

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