

# **Repression of worker protests in Bangladesh shows the government's lack of respect for essential freedoms**

Wage revision in the garment sector and attempts to paralyze Accord on Fire and Building Safety

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Thousands of workers in Bangladesh have taken the streets in protest since the recent implementation of the wage revision in the garment sector. When police in Dhaka started firing rubber bullets and tear gas into the crowd, one worker was killed and many others were injured.

“Clean Clothes Campaign strongly condemns the violence limiting workers’ right to demonstrate. We call upon the government to stop the violence and intimidation of workers and unionists and to cease disregarding workers’ demands,” says Ineke Zeldenrust from Clean Clothes Campaign.

These protests and the ensuing repression do not stand alone. The protests are taking place against the background of the unresolved Ashulia crisis of 2016 and a generally dire situation for freedom of association in the country. In 2016, wage protests in Ashulia led to a week-long shutdown of dozens of factories, over 1,500 workers being sacked, about 30 workers and union leaders being arrested and roughly 50 union leaders going into hiding. Many union representatives still have outstanding charges against them, which leaves them at constant risk of arrest.

The Bangladeshi government ignored calls for a wage increase in 2016. During last year’s lengthy wage revision process the government failed to take into account the unified workers’ demand for 16,000 taka. The new minimum wage for the lowest skilled workers amounted to only half of that: 8,000 taka. For the majority of the workforce the new revisions hardly raised the base wage at all. At the same time, factories are taking measures against workers to mitigate the effect of the presumed wage increase.

Despite a climate of fear and intimidation beyond the already limited freedom of association in Bangladesh, especially ahead of the 30 December national elections, workers and unionists have repeatedly voiced their discontent during the revision process and from the time of the minimum wage announcement.

During the wage revision process, Clean Clothes Campaign requested international brands and retailers to publicly support workers’ wage demands. A range of brands did express hope for a fair minimum wage revision in which workers’ voices would be heard, but the brands failed to support a specific amount. Since the announcement and implementation of a minimum wage significantly below any workers’ demands and any living wage assessments these brands have failed to speak up.

Although the government of Bangladesh has repeatedly made international commitments to improve the situation for worker organizing in the country, recent amendments to the law do little to address national and international concerns. Freedom of association remains severely curtailed, which hampers expression of worker interests.

The demonstrations are furthermore taking place at a time when the eyes of the world and apparel industry are already focused on Bangladesh, after the controversial land-slide victory of the ruling party, and with the High Court about to decide on the future of the Bangladesh Accord on Fire and Building Safety's operations in the country.

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## **Bangladesh Government attempts to paralyze Accord and strip its independence**

The Bangladesh government is using proceedings before the Supreme Court of Bangladesh to prevent the Accord on Fire and Building Safety from operating, thereby putting workers' safety at risk.

In its submission to the Court regarding the Accord's appeal against an order that it cease operating in Bangladesh from November 30, the Government has stated that the Accord should only be allowed to continue operations in Bangladesh under a set of highly obstructive constraints which strip the globally-respected safety initiative of its ability to operate independently of government and employer control. The constraints include that this will be the last extension allowed to the Accord maintaining its office in Dhaka.

The government's conditions, if accepted by the Supreme Court, would destroy the independence of the Accord by subjecting all Accord decisions to the approval of a government committee. Another condition prohibits Accord inspectors from identifying any new safety violations, effectively requiring them to ignore deadly hazards found during their inspections, such as faulty alarm systems, blocked fire exits, and cracks in structural columns. Yet another prevents the Accord from taking any action against factory owners who threaten or fire workers for raising safety complaints.

At a hearing on December 6 where the Accord's response to the constraints on its operations was tabled, the Government requested another hearing on December 10 to allow time to consider the response. Today, the Government has requested, and been granted, a further delay until December 17. With no clear direction, the future of the Accord continues to hang in the balance.

The global union signatories to the Accord - IndustriALL and UNI - and the four witness signatories - Clean Clothes Campaign, International Labor Rights Forum, Maquila Solidarity Network, and Worker Rights Consortium - call on Bangladesh's trading partners and global apparel brands to press the government of Bangladesh to refrain from imposing these shocking impediments to the Accord continuing its life-saving work.

The Accord has been instrumental in radically improving the safety of garment factories in Bangladesh since it was established in the wake of the Rana Plaza factory collapse in 2013 that claimed over a thousand lives. The Accord has identified more than 100,000 fire, building, and electrical hazards and the large majority have been rectified. Over two million workers have participated in safety training in over 1,000 factories.

Despite this progress, dangers remain and workers' lives are still at risk. Over 50% of the factories still lack adequate fire alarm and detection systems and 40% are still completing structural renovations.

The Government's conditions would make it impossible for the Accord to identify and report on any new safety hazards, to support factories towards completing life-saving renovations, to respond to worker complaints about safety hazards, and to continue vital health and safety training for workers and managers. A permission to operate under such conditions is no permission at all.

If the government of Bangladesh does not urgently lift these constraints, in order to preserve the standard and independence of its operations, the Accord will have no other choice than to continue to operate from its Amsterdam headquarters, re-locating management of its inspection, remediation and training programs and engaging subcontractors for implementation. This will necessarily have implications for its capacity to support factories in remediation, leading to brands having to terminate their business relationships with more factories that are still not safe.

The Accord has long committed to handing over its functions to a suitable national regulatory body, however the government's Remediation and Coordination Cell (RCC) is still in an early stage of development. There is broad consensus among stakeholders, including the International Labour Organization (ILO), Bangladesh's major trading partners, and brands, that the RCC is not yet ready to perform the inspection tasks of the Accord and has no proven record of enforcing safety in the factories under its purview.

The Accord is committed to building up the capacity of the RCC and to cooperation with the government and its inspection bodies to ensure a smooth transition. It has already submitted a plan of how this can be done, but the government has so far failed to comment on it.

A genuine transition plan for factory inspections, safety trainings, and a worker complaint mechanism will need much more time and genuine engagement by the government. It will not be possible unless the Accord is able to continue its operations without restriction. The Accord is a private contract that will remain binding upon the signatory brands until 2021, or until the RCC is demonstrably ready.

The Bangladesh Accord is widely considered by brands, multi-stakeholder initiatives, trade unions, NGOs, investors, government representatives and politicians to be the only credible safeguard for factory safety in Bangladesh. International pressure mounted in the run-up to the court hearing for the Accord to be allowed to continue to operate in Bangladesh until such time as factory safety can be guaranteed by the government.

Bangladesh's trading partners, including the EU, Canada and the US, want their brands to be able to rely on the Accord to ensure their supplier factories are safe, a position exemplified by a European Parliament resolution. The three funders of Bangladesh's RCC - the Netherlands, Canada and the UK - should therefore urge the government of Bangladesh to lift any restrictions, report publicly on the progress of the inspection body, and stress the need for political will in Bangladesh to create a genuine transition plan that must also include safety trainings and a mechanism for worker complaints on safety hazards. If the government of Bangladesh does not allow the Accord to operate effectively and independently, trading partners will have to consider the impact this decision will have on their trade policy with Bangladesh overall. Unless the BGMEA and the Bangladesh government swiftly negotiate with the Accord a feasible way for its full operations to continue, the future prospects for favorable tariff treatment for Bangladeshi exports will be much dimmer.

If it wishes to avoid irreparable damage to Bangladesh's reputation as an apparel exporter, rather

than preventing the Accord from continuing its life-saving work, the government should focus on the development of a competent national regulatory body that can assure the safety of Bangladesh's garment factories into the future.

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