possessed of vast financial resources and

thousands of highly educated personnel,

failed, without exception, to carry out

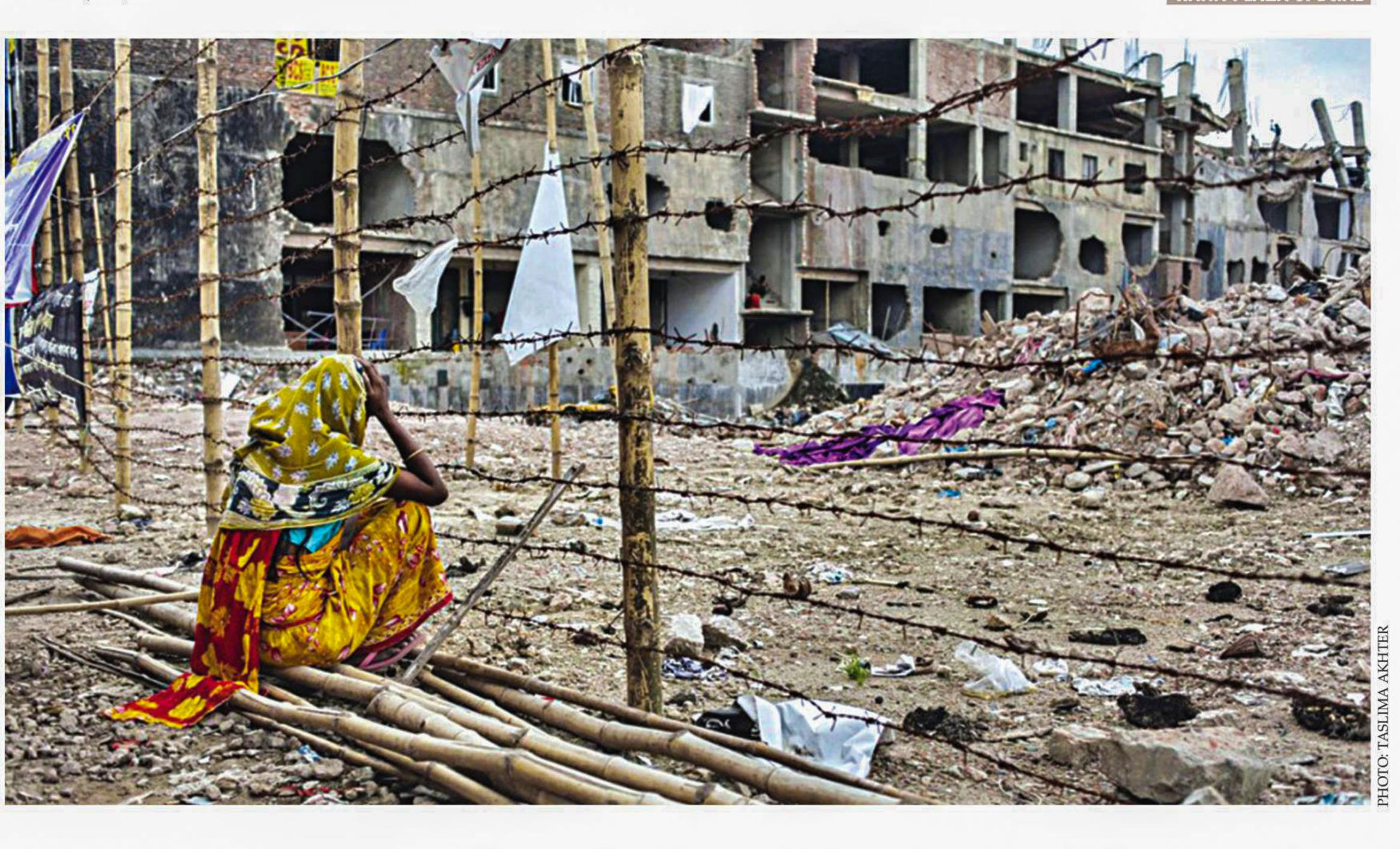
minimally competent building safety

Bangladesh? How is it possible that

these brands and retailers made the

Bangladesh garment industry, consisting

inspections in their factories in



pril 24 – the day when thousands of lives and dreams were lost forever – is once again knocking at our doors. On this day in 2013, the Rana Plaza collapsed, resulting in the worst industrial disaster in the history of the world. Four years have passed by, and yet, many questions remain unresolved. How much have workers or their families really gained in exchange for the lives lost that day? What has the labour movement achieved? To what extent have each stakeholder – owners, suppliers, consumers, BGMEA or the government been held responsible? What progress have the state, garment owners and BGMEA made since then? Working out all these calculations - of which the issues of compensation and punishment of the guilty is of utmost importance - has now

competency is linked to all of this. Rana Plaza was not the first structural killing in the country guised as an accident. Preceding this incident, many young garment workers lost their lives in 'accidents' at factories such as Tazreen, Aswad, Smart Fashion, Hamim, Garib and Garib, and Spectrum, amongst others. They represent the 4.4 million garment workers of the country, who have given up their lives to play a significant role in Bangladesh's growing economy. However, the 2013 incident of Rana Plaza surpassed the magnitude of even the Tazreen fire in 2012 and every other factory incident that has occurred so far. With this incident, Bangladesh drew the attention of the entire world --

become an urgent need. The question of

our country's democracy and national

IN THE BATTLE BETWEEN RIGHTS AND AID According to the labour of law of the

TASLIMA AKHTER

It was also important to establish a national committee with local experts to ensure immediate measures by building our national capacity. In this regard, the National Action Plan still has not been able to play an effective role.

workers, labour rights organisations, conscious citizens and consumers of the country and abroad. International consumers, who didn't know of the brutal stories behind the t-shirts they wore, were now aware of the cruel reality. This time it truly seemed that the government and factory owners would do something to restore their so-called shattered image. International buyers and brands too would not evade their responsibility. Rather than solely looking out for their profits, they would now focus on the workers. The laws would change; the guilty would be punished. But the reality did not match the expectations.

Till now, the law regarding compensation remains unchanged. Needless to say, millions of dollars cannot compensate for a life lost. Nevertheless, usually the issue of compensation takes into account a few factors, including the working years that each dead or surviving worker lost, the average wage of workers, the condition and age of dependents, rate of inflation,

two annual bonuses, one-time grants to

ease the burden of other living members,

country, Tk 1 lakh (US\$ 1,250) or Tk 1,25,000 (US\$ 1,562) is the compensation paid to workers who are injured or die in such incidents. It goes without saying that such an amount is inadequate to compensate for their loss. After the Rana Plaza incident, there were several discussions on the procedure of compensation. The Fatal Accidents Act, 1855 was brought to the fore, where the amount of compensation was almost Tk. 48 lakhs (US\$ 60,000). Moreover, researchers of Harvard University showed through various studies that the amount of compensation could be as much as Tk. 54 lakhs (US\$ 67,500) (Prothom Alo, May 27, 2013). An expert committee presented a proposal to the High Court that suggested a compensation package of almost Tk 15 lakhs (US\$ 18,750). BGMEA proposed a compensation of Tk 7 lakhs (US\$ 8,750). Several labour organisations proposed compensation worth Tk 28 – 48 lakhs. None of these proposals were ultimately considered

Rather, under the "Rana Plaza Arrangement", workers received between Tk 10 lakhs (US\$ 12,500)to Tk 30 lakhs (US\$ 37,500)or more as grants from

Continued to page 13

After page 12

international brands. A committee was formed in 2013, involving the government, local and international trade union representatives of the garments industry, brands and NGOs, to ensure the economic and medical assistance to the victims of the Rana Plaza collapse as per Convention 121 of the ILO. This assistance was entirely financed by the Rana Plaza Donor Trust Fund, which categorically stated that any donation to the fund from any contributor was "voluntary" and did not "imply legal responsibility or obligation for the accident".

structural changes.

It is only natural that in the immediate aftermath of a disaster different kinds of assistance would be provided by the government, factory owners, and even individuals. But just offering training and financial assistance, in the absence of new laws or sustainable changes, has created a sense of discord and dependence amongst the workers. Under these circumstances, it was natural that workers would lean towards accepting financial aid rather than fighting for their legal rights for adequate compensation or ensuring justice for the culprits.

Rather than transforming the anger

a lightning speed. But four years on the trials have slowed down such that there's still uncertainty regarding the future of this case.

It was also important to establish a national committee with local experts to ensure immediate measures by building our national capacity. In this regard, the National Action Plan still has not been able to play an effective role. Instead, dependence has grown on the Bangladesh Accord on Fire and Building Safety Accord (in short Accord) and the Alliance for Worker Safety (in short, Alliance). This dependence and their interference on a crucial national issue

of thousands of factories in multi-story buildings operating in rank disregard of the national building code, the second largest garment industry in the history of the world? How can it be that none of these companies ever sent a competent fire safety engineer into a supplier factory in Bangladesh before the Tazreen fire? How is it possible that none of them ever sent a competent structural engineer into a supplier factory before

After page 16

There is only one plausible explanation: the safety of Bangladeshi garment workers was never a high enough priority within any of these corporations to cause their senior executives to take a hard look at the adequacy of their factory monitoring systems. So nothing changed.

What finally forced the brands and retailers to rethink their approach was the massive global media coverage of the Rana collapse, which caused enormous embarrassment to brands and retailers sourcing from Bangladesh. Top executives of these corporations may not have been that concerned about the risk to workers, but they were capable of recognizing the risk to their brand reputations.

Thus, the Accord became a reality and, after that, the copycat Alliance. With the Accord leading the way, competent safety engineers were hired and sent into the factories, all of the hazards were catalogued and publicly reported, and pressure brought to bear on the factory owners to make their buildings safe.

It has not been easy. There has been a great deal of foot-dragging by brands and factory owners alike. The brands have not provided the level of financial support to aid the factories with renovation costs that the Accord envisioned. However, for all of the obstacles, massive numbers of safety improvements have been implemented and factories employing millions of workers are now far safer than they were in 2013.

Will the outstanding safety renovations be completed? Will other fundamental worker rights problems in Bangladesh be meaningfully addressed, including repression of the right to organise and of peaceful worker protest, and including a minimum wage too low for workers to adequately feed, clothe and house their families?

The answers to these questions depends on a handful of key factors: whether labour rights activists can keep the pressure on Western brands and retailers; whether foreign government and particularly the European Union are willing to hold the Bangladesh government accountable to its labourrelated trade obligations; and whether Bangladeshi garment workers continue to mobilse and organise.

Scott Nova is Executive Director of the Worker Rights Consortium (WRC)



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As a result, it is clear that in the future, those affected in incidents similar to the Rana Plaza collapse will not be able to access the same benefits, but that they will be compensated according to the labour law. If the compensation amount, its criterion and the party or parties responsible for compensation were clearly defined, then workers of other factories could have benefitted in the future.

Different organisations, foundations and foreign establishments undertook various projects in the wake of the Rana Plaza disaster. Distribution of funds and various training programmes were launched. These programmes included training on sewing, rescue work, rearing cattle, disaster management, rehabilitation, etc. Some organisations have projects that will run until 2020 or even longer. Very few, if any, of these

organisations, have been demanding

and grief of losing their loved ones into a mass movement, the victims were reduced to beggars. The importance of financial aid gained prominence as a possible solution over the movement for workers' rights. The state aided this whole arrangement. Instead of ensuring rights, it seems that the state's goal was to build a group of people with a 'victim' mentality, who would never be able to raise their voices to demand their rights. As a result, the workers were unable to take agency as a democratic force. Amidst all of this, a united labour movement was also unable to gain firm footing.

Therefore, it is no surprise then that the culpable owner of the building and factory owner, along with the guilty government officials, are yet to be punished four years later. It is true that in order to protect its image, the government has sent the accused of Rana Plaza and other incidents to the docks at

forward our budding garments industry. Taslima Akhter is President, Garment Sramik Samhati and teaches at Pathshala South Asian

not only raise questions about our very

government's unwillingness to enhance

After the Rana Plaza collapse, public

Bangladesh and around the world. But it

and foreign buyers are apparently trying

cannot become a democratic force. That's

why instead of ensuring workers' rights,

they are making workers dependent on

higher wages or effective trade unions in

government is unable or unwilling to

understand how our nation's capacity is

and factory owners are yet to understand

how the workers' movement can play the

role of a vigilant sentinel in our country's

industrial development. We can say

democratic rights are provided to the

workers, there will be uninterrupted

capability, in turn, will enable us to

Rana Plaza collapse, thereby taking

industrial development while building

national capability at the same time. Th

successfully combat incidents such as the

without doubt that if legal and

linked to our workers. The government

aid and kindness of others. At times,

they suppress workers' demands for

such a way that it seems that the

sovereignty, but also highlight our

support for workers was created in

appears that the state, factory owners

their best to make sure that workers

our national capacity.