

HARI Welfare Association Sindh, Pakistan

Call for input on the role of workers' organisations in preventing and addressing contemporary forms of slavery

Input submitted by Hari Welfare Association in Sindh-Pakistan

Question No. 1: Are trade union rights, as protected by ILO Conventions Nos. 87 (Freedom of Association and Protection of the Right to Organise) and 98 (Right to Organise and Collective Bargaining), recognized in domestic legislative frameworks in your country? If so, please provide details including provision for remedies in case of breaches.

Answer:

In Sindh, Pakistan, trade union rights, as safeguarded by ILO Conventions 87 and 98, are recognized in domestic legislation. The Sindh Industrial Relations Act of 2013 affirms workers' rights to association, applicable to both formal and informal sectors (Sections 1(3) and 2(xvi)). NGOs like the Hari Welfare Association (HWA) actively advocate for and organize peasants and rural workers, facilitating the formation of trade unions. HWA has successfully assisted in establishing three mixed-gender trade unions across the Sanghar, Matiari, and Benazirabad districts, with ongoing efforts to support 12 women-led trade unions under the same Act. The labor department in Sindh demonstrates openness and support for registering agricultural workers' unions.

Additionally, the Sindh Women Agriculture Workers Act (SWAWA) of 2019 reinforces these rights by explicitly stating that women agricultural workers have the freedom to establish or join unions for collective bargaining and various social welfare activities (Section 10). However, despite these legal provisions, there has been limited progress in registering women agricultural workers' trade unions under the SWAWA. This highlights the need for further efforts to ensure the effective implementation of laws and mechanisms to protect and promote trade union rights, particularly for women in the agricultural sector.

Question No. 2: Have workers' organisations in your country played a role in preventing workers from being subjected to contemporary forms of slavery, or helping victims to move out of exploitative situations? If so, please provide details.

Answer:

a) Promotion of trade union rights: The Hari Welfare Association (HWA) plays a pivotal role in organizing peasants and rural workers, particularly those vulnerable to exploitation in sectors like agriculture and brick kilns. Through awareness campaigns and education on their rights under laws such as the Sindh Bonded Labour System Abolition Act of 2015, HWA empowers workers to protect themselves from practices leading to contemporary forms of slavery.

b) Promotion of ILO standards: HWA advocates for the ratification and implementation of key ILO conventions, including those addressing forced labor, freedom of association, and the abolition of child labor. While awaiting technical and financial assistance from the ILO Pakistan office, HWA receives support from organizations like the NHRF and the Royal

Norwegian Commission to advance workers' rights in Sindh, focusing on the enforcement of laws like the Sindh Bonded Labour Abolition Act of 2015.

c) Adoption of strategies against slavery: HWA emphasizes raising awareness about contemporary forms of slavery and fosters collaboration with district and provincial-level organizations to provide workers with access to legal remedies through avenues such as the judiciary, ombudsmen offices, and independent commissions.

d) Workplace inspections: HWA-affiliated trade unions conduct regular visits to agricultural work sites to monitor working conditions and ensure compliance with minimum wage laws. Despite widespread violations, these efforts aim to uphold workers' rights, with the minimum wage in Sindh set at Rs32000 by the provincial wage board.

e) Facilitation of education and vocational training: While lacking fully equipped offices, HWA endeavors to provide educational opportunities to children of peasants and rural workers through projects funded by entities like the Sindh Education Foundation, aiming to break the cycle of exploitation through access to education and vocational skills training.

f) Access to justice and remedies: While unable to provide direct financial support, HWA-supported trade unions engage in advocacy and guide victims of bonded labor to access legal assistance. These unions play a crucial role in connecting exploited workers with lawyers who can help secure their release from exploitative situations, contributing to the pursuit of justice and liberation for those affected.

Question No 3:

Please provide any positive examples of collaboration or coordination with the following entities in preventing contemporary forms of slavery and protecting vulnerable workers and victims: Public authorities, Businesses/employers' organisations, Anti-slavery actors, human rights defenders and/or other civil society organisations, Other actors such as financial institutions, service providers, academia, media and regional/international organisations (e.g. ILO)

Answer:

Public Authorities Collaboration: Trade unions affiliated with HWA maintain close ties with media and civil society organizations, as well as legal experts and human rights defenders. This collaboration ensures swift access to legal and technical assistance in cases of exploitation or slavery. However, broader public authorities show limited engagement with these issues, with instances of bonded laborer releases rarely garnering attention in national media, highlighting a need for increased awareness and action at governmental levels.

Businesses/Employers' Organizations: There is a lack of significant collaboration between trade unions and businesses or employers' organizations in combating contemporary forms of slavery. While efforts are made to engage with media and civil society, the involvement of businesses and employers in addressing exploitation remains minimal, indicating a gap in corporate social responsibility and ethical business practices.

Anti-slavery Actors and Human Rights Defenders: Trade unions maintain strong connections with human rights defenders and civil society organizations, leveraging these partnerships to advocate for the rights of vulnerable workers and victims of exploitation. These alliances facilitate access to legal and technical support, enabling prompt responses to cases of abuse

or slavery. However, broader anti-slavery actors and organizations exhibit limited involvement in supporting local initiatives like organizing trade unions in sectors prone to exploitation, signalling a need for enhanced collaboration and support from these entities.

Other Actors (Financial Institutions, Service Providers, Academia, Media, Regional/International Organizations): Collaboration with entities beyond media and civil society is minimal, with financial institutions, service providers, academia, and regional/international organizations showing limited engagement in addressing contemporary forms of slavery. UN agencies like FAO and ILO primarily partner with larger semi-governmental NGOs, overlooking grassroots organizations like HWA. This underscores a gap in support for local initiatives aimed at organizing trade unions and combating exploitation in sectors like agriculture and fisheries. Increased collaboration and support from a broader range of actors are essential to effectively address contemporary forms of slavery and protect vulnerable workers.

Question 4:

Are there workers' organisations dedicated to organizing and defending the rights of workers in certain sectors with higher risks of labour and/or sexual exploitation (e.g. agriculture, fishing, construction, services including hospitality, manufacturing, domestic work, and non-standard forms of employment) or at-risk populations (e.g. indigenous peoples, migrants and refugees, minorities, older workers, workers with disabilities and informal workers) in your country? If so, please provide details, including tailored prevention or protection activities.

Answer:

Worker Organizations in High-Risk Sectors: In Sindh, few worker organizations in the agriculture sector have emerged to address the rights and protections of workers in high-risk sectors such as agriculture and fishing. These organizations, often facilitated by entities like HWA and other NGOs, play a crucial role in advocating for the rights of vulnerable workers.

Agricultural Sector: Worker organizations in the agricultural sector focus on empowering farmworkers, who often face exploitation and labor rights violations. These organizations work to raise awareness among agricultural workers about their rights, including protections against debt bondage and unfair labor practices. They also advocate for fair wages, safe working conditions, and access to essential services.

Fisheries Sector: Similarly, worker organizations in the fisheries sector aim to safeguard the rights of fishermen and fisherwomen, who are susceptible to labor exploitation and hazardous working conditions. These organizations engage in activities such as awareness campaigns, legal assistance, and collective bargaining to ensure better working conditions and fair treatment for workers in the fishing industry.

Tailored Prevention and Protection Activities: Worker organizations tailor their activities to address the specific challenges faced by workers in high-risk sectors. This includes providing legal aid and representation to workers in cases of exploitation or abuse, conducting workshops and training sessions to educate workers about their rights, and advocating for policy reforms to improve labor protections. Additionally, these organizations may offer support services such as healthcare access, financial literacy programs, and vocational training to empower workers and enhance their resilience against exploitation.

Support for At-Risk Populations: Worker organizations also extend their support to at-risk populations within these sectors, including indigenous peoples, migrants, minorities, older workers, workers with disabilities, and informal workers. They strive to ensure that these marginalized groups receive equitable treatment and are not subjected to discrimination or exploitation based on their identity or employment status.

Overall, worker organizations in Sindh play a vital role in organizing and defending the rights of workers in high-risk sectors and at-risk populations, contributing to greater social justice and labor rights protections in the region.

Question 5:

If any, please describe challenges or limitations experienced by workers' organisations in your country to prevent contemporary forms of slavery and protect victims.

Answer:

The Sindh Industrial Relations Act (SIRA) of 2013 mandates employer signatures on union registration forms, yet in agriculture, landlords evade responsibilities, refusing to sign. Limited resources hinder trade unions' ability to fully execute action plans, particularly in combating bonded labor. District administrations often fail to recognize agricultural trade unions, limiting interaction post-registration. Furthermore, UN agencies offer minimal support to agricultural unions.

Question 6:

What practical recommendations would you make to concerned stakeholders (including Governments, businesses/employers' organisations, anti-slavery and civil society actors, international organisations and others) to enable workers' organizations (including centres and federations) to more effectively prevent and address contemporary forms of slavery?

Answer:

UN agencies such as ILO and FAO should provide support to trade unions in agriculture and fisheries, as well as NGOs advocating for peasants' and rural workers' rights. Provincial governments should allocate funds for implementing laws like the Sindh Bonded Labour System Abolition Act and the Sindh Tenancy Act of 1950. Donor organizations should actively advocate for land reforms and law implementation in Sindh.

For Further Contact

Hari Welfare Association – Sindh, Pakistan

Email: info@hariwelfare.org

Phone: +92300-3216672, +92344-385300