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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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Attn:

Sheikh Hasina,

Prime Minister of the People's Republic of Bangladesh

Old Sangsad Bhaban,

Bir Uttam Ziaur Rahman Rd,

Dhaka 1215, Bangladesh

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

November 2018

Dear Prime Minister,

The International Centre for Trade Union Rights is greatly concerned about reports of recent police violence against workers in Bangladesh.

ICTUR understands that workers at the Intramex Group garment factory in Gazipur have not been paid, many for as long as seven months. When management failed to settle the unpaid wages by the promised date on 14 October, the workers went on strike and held a demonstration. On 15 October, it is understood that police confronted the protestors, firing 22 tear shells and 31 shotgun rounds, injuring at least seventeen workers. Two workers – Marfat Ali and Mobarak Hossain – were reportedly beaten with rods and hospitalised.

ICTUR further understands that workers at the Soad Fashions garment factory in Narayanganj Export Processing Zone, Shiddhirganj, were attacked by police while they also protested against unpaid wages. The factory was closed without prior notice on 22 September, but workers were promised that unpaid wages and other arrears would be paid by 22 October. When this deadline passed, hundreds of workers demonstrated outside the factory. It is reported that police fired rubber bullets and teargas canisters, and attacked the protestors with batons, in order to disperse the protest. Police detained three workers and an estimated fifty workers were injured, some of whom had to be hospitalised.

ICTUR wishes to 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 State's obligation to protect workers' freedom of association also clearly requires that 'all allegations of violence against workers who are organizing or otherwise defending workers' interests should be thoroughly investigated and full consideration should be given to any possible direct or indirect relation that the violent act may have with trade union activity' (*Freedom of Association*, para. 101).

ICTUR calls on the government to promptly investigate the attacks on Intramex workers, to provide remedy to the victims of police violence, and to take action to address workers' legitimate demands for the payment of their salaries and other arrears. ICTUR further urges the government to take all measures necessary to ensure that workers are afforded adequate protection in the exercise of their fundamental rights to organise and defend 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 dark ink, appearing to read 'D. Blackburn', followed by a long horizontal line extending to the right.

Daniel Blackburn, Director