

maquila network update



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Mexican human rights activist assaulted for defending workers' rights

On December 30, at 9:30 a.m., Martin Barrios, Coordinator of the Human and Labour Rights Commission of the Tehuacan Valley, was attacked and beaten by an unknown assailant.

Barrios was about to enter his house, which also serves as the Commission office, when he heard a voice behind him, turned and saw a man coming at him with a brick. He was brutally beaten on the face and head, but managed to throw off the attacker who fled in a taxi driven by an accomplice that had been parked outside the house.

Barrios suffered injuries to his face and head as a result

of the attack, and has laid a formal complaint with the local authorities. The Commission believes the attacker was paid to carry out the assault in order to intimidate Barrios, his family and other members of the Commission. Since the attack, Barrios has received a death threat by e-mail.

During the past year, the Commission has defended the rights of hundreds of workers

who were unjustly fired from various blue jean factories owned by the Los Angeles-based Tarrant Apparel Group, as well as workers from other smaller Tehuacan maquilas. It was successful in pressuring Tarrant and local labour authorities to ensure that fired workers received severance payments that were

at least close to what is required by the Mexican Federal Labour Law.

MSN has been supporting the work of the Commission in Tehuacan as well as that of the Worker Support Centre (CAT) in Ajalpan where Tarrant workers were fired for attempting to organize an independent union. An international campaign has resulted in increased pressure from brand-name buyers and consumers on Tarrant to respect its Mexican workers' rights.

Also in 2003, the Commission and the MSN released a

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Gildan Activewear fired 100 union supporters, say MSN complaints



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is published quarterly in English and Spanish by the Maquila Solidarity Network (MSN). The MSN includes over 400 organizations and individuals across Canada. The MSN promotes solidarity between Canadian labour, women's and social movement groups and Mexican, Central American and Asian counterparts organizing to raise standards and improve conditions in maquiladora and export processing zones. The MSN acts as the secretariat for the Ethical Trading Action Group and is active in Stop Sweatshops campaigning.

Editorial Staff

Bob Jeffcott
Tullia Marcolongo
Georgia Marman
Anamika Mujoo
Kevin Thomas
Ian Thomson
Lynda Yanz

Translation

Anibal Viton

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Maquila Solidarity Network
606 Shaw Street
Toronto, ON, M6G 3L6 Canada
Phone: 416-532-8584
Fax: 416-532-7688
E-mail: info@maquilasolidarity.org
web: www.maquilasolidarity.org

Shareholders entering Gildan Activewear's annual meeting on February 4 in Montreal were confronted by a dozen protesters from the Immigrant Workers' Centre carrying a clothesline bearing Gildan T-shirts.

Inside the meeting hall, Université de Montréal student Philippe Belanger spoke on behalf of institutional shareholder Real Assets, questioning Gildan CEO Greg Chamandy as to whether his company would cooperate with a factory investigation being carried out by the Worker Rights Consortium (WRC) and commit to correcting any worker rights violations uncovered by the WRC investigation and an upcoming Fair Labor Association (FLA) audit.

Chamandy answered that Gildan would be meeting with the WRC and would "listen to what they have to say," and if the company had ignored its commitments made to the FLA, "I can assure you that we will do everything necessary to correct the situation."

On December 18, the Maquila Solidarity Network (MSN), the Canadian Labour Congress (CLC), and the Independent Federation of Honduran Workers (FITH) filed a formal complaint with the FLA, alleging Gildan fired 39 union supporters at the company's El Progreso factory in Honduras in October and November of 2003.

The complaint also alleges there is a systematic pattern of freedom of association violations at the Progreso factory, and that over 100 union members and supporters have been unjustly fired since November 2002.

The FLA is a US-based code of conduct monitoring initiative that includes companies, universities, NGOs and faith organizations. Its corporate members include Nike, Reebok, Liz Claiborne, Phillips-Van Huesen, and other major US brands. Gildan became a FLA member in October 2003.

Because of the slowness of the FLA process, on January 6, MSN, the CLC and the FITH also filed the same complaint

with the Worker Rights Consortium (WRC).

The WRC was created by university administrations, students and labour rights experts to assist universities in enforcing their ethical purchasing policies. Gildan produces T-shirts for a number of US and Canadian universities, many of which are members of the WRC and/or the FLA.

On January 30, five days before its AGM, Gildan announced it was inviting the FLA to carry out a third-party audit of the Progreso factory.

Meanwhile, the WRC began to interview with Gildan workers, labour and human rights organizations and company officials in Honduras. While Gildan did keep its promise to meet with the WRC, to date, it has not given the WRC investigative team access to the factory or factory records. A WRC report is expected within the next month.

As we write, the FLA is preparing to conduct its audit of the Progreso factory.



Standing up to a Corporate Giant

On October 30, Betty Robles of the Mexican labour rights group SEDEPAC (Service, Development and Peace) told delegates attending Sara Lee Corporation's annual shareholder meeting in Tampa, Florida of reports her office has received from women employed at Sara Lee's Confecciones de Monclova T-shirt factory in Fronteras, Coahuila.

"Many of the women suffered from severe repetitive stress injuries and respiratory illnesses," said Robles. "Impossibly high production quotas endangered their health, reduced their pay and left them thoroughly demoralized."

She went on to say that when several hundred workers signed a petition

urging management to deal with these issues, the organizers of the petition were fired.

Robles was speaking in support of a shareholder resolution submitted by the New York City Employees' Retirement System calling on Sara Lee to adopt a code of conduct based on International Labour Organization (ILO) Conventions and

independent monitoring of compliance with those standards.

After a surprising 11 percent of shareholder votes were cast in favour of the resolution, Sara Lee CEO C.

Steven McMillan

announced that his company would cooperate with SEDEPAC in trying to remedy the problems.

With global sales of US\$17.6 billion in 2003, Sara Lee is a corporate giant with major

Above photo:

left: Betty Robles

centre: C. Steven McMillan

right: supporters protest Sara Lee

investments in the apparel, food and beverage and household products sectors. The company has operations in 55 countries and sells its products in 200 countries worldwide. Its clothing brands include Hanes, Champion, Playtex and Wonderbra.

According to the company's website, Sara Lee's mission is "to feed, clothe and care for consumers and their families the world over." According to SEDEPAC, Sara Lee's Mexican workers find it difficult to feed and clothe themselves and their families on the wages they are paid.

After their petition failed to make any improvements in wages and working conditions, workers at Confecciones de Monclova decided they needed an independent union. Technically, they are already

represented by an "official union" affiliated with the Confederation of Mexican Workers (CTM). However, the workers are not permitted to elect their union leaders, to have a role in negotiating wages and working conditions, or even to see their collective agreement.

Between November 2001 and July 2002, at least 12 workers were forced to resign for expressing grievances about workplace problems. In some cases, leaders of the official union reportedly collaborated with management in harassing and intimidating the workers in days leading up to their forced resignations.

To date, Sara Lee has not kept its promise made to Robles at its annual shareholders' meeting. Instead, on

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Maquilatitlán: City of Indians becomes Jean Capital

In this article, Martín Barrios of the Human and Labour Rights Commission of the Tehuacán Valley describes the enormous changes the North American Free Trade Agreement (NAFTA) has made in the lives of indigenous people in his region. Martín recently received death threats and was physically assaulted for defending the rights of indigenous maquila workers. (See article on page 1.)

Martín Amaru
Barrios Hernández

In the past decade under NAFTA, hundreds of Nahuas and Mazatecos from Sierra Negra, Sierra Mazateca and Sierra Zongolica have migrated to Tehuacán looking for work in the maquilas. They have been joined by Mixtecos and Popolocas, as well as migrants from Veracruz, Honduras, Guatemala and El Salvador.

Some were seeking temporary employment until something better came along; others were escaping the conflicts and natural and economic disasters of Central America; still others were biding their time before migrating further north in search of the "American Dream."

Day after day on the *ejidos* and in the towns of the Tehuacán Valley, new human settlements were sprouting up, most without water, sewage systems or other municipal services. These migrants live in

houses made of cardboard, sticks or sheet metal.

In many of these new *colonias*, residents used their traditional forms of organization to gain tenancy rights for the land where their houses now sit, and to win basic services. As a result, more indigenous people now live in Tehuacán, officially named the City of Indians, than in all other municipalities of the Valley or Sierra Negra.

As young people moved to the city, the social fabric of rural indigenous communities was ripped apart. The towns of the Sierra were left without the new blood needed for agricultural labour, but also for the perpetuation of their own identity and culture. Many no longer wanted to follow their parents' way of life: planting, tilling, watering and harvesting the maize field.

Young women were drawn to the maquilas by the promise of independence from the traditional patriarchal culture, but they soon learned that the power structure in these



factories is not only *machista* – as demonstrated by incidents of sexual harassment – but also a new form of exploitative slavery: "No Future," as some 70s punk bands once sang.

For workers employed in the maquilas, conditions are oppressive and their basic human and labour

rights are systematically violated. Verbal abuse, humiliation, mistreatment and sexual harassment are daily occurrences.

In the larger enterprises, the situation has been a little better since workers have had social security, not because company executives are committed to respecting Federal Labour Law, but because the famous US blue jean companies worry about their brand reputations. Years ago, they were branded as sweatshop companies, making millions off the sweat of their workers, including children under the age of 11.

Child labour continues in the Tehuacan region. Around 5,000 children work in medium- and small-sized factories, hidden from sight, some with falsified birth certificates. Others work with their families in their homes removing thread from jeans.

In recent years, a Nahua or Mazateco who worked up to 12 hours a day in a factory in Tehuacán or



of Mexico



Ajalpan and contributed to the production of some 5,000 pairs of jeans a week for Polo Ralph Lauren, Tommy Hilfiger or Wrangler could make as much as 700 pesos a week. He or she was willing to work for that low wage because in the Sierra Negra, wages are only 300 pesos.

The majority of workers didn't know that in San

Francisco or Los Angeles a pair of these same jeans could cost 1,000 pesos at the Gap or Wal-Mart.

Now with the slowdown in the US economy and the flight of investment to other regions and countries with even cheaper labour, hundreds of factories have been shut down and thousands of workers have been laid off. With a surplus of labour, employers are lowering already inadequate wages and cutting back on benefits.

One of the worst impacts of the maquilas has been the exploitation of Tehuacan's principal natural resource – water.

The maquilas use enormous quantities of water for the "laundry" processes used to treat jeans. Stone washing gives jeans that used, faded and 80s heavy metal look. Stone bleaching eliminates the blue dye from jeans by using a large quantity of chlorine bleach or the enzyme laccase that makes pants white. Using enzymes, the "soft wash" leaves the garment its original colour and gives it a soft texture. Sandblasting assaults the jeans with silica crystals to give them a well-worn look.

The wastewater released from the laundries contains jean fibre, chemicals, silica crystals and pumice stone residues.



Recent studies uncovered the presence of highly toxic and polluting heavy metals in the effluent – zinc, lead, copper, nickel, selenium, cadmium, chromium and mercury – that is released in the Valsequillo Canal and then used to irrigate corn and vegetable crops in the fields of San Diego Chalma, Tepetzingo, Miahuatlán and Ajalpan.

This contaminated runoff makes the maize fields gleam a metallic blue. Exposed to the sun, the soil and the adjoining rivers become iridescent from their chemical overdose.

Some farmers and workers from the laundry facility in Chalma claim that their soil is becoming rock hard. In a few more years, the destructive effect of the heavy metals will turn the *ejidos* into a wasteland. As a reward to the maquila owners, those "generous job creators," the Federal

Office for Environmental Protection (Profepa) has certified all the maquiladora factories and laundries as "clean companies."

The maquilas are allowed to use all of the water that they need; meanwhile, *ejidos* and water societies in indigenous communities are denied permits to operate new wells and filtration plants. Maquila owners also secretly steal water from clandestine wells.

In the Tehuacán region, the Plan Puebla-Panama isn't a proposal for the future; it's already a reality. The impacts of NAFTA will be even more accentuated with the arrival of the FTAA. The virus has already spread to Oaxaca, Campeche, Guerrero, Yucatán and Chiapas.

New issues will emerge for indigenous communities that will require new proposals and new forms of struggle and resistance.

news & notes

Cambodian labour leader murdered

On January 22, Chea Vichea, president of the Free Trade Union of Workers of the Kingdom of Cambodia (FTUWKC) was shot and killed while reading a newspaper at a roadside newsstand in Phnom Penh. His assailants fled the scene of the murder on a motorcycle.

In April 2003, the FTUWKC had filed a complaint with the ILO, protesting the unjust firings of Vichea and 31 other union members at the INSM Garment Factory. In September 2003, Vichea had won an appeal court case against the Head of Security at another garment factory, who had physically attacked him when he was leafleting outside the plant, inviting workers to a May Day rally.

According to the International



Above: Funeral for 36-year old Chea Vichea

Confederation of Free Trade Unions (ICFTU), Vichea had received several death threats, one of which he received when national elections were being held in July 2003. Vichea was active in an opposition political party.

The ICFTU is calling for an independent investigation and is demanding that state authorities provide protection for trade unionists. It has also lodged a formal complaint with the ILO.

Roots closes Toronto factory

Roots Canada is closing its Toronto garment factory, leaving approximately 200 workers out of a job. Canada's best-know clothing brand will now subcontract all its apparel production.

Roots, a supplier of the Canadian, US and UK Olympic teams, claims its Olympic-brand products will continue to be made in Canada, but refuses to disclose the names and addresses of the subcontract facilities where its Olympic gear will be made.

Ironically, Roots was one of the few Canadian companies to support the Ethical Trading Action Group's (ETAG's) call for federal factory disclosure regulations. While supporting mandatory disclosure regulations for all companies, Roots has been unwilling to voluntarily disclose where its products are made.

With the closure of the company's Toronto factory, it will be much harder to determine whether Roots "Made in Canada" Olympic products are also made under humane working conditions.

NBA gear made in Burma

The labour rights watchdog group that exposed Kathie Lee Gifford for using sweatshops is now taking on the National Basketball Association (NBA).

On January 19, the US-based National Labor Committee (NLC) revealed that NBA-brand sweatshirt bearing "Made in Myanmar" labels were being prominently displayed at the NBA's Fifth Avenue store in New York City. The military regime that rules Burma renamed the country Myanmar.

The NLC produced shipping records indicating that the NBA sweatshirts had been imported from Burma in August of 2003. A US law banning the importation of products from Burma went into effect on September 1, 2003.

According to the NLC, many apparel factories in Burma pay workers seven cents an hour and less than \$3.50 a week. The US import ban was introduced because of the Burmese military dictatorship's repression of the democratic opposition lead by Aung San Suu Kyi and the regime's continued use of forced labour.

On January 20, the NBA announced it was removing the "Made in Myanmar" sweatshirts from its Fifth Avenue store.



Oxfam report exposes pricing practices

On February 9, Oxfam International released a report entitled "Trading Away Our Rights," documenting the deteriorating employment conditions of women workers in the garment and food industries around the world.

"When companies such as Wal-Mart or Taco Bell squeeze their suppliers to cut costs and make ever-faster deliveries, farm and factory owners impose long hours, poor pay and no rights," says Oxfam.

The report is based on case studies from around the world, including agricultural workers in Canada and cut-flower workers in Colombia. In Canada, Oxfam called on consumers buying flowers on Valentine's Day to tell their florists they want a fair deal for flower workers.

"V-Day" March in Juarez

On February 14, Valentine's Day, thousands of women and men from Ciudad Juarez, Mexico and El Paso, Texas marched to honour the over 370 women and girls of Juarez and Chihuahua who have been murdered over the past decade.

Many of the victims were young maquiladora workers who were abducted on their way to or from work. Many of these young women were raped, mutilated and tortured before being killed.

To date, the maquila owners have done little to provide protection or safe transportation for their young female employees, and the local authorities have failed to seriously investigate the crimes and bring those responsible to justice.

According to an August 2003 Amnesty International report, "The failure of the competent authorities to

take action to investigate these crimes, whether through indifference, lack of will, negligence or inability, has been blatant over the last ten years."

Meanwhile, on January 29, 13 police officers in Juarez were arrested for allegedly taking part in the murder of 11 people. The police are accused of carrying out the executions on behalf of a drug cartel.

World Bank supports labour rights

The International Finance Corporation (IFC) of the World Bank has approved a US\$20 million loan to Grupo M, a major garment manufacturer based in the Dominican Republic, with the condition that the company respect its employees' right to freedom of association and collective bargaining.

The loan will be used to finance a new industrial park in a free trade zone in Ouanaminthe, Haiti, near that country's border with the Dominican Republic.

In August and September of 2003, two Global Union organizations released evidence that Grupo M had engaged in anti-union activities, including threats, discrimination and violence against union supporters.

In November, the IFC retained New York-based ALGI (A&L Group Inc.) to investigate the allegations. ALGI is accredited by the Fair Labor Association (FLA) to carry out FLA third-party audits in the Dominican Republic and other countries.

While the ALGI investigation did not corroborate all the allegations, it found sufficient evidence to convince the IFC to make respect for freedom of association and the right to bargain collectively a loan condition.

Trading Away Our Rights: Women Working in Global Supply Chains. Oxfam International, February 2004, 52 pp. www.maketrade-fair.com/en/assets/english/taor.pdf.

Cambodia: Textile Workers Face a Gloomy Future. ICFTU, January 2004, 12 pp. www.icftu.org/www/pdf/CambodiaEN.pdf.

Garment Industry Subcontracting and Workers Rights: Report of Women Working Worldwide Action Research in Asia and Europe. WWW, 2003, 256 pp., £5.00. www.poptel.org.uk/women-ww/.

Garment Production in Malawi. SOMO and ITGLWF Africa, September 2003, 36 pp. www.cleanclothes.org/ftp/03-09-malawi.pdf.

Clean Up Your Computer: Working Conditions in the Electronics Sector. CAFOD, January 2004, 40 pp. www.cafod.org.uk/var/storage/original/application/phpYyhizc.pdf.

Codes Memo #16: Emerging Trends in Codes and their Implementation. MSN, January/February 2004, 33 pp. www.maquilasolidarity.org/resources/codes/pdf/codesmemo16.pdf.

Human rights activist assaulted

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joint publication, *Blue Jeans, Blue Waters and Worker Rights*, exposing the systematic violations of workers' rights and environmental standards in Tehuacan's blue jean industry. The report has been widely distributed in Mexico, Canada and the US.

In response to an Urgent Action Alert from MSN, hundreds of MSN members and supporters in Canada, as well as human and indigenous rights groups in Mexico and anti-sweatshop groups in the US and Europe, sent protest letters to the Governor of the State of Puebla, demanding an immediate investigation of the crime, prosecution of those responsible, and protection for Barrios and his family.

According to Barrios, the letters were instrumental in gaining the Commission a meeting with the Governor and attention to his case. However, Barrios believes ongoing pressure will be needed to convince the authorities to carry out a serious investigation of the incident and to bring those responsible to justice.

Factory Closed to Destroy Union

Meanwhile on February 3 in the neighbouring community of Ajalpan, the Tarrant Apparel Group closed its Pantizingo-Ajalpan plant where workers had been fighting for recognition of their independent union.

According to the Worker Support Centre (CAT), which had been supporting the workers' organizing effort, the workers were called into the Human Resources office in groups of four and pressured to sign an agreement to accept 60-75 percent of their legally required severance pay.

According to reports from the workers, management has said the factory will likely reopen in five or six months under the name AZT International, which is owned by members of the same Guez family that owns the Tarrant Apparel

Group. The CAT suspects that no union supporters will be rehired.

On January 8, three illegally fired leaders of the independent union had rejected the company lawyer's proposal that they settle for less than 100 percent of their legal severance pay. They continued to demand their reinstatement. Hearings before the Puebla Conciliation and Arbitration Board were scheduled for March 2 and 22.

In the past six months, Tarrant has closed six factories in the Tehuacan area, leaving approximately 5,000 workers unemployed. According to the Commission, many of those workers have been forced to take jobs in smaller factories where wages are lower and working conditions are even worse than in the Tarrant plants.

"The closure of the Tarrant factories is causing downward pressure on wages and benefits in the maquilas in the Tehuacan area," say Barrios. "Workers are willing to take poorer paying jobs because of their fear of unemployment."

Solidarity Campaign Continues

Despite these setbacks, MSN and our counterparts in the US and Europe are continuing to pressure Tarrant and the Mexican federal and Puebla state govern-

ments to respect the workers' rights.

To date, the campaign has been successful in convincing major brand-name customers of Tarrant, including Levi Strauss and The Limited, to pressure the company to seriously address well-documented violations of the Federal Labour Law and buyer codes of conduct.

However, Tarrant has remained defiant in its refusal to cooperate with the brands. It refused to allow Levi's auditors into the Ajalpan factory, and, while it did cooperate with a Verité audit carried out for The Limited, it has refused to take corrective action to address violations uncovered by the audit.

The campaign is now targeting other buyers, including Federated Department Stores and The Wet Seal, urging them to join with Levi's and the Limited in bringing coordinated pressure on Tarrant to respect its workers' rights.

MSN has also joined with the CAT and United Students Against Sweatshops in filing complaints with the US and Canadian national administrative offices (NAO) for the NAFTA labour side agreements, alleging that the Mexican government has failed to enforce its own labour legislation that guarantees workers' the right to be represented by the union of their choice.

Sara Lee confronted

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February 3, local company officials met with the Mayor of Monclova to enlist his support in combating the "subversive activities" of SEDEPAC. Following that meeting, the mayor publicly threatened to banish Robles from the municipality.

Given the history of harassment of independent union supporters at the plant and the company's failure to keep its promises, SEDEPAC is calling on Sara Lee

to sign an agreement pledging to respect internationally recognized labour rights in all of its Mexican facilities. MSN has joined with SEDEPAC and the US/Mexican worker coalition ENLACE in calling on Sara Lee to sign the agreement.

The US-based Worker Rights Consortium (WRC) has carried out an independent investigation into labour practices at the factory. Its report will be available at: www.workersrights.org.