



16.9.2014

B8-0104/2014

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on human rights violations in Bangladesh
(2014/2834(RSP))

Marie-Christine Vergiat, Malin Björk, Merja Kyllönen, Pablo Iglesias, Tania González Peñas, Lola Sánchez Caldentey, Teresa Rodríguez-Rubio, Pablo Echenique, Marisa Matias, Patrick Le Hyaric, Kateřina Konečná, Helmut Scholz, Cornelia Ernst, Kostadinka Kuneva, Sofia Sakorafa, Iosu Juaristi Abaunz

on behalf of the GUE/NGL Group

B8-0104/2014

**European Parliament resolution on human rights violations in Bangladesh
(2014/2834(RSP))**

The European Parliament,

- having regard to the United Nations Declarations on Human Rights Defenders, in particular to its Article 1, 5(a), 6(a) and 12.2,
- having regard to the International Covenant on Civil and Political Rights of 1966,
- having regard to the Universal Declaration of Human Rights of 1948, including Article 10 on the right to a fair trial thereof;
- having regard to the Cooperation Agreement between the European Community and the People's Republic of Bangladesh on partnership and development,

- having regard to the International Labour Organisation (ILO) Convention No. 81 on Labour Inspection, ILO Convention 87 on Freedom of Association and Protection of the Right to Organise and to ILO Convention 98 on the Right to Organise and Collective Bargaining, to which Bangladesh is a party,

- having regard to the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises,

- having regard to the UNHRC resolution adopted on 26 June 2014 which establishes an intergovernmental working group with the mandate of developing an international legally binding instrument to regulate the activities of transnational corporations,

- having regard to the European Commission's technical progress report of 8 July 2014, relating to "Staying Engaged - A Sustainability Compact for continuous improvements in labour rights and factory safety in the Ready-Made Garment and Knitwear Industry in Bangladesh,

- having regard to the International Trade Union (ITUC) Confederation's publication "A review of the 2013 Bangladesh Labour Act",

– having regard to its previous resolutions on Bangladesh, in particular those of 17 January 2013, 14 March 2013, 21 November 2013 and 16 January 2014,

– having regard to Rule 135 of its Rules of Procedure,

A. whereas military coups, repression and brutal crack downs against trade unions, political activists, journalists, members of the political opposition as well as against ethnic and religious minorities have been part and parcel of Bangladesh’s young history as an independent state;

B. whereas the violent clashes between government and opposition forces leading up to and following the January 2014 elections have revealed the severity of Bangladesh’s inherent and prolonged social, economic and political crisis; whereas most opposition parties called for a boycott of the elections and the turn-out was subsequently low and whereas the outcome of the elections has not contributed to more stability;

C. whereas the Bangladesh’s International Crimes Tribunal (ICT) that is meant to investigate war crimes relating to Bangladesh’s war of independence has so far handed down 10 verdicts, including eight death sentences and two life imprisonments, whereas islamist politician Abdul Quader Mollah was the first to be executed; whereas there is strong and repeated criticisms that the ICT does not comply with international standards;

D. whereas trade union and workers' rights are an integral part of human rights; whereas leading human rights organisations refer to a further deterioration of human rights in Bangladesh since the January 2014 elections;

E. whereas human rights organisations have long been documenting extrajudicial executions, disappearances and torture by the paramilitary Rapid Action Battalion (RAB); whereas independent observers put the total death toll of RAB related killings at about 800; whereas human rights organisations alone have documented the death of 11 opposition activists before, during and after the January 2014 elections; whereas in May 2014 seven people were abducted and apparently killed by the RAB and other security forces in the Narayanganj district in Bangladesh; whereas RAB used to operate with impunity; the government of Bangladesh has now taken initial steps to bring the perpetrators to justice;

F. whereas a new media policy was published in the official government gazette on 6 August 2014; whereas the policy is reported to be aimed at significantly curtailing critical reporting

by banning speech that is "anti-state", "ridicules the national ideology" and is "inconsistent with Bangladesh's culture"; whereas this constitutes a severe limitation of the most basic democratic rights of freedom of expression and freedom of speech; whereas Bangladesh ranks 145 out of 179 on the World Press Freedom Index;

G. whereas the government of Bangladesh has proposed a new law that is reported to impose severe restrictions on nongovernmental organisations (NGOs); whereas the new draft Foreign Donations Regulation Act would regulate operations and funding for any group with foreign funding and would give the NGO Affairs office situated in the prime minister's office approval authority over foreign funded projects; whereas the new draft act would also require prior approval before anyone involved in voluntary activities travels out of the country for purposes related to their work on a project;

H. whereas on April 24 2013, 1134 people were killed and hundreds were injured when the Rana Plaza factory building collapsed in Savar, Bangladesh; whereas the Rana Plaza collapse constitutes one of the world's biggest industrial disasters;

I. whereas according to figures published by the Clean Clothes Campaign and The Centre for Research on Multinational Corporations (SOMO), garment factory fires and collapses have killed at least 1800 workers since 2005 in Bangladesh alone;

J. whereas in August 2014, garment workers of the Tuba Group went on a hunger strike as they had not been paid for three months; whereas the Tuba Group is the same company that owned Tazreen Fashion, in which over 100 workers died in a factory fire in 2012; whereas adequate compensation still has not been paid to those workers;

K. whereas the Rana Plaza Coordination Committee, made up of representatives of the Government of Bangladesh, the garment industry both locally and internationally, trade unions and non-governmental organisations and chaired by the International Labour Organisation (ILO), came to an agreement, known as "the Arrangement" in late 2013, in order to support victims and families of the Rana Plaza tragedy, whereas compensation is meant to be paid through the Donor Trust Fund;

L. whereas according to the Clean Clothes Campaign, only half of the mainly European and US based companies connected to factories in the Rana Plaza Building made contributions to the Donor Trust Fund;

M. whereas workers' and trade union rights continue to be violated; whereas according to the International Trade Union Confederation (ITUC), the Bangladesh Labour Act of 2013 continues to fall short of international standards with regard to freedom of association, including the right to strike and collective bargaining; whereas ITUC also expresses growing concern about employers encouraging the formation of so-called company or management led unions rather than worker-led unions; whereas the 30% minimum requirement to form a union is still in place, whereas trade unions remain banned in the Export Processing Zones that employ roughly 400,000 workers; whereas in a meeting in June 2014, officials from the Ministry of Labour explained to representatives from ITUC that there were no current plans to make any further reforms to the Labour Act;

N. whereas according to the National Garment Workers' Federation, fewer than 300 of Bangladesh's 5000 clothing factories have allowed in trade unions since the Rana Plaza collapse, despite changes to the labour law;

O. whereas new labour inspectors have been recruited, the government failed to reach its goal of 200 by the end of 2013 and up to date still has not met it;

P. whereas Bangladesh ranks 136 out of 177 countries on the Transparency Index and whereas corruption is endemic in the global garment supply chain and involves the political establishment as well as local and multinational corporations;

Q. whereas according to the World Bank report, Bangladesh has seen a decline in people living in poverty over the past decade; whereas despite this official decline, 47 million people out of a population of 160 million still live in poverty, whereas Bangladesh ranks 142 out of 187 on the Human Development Index;

R. whereas despite the 77% increase in the minimum wage from 3000 (30 euro) taka to 5300 taka (53 euro) a month, many workers are struggling to make ends meet; whereas different reports suggest that between 40% and 80% of garment factories fail to pay the minimum wage;

1. Reiterates its condemnation of the government's continuous crackdown against members of the political opposition, trade unionists, human rights defenders and journalists; insists that basic democratic rights, such as the right of freedom of assembly and freedom of speech must

be respected at all times;

2. Expresses serious concerns about on-going human rights violations that include continuing reports about extrajudicial killings, enforced disappearances and torture by the Rapid Action Battalion (RAB) and other security forces; calls for the setting up of an independent commission of inquiry that can truly investigate those crimes, end impunity and bring the perpetrators to justice; urges the Bangladesh government to take immediate steps to disband the Rapid Action Battalion (RAB);

3. Reiterates its call for the abolition of the death penalty and condemns all extrajudicial killings being carried out by the RAB as well as executions being carried out in the context of the verdicts of Bangladesh's controversial International Crimes Tribunal; calls on the Bangladeshi authorities to commute all pending death sentences and to introduce a moratorium on all executions as a first step towards abolishing capital punishment;

4. Reiterates that the right to a fair trial is a fundamental human right that must be upheld in all circumstances and calls on the Bangladeshi authorities to guarantee this right and to bring the ICT in line with internationally recognised standards while understanding the desire to bring perpetrators of war crimes to justice;

4. Calls on the Bangladeshi authorities to revoke the new media policy and to respect fundamental democratic and human rights as an integral part of a democratic society; is extremely alarmed by this additional step to limit media freedom and independent reporting; insists that the independence of journalists and bloggers must be safeguarded and that their right to operate without fear of harassment or intimidation by state forces must be guaranteed;

5. Calls on the government and parliament of Bangladesh to recognise and defend the vital role of human rights defenders in the advent of democracy and the rule of law, and to create an enabling environment so they can carry out their activities freely and without hindrance; calls on the Bangladeshi authorities to put an end to any act of violence and harassment, including at the judicial level, against human rights defenders and to guarantee, under all circumstances, their physical and psychological integrity ;

6. Urges the government to withdraw its proposed legislation on increasing political and administrative surveillance of NGOs in order to make sure that NGOs and its staff, working in the interest of advancing democratic and human rights, can operate freely and without fear of political intimidation; calls on the government and parliament to respect the liberty of

expression and solve the problems regarding the status of NGOs, notably the excessive delays in obtaining authorisations and the arbitrary de-registration and the renunciation to the adoption of any additional and disproportionate obstacles to their activities (as for example by adopting or by giving some substance to the controversial bill drafted by the NGO Affairs Bureau (NGO AB) on Foreign Donations Regulation to be integrated in the Foreign Donations (Voluntary Activities) Regulation Ordinance of 1978 and the Foreign Contribution (Regulation) Ordinance of 1982);

7. Is of the opinion that combating and eradicating poverty is not only an integral part in the struggle for improved living conditions and equal opportunities but essential in guaranteeing and maintaining peace and stability and to protect human rights, including those of women, children and minorities; emphasizes that the defence of workers' and trade union rights, first and foremost the right of every worker to join a trade union of their own choice, is therefore key in achieving those objectives;

8. Calls on the European Commission the European Council and the Member States to introduce a legislative proposal for binding and enforceable mechanisms on Corporate Social Responsibility for EU based companies operating in third countries in line with the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises in order to make it mandatory for EU based companies to adhere to social, labour and environmental standards throughout their supply chain;

9. Recalls that the the Rana Plaza Coordination Committee established the Rana Plaza Donors Trust Fund to collect voluntary donations from companies and others in order to compensate the victims and family of the Rana Plaza and tha the estimated amount required to cover the costs of all claims was set at \$40 million (29.4 million Euro); Is appalled by the fact that as of June 2014, the total amount raised by voluntary company donations to the Donor Trust Fund is just \$17 million, leaving \$23 million (67.5%) outstanding; therefore concludes that the voluntary principle has failed the victims of the Rana Plaza disaster and that a mandatory mechanism is urgently needed;

10. Calls on the European Commission and the European Council and its Member States to make compensation an integral part of the Sustainability compact and to launch a public "naming and shaming" campaign of those companies that have sourced from Rana Plaza and have failed to live up to their commitments to pay into the Donor Trust Fund in order to pay long overdue and appropriate compensation to the families and victims of the Rana Plaza disaster;

11. Shares the concern of the International Trade Union Confederation that reports of serious shortcomings and failures by the Bangladeshi authorities to live up to its commitments in relation to improving workers' rights, including rights relating to health and safety at work; defends the rights of workers in Bangladesh to form, register and join independent trade

unions without fear of harassment; considers the existence of democratic trade union structures to be a vital instrument in the struggle for better health and safety standards and working conditions, including higher wages; calls on the government of Bangladesh to guarantee these fundamental rights;

12. Calls on the Bangladeshi authorities to fully and without further delay implement the Action Plan it agreed and signed with the ILO in May 2013; in particular calls on the Bangladeshi authorities to further amend the Bangladesh Labour Act and to extend its coverage to all workers, including those working in the so-called export processing zones where trade unions are banned and working conditions, health and safety standards are known to be extremely poor; insists that ILO conventions 87 and 98 must be fully complied with as all workers must be allowed to join trade unions of their own choice; in light of the conclusions of the ILO Committee on standards, calls on the Bangladeshi authorities to urgently fulfil its commitments on Application of Standards;

13. Calls in the European Council and its Member States to exclude companies violating human and workers' rights in Bangladesh from public procurement contracts; is of the opinion that this should also apply to companies that continue to fail to contribute to the Donor Trust Fund;

14. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the United Nations High Commissioner for Human Rights, the Secretary-General of the United Nations and the Government and Parliament of Bangladesh;