



1. Mai 2024



Rana Plaza – der Ort der Katastrophe im April 2023.

Foto: Bernhard Hertlein

Garment workers must receive rights-based compensation and justice immediately

Bangladesh

- Arbitrary cases against garment workers in Bangladesh to intimidate them into silence
- Use of unlawful force against protesting garment workers
- Wider culture of corporate impunity for workplace injuries and deaths

Garment workers in Bangladesh continue to face a climate of fear and repression as corporate impunity for business-related human rights abuses remains unchecked amid state

sanctioned crackdown on workers' rights, said Amnesty International on International Workers' Day.

Last month marked the 11th anniversary of the collapse of Rana Plaza¹, which left more than 1,100 garment workers dead and thousands injured. The collapse was preceded by a deadly fire in Tazreen Fashions Factory² five months earlier resulting in the death of at least 112 workers trapped by blocked fire exits and padlocked factory premises. Both disasters in Dhaka region, caused by wholly negligent workplace monitoring are shocking examples of business-related human rights abuses. They expose the human cost of systemic lack of regulation of corporate activities and the desperate need for improved occupational health and safety in line with international standards on business and human rights for all workers in Bangladesh.³

The compensation cases filed in connection to the Rana Plaza collapse⁴ and Tazreen Fashions⁵ by the Bangladesh Legal Aid and Services Trust (BLAST) and other NGOs against relevant state authorities, as well as local building and factory owners, have not been resolved in the last eleven years. Among other remedies, the cases sought just compensation for the reprehensible negligence that led to the deaths and injuries of thousands of workers.

"It's been more than a decade but attempts to establish corporate accountability for the Rana Plaza collapse and Tazreen Fashions fire at national⁶ and international⁷ levels have been largely unsuccessful, highlighting the precarious conditions the garment workers⁸ continue to face in Bangladesh. Rights-based compensation for occupational injuries remains a distant dream with arbitrary limits in labour law and lack of compliance, both of which must change," said Nadia Rahman, Amnesty International's Deputy Regional Director for South Asia.

"In addition to the lack of justice, most workers today are still fighting for decent wages in an industry that brings the most revenue to Bangladesh and paying a heavy price for fighting for their rights."

Garment workers are paid poverty wages⁹ and face innumerable obstacles including harassment, intimidation and violence, as well as legal hurdles when attempting to voice their demands for justice, wages, adequate safeguards and working conditions.

In June 2023, Shahidul Islam¹⁰, president of the Bangladesh Garment and Industrial Workers Federation (BGIWF) in Gazipur district committee, was killed while trying to secure unpaid wages for factory's workers and at least four garment workers have died during protests around the national minimum wage between October and November 2023.

"They ruined workers' lives'

Arbitrary cases against garment workers

Since the protests in 2023, at least 35 criminal cases¹¹ have been filed against garment workers with the First Information Reports (FIRs) accusing around 161 named workers and an estimated total of between 35,900 – 44,450 unnamed workers for taking part in the protests. 25 out of the 35 recent cases have been filed by the factories who are believed to sell to major global fashion brands and retailers.

While speaking to Amnesty International, many union leaders have reported that keeping thousands of protestors unnamed in the criminal cases is used as a blanket threat for grounds for dismissal to further intimidate the factory workers. The tactic is also used for denying any potential claims for injury or compensation by workers during the protests. This

has resulted in a chilling effect on union leaders and labour rights groups who have effectively been silenced due to fear of arrest, detention and imprisonment.

At least 131 people were arrested in relation to the 35 recent cases, including several key trade union leaders. Most have been released on bail but several, including trade union leader Amzad Hossen Jewel, were repeatedly denied bail for weeks. Most charges relate to alleged vandalism, illegal gathering, injury, causing a riot, illegal entry into factory premises and damage to property.

Speaking to Amnesty International, Aamin Haq*, a Bangladesh labour activist, said, “Year after year, the protesting workers are required to give attendance in courts [due to the FIRs] ... failure to do so may result in bail cancellation... [resulting in] the loss of wages as well as putting their jobs in jeopardy. The financial implications are enormous.”

‘Beaten, shot at and arrested’

Use of unlawful force against garment workers

Amnesty has reviewed several of the case documents filed by police, in the aftermath of the wage related protests. In one such case, the Konabari Police Station in Gazipur charged eight named workers and 2,500-3,000 unnamed workers with vandalism, unlawful assembly, obstruction of government duties and assault on 26 Oct 2023. In response to garment workers blocking a main highway, police dispersed workers by firing 215 shotgun rounds, 127 tear gas shells and 52 sound grenades. Clashes between the police and protesters resulted in injuries to six police officers. The number of workers who were injured is not specified in the police cases.

In another case document from 29 October 2023, the police charged 29 named workers and 850-900 unnamed workers with unlawful assembly while carrying bamboo sticks and other tools, interrupting government duties, beating with the intent to kill, setting fires, and using threatening force. Documents indicate the police fired a total of 118 shotgun rounds, along with tear gas and sound grenades.

As the protests continued on 30 October, in another incident, the police fired an additional 17 rounds of tear gas and 107 shotgun rounds and filed a case against 3,000-4,000 unnamed workers.

The case files clearly document the use of unlawful force by the police while dispersing protesters, which is in breach of international human rights standards. Under international law, authorities must protect the right to peaceful assembly and if protests turn violent, they are obliged to exhaust non-forceful means and then use only the minimum and proportionate force needed to disperse protestors. Less lethal weapons such as tear gas shells should only be used as a last resort, following a verbal warning and after adequate opportunity has been given for protesters to disperse. In only one of the three casefiles reviewed by Amnesty International did the police issue such a warning.

Speaking to Amnesty International, Taufiq*, a labour NGO worker in Bangladesh, said, “When workers raise their voices, they are ignored; when they try to organize, they are threatened and sacked; and finally, when workers protest, they are beaten, shot at and arrested.”

It’s been six months since the start of the garment workers protests in October 2023, but to date no police official has been held accountable for the unlawful use of force and death of protestors. The Government of Bangladesh has an obligation to effectively, impartially and in a timely manner investigate the unlawful use of force by police and the killing of four workers during the wage demonstrations in 2023. All individual officials responsible for violations,

including all supervisors and commanders, must be held accountable and effective remedies must be available to victims.

‘Eleven years of waiting for rights’

Corporate impunity for workplace injuries and deaths

Sokina*, a survivor of the Tazreen Fashions fire in 2012 told Amnesty International, “It has been over eleven years and we have still not received our rightful compensation. The owner of the factory is roaming scot-free and running new businesses by establishing strong ties with the ruling party while we are living a life of destitution.”

Despite some global reforms that followed the Rana Plaza tragedy, such as the International Accord for Health and Safety in the Garment and Textile Industry¹², occupational safety¹³ remains non-existent for many workers in many other sectors in Bangladesh. The snail-paced progress during the last eleven years in the Rana Plaza and Tazreen compensation cases, together with widespread preventable occupational deaths and injuries underscores the wider culture of corporate impunity in Bangladesh.



Rehabilitation Center for victims of Rana Placa Collapse in Savar (2013).

Foto: Hertlein

“We call on the government to remove the limits on compensation for occupational injuries under labour law, ensure : affected receive adequate compensation, and introduce a national data repository on workplace deaths and injuries to ensure transparency and fill the current gaps in official data,” said Nadia Rahman.

Bangladesh must also ratify and then comply with the two key International Labor Organization (ILO) Conventions 155 and 187 on occupational health and safety along with

ILO conventions 102 and 121 on minimum standards of relief for victims of occupational injuries and deaths.

“We also urge the Government of Bangladesh to immediately end the repression of worker rights and ensure that they can exercise their right to freedom of expression and association, including by being able to form and join trade unions at the factory level, without fear of reprisals,” said Nadia Rahman.

Names have been changed to protect identity.

Recommendations

1. <https://webapps.ilo.org/infostories/en-GB/Stories/Country-Focus/rana-plaza#the-challenges-still-to-be-met>
2. <https://cleanclothes.org/campaigns/past/tazreen>
3. <https://www.ohchr.org/en/press-releases/2015/05/lessons-rana-plaza-have-still-not-been-learned-un-expert-group-business-and>
4. <https://bdpil.org/2013/05/25/314/>
5. <https://bdpil.org/2012/11/26/21/>
6. <https://www.amnesty.org/en/latest/campaigns/2014/04/rana-plaza-disaster-the-unholy-alliance-of-business-and-government-in-bangladesh-and-around-the-world/>
7. <https://www.business-humanrights.org/en/latest-news/us-court-dismisses-rana-plaza-lawsuit/>
8. <https://x.com/amnestysasia/status/1650559778437955584>
9. <https://www.amnesty.org/en/documents/asa13/7525/2023/en/>
10. <https://www.theguardian.com/global-development/2023/jun/28/shahidul-islam-bangladeshi-labour-leader-shahidul-islam-beaten-to-death-wages-dispute>
11. <https://cleanclothes.org/news/2024/bangladesh-crackdown>
12. <https://internationalaccord.org/>
13. <https://www.amnesty.org/en/documents/asa13/7525/2023/en/>

Links

<https://www.amnesty.de/informieren/aktuell/bangladesch-zehn-jahre-rana-plaza-unglueck-textilindustrie-arbeitsbedingungen>

<https://takeaction.amnesty.ca/page/148425/action/1>

<https://www.amnesty.org/en/latest/campaigns/2024/06/the-rana-plaza-collapse-and-tazreen-fashions-fire-an-interview-with-taqbir-huda/>

<https://www.amnesty.de/journal/2013/august/erst-die-moral-dann-die-mode>