

ICFTU OnLine...

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Spotlight on Shahul Hameed Ahamed Mohamed (Sri Lanka - FES)

The GSP must improve respect of workers' rights

Brussels, 22 December 2005 (ICFTU OnLine): Sri Lanka has recently been granted the right to benefit from the European Union's Generalised System of Preferences as from 1 January 2006 (1). In order to benefit from this "GSP Plus" one of the preconditions is that the country should have ratified and been applying the ILO core conventions. There has been a failure to apply those conventions in practice, however, particularly in the export processing zones, as we learn from this interview with Shahul Hameed Ahamed Mohamed, a lawyer and workers rights activist at the FES (Friedrich-Ebert-Stiftung) Office in Colombo, the capital of Sri Lanka. He also explains the impact on Sri Lanka of the ending of quotas in the textile industry and some of the internal problems of the country's trade union movement.

What will be the effect of this new GSP on Sri Lankan workers?

The GSP assists vulnerable or small-scale economies, however the principal beneficiaries will be businesspeople. The system is granted on behalf of poor people, and particularly workers, so they should also be able to gain from it. This GSP should at least bring some progress in the application of international labour standards and respect of workers' rights, since it is through exercising those rights that workers should be able to press for a greater share of the benefits from the reductions in or abolition of customs duties.

But Sri Lanka is the only country in Southern Asia to have ratified all the ILO core conventions...

Yes, but ratification and application are not the same thing. Sri Lanka has to some extent adapted its laws in line with the requirements of ILO standards, but there are many problems with their application. For instance, in order to file legal proceedings against employers for unfair labour practices it is necessary to obtain the approval of the Department of Labour, or else the Department itself has to lodge a case, but that has never happened since the adoption of the relevant legislation in 1999.

What are things like in the export processing zones (EPZs)? Can unions be set up?

There are three EPZs in Sri Lanka, which mainly 'house' light industries such as those producing toys, clothing and rubber-based products. The law allows for the creation of unions but in practice there are major obstacles. Very often employers do not recognise unions, and where unions are formed the leaders are put under pressure (through dismissals, threats or violence). Some workers trust the legislation protecting them against such repression and set up trade unions, but they end up realising that this protection is merely theoretical.

The main unions need to lead organising drives in the EPZs. Organising workers in the EPZs requires special strategies. These are not workers who start at 8am and finish at 5pm. In many cases they only leave the factory at 6pm or much later. So union organisers need to start their work in the evening and sometimes carry on till late at night, as indeed do the officials in charge of helping members with problems. The EPZ workforce also includes many women migrant workers, who are only employed for five or six years and so have specific needs. The unions will need to shed their traditional approaches if they are to attract

their interest.

An added difficulty is the lack of a check-off system in most EPZ factories where unions have been set up, which means that union fees have to be collected individually. Recruiting workers from EPZs takes a lot of human resources and perseverance, besides which access is restricted in certain zones where even the leaders of registered unions are kept out.

Some unions have been set up in the EPZs though...

Yes, a few independent unions have taken up the challenge of organising workers in EPZs, but their capacities are very limited. They are smaller than the traditional unions and have set up offices in the regions where the EPZ workers live. Less than 10,000 of the 100,000 workers in EPZs have joined these small unions and pay their fees. These unions focus on the workers' living conditions and try to gain their trust before talking about unions and the benefits they can bring. They have set up some health and safety awareness-raising programmes, for instance, which have attracted a large number of workers.

All unions should understand that the workers in EPZs are a big group that we need to be organising. The sector is expanding with major investment so the unions must make the efforts needed to protect the workforce.

What do these workers earn?

The average wage is about 40 US dollars, but this rises to 65-70 dollars for a 12-hour day with overtime included. The overtime is virtually compulsory, owing to employer pressure though also the workers' need to earn more than the basic wage. Some EPZ employers are finding it hard to get new employees, however, since they are offering too low wages and the working conditions are too tough.

What effect has the ending of textile quotas had in Sri Lanka?

There have been many job losses, particularly amongst the small producers. But seven or eight huge family enterprises own 60 to 70% of the clothing industry in Sri Lanka. Those groups have maintained or even increased their turnover. Even where the prices paid by buyers have fallen their businesses have improved and their income levels per employee have doubled or trebled compared to a few years ago. The smallest producers, on the other hand, have disappeared or have become sub-contractors for the bigger ones. So in all, some 25,000 jobs may have been lost as a result of the ending of the MFA, since the last half of 2004. There are still around 300,000 directly employed workers in the sector. There have not been any constructive efforts by the government or any other organisation to integrate those people who lost their jobs in the labour market or to offer them training. So most have ended up in the informal economy or returned to their families.

Are the unions involved in the dialogue for peace in Sri Lanka?

The unions have a major role to play in building peace but that is not really happening in Sri Lanka. The main Sri Lankan unions are divided politically. Union members often complain about this. A major trade union reform is needed to turn unions into social actors that can respond to crises and conflicts such as the one we are experiencing. In the Tamil North-East the unions are very weak, apart from in a few public service branches and the education sector. There are scarcely any enterprises in that conflict zone.

What about young people in the Sri Lankan unions?

Unions need to modernize to attract young members. Those who do join the unions are often disappointed, since they do not get the jobs they deserve.

The FES is currently focusing a lot on capacity-building and empowerment of young trade unionists. There are some promising young activists keen on reform whom we can rely on to give some more drive to the trade union movement.

Interview by Samuel Grumiau

(1) The "GSP plus" is a scheme aimed at giving a boost to less advanced and economically vulnerable countries by removing customs duties on many of their products.

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