

Statement of NTUF on 11 September 2013: First Anniversary of Baldia Factory Fire Tragedy

One year ago on September 11, 2012 fire was broke out in garment factory in industrial area Karachi, perished 259 workers alive. It was most devastating fire tragedy of know industrial history. The tragedy sparked debate in society on one of the most neglected but important issue; plight of working class. But as usual soon after the tragic inferno the issue of workers was dumped under other thorny issues. On first anniversary of “Baldia Factory Fire” it’s very appropriate time to revisit the conditions and situations under which working people of Pakistan going through.

It’s no secret that on global scene Pakistan is one of the most vulnerable countries in connection with respect of labour and human rights. The long history of military dictatorships, state sponsored growing phenomenon of religious extremism, ethnic sectarian rifts and separatist movements and very fragile democracy are the hallmarks of Pakistan society. The society where every day dozens of innocent citizen killed in bomb blasts, ethnic/ sectarian fights and also in drone attacks, it’s become hard to see seriously into the depressing affair of workers in factories and farm fields. The issue of workers condition was no more on the priority of any government whether elected one or the rule of military General since ling.

A country of more than 200 million people having huge 60 million work-force without basic labour rights which envisage in the labour laws of the country and ILO core conventions rectified by Pakistan. The situation in all industrial sectors manufacturing merchandise for local or international markets are worst in connection with workers wages, working conditions, and social protections nets, occupational health and safety at work place and right to form union and bargain collectively.

The most horrible conditions prevailed in textile sector which account for 65% of the entire cake of the economy where approximately 60% of the total workforce engaged with different sub sectors (Garments, spinning, Ginning). The textiles earn the much needed foreign exchange of around 10 billion USD, which is 60% of the whole foreign earnings. The wages in textile sectors are very low so easily open to women workers being most cheap labour and without voice and depressed under social, cultural bounds. One estimate revealed that nearly 2.5 million women engaged in the garment sector alone other than millions (no data available) involved in cotton fields and other textile related activities spread all over Pakistan.

Like all other industrial sectors the textile sector also portrays the same miserable scenario of workers working conditions and living environments. If count the public sector organizations like Railways, WAPDA, Steel Mills, Gas Corporations, postal and many others the total workers under organized trade union stand less than 5% of the total workforce. While in private sector alone merely 2.8% workers unionized and in textile sector situation even worse and at stand less than 2%. Textile is one of the sectors where much of the international buyers involve in gross violation of ILO conventions and the constitution of Pakistan regarding right to form association and bargain collectively. The reaction of factory owners and local administration is always very stern towards the workers who try to form union. Many workers trialed under Anti Terrorist Act (ATA) and punished for jail imprisonment, their only crime was the formation of union or

demand implementation of minimum wages, observance of lawful working hour, occupational health and safety at work place and other very basic demands.

Only 3% workers have appointment letters while only 4-4.5% registered under the Social Security Institutes responsible for health care of the workers and their families, these clauses are obligatory to run any business or industry in Pakistan but nowhere in this important instrument implemented in true sense. The same is the situation with Employees Old Benefits Institution (EOBI) and Workers Welfare Fund (WWF) where very small ratio (4%) of workers registered to claim the rights and privileges. The Group Insurance and yearly bounce guaranteed in law books still the dream which is nowhere nearer to realize. The agrarian workers which are half of the labour force don't cover under any scheme as they are not considered worker under labour laws except in Sindh. So no right to form union and no labour related rights to I claim.

The international Brands use the ISO and social auditing certifications through international audit firms and Code of Conduct (COC) mutually signed by the local manufacturers and the International Brands as smokescreen to avoid the responsibility of implementing the local labour laws and ILO conventions. It was always demands of the trade unions, labour and human right organizations to national governments and international bodies including ILO to look into serious violation of labour related regulations in industries especially in textile sector through these COC and audit certifications but never received it seriously till the fateful day of September 11 in 2012 when huge fire brook out in export oriented garment factory Ali Enterprises situated in industrial zone called SITE near Baldia Town in Karachi burnt 257 worker alive, 150 injured and 1500 rendered jobless. The catastrophic accident was one of the most horrible in industrial history of not only of Pakistan but of the world.

In backdrop of the "Industrial Nine Eleven (9/11)" the apparatus of Labour inspection as described in existing labour laws was the vital toll to make sure the adequate safety measures including fire extinguishing mechanism at work place and also to check violation of any labour laws and other labour rights instruments but during General Musharaf military rule it was strictly banned and unfortunately it was continued throughout civilian government in all practical purpose just to appease the industrialists and their powerful Chambers of Commerce and Industries at the cost of workers lives. Due to ban on labour inspection industrial accident increased many folds in last decade.

It's very unfortunate and shocking that nobody care about the pathetic working conditions and vulnerability of the textile sectors' millions of workers, all of their work places are death traps in practical term where no escape other than the loss of life at the time of any mishap. The government has given 42 Billion Pak Rupees in 2010 for the up lift of textile sector but not a single penny was spend on wellbeing and safety of workers lives at workplace . No serious concern was shown by any government or even international bodies including ILO for implementation of very basic labour standards for the safety of the workers lives during work. t's the characteristic of Pakistan's industrial activities that small degree of accidents (but very serious by any standard) as compare to Ali enterprises occurred every day but unnoticed at large extent by concern departments and factory owners. It's all because of non observance of labour laws in true spirit. Majority of factories or establishments in industrial zones or in residential area operate illegally as 90% of the factories are not registered under Factory Act 1934.

The Baldia fire accident has provoked the shock wave all over country; trade union bodies as National Trade Union Federation, Pakistan (NTUF) along with some other labour and human rights organizations have started movement with main demand to book the culprit responsible for the gruesome disaster. It was the test case to expose the real picture of working environment under which millions of industrial labour work. The facts speak louder than words, like all other factories the Ali Enterprises (where inferno was occurred) was not registered under the factory Act, its building structure was not lawfully approved from the Building authority, majority of workers didn't have the appointments letters, all worked under illegal third party contact system, long working hour ranging from 10 to 14 hour a day without over time, all workers work on piece rate, majority of workers were not registered with the Social Security Institute and Old Age Benefits Institute which is mandatory, no union existed so as a result no collective bargain right. It was totally modern day slavery in a city Karachi, hub of industrial and commercial activities where more than 60% of the industry located.

Look at the irony of deplorable state of affairs of export oriented industries which unfold another depressing aspect of the situation and it revealed, the Ali Enterprises had been manufacturing more than 90% of its merchandise for an international brand "KiK" with label of "Okay" for many years without fulfilling their lawful responsibilities. The international brand had had just one concern and that was the cheap products at any cost even on the cost of death of 257 workers whose average age was less than 30 years.

No sane person can imagine that the factory of that dubious feature got the clean chit from an international audit company RINA which certified that all was well and up to mark at the factory just two week before the frightening inferno tragedy on sep11 2012. This kind of certification have been issued in wholesale by the Audit company without keep in mind the potential of human tragedies looming large on every factory whom they certified withal willful negligence. We witness the stark reality on tragic day of 11 September 2012 when the fire started to grip the factory and more than 600 workers trapped inside there was no fire extinguishing system in operation, there was only one main gate at the extreme end of the factory, all the windows were closed and cover with iron rods and all exit door were forcibly locked not to allow the workers any escape before the save recovery of merchandises from the fire.

This was the criminal act at the time of fire by the factory owner and management while it was also the crime of the audit firm which has awarded the certificate to the factory, actually massive death cell, running illegally and with all malpractices and gross violations of international and local labour standards. It is reported that RINA has issued more than 90 factories that kind of certificates, license to kill. Many families of deceased workers have received the partial compensation under the pressure of the workers movement, still many waiting for the compensation. On other hand somehow very late but the social security and Pension providing institutes have started to register the victims' families for the health and old age benefits coverage to escape for punishment of their sheer negligence but with illegal marking social security and pension cards valid only for three years.

A commission was established with mandate to find out the causes of fire and fixed the responsibility. Workers bodies have many serious concerns on the formation and functioning of the commission. The Commission had submitted the final report and findings to government of Sindh but for unknown reasons the Government is not willing to make it public even after one year of the tragedy. Nearly 25 families still searching for DNA reports of their missing family member died in the factory fire even after one year of tragedy, out of which 17 unidentified bodies were buried in Machko grave yard in Baldia Town , Karachi on Sindh High Court order.

Number of cases filed in different tiers of court against the culprits of the factory fire. The owners of the Ali Enterprises obtained the bail from court after spending five months in the jail. It was first time in last three decades that any industrialist and factory management officials were put in the jail in connection with industrial dispute. The Government functionaries including the Prime Minister are very keen and serious to drop the murder charges against the factory owners to pacify the industrialists. These anti worker and pro industrialist gestures and interference in court affair were taken seriously and worker movements complain has been launched in court of law against it in January 2012.

On the pressure and joint efforts of the trade union/ labour right bodies in Pakistan and international organizations the international brand “KiK” has committed to provide an amount of one million USD as initial compensation to the victims survivors. The trade union bodies and labour right organization demand that final and full compensation should be in accordance with some international precedent as set in case of Spectrum Garments collapse in 2005 in Bangladesh.

On the request of trade union federation and labour rights bodies Sindh High Court has formed a commission headed by former Supreme Court Judge to disburse the amount through a mechanism evolved by the commission. All it was achieved only because of great show of global solidarity to the workers at their hard time but still needed long way to go to achieve the goal of workers prosperity and betterments in their living and working conditions in dignify manner. It requires consistency and steadfastness’ in workers struggle along with strong support of international workers unions, labour, human and legal right organizations in shape of solidarity.

If world capitalist and their local cronies act jointly against the interests of working class than all who stand for the worker self-esteem and just cause as class must come together and resist all form of exploitation at work place. In country like Pakistan where injustice becomes the law than workers don’t have any other option except to start the resistance as their duty.

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