Vol. 23(2), 2023, pp.83-99, ISSN: 2072-0394(Print), ISSN: 2663-8886(Online)

Examining the Legal Dimensions of ILO's Various Conventions and Their Adherence in Pakistan Concerning Labour Safety and Security

Khawaja Tajammul Hussain
&
Qamar Abad
Department of School of Law
University of Karachi

Abstract

This study paper depicts various legal aspects of the 'Safety & Security' of workers not only under the prevailing labour laws in the country but also in the light of international bindings through ILO Conventions # 155 (1981) and 187 (2006), it is an obligation for the state to provide safety and security to workers. Further, in terms of ILO's Conventions, 87 and 98 to which Pakistan is a signatory and its compliance seems to be binding on the country i.e. 'Freedom of Association' and 'Right to organize and collective bargaining', respectively. Also, various aspects are discussed under prevailing Labour Laws i.e. Industrial Relations Act (IRA) 2012. The main objective of this paper is to identify and ensure welfare and provisions of safety and security to the workers/workmen. However, the above conventions have also been given constitutional protection through Article 17 of the 1973 Constitution of the Islamic Republic of Pakistan. In this regard, the applied research methodology under Thematic Analysis has been the main source of this paper which includes various secondary sources such as documents, and newspaper-published articles. In the discussion part, the study uncovered real-life incidents that took place due to a lack of safety and security that depicts that Pakistan needs to work more efficiently or should have monitoring teams to look up security and safety measures for labour in the economy.

Keywords: Safety and Security of workers.

تلخیص

اس تحقیقی مقالے میں متعدد ایسے قانونی پہلوؤں کی نشاندہی کی گئی ہے جن کی رو سے سیفٹی اور سیکیورٹی کو نہ صرف ملکی قوانین بلکہ ILO کنونشنز ۸۷ اور ۹۸ کے تحت بھی ضروری قرار دیا گیا ہے۔ پاکستان چونکہ ILO کنونشنز کا ایک دستخط کنندہ ہے، لہٰذا اس پر لازم ہے کہ درج بالا کنونشنز کے تحت Freedom of Association اور Right to Organize and Collective Bargaining پر

This work is Licensed under a Creative Commons Attribution-NonCommercial 4.0 International License

عملدرآمد یقینی بنایا جائے۔ اس کے علاوہ اس مقالے میں یہ جاننے کی بھی کوشش کی گئی ہے کہ ملک میں موجود سرکاری کنٹرول میں چلنے والے اداروں میں ورکرز کی فلاح و بہبود اور ان کی سیفٹی اور سیکیورٹی کس حد تک فراہم کی جارہی ہے جن کا ذکر نہ صرف انڈسٹریل ریلیشن ایکٹ ۲۰۱۲ء میں کیا گیا ہے بلکہ ILO کنونشنز ۱۵۵ (۱۹۸۱ء) اور ۱۸۷ (۲۰۰۶ء) میں بھی سیفٹی اور سیکیورٹی کی فراہمی پر بھی زور دیا گیا ہے۔ ILO کے ان کنونشنز کو پاکستانی آئین ۱۹۷۳ء میں آرٹیکل ۱۷ کے تحت قانونی حیثیت حاصل ہے۔ اس مقالے میں Thematic Analysis کو تحقیق کا ذریعہ بنایا گیا ہے جس کی تیاری میں اپلائیڈ ریسرچ کے مختلف ذرائع جن میں متعدد اشاعتی مضامین، اخبارات میں شائع شدہ خبریں اور دیگر اشاعتی مواد سے مدد لی گئی ہے۔ اس مقالے میں روزمرہ حادثات پر مبنی شائع ہونے والی خبروں کو بھی شامل کیا گیا ہے جس سے اندازہ ہوتا ہے کہ ہمارے ملک میں ورکرز کی سیفٹی اور سیکیورٹی کی حالت کتنی مخدوش ہے۔ لہٰذا اس امر کی اشد ضرورت ہے کہ اعلیٰ سرکاری سطح پر مختلف اداروں کی جانب سے فوری مانیٹرنگ ٹیمیں تشکیل دی جائیں جو ورکرز کی سیفٹی اور سیکیورٹی کو یقینی بنائیں تاکہ ILO کنونشنز اور دیگر ملکی قوانین پر عملدرآمد یقینی بنایا جاسکے۔

کلیدی الفاظ: کارکنوں کی حفاظت

Introduction

The International Labour Organization (ILO) was established in 1919 and founded in October 1919 under the League of Nations, it is the first and oldest specialized agency of the UN. The ILO has 187 member states: 186 out of 193 UN member states plus the Cook Islands". The League of Nations, Pakistan has been a member since its inception in 1947, and the first ILO office was established in 1970 which was situated in Karachi and then later shifted into Islamabad. The country has ratified a total of 35 ILO conventions including all eight fundamental conventions, and it worked as tripartite constituents including the United Nations (ILO, 2010).

Similarly, this study mainly focuses on ILO Convention No.87 "*Workers and employers, without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organization concerned, to join organizations of their choice without previous authorization"* (Vogt et al., 2020) and Convention No.98 "*Workers' and employers' organizations shall enjoy adequate protection against any acts of interference by each other or each other's agents or members in their establishment, functioning or administration……*" (UNESCO, 2019). The country's constitutional obligation under

Article 17 (Freedom of Association) of the Constitution-1973 complies with protection to internationally recognize convention besides other protocols, rules, and regulations in vogue of the country which stated, "Every Citizen shall have rights to form association or unions, subject to any reasonable restrictions imposed by law in the interest of sovereignty or integrity of Pakistan, public order or morality" (Khan, 2020).

Needless to mention almost every constitution provides a guarantee to its citizens for their protected fundamental rights which besides many other basic rights also provides humane conditions of work, ensuring that children and women are not employed in vocations unsuited to their age or sex, and for maternity benefits for women in employment. This provision is also provided to every citizen under Article 37 (e) of Pakistan's Constitution which states as under:

"*Article 37 (e) directs the state to make provisions for securing just and humane conditions of work ensuring that children and women are not employed in vocations unsuited to their age or sex, and for ensuring maternity benefits for women in employment*" (Khan, 2020). "It also provides provision to promote, with special care, the educational and economic interests of backward classes or areas. b. remove illiteracy and provide free and compulsory." Further, it added the Industrial Relation Act (2012) clause, "(xxxiii) "worker" and "workman" mean person not falling within the definition of an employer who is employed (including employment as a supervisor. or as an apprentice) in an establishment or industry for hire or reward. Either directly or through a contractor whether the terms of employment (Industrial Relation & Labour Law, 2020).

The South Asian Association for Regional Corporation (SAARC) has adopted some serious concerns at the 18th SAARC summit in consultation with the South Asian Regional Trade Union Council (SARTU) and federal governments to implement ILO convention to fulfill social securities like minimum wages, promotions, ratification, freedom of association to any group, protection of labour rights including maternity protection for women workers (Basnet, 2014).

Another study of ILO (2022) has examined South Asian perspectives in which it is stated that ILO conventions 87 and 98 have much scope in this region because the government of Sri Lanka is broadening the social dialogues and introduced resolutions in public services through which labour can demand their due rights and obliged to receive their due rights by the employer. Similarly, Nepal has decentralized its power of public administration in a way to bring more opportunities under social dialogues though it also raised challenges in establishing such a process but government is committed to doing so for the betterment of Nepali citizens. However, in India, there are different variations come across in which they also pursue social dialogue, accountable public goods, and welfare services under public employment at the state level (ILO, 2022).

Under the constitutional rights of Pakistan, in regards to freedom of association so here there are multiple women trade associations that are working to bring women into the economic mainstream, but of course, they are in their infancy age but later move to better positions (Khan, 2020). Most importantly they are working to bring more women into entrepreneurship and national and international associations with their business partners including generating know-how of taxation, trademarks, and patents and aware mass women about their due working rights in the economy. There are several trade bodies including the Handicraft Association of Pakistan (HAP), and Women Chambers of Commerce and Industry (WCCI) in different cities are working to promote platforms for women mainstreaming even in national development (Goheer, 2003).

Keeping in view the title of the article was considered necessary to get the latest information about the labour market not only in Pakistan but at the global level. This study is going to discuss labour-related issues such as how to reduce unemployment, poverty, and child labour and to adopt such ways and means to protect the rights of labourers in Pakistan and around the world. This paper mainly focuses on various legal aspects of safety and security to be provided to workers under relevant domestic and international labour laws i.e. ILO Conventions.

Some other basic rights related to workers or workmen regarding safety and security are also compiled in Annex-A.

Objectives

The following are the main objectives of this study, which are as under:

- To unveil Pakistan's obligation under various conventions of the International Labour Organization (ILO) especially # 87, 98, 155 & 187.
- To identify the country's constitutional obligation under Article 17
- To highlight various aspects/issues discussed under prevailing Labour Laws i.e. Industrial Relations Act (IRA) 2012
- To uncover real-life incidents that took place due to a lack of safety and security.
- To identify various state-owned institutions that have been established to ensure providing welfare / indirect safety and security to the workers/workmen.
- To observe labour-related issues/reports that appeared in the print media.

Review of Literature

The ILO report has made some estimates which stated that about 2.3 million workers die every year in tragic occupation accidents and due to work-related diseases. According to available records around 358000 labour got died because of occupational accidents in 2010, however, 160 million from occupational diseases. And the fatal work diseases are

about 1.95 million in every single year. These accidents not only adversely impact the labour himself and his family but also have massive economic costs over occupational safety and health-related problems which increases the burden on the state and enterprises (ILO, 2022). For instance, the annual cost of occupational accidents in the United States is about 190 billion, the economic cost in Norway is 40 billion NOK, UK is £ 19 billion on an annual basis. One study by the European Commission mentioned that fifteen members of the comprised European Union cost € 55 every year. It is observed that huge financial outlay on occupational diseases and injuries, in terms of compensation; productivity lost; medical expenditures; insurance, and so on. A record total of four percent of GDP around the Globe is spent on occupation accidents and diseases (Von Richthofen, 2002).

Many health scientists and researchers have found that ergonomic problems and pathetic working policies at the workplace are increasing the risk of occupational diseases and health problems. There are several countable problems in human health which include continuous musculoskeletal disorders in workers and labourers, such as sitting postures issues from long sittings, longer standing hours, and the repetitive task may lead to chronic diseases for a lifetime for the labour which must be dealt with the help of state's labour laws and policies timely (World Bank (2017).

In this regard, the World Bank published the 'Doing Business" report in 2006 in which the institution mainly focused on the theoretical framework for easing business operations with legal, and institutional models; compliance, administrative rules, and also towards policy areas Including the universal perception regarding labours' process of hiring and firing, and its complete implementation in developed and developing countries. However, it is a huge reality that there is a range of theoretical models that can bring developmental changes in the firm in regards to labour rights and policies but due to persistent informal economies laws and policies implementation is about impossible in developing areas (Marshall, 2009).

Meanwhile, In India the public sector labour organizations are strong despite growing economic liberalization; however private sector employment remains weak as far as labour laws are concerned however the state is working to cover more population under checks and balances where labour can get safety and security under the law. There are 12 central trade unions in which around nine million workers are members, and through such federations and unions, they independently coordinate with national-level actions (Kumari, (2018). Similarly, Nepal's constitution promulgated an addition in 2015 "to form and join trade unions and to engage in collective bargaining by law". Further observed that Nepal has signed ILO Convention 98 but has not ratified Convention 87 till now (Ministry of Finance, 2021). Sri Lanka has about 1604 registered trade unions with around 583,323 members; 23 percent belong to the public sector and 77 percent from the

private sector. The unions are reliable in both economic sectors but still found inconsistent and gaps while collecting data regarding safety and security in the various economic zones (Ministry of National Policies and Economic Affairs, 2017).

Due to such situations which are mentioned above the ILO has a mandate for securing labour rights from their sickness; diseases and injuries which are occurred at the workplace and those hazards that are responsible for risking life, the main reason behind establishing this organization is to set international standards by complying their policies and laws worker rights can be secured socially and economically both.

Methodology (Thematic Analysis)

This study purely works under qualitative methods which contain secondary data, referenced books, relevant sections from IRA – 2012, ILO documents, relevant articles from the 1973 Constitution of the Islamic Republic of Pakistan, various news items that appeared in electronic and print media, etc., have been used in most of the cases for the last three years or so as the main source of data collection. Purely it followed thematic analysis which is widely used in qualitative research methods for identifying, analyzing, and reporting patterns or themes within a data set. It is a flexible approach that can be applied to various types of qualitative data, including written documents and research. Thematic analysis involves systematically organizing and interpreting data to gain insight into the underlying themes, concepts, or patterns present in the data. Similarly, the condition of safety and security in general and with particular reference to the labour class has not been satisfactory in our country for long, this needs to be attended to by all concerned for taking remedial measures on a priority basis and this is the main purpose of this study.

Findings and Discussion

Plight of Workers and Current Status of Safety and Security

At the outset, it may be mentioned that in our country it has been observed that most of the rules are made purely on a political basis and are changed/amended frequently, especially when the rulers/ governments are changed. But at the same time, it is also a fact that making rules is so easy for the government but they do not obey, follow, or implement their own rules which makes the matter difficult. The rules are very much in place to provide safety and security to the workers in our constitution and through other laws but nobody cares about such rules that is why the rules are not implemented in the letter and spirit as a result of which workmen suffer and the claim of government is nothing but only lip service.

Safety and Security

Safety means, taking precautionary measures to avoid any unexpected/undesirable situation like wearing safety helmets by the workers in the factories and by drivers to avoid injuries in case they come across an accident. Wearing Goggles and Safety Gloves

are some other examples. In the modern world use of technology is also important for safety purposes, i.e. biometric systems, installation of CCTV cameras, and use of other electronic devices for safety purposes (Ramcharan, 2016).

Precautionary measures to avoid any undesirable /unexpected event/accident that could take place and be harmful to anyone, including workmen, e.g., safety from bounded labour in general, the safety of Peasants from bounded labour, the safety of Peasants from merciless behavior of landlords and their allies, elimination of private prisons where fuddles, landlords and their allies fulfill their illicit desires, safety from honor killings, safety from Jirga system, the safety of daily wagers, the safety of self-employed workers, the safety of salesman because he is not considered to be a worker under the law, the safety of Railway workers, safety from the abuses of employers of not paying minimum wages and exploiting the needs of workers. In this regard, an extract from the Bonded Labour System (Abolition) Act 1992 is reproduced further (Cullen, 2007). In a way to provide security of a certain civil or constitutional right such as Job Security, Food Security, Environmental security, and Security from criminals.

Moreover, security means, the state of being or being Safe, Secured, free from danger, etc. The security of a happy home. Security/Fire Alarm system gives the factory or office, security to some extent. There has to be tight security at a prison i.e. deployment of security forces, security guards, and other security measures to avoid escape by the prisoners. There has to be tight security at the prison. The surroundings should also be safe. Their wards should not have anything harmful that could be used by the prisoners to make themselves either injured or dead (US Government, 2015).

Maximum daily working hours, weekly working hours, weekly holidays, compensatory holidays, interval for rest, spread over, restriction on the employment of women in night shifts, extra pay for overtime, restriction on dual employment, and control on overlapping shifts. It is also stated that all workmen shall be at work at the establishment at the time fixed and notified by the Payment of Wage Act (1936). Including provision of leave is also available to the workers, including, annual holidays/ leaves, pay during annual holidays/ leaves, casual leaves, sick leaves, and festival holidays under the law (Lultz, 2022).

The following safety measures have been defined under Factories Act 1934 cleanliness, disposal of waste and effluents, ventilation & temperature, dust and fumes, artificial humidification, overcrowding, lightening, drinking water, latrines & urinals, spit tons, pre-caution against contiguous or infectious disease, compulsory vaccination, provision of canteen, appointment of Welfare officer, pre-caution in case of fire (installation of firefighting instruments), employment of young persons on dangerous units, prohibition of employment of women and children (below 14) near cotton openers, Crain, etc.,

striking gear & devices for cutting of powers, precaution against dangerous fumes, explosive or inflammable dust, gas, etc. (ILO, 2013).

The study also included a few case studies to identify the security situation in the country, and further associated with ILO conventions 87 and 98 dimensions.

Case Study-1: Baldia Town Factory Fire Case

It was more than eight years back i.e. on 11 September 2012, (2) when more than 260 humans (all labourers- men and women) perished as fire erupted in a garment factory in Baldia Town Karachi and within no time more than 260 people had died (264 to be specific as mentioned in the court verdict). Reportedly, about 500 workers had been inside the factory when the fire broke out and more than 60 were injured as stated in the verdict of the Court. Many workers jumped from the upper floors. Others could not because of the metal grilles on the windows. Survivors said doorways and stairs were stuffed with stacks of finished garments. It is said that it was the worst incident in the history of the country but at the same time, it is also a daylight fact that despite more than eight years since this incident occurred neither the case has been concluded nor the bereaved families have received compensation (Harriss-White, 2019). Although the case is more than eight years old but still alive and in the news once again as one of the accused arrested by the law enforcement agencies has disclosed to the JIT that it was not an accidental fire but a manmade act against non-payment of tort and decline to accept the partnership by the owners of the company (Wettstein, 2022).

Many questions were raised about this case. The plea was that it was a conspiracy against the owners of the factory and a deliberate and manmade act that resulted loss of more than 260 lives but even then there should have been some automatic firefighting system that should have immediately controlled the fire as soon as it was erupted. Several people reportedly jumped to the earth from the windows on the 2nd and 3rd floors and got themselves injured severely and still most of them have not reportedly recovered (Harriss-White, 2019).

Case study-2: Target Killing of Workers in Balochistan

Most often it has been observed that poor workers have been easy targets for the terrorists, especially in Balochistan. Target killing of workers and innocent people is frequently witnessed in Balochistan and there is no end to it. A decade later, more than 7 workmen who were entrusted with the installation of a tower of a telecom company were shot dead. In another incident 2-3 months back. Recently 10 innocent people of a community have been gunned down (AlJazeera, 2015). Terrorist attacks on the contingents of armed forces and other law enforcement agencies are on the increase but remedial measures taken by the government have not been found sufficient to control such target killing. Mine workers died either due to the collapse of mines or poor

working conditions in mines, especially in Balochistan. Despite the ban, children are also seen working in mines with old miners to earn money to meet both ends.

On several occasions, it has been reported in the media that mine workers lost their lives due to suffocation in the mines which shows that no prior safety measures were adopted by the authorities/contractors who sent them inside the mines (AlJazeera, 2017).

Case study-3: Electrician Electrocuted and Death of Sweepers

Due to inadequate safety measures, an Electrician who was removing illegal connections was electrocuted in Hyderabad. His body was burnt and divided into three pieces. Reportedly, he started removing illegal connections, and there was no electricity in the area but all of a sudden electricity in the area was restored and he was burnt and died immediately. In another incident, 2 electricians died in North Nazimabad, Karachi, who touched an iron bar during the restoration of the electricity process in the area. Given the above, it appears that no prior safety measures were adopted by the authorities who deputed the unfortunate electricians and did not take care of the restoration of electricity in the area which resulted death of their colleagues. Moreover, at times it has been reported that several sweepers or janitorial staff lost their lives while cleaning the chocked manholes or gutters as no prior safety measures are taken before sending them inside the manholes or gutters (Murtaza, 2019).

Case study- 4: Korangi Factory Blaze on 27th August, 2021

As per media reports, at least 16 workers died in a factory fire in Mehran Town, Korangi, Karachi, on Friday 27th August 2021 (3) which can be quoted as another worst example of lack of safety and security of workers' lives could have been saved if safety measures could have been taken or implemented by the factory owners. As contained in the FIR, a case against the building owner and others has been registered under Sections 34 (Common Intention) & 322 (Qatl-bis-sabab) of PPC (as reproduced below) on behalf of the state through a police officer: As per FIR, reportedly the deaths took place on the upper floor of the building which had no emergency exit (Dawn, 2022). It is said that the factory building has been constructed in a manner that no one can exit in case of emergency while no emergency alarm system was installed in the factory. In this regard, it may be mentioned that although Pakistan is a signatory of ILO's safety protocols as stated by ILO, Pakistan has 'poor occupational safety and health (OSH) in both formal and informal sectors, while the UN Body adds that "most enterprises in the organized sectors are not aware of OSH risks and hazards.' This is the real assessment of international agencies about safety and security measures taken by Pakistan for the worker's community. Given the sorry state of affairs, there is an immediate need for safety protocols to be implemented in letter and spirit so that human lives are not frequently and needlessly lost (The Express Tribune, 2021).

The Plight of Coal Miners

Almost every day we read about the explosion in mines but no remedial measures have so far been taken by the concerned authorities. In December 2022, a mine explosion occurred in the Orakzai coal mine and it was revealed that about 80 deaths had occurred in around 30 mine explosions only in Orakzai and tribal subdivision of Darra Adam Khel (Dawn 1/1/2023).

It's important to note that while Pakistan is a member of the ILO and has ratified Convention No. 87, the effective implementation and enforcement of these principles within the country can vary and may be influenced by various factors, including the political, social, and economic climate. In practice, there have been instances of restrictions on trade union activities in Pakistan. Some of these challenges include interference by employers, anti-union discrimination, and limitations on collective bargaining rights. There have also been reports of violence against trade unionists in certain cases i.e. Legal Framework**:** Pakistan has labour laws and regulations that are supposed to protect the rights of workers and the freedom of association, but the implementation and enforcement of these laws have at times been inconsistent, Tripartite Dialogue: Pakistan participates in tripartite dialogues involving the government, employers, and workers' organizations to discuss labour-related issues and develop labour policies. However, the effectiveness of these dialogues can vary, ILO Involvement: The ILO has been engaged with Pakistan to provide technical assistance and support in areas related to labour rights and compliance with ILO conventions, including Convention No. 87 and 98.

The Constitution of Pakistan provides for the freedom of association in several articles, including Article 17. This article guarantees the right to form associations or unions, subject to reasonable restrictions imposed by law in the interest of the sovereignty or integrity of Pakistan, public order, or morality. The country has a history of labour union activity, and workers have the right to form and join trade unions of their choice. Labour unions play a crucial role in representing the interests of workers and negotiating collective agreements with employers. While freedom of association is constitutionally protected, there have been instances where the government has imposed restrictions on certain groups and organizations. These restrictions may be justified on grounds of national security, public order, or other legitimate concerns. In such cases, organizations may be banned or subject to government oversight. In cases where there are alleged violations of freedom of association rights, workers and employers in Pakistan can file complaints with the appropriate labour authorities or, in certain cases, with international bodies like the International Labour Organization (ILO).

It's essential to note that the condition of labour rights and the application of ILO Convention No. 87 and 98 can be dynamic and subject to change over time due to various factors, including shifts in government policies, labour activism, and changes in the economic and political landscape.

Various Labour-related problems published in print media (i.e. Newspapers)

Date	Source	The caption of the news item	Remarks, if any
03/01/2019	The News	Four colliers died in the Chamalang coal mine blast.	Reportedly blast took place due to the accumulation of methane gas in a coalmine in Chamalang, Balochistan.
03/01/2019	The News	Women workers grading peanuts outside Jhang Bazar.	Picture.
09/01/2019	The News	No more exploitation of farmers, Punjab PA told.	Govt. will put an end to the year-long exploitation of the growers and take all possible measures for their relief.
15/02/2019	The News	Child labour.	Rampant poverty in the country is one of the main reasons for child labour.
15/02/2019	The News	Five labourers were injured in a warehouse fire.	The fire broke out at a scrap warehouse in Orangi Town where reportedly no safety measures were taken by the owners of the warehouse.
17/02/2019	The News	SHAHRAG is the town where teenage coal miners are not safe from their elder coal miners.	Parents turn a deaf ear to any complaints on the basis that these child coalminers earn money and most of the children in Shahrag have "friendships" with people as old as their parents. Although child workers, by and large, get some kind of work when they don't sex work is always available as their fallback option.
19/03/2019	The News	Fighting child labour.	
03/04/2019	The News	Landmines take a growing toll in Afghanistan	
09/04/2019	The News	Three labourers died after falling into a factory pit in Ibrahim Hyderi.	
21/04/2019	The News	Farmers have little cause for joy this year as wheat price remains on the lower side.	
01/05/2019	Jang	Labour Day.	
11/06/2019	The News	World Day Against Child Labour	
16/07/2019	The News	Hopes fade for 10 miners trapped in a coal mine.	
25/08/2019	The News	Sindh cabinet approved a historic bill recognizing women farm workers' contributions.	The Sindh cabinet approved the Sindh Women Agriculture Act 2019 aimed at empowering the women of the rural swathes of the province.
04/08/2019	The News	Coverage without cover.	Several reports & cameramen lost their lives while performing their professional duty but they performed their duty without any safety and security.

27/10/2019	The News	ILO is keen to improve working conditions.	The ILO plans to launch the Better Work Programmed in Pakistan to make industrial units meet the World Compliance Index.
01/11/2019	The News	Sindh to adopt a law to provide social security to all labourers.	The Sindh Govt. has assured to enforce the law already passed by the Sindh Assembly to safeguard the interests of the labourers.
04/11/2019	The News	Pakistan pays a heavy price every time cheap child labour is sold.	Kids as young as five are being forced into labour; no government conducted a child labour survey since 1996.
06/11/2019	The News	Workers risk being casualties amid an economic slowdown.	If production goes down then the workforce becomes surplus, which means retrenching some workers might save the jobs of others.
07/11/2019	The News	RED GOLD: By the time saffron is sold to consumers outside Afghanistan, it is often more expensive than gold – retailing for up to $8 per gram.	In the past 5 years, dozens of Afghan poppy farmers switched to saffron farming for better returns. A kilogram of saffron sells for around $1,400 locally.
07/11/2019	The News	Child Labour.	It could only be reduced when there is more employment for adults in a family which h will save children from working.
12/11/2019	The News	Selling goods, bringing prosperity	More than 800 women have been enrolled as Rural Sales Agents across 23 districts of Punjab and Sindh, breaking the shackles of poverty.
21/11/2019	The News	Children at work	Reportedly 25 million children are out of school in the country. Most of them either become street children or get converted into child labour.
20/12/2019	The News	Sindh passed a law to recognize agri-women as formal labourers.	Female peasants play a significant role in earning money for their homes but their contributions/efforts have never been acknowledged.
28/02/2021	World Bank Report -2021	Impact of COVID-19 on labour market.	Policy Brief (Feb.2021) on Impacts of COVID-19 on labour markets and household well-being in Pakistan.
29/08/2021	Dawn	Karachi Factory Blaze	Fire erupted in a chemical factory located in a residential area of Mehran Town, Korangi where 16 workers died immediately due to the non-availability of emergency exit.
23/10/2022	Dawn	Labourer dies after falling from 28th floor of under-construction DHA high-rise.	A young labourer died after falling from an under-construction multi-story building in DHA Karachi. Reportedly the deceased was doing shuttering work on the 28th floor of the building near Creek Club at Do Darya, Karachi.

31/10/2022	Dawn	Female anchor crushed to death after falling from the container while covering a long march of a political party on 30/10/2022 near Sadhoke, Punjab.	Reportedly she fell from the container after which she was crushed by the vehicle.
1/12/2022	Dawn	Orakzai coal mine explosion.	Reportedly nine mine workers died & four were injured in his Orakzai coal mine explosion.

The above-mentioned labour problems are on the rise in Pakistan, but their solution requires a multi-faceted approach involving government policies, legislative reforms, enforcement of existing labour laws, social programs, education, and collaboration between employers, workers, and civil society organizations. Additionally, addressing these challenges often requires a long-term commitment and coordinated efforts from multiple stakeholders. Some recommendations could reduce labour laws problems in the long term i.e. (1) Increasing the minimum wage, regularly adjusting it for inflation, and ensuring that it reflects the cost of living can help address this issue. Encouraging fair wages through collective bargaining can also be beneficial, (2) Promoting formalization of the informal sector through incentives, education, and access to credit can help bring workers into the formal labour force, offering them legal protections and benefits, (3) Enforcing laws prohibiting child labour and ensuring access to quality education for all children can help eliminate this problem. Social programs to assist families in poverty can also reduce child labour, (4) Strict enforcement of occupational health and safety regulations, providing safety training, and ensuring access to necessary protective equipment can improve working conditions, (5) Enforcing laws that protect workers' rights to organize and collectively bargain, and providing legal remedies for anti-union practices, can strengthen unionization, (6) Investing in education and vocational training programs to enhance skills and employability can help address joblessness. Encouraging entrepreneurship and small business development can also create employment opportunities, (7) Implementing and enforcing laws against gender discrimination, promoting women's economic empowerment, and providing affordable childcare facilities can help address gender disparities in the workforce, (8) Expanding and improving social protection programs, particularly for informal sector workers, can provide a safety net for workers and their families, (9) Expanding and improving social protection programs, particularly for informal sector workers, can provide a safety net for workers and their families, (10) Encouraging formalization of businesses in the informal sector and simplifying tax procedures can help increase tax compliance.

Conclusions and Recommendations

However, the laws are not implemented in letter and spirit and there is a lack of participation of peasants in local government institutions instead people having political

backgrounds, sons, daughters, brothers and kith and kinds of politicians are selected in the local bodies elections (rather selection) and peasants have become poorer than poor.

It should be declared by the government to keep at least one Fire Tender in every factory/office building having 500 or more workers (employees). The government should also set up Fire Tender stations in each district of Karachi. Further, they should set up Emergency Centers where Fire Tenders should be available on a 24/7 basis. At times, it has been observed that no fire tenders were found available immediately when the fire took place at PNSC Building three times. Had they reached on time the damage done could have been minimized. As a matter of policy, any building or office where 500 or more employees work should have their fire tenders or hire the services of Fire Tenders permanently. Karachi which is the largest city in the country does not reportedly have sufficient Fire Tenders due to which they are unable to cater to the needs of the city if any major fire erupts in the city.
Large establishments, like Head Offices of Banks, Other large establishments including Police Head Office, Universities, Educational Boards, and Hospitals like Jinnah, Civil, and Abbasi Shaheed should have their Fire Tenders to attend any emergent call of fire incidents. Fire Tenders should keep them ready like Ambulances which are readily available in the city either on a phone call or within walking distance in every area of the city. It has also been observed that several people have made their houses as warehouses and run their business from their residences which should not be allowed as it is not only illegal but also hazardous due to various aspects. The government should make life insurance mandatory and life insurance coverage should be made available to all workers. Since Group Life Insurance is not expensive in our country, life insurance coverage should be made available to every worker and Labour Inspectors should ensure that the life of every worker is secured under Group Life Insurance.

Although Pakistan, besides having several labour laws, is a member and signatory of ILO conventions it lacks good governance in the implementation of these labour laws which needs to be looked into seriously by the concerned authorities. Immediate corrective/remedial measures are required to be taken to improve working conditions in all sectors discussed in this research paper, especially coal miners.

References

AlJazeera, (2015) Workers killed in attack in Pakistan's Balochistan. Retrieved from https://www.aljazeera.com/news/2015/4/11/workers-killed-in-attack-in-pakistans-balochistan on July 31, 2023.

AlJazeera, (2017). Gunmen kill 10 labourers in Balochistan's Gwadar. Retrieved from https://www.aljazeera.com/news/2017/5/13/gunmen-kill-10-labourers-in-balochistans-gwadar on July 31, 2023.

Basnet, L. (2014). South Asian Regional Trade Union Council, Khatmandu, Nepal, p. 04.

Cullen, H. (2007). The Role of International Law in the Elimination of Child Labour. Netherlands: Brill, p. 87.

Dawn, (2022). Fire destroys chemical factory in Korangi. Retrieved from https://www.dawn.com/news/1674553 on July 31, 2023.

Goheer, N. A. (2003). Women Entrepreneurs in Pakistan: How to Improve Their Bargaining Power. India: InFocus Programme on Boosting Employment through Small Enterprise Development, International Labour Office, p. 27.

Harriss-White, B. et al (Ed). (2019). The Wild East: Criminal Political Economies in South Asia. United Kingdom: UCL Press, p. 310

ILO. (201). Extending Social Security to All: A Guide Through Challenges and Options. Switzerland: International Labour Office, p. 15

ILO. (2013). Safety and Health in the Use of Machinery: ILO Code of Practice. Russia: ILO, p. 44.

ILO. (2022). Social Dialogue in the Public Services in South Asia, ILO Publication, Sri Lanka, p. 10

Industrial Relation & Labour Law (2020). A Book based on The Industrial Dispute Act, 1947 and The Factories Act, 1948: SBPD Publication (English). SBPD Publications, p.33.

Khan, H. (2020). Constitutional and Political History of Pakistan. Pakistan: Oxford University Press, p. 59.

Kumari, Jayanti. 2018. "Analysis of Work and Employment Conditions of Contractual Teachers in India". NMIMS Journal of Economics and Public Policy, p. (n).

Lultz Leisering (2020) One Hundred Years of Social Protection: The Changing Social Question in Brazil, India, China, and South Africa, Germany: Springer International Publishing, p. 109

Marshall, Shelley (2009). Labour Law and Development: Creating an Enabling Regulatory Environment and Encouraging Formalisation, ILO Publication, Geneva, p. 03.

Ministry of Finance (2021). Economic Survey 2019/20, Nepal.

Ministry of National Policies and Economic Affairs (2017). Labour Force Survey–2016 Annual Report, Sri Lanka, p. 17.

Murtaza, S. (2019). Two labourers electrocuted in Karachi's North Nazimabad. Retrieved from https://www.samaaenglish.tv/news/1797642/two-labourers-electrocuted-in-karachis-north-nazimabad, on July 31, 2023.

Ramcharan, B. G. (2016). United Nations Protection of Humanity and Its Habitat: A New International Law of Security and Protection. Netherlands: Brill, p. 10

Ranaraja, Shyamali (2020). "A Consultative Study on Social Dialogue Mechanisms and Practices in the Public Health Sector in Sri Lanka", ILO/WHO Publication, p. 30.

The Express Tribune (2021). 16 die in Karachi factory blaze. Retrieved from https://tribune.com.pk/story/2317366/16-die-in-karachi-factory-blaze on July 31, 2023.

UNESCO. (2019). The ILO/UNESCO Recommendation concerning the Status of Teachers (1966) and The UNESCO Recommendation concerning the Status of Higher-Education Teaching Personnel (1997), UNESCO Publishing, p. 12.

US Government, (2015). Prospects for Democratic Reconciliation and Workers Rights in Bangladesh: Hearing Before the Committee on Foreign Relations, United States Senate, One Hundred Thirteenth Congress, Second Session, February 11, 2014, United States: U.S. Government Publishing Office, p. 65

Vogt, J., Bellace, J., Compa, L., Ewing, K. D., Lörcher, K., Novitz, T. (2020). The Right to Strike in International Law. India: Bloomsbury Academic.

Von Richthofen, W. (2002). Labour Inspection: A Guide to the Profession. Germany: International Labour Office, p. 07

Wettstein, F. (2022). Business and Human Rights: Ethical, Legal, and Managerial Perspectives. India: Cambridge University Press, p. 288.

World Bank (2017). Disease Control Priorities, Third Edition (Volume 7): Injury Prevention and Environmental Health. United States: World Bank Publications, p. 77.

World Bank (2021). Impacts of COVID-19 on labour markets and household well-being in Pakistan.

Khawaja Tajammul Hussain is a Ph.D. Scholar in the Department of School of Law, University of Karachi.

Prof. Dr. Qamar Abad is Associated with the School of Law, University of Karachi.