

Congress of the United States
Washington, DC 20515

April 23, 2014

Her Excellency Sheikh Hasina
Prime Minister, Bangladesh
Old Sangsad Bhaban
Telgaon, Dhaka-1215
Bangladesh

Dear Prime Minister Hasina:

A year ago your country experienced a tragedy that shook the human conscience around the globe, with 1,138 garment workers killed and over 2,500 others injured in the Rana Plaza collapse. Many other garment factory disasters preceded the Rana Plaza disaster, including 112 workers who were killed in the Tazreen fire, and 8 killed in the fire at Smart Fashions. Other tragedies have followed, such as the fire at Aswad Composite Mills which killed 10 workers.

As has been widely reported, workers at Rana Plaza feared returning to an unsafe building with visible cracks, but they were physically coerced and wages were threatened. Workers must be empowered to speak collectively and refuse unsafe working conditions without fear of economic retaliation. They had no union and no voice.

We have met with workers who survived the Rana Plaza building collapse and the family members of those who did not. Physical and psychological scars remain. Economic hardship persists. We are committed to ensuring that every step is taken to ensure that a similar tragedy does not occur again.

We believe it is critical for the Government of Bangladesh to take stronger steps to fully implement the Bangladesh Action Plan that was issued as a road map for reinstating trade benefits, which were suspended in June 2013 under the Generalized System of Preferences (GSP) program. The Government of Bangladesh has taken some steps,¹ but there has been insufficient progress in many areas, especially with regard to freedom of association.

We would like to bring the Bangladeshi government's attention to numerous labor issues that still require action.

- **Union Registration and Protection:** While we applaud the registration of 131 new unions in the garment industry (excluding management sponsored union registrations), we are deeply concerned about reports of harassment, mass firings, threats, and violence that new union members have faced. We understand that, at factory after factory, union leaders are forced by managers to sign blank sheets of paper that are later used to show that the union leaders are resigning or oppose union registration. If union leaders do not sign these blank sheets of paper, they are frequently threatened or beaten. The physical attacks against workers reported at the Chunji Knit and Taratex facilities are only two

¹ We note that the Government of Bangladesh has recently submitted its assessment of implementation of the Labor Action Plan. Government of Bangladesh, GSP Country Practice Review Regarding Bangladesh: Updates on Bangladesh Action Plan, 2013 (Apr. 15, 2014).

examples of the pattern and practice of garment factory owners using threats and violence. It is not enough for the Government of Bangladesh to only register unions; the Government of Bangladesh must proactively ensure the safety of workers, hold employers accountable for violating those rights, and assure workers' right to bargain for collective bargaining agreements.

We urge the Bangladeshi government to provide immediate and heightened attention to investigating these incidents and taking the necessary sanctions. Far too many garment factory managers do not seem to appreciate that there is deep discomfort in the United States with such widespread disrespect for internationally-recognized labor rights.

It is imperative that the Government of Bangladesh work with the International Labor Organization (ILO) to build the capacity—through the hiring and training of inspectors—and take the necessary legislative actions to empower Bangladesh's Joint Directorate of Labor and labor courts to provide timely and effective responses to allegations of unfair labor practices. As friends of Bangladesh, we stand ready to assist in this endeavor.

- **Labor Law Reform:** While we acknowledge that the Bangladeshi Parliament enacted changes to the Bangladesh Labor Act last July, we note that the ILO's recent report on labor issues in Bangladesh raised a number of concerns regarding implementation.² Some of these changes are essential for the ILO's Better Work program to take effect.

Beyond the implementation of recent reforms, we note that the Action Plan requires the Government of Bangladesh to “enact and implement, in consultation with the ILO, labor law reforms to address key concerns related to freedom of association and collective bargaining.” To date, Bangladesh has not addressed certain restrictions on trade union membership, interference in trade union activity by employers, and excessive restrictions on the right to strike. The ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) has repeatedly raised these concerns.³ We note that the February 7, 2014, ILO report expresses its “deep regret” that these issues have not been resolved. For example, Bangladeshi law still contains a 30 percent minimum membership requirement simply to register as a union. The Government of Bangladesh needs to amend its laws to correct these issues.

- **Export Processing Zones (EPZs):** The Action Plan requires Bangladesh to bring its EPZ laws into conformity with international standards. The April 15 report of the Government of Bangladesh indicates that it has drafted legislation to bring EPZs into conformance with the Bangladesh Labor Act, and that all key stakeholders have been consulted. Given the priority assigned to this matter in the Action Plan, and in the strongly worded criticisms leveled by the ILO, we urge you to promptly share this draft legislation with the ILO, the contact group of five Ambassadors (US, EU, Canada, UK and the

² International Labor Office, Report of the Director-General, “Third Supplementary Report: Situation of trade union rights in Bangladesh,” GB.320/INS/14/3 (Feb. 7, 2014).

³ Report of the Committee of Experts on the Application of Conventions and Recommendations, First Report 2013, ILC.102/III(1A).

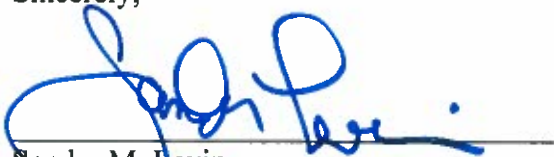
Netherlands), and trade union federations, to solicit their views before this law is placed before the Bangladeshi Parliament.

- **Reporting Database:** The Government of Bangladesh has taken the first step in this regard by creating a database that lists many factories and their addresses. This database, however, is far from the tool outlined in the Action Plan. The database does not contain factory inspection results or descriptions of labor complaints against particular factories. We look forward to seeing the database turned into a mechanism through which reporting results and labor complaints will be made publicly available.
- **Aminul Islam Investigation:** Two years ago Aminul Islam, an active leader of the Bangladesh Garment and Industrial Workers' Federation, was tortured and murdered. The Action Plan requires the Government of Bangladesh to advance a transparent investigation into his murder. The *in absentia* trial of Mustafizur Rahman is not satisfactory. We urge the Government of Bangladesh to reopen the investigation and ensure that a transparent and independent investigator is appointed. The investigator should consider all available evidence related to the murder of Aminul Islam, including evidence concerning who planned the crime.

With the registration of many new unions, Bangladesh is at a crucial juncture. It is important that the issues raised above are addressed in the coming months to ensure that the potential benefits from new union registrants can actually be realized by Bangladeshi workers.

We look forward to working with the Government of Bangladesh to achieve full implementation of the Action Plan and continued and sustained progress with regard to workers' rights, as this will allow us to support the reinstatement of GSP benefits.

Sincerely,



Sander M. Levin
Ranking Member
Committee on Ways and Means



George Miller
Senior Democratic Member
Committee on Education and the Workforce

cc: Ambassador Akramul Qader
Embassy of Bangladesh
3510 International Drive, NW
Washington, D.C. 20008