

We, the undersigned organizations and individuals, **demand immediate action from H&M to ensure adequate and prompt reparation for the rape and murder of Jeyasre Kathirvel**, whose supervisor at H&M supplier Natchi Apparel has confessed to the authorities on committing the crimes. We also demand H&M to guarantee the safety of Jeyasre Kathirvel's family and co-workers who are currently facing threats; and to take immediate measures to end the culture of gender-based violence and harassment in Natchi Apparel (SF No 470/2, Kaithayankotti, Veda sandur 624711).

Ms. Kathirvel was a 20-year-old Dalit woman who worked at Natchi Apparel, a factory owned by Eastman Exports Global Clothing which supplies to H&M. Her body was found in a wasteland on 5th January, 2021 by farmers and cattle-grazers. Evidence and a succeeding confession indicate that Thangadurai, her supervisor at Natchi Apparel had perpetrated the crimes, and prior to that repeatedly subjected her to sexual harassment.

The Tamil Nadu Textile and Common Labour Union (TTCU), a registered, independent, women-led trade union, has 11,000 members in the area. TTCU is in close contact with, and are supporting the victim's family and co-workers, who are facing repression and threats from the factory management.

Jeyasre's death has revealed a disturbing trend of gender-based violence against women workers employed in Natchi Apparel. Several instances of sexual harassment of women workers by their male supervisors have been reported by Jeyasre's co-workers. The lack of an accessible grievance mechanism and retaliation against those who report their complaints has created an environment of fear, and silenced workers.

The rape and murder of this young Dalit worker was the direct result of Eastman Exports and H&M's failure to provide a workplace free of gender-based violence, including sexual harassment. The supplier blocks TTCU's intervention and assistance for workers in order to prevent trade union activities and collective bargaining in the factory; H&M thus far in spite of its professed support for Freedom of Association has done nothing to promote and ensure the same.

We demand that H&M act urgently as per the fundamental principles of their Sustainability Commitment which state that *'no employee shall be subject to sexual harassment ... and that there will be a grievance mechanism in place enabling employees to put forward complaints without risk of retaliation.'* H&M's responsibility in this matter is also laid out by the UN Guiding Principles on Business and Human Rights that the business enterprise is responsible to prevent and mitigate the *'adverse human rights impact that are directly linked to operations, products or services by their business relationships ...'* H&M is directly responsible for the working conditions in its supplier factories and must ensure safe workplaces for women workers, rather than concentrating on their profits alone.

TTCU has put forth their demands for immediate and medium-term responses from H&M in light of these disturbing incidents. We express our solidarity with the following demands formulated by TTCU:

1. H&M must set up an **independent committee for a prompt, thorough and impartial investigation into this incident, and other cases of gender-based violence and sexual**

harassment in Natchi Apparel. The committee may have 3 members, of which 2 members must be women. It must include a representative from TTCU, and a member of the Tamil Nadu State Commission for Women, and may include a member nominated by H&M.

2. Ensure that Natchi Apparel provides **a compensation of INR 20,00,000 to Jayasre's family for her wrongful death**, without requiring confidentiality or non-disclosure as a condition of compensation.
3. **Provide protection to Jeyasre's family and colleagues** who are receiving threats from the factory management who want to silence them.
4. **H&M must not pull out of Natchi Apparels**, and should stay with the supplier to ensure that systems are put in place for prevention and elimination of gender-based violence. If H&M pulls out or reneges on its responsibilities, garment workers in the area will never report sexual harassment again for fear of retaliation.
5. **H&M must intervene to uphold workers' right to freedom of association by promoting and enabling union activities and collective bargaining in this factory** to prevent the occurrence of similar incidents in the future.
6. H&M must acknowledge the failure of its internal audit system, including its failure to ensure the proper functioning of Internal Complaints Committees (ICC), in accordance with Indian law, in preventing this incident, and in the light of other cases of sexual harassment reported from the factory. **H&M must work through a collaborative approach with TTCU in order to implement Asia Floor Wage Alliance's [Safe Circle Approach](#) to prevent and redress gender-based violence in the factory.**