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WORKER RIGHTS CONSORTIUM

# Apparel Brand Responses to the Earthquake in Türkiye



WORKER RIGHTS  
CONSORTIUM

1990 K Street, NW Suite 410  
Washington, DC 20006  
(202) 387-4884 | [www.workersrights.org](http://www.workersrights.org)

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The WRC commends the important research and corporate engagement, related to brands' response to the earthquake, carried out by the Business and Human Rights Resource Center and Drs. Derya Göçer and Şerif Onur Bahçecik of Middle Eastern Technical University. While the WRC is alone responsible for the conclusions we have drawn from their research, our analysis would not have been possible without their illuminating work.

**On the cover:**

Earthquake survivors watch buildings get demolished in Kahramanmaraş, the epicenter of the February 2023 Türkiye earthquake.

Credit: [FreelanceJournalist](#)/Shutterstock

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## INTRODUCTION AND SUMMARY OF MAIN FINDINGS

On February 6, 2023, an earthquake devastated the Southeast region of Türkiye and northern and western Syria, claiming the lives of over 50,000 people and injuring many more.<sup>1</sup> The earthquake-affected region in Türkiye spans 11 provinces, hosting a population of 14 million people, including an estimated two million refugees.<sup>2</sup> The UN estimates that 2.7 million people (roughly 20% of the 11 provinces' pre-earthquake population) have been displaced to other parts of the country. The effects of the devastation and disruption resulting from the earthquake and its aftershocks are compounded by soaring levels of inflation in Türkiye, and further exacerbate the precarity and vulnerability faced by people in the region.<sup>3</sup>

The affected region of Türkiye is a major location of apparel and textile production, much of it part of the supply chains of global brands and retailers.<sup>4</sup> According to the United Nations Development Programme (UNDP), around 350,000 people worked in 3,000 textile and garment facilities in the provinces hit by the earthquake.<sup>5</sup> The sector faced

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<sup>1</sup> "UN Women Brief on Earthquake in Türkiye: Impacts and Priorities for Women and Girls," UN Women, April 6, 2023, <https://eca.unwomen.org/en/digital-library/publications/2023/03/un-women-brief-on-earthquake-in-turkiye-impacts-and-priorities-for-women-and-girls>.

<sup>2</sup> The UN estimates that 2.7 million people (roughly 20% of the 11 provinces' pre-earthquake population) have been displaced to other parts of the country.

"Turkey-Earthquake: Emergency Situation Report," Support to Life, August 17, 2023, <https://reliefweb.int/report/turkiye/turkey-earthquake-emergency-situation-report-17082023>; UN Women, "UN Women Brief on Earthquake in Türkiye."

<sup>3</sup> Orhan Coskun and Nevzat Devranoglu, "Earthquake will keep Turkish inflation above 40%, additional budget needed," Reuters, February 24, 2023, <https://www.reuters.com/world/middle-east/earthquake-will-keep-turkish-inflation-above-40-additional-budget-needed-2023-02-23/>; "The earthquakes in Türkiye and Syria: A crisis within the crisis," UNHCR, April 3, 2023, <https://www.unhcr.org/neu/97487-the-earthquakes-in-turkiye-and-syria-a-crisis-within-the-crisis.html>; Verena Hölzl, "'It's because we are Syrians': Two months on, earthquakes leave refugees in Türkiye exposed and fearful," *The New Humanitarian*, April 6, 2023, <https://www.thenewhumanitarian.org/news-feature/2023/04/06/syrian-refugees-turkiye-earthquake>.

<sup>4</sup> Jasmin Malik Chua, "How Many Facilities Have Been Affected by Turkey's Earthquake? Here's What We Know," *Sourcing Journal*, February 10, 2023, <https://sourcingjournal.com/topics/sourcing/turkey-earthquake-garment-textile-suppliers-facilities-mills-manufacturers-416967/>; "UNDP supports employment in Türkiye's textile industry as step towards recovery of earthquake zone," UNDP, July 17, 2013, <https://www.undp.org/turkiye/press-releases/undp-supports-employment-turkeyes-textile-industry-step-towards-recovery-earthquake-zone>.

<sup>5</sup> Given high rates of informality in the Turkish textile and garment sector, it is difficult to determine exactly how many workers the sector employs. Estimates range in between 1.2 and 3 million workers, many of which are unregistered Syrian refugees. Indeed, the ILO estimates that the textile, clothing, leather, and footwear (TCLF) industries provide jobs to almost 1/3 of Syrians in Türkiye, who typically work for subcontractors hired by Tier 1 suppliers. The same ILO study estimated that Syrians represented 16.1 percent of the labor force in the TCLF sector. See: Luis Pinedo Caro, "Syrian Refugees in the

severe disruptions and challenges after the quake, including due to infrastructural damage and labor shortages, given the high levels of displacement and loss of life.<sup>6</sup>

The purpose of this white paper is to evaluate the responses of 16 major apparel brands to the earthquake and to its impact on the suppliers and workers in the region producing goods for these brands. To do this, we draw from two sets of data: apparel brands' reporting to the Business and Human Rights Resource Centre (BHRRC) and the Worker Rights Consortium (WRC), as well as a supplier survey (n=202) conducted by a team of researchers at the Middle Eastern Technical University (METU), led by Dr. Derya Göçer and Dr. Şerif Onur Bahçecik.<sup>7</sup> The responses of manufacturers to the METU survey, the responses of the 16 brands to questions from BHRRC and the WRC, and the fact that there is substantial overlap between those brands and the brands identified by the METU respondents as being among their customers, provides a basis for identifying notable areas of concern in apparel supply chains that run through the earthquake zone.<sup>8</sup>

We assess the brands' performance in this crisis in the context of applicable human rights principles. The United Nations Guiding Principles on Business and Human Rights (UNGPs) require that multinational corporations "[seek] to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts." Taking responsible steps to address the adverse human rights impacts of the February earthquake within their supply chains falls squarely under brands and retailers' duties and responsibilities as per the UNGPs.

In a briefing for members following the earthquake, the industry-funded Ethical Trading Initiative (ETI) called on its member brands to act in accordance with their responsibilities

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Turkish Labour Market," ILO Office in Turkey, February 9, 2020, [https://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---ilo-ankara/documents/publication/wcms\\_738602.pdf](https://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---ilo-ankara/documents/publication/wcms_738602.pdf).

<sup>6</sup> Jasmin Malik Chua, "Turkey's Textile and Garment Industry is in Crisis," *Sourcing Journal*, February 9, 2023, <https://sourcingjournal.com/topics/sourcing/turkey-syria-earthquakes-textile-mills-garment-factories-amazon-inditex-calik-bossa-416389/>.

<sup>7</sup> Brand responses to the Business and Human Rights Resource Centre can be found here: <https://www.business-humanrights.org/en/latest-news/turkey-fashion-brands-respond-to-reports-of-unfair-purchasing-practices-following-februarys-earthquake/>; Dr. Derya Göçer and Dr. Şerif Onur Bahçecik, "The impact of brand-supplier relations on producers in the earthquake zone, Turkey 2023," Middle Eastern Technical University, August 2023, <https://open.metu.edu.tr/handle/11511/104801>.

<sup>8</sup> The brands that corresponded with the BHRRC and/or the WRC and that were reported as buyers by suppliers interviewed by the Middle Eastern Technical University's research team are: Benetton, Bestseller, Boohoo, H&M, Inditex, PVH, s.Oliver, Varner, and VF.

under the UNGPs, including recommendations related to members' purchasing practices, which included, among other elements, advancing payments for goods received and refraining from seeking price concessions on future orders from suppliers in the region.<sup>9</sup> And the Fair Labor Association (FLA) recommended that its members "evaluate the financial viability" of their suppliers and make financial assistance available.<sup>10</sup>

Accepting delays on orders from Turkish suppliers in the earthquake zone without penalty—i.e., not adding an additional financial burden for suppliers coping with a humanitarian disaster—is an obvious step that all brands should have taken. However, while critical, this step alone is insufficient. To avoid causing financial harm and to ameliorate financial challenges that might cause suppliers to underpay or otherwise harm workers, brands should also have done the following:

- 1) In the case of delays on orders resulting from the earthquake, adopted a policy ensuring that suppliers were still paid on the date they would have been paid had on-time delivery been feasible, to avoid exacerbating suppliers' cash flow challenges;
- 2) Provided financial aid directly to suppliers, such as:
  - a. Accelerated payment on orders recently delivered, in transit, or in production;
  - b. Improved payment terms on new orders;
  - c. Low-interest or no-interest loans;
  - d. Direct grants in aid.

The WRC found that all 16 brands tolerated delivery delays resulting from the earthquake without imposing penalties. This information is corroborated by the Göçer and Bahçecik supplier survey, which covered the supply chains of a larger pool of brands and found that 65% of suppliers had their delivery deadlines extended. The brands that provided flexibility on delivery delays spared suppliers additional financial pain and thereby dampened the brutal impact of the earthquake on suppliers and workers.

This is in stark contrast to most leading brands' behavior at the outset of the Covid-19 pandemic, when health-related shutdowns caused demand for apparel to crater: brands

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<sup>9</sup> "Responding to the Türkiye-Syria earthquakes," Ethical Trading Initiative, March 2023, <https://www.ethicaltrade.org/resources/eti-turkiye-and-syria-earthquake-response-briefing>.

<sup>10</sup> "Severe earthquakes in southern Türkiye: Guidance for companies sourcing from the region," Fair Labor Association, February 7, 2023, [https://mcusercontent.com/84bb2bbaa7e9d0489e6457c6c/files/3036ba6e-017f-e98e-15b2-eb215bbf8345/2023\\_02\\_07\\_FLAlert\\_Severe\\_earthquakes\\_in\\_southern\\_Turkiye.pdf](https://mcusercontent.com/84bb2bbaa7e9d0489e6457c6c/files/3036ba6e-017f-e98e-15b2-eb215bbf8345/2023_02_07_FLAlert_Severe_earthquakes_in_southern_Turkiye.pdf).

pushed as much of the resulting financial pain as possible onto the shoulders of suppliers and workers.<sup>11</sup> They did so by retroactively canceling—and refusing to pay for—orders that were in production or completed but not delivered at the inception of the crisis.<sup>12</sup> This left suppliers holding the bag for hundreds of thousands or millions of dollars they had been obligated to invest in the production of those orders.<sup>13</sup> Labor rights groups, trade union, and other civil society organizations began sounding the alarm on brands' grossly irresponsible actions in late March of 2020, generating broad media interest and bringing tremendous pressure to bear on the offending brands. Ultimately, many brands were compelled to reverse course and pay suppliers what they owed them.<sup>14</sup>

Three years later, brands' decision to absorb the cost of delays resulting from the earthquake, rather than extracting those costs from suppliers, reflects in part a growing recognition that such actions, normally viewed by brands as a private matter between themselves and their suppliers, will be publicly scrutinized.<sup>15</sup> The impact of the pandemic experience on industry thinking was evident in the decision of industry-funded

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<sup>11</sup> European Center for Constitutional and Human Rights, International Lawyers Assisting Workers Network, and WRC, *Farce majeure: How global apparel brands are using the Covid-19 pandemic to stiff suppliers and abandon workers*, September 2020, [https://www.ecchr.eu/fileadmin/ECCHR\\_PP\\_FARCE\\_MAJEURE.pdf](https://www.ecchr.eu/fileadmin/ECCHR_PP_FARCE_MAJEURE.pdf).

<sup>12</sup> Scott Nova and Ineke Zeldenrust, *WRC White Paper: Who will bail out the workers that make our clothes?*, March 2020, <https://www.workersrights.org/wp-content/uploads/2020/03/Who-Will-Bail-Out-the-Workers-March-2020.pdf>; Mark Anner, *Abandoned? The Impact of Covid-19 on Workers and Businesses at the Bottom of Global Garment Supply Chains*, Penn State Center for Global Workers' Rights, March 27, 2020, updated April 1, 2020, <https://www.workersrights.org/wp-content/uploads/2020/03/Abandoned-Penn-State-WRC-Report-March-27-2020.pdf>; Elizabeth Paton, "'Our Situation Is Apocalyptic': Bangladesh Garment Workers Face Ruin," *The New York Times*, March 31, 2020, updated August 11, 2021, <https://www.nytimes.com/2020/03/31/fashion/coronavirus-bangladesh.html>.

<sup>13</sup> Mark Anner, *Abandoned? The Impact of Covid-19 on Workers and Businesses at the Bottom of Global Garment Supply Chains*.

<sup>14</sup> WRC, "Covid-19 Tracker: Which Brands Acted Responsibly toward Suppliers and Workers?," April 21, 2021, <https://www.workersrights.org/issues/covid-19/tracker/>.

<sup>15</sup> "Updates and Analysis," Worker Rights Consortium, April 2021, <https://www.workersrights.org/updates-and-analysis/>; Jasmin Malik Chua, "Fashion's \$40 Billion Cancellation Spree Leaves Suppliers Footing the Bill," *Sourcing Journal*, December 14, 2021, <https://sourcingjournal.com/topics/labor/order-cancelations-pandemic-buying-practices-remake-worker-rights-consortium-318669/>; Angela Velasquez, "Levi's Takes Responsibility for Finished Goods and In-Progress Orders," *Rivet*, July 7, 2020, <https://sourcingjournal.com/denim/denim-brands/levis-pays-garment-suppliers-finished-goods-worker-rights-consortium-219597/>; and Simon Glover, "Gap agrees to pay for cancelled orders," *Ecotextile*, July 17, 2020, <https://www.ecotextile.com/2020071726382/fashion-retail-news/gap-agrees-to-pay-for-cancelled-orders.html>.

organizations like FLA and ETI to publicly recommend, in the days immediately after the earthquake, that their brand members exercise responsible purchasing practices. These public calls, and the more rigorous demands put forward in the same time frame by advocacy groups like Clean Clothes Campaign,<sup>16</sup> showed brands that acts of brazen irresponsibility, like penalizing suppliers for completely unavoidable interruptions in production, would be reputationally damaging. Given the reputational risks, refraining from the worst practices post-earthquake—imposing penalties on late deliveries and taking advantage of suppliers’ vulnerability to demand price discounts on future orders—was arguably the least brands could do.

Unfortunately, our analysis finds that most brands did little else to support suppliers and workers. Of the 16 brands whose self-reported behavior we assessed, only two—C&A and Marks & Spencer—both paid suppliers for current orders on the original schedule, even though deadlines for delivery were extended, and provided some form of additional financial aid to suppliers. Half of the brands acknowledged that they did not adopt a policy of keeping to original payment schedules and ten of the sixteen reported that they did not offer any form of direct financial aid. Several brands—Boohoo, Esprit, H&M, and s. Oliver— reported doing neither.<sup>17</sup>

The Göçer and Bahçecik supplier survey confirms the paucity of support from brands: 69% of suppliers answering the survey said no customer ever contacted them after the earthquake to discuss their circumstances. And only 5 of 202 (2.5%) said that brands supported workers and producers after the quake.

Göçer and Bahçecik documented the impact of this lack of support. Only 48% of respondents said they were able to pay workers in full in the period after the quake. A third of suppliers said they were forced to place workers on unpaid leave.

The remainder of this white paper is organized as follows: The two following sections analyze brands’ self-reported purchasing practices and the findings of the METU researchers’ survey respectively. We conclude with a summary of our overall evaluation

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<sup>16</sup> Temiz Giysi Kampanyası and Pay Your Workers, “Apparel brands must ensure workers in Turkey are paid and kept safe,” March 27, 2023, <https://www.payyourworkers.org/pyw-statement-on-turkey>.

<sup>17</sup> H&M stated that the company has “negotiated a factoring agreement on behalf of all its suppliers that gives them faster access to invoice payments.” s.Oliver told the WRC that it was setting up a cooperation with a bank in Türkiye to allow suppliers to access their payments sooner than originally agreed upon in their contract. s. Oliver told the WRC that it donated food, clothing, and hygiene products to suppliers, a form of support that does not directly impact suppliers’ ability to maintain operations and pay workers in full.

of brands' performance and an enumeration of forward-going actions that brands sourcing from the region should take.

## APPAREL BRAND RESPONSES TO THE EARTHQUAKE

This section draws from the WRC's correspondence with brands and retailers sourcing from the earthquake zone, as well as from the BHRRC's public reporting on their engagement with brands and retailers sourcing from the zone.<sup>18</sup> These are the 16 brands that provided responses to the BHRRC and/or the WRC:

- Benetton
- Bestseller
- Boohoo
- C&A
- Esprit
- H&M
- Inditex
- Kiabi
- Marks & Spencer
- Next
- Primark
- PVH
- s.Oliver
- Tchibo
- Varner
- VF

The same questions were asked of the brands by WRC and BHRRC and can be grouped thematically into the following categories: 1) purchasing practices related to existing orders when the earthquake hit; 2) purchasing practices related to orders placed after

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<sup>18</sup> The BHRRC solicited responses from the following brands: Benetton, Boohoo, C&A, Esprit, Inditex, Marks & Spencer, Next, Primark, PVH, and Tchibo. Mango responded to the BHRRC's request for information with a general statement that did not address the BHRRC's specific questions. Mango's response was thus excluded from the WRC's analysis because it did not contain enough information to make it comparable with other brand responses. Brands' full responses to the BHRRC are here: <https://www.business-humanrights.org/en/latest-news/turkey-fashion-brands-respond-to-reports-of-unfair-purchasing-practices-following-februarys-earthquake/>. The WRC corresponded with the following brands on their purchasing practices in Türkiye: Benetton, Bestseller, Boohoo, C&A, H&M, Inditex, Kiabi, Next, Primark, PVH, s.Oliver, Tchibo, Varner, and VF. Good American, URBN, and IKEA did not respond to the WRC's request for information.

February 6, 2023; 3) direct financial assistance to suppliers; 4) supporting workers and their families; and 5) structural safety.

*Existing orders when the earthquake hit:* Brands responded to questions related to their purchasing practices concerning in-process orders placed before the earthquake. None of the brands reported having imposed penalties on their suppliers for order delays resulting from the earthquake. In a similar vein, all brands responded affirmatively to the question: “Have you adopted a policy directing your sourcing team to forgive delivery delays resulting from the earthquake and suspend the imposition of penalties until the region has recovered?”

However, when asked about whether they had, in the case of delivery delays, adopted a policy to pay the supplier on the date when they would have been paid had on-time delivery been feasible, only seven of the brands said “yes” (Benetton, Bestseller, C&A, Marks & Spencer, Next, PVH, Primark) Eight brands said “no” (Boohoo, H&M, Inditex, Kiabi, Tchibo,<sup>19</sup> s.Oliver, Varner,<sup>20</sup> and VF). Esprit did not provide a response to this specific question.

*New orders placed after the earthquake:* Concerning purchasing practices for new orders placed after the earthquake, brands provided responses to questions about 1) whether they had adopted any policy barring their sourcing team from seeking any price concessions from suppliers in the earthquake-affected region and 2) whether their sourcing team had negotiated lower prices on any new order since the earthquake. Almost all brands responded “yes” to the first question, save Boohoo and Tchibo, which did not respond to this specific question.<sup>21</sup> Regarding the second question, all brands responded “no,” except for Boohoo and Primark, which did not provide a “yes” or “no” response to this question. Primark noted that “There is little comparable product made in Turkey year on year and currently no product being sourced from Turkey that was also sourced pre-earthquake,” while Boohoo said: “Our test & repeat model means we always negotiate when we rebuy based on increased volumes. As such it is difficult to do price comparisons for specific products.”

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<sup>19</sup> In email correspondence with the WRC, a representative of Tchibo reported: “Payment terms have not been changed. However, shipment plans were rescheduled in alignment with suppliers where needed.”

<sup>20</sup> In email correspondence with the WRC, a representative of Varner stated: “We did not receive any such requests. If requests had been received we would have been able to accommodate for this.”

<sup>21</sup> Bestseller told the WRC: “We did not have an outward facing policy, however we did communicate these recommendations to buyers” and Varner said: “We have not adopted a formal policy, however discounts have not been requested from our supplier in the region during this time period.”

*Direct financial assistance to suppliers:* The brands also responded to a question about whether they had taken any direct financial assistance measures to help their suppliers survive and fulfill their obligations to workers, including:

- Accelerated payment on orders recently delivered, in transit, or in production;
- Improved payment terms on new orders;
- Providing low-interest or no-interest financing to suppliers;
- Direct financial assistance to suppliers.

The table below summarizes brands' responses:

**Table 1: Brand responses regarding whether they provided any of four forms of financial aid to suppliers after the earthquake**

	Accelerated payment on existing orders	Improved payment terms on new orders	Low-interest or no-interest financing to suppliers	Direct financial assistance to suppliers
Benetton	×	×	×	×
Bestseller <sup>22</sup>	×	×	×	×
Boohoo	×	×	×	×
C&A	✓	× <sup>23</sup>	✓	✓
Esprit	×	×	×	×
H&M	×	×	×	×
Inditex	✓	×	✓	✓
Kiabi	✓	×	×	×
Marks & Spencer	✓	✓	✓	✓
Next	× <sup>24</sup>	×	×	×
Primark	×	× <sup>25</sup>	×	×
PVH	×	×	×	×
s.Oliver	×	×	×	×
Tchibo	×	×	×	✓ <sup>26</sup>

<sup>22</sup> Bestseller added: "Our suppliers did not ask for such support, we instead focused on assisting communities affected by the earthquake. BESTSELLER has a history of providing favourable payment terms to suppliers that are facing situations of crisis, including significantly reducing the payment terms."

<sup>23</sup> C&A added: "For new orders, payment terms remain the same. However, we stay in close contact with the supplier to adjust whenever needed."

<sup>24</sup> Next added: "Our standard payment terms are 30 days and this hasn't changed."

<sup>25</sup> Primark added: "Our payment terms remained within 30 days following handover of product."

<sup>26</sup> Tchibo said "yes" referring to: "a donation aligned with supplier to set up a container living area."

Varner <sup>27</sup>	×	×	×	×
VF	×	×	✓ <sup>28</sup>	×

Most brand respondents did not report providing any of the forms of assistance listed above. Only six brands reported adopting at least one of these four measures: C&A, Inditex, Kiabi, Marks & Spencer, Tchibo, and VF.<sup>29</sup>

*Workers and their families:* Brands responded to a question asking them to outline the concrete steps they are taking beyond standard periodic auditing to ensure that vulnerable workers (e.g., migrants, refugees, unregistered workers, pregnant workers) are not facing discrimination in terms of wage reduction or layoffs in the aftermath of the earthquake. Only two brands (Benetton and Esprit) reported taking no such steps. Several brands (Bestseller, Next, PVH, s.Oliver, Tchibo, and Varner) stressed they maintained close contact with their suppliers, while others referenced their in-country compliance teams (Boohoo, C&A, Marks & Spencer, Next, and Primark) as well as their standard corporate social responsibility or sustainability policies (H&M, Next, Primark, and Tchibo). Two brands (Kiabi and Varner) reported partnering with MUDEM, a refugee-rights organization operating in Türkiye. S.Oliver referenced its partnership with the Fair Wear Foundation and noted that: “Workers in the factories have the option to hand in any complaints they might have through the Fair Wear complaint mechanism or contact the S.OLIVER GROUP directly through the S.OLIVER GROUP Hintbox.” VF’s response to this question was the following: “Based on information from compliance audits, there are no migrants, refugees or unregistered workers employed at our suppliers in the earthquake affected region. Although we do not have specific information on pregnant women, we know there are workers using their maternity leave as required by law at one impacted supplier.”

When asked if they had provided any form of financial assistance to the families of Tier 1 and Tier 2 workers who had been killed in the earthquake, only four brands (Bestseller, C&A, Kiabi, and Marks & Spencer) responded affirmatively and the description provided by Bestseller and Kiabi only referred to charitable donations to relief organizations

<sup>27</sup> Varner added: “No request has been received about the above options, however we have been determined to maintain sourcing from the region even if unforeseen difficulties arise (such as delays).”

<sup>28</sup> VF added: “Our company already has a system accessible for all vendors that allows them to receive payment in 10 days with a very low-interest.”

<sup>29</sup> s.Oliver told the WRC that it was setting up a cooperation with a bank in Türkiye to allow suppliers to access their payments sooner than originally agreed upon in their contract. H&M stated that the company has “negotiated a factoring agreement on behalf of all its suppliers that gives them faster access to invoice payments.”

without including any information regarding support to workers in their own supply chain. Two brands said this question did not apply to them as their suppliers did not report any fatalities (Boohoo) or did not make explicit requests for this type of support (Primark). Some brands (Bestseller, Boohoo, H&M, Inditex, Kiabi, Next, s.Oliver, and Varner) disclosed that they made charitable donations (e.g., to the Turkish Red Crescent) to the earthquake relief effort. PVH referred generally to support provided by the Turkish government, also noting: “[s]ome suppliers opened their undamaged factories to be used as temporary shelters until the workers and their families were able to find a place to stay.”<sup>30</sup>

After becoming aware of concerns about possible forced resignations at factories in the earthquake-affected zone, the WRC asked brands if they were tracking the issue and ensuring that severance was paid in full where legally owed.<sup>31</sup> The 13 brands that did respond to this question indicated that they were indeed monitoring the issue and that they had not come across any such cases. The topic of severance in the context of the earthquake is complicated by the fact that the Turkish government instituted a ban on firing workers during this period.<sup>32</sup>

*Structural safety:* Finally, brands reported whether they had taken any steps to ensure that all their supplier factories located within the earthquake-affected region were structurally safe. Only one brand, Boohoo, said “no,” stating that structural safety was not currently part of the company’s audit program. Among the brands that said “yes,” some reported requesting information and documentation from their suppliers attesting that their facilities were structurally safe, while others coordinated to have the buildings inspected, either by brand representatives or third-party inspectors. The WRC was not able to assess the quality of inspections conducted. We are not aware of any post-earthquake structural failures in apparel factories in the region to date; however, brands

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<sup>30</sup> The ILO estimates that “the average affected worker will lose, **4,351 Turkish Lira (US\$230.6) per month** as long as the situation continues.” This estimate accounts for the assumption that those formally employed will be receiving support, such as the short-time work allowance. See: “The effects of the February 2023 earthquake on the labour market,” ILO Office for Türkiye, March 28, 2023, <https://reliefweb.int/report/turkiye/effects-february-2023-earthquake-labour-market-turkiye>. In this light, 133 Turkish liras per day from the unemployment insurance fund amount to an inadequate sum. Furthermore, given the high degree of informality in the sector, a large portion of workers are unregistered and thus not entitled to support from the Unemployment Insurance Fund.

<sup>31</sup> This question was not in the BHRRC’s brand questionnaire. The WRC reached out to the brands that responded to the BHRRC’s questionnaire with this supplemental question.

<sup>32</sup> Huseyin Hayatsever, “Turkey bans layoffs, offers salary support in earthquake zone,” *Reuters*, February 22, 2023, <https://www.reuters.com/world/middle-east/turkey-bans-layoffs-offers-salary-support-earthquake-zone-2023-02-22/>.

should ensure that each of their supplier facilities in the earthquake zone has undergone an inspection by a qualified structural engineer.

## OVERVIEW OF SUPPLIER SURVEY FINDINGS

This section provides a brief overview of the findings of Dr. Derya Göçer and Dr. Şerif Onur Bahçecik's study, which analyzes interviews with 202 textile and garment manufacturers located in four of the 11 earthquake-affected provinces: Adıyaman, Gaziantep, Kahramanmaraş, and Malatya.<sup>33</sup> Göçer and Bahçecik's research team at the Middle Eastern Technical University (METU) conducted supplier interviews in June 2023, around four months after the earthquake.

Among brands that survey participants identified as customers are the following:<sup>34</sup>

- Armani
- Benetton
- Bestseller
- Boohoo
- Good American
- H&M
- IKEA
- Inditex (parent company of Bershka, Oysho, and Zara)
- LC Wakiki
- Mavi
- S.Oliver
- Pierre Cardin
- PVH (parent company of Calvin Klein, Tommy Hilfiger,
- URBN (parent company of Urban Outfitters)
- Varner
- VF (parent company of Vans, The Northface, and Timberland)

The METU researchers' survey of suppliers found that there were significant disruptions in production and working days lost due to the earthquake. Nearly half (46%) of the respondents said they lost at least four weeks of working days. Despite this crisis, over a third (35%) of the respondents stated that buyers did *not* extend production deadlines after the earthquake. We presume this reflects the practice of brands not among the sixteen whose performance is assessed in this report.

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<sup>33</sup> The full study is accessible here: <https://open.metu.edu.tr/handle/11511/104801>.

<sup>34</sup> Suppliers also identified as customers the following lesser-known brands: Beymen, Gloria Jeans, Defacto, DOS, Koton, Kiğılı, Koyteks, Morben, MDS, and Sarar. This is unlikely to be a complete list of buyers, given that many survey respondents understandably chose to not disclose who their buyers are.

Adding weight to Göçer and Bahçecik's argument that suppliers "may have felt pressure to meet delivery deadlines" as they were dealing with the immediate aftermath of the earthquake is this disturbing data point: 143 producers (70.8% of the total sample) indicated that the facility remained open, and workers continued to work, through the earthquake's aftershocks.

Moreover, 39% of the respondents reported that neither government officials, nor auditors, nor brand representatives visited their factory for inspection after the earthquake. In a similar vein, 69% of the respondents said that they did not receive any contact from buyers in the aftermath of the earthquake. Some suppliers that reported receiving deadline extensions also reported operating during this period, which may reflect the timing of communications from buyers to suppliers: suppliers may have anticipated that they would have to meet original deadlines before learning of the availability of extensions.

Only five among the 202 respondents said that brands provided support to them after the earthquake. Since some brands did report extending direct financial assistance, this very low number is inconsistent with brand responses to BHRRC and the WRC. While there is substantial overlap between these two data sets, not all of the brands that answered questions from BHRRC and the WRC were identified as customers by suppliers that answered the survey. This may explain the inconsistency. The possibility that one or more brands are reporting assistance they did not in fact provide must also be considered, but the WRC does not have any direct evidence of this.

Close to half of suppliers (48%) reported that customers have reduced the number and/or size of new orders since the earthquake, which has inevitable consequences for employment levels and suppliers' financial stability. While some brands may plausibly argue that they have less responsibility vis-a-vis future orders than they do with respect to deadlines and payment schedules for current ones, a brand that prioritizes its human rights commitments would recognize the importance of maintaining order volume in the aftermath of a catastrophe like the February earthquake—even if the brand must incur some cost or inconvenience to do so. BHRRC did not ask this question of brands in its questionnaire, but given the results of the supplier survey, forward-going order volume is an appropriate and necessary subject for future brand engagement.

Less than half (48%) of the respondents to the supplier survey said that they were able to pay workers their full salary, and 33% resorted to putting their workers on unpaid leave

during temporary closures. This data demonstrates that the earthquake, and insufficient brand support for suppliers in its wake, has had a large impact on workers' income—at a time when the broader societal impact of the disaster makes that income especially important.

### Note on Worker Resignations and Severance Payments

A number of suppliers reported workforce reductions which they say resulted from voluntary worker resignations. While some workers no doubt resigned because they were unable to work as usual in the wake of the disaster, Göçer and Bahçecik properly caution against regarding resignations in the context of the earthquake as voluntary. They note that since the Turkish government's ban on dismissing workers in the earthquake zone makes voluntary resignation the only legal means by which a factory still in operation can reduce its workforce, a producer's claim that a sizable portion of its workforce resigned voluntarily merits critical scrutiny. Moreover, resignations that are reported as voluntary, but are in fact coerced, are used by unscrupulous suppliers with some frequency across the global apparel supply chain as a means of avoiding having to pay legally mandated severance and other terminal compensation that is due to workers when they are terminated. Further research is necessary to determine whether workers in the earthquake-affected region are being coerced into resigning and thereby deprived both of employment and proper terminal compensation. Göçer and Bahçecik also note that even truly voluntary resignations "must not be interpreted as routine" in this context, arguing that workers who had to quit because they lost a family member in the earthquake, for example, should be entitled to terminal compensation even though the law does not require it.

## CONCLUSIONS ON BRAND PERFORMANCE AND THE ACTIONS NECESSARY TO PROTECT SUPPLIERS AND WORKERS

Apparel brands' own responses to questions regarding their actions after the earthquake surface multiple shortcomings—more so when analyzed together with responses from manufacturers about their customers' behavior. While most brands felt sufficiently accountable to public scrutiny that they refrained from the worst practices, like penalizing suppliers for delivery delays caused by the earthquake, brands' overall response falls well short of meeting their human rights responsibilities. For the survivors of the earthquake who make goods for international brands, this means misery they could have been spared.

Brands and retailers must do more to support suppliers and workers. Every brand that commands substantial financial resources should do the following:

- Brands whose actions have exacerbated suppliers' financial challenges (for example, by not sticking to original payment dates on delayed order) should take steps going forward to undo that harm.
- All brands and retailers, even those that have reported providing some financial aid to workers, should reconsider the level of support they are providing, by carefully assessing suppliers' financial needs and the assisting them, as needed, in meeting those needs—through low or no interest loans, augmentation of prices, and/or direct cash aid.
- Brands that have reduced order volume since the earthquake should restore it, at least to pre-earthquake levels.
- Brands should offer much improved payment terms on new orders in the region.
- Brands should ensure that suppliers have met, and are meeting, all legal obligations to workers, in terms of employment, wages, and terminal compensation—and where deviations are identified, ensure they are remedied. It is essential in performing this diligence that brands are mindful of the increased vulnerability of migrants, refugees, unregistered workers, and pregnant workers,
- Brands should ensure that every building in the region involved in making their clothes has undergone a structural inspection by a qualified engineer and that the building owner has corrected any deficiencies identified through that inspection; where suppliers cannot afford this work, brands should provide financial assistance.