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## PRESS RELEASE

### Regional Court in Dortmund dismisses Pakistanis' complaint against KiK

### KiK evades its legal responsibility for factory fire

**Dortmund, 10 January 2019** – No possibility to achieve justice? The Regional Court in Dortmund will not investigate the facts in the [case against the German textile retailer KiK](#). The proceedings were initiated by four Pakistani plaintiffs who were affected by a fire in a factory belonging to a KiK supplier in Pakistan in September 2012. The court rejected the lawsuit, which aimed to clarify KiK's joint responsibility for the fire safety deficiencies, referring to a statutory limitation. KiK had agreed to waive a possible statutory limitation before the filing of the complaint, but, two years after the its filing, insisted that its waiver was void. The claim – initiated by the European Center for Constitutional and Human Rights ([ECCHR](#)) and supported by [medico international](#) – was the first of its kind in Germany. The case aimed to make clear that transnational corporations are responsible for the working conditions at their subsidiaries and suppliers abroad.

“KiK was the factory’s main customer and therefore bears some of the responsibility for the inadequate fire safety measures,” said lawyer [Remo Klinger](#), who represented the Pakistani plaintiffs. “KiK evaded its share of responsibility when referring to the statute of limitations and prevented the court from discussing the substantive facts of this case, as well as general questions related to the due diligence of German companies.” The claimants will decide whether they want to appeal the court’s decision after evaluating the written judgment.

Claimant Saeeda Khatoon, who lost her son in the fire, said: “KiK evades the legal responsibility for the death of 258 people, but at least a German court was willing to look into the case in the first place.” For Khatoon, the proceedings were an important step, regardless of their outcome. Together with the Ali Enterprises Factory Fire Affectees Association (AEFFAA), she wants to keep on fighting for humane working conditions in the global textile industry’s supply chains.

[Miriam Saage-Maaß](#) from ECCHR stressed the fundamental importance of the proceedings: “German companies of all kinds have closely followed the complaint against KiK. Legal experts from Germany, the UK and Switzerland have supported the complainants’ arguments. Everyone understands that the current law does not fulfil all fundamental demands.” [Thomas Seibert](#) from medico international added: “The voluntary commitments from companies are not sufficient. In order to enforce human and labor rights, politicians have to implement laws for an efficient corporate liability.”

*More about the KiK case at [ecchr/kik/pakistan](#)*

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