

Giving Labour Rights the Boot:

Working Conditions
in the Turkish Shoe Industry



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List of Abbreviations

AGI	Asgari Geçim İndirimi / minimum living allowance
AKP	Adalet ve Kalkınma Partisi / Justice and Development Party
ÇSGB	Çalışma ve Sosyal Güvenlik Bakanlığı / Ministry of Labour and Social Security
DISK	Türkiye Devrimci İşçi Sendikaları Konfederasyonu, DİSK / Confederation of Progressive Trade Unions of Turkey
EU	European Union
HAK-İŞ	Hak İşçi Sendikaları Konfederasyonu / HAK-İŞ Trade Union Confederation
ILO	International Labour Organization
IMF	International Monetary Fund
MSI	Multi-stakeholder initiative
OIZ	Organized Industrial Zone
SGK	Sosyal Güvenlik Kurumu / Social security authorities
STİSK	Sendikalar ve Toplu İş Sözleşmesi Kanunu / Trade Unions and Collective Labour Agreements Act
TİM	Türkiye İhracatçılar Meclisi / Turkish Exporters Assembly
TÜİK	Türkiye İstatistik Kurumu / Turkish Statistical Institute (TurkStat)
TÜRK-İŞ	Türkiye İşçi Sendikaları Konfederasyonu / Confederation of Turkish Trade

1. Introduction

Against the backdrop of the current political climate, compiling a report on a key industrial sector of Turkey's economy, as well as on the situation currently faced by many of those it employs, is a considerable challenge for a variety of reasons. At present, the country is facing some of its most severe crises in living memory, including the ongoing civil war in neighbouring Syria, a continuing stream of migrants fleeing war-torn areas, disputes with the Kurdish population in the country's south-east as well as dealing with dramatic shifts in domestic policy, terror attacks and a coup attempt in the summer of 2016. The state is also going through a tempestuous period in its relationship with its political and economic partners in the European Union. Within Turkey, the media, trade unions and civil society are being increasingly subjected to state repression and sanctions; the freedoms of speech and association are now second to the demands of public safety and terror prevention. Whilst these various processes remain relevant, this report will not explore them in greater depth but will focus primarily on the Turkish footwear and leather industry, the evidence produced by research conducted within the country as well as on the relevant structural causes of the established issues. Current political developments will, therefore, only be marginally examined.

Turkey is one of the world's largest economies. After the automotive sector, the textile, garment, footwear and leather industry¹ is the second-largest contributor to the country's exports and, with a workforce of over two million, by far Turkey's most labour-intensive industrial branch. Turkey is a key producer for European brand-name companies and the country's economic geography is extremely diverse. There is a considerable gap between the industrialised west (with its modern industries) and the east, which is dominated by agriculture and is less economically developed. This means those in the greater Istanbul area earn 41% of the average income in western EU states (EU-15), whilst those in the east earn only 7%. In 2015 Turkey ranked 72nd (and was described as 'highly developed') on the UN Human Development Index, placing it below countries such as Russia, Belarus and Lebanon (UNDP n.y.). Despite the country's major cultural and social (and, in part, military) conflicts, and its current political transition towards an autocratic state, Turkey remains a candidate for membership of

the EU, which is also Turkey's most important trading partner. However, Turkey's economic relations with other countries and key trading partners, such as the Arab nations and Russia, are also changing. In addition, the two million Syrian refugees now living in the country are having a significant impact on the current social climate and employment situation, with the labour market and Turkey's crucial textile, garment and leather industry being inundated with low-wage, unregistered workers fleeing regions plagued by conflict and war.

BOX 1 The Global Footwear Industry

The shoe manufacturing sector resembles the garment industry: it is labour intensive, price and time-sensitive, and thousands of different manufacturers operate in an extremely competitive global market. Once basic commodities, shoes are now fast becoming part of the 'fast fashion' trend, i.e. they are designed to be replaced within just a short space of time. In 2014 €23.5 bn was spent on shoes in the EU. Between 2011 and 2014, global footwear production grew by 16% (APICCAPS 2015: 5). As with many other industries, high sales figures are the main objective, which in turn puts extremely high pressure on prices and delivery times. This issue presents a core structural problem not only for the garment and fashion industries but for footwear businesses in both Europe and Asia as well.

This study examines the situation facing employees in the Turkish footwear and leather industry and their daily fight to lead a dignified life. Twenty workers were interviewed as part of the 'Change Your Shoes' campaign. These individuals work in tanneries, for leather processing companies and for footwear manufacturers in and around Istanbul, the hub of Turkey's shoe industry. Their statements indicate that labour law violations are widespread in Turkey's footwear and leather industry. Three specific areas were highlighted: wages that do not sufficiently meet workers' needs, inadequate protection against occupational health and safety risks and the

¹ These industries are generally viewed as a single sector or separately as the textile and garment industry and the footwear and leather industry. With regard to statistical data, it is often not possible to clearly differentiate between individual industries, particularly when this data is taken from different sources, such as countries' statistical institutes or offices and international organisations, such as the EU, the OECD and the World Bank. Every effort has been made to ensure data provided by various sources remain congruent. Wherever this has not been possible, the primary focus of the used data has been accurately detailed.

alarming increase in informal employment. Furthermore, excessively long workdays as well as the discrimination of trade unionists and the obstruction of trade union freedom are rife. The blame for these injustices lies partly in companies' drive to bring down costs and/or boost profit, but the Turkish government and its 'investor-friendly' workplace legislation are also partly responsible. Alongside years of manufacturing experience, government incentives and the country's central location between the states of the EU and the Middle East are what makes Turkey so attractive for the footwear and leather industry, even though poverty remains a real risk for the workers these businesses employ. The outcomes of our research make clear that the Turkish state, manufacturing companies and those international brand-name businesses who commission Turkish suppliers to produce their goods must urgently take action to prevent profit being

made at the cost of those individuals at the beginning of the supply chain or at the expense of the environment.

This study was produced as part of the international 'Change Your Shoes' campaign, a project that involves the participation of 15 European and three Asian partner organisations that have come together to draw attention to injustices and wrongdoing in footwear and leather manufacturing industries throughout the globe. The campaign's activities are based on research carried out in China, India, Indonesia, Italy, south-east Europe and Turkey. Together with trade unions and civil activists and via media reports, as well as through dialogue with politicians, academics and businesses, 'Change Your Shoes' aims to promote fundamental change that will improve conditions along the entire supply chain of the global footwear and leather industry.

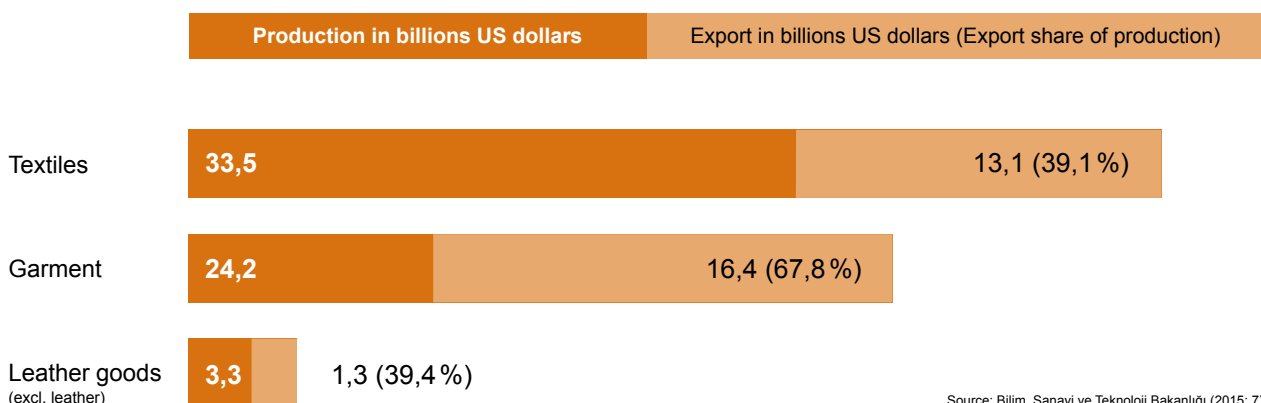
2. The Turkish Footwear and Leather Industry

Turkey is renowned for its textile and garment industry and is one of the world's leading exporters in clothing and leather goods. The EU is its strongest trading partner. A fifth of Turkish garment exports are destined for Germany, making the country Turkey's largest customer (TIM 2016a). Large-scale cotton farming and a diverse range of processing facilities mean Turkey is able to carry out each step in the textile chain – from growing raw cotton to supplying the finished item – a claim only China, India and a handful of other countries can make. Combined with the footwear and leather industry, this industrial sector is responsible for more than 20% of the country's total exports (cf. Atlas of Economic Complexity n.y.) and contributes over 10% to Turkey's GDP. The industry is thus the country's most crucial sector. In 2015,

the footwear and leather industry contributed a relatively small share, recording export sales of USD 1.5 bn, which equals a mere 1.1% (ISO 2015a, TIM 2016b).

However, this does not mean that only small volumes of leather, leather goods and footwear are being produced, but that these products continue to be bought and sold at very low prices. In Turkey, the footwear and leather industry is one industrial sector that is becoming increasingly important. Like the country's garment manufacturing sector, the industry benefits from being extremely close to consumer markets, which are mainly in Europe and the Arab states, giving Turkey a key advantage over its biggest rivals, such as China, India and Vietnam. This means Turkish businesses can

Figure 1 Turkish Textile, Garment and Leather Goods Industry: Production and Exports (2014)



Source: Bilim, Sanayi ve Teknoloji Bakanlığı (2015: 7)

guarantee short delivery times and flexibility in response to today's ever rapidly changing market demands. At the same time, production costs in the country are extremely low, sometimes even lower than those of their Chinese competitors. All these factors combine to create an environment that is ideal for a thriving industry, but also a toxic mix for those it employs.

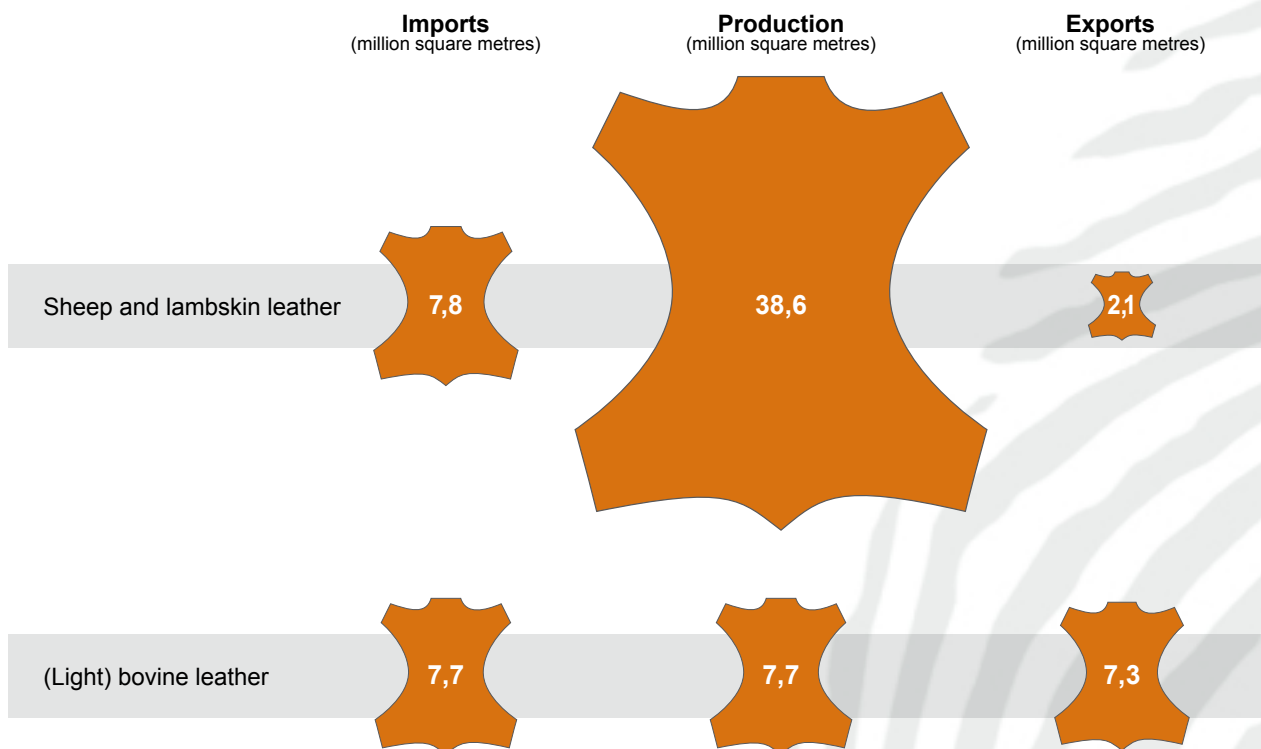
2.1 Leather Production in Turkey

The main focus of the Turkish footwear and leather sector is the manufacturing of goods either made of or containing leather. Pure leather production is divided into two areas: first, there is leather for footwear, garments, furniture and automotive applications, and then there is lightweight cowhide², which is suitable for other leather goods and produced in comparatively smaller volumes. It is thus of relatively little importance to the global market. Here producers and businesses have to face fierce competition from EU countries that still produce more than a quarter of the world's semi-processed and finished leather, placing them just behind China, Brazil

and Russia. The Turkish share of global production has been steady for the last decade with approx. 7.7 million square metres or roughly 0.6% (2014), which puts the country 26th on the list of the world's biggest cowhide producers. Although the majority of these produced goods are exported, imports almost quadrupled between 2005 and 2014 (cf. FAO 2016). This means that demand within Turkey's leather processing industries has grown astronomically, whilst the bulk of leather produced in land is not intended for further processing inside Turkey. Turkish garment and shoe manufacturers complain about the fact that they are so dependent on imports, the cause of which lies in the often poor quality of domestically made goods (ISO 2015b).

However, Turkey is a global player and a key producer when it comes to sheepskin and lambskin, producing 38.6 million square metres – a volume five times greater than the country's production of bovine hide. Turkey is thus the world's third-largest producer of sheepskin and lambskin leather after China and India. This corresponds to 8% of the global market (FAO 2016). Turkey is also

Figure 2 Turkish Leather Industry: Production, Exports and Imports (2014)



Source: FAO (2016)

2 The following figures regarding the production and trade of bovine leather are based on data for light leather that can be used in the production of footwear, garments and accessories. Heavy bovine leather is excluded from these figures. Furthermore, it is difficult to compare figures for production and trade as data for light bovine leather is given in square metres while heavy bovine leather is measured in tonnes. For the relevant data, please consult the FAO (2016).

one of the largest producers and importers of the hides required for these leathers, which can, in part, be traced back to the country's long tradition of sheep farming. Whilst this sector is experiencing a veritable boom in the country, the fine quality leather it produces plays a very minimal role in footwear production. Instead, these hides are used to manufacture higher-priced accessories and apparel. It is worth noting that this type of leather is largely processed in the country itself and very little is exported. This makes Turkey one of the world's biggest sheep and lambskin leather producers to directly process its products within its own borders. With regard to the production process, there is very little to separate this material from bovine hide: both leathers are equally damaging to the environment and to workers' health.

In recent years the price of sheepskin and lambskin leather has increased, delivering higher profits. According to figures released by the Istanbul Chamber

of Commerce, the costs of raw materials, energy and, to a lesser extent, labour have also risen for all leather producers and this is already starting to have an impact as the prices for bovine leather have been unable to keep up with this growth and rising costs (ISO 2015b). The result is even more acute price pressure and greater international competition, mainly to the detriment of the sector's employees.

2.2 Shoe Production in Turkey

Compared to Turkey's prominent garment industry, the manufacturing of leather, leather goods and footwear may, at first glance, seem rather insignificant, but in comparison with the rest of the world, Turkey is one of the leading manufacturers and exporters of shoes. In 2015 the country was the world's 8th largest footwear manufacturer. In that year, it manufactured 350 million pairs, putting it on a par with Bangladesh and Pakistan. China

BOX 2 Toxic Leather

Traditional leather production is a dirty business. The intensive use of chemicals as well as considerable volumes of solid waste and contaminated wastewater all pose significant problems. The pre-tanning process for raw animal hides includes soaking, hair removal and pickling. These stages produce waste such as flesh as well as chemical by-products, e.g. sulphides, surfactants and hydrogen sulphide. The hide is then ready for the actual tanning process, whereby the skin is treated with chromium sulphate, water is squeezed out and the hide is split to produce what is called 'wet blue', a moist, grey-blue leather. This stage also produces animal as well as the aforementioned chemical and chromium-containing by-products and waste. The next step, re-tanning, also produces a range of different chemical by-products. Here the leather is subjected to a number of processes, including substantial chemical 'neutralisation', additional tanning, dyeing, fat-liquoring and stretching. The dried 'crust' is then moistened and mechanically conditioned, cut and finished. Liquid and solid residuals as well as solvents are the resulting waste (Roy 2012: 8 et seqq.). 1,000 kg of animal hide produces roughly 200 kg of leather, which means just 20% of the original raw material is transformed into the final product. During the manufacturing process, 500 kg of tanned and untanned solid waste is produced, along with 50,000 litres of contaminated water.

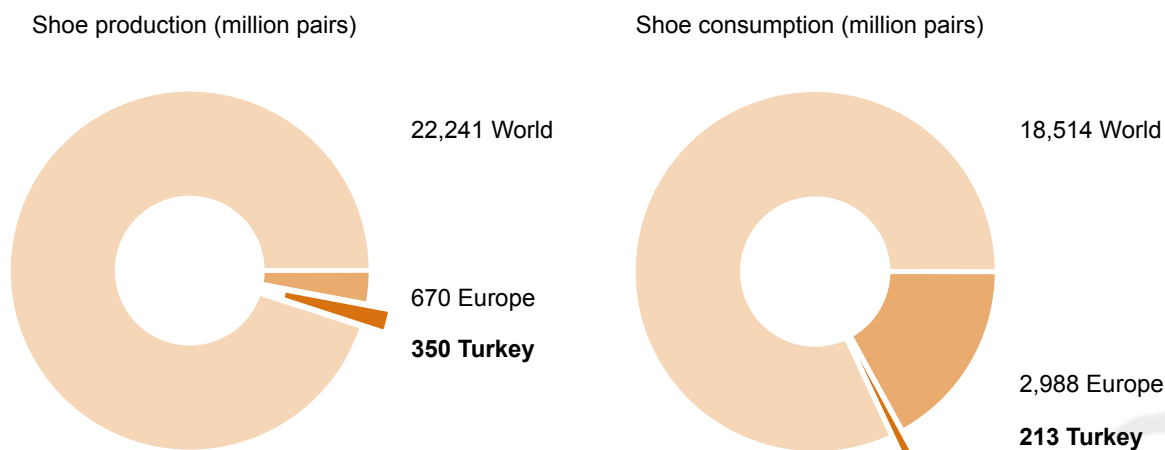
These waste products contain approx. 8 kg of chromium trioxide, an extremely harmful chemical, as well as other highly toxic pollutants. When exposed to high temperatures, chromium oxide, a chemical employed during tanning, can oxidise to create carcinogenic chromium trioxide (Kolomaznika 2008: 514-520). Harmful substances are also generated even when vegetable tanning is used, although none of the by-products are as dangerous as, for example, chromium trioxide. Leather manufacturing is thus a dangerous and toxic business. Around the world, both humans and the environment are suffering the consequences of the toxins produced by the leather industry. Employees fall ill with work-related health problems, the natural world is being contaminated and those living close to tanneries are ingesting toxins that enter the food chain through polluted soil and rivers. Even those consumers purchasing the final leather products can suffer skin complaints and allergic reactions as a result of toxic residues.

More information is available on the Change Your Shoes factsheet: *Toxic Leather. The Effects of Leather Production on Humans and the Environment.*

is also enormously important for the footwear market, accounting for almost two thirds of global production (i.e. 23 billion pairs of shoes), which is why at 1.5%, Turkey's share of the global market appears relatively small (APICCAPS 2015). However, just over half of Turkey's shoes are destined for export markets (180 million pairs), which means the country joins the ranks of other large-scale exporters in the footwear sector, such as China, Vietnam and Indonesia.

Turkey's strongest individual trading partners when it comes to footwear are Iraq, Russia, Germany, Saudi Arabia and the United Kingdom, with the first two countries accounting for one third of goods traded. However, if the EU were viewed as a single trading partner, it would be top of the list. In 2015 EU member states imported shoes from Turkey worth a total of USD 162 million. Germany, the UK and the Netherlands were the main importers. Turkey's footwear associations are even

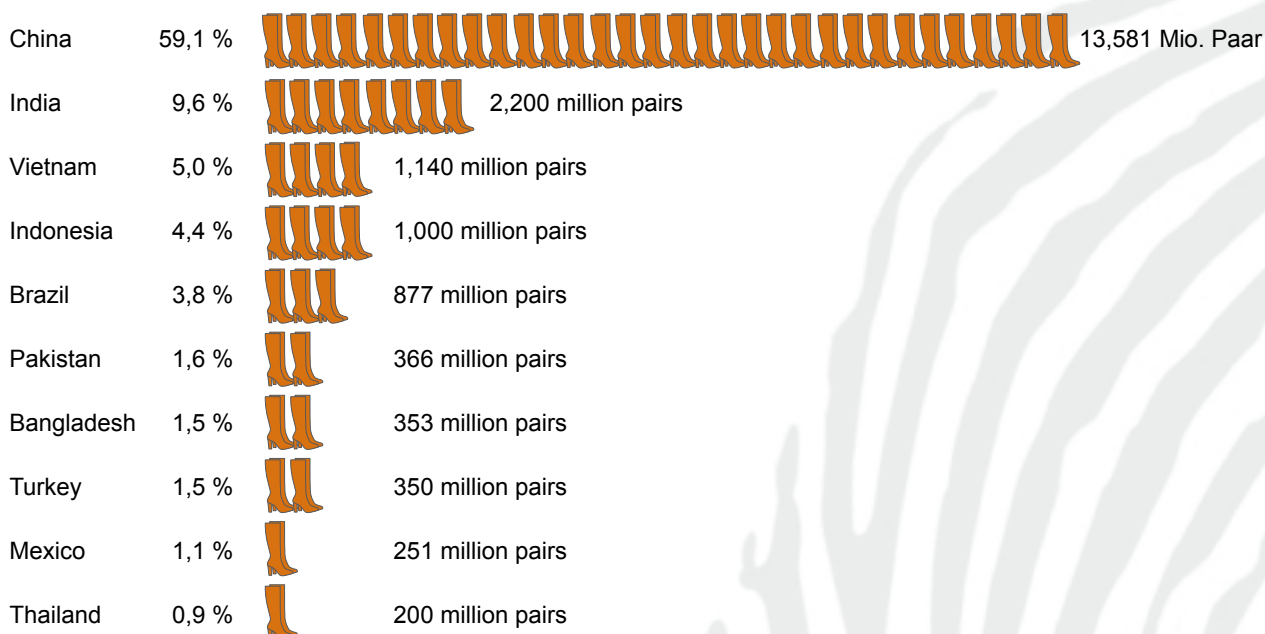
Figure 3 Worldwide Production and Consumption of Footwear (2015)



Source: APICCAPS (2016)

Figure 4 The Largest Shoe-Producing Countries* (2015)

* Percentages are based on estimates given by APICCAPS 2016 on global footwear production totalling 23,000 million pairs.



Source: APICCAPS (2016: 4)

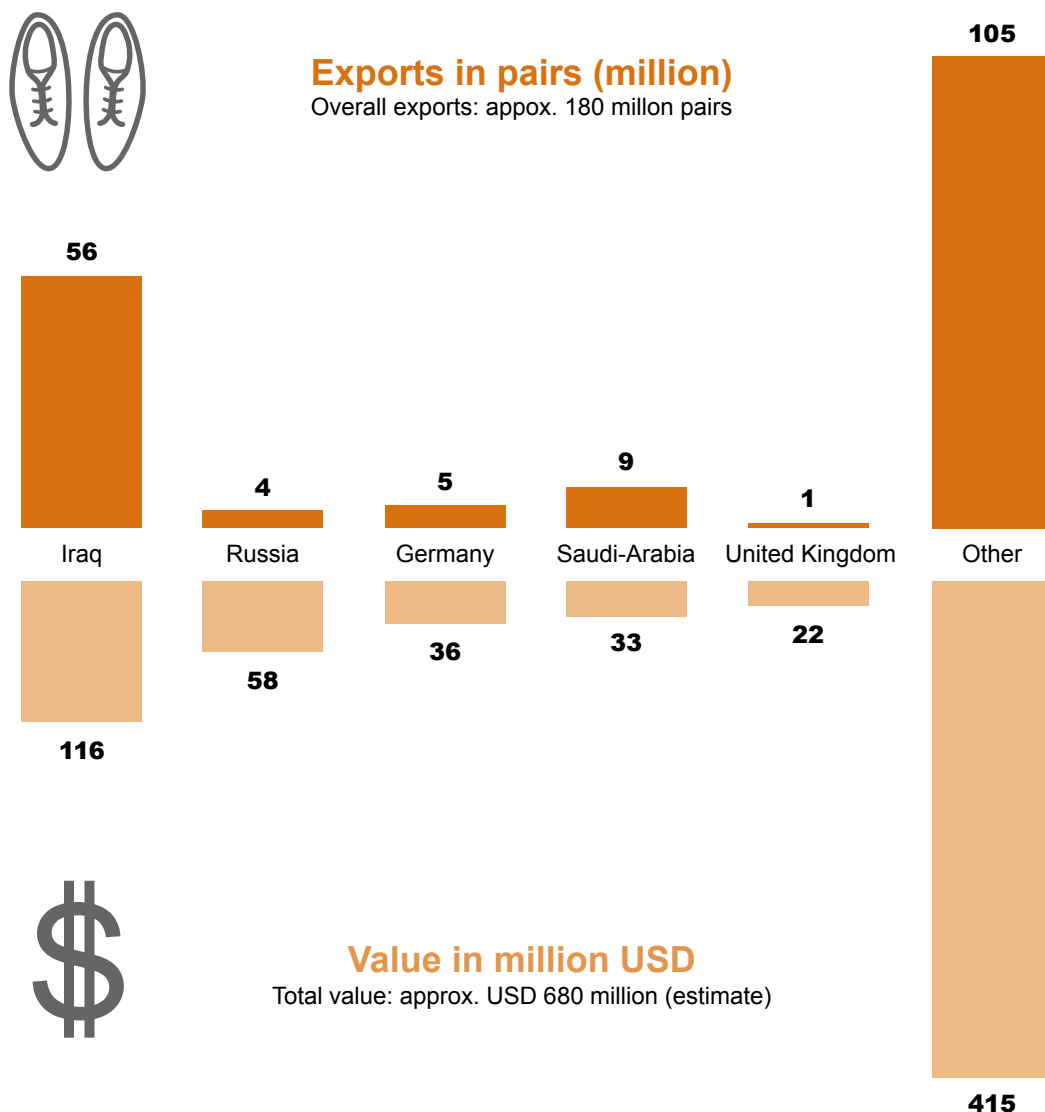
trying to increase export volumes to USD 2.5 billion by the year 2023, primarily by upgrading and diversifying the industry and goods as well as establishing Turkey's own, internationally recognised brands. Until now the industry has been dominated by made-to-order production for international brands such as H&M (www.hm.com/de/products/ladies/shoes) and ZARA (www.zara.com/de/en/woman/shoes/view-all-c719531.html) as well private brand manufacturing for the domestic market and states to the east of the country (ISO 2015a).

The export value shares alone do not, however, paint a true picture of the reality of footwear production and trade, and the impact this has on working conditions within the industry. Central issues will thus be explored later in this report. Turkey has grown to become one of the cheapest suppliers of footwear worldwide whilst there have been key shifts in other significant parameters. Ten

years ago, natural fibres and leather still dominated in footwear production (i.e. products with a higher market price and that tended to offer greater opportunities for generating profit and increasing wages for employees) and these materials were preferred over models made of rubber and synthetic materials. However, by 2009 the situation was changing. During this period, production grew by 85%, and every year trade associations announced double-digit growth rates. But now four times as many shoes containing synthetic materials are made compared to leather shoes (TÜİK 2016). In the meantime, Turkish shoes are being traded at a price that is, on average, lower than that of Chinese footwear.

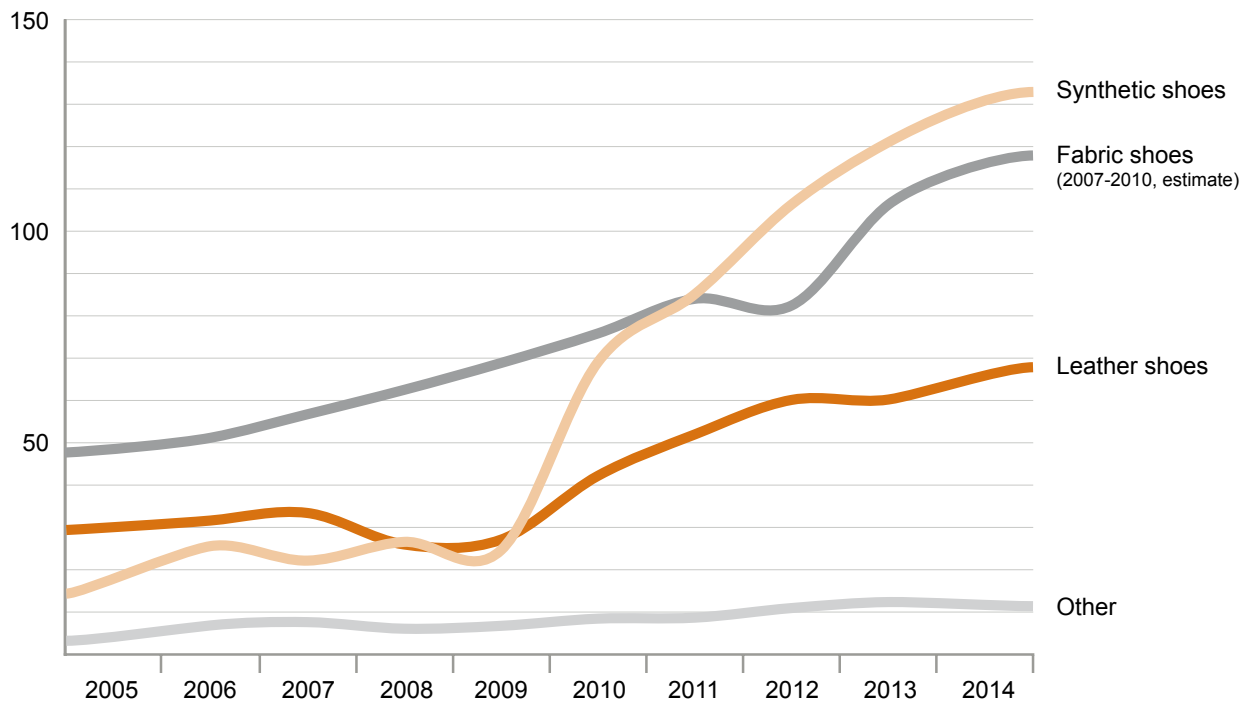
Turkey has thus become an extremely competitive supplier but this has simultaneously caused the scope for value-adding production to become severely restricted. This results in the sector becoming increasingly suscep-

Figure 5 Turkish Footwear Industry: Export and Trading Partners (2015)



Source: APICCAPS (2016: 110)

Figure 6 Development of Footwear Production in Turkey in Million Pairs (2005 - 2015)



letzter Absatz vor 1.2: In the EU (Nicht In the EU)

tible to downward pressure on prices and fluctuations on the global market, which has a direct impact on the employees working in the labour-intensive manufacturing process. If these developments continue, Turkey will be forced to lower its footwear prices even further, an outcome that would stand in direct contrast to the aims of the sector's associations, whose aim is to add value to the industry.

According to the Turkish Statistical Institute (TÜİK), in 2014 the average trade price for a pair of shoes was USD 3,99³, an amount far lower than the average global export price, which stands at USD 8.88 per pair (APICCAPS 2016: 9).⁴ Exports to Russia mainly comprise highly priced shoes, including a high percentage of leather shoes, with an average export price of USD 18.34, whilst Iraq mainly imports very low-priced shoes at an average cost of USD 2.16 (for more information on the difference between export quantity and the resulting export values, see Figure 5: Turkish footwear industry: export and trading partners, p. 8). The Russian financial crisis and the conflict in Ukraine have also begun to have a palpable effect on the footwear industry. Since

2013 key imports of higher-value footwear products to these two countries have stagnated markedly, which is why there are plans to export higher numbers of shoes to countries in the EU and the Middle East (World Footwear Yearbook 2014). As these new relations with Russia become normalised, some are optimistic that this will once again have a positive impact on business partnerships within the sector.

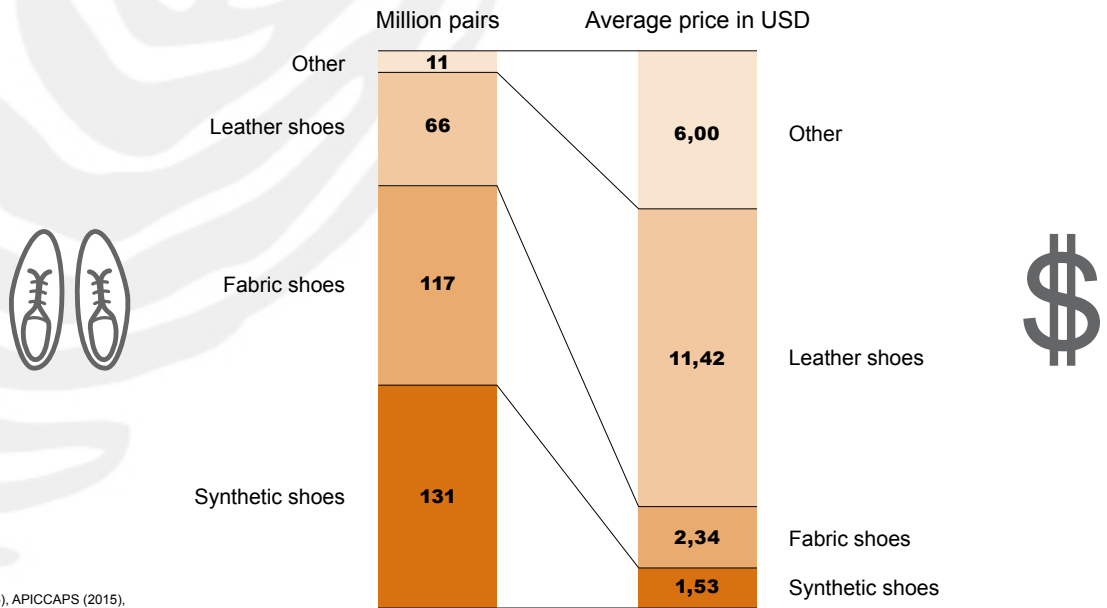
In the EU, leather shoes account for more than half of footwear imports from Turkey; since 2005 imports of these products to Germany and the UK have in some areas increased fivefold. In spite of this, at USD 11,42⁵ (TÜİK 2016) the average export price for leather shoes falls far below the global average, which currently stands at USD 24,39⁶ (APICCAPS 2016: 18).

2.3 Industry Structure and Employment Profile

As with many of Turkey's industries, shoe and leather manufacturing is mainly based in the Marmara region surrounding Istanbul, in the Aegean region close to Izmir and in south-eastern Anatolia (see Figure 8). Leather is

3 Equivalent to TL 11.62 or EUR 3.67. The APICCAPS (2015: 107) states an average export price of USD 3.79, which in 2015 fell to USD 4.47 (APICCAPS 2016:110). The difference in pricing can change due to exchange-rate fluctuations. The abbreviation for Turkey's currency is TL (Turkish Lira). This study uses the exchange rates between the TL and the US Dollar (USD) as well as the Euro (EUR) as of 31/12/2015. The values obtained were rounded to two decimal places.
 4 Equivalent to USD 23.70 or EUR 7.48.
 5 Equivalent to TL 33.33 or USD 11.42.
 6 Equivalent to TL 73.41 or EUR 23.17.

Figure 7 Turkish Shoe Production by Type and Average Export Price (2014)



Source: TÜİK (2016), APICCAPS (2015).

predominantly manufactured and processed in Tuzla (Istanbul Province), Menemen (Izmir Province) as well as in Çorlu, Uşak, Gerede and Bursa. These areas are also key centres for the garment industry. Businesses that solely operate in shoe manufacturing are concentrated mainly in Istanbul (where 50% of all the sector's businesses are based), Izmir as well as in the large cities of Gaziantep in south-eastern Anatolia and Konya, situated in central Turkey.

Leather production requires extremely high levels of resources and labour (see Box 3, p. 6) and is thus mainly based close to large commuter belts. Simple technology is available that allows even very small companies to produce the material. This explains the relatively high number of officially registered companies (194⁷) who, in 2014, were manufacturing different types of leather or were directly involved in the process (TÜİK 2016). Tanneries are also included in this list.

Figure 8 Regions where the Turkish Footwear Leather Industry is Concentrated



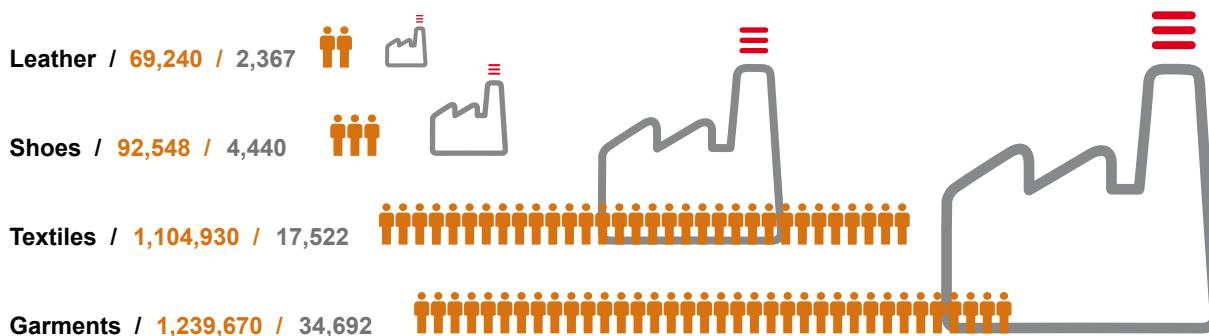
Source: based on Bilim, Sanayi ve Teknoloji Bakanlığı (2015: 11) and figures published by the ÇŞGB (Ministry of Labour and Social Security) at <https://kamu.turkiye.gov.tr> on 20/08/2016.

7 This is the maximum figure as calculated by the TÜİK. It lists businesses multiple times if they produce different types of leather. Unfortunately, there is no way to retrospectively separate companies listed several times in this statistic.

Figure 9 Companies and Employees* in the Turkish Textile, Garment and Leather Industry (2014)

* With a theoretical informality rate of 60% (informal employment as a share of overall employment)

Industry structure / Number of employees / Number of operations

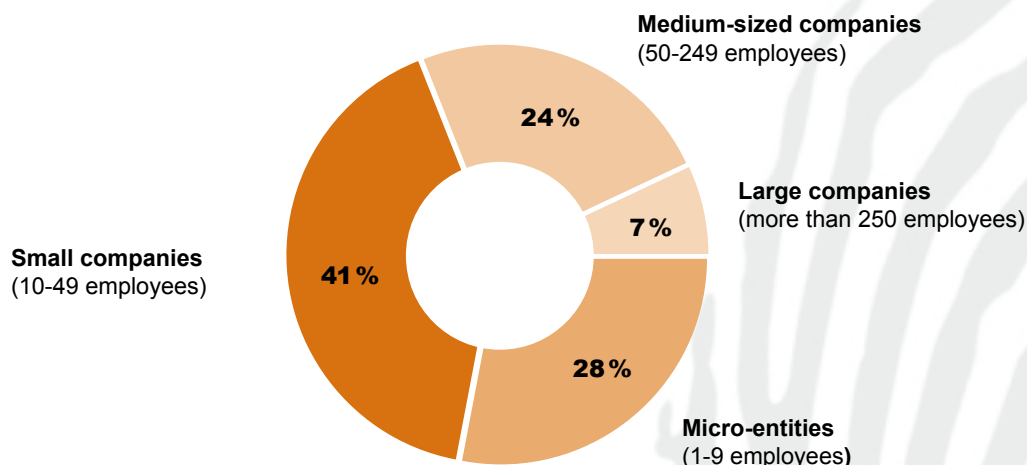


Source: own calculations based on Bilim, Sanayi ve Teknoloji Bakanlığı (2015: 7) and data released by ÇSGB (the Ministry for Labour and Social Security) at <https://kamu.turkiye.gov.tr> on 20/08/2016

To compare, in the same year in China, the world's largest leather producer, 644 large and medium-sized tanneries, as well as an unknown number of smaller tanning facilities, were in operation (Pieper and Xu 2016). It is estimated that a number of informal tanneries also exist in Turkey as well as an unknown number of companies that carry out some but not all of the steps involved in processing bovine hides and manufacturing leather. These businesses are not included in official statistics. Leather products and shoes also tend to be mainly produced in micro-entities with fewer than ten employees (these types of operations employ just under 80% of all employees in the sector) as well as in small and medium-sized companies with fewer than 250 members of

staff. In total, there are over 6,700 of these small-scale factories, 4,440 of which exclusively produce shoes (see Figure 9). Unfortunately, there is no available data to offer us an insight into the production volumes of these various operations. As the Turkish corporate structure is very similar to the structures in place in eastern and south-eastern Europe, we can assume that Turkish micro-entities also have an equally high share of overall production (cf. Luginbühl and Musiolek 2016). Unlike large parts of Turkey's manufacturing sector, i.e. the automotive, food and electronic industries, the textile, garment and leather sector is predominantly owned by Turkish businessmen and women and is thus able to evade the direct influence of foreign capital.

Figure 10 Different Company Sizes and their Share of Total Employment in the Turkish Footwear Industry (2014)



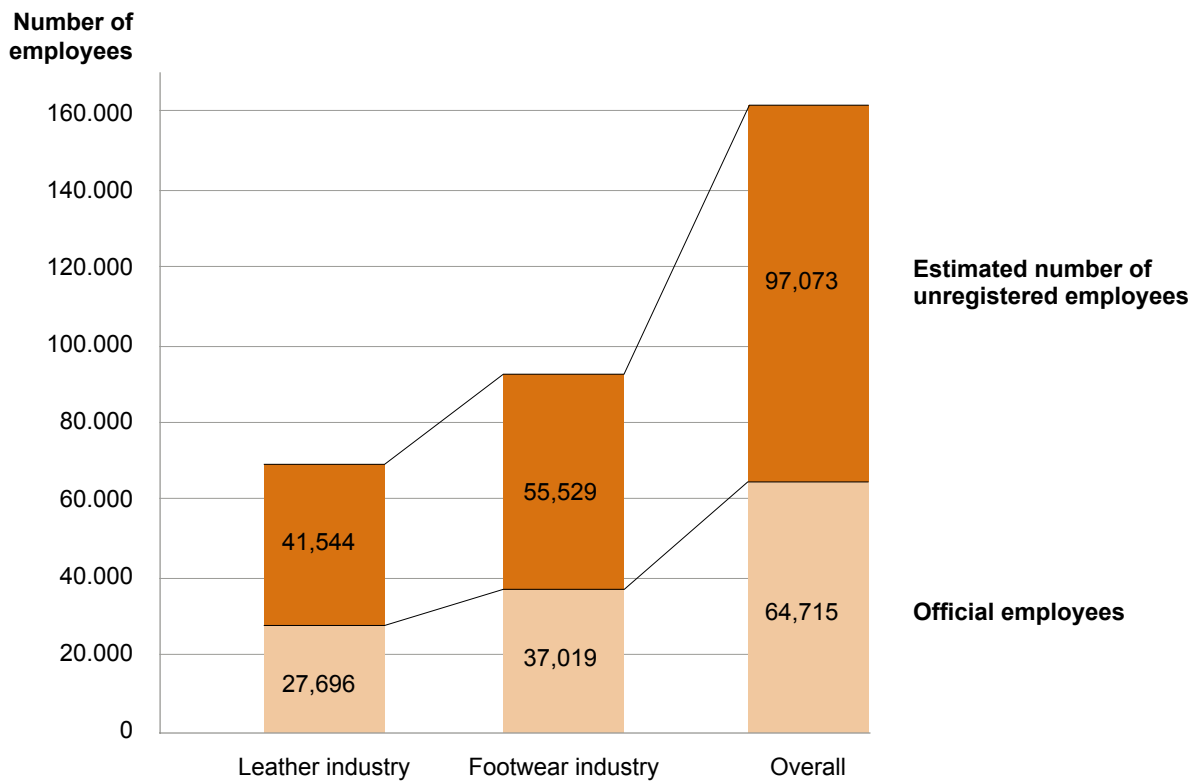
Source: ÇSGB (2015)

The statistics on companies, operational sizes and total employment show that the manufacturing of leather, leather goods and footwear delivers very low levels of formal employment creation in the textile, garment and leather industry. In 2014 the Turkish authorities stated that there were a total of 64,715 workers in the sector and of these 37,019 were employed in the footwear industry (Bilim, Sanayi ve Teknoloji Bakanlığı 2015). This figure does not reflect the actual number of individuals employed in the sector. Informal employment is commonplace in Turkey, which makes it difficult to ascertain the true size of the sector and the number of workers operating within it. In 2015 Turkey's Ministry of Science, Industry and Technology estimated that between 2 and 2.5 million people were working in the textile, garment, leather and footwear industry, while just under one million were officially registered employees in the sector (Bilim,

that just under 162,000 people are manufacturing footwear, leather goods and leather, and just under 93,000 of these individuals work exclusively in the production of footwear.

Registered and unregistered employees often work side-by-side in the same company. The conditions under which some factories operate are completely illegal. People can find themselves in informal work for a number of reasons. Perhaps they are purposefully looking for cash-in-hand employment so that they can take home a higher wage, or perhaps their employer does not register them in order to avoid paying social security and pension contributions. This method can also be used by employers to force the worker to agree to certain employment conditions. Debt bondage is one such example. The civil war in Syria has caused the number of informal workers

Abb. 11 Registered and Unregistered Employees in the Footwear and Leather Industry (2014)



Source: ÇSGB (2015)

Sanayi ve Teknoloji Bakanlığı 2015: 13)⁸. This implies that there are up to 1.5 million unregistered employees (cf. Fair Wear Foundation 2015a: 11). If we compare this problematically high rate of informal employment, which stands at 150%, with the official figures stated above for the footwear and leather industry (see p. 11), this means

to rise even further. Turkey has the highest number of Syrian refugees and the country's garment and leather sector is a much sought after as well as a vital employer. Unfortunately, there are no exact figures on the number of Syrian informal workers (see p. 10 ff.).

8 To ascertain the number of employees in the country, Turkey's social security institution, Sosyal Güvenlik Kurumu (SGK), mainly uses mandatory social security payments.

BOX 3 Incentives for a Growing Industry

For many years, Turkish politicians have been putting additional measures in place to encourage investment in the domestic economy. As the country's garment and footwear industry predominantly consists of companies with fewer than 250 employees, it benefits considerably from structural investment programmes for small and medium-sized businesses as well as regional schemes. In addition to loan guarantees, the most effective measures have been tax relief on machinery and factory installations as well as customs reductions. Companies and employers are also eligible to receive subsidies to cover electricity and water costs (which can have a significant impact, particularly in leather production) as well as labour costs (KPMG 2012). Furthermore, a tax relief scheme for the footwear industry was set up in 2014, which aimed to protect domestic producers and attract international brands. It led to Zara, H&M and Hummel increasingly placing large-scale orders in Turkey (DÜNYA 2015).

In addition to these various incentives, the industry also benefits tremendously from Turkey's 19 'Free Zones' and its 215 'Organized Industrial Zones' (OIZ), which are located across the country. The latter provide companies with all the necessary infrastructure to relocate their business, guarantee lower rates for land acquisition, energy and water as well as offer considerable tax relief. At present, more than 50 additional OIZs are being constructed. 'Free Zones' are designed exclusively for export-based industries and companies opting to move to one of these sites will receive comprehensive tax and customs exemptions (ISPAT a). The leather industry is almost exclusively located in these two types of zone, where it can enjoy considerable benefits. In fact, some OIZs exist solely for this sector. Smaller companies that have relocated to these sites can even take advantage of the opportunity to freely move between zones by launching subsidiaries and closing older operations. This allows them to avoid rising wage costs, looming compensation payouts or demands to set up collective wage agreements.

Since 1996 a customs union has existed between Turkey and the EU, which is the equivalent to a free trade agreement, whereby certain goods are exempt from customs duties and other trade barriers. As the EU, as a trading bloc, is the most important buyer of Turkish footwear and leather products, the domestic industry benefits considerably from increased market access. It is estimated that trade prices could be lowered by up to 12% compared to countries without free trade agreements (CBI 2015). Turkey also has bilateral free trade agreements with most of the surrounding European, Arab and North African states (Ersoy 2013).

3. Workers' Rights in Turkey: National Legislation

In its efforts to pursue closer ties with Europe and as part of publicised modernisation measures, Turkey outlined a comprehensively revised labour law in 2003 (i.e. shortly before the country began accession talks with the European Union in 2005). The aim of this new legislation was to adapt the regulations in Turkey to the EU's labour market policy and thus to also draw in foreign investment. These new regulations included a ban on discriminatory practices in accordance with the ILO's Discrimination Convention (No. 111) and a reduction in working hours, as well as controversial rules concerning trade unions (Fisher Philipps 2012). Among areas where reforms were enacted as part of the established labour law were working hours, employment contracts and social security, occupational health and safety as well as

freedom of assembly and collective bargaining – areas that are key to our examination of the footwear sector.

3.1. Working Hours

Since the new labour law was passed, Turkey now operates a 45-hour working week. It is not uncommon for employees to work on Saturdays. As the legislation also allows employers to spread working hours unevenly over the working week, the maximum number of working hours per day currently stands at 11 and includes overtime. However, a special provision exists that makes it possible for staff to work almost all of their maximum weekly working hours (44) in four days without overtime payment. This practice is only possible with

employees' consent. Outside of this provision, overtime must be compensated at a rate that is at least 1.5 times the normal hourly rate. However, an employer reserves the right to compensate each hour of overtime with 1.5 hours of time off in lieu. The law stipulates that overtime at weekends and on bank holidays is to be compensated at a higher rate. Employees may only work a maximum of 21 hours of overtime per week and no more than 270 hours in a year. This rule enables the maximum number of working hours as stipulated by law to be increased to 66 hours per week (ISPAT b). Allowing employees to work overtime is standard practice across all industries in Turkey: on average, staff work 49.7 hours per week (Wesley 2010). Employees and workers have a right to 14 to 26 paid days of annual leave (depending on the number of years they have been employed by the company) in addition to a further eight bank holidays, which are also paid. In practice, informal workers, along with temporary employees and seasonal workers who have been employed for less than one year, are excluded from such benefits.

3.2 Employment Contracts and Social Security

Turkish labour law only requires written employment contracts when the duration of the proposed employment is longer than one year. The law also stipulates a maximum probation period of two months for any form of employment. One aspect of employment law that is unique to Turkey, and which has been in place since the 1970s, are the extensive compensation rights guaranteed to employees in cases of dismissal. These compensation claims form one of the cornerstones of the application of Turkish labour law: an employee must be given two to eight weeks' formal notice, and if this does not occur, the employee in question has a right to monetary compensation equal in value to the wage payment they should have received within the statutory period of notice. This is mutually beneficial for both parties as it allows them to terminate the employment relationship quickly. If an employee is dismissed without a 'valid reason', if both sides agree to terminate the agreement after more than 15 years of (registered) employment within the company, if an employee enters retirement or leaves for health reasons, he or she shall be granted the right to a compensatory payment equal in value to their final monthly wage, but no higher than TL 4,092.53 (EUR 1,292) (ISPAT c). This provision is one of the main reasons why Turkey's employment tribunals are overwhelmed: there

is a significant backlog of claims for compensation from dismissed or aggrieved employees. Claimants have the impression that judges have given up trying to process these claims (Balaban 2016: 5).

The Turkish constitution grants employees the right to social welfare in the form of state social security. This comprises sickness, unemployment and pension benefits. Contributions are automatically deducted from employees' pay. If a worker has a permanent employment contract, both the employee and the employer pay into this welfare scheme, with the employer paying a more substantial share. As soon as a company has more than five employees, wage payments must be made onto an account that has been declared to the SGK (Turkey's social security authorities). Contributions are also obligatory for irregular workers, which includes informal staff, although there is no relevant monitoring system (ISPAT d).

3.3 Minimum Wage

As of 2016, Turkey has a national gross monthly minimum wage of TL 1,647 (EUR 520) and a net monthly minimum wage of TL 1,301 (EUR 411). This figure is set at least once every two years at a meeting of a government-led commission, which comprises an equal number of representatives from the fields of government, business and trade unions. In 2016 this committee decided to significantly increase the minimum wage by 30% (compared to the previous year). Before 2015, Turkey's minimum wage had increased only gradually in six-month increments until it had reached a gross monthly wage of TL 1,273.50 (EUR 402). However, in the preceding decade living costs had doubled caused, in part, by annual double-digit inflation rates. The minimum wage applies nationwide and across all business sectors. The minimum wage is set based on calculations by the Turkish Statistical Institute (TÜİK) and takes into consideration the minimum cost of living in the country.⁹ It should be noted that these calculations do not include long-term inflation expectations, social welfare indicators or the family circumstances of minimum-wage earners, which means they do not offer a true reflection of day-to-day living and the actual employment situation faced by the Turkish population. Workers' representatives have raised the issue that many minimum wage earners are often the sole breadwinners for their families, but this complaint has only been rebuffed by the pro-business minimum wage commission. Since 2008, every employ-

⁹ TÜİK collects data annually on living costs. These data are compiled using a shopping basket that contains a fixed set of the 80 most essential groceries and that would provide 2,100 calories per person per day. In terms of a healthy diet, this amount is the absolute minimum required by a person who is physically active. If a household is unable to afford this 'shopping basket' of goods, it is considered to be suffering from food poverty. The average annual outgoings spent by households officially classed as 'poor' on additional items (not food) as well as services are also added to the basket. It is the combination of these various factors that is used to calculate the absolute poverty line.

In addition to its national labour law, Turkey has ratified the following core labour standards set out by the International Labour Organization:

- C 087** Convention concerning Freedom of Association and Protection of the Right to Organise (adopted by the ILO in 1948; ratified by Turkey in 1993)
- C 098** Convention concerning the Application of the Principles of the Right to Organise and to Bargain Collectively (1949; 1952)
- C 029** Convention concerning Forced or Compulsory Labour (1930; 1998)
- C 105** Convention concerning the Abolition of Forced Labour (1957; 1961)
- C 138** Convention concerning Minimum Age for Admission to Employment (1973; 1998)
- C 182** Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999; 2001)
- C 100** Equal Remuneration Convention (1951; 1967)
- C 111** Convention concerning Discrimination in Respect of Employment and Occupation (1958; 1967)

The following core labour standards have not been ratified by Turkey:

None

Further ILO agreements relevant to this study:

- C 001** Convention Limiting the Hours of Work in Industrial Undertakings to Eight in the Day and Forty-eight in the Week (1919; not ratified)
- C 026** Convention concerning the Creation of Minimum Wage-Fixing Machinery (1928; 1975)
- C 131** Convention concerning Minimum Wage Fixing (1970; not ratified)
- C 155** Convention concerning Occupational Safety and Health and the Working Environment (1981; 2005)

‘The ILO’s core labour standards are recognised internationally as ‘qualitative social standards’ and take the form of universal human rights that claim validity for all countries.

The right to work, to fair and decent terms and conditions of employment, to organise in trade unions and the right to strike were already established in the UN’s International Covenant on Economic, Social and Cultural Rights of 1966. The right to social security and the right to protection of the family and to an appropriate standard of living are also included.’

ee (depending on their marital status, spouse’s earnings and number of children) is guaranteed a ‘minimum living allowance’ (Asgari Geçim İndirimi/AGI) between TL 123.53 (EUR 39) and TL 209.99 (EUR 66) per month, which the recipient receives as personal income tax relief.¹⁰ However, even when this allowance is included, the minimum wage still falls below the poverty line and is even further below what would be deemed a living wage (see Chapter 4.2, p. 19). Of the 29.7 million workers employed within the Turkish economy in 2014, five million were registered as earning the minimum wage (Balaban 2016: 4).

3.4 Occupational Health and Safety

In 2003, as well as passing a reform to its labour laws, Turkey also tabled a new piece of legislation concerning occupational health and safety, which was signed into law in 2012. Prior to this, standards for safety at work had not been very high. One practice, which came to have a key influence on this new legislation, was the sandblasting of jeans, a method commonly used in Turkey that received widespread public attention in 2008.¹¹ It was revealed that many employees had been exposed to the dust produced by the process and not provided with adequate

10 For the individual method of calculation, see <https://turkishlaborlaw.com/faq/332-how-to-calculate-minimum-living-allowance-2>, (last accessed: 21/12/2016).

11 Here minute particles are sprayed onto denim fabric under high pressure in order to create a ‘used’ look.

protection. Those affected face a fifty percent chance of becoming seriously ill with silicosis (a disease traditionally contracted by miners) within a few years of exposure (Clean Clothes Campaign 2010). Many subsequently fell ill and some even died as a result.

The new law (No. 6331) stipulates a wide range of obligations that all employers must fulfil to ensure safety at every workplace, irrespective of the company's size. This includes employees' immediate workspace as well as preventative measures, such as risk evaluation and training sessions (Çakmak Avukatlık Bürosu 2012). In companies with at least 50 employees, employers must create a health and safety committee formed by employees (though not necessarily through election), whose recommendations are to be followed. It is also legally possible to nominate or elect an OSH representative even if the number of employees is below this threshold (ibid.). Moreover, the law stipulates the founding of a national occupational health and safety council. Every year in Turkey over 1,000 people lose their lives as a result of industrial accidents. In 2014 this council set forth an action plan to create more effective industrial safety practices. The main objective is to reduce occupational accidents, to accelerate the diagnosis of occupational illnesses and to improve the necessary public infrastructure. This action plan will be implemented by the various ministries represented in the council; however, progress has been slow (MoLSS 2014, Bilir and ILO 2016).

The Labour Inspection Board, a central office under the Ministry of Labour, is responsible for checking workplace standards. In addition to aspects concerning health and safety, the board is also tasked with examining employment conditions, i.e. working hours, wages, informal employment and child labour. In 2014 the board employed 1,005 inspectors, who had powers to force employers to implement improvements and pay fines when shortcomings were established. However, there are not enough inspectors to cover the high number of small businesses, which means inspectors are only able to inspect a relatively small number of companies per year (Bilir and ILO 2016: 30ff.).

3.5 Freedom of Assembly and Collective Bargaining

Article 51 of the Turkish constitution guarantees employees the right to freely form trade unions, and to become a member of a union or withdraw their membership without hindrance. Articles 53 and 54 grant the right to collective bargaining and to take strike action. However, for many years these rights have been applied in a rather restrictive manner. The new labour law also allowed

for the creation of the Trade Unions and Collective Labour Agreement Act ('Sendikalar ve Toplu İş Sözleşmesi Kanunu' or STİSK) in 2012.

Before these reforms, anyone wanting to become a member of a trade union required an expensive notariation. Today, membership applications can be submitted via a centralised government website and are then forwarded to the relevant trade union. Membership figures for the larger trade unions (particularly those within the umbrella groups TÜRK-İŞ and HAK-İŞ, which have close ties to the government) have risen slightly since a considerable financial barrier for low-wage earners was abolished. Whilst there is no evidence that government authorities are able to view and monitor this application process, strong criticism of the registration system has been voiced due to data protection concerns.

Overall, the STİSK law has reinforced a number of existing barriers that hinder the activities of trade unions. Collective bargaining is one example. Here, in order to initiate negotiations, unions are required to gain proof of competency. To do this, they must first prove that at least 1-3% of employees in one of the 20 official industrial and public sectors are members in their organisation and, secondly, they must receive the approval of the Ministry of Labour. Trade unions must, therefore, have a presence across all sectors of the economy. Considering that the country's level of trade union membership is generally very low (the average figure falls below 10%), this presents an enormous challenge to smaller unions. At present there are over 60 existing small-scale trade unions that are unable to meet these requirements (Aras 2013). Although sector-wide membership is a necessary basis for allowing collective bargaining, trade unions are not allowed to enter into collective agreements with employers' associations for different sectors, only framework agreements. These do not include details on either remuneration or other working conditions, and workers are not allowed to protest against these agreements by taking strike action. Trade unions may, however, negotiate settlements for individual companies, but only if more than 50% of the employees in that company are members of that union. If a company's workforce is engaged in collective bargaining through their union, the Ministry of Labour can, at any time, subject their competency approval to checks or withdraw it entirely. This process can take several years and opens the door for the discrimination of trade unionists and the dismissal of employees on the part of the employer. These regulations greatly limit the power of trade unions and workers whilst also making it harder for new unions to be recognised. The ILO lists a number of complaints that have been report-

ed in Turkey which they are investigating for freedom of association violations.¹²

All strikes that are not called against the company's collective agreement, such as sympathy or general strikes, are forbidden and anyone participating in such an action can be dismissed without any entitlement to damages.

4. Working Conditions

Between August 2015 and January 2016, Change Your Shoes surveyed a total of 20 employees from several leather, leather processing and footwear factories in the greater Istanbul area about their working and living conditions. This took place in semi-structured, one-on-one interviews as well as a small number of group interviews. We asked respondents questions concerning their working hours, income, occupational health and safety and the opportunities they had to engage in trade union activity based on the issues outlined above. It was

The government is able to block strikes for up to a maximum of 60 days if they threaten 'national security and public safety'. Once this period has elapsed, no further strikes are allowed (Çelik 2013). In its entirety, the STİSK is thus a clear attempt to challenge the interests of workers in Turkey and violates the core labour standards laid out by the ILO.

monies highlighting selected issues. In order to protect their privacy, the names of interviewees and some of the details of their stories have been changed. (Changes are marked with an asterisk.)

4.1 Working Hours

In the footwear industry labour is intensive and production seasonal. This means factories and their employees are faced with particularly high volumes of orders during

BOX 4 'Double Bookkeeping – Falsification of Documents'

It is common for employers to supply government agencies with incorrect information concerning wages paid and overtime worked by their employees. It enables them to pay less wage tax and fewer social security contributions. This practice is known as double bookkeeping. Here the employer usually writes on an employee's official wage slip or working hour account that they have worked the legal 45-hour week and received the minimum wage, even though they have, in fact, had to work much longer. The number of actual hours worked (incl. overtime) and wage paid are recorded on a second, unofficial working time account. The minimum wage is transferred from the employer's payroll account and state contributions and taxes are automatically deducted. Unknown to the state, employees receive what remains of their actual wage as cash-in-hand and without any deductions. In the short term, this system benefits employees as it allows them to take more money home at the end of the month. For young workers in particular, who still enjoy the safety of their family's social security net, this practice is a very attractive option. However, this system can have devastating effects for workers in the long term as it causes them to lose out on a substantial portion of their pension and social security rights later in life, which means they face spending their later years in poverty or need to carry on working much longer after they reach retirement age.

difficult to talk with individual female employees, which is why mainly male employees were surveyed. Participants carried out a range of different activities from tanning, cutting, gluing and sewing to packaging. As the data and information we collected was low in quantity but high in quality, we decided to present the results of our study in three separate case studies as well as individual testi-

a few months of the year. Companies rarely employ additional labour or shift operations during these labour-intensive periods but make up for the shortfall with additional hours for staff that are not only sometimes illegal, they can also push workers to their physical and psychological limits. Even during normal periods, it is not only shift workers who sometimes work a twelve-hour

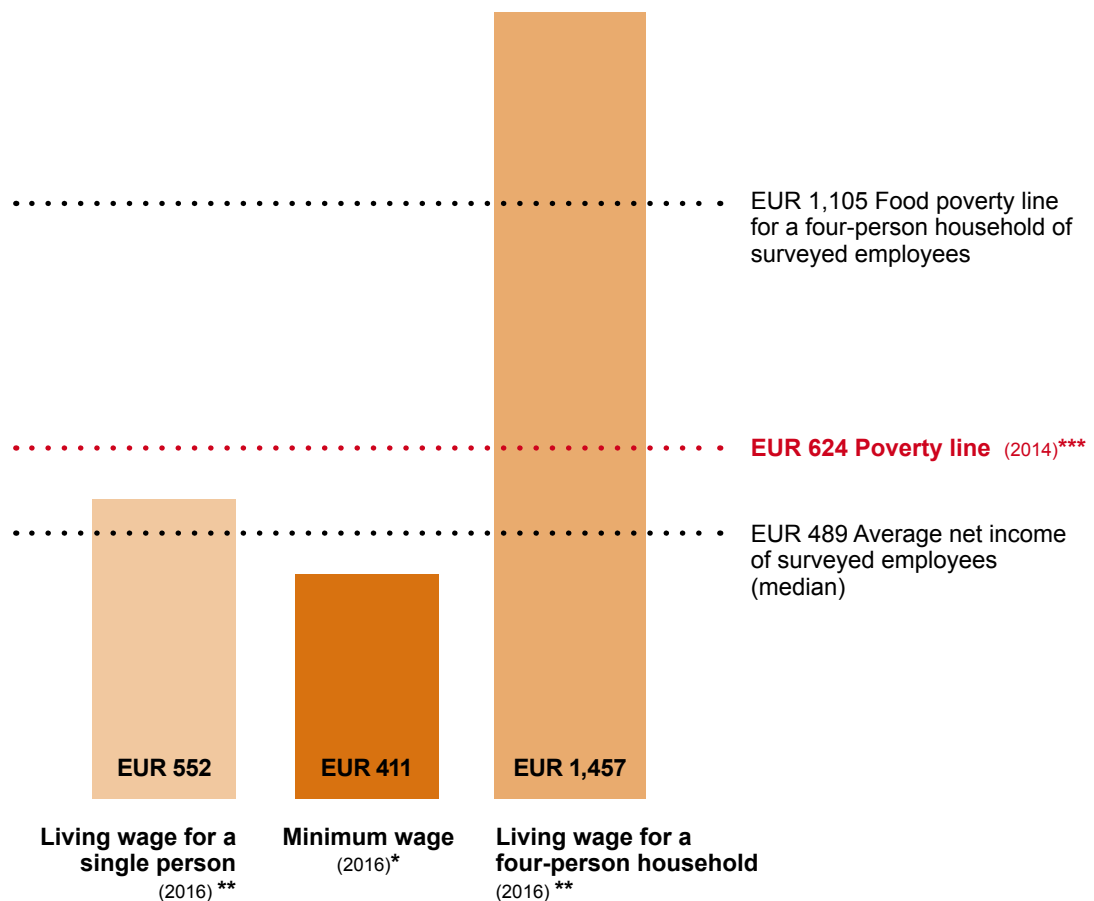
¹² See ILO's NOMRLEX information system, URL: http://www.ilo.org/dyn/normlex/en/f?p=1000:20060:0:FIND:NO:20060:P20060_COUNTRY_ID,P20060_COMPLAINT_STATU_ID:102893,1495811 (last accessed: 21/12/2016).

day, but regular employees too. As outlined in Chapter 3.1 (National legislation, working hours (p. 13), a company may only ask an employee to work a maximum of 66 hours per week including overtime. This equates to 11 hours of work per day in a six-day week. The same applies for the vast number of informal workers, who here find themselves in a particularly precarious situation. The fact that they are not formally employed means they are not guaranteed working hour or minimum wage protection by the state, and they also relinquish the right to be legally recognised as an employee, which means they have no access to legal aid to fight exploitation nor are they able to join a trade union.

At TL 1,301 (EUR 411), the monthly minimum wage is low, which very frequently leads to employees work-

ing excessive overtime as a way to supplement their income. However, this is not always guaranteed. Many registered and unregistered employees often have to contend with overtime either being compensated as normal working hours or not at all. Many of the workers we interviewed reported that double bookkeeping systems were in place (see Box 4, p. 17) that are sometimes used to their detriment. Employers can employ tricks and falsify documents when employees work excessively long hours above the legal threshold or pay improper compensation for overtime worked without fear of sanctions. Furthermore, employees reported that refusing to work overtime can often result in immediate dismissal. These conditions make it impossible for the majority of workers to spend an 'adequate' amount of time with their families. In our interviews, most of those surveyed

Figure 13 Earnings of Surveyed Employees



* Living costs for a single person as calculated by the Turkish Statistical Institute (TÜİK), see Chapter 3.3: p. 14.

** The Confederation of Turkish Trade Unions, TÜRK-İŞ (2016), collects data on living costs several times a year, and has been doing so since 1987, which it uses to define an absolute minimum threshold for earnings needed to feed a four-person household (food poverty line or Aclik Siniri) as well as the living costs for a single person and the living wage for a four-person household (poverty line or Yoksulluk Siniri). These calculations are a commonly used source to challenge the official figures released by the Turkish Statistical Institute (TÜİK).

*** In both Turkey and the EU, the poverty line is defined as 50% of the median net equivalent income. However, as the Turkish authorities have published no data concerning the poverty line or income distribution since 2010, an estimated value published by Wage Indicator for 2014 has been used. URL: <http://wageindicator-wages-in-context.silk.co/page/Turkey> (last accessed: 21/12/2016).

Source: TÜİK, Wage Indicator, TÜRK-İŞ eigene Daten

stated that excessive overtime and subsequent physical exhaustion were the biggest occupational issues they faced and that this was having a very negative impact on their social and cultural lives.

4.2 Income

As with garments, the manufacturing of leather and footwear requires a high degree of manual labour. To date, it remains impossible to produce trainers or T-shirts fully automatically or without the assistance of a machine, which is why labour costs and wages are some of the key factors that businesses in the sector adjust in order to keep prices low. As qualifications and specially acquired knowledge or many years of experience are necessary in many roles in footwear production, income levels can vary more widely than in the garment industry. For example, those employees who operate machinery, perform hard physical tasks or who work intensively with chemicals will receive a higher wage. These tasks are seen as 'men's work' and thus require 'more highly qualified' workers, whereas women tend to carry out 'less qualified' work and are consequently paid up to a third less.

BOX 5 What is the Living Wage?

This is income from employment that enables a worker to feed themselves and their family, to pay the rent, to provide for health, clothing, transport and education costs as well as to put some money aside for unexpected expenses. A living wage should be the basic income that is paid during a regular working week before overtime and bonuses.

Three factors make it practically impossible to ascertain accurate figures on the average income of workers in the Turkish footwear and leather industry. On the one hand, there is the system of double bookkeeping and the falsification of documents, which is rife in Turkey. On the other, there are no figures regarding the income of the majority of unregistered employees. Based on our estimations, this concerns up to 100,000 individuals, almost double the number of official employees (approx. 65,000). It is likely that many of them earn less than the minimum wage, particularly those without or with only few qualifications.

The average net income of those surveyed by Change Your Shoes was TL 1,550 (EUR 489), i.e. just above the

minimum wage but still below the poverty line, which is currently TL 2,060 (EUR 624). Although some of those surveyed earned more than this average because of their qualifications and/or gender, the minimum wage earned by the majority of those employed in tanneries and shoe factories illustrates the bitter reality of the unsatisfactory compensation levels on offer in such

Tarek, 42, employed in a shoe factory in Istanbul:*

"Since the age of 12, I have been working in shoe factories. I was first employed in a factory in Gaziantep and then I eventually made my way to Istanbul to this factory here, which produces shoes for ZARA. I am the only one in my family who earns. My wife looks after our four children, who are all still in school. I receive a monthly minimum wage of roughly TL 1,600 (EUR 505) of which I pay TL 250 (EUR 79) on the rent for our flat, money for our children's education and our monthly bills, which total TL 500 (EUR 158). I am then left with TL 850 (EUR 268), which we must use to cover our living costs. My biggest dream is to see my children get a good education and that they will someday be better off than their parents."

Abdi, 32, employed in a shoe factory:*

"Ten years ago when I was younger, I so desperately wanted to see lights on when I came home. Someone was supposed to be there. I would come home and there would be life in the house, as it was when I was a child. It was hard to deal with that feeling of loneliness, but I've got used to it. It's still hard to be alone, but if I had a wife and children, I would worry about not being able to provide for them."

workplaces. Many find it impossible to earn more than the minimum wage within statutory working hours. Moreover, it is not possible for someone earning the minimum wage to feed their families adequately without a supplementary form of income. Our interviewees stated that the

BOX 6 Case Study of a Shoe Factory in the Istanbul Province (Source: workers' interviews)

There are 183 women and men working in this factory that produces footwear for private brands as well as ZARA, British label Slazenger and JUMP from Taiwan. Every year the factory manufactures up to a million shoes.

In addition to the legally enshrined 45-hour working week, employees work between 1 and 3 hours of overtime every day, particularly during the summer months. They are usually given little notice in advance and work up to 13 hours a day. Although staff do not report being forced to work overtime, the production processes are interlinked in such a way that everyone is required to continue working when one team has not completed its task on time. Furthermore, overtime is not compensated with the legally required 50% premium. Workers under 15 years of age, which Turkish law stipulates is the minimum age for employment, were still being employed by the factory up until two years ago. They too were working longer hours than the statutory working week. Employees also reported that they could have two days' pay deducted from their wage slip if they were absent for a single day.

All employees officially receive the minimum wage, but pay can vary drastically depending on their responsibilities and period of employment. Women earn an average net monthly wage between TL 1,000 (EUR 316) and TL 1,500 (EUR 473), which is less than the minimum wage, whilst men earn between TL 1,500 (EUR 473) and TL 1,800 (EUR 568). All of the interviewed workers complained that their income did not meet their costs of living. They stated that they would need a net living wage of around TL 3,000 (EUR 947) as many had to cover mortgage repayments, needed a car to get to work or had to support their families. In order to keep monthly outgoings as low as possible, they only buy what is essential and share their apartments, shopping and bills with relatives. They cannot afford to go on holiday or to visit family in other regions. Document falsification through the practice of double bookkeeping exists in this factory.

The majority of employees who work with hazardous chemicals have received very little or no training on the effects of these substances or do not know what chemicals they are working with. They mainly complained about health problems caused by the dyes, adhesives and solvents used, e.g. they felt as though they were drunk and suffered from vertigo. Some chemicals also caused contact dermatitis. To the employees' knowledge, no occupational health and safety assessment had ever been carried out by either government officials or by the factory's clients. The shoe production process involves the use of sandpaper, which fills the air with adhesive and dye dust particles. The heat inside the factory generated by the machines and the lack of ventilation make the effects of the dust even more severe.

When asked about protective clothing, employees said that heat made it impossible for them to carry out their work thoroughly when wearing face masks and gloves, and so they often opted not to wear them. After the workforce complained, their employer organised one occupational health and safety training session. But instead of offering a structural solution to the issue, the employer just hung signs in the factory such as 'Wear protective headgear and eyewear', 'Keep your back straight when lifting heavy items' and 'Wear boots'. No protective clothing was provided. Many employees complained of persistent coughs. Those working on machines also faced serious health and safety risks. Our interviewees reported cases of crushed fingers and even one case of someone being scalped.

Yasin, 38, employee and trade unionist in a tannery in the district of Tuzla, Istanbul:*

“After the collapse of the Soviet Union, I fled Bulgaria and came to Turkey. When I arrived I was 16 and I completed the education I had started in Bulgaria at a technical high school here. Afterwards I worked illegally for six months as I didn’t have a residency permit, which meant I couldn’t legally work. My cousin worked in this factory and so I got a job through him. I knew nothing about leather. I was trained to do something completely different, but it was my first real job. I was faced with no other option but to accept work here, and now I’ve been at this factory for 20 years. It was only in 2006 that I was registered for social security. I would actually prefer to be working in the field I trained in.

I married in 2005. My wife is also a Bulgarian immigrant and we have two children. I earn TL 2,500 (EUR 789), which isn’t enough for a family of four, even though my wife is earning too. I don’t agree with overtime so I never work extra hours. I would rather spend more time with my family than work my fingers to the bone. My wife also works and the children have to go to kindergarten, which costs us TL 700 (EUR 221) a month. I’d also like my children to have their own room. A family of four should earn at least TL 4,000 (EUR 1,263). Whenever I receive a bonus, I always put it aside straight away in case we need it for an emergency.”

minimum wage would need to be increased to TL 3,000 (EUR 947), i.e. more than doubled, in order for them and their families to live their lives with dignity. According to calculations regularly carried out by TÜRK-İŞ, one of Turkey’s four trade union congresses, the minimum living costs for a single worker currently stand at TL 1,750 (EUR 552) per month: an individual thus requires TL 449 (EUR 141) more than the monthly net minimum wage. In October 2016 the living wage for a family with two children stood at TL 4,615 (EUR 1,457), a sum three times higher than the country’s net minimum wage. Even with the addition of the tax-free minimum living allowance (AGI, see Chapter 3.3, p. 14), the impact on a worker’s take-home pay is minimal (TÜRK-İŞ 2016). In addition, high annual inflation rates of up to 10% mean that living costs are in effect constantly rising.

Employees’ true earnings and the impact this has on their day-to-day lives show that their pay is far from being a living wage. People run the risk of having to live in substandard accommodation or not being able to adequately feed themselves. Ensuring long-term provisions for healthcare and financial support in times of illness is also extremely difficult. In such cases, individuals often take out small loans at high rates of interest or their family members are forced to look for seasonal work abroad in order to make up the immediate financial shortfall. The practice of subsistence farming is also widespread. The minimum wage is the absolute poverty threshold as calculated by TurkStat (TÜİK) based on a ‘shopping basket’ that contains only a very basic selection of goods and services. The result is that many Turks working in the footwear and leather industry must continue to live in poverty despite regular increases in the minimum wage.

Tarek, 42, employed in a shoe factory in Istanbul:*

“In our factory we use vulcanisation. It releases fumes that you breathe in wherever you go. It makes you cough and leaves you feeling quite light-headed. We all work as if we were drunk. I always feel like I’m about to be sick on my way to the bus after work. I have to pull myself together. I once worked on a machine pressing shoe uppers. Something suddenly broke inside the machine and my arm became trapped. And my boss? He was only worried about his machine! I was off work for ten days, and my pay was deducted from my monthly wage. No, I don’t have any health insurance and I’m not registered for social security. There are no health and safety measures at work. I don’t think even the state cares about us. We would be fired if we all joined together and protested.”

It can thus be concluded that the government is more interested in economic competitiveness, achieved through measures such as a low minimum wage, than it is in combatting domestic poverty.

4.3 Health and Safety

In leather manufacturing, the intensive use of chemicals presents a huge problem – one with potentially devastating consequences for employees’ health. Workers in tanneries and processing operations face acute risk in three

different areas. Firstly, micro-organisms may be present on the rawhide and can cause infections such as anthrax or typhus. Secondly, employees working with chemicals, such as solvents, tanning agents or substances used to conserve leather (in particular, chromium salts, including chromium trioxide), without adequate protection may suffer respiratory, eye or skin problems. There is even a risk of developing cancer. Thirdly, working intensively in constantly humid, dusty or loud conditions can lead to rheumatoid arthritis, respiratory illnesses and hearing loss (ILO 2011). The manufacturing of leather is therefore often a toxic and hazardous business.

Workers involved in the manufacturing of footwear are affected by two further factors. Artificial resins, solvents and adhesives, which can trigger serious respiratory problems and cancer, are extensively used in the production of sports shoes, sandals as well as leather

shoes. Furthermore, all mass-produced shoes require the use of heavy machinery. Without adequate personal protection and safety measures, cutting machines (along with punching and pressing devices) can cause serious injury to the extremities. Continual exposure to loud noise, dust or frequently repeated movements involving a machine also have long-term negative physical impacts (ibid.).

During our investigation, we were frequently told that factories took no preventative measures that would guarantee adequate protection for employees. It is not unusual for workers to have to purchase protective clothing, such as aprons, masks and gloves, themselves. Health and safety training is only offered rarely or not at all, even when requested by staff. In addition to personal protective equipment, education and training are essential to avoid accidents and illness at work. When

BOX 7 Case Study of a Leather-Processing Factory in the Tuzla Region, Istanbul Province

This factory was opened in 1996 and works on semi-finished leather, dyeing and finishing the material. The company operates as a subcontractor for a number of tanneries, but it also sells goods directly to other intermediaries. The leather is used for footwear, seat covers, bags and garments. Almost half of the 34 employees at the factory are women performing the same duties as men.

There is no collective labour agreement in place. As such, employees work nine-hour days and a total of 45 hours per week. In return, they receive an average wage that is just higher than the statutory minimum, including financial perks and bonuses. However, workers report that their hourly wage is not fairly calculated, which means at the end of the month they have effectively worked two days without pay. Some workers stated that they are forced to work overtime. Frequently, they are told five minutes before the end of their shift: "If you don't do overtime, quit. If you don't want to quit, do overtime." Wage discrimination is also commonplace. Some of those interviewed said that they receive up to TL 300 (EUR 95) less than colleagues who have been working in the factory for the same length of time and perform the same duties. A double bookkeeping system is also in place.

The workers themselves must pay for respiratory protection, safety shoes and gloves. Many of them complain of health problems that have been caused by their work, such as breathing difficulties, eye irritation, allergies and asthma. Although short industrial safety courses are held every week, accidents repeatedly occur. For example, there were cases of burns caused by hot water, broken limbs and wrist injuries as a result of heavy lifting. Employees report that the canteen is extremely unhygienic and that the washrooms and toilets are dirty. There are no doors in the men's changing facilities and no roof over the toilets, which means they are very cold in winter. Sometimes workers bring their own heaters into the factory to make the rooms a little warmer. In summer there is no functioning air-conditioning system.

In this factory, chemicals such as solvents, thinners, ethylene glycol, FX and patented synthetic materials are used for highly polished leather. FX is a banned, carcinogenic substance that is imported under a different name and used as a fixative in the gluing process. One worker reported developing breathing problems while working with FX as he is forced to breathe in the chemical for periods of up to two to three hours. Some steer clear of the area where it is used altogether. Although ventilation devices in this area are functional, they are only turned on during plant inspections in order to save money.

employees are not trained in OSH, they lack a basic understanding of the potential risks involved in working with machinery or certain chemicals.

By far the most common problems listed by the workers we interviewed were respiratory complaints and asthma induced by working with chemicals over extended periods without adequate protection. In the long term, these problems can damage internal organs as well as lead to workers becoming incapacitated and unable to work. Because wages are already so low, such an event can push an entire family into terrible financial hardship. Unregistered workers who neither have access to health insurance nor to social benefits are particularly at risk. Another major problem is the fact that although these illnesses are prevalent, they are only rarely acknowledged as occupational diseases. This is partly due to employers wanting to avoid having to pay compensation but also because the Ministry of Labour is not in a position to create a fit-for-purpose labour inspection system. For example, in 2015 an occupational health and safety inspection was carried out in only 330 companies despite there being almost 60,000 (registered) businesses in the garment, footwear and leather industry. Twelve inspections were carried out subsequent to industrial accidents and only two followed a report of occupational illness – not one of them followed a case of poisoning, contact with hazardous substances or the subsequent long-term effects. Not a single inspection was carried out as the

Meryem, employed in a shoe factory:*

“We feel the effects of the chemicals, especially in summer when it’s hot. We cough and feel sick, and sometimes we can’t even maintain our balance. When we take annual leave and are away from the factory, suddenly all our health problems seem to vanish, but once we’re back there, the symptoms immediately return.”

direct result of a safety assessment (ÇSGB 2015: 114, 135). Furthermore, 98.5% of those employed in the sector have no direct access to a doctor (or an on-site physician) and the only healthcare services available to them in the surrounding region are poor (Etiler 2011). Under these conditions, it is impossible to contain the structural health risks that workers are exposed to in these factories and in the workplace. Trade unions

have been voicing their criticism of this very inadequate system for years. Although occupational accidents are officially reported, only the categories of ‘death’, ‘injury’ or ‘loss of a limb’ exist. The state does not keep a record of long-term occupational injuries or illnesses despite the frequency of such cases in the footwear industry. Workers must thus risk illness as a direct result of their

Aylin, employed in a shoe factory in the Zeytinburni district, Istanbul province:*

„17 of us workers decided to walk out in response to our wage payments being repeatedly delayed. When we showed up at the factory the next day, our boss asked us why we had done what we did. We listed our demands and said, ‘We want safety, we want higher wages paid on time, fair overtime payments and better working conditions!’ and our boss just replied, ‘The door is over there. That’s how it is here. If you don’t like it, you can leave.’

We were so mad that we threw our time cards on the floor and quit. Then he said, ‘And how do you think you’re going to prove that you ever worked here? You’re not registered.’ Thank goodness we had a friend who was a lawyer so we could take him to court for employing informal labour. We managed to get our jobs back. Now we plan to carry on fighting until we are given all of our rights.

This experience has taught us a valuable lesson. If the 17 of us had got together and formed a factory committee, we could have set out a list of demands together with all the other workers.“

work with potentially no financial compensation. The latter then becomes impossible when health problems only occur after leaving the company or starting retirement.

4.4 Trade Unions

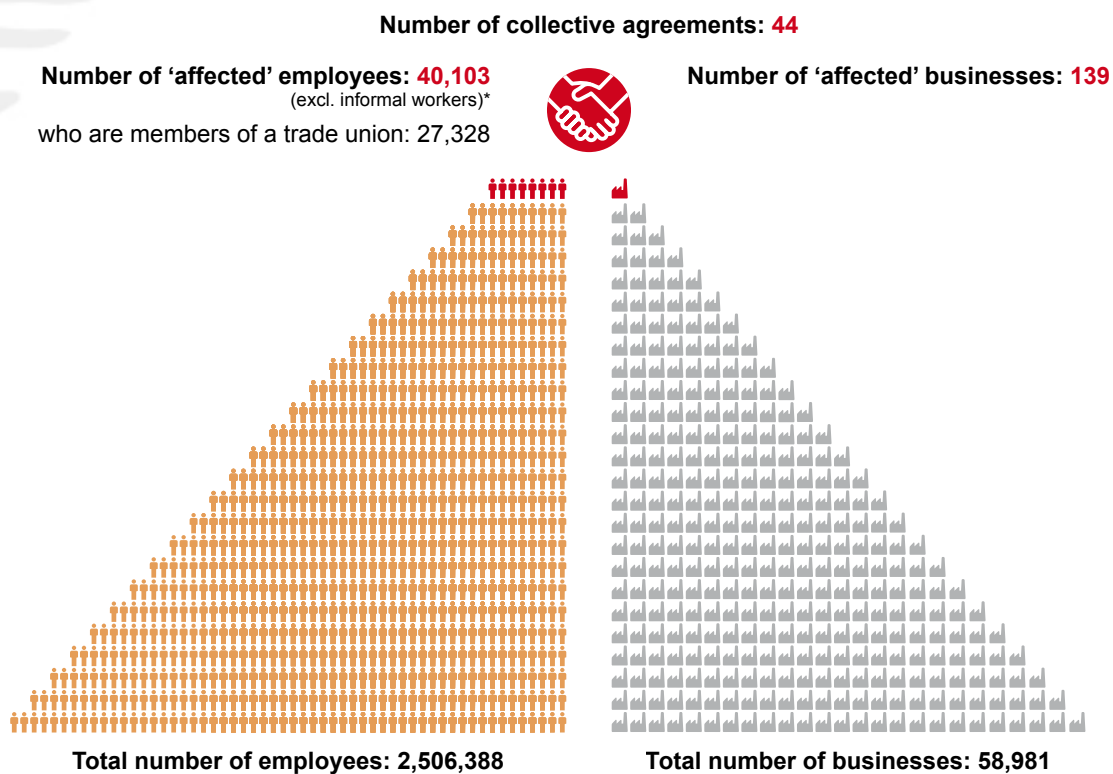
Labour law disputes in the textile, garment and footwear industry are not always pursued in a fair, democratic manner. Larger companies, in particular, are able to influence how the law is applied and the labour inspectorate’s complaints system is not fit for purpose (Fair Wear Foundation 2015: 4). The level of trade union member-

ship across all sectors of industry in Turkey is 8.8%, which is the lowest of all EU, EU candidate and OECD countries. Just 9.2% of employees in textile, garment, leather and footwear companies are members of a trade union. When informal workers are taken into consideration, membership levels drop even further (Aras 2013 and Dinler 2012).

A change came in 2003 with the STİSK trade union law, which made it no longer possible for employees in small businesses with up to 30 members of staff to sue their employer for damages if they were made redundant due to trade union activities. For this group of workers, and

DERİ-İŞ (1,800 members). Each organisation belongs to one of the six different trade union congresses, which are affiliated to various political movements and, similar to political groups, have their own (sometimes internal) divisions. Alongside the larger trade unions, there are a few independent organisations (such as the relatively large Textile Workers Union) as well as sector-specific and company unions, some of which are not recognised by the state or have not been granted approval to negotiate (see Chapter 3.2, p. 14). Engaging in collective negotiations is a challenge, and this is particularly true for the small and micro-entities that have a strong presence in the footwear and leather industry: only 4% of all

Figure 14 Collective Labour Agreements in the Turkish Textile, Garment and Leather Industry (2014)



* Collective labour agreements are signed in companies with well-organised trade unions. The work of unions aims to ensure no one is employed without being registered.

Source: Bilim, Sanayi ve Teknoloji (2015), ÇSGB (2014)

therefore a very large section of the Turkish workforce in the footwear and leather industry, this represents a severe restriction of the freedom of association and the right to collective bargaining, which should be guaranteed in ILO core labour standards No. 87 and No. 98.

There are three large textile and garment trade unions that employees in the sector can join: Teksif (55,000 members), TEKSTİL (10,200 members) and Öz İplik-İş (17,000 members). There is also the leather trade union

employees and less than 1% of all companies are bound to a collective agreement. Between 2013 and 2015, a mere three strike actions took place during pay negotiations. This is partially because the larger congresses and their members still hold firm to old, hierarchical decision-making structures and local and/or plant branches, and their employee representatives are considered only 'small cogs' in a larger machine. Moreover, women and younger employees are still poorly represented within these structures (Dinler 2012).

BOX 8 Strategies to Prevent Unionisation

Employers like to exploit animosities between trade unions in order to pit employees against one another and prevent what they see as undesirable collective action. The respective union's loyalty to the government and its ties to the employer play a decisive role. However, general dismissals on the basis of trade union membership are common in Turkey. The employees we interviewed confirmed many of the following practices:

- Black lists featuring the names of 'agitators' that are circulated around entire regions and make it difficult for workers to be rehired following dismissal, especially in Organized Industrial Zones and Free Zones.
- Employers set up networks of informants within the company in order to quickly put down any efforts to unionise. They also use networks of friends and families to put pressure on employees outside of the factory.
- Employees are bribed, bullied, threatened, discredited or sometimes even kidnapped in order to force them to leave a trade union or ensure that they do not become members in the first place. The police, Gendarmerie or even groups of thugs can be brought in to stop strikes.
- Religious, ethnic and political differences between employees are exploited to pit them against one another and create division. Sometimes imams in mosques are forced to preach against unionisation.
- Companies submit an application to the Ministry of Labour requesting that they investigate the official negotiating and competency approval held by a specific trade union. This type of action practically paralyses the union's activities for several months.
- Factories are relocated or renamed so that (parts of) the workforce can be replaced with unregistered workers who do not have the right to become trade union members.

BOX 9 Case Study of a Tannery in the Tuzla Region, Istanbul Province

This tannery was founded in 1993. The majority of the 66 employees are men. The wet processing involved in tanning is very physically strenuous, which is why women are mainly assigned to dry processing tasks and quality checking. Back pain is a particularly common problem among workers.

The majority of employees are unionised and were able to negotiate a collective agreement for production staff, which is why there are few problems as far as health and safety measures are concerned. The employer provides breathing protection, gloves, boots and aprons. Any issues can be reported to safety officers who introduce improvement measures and organise industrial safety courses. However, problems in the factory persist as not all of the decisions taken by the health and safety committee have been put in place. Employees report that, generally speaking, more accidents take place in factories without trade unions. For example, one fatal industrial accident took place in a tannery that was vocally opposed to unions.

The collective agreement in place ensures a decent level of protection for employees. They work eight hours a day (four hours on Saturday). Overtime is not obligatory but it is necessary for those needing to pay off private debts as additional hours are compensated at more than double the usual hourly rate. On average, payment is above the minimum wage once financial perks and bonuses are factored in. These financial rewards may include allowances for families, children and education as well as for holidays and New Year bonuses. It might even entail a pair of leather shoes and one leather jacket a year.

Furthermore, the collective agreement prevents double bookkeeping (whereby administrative staff employ a number of tricks when documenting hours/wages) from taking place. In this factory all workers are immediately registered for social security as soon as they are employed. There are subsequently no informal employees and less discrimination than in other companies.

4.5 Discrimination

Although Turkey formally recognises gender equality (a right fought for during the founding of the Turkish Republic in 1923) and has a feminist movement that has been gaining strength since the 1980s, women in Turkey still face extreme discrimination. The traditional view, which is particularly prevalent in rural areas, is that women

should not work outside the home but instead take care of the family. As such, labour legislation concerning compensatory payments allows for women to be offered financial rewards for giving up their job after marriage (see Chapter 3.2, p. 14). Indeed, the number of women in the workforce across all sectors of the Turkish economy has barely changed in years, with fewer than one third currently in employment (Balaban 2016: 4). In the

BOX10 Syrian Refugees in the Garment and Footwear Industry

Since the start of the Syrian civil war, 2.7 million refugees have been stranded in Turkey, half of them under 18 years of age (Afanasieva 2016). Overcrowded emergency accommodation, limited financial support and a war with no end in sight force those who have fled to find other ways to support themselves. Alongside the agricultural and construction sectors, the Turkish garment and footwear industry has welcomed them with open arms. That is why, since 2016, there has been an increasing number of reports of Syrians being hired as cheap labour in shoe factories. In total, it is estimated that there are up to 400,000 men, women and children employed in such conditions; accurate data is not available (Business & Human Rights Resource Centre 2016).

More than half of these refugees cross the Syrian border without being registered, which means they are forced to work informally, i.e. illegally (Civan and Gökalp 2011). Only a fraction of them are officially registered as employees; for example, there are only 134 registered in the footwear and leather industry (ÇSGB 2014). This makes it easy for employers to avoid paying the minimum wage; sometimes employees only receive half the full amount. They also have to sacrifice any hope of being able to obtain the bare minimum in terms of social security from the Turkish state or statutory benefits. None of the employees we interviewed for this report were Syrian refugees; however, there are reports of subcontractors in the garment industry who only recruit unregistered refugees to work in unhygienic and dangerous factories (Fair Wear Foundation 2015b). For example, hundreds of Syrians work without any industrial health and safety protection in shoe production operations in the İkitelli industrial zone close to Istanbul (Coşan 2013). There are numerous cases of entire families, including many children and adolescents, working in the industry just to ensure a minimum standard of living.

These illegal practices are not only confined to the south-eastern Anatolia region bordering Syria, where the situation is dire due to the military crisis between the government and the Kurdish population. In June 2016, news agency Reuters reported on Bashar from Aleppo, a 14-year-old working with other teenagers in a shoe factory in Istanbul for €75 a week. He was performing janitorial duties and packaging shoes to support his family in Syria. Reuters also found children and juveniles who were working up to 15 hours a day, six days a week in the garment industry (Afanasieva 2016). In May 2016, British newspaper The Guardian wrote about Hamza, a 13-year-old Syrian boy who was gluing and sewing shoes in a factory in southern Turkey. His manager attests to his abilities, saying, “He can make 400 shoes a day. He’s a real man.” (Kingsley 2016).

The so-called ‘refugee pact’ negotiated between the EU and Turkey in 2016 obliges the two sides to protect refugees ‘in accordance with the relevant international standards’. When the agreement entered into force in April 2016, President of the European Council Donald Tusk said Turkey was “the best example in the world of how to treat refugees”. Evidence provided by researchers, however, paints a very different picture.

Further information: Südwind (2016): Undocumented workers. Syrian refugees in the Turkish textile industry [German only], www.suedwind-institut.de/fileadmin/fuerSuedwind/Publikationen/2016/2016-12_FS_Fluechtlinge_Textilindustrie.pdf

textile and garment industry, however, which employs a high percentage of female workers across the globe, women officially make up 62% of the labour force in Turkey. They mostly work in quality control, material dyeing or pressing; they also thread shoe laces or package shoes. Although specialist skills are required to perform quality checking and dyeing tasks, these activities are deemed 'unskilled' by employers and thus less well paid. However, even when they perform the same tasks as men, women generally receive a lower wage, which means female factory workers often earn on average up to 30% less than men.

Furthermore, women are more likely than men to be engaged in informal employment or to work from home, which suggests that the overall percentage of women working in the footwear sector must be higher than the

official figure of 62%. For example, 94% of the 550,000 Turks who were officially registered as working from home in 2013 were women (NOVA 2015). It is predominantly a combination of wanting to maintain a traditional image as a wife and mother as well as having a partner on a low income that frequently forces Turkish women to make a living within their own four walls. Supposedly easier tasks that do not require a machine are often outsourced to home workers. These workers are supplied with materials by intermediaries which they then finish and pass on. In the footwear sector, these tasks can entail sewing or gluing parts. The biggest problem with this type of employment set-up is that only a few workers are able to form a direct relationship with their employer or colleagues as they usually have no contact with them and are thus rarely afforded the opportunity to negotiate their working conditions.

5.5. Recommendations

The findings of our research clearly demonstrate that labour law violations are widespread in the Turkish footwear and leather industry. As eco-social standards can only be sustainably improved when relevant changes are initiated along the entire production chain, our recommendations are specifically targeted at five different actors: shoe factories, the Turkish government, brand-name companies, multi-stakeholder initiatives as well as the EU/European national governments.

For Footwear and Leather Manufacturers:

1. The practice of double bookkeeping/ falsification of documents should be banned and employees' labour should be compensated adequately and in accordance with legal requirements. This includes the employer paying social security contributions in full so that employees are able to exercise their constitutional right to access social security.
2. All employees, regardless of ethnic origin and gender, should be officially registered for social security and at the relevant public authorities so that they are able to exercise their right to social security benefits.
3. The basic income for a 45-hour week should be increased to be in line with the living wage so that workers are no longer dependent on overtime or other sources of income to meet their basic needs and those of their families.
4. Overtime should be voluntary. When an employee works beyond their normal hours, all additional pay that is due as laid down by law must be paid in full.
5. Employees must receive adequate training in occupational health and safety. Protective clothing must be made available in sufficient quantities and at no cost to the employee.
6. Working conditions that are harmful to employees' health must be avoided. Specific measures to achieve this should be stipulated, e.g. functioning ventilation, hygienic conditions, safeguarded machinery and adequate qualifications.
7. Employees suffering from work-related illnesses and injuries should receive appropriate treatment and compensation.

For the Turkish Government:

1. The state should take all available steps to promote and protect the freedoms of association and assembly as enshrined in the Turkish constitution and in ILO core labour standards No. 87 and No. 98, which Turkey has ratified.
2. Employees should be able to unionise and to protest to ensure their rights are enforced, and should be able to do so without fear.
3. Informal employment must be curbed so that employees are able to live and work under manageable conditions. Formal employment includes the constitutional right to social security benefits, the right to become a member of a trade union as well as the right to bring a legal dispute before the country's employment tribunals.
4. The Trade Unions and Collective Labour Agreements Act should, in line with the ILO's core labour standards, be amended in support of freedom of association and the right to collective bargaining. There should be no major barriers to trade union activity.
5. Within the leather and footwear industry, there should be greater efforts to enforce the implementation of labour laws that conform to ILO standards. This includes reforming and strengthening the system in place for labour inspections to minimise health hazards in the workplace.
6. Employers must be placed under obligation to ensure safe workplaces, including through occupational health and safety training that should be established as part of day-to-day activities.

For Brand-Name Companies:

1. Brand-name companies should urge their suppliers to implement the aforementioned recommendations.
2. Brand-name companies have a duty to implement due diligence along the entire global production chain. In accordance with the UN Guiding Principles on Business and Human Rights, companies must assess and address any actual and potentially adverse impacts of their business practices.
3. Brand-name companies should lead the way in working in partnership with local trade unions and NGOs to monitor the labour law and environmental regulation violations committed by their suppliers.
4. Brand-name companies should urge their suppliers to pay their employees a living wage and integrate such pay allowances into their own price structuring.
5. Brand-name companies should make every effort to deter governments from the use of police violence as well as the criminal prosecution and criminalisation of employees and activists in the wake of legitimate protests and industrial disputes.

For Multi-Stakeholder Initiatives (MSI):

1. MSIs with the purpose of monitoring labour law and environmental regulation violations should urge governments, the managers of footwear and leather factories and brand-name companies to implement the aforementioned recommendations.
2. MSIs should remain in constant dialogue with trade unions and NGOs to ensure continuous monitoring of the steps taken by governments, factory managers and companies.

3. MSIs should support employees that have been the victims of injustice in supplier factories.
4. MSIs should initiate international and regional campaigns to highlight widespread practices such as informal employment, double bookkeeping and poverty wages.
5. MSIs should organise training sessions for employees to enable them to stand up for their own rights and interests.

For EU Member States:

1. EU member states should apply the UN Guiding Principles on Business and Human Rights.
2. EU member states should set up national action plans that commit the government and businesses to protect and respect human rights.
3. EU member states should reform their National Contact Points for the OECD Guidelines for Multinational Enterprises to meet the requirements of human rights standards.
4. EU member states should set up a functioning and effective legal complaints procedure for victims of labour and human rights violations or improve their existing system to this effect.
5. EU member states should create an appropriate legal framework to take action against criminal conduct on the part of companies as well as corporate liability offences in the case of multinational corporations.
6. EU member states should lead the way in establishing multi-stakeholder initiatives in the field of footwear and leather production.

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