**STATEMENT OF INDUSTRIALL GLOBAL UNION**

**ON**

**IMPLEMENTATION OF THE ILO ROADMAP IN BANGLADESH**

The statement is being made in response to the report of the Government of Bangladesh (GoB) on progress made towards implementation of the Roadmap. In 2019, several workers’ organisations made a complaint, under Article 26 of the ILO Constitution, to the International Labour Conference on the non-observance of Conventions 81, 87 and 98 by the GoB. Following the complaint, the ILO Governing Body requested the GoB to develop, in consultation with the social partners and with support from the ILO Office, a time-bound roadmap of actions with concrete outcomes to address the issues outlined in the complaint. The GoB submitted a roadmap in May 2021 to address all the outstanding issues mentioned in the Article 26 complaint. Since then, twice every year the GoB has been submitting a progress report on the implementation of the Roadmap to the ILO Governing Body.

In the latest GoB report dated 16 February 2023, concrete details regarding the actions taken by the government to guarantee workers' rights and workplace safety in the country are starkly missing. In addition, the GoB report diverges from the intent behind the Roadmap. The GoB report mentions that reforms and measures are being undertaken targeting ‘improvement in trade union activities’ and ‘enhancing training for entities receiving services’, which seem to target unions. However, the purpose of the Roadmap was not to monitor trade union activities, but rather to guarantee that employers and the government work towards upholding workers’ rights and trade union rights. The target constituency for training should be government officials and not workers or trade unions.

The Roadmap prioritises four areas for intervention namely: (i) labour law reforms, (ii) trade union registration, (iii) labour inspection and enforcement, (iv) addressing acts of anti-union discrimination/unfair labour practices and violence against workers.

Regarding labour law amendments, the GoB report notes that the President has sent the draft bill back with certain observations. According to news reports, in the context of strike or lockout, the amendment had raised the fine for workers to BDT20,000 (US$180), but the penalty for employers which is BDT5,000 (US$45) remained unchanged. This provision results in blatant discrimination against workers and trade unions. This is the clause that the President did not assent to as per a newspaper report (<https://bdnews24.com/bangladesh/t2zydqmxzc>).

The GoB report also mentions that the amendment process took into consideration the recommendations made by the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR). It is obvious that the GoB report did not take into consideration the recommendations as the CEACR Report of 2023 says that the rules which the Committee had requested the Government to address do not seem to have been amended in the manner requested.

The GoB report does not elaborate on the process of amendments being made to labour rules. It only mentions that further amendments ‘have been initiated’. Regarding the tripartite consultation process to amend labour laws and rules including those applicable in Export Processing Zones, IndustriALL’s affiliates neither were consulted nor were their suggestions considered. The consultation process without IndustriALL’s affiliates’ involvement is a farce given that our affiliates represent more than 80 per cent of unionised workforce in the Ready Made Garment (RMG) industry, which in turn contributes about 86 per cent to the country’s export earnings.

With regard to making the trade union registration process simpler, the GoB report heralds the online registration process as a big achievement. However, affiliates inform us that the online application process is more complicated than the previous one as it requires a level of computer proficiency that many union members and leaders may not have. They also inform that the pre-application help desks are not useful. The GoB report mentions that the pre-application service was extended to 1,319 applicants in the last three years, which is a very low number.

In 2023, a total of 27 proposed unions supported by IndustriALL’s affiliates filed for union registration, out of which only eight were approved while 19 were rejected. The reason cited by the Department of Labour (DoL) for rejecting the application is the usual one that there is less than 20 per cent of workforce mentioned as the proposed membership, even though that is incorrect.

The GoB report claims that trainings were held for workers and employers to familiarize them with trade union registration process. Our affiliates inform us that no such trainings have ever been held for workers. Moreover, there is no need to conduct trainings on trade union registration process for employers. There was a workshop conducted on 23 January 2023, which has been mentioned at multiple places in the report, in which members of IndustriALL’s Bangladesh Council participated. They were informed about the Standard Operating Procedures (SOP) on trade union registration developed with the assistance from ILO but there was no specific discussion on how to put them into practice.

According to *Statista* (an online database on industries), in 2019, there were around 4,620 factories in the RMG industry in Bangladesh. If factories from other industries are added to the number of RMG factories, the total number will be higher. The GoB report claims that 450 labour inspectors are working currently, which is not a sufficient number to effectively carry out factory inspections. Interestingly, the GoB report mentions that a total of 81,210 inspections were carried out from July 2021 to December 2023. This indicates that about 90 inspections were carried out daily during the period mentioned in the GoB report. This is an inflated figure especially considering the number of labour inspectors available, and the kind of work that needs to be done before and after an inspection. The GoB report does not mention the number of workplaces that were inspected. IndustriALL’s affiliates in Bangladesh also inform us that none of their plant level unions are aware that any of these inspections took place, which raises serious questions about whether and how these inspections were conducted in the first place.

The GoB report does not provide any details on the content of the trainings conducted for labour inspectors to ensure they are able to check compliance. Labour Inspection Management Application is only geared towards providing licenses to factories and it does not take into consideration workers’ rights violations. Helpline numbers mentioned in the GoB report are usually unreachable.

Regarding labour courts, IndustriALL’s affiliates inform us that there is a huge backlog of cases, and there isn’t adequate number of staff to deal with such high number of cases. They also inform that recently the courts have started demanding the national identity card and passport size photos for submission of a court case which workers find extremely difficult to comply every time. The GoB report mentions about SOP for conciliation being finalised but does not disclose any further information about it.

In the fourth priority area of the Roadmap—addressing acts of anti-union discrimination, unfair labour practices and violence against workers—the use of violence by security forces and Industrial Police to quell minimum wage protests late last year show that the government of Bangladesh has not delivered on this. At least two workers were killed while many others were injured in the brutal suppression of the protests by the police force. Several trade union leaders were arrested. Police filed criminal cases against protesting workers and union leaders. The GoB report does not mention any of this and instead mentions that ‘sensitisation seminars’ were conducted for Industrial Police.

The GoB report also mentions that ‘workers’ education’ is being done to train workers on the issue of anti-union discrimination and unfair labour practices which is a futile exercise as it is not workers who need training on the issue, but management and government officials who need to be trained on anti-union discrimination and unfair labour practices. Again, there is no mention of the content being used in these workshops.

The GoB report mentions that a CFA Case Monitoring Committee has been formed to identify the long pending cases. IndustriALL’s affiliates inform us that over the years cases of unfair labour practices raised by them have not been dealt with so far. Currently, only the Department of Labour has the legal right to file a complaint of unfair labour practice. Our affiliates suggested that it needs to be changed to enable workers/ trade unions to file complaints of unfair labour practices. This suggestion has not been considered. In the experience of our affiliates, DoL does not function efficiently and often it is not even interested in filing complaints of unfair labour practices.

Regarding tripartite consultations on evidence-based National Wage Policy, for the RMG industry the government revised the minimum wage last year solely based on the employers’ offer. The government failed to take into consideration unions’ demands and the rising cost of living in the country. The revised wage is not sufficient to meet the daily needs of workers and their families.

The GoB report also mentions that self-assessment of RMG Tripartite Consultative Council (TCC) was conducted. IndustriALL’s affiliates who are part of the RMG-TCC inform us that no such assessment was carried out.

It is amply clear that the GoB report is an exercise in ticking boxes rather than working towards upholding the spirit of the Roadmap process. IndustriALL calls on the Government of Bangladesh:

* to engage in good faith discussions with IndustriALL’s affiliates and other trade unions, and
* implement the Roadmap in a serious manner.