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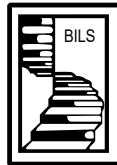
- Practices in Bangladesh's Five Labour Intensive Sectors: Implications for May Day
- Implementation of Accord in Bangladesh: Progress and Challenges
- Criminalization of Street Children: A Study in Dhaka City
- Decent Work - a driving force of SDGs
- Torture on domestic workers: A problem that can never be ignored

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Editorial

The success of May Day was achieved internationally through a sanguinary struggle of workers that helped make possible to bring down working hours to eight hours a day. Everyone was supposed to get this benefit. However, a large number of workers are deprived of this opportunity nowadays. BILS recently conducted a short study on working hour in Bangladesh, where five common labour sectors are covered. The study through a number of findings tried to depict the situation of workers regarding their working hours, leave and rest. Based on the study, an article is published in this issue.

RMG sector is a major lifeline of national economy of Bangladesh that comprises over 80% of total export earnings. This sector has notable contribution in employment creation and women empowerment. Unfortunately, the decent work condition, particularly workers' rights and safety issues are neglected. An article on critical analysis of the background, governance, progress and challenges of Accord Bangladesh to improve the overall working condition in the RMG sector is placed in this journal.

Another article is published based on a study regarding criminalization of street children in Dhaka city. This study tried to locate the process of criminalization of those children who are living in the streets without home and parental care. A number of findings came out from a survey, which was conducted in Komlapur Railway Station, a major communication hub of the city.

This journal is divided into two parts. One is academic and another one is trade union part. The objective of the first part is publishing research-based articles on different issues. These articles are 'double blind' peer reviewed. Its second part publishes contributions from the labour activists with a view to portray their observation and experience on workers and trade union.

Two articles are published in the trade union part regarding Decent Work as driving force of SDGs and torture on domestic workers in and abroad.

We acknowledge Friedrich Ebert Stiftung (FES) Bangladesh Office for their precious support to publish this journal.

Syed Sultan Uddin Ahmmed

Editor

Academic Part

Practices in Bangladesh's Five Labour Intensive Sectors: Implications for May Day

Md. Manirul Islam¹

Abstract:

First of May, the international workers day, is a public holiday in Bangladesh. Executives and support staffs of all levels both public and private are in general, entitled to enjoy leave on this day. But! What about workers for whom this day is particularly meant for? What about their working hours? Is their income sufficient to ensure a decent living? These were the main research questions. Bangladesh Institute of Labour Studies–BILS conducted a tiny study immediately before the May Day, 2017. Five (5) popular labour intensive sectors were covered. Survey method was particularly emphasized and was backed by FGD, interview and literature review methods. Study data has analyzed that May Day implications particularly eight working hours, leave and decent income are not at all any acceptable stage in the study sectors.

Introduction

The core implication from the International Workers Day or May Day is that workers will work eight hours in the day. ‘Hours of Work (Industry) Convention, 1919’, the first Convention of the International Labour Organisation (ILO) has adopted the same. Article 2 of the Convention reads, “the working hours of persons employed in any public or private industrial undertaking or in any branch thereof, other than an undertaking in which only members of the same family are employed, shall not exceed eight in the day and forty-eight in the week”. Decent income, leave, rest and occupational health and safety however are few of the other emerging implications of May Day over time.

Bangladesh has ratified the ‘Hours of Work (Industry) Convention, 1919’. Since 1972, 1st of May is a public holiday in Bangladesh as well as celebrated officially. If the 1st of May 1886 is considered the first year when May Day was celebrated in the United States of America, 2017 was the 131st year of the International Workers Day or May Day. To know about persistent practices of the May Day implications, Bangladesh Institute of Labour Studies–BILS had conducted a short

1 Research Coordinator, BILS

study just before the 1st of May 2017. Five popular labour intensive sectors are covered i.e., A) Security Agencies, B) Transport Sector, C) Hotels & Restaurants, D) Rerolling Industry, and E) Hospitals, Clinics & Diagnostic Centers. This article is a concise summary of the main findings of this research.

Methodology

A combination of both qualitative and quantitative research approaches is employed for this research. Information is collected both from primary and secondary sources. Particular emphasis was given on Literature Review, Survey, Group Discussion and Interview methods. Two hundred and fifty surveys are administered purposively in Dhaka and its adjacent locations based on a structured questionnaire. Fifty surveys are administered in each of the five study sectors. To ensure representativeness of sampling particularly for Security Agency, Private Hospitals/Clinics/Diagnostic Centers and Hotels/Restaurants, Dhaka city is further sub-divided into five greater zones i.e., 1) Dhanmondi, Mohammadpur & Mirpur, 2) Old Dhaka, 3) Motijheel, Basabo, Demra, & Jatrabari, 4) Banani, Gulshan, Boshundhara & Baridhara and 5) Uttara. Ten surveys are administered in each of these five zones. For Transport (Highway) Sector, three large bus terminals are particularly covered i.e., 1) Gabtoli, 2) Mohakhali, and 3) Syedabad. For the Rerolling sector, manual and semi-automated factories from only Dhaka and Naryangonj are covered. To counter balance with the gaps identified from analysis of survey data and literature review, ten (10) employers, five (5) government officers and five (5) CSO/NGO representatives are interviewed further based on a set of developed checklists. Moreover, five (5) Focus Group Discussions are conducted with the Trade Union leaders, one for every single sector.

Study findings

Rerolling industry

Including manual, semi-automated and automated ones there are an estimated 300 (Three hundred) Rerolling factories in the country². Of them, more than ninety percent are manual or semi-automated

2 As per information available to Trade Unions and Employer's Association, there are more than 350 Re-rolling Mills in the country. As per records available to the Department of Inspection for Factories and Establishment (DIFE), there are two Hundred Re-rolling Mills in the country. A middle range figure thus estimated in this study.

factories. Assuming that on an average 250 (Two Hundred and Fifty) employees are employed in each factory than three are altogether 75,000 (Seventy Five Thousands) Rerolling industry workers in the country. This study didn't find any women workers employed in the Rerolling industry. Mr. Mahfuzur Rahman Bhuiyan, Deputy Inspector General, Department of Inspection for Factories and Establishment (DIFE) though informed that there are around six hundred (600) women workers in the industry employed particularly in the low-profile jobs like cleaning. Rerolling factories are situated mainly into two broader zones/areas i.e., 1) Dhaka-Narayanganj and 2) Chittagong. Dhaka-Narayanganj zone particularly covered Shyampur, Jatrabari, Postogola, Fotulla, Chatchara, Siddirganj, Munshikhola and Pagla. Factories are mostly manual and semi-automated in this zone. Survey was administered in this zone only.

Data suggests that the Rerolling industry workers (100%) don't have any appointment letter. Workers are in general appointed by the foremen on a daily contract basis. Steel/iron is reportedly melted at fifteen hundred (1500) degrees celsius in the Rerolling factories, and factory temperature is most often nearly sixty five (65) degree celsius. Because of this, Rerolling industry followed a customary practice of working hours. Every single worker is supposed to perform only one shift duty in the day consisting of two hours. Including starting and finishing nitty-gritties one shift duty thus lasts two and half hours to three hours maximum. Study data suggests that more than ninety percent (92%) workers work eight plus hours in the day. More than one-third (34%) works between thirteen (13) to fourteen (14) hours, more than one-fourth (26%) works between eleven (11) to twelve (12) hours and another more than one-sixth (16%) works fifteen (15) hours or more in the day. Almost, cent percent (96%) workers perform on an average two to five shifts duty in the day. More than half (58%) of the workers perform three (3) shifts duty and another more than one-fourth (26%) on average perform four (4) shifts duty in the day. For managing work shifts nearly half of workers (44%) on average work in two (2) factories daily and another around one-third (32%) work in three (3) factories daily. These of extra workloads are reportedly to manage a living income. Mentionable that usually, works start at 11 pm at night and continued till 10 am in the morning in the Rerolling factories.

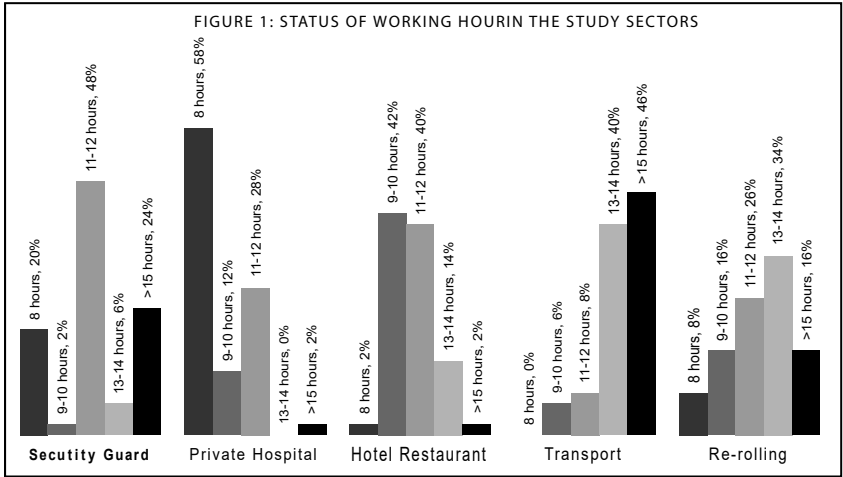
Rerolling industry workers are not entitled to either weekly holidays (100%) or public holidays (100%). Factories are even open in the international workers day of May Day and workers need to perform duties as well. Nearly two-third workers (62%) are ignorant about the international day of May Day. In case any sudden rest day is achieved,

workers preferred staying in the house and to pass time with the family (34%), playing with kids (34%), sleeping (14%), and to perform any other important family businesses (10%).

Rerolling industry workers earn on a weekly basis. Majority earn between BDT 10,000/- (Ten Thousand) to BDT 15,000/- (Fifteen Thousand) only a month (88%). Trade Union involvement is not welcome in the Rerolling industry. Although there were eight (8) to ten (10) basic unions in the eighties, reportedly there is none at present. Very few workers involved with the Trade Union practices are particularly with the informal or sector based Trade Union Federations. Contrarily, Rerolling industry has strong employers association.

Transport (highway) sector

There are 41,772 (Fourty One Thousand Seven Hundred and Seventy Two) highway buses currently registered with the Bangladesh Road and Transport Authority. Taking from different counts available to different Trade Unions active in the transport sector, it is assumed that there are roughly another 5,000 (Five Thousand) unregistered highway buses. Each of the highway buses employed six persons directly in the



sense that a package of one driver, one supervisor and one assistant work in a shift and there is two such shifts appointed for every single bus since highway buses run almost non-stop day and night. Apart from this, it is assumed that for every ten buses operating under a single company/agency there are ten support staffs employed in two last stoppages, five in each stoppage particularly to ensure passengers, maintain schedule, issue tickets and taking care of the buses and other

needfulness. Thus, it is estimated that around 327402 (Three and Twenty Seven Hundred Thousand)³ workers are employed in the highway transport sector. Present study shows that cent-percent (100%) are men workers in the transport (Highway) sector. Around five percent (4%) transport workers are less than eighteen (18) years of age. Primary education particularly level five completed or below primary is the dominant trend (64%) though there are around one-fourth (24%) who have studied between VI to X grade.

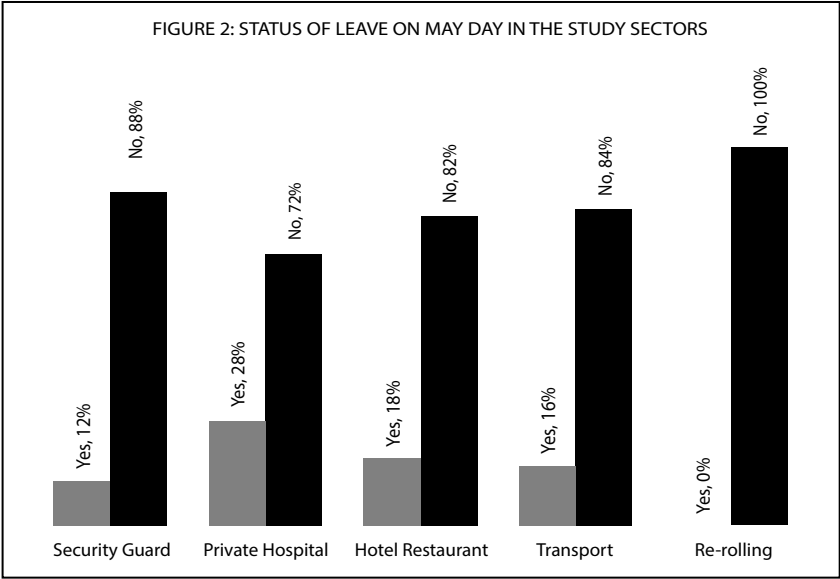
Transport sector workers (100%) do not have any appointment letter. Cent percent (100%) works more than eight hours in the day. Nearly, half of them (46%) works more than fifteen hours in the day and another more than one-third (40%) works between thirteen (13) to fifteen (15) hours in the day. One-fifth (20%) works on a continuous basis without any interval or break time. Almost cent percent (98%) are not entitled with the public holidays. More than eighty percent needs working in both the weekly holidays (90%) and the May Day (84%). Nearly, one-quarter (24%) workers are ignorant of May Day. In case there is any sudden rest day, they preferred to stay in the house and to pass time with the family (48%), roaming with the family (16%), playing with kids (10%), sleeping (12%) and watching movies (10%). Usually, transport workers (94%) are employed on a contractual basis. With all their hard laboring, mostly (92%) transport workers earn between BDT 10,000/- to BDT 20,000/- only a month. More than ninety percent (92%) transport sector workers are involved with the Trade Unions.

Hotels & restaurants

There are an estimated 300,000 (Three Hundred Thousand) Restaurants, Bars and Tea Stalls in Bangladesh. These have employed an estimated 967,000 (Nine and Sixty Seven Hundred Thousand) workers of which around one-tenth (99,000) are women (BBS, 2017). BILS's study shows that nearly one-twentieth (6%) hotel/restaurant workers are less than eighteen years of age. Nearly, half of workers (44%) reportedly have no institutional experiences of education.

3 46772 Buses [41772 Registered + 5000 Unregistered] X 6 Employees [3 in 1 shift (1 Driver + 1 Supervisor + 1 Helper) X 2 Shifts] + 46770 support staffs at 2 last stoppage [5 at departure place and 5 at arrival place thus 10 support staffs for every 10 buses. That means 46770 support staffs for 46772 Buses] = 327402

Ninety percent Hotel & Restaurant’s workers (90%) do not have any appointment letter. Of the one-tenth (10%) workers reportedly have appointment letter are mainly from medium to large sizes Hotels & Restaurants like Chinese Restaurant ones. Almost, cent percent (98%) Hotel & Restaurant’s workers work more than eight hours in the day. More than one-third (42%) works between nine (9) to ten (10) hours,



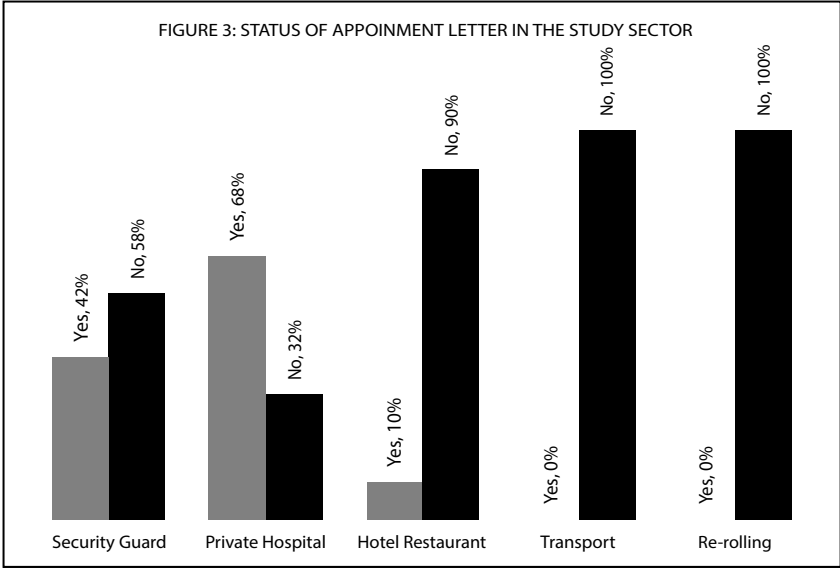
more than one-third (40%) works between eleven (11) to twelve (12) hours and around one-seventh (14%) works between thirteen (13) to fourteen (14) hours in the day. More than one-fourth (26%) works non-stop without any break-time or interval. More than eighty percent Hotel & Restaurant’s workers are not entitled to either weekly holidays (86%) or public holidays (82%) and more than eighty percent (82%) reportedly works on the international workers Day of May Day. More than ninety percent (94%) workers are ignorant of May Day. In case a rest day is achieved, they preferred watching movies/cinema (36%), staying in the house and to pass time with the family (36%), roaming with the family (16%), and sleeping (6%).

Nearly, one-third (32%) Hotel & Restaurant’s workers earn on daily basis and the rest (68%) of them earn on weekly or monthly basis. For ninety percent (90%) workers, monthly income is limited between Tk. 7,500/- (Seven thousand Five Hundred) to Tk. 17,500/- (Seventeen Thousand Five Hundred) only. Nearly, one-fourth (28%) earns between BDT 7,500/- to BDT 10,000/- only, slightly above one-fifth

(22%) earns between BDT 10,001/- to BDT 12,500/- only, and around one-fourth (24%) earns between BDT 12,501/- to BDT 15,000/- only a month. Trade Union involvement is very much limited reportedly less than five percent (4%).

Security agencies

More than 300,000 (Three Hundred Thousand) security guards are employed in the country in around 500 (Five Hundred) private security agencies (Mahmud Faisal, 2016). BILS’s study shows that more than ninety percent (92%) are men security guards. Around one-tenths (8%) are women security guards. Around five percent (4%) security guards are less than eighteen (18) years of age. Around one-fifth (18%) security guards are SSC (Secondary School Certificate) pass or have studied further level. Majority (70%) however have studied in between five (V) to ten (X) grade.



More than half (58%) of the security guards do not have any appointment letter. Eighty percent (80%) works more than eight hours in the day. Nearly, half (48%) of them works in between eleven (11) to twelve (12) hours in the day and there are another nearly one-fourths (24%) who works more than fifteen (15) hours in the day. Half (50%) of the security guards needs working on a continuous basis without any interval or break time. Around, two-thirds (66%) are not entitled with the weekly holidays. More than eighty percent are not entitled either with the May Day leave (88%) or with the public holidays (86%).

Nearly two-third (60%) security guards are ignorant of May Day. In case any rest day is achieved, majority (64%) preferred to stay in the house and to pass time with the family. Apart from this, they preferred roaming with the family (22%), playing with kids (4%) and to perform any other important family businesses.

Security guards earn salary on a monthly basis. More than three-fourth (76%) earn between BDT 10,000 to BDT 17,500/- only a month. There was no reporting of Trade Union involvement by the security guards.

Private hospital, clinics & diagnostic centers

There are 4,596 (Four Thousand Five Hundred and Ninety Six) private Hospitals and Clinics and 9,741 (Nine Thousand Seven Hundred and Fourty One) private Diagnostic Centers registered with the government (Health Bulletin, 2016). Reliable sources of data regarding number of medical technologists, service providers at front desks and those of frontline workers in private Hospitals, Clinics and Diagnostic Centers are not available up to date. Study data shows that this sector has comparatively large women workforce. It is also noticeable that private Hospitals, Clinics & Diagnostic Centers have comparatively more educated workforce. More than one-third (34%) workers reportedly have studied up to HSC level or more.

More than two-third (68%) workers of this sector are entitled with the appointment letter still, nearly one-third (32%) do not have any. More than one-third (42%) workers work eight-plus hours in the day. Among them, more than one-fourth works between eleven (11) to twelve (12) hours in the day. Nearly, two-third workers are not entitled leave at the international workers day of May Day. Nearly, one-third (32%) workers are ignorant of May Day. Half of the workers (50%) need working on public holidays. Nearly, one-fourth (22%) workers are not entitled with the weekly holidays. In rest days, workers mostly preferred staying in the house and to pass time with the family (64%), roaming with the family (22%), playing with kids (8%), watching movies (4%), and to perform any other important family businesses (4%).

Private Hospital, Clinics and Diagnostic Center's workers earn on a monthly basis. Majority (80%) earn between BDT 7,500/- to BDT 15,000 only a month. More than one-third workers earn between BDT 10,000/- to BDT 12,500 only and another around one-third (32%) earn between BDT 12,501/- to BDT 15,000/- only in a month. Trade Union involvement is reportedly nil in this sector.

Monthly Income (Taka)	Study Sectors					Total
	Security Agencies	Private Hospital	Hotel/ restaurants	Transport	Rerolling	
5,000-7,500	0.0%	2.0%	6.0%	2.0%	0.0%	2.0%
7,501-10,000	18.0%	32.0%	28.0%	6.0%	2.0%	17.2%
10,001-12,500	36.0%	38.0%	22.0%	12.0%	38.0%	29.2%
12501-15,000	26.0%	10.0%	24.0%	26.0%	50.0%	27.2%
15,001-17,500	14.0%	6.0%	16.0%	10.0%	8.0%	10.8%
17501-20,000	4.0%	6.0%	2.0%	44.0%	0.0%	11.2%
20001 & Above	2.0%	6.0%	2.0%	0.0%	2.0%	2.4%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Table 1: Status of Monthly Income in the Study Sectors

Conclusion

The study has made it clear that eight working hours in the day which is core implication from the international workers day of May Day is neglected in the Transport (highway) Sector, Hotel/ Restaurants, Rerolling Industry, Security Agencies and Private Hospitals, Clinics & Diagnostic Centers in Bangladesh. It is however, seriously neglected in the Transport Sector, Rerolling Industry and Hotels & Restaurants though Trade Union involvement is higher in these sectors. Secondly, the situation of associated other main implications of the May Day like decent income, leave, rest, and health and safety are not in any satisfactory state in the study sectors.

Based on the stated analyses, it can be concluded that though it is important to gear up Trade Union practices in the study sectors to bring into effect May Day implications, it is difficult to improve persisting situation unless qualitative changes are achieved within the culture and practices of Trade Union itself. Side by side, there needs to be serious tripartite efforts to bring about a total change in both governance and business practices that really respect workers and win the businesses as well.

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Implementation of Accord in Bangladesh: Progress and Challenges

Md. Aurongajeb Akond¹

Abstract

Readymade Garment sector is a major lifeline of national economy which comprises over 80% of total export earnings of Bangladesh. This sector has notable contribution in employment creation and women empowerment, especially for the rural women. Unfortunately, the decent work condition, particularly workers' rights and safety issues were neglected from the very beginning which resulted appalling industrial catastrophes like Tazreen Fire Accident and Rana Plaza Collapse in the recent past. In response of these catastrophe, several national and international initiatives have been taken by the stakeholders like; National Tripartite Plan of Action (NTPA), amendment of Bangladesh Labour Act 2006, revision of RMG sector minimum wage, enacting new law for the Export Processing Zone, developing Labour Rules and National Occupational Safety and Health Policy, etc. Notably, two major international initiatives have been organized; one is the Accord on Fire and Building Safety in Bangladesh (the Accord Bangladesh) and Alliance for the workers safety in Bangladesh (Alliance). This paper mainly presents a critical analysis of the background, governance, progress and challenges of Accord Bangladesh to ensure the overall safe working condition in the Export oriented RMG sector of Bangladesh.

Key Words: Accord Bangladesh, Occupational Safety and Health Policy, RMG Sector, Labour Rights, Global Framework Agreement (GFA)

1. Introduction

The Export oriented Readymade Garment (RMG) sector of Bangladesh is one of the central economic lifelines of national economy since 1990s. Notably, RMG sector has contributed employment opportunity for more than 4 Million people, especially for the women in more than 5000 factories (Farhana, Syduzzaman & Munir, 2015; DIFE, 2015; Reinecke & Donaghey, 2015). This buyer driven supply chain oriented

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manufacturing sector contributes around 10% of the country's total GDP and comprises over 80% of total national export earnings (cited BGMEA, 2015 in Zajak, 2015). This export oriented manufacturing industry gradually has become one of the top garment exporter in the world and succeeded to attract majority of the leading apparel brands of Europe, America and Australia for guaranteed quality production with cheap labour and low cost. Currently, Bangladesh is the second largest garments exporter in the world after China.

Though economic contribution of RMG sector has been discussed widely, unfortunately the decent work condition, particularly workers' rights and safety issues were neglected from the very beginning of the emergence of this sector which resulted appalling industrial catastrophes like Tazreen Fire Accident and Rana Plaza Collapse in the recent past.

The Collapse of Rana Plaza eventually caused the death of 1138 workers and injured more than 2500. This shocking wave of the tragedy spread out all over the world and the poor working condition and safety at workplace of garments industry in Bangladesh has been criticized extensively. After the collapse, in response of this catastrophe, several national and international initiatives have been taken by the stakeholders. Nationally, the government National Tripartite Plan of Action (NTPA) has been activated and several initiatives have been taken immediately. The amendment of Bangladesh Labour Act 2006, revision of RMG sector minimum wage, enactment of new law for the Export Processing Zone (EPZ) and developing Labour Rules and National Occupational Safety and Health Policy, etc. are some of the notable examples. Noteworthy, two major international initiatives have been organized; one is the Accord on Fire and Building Safety in Bangladesh (the Accord Bangladesh) and Alliance for the workers safety in Bangladesh (Alliance). This international initiatives has already implemented a notable number of program and passed significant period of action. Though, it has been working significantly there are also some limitations and challenges both internally and externally. Thus, the main objective of this paper is to present a comprehensive assessment of Accord Bangladesh based on the review of scholarly works. This paper has been developed following the research questions; what is the underlying background for the development of Accord Bangladesh? What are the main differences between the Alliance and Accord Bangladesh and why are the brands with Accord and Alliance acting differently for the same goal? How do the Accord Bangladesh govern activities? What are the

current achievements and challenges of implementing Accord Bangladesh?

2. Objectives of the study

The main objective of this paper is to evaluate the present context of the implementation of Accord in Bangladesh. Underlying this essence of evaluating the present context of the Accord Bangladesh, this paper mainly focuses the critical analysis of background, governance approach, progress and challenges of Accord Bangladesh. Specifically the objectives of the paper are;

- i) to understand the background for the development of Accord Bangladesh
- ii) to know the differences between Alliance and Accord Bangladesh exploring the reason behind two separate initiatives for the same goal
- iii) to know the governance and participation of trade unions in Accord Bangladesh
- iv) to evaluate the progress and challenges of implementing Accord in Bangladesh

3. Research Methods

This article has been developed based on the data collected from different secondary literature following the qualitative research approach. This paper has been developed through review of different documents using the content analysis method. The data from different secondary sources like relevant books, research reports, journal articles, newspaper articles, web contents, interviews, country reports were analyzed narratively to draw the findings. Particularly, literature related to the research objectives have been considered on priority bases. These review works suffer with methodological limitation because of dependency on a limited number of data sources and sometimes the recent updated data were not available to make an updated strategic direction. However, overall this study provides an insight about the rethinking of existing practices of addressing the challenges of occupational safety and rights of the workers in Bangladesh.

4. Background of Accord Bangladesh

The Accord is an outcome of previous efforts and demand of trade unions to hold the buyers responsible for improving the working

condition. The demand for ensuring building and fire safety in RMG industries of Bangladesh can be traced back to 2005 after the collapse of the Spectrum sweater factory, used by Inditex which caused the death of 64 workers. The demand for initiating safety measures involving and ensuring the responsibilities of brands has been boosted up from the trade unions and labour rights groups after the accident of Hamim group garment factory in 2010 which caused at least death of 28 workers. Venkatesan (2013) noted the Accord as a culmination of previous negotiations and attempts made after the fire accident in Garib & Garib fire in 2010 to set up a multi-stakeholder mechanism for fire and building safety. A joint MoU on Fire and Building Safety that was signed only by PVH and later by Tchibo following the Tazreen Fashions fire, but the effort failed because of not signing by the other brands sourcing from Bangladeshi RMG suppliers. This effort has been mainly emerged in a new form as Accord Bangladesh which is now signed by more than 220 brands as a result of national and international collective pressure. Clean Cloth Campaign & Maquila Solidarity Network (2013) pointed that Accord is an outcome of widespread consultations and discussions nationally and internationally with the relevant stakeholders like buyers, suppliers, workers representatives and government.

The Accord on Fire and Building Safety in Bangladesh (the Accord Bangladesh) is an agreement between global brands & retailers and trade unions for the five years' time period to ensure safe working condition in RMG industry of Bangladesh to ensure safety and rights of the workers at workplace.

This five year independent agreement signed on May 15th, 2013 and by nature it is legally binding for the signatories (Accord Bangladesh, 2014). The distinctive feature of Accord Bangladesh is the legal bindings of MNCs for the improvement of safe working condition at workplace. Hensler and Blasi (2013) reported that unlikely nearly all initiatives for the safety and wellbeing of supply chain workers, the Accord Bangladesh is different because of legal bindings of brands and retailers for the enforcement of condition of this agreement. Reinecke & Donaghey (2015) noted four characteristic; firstly, unlike other IFAs which are mainly signed between MNCs and GUFs, the Accord include multiple employers involving national trade unions and witness signatories. Secondly, it has a tripartite governance system, thirdly it has own secretariat to coordinate, monitor and implement the agenda and finally there is a complaint procedure for the violation of legal clauses. Accord has also been seen as an inspirational effort which can

also be implemented in other countries or industries evaluating its progress and success (Claeson, 2015; Brown, 2015.)

According to the official websites of the Accord Bangladesh (n.d), it has six key components; (i) *A five year legally binding agreement between brands and trade unions to ensure a safe working environment in the Bangladeshi RMG industry* (ii) *An independent inspection program supported by brands in which workers and trade unions are involved* (iii) *Public disclosure of all factories, inspection reports and corrective action plans (CAP)*, (iv) *A commitment by signatory brands to ensure sufficient funds are available for remediation and to maintain sourcing relationships*, (v) *Democratically elected health and safety committees in all factories to identify and act on health and safety risks* (vi) *Worker empowerment through an extensive training program, complaints mechanism and right to refuse unsafe work.*

In general, the Accord Bangladesh represents an initiative to ensure a safe workplace for the RMG workers of Bangladesh through factory inspection. The buyers of garment from Bangladesh directly supported the program and the Trade Unions have representation in agreement which is completely different from another international initiatives, like Alliance for Workers Safety.

Though the Alliance for Workers Safety is not a central topic of this paper but it is worth to explain the differences of these two international initiatives developed for the same cause. Alliance is a five year legally binding commitment for the improvement of workplace safety in RMG factories of Bangladesh as well. According to the official website of the Alliance (2016) this is “.....a collaborative process which involved apparel industry companies and stakeholders including: the U.S. and Bangladeshi governments, policymakers, NGOs, members of civil society, and organized labor. The alliance is organized in 2013 with a vision to improve worker safety in the ready-made-garment (RMG) industry by upgrading factories, educating workers and management, empowering workers, and building institutions (Alliance, 2016).”

The Alliance is also developed for the purposes of workers safety in RMG sector but with different actors, mainly from the North American Brands and Retailers. Legally, it is not binding for signatories and there is no direct participation of workers in real sense. In response of a question by Emerging Bangladesh (BGCCI) about the differences of objectives between Accord and Alliance, the Managing Director of Alliance Rabin (2014) replied ... “*there is no difference, as the standards and protocols are harmonized. However, their approach to*

educate workers is different from that of ours. As far as improvements are concerned, their inspections and remediation are all the same. (BGCCI, 2014)'' . Similarly, the Director of ILO office in Dhaka stated that all the three initiatives Accord, Alliance and NTPA as per their agreement among themselves will follow the same standards of inspection (BGCCI, 2014).

In question of governance, the two structure are clearly different from each other. Accord ensures direct participation of the national and international trade unions and NGOs whereas the Alliance is only buyers driven initiatives. The signatories in Accord are committed to long term sourcing form Bangladeshi suppliers maintaining compliance whereas the Alliance members is not legally binding similarly. The Alliance does not committed to long-term sourcing relationships as well as not committed to ensure workers employment during remediation process like as Accord (Shiina,2015). Though the goal of these initiatives are identical to improve working condition and ensure safety at workplace but responses on sole issue is different in approach and interaction.

The brands with Accord are mainly working under the coordination of supranational authority like International Labour Organization (ILO) whereas the brands with Alliance are mainly negotiating among themselves. This trend of following (by EU group) and overlooking (by North American group) the supranational authority for transnational cooperation or coordination explained the market behavior of the Multinational Corporations in their origin. Levy & Prakash (2003) explained that there is an uneven and incomplete internationalization of production and markets which is accompanied by the emergence of various form of supranational governance and even in absence of a supranational authority negotiations among governments, firms and NGOs are leading to the establishment of regimes of rules, norms, codes of conduct, and standards that shape MNCs' market behaviors. The market behavior of the origin country of firms can also be consider to explain the variations. Generally, European Labour Market are characterized as coordinated labour market-Denmark, Germany, Netherlands and Sweden, form where most of the Brands have signed the Accord and the North American are mainly denoted as liberal market economy. Bruno Amable (2003) argued that the verities of capitalism approach predicts a strong association of the countries institutional structure and the specialization in a type of economic activity. Parry, Dickmann & Morley (2008) argued that MNCs are likely to replicate their home human resource management practices in operating countries. The verities of capitalism

approach shows that North American countries basically follows the market based model of capitalism whereas most of the EU countries mostly follows Continental capitalism, Socio-democratic capitalism or Mediterranean capitalism. The analysis reveals that the European countries are more used to a coordinated labour market whereas the American prefer liberal market economy (Amable, 2003). From this tendency, considering their respective perspective as superior and based on their own policy can also be an influential factor for the two separate independent action.

The legal obligations of improving compliance situation and commitment for long term sourcing relationship with suppliers in one sense clearly contributes to increase the transection cost of buyers. In that sense the transection cost for signatory brands and retailers with Accord is higher than the brands and retailer with Alliance. Hallwood (2013, p. 7) stated that “..... *the transection cost theory of choice of governance structure predicts that organizational form will be determined so as to minimize the cost of organization. Transection costs are defined as the cost of organizing business (that is the cost of making transections).*” Underlying this explanation, it can be asserted that the transection cost might be a consideration or causes of the variation of responses by buyers of two different region.

5. Structure and Governance: Representation of national and international stakeholders

This section of the paper provides a brief understanding of the structure and governance of Accord concentrating the representation of signatories with a special focus on workers representation. The Accord, the five year legally binding agreement between global brands & retailers and trade unions was signed on May 15th, 2013. Initially, it was signed by more than 40 brands & retailers, two global unions and four Bangladeshi union federations including four labour rights NGOs as witnesses. Immediately within next three months, the signatory of buyers reached at 67 (CCC, 2013). Currently, Accord has been signed by over 220 apparel brands, retailers and importers from over 20 countries of the world. As a legal obligations the signatory companies agreed to fund the governances of the Accord. Currently, beside the brands, 2 (two) global union federations, namely; IndustriALL & UNI Global and 7 (seven) national RMG trade union federations are the members of Accord Bangladesh. The IndustriALL Bangladesh Council

(IBC) is another influential workers’ representative body of the Accord Bangladesh.

5.1 Signatory Buyers: The Accord Bangladesh is predominantly driven by the buyers from European Union thus it is characterized as EU initiative though there are also few signatory brands from America. The country-wise distribution of signatory brands demonstrates that the brands from Germany, UK and Netherlands have wide participation than other European countries. On the other hand, United States and Australian brands have notable participation in Bangladesh Accord in comparison to other countries (Table-1).

The companies agreed to pay an annual fee of up to \$500,000 for the five years agreement period (Reinecke & Donaghey, 2015). But, unfortunately, among the total signatory brands 8 brands memberships position is not in good standing because of non-payment of membership fee, as per the information available in the official website of the Accord Bangladesh (Accord Bangladesh, 2017). Notably, the only one signatory brand from Austria, named *Fashion Team Handels* is in the group of non-payment of membership fee.

5.2 Union Signatories

5.2.1 Global Union Federations

Global Union Federations; IndustriAll Global Union and the UNI Global are the direct parties of Accord Bangladesh from the very beginning of the initiative. The previous relationship of these two GUFs with the MNCs influenced and convinced the signing of buyers in Accord (Reinecke & Donaghey, 2015). The IndustriAll

Table-1: Country-wise Distribution of signatory Brands		
Region/ Country		No. of signatory brands
European countries	Austria	1
	Belgium	6
	Denmark	7
	Finland	3
	France	9
	Germany	65
	Italy	4
	Netherland	26
	Norway	3
	Poland	1
	Spain	6
	Sweden	16
	Switzerland	3
	United Kingdom	30
Sub-Total		179
Non-European Countries	Australia	11
	Canada	2
	Hong Kong	6
	Japan	1
	Turkey	2
	United States	20
Sub-Total		42
Total (as listed)		221
Source: Official Website of Bangladesh Accord, 2017		

Global Union which represents 50 million workers from 140 countries. The IndustriAll Bangladesh Council (IBC) represents 21 national level unions whereas 15 affiliates are from the RMG sector (IndustryAll, 2016). Another GUF signatory, The UNI Global which represents more than 20 million workers from of more than 900 trade unions in the world. UNI Global mainly represents workers in Cleaning and Security, Commerce, Finance, Gaming, Graphical and Packaging, Hair and Beauty, Information, Communication, Technology and Services Industry (ICTS), Media, Entertainment and Arts, Post and Logistics, Social Insurance, Sport, Temp and Agency workers, and Tourism industries as well as Professionals and Managers, Women and Youth (UNI Global, 2016).

IndustriAll and UNI Global, both the GUFs have been playing very influential role in Accord implementation process and continuously demands the fulfillment of legal bindings according to the agreement. On creation of Accord Bangladesh, General Secretary of IndustriAll stated that “...*We would not accept anything less than a legally binding agreement to make Bangladesh’s garment industry safe and sustainable* (IndustriAll, 2016).” Both the GUFs negotiated to strengthen the accountability work associated with the Accord. These GUFs are also working to support the RMG federations to deal with their complaint, facilitating the coordination of NGOs, unions, government agencies and factory managers regarding Accord-related issues.

5.2.2 National RMG Trade Union Federations

Besides the brands and global unions, 7 (seven) Bangladeshi national garment federations and IndustriAll Bangladesh Council (IBC) are the national level representative signatory of the Accord. The signatory RMG national federations includes; Bangladesh Textile and Garments Workers League, Bangladesh Independent Garments Workers Union Federation, Bangladesh Garments, Textile & Leather Workers Federation, Bangladesh Garment & Industrial Workers Federation, Bangladesh Revolutionary Garments Workers Federation, National Garments Workers Federation, United Federation of Garments Workers (Accord Bangladesh, 2014).

It is claimed that the total number of RMG factories in Bangladesh are over 5000 which employs around 4.0 million workers countrywide. Unfortunately, the total number of RMG basic unions in this sector is only around 480 which is very negligible numbers in terms of total size of the factories. At present, there are 39 (thirty nine) RMG sectoral national federations, of which only 7 (seven) federations are the signatory of the Accord. The national federations who are the signatory of the Accord

Bangladesh are generally claimed as the active and dominating sectoral trade unions of the RMG sector. Majority of these unions are operating in this sector more than 15 years and registered with the Department of Labour. As per the claim of the federations, currently, all of them represent a significant number of the total union's member in Bangladesh RMG sector but in terms of the total workers, it is very low.

Noteworthy, all of the signatories of the national RMG federations are affiliated with IndustriAll Bangladesh Council (IBC). The status of affiliation with national federations shows that 4 RMG federations are independent of any national federations whereas other 3 federations are the branches of national federation. Among this 3 national federation, 2 federations (Bangladesh Textile and Garments Workers League & United Federation of Garments Workers) are affiliated with the labour unions (Jatiyo Sramik League/National Workers League) of the ruling party.

The empirical research on the implementation of Accord by Khan & Wichterich (2015) found satisfactory cooperation between the Accord and local Trade Unions. They stated that “.....*both the interviewed trade union leaders confirmed that the Accord institute has cooperated with them throughout its initial inspection process and that currently, it regularly updates them on the progress of its work and involves them in checking the implementation of the CAPs as reported by the factories. The trade union leaders are amazingly content with the implementation of the Accord.*”

5.3 Witness Signatories

There are four witness signatory in Accord Agreement; Worker Rights Consortium, International Labor Rights Forum, Clean Clothes Campaign, and Maquila Solidarity Network which are mainly workers' rights defending non-government organization. This witness signatories monitor the implementation process and publish evaluation report. In the meantime, this party already published several status report, research findings and recommendation identifying the loop hole and demanding necessary correction in the process (Accord Bangladesh, 2014).

5.4 Governance: Steering Committee and Advisory Board

The signatories of Accord Bangladesh represents in governing process forming a Steering Committee (SC) with equal representation from workers and companies. The SC is the executive decision making body.

The ILO representative act as a neutral chair of the 6 members' SC. Among the six members SC, 3 members represents from the brands; PVH (USA), H&M (Sweden), Inditex (Spain), and 3 members represents from the unions; Uni Global Union, IndustriAll Global Union and United Federation of Garments Workers. Notably, 2 representative from Clean Clothes Campaign and Workers' Rights Consortium act as witness signatories. The SC also empowered to appoint one alternate member (defined alternate representative) from among the Signatories to attend and participate in meetings of the SC and who may vote when the relevant SC member is not in attendance (Accord Bangladesh, 2014.).

The Advisory Board (AB), besides the SC an AB are also functional and chaired by the ILO representatives. The AB meets once in every quarter. The ED of the Accord Bangladesh attends at the AB meeting and present the activities. Besides, government representative, one TU representative and one company representative from SC also attend in AB meeting (Accord Bangladesh, 2014.).

6. Current Status: Process and Progress

The activities of Accord Bangladesh are mainly conducted with a view to assess the fire, electrical and structural safety status of the accord signed factories and initiate necessary remedial activities where necessary. Underlying this principle the functions of Accord are mainly divided into three major areas namely; independent inspections, remediation process and workplace program with workers and factory owners.

6.1 Inspection: The Accord is mainly responsible to conduct independent inspection to the factories produces for the signatory brands and retailers. This inspection mainly focuses fire, electrical and structural safety. Inspection procedure maintain a guidelines developed following the Bangladesh National Building Code and a common standard developed by the Accord, National Tripartite Plan of Action, and Alliance for Bangladesh Worker Safety (Alliance). Mainly, ILO facilitated the development of this common standard coordinating with all the stakeholders (Accord Bangladesh, 2014.).

The latest aggregated quarterly report (May 2017) of Accord reveals that overall remediation progress rate of safety issues has reached 77 percent and remediation is close to completion at more than 400 Accord factories which have completed more than 90% of the remediation. 61 factories have completed all remediation from initial

inspections (Accord Bangladesh, 2017). By yearly distribution showed that initially in 2014, it inspected 1100 factories; in 2015 the number of inspected factory was 300 as second batch inspection and in third tier of inspection is ongoing which was initiated on April 2016. The same report indicating the inspection update shows that as of 1 April 2017 a total of 1923 factories were under the inspection of Accord at this third tier. Among the factories under inspection, accord has already completed individual inspection of 1524 factories and scheduled for inspecting 68 new factories and transfer 53 factories to National Action Plan. In addition, Accord inspected a more than 200 factories jointly with Alliance. The factories under Accord inspection is inspected approximately once every three to four months and up to 500 follow-up inspections has been conducted with more than 100 engineers each month. The IndustriAll (2016) reported that “..... *the Accord brought a quantifiable improvement in building and fire safety-more than 50,000 problems and 75 percent electrical problem have been reported as fixed.*”

6.2 Remediation: Remediation process is the second step of Accord activities. After initial inspection the reports are shared with factory owners, relevant Accord signatory companies and worker representatives to develop a Corrective Action Plan (CAP). The factory owners and companies mainly develop CAP with details remedial actions, timelines and financial plan. After the finalization, CAP must be reviewed and approved by the Chief Safety Inspector. The current status showed, As of April, 2017 according to latest report 1472 CAP has been developed and published. Notably, 61 factories completed remediation from initial inspection and 400 factories completed more than 90% remediation according to CAP (Accord Bangladesh, 2017). The number of published CAPs were only 500 in 2014 which sharply increased to 1350 in 2015 and reached to 1463 in July, 2016 (Accord Bangladesh 2016).

The official website of Accord stated that “*In case of temporary full or partial closure of a factory while remediation takes place, the signatory companies shall require their supplier factories that are inspected under the Accord programme to maintain workers’ employment relationship and regular income for a period of no more than six months. Failure on the part of suppliers to comply may trigger a warning notice, and ultimately termination of the business.*” The buyers are legally bound to continue business and ensure financial feasibility to during the time of remediation (Accord Bangladesh, n.d.). Based on the CAP, the latest progress report listed the common

findings of risk and hazard which includes; unsafe means of egress, unsafe electrical installations and weak structures, lack of fire separations between floors, lack of adequate fire doors and the new findings are mainly related to electrical safety issues.

The report also noted the immediate remediated issues like “ *Lack of certified fire doors in stairwells, Inadequate automatic fire alarm systems, Inadequate fire separations and protected exits, Excess combustible material (fire load) in areas where people are working, Loose electrical connections and improper earthing (grounding) systems, Accumulation of dust and lint on electrical wiring, Inadequate space for electrical installations such as substations, Electrical phases that are imbalanced or overloaded, Negligence towards electrical systems, Lack of lateral stability in the structure, Lack of accurate structural drawings, Lack of management load plans to avoid excess weight in certain parts of the building.* ”

6.3 Workplace Program: Workplace program is an important characteristics of Accord where the Accord initiated program with the workers and owners at workplace. This program is to support workers for the safe empowerment as well as to support the owners for ensuring safety at their factories. This program includes according to Accord official website “... *contribution to the inspections, monitoring and implementing CAPs, building functioning Safety Committees, having access to a credible safety and health complaint mechanism, and being protected to refuse unsafe work if necessary.*

The Accord has initiated the program of forming Safety Committee and training in the factories. It is underway in 40 factories with a registered trade union and active Accord signatory companies. This initiative aims to inform about the safety committee and train the members for the proper monitoring, reporting and handling complaint related to safety issue at the factory level (UNI Global, 2016).

7. Challenges of Accord Bangladesh

The evaluation of Accord Bangladesh by various researchers has identified the agreement both as a “Game Changer” and “Breakthrough” considering the nature of arrangement. Rahman (2014) stated that “..... *the Accord is definitely a breakthrough and game changer because of its achievement as an agreement, which is discussed in three points: Legally binding international and national agreement, Government supports and Strengthening of workers.*” But the author has expressed suspicion about its game changing and

breakthrough nature in terms of implementation. Rahman (2014) pointed out that during the period of ongoing activities of Accord, there were also some incidences of fire accident in RMG factories in Bangladesh, for example, “Aswad garment factory” accident on October 8, 2003, killed at least 10 people, “Standard Group garment factory” accident on November 29, 2013. This continuation of accident questions the effectiveness of Accord.

Claeson (2015) explained that workers have jurisdiction for the enforcement of commitments written in agreement through participating trade unions as well as a signatory the trade unions can initiate binding arbitration against the signatory MNCs to comply with the terms of agreement. But, Venkatesan (2013) argued that workers can sue companies or retailers in question in their home jurisdictions but the workers of RMG sector are not enough capable economically and socially to afford higher legal costs and expertise to fight against the company or brands for the violation of legal bindings in Court.

Despite having several initiatives the anti-unionism motivation is dominant in RMG factories of Bangladesh. Claeson (2015) in his analytical writing quoting a trade union who is a member of Accord stated that one of the trade union organizers had been kidnapped, brutally beaten, and robbed in apparent retaliation for his role in organizing workers at a factory who produces for the brands signatories of Accord. He also referring AFL-CIO Solidarity Center in Bangladesh stated concern about increasing violence against the union members with growing number of unions registration rejection only based on dubious reasons. Thus he suggested to Accord brands to respond actively on the issue related to violence and repression against unionism.

The suppliers including sub-contractors are under the coverage of Accord contract. But dealing with the unauthorized subcontractors is a big challenge for Accord Bangladesh. Alan Roberts (2014), Accord Executive Director for International operations, in a statement expressed that “.....*Unauthorized sub-contracting is one of the many recognized challenges for the Accord and it is impossible for the Accord alone to end the practice of unauthorized subcontracting. Where factories of unauthorized subcontractors are identified and confirmed as supplying an Accord signatory, they will be subject to the same process of inspection as primary suppliers.*”

Venkatesan (2013) found out some challenging issues that could be discussed to evaluate the effectiveness of Accord; the timeframe of the Accord is not enough to improve the overall situation of the industries

with more than 5000 factories. He also argued that though all the factories are not covered by the Accord but a significant number is under the coverage which is also difficult to change the situation by this time frame with limited resource and expertise. Similarly, the subcontractor of factories are still not under the Accord inspection thus unprotected. He also mentioned that Accord is highly focused on workplace safety but beside this there are also some other labour light violations, for example, long hours, being underpaid, child labour and human rights abuses which have not been addressed properly.

Significantly, he addressed the issue of losing the advantage of low production cost and noted the probability of shifting business to other low cost production country, consequently. Likewise, he questioned the commitment of brands and retailers for the improvement of safe working condition in RMG sector as they are acting under a legal bindings and has taken the initiatives for the pressure of national and international community to be worried about their brands reputation. So, there is also lack of keen interest and self-stimulus from brands to change the situation in real sense.

There is also unclear information about financial supports by the signatories in remediation process. Accord reported that the information in this regard is sometimes inaccurate or incomplete and unclear about the status how many suppliers are actually receiving assistance and what forms of assistance are being received (Accord Bangladesh 2016).

Alke Boessiger, the UNI Global Union head of Commerce, in an interview with the IndustriAll (2016) stated that though there are notable progress but also some challenges. He mentioned that a large number of CAPs are behind scheduled. In addition, he pointed out the failures of factories and buyers to meet their binding requirements according to the Accord escalation process. Refereeing the joint report of NGO signatories in Accord, Clean Cloth Campaign, International Labour Rights Forum, Workers Rights Consortium and Maquila Solidarity Network on the evaluation of H&M factories remediation process, the RMG Times (2016) stated that majority of the suppliers who produced for H&M are still unsafe and almost all of its factories CAPs are behind scheduled. The evaluation report of NGO signatories on H&M compliance with safety action plan for strategic suppliers in Bangladesh showed that among the required CAPs for H&M suppliers, the majority (52%) are behind schedule. Specially, 71.6% structural renovation followed by 50.1% fire safety repairs, 37.8% electrical

repair plans are behind schedule (Clean Cloth Campaign & et. al, 2015).

Khan & Wichterich (2015) in their research refer the critics of John Smith (2014) regarding the Accord Bangladesh where he predicts any mechanism under this system will finally not be effective in establishing overall labour rights. Smith (2014) questioned that though there is provision of negotiating commercial terms between suppliers and firms for the financial feasibility for factories to maintain safe workplaces but there is no monitoring and implementation authority for this clause and no penalties are indicated for non-compliance.

In addition, there are several challenges that should be consider for the further development of the action plan which can be noted as follows;

The remediation cost, sometimes is too high and the lack of adequate supports from the brands make the situation more difficult for the employers to cope up with the efforts of ensuring safe workplace. Moreover, the higher remediation cost without proper support sometimes creates adverse impact on the workers' rights through unfriendly production practices.

The product price has also an impact on the working condition improvement strategy. The buyers are still reluctant to increase the price of the product sourcing from Bangladesh though the buyers produce same product in a higher price form the other sourcing countries. This variation of product price in different countries for the same product can be addressed underlying the theory of dependency in capitalist economic model as well as the external and internal competition of the producers. Thus the weak bargaining capacity or absence of opportunity of the employers in the market mechanism can be addressed as another point of discussion.

Similarly, in terms of power relation the labour groups are not in a satisfactory level at the national level. The workers representative or trade unions are not capable enough to motivate the policy formulation as strongly as the employers nationally.

Significantly, NTAP controlled factory inspection process is not at the satisfactory level in terms of the number of factories inspected in comparison to the Accord inspection. On the other hand, the Accord only includes the export oriented RMG factories but there a notable number of RMG factories produces for the domestic market. Any unfortunate catastrophe or substandard working condition in garments

producing countries either export oriented or domestic market oriented factories may negatively affect the image of the industry globally.

8. Conclusion

The series tragedy in RMG sector of Bangladesh and the victimizations of thousands of workers and their families has created a demand at the national and international level to improve working condition in RMG factories of Bangladesh. Though the responsibilities of buyers for workers at manufacturing level has come to the forefront widely at the recent time but there was also effort to hold the buyers responsible after the Garib & Garib factory tragedy in 2010. However, the Accord Bangladesh has been considered as a unique GFA in comparison with other because of its nature of governance, legal bindings and direct representation of the workers. This EU buyer driven effort has made notable progress in factory inspection and remediation process. The trade union appreciates the efforts of Accord Bangladesh. In contrast, there is also criticism of implementation of Accord from Trade Unions perspective, for example, non-payment of compensation during remediation process or termination of order. In case of shutting down the factories due to failure of creating a safe working environment according to Accords condition, there are also claim of non-payment of compensation to the workers properly. However, the UNI Global and IndustriALL have been working to support the victim workers and investigate the claim of the unions. Besides, the recent accidents and anti-unionism consequently questions the effectiveness of the Accord. The scholars identified several challenges of Accord in terms of short length of the contract to change the situation of a big industry, complexity and weakness of workers side in complain mechanism, inspection in sub-contracting factories, and lack of proper remedial support from the buyers, etc.

Though there are some limitation, but the national and international stakeholders remark the Accord as a positive breakthrough and game changer in the area of global supply chain and the role of MNCs. The experiences of Accord Bangladesh can also be used for other countries, as a model.

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Criminalization of Street Children: A Study in Dhaka City

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Abstract

The study is mainly aimed to locate the process of criminalization of the street children who are living in the streets without home and parental care. The survey was mainly conducted in Komlapur Railway Station, a major communication hub of the city to identify whether the children of the streets are being criminalized or not. It derived from the study that most of the street children are totally detached from their family and parental care. They are abused regularly in their living place and also in their working places. Insecurity feelings and scarcity of basic upbringing needs are two very important factors for being criminalized. When he gets some sources of earning money he never thinks back and thus involved in to criminal activities without his consent automatically. Availability of drugs in those areas is another major problem. The drug dealers are using them in a very cheap price for trafficking and selling the drugs. In a continuous process they become addicted into the drugs and thus involved in criminal activities like pick pocketing, hijacking, shop lifting etc. minor criminalities which inspire them do serious crimes later. One thing very significant that came out of this study is that the females are increasing in number in the streets and they are also involving themselves into various criminal activities. Females are more sophisticated to victimization and thus the number of female victimization is increasing day by day.

Introduction

“Street Children”, is a term usually referred to address the children who generally live on the streets. They are deprived of family care and

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protection. Most children on the streets are between the ages of 10 to 14 years, and their populace/number between different cities is varied. Street children are found in most cities around the world. They live in the streets, they sleep in the open or in empty buildings, and they have no one to support them in their daily struggle for survival. Street children are probably the most visible face of child labor. Most of them are involved in petty trade or carrying goods, shoe shining, begging, or collecting garbage. Despite being very visible, street children are difficult to study, and nobody knows exactly how many street children there are in the world today. The children's way of living makes them difficult to count, as they will not be found within ordinary family structures nor in schools or other institutions. Most statistics on street children are merely estimates, or "guesstimates". Like other "hidden population", street children are difficult to deal with within ordinary statistics (Hatloy and Huser, 2005).

Street children are the casualties of economic growth, war, poverty, loss of traditional values, domestic violence, physical and mental abuse. Every street child has a reason for being on the streets. While some children are lured by the promise of excitement and freedom. The majority are pushed onto the street by desperation and a realization that they have nowhere else to go. In many countries, street children are named after their main survival activities. For example, Vendors (Dakar, Lusaka and Manila), street gangs (Stuttgart), juvenile prostitutes (Stuttgart, Manila) etc. What is obvious is that street children are poverty-stricken and their needs and problems are a result of wanting to meet basic needs for survival. Street children go through the struggle of providing themselves with basic things such as food, shelter, health and clothing. Providing targeted interventions that meet the needs of street children requires an understanding of who they are, what they need, what they do and how they can be identified (Working with Street Children, WHO).

Multiple definitions of street children exist, and many practitioners fail to specify which group of children they are addressing. The Government has undertaken several measures towards synchronizing the domestic laws and regulations during the reporting period, keeping in mind the standard definition of child. Not only there are several laws and regulations relating to children, they also are different in many respects including age of child. Moreover, there are socio-political, cultural and religious reasons behind it. The contemporary definition of children in Bangladesh according to the revision of different laws regarding children identifies that, the individuals who are aged in between 9-20 years as 'children'. According to the National Child

Policy 2011, Child means any person of Bangladesh having under the age of 18 years.

Street children are an extremely vulnerable group in all aspects of life, not just the nature of their work. Some of the children might be victims of trafficking, but, more likely, the fact that they live in the streets make them more vulnerable to trafficking than the other children. They are children living without a safety net, often seeking new challenges or trying to escape their present circumstances. Children leave home for various reasons. Some leave voluntarily, searching for an adventure or for a way to make a living. Other children are rejected by their family, or may feel unwanted due to a strained family situation. Others are encouraged by their family to find work in the city in order to contribute economically to the household. Whatever the reason, there may be complex underlying causes why children live on the streets.

Children are living on the streets of each and everywhere in Bangladesh due to a multitude of poverty related issues. Street-life can be devastating and extremely traumatic. Street children are at risk from sexual abuse, rape and sexual exploitation. Hunger, violence and disease are ever present. Substance abuse, in particular sniffing glue, is prevalent and used as a way to escape the harsh realities of street life. Street children also get caught up in petty crime in order to survive and sadly children also lose their lives. For the outside observer, living on the streets seems to be a hopeless existence. Even so, many children choose this life in preference to returning home or accepting services from provisional departments or non-governmental organizations (NGOs). The pull of the streets seems incomprehensible in the light of the abuse and deprivation they face, and yet many opt for the streets as a way of escaping the extreme social and economic circumstances in their communities.

Objectives

The key purpose of the study is to locate whether the street children are involving into criminal activities or not and to assess the circumstances and factors that facilitate the involvement of children with criminal activities and also to sought out some remedy for the problem. The specific objectives of the study are: to find the causation behind being street children, to identify the manner in which children get involved in crime related activities, to identify the problems faced by a street children, to determine the magnitude of street children as a social problem.

Review of Literature

According to the National Child labor Survey 2002/03, the total working child population between 5 and 17 years old is estimated to be 7.9 million (Bangladesh Bureau of Statistics, 2003). Street children accumulate numerous experiences of violence from an early age and in a range of environments. Many girls are engaged in the worst forms of child labor. A 2003 UNICEF estimate placed the number of underage girls involved in commercial sexual exploitation at 10,000, with other estimates placing the figure as high as 29,000 (US Department of State, 2009). Street children's experiences in countries across the world are strikingly similar including those in rich countries with child protection system alongside children in poorer countries which have weaker support structures (Benitez, 2007). When a child become abused among his house hold and closely related society and cannot fulfill his basic needs then he migrates into the streets (Conticini and Hulme, 2006). Although they are an important consideration in family decisions to move, children also engage in autonomous, independent migration (Young, 2002). The plight of hundreds of thousands of street children in Bangladesh has worsened in the last years as their numbers increase and efforts to rehabilitate them fall far short of targets (Agentur, 2006). The plight of street children is a major concern in many developing countries. The problems facing homeless children living by themselves are quite different from those of other homeless people (United Nations Centre for Human Settlement, 2000). There has a direct linkage among the price rise and the nutritional state of the children and drop of income (Save the children UK, 2009). Chawla (2002) reports that the interaction of children in street situations, within neighborhoods and street communities, is the keystone for understanding the growth of impressive ethical behaviors and that street life fosters the development of cultural richness. Nearly 50 per cent of primary school students drop out before they complete grade five, and then gravitate towards work, swelling the number of child laborers (ILO, 2009). Access to education for the street children are increasing through vocational and life-skills training (OHCHR, 2010). Bangladesh's Food-for-Education program, initiated in 1993, involves the government giving parents wheat or rice in exchange for sending their children to school (United States Department of Labor, 2010). Some schools in Bangladesh have flexible schedules, and schedules set to accommodate local considerations, such as harvests (K Ardt et al, 2005). Keeping this aside, according to the Khulna Staff Correspondent report in the Daily Star, street children are involving into crimes. Poverty and wayward life of their parents, loss of shelters

due to natural calamities such as flood and cyclone, drug addiction, bigamy or polygamy of parents and missing during journey from one place to another are among the factors that are responsible for a large number of street boys' gone involved in crimes. Many of these hapless street boys are picked up by criminals for keeping arms, throwing bombs at targets, selling drugs and pilferage of food grains for small amount of money (The Daily Stars, 2008-06-17). Children in the streets are drastically involving into drug abuse in recent times. In reality people in our society are not much concerned about drug addiction among street children because they are kept out of sight and so are out of mind. The upper and middle income groups and the educated section of the society are not directly affected by this problem (The Daily Star, 2007-09-26).

Methodology

The research was mainly descriptive in nature and Quantitative analysis was adopted for the analysis.

Area selection

The research was mainly conducted in *Komlapur Railway Station*, a major communication hub of Dhaka city. As there has a huge daily transaction of people in this place and the most of the street children lives here for their livelihood thus this area was selected to generalize the findings.

Sampling and Sample size

The total number of the street children is still unknown in Bangladesh thus the population was unknown and for that reason the sampling method was non-probability sampling and the sampling method was Purposive sampling and a total of 76 primary samples was taken for the study.

Data collection and Analysis

Data collection process was Survey method. Data was collected from the field. Data collection process was questionnaire. Different sort of questions such as close ended, open-ended, questions were added to the questionnaire. A set of questions was provided to the respondent as an interview. Data was analyzed by SPSS program, Microsoft Office Excel and Microsoft Office Word. There were many statistical tools used here by using univariate tools such as mean, median, mode to analyze data to identify the variables and analyze them.

Findings

Socio-demographic characteristics of the respondent

The research revealed that the age group of 11-12 is the most in the streets and it cuts 39.5% of the total respondents. Among the respondents 57.9% are male of the 76 respondents. But it also shows a significant number of females in the street, which is alarming. The educational qualification of the respondent shows that significant amounts of street children about 28.9% are illiterate. The most number attended school and then dropped out. A negligible percentage of only 3.9% attended to the SSC level, which has a real impact. A significant amount of the street children have no idea about their family. Most percentage of them comes from nuclear family 34.2%. There also have 21.1% from the separated family. The presentation shows that 31.6% don't know anything about their parents. 19.7% have parents alive but they are not connected with them. Almost same percentage of either father or mother is absent. In few cases both of them are absent.

Table-1A: Age, Sex and the Educational Qualification of the respondent

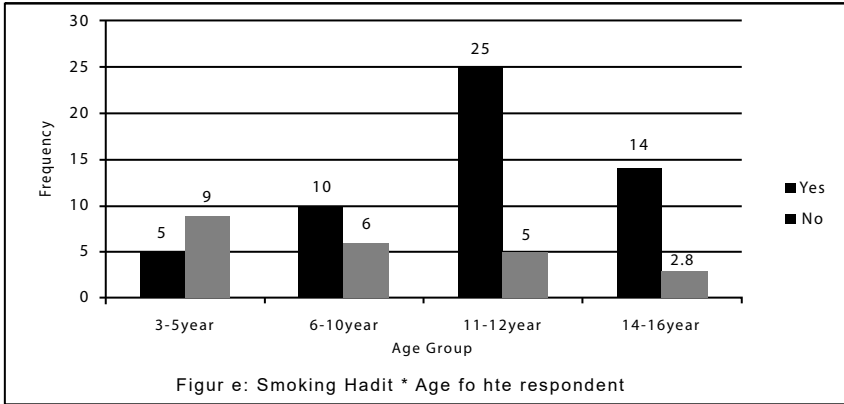
Age Group	Frequency	Sex	Frequency	Educational Qualification	Frequency	Family Type	Frequency
3-5	14(18.4%)	Male	44(57.9%)	Illiterate	22(28.9%)	No idea	24(31.6%)
6-10	16(21.1%)			Class1-Class5	35(46.1%)	Joint Family	10(13.2%)
11-12	30(39.5%)	Female	32(42.1%)	Class6-Class10	16(21.1%)	Nuclear Family	26(34.2%)
14-16	16(21.1%)			SSC	3(3.9%)	Separated Family	16(21.1%)
Total	76	Total	76	Total	76	Total	76

Table-1B:

Educational Qualification	Age of the respondent	Sex of the respondent		Total
		Male	Female	
Illiterate	3-5	6	3	9
	6-10	2	1	3
	11-12	2	3	5
	14-16	3	2	5
	Total	13	9	22
Class1-Class5	3-5	2	3	5
	6-10	5	6	11
	11-12	7	6	13
	14-16	5	1	6
	Total	19	16	35
Class6-Class10	6-10	0	1	1
	11-12	7	4	11
	14-16	3	1	4
	Total	10	6	16
SSC	6-10	0	0	0
	11-12	0	1	1
	14-16	2	0	2
	Total	2	1	3

From the table we can see that, 22 among the total 76 respondents are totally illiterate. Among them most of them are falling in the 3-5 years of age group. Because this age group does not get proper chance to get educated and thus they remain mostly illiterate. Most of the respondent went to the school and dropped out before passing the primary level. Here among the 35 respondents 19 are male and 16 are female, which means that the drop out level in this case is almost same. Among them most of the respondents are of the age group of 11-12. A much less amount of the respondent went to the secondary level. Here among the respondents' 11-12 age groups has the most numbers who went to the secondary level of education. It is to be noted that a few respondents went to the Higher Secondary level. It is also to be noted that the female are still far behind the males in the sector of education.

Chart-1: Age of the respondent and Smoking habit



The bar shows that most of the respondents have a habit of smoking. 11-12 age groups have the most percentage of smoking. By the Law of Imitation of Gabriel Trade we came to know that the small group of the society always tries to imitate the large group of a society that takes the street children group in the habit of smoking. The age group of 11-12 is a time of life when it takes the child to the next stage of life and thus they have the most tendencies to imitate the elders. Thus in a very common imitation they tend to become smokers and in a later version they become likely to chain smoking and in laps of time they become addicted to various drugs, which is a very common form of being criminal. Because when an addict cannot manage his expenses to buy the drugs then he attach himself to various criminal activities to manage the expense. And when they falls under the age group of 14-16 almost everyone become addicted to smoking which is alarming.

Working place of the respondent

18.42% of the respondents are working in various factories where they are engaged in very hazardous works and by these they are suffering from various health problems. An acute number is working in various workshops 6.58%, as hotel boy 10.52% and also in garages 13.16% where they are working for quite a long time. Street children are also engaged in bagging in the streets 19.74%. Many times they are influenced to beg from the family or they are interested as they have nothing to do else. Respondents are very much abused in their working place, which give them most of the inspiration to engage in criminal activities. The statistics show that the most common type of abuse for the workers is beating and the percentage is 26.3%. Other common forms of abuse in the work place are discrimination in payment 13.2%, call names 5.3%, hazardous work 2.6%, neglect 10.5%, mistreat 15.8% and others.

Table-2: Abuse in the work place and involve with the criminality

Working place	Frequency	Type of Abuse	Frequency
Hotel	8(10.52%)	Discrimination in Payment	10(13.2%)
Workshop	5(6.58%)	Beating	20(26.3%)
Factory	14(18.42%)	Call names	4(5.3%)
Garage	10(13.16%)	Treating bad	9(11.8%)
Hospital	5(6.58%)	In supportive/Mistreat	13(17.11%)
Bagger	15(19.74%)	Hazardous work	2(2.6%)
Other	5(6.58%)	Neglect	8(10.5%)
Unemployed	14(18.42%)	Other	10(13.2%)
Total	76	Total	76

Table-3: Relationship Between abuse in work place involvement with criminal activity.

		Involvement with Criminal Activity		Total
		Yes	No	
Abuse in work place	Yes	53	16	69
	No	5	2	7
Total		58	28	76

The table shows that there has some direct linkage among the abuse in the working place and involving into the crime. It also shows the harsh scene of abuse in the working places. Almost every child is abused in the work places. Among them almost 80% get involved into crimes whether it is serious in nature or not. There has also some respondents who are not that much abused in the work places but still they get involved in the criminal activities. Although the percent is very low but it proves that there has some direct connection between these two.

Table-4: Street children and connection with the illegal drugs

Drug Abuse	Frequency	Relation	Frequency	Work type	Frequency	Reason	Frequency
Yes	26(34.21%)	Yes	40(52.6%)	Trafficking	16(21.1%)	Family inspiration	7(9.2%)
No	18(23.68%)	No	36(47.4%)	Abuse	12(15.8%)	Fear	6(7.9%)
Occasionally	32(42.1%)			Selling	28(36.8%)	Money	21(27.6%)
				Production	4(5.3%)	Pressure	9(11.8%)
				Other	16(21.1%)	Trapped	12(15.8%)
						Other	21(27.6%)
Total	76	Total	76	Total	76	Total	76

The study shows that 37.21% of the respondents are regularly connected with the drugs. 23.68% are away from the drugs but a huge amount 42.1% occasionally abuses drug. And in a lapse of time the occasional abusers become the regular abusers. Most are addicted into Yaba 17.1%. 14.5% are alcoholic, 13.2% are addicted in Heroin, 11.8% are habituated in Marijuana and others are addicted into other drugs. More than 50% of the respondents are related with the drug dealers. They are being used in various way by the drug dealers like drug trafficking, drug selling, making a safe-house of the drugs. By this after some period the children become addicted to the drugs and depend totally on the drugs. The study shows that most of the respondents are related with the drug selling 36.80%. A significant amount of respondents are related with the drug trafficking 21.10%. Although the respondents are not addicted but they still has a huge relation with the drug trafficking, drug selling and drug production. 27.6% of the respondents are attached with the drug dealers because of the need of money. As the street children suffer from scarcity of basic

need thus they have a huge need of money thus they are connected with the drug dealers to earn some extra money. There are other causes that inspire them to become connected with the dealers as family inspiration 9.2%, fear 7.9%, pressure 11.8%, trapped 15.8% and many others.

Table-5: Street children and Involvement with the criminality

Involvement	Frequency	Criminal Activity	Frequency	Reason of Involvement	Frequency	Inspiration	Frequency
Yes	55(72.4%)	Shop lifting	6(10.9%)	Fear	7(12.7%)	Bad companion	6(10.9%)
No	21(27.6%)	Theft	7(12.7%)	Scarcity	6(10.9%)	Pornography	6(10.9%)
		Hijacking	11(20%)	Need for money	18(32.7%)	Illegal activities	8(14.5%)
		Pickpocket	12(21.8%)	Environmental condition	1(1.8%)	Cultural disorder	3(5.5%)
		Prostitution	6(10.9%)	Mental conflict	2(3.6%)	Pressure	4(7.3%)
		Arm conflict	2(3.6%)	Hostility	3(5.5%)	Trapping	6(10.9%)
		Murder	1(1.32%)	Pressure	11(20%)	Money	14(25.5%)
		Other	10(18.2%)	Other	7(12.7%)	Family Inspiration	2(3.6%)
						Other	6(10.9%)
Total	76	Total	55	Total	55	Total	55

Table-6:

Age of the respondent	Involvement with Criminal Activity		Total
	Yes	No	
3-5	6	8	14
6-10	8	8	16
11-12	28	2	30
14-16	13	3	16
Total	55	21	76

Table-7:

Conflict among parents	Involvement with Criminal Activity		Total
	Yes	No	
Don't have a family	20	10	30
Yes	26	6	32
No	9	5	14
Total	55	21	76

More than 70% is involved in various types of criminal activities whether they are serious or not. But the consequences are alarming that the future criminals are born from here. A very few just above 25% are not connected with the criminalities but they will not be able to keep

them safe for much because of the environment. Street children are involved in various types of criminal activities. Any sort of criminal activities that they get money they are involved into them. Among them most are involved into pick pocketing 21.8%, Hijacking 20%, prostitution 10.9% and a significant amount of 18.2% are involved in other forms of crimes.

Street children can be attached with the criminal activities in many reasons but among them most of the children are involved in the need of money 32.7%. As they are deprived from all the basic need that a human being needs to support himself thus he feels the scarcity of money in his life, which drives him to involve in various criminal activities. There have many other reasons for involving to the criminal activities as pressure 20%, fear 12.7%, scarcity 10.9%, hostility 5.5%, and some other underlying causes etc.

The statistics show that the main inspiration of being involved with the criminal activities is the need of money 25.5%. The bad peer always provokes his peer to do many sorts of criminal activities and that results the huge frequency of children in the involvement of crime. On the other hand the use of pornography is in a raise in the society that also gives the street children a huge inspiration to the involvement of criminal activities 10.9%. Besides these bad peer 10.9% is a very important factor of the inspiration. Keeping these aside cultural disorders 5.5%, pressure doing these sometimes 7.3%, falling into trap 10.9%, and even sometimes the family inspiration 3.6%, is also responsible for the involvement of the street children to the crimes. The study shows that most of the street children that are connected with various criminalities are mostly of the age of 11-12. More than 50% of the children who are under the age group of 11-12 are connected directly or indirectly with any sort of criminality whether it is serious in nature or not.

Parental conflict of the children plays a vital role for being criminal. Most of the street children found who have no family or not connected with the family. Whether they have left their family or rejected by the family. In those cases it came out that parental conflict has some direct linkage with the criminality. Those who have seen the conflicts among the parents in a regular basis they are more affiliated with criminalities. The conflict among the parents has a direct provocation on the mental growth and that drives them towards criminal activities.

A significant number of the friends 21.1%, are drug dealer. Besides they are also attached with a significant numbers of hijackers 18.4%, terror 18.4% and other forms of persons. Although the respondents

mentioned in some cases that their friends are good but they are connected with other forms of criminal activities in the society.

Discussion

From the survey it is found that most of the children who live in the street are involved in crime whether it is serious in nature or not. Children are being migrated from the rural area to the urban area due to many causes as- urbanization, industrialization, and break down in the family or in other causes. When a child is migrated to the street then he suffers from various mental, physical and societal problems. In this particular research it came out that the age group of 11-12 is mostly associated with the criminal activities. Other groups like 13-14 are also sophisticated to the criminal activities and the age group of 3-10 is less vulnerable to the attachment.

Most of the cases it happens that the children has no home or no parental connection even they don't know where their family is! This situation makes them suffer in societal facts. As they are totally in a situation where there has no parental care they suffer from the scarcity of basic needs, need of money, insufficient elements of upbringing etc. which make them lead to the commitment of various criminal activities for money. Those who have a family connection there the parental conflict plays a vital role in the sense of criminality. Parental conflict makes the children suffer from mental pressure and thus the children tend to attach with the criminal activities.

Child labors are more likely to attach with the criminal activities. Because the children are being abused in their work place very much. Almost all of the street children are being beaten or tortured physically or mentally, discriminating in the payment or other forms of exploitation is very common in the working area. This situation leads them to create a violent mentality and that tends to form a violent subculture that occur various gang criminality. Of an estimated 400,000 street children in Bangladesh, nearly 10% have been forced into prostitution for survival (Consortium for street children, street children statistics, June- August, 2009).

As Bangladesh lies in a geographical area where the drugs are very available and the borders are not that safe to control the entrance of these drugs. As a result drug dealers are dealing with various sorts of drugs easily. On the other hand the street children are very much likely to get money from any source and the drug dealers are using these as a chance to make compel the street children for the dealing with their drug. The children are being used for trafficking and selling the drugs.

As a very consequence they are becoming addicted to the drugs and when they are unable to manage the cost for the drugs they does some criminal activities. These lead them to a future situation of criminal activities.

Street children get the inspiration of doing such criminal activities in various forms. They are in a need of money which gives them the most inspiration. Sometimes they are trapped and pressurized to do so. And sometimes, which is most shocking that, the children are forced to do criminal activities by the inspiration of their family.

Conclusion

Children are probably the most neglected members of society and hardly have any voice, even within the home. As a result, they are consistently becoming easy victims of all sorts of violence. Though there is the Children Act 1974 purported to dealing with juvenile justice, even that, too is inadequate. Furthermore, the legal system, especially the criminal justice system – and more specifically the law enforcement agency – are indifferent to such laws and more often than not treat children just as they would treat adult criminals. Violence against children must stop and the judiciary, law enforcing agents and the parents and guardians of children themselves, must be sensitized to the provisions of the Convention on the Rights of the Child and the laws protecting children in Bangladesh. Furthermore, children need to be protected from vested interest groups and acts of impunity towards children by those purporting to protect society must be dealt with seriously and in accordance with the law. By analyzing all the findings in this particular research it is very clear that the problem of street children and their connection to the criminal activities are now treated as a social problem in our country. Here the labor law is not followed at all. Although Bangladesh is one of the first country who signed the UNCRC but still the country is far more behind achieving those. The Millennium Development Goal is still far behind although the time is not static. Thus in this regards the general people along with the government must work together to minimize this problem and make a safer place for the children to live and grow up.

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Trade Union Part

Decent Work: A driving force of SDGs

Md. Mojibur Rahman Bhuiyan¹

The concept of 'Decent Work' has been developed by the International Labour Organisation (ILO). This involves "opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organise and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men." The death of 39 workers and injuries to more than 70 with 10 workers still missing in the fire at Tampaco Foil Company at Gazipur on September 10, 2016 remind all that 'Decent Work' still remains elusive in Bangladesh. It shows the callous disregard of the Inspection Department for workers' safety and utter failure of multinational companies doing business with the factory to take responsibility for the lives of workers. Tampaco is a supplier of Nestle and American Tobacco. Guy Rider, Director General of ILO, Sharon Barrow, General Secretary of ITUC (International Trade Union Confederation), and N.




International
Labour
Organization

The Decent Work Agenda

The Decent Work Agenda - Four strategic objectives:

- Creating Jobs
- Guaranteeing rights at work
- Extending social protection - working conditions
Which are safe, allow adequate free time and rest, take into account family and social values + social security to provide adequate compensation in case of lost or reduced income and to permit access to healthcare
- Promoting social dialogue



The ILO Global Campaign to Extend Social Security to All

Suzuki, General Secretary, ITUC-AP (International Trade Union Confederation - Asia Pacific), expressed their deep concern over the brutal killings of workers.

The employers, experience

shows, do not care for safety issues unless they are compelled to do it. It is reported that there was one gate at Tampaco for both entrance and exit. There were huge deposits of flammable chemicals. The building was old; there was no access for an effective fire fighting.

¹ Chairman of IBC, Vice Chairman of BILS and General Secretary of Bangladesh Mukto Sramik Federation.

Millennium Development Goal (MDG) apparently gave due importance to Decent Work to eradicate poverty but failed to pay necessary attention to establish the concept. Similarly, Sustainable Development Goal (SDG) which was adopted unanimously by world leaders at UN in December 2015, aims to achieve the universal goal of leaving no one behind. Decent Work has been considered a driving force for the achievement of the SDG agenda.

According to ILO, the four pillars of Decent Work are: full and productive employment, rights at work, social protection and promotions of social dialogue.

SDG Goal 8 aims to "promote sustained, inclusive and sustainable economic growth, full and productive employment and Decent Work for all." It also notes the widespread deficit of Decent Work and calls upon governments to address the challenges. Reference of Decent Work is found in many other goals of SDG.

To get rid of poverty and to improve livelihood, people need jobs but jobs must be decent, productive and provide fair wages. People sell their labour to feed their family members, to educate their children, to provide medical facilities in time of need and a house to live in. In this period of turbulent economic environment, job creation is the highest priority of the governments.

Because of extreme poverty, many Bangladeshis leave the country as migrant workers only to support their families and are compelled to work in terrible working and living conditions. Pope Francis has compared them with "Slave Labour". Decent Work is a dream for migrant workers.

Increasing Inequality: Meanwhile, inequality is widening and poses a great threat to sustainable development. Inequality is increasing despite economic growth as the growth is uneven. Over three billion people or half of world's population survive on less than US\$ 2.0 a day and 1.3 billion people on less than US\$ 1.0 a day. 1.2 billion people or one-fifth of the world's population live in conditions of extreme poverty. In Bangladesh, NGOs working for poor people could not reach 5.0 million people, who are extremely poor.

The present economic, financial and trade policies have failed to work for billions of disadvantaged people of the world. Instead of providing Decent Work, fair wage and safe workplace, 'modern slavery' is expanding everywhere, especially in the global supply chain.

Just consider the case of domestic migrant women workers. The untold sorrows, sufferings and miseries of millions of domestic women

workers have prompted Zambian singer and actress Lindwei Bungane to give her support to the ILO 50 Freedom Campaign against 'modern slavery'. The aim of the ILO 50 for Freedom Campaign is to raise awareness about 'modern slavery' around the world and build pressure for the ratification of the international treaty - the Force Labour Protocol.

Free market economy, trade liberalisation, prescriptions of international financial institutions, the International Monetary Fund (IMF), the World Bank, ADB, World Trade Organisation are responsible for making the life of the poor people difficult. Conditionalities attached to their loans compel governments to withdraw subsidies from utility services and sectors like education, water, sanitation, medical facilities, transport, agriculture, electricity and fuel.

Trade Union: One of the very important pillars of Decent Work is workers' rights. In Bangladesh, the Labour Law-2006 as amended in 2013 has a huge deficit in respect of forming and joining union. The registration process of a basic union is complicated and complex. Provision of mandatory participation of 30 per cent workers to form a union and ban on full-time trade unionist to participate in the election at enterprise level are a great blow to the Trade Union movement. These provisions were made in 1977.

Workers have no right to elect their leaders as per ILO Convention 87 which has been ratified by Bangladesh. The majority of the workers have no right to form union as informal economy constitutes 87.5 per cent workforce of the country. The workers of EPZs (export processing zones) are not allowed to form union.

There has been some progress in the areas of health and safety, workplace etc. but these improvements remain incomplete without trade unions. Only workers' union can ensure welfare of workers. The high-level ILO team which visited Bangladesh in April, 2016, bitterly criticised the denial registration of trade unions in the garment sector, violation of trade union rights in other sectors and also expressed concern for not allowing EPZ workers to form union.

Social security: Social security is an important pillar of Decent Work. About 90 per cent workers in developing nations are out of social security system. Workers have no pension in the private sector and most of them are not covered by insurance.

One of the most important pillars of Decent Work is social dialogue. Unfortunately, the industrial relation in Bangladesh is not harmonious but is based on conflict.

Collective bargaining agreement is very rare in Bangladesh. Tripartite Consultative Committee (TCC) is ineffective. TCC could have been a very useful instrument for social dialogue amongst workers, employers and the government. Many disputes could have been settled at the bargaining table. It could play a vital role in creating harmonious industrial relations in the country.

Economic growth must go hand in hand with human rights and right to trade union is an integral part of human rights.

End corporate greed: Since 2008, ITUC and its affiliates all over the world have been observing World Day for Decent Work on October 7. This is a day for global mobilisation for establishing Decent Work.

Torture on domestic workers: A problem that can never be ignored

Z A M Khairuzzaman¹

A report headlined ‘Bangladeshi diplomat detained in US’ was published in the Dhaka-based English national daily The Daily Sun on June 14, 2017. It attracted attention of scores of newspaper readers. The report said the New York police arrested a Bangladeshi diplomat on charges of forcing his Domestic Worker in Queens without pay and assaulting him on several occasions.

Md Shaheldul Islam, 45, deputy consul general of Bangladesh, faced a 33-count indictment for grand larceny, assault, labour trafficking and unlawful imprisonment, failure to pay the minimum wage and harassment, the Queens district attorney’s office said. However, he was later freed on payment of the bail bond.

Not only diplomats, but also businessmen, engineers, government and non-government officials, political leaders, teachers, factory managers, defence officials, singers, bankers, lawyers and others are also involved in torture on domestic workers, according to a study conducted by the Bangladesh Institute of Labour Studies-BILS following newspaper reports.

Sixty-eight domestic workers fell victims to torture and accidents in 2016, BILS sources said. Of them, 17 female domestic workers died following torture inflicted on them. Seven female domestic workers and two male domestic workers died in accidents at workplaces. Forty-two domestic workers sustained injuries during the period. Of them, 39 females and one male sustained injuries from torture and two females sustained injuries from accidents, the sources said.

Within a period from 2001 to 2010 and 2011 to 2015, seven hundred and ninety seven domestic workers fell victims to torture, BILS study said. Of them, 100 female domestic workers were sexually tortured. Three hundred ninety-eight domestic workers died of torture and 299 others sustained injuries during the period.

In 2015, seventy-eight domestic workers fell victims to torture. Of them, 39 died and 39 injured. In 2014, fifty-five domestic workers fell

1 Senior Sub-Editor at The Daily Sun.

victims to torture. Of them, 27 died and 28 injured. In 2013, fifty-six domestic workers fell victims to torture. Of them, 32 died and 24 injured. In 2012, seventy-eight domestic workers fell victims to torture. Of them, 46 died and 32 injured. In 2011, fifty-eight domestic workers fell victims to torture. Of them, 38 died and 20 injured, confirmed BILS.

BILS sources claimed that 13 female domestic workers were sexually tortured during the period. Most of them were tortured by the house masters. Last year, they were also sexually tortured by security workers, house tutors, drivers and even by the neighbours of housemasters.

Fifteen domestic workers committed suicide to get rid of the torments. In 2016, four domestic workers died of road crashes while 42 others sustained injuries, the sources added.

A large number of Bangladeshi women are also employed as domestic workers in private households around the world, especially in the Middle East.

While domestic workers are now considered crucial to the smooth running of national economies, as a workforce they remain one of the most vulnerable to exploitation, abuse and modern-day slavery.

BILS has catalogued a litany of exploitation faced by domestic workers at the hands of their employers, including forced labour, rape, daily beatings and being forced to work long hours with no breaks.

It said the vulnerability of domestic workers is rooted in the nature of their work – typically undertaken behind closed doors in private homes far from their own communities – and the lack of legal protection they receive.

A report published on May 2, 2017, at bdnews24.com said: “Hundreds of Bangladeshi female workers leaving Saudi Arabia alleging 'dupery, torture'”.

They gathered in the Bangladesh missions in Riyadh and Jeddah after failing to get promised jobs or allegedly being tortured by employers, the report said.

It said around 329 such female workers took shelter in the Bangladesh Embassy in Riyadh and the consulate general and the number was growing everyday.

Quoting a Bangladesh Embassy official in Saudi Arabia, the news portal told that 502 female workers, who had taken shelter in the embassy, were sent back on Mar 29.

Out of the 329 who have taken shelter since then, 74 are in the Jeddah Consulate General while the rest are in the Bangladesh Embassy in Riyadh, the report said.

These workers have alleged they did not get the job as promised by agents in Bangladesh. They came to Saudi Arabia through private recruiters as legal workers.

Some of them said they were promised nurse and peon's posts but they did not get coveted posts.

Most of the workers who have taken shelter at the embassy and the consulate general have gone to Saudi Arabia to work as housemaid.

They have alleged that they were not provided food three times a day, let alone regular payments. Some of them, on condition of anonymity, also alleged physical and sexual torture by their employers.

One of the workers told the news portal: "I had been told that I would get the job of an assistance of a nurse in a hospital. But I was given the job of a cleaner in a house. Then I was tortured. So I fled and took shelter in the embassy three weeks ago."

This situation arose because the Bangladesh government did not ratify the ILO Convention-189 concerning decent work for domestic workers. The ILO Convention was adopted on June 2011 in the 100th ILC session in Geneva. Till now 24 countries have ratified this convention.

Ratification of ILO convention 189 is highly needed to ensure the protection and legal rights of migrant domestic workers. The state of domestic workers in Bangladesh is also dismal.

Jannat, a nine-year-old girl of Chandpur, was tortured by her mistress in Gazipur recently. The woman struck the child's head with tiles. She also seared different parts of the child's body with hot kitchen utensils. There were also burn marks from electric wires on her body. The mistress of the house used to beat her regularly and her husband did nothing to stop her. Later, police arrested the couple for their cruelty to the girl.

Fourteen year old Dulee was rescued from the clutches of her mistress, but succumbed to her wounds within hours of being rescued. With burn marks all over the body, Sathi, 8, another domestic help, was rescued by a RAB team on a tip-off after she was thrown down from an upper floor apartment at Uttara. The employer and his wife were later arrested by the police. These are only a few incidents of violence towards domestic workers that were reported to the police or made

headlines in the media. There are scores of reports on the abuses inflicted on domestic workers in Bangladesh.

The Domestic Workers Protection and Welfare Policy was adopted by the Bangladesh government in 2015. Because of non-enactment of law by the government, the fate of domestic workers in Bangladesh improved little.

BILS sources said Domestic Workers Rights Network (DWRN), a combined platform of National Trade Union Federations and Human Rights organisations has been working for establishing domestic workers rights since 2006. To ensure domestic workers legal and social rights they have been conducting different activities like, research on domestic workers from both home and abroad, training programme, awareness campaign, community mobilisation and advocacy programme with the government. BILS works as the secretariat of the network. With suggestion and direct participation of the network, the Ministry of Labour and Employment formulated the Domestic Workers Protection and Welfare Policy 2015. The policy got acceptance in December 21, 2015 and gazette was published on January 4, 2016. DWRN network affiliated National Trade Union Federations and Human Rights organisations played an important role during formation of the policy draft. Now they work to build awareness about the policy. DWRN urged the government for ratification of ILO Convention 189.

As per reports published in foreign press, Saudi Arabian torment of migrant workers at mercy of abusive 'madams.' The stories are as follows:

The maids are from Philippines, Indonesia, India, Sri Lanka, Bangladesh and some other countries. The story of the maids rarely receives attention, except when a new shocking incident reveals once again the problems many of them face.

Even a 54-year-old Indonesian maid was beheaded by sword for killing her female boss with a cleaver a few years ago. Ruyati binti Sapubi had, an Islamic court heard, endured years of abuse before finally attacking her "madam", as the maids call their employers, when denied permission to return home.

Another Indonesian maid also faced execution for killing her boss whom she alleges tried to rape her. Other recent incidents include a Sri Lankan maid who had nails driven into her legs and arms by her employers, and another who was scalded with a hot iron. Every year, thousands of the maids run away from their employers in Saudi Arabia.

Often physically or mentally scarred, they find themselves in a legal limbo. In Saudi Arabia, the consent of employers or "sponsors" is needed before any worker can leave the country.

In secret shelters in Jeddah and elsewhere in Saudi Arabia, women are being looked after by well-wishers. The shelters are tolerated by local authorities, but the women who stay there, often for months on end, are not allowed to leave once they have entered and cannot use mobile phones. Sixteen sleep in a single room.

The maids said, however, that it was better than what they left behind. Most tell of fleeing employers who did not pay their wages; many talk of physical, mental or sexual abuse.

Rose, a 40-year-old from the island of Leyte, in the far south of the Philippines, has spent five months in the shelter after fleeing from her employers after her "madam" threw keys into her face, narrowly missing an eye. "I don't know why she did it. She lost her temper," said Rose, whose wages were consistently in arrears.

Many existed in an illegal netherworld in the sprawling city itself. Muneera, a 33-year-old from the Muslim south of the Philippines – from where many of the maids in deeply conservative Saudi Arabia came told foreign press that she was sleeping on friends' floors after fleeing her employers. The family she worked for was "kind", Muneera said, but the hours were unbearable. "I worked from 5:00am to 1:00am, almost every day. I got up to make the children breakfast and get them ready to go to school and then cleaned the house all day, and in the evening my employers would go out and come back at midnight and want dinner. Finally it was just too much," she said.

Beth Medina, a 46-year-old maid, said she ran away after two months. "I had no idea what it was going to be like. If there was a single hair on the floor, madam was angry at me. The only food I got was leftovers from their dinner. If there wasn't any, I got bread," she told press.

Few of the maids, who are often recruited by agencies in the Philippines, have much idea about where they are going or what will be expected of them. Terms of employment are also variable. As domestic workers, they are not protected by Saudi labour law.

There are instances that Riyadh also rejected demands from Manila for medical insurance for maids and for information on employers to be supplied before their departure. For their part, Philippine officials refused to accept a cut in the minimum wage for maids. The result is a moratorium on the hiring of maids. Indonesia also stopped its citizens travelling to Saudi Arabia following the executions.

Yet the governments are likely to come to some arrangement. There have been such standoffs before, and in relative terms the foreign workers generate huge sums of cash, most of which is sent to needy families at home and provides important revenues for developing nations. Saudi Arabia was the source of huge "remittances" for years together. Money from the Gulf has transformed parts of India, particularly the Keralan coast, where many Muslims who work in Saudi Arabia live.

But the problems are growing. The number of foreign workers in the kingdom has been edging up, from a quarter of the total population a decade ago to nearly a third today.

Many foreign workers arrive illegally, smuggled in from Qatar, Kuwait or Yemen. There are estimated to be tens of thousands of "absconders" – as those who have run away from the jobs for which their residence permits were issued are called – from Nepal alone. And the wealth of Saudi Arabia continues to attract more people.

Many workers both enjoy their time in Saudi Arabia and are grateful for the opportunity employment there gives them. Their example encourages others to travel too.

Eileen, a 44-year-old maid from Iloilo in the Philippines, said her employers always paid her monthly wage on time and even "invited [her] to eat with them sometimes". Though she gets up at 5.30am and works until late in the evening, she has some time off in the day and each summer travels with the family on holiday to Europe. With the money she earns, Eileen supports the four children of her brother, who died in a car accident. "Maybe I am lucky," she said.

One result of the huge foreign population is a cosmopolitanism that lightens the otherwise severe and puritanical atmosphere in Saudi Arabia. Every major city has its "immigrant quarter", where people from a score or more countries fill cheap restaurants serving food from across Asia and further afield or simply sit on street corners where a dozen different languages can be heard.

In Jeddah, it is the old city, Balad. On a Friday night, its car-choked streets were full of Filipino care workers in embroidered headscarves bringing colour to their obligatory black, Saudi-style, abbaya gowns; Indian labourers smoking enthusiastically; Sudanese teenagers earning a few riyals by washing windscreens; and Afghan children begging. Recent arrivals from central Africa collected cardboard packaging to sell for recycling. In the Selamat Datang cafe, Indonesian hotel

workers downed traditional dishes from home with rice, a bowl of soup and a Pepsi.

For Rose, the maid stuck in the secret shelter, and Muneera, the runaway sleeping on friend's floors, such scenes hold little attraction. Their needs, they say, are simple. Muneera just needed a way out of the trap she has fallen into. She went to Philippines consulate and sought help. Rose wanted an exit visa, the money for a flight home and enough cash left over to allow her three children to go back to school.

The stories are shocking and tough. For local and national governments it is just one more of a series of pressing problems they must face. The international community has a role to play in resolving the problems of domestic workers. Their problems can never be ignored.

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Publication Policy

Bangladesh Institute of Labour Studies - BILS has been working on labour issues since its establishment in 1995. BILS endeavors to uphold the causes of working people and Trade Unions of Bangladesh. Twelve major National Trade Union federations are associated with BILS.

Keeping in view to build a just and democratic society, enabling the workers organizations to play proper role as a major force, BILS emphasizes on capacity building of the Trade Unions through trainings, research and information sharing. Protecting workers rights is the main objectives of BILS and it strives to promote fair and worker friendly policies and Laws in Bangladesh. It also plays the role of a catalyst in building relations between trade unions, civil society and the government on labour market issues.

The 'Labour' is a half- yearly journal published by BILS with twin objectives. The first objective is publishing research-based articles on different issues related to the labour, establishment of labour rights, labour welfare, labour laws and the likes. The research articles published are 'double blind' peer reviewed. Secondly, it publishes contributions from the labour activists focusing on the above-mentioned issues with the hope that the practical and empirical realities are properly recorded with an archival value. The journal actually seeks to provide an intellectual platform for the national and international scholars, critics, academicians, researchers and activists of labour rights and human rights issues. It aims to promote interdisciplinary research on labour laws, labour policy, occupational health and safety, job market situation, industrial relations, conflict resolution, wages, employment generation, workers migration and social safety net in Bangladesh.

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BILS

Bangladesh Institute of Labour Studies-BILS was established in 1995. The main objectives of BILS are follows :

- To help in strengthening the democratic functioning of the trade unions and to improve their services towards the society.
- To assist the trade unions in Bangladesh for becoming self-reliant through education, training, research, campaign and communication among them and other social partners as well as civil society.
- To provide various support to the trade union movement in Bangladesh and to participate effectively in the development process of the country.
- To assist the increased participation and representation of women and young workers in trade unions.
- To eliminate all kinds of discrimination between male and female workers.
- To improve occupational health and safety situation and worker's welfare as a whole.
- To brighten the image of the trade union movement in Bangladesh and to increase the organised workforce & consolidate the strength of trade union movement.
- To establish greater unity in labour movement of Bangladesh.
- To undertake multifaceted activities for human resource development.
- To introduce programmes for productivity and good industrial relation.