani garment and shoe factories killing more than 300 people. One of these fires was the Karachi fire in a factory of Ali Enterprises. In this fire over 250 people were killed.⁸² The number is that high because safety exits were blocked or locked. There are authorities in Pakistan that check for safety and in the case of the Karachi fire there was an international social auditing company to check the factory and according to various sources this company approved of the safety conditions prior to the fire.⁸³ This can be an indicator for corruption of factory owners, of lax safety standards or of flawed media reports.

A way to improve safety in factories, according to the global union industryALL would be to strengthen the access to union membership in Pakistan.⁸⁴ Greater obligations on factory owners and greater follow-up concerning the compliance are also advisable in order to improve the safety in factories.

⁸⁰ <http://thedailyjournalist.com/theinvestigative/overview-of-corruption-in-pakistan/>

⁸¹ <http://thedailyjournalist.com/theinvestigative/overview-of-corruption-in-pakistan/>

⁸² <http://www.cleanclothes.org/ranaplaza/ali-enterprises-fire>

⁸³ <http://www.industrialunion.org/unsafe-garment-industry-needs-trade-unions>

⁸⁴ <http://www.industrialunion.org/unsafe-garment-industry-needs-trade-unions>

Women's rights

Another issue is discrimination of women. The majority of garment workers is female and they often have to suffer from suppression. According to a local women's rights NGO in Pakistan, discrimination against women increased in the past years⁸⁵ and the Global Gender Gap index labels Pakistan as the world's third most dangerous place for women.⁸⁶ This problem already starts at young age: as mentioned before, much more males than females receive an education. Moreover, Pakistan's society is very traditional and religious, both of which put women at disadvantage in many ways. This has direct influences on the kinds of jobs that women can get, on their wages, on the conditions they face at work and on the way they are treated by employers.

Specific problems for females working in Pakistani garment factories include: there are often no separate facilities for women⁸⁷, maternity leave is sometimes not granted or not long enough,⁸⁸ women often are not able to promote to the higher positions in the factories, female workers are endangered to become victims of sexual harassment, they often do not have identity cards so they cannot get registered,⁸⁹ they are often unable to found trade unions, and women are sometimes paid less than men.⁹⁰

Pakistan tried to make an effort to improve the situation. Many of Pakistan's laws are adverse for women. In 2012 Pakistan made efforts to reform these laws; however, the new laws still lack implementation and enforcement.⁹¹ Other ways to overcome the disadvantageous position that many women are in include to increase access to education for girls and women, reforming traditional gender perceptions in society and giving access to trade unions that fight for gender equality. Concerning the situation in the factories, specific measures should be taken that tackle the specific problems listed above in order to achieve a safe and fair environment for women.

⁸⁵ <http://www.voanews.com/content/violence-discrimination-against-women-rises-in-pakistan/1533279.html>

⁸⁶ <http://www.europarl.europa.eu/document/activities/cont/201211/20121119ATT55900/20121119ATT55900EN.pdf>

⁸⁷ <http://www.dawn.com/news/785398/alarm-over-unsafe-working-conditions-in-factories%20http://ilo.org/global/standards/applying-and-promoting-international-labour-standards/complaints/lang--en/index.htm>

⁸⁸ http://www.equaltimes.org/women-workers-in-pakistan-an?lang=en#.VB_51q2K5wY

⁸⁹ <http://www.thenews.com.pk/Todays-News-5-271014-Woman-workers-face-discrimination>

⁹⁰ <http://www.thenews.com.pk/Todays-News-5-271014-Woman-workers-face-discrimination>

⁹¹

<http://www.europarl.europa.eu/document/activities/cont/201211/20121119ATT55900/20121119ATT55900EN.pdf>

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The General Secretary of the Women Workers' Union in Pakistan suggests that male work inspectors should be trained for questioning women more in depth or that more female work inspectors should be hired in order to build a possibility for women to place complaints.⁹² Furthermore, every employee should own an identity card. Without these, they are deprived of several rights such as applying for benefits.⁹³

⁹² http://www.equaltimes.org/women-workers-in-pakistan-an?lang=en#.VB_51q2K5wY

⁹³ <http://www.thenews.com.pk/Todays-News-5-271014-Woman-workers-face-discrimination>