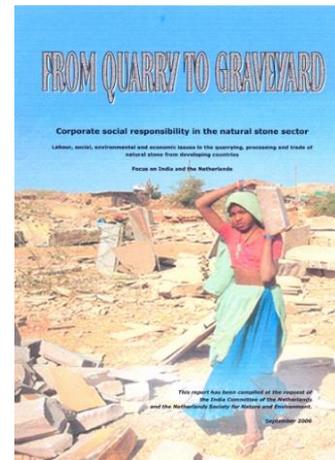


# The Years 2005-2010

In this newsletter we look back on the period 2005 – 2010, in which we built on previous activities. The work of the India Committee of the Netherlands became increasingly intertwined: the activities aimed at combating child labour linked up with the advocacy efforts on responsible business conduct. Discrimination against Dalits also became more and more visible on the work floor, as well as in international supply chains.

## Natural stone

In 2005 ICN, together with *Stichting Natuur en Milieu* (Nature and Environment), was one of the founders of the Working Group on Sustainable Natural Stone, in which two sector associations and a number of natural stone companies also participated. Discussions were held about the social and environmental problems associated with the natural stone mining in developing countries, and who should play what role in addressing these issues. In addition, the ICN report "*Budhpura Ground Zero*" published in December 2005 on sandstone mining in Rajasthan proved to be the stimulus for projects and partnerships between governments, NGOs and companies in later years. In mid-2006 ICN, together with CREM and SOMO, published a report on responsible business conduct in the Dutch natural stone industry: "*From Quarry to Graveyard*". The conclusion that sustainably produced natural stone was not yet available on the Dutch market led companies and sector associations to draft a code of conduct for the international supply chain of companies. In the meantime ICN contributed to a TV report by *Nova* in which it became clear that child labour was prevalent in quarries that supply Dutch companies, and that municipalities were very negligent towards this when purchasing stone. In collaboration with local organisations ICN started mapping the working conditions at natural stone suppliers from 2009 onwards and provided information about dust protection for workers.



## Child labour

In May 2006, ICN organised the conference "*Child Labour: a Necessary Evil?*", with, among others, Shantha Sinha of MV Foundation as one of the guests. The focus of the conference was that not only the worst forms of child labour should be



tackled, as ILO advocated, but **all forms** of child labour: after all, less dangerous work can also keep children out of school. Shantha presented her work that brought 400,000 children back from work into school, and their parents back to work, for a higher wage.

The year 2007 brought visible results for ICN: never before has a Dutch state visit been so strongly dominated by the issue of child labour as in October 2007. Newspapers, TV and radio reported on the subject due to this state visit. Immediate result were parliamentary questions based on ICN reports about extensive child labour in cotton cultivation. The Parliament demanded that the subject be put on the agenda of the state visit. ICN's Open Letter to Queen Beatrix also drew the attention of the press. In letters to the Queen and ministers, ICN also addressed the position of Dalits. The Indian trade minister lashed out furiously at the Dutch NGOs for publishing supposedly false reports about child labour and violations of labour rights....

Also in 2009 child labour was high on the agenda of the Dutch government and the Parliament, partly due to the work of ICN. For example, the Parliament passed a motion requiring companies receiving government funding to demonstrate that they do not use child labour in their supply chain. The government also promised to examine how the commitment to education can contribute even better to the fight against child labour.

In May 2010, ICN and Dutch trade union FNV, on behalf of Stop Child Labour, presented the "Action plan for companies to combat child labour" to the Minister of Foreign Affairs. This manual offers companies a practical step-by-step plan to combat child labour in their supply chain and to pursue labour rights. Tens of thousands of copies have been distributed, including in English, Dutch, Spanish, German, Italian, Czech, Danish and Telugu.



### Garments and textile

In 2006, partner organisations of ICN and Clean Clothes Campaign revealed that there was a lot wrong with a major supplier of G-Star in Bangalore. This supplier harassed workers who had little opportunity to complain about the violation of their rights. The factory kept unions out. ICN and CCC approached G-Star on this, which led to conversations both in the Netherlands and India, including with a local trade union. In October 2006 ICN and CCC filed a complaint against G-Star with the National Contact Point (NCP) for the OECD Guidelines for Multinational Enterprises. Local labour rights organisations in Bangalore were severely hampered by a contact ban imposed by the court at the request of G-Star's supplier. ICN and CCC repeatedly requested G-Star to lift this contact ban and to motivate the supplier to enter into a serious dialogue with local organisations. Both organisations also put pressure on other brands purchasing from the same supplier. In May 2007, all this led to a lawsuit



against ICN, CCC, Indian organisations and our internet providers for 'defamation, cybercrime, xenophobia and racism'. Several staff members of ICN and CCC received a personal summons to appear in court in India. All this was widely reported in the press, both in the Netherlands and internationally, and many expressions of solidarity were received. Finally, at the end of January 2008, ICN and CCC reached an agreement with the garment company, thanks to the mediation of former prime minister Ruud Lubbers. It was not until mid-2008 that the lawsuits against the Indian organisations and researchers were withdrawn. After appointing an ombudsman at the supplier, G-Star was able to place orders again. ICN and CCC stopped their campaign; documents about the



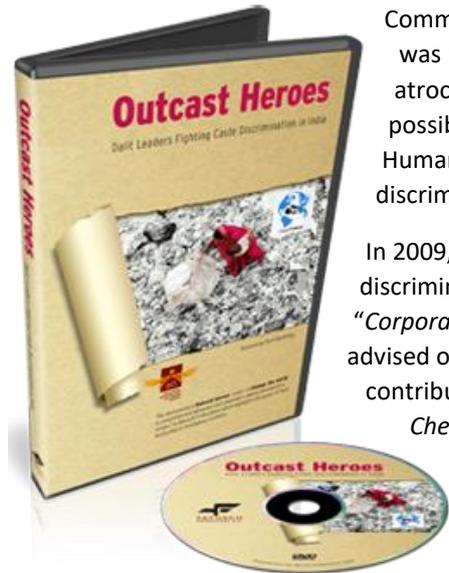
case remained available on the website under the banner "Case closed". Further on in this newsletter a reflection on this case by Coen Kompier, who was working at the ILO in India at the time.

### Dalits

Since 2006, ICN has disseminated news about developments and activities in the field of caste discrimination through the new website of *Dalit Network Netherlands*: [www.dalits.nl](http://www.dalits.nl). ICN, together with its partners in India, Europe and the Netherlands, put a lot of energy into trying to move the European Union towards a more active policy in the field of caste discrimination. This resulted in, among other things, a hearing, a series of European



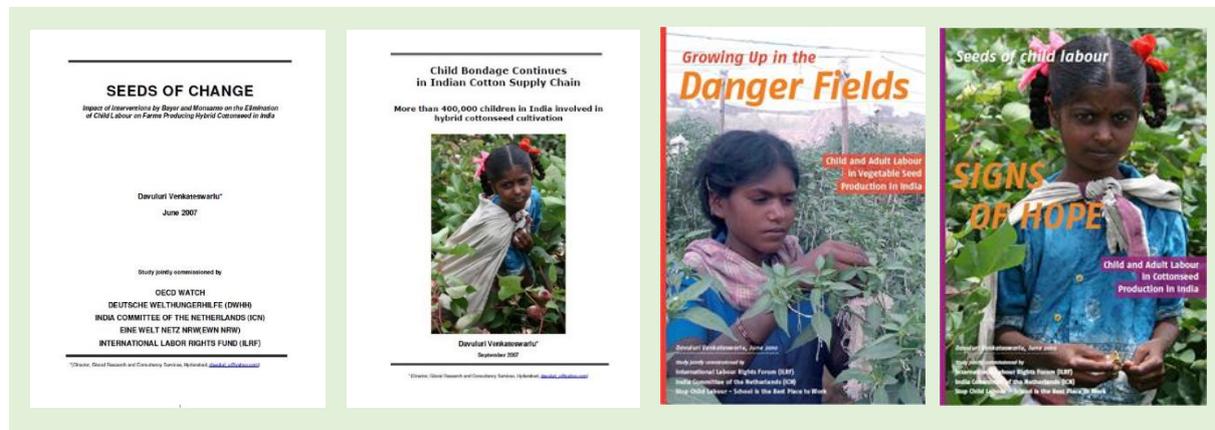
parliamentary questions and several discussions with EU officials. The most important achievement was a resolution on the violation of human rights against Dalits in India. The European Parliament's Development Committee found that the implementation of laws protecting Dalits' rights was 'very inadequate' and called on the Indian government to address the atrocities, 'untouchability', forced labour, underpayment etc. as soon as possible. The EU also supported the intention to submit a report to the UN Human Rights Council, including principles and guidelines to combat caste discrimination.



In 2009, ICN and DNN commissioned a documentary about caste discrimination in India: "Outcast Heroes". In addition, they published the leaflet "Corporate Social Responsibility and Dalits". In this folder, companies were advised on how they could prevent and tackle discrimination. ICN also contributed to the "Ambedkar Principles" and the "Dalit Discrimination Check", actively approaching Dutch companies. Furthermore, ICN has used its participation in the development of the international standard ISO 26000 to get the discrimination against Dalits into the document.

## Seeds

Between 2007 and 2010 ICN released four reports on child labour in the cotton seed and vegetable seed production in India. The reports described that hundreds of thousands of children, mostly girls, were being exploited in cottonseed and vegetable seed fields. They worked 10-12 hours a day and were often exposed to toxic pesticides. They worked in the supply chains of large multinational companies and Indian seed companies. The reports drew attention to the problem and made recommendations for addressing child labour in seed production. As a result of these reports, the above-mentioned October 2007 state visit to India was focused on child labour.



## Responsible Business Conduct

In 2006, ICN participated in the "CSR Toolkit for India", which helped companies on their way to becoming socially responsible in India.

As a representative of the Dutch CSR Platform, ICN was closely involved in the development of ISO 26000, an international guideline for the social responsibility of businesses. ICN mainly focused on human rights and supply chain responsibility. In 2010, the guideline was finalised during a working conference in Copenhagen. One of the special features of this guideline was the large involvement of developing countries (including India), not only of governments but also of civil society organisations. The ICN issues of child labour and caste discrimination were given a prominent place in the new guideline.

## Some publications from the period 2005-2010

[Budhpura 'Ground Zero' – Sandstone quarrying in India](#) (2005)

[Sustainabilitea: The Dutch Tea Market and Corporate Social Responsibility](#) (2006)

[From Quarry to Graveyard – Corporate social responsibility in the natural stone sector](#) (2006)

[Seeds of Change: Impact of Interventions by Bayer and Monsanto on the Elimination of Child Labour on Farms Producing Hybrid Cottonseed in India](#) (2007)

[Child Bondage Continues in Indian Cotton Supply Chain](#) (2007)

[Growing Up in the Danger Fields: Child and Adult Labour in Vegetable Seed Production in India](#) (2010)

[Seeds of Child Labour – Signs of Hope: Child and Adult Labour in Cottonseed Production in India](#) (2010)

### Retrospective Coen Kompier, Senior Specialist International Labour Standards, ILO, on his cooperation with ICN

In 2007 a lower court in India dropped a bomb on the Dutch textile world. Employees of the India Committee of the Netherlands and the Clean Clothes Campaign were found guilty of defamation and cybercrime, punishable by arrest and an extradition warrant. Any further

accusation in word and writing, especially on the internet, against an Indian supplier to G-Star was now out of the question. In short, ICN and associates were being gagged. Although still safe in the Netherlands, fear among them was such that they no longer dared crossing any border.



The court ruling turned the fight for better compliance of labour rights in Indian textile factories completely upside down. Not the guilty were prosecuted, but their accusers. Naturally, there was nothing shocking about the accusations directed at the G-Star supplier in Bangalore. Working in India, I had already learned the tricks of the trade in the textile sector. Garment factories are characterised by labour violations prevalent and visible all over the world to this day. Extremely low wages and the application of endless creative tricks to keep other remunerations as low as possible. Zero social dialogue, because employers do everything within their power to prevent unions from gaining any foothold, whereby intimidation and violence are not shunned. Too many, and long working days in a hostile and unsafe working environment, especially for women, which in India also has a firm caste dimension. In short, a fine example of extreme labour exploitation, all of which can be moulded in legal terms: wage theft, sexual harassment, lack of freedom of association. Or unfair business practices, because those faulty suppliers in turn love to point out that these miserable labour conditions are caused by their international clients financially squeezing them. Nothing new under the sun, but as a factory worker one would like to see things differently.

Heralded by the two accused organisations, action was taken against jeans manufacturer G-Star since 2005. Stories appeared in newspapers *Trouw* and *Volkskrant* and on the internet that conditions at their supplier Fibres and Fabrics in Bangalore were far from perfect. In those days, I was already in regular contact with Gerard Oonk of ICN. Child labour, debt bondage, caste discrimination and supply chain issues were the central topics of our communication. His ICN information about policy developments in the Netherlands and the EU was of great help to me, and Gerard could contact me about details in India where I promoted labour standards at the International Labour Office (ILO). He asked me if I could offer a helping hand in the mediation of the "G-Star case"...

Gerard's request did not fall on deaf ears. Shortly thereafter, during my working day at the office, the Netherlands embassy in New Delhi had already called me twice, and when I was walking home around 7:00 pm I received another call. Whether I could be ready for a phone call at nine that evening. At exactly nine

o'clock ambassador Bob Hiensch called: "Coen, former Prime Minister Lubbers on the line." A heavyweight like Lubbers had been called in to mediate, that's how tense things had become. "Are there unions in that factory? No, Mr Lubbers. Is that normal? Yes. How can that be? Because employers find workers complaining unacceptable and employment is scarce, but mainly because the bulk of the workforce consists of casual workers, in an attempt to circumvent labour laws. So how is it possible that unions are involved in this case? Because small outsider local unions exist, with some members within the factory. Is there any social dialogue happening? No. Do you think the complaints against the factory are justified? Yes. Why do you think so? Because textile factories in India are characterised by ... ", and the conversation went back and forth for almost an hour.

Lubbers did however manage to unblock the situation. In early 2008, the gagging ban was lifted. G-Star resumed its business relationship with Fibres and Fabrics, where an ombudsperson was appointed. Much to the credit of ICN and associates. The fact that the ombudsperson turned out to be ineffective comes as no surprise, because the foundations for freedom of association and social dialogue are still lacking in Indian textile factories, as elsewhere. What we need now is a lawsuit in which Western textile giants will be held genuinely accountable to strictly comply with their duty to care, and provide workers with a dignified existence. A case that once again turns the fight for labour rights on its head, with Western companies being legally prosecuted in their own countries for labour exploitation elsewhere. Workers will love that. Laudably, Arisa recently made a similar attempt at the Agreement on Sustainable Garments and Textile, but knives need to be sharpened more ....

**[translation: Arisa]**