

END ALL FORMS OF FORCED LABOUR IN THE GARMENT SECTOR

A Report of the National Consultation

Compiled and Documented by
Dr. KG. Umashankar

A joint initiative of



Supported by



NATIONAL CONSULTATION
To End All Forms of Forced Labour in the Garment Sector
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A word to begin with

*One of the major challenges that globalization has put forth to us is the Sumangali Scheme which has various other nomenclatures added to the core over the years but the intensity remains the same and the impact in particular on the young girls and adolescents is on the rising note. There are social economic political and cultural dimensions attached to it. A series of efforts are in place and in progress for almost two decades and so. But the result is yet to be achieved as the journey to project the young girls who are forced to work in the textile industry is not an easy task to address. There are researches, Public Interest Litigations, Code of Conducts, Public Hearings, Fact Findings adding value to the process of creating an enabling environment to create a happy and safe childhood for the young girls of this part of the subcontinent. Against this back READ – Rights Education Development Centre in association with NCDHR National Campaign for Dalit Human Rights organised a one day national consultation in New Delhi on : **27th May 2015- Wednesday at the India International Centre Annex, Lecture Room – 1-KK Birla Lane, (Lodhi Road) New Delhi** into discuss the issue on the three important contexts to address issue and a create a platform for joint legal action to address the issue at various levels.*

We take this opportunity to thank all those who were with us all through the journey and also for the acceptance to be a part of the process and address the issue in larger context. Especially DSN UK for all the support and encouragement, Panelists for sparing their precious time and thoughts, Moderators the experts, Victims, Members of the Civil Society, Brands. Multistakeholder Initiatives, NCDHR, ADMAM and other members for the sharing their real life experiences and thoughts during the course of the discussions and deliberations.

It is our profound duty to extend our heartfelt thanks to the READ team and NCDHR and ADMAM team for the continuous support in organizing the event in a successful way.

We also take this opportunity to appreciate the efforts of Dr KG. Umashankar, Development Consultant who has taken immense pain in recording the event and coming out with this report in an effective way.

We also take this opportunity to affirm that the platform created here will be taken forward with the support of all those associated with us in the process and let us create a safe and happy working environment for those who are above the age of 18 years and happy childhood for those who are below 18 years.

R. Karuppusamy
Director – READ

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NATIONAL CONSULTATION

To End All Forms of Forced Labour in the Garment Sector

A Report

THE SETTING:

It is often stated that women stepping out of the home to work is empowering but the reality of textile production in Tamil Nadu is very different. Forced labour schemes are abundant and what it means is that instead of the decent wages, comfortable accommodation and payment of a lump sum amount promised at the end of a 3 year contract, the worker is actually made to toil for pittance and their labour rights are violated in indecent working and living conditions.

Research shows that in Tamil Nadu, there is an estimated 4000 textiles mills where about 250,000 are 'employed' under the camp labour schemes. Amongst them the majority from in-state are dalits and but an inter-state migrant women work force is increasing. The average age of the workers is between 15 – 18 years (80-90% of the workforce)

Between 80 and 90% of the workers in factories and mills are women. Most are from rural and tribal regions. 60-70% of the work force are Dalit women and girls. Wages are below a subsistence level in contravention of the Minimum Wages Act. Working conditions can be brutal, with workers working 16 hours a day 7 days a week. Increasingly, sexual exploitation and harassment is widespread.

Efforts have been made to address this but the results of those efforts are not encouraging as the issue is seen as a regional (Tamil Nadu) issue which has no impact on other parts of the country. In reality it is totally different as the labour force is drawn from all the parts of the country. There is huge

migration of the labour force drawn from the eastern and central part of India to work as camp coolies – not freely chosen - which is forced labour.

Decades of experience reveals that the following core issues continue and need to be addressed at a higher level with more serious intent.

- Lack of a proper written contract for employment.
- Most women are employed as 'apprentices' and paid with a stipend instead of a wage.
- Workers do not receive the required social security measures like Provident Fund or Employees' State Insurance etc.
- There is little or no training on the job resulting in low health and safety awareness.
- Poor health and serious medical issues are commonplace
- The shift work is very long and often it is more than 12 hours in a day
- Compulsory overtime and extension of shift work with no compensation in any form.
- Very specific discrimination on gender, caste and for wages; men are paid more for equal work
- Verbal and physical abuse is a common feature of the workplace
- The women are subjected to physical abuse or sexual abuse frequently – but the majority of cases go unreported.
- The death of women labourers who are migrants are often not reported. The same is in the case of injuries.

THE APPROACH:

As a process of addressing the issue a bottom-up approach was put in to practice. Starting from the community and district level consultations, the efforts moved on to a state level consultation.

This is now the time for a national level consultation. This ongoing exploitation of labour amounts to modern-day slavery-like conditions and requires a concrete effort to address.

There is a pressing need for an amendment or change in the existing laws and this is only possible with a strategic and systematic effort of all multi stakeholders.

THE OBJECTIVES:

The proposed objectives of the consultation are state as;

- To take forward the issue to a national forum to look at it in a more focused perspective as a national not a state issue
- To create a national level platform to address the issue with a multi-stakeholder approach
- To form a pressure group and plan for an action to take forward the issue with the respective authorities and institutions ensure that the necessary changes and amendments are in place to end forced labour and protect the female workforce.

The issue is gaining momentum in a much wider context. The industry is part of a supply chain linking workers to international brands who follow labour standards and norms in Europe, US and the domestic market in India

THE PARTNERS:

READ: – Rights Education and Development Centre based in Tamil Nadu and working for the eradication of the bonded labour system to enable an effective work place. READ works with the community, government and textile industries with a major focus on dalits.

DSN– UK: Dalit Solidarity Network United Kingdom campaigns for an end to caste discrimination worldwide. It brings together organisations and individuals in the UK who are concerned with caste- based discrimination and aims to link grassroots priorities with international mechanisms and institutions to make an effective contribution to the liberation of those affected by caste discrimination.

NCDHR: – National Campaign on Dalit Human Rights is a forum committed to the elimination of discrimination based on caste. A democratic secular platform led by Dalit women and men activists, with support and solidarity from movements and organizations, academics, individuals, people’s organizations and institutions throughout the country who are committed to work to protect and promote human rights of Dalits focusing on women and children.

TO START WITH:

Tribute to the Triumphant: The members of the organising team READ – DSN and NCDHR paid floral tributes to the portrait of Dr. B. R. Ambedkar as a mark of respect to the leader and the efforts made by the leader for emancipation of the suppressed was praised and presented in the form a song in vernacular by the survivors of Sumangali scheme who were present there to share their views. It was source of inspiration to the members present and an eye-opener for those who were not much aware of the issue and the leader.

THE WELCOME WORD:

Mr. N. Maheshwaran, Program Coordinator of READ initiated the process with the word of welcome to all the guests and participants of the consultation. He informed the members present that this consultation is

organised as a part of the ongoing interventions in the context of advocacy and lobby efforts by READ to address the issue of Sumangali Scheme. It is with immense pleasure he takes the opportunity to extend a warm and hearty welcome to all the members present on his behalf, on behalf of READ and on behalf of DSN and NCDHR Forum who have taken immense pain and pressure in organizing the consultation at the national level.

THE WORDS THAT ADDED THE VALUE (OPENING REMARKS):

The proceedings of the consultation began with the opening remarks made by the members of the organising team.

The purpose is different: Mr. R.

Karuppusamy – Director READ. The seven decades of independence has not achieved the desired results. Especially in the context of labour and development. The issue of minimum or fair wages, the social security measures, safe working environment and the special provisions for the women workers and so on. To take into account the textile and garment sector has a long way to go and that the issues associated with it are mounting especially in the context of adolescent girls and young women working in these industries under various names and schemes. On normal course the issue was termed and attached with Tamil Nadu alone but over the years it

The focus was on the Sumangali Scheme which is termed to be totally against the rights of the labour and has a series of serious issues that has been affecting thousands of girls over the years in various forms. Now that the situation has reached to the level where the Sumangali Scheme cannot be seen as an issue associated with Tamil Nadu alone and since we have workers from various parts of India, thus a national issue, in addition this has to be seen as a structural issue with dimensions of caste class and gender. The scheme focus more on the dalits and tribals which is a concern of higher order to get addressed in a more strategic way. The role of various stakeholders is equally important to address the issue.

has been experienced that there is a large scale migration of young girls and young women from the central, East coast and North Eastern parts of India. Hence it has become inevitable to have a national consultation with the participation of the various stakeholders like, Civil Society Organisations, Brands and Buyers from Supply Chains, Facilitating Organisations, Representatives from Institutional Mechanisms, Researchers and other related associates. We need to take into account the issue is closely associated with Dalits as the majority of the victims are from the Dalit communities. Hence, this consultation has a different purpose and that the purpose of the consultation are stated as;

- Implementation of Minimum Wages Act in all workplaces irrespective of nature of work
- The period of apprenticeship to be limited to six months applicable to all industries
- Abolition of all Camp labour/bonded labour/forced labour schemes
- The right to Freedom of Association is a right for all workers
- Migrant women labourers will be ensured a safe and decent working environment
- Ensure all the mandatory social security measures are available and paid

In regard to the issues above we suggest that the Ministries of Women and Child Development, Labour and Employment, Tribal Affairs, Textiles, Minority Affairs, Social Justice and Empowerment, National SC and ST Commission, National Women Commission All has a major role to play. However the same is also true of Business and their supply chains and international institutions such as the United Nations and ILO. Together we propose to take forward this effort to ensure a safe and decent work place and to end forced labour.

Together WE- A platform to move forward: Ms. Meena Varma

– Director DSN UK. This is an excellent opportunity created for the first time where in all the stakeholders associated in the process have come under one umbrella to share the ideas and arrive at a common agenda to overcome the issue. We take this opportunity to put forward the idea that it is we all and not we – the organizers alone to share. Being a part of the various forums at the national and international level we need to arrive at an action plan which will be taken forward with the support and combined effort of all those who are present here. Every one of us here today needs to contribute to the process as an accountable and responsible stakeholder. The opportunity is equal and open to all and let us work together to address the issue.

The Issue is not a Unilateral one – It is more structural: Dr.

Rameshnathan. Secretary, NMDJ. The efforts to address the issue of empowerment of dalits is constant and has a long cherished history. It is vital to make a mention of the efforts taken forward and still in progress by Mr. Paul Diwakar of NCDHR and Ms. Asha Kowtal of ADMAM. We need to accept that a series of organisations are working on this objective since many decades but the issue is getting a new dimension added to it over the period of time. The issue has to be looked upon on the basis of caste and class. We cannot separate the issue with this two dimensions. But the present context has one more dimension to it. We need to think beyond the policy of labour and other related issues. The issue seems to be more focused on the dalit girls and women in the acute packets of the country where poverty and social stigma are on the very high note. Hence the issue cannot be more seen as a unilateral but a triangular one where in the caste class and gender are added to it and need to be addressed in a more

integrated fashion. During the course of time we need to take the caste factor into account on a serious note as it is playing a major role. This can be seen on the other hand as in addition to discrimination and untouchability, the demand for labour has also contributed a lot to this context. Hence we need to plan and address the issue in a multilateral way rather than a unilateral one.

IT IS A LARGER QUESTION: Mr. Sudharshan Rao. IndustriALL:

The history of industries and labour issues and movement has a long history. The issue of caste and class is also very complex which cannot be addressed in a single effort. The need is to see this particular context in a twin mode:

- a. The caste and class complex in the context of labour
- b. The Indian Textile which is the mother of Trade Unions has lost its momentum over the years and the role of the labour has become restricted which can be termed as one of the major causes for all the issues that has mounted upon.

Another important aspect to be taken into account is the larger question of social transformation and development. Which is translated in the following way?

- When we take into account the hierarchy of ladder of employment we could see the number of dalits in the bottom level on a higher note and that gets reduced when it moves up. This results in the proposition that the number of dalits present in the decision making process is getting reduced or to the level of totally absent.

Hence addressing the present issue of forced and bonded labour with special reference to dalits that too women and girls cannot be addressed by the trade unions alone as the complexity is very high and that the civil society has a larger role to play and the various national and international forum present here will be associated in the process.

VALUE ADDITIONS on the WAY:

As a part of the ongoing process in the context of advocacy and lobby a series of documents were released by the victims present and received by the guests. The documents consists of posters depicting the rights of the girl child and the need for protection, report of the state level consultation, a documentary movie on the new modern bonded labour system and a CD ROM on the fact sheet on the status of Sumangali scheme with respect to legal provisions and gaps The release process was:

S. NO	Title and Category	Released By	Received By
1.	Report of the state level consultation held at Chennai	Ms. Gowri	Ms. Meena Varma
2.	Documentary Movie on Modern Slavery	Ms Vinitha	Ms. Shamina Shafiq
3.	Fact Sheet on Sumangali Scheme	Ms. Sumathi	Dr. Rameshnathan
4.	Poster on End Bonded Labour	Ms Vijaya	Mr. Karuppusamy

IT IS THE PROFESSION THAT GOT CHANGED NOT THE PASSION: (Real life story of Ms. N. Vinitha)

Being born in a family of 5 members, father working a construction workers and mother working in a garment factory being the eldest in the family was happily going to school and was passionate about studies. My younger sister and brother were also attending the school with me. The U turn that was happened in my life was after the completion of the school final exams as I have completed the secondary education in the year 2012. As the vacation was long and I wanted to spend the holidays in a useful way to earn money to continue with the studies. I had the dream of becoming a doctor from my childhood irrespective of the nature of the family. Hence I have planned to go to work in a mill only for vacation with an idea to join the school once the results are published.

The idea was not a new to me as by looking at the other girls of my village who were happy and enjoying their life by working in the textile mills. I felt that the mill work will be easy and can earn some money to pursue by education. The decision was made because there are large number of mills are located nearby and also my district is known for textile and garment industries in large number. I conveyed my idea to my parents and they also agreed to this as there are experiences of girls working in the mills and earning money. Meanwhile a representative from the mill approached my parents as they are recruiting girls to work in the textiles. As we have expressed our willingness to join the work the process was made quick and the papers are signed by my parents. Thus, I started to go to work without any basic knowledge about the scheme and the work. Though my residence was located very close to the mill I was made to stay in the mill hostel and work as a residential worker. I agreed to stay in the hostel because of the impression that the hostel life will be happy and I can spend my time with my friends in a more effective and happy way.

Time rolled out and the results got published. I have scored 393 marks out of 500 in the school final board exams and was very happy and wanted to study further as I have the dream to become a doctor. When I went to the mill management and informed that, I have scored good marks in the exams and I need to continue my studies and not in a position to continue to work. The management refused to relieve me ad they said. I have been working in the scheme and that I need to complete the time period of three years and before that I cannot leave the work. I will be allowed to go home for a holiday of 6 days once in 6 months and there is no scope to leave the work in the mid-way. It was also informed that the out pass will not be given and that I started to continue to work. When my parents heard about this they also felt helpless.

The U turn happened after 8 months of continuous night work, I fell sick and got hospitalized. In the mean time I could see that some of the girls are falling sick and went to hospitals for further treatment. One girl was seriously ill and blood vomiting was happening frequently to her. One evening the friends who came to see me in the hospital informed that the girl who was seriously ill is no more due to cotton deposits in the lungs, as the doctors said they are also helpless in this case. My friends also added the mil management didn't bother about this incident. The friends also added that the uterus of the one girl was affected and the chances of pregnancy are also not possible as the issue is very complicated. Once I have recovered I returned to work. The worst part is that I was forced to work in night shifts and overtime and that even on general holidays are not allowed to take rest or leave. Only I fell sick I was given with an out pass and allowed to go home. In addition to this there are several other health issues that started troubling me and other girls who are working like me. Head ache, stomach pain, pains in the joints and burning of eyes are quite common. When we inform the supervisor a tablet was given to us and we are forced to work further. Only on serious conditions the affected are sent to home for further treatment Even the food and the facilities in the hostel was also not good and enough to us to compensate the work we do. This has added to the illness and that all the girls working in the mills are affected in one way or the other. It is important to mention that there are instances of scoldings by the supervisors during the working hours and also by the wardens and care takers in the hostels on various occasions.

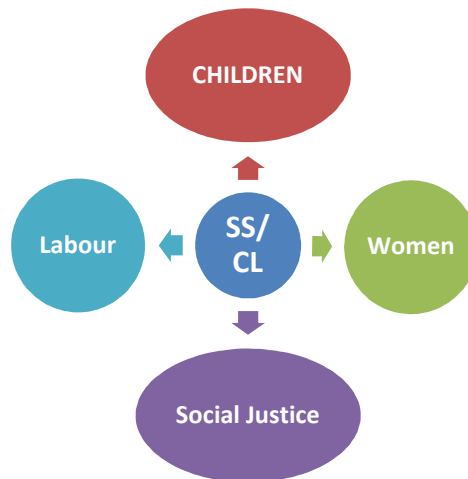
Two and half years passed like this and I forced myself to come out as the mil management also informed that the scheme has got concluded and I was paid with a sum of Rs. 15,000/- only. But in the later stage I came to know that the original contract was for Rs. 50,000/-. I felt cheated and out of frustration I went to the extreme of committing suicide but my neighbor

consoled me and informed me that I can continue my studies in the informal system and there are institutions to help and introduced me to READ. Thus with the support of READ I have continued my higher secondary education in the non formal stream. The unfortunate thing is that I want to do science group so that I can work towards the dream of becoming a doctor. But this could not be possible as in the non-formal stream I could not go with the my profession since passion did not get diluted I decided to go with commerce stream and decided to become a chartered accountant in the future. I am happy inform that I have scored 882 marks out of 1200 marks. Against this backdrop READ was kind enough to support me to go with my dream of higher studies as I have now joined B.Com Bachelor of Commerce Course at the Kamadhenu College of Arts and Science in Sathyamangalam.

I wish to state that my case should not get repeated and no one should made or allowed to go with the false promises and please allow the girls to go for studies and help them to get a decent job live in a dignified way. Working in a textile mill is not a easy as it was said and promised. It is very dangerous and affecting the health the girls irrespective of the age and other background. It is not the health alone but the dreams are also getting vanished over the years. I appeal to all the parents, every daughter has a dream and a passion and please support them and not spoil them. Take me an example as my profession has only changed and not the passion of studying got changed. This will be of the case of each girl and let us all work to strive this. I have been doing this a I have got a couple of opportunities to share this at the state and national level forums. I strongly believe that this dream will be achieved in the coming years. The support and guidance of READ cannot be forgotten and I wish that this has to go for long years and girls like us shall get motivated and come up in the life.

SUMANGALI SCHEME in TAMIL NADU: ISSUES and LEGAL REMEDIES Miles to go..... Dr. K. G. Umashankar, Development Consultant.

The issues associated with the scheme are classified under four major heads and the detailed discussions are made in the context of the various legal remedies available to address the issues. To start the backdrop for the remedies are looked from the inception of UNDHR which is the first to deal with the rights of the humans. Followed by the Constitution of India, the biggest ever constitution and the first ever constitution incepted after the UNDHR. This is continued with the ILO basic principles and UNCRC



on a broader framework. The other aspects as per the classifications are;

a. Children:

1. The Child Labour (Regulation and Prohibition) Act, 1986
2. The Children (Pledging of Labour) Act, 1933
3. The Juvenile Justice Act, 2000 (amended in 2005 and 2006)
4. The Right to Free and Compulsory Education Act 2009

b. Women:

1. The Equal Remuneration Act, 1976
2. Visaka Guidelines 1997
3. The Protection of Human Rights Act 1993
4. The immoral Traffic Prevention Act 1956
5. TN Prohibition of Harassment of Women Act 1998
6. IPC
7. Women's Compensation Act 1923

c. Labour:

1. The Bonded Labour System (Abolition) Act, 1976
2. The Apprentices Act, 1961
3. The Child Labour (Regulation and Prohibition) Act, 1986
4. The Children (Pledging of Labour) Act, 1933
5. The Equal Remuneration Act, 1976
6. The Factories Act, 1948
7. The Industrial Dispute Act, 1947
8. The Minimum Wages Act, 1948
9. The Payment of Bonus Act, 1965
10. The Weekly Holidays Act, 1942
11. The Contract labour (Regulation and Abolition) Act
12. The Employees State Insurance Act, 1948
13. The Workman's Compensation Act, 1923
14. The Fatal Accident Act, 1955
15. The Personal Injuries (Emergency) Provisions Act, 1962
16. The Personal Injuries (Compensation and Insurance) Act, 1963

d. Social Justice:

1. The SC/ST (Prevention of Atrocities) Act, 1989 and Rules 1995
2. The Protection of Children from Sexual Offences Act 2012

There are laws, conventions, guidelines, judgments, recommendations and several other mandatory provisions and remedies for the issues addressed but there are some gaps in the existing pattern like

- The absence of uniformity in the expression of age of children in the various acts
 - Gaps in the implementation and monitoring process
 - The various threats in the floor at present
- ✓ **The proposed amendment in the JJ Act to reduce the age of children from 18 years to 16 years**
 - ✓ **Proposed increase in the apprentice period and minimum working hours**
 - ✓ **Uniform Civil Code**
 - ✓ **The proposed amendment in the minimum wages act and increase in working hours – committee report pending**
 - ✓ **Amendments in the Factories Act and Industrial Dispute Act – to attract foreign direct investments**

Are some of the areas of concerns of the stakeholders?

For instance we take in to consideration the provisions in the

THE CHILD LABOUR (PROHIBITION AND REGULATION) ACT,

13. Health and safety.-- (1) The appropriate Government may, by notification in the Official Gazette, make rules for the health and safety of the children employed or permitted to work in any establishment or class of establishments.

(2) Without prejudice to the generality of the foregoing provisions, the said rules may provide for all or any of the following matters, namely:--

- (a) Cleanliness In The Place Of Work and Its Freedom From Nuisance;
- (B) Disposal of Wastes and Effluents;
- (C) Ventilation and Temperature;
- (D) Dust and Fume;
- (E) Artificial Humidification;
- (F) Lighting;
- (G) Drinking Water;
- (H) Latrine and Urinals;
- (I) Spittoons;
- (J) Fencing of Machinery;
- (K) Work At or Near Machinery in Motion;
- (L) Employment of Children on Dangerous Machines;
- (M) Instructions, Training and Supervision In Relation To Employment Of Children On Dangerous Machines;
- (N) Device for Cutting off Power;
- (O) Self-Acting Machines;
- (P) Easing Of New Machinery;
- (Q) Floor, Stairs and Means Of Access;
- (R) Pits, Sumps, Openings In Floors, Etc.;
- (S) Excessive Weights;
- (T) Protection of Eyes;
- (U) Explosive or Inflammable Dust, Gas, Etc.;
- (V) Precautions In Case Of Fire;
- (W) Maintenance of Buildings; And
- (X) Safety of Buildings and Machinery

Which needs to be taken forward and a strategic advocacy and lobby plan needs to be put in place and the various key departments to be dealt with are;

Ministry of women and child Development

Ministry of Health and family Welfare

Ministry of Human Resource Development, Department of Education

Ministry of Labour and Employment

Ministry of Social Justice and Empowerment

Ministry of Youth Affairs and sports

**Ministry of Tribal Affairs
Ministry of Minority Affairs
Ministry of Home Affairs**

**IT MAY BE LOCAL BUT LONG
YEARS OF STRUGGLE (THE LOCAL
CONTEXT):**

Let's Begin: Mr. Gopinath, General Secretary. **Cividep:** The whole issue of sumangali has been built upon the context of dowry which has become the root cause for all the other issues. As shared we are experiencing the structural discrimination as this particular issue of forced and bonded labour is no more an issue associated with Tamil Nadu alone but a national issue as the intensity has gained momentum over the years. The efforts in addressing the issue from and before the times of ILO and others are on especially in the context of working and labour standards which is still a long dream to come true. There are efforts made but the forces operating against have taken away everything as they target the dalits who are the first generation literates and targeted to work. The three major aspects that contribute here are; the dalits are employed in most dangerous

It is almost of two decades of painful experiences that the scheme has created the scar. The issue is seen on a larger front beyond a social issue in the present context of changing laws, policies, procedures and schemes and so on. It is inevitable that there should be zero compromise in putting into practice the various provisions in the context of protection workers especially women both in the working, exclusion of the dalits in the context of the recruitment for work especially in the context of textile or garment sector. The elements that form the base for the present context are; the planned and proposed intention to dilute the existence and functioning of the trade unions, forcefully creating a submissive workforce, exploit dalit communities and pay less wages and extract more work. Thus the issue has to be looked from the perspective of children, adolescent girls and young men where in the labour laws and the social justice laws are violated in a larger context. Mere amendments alone will not help ensure the proper implementation within a fixed time frame and make the institutional mechanisms to work independently.

- Less paid and
- Least working standard situations where in the industries are not much bothered.

It is also important to take in to account that the industries are moving out from one sphere to other spheres for the labour force and that the eastern states are targetted now especially the dalits and the tribals. It is mandatory to look in to this affair and protect the girls who are employed and ensure the standard of working, It has been noticed that in all the industrial sectors like electronics, leather, garments and textiles are associated with this issue. Hence this consultation gains currency and we have people who were experts of the field of work can arrive at a more practical and strategic plan of action to work in the future to address the issue.

The TWINS have a larger role: Ms Selvi Advocate. High Court of Madras.

As we are aware that the issue is no more a local issue and has reached to the level of a national issue we need to take in to account the two important elements of ensuring the working standards and also the living spaces of the women workers. The following are two important acts that needs to be implemented in true spirit which is expected to ensure a safe and protected working and living environment for the women workers. The momentum is growing because the various research studies over the years reveals that many of the issues especially the issues associated with sexual harassment has not been noticed and addressed as the numbers are getting increased day by day. Since we have the focus on the adolescent girls and women the following two becomes more pivotal.

Sexual Harassment of Women At Workplace (Prevention, Prohibition And Redressal) Act, 2013	Tamil Nadu Hostels and Homes for Women and Children (Regulation) Act 2014
<p>It has been the vishaka guidelines the efforts to protect women from the sexual harassment in work places has been in the process and the anti-sexual harassment committees are in place and due the changes that has been taking place over the past couple of decades it has realized there is a strong felt need to come out with a comprehensive legislation which will protect the women. In addition this law will also create mandate for all the workplaces as defined and also a mechanism to address the issue in a structured where there is less scope for creation of a comprehensive mechanism at a different level.</p> <p>Equality and Non-Discrimination</p> <ul style="list-style-type: none"> • Sexual harassment violates Articles 14,15, 16, 19 and 21 of the Constitution of India • It is against human dignity <p>Internal Complaints Committee: Local Complaints Committee Complaint of sexual harassment: Conciliation Inquiry into complaint: Action during pendency of inquiry: Inquiry report: Punishment for false complaint: Compensation: Right to Information: Duties of employer:</p>	<p>The objectives or the need for the introduction of this act are;</p> <ul style="list-style-type: none"> • To ensure care and protection of all the girl children, adolescents, students, and working women staying in hostels, homes etc, • To enhance the homes, hostels to ensure the safety of the inmates by adopting these guidelines • To punish those who all violates the provisions and cause violence against the girl children, adolescents, students, and working women staying in hostels, homes etc, <p>This guideline applies to all the</p> <ul style="list-style-type: none"> • All the children's Homes • All Girls Hostels • All working women's Hostels <p>All these three category of institutions are run by</p> <ul style="list-style-type: none"> • Government and Non-Government Organisations, Trusts and others • Society and Groups • Religious Institutions • Schools, Colleges and Training Institutions • Technical Institutions and Technical Training Institutions • Private Industries and Factories

	<ul style="list-style-type: none"> • Individuals. Registration: Practices: Safety and Security Measures: To take into account:
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IT is not ONE – There are thousands need to be addressed:

Mr. Aloysius. Director SAVE: This is a rare opportunity created at the national level to address the issue of Sumangali and that the importance and intensity has been already realised. But still we need to accept that

- The exclusion of women and girls especially the dalits in the mainstream of development and others
- The process of development has become more exploitative than inclusive
- The schools and educational institutions are not providing the needed care and support for the girl children especially the girl children
- The safety of girl both in the families and communities is at stake
- The strategic work of the middlemen, recruiters and the brokers has been instrumental in making the target groups to become the forced and bonded labour.

These are not mere statements or expression of words as we could see the various efforts by Clean Cloth Campaign, ICN and SOMO has come out the depiction of the real life situation in this context with special reference to Tamil Nadu. Thus, it is arrived the business has been exploitative rather than providing opportunity for development. We have thousands of examples before us and that we need to arrive at more concrete action plan and the questions before us that needs to be answered are;

- What kind of strategies and plan the child protection mechanisms like CWCs and DCPUs have to address and monitor the issue?
- What does the labour enforcement authorities ESI and others are looking in for?
- Does the Local Self Governing Institutions – the village panchayats do have the check and balance on migration as where they are going and what they are doing?
- What kind of measures need to be made the schools and other educational institutions to become inclusive?
- How to ensure the safety and protection of the girl child in both the families and communities?

Thus, when we tend to address the issue at the local we need to take in to account these subtle questions as we are experiencing this from the past two decades.

THE FRONT RUNNER: Tirupur People's Forum: Mr. S.M.

Prithviraj. Convener. TIRUPUR PEOPLES FORUM for environment and labour rights (**TPF**) is founded in 2006 by a small group of Civil Society Organizations working for the rights of children, women and labour, and the protection of environment.

Today in 2015, there are 42 organizations working in 25 Districts of Tamil Nadu.

- TPF has achieved the following impact in the past: -
- TPF has made Sumangali Camp Labour schemes as one of the key agenda and work of several Civil Society Organizations
- TPF's appeals on this issue has become an issue of concern among International Brands and their manufacturers in their supply chain
- Concerned brands have started cleaning up their supply chain factories benefiting numerous affected girls and the prevention through trainings at work place.

TPF'S CURRENT FOCUS OF WORK

- The forum is being the forerunner to identify and report the neglect of poor girl children's education and the negative social and economic impact of camp labour / Sumangali scheme in Textile and Garment industry's supply chain factories.
- Failure to develop sustainable adult human resources for the overall and long-term development of the international and national market of the industry
- The price squeezing by buyers and its connected negative impact on labour wages, are the holistic perspective of the forum on human rights and business.

DEMANDS TO VARIOUS STAKEHOLDERS ON CAMP LABOUR especially, Government, Manufacturers & Civil Society Organizations

To improve the education and socio economic conditions of the poor young girls working in the textile and garment industries Tirupur Peoples Forum propose the following demands for the poor young girl workers, their families, owners of textile and garment industries, exporters on the basis of the economic development of our State.

- 1.)Recruitment of girl children under the age of 18 should be banned under the U.N. child welfare norms in textile and garment industries.
- 2.)The minimum wages for 8 hours work Rs. 283.85/- and overtime wage should be paid without any discrimination to all poor young girls.
- 3.)The repeated suspected deaths, suicides, mental torture, sexual harassment to the poor young girls should be avoided and Anti-sexual harassment committees should be formed in all textile and garment industry as per the Sexual harassment of women at workplace (prevention, prohibition and redressal) Act 2013.
- 4.) Camp labour (Sumangali Schemes) should be eradicated. Meanwhile all hostels accommodating girls and young women workers of Textile and Garment Industry should be brought under the safety and security guidelines for hostels of Social Welfare and Social Defense Departments. Hostels should be monitored to protect the girls and young women workers.
- 5.)Eligibility Criteria in State Government's Marriage Assistance Scheme should be changed in favor of girls of camp labour (Sumangali Schemes), who are forced to leave middle/high school education due to socio economic conditions and the false promises of recruiting agents. Even if they have not completed 10th Standard but worked as camp labour upon attaining the age of 18 years should be provided Rs 50,000/- and 4 grams of Gold under the Marriage Assistance Scheme on a humanitarian basis and this is to prevent recruitment for the sake of marriage expenses.

- 6.) Each and every Panchayat should have a register with details of scheduled caste, scheduled tribes, tribal girls and young women workers of the village and the details of the factories where they are working in Textile and Garment Industries of Tirupur, Coimbatore, Erode and Dindigul Districts. Consolidated Register should be made available in respective District Social Welfare Department offices.
- 7.) Under The Right of Children to Free and Compulsory Education Act 2009 the poor young girls should be provided education and form a school management committee to monitor the situation. Dropout poor young girl workers should be identified and provide them free education up to higher secondary education.

Demands of TPF in NATIONAL CONSULTATION TO END ALL FORMS OF FORCED LABOUR IN THE GARMENT SECTOR on 27 May at India International Centre, New Delhi

1. Eradicate Child Labour, Camp Labour and Forced Labour in textile supply chain factories with an action plan based on effective and existing laws Related to Education, Children, Labour and Social Justice laws for the prevention of Scheduled Castes & Tribal's
2. Safe employment for all young women workers with meaningful living wage, decent working house, healthy food, sanitation, access to labour welfare schemes and measures, safety especially
The sexual harassment of women at work place (prevention, prohibition and redressal) Act 2013, Hostel Guidelines of Ministry of Social Defense
3. Ratify ILO convention 138 on minimum age and ILO Convention 182 on the worst forms of child labour, Ratify United Nations Conventions on Child Rights completely, The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
4. Respect ILO Declaration of Fundamental Principles & Directives and ILO Declaration of Fundamental Principles and Rights at Workplace
5. National Campaign for Dalit Human Rights and their associates should sensitize the internal migrant workers of the central, eastern & north eastern India especially dalits, dalit Christians, tribal's & others, who are recruited for camp labour in Tamilnadu. Ensure safe employment of the adult workers and prevent the recruitment of girls below the age of 18 years because of the simple fact that these girl children and young women workers constitute approximately 12% among the camp labour workforce in Tamilnadu. Let us develop more communication and cooperation to achieve the above mentioned demands

FOR BRANDS DOMICILED AT OECD COUNTRIES

1. Respect UN GUIDING PRINCIPLES ON BUSINESS & HUMAN RIGHTS
2. Implement the UNITED NATIONS 'PROTECT, RESPECT AND REMEDY' FRAMEWORK
3. Respect the OECD Guidelines for Multinational Enterprises (the Guidelines)

4. Contribute to economic, environmental and social progress with a view to achieving sustainable development.

5. Respect the internationally recognized human rights of those affected by their activities including the communities in their supply chain factories in Tamil Nadu State and other textile and garment industry connected regions in India.

IN TODAYS CHANGING TIMES....

6. Refrain from seeking or accepting exemptions not contemplated in the statutory or regulatory framework related to human rights, environmental, health, safety, labour, or other issues relevant to Child Labour, Camp Labour & Forced Labour existing in Textile & Garment Industries and their long supply chain factories.

7. As the history of implementation of national and international laws shows that it is mostly in papers, In this context, TPF and its member organizations demands that e please be fair, ethical and cooperate with us to build a sustainable adult human resources and work for the rehabilitation of the affected based on conscience since the principles of UN GUIDING PRINCIPLES ON BUSINESS & HUMAN RIGHTS and OECD Guidelines for Multinational Enterprises.

MOVING UP IN THE LADDER (THE NATIONAL CONTEXT):

The Three DIMENSIONS: To Start With: Dr. Rameshnathan

NDMJ. It has agreed that the issue of Sumangali is no more a local and now that we have to move up in the ladder as the momentum also moved up to the national level and also to some extent the international level. The three major aspects to be covered in this particular national context:

- a. The intensity and magnitude of the issue
- b. The legal mechanisms available and the status
- c. The strategies to be adopted to address the issue.

It is a struggle for FREEDOM: Ms. Asha Kowtal. ADMAM. The centuries old practices have taken a new shape in the modern times as we have gifted with these bundles of issues as a gift of the new economic policy and open markets. We also need to take in to account why these dalits

especially the women are targetted. As three main components of dalits, patriarchy and unequal access to resources has lead to this worst situtation. In order to add value to this we need to remember that the dalits used to provide free services to the villagers that got transferred in to the agriculture profession in the past and in the modern times it has moved to the industrial sector where the struggle for freedom is gaining more and more importance as the issues are also mounting upon. We could see the violations of child rights decades before but the linkage of child rights to women rights and human rights has also gained currency and that today we are here to share and discuss. The consultatiom is for evloving for a strategy for the worst affected to have a decent and dignified life out of the odds. It is not the wealth that has been taken for discussion, it is the freedom from the obstacles. The second important thing is the political landscape of this country is heading a dual context wherein at one front the efforts are on the run to work for being in line with the lobby made by the

Caste has become the brutal manifestation in th modern times especially in making profit out of the labour in the context of modern slavery in the name of Sumangali Scheme. The changing political landscape has to be taken in to account in terms of corporates large industrialists and the NRIs who have been in th forefront in influencing the policies and programs which is affecting the marginalised in a more crucial manner. The governments at the national level are trying to put down the voices that has been raised to protect the rights of the women and children from thdiscriminated caste. It is also borught to the floor that it is not the garment sector it is the majority of the non formal sector workers who are not getting the minimum wages and the task infront of the floor is huge. There are enough studies to strengthen the arguments but the result is a pressing need to work together to address the issue. It is now the sumangali issue has gained the momentum as national issue and long way is in the front to go. A collecitive vocie has to be raised. Institutional mechanisms are just puppets in the hands of the governments and there are landmarking judgements to put and end but a reality to come and achieve the results.

corporates, industries and others and on the other front we are labelled as anti nationals when we talk about the rights and violations. At this critical moment we all have gathered here to address this particular issue and that concept of inter-sectionality is taken for granted and used in a less significant manner. Thus to address the issue we need to take in to account the various themes associated in the process and the struggles that were in place for the years. It is also important that all the movements and others working for the liberation of dalis especially the dalit women at various level need to come together in one line and move forward. ADMAM is happy to get associated with the like minded to take forward the issue and address it in a more integrated way.

IT IS MORE ECONOMIC – Mr. Chandan Kumar. Action Aid. There has been enough discussions, deliberations and efforts in the social front. But we need to accept that the dimension of economy is also equally important and that we discuss the same in the following way. The dynamics in the value supply chain where in from the cotton cultivation to the market the wages of women are low and the working hours are high. We could experience that all the laws related to wages and social security measures are being violated. It is exploitation and nothing else. The political arguments are also on but there is no significant change has taken place. We need to admit that the wages are low when compared with that of the other countries and majority of the workers are not provided with the social security measures which is a major concern to address on a larger front. On the contrary the nomenclature is different in different states but the situation remains the same. Here the recommendation we make to address is " A campaign has to be launched with special focus on economic agenda and secondly the no slave labour involved to be the mandate to the government when they initiate the new course of dispensation for economic growth which can result the ensuring of minimum standards

Rigth to Information - Reveals the Reality: Mr. Henri

Tiphange. Forum Asia. Beofre getting in to the deliberations two things has to be recoerded on this occasion in the context of addressing the issue. The first is that the addressing of the issue is done in a more interesting fashipp as while fighting the concept of creating hope amongst the victimised and the vulnerables are done which is very much essential. Secondly the cost has to be paid for the process as there are pioneers who have excelled in inititating the process has come across harder times which need to be recognised and also support and solidarity has to be extended to a larger extent. The hardships are not openly known but has to be recognised and rewarded in one form or other. While taking the issue as a whole the tool of RTI – Right to Information was used to collect, compile the required information to coordinate the efforts to address the issue with more values added by names of all the forms of violations that has been in live over the years. Some of the key efforts made under RTI and the outcomes added the value interms the violations of the different forms are

Department	Required Information	Violations Confirmed
District Collector	Formatoon and Functioning of Distirct Monitoring Committees	13 Collectors informed the committees are not functioning since 2007
Labour Enforcement	No. of Visits and Dates of the visits made to the industries and factories No. of cases filed under bonded labour eradication act Minimum wages Act. Equal remuneration Act and Workman Compensation Act	Pushes of the applications to other officials as that reflects that the information is not available as reveals no effort has been made
Finance – Income Taxt	Filing of Returns as per the compliances established – IT paid on behalf of staff	No information available
RTE – SSA	Mapping of Schools	Mapping not done

Social Welfare	Committees and Registration of hostels and homes	No information available
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Thus, against this backdrop we need to have some concrete agenda for action and some of them can be listed as follows;

- Adequate resources are to be made available for those civil society engaged in the process which can be of the required forms.
- Fighting the state with the State Funds: The National Legal Services Authority must be engaged to file a petition in the Supreme Court of India for the issue as there are inspirations we have in line.
- The National Human Rights Commission must be filed with a case with the full commission in place as the issue has affiliated to the other commissions like SC, ST, Women, Child Rights. Minority and others.
- The opportunity to share the thoughts at the time of UPR – II as the mid term report is progress
- Share it the special procedures of UN at least 10 -15 can be involved as there is an experience available in the case of POCSO Act.
- The UN agencies have to be moved for their role in the UPR – III as they have the equal mandate to take up the issues of importance equal to that of their projects in the country
- A national signature campaign addressing to all the respective human rights institutions and other heads of the state to realise the importance and intensity of the issue and act upon.

IT IS NOT U AND ME ITS WE;(THE INTERNATIONAL CONTEXT)

WE HAVE A LARGER ROLE TO PLAY: Ms

Meena Varma DSN UK. We as collective here today have a common agenda to share and also arrive at a common action plan. Being members, affiliated to various international forums we share that the addressing of this particular issue has gained currency at the international level also. Some of the ideas that placed before are we need to work together as the companies, civil society and the trade unions have come together to address the issue. We also take in to account the various research studies that was conducted by various international organisations has given the real pictures of the local situation. SOMO and Anti Slavery International are a few to quote. We also take in to account UN Business on Human Rights and the various aspects of the ILO etc. Now the various institutions associated in the supply chain process are here and let them their views and we can arrive the final agenda at the end of the day.

BUILDING THE PATH TO PRCEED: Ms

Shanaz Rafique, IndustriALL

IndustriALL as global platform to address the issue of the labour in more integrated pattern with the support of the various platforms like DSN, ETI, ILO, WVI etc. The efforts of IndustriALL is categorized as

It is responsibility of the all the brands, buyers and others who facilitate the process need to ensure that the various code of conducts as advocated. The ILO conventions are one need to taken in to account. It has to be seen not from one dimension to start with at the local level national level and international level. A three dimensional effort is needed by means of organising the efforts, networking and campaigning for the efforts and extending solidarity for the efforts made to address the issue, It should be conceived and practiced as a collective umbrella of work to address the issues. There may be challenges in the way in addressing the issue but there is a need to address the issue by assessing the criticality of the issue and a multi stakeholder dialogue will be a stepping stone in this context.

- Organising
- Campaign and Network Building and
- Building Alliances

with the mandate to pave a path to proceed to labour rights. Now the focus is more on the South Asian Region as a largest global platform the commitment is very high. The global supply chain is the core in taking into account. The issue mounted around the textile industry is found everywhere in other countries and industries. It is a strange, serious and close to our heart. But the need to address is no where left out away. Now that we strongly believe that the trade unions along with the other stakeholders have a key role to play at the local, national and international levels. It is unfortunate that the legal interventions in the context labour will add fuel to the fire. It is true that the we need to start from the scratch but we never give-up and try to involve as many and look forward for a successful future with the cooperation in addressing the issue.

FAIR PRACTICES and FAIR LABOUR ASSOCIATION: Ms.

Subhadra Gupta. CSO Engagement. South Asia. FLA. A note on the FLA are presented as follows in the context on work on Sumangali Scheme.

AN OVERVIEW:

- Non-profit, multi-stakeholder, voluntary initiative founded in 1999
- Headquartered in Washington DC; offices in Geneva and Shanghai
- Comprises companies, universities and civil society organizations

PROTECT WORKER'S RIGHTS

- Holding affiliated companies accountable
- Conducting external assessments
- Creating a space for CSOs to engage with companies and other stakeholders

Multi-Stakeholder Initiative

- 49 Participating Companies
- 22 Participating Suppliers
- Nearly 200 affiliated colleges and universities
- 3,000 + collegiate licensees
- Civil society organizations around the world

FLA Workplace Code of Conduct

CODE ELEMENT	DESCRIPTION
EMPLOYMENT RELATIONSHIP	Employers shall adopt and adhere to rules and conditions of employment that respect workers and, at a minimum, safeguard their rights under national and international labor and social security laws and regulations.
NONDISCRIMINATION	No person shall be subject to any discrimination in employment, including hiring, compensation, advancement, discipline, termination or retirement, on the basis of gender, race, religion, age, disability, sexual orientation, nationality, political opinion, social group or ethnic origin.
HARASSMENT OR ABUSE	Every employee shall be treated with respect and dignity. No employee shall be subject to any physical, sexual, psychological or verbal harassment or abuse.
FORCED LABOR	There shall be no use of forced labor, including prison labor, indentured labor, bonded labor or other forms of forced labor.
CHILD LABOR	No person shall be employed under the age of 15 or under the age for completion of compulsory education, whichever is higher.
FREEDOM OF ASSOCIATION AND COLLECTIVE BARGAINING	Employers shall recognize and respect the right of employees to freedom of association and collective bargaining.
HEALTH, SAFETY, AND ENVIRONMENT	Employers shall provide a safe and healthy workplace setting to prevent accidents and injury to health arising out of, linked with, or occurring in the course of work or as a result of the operation of employers' facilities. Employers shall adopt responsible measures to mitigate negative impacts that the workplace has on the environment.
HOURS OF WORK	Employers shall not require workers to work more than the regular and overtime hours allowed by the law of the country where the workers are employed. The regular work week shall not exceed 48 hours. Employers shall allow workers at least 24 consecutive hours of rest in every seven-day period. All overtime work shall be consensual. Employers shall not request overtime on a regular basis and shall compensate all overtime work at a premium rate. Other than in exceptional circumstances, the sum of regular and overtime hours in a week shall not exceed 60 hours.
COMPENSATION	Every worker has a right to compensation for a regular work week that is sufficient to meet the workers' basic needs and provide some discretionary income. Employers shall pay at least the minimum wage or the appropriate prevailing wage, whichever is higher, comply with all legal requirements on wages, and provide any fringe benefits required by law or contract. Where compensation does not meet workers' basic needs and provide some discretionary income, each employer shall work with the FLA to take appropriate actions that seek to progressively realize a level of compensation that does.



Sustainable Compliance Initiative (SCI)]

Check Up
The doctor reviews family history, asks questions about lifestyle, does a physical exam and takes a blood sample.

Diagnosis
The doctor discovers the underlying causes of high blood pressure are high stress, a poor diet, and lack of exercise.

Remedy
The doctor gives you medicine to lower your blood pressure, but also provides an exercise plan and refers you to a nutritionist.

Follow Up & Results
After several months of eating right, exercising and taking your medication, you feel better and your blood pressure is at a healthy level. You make regular appointments with your doctor to keep it under control.



Auditing is like seeking urgent care at an emergency room.

The doctor might ask your symptoms based on a checklist, and prescribe pills that will make the pain or fever go away. Three weeks later, however, the same pain might return, and you're right back in the emergency room.

Third Party Complaint/Safeguards

- Third Party Complaint
- Brand-commissioned Independent Investigation with FLA Verification
- FLA-commissioned Special Independent Investigation
- Stakeholder Dialogue

Projects

PROJECT GOAL

1. Address sumangali issue in the independent spinning mills
2. Identification of target spinning mills
3. FLA Code of Conduct implementation at the spinning mill level
4. Target spinning mills that supply to multiple FLA brands
5. Training for workers and factory management
6. Address key labor right violations like freedom of association, child labor, forced labor, sexual harassment, over-time, under payment etc.

FLA Sumangali Report RESEARCH REPORT: Understanding the Characteristics of the Sumangali Scheme in Tamil Nadu Textile & Garment Industry and Supply Chain Linkages Prepared by Solidaridad-South & South East

Key Findings Include:

- Discrimination – only young women
- Inadequate wage
- Verbal abuse common
- Sexual abuse
- Child labor
- Bonded labor
- Lack of written employment contract
- Provident Fund (PF) and Employee State Insurance (ESI) benefits not provided.
- Health and safety violations

SHARE THE PLATFORM: Ms. Suhasini, Fair Wear Foundation: FWF

is like the FLA a multistakeholder initiative where the focus is on the Violence Against Women in the context of India is concerned. FWF also have promoted a code of conduct in line with ILO and also a grievance redressal mechanism. There are eight steps followed in the process which are stated as: This is in the context of addressing the issue of Violence Against Women at the Workplace

- a. Employment is freely chosen
- b. There is no discrimination in Employment

- c. No Exploitation of Child Labour
- d. Freedom of Association and the right to collective bargaining
- e. Payment of a living wage
- f. No excessive working hours
- g. Safe and healthy working conditions
- h. Legally binding employment relationship

In addition to this FWF commissions social audit process to ensure accountability and standards and norms as established. A helpline is also established for the grievance redressal of those working women are affected by violence at workplace in one form or another A plethora of round table meetings are conducted on various issues associated in the process. To conclude FWF looks at the vertical integration of the garment industry and there both success and challenges.

THE THOUGHTS THAT POURED:

Local Context	National Context	International Context
How are the strategies put into practice are working?	The clarity has to be developed whether the compliances or important or the policies?	The need for bringing together the existing platforms is very much necessary so as to avoid duplication and replicate and complement each other's success
What kind of monitoring role played by the brands in the supply chain in the context of compliances?	Can the inception of a policy advocacy with the industrial associations on the mandatory elements can add value to the process?	Can the efforts has been aimed towards a clean supply chain?
How do the change and growth has been monitored in the context of labour rights?	Efforts to make the village panchayats and the gram sabhas to make more accountable	Can there be realization that it is not the responsibility of the state to protect but the

	in this context is possible?	brands are also equally responsible to protect the rights of the labour?
Whether the business is aimed at profit alone or is it working towards the change and growth as expected?	The access to the technological innovations can help to address the issues associated with social security measures?	Fragmentation has not resulted and can believe coming and working together can help to achieve more?
	How much of the efforts has been acknowledged in the context at the level of policy making?	Will it be possible to take up an existing model and develop upon it and replicate the same?
		It is unanimous that ILO has the key role to play in this context

AS A COLLECTIVE - LET'S MOVE: (THE WAY FORWARD)

Moderator: Mr. Henri Tiphagne Chairperson. Forum Asia

Panelists: Mr. R. Karuppusamy. Director. READ
Ms. Asha Kowtal. General Secretary. AIDMAM
Ms. Meena Varma. Director. DSN – UK

The I- NGOs have a larger role to play in the international context and they have to stand up on the occasion and do the needful.	The Issue has to be considered as a cross cutting issue and the specialists forums and rapporteurs of UN has to be well informed and the experiences and examples of the past has to be taken into account	The Focus of the various national networks, platforms should move down to south and the issue can be made as the main agenda
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Various National and Regional Dalit movements and Networks should come together to address the issue –A Collective to address the issue	The National Commission for Women has to be provided with the needed information so as to take up the case on a serious note	Media engagement should be one of the core agenda in taking up the issue to a larger audience inorder to gain support for the efforts made in addressing the issue
The various dalit movements and networks at the national level should take up the issue with the National SC Commission as majority of the victims are dalits.	12-15% of the labour are from the North and Eastern states –as the migrant workers rights are to be protected and efforts have to be made to protect, control and check migration	The NCDHR has a larger role to play in collecting the evidences of the violations of different forms so as to build the case and submit to the respective authorities.
A national public hearing with the fullest participation of the representatives of the respective national commissions – the summons has to be sent by the commissions – shall be conducted to highlight and address the issue as a national issue	In the context of advocacy efforts has to be made to address the issue of Age Conflict of Children and that the universal norm of 18 years of age for children has to be made in all the laws relating to children	The perspective in addressing the issue should be inter-sectoral. It is not only it is not only labour, it is caste and it is gender
The Trade Unions while addressing the issue should not look into the economic terms of the issue but also the social and political aspects have to be taken in to account	A strategy has to be worked in terms of rendering support to all those who all are involved in the process so as to reach out to larger audience	The agenda should be clear on the nature of the scheme whether it is emancipator or subjective
All the efforts made in the past in the context of research has to be compiled and one	The repeated suggestions are to be stopped and more new dimensions has to be	All the children should be educated upto 18 years and there should be any recruitment

complete document should be made available so as to avoid the duplication of works	added on the intensity and impact of the scheme as the numbers are increasing day by day	below the age of 18 years. Necessary efforts has to be made to bring the amendments in the respective laws.
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The discussions concluded with the following:

The plan for the future course of action was concluded as:

- The international forums need to come together to address the issue and the members from the international community present here can make the efforts on
- A public hearing at the national level with the commissions
- A national level signature campaign
- Collective efforts to make a Joint and Collective Statement by the UN special
- Involve all the stakeholders associated in the process
- Raise a collective voice in the respective forums to protect the children and women
- National Legal Service Authority shall be sensitized to go for a PIL with the necessary documentary evidences of the issue in the supreme court of India
- Respective states of both source and destination shall be mapped and involved in the future consultation to draw the larger attention.

THE LAST WORD: Ms. Abirami, of NCDHR proposed a vote of thanks to all the members present as panelists of the thematic session, moderators of the sessions, participants from the various sectors like civil society, brands and buyers, facilitators, Multistakeholder initiatives , organizing and coordinating team, media personnel and others who have played a crucial role in making the program success and wished everyone a safe journey back home and look forward to meet them in the near future with an agenda to move forward.

ANNEXURE

1. LIST OF PARTICIPANTS

S.No	Name of the Participant	Name of the Organization	Address
1	Viyakula Mary. A	SAVE	5,Ishwarya Nagar, Dharapuram road, Tiruppur - 8
2	N. Palanisamy	HOPE	Dindigul
3	P.Selvi	Advocate	Sky Lark Apartments, Devamrana road, Purasaivalkam, Chennai - 84
4	A.Devaneyan	Thozhamai	60,Ellaiyamman Kol St, Chennai - 20
5	R. Karnan Kamaraj	Erode District Education Rights Forum	21-C,JGS House,Thimmaiyan Pudur, Sathyamangalam - 638402
6	S. Hedvees Christopher	ETI	Coimbatore
7	V.A.Rameshnathan	NDMJ	New Delhi
8	K. N. Marimuthu	Doctorate Scholar	University of Hyderabad, Hyderabad
9	Tabita Khokhar	NDMJ - Admin	South Patel Nagar,New Delhi
10	Rita Panicker	Butterflies	U4,Green Park Extention,New Delhi - 110016
11	Manju Gardia	Jan Jagriti Kendra	Lakhagr,Mahsmund,CG - 493551
12	Rajeesh. C.S	Butterflies	U4,Green Park Extention,New Delhi - 110016
13	R. Karuppusamy	READ	#195,MGR Nagar, Bannari Main road, Kombupallam, - 638401.

14	Asha Kowtal	AIDMAM	New Delhi
15	BeenaPallikal	NCDHR	New Delhi
16	Irfan Rasheed	ASMARA - TTS	
17	Basavaraj Kowtal	HRFDL	Karnataka
18	Abirami	NCDHR -NDMJ	7/58, 1st floor, South Patel Nagar, New Delhi - 1
19	Aarti Kapoor	Primark	
20	Judith Anne	NCDHR -NDMJ	7/58, 1st floor, South Patel Nagar, New Delhi - 1
21	Vikas	Centre for Social Dignity	
22	Omkar	Centre for Social Dignity	
23	Ramtarun		Alwar,Rajasthan
24	Anju	AIDMAM	8/1,2nd floor,South Patel Nagar, New Delhi
25	S.M.Prithiviraj	Tiruppur Peoples Forum	Care - T, 161/381A, Sivasathi Layout, Ayyappan Koil Backside, New Siddha pudur, Coimbatore- 641044
26	Suhasini Singh	Fair Wear Foundation	P.O.Box 69253,1060 CH Amsterdam, The Netherlands
27	Gopinath Parakuni	CIVIDEP	#12,1st Cross,Venkataramaiah Layout,Near New Baldwin School, Banawadi, Bangalore - 560043
28	Vincent Jingala	Centre for Social Dignity	
29	P.Vijaya	Former Worker	Kuttaimettur, Sathyamangalam

30	M.Maheswari	Vidiyal Society	Sathyamangalam, Erode District
31	M.S.Gowri	Vidiyal Society	Sathyamangalam, Erode District
32	Subhadra Gupta	Fair Labor Association	A2 606,Gokulam Apartments,Doddakalasandra, Kanakpura main road,Bangalore - 560062
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35	N.Vinitha	Former Worker	Kaikalarkuttai,Pungampalli, Sathyamangalam
36	A.Sumathi	Former Worker	Kuttaimettur, Sathyamangalam
37	Shankaranand	Don Bosco Ashalayam	Palam Village, New Delhi
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41	Stephen Meston	H&M	H&M Hennes & Mauritz India Private Ltd,211, Third Floor, Okhla Industrial Estate, Phase III, New Delhi - 110020
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43	Hem Raj	Justice Ventures Int	Director - North Zone, Justice Ventures.

44	Mincy Varghese	Justice Ventures International	Aftercare Coordinator, Justice Ventures International
45	Prabhu	Mothercare	100 NA ELIXIR, Koramangala 5th Block, Bangalore - 25
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48	Deepti Menon		BB-5,GK Enclave - II
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50	Chandan Kumar	Action Aid	R-71, Hauz Khas Enclave, New Delhi-110016
51	Sushant Agarwal	Action Aid	R-71, Hauz Khas Enclave, New Delhi-110016
52	Saneet Rent	Action Aid	R-71, Hauz Khas Enclave, New Delhi-110016
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60	Ratna Manjari	VANI	BB-5,1st Floor,Greater Kailash,Enclave II, New Delhi - 110048
61	Sunithu Chonan		
62	Nitin kumar		KanelBagh.
63	Pinki		KanelBagh.
64	Vijay	Youth Tech Hub	Karol Bagh
65	Anshu Singh	Centre for Women development Studies	New Delhi
66	Rajni Singh/ Leds		
67	Anushree Bernard	Justice Ventures International	
68	Ruth Martin	ECI	
69	Sr.Mary.K.D	DBNF - YaR	Palam goan,New Delhi - 110045
70	Sonia Valit	DBNF - YaR	Palam goan,New Delhi - 110045
71	Rashmi Beck	Swadhikar	Patel Nagar, New Delhi
72	Emily Calvin	PWESCR	D 14,Kalkaji,1st Floor, New Delhi-110019
73	Parveen Kalia	OTTO - gurgaon	17th Floor,Building No.5, Tower A,Phase III, DLF Cyber City,Gurgaon-122002, Haryana
74	Gmanchal Gangmei	Wing India	8/1, 3rd Floor, Soth Paltel Nagar, New Delhi
75	Nalori Dhamei	NDMJ NCDHR	8/1. 3rd Floor,South Patel Nagar, New delhi

76	Sindhu	NCDHR	8/1. 3rd Floor,South Patel Nagar, New delhi
77	C.Senthilkumar	NESAM Trust	Coimbatore
78	June Vargeesh	NCDHR	8/1. 3rd Floor,South Patel Nagar, New delhi
79	Rahul . N	CSLG - JNU	New Delhi
80	Shanaz	Industry ALL Global Union	New Delhi
81	Kokila	India Alliance for Child Rights	C-37,Gulmohar Park, New Delhi
82	Jayshree Mangubhai	Change Alliance	D - 25 D, South Extention Part II, New Delhi
83	Suman Devathiya	Dalit Mahila Manch	Rajasthan
84	Mr.Sudharson Rao Sarde	Industry ALL Global Union	
85	Mr.Henri Tiphagne	Forum ASIA	
86	Maheshwaran	READ	195,MGR Nagar, Bannari Main Road, Kombupallam, Sathyamangalam, Erode Dist
87	Sobha	READ	195,MGR Nagar, Bannari Main Road, Kombupallam, Sathyamangalam, Erode Dist
88	Dr. KG. Umashankar	Development Consultant	Chennai

2. LIST OF ABBREVIATIONS

S. NO	Concept	Explanation
1.	BSR	Business for Social Responsibility
2.	BSCI	Business Compliance Social Initiative
3.	CITU	Centre of Indian Trade Unions
4.	CL	Camp Labour
5.	CLPRA	Child Labour Prohibition and Regulation Act
6.	CMT	Chartered Market Technician
7.	CSR	Corporate Social Responsibility
8.	DSN	Dalit Solidarity Network
9.	EPF	Employees Provident Fund
10.	ESI	Employees State Insurance
11.	ETI	Ethical Trading Initiative
12.	FLA	Fair Labour Association
13.	FWF	Fair Wear Foundation
14.	GO	Government Order
15.	GPF	General Provident Fund
16.	ICN	India Committee of the Netherlands
17.	IDA	Industrial Dispute Act
18.	ILO	International Labour Organisation
19.	ISO	International Standard Organisation
20.	JAC	Joint Action Committee
21.	KFB	Knit Front Back
22.	JJ Act	Juvenile Justice Act

23.	MOIA	Ministry of Overseas Indian Affairs
24.	LPF	Labour Progressive Federation
25.	NCPCR	National Commission for Protection of Child Rights
26.	NGOs	Non Governmental Organisations
27.	OECF	Operating Engineers Certificate Program
28.	PUCL	Peoples Union for Civil Rights
29.	PIL	Public Interest Litigation
30.	RTE	Right To Education
31.	RTI	Right to Information
32.	RTI	Reproductive Track Infections
33.	SAI	Supreme Audit Institution
34.	SBL	Society for Biblical Literature
35.	SCPCR	State Commission for Protection of Child Rights
36.	SC/ ST	Schedule Caste / Schedule Tribe
37.	SHCC	Sexual Harassment Complaints Committee
38.	SIMA	Southern India Mills Association
39.	SOCO Trust	Society for Community Organisation Trust
40.	SOMO	Stichting Onderzoek Multinationale Ondernemingen
41.	SS	Sumangali Scheme
42.	TASMA	Tamil Nadu Spinning Mills Association
43.	TPF	Tirupur Peoples Forum
44.	UN	United Nations
45.	UNCRC	United Nation Convention on Child Rights
46.	UNDHR	United Nations Declaration on Human Rights

47.	UP	Uttar Pradesh
48.	US	United States
49.	USD	United States – Dollar
50.	WP	Writ Petition



NATIONAL CONSULTATION

To End All Forms of Forced Labour in the Garment Sector

Date: 27th May 2015- Wednesday

India International Centre Annex, Lecture Room – 1-KK Birla Lane, (Lodhi Road) New Delhi

Programme Schedule

Time	Sessions	Facilitation by
10.00 - 10.30	Registration	READ – NCDHR Team
10.30 - 11.30	Inauguration	
	Welcome:	Mr. N. Maheshwaran READ
	Opening remarks	Mr. R. Karuppusamy. Director. READ Ms. Meena Varma. Director. DSN – UK Dr. Ramesh Nathan, General Secretary NDMJ
	Special Guests	Mr. Sudharshan Rao. Regional Secretary, South Asia - IndustriALL Ms. Shamina Shafiq. Former Member National Women Commission Ms. N. Vinitha,. Former Worker- Sumangali Scheme
	Vote Thanks	Ms. M. Sobha. READ
11.30 - 11.45	TEA BREAK	
11.45 - 12.15	Screening of Documentary Movie Presentation on the Scheme and Legal Issues	Introduction: Mr. R. Karuppusamy. Director. READ Dr. KG. Umashankar. Development Consultant
12.15 - 1.15	Session – 1: The local context	
	Moderator	Mr. Gopinath. General Secretary Cividep India

	Presentations	Ms. P. Selvi. Advocate. High Court of Madras Mr. A. Aloysius. Director SAVE Mr. S.M. Prithviraj. Convener TPF
	Open Floor	All Participants
1.15 – 2.00	LUNCH BREAK	
2.00 – 3.00	Session – 2: The national context	
	Moderator	Dr. Ramesh Nathan, General Secretary NDMJ
	Presentations	Ms. Asha Kowtal. General Secretary. AIDMAM Mr. Chandan Kumar. National Coordinator. Action Aid Mr. Henri Tiphagne Chairperson. Forum Asia
	Open Floor	All Participants
3.00 – 4.00	Session – 3: The international context	
	Moderator	Ms. Meena Varma. Director. DSN – UK
	Presentations	Ms Shanaz Rafique, IndustriALL Mr. Sameer Taware, International Labour Organisation International Company representatives Ms Subathra Gupta, Fair Labor Association & Ms. Suhasini, Fair Wear Foundation (5mins each)
	Open Floor	All Participants
4.00 – 5.00	Session – 4: The way forward	
	Moderator	Mr. Henri Tiphagne Chairperson. Forum Asia
	Panelists	Mr. R. Karuppusamy. Director. READ Ms. Asha Kowtal. General Secretary. AIDMAM Ms. Meena Varma. Director. DSN – UK
	Open Floor	All Participants
5.00 – 5.05	Vote of Thanks	Ms. Abirami, NCDHR
5.05	TEA and BYE	

Programme Anchored by: Dr. KG. Umashankar