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India: Government Supports Employer in Cover-up of Worker Rights Abuses

Brussels, 9 November 2007 (ITUC OnLine): The ITUC has criticised attempts by the Indian government and the Bangalore Court to cover up serious labour rights violations by the Fibre & Fabrics International company (FFI) and its subsidiary Jeans Knits Pvt. Ltd in the Indian city. Local labour rights groups, supported by the Clean Clothes Campaign (CCC) and the India Committee of the Netherlands (ICN) initially exposed the violations in 2005. Following this the company, which supplies jeans to Dutch company G-Star and other international brands, took legal action in 2006 in the Bangalore Court to ban the local groups, CCC and ICN from speaking about or publicising the violations.

The CCC subsequently took the issue up with the procedures of the OECD Guidelines for Multinational Enterprises, stressing that under the gagging order, local trade unions cannot operate freely, and that companies doing business with FFI cannot implement any credible form of corporate social responsibility programme. The company filed a court case against the CCC, ICN, internet provider Antenna and adsl supplier Xs4ALL, alleging that they engaged in cyber crime, defamation, racism and xenophobia. Refusing to accept that they be represented by a lawyer rather than travelling to India to appear in person, the Court issued summonses against the four organisations and seven individuals. A November 20 Court hearing is expected to determine whether the court will seek to issue international arrest warrants against the worker rights advocates.

The initial report put forward by the CCC and ICN on the company based on interviews with workers from various parts of the company's operations, revealed physical and verbal abuse of the workforce, hazardous working conditions, lack of proper employment contracts, long working hours and non-payment of overtime entitlements. CCC and ICN did acknowledge that some improvements had been made by the company management after the release of the report, but that serious problems continued to exist. They called on the company to take part in a process of dialogue with the local trade union GATWU and independent mediators, however the company continued its court action instead.

"All these people have done is to try to tell the truth about severe exploitation of the FFI workers," said ITUC General Secretary Guy Ryder. "Instead of supporting the employer's use of the local Court to threaten labour rights supporters with criminal proceedings which carry penalties of up to two years in prison, the Indian government should be defending the rights of its own people and not leaving them at the mercy of unscrupulous bosses", he added.

The ITUC understand that the attack on CCC and ICN has now been taken up with the Dutch and other European governments and the European Commission by the Indian Trade and Commerce Ministry, which has claimed that the publicity around this and similar cases is a "non-tariff barrier" to trade. In past years, India has consistently refused to allow any discussion at the WTO of violations of labour standards.

"Actions of this kind can only hurt India's reputation as a country with which global companies can do business in confidence, and we urge them to put a stop to this unacceptable attack on freedom of speech and fundamental workers' rights", said Ryder.

The ITUC represents 168 million workers in 153 countries and territories and has 305 national affiliates. Website: <http://www.ituc-csi.org> <http://www.ituc-csi.org/>

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