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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

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Sheikh Hasina,
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CC:

Mujibul Haque, State Minister, Ministry of Labour and Employment
Clément Nyaletsossi Voule, United Nations Special Rapporteur on the
rights to freedom of peaceful assembly and of association
Global Union Federations: Industriall and UNI Global Union

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Dear Prime Minister,

The International Centre for Trade Union Rights is gravely concerned
about police violence against striking workers in Bangladesh.

ICTUR understands that on 8 January, police fired rubber bullets and tear
gas at around 5000 striking garment workers on the outskirts of Dhaka,
killing one worker and injuring around 50 more. On 9 January, police
deployed a water cannon to disperse a demonstration of 10,000 striking
workers in Savar, near Dhaka. Workers were protesting over low wages
and rising living costs. The killing of a striking worker by police is an
extremely alarming use of state force to repress legitimate protests by
organised labour in Bangladesh. The reported violence follows many years
of complaints concerning anti-union discrimination, repression of industrial
action and extensive deficiencies in Bangladesh's industrial relations laws,
resulting in the widespread denial of workers' fundamental rights. This
includes two recent incidents of police brutality in October 2018 against
workers striking at the Intramex Group garment factory in Gazipur, and
Soad Fashions garment factory in Narayanganj Export Processing Zone,
Shiddhirganj.

**ICTUR wishes to again remind the government of its obligations under
the International Labour Organisations' Convention 87 on Freedom of
Association and Protection of the Right to Organize, and Convention
98 on the Right to Organize and Collective Bargaining, both of which
Bangladesh has ratified.**

The ILO's Committee on Freedom of Association has precisely stated that 'the use of police for strike-breaking purposes is an infringement of trade union rights' and that 'the use of the forces of order during trade union demonstrations should be limited to cases of genuine necessity' (*Freedom of Association: Compilation of decisions of the Committee on Freedom of Association*, ILO, 6th Edition, 2018, paras. 229, 931). The CFA further notes that 'authorities should resort to calling in the police in a strike situation only if there is a genuine threat to public order', and that governments must take action 'to avoid the danger of excessive violence' (*Freedom of Association*, para. 935). To this end, 'governments should take measures to ensure that the competent authorities receive adequate instructions so as to eliminate the danger entailed by the use of excessive violence when controlling demonstrations which might result in a disturbance of the peace' (*Freedom of Association*, para. 217). The CFA has further stated that independent judicial inquiries must be established to investigate incidents of murder or violence against trade unionists, 'in order to shed full light, at the earliest date, on the facts and the circumstances in which such actions occurred and in this way, to the extent possible, determine where responsibilities lie, punish the guilty parties and prevent the repetition of similar events'. (*Freedom of Association*, paras. 81-89, 94). Failure to protect against such acts or hold guilty parties to account creates a culture of impunity, 'which can only reinforce a climate of fear and uncertainty highly detrimental to the exercise of trade union rights' (*Freedom of Association*, paras. 90, 96-99, 102, 106).

In 2018, the ILO Committee of Experts on the Application of Conventions and Recommendations expressed 'deep concern at the continued violence and intimidation of workers' in Bangladesh and urged the government to 'provide information on the remaining specific allegations of violence and intimidation, including to report on prosecutions initiated convictions obtained, and criminal sanctions imposed for any past incidents, and to take all necessary measures to prevent such incidents in the future and ensure that, if they occur, they are properly investigated' (*Report of the Committee of Experts on the Application of Conventions and Recommendations*, ILC.107/III(A), International Labour Organisation, 2018).

ICTUR calls on the government to take immediate and effective action to ensure that workers are afforded adequate protection in the exercise of their fundamental rights to organise and defend their interests. ICTUR urges the authorities to comply with the recommendations of the ILO supervisory bodies, to establish an independent judicial inquiry to investigate the levels endemic violence meted out by police against striking workers, and in particular to investigate the killing of the striking worker on 8 January, in order to provide remedies to victims and their families and to hold guilty parties to account. 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,



Daniel Blackburn, Director