Saeeda Khatoon  
Chairperson,  
Ali Enterprise Factory Fire Affectees’ Association

Mr Didier Reynders  
Commissioner for Justice

Mr Thierry Breton  
Commissioner for Internal Market  
European Commission

Karachi, 6th July 2021

RE: Proposed Sustainable Corporate Governance Directive

Dear Commissioners,

I am writing to you concerning the Sustainable Corporate Governance directive that you are developing.

I write to you on behalf of the families affected by the 2012 Ali Enterprises garment factory fire in Karachi, Pakistan. Our association, representing the families of the deceased and the survivors, respectfully calls on you to ensure that the law will include access to justice for victims.

The Ali Enterprises factory was in its fifth year producing jeans for its main client, the German brand, KiK. *Kunde ist König* (Customer is King), when the fire broke out. 258 of our loved ones perished trying to escape, many of them teenagers. Of the hundreds of survivors, many were also severely injured and left unable to work. Most of the deceased and survivors were breadwinners for their families, thus leaving over 200 families destitute, unable to work or cover the costs associated with their livelihood, their physical and psychological suffering. In the factory there were no fire safety measures: no functioning emergency fire exists; no smoke or fire alarms; and no fire extinguishers. If there had been, the disaster would have been prevented.

Two weeks before the Ali Enterprise fire occurred the factory was also certified by a ‘social audit’ by an Italian auditing company, RINA Services.

In Pakistan, we brought judicial cases against both the Sindh State government and the factory owners for their dereliction of duty and their negligence, as we hold them responsible. Those cases brought only meagre financial relief for the victims’ families.

We also tried to hold KiK and RINA legally responsible for the fire. Immediately after the fire KiK donated $1 million in charity to the victims. In March 2015 we filed a complaint against KiK in a German court in order to seek additional compensation for the victims’
families, as the charity amount was woefully insufficient to deal with the degree of damage and suffering caused to that many people. In January 2019 the case was dismissed by the German court for not meeting the time requirement and was not allowed to appeal. A criminal investigation into RINA Services in Italy was also discontinued.

In September 2016, KiK finally agreed to an additional charity compensation of circa $5 million to the victims, the result of an intense and tiring international campaign.

In our struggle for justice we have sought some relief in the idea that the death of our loved ones - martyrs - has not been without meaning. We have worked to make sure wrongs are corrected for others not only in Pakistan but all over. Our ‘case’ was often used as justification for the German supply chain law that was recently passed. However, unlike stronger first drafts of the law, the law that was passed does not provide new legal rights of compensation to victims. After almost a decade of struggle this development is incredibly hurtful and disappointing, even more so because we have been told international law supports this.

We have been told that you have the power to fix this situation. If not now, then when? In your countries the right to justice for victims is taken for granted. Please deliver us this courtesy as your companies extract profits from the factories where our families work under very cheap – that means unhealthy and dangerous – conditions.

May God bless you with the open heart and courage to improve this situation for the ones who are most harmed and vulnerable.

May Peace be Upon You,

Saeeda Khatoon
Chairperson
Ali Enterprise Factory Fire Affectees Association (AEFFAA)