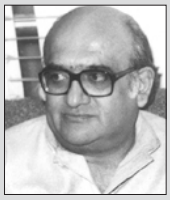


Workers as partners: Changing the culture of EPZs



REHMAN SOBHAN

BAKLADESH today seems to be caught between a rock and a hard place. On the one hand, the US Ambassador has been taking the Government of Bangladesh (GOB) to task for not honouring its promise to permit trade unionism in the Export Processing Zones (EPZs). He warns us that Bangladesh could forfeit its eligibility for tariff concessions under the Generalised System of Preferences (GSP) under which about US\$ 500 million of our exports enter the US market with various tariff concessions. These exports under the GSP are not very significant. GSP concessions on exports save us less than US\$3 million in duties compared to our total exports of US\$2.5 billion to the US. However, US officials never fail to remind us that the withdrawal of our GSP status could endanger our case for seeking duty-free entry to the US market on the same terms as the sub-Saharan and Caribbean countries offered under the Trade and Development Act legislated by the US Congress. Following the expiry of the Multi Fibre Arrangement (MFA) in 2005, which provides us a reserved market for our RMG exports to the USA, the advantage of duty free exports will be crucial to our survival in the US market. It has therefore been one of Bangladesh's paramount foreign policy goals, pursued by both the Awami League and BNP governments, to seek duty-free entry to the US market. Both regimes have been willing to make significant compromises in our relations with the US to realise this cherished objective.

Bangladesh has been under pressure from the US government to expose our EPZs to the right to organise trade unions since the early 1990s. The US government has been responsive to its own powerful trade union lobbies, led by the AFL-CIO, the apex body of

trade unions in the US. Some element of this intervention by the AFL-CIO is influenced by the invisible protectionism practiced by the US labour movement to protect jobs in the US from exports from low-wage countries. It is fallaciously presumed that wages in Bangladesh and elsewhere are low because of weak trade unions and the use of child labour. Whilst we should not ignore the inhumanity of employing child labour to do an adult's job and the humanitarian impulses underlying the Harkin Bill as well as the AFL-CIO initiative, it would be naive on our part to ignore the protectionist agenda

derives from executive orders framing rules and regulations governing the EPZs. Thus, the legal validity of the ban is questionable and possibly violative of the Bangladesh constitution because it discriminates against a category of citizens. This assault on the human rights of a section of our citizens was enacted by an earlier undemocratic regime which felt no obligation to respect human rights. It remains less clear why successive democratic regimes in the 1990s have continued to condone this violation of the human rights of our workers.

Under pressure from the US

The democratic renaissance in ROK, thus witnessed a strong assertion of workers rights. ROK's trade unions remain well organised, politically connected and far more militant than anything we have witnessed in Bangladesh since 1971. No regime in Korea would today dream of supporting any move to exclude any part of the country from the right to unionise. Nor indeed would Japan today deny such a right to its own workers. It is thus not clear whether the respective governments of Japan and ROK back or even condone the demand of the investors to keep the GOB to its commitment to ban trade union

violation of human rights. It would be logical for the OECD to take a common position on the right to unionise so that all over the world prospective investors would operate on a level playing field rather than blackmail vulnerable developing countries to suppress the rights of their workers.

Let me conclude this discussion by locating the problem within the specific circumstances of Bangladesh. What risks would emerge for our Korean and Japanese investors if the right to unionise was conceded in the EPZs? To cite the example of the negative aspects of unionism in the SOEs is no argu-

ment. We need a deeper understanding of the factors underlying the behaviour of workers in the SOEs and the specific role of the unions. However, the labour regime faced by private investors remain far removed from the SOEs in Bangladesh. Today, in fact, Bangladesh is one of the most under-unionized countries in Asia. Even though the workers in the readymade garment (RMG) sector outside the EPZ have the right to unionise, less than 10 per cent of the workers are unionized. I have not heard of many cases where in RMG factories which are unionized they have faced serious labour problems which have prejudiced their export competitiveness. Indeed in virtually every well managed company from Apex Tanneries, to Square, to some of our multinationals, trade unions have behaved responsibly and harmonious worker-management relations have prevailed. It is only in badly managed firms, with irresponsible owners or official neglect and politicization as in the SOEs, that labour relations have become problematic.

Under the above circumstances the GOB should go ahead and extend the same right to the workers in the EPZs to unionise as is available to workers everywhere in Bangladesh. The Bangladesh constitution no more recognises the divisibility of such rights than the Japanese or Korean constitution. Whether our foreign investors will close their factories in the EPZs and migrate to Vietnam or Lesotho will depend less on the extension of this right and much more on what follows after this right is conceded. As with the rest of Bangladesh's export sector outside the EPZs, some workers will form unions others may not. It thus has to be seen whether those factories exposed to unionisation find their export competitiveness and profitability reduced or indeed enhanced. I cannot conceive of a situation where any foreign enterprise, with or without unions, which continues to make profits, will aspire to move out of Bangladesh.

In the final analysis workers have the most durable stake in an enterprise because it remains the sole source of the survival of their families. When a factory closes down its owner can draw on other sources of enterprise or savings to sustain themselves. A worker in Bangladesh, a country faced with massive underemployment and limited work prospects, enjoys no such luxury. To deny workers the right to unionize in the expectation that they will threaten the very sources of their survival does violence to reason. In most cases when labour resorts to militancy there is a likelihood that some deep acts of injustice have aroused them to action.

It is therefore suggested by me to Yongone and other leading investors in the EPZs as well as to Bangladesh's own entrepreneurs that rather than investing their efforts in challenging the right of workers to unionise they should seek to make their workers partners in the future of the enterprise. The owners should accordingly consider inviting the workers to participate in some management decisions and should eventually encourage them to acquire an equity stake in their enterprises. Workers who are invested with a durable stake in the viability of the enterprise will be committed not just to raise the efficiency of the enterprise but can contribute to enhancing the quality of corporate governance which is today being projected as a key objective of enterprise management.

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underlying these initiatives. We should also recognise the disingenuousness in the posture of the government of a country where trade union membership remains one of the lowest in the developed world and has been in sharp decline over the last half century. Today US policy, reflected in the philosophy of the World Bank, supports flexible labour markets. This is a euphemism for promoting the use of non-unionised and casualised labour which can be hired and fired at the whim of the market.

Whilst it would be satisfying to the dignity of Bangladesh to expose the hypocrisies associated with the promotion of trade unionism in our country by our development partners, the GOB remains too vulnerable in its external relations to enjoy the luxury of such heroics. However, in responding to external pressures to remove children from the work place and to accord the fundamental right of organisation to workers in the EPZs, we could at least contextualise our response within a coherent policy framework. The current policy to ban unionism in the EPZs derives neither from a policy design, or law, or even any political discussion in parliament. It should be kept in mind that there is no provision in the EPZ charter which prohibits trade unions. The prohi-

government the GOB, under the first Khaleda Zia government, made a commitment to rescind the ban on trade unions in the EPZs. When this commitment was not maintained by the GOB, the US government again raised the issue with the Awami League regime. After extensive negotiations, the then GOB agreed to promote the formation of Workers Councils in the respective enterprises in the EPZs and gave an assurance that full trade unionism would be permitted there by January 1, 2004. The US Ambassador in Dhaka is now holding the GOB to this commitment but it appears that the current government is seeking more time to fulfill its obligations. The chances are that the US government has become impatient with our prevarications and is preparing to withdraw our GSP privileges.

The dilemma of successive GOBs stems from the determination of the foreign investors in the EPZs, principally the business houses from the Republic of Korea and Japan, to hold the GOB to its commitment to ban trade unions in the EPZs. But we must note that both Japan and ROK have strong labour movements in their own countries. In ROK, successive military regimes had suppressed the labour movement which inevitably came to play an active role in the struggle for democracy.

in the EPZ. Perhaps this question can be put to their respective Ambassadors in Bangladesh and this dilemma faced by Bangladesh can be shared with the media as well as the parliament in both ROK and Japan.

Again without condoning the contradictions and vacillations underlying the policies of the GOB, it is suggested that this special problem should actually be addressed at an international level since Bangladesh is not the only country to be asked to usurp the human rights of a section of their citizens. The problem is a global one since investors in Bangladesh's EPZs, faced with the prospect of unionisation, threaten to move their investment to another country less mindful of the rights of their workers or impervious to pressure from the United States.

I have taken the liberty of suggesting to the Director General of ILO Juan Somavia, that ILO convene a joint meeting with the OECD, the rich man's club located in Paris, to design a global policy to establish the right of workers to unionise as a universal human right. Today the USA, Japan and the Republic of Korea are all members of the OECD. From the OECD they attempt to take common positions on everything from democracy, to corruption, to the

Santa Claus gift for Bush and Tony?

BILLY I AHMED

JUST eleven days ahead of Christmas, on 14th December, Saddam was nabbed by Col. James Hickey, who commanded the code-named Operation Red Dawn. There could be no better Santa Claus gift for Bush and Tony, their cronies and allies. Yes, the 'Ace' is a captive now, but his capture is not only met with a mixture of revolt and dismay, in the Arab world. Whether pro-American or anti-Israeli, moderate or militant, few in the volatile region expect the arrest would do much to promote peace.

The capture of the man viewed as both hero and menace of the Arab world is seen as anticlimactic, after the American-led invasion of Iraq. Other than in Iraq and Kuwait, which Saddam invaded in 1990, most Arabs across the region appeared dismayed and embarrassed over how U.S. troops arrested the bedraggled Saddam near his hometown of Tikrit.

There is disappointment in nationalist circles in the way he was captured, that he didn't commit suicide so he wouldn't undergo an embarrassing interrogation," Victor Nahmias, an Arab affairs expert, said on state-run Israel Radio. "Here was the symbol of heroism and here is an American non-Muslim (tugging) at his beard. It's hard for proud Arabs to take."

That may explain why many Arabs ignored the event. In Nablus, residents turned out to watch thousands of Hamas members march through the streets in a parade marking the militant organisation's anniversary. They carried fake weapons: bombs, rocket-propelled grenades and Qassam rockets.

Saddam's arrest appeared unlikely to ease the Israeli-Palestinian conflict, which did abate at the end of the first Persian Gulf War, in 1991. Sunday, Israeli authorities issued 42 warnings of

"In the absence of Saddam, the Americans will have no excuses; they will not be able to explain away the resistance as something related to him," said Abdel Bari Taha, a Yemeni political analyst. "The Americans will come to realise that resistance is coming from the Iraqi people, not his followers or the Baath Party," he said.

imminent terrorist attacks, and militants in Gaza fired 17 mortar shells at Jewish settlements.

The widely hated Iraqi dictator had become a hero to average Arabs in recent months, a symbol of resistance to America's military might in the region since the Sept. 11 terrorist attacks. The demise of his regime -- once the banner of pan-Arab unity -- came to symbolise Arab weakness.

Iraq is a diverse nation of 25 million people constituting of three important ethnic groups, Arabs 75-80 percent, Kurdish 15-20 percent, Turkoman, Assyrian or others 5 percent. It will need all its political energy and goodwill to deal with the fallout of the power shift, which leaves the once powerful Sunnis on the sidelines and promotes the Shiites to the forefront as the country's most dominant group. Under an agreement signed Nov. 15, the U.S.-led coalition will hand over sovereignty to a provisional government by July 1. But with 16 months left until Iraqis hold their first free general election, the country remains entangled in a web of uncertainty.

The long-oppressed Shiites are eagerly waiting to translate their numbers into political power. Sunnis are struggling to maintain relevance while the Kurds are trying to ensure that autonomy for their northern homeland survives.

Radical religious groups, meanwhile, are trying to influence the process, and the small Christian minority says it's concerned about the growing presence of Muslim militants. This means an ethnic and sectarian violence to brew.

Across the Arab world, the

ambiguity that has shadowed the entire American effort to replace Iraq's totalitarian government was reinforced by the indignity of Saddam's capture.

While Arabs harbour no particular love for the deposed dictator or similarly oppressive governments, they despair when they see that an outside power can humiliate the Arab world by capturing such a significant figure with relative impunity, underscoring their own impotence.

Palestinians were angry when the Americans toppled Saddam's regime last spring, said Mohammed Horani, a legislator from Palestinian leader Yasser Arafat's Fatah party. "It's a symbolic thing that happened today, although as a Palestinian, I can say no Arab man would like to see an Arab president arrested in this way."

"On the one hand, we are very happy, relieved that this man is out of the picture," said Khaled Batarfi, managing editor of Al Madina, a newspaper in Jeddah, Saudi Arabia. "On the other hand, to see him so humiliated -- he is an Arab president after all," he said. "Whether you love him or hate him, he is still a member of the family. He did not fight like his sons; he went like a dog or a cave man, so they feel sorry more for Arab pride than for the man himself."

Elsewhere, though, many Arabs said that at a minimum they would have preferred. "It is a shameful day in the history of the Arab nation when a prominent Arab president is caught by foreign occupiers and not the Iraqi people," said Abu Khaled, a Damascus taxi driver who gave



only his nickname.

"In the absence of Saddam, the Americans will have no excuses; they will not be able to explain away the resistance as something related to him," said Abdel Bari Taha, a Yemeni political analyst. "The Americans will come to realise that resistance is coming from the Iraqi people, not his followers or the Baath Party," he said. (NYTimes, 16 Dec.)

Many had hoped the capture of Saddam Hussein would put an end to the insurgency that has been carrying out deadly attacks against US troops and Iraqi targets. But any such wishfulness was swiftly crushed when suicide

bombers killed eight Iraqi policemen and injured at least 30 civilians in Baghdad (16 December). It may well be a clear indication that the resistance to US occupation will continue despite the capture of the former Iraqi leader.

Jordanian political scientist Labib Kamhawi said it served as a warning to other Middle Eastern dictators who cast their lot with the United States, as Saddam once did. "Most of them are friendly to America," Kamhawi said. With Saddam gone, America's fight is no longer against him, but the Iraqi people, he added. "Americans will be looked at now exactly as the Israelis, who are occupying

the West Bank."

The region's only glowing response came from Jerusalem, where Israeli Prime Minister Ariel Sharon lauded the capture as a "great day for the democratic world, for the fighters of freedom and justice and those who fight against terror."

Most Arab governments, now fearing a backlash from their constituents, whose anti-American sentiment has grown since the occupation of Iraq, didn't issue any statements about the arrest.

Billy I Ahmed is a researcher

How to understand and respect people with disabilities

JULIAN FRANCIS

My brother, James, who was born in 1943 with a genetic chromosomal abnormality, Down's Syndrome, and who had a severe hearing disability, died in 1999 in the U.K. as a result of negligence. He died of severe pneumonia because doctors who were treating him did not take the time and trouble to find out exactly what was wrong with him. He had been suffering with diarrhoea and they treated him for that without properly examining him at the residential care home in which he lived. He died because he was unable to communicate with the doctors and carers supposedly trained to look after people with such difficulties. His birthday, which he always celebrated with a lot of fun and laughter among friends, even going to a local pub for a drink, was 3rd December. This date, therefore, has special significance for me, because, in many countries of the world, December 3rd is observed as the International Day of Disabled Persons.

It is only right to ask ourselves if we ever take time to understand the problems, the challenges, the feelings and the aspirations of those people who live among us who, as a result of a disability or disabilities, find their lives more difficult to handle than most of us. When we meet people with disabilities, due to our lack of knowledge, we often feel awkward and embarrassed as we do not know how to react, what to do, or what to say. I am writing down some practical advice which may help in the understanding of how people with disabilities feel. I draw on my own personal experience of growing up with a brother with a severe learning disability and later in life having a son with a similar disability. This experience, and knowing many other people with disabilities who have become close friends, has enriched my life and my work.

Having been responsible, with the help of others, in 1990/91 for putting together the first draft of Bangladesh's National Disability Policy, and having seen how slowly it made progress, I am well aware of how officialdom looks at the problems of the disabled. The rights of the disabled are always at the bottom of most governments' budget plans, and so, I can only stress that much more work has to be done. I have worked with many friends in Bangladesh and elsewhere who have disabilities, and all the time I try to focus on the person and not on the disability and hopefully what I write below will help government ministers and officials better understand what they have to do and how to relate to persons with disabilities. The best advice, however, is that if you do not know how to handle your relationship with a person with a disability, ask him or her for advice. I hope these **Do's and Don't's** will enrich the lives of those who read them and some of the millions of people with disabilities in Bangladesh.

-Don't treat a person with one disability as if she/he is disabled in other ways. People tend to talk in simple single syllable words to people who use wheelchairs, they shout at the deaf, and often address a blind person through someone else.

-Don't focus on a person's disability, focus on the person. **-Do** ask if you can help - and how to help - if it looks as if help might be needed. You may be shy about offering help. The disabled person may also be shy about asking for it. And don't be offended if your help is not needed -- persons with disabilities usually like to be as independent as possible. And don't be put off from offering your help at another time.

-Don't say "I wouldn't try that if I were you" -- a disabled person is likely to be the best judge of what she/he can or cannot do.

-Don't show pity and say, "I don't know how you manage, I'd die if I couldn't walk." It is often hurtful and, under the guise of praise, reinforces the sense of being different.

-Do treat children with disabilities as normally as possible - including not allowing them to misbehave. Disabled children need to learn the boundaries of acceptable behaviour, in their own society, just as other children do.

-Do identify yourself straightaway. A blind person can't always place you by a "hello". It's hard for her/him to reply warmly, "hello", if she/he doesn't know who you are. So, give a name and context; "Hello, it's Tasneem. We met last week at Farida's house."

-Do make a special effort to remember the name of a person who is blind. Beginning with her/his name is the only way of letting him know that you are talking to her/him.

-Don't feel shy about saying things like "nice to see you" to a blind person. She/he may even say it back. It's impossible to avoid words connected with seeing -- blind people aren't self-conscious about it and needn't be.

-Don't grab a blind person's arm unexpectedly. You'll startle her/him. In fact don't hold a blind person's arm at all! Allow her/him to hold yours. She/he is then safely half a step behind you and so is forewarned of what your next move will be by the change in your position.

-Don't say "here's a step" - say, "step up" or "step down". It's dangerous as well as embarrassing to be waving your foot in mid-air when the step actually leads down. Also if the step is exceptionally deep or shallow, do mention it.

-Don't leave doors half open. Shut them all the way or open them flat against the wall.

-Don't exclude a blind person from television. It gives her/him access to a world familiar to her/his sighted friends.

-Don't exclude a blind friend from outdoor activities. Ask if she/he would like to shop with you instead of your doing it for her/him.

-Don't chase a child away from a person with a learning disability (often, wrongly, referred to as 'mentally retarded') who might approach her/him. It only perpetuates the feeling that there is something to be afraid and ashamed of. If she/he reaches out to touch a child, take her/his hand and turn it into a friendly handshake -- deflecting the attention away from the child and onto yourself.

-Don't be afraid of a person with a learning disability. Very few are violent -- and if they are among people, you can assume that they are not violent. Avoidance and rejection are among the most commonly upsetting things to people with learning disabilities.

-Do be honest and keep promises. Don't assume that a person with a learning disability doesn't understand or remember what you've said. As an example, my son Neil, now 28 years old, who has a severe learning disability, has a phenomenal memory and an amazing sense of direction.

-Do take time to listen to someone who is mentally ill - and don't assume that she/he has no knowledge or opinions of value.

-Don't express pity for parents of 'retarded' children -- their child is just as precious to them as any child is to any parent.

-Don't give advice, except to point someone in the direction of professional help if none is being given and some help seems 'necessary'.

-Do remember that any practical help you offer may need to be given for a long period.

-Don't tell a person who is mentally ill to "pull themselves together". If they could, they would.

-Don't grab hold of a wheelchair without being asked. The occupant can easily be pitched out by an inexperienced enthusiast. Remember to warn her/him if you are going to turn the chair round quickly. In fact, it's thoughtful to tell her/him whatever your next move is going to be.

-Do check with the person in the wheelchair if the speed you are pushing her/him at is comfortable. Too fast -- it's unsettling. Too slow -- it's plain boring.

-Don't lift the chair by the armrests -- they'll probably come out in your hands. Do remember that the person may find it hard to hear what you are merrily chattering about -- and since your voice, coming from behind, may not compete well with traffic noise. Also, from her/his vantage point, she/he may not be able to see what you are pointing to.

-Do chat to a person in a stationary wheelchair with your head on the same level. It's embarrassing always literally to be "looked down upon" and uncomfortable always to be looking up.

-Do ask her/him how to get a wheelchair up or down a flight of stairs -- there are often simple mechanisms or techniques which the disabled person will know.

-Do keep your face clearly visible when talking to a deaf person. Face the light. If you stand with your back to the light or window then you may be silhouetted, wiping out the details needed for lip reading. Don't move around -- your deaf friend will miss words each time you turn your face.

-Do not distort your face exaggeratedly to 'help' a lip-reader. The subtle signs she/he watches out for will be swamped by such contortions. And don't shout -- it doesn't help and can distort hearing aids.

-Do bear in mind that someone who is deaf may be nervous of going out in the dark. Already denied one sense, she/he may be uneasy about being deprived of another. Indoors, make sure she/he has easy access to a safe light. And don't forget to take a torch if you go out at night with someone who is deaf -- shine it on your face when you speak.

-Don't remain silent if you can't make out what a deaf person is trying to say, or if her/his hearing aid is making a whistling noise. Be frank. How else is she/he expected to know?

-Don't descend. A deaf person's voice may sound strange. But there's no need to behave as if she/he has a learning disability as well.

-Do play music. People who are deaf can "hear" the beat through the vibrations. Deaf teenagers love records and dancing at discos -- the louder the music the better.

Julian Francis, who has had a long association with Bangladesh, works with Adarsha Gram Project-II, an important GoB poverty alleviation project which is co-funded by the European Union.