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International Centre for Trade Union Rights

*Centro Internacional para los Derechos Sindicales
Centre International pour les Droits Syndicaux*

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ICTUR was founded to
defend and extend trade union rights and
to raise awareness of these rights and their violations
around the world

By e-mail:

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Attn:

Sheikh Hasina,
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CC:

Md. Mujibul Haque, State Minister, Ministry of Labour and Employment
Garments Workers' Trade Union Center (GWTUC)
World Federation of Trade Unions (WFTU)
Office of the United Nations Special Rapporteur on the rights to freedom
of peaceful assembly and of association

February 2018

Dear Prime Minister,

The International Centre for Trade Union Rights is writing to express grave concerns about recent attacks on workers and trade unionists of the Garments Workers' Trade Union Centre (GWTUC).

ICTUR understands that workers at Ashiana Garment Ind., Dhaka, have faced harassment and arrest following attempts to establish a union at the factory. The workers formed a trade union in May 2017, but the authorities refused its registration and since then the union organisers have faced sustained attacks and dismissals. It is understood the GWTUC has filed several complaints regarding this matter with the Labour Ministry. On 29 January 2018, a protest was held following the unfair dismissal of a worker. On the next day, the owners closed down the factory, resulting in further worker protest.

On 31 January, workers and GWTUC leaders went to a tripartite meeting with the Bangladesh Garment Manufacturers and Exporters Association (BGMEA) and the authorities, organised to resolve the dispute. It is understood that the trade unionists began a peaceful protest outside the BGMEA building, after they were informed that the meeting was cancelled. They were then set upon by a group armed with iron rods and sticks. This attack left some thirty-seven workers with injuries described as

‘serious’ and requiring treatment at Dhaka Medical College Hospital. GWTUC believes that these attacks were designed to derail negotiations.

It is further understood that while the violence against the workers has not been investigated, the BGMEA subsequently filed complaints with the police against the GWTUC leadership and over 150 workers. These included the GWTUC President Montu Ghosh, General Secretary Joly Talukder, Executive President Kazi Ruhul Amin, and union officials Sadekur Rahman Shamim, Monzur Moin, K.M. Minu, Jalal Hawlader, Lutfar Rahman Akash and Mohammad Shahjahan. Some of those charged maintain that they were not even present at the incident. Two workers from the factory were taken into custody on 4 February, the night before a meeting arranged by the Department of Inspection for Factories and Establishments to negotiate the crisis. A further thirty workers were dismissed on 7 February. The other factory workers and GWTUC leaders fear that they will be arrested or dismissed.

The climate of violence, intimidation and harassment of trade unionists has engulfed labour relations in the garment sector of Bangladesh for many years. This latest case is just the latest in a long list of violations, which represent serious violations of Bangladesh’s obligations under the International Labour Organisation Convention 87 on Freedom of Association and Protection of the Right to Organise, and Convention 98 on the Right to Organise and Collective Bargaining.

ICTUR notes that the recently released report of the ILO’s Committee of Experts on the Application of Conventions and Recommendations (CEACR) highlights extensive concerns raised around the violence faced by trade union members in Bangladesh for many years, including serious allegations of systematic anti-union retaliation. The Committee has expressed “deep concern at the continued violence and intimidation of workers” and emphasised that a “truly free and independent trade union movement can only develop in a climate free from violence, pressure and threats of any kind against the leaders and members of such organizations.” The Committee urged the government “to take all necessary measures to prevent such incidents in the future and ensure that, if they occur, they are properly investigated”. Noting that the number of rejected applications for trade union registration remains high, and that a substantial proportion of rejections come without explanation, the Committee further called on the government to ensure that the registration process “does not restrict the right of workers to establish organizations without previous authorization” (*General Report and observations concerning particular countries*, International Labour Conference, 107th Session, Report III (Part A), First Ed. 2018, pp. 45-55).

The ILO’s Committee on Freedom of Association has also previously stated that an independent judicial inquiry should be instituted immediately to investigate assaults on the physical or moral integrity of individuals, in order to determine responsibility, punish those responsible and prevent repetition (*Digest of decisions and principles of the Freedom of Association Committee of the Governing Body of the ILO*, Fifth Edition, 2006, paras. 46, 50, 184, 191).

ICTUR urges the government to take steps to ensure compliance with international labour standards – which requires that the charges against the workers and GWTUC leaders be dropped, that any workers still detained be released, that the dismissed workers be reinstated, and that the dispute with the

BGMEA be resolved without any further harassment, threats, intimidation or arbitrary detention of workers or their representatives.

ICTUR calls on the government to promptly investigate the circumstances around these attacks, including the failure of the police to defend the fundamental human rights of the victims, and further to undertake all necessary measures to comply with the recommendations of the CEACR and to ensure the fundamental freedoms of workers to join and form unions and to take action in defence of their interests. ICTUR will report these incidents in the journal *International Union Rights*, which was established in 1993, and which enjoys a readership in more than 100 countries.

Yours Faithfully,

A handwritten signature in black ink, appearing to read 'D. Blackburn', followed by a long horizontal line extending to the right.

Daniel Blackburn, Director