**ITUC BANGLADESH FACT SHEET**

One year ago, the Rana Plaza building collapse claimed the lives of roughly 1,200 people, most of whom were producing garments for some of the world’s best known brands. That tragedy, as well the Tazreen factory fire the previous year, shocked the world and motivated long-overdue action. The most significant initiative to follow was the Bangladesh Accord on Building and Fire Safety, a binding agreement between over 150 apparel companies and global unions. Factory inspections by competent international and domestic inspectors are now well under way, and the results of those inspections are now available for all to see. The actions taken by the EU, the US and the ILO have also created opportunities for progress.

However, despite these important measures, it remains extremely difficult for workers to exercise their fundamental rights in Bangladesh. Without the ability of workers to organize and bargain collectively over the terms and conditions of work, gains in building and fire safety will not be sustainable leading to certain future tragedies.

As the ILO has reported, the 2013 reforms to the Bangladesh Labour Act, while including a few positive reforms, fell well short of international standards with regard to freedom of association and collective bargaining**.** Dozens of ILO observations were left wholly or partially unaddressed. These include the high minimum membership requirement, the limitations on the right to elect representatives in full freedom, numerous limitations on the right to strike and broad administrative powers to cancel a union’s registration, among others. The government must follow through immediately, as promised in the EU Sustainability Compact, to another round of legal reforms which actually address the numerous criticisms of the ILO Committee of Experts. However, we have yet to see any serious action in this regard.

We applaud the news of new union registrations in the RMG sector. This is welcome news indeed, as its signals a reversal of the long-held policy of the government to refuse to register unions in the RMG sector. However, there is much room to grow, as the newly-registered unions only represent a small fraction of a workforce of over 4 million, mostly women, in the RMG sector. Second, union registration certificates are of little value if the there is no possibility to bargain collectively over wages and conditions of work. We have seen no movement whatsoever by RMG employers to bargain collectively when approached by trade unions with demands. At the same time, we have seen no action by the government to encourage bargaining – or to enforce the law in this regard. The government is mistaken if it believes that the measure of progress is demonstrated merely by the number of registration certificates and not evidence of the full exercise of trade union rights in practice.

Unions outside of the RMG sector continue to have severe difficulty in getting registration. The JBSPSU attempted to register a shipbreaking union in August 2011. The union won an order in 2012 from the labour court in Chittagong directing the government to register the union. However, the shipbreaking owners association pressured the trade union registrar to appeal the decision to the Labour Appellate Tribunal in August 2012. The appeal was accepted in September 2013. To date, over a year and a half later, there is no decision on the matter.

We also note a continuing lack of commitment to the rule of law, particularly with regard to anti-union discrimination. At all levels, law enforcement is nowhere in evidence.

Workers at the Taratex BD Ltd. garment factory have been targets of violence and mass firings. The workers filed for union registration at the factory in Gazipur, outside of the capital, Dhaka, on 4 February 2014. Since then, they have endured a fierce anti-union campaign by management. As of 18 April, over 100 workers have been fired at the factory have been fired, including 12 members of the union’s factory-level executive committee. Many of these workers were verbally or physically assaulted. Factory workers who support the union also report being visited at their homes and threatened.

On February 22, the union vice president and two union supporters were detained and physically assaulted as they attempted to enter the factory. Six union members were forced to leave their homes for fear for their safety. The union filed an unfair labour practice on 24 February. On 13 April, the factory managers detained the new union president and general secretary and forced them under threat to resign, signing forms pre-prepared by management. These two leaders were elected after the factory dismissed 12 union executives in the lead up to the union registration on 4 April.

On 25 February 2014, a garment worker leader and four union organizers in another factory were badly injured when about two dozen people beat and kicked them as they were speaking to workers in the dormitory. Two organizers remain in the hospital. According to multiple witnesses, the attack was carried out by factory managers and others, some of them who worked for the factory and were likely paid to carry out the act. The women in the group were threatened with rape. The organizers were all working with the Bangladesh Federation of Workers Solidarity and were supporting workers who had earlier approached the union for assistance to be paid the minimum wage at their factory.

There is also growing concern that employers are encouraging the formation of company unions in order to prevent being organized by worker-led trade unions. While most of the newly registered unions are legitimate and democratic, there is no question that yellow unions have been registered. The problem is worse outside the RMG sector. For example, after unions were busted in the shrimp processing sector when workers last attempted to organize years ago, most unions in that sector today are management dominated.

The Export Processing Zones (EPZs) employ roughly 400,000 workers who produce garments and footwear, as well as a variety of other products. In the EPZs, worker welfare associations (WWAs)(what substitute for trade unions in the absence of a legal right to form one) have been established in some factories. However, the Bangladesh Export Processing Zone Authority (BEPZA), which among other things enforces the special EPZ labour law in the zones, has not only failed to promote collective bargaining but has actively undermined the bargaining process. There are also numerous cases in which leaders of WWAs have been fired with impunity in retaliation for the exercise of their limited rights.

In the Sustainability Compact, the government of Bangladesh committed to improve the exercise of freedom of association in the EPZs, ensure collective bargaining, and improve inspections by 1 January 2014. However, we are unaware of any process to reform the EPZ law after multiple inquiries. We hope that there will be an opportunity for trade unions to comment on the draft, and have those views taken into consideration, before the text is tabled and approved.

We note the news of the recruitment of 42 inspectors. This is a positive step. We encourage the government to move quickly to further increase the still thin ranks of the inspectorate, and to ensure that new inspectors are well trained and have the tools, resources and authority necessary to carry out their indispensable task.

Finally, we note that it has been over two years since the murder of Aminul Islam on 4 April 2012. Strong evidence indicates that Aminul Islam was targeted for his work as a labour organizer and human rights advocate and that the perpetrators of this crime include members of the government security apparatus. We are extremely disappointed that, two years later, so little progress has been made and no one has yet been held accountable. The government of Bangladesh must reopen the investigation and ensure that all of the perpetrators are identified, charged and brought to justice.