



Mapping Labour Unions in Pakistan

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Responsible:

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Abbreviations

CBA	Collective Bargaining Agent
CSO	Civil Society Organisation
EU	European Union
FTCC	Federal Tripartite Consultative Committee
FES	Friedrich-Ebert-Stiftung Pakistan
GSP+	Generalised Scheme of Preferences
ILO	International Labour Organisation
IMF	International Monetary Fund
IRA	Industrial Relations Act
ITUC	International Trade Union Confederation
LEF	Labour Education Foundation
MoOPHRD	Federal Ministry of Overseas Pakistanis and Human Resource Development
NGOs	Non Governmental Organisations
NIRC	National Industrial Relations Commission
PILER	Pakistan Institute of Labour Education and Research
PWF	Pakistan Workers Federation
TUs	Trade Unions

Preface

Labour Unions are important social organizations in any country, giving voice to common working people, representing workers' interests against employers and the Government, and forming links and cooperation with other social sectors. Especially in democratic societies labour unions often play a key role to develop a democratic culture of politics and strengthening the social and political participation of workers and all other employees. Beyond the economic functions in collective bargaining over wages and working conditions, these are highly valuable functions the Unions are playing in many societies.

In Pakistan, though, Labour Unions are regrettably weak, as nearly all observers agree, even most of the unions themselves. While literally thousands of Unions exist, they generally are small or even very small and organized in several federations and confederations, which may sometimes compete and sometimes cooperate. The weakness is the result of unfavourable legal conditions, employers' lack of interest or even hostility, and of the structure of the Pakistani economy since its big informal sector is difficult to unionize. At the same time, there are reasons for the weakness of unions that result from the practices or structures of the Unions themselves. Among them are their highly fragmented character and the lack of unity, as well as direct and indirect corruption amongst them, and a lack of democracy and transparency. Such factors undercut the credibility and attractiveness of Unions, which can be exploited by anti-union forces.

If the Pakistani Labor movement and its unions are to recover their strength and dynamism which had been destroyed during the time of Zia ul Haq's dictatorship, there is a need to overcome fragmentation and develop a unity of purpose and action; there is a need to internal reform; and there is need to develop more effective strategies for organizing the informal sector, women, and youth.

This mapping study is providing an overview of the main characteristics, strengths and weaknesses of the Pakistani Labour Unions. Only a self-critical evaluation of those will allow the labour movement to overcome its weaknesses and regain the strength and dynamism which it should have, to make an even more important contribution to the welfare of Pakistani

workers and democracy. Given the extreme scarcity of reliable information about the Labour Movement in Pakistan, FES wants to make a contribution to broaden the publicly available knowledge. Only by understanding the own strength and weaknesses realistically can organizations utilize their full potential. We sincerely hope that the labour unions and federations will do so even more in the future ahead. Pakistan and its citizens need a strong labour movement.

We sincerely hope that the current study carried out by the research team of The Knowledge Forum led by Zeenia Shaukat, Shujauddin Qureshi, Sumbul Khan, Abdullah Khoso, Aazia Rafiq, Muhammad Rafique, Zosheen Riaz and Hajra Mushtaq will make a contribution towards this goal.

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December 2021

Introduction

Mapping Labour Unions in Pakistan is a study undertaken by a group of researchers that seeks to draw a qualitative understanding of trade unions in Pakistan to assess their status, challenges, practices, status and strategies for incorporating diversity, the experience of engaging tripartite structures, institutions, allies, and dealing with recent developments. The study also presents a brief mapping of leading federations and unions in Pakistan. This mapping exercise has covered key characteristics of federations and trade unions in Pakistan.

The study concludes with a listing of recommendations shared by trade unions and federations for action from government, civil society and trade unions themselves.

Methodology

The study is based on primary data with over two dozen key informant interviews which were conducted mostly in person as well as online, where needed. One focus group discussion was conducted in Karachi. Two categories of stakeholders have been covered in the primary reporting. These include trade union leaders (female and male), allies and supporters of trade unions (organisations and individuals that work closely with trade unions in the areas of mobilisation, advocacy, capacity building and resource support). Within this framework, the effort has been made to include actors who are considered to be at the periphery of unions, while a dedicated section on "Inclusion" with a specific set of inquiries has been incorporated. The said section focuses on women, religious minorities and people under thirty (young people) as members of trade unions.

Structure of the Report

The report has been divided into four sections. The first section presents a brief overview of trade unions highlighting the history, current status in terms of numerical strength, legislation and institutions regulating trade unions. This is followed by a brief list of key challenges to trade unions in Pakistan.

The second section highlights findings of investigations - gathered from key informant interviews - covering practices of trade unions in terms of internal management, trade unions and diversity, experiences of working with allies and tripartite structures, engaging labour judiciary, and observation about recent developments impacting labour rights.

The third section covers details of key federations in Pakistan.

The last section covers recommendations gathered from trade unions for action points from the government, partners in civil society, trade unions own ranks and international organisations.

Section One

A Brief Overview of Trade Unions in Pakistan

1.1. Historical Background

Several historical developments inform the evolution of the trade unions movement in Pakistan.

In terms of their history, labour laws and trade unions in Pakistan have been shaped by the British era legislation, politics and independence movement.

The colonial rulers of the Indian Subcontinent (1857-1947) sought to build an economic order based on control over resources and exploitation of Indian labour. The colonial takeover of the Indian Subcontinent in 1857 was marked with orders banning textile goods and products of Indian competitors to protect the British enterprises and profits, and legislation to perpetuate labour exploitation. Two significant legislations, “Employers and Workmen Dispute Act 1860” and “Indian Factories Act 1881” have been cited as cases in point in this regard. The former restricted employees’ rights and the latter regulated child labour.¹

As the usurpation of workers gave way to protests that started as early as 1877 in Nagpur, Bombay and Madras, the labour movement in the post-colonial occupation era in the Indian Subcontinent came about in 1890 in the form of Bombay Millhand’s Association, formed by Narayan Meghaji Lokhande (also known as the Father of Trade Union Movement in India).² The Association sought to challenge the Factories Act 1881 that institutionalised

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1. YU SHUHONG -MALIK ZIA-UD-DIN (2017), “Analyzing the Labour Issues in Pakistan: A Historical Background of Labour Laws and Labour Unions”, Wuhan University, Hubei, Chinavol. 3, no. 2, 2017ISSN:2421-2695 at <https://labourlaw.unibo.it/article/view/7577/7280>
 2. See “History of Trade Unions in India” at <https://spiritofhr.wordpress.com/industrial-disputes-act-trade-unions-act-factories-act-plantation-labor-act/history-of-trade-india-in-india/>

the exploitation of workers. These protests spread and gave way to other sectoral associations. The labour movement gained momentum with the support of the Indian nationalist leaders who joined workers agitation.³

The very first central organisation of the workers of the All India Trade Union Congress (AITUC) came about as a result of workers resentment to the selection of delegates for the first session of ILO.⁴

One critical difference between post-independent Pakistan and India is the leanings of the founding fathers of the two countries towards trade unions. While Mohammad Ali Jinnah was also a labour leader, being president of the 70,000 strong All India Postal Staff Union, the All India Muslim League, did not develop relations with organized labour in its campaign for Pakistan.⁵ Contrary to this, the Indian National Congress and other nationalist parties' leadership not only led the development of AITUC, but they, along with the Communist Party of India also supported workers' struggle.

This political leaning was transferred into leadership in the post-independence era. The political leadership in India promoted powerful trade unions, however, the political and later military governments in Pakistan followed a non-democratic path, adopting a private-led capitalist model where the so-called economic development superseded the welfare agenda.

1.1.1. Post-Independence Labour Movement Landscape

Another key difference in the labour agenda between the Indian and Pakistani sides is the role of industrial labour post-independence. While the industrial labour actively participated in the independence struggle and hence found an institutional role for organized labour in Indian politics, Pakistan inherited a very small industrial base - only 9% of the total industry of India. Likewise, a very small proportion of workers population workers were engaged in the industry - only 0.63% of the total workers' population. While the number of

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3. YU SHUHONG -MALIK ZIA-UD-DIN (2017), "Analyzing the Labour Issues in Pakistan: A Historical Background of Labour Laws and Labour Unions", Wuhan University, Hubei, Chinavol. 3, no. 2, 2017ISSN:2421-2695 at <https://labourlaw.unibo.it/article/view/7577/7280>
 4. Khalil, Zakaullah Khan (2018), "A Profile of Trade Unionism and Industrial Relations in Pakistan", International Labour Organization
 5. Candland, Christopher, "New Social and New Political Unionism: Labour, Industry, and the State in India and Pakistan" Global Solidarity Dialogue at <http://globalsolidarity.antenna.nl/candland.html>

trade unions membership kept increasing,⁶ the subsequent governments in Pakistan through a series of legislative, institutional and arbitrary measures promoted weaker, politically fragmented and plant-based unions.

However, this is not to discount the role of labour unions as influential social movements, particularly in pro-democracy struggles. Additionally, left-wing trade unions, groups and intellectuals played a strong role in the trade union movement in Pakistan. Left-wing intellectuals like Faiz Ahmed Faiz, C. R. Aslam, Shaukat Ali, Eric Cyprian and others held responsible positions in trade unions and helped workers fight the employers and government actions against trade union participation.⁷

1.1.2. Legislation Development

While post-independence Pakistan underwent a series of political and military-led governments, the labour legislation too varied from the government to government. However, most of the labour legislations were essentially rooted in the inherited legal framework of Britain.⁸

It is pertinent to note that Pakistan joined ILO in 1947, ratifying Convention 87, relating to the right of workers to organise, and Convention 98 concerning the right to bargain collectively, in the early 1950s.

In terms of the industrial relations act - which regulates and establishes a framework for workers-employers engagement, Pakistan inherited the Trade Union Act of 1926 that allowed general or enterprise-based unionisation, excepting those in the service of the armed forces (The act even extended the right to unionisation to civilian employees in the armed forces). Another important law, the Trade Dispute Act of, 1947 was also passed just after the independence, which provided the right for arbitration between employers and employees to settle and prevent disputes. The disputes could also be forwarded to the court for further inquiry or reconciliation.

However, in subsequent years, the state whether democratic or military-led went on to adopt an exclusionary and intervention-led regulatory order. The military takeover by General Ayub Khan in 1958 completely scrapped the

6. Labour Movement in West Pakistan 1947-1958: A Perspective on Punjab at <https://gcwus.edu.pk/wp-content/uploads/1.-Labour-Movement-in-West-Pakistan.pdf>

7. Labour Movement in West Pakistan 1947-1958: A Perspective on Punjab at <https://gcwus.edu.pk/wp-content/uploads/1.-Labour-Movement-in-West-Pakistan.pdf>

8. PHD

trade unions as the government in uniform removed two important laws: Trade Union Act 1947 and the Trade Dispute Act, 1947

In later years, the Pakistan Government extended a clampdown on unions through the Essential Services Maintenance Act, 1952, which made absence from or stoppage of work as a cognisable offence in any industry or service designated by the government at any time as "essential to the life of the community".⁹

The Industrial Disputes Ordinance 1959 listed a large number of major industries as 'public utilities' essentially doing away with the right to strike in industries declared as essential services by the government. The Industrial Relations Ordinance of 1969 (IRO) by Deputy Martial Law Administrator Noor Khan while providing for the right to form trade unions, also incorporated a politically insulating trade union model by restricting the selection of trade union leaders to the factory level and introducing the collective bargaining agents (CBA) system. The CBA system - restricted only to the factory level - required trade unions to win a secret ballot election or referendum for the right to negotiate with management and to take industrial action.

While the Ordinance included the requirement of 75% of the members of any trade union declare the same employer, the essential services act/ordinances kept constricting unionisation in nation-wide enterprises, such as the railways and postal services, declaring these as essential industries and services, unions may not form in such enterprises.¹⁰ Apart from this, the martial law administration also instituted a politically insulated trade union. In PIA, Noor Khan promoted self-representation of unions, rather than support from "outsiders", which essentially separated unions from social movements. The IRO 1969 promoted fragmentation in trade unions, leading to an increase in the number of unions while resulting in a decline in trade union density. The IRO 1969 and later laws also made strikes conditional on fulfilling cumbersome mandatory procedures, turning it into a taxing option.

The successive governments, whether military or democratically elected, amended the exclusionary IRO 1969 several times in 1970, 1972, 1973,

9. Candland, Christopher, "New Social and New Political Unionism:

Labour, Industry, and the State in India and Pakistan" Global Solidarity Dialogue at <http://globalsolidarity.antenna.nl/candland.html>

10. Candland, Christopher, "New Social and New Political Unionism:

Labour, Industry, and the State in India and Pakistan" Global Solidarity Dialogue at <http://globalsolidarity.antenna.nl/candland.html>

1974, 1979 and 1981 to restrict labour-industrial relations. The IRO 2002 and the IRA 2008 both excluded from its ambit employees of the police, armed forces and services exclusively connected with the armed forces, Pakistan International Airlines (PIA) security staff, wage-earners above pay group V, the Pakistan Security Printing Corporation, government hospitals and educational institutions, the self-employed and agricultural workers. These groups constitute about 70% of the total labour force of the country.

The IRO 1969 also established structures for policing the unions through the National Industrial Relations Commission (NIRC). The Commission was empowered to act as a registrar of trade unions, a labour court, a government advisor and a federation for workers education. The NIRC's role as a body, representing the state's intervention in workers affairs continues to date.¹¹

Apart from the successive dictatorships, including that of General Zia that is known for a crackdown on trade unions, imprisoning union leaders from both public and private sectors, two other developments had an impact on unions and fundamental rights related to unionisation. One is the nationalisation policy of former Prime Minister Zulfikar Ali Bhutto and the other is the privatisation policy, okayed by the outgoing interim government of 1988 and adopted by the subsequent democratic governments.

Zulfikar Ali Bhutto's government that brought in several pro-workers reforms also had a tumultuous relationship with workers due to the 1972 confrontation with the textile workers in Karachi. His government's drive to promote unionisation while also other provisions such as giving a share in profits promoted a movement to form trade unions in small and large industries.

However, there were also increased cases of employer-workers conflict and labour militancy. In addition, the nationalisation of large and small scale industries led to the induction of bureaucracy as leaders of nationalised enterprises. The bureaucracy co-opted trade union leadership providing incentives to select trade unions, to secure industrial peace.¹² This led to conflict within the trade union movement, which further weakened trade unions.

11. Shaukat, Zeenia "More rights for labour" Dawn. May 1, 2020 at <https://www.dawn.com/news/842984/more-rights-for-labour>

12. Mohammad Zahid Islam "Mazdooron ki trade union aur nazaryati tehreekein", Lahore Research Forum, 2018

Pakistan signed the IMF Structural Adjustment Programme in 1988 - originally signed by the interim government and imposed on successive elected governments. Privatisation was a critical component of the programme. The later governments, particularly that of Nawaz Sharif's moved for rapid privatisation of public sector entities - including manufacturing enterprises, nationalized banks, telecommunication sector - and also deregulated private industry. While the unions resisted this move vehemently, there have also been plant level union-government agreements on industrial restructuring. There were negotiations between the government and enterprise based trade unions, leading to an agreement with the federal government that gave workers of privatizing enterprises an option of retaining their jobs for at least one year after privatization or opting for retirement with a pension.¹³ Despite the damage it caused to the workers, Pakistan's privatisation programme was said to involve less labour unrest and better compensation packages in part because employers could negotiate with legally recognized, workplace elected trade unions officials.

Post-'90s, a neoliberal economic agenda centralised on private capital, privatisation and deregulation of the economy promoting exports has been accompanied by a decreased state capacity in securing workers' rights and promoting workers' organisations. Today, the trade unions in Pakistan stand disenfranchised, fragmented, and under-represented. While a list of internal and external challenges highlighted by trade unions and allies in interviews done for this study have been presented in a separate section, the next section presents a brief overview of the trade union density in Pakistan.

1.2. Numerical Strength of Trade Unions

While there has been no official information on the number of trade unions density in Pakistan, there is consensus that it is as low as it was at the time of independence, though there have been periods of increased membership. At the time of independence, for a population of 32 million, there were seventy-five registered organizations in Pakistan having 58,150 members and the majority of them were in West Pakistan.¹⁴ This can be compared with 1,725

13. Candland, Christopher, "New Social and New Political Unionism:

Labour, Industry, and the State in India and Pakistan" Global Solidarity Dialogue at <http://globalsolidarity.antenna.nl/candland.html>

14. Karamat Ali cited in Labour Movement in West Pakistan 1947-1958: A Perspective on Punjab at <https://gcwus.edu.pk/wp-content/uploads/1.-Labour-Movement-in-West-Pakistan.pdf>

registered trade unions in the United India which claimed 900,000 union members.

A study by ILO "A Profile of Trade Unionism and Industrial Relations in Pakistan" cites there to be 7,096 trade unions with a membership of 1,414,160 for a workers population of 60 million workforce (estimates till December 2016).

It is pertinent to note that senior trade union leadership disputes with the ILO figures as they believe less than one per cent of workers in Pakistan are organized under trade unions. Because of the lack of data and non-reporting by the trade unions to the registration authorities, authentic data about the number of trade unions is not available. Even updated statistics of the trade unions membership is not available with the registration authorities.

1.3. Constitution and Right to Freedom of Association

Pakistan has ratified core conventions of ILO, which also includes C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 and C098 - Right to Organise and Collective Bargaining Convention, 1949. C087 and C098 are directly linked to the trade unions. In addition, Pakistan has also ratified C11, the convention granting freedom of association rights to agriculture workers. It is pertinent to note that the principle of freedom of association is not only enshrined in the United Nations Declaration on Human Rights, International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESCR).

In the Constitution of Pakistan, the right to unionisation is outlined in Article 17, which establishes the fundamental right to freedom of association and the right to form unions. Article 17 states:

"(1) Every citizen shall have the right to form associations or unions, subject to any reasonable restrictions imposed by law in the interest of sovereignty or integrity of Pakistan, public order or morality."

Furthermore, other labour rights such as the right to livelihood, prohibition of bonded labour, eradication of slavery are also provided for in the Constitution. As a framework of fundamental rights, the state has the basic responsibility

not to enact laws that are inconsistent with fundamental rights.¹⁵

1.3.1. 18th Constitutional Amendment

Before the 18th constitutional amendment in 2010, labour was a subject of the concurrent list, under which both the National and Provincial Assemblies had the authority to enact legislation. However, the federal legislation largely overruled provincial legislation, causing tensions between the provinces on autonomy.

In April 2010, the 18th Constitutional Amendment devolved labour and 47 other items in the Concurrent Legislative List (CLL) to the provinces. The amendment significantly altered the federal and provincial governments' roles and responsibilities, with certain powers previously performed by the federal government devolved to the provinces.

Since devolution, all labour related provisions are currently handled by the provincial labour departments. After devolution, the provincial administrations have enacted legislation stated to comply with the national constitution and international commitments (ILO labour standards). Each province has enacted its Industrial Relations Acts to register and promote unions inside their jurisdictions.

The Federal Ministry of Overseas Pakistanis and Human Resource Development (MOPHRD) is also now in charge of coordinating the implementation of labour legislation. In addition, the mandate of the National Industrial Relations Commission (NIRC) in Islamabad covers trans-provincial trade unions and employer-worker relations in trans-provincial enterprises and industries. The MOPHRD also has the responsibility for reporting to the Committee of Experts on the Application of Conventions and Recommendations (CEACR) on Pakistan's progress in applying international conventions/labour standards at the country level.

The MOPHRD has also established the Federal Tripartite Consultative Committee (FTCC) to bring together all tripartite partners, including representatives of all provincial labour departments, workers' and employers' organizations and the ILO Country Office, to discuss labour issues and bring labour laws in the country in conformity with the International obligations.¹⁶

15. YU SHUHONG -MALIK ZIA-UD-DIN (2017), "Analyzing the Labour Issues in Pakistan: A Historical Background of Labour Laws and Labour Unions", Wuhan University, Hubei, China vol. 3, no. 2, 2017 ISSN:2421-2695 at <https://labourlaw.unibo.it/article/view/7577/7280>

16. https://senate.gov.pk/uploads/documents/questions/1484210082_314.pdf

Other tripartite structures are also in effect, such as the Governing Body of the Workers Welfare Fund and Provincial Social Security Institutions, Board of Trustees of Employees Old Age Benefit Fund, Steering Committee on Bonded Labour, Provincial Occupational Safety and Health Councils, Provincial Minimum Wage Boards, Occupational Safety and Health, Council. In Sindh, Zonal Committees have also been established in late 2019 in six industrial zones in Karachi to facilitate tripartite dialogue and intervention on improving workers' rights and working conditions. The committees comprise representatives from the labour department, employers and workers from respective industrial zones. A forum for bilateral discussions between workers and employers (WEBCOP) is also in effect.¹⁷

Following the 18th amendment, the NIRC adjudicates trans-provincial industrial disputes and handles the registration of national industrial and trade unions federations. In addition, the IRA 2012 covering the Islamabad Capital Territory also governs industrial relations and the registration of trade unions and trade union federations in the Islamabad Capital Territory and establishments that cover more than one province.

The provincial and federal industrial relations acts are by and large similar to the IRA 2010, barring exceptions such as Sindh and Punjab, which has expanded to encompass agricultural and fishery workers in the ambit of industrial relations. However, these acts continue to be criticised for the long list of exclusions whereby civil servants, police, armed forces, workers in state-owned enterprises like Ordnance Factories, Security Printing Press and Security Papers, charitable organizations and hospitals and persons working mainly in managerial and administrative capacity are denied of the right to organize.

Another major criticism against the national and provincial laws relating to a bar on workers to become members of more than one union. The Collective Bargaining Agent, once determined, holds the exclusive right to represent all workers at the workplace (whether they are members or nonmembers of the said union). A union can represent its members only. The post-devolution IRAs also empowers the Registrar of Trade Unions to inspect the accounts and records of the registered trade unions, and to cancel the registration of

17. European Commission. 2016. Joint Staff Working Document. 'The EU Special Incentive Arrangement for Sustainable Development and Good Governance ('GSP+') covering the period 2014 – 2015. https://trade.ec.europa.eu/doclib/docs/2016/january/tradoc_154178.pdf

a trade union amounts to the indulgence of the authority in the affairs of the union.¹⁸

The Industrial Relations Act 2012 requires the establishment of two trade unions simultaneously in any establishment/industry. It also requires the third and following unions to have at least 20% of the workers employed as members. These provisions contradict the basic principle of freedom of association outlined in ILO conventions.¹⁹

Lastly, despite an explicit mention and related institutional arrangements in the Sindh IRA, the right to unionise for the agriculture sector that engages 40% of Pakistan's labour force, there are hardly any unions. In their response to the implementation of the ILO conventions (C11) in this case, the Government of Pakistan notes that as none of the Industrial Relations Legislation explicitly or implicitly restricts the freedom of association for agricultural workers, the agriculture workers continue to enjoy this right, also guaranteed under Article 17 of the 1973 Constitution.²⁰

1.4. Institutions Covering Trade Unions

1.4.1. National Industrial Relations Commission

The National Industrial Relations Commission (NIRC) was established in 1972 by modifying the IRO 1969. It was founded as a quasi-judicial entity under the Labour Policy, 1972, to encourage genuine trade unionism by establishing industry-specific federations of unions and at the national level.²¹ It has been sustained by subsequent acts such as IRO 2002, IRA 2008, IRO 2011 and is now established under Section 53 of IRA 2012.

The NIRC supervises the relationships between businesses and employees. It addresses unfair labour practices by employers and employees, the resolution of industrial disputes, the registration of trans-provisional trade unions and unions in Islamabad, and the federation and designation of Collective

18. "Ratified ILO Conventions & Legal Regime in Pakistan" at <https://clr.org.pk/wp-content/uploads/2021/06/Gap-Analysis.pdf>

19. International Labour Standards Unit Ministry of Overseas Pakistanis & Human Resource Development "GSP-PLUS AND COMPLIANCE WITH CORE LABOUR STANDARDS: PAKISTAN'S CASE" at <https://www.clr.org.pk/wp-content/uploads/2018/01/GSP-Report-Web-PDF-6-MAY.pdf>

20. "Ratified ILO Conventions & Legal Regime in Pakistan" at <https://clr.org.pk/wp-content/uploads/2021/06/Gap-Analysis.pdf>

21. "Revamping the NIRC", Dawn. October 21, 2002 at <https://www.dawn.com/news/62685>

Bargaining Agents. The NIRC is chaired by a retired or sitting judge of the Supreme Court of Pakistan. Its members include retired or serving District and Session Judges, federal government officers, and the Registrar of the NIRC. It has a significant role in promoting industrial peace, which is vital for commercial institutions to operate at a high level of productivity.²²

1.4.2. Labour Courts: These are established under the national and provincial industrial relations acts. These are empowered to adjudicate and resolve any industrial dispute referred to these or brought to their attention under the law.

It is to be noted that workers' experience with NIRC and labour courts have been covered in a separate section.

1.4.3. Labour Appellate Tribunals: These are powered to receive appeals and may confirm, set aside, vary, or amend the award, decision, or sentence made or passed by the labour courts.

1.4.4. Registrar: A registrar is appointed by the government to register trade unions and keep a record under the laws. They also help file or authorize others to file complaints with the labour courts. They have many other powers and functions given in each provincial industrial relation acts.

1.4.5. Arbitrator: When the parties fail to conciliate, the parties could refer or appoint the case/dispute to an arbitrator.

Several bipartite and tripartite mechanisms exist to foster dialogue between workers, employers and government. For example, Industrial Relations Act sets up a **Shop Steward**, provided for each shop, section or department in an establishment with 50 or more workers. This is an important institution of liaison between management and workers to facilitate settlement of workers problems.

1.4.6. Workers Management Council is a bilateral social dialogue mechanism stipulated under the industrial relations law to be established in every workplace of more than 50 workers. The law states that the six members of the Council should have 50% representation of workers. Section 29 of IRA spells out in considerable detail the terms and conditions and the functions of the Workers Management Council.

22. The NIRC. About us. <http://www.nirc.gov.pk/aboutus>

1.5. Trade Unions and Challenges

This section presents observations by international monitoring mechanisms concerning the right to organisation in Pakistan. Following this, a brief list of challenges outlined by workers in interviews conducted for the research has been presented.

1.5.1. International organisations' observations (CEACR and GSP+)

The ILO's Committee of Experts on the Application of Conventions and Recommendations (CEACR) and the Committee on the Application of Standards (CAS) deal with reports on the legal and practical efforts taken by member countries to implement the conventions ratified sent from each country. The CEACR is made up of legal specialists that are all independent (not ILO officials, often judges and professors). The CEACR meets once a year (November–December) to discuss all reports and provide comments/ observations on non-conformity and implementation progress. The CAS operates under the auspices of the International Labour Conference.²³

ILO's CEACR has repeatedly voiced concerns about Pakistan's performance concerning implementing the freedom of association and collective bargaining conventions. The committee has duly noted restrictions on unionisation, taking exception that employees in some public sectors and 'essential' service sectors, such as agriculture, health, education, banking, security, and employees in special economic and trade zones, have been barred from founding unions. "While unions can be formed in principle in the massive informal sector, there is no legislative structure for unionisation and collective bargaining. The Federal and Provincial Industrial Relations Act only apply to the formal sector."²⁴

23. ILO. Reporting on ILO Conventions and Recommendations. https://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-port_of_spain/documents/presentation/wcms_574132.pdf

24. European Commission. 2016. Joint Staff Working Document. 'The EU Special Incentive Arrangement for Sustainable Development and Good Governance ('GSP+') covering the period 2014 – 2015. https://trade.ec.europa.eu/doclib/docs/2016/january/tradoc_154178.pdf

1.5.2. Generalised Scheme of Preference (GSP+)

The European Union has granted Pakistan Generalised Scheme of Preference (GSP+) status in 2014. The GSP+, as a trading instrument eliminating tariffs on imports for beneficiary countries directed at offering special incentives for vulnerable lower-income countries to promote sustainable development and good governance. In return, the concerned country is required to fulfil a set of commitments towards improving human rights, labour rights, and adopt principles of good governance and environmental ethics, in its geographical boundaries. This is done through ratification and ensuring the implementation of 27 international conventions.

The monitoring of conventions/covenants attached to GSP+ is based on a comprehensive system of review and consultation. This also includes a scorecard and dialogue with stakeholders in the beneficiary country, including the civil society.

The 2016-17 GSP+ review report has pointed to persistent obstacles in the way of unionization, inadequate functioning of the labour inspection system, working conditions, occupational health and safety of workers, and importantly, implementation and enforcement of laws and regulations.

The 2018-19 report noted limited progress to ensure freedom of association and the right to collective bargaining. It raised concerns over the low unionisation rate and weak functioning of tripartite social dialogue at national and provincial levels. The report also highlights ILO supervisory bodies repeated calls for Pakistan to align labour legislation with the fundamental Convention 87 on freedom of association and to extend its applicability to Export Processing Zones (EPZs) and Special Economic Zones (SEZs). The report also noted that post-2010 devolution of labour to the provinces, the federal and provincial governments have not taken steps to promote unionisation. It also notes the failure of the industrial relations legislation at both federal and provincial levels to provide for unionisation in several work clusters. The report duly highlighted harassment of unionised workers who are subjected to threats of violence and kidnapping as well as arbitrary dismissals. The report notes the adjudication of the state responsibility towards the protection of trade union members.²⁵

25. The EU Special Incentive Arrangement for Sustainable Development and Good Governance ('GSP+') assessment of Pakistan covering the period 2018 - 2019 at file:///Users/zeenia/Downloads/SWD(2020)22_0.pdf

1.5.3. Key challenges highlighted by Trade Unions

Labour unions outline several concerns about trade unions today. However, their most pressing issue is the declining strength and capacities of unions. There is a consensus over a number of internal and external reasons behind it. Externally, growing informality, the government's lack of political will to advance labour rights and a shrinking democratic space are outlined as reasons behind trade unions decline. Internally, labour unions point to deep-seated divides and corruption within their ranks that are pulling unions away from their agenda of serving on workers rights.

In structured interviews with trade unions and allies for this study, key themes regarding trade unions concerns about the trade union movement in Pakistan emerged as follows:

External challenges:

Workers organisations find political parties' labour wings as most concerning:

Trade unions widely believe the very origin of the decay of unions can be traced to the initiation of labour wings of the political parties. Unions are acutely critical of the way political parties have "exploited" trade unions, which has caused divisions among workers based on political party affiliations, eventually leading to linguistic and sectarian divides. The ruling political party supports its union in an organisation which eventually becomes the CBA. So, support for general labour has practically ended.

Growing informality in employment:

It is also observed to be a major contributor to the decline of trade unions. The informal employment arrangement adopted even in the formal sector has promoted contract labour and outsourcing. "As a result, regular workers have decreased. (As unions represent regular workers only) the catchments area of trade unions has also reduced," observes a labour expert. He also observes that even though the law also states that everyone is qualified for the membership, neither trade union nor management makes any effort towards the representation of contract workers, "who are treated differently."

On their part, trade unions state they are helpless if the state denies the right to unionisation to the informal sector such as the construction sector,

daily wagers, and workers of private industry, especially of Export Processing Zones.

To be fair with trade unions, they face strong resistance from employers every time there is an effort to register trade unions. Workers who seek to organise are expelled arbitrarily. This is especially common in factories, where management also alerts other employers to refrain from hiring “troublesome” workers. Moreover, a complicated system of registration of trans-provincial unions allows space for employers to exploit the system and register paper unions.

Pocket unions:

Forming pocket unions is also a common practice in Pakistan. A hotel union representative interviewed said the trend is so common in the hotel industry that the employers register pocket unions with the same name in the NIRC as genuine unions. These unions seek to represent workers even when there is no information on the strength of these unions, while factory workers hardly know anything about them.

Low numerical strength:

Apart from low numerical strength, low growth in the registration of new unions is a major concern. Trade unions feel that unless new unions are registered, the labour movement may gradually fade away. In interviews, the case of the Central Division of the Labour Department in Karachi was cited which covers critical industrial areas of the city with only 45 trade unions. There is also a trend of various federations taking over each other’s unions.

Lack of institutional support from the government:

There is a total absence of support from the government to facilitate trade unions. Unions pointed to poor response from the government officers for unions’ need for support in awareness-raising on labour rights, registration and other significant procedures to induct new members, perform their daily functions effectively and expand the ambit of unions.

Internal Challenges

Trade unions largely agree that there are a number of internal challenges that seek to undermine trade unions’ capacity to advance the workers agenda. There is an honest admission of the drawbacks, which are listed below:

Corruption in trade unions:

Unions do agree that the element of corruption is very much present within the ranks of the trade unions. There have been cases of misuse of medical allowances and the production of fake bills. Only union leaders get promotions and other workers are deprived of their due promotions. It means trade union leaders have weakened their movements and compromised the right of other workers.

Favouritism:

Trade union leadership prefers to induct their relatives and acquaintances in the union to maintain control over unions. The senior leadership itself refuses to bow out to make way for new leadership.

Failure to foster new leadership:

The inability to foster new leadership is a concern repeated by many. Similar to the political parties the democratic culture within the trade unions has also eroded. Same names have been holding leadership positions for the last 30 to 40 years because new leadership was not encouraged to come forward.

Financial crisis:

Trade unions' inability to generate adequate funds has been described as their biggest weakness. They struggle to collect membership fees, so there is a financial crisis. Unions also seek funds from the management for activities, which in turn compromises their integrity and transparency.

Capacity deficits:

Trade unions are not sensitised about the industrial relations law. There is an observation that unions are unable to make use of the positive provisions in law such as women's quota in unions based on their employment in the workplace, as stipulated in the industrial relations acts.

Absence of solidarity:

Informal sector movements such as Anjuman-e-Muzareen or formal sector the PC Hotel workers movement feel isolated as they don't find support from

other mainstream trade unions. The politicisation of trade unions has been cited as a major reason why workers do not extend solidarity towards each other. Lack of solidarity also compromises individual movements' chances to succeed in their struggles.

Section Two

Understanding Practices, Experiences and Engagements: Findings from the Field

2.1. Internal Mechanisms and Practices

The section seeks to highlight practices of trade unions in the backdrop of the key challenges of resource constraints, lack of internal democracy, capacity deficits and most importantly absence of women and youth in trade union cadres.

There has been a detailed analysis of the deficits of trade unions concerning internal democracy, leadership and management practices, and capacities. Those critiques can be accessed in the available literature, particularly in the work done by Sabir Ghayur.

This section presents trade unions own account of their practices related to internal mechanisms.

Resource Base

A registered union that is also a CBA can acquire an office space by the employer subject to a formal agreement between management and union. In addition, subject to agreement between employers and union, the office bearers of the CBA union are allowed time off by the employers to dedicate a certain number of hours of the workday to union activities. However, all this is incumbent upon an agreement with the employers and are not the right or entitlements of unions. An office and infrastructure not supported by employers are understandably likely to add to the cost of the unions. In those cases, unions buy or rent space near the industrial area or wherever their organisation is located and use it as their office. After working hours, they meet there and work on their plans.

Unions also find support from civil society organisations that lend their space for a basic office set up to trade unions. This was seen in the case of the trade union of the lady health workers that was supported by NOW Communities for basic infrastructure facilities.

Funds

All CBAs are entitled to a “check-in” facility by the employer whereby the employer deducts the union membership fee from the employees’ wages and transfers to the union. The fee amount is outlined in the union’s constitution. The constitution also includes other modalities of fundraising for instance external donations, financial assistance from federations, or international grants.

Unions that are Collective Bargaining Agents also access support from the management. The management extends payments to organise events and mark auspicious days such as Eid and Holi.

In terms of expenses, in interviews, unions and federations pointed to office rent, utilities, staff salaries, equipment, travel for inter and intra city meetings, protests and demonstrations, as key regular expenditures. They also marked litigations as term time-consuming and cost-intensive component as the lawyer fees are usually on a higher side.

Apart from affiliate membership, federations and unions also shared they depended on donations, even personal contributions, by members as a source of funding. Major events are also organised with support from international affiliates. At least one federation (that of the municipality) also outlined taking support from the government.

Financial Accountability Mechanisms

According to IRA (Clause 15 and 16, in case of IRA 2012), trade unions are required to maintain an account book showing receipts and expenditures. The returns are to be filed annually with the registrar on a prescribed date. The registrar audits the returns and issues a certificate of acceptance. Any violations are dealt with by filing a complaint before the NIRC for the initiation of the cancellation proceedings of the unions. In their interviews, TUs stated the following:

1. All TUs and federations interviewed stated they follow an annual filing of returns and audits as per Industrial Relations Act.
2. For financial accountability purpose, a Clause is added in the safe custody of finance section of the constitution which says that any member at any time can check the financial statements of the union.
3. Another way is that before or during the General Body meeting the

agenda of finance is raised and the members can also request for this agenda to be raised.

4. Trade union members can also directly report to the registrar office about any forgery and the registrar is empowered to initiate an investigation against the union's executive, the finance secretary or anyone dealing with accounts. Hearings are conducted to review such a case.
5. Trade unions and federations, while insisting that they have an open-door policy about the discussion on funds, shared these matters are also taken up in monthly or periodic executive council or general body meetings and annual conventions as well.

Trainings

For trainings, almost all trade unions were reliant on support (financial and logistics) and sometimes local support organisations such as PILER, Now Communities and Labour Education Foundation. Moreover, they also depend on support from international organisations to access training.

TUs outlined human rights, labour rights, and modifications in labour laws and their implications as areas over which they require training. The need is identified in internal meetings and conventions. Trade unions mostly seek to train a pool of Master Trainers who are then expected to impart trainings downstream. Trade unions also reported participating in trainings organised by the National Institute of Labour Administration Training, which offers training in labour administration.

Grievance Redressal

The biggest forum of exchange of any union is its General Body. All the members of the union are considered members of the General Body. For grievance redressal over internal matters, union members have the choice to either flag an issue as an agenda item in a general body or executive meetings by requesting the general secretary. Unions interviewed reported having "Working or Disciplinary Committees" that take necessary action in case of a dispute or complaint.

2.2. Trade Unions: Diversity and Inclusion

This section explores diversity and inclusion among trade unions in Pakistan. It focuses on the participation of women, people belonging to religious minorities and young people who are under 30 years of age.

A general interview guide with questions about the participation of diverse groups in trade union activity was followed with all the research participants. Questions were modulated depending on the identity of the participant. Questions referred to numerical data of the participation of diverse groups in the research participant's organization, dominant perceptions among male leadership regarding the participation of diverse groups, perceptions among leaders belonging to diverse groups regarding their participation and experiences with trade union activity. A focus group discussion was also conducted with workers from diverse groups at DMC East, Karachi.

While the majority of the research participants for this study were Muslim, male labour leaders over 50 years of age, women trade unionists were also interviewed wherever possible. Trade union members belonging to religious minorities were part of the focus group discussion which also included some members who were under 30 years of age. The study also considers critical perspectives of governmental stakeholders and representatives of labour organizations who work with trade unions in Pakistan on a regular basis.

Participation of women

According to the ILO, in 2012 only 2% of members of trade unions were women²⁶. At that point there was no legal provision for the formation of unions of informal workers, of whom a significant percentage were women. In the last five years, with new legislation related to Home Based Workers and Agricultural Workers, unions specific to informal women workers have been formed however revised statistics of women's total participation in trade unions are not available.

The majority of the participants for this study reported a significantly low number of women members in their own trade unions or federations. This number varies according to the composition of the workforce they represent. For instance, in workplaces where the workers are women and men, unions tend to evidence less participation of women however in organizations and sectors which employ only women, their participation tends to be much higher. Many male participants dismissed this non-participation as a result of women being overburdened with familial responsibilities. Some respondents, however, referred to larger deterrents. For instance, Sultan Khan, of Pakistan Central Mines Labour Federation, reflected that "They [Women] are afraid of

26. ILO in Pakistan "WOMEN - Only 2 per cent trade union members in the formal and invisible in the informal economy" at https://www.ilo.org/islamabad/info/public/pr/WCMS_187903/lang--en/index.htm

the owners' anger if they take part in unions. They don't want to lose their jobs." This points to women's greater financial vulnerability. Culturally their very participation in the workforce is the result of extreme necessity. So the risk of losing work is not one they can afford to take. Asad Mehmood, of Pakistan Workers' Federation (PWF), also observed that women participated in trade union activity wherever they felt respected and in many instances, they felt they could not "trust the environment". This suggests that not at all women are averse to political participation however working with a majority of men in the trade union amplified risks to personal safety. Mirza Maqsood, of Pakistan Steel Mills, suggested that being the only woman office-bearer in a union meant that she would not be heard and that women were more effective when there were two or three women among the office-bearers. Zehra Khan, General Secretary of the Home Based Women Workers Federation (HBWWF), endorsed this view, explaining that even at tripartite meetings, "*Aagay aane he nahe diya jata* – we are not given space." Dominant patriarchal values and toxic behaviour at trade unions makes them unwelcome spaces for women workers. Ume Laila, Executive Director of HomeNet Pakistan, also adds that "It's not considered good to be associated with people from unions." It is worth noting that where public perception of trade unions is marred, women's participation in them becomes even more reprehensible. Sheher Bano, Vice President of the Pakistan Federal Union of Journalists (PFUJ), also says that even among journalists, women tend to stay away from protests because they may appear in photographs. This could mean not wanting to appear visibly associated with union activity which is not considered respectable or it could point to the fear of their images being misused.

Where membership is a fraught terrain, it is not surprising that a very low percentage of women make it to senior leadership positions in trade unions. The Sindh and Punjab Industrial Relations Acts mandate that the representation of women in the executive body of a trade union must be proportional to their participation in the labour force of an organization. However, the law is inadequately implemented. Dr. Javaid Gill, Former Director, Ministry of Labour Punjab and Federal Government, claims that most trade unions are unaware of this stipulation and lack a gender-sensitive perspective. In contrast, Asad Mehmood, of PWF, offers a completely different view. According to him, all regional councils of the federation have women officers including one woman officer in the executive council. While the Federation has yet to have a woman officer in its senior-most post, one of its predecessor member organizations, the All Pakistan Federation

for Labour, which started in the '80s, did have a woman Chairperson and Deputy Secretary-General. Since all officeholders are elected, a woman's chances of making it to a senior post are minimal without a strong network of allies within the federation.

Women respondents contend that even where there is a representation of women in the executive bodies of trade unions and federations, it is tokenistic. According to Ume Laila, Executive Director of HomeNet Pakistan (HNP), women are handpicked for leadership positions to satisfy the legal requirement but are not "genuine representatives of workers". They are selected if they will go along with the status quo and "not cause problems" for the male leadership. Bushra Khaliq, Executive Director of Women in Struggle for Empowerment (WISE), also confirms that even in executive committee positions, there is "no effective, practical participation". Sheher Bano (PFUJ) concurs that despite titles and designations, women have "no real authority"; that the actual power to make decisions and manage the finances rests with the President and the General Secretary, who are both men. This suggests that sexism within trade unions cuts across working-class organizations as well as the more educated professional organizations.

Cultivating greater participation of women through a concerted engagement strategy does not seem to be a priority for many unions. Those that do invest in mobilizing women use training modules to initiate new members into their fold. Zehra Khan (HBWWF), strongly advocates for the importance of the capacity building to help women find their voices and assert themselves collectively: "Knowledge is power. It shows in many ways. People fear those with knowledge. Our study circle and trainings lead participants to think and reflect." However, Bushra Khaliq (WISE) mentions discrimination in access to training as well, particularly opportunities requiring travel. She feels that male leadership doubts women's capacity for political participation: "...they think *Aurat ka dimag is taraf nai chalta hai* (women don't think this way) and thus do not enable women's participation. For instance, meetings are scheduled at times when women are unable to participate. This is corroborated by the participants of the focus group discussion who mentioned that trade union meetings happen during lunch break when women choose to go home to serve their families their meals.

Despite these barriers, it seems some women have persisted in their activism and it is useful to consider their journeys to understand how more women could be brought to trade unions. Some male respondents feel women should form their own unions. This would reinforce the segregation of sexes

and at the same time, ensure that men continue to wield power. Sheher Bano (PFUJ) feels that her educational background and the stipulation for mandatory participation of women by the International Union of Journalists helped her gain entry into the union in the early years of her career. This reaffirms the importance of capacity building among women where specialized skill sets would make them indispensable to the unions and also of the success of affirmative policies set by international bodies. Zehra Khan (HBWWF) highlighted the importance of supportive mentors and an enabling, action-oriented environment. In a culture that conditions women into valuing submissive passivity, having strong role models in trade union leaders is crucial for women's participation in them. Finally, the role of supportive families can not be emphasized enough as is evident from the experiences of PWF and HBWWF.

2.2.1. Participation of people belonging to Religious Minorities

Scholarly literature offers no preliminary insights on the status of participation of people from religious minorities in Pakistani trade unions.

Most respondents for this study reported that the participation of religious minorities in their unions was minimal or even "rare". However, Syed Zulfiqar Shah, President of Sajjan Union, KMC and Municipal Worker Trade Union Alliance estimated their participation in the Alliance at 20%. Iqtidar, a former trade union leader at the Metro Cash and Carry Union mentioned a significant number of Christian and Hindu workers in the "housekeeping" department of the enterprise. Both these claims point to the greater concentration of religious minorities in certain kinds of work due to social barriers that restrict their participation in more lucrative jobs.

There are no laws or affirmative action policies that reserve trade union seats specifically for people belonging to religious minorities. However, in some organizations such as the KMC, there is a governmental allocation of two union office seats for religious minorities. These allocated seats can be among the senior-most posts as well. Currently, the Chairman of a utility board and the General Secretary of a District Municipal Corporation are Christian. In most unions, though their participation in senior leadership roles remains constrained. Mirza Maqsood put this on the electoral process: "Wherever there is greater strength in numbers, their participation becomes the TU's need so that through them the minority votes are in their favour."

Many research participants were quick to point out (perhaps defensively) that the lack of participation of religious minorities is not because of religious discrimination among the members of the union. Syed Zulfiqar Shah however points to structural discrimination that traps religious minorities in a cycle of poverty and political invisibility: being a minority means not being hired for “qualified jobs” but for janitorial jobs; these are usually contractual and there is no contractual workers’ union, and so their political participation is relegated to the fringes. This is also evident in the case of the Metro Cash and Carry Union, where Iqtidar mentions including in their charter of demands, issues such as the housekeeping staff (mostly Christian and Hindu) working 16-17 hour days, seven days a week and not getting time off for their religious holidays. However, it is not clear if any of the Christian or Hindu workers were part of the union leadership. This also suggests even where they are in large numbers, their lower rank in the workforce debilitates their ability to speak for themselves or for others. The absence of people from religious minorities in the trade union discourse is a manifestation of the general precarity of being non-muslim. Mazhar Abbas, Secretary-General, Pakistan Federal Union of Journalists explains: “I think they (minorities) themselves are also not coming forward. Overall the environment is also there that in case a conflict happens they fear that they may be a soft target.”

Only two women respondents spoke of the incidence of religious discrimination within trade unions. Ume Laila cautioned against the rise of religious intolerance among trade unions which she felt was detrimental to the participation of people from religious minorities. Zehra Khan (HBWWF) candidly recounted examples of overt social exclusion. In one instance, she mentioned that their union’s community kitchen, which sold lunches to members and the wider community, suddenly started reporting declining revenues. The development coincided with the hiring of a Christian cook to substitute for a Muslim cook. Within the union, Zehra explains, they were able to address and clarify myths and misconceptions among their members but they could not engage the wider community on the issue and the Christian cook quit before the situation was fully resolved.

2.2.2. Participation of people under thirty years of age

In the ‘70s, trade unions in Pakistan may have been powered by young blood, as is evident from the fact that most of the respondents for this study are over 50 years old however scholarly literature does not specifically address youth activism in the context of trade unions.

Respondents estimated the participation of people under thirty in their unions and federations to be between 15% to 35%. It is difficult to definitively comment on the status of their participation as respondents' views were divided between those who claimed that young people do not participate for reasons ranging from not being given the opportunity to lead, to competing for familial demands and fear of loss of work; and those who felt their participation curve is beginning to show an upward trend. Asad Mehmood, offered a more nuanced reading of the situation. He claimed that working in a trade union requires specialized knowledge and skills and it takes some years for an entrant to develop these through trainings and observing seasoned union leaders in action. So by the time a worker is technically proficient to become a trade union officer, they may have already crossed the thirty-year mark. This is further complicated by the fact that most trade unions do not have the budget to conduct full-scale training programmes unless they are supported by international agencies. Where opportunities for knowledge acquisition are non-existent, initiation into trade union activity is an informal process demanding some connections and patronage among existing office-bearers.

The PWF credits their master trainers' programme for effectively nurturing young blood. Two of their regional council office bearers, Mehboobullah and Iftikhar, are men under thirty. When asked what they thought were the reasons behind their successful election in a trade union of mostly older members, Asad Mehmood commented: "They were trainers so they had sound knowledge of trade union work and they had very good relations with workers because of this skill development. They took initiative based on this knowledge of labour law and took workers' concerns to the management. So due to their popularity with workers because of their knowledge and initiative-taking, they were elected." This is almost too perfect an image of absolute meritocracy. Iqtidar's experience of being a trade union leader in an organization where the majority of the employees were high-school graduates is particularly telling in this context. He recounts being bullied by employers and police, and has been unable to get another job since he and his colleagues were let go for their union activity. This points to the immense vulnerability of young people, for whom political activism can potentially result in perennial unemployment.

Enabling women under-thirty is a multi-staged process. According to Zehra Khan (HBWWF), this group must seek permission from their families to participate in trainings. They have circumvented families' concerns by getting

area leaders to bring young women to mobilization meetings. Any travel outside of Karachi for union work however meets with definitive resistance.

2.3. Trade Unions and Alliance Building

The plant-based composition and successive constraints have restricted trade unions from effectively building alliances. In addition, a tripartite structure that is not fully functional also restricts the doors of engagement and dialogue for trade unions.

The Government of Pakistan ratified ILO Convention C144 related to tripartite consultation in 1994. The Convention obligates the State to ensure the conduct of effective consultations between representatives of the government, employers and workers. However, no supportive enforcement mechanism has been developed. While tripartite labour conferences had been organised in earlier years of Pakistan, these have been held only in 2002 and 2009 since the ratification of the convention. Recently, the Sindh Government organised a tripartite labour conference followed by the establishment of the Sindh Tripartite Committee for Implementation of Labor Laws

However, in 2014, Federal Tripartite Consultation Committee and four Provincial Tripartite Consultation Committees have been notified in 2014.

With the evolution of civil society in Pakistan, with NGOs emerging as a formidable force in the 1990s, trade unions partner with NGOs in a variety of ways including knowledge production, capacity building, institutional support and legal assistance

Trade unions also receive support from ILO that seeks to build employers' and workers' organizations' capacity to advance the decent work agenda. In addition to being a part of international confederations, trade unions also seek to partner with international organisations working on labour rights. The most successful example of this collaboration is the campaign for compensation of Karachi's Baldia Factory Fire, with international organisations including the Clean Clothes Campaign, IndustriAll, European Center for Constitutional and Human Rights.

This section seeks to document the experiences of trade unions and labour federations with tripartite structures, and their engagement with civil society and international agencies.

2.3.1. Trade Unions and Tripartite Structures

Documenting the experience of trade unions in tripartite composition, the following observations were made:

1. The committees are slow. Meetings are inconclusive and the government representatives do not come prepared. Moreover, the bureaucratic process further delays decision making.
2. Change in ministers and labour directors also impact the proceedings of the consultations. The meetings are either delayed or much time is lost in bringing the new leadership up to speed with the past proceedings.
3. There is also a complaint of non-seriousness on the part of the government while engaging labour unions. Labour leaders observe that the government follows a preexisting list of labour leaders for engaging in consultations, The list includes those the government considers "compliant". However, it also suggests little effort on the part of the government, as many times they even invite people from the list who have passed away.
4. There is discontent with regard to who gets representation at the table. This could either be attributed to professional rivalry or the traditional non-consultative mechanism adopted by the government. In interviews, trade unions accused the government of legitimising yellow unions by giving them space on the table.
5. While all said and done, trade unions have a fair assessment of the positive side of engaging the government. They cite a more gender sensitized policy direction as one example that has come from trade unions participation in tripartite consultations on law and policymaking.

2.3.2. Partnership with Civil Society

While civil society is broadly referred to as NGOs, it includes political parties, bar associations, media, academia and student unions, among others. Out of these, trade unions seek to work closely with NGOs and political parties.

There has been much analysis on the evolution of NGOs in the last four decades, especially since the series of successive democratic and non-democratic rules have led NGOs to shift from mere rights advocates to service delivery partners. Nevertheless, trade unions and NGOs collaborate for street mobilisation, policy input, evidence-based research, advocacy on common themes and capacity building. In interviews, prominent non-governmental

organisations cited by trade unions and federations as partners include the Pakistan Institute of Labour Education and Research (PILER), Labour Education Foundation (LEF), National Organization for Working Communities (NOWC), HomeNet Pakistan (HNP), Human Rights Commission of Pakistan (HRCP), Pattan, Women In Struggle for Empowerment (WISE), Shirkat Gah, journalists groups and community-based organisations. Key observations from trade unions experiences of working with NGOs are shared below:

1. Trade unions see value in partnership with NGOs, despite there being strong criticism of certain practices of the non-governmental organisations. Campaigning on common issues and capacity building sessions, particularly on organisational and engagement skills, and labour laws organised by NGOs are regarded as useful.
2. One of the constant criticisms against NGOs is the matter of funding which eventually means these organisations are bound by funds availability and project delivery timelines. Trade unions see little utility in such an approach as NGOs donor-driven projects do not necessarily align with trade unions own priorities. Moreover, it also leads to a lack of focus and following of event-based goals.
3. The culture of extending stipends for participation in NGOs programmes is particularly criticised since it creates problems for trade unions who are also expected to offer similar payments for participation in sessions organised by them.

2.3.3. Engaging International Organisations

Trade unions interviewed for the study confirmed being a part of a number of international organisations and federations where they represent Pakistani workers. Pakistan Workers Federation represents workers at ILO, ITUC and South Asia Trade Union Confederation. Whereas some federations are a part of the IndustriAll Global, Clean Clothes Campaign, Home Net International, HomeNET South Asia, World Federation of Trade Unions.

Trade unions and federations identify a unified approach and solidarity as the most important positives of partnership with international organisations. They cite the success of the Baldia factory fire compensation case as an example of this unified approach. There is a feeling that partnership with or membership in international federations is still under-exploited. In interviews, some trade unions cited higher fees as reasons for their inability to join international federations.

The language barrier is another issue as grassroots workers are unable to actively participate in conversations at international forums unless assisted by translators/interpreters.

Trade unions are critical of workers representation at ILO which are nominated by the government and seen to be favouring only certain leaders compromising the voice of the workers.

2.4. Trade Unions and Labour Judiciary

The Industrial Relations Acts of provinces and federal IRA-2012 permit any Collective Bargaining Agent (CBA) or any employer to apply to the labour court for enforcement of any right guaranteed or secured by law or any award or settlement. The provincial governments derive their authority to establish as many labour courts as it considers necessary under the IRAs. Each labour court is subject to jurisdictional limitations derived by its geographical parameters or with respect to the industry or the classes of cases allocated. Each labour court consists of one Presiding Officer appointed by the Provincial government.

2.4.1. Labour Courts in Provinces

Province	No. of Labour Courts	Locations
Punjab	11	2 in Lahore; 1 each in Ferozewala (Sheikhupura), Faisalabad, Sargodha, Rawalpindi, Gujranwala, Bahawalpur, Multan, Sahiwal and D.G.Khan
Sindh	5	3 in Karachi, 1 each in Hyderabad and Sukkur
Khyber Pakhtunkhwa	3	1 each in Peshawar, Swabi and D.I.Khan
Balochistan	2	1 each in Quetta and Hub

The Labour Court decides industrial disputes, which have been referred to or brought before it by workers or employers. They can inquire into or adjudicate any matter relating to the implementation or violation of a settlement. The labour court retains the same powers as are vested in such

c under the Code of Civil Procedure, 1908 (Act V of 1908) including the enforcement of attendance and examination under oath, the production of documents and material objects, and the issuance of commissions for the examination of witnesses or documents.

The IRO 2002 abolished the Labour Appellate Tribunal. Any party aggrieved by an award/decision by the Labour Court may now submit an appeal to the High Court (Article 48 of the IRO 2002). The High Court, may vary or modify an award or decision or decision sanctioned by the Labour Court.

2.4.2. National Industrial Relations Commission

The National Industrial Relations Commission (NIRC) was initially created in the year 1972 by amending IRO 1969 and was maintained by successive statutes namely IRO 2002, IRA 2008, IRO 2011 and is now constituted under Section 53 of IRA 2012.²⁷

It regulates relations between employers and workers and deals with the unfair labour practice on the part of employers and workers, resolution of industrial disputes, registration of trans-provisional trade unions in Islamabad and determination of Collective Bargaining Agents.

It is headed by a retired or serving judge of the Supreme Court of Pakistan and its members are retired or serving District and Session Judges, Federal Government Officers, Registrar of the NIRC. Its head office is located in Islamabad, but its branches are located in all provincial headquarters (Karachi, Lahore, Peshawar and Quetta), Multan and Sukkur.

In interviews, trade unions shared a very negative experience of labour courts, high courts as well as NIRC.

- Cases are needlessly delayed and often relief is not provided to the workers.
- There is an acute shortage of labour lawyers. Even if the workers or trade unions find them, they are expensive and workers cannot afford to pay their heavy fees. There are very few lawyers willing to work on a pro bono basis.
- Most Labour Court judges also do not understand the context and ground realities of workers-employers relations. They end up displaying a biased attitude towards workers. Trade unions complain of extremely

27. National Industrial Relations Commission at <http://www.nirc.gov.pk/>

rude attitudes such as throwing away papers by judges and being called “corrupt” and “militant” openly in public.

- Workers complain that while deciding cases, courts seek to take the anti-workers position, ignoring even the fundamental provisions in the constitution. The 2019 order of the Balochistan High Court to cancel the registration of 62 trade unions of government and private organisations under the Balochistan Servant Conduct Rules, 1979 as “the men in government service are not allowed to form a union”, is cited as a case in point. The court passed the order ignoring that government departments all over Pakistan have trade unions. In addition, the court ignored the state’s obligation to respect workers’ right to form unions, including Article 17 of the Constitution, which gives every citizen the right to form unions subject only to “reasonable restrictions imposed by law in the interest of the sovereignty or integrity of Pakistan, public order or morality”.²⁸

The post 18th amendment role of NIRC also comes under heavy criticism. The IRA 2012 (covering the federal government) sought to regulate industrial relations concerning trans-provincial enterprises and those operating in Islamabad territory. Section 2 (xxxii) of the IRA defines ‘trans-provincial’ as ‘any establishment, group of establishments, or industry having its branches in more than one province’. Section 87 provides that the IRA will have an overriding effect where trans-provincial industries are concerned.²⁹ Under IRA 2012, the National Industrial Relations Commission acts as a parallel legal forum for the resolution of disputes in trans-provincial establishments. This is in addition to the Labour Courts which function under provincial industrial relations statutes.³⁰

The key criticism of trade unions concerning NIRC post 18th amendment are:

- The NIRC was originally created to attend to both industrialization and trade unionism, build the employer-worker relationship and train institutional trade unions. The latter two purposes have been lost, while it continues to work in a semi-judicial manner.

28. I.A. Rehman, “Balochistan’s wretched labour” Dawn October 10, 2019 at <https://www.dawn.com/news/1510056>

29. Qamar, Naima and Younus, Siraat, “Challenge to the Industrial Relations Act 2012: Two High Courts Respond”, LUMS Law Journal, Volume 4 at <https://sahsol.lums.edu.pk/law-journal/challenge-industrial-relations-act-2012-two-high-courts-respond>

30. Qamar, Naima and Younus, Siraat, “Challenge to the Industrial Relations Act 2012: Two High Courts Respond”, LUMS Law Journal, Volume 4 at <https://sahsol.lums.edu.pk/law-journal/challenge-industrial-relations-act-2012-two-high-courts-respond>

- As it serves as a labour court, employers take the unions to NIRC rather than directly at the provincial level. This further stretches the meagre resources of unions.
- Trade unions point out the appointment of retired and contract-based judges at NIRC who are mostly not sensitised on labour rights, nor are they observed to make an effort to upgrade their knowledge.
- As NIRC also determines the registration of trans-provisional trade unions, employers seek to create paper unions by declaring their provincial establishment as trans provincial by opening a paper office in other provinces. Workers unions have been demanding to register unions only in the zone of the registration of union headquarters to counter this trend.

2.5. Trade Unions and Recent Developments

Devolution and the granting of GSP+ are the two most important developments in the past decade that had the potential of impacting trade unions by way of improved legislation strengthening freedom of organisation, decentralised implementation mechanisms and greater involvement of rights-based infrastructure to implement fundamental rights and core ILO conventions. This section briefly documents trade unions own experience of these two developments.

Though the details of the 18th constitutional amendment have been shared in the first section, it would be worth reminding the core aspects of the amendment for the workers movement.

2.6. 18th Constitutional Amendment

The 18th constitutional amendment passed in April 2010 abolished the concurrent legislative list transferring all the matters mentioned therein within the jurisdiction of the provinces that now hold the responsibility for making and implementing legislation. The matters relating to the welfare of labour and trade unions outlined in the Concurrent Legislative list as Items No. 26 and 27 were also transferred to provinces. As a result of this, all provinces developed respective industrial relations laws. How the devolution and subsequent development of the Industrial Relations Act 2012 (covering federal government) impacted NIRC has been covered in a separate section, this section shall briefly address trade unions experience of the IRA under the 18th amendment. It is also recommended to refer to the article “Challenge

to the Industrial Relations Act 2012: Two High Courts Respond” in LUMS Law Journal for a better understanding of the ambiguities about industrial disputes due to the 18th constitutional amendment.

1. THE SINDH INDUSTRIAL RELATIONS ACT, 2013 Section 3 (i) provides for trade unions to include women employed in the establishment in the executive and office bearers positions with the same proportion in which they are employed in the establishment. THE PUNJAB INDUSTRIAL RELATIONS ACT 2010 also has a similar provision. However, experts interviewed note that the law on the provision of women workers is not properly implemented. Unions themselves are not sensitised on gender and resist the inclusion of women.
2. IRA is promoting provincialisation of trade unions. By restricting trade unions to provinces (requiring a separate registration for trans-provincial unions) unions are restricted to work on a national agenda.
3. Unions require greater oversight from the federal government to check compliance of provincial labour laws with ILO provisions.

2.7. Generalised Scheme of Preferences Plus (GSP+)

The GSP+ status was granted to Pakistan in 2014. It is a special and non-reciprocal agreement by the European Union granting preferential trade access to the EU market for countries that are considered vulnerable owing to insufficient integration within the international trading system. The concession is only granted to countries that ratify and undertake to comply with 27 international human rights, labour rights, sustainable development and good governance conventions including agreeing with their monitoring requirements.

The status has brought a range of benefits for Pakistan’s trade economy. Being the world’s largest trading block and a major export destination for Pakistan’s textile products – which represents more than 60% of Pakistan’s export, GSP+ has boosted exports by 47%³¹, stimulated export diversification, and contributed to an increase in investment and employment.

At the same time, there has been a consistent advancement in legislation and institutional frameworks concerning human rights and labour rights in the past four years. For the purpose of monitoring, the EU engages with the GSP+ status country on all areas where implementation is unsatisfactory.

31. 2019 data

The EU also actively engages with international organizations and their local representatives for monitoring the implementation of human rights and labour rights conventions. Key points highlighted by workers about GSP+ are listed below:

- While it is eight years since GSP+ is functional in Pakistan, trade unions see little improvement in terms of provision for labour rights, particularly with regard to the right to freedom of association. They see some pressure on the government as a result of a consistent follow-up process by the EU. However, the absence of marked improvement in trade union enrolment is cited as an example of GSP+ failure.
- Workers also feel that the process of reporting about labour provision is exclusionary. Workers unions say they have no idea how reporting is managed and who has a say in what is reported to the EU's monitoring mechanism.
- Workers unions are also critical of the EU monitoring process. They feel that it is weak and inadequate even when the GSP+ status brings immense financial benefits for employers who continue to bar workers right to organisation.

Sections Three

Profiles of Federations and Trade Unions

This section covers profiles of major federations and unions in Pakistan. The list of the federations was drawn from various sources including consultation with labour rights experts, ILO study “A Profile of Trade Unionism and Industrial Relations in Pakistan” and from Muhammad Zahid Islam’s book on trade unions in Pakistan.

The section was produced as a response to the demand by FES that required a listing of the basic details, key characteristics, political affiliation, and strengths and weaknesses of major federations and unions in Pakistan. Close to 60 federations and unions were consulted through phone calls presented with a list of questions. Out of these over 28 responded. The response of the federations and unions to the questionnaire has been summarised below.

It is to be noted that the information provided by the federations and unions have been taken as is. This is due to a shortage of time and also limited means of verification. Drawing analysis is an immensely time-consuming exercise that requires spending time with entities to understand various dynamics. The task would not have been possible given the limited scope of this paper.

Details of NGOs and allies working with trade unions can be acquired from their websites.

3.1. All Pakistan Labour Federation

The All Pakistan Labour Federation has 138 unions with 30,4000 members from the textile, minerals, gas, rubber, plastic, power sectors. Its geographical base is in Balochistan, with a headquarter in Quetta, and regional offices in all provinces.

The President is Abdul Sattar and Secretary-General is Sultan Khan. It describes its political ideology as progressive. Their agenda is to promote the right to organisation of workers. They term poor financial resources as their biggest weakness.

They support new trade unions and are fighting against fake unions and federations. They are part of the newly confederation being formed under the supervision of PILER.

The All Pakistan Labour Federation is acutely critical of ILO's role describing it as biased and restricted.

3.2. All Pakistan Lady Health Workers Association

The All Pakistan Lady Health Workers Association represents Lady Health Workers. It has over 100,000 LHWs as members. Bushra Arain is leading the association.

3.3. All Pakistan Oil and Gas Employees Federation

The All Pakistan Oil and Gas Employees Federation was formed in 2017. It has 80 affiliated unions representing workers from Oil and Gas Development Company, Pakistan State Oil, Sui Southern Gas Company, Shell Pakistan Limited, Pak Arab Refinery Co, Pakistan Refinery Ltd, Pakistan Petroleum Ltd. (PPL) and other unions from the oil and gas development sector.

The President of the Federation is Rashail Alam. The General Secretary is Syed Ejaz Hussain Shah. There are 30 office-bearers in the federation.

The Federation's headquarters is in Islamabad with regional offices in Karachi, Hyderabad, Multan, and Kohat, among other areas. The Federation establishes offices in areas with more than 1,000 workers.

The All Pakistan Oil and Gas Employees Federation considers itself as nonpolitical and does not want to be seen as espousing an ideology.

The Federation's agenda is to address issues of the workers from the oil and gas development sector including ending the contract system, regularising employees and decent pay and working conditions.

The leadership of this Federation comes from the CBAs and unions from the sector. The Federation states to organise elections every two years.

The Federation works with fellow unions and federations to support mobilisation for workers rights. They are currently not a part of any government-led committee, however, they are keen for a representation of the sector in the Workers Welfare Fund, based on the contribution of the sector to the board.

In terms of their strength and weaknesses, they describe the 50,000 plus workers and their status of the only federation in the sector as important. However, the workers and the oil and gas field is based in remote areas present the challenges of accessibility, which comes in the way of communication, capacity building and campaigning for workers.

At the international level, this federation is affiliated with IndustriALL Global Union.

Address: 09, Mazanine Manzoor Plaza, Jinnah Avenue, Blue Area Islamabad

3.4. All Pakistan Trade Union Federation

The All Pakistan Trade Union Federation was formally registered in 2004, however, it existed since the 1940s. Abdul Rehman Shaheed and Chaudhary Gulzar Ahmad were among the founding leaders of the federation.

The Federation has 5,000 members from railways, diverse industrial sectors, and municipalities, etc. The headquarter of the federation is in Lahore and it has offices in Kasur and Gujranwala, among other areas of Punjab.

Fazal-e-Wahid serves as the President, Aima Mehmood is General Secretary, Shabbir Shah is Senior Vice President, Chaudhary Nasir is Information Secretary, Haji Abdul Ghafoor is Finance Secretary.

In terms of ideology, the federation has left-leaning members but right-leaning groups are gaining strength.

The Federation's key agenda revolves around workers' right to organize. They also prioritise women's participation in trade unions and claim to work towards equal representation and participation of women in decision-making in the trade union movement and beyond.

In terms of their strength, they consider their experience and status of being functional since the 1940s as their biggest strength.

They admit internal divisions and a severe lack of resources hinder them from operating with full potential. The organisation also struggles with a strategy to expand. At the moment, they say they are just struggling to survive in difficult times.

The Federation maintains good relations with fellow federations and unions and also works with PILER, Working Women Organization (WWO) and

others for various engagements. The General Secretary of the federation is a member of the Punjab Workers Welfare Board.

Address: House No. 93-A, Nawab Town, Raiwind Raod, Lahore.

3.5. All Pakistan Trade Union Organization (APTUO)

All Pakistan Trade Union Organization (APTUO) was formed in 1976, emerging from the Pakistan Labour Federation. SP Lodhi was the General Secretary of the organisation. Currently, Habibudin Junaidi is the chairperson of the organisation. It has 10-15 unions from Sukkur and Hyderabad. According to the leadership, efforts are being made to revive it.

3.6. All Pakistan United Irrigation Employees Federation

The All Pakistan United Irrigation Employees Federation has eight 8 affiliates and an estimated 20,000 workers as members. The federation covers employees of the Irrigation Department in four provinces. The President of the Federation is Abdul Rehman Asi. He is also the President of Domestic Worker Federation (Punjab), President, Brick Federation (SEC general) and Municipal Corporation Unions.

The federation was formerly known as the Punjab Irrigation Employee Federation.

The head office of the Federation is in Irrigation Department Office in Shekhupura. The regional offices are in Swabi (Khyber Pakhtunkhwa), Chaman (Balochistan), and Sukkur (Sindh). The Federation finds its basis to be stronger in Sindh, Punjab and Khyber Pakhtunkhwa, compared to Balochistan.

In terms of political ideology, the federation does not support trade unions' involvement in politics. They also do not support the political wings of political parties as it creates a conflict of interest. The Federation's key agenda for workers is to end wage disparity and fight against inflation. The Federation has amended its constitution to expand the involvement of youth in its executive board. They have also established a women's wing to highlight the issues of women. They describe poor educational qualifications and limited financial resources as their weakness.

Social media page: The federation has no website, though their facebook page is titled "Fight for workers right."

3.7. All Pakistan WAPDA Hydro Electric Workers Union

The All Pakistan WAPDA Hydro Electric Workers Union has 160,000 members from the power sector including GENCO, DISCOS, NTDC and Hydro Power. Its geographical reach is all over Pakistan, however, it describes Sindh and Punjab as its stronghold.

The headquarters of the union is based in Lahore. However, regional offices are established in all provinces including Faisalabad, Gujranwala, Multan, Peshawar, Hyderabad, Larkana and Quetta.

The President of the union is Abdul Latif Nizamani who is also the chairperson of the Sindh region. Khurshid Ahmed is Secretary-General Central, Ramzan Achakzai is Chairperson, Balochistan, Muhammad Iqbal Khan is Chairperson Khyber Pakhtunkhwa, and Iqbal Qaimkhani is the provincial General Secretary of Sindh.

The All Pakistan WAPDA Hydro Electric Workers Union identifies its political ideology as progressive. However, its member are from left and right groups both with some inclined towards religion. It seeks to work for the welfare of the workers. Provide better facilities and welfare to the members.

This union is considered the biggest trade union in Pakistan. It is supporting other trade union movements as well.

This is an active union with a strong street mobilisation capacity. They have a good relationship with other federations and unions. Besides PILER they also work with other civil society organisations and are a part of the formation of a workers confederation being initiated by PILER/Karamat Ali. They also work closely with ILO. The President of the Union Latif Nizamani is invited to ILO labour conferences in Geneva for many years.

3.8. Faisalabad Labour Federation

The Faisalabad Labour Federation has 5,659 members. It includes textile workers among other sectors. Its geographical base is in Faisalabad. Its leadership includes Chairman, Ahmad Ali Ran, President, Muhammad Aslam Wafa General Secretary Malik Muhammad Afzal.

Faisalabad Labour Federation was founded and is led by Asalm Wafa. He represented different sectors including textile, WASA & Faisalabad Development Authority (FDA). The Federation has the same characteristics as the Punjab Federation of Labour Unions. It describes its strength as a strong presence in Punjab, resource crunch and a difficult political environment as its weakness.

Address: Head Office Jamal Market, Chiniot Bazar, Faisalabad.

3.9. Home Based Women Workers Federation

The Home Based Women Workers Federation was registered in 2009. It has 4,000 members. They have offices all over Sindh in addition offices have also been set up in Multan, Faisalabad, Rawalpindi (Punjab) Hub and Quetta (Balochistan). The General Secretary of the Federation is Ms. Zehra Khan.

The HBWWF has been a part of the Home-based Workers Law Sub Committee. They were also involved in the 2017 Committee for Labor Policy in Sindh. Moreover, they are in the Sindh Tripartite Standing Committee, Minimum Wage Committee, and Law on Women Agriculture Workers. The Federation also collaborated on the registration of all home-based workers across Sindh. Moreover, it has also worked on the minimum wages for the garment workers. They engage the Sindh labour department for workers complaints and consider a strong complaint mechanism as their strength.

The Federation holds elections as per the NIRC policy. It also has a general body and executive committee in place. They hold annual audits and annual conventions. Monthly meetings are organised to track organizational matters.

The HBWWF is a membership-based federation, the fee is paid by the members. For large scale activities, funds are raised from external actors such as industrial unions, HomeNet International, Clean Clothes Campaign or from the general public within the (geographical) area. For training, the HBWWF also engages Clean Clothes Campaign.

The HBWWF is an affiliate of the IndustriAll Global, Clean Clothes Campaign, Home Net International, HomeNET South Asia, World Federation of Trade Unions and NATIONAL Trade Union Federation.

3.10. Ittehad Labour Union Carpet Industry Pakistan

The Ittehad Labour Union Carpet Industry Pakistan has 2,200 members from the carpet weaving and power looms sectors. Its geographical outreach is expanded to Punjab and Sindh (mostly Karachi). The President of the union is Daud Khan and General Secretary is Niaz Khan who is also the General Secretary of the Textile Powerlooms and Garment Workers Federation.

The leadership has come from the textile sector. The headquarters of the union is in Lahore and a regional office is set up in Karachi.

In terms of political affiliation, they describe themselves as progressive. They consider their close association with textile hosiery and power looms as their strength. The union is, however, financially struggling.

The Ittehad Labour Union Carpet Industry are also members of the IndustriAll Global Union.

3.11. Labour Qaumi Movement

The Labour Qaumi Movement (LQM) is a non-traditional labour organization that emerged in October 2003, as a result, textile and garments workers' protest against increasing exploitation by employers. The organisation is not formally registered as a trade union or federation. However, it is well recognised by the relevant government departments, employers and other relevant stakeholders.

LQM has organised the workers in different sectors including garments, textile, brick kiln, sanitary, domestic workers, home-based workers, lady health workers, etc. It has help form 18 trade unions.

The LQM states that it has 600,000 to 700,000 members with geographical outreach in Faisalabad, Jhang, Chiniot, Toba Tek Singh, Nankana Sahib, Hafizabad, Multan, Vehari, Muzaffar Garh, Layyah and Khanewal. The movement has a 21 member central council. It also has sizeable participation of women.

The LQM is a membership-based organisation collecting the monthly fee from members, which it describes as its only source of funds. The movement has established small rented offices in every sector to collect funds and facilitate workers especially in cases they need any assistance from the LQM.

The LQM is known for its street mobilisation. Though the movement itself is a non-registered entity and it wishes to remain so, it has organised movements from other sectors such as brick kilns, powerloom and garments sector. LQM has also established a tripartite platform in Faisalabad, bringing employers and government department officials together to address issues such as payment of wages, working hours, etc.

Apart from its street mobilisation capacity, LQM has also built a system of continuous engagement with the provincial labour department in Faisalabad, along with social security and EOBI offices. This engagement helps resolve small-scale problems of workers, while also building a support base among workers. LQM has organised workers movements from various sectors supporting them with organisational and mobilisation capacities. The most important collaboration has been with powerloom and brick kiln workers of Faisalabad. A number of researches have also been produced on LQM's mobilisation capacity and agitation strategies.

The movement due to its unregistered status is not a part of any international confederation or alliance.

3.12. Mehnat Kash Labour Federation

The Federation has 11 affiliates with 20,000 members from the tobacco, sugar, cotton, and construction sectors.

The geographical concentration of the sector is in Mardan, Swabi, Newshehra, Swat. The head office of the Federation is in Mardan, while it has a strong presence in Mardan, Newshehra and Swabi.

The President of the Federation is Ibrarullah, who is also the founder of the federation (assisted by Labour Education Foundation) and General Secretary is Shafique Zaman.

The Federation describes itself as left-leaning. They describe their agenda as protection of workers from illegal termination, fight for their entitlements and regularisation of the informal sector.

In terms of strength, the federation describes its strong network as its strength. Lack of financial resources, pressure from employers and efforts to create division between the federation's ranks by what they describe as pro-employer factions are described as a challenge.

The Federation enjoys good relations with Muttahedda Labour Federation. However, it categorically has differences with PWF. It works closely with the Labour Education Foundation that it describes as a supporter. The President of the Federation has also served as a member of the Workers Welfare Board's governing body for three years.

Address: House Number 122, Labour Colony Takht Bhai, Tehsil Takht Bhai, District Mardan - Khyber Pakhtunkhwa.

3.13. Muttahida Labour Federation

The Muttahida Labour Federation was established, constituting a merger of some local/regional federations in 1988.

The MLF has a total of 141,000 members in Pakistan in the textile, food, engineering sectors. The geographical concentration of members is mainly from Karachi, Hyderabad, Lahore, Gujranwala, Sheikhpura, Chiniot, Multan, Jehlem, Faisalabad. The Head office of the Federation is in Karachi, while it has provincial headquarters in Quetta, Hyderabad, Lahore and Peshawar. Local offices are located in Multan, Jehlem, Jauharabad, Mandi Bahuddin. The MLF considers Sindh as its stronghold as it observes declining trends in unionisation in Punjab.

The MLF describes itself as having a progressive ideology with the aim of working for the working class, promoting pro-workers legislation and social and political empowerment of workers. They describe their strengths as their strong internal structures and progressive ideology. In terms of weaknesses, MLF describes an absence of new leadership and funds shortage as its weakness.

The Federation also works with civil society and trade union allies such as PILER, HRCP and South Asia Partnership (SAP) Pakistan. At the regional level, they also work with South Asia Labour Forum. They are also a part of the Pakistan Workers Confederation (Awan group).

3.14. National Labour Council

This is an initiative led by PILER to bring trade unions on one platform. Currently, veteran trade union leader Karamat Ali is serving as the Secretary of the NLC and Mr. Abdul Latif Nizamani of WAPDA Hydro Union is the Convenor of NLC.

NLC has brought 70% of trade unions on its platform. It seeks to support the All Pakistan Workers Confederation in making it a majority confederation.

3.15. National Labour Federation

The National Labour Federation has 400 unions. It was formed in 1969. These are provincial and national level unions from the industrial, public sector, textile, mines, municipal sectors.

The NLF claims to be the biggest federation in terms of its members, its sectoral outreach and its network among workers.

Its headquarter is based in Lahore, while provincial offices have been established in all provinces. A camp office is in Islamabad. Moreover, it has offices in Hyderabad, Sukkur and Dera Ghazi Khan.

The current President of the Federation is Shams ur Rehman. Shahid Ayub is the Secretary-General.

Shams ur Rehman is serving as the President for the second time. He was formerly an employee of the Heavy Mechanical Complex, Taxila. Earlier presidents have come from Pakistan Steel Mills, PIA, among other organisations.

The NLF is considered to be close to Jammāt-e-Islami, a party it says aligns with the ideology espoused by the Federation. The Federation supports "Islamic Nizam". Its agenda for workers rights promotion, particularly the right to unionisation and equality, and fight against contract system.

The NLF considers its democratic system and consistent electoral process as its strength. They describe their modest resources as their weakness because of which they feel incapable of expanding their outreach.

The NLF has a good working relationship with other federations. It works with the Workers Education Trust for the capacity building of its members.

Social media page: <https://www.facebook.com/NLFPK1/>

3.16. National Trade Union Federation

The National Trade Union Federation has 62 affiliates with a membership of 80,000. Its members come from the public sector, services, agriculture, auto,

metal, ship breaking, shipbuilding, mines, textile chemicals, pharmaceutical, textile garments, among others.

The NTUF has a presence in all provinces, however, it has a stronger base in Sindh and Balochistan and parts of Punjab. Their head office is based in Karachi. Other offices are in Hub, Gaddani, Pasni in Balochistan, and Faisalabad, Rawalpindi, Hassan Abdal in Punjab.

The President of NTUF is Rafiq Baloch, General Secretary is Nasir Mansoor, Vice President is Saeeda Khatoon. Its Chairperson is Taufiq Ahmed. The leadership comes from the textile, marine, chemical electric production sectors.

In terms of ideology, the NTUF describes itself as has left-oriented from its inception. Its agenda for workers is the implementation of the ILO conventions and promoting the formalisation of workers.

The NTUF works closely with PILER, HRCP and Edhi Foundation. It also believes in joining broader workers and civil society movements and supports activities.

In Sindh, the NTUF is a part of the Labour Standing Committee and Tripartite Zonal Committees in the Sindh Labour department.

Internationally, it works with Clean Clothes Campaign (CCC), IndustriAal Global Union, Asia Floor Wage.

The NTUF had a split in its ranks in around 2016-17, because of which a parallel federation was formed with a similar name. However, the split has been resolved now. The office bearers blame the NIRC for all this problem.

Social media page: <https://www.facebook.com/National-Trade-Union-Federation-NTUF-1594302000818483/>

3.17. Pakistan Central Mines Labour Federation

The Pakistan Central Mines Labour Federation has 38 unions in mines with 153,000 members from gold, gypsum, chromite, coal. The Federation is based in Balochistan with its head office in Quetta.

The President of the Federation is Sultan Khan, Secretary-General is Abdul Sattar. The leadership has come from the minerals and mines sectors. They describe their key agenda as organising the unorganised workers and promoting welfare benefits for workers.

They describe the absence of new leadership as their weakness. They also describe the lack of unity among trade unions as an impediment.

The Pakistan Central Mines Labour Federation seeks to work with all trade unions and federations. However, it has a negative view of ILO accusing it of working with one federation only. It is also critical of the provincial labour department describing it as non-representative and non-accountable over resource management.

3.18. Pakistan Hydroelectric Workers Union

The union has 150,000, with offices in Islamabad and provincial, divisional, and zonal levels. Its executive committee has 65. The union states that it holds elections every two years. The union covers WAPDA employees. Its membership is based all over Pakistan.

The President of the union is Abdul Lateef Nizamani, General Secretary is Khurshid Ahmed Khan, Secretary-General, Ramzan Acahkzai, Joint President, based in Quetta, Balochistan, and Iqbal Khan, Joint Secretary, based in Peshawar.

Office: 28 Nisbat Road, Baktiar Labour Hall, Lahore.

Website: <http://apwhewu.org.pk/>

3.19. Pakistan Workers Federation

The Pakistan Workers Federation (PWF) has 500 affiliates. PWF represents diverse sectors including workers of local government bodies, development authorities including CDA, and the industrial sector.

It has offices in all provinces. The head office of the PWF is located in the office of the Capital Development Authority (CDA) workers union in Islamabad, regional offices are based in Islamabad (Abpara), Lahore, Multan, Peshawar, Bannu, Karachi, Hyderabad and Quetta.

The President of PWF is Chaudhary Naseem Iqbal, Secretary-General Chaudhary Muhammad Yasin, Chairperson Abdus Salam Baloch, Finance Secretary, Malik Ikram and Chairman Steering Committee is Zahoor Awan.

The PWF's history could be traced back to the merger of labour federations of northern and southern parts of Pakistan in 1952. In its early years, PWF was led by Chaudhary Rehmat Ali.

Later, it was led by veteran trade union leader Khursheed Ahmed from WAPDA and Zahoor Awan.

Ideologically, the PWF supports democracy and dialogue.

The PWF describes its primary agenda to work towards the social protection of all segments of workers and to protect the rights of informal workers. The PWF regards its status as being one of the oldest labour representative organisations, and its strong regional spread as its strength.

The PWF outlines the financial crunch as its weakness. Workers across Pakistan are not convinced to financially contribute to the strengthening of trade unions, which makes it difficult for the federation to operate efficiently for labour rights.

The PWF has strong relations with other labour representative organisations such as National Labour Federation, Pakistan Workers Confederation, Mutahida Labour Federation etc.

Grouping:

The Pakistan Workers Federation was formed in 2005 as a result of the merger of three leading national level federations, Pakistan Federation of Labour (APFOL), All Pakistan Federation of Trade Unions (APFTU) and Pakistan National Federation of Trade Unions (PNFTU).

The Federation was in the making for 10 years before it was formalised in 2005 as a result of the Abbottabad Charter. Veteran trade unionist Khurshid Ahmed served as the chairperson for 17 years. Due to a dispute in the Federation, primarily on the subject of representation in the ILO Governing Body, the Federation was divided, with Zahoor Awan replacing him at the ILO forum.

Khurshid Ahmed was previously employed with the WAPDA. The WAPDA union - with the largest membership base sided with his group. This group is now a part of the National Labour Council, which is endeavouring to form the largest confederation in Pakistan.

The divide between the two groups is clearly reflected in the labour movement too. A number of trade unions interviewed clearly describe themselves as being a part of Khurshid Ahmed or Zahoor Awan groups.

3.20. People's Labour Bureau/Federation

The People's Labour Bureau/Federation is the labour wing of the Pakistan Peoples Party. Though not registered with the NIRC, it works on the same pattern as trade union Federations. They have an executive body and their affiliates are registered or CBA trade unions.

Apart from PPP, other mainstream parties with labour wings are Jammat-e-Islami (National Labour Federation), Pakistan Muslim League-N (League Workers Federation) and Pakistan Tehreek e-Insaf (Insaf Labour Wing)

The PLB covers Sindh province. Its president Haibudin Junaidi has been nominated by the Chairperson of the Pakistan Peoples Party. The Federation has 50 affiliates from all over Sindh. The Peoples Labour Bureau's offices in other provinces are being reorganised.

Major sectors represented in the PLB include Pakistan Steel Mills union, PIA, Port Qasim Authority, State Bank of Pakistan CBA, Dock Labour Union, Karachi Port Trust, and Workers Welfare Board, and Social Security CBA, among others.

The PLB was formed in 1986. Its headquarters is in Karachi, while regional offices are established in all districts and divisions of Sindh. Some of the offices are based in the party office.

They consider their strength of being close to the party, which allows them to push labour issues in the Sindh Assembly. PLB takes credit for the pro-workers laws introduced by the PPP that governs the Sindh province.

The PLB describes its ideology as the same as that of PPP, i.e, moderate. Its key agenda for workers is to organise workers irrespective of political affiliation. In addition, promoting pro workers legislation and implementation of labour legislation are also counted as objectives. They take credit for Sindh Government's advancement in labour legislation and initiatives such as holding the first provincial tripartite conference in Sindh in December 2017.

While affiliation with political parties is criticised among workers groups, the PLF deems it as workers right to associate with a political party and use the party's platform to advance workers cause.

The PLF works with national and international non-governmental organisations.

Address: Peoples Secretariat, Near Mazar e Quaid, Karachi

3.21. Punjab Federation of Labour Unions

Punjab Federation of Labour Unions has 4,160 workers from diverse industrial sectors including textile. Its geographical concentration is in Faisalabad, Multan & Sahiwal and other industrial areas of Punjab. Its head office is in Faisalabad and sub-office in Multan.

The key office bearers include Chairman, Rao Mushtaq, President Aslam Wafa, and General Secretary Nadeem Parwaz. The leadership of the Federation represents diverse political ideologies including left-leaning, center and right.

It describes its key agenda for workers as organising the unorganised workers, raising the issue of unemployment and other labour issues.

The Punjab Federation of Labour Unions was established by the leaders of different trade unions in Punjab. Aslam Wafa played the lead role in establishing and expanding the federation.

The Federation describes its strong geographic base in Punjab and solidarity with local, national and international labour organisations as its strength. The federation, however, faces severe lack of resources and capacity constraints. An unsuitable political environment along with resource crunch lacking renders them unable to educate and mobilise workers.

Address: Head Office Jamal Market, Chiniot Bazar, Faisalabad.

Website: NA

3.22. Railway Workers Union (Open Line)

Railway Workers Union (Open Line) is an industry-wide union with 40,000 workers as its members. It is one of the oldest unions in Pakistan. It was founded by veteran trade union leader Mirza Mohammad Ibrahim in 1948. It had many noted names including Sobho Gyanchandani and Faiz Ahmed Faiz.

Manzoor Ahmed Razi is currently serving as the Chairperson of the union. Despite its strong history, the union's strength has declined because of divisions and also because of the absence of a consistent election process.

The Zulfikar Ali Bhutto Government (1972-1977) initiated the separation of railway unions into open line and workshop sections. The elections in the open line first took place in 1981 in which the Jamat-e-Islami supported union won. There have been no elections after 1983. The open line was later declared as essential service, restricting its rights including those of calling a strike.

As of now, the Mughlapura Workshop is registered as the CBA.

Like other trade unionists, the leadership of the Railway Workers Union also believes that the system of CBA has caused a split among workers. Currently, there are five unions and 80 associations in railways. These unions and associations are divided on a political and ethnic basis.

Manzoor Razi describes the ideology of the Railway Workers Union as that of left and democratic. The agenda of the union is to turn workers into a political force and achieve representation of workers in the Parliament. It also seeks to resist the privatisation of the Pakistan Railways. The leadership, however, admits to be struggling with its goals as neither workers are willing to undertake long struggle nor the employer, which is the state, willing to protect workers.

Social media page: facebook: <https://www.facebook.com/rwu.pakistan/>

3.23. Sindh Labour Federation

The Sindh Labour Federation has 38 unions from the garments, engineering, pharmaceutical sectors. The Federation's office is in Karachi. Its President is Shafeeq Ghauri, and Shaikh Majeed serves as General Secretary. The leadership has worked in the engineering and legal sectors and also with the PIA union.

The Federation describes itself as left-oriented and progressive. It aims to facilitate access to workers rights, promote sensitisation of rights to the organisation and provide legal assistance to workers.

Shafeeq Ghauri is also the co-chairperson of the Sindh chapter of WEBCOP. He is also a member of Sindh Tripartite Labour Standing Committee. Sindh Labour Federation engages SESSI regularly pointing out irregularities.

SLF is a part of the Pakistan Workers Confederation (Awan Group).

3.24. Textile Powerlooms and Garment Workers Federation

The Textile and Powerlooms and Garments Workers Federation has 6100 and six affiliates in Khyber Pakhtunkhwa, Punjab and Karachi.

The Federation covers carpet weaving and power looms sectors. The geographical concentration of its members is in Mardan, Lahore, Faisalabad. The Federation's head office is in Lahore and the regional office is in Faisalabad.

The President of the Federation is Aslam Mairaj, and General Secretary is Niaz Khan.

In terms of political ideology, it describes itself as progressive, though its leadership has representation from both left and right groups. They describe their key agenda as the welfare of workers.

They describe their unions' financial crunch as their biggest weakness because of which they are not able to expand their activities. They are also a part of the Pakistan Workers Confederation (Khursheed group). The Textile and Powerlooms and Garments Workers Federation works closely with PILER, LEF and HRCF. They are also a part of IndustriAll.

3.25. The International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations

The International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF) is a global union federation of trade unions. The IUF represents workers employed in agriculture, the preparation and manufacture of food and beverages, hotels, restaurants and catering services and in tobacco processing.

Pakistan falls in the Asia Pacific region for the IUF. Qamar ul Hassan is the Director of South Asia. Affiliates include Pakistan Food Workers' Federation (PFWF), Pakistan Hotels, Restaurants, Clubs, Tourism, Catering and Allied Workers Federation (PHRCTAWF) and Sindh Nari Porhyat Council (SNPC).

The global union works above political ideologies and describes its agenda as strengthening workers organisations and defending their political and democratic rights. The IUF trains and sensitises workers on labour rights. The current director comes from a trade unionist background working since 1973 in a variety of professional sectors.

The IUF describes capacity deficits and the absence of a professional cadre of trade unions as a weakness. The IUF has a facilitating role for its affiliates. They support their affiliates for campaigns of their choice. They participate in government consultations and provide advice based on the priorities of their affiliates.

The office is based in Karachi.

3.26. Unilever Employees Federation

Unilever Employees Federation was established by veteran trade unionist Nabi Ahmed in 1984, an employee of the Unilever Company. It has 550 workers. It covers unions in various units of Unilever Company employees only.

The head office of the federation is in Rahim Yar Khan and regional offices are located in Khanewal and Kasur.

The President of the Unilever Employees Federation is Arshad Kamran, General Secretary is Moeddat Hussain, Senior Joint Secretary is Shahzad Saleem, and Joint Secretary is Manzoor Khan.

The head office is located at Blessing Restaurant and Hall, near Hafiz Floor Mills, Rahim Yar Khan. It has no regional office.

The Unilever Employees Federation identifies itself as pro-democracy.

As this Federation is company-specific, it has established committees such as shop stewards, site safety committee, environment committee, medical committee, etc. The Federation works to connect workers and employers. The Federation's approach is to resolve issues through a dialogue process.

The Federation has a good working relationship with PWF, Uni-Global and Industrial. It does not work with any civil society organisation.

3.27. United Municipal Workers Federation Sindh

The 25 affiliate Federation represents municipal workers in Sindh. It was established in the 1970s. The affiliates and workers mostly come from Karachi city. The office bearers include:

President – Kaanez Fatima, Qasim Shah, Vice President, Ghulam Hussain Shah, Senior Vice President. The Federation works on municipal employees rights, promotion issues, medical issues, retirement issues.

Unconventional movements/Initiatives:

3.28. Watan Dost Mazdoor Federation

The Watan Dost Mazdoor Federation has 20,000 members, mostly from the gas, fertilizer, power and sugar sectors. The majority of the federation's members are from Sindh (Ghotki and Larkana districts), though the Federation has a representation of trade unions from other provinces as well.

The head office is located in Larkana and the regional office is in Ghotki, Sindh.

The President of Watan Dost Mazdoor Federation is Advocate Jamshaid. The Chairperson of the Federation is Abdul Haq, and General Secretary was Aziz Abbasi (he died in December 2021).

In terms of ideology, the federation was strongly left-leaning when it was established. However, it has deviated from its left orientation now, with progressive elements still present.

The Federation seeks to support workers against informalisation.

In terms of strength, the federation considers its presence across Pakistan, solidarity with other federations, and consistency in struggle through litigation and building pressure against employers as its strength.

They describe their inability to organize contract workers as their weakness. Contract workers also tend to avoid joining the workers' movement due to the threat of losing their jobs. The Federation also struggles with a lack of resources and capacities.

The Federation maintains strong links with Pakistan's leading federations such as Pakistan Workers Federation (PWF) and Muttahida Labour Federation (MLF). They also work with PILER. At this point, the Federation is not a part of any government commission/committee.

Address: Labour Hall, Lahori Mohalla, Larkana, Sindh.

Section Four

Recommendations

The recommendations have been compiled from the suggestions presented by trade union leaders and allies interviewed for the purpose of this study. These have been categorised separately for the government, trade unions, civil society and international organisations.

4.1. For Government

1. The government should make enabling environment for the trade unions so that they can effectively organize themselves. Pakistan has already ratified ILO's Conventions - 87 (Freedom of Association and Protection of the Right to Organise Convention, 1948) and C-98 (Right to Organise and Collective Bargaining Convention, 1949). The labour legislation should be made according to ILO standards, which Pakistan has already ratified.
2. The government is making capital intensive economic policies instead of labour-intensive policies, which is one of the reasons of declining of trade unions in Pakistan. The government should withdraw all special incentives from Export Processing Zones and Special Industrial Zones, where trade unions are not allowed to operate. The industries in these special zones are currently exempted from the labour inspections under the Factories Act. All the labour laws including Industrial Relations Act, Factories Act and Occupational Safety and Health laws be implemented in these special industrial zones.
3. The government should remove all impediments on the way of the right to association and the right to collective bargaining. For that purpose, the government should restore the Trade Union Act 1926 with some amendments.
4. The government should strengthen the tripartite mechanism under the ILO Convention No. 144 (Tripartite Consultation Convention, 1976). For this purpose, it should sit with the employers and workers twice a year according to a pre-planned agenda to discuss their mutual problems and solve them during the meetings.

5. The government takes action to discourage the formation of pocket unions by employers. The government should take measures to implement Article 25 (Right to Association). Trade unions are beneficial for any organization and this mindset that trade unions are destructive should be removed.
6. There is no National Labour Centre and the government sends one organization and one related individual to represent Pakistan's labour at the International Labour Conference every year. This practice should be halted. It is pivotal that only true leadership of the workers should be sent to Geneva to represent Pakistan labour in ILO conferences every year.
7. Agriculture workers are in a larger majority of the total workforce, but they don't have the right to form trade unions or select collective bargaining agents. Even though the Sindh government has put the agriculture workers, fishermen and forest workers in the definition of the labour in the Sindh Industrial Relations Act 2013, these workers have still not acquired their right of association as rules of registration of trade unions in agriculture are still not made. These workers should also be provided access to the social security institutions as currently, they don't have access to the Employees Social Security Institutions and Employers Old-age Benefit Institutions (EOBI) or Workers Welfare Fund.
8. The informal sector workers also do not have a right to association and access to social security institutions. Universalization of social security for all citizens is the only solution to bring all workers into the coverage of social security.
9. Current industrial relations laws do not allow the formation of industrial or sectoral unions, which needs to be amended on an urgent basis. The industrial or sector-wise unions should be allowed to form, otherwise unit-level trade unions are not so effective for the protection of workers rights.
10. The NIRC's status is restored to 1972 position and its labour courts powers are transferred to regular courts.
11. There is no representation of workers in the Parliament and political parties are not awarding tickets to labour leaders, which has created a big vacuum and workers find no voice in their support in the Parliament. The electoral laws and the Constitution should be amended to allow reserved seats for the workers and peasants in all houses of the Parliament.

12. The IRA allows multiple unions in an industrial unit, which is also the main cause of the weakening of trade unions. Only one trade union be allowed in a unit which represents 100 per cent of workers in a unit.
13. Core labour standards of the ILO should be implemented in Pakistan and all required legislation be made in Pakistan for proper implementation.
14. Pakistan has ratified only two Governance (priority) Conventions of ILO (Labour Inspection Convention, 1947 (No. 81) and Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144). Pakistan has still not ratified the other two important ILO Governance (priority) Conventions including Employment Policy Convention, 1964 (No. 122) and Labour Inspection (Agriculture) Convention, 1969 (No. 129). The government should ratify all 4 conventions.
15. There is a need to strengthen the tripartite laws and mechanisms. Workers and employers' bodies need to be streamlined. The labour department needs to get rid of corruption.

4.2. For Trade Unions

1. Trade unions should work for the unification of all workers including those working on a contract basis. Besides making contract workers their members, they should strive for the provision of all fringe benefits to them, which are usually available for regular workers.
2. Trade unions should focus on the education and training of their members and office-bearers.
3. Trade unions should promote democratic culture in their ranks and a transparent mechanism should be put in place for new membership and internal elections to elect office-bearers.
4. There should be a tenure system in trade unions whereby an office-bearer cannot hold the office like President or General Secretary offices for two consecutive terms.
5. It is high time that the Trade unions focus and work seriously to bring new leadership and train youth on trade union activism.
6. Gender policy for workers should be integrated as an essential component of trade unions. Women should be encouraged to join trade unions and be given leadership roles. The capacity of women leadership needs to be developed by organizing training sessions and orientation of relevant laws and international conventions.

7. Focusing on inclusion, the Charter of demand should cover women related issues including maternity leaves etc.
8. Labour movements in Pakistan should work on a strategy for the revival of trade unions and federations. They should adapt to the new world technologies and work environments. Now labour movement needs to do brainstorming as to how to organize themselves according to changing environments.
9. Trade union leadership must control absenteeism and promote productivity and improvement in any particular unit.
10. A big gathering of all the major trade unions is held in the country in which they should redefine the role of the trade unions according to given conditions and realities of the changing world environment.
11. Unions will not flourish and progress until leadership roles are not given to youth.

4.3. For Civil Society Partners

1. Civil society organisations should support trade unions in their capacity building and help them establish their connections with the international trade union movements.
2. Civil society must work closely with trade unions to ensure accountability from the grassroots level and teach the younger generations how the unions work.
3. The national NGOs should stop competing with trade unions. If they have funds for projects for the welfare of workers, there is no need for reinventing the wheels. There is a need to engage trade unions to help them move ahead. NGOs should not work in silos.
4. Civil society can support trade unions through research and capacity development. They should help each other rather than competing and being negative about each other.
5. Civil society should engage in establishing a continuous dialogue between government, employers and workers. They should play the role of bridge in the tripartite mechanism.
6. Civil society should work for the restoration of students' unions because trade unions and students will strengthen democracy.

4.4. For International Support Organisations

1. The role of the International Labour Organisation (ILO) is important for promoting trade unions and improvement of working conditions for labour. In Pakistan, trade unions feel that ILO is not positively playing its role. They allege that ILO is promoting only one trade union federation and a particular leadership, which is not benefiting the overall majority of labour in Pakistan.
2. The ILO should redefine its role in Pakistan. It should give strong support to the trade union by removing the impression of being an adversary.
3. International journalists' unions like the International Federation of Journalists or Reporters San Frontier or Committee for Protection of Journalists have significantly supported Pakistani journalists. They have put strong pressure on the Pakistan government, which has benefitted the local journalists. The ILO should do the same to ask the government to end discriminatory laws and regulations in the country.
4. The European Union has provided GSP+ status to Pakistani exporters for tariff-free export in the European markets. This facility has benefitted Pakistani industries a lot in increasing their exports. But the government has not effectively implemented all the 27 international commitments, which includes 8 ILO Core Labour Conventions. The EU should play a role in the effective implementation of all GSP+ related conventions.
5. International unions and labour supporting organisations should share their experiences with Pakistani trade unions as to how the sector-wise unions are operating in the developed countries. They should assist Pakistani trade unions in forming industrial unions and trade unions for informal workers and agriculture workers.

Conclusion

In terms of their history, labour laws and trade unionism in Pakistan has been shaped by the British era legislations, politics and independence movement. However, the marked difference between the political leanings of the Indian National Congress - deeply connected with workers movement - and Pakistan Muslim League's - that did not pursue a concerted engagement with workers struggle - played a critical role in the future of trade unions in the newly independent states.

Post-independence, the political leadership in India promoted powerful trade unions, however, the political and later military governments in Pakistan followed a non-democratic path, adopting a private-led capitalist model while sidelining the welfare agenda. This was not helped by the fact that, Pakistan inherited a very small industrial base and limited industrial labour that could lay the foundation of a powerful industrial trade union movement.

Subsequent governments in Pakistan adopted legislative, institutional and arbitrary measures that promoted weaker, politically fragmented and plant-based unions. Pakistan's industrial relations laws too were moulded to adhere to the state's exclusionary and intervention-led regulatory order, with successive amendments leading to exclusion of groups that constitute about 70% of the total labour force of the country.

The status of the right to organise in Pakistan has repeatedly come under criticism both by ILO's Committee of Experts on the Application of Conventions and Recommendations (CEACR) and the review reports of GSP+ that have noted persistent obstacles in the way of unionization.

Labour unions outline a number of concerns with regard to trade unions today, most pressing being declining strength and capacities of unions, growing informality, the government's lack of political will to advance labour rights and a shrinking democratic space. Internally, labour unions point to deep-seated divides and corruption within their ranks that are pulling unions away from their agenda of serving on workers' rights.

Studying trade unions' internal mechanisms, it seems that national laws provide provision to unions to establish basic infrastructure, raise funds and maintain financial accountability towards their constituents. Unions

also claim they have sufficient mechanisms for grievance redressals. Unions depend on NGOs and other partner organisations to address funds deficit and to support capacity building.

Within the framework of national laws and self-created arrangements, unions do struggle to follow an independent course. With regard to infrastructure, national laws' requirement for unions to have a formal agreement with employers for an office space ignores the fact that employers are not only discouraging towards unions, in the informal sector they dismiss workers who seek to organise. The perpetual state of resource shortage experienced by unions, stemming from low fee and high cost of management leads unions to depend on other stakeholders including the government and NGOs for funding, compromising their independent agenda.

This report also sought to explore the status of inclusion of women, religious minorities and young people (people under 30 years of age); traditionally underrepresented in trade unions. While evidence suggests a very low percentage of women seek trade union membership and make it to senior leadership positions in trade unions, it appears that the provisions in recent industrial relations legislations in Sindh and Punjab seeking to promote women's inclusion in trade unions has had little impact due to inadequate implementation. (Few experts also point to trade union's own lack of political willingness to promote women's participation in unions.) However, women trade unionists and allies share a different experience, pointing that dominant patriarchal values and toxic behaviour at trade unions makes them unwelcome spaces for women workers.

In terms of the participation of religious minorities in trade unions, the absence of affirmative action laws and structural discrimination in the job market - trapping them to the lowest rung of informal employment - plays against this section of the population. Minorities are largely employed in the sanitary work sector, which is contractual in nature. As there is no contractual workers' union, the political participation of workers from the religious minorities is relegated to the fringes.

For young people, while interviews suggested a participation rate of 15% to 35% in unions and federations, there are two narratives that seek to explain their low level of presence in trade unions. One claims that young people do not participate in trade unions for reasons ranging from competing familial demands to fear of loss of work. The other narrative proposes that working in a trade union requires specialized knowledge and skills, which takes a new

entrant years to develop. Young women, however, face familial restrictions when it comes to trade union participation, especially where it involves trainings and travel.

However, whether they opt out of trade unions because of fear of job loss, or they spend early years in learning on the job skills in trade unions, it is evident that young people continue to face disadvantage, both in finding representation in trade union leadership and in setting the union agenda, due to their age.

Studying trends and experiences of trade unions with platform for exchange such as tripartite mechanism and alliances such as civil society and international support agencies, there seems to be a mixed picture.

Officially, the government of Pakistan has exhibited a rather casual attitude towards its obligations under ILO Convention C144 related to tripartite consultations ratified in 1994. However, in 2014, the government of Pakistan constituted the Federal Tripartite Consultation Committee and four Provincial Tripartite Consultation Committees. Moreover, there has been progress in Sindh on establishing tripartite structures from the provincial down to the zonal levels. Trade unions participating in tripartite structures flag various concerns. These include: non-seriousness on the part of the government, slow bureaucratic processes, frequent changes in bureaucracy, and government's bias towards complaint labour leaders for representation.

Trade unions are also critical of ILO for exercising favouritism in workers representation at ILO forums.

In terms of experiences with institutions of justice, labour courts - established under IRA by the provincial governments - too come under heavy criticism. Trade unions recount painful experiences of labour judiciary being insensitive to workers concerns, frequently taking anti workers position. Under IRA 2012, the National Industrial Relations Commission has been awarded the status of a parallel legal forum for resolution of disputes in trans-provincial establishments. This has further added to the difficulties of workers as employers deliberately take the unions to NIRC, stretching the meagre resources of trade unions.

In the last one decade, the 2010 devolution and 2014 GSP+ status by EU seemingly promised potential for a more robust protection and monitoring of the right to unionisation. However, it has not entirely led to desirable results for trade unions. Trade unions regard the 18th Constitutional Amendment

as inadequate in terms of impact due to poor implementation of positive provisions of the law, poor oversight and also the semi judicial role of the NIRC.

Similar feeling of discontent is registered with regard to the monitoring mechanism of the GSP+, which has been described as too weak and inadequate to play any significant role to affect the status of the right to organisation.

The report also sought to contribute a broad stroke analysis of the labour movement in Pakistan by way of a profile exercise, capturing the key details of select trade union organisations (largely federations). The exercise covered over 28 federations, unions and unregistered initiatives. Key trends related to political affiliation, organisational structure and divisions within the trade union movement and recent initiatives have been listed.

Federations seem to either strongly disassociate themselves from any political ideology - fearing it compromises their independence - or describe themselves as left leaning. They also expressing the fear of right leaning groups gaining dominance. Out of all federations, only the National Labour Federations describes itself as supporting an Islamic ideology.

In terms of political associations, very few examples of labour wings of political parties could be seen. The Peoples Labour Bureau is attached to the Pakistan Peoples Party while the National Labour Federation is considered to be close to the Jammat-e-Islami.

Like trade unions, federations also seek to maintain partnership with NGOs, particularly PILER, LEF, Homenet Pakistan, among others. These partnerships result in solidarity in mobilisation and capacity building where needed.

There is an overlap between the leadership of various federations. Common names such as Khurshid Ahmed, Aslam Wafa, Latif Nizamani, Habibudin Junaidi and Kaneez Fatima are found in more than one federations. It needs to be investigated how the overlapping of the leadership plays out for the organisational structure of the federations.

The grouping between PWF (Zahoor Awan Group and Khurshid Ahmed Group) has led to a clear divide between trade unions that align themselves to either of the two groups. The critical point of contention between the two groups stems from representation of workers at the ILO Governing Body, which was earlier held by Khurshid Ahmed for a considerable period

of time, and later came to Zahoor Awan. Federations are critical of ILO for maintaining a non representative approach in nomination for governing body representation.

The Khurshid Ahmed Group is now a part of the ongoing efforts to establish the largest workers confederation in Pakistan by veteran trade unionist Karamat Ali, through National Labour Council.

Unregistered collective such as the Labour Qaumi Movement have brought important achievements to labour movement through powerful street mobilisation and alliance building while also lending leadership and support for sectoral workers to organise.

Women have very small presence in federations and labour collectives. While Kaneez Fatima's name is repeatedly featured as leader of labour movement, and unions and federations, recently established Home Based Women Workers Federation and the All Pakistan Lady Health Workers Association are examples of all women establishments that seek to undertake efforts for recognition through organisation.

Overall, there is consensus that trade unions stand at their lowest position in history, both in terms of numerical strength and in their capacity to influence any positive change in workers' wellbeing. While data suggests 7,096 trade unions with a membership of 1,414,160 for a workers population of 60mn workforce, senior trade union leadership believes hardly one percent of workers are organised. Moreover, there are rarely any registered unions in the agriculture sector, despite recent provisions in the law.

Unions have a fair assessment of deficits in their own capacities and strategies; they also feel powerless in the face of expanding informalisation of employment and a weakened state capacity to implement laws. Support from partners such as civil society and ILO may have contributed in strengthening mobilisation and technical capacities, unions see government's role in creating an enabling environment and enforcing related legislation as critical to advancing the access the right to unionisation.

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