



PHOTO: TASLIMA AKHTER

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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



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possessed of vast financial resources and thousands of highly educated personnel, failed, without exception, to carry out minimally competent building safety inspections in their factories in Bangladesh? How is it possible that these brands and retailers made the Bangladesh garment industry, consisting 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 Rana?

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 labour-related trade obligations; and whether Bangladeshi garment workers continue to mobilise and organise.

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IN THE BATTLE BETWEEN RIGHTS AND AID

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.

April 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 become an urgent need. The question of our country's democracy and national competency is linked to all of this.

Rana Plaza was not the first structural killing in the country disguised 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 –

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, and so on.

According to the labour law of the 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

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