

The Daily Star

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Will our migrants continue to drown?

Govt must put a stop to trafficking before more tragedies take place

It is depressing to see that our people, desperate to make ends meet, continue to drown in the Mediterranean Sea while in search of a better life. After the bodies of eight Bangladeshis, who were being trafficked to Italy on a tiny boat carrying 53 people, arrived in Dhaka on Thursday, this newspaper documented the harrowing journey of migration as told by a survivor. Such incidents have made headlines countless times, and if the state keeps failing to address this long-standing crisis, they will keep on doing so.

Gurudas Mondol, the 45-year-old survivor, recalled that en route to Italy, water started leaking into the boat's hull. "The ones inside the hull started yelling and banging the deck from below, but there was no space for even one more person on the deck... Slowly the noise stopped. I could do nothing but sit and listen to them die." Before the journey began, Mondol was among the 90 beaten and bruised migrants, mostly Bangladeshis, who shared space in a room traffickers refer to as the "game ghor," with little to no food. Water was so hard to obtain that they used their towels to collect sweat and sucked on it.

An earlier report in this daily pointed out that Bangladeshis choosing to enter Europe through Libya would almost certainly be held captive by armed militias, tortured, and their families extorted for lakhs of taka. In Mondol's case, he had to pay Tk 14 lakh for the journey, during which hundreds die every year. And yet, Bangladeshis, knowing the dangers, choose to take this route. An update by UNHCR from December 2023 found that of 5,236 refugees and migrants who reached Italy by sea that month, 13 percent were Bangladeshis. And we have to ask: why?

A study has found that these people feel that life in Bangladesh is so uncertain that the risk is worth it. The economic and political instability, the lack of a stable source of livelihood, the unsafe nature of our workplaces—all contribute towards this drastic decision. And this is where the state is failing. It is evident that band-aid solutions will be of little help. For long-term improvement, the government must ensure an environment where these people can ensure a decent life for themselves and their families, which points to making structural changes in the economic and political systems.

Simultaneously, the administration has to clamp down on traffickers, who continue to operate with impunity due to insufficient legal measures and lax monitoring of law enforcement agencies. It has to monitor recruiting agencies, coordinate with labour-receiving countries to identify and eliminate trafficking networks, diligently prosecute traffickers, and assist survivors like Mondol.

Protect the invisible backbone

It's high time we ensured basic rights in the informal sector

Bangladesh's economic engine runs on the tireless efforts of over seven crore workers. Yet, a staggering 85 percent of them (nearly six crore people) toil in the shadows—the vast, unregulated world of the informal sector. These are the rickshaw-pullers, tea vendors, labourers, domestic workers, salespersons and people employed in farming, catering, transport, and construction. They are the backbone of our economy, yet their contributions come at a steep price: their own vulnerability.

These informal workers lack even the basic protections afforded by the 2006 labour law, which means they essentially have no job security, work-hour limits, workplace safety, wage structure, workplace injury compensation or rehabilitation, retirement benefits, pension or maternity leave. Imagine facing injury on the job with no compensation, or losing a loved one with no support for your family, or being terminated from your job because you are pregnant, denied maternity leave or benefit. This is the harsh reality for millions.

Strikingly, the number of people in the informal sectors have increased by 26 percent since 2010, as per the data from Bangladesh Bureau of Statistics (BBS). This growth has been fuelled by a decline in formal sector opportunities, pushing many towards informality and in turn precarity. Bangladesh's GDP and per capita income may have grown at an impressive rate over the past decade, but it has clearly failed to bring any meaningful changes to workers' lives. As the country looks to graduate out of the Least Developed Country (LDC) status in 2026, it must address the glaring lack of rights of informal workers and take urgent steps to bring them under a more formalised structure, beginning with establishing a national minimum wage and ensuring a system for appointment letters.

Our labour ministry and relevant departments are currently struggling to monitor and ensure the rights of the 15 percent in the formal sector. Under the circumstances, their roles and capacities must be redefined and strengthened significantly if we are to expect them to address the pressing concerns of the vast majority of Bangladesh's workers. The informal sector is not a burden; it is the lifeblood of Bangladesh's economy. Recognising this reality demands a paradigm shift. It's high time we brought these invisible contributors into light and ensured they are not just the engine of our growth, but also its valued beneficiaries.

LETTERS TO THE EDITOR

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How to fight the heat

According to reports, April witnessed the longest heatwave spell in 76 years, which isn't really a surprise. While the climate crisis is making the world hotter every year, authorities in Bangladesh are hellbent on worsening the situation. Reports and pictures of trees being cut down for infrastructure filled social media recently, and this proves how little we care about the environment. Those who are well off may constantly take the refuge of air conditioners, but what about the rickshaw-pullers, day labourers, and hawkers? If the government is concerned about everyone's well being, it must protect them from this scorching heat. And to do that, it must not sacrifice nature for development.

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VISUAL: SHAIKH SULTANA JAHAN BADHON

EU'S CORPORATE SUSTAINABILITY DUE DILIGENCE DIRECTIVE

How some actors gambled with workers' rights to save corporate profits

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On the morning of April 24, 2013, the Rana Plaza building in Dhaka, Bangladesh collapsed, killing more than 1,100 people, most of whom were garment workers, and injuring more than 2,500 in what is considered one of the deadliest industrial accidents on record. Workers in the building produced clothes for well-known brands such as Benetton, Mango, and Walmart. Exactly 11 years later, the European Parliament green-lit a much-awaited piece of legislation that was, at least in part, inspired by the tragic events in Bangladesh: the Corporate Sustainability Due Diligence Directive (CSDDD).

A first of its kind, the law will impose on large companies based and operating in the European Union an obligation to prevent, terminate or mitigate, and redress harms to human rights and the environment in their global value chains. The CSDDD offers hope to victims of corporate abuse worldwide, yet many important parts of the law were lost during gruesome legislative negotiations and unprecedented pressure from business lobbies.

For too long, private capital has been engaged in a cutthroat price race to the bottom. This is evident in the garment and footwear sectors, where EU-based brands have delocalised and externalised production, virtually reproducing the early 19th century sweatshop system in Central and Southeast Asia, and in other places away from the eyes of EU consumers. Far from a feature unique to the fashion industry, the externalisation of production and the socialisation of its cost through hyper-low wages and predatory exploitation of natural resources have been the new normal for a while now. It is how our electronic devices are made, how exotic fruits are grown, packaged, and imported, and how mega-infrastructure are built. What keeps the system going is a combination of increasing profit margins for companies and impunity. When workers try to sue EU-based brands for poverty wages or when communities whose natural ecosystems are destroyed by oil companies or extractive projects, accountability gets lost in the intricate chains of intermediaries and subcontractors.

Companies promised they would address the issue more than 10 years ago when endorsing voluntary commitments contained in the OECD Guidelines for Multinational Enterprises and the United Nations' Guiding Principles on Business and Human Rights. Yet, labour activists, Indigenous Peoples and civil society at large have continued declaring one irrefutable fact: voluntary commitments have not worked.

The CSDDD is the result of years of campaigning by a large coalition of civil society groups including trade unions, faith groups, NGOs, consumer associations, and human rights professionals who successfully managed to shift the narrative around

corporate abuse: from one centred around a company's willingness to adopt voluntary principles, to one focused on binding, enforceable rules for corporations. Public pressure pushed European Commissioner for Justice Didier Reynders to present a draft directive to fulfil two crucial objectives: prevent corporate harm, and provide access to remedy and justice for victims. Reynders' proposal saw the light of day in February 2022, a birth that was already marred by two possible abortions at the hand of the commission's own Regulatory Scrutiny Board: an opaque internal bureaucracy that has the stated mission of ensuring new EU laws are business-friendly—regardless of whether said text is meant to regulate standard screw sizes, environmental protection, human rights, or bridge safety.

The European Commission proposal went through an extensive and unusually participatory legislative process. Before it was published, about half a million EU citizens participated in the relative public consultation. Over two years, roundtables, workshops and public conferences were organised by parties along the political spectrum. Lawmakers heard from NGOs, trade unions, representatives of Indigenous Peoples from across the globe, legal

The political agreement improved on many of the commission's initial proposals: it applied to companies with more than 500 employees and 150 million euros in net global turnover; and it included a range of enforcement mechanisms, allowing interested parties to file claims both at the member states' administrative authorities and in European courts. It asked companies to perform mandatory human rights and environmental due diligence in line with previously voluntary international standards. Yet, in a *do ut des*, member states like France managed to exclude the financial sector from the main obligations of the law and to reduce the obligations for companies to implement climate transition plans in line with the Paris Agreement to a mere formality with no teeth. However, the "Agreement," as it soon came to be known in policy circles, would be short-lived.

In an unpredictable turn of events, the junior partner of the German governing coalition, AfD, a party polling slightly below three percent, decided to oppose the December Agreement, agitating red tape and bureaucracy as a prop against the law. The German turnaround soon found support in the Italian government. The announced abstention of two

global and national trade unions, and progressive companies, many of which had already started setting up the tools and mechanisms they would need to comply.

What survived the council vote on March 24 was a watered-down version of the original directive, applying only to companies with upwards of a thousand employees and with a global net turnover of at least 450 million euros. This means the law will apply to only a small minority of the largest companies operating in the EU. However, the core duty of the law and its enforcement mechanisms remained intact, but will not apply to core parts of the post-consumer value chain: companies will not have to check for labour and human rights abuses and environmental damage in crucial sectors such as recycling, composting, and landfilling. Moreover, the financial sector remains out of the scope of the law, and so do many rights violations, including those related to workers' occupational safety and health, the issues at the core of the deadly Rana Plaza events.

However, the CSDDD remains a milestone in the growing international framework to regulate corporate behaviour. It will create accountability mechanisms for irresponsible companies, and its obligations may trickle down to smaller companies included in their value chains. For the fashion industry, it may mean that trade unions will finally have a seat at the table and a more powerful voice to negotiate better salaries and better working conditions. It may offer sanctions and consequences for a fast fashion model that is harming both workers and the natural environment. Although the law offers workers and victims different avenues to seek justice, it remains to be seen how accessible the remedy-granting provisions will be.

Importantly, the fact that CSDDD comes out of the largest common market on the globe means that other countries will likely follow suit and adopt similar rules globally. It may also provide further impulse to ongoing negotiations at the UN for a binding treaty on transnational corporations. EU member states have now two years to transpose the law domestically, during which they can decide to improve on the standards set in the directive—for example, by increasing the number of companies it applies to, the number of rights it covers, and to ensure that victims can actually access remedy and justice through the law.

While the approval of the CSDDD may mark the beginning of a new era for responsible business conduct, moving us away from voluntary and vague corporate social responsibility commitments and towards real accountability for corporate wrongdoing, it also shows the immense imbalance of power between a few powerful corporate actors and lawmakers and civil society trying to curb their power. As it is often the case with laws, implementation will be a battle as much as its approval. It is crucial that workers, consumers, and civil society stay vigilant and work together to safeguard and improve the content of the law.

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experts, large businesses, small businesses, bankers. A tight-knit group of negotiators in the European Parliament, led by Dutch Socialist MEP Lara Wolters, found workable compromises to respond to worries about red tape while keeping the core of the law intact: an obligation to prevent and remedy in line with international standards, strong enforcement mechanisms, and the participation of stakeholders and communities throughout the due diligence process. As far as EU legislative processes go, it was an unusually public and transparent affair.

While the parliament was agreeing on its own text, the Council of the EU (where unelected government representatives from member states sit) had also worked on its version of the law, and in July 2023, the two institutions engaged in what is informally known as "trilogue," a legislative practice through which the co-legislators engage in negotiations until they can agree on a common text. After an extenuating round of technical and political meetings, the parliament and the council announced they had reached an agreement in December 2023.

of the largest member states caused many others to change their positions, leaving the Belgian presidency suddenly responsible for trying to save a done deal that suddenly seemed as good as dead. The vice-president of the European Parliament, Heidi Hautala, denounced a German-Italian "horse-trading": Italy would help Germany kill the due diligence law if Germany helped Italy kill a directive on packaging and packaging waste that was then under negotiation. As a livid Lara Wolters told the European Parliament, referring to Gorgia Meloni, German Finance Minister Christian Lindner, and Emmanuel Macron, "We had a deal, but business lobbies would not give up... These leaders are now convinced accountability is a burden and human rights are nice-to-have." For a few weeks, it looked like EU institutions would not agree on the law before the end of the current parliamentary mandate, which could have meant the virtual death of the legislative process.

Wolters' words were echoed by calls from an unprecedented number of public and less public figures, a rarity in EU-lawmaking: workers from all around the globe, the Elders, several representatives of UN institutions,