

RANA PLAZA TRAGEDY AND BEYOND
An Update on Commitments and Delivery

CPD Dialogue Report 110

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The **Centre for Policy Dialogue (CPD)**, established in 1993, is a civil society initiative to promote an ongoing dialogue between the principal partners in the decision making and implementing process. The dialogues are designed to address important policy issues and to seek constructive solutions to these problems. Over the past years, CPD has organised a series of such dialogues at local, regional and national levels. CPD has also organised a number of South Asian bilateral and regional dialogues as well as international dialogues to pursue for the LDC interests in various fora including WTO, UN and other multilateral organisations. These dialogues have brought together ministers, opposition frontbenchers, MPs, business leaders, NGOs, donors, professionals and other functional groups in the civil society within a non-confrontational environment to promote focused discussions. CPD seeks to create a national policy consciousness where members of civil society will be made aware of critical policy issues affecting their lives and will come together in support of particular policy agendas which they feel are conducive to the well-being of the country.

In support of the dialogue process the Centre is engaged in research programmes which are both serviced by and are intended to serve as inputs for particular dialogues organised by the Centre throughout the year. Some of the major research areas of CPD include: *Macroeconomic Performance Analysis; Fiscal Policy and Domestic Resource Mobilisation; Poverty, Inequality and Social Justice; Agriculture and Rural Development; Trade, Regional Cooperation and Global Integration; Investment Promotion, Infrastructure and Enterprise Development; Climate Change and Environment; Human Development and Social Protection; and Development Governance, Policies and Institutions*. CPD also conducts periodic public perception surveys on policy issues and issues of developmental concerns. With a view to promote vision and policy awareness amongst the young people of the country, CPD is also implementing a *Youth Leadership Programme*. CPD maintains a broad network with institutions working in common areas of interest, and has partnered with some of these in organising international events both in Bangladesh and abroad.

At present CPD is spearheading two global initiatives. *LDC IV Monitor* is an independent global partnership for monitoring the outcome of the Fourth United Nations Conference on the Least Developed Countries (UN LDC IV). *Southern Voice on Post-MDG International Development Goals* is a network of 48 think tanks from the developing South which seeks to contribute to the ongoing global discourses on post-MDGs. In recognition of its track record in research, dialogue and policy influencing, CPD was selected as one of the awardees of the Think Tank Initiative (TTI) through a globally competitive selection process.

Dissemination of information and knowledge on critical developmental issues continues to remain an important component of CPD's activities. Pursuant to this CPD maintains an active publication programme, both in Bangla and in English. As part of CPD's publication activities, a **CPD Dialogue Report Series** is brought out in order to widely disseminate the summary of the discussions organised by the Centre.

The present report contains the highlights of the dialogue on ***Rana Plaza Tragedy and Beyond: An Update on Commitments and Delivery*** held on 26 January 2014 at the BRAC Centre Inn Auditorium, Dhaka. In undertaking this initiative CPD is partnering with a number of civil society organisations in Bangladesh. They are – IAB, Ain o Salish Kendra, Ahsania Mission, ActionAid Bangladesh, CAMPE, TIB, The Daily Star, Naripokkho, Nijera Kori, Prothom Alo, BELA, BLAST, Manusher Jonno Foundation and SHUJAN.

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THE DIALOGUE

The Centre for Policy Dialogue (CPD) organised a dialogue titled **Rana Plaza Tragedy and Beyond: An Update Commitments and Delivery** on 26 January 2014 at the BRAC Centre Inn Auditorium, Dhaka. This was the second dialogue held under CPD's Post-Rana Plaza Monitoring Initiative undertaken in partnership with a number of civil society organisations. The Secretary, Ministry of Labour and Employment (MoLE), *Mr Mikail Shipar* attended the session as the Chief Guest. *Mr Atiqul Islam*, President of the Bangladesh Garment Manufacturers and Exporters Association (BGMEA) and *Mr Zafrul Hasan*, Joint Secretary General of the Bangladesh Institute of Labour Studies (BILS) were the Designated Discussants present at the event. *Dr Debapriya Bhattacharya*, Distinguished Fellow of CPD, was the Special Commentator and *Dr Khondaker Golam Moazzem*, Additional Research Director, CPD presented the keynote paper. The dialogue was chaired by *Professor Rehman Sobhan*, Chairman of CPD.

WELCOME AND INTRODUCTORY REMARKS

Welcoming the guests to this important dialogue *Professor Sobhan* discussed the objective and significance of the Post-Rana Monitoring Plaza Initiative. He said, "four million people of the garment sector are central to the country's economic system. So this is a concern for all in Bangladesh, as our bread and butter depend on them." Readymade garments (RMG) sector is a part of the global business, and therefore, international stakeholders have a responsibility, he added. Mentioning that the partners of this initiative are not in a position to solve the problems *Professor Sobhan* noted that the initiative has been taken to ensure that disaster of such a dimension does not recur and disappear from the public memory. He also said that "this incident is something we cannot tolerate as a civilised society. Besides, these workers cannot be treated as news item and we have to work to ensure that the victims are effectively reintegrated into society." He called for addressing the root causes of such incidents and take necessary measures on time to prevent the recurrence of such tragedies. With these remarks he invited the Executive Director of CPD, *Professor Mustafizur Rahman* to give an introduction to the dialogue.

Professor Rahman started his introductory remarks by informing the audience that CPD along with a number of concerned civil society organisations had undertaken the initiative to monitor the progress of commitments and deliveries of various initiatives taken in response to the Rana Plaza tragedy. He introduced the partners in this initiative to the audience which included: Institute of Architecture Bangladesh (IAB), Ain o Salish Kendra (ASK), Dhaka Ahsania Mission, ActionAid Bangladesh, Campaign for Mass Education (CAMPE), Transparency International Bangladesh (TIB), The Daily Star, Naripokkho, Nijera Kori, Prothom Alo, Bangladesh Environment Lawyers Association (BELA), Bangladesh Legal Aid and Services Trust (BLAST), Manusher Jonno Foundation and Shushashoner Jonno Nagorik (SHUJAN). *Professor Jamilur Reza Chowdhury*, Vice Chancellor, University of Asia Pacific and *Mr Habibullah N Karim*, Chairman, Terratech Ltd. joined the initiative as distinguished individuals. He mentioned that the focus of the dialogue was to recognise the national responsibility towards ensuring stable livelihoods for the victims.

Participants at the dialogue included members of parliament, government officials, victims of the Rana Plaza incident, worker representatives, factory-owners' representatives, academia, journalists and other professionals. This report offers a succinct summary of the presentation and the exchange of view amongst the participants during the course of the discussion (a list of participants has been annexed at the end of the report).

THE KEYNOTE PRESENTATION

Dr Moazzem's presentation was based on the second report prepared under the Post-Rana Plaza monitoring initiative, which was aimed to improve the reputation of the garments industry as one of the compliant sourcing hub, an image which unfortunately has been devastated by recent industrial tragedies, particularly the Rana Plaza collapse. Soon after the first report, prepared under this initiative, was posted at the CPD website there were 1,700 downloads. This huge number indicated the importance of this initiative. *Dr Moazzem* explained that the framework of the second monitoring report varies from the first, as it is focused on the long-term needs of the workers, and also briefly discusses the current initiatives for ensuring structural and fire safety at factories; it takes a step back to reassess whether the support provided had been sufficient in addressing the victims' needs. Information for preparation of this report were collected with the support of the partner organisations and concerned stakeholders such as the MoLE, BGMEA, BILS, GIZ and 11 victims of Rana Plaza.

Establishing an Official List of Victims

According to *Dr Moazzem* this is one of the most significant tasks which is yet to be accomplished. He said that this list will be particularly necessary while disbursing compensation. It will ensure that the social and financial benefits are provided to all the victims without any duplication of efforts. He also felt that the list should include further sub-categories of the victims, such as deceased who are identified, deceased but unidentified, injured, not injured and missing. The number of deceased buried with confirmed identification is mostly uniform (157 bodies) across various sources. But he mentioned that many are still buried at the Jurain graveyard whose identities authorities have not been able to verify yet. This number ranges from 77-144. He was concerned that the relatives of those missing are completely deprived of any support. In this context, *Dr Moazzem* suggested that the tripartite committee in collaboration with various organisations such as ActionAid, BILS, MoLE should work towards preparation of a comprehensive list of victims under various categories.

Financial Support

The keynote speaker stressed that all the factory workers at Rana Plaza are legally entitled to receive their salary for April 2013 including production bonuses, allowances, etc. Some of the interviewed workers reported that they did not receive any of their financial dues. *Dr Moazzem* suggested that BGMEA and the factory-owners should ensure that the remaining workers are also paid their salary. The report revealed that financial support provided by the government were: Tk. 1 lakh each to 777 affected families; and Tk. 20,000 each to 843 families for funeral expenses; and Tk. 10-15 lakhs each to 40 victims. The study also revealed that 123 were buried in personal arrangement, and 157 deceased and buried who have

recently been identified are not included in this. Fund collected in the Prime Minister's (PM) office is TK. 100 crore of which TK. 18,85,60,720 has been distributed so far. Tk. 1-5 lakh are pending, to be paid to those recently identified through DNA tests. *Dr Moazzem* urged that the remaining amount in the PM's fund should be used to provide long-term support to the victims. Other organisations whose financial contributions were noted during the presentation are BGMEA, BILS, Prothom Alo Trust and Naripokkho.

Workers' Compensation

Regarding compensation, *Dr Moazzem* mentioned two key ongoing initiatives at local and global level. He informed that none of them have progressed much due to various complexities as regards participation by retailers and suppliers, legal issues, methods for estimating compensation, collection of funds and its disbursement, etc. The global initiative has to follow the ILO Convention C017 (workmen's compensation (accidents) convention, 1925 (No. 17)). The local initiative is still in the process of determining the amounts for final payment to different categories of victims. *Dr Moazzem* noted that these issues need to be settled immediately to ensure payments to the victims. A rough calculation shows that Tk. 580 crore is required for full compensation, which is almost 40-45 per cent higher than the Tk. 320 crore currently being discussed. Therefore more support is needed. He suggested that the government should release a gazette notification taking all related issues into account regarding the method to be followed for distribution of funds to the family members of the deceased workers.

Treatment of Injured Workers

Hospitals such as Enam Medical College Hospital, Mukti Clinic at Savar, Japan Bangladesh Friendship Hospital and NITOR, local organisations such as BGMEA, Meril Prothom Alo, ActionAid Bangladesh, Centre for Rehabilitation of the Paralysed (CRP), Centre for Disability and Development (CDD), and GIZ were all noted for their support in providing treatment to injured victims. One of the concerns raised by *Dr Moazzem* was regarding the long-term treatment and establishing the exact number of amputees from the incident, since the figures from different sources vary. He also suggested to include rescue workers who are currently not adequately accounted for in most treatment-related supports. Only Naripokkho in collaboration with SAFE has reportedly provided counselling support to the rescue workers. Other long-term initiatives include a joint collaboration effort between CRP, BGMEA and GIZ to build an Orthotics and Prosthetics School in Savar, Terratech working with BGMEA to establish a workers' database and donations from the Canadian Government and retailer Loblaw to CRP for the treatment of victims. He further mentioned that the artificial limbs provided to workers are reported to be inadequate. Users are unable to perform daily work with those limbs because of the poor quality of the limbs. Better quality and more appropriate limbs, adequate training in its use and reemployment in suitable jobs should be provided to these workers.

Reemployment/Training of Workers

Dr Moazzem mentioned that current capacities to provide training and reemployment to the victims are inadequate which is extremely important in order to reintegrate the

victims into the society. The government's commitment to reemploy 100 affected workers is lagging behind; only 32 are currently taking training to be recruited in leather factories. BGMEA has provided reemployment to 70 (out of 100 promised) workers at its member factories. Job training support is also being provided by BILS, CRP, Gonoshahajjo Sangstha, Grameenphone, GIZ, Dhaka Ahsania Mission, CDD and Ministry of Women and Children Affairs (MoWC), and development partners including UK Government, the Netherlands, the EU and the Canadian Government.

Support to Victims' Children

The report informed that long-term support towards the victims' children was currently being provided by the organisations such as BGMEA, Naripokkho, Primark, Sreepur Village (a UK-funded charity village) and UNICEF. Some of the supports provided to these children are not comprehensive; some are providing education, some others are providing three months' support whereas most of these children need long-term livelihood support. There are more children who have fallen victims to the incident than are currently accounted for and an official list of these victims are yet to be established. *Dr Moazzem* suggested that specialised organisations such as Save the Children, Dhaka Ahsania Mission should take a more proactive role in this regard.

Legal Issues

The report mentioned that there have been four cases filed so far for the Rana Plaza collapse, based on which 22 people has been arrested; eight amongst them have already secured bail from the High Court. Final investigation report and the list of prosecution witnesses are yet to be submitted even though the statements of over 600 people have already been collected.

Reaction of Rana Plaza Victims

During the study 11 Rana Plaza victims were interviewed – six of them were rescue workers and three were family members of the deceased. Only two amongst the interviewees were employed in work such as sewing/bag making and their current earnings are about 60 per cent less than before. According to the survey even after nine months, six are unable to go back to work due to various health-related problems. The participants claimed that they were unclear about various initiatives being taken to help them and who to contact regarding these. This was even more difficult for those living outside of Dhaka. *Dr Moazzem* particularly stressed the case for the latter. Two of the interviewees also claimed that the salary payments from BGMEA did not include overtime, he informed.

Structural and Fire Safety Improvement for Garment Factories

Dr Moazzem shared the progress of various commitments made by some of the key initiatives taken with regard to improving structural and fire safety such as the National Tripartite Plan of Action (NAP), the Alliance and the Accord initiatives. While he observed that a majority of the commitments in the NAP remained unfulfilled such as the slow progress regarding the capacity building of the Department of Inspection of Factories and

Establishments of a Directorate (DIFE) and the Fire Safety and Civil Defence (FSCD), there were also some notable developments. For example, establishing a common factory inspection standard for fire and electrical safety of the RMG sector. Some of the other key concerns noted were: inspection of over 1,000 factories, which have not been included in these monitoring mechanisms and development of a transparent and accountable industry sub-contracting system, etc. In this connection *Dr Moazzem* mentioned that taking away orders is not an effective means of ensuring safety as it may lead to greater number of sub-contracting factories. To ensure inspectors' quality of work, 'monitoring the monitors' will be necessary; hence all the initiatives should hire independent teams for this purpose, and the benchmarks established by the Alliance and Accord's inspections should be maintained throughout the process.

Funding Support from Development Partners for Factory Improvements

According to the study, low-cost funding, particularly for factories inspected under these initiatives are currently being supported by Japan International Cooperation Agency (JICA) and International Finance Corporation (IFC). Other supporting partners include the UK Government, Canada and the Netherlands, each of whom have promised to provide further support towards this purpose. In this regard, inspection of multi-purpose, multi-storied and vertically developed buildings are particularly emphasised for inspection.

Concluding Remarks and Further Suggestions

In conclusion, *Dr Moazzem* reiterated some of the key issues such as how majority of the victims' support initiatives are concentrated in Dhaka or Chittagong. The most important issue therefore, is to put in place a mechanism to ensure that not a single victim or victim's family is left unaddressed, untreated and outside other necessary support. There is also a dire need for funds to be made available immediately to implement the required changes based on the inspections. These funds should be provided at low rates of interest to the factories for a relatively long period of time so that lack of fund support should not be a reason for lack of compliance, added *Dr Moazzem*.

Professor Mustafizur Rahman, thanked *Dr Moazzem* for such a comprehensive presentation and his team for their support in preparing this report. He emphasised that this initiative cannot be successful solely based on a research perspective. He expected that based on the information provided in this presentation everyone else will also share their perspectives and enrich the current understanding of the situation. He then invited the Designated Discussants to share their comments.

Comments from the Designated Discussants

Mr Atiqul Islam, President of the BGMEA reiterated the significance of the RMG sector in Bangladesh as it employs over eight million people. He mentioned that the sector began its journey in the 1980s in an unplanned manner, due to which several factories are still being run in shared and multi-purpose buildings. One of the challenges in relocating factories is the availability of gas and water connections, which BGMEA is currently looking into. The BGMEA, the government and other concerned organisations have been persistently working

towards turning around the image of the Bangladeshi garments sector more particularly since the recent Rana Plaza tragedy. *Mr Islam* wished that BGMEA were more involved in this monitoring initiative as he felt that with their collaboration public would have been better informed. He, however, noted that it is beyond BGMEA's capacity alone to look into the situation in such details. BGMEA has already established a Rana Plaza support team led by Wing Commander Jagrul Hayder. Salary provisions were not fully ensured to the victims in the absence of a comprehensive list of registered workers. All BGMEA members have agreed to provide jobs to victims, however, some of the victims do not want factory jobs any more, he noted. *Mr Islam* asked the media to publicly announce that BGMEA members were willing to take the full responsibility of 300 orphans of Rana Plaza Tragedy.

The BGMEA President informed that immediately following the collapse on 24 April 2013, all BGMEA members made a decision to remove generators from the upper floors of the RMG factory buildings, particularly of the unplanned buildings. Engineers were hired by BGMEA to reassess factories, and through fire brigade it has trained a fire safety team of 35 who are now also providing training at the factory level. A crash programme on fire safety issues has also been provided to member factories, who have to send in at least one owner and nine mid-level factory managers (including security guards) for training. This is currently being conducted by Retd. Major Motiur, who has also received training from Germany with the support of GIZ, and so far has trained 6,700 people.

Mr Islam shared how, based on the recent labour law amendments, the number of registered trade unions has gone up significantly from 62 to 235. He was, however, concerned about the Alliance and Accord inspection and JICA's funding requirements, which may lead to closure of a large number of factories due to the extremely stringent terms and conditions. Even though there have been various promises by international stakeholders to provide funding support, in reality, no money has been made available as of today even though factories have already started implementing the necessary recommended changes; if the situation persists in such a manner, this industry will be destroyed and the national economy will be seriously affected. The Accord which is insisting the closure of factories in shared building, has not figured out any plan to ensure reemployment of these workers or provided any remediation plans. Third party audit is another area of concern, as underqualified and inexperienced auditors publish flawed reports online which are affecting the industry's reputation. Undue political influences are also harming this industry, he added.

Mr Zafrul Hasan, Joint Secretary General of BILS, the other Designated Discussant of the session stressed that trade unions should be more involved in such initiatives. He also agreed with the significance of establishing a complete list of victims and further suggested that our target should be to create a model approach for addressing such incidents and fulfilling the inadequacies of the current administrative system. It was a matter of concern that such an established global industry does not have basic provisions such as Payroll and emphasised that one of the key lessons yet to learn is to establish a single institution to handle emergencies. The local law does not clearly define compensation. BGMEA's Tk. 2 crore donation to the PM's fund can be used towards this purpose. On the other hand, the international proposal mentions that financial support already provided should be included as compensation, and he suggested that these issues can perhaps be further explored by

CPD. Another concern is that the labour law amendments have resulted in both progress and regress. He also maintained that the number of unions has increased based on these amendments. Prior to the labour law amendments, there was no restriction in forming unions. He, however, felt that in this respect the attitude of the employers was not proper. In view of the pressure from national and international actors exerted after the Tazreen and Rana Plaza tragedies, there is now a change in attitude of factory-owners, which has enabled increases in trade union registrations. There are still aspects of the law that make it more difficult to unionise, if these are not looked into immediately the claimed changes will not have any productive outcomes.

OPEN DISCUSSION

Creating a List of Exact Number of Victims is the Key Challenge

Dr M M Akash, Professor, Department of Economics at the University of Dhaka emphasised the importance of establishing the number of claimants of the unidentified bodies, especially before disbursing compensation, and noted that the lists prepared by the 9th division GOC can be used for this purpose. He also suggested to prepare a list for rescue workers. The Chief Guest, *Mr Mikail Shipar*, Secretary of the MoLE shared the same concern, i.e. challenges in creating such a list. He mentioned about 4-5 cases where some people fraudulently took money and dead bodies claiming to belong to them, which were later found abandoned in the middle of the roads. There were too many claimants for missing and deceased workers, which is why only 777 could be ensured payment through the government. *Md Parvez Khadem*, Authorized Officer at RAJUK observed that the length of time passed since the incident is the key challenge in creating such a list. Necessary information should have been collected at the time of the rescue operations, he added. *Mr Abdul Mannan Miah*, Vice President of the Bangladesh Textile Mills Association (BTMC) added that besides establishing the exact number of victims, such a list should also be categorised according to types of casualties; he insisted that the factory-owners currently in jail be released immediately so that they can provide the necessary information required to create this list.

Md Khoaj Ali, one of the rescue workers present at the dialogue suggested conducting another DNA investigation based on the recent discoveries of skulls, bones and teeth to find out information about the missing workers. He informed that an application has already been submitted to the Savar TNO regarding this.

Supports Received by the Victims were Inadequate

“...it may be very expensive, but we cannot do anything with it. This was given to me so that I can work, but if I cannot work then it has no value to me”, said *Ms Mariam Begum*, a Rana Plaza victim.

Ms Mariam lost her right arm during the incident. She was provided an artificial limb which was too heavy and cannot be used for daily work. The Rana Plaza victims present during the dialogue shared some of their current concerns. *Sri Rathindra Das*, father of a missing daughter *Nirmala Das* who was employed at New Wave Bottoms on the 3rd floor, said he

did not find any trace of his daughter, despite submitting samples for DNA tests. Since his daughter was the sole earner to the family, he is currently unable to support his younger daughter's education; he had only received Tk. 30,000 from Primark through a bKash account. *Shumita*, another victim who along with her daughter worked on the 4th floor, also did not receive any support from the government and was only provided Tk. 30,000 through bKash and Tk. 27,000 during her stay at the hospital. She also shared how her sustaining health problems have made it difficult to go back to a full time job. *Mukul Begum*, widow of a deceased worker who was employed on the 3rd floor at New Wave Bottoms, also did not receive any support from the government other than the Tk. 20,000 for funeral expenses and later received the Primark payment through bKash; she is currently facing immense financial difficulties supporting her only daughter's education. Representing the rescue workers, *Md Khoaj Ali*, who along with a team of 40 volunteers had been engaged in the rescue operations for 21 days, mentioned that many rescuers are in need of medical attention since the incident but were unable to access any. Most supporting initiatives ignored the rescue workers; some rescuers have lost their jobs, some are suffering from back pains, some have pieces of rod inside their limbs and some are also in need of psychological counselling. So far only BILS, Naripokkho, Gonoshastho Pharmaceutical Hospital Dhanmondi and CRP have extended some support to the rescuers; *Md Shafiul Islam*, Director of BGMEA and owner of Tusuka Fashions Ltd. also recognised support towards rescue workers as an important suggestion. *Mr Mikail Shipar* took note of information of each of these victims and said he would follow up on those cases. *Mr Tipu Munshi*, MP who was present at the dialogue as participant announced to support the education of *Mukul Begum's* daughter by providing Tk. 5,000 every month. *Mr Babul Akter*, leader of the Bangladesh Garments and Industrial Sramik Federation, noted that most of the victims are unwilling to go back to work at factories as they are too traumatised by the incident. He requested BGMEA to take this issue into account while arranging employment for the victims.

Prioritising Distribution of Foreign Fund for Compensation

Dr M M Akash, also a member of the designated committee formed following a High Court order responsible for setting compensation packages for the victims of Rana Plaza, informed that they have finalised the proposal on compensation estimates based on different types of injuries, after some adjustments based on BILS, BLAST, ASK, ILO and BGMEA reviews. As of now the proposal includes – Tk. 15 lakh for deceased or missing workers; Tk. 14 lakh 91,300 for victims with spinal injury or two or more limbs missing; Tk. 7.5 lakh for injured or victims with one limb missing; Tk. 4.5 lakh for those who will not be able to go back to work in a long time; and Tk. 1.5 lakh for workers suffering mental trauma. Also, any sick victim until fully recovered will receive treatment-related expenses from the government and any jobless worker of Rana Plaza will be ensured employment of the same status (position they held prior to the incident) by the BGMEA. *Dr Akash* further mentioned that the provisions from the PM's fund be subtracted from the compensation amounts. Regarding the international initiative, he noted that the donors must submit the funds to the local government so that they can authorise the disbursement of funds and adjust these against prior payments. In response to *Professor Sobhan's* query on whether this compensation suggestion in the report would be an order of the court on the government *Dr Akash* mentioned that such was not the case. He, however, mentioned

that the court used very strong language regarding this issue such as how “some greedy people used workers as an instrument of profit” and the writ was seeking Tk. 1 crore per person. It is in this context the court in its suo moto rule actually ordered this committee for coming up with a rational estimation of the compensation which may then be used for further actions and judgments. Regarding rescue workers, *Dr Akash* suggested that provided there is a proper list, compensation can also be provided to them and the Labour Ministry should prepare this list.

Taking cue from this discussion *Dr Hameeda Hossain*, Chairperson of Ain o Salish Kendra observed that the percentage of contributions from the concerned stakeholders, e.g. brands (45 per cent), BGMEA/workers (18 per cent) and the government (9 per cent), should be finalised immediately, and instead of referring to the inheritance law and paying the parents of the victims, authorities should consider paying the victims’ direct dependants. President of the Shommilito Garments Sramik Federation *Ms Nazma Akter* noted that there was also lack of clarification in the local labour law regarding compensation leading to delays and non-payment to victims.

Concerns regarding compensation was raised by *Mr Mohammed Hatem*, First Vice President of the BKMEA, who mentioned that in case of amount of compensation international standards should not be applicable to Bangladesh. He added that initial provisions for compensation offered Tk. 20,000, which was later changed to Tk. 14-16 lakh per worker was inappropriate for the local context. In response to this, *Mr Syed Sultan Uddin Ahmed*, Deputy Executive Director of BILS commented that since the garment sector is a part of the global supply chain it should also abide by international standards; the BILS proposal submitted to the High Court regarding compensation is also based on the ILO Convention 121 and the Accident Compensation Act 1895. He also insisted that foreign brands should also provide a percentage of the compensation.

Transparency as regards Compensation is a Major concern

“...this government has compiled a law on Right to Information, which specifically states to ensure proactive disclosure, then why is it that we do not know about how and where the PM’s fund is being disbursed?” – enquired *Ms Shaheen Anam*, Executive Director, Manusher Jonno Foundation.

She observed that the issue of transparency is a major concern regarding compensation. She referred to the use of PM’s fund and all other initiatives in connection with providing compensation. The right to information is recognised by the current government, which also include a part on ensuring proactive disclosure, *Ms Anam* noted and then expressed disappointments over people’s ignorance about PM’s fund and its status as regards disbursement to Rana Plaza victims. *Mr Tipu Munshi*, MP suggested that if regular detailed updates are available regarding the beneficiaries of the PM’s fund, then it would be more convenient to adjust the required amounts against compensation payments and prevent any duplication of efforts. *Mr Shafiul Islam (Mohiuddin)* added that transparency should be equally ensured for the commitments made by the international organisations. *Mr Sultan Ahmed* of BILS said that future reports of the monitoring initiative should include specific commitments by different individuals and organisations, how much of those commitments

have been achieved, the use of various funds, its detailed distributions and exactly how much of these various funds actually reached the target group.

Architect Iqbal Habib, Member Secretary of the Bangladesh Paribesh Andolon (BAPA) urged to immediately establish a web-based portal as a central information source for Rana Plaza victims based on the information shared today and other information belonging to the various stakeholders present during the dialogue. *Professor Mustafizur Rahman* of CPD informed that Terratech in collaboration with the BGMEA is currently working on a similar online database.

Professor Rehman Sobhan enquired about the responsibility of FSCD as regards sharing safety-related information with the factories and a manual to be followed to ensure safety. In response to that *Brigadier General Ali Ahmed Khan*, Director General, FSCD informed that a manual has already been provided to the factory-owners for taking preventive safety measures, and as per the NAP, factory inspectors are required to prepare inspection reports with the overall status of each of the factories, the areas for improvements and the specific deadlines for its implementation.

Institutional Arrangement for Looking after RMG Factories

"I have noticed that there is an absence of any national level or central arrangement from which the whole situation should be pursued. There has to be a national institutional arrangement for looking after the garments industry as a whole," observed *Mr M Syeduzzaman*, Member, CPD Board of Trustees.

He also added that the Jute and Textile Ministry should be abolished to form a Ministry of RMG and Apparel Industries, a sector which has emerged as a significant economic pillar for the country. Agreeing to this observation, *Mr Mikail Shipar* said that it is unfortunate that there is no single authority for the garments sector despite its dire need. He also informed that once an initiative was taken to establish such an institution, which however failed due to lack of follow-up. However, after Tazreen incident a high level cabinet committee on the RMG sector was formed with representatives from 11 ministries. Two additional task forces are also formed to oversee fire and structural integration of RMG factories, he added. In this connection *Architect Iqbal Habib* and *Mr Md Parvez Khadem* mentioned that local capacity in emergency disaster management is extremely inadequate, which they felt was one of the major reasons for delay in handling the case of Rana Plaza. Taking part in the discussion, *Dr Hameeda Hossain* said that institutions like the BGMEA and FSCD have gained a bad reputation due to their failing long-term support following an industrial accident as seen after the Spectrum, KTS and Tazreen where BGMEA submitted reports after 3-6 months, but did not follow through with its implementation, and the FSCD did not submit report at all after KTS.

Safety Standards should be Adjusted with the Local Standards

Mr Shafiul Islam (Mohiuddin) expressed his concerns as regards ensuring safety in factories that are currently not covered by the Alliance, Accord and the NAP. He felt that the safety standards should be adjusted with the local standards. A strong initiative is necessary to

ensure structural safety, stressed *Architect Iqbal Habib*. *Mr Babul Akhter*, worker leader, however, felt that only change in factory owners' mind set will ensure the development of safer workplaces, otherwise the situation may deteriorate further.

Regarding the current measures to ensure structural and fire safety, *Brigadier General Ali Ahmed Khan* informed that the factory inspectors are regularly following up with already inspected factories every month or two to ensure that the necessary changes are taking place. Installation of fire doors and structural adjustments are some of the most common changes that are suggested by the inspectors. He, however, felt that since these are time-consuming works, the factories would need about a year to implement these changes. He observed that factory-owners are now quite aware of the importance of safety-related issues and they are incorporating modern technologies. But he observed that further training is required to better handle situations like Rana Plaza collapse. *Brigadier General Khan* also insisted that the safety requirements be customised to local requirements. He informed that he has submitted a proposal to the relevant ministry to increase the number of fire station as a way to mitigate the challenges faced by congested traffic, which significantly delays the response time of the local fire teams; Ashulia, Konabari and Narayanganj were some of the areas noted in the proposal. While the government has provided the necessary funds to pursue this, the availability of land is a major concern, the Brigadier said. The FSCD is also conducting training for industrial-level volunteers in Savar and Gazipur, and hopes that the BGMEA can organise more garment workers to participate in this training. Institutions such as RAJUK has also undertaken factory inspections informed *Mr Md Parvez Khadem* and mentioned that reports from these inspections have been sent to BUET and BGMEA for further investigations.

Mr Mikail Shipar provided a detailed overview of the various activities currently undertaken by the local authorities and supporting organisations to ensure factory safety. He informed that roughly 4,500 factories out of about 6,500 registered are currently active, amongst which Accord is inspecting 2,200 and Alliance 800. ILO has planned to bring 1,500-1,800 factories under inspection process in order to improve working conditions in the RMG sector. A team of 30 professionals from BUET are currently engaged in undertaking initial assessments with ILO's support and till December 2013, 120 factories have been visited, 80 factories have been referred to for detailed inquiry, and based on these reports the National Tripartite Committee (NTC) is expected to take actions. Besides providing further details on the exact number of recruitments in the concerned institutions (DIFE and FSCD), the Labour Secretary emphasised that further funding was needed to implement all the required changes. Expressing disappointments he said that it was unfortunate how such institutions have had remained the same since their inception in the 1980s whereas drastic developments have taken place in the RMG sector. *Dr Hameeda Hossain* noted that since factory inspectors and local institutions are weak and are usually internally linked with factory-owners and managers, simply hiring more inspectors will not adequately address the corruption within such institutions. The involvement of labour unions in this process can ensure greater accountability on the part of inspectors. Workers will also report on any hazardous factory violations instantaneously.

Professor Sobhan asked whether the Tk. 11,000 salary was sufficient for the Class I factory inspectors to be able to discharge their duties effectively, to which *Mr Mikail Shipar*

responded by saying that it was the reputation and pride of working as a government official which is more valuable. On a more positive note, the Secretary shared that 60 per cent of the factories are already housed in their own buildings and most of the factories in shared buildings are working as sub-contractors. He also informed that the task forces responsible for RMG sector improvements and reforms, are working on harmonising existing variations in labour, fire and structural laws. In this context he mentioned how the FSCD, BNBC and Labour Law 2006, each have had different requirements for staircase width.

Mr Rob Wayss, Executive Director of Bangladesh Operations at the Accord, provided a quick update on various initiatives Accord is undertaking, which include the completion of pilot inspection at the end of last year, and currently they are in the process of translating and finalising the reports; remediation procedures based on these reports is also expected to be disclosed within the next few weeks. Regarding initial inspections, contracts with four selected firms and 25 Bangladeshi engineers, to be employed under the Accord, are soon to be finalised; these engineers and firms will be responsible for the initial fire, electrical and structural inspections. There is also a group of core engineers responsible for the monitoring and execution of remediation plans. In this context *Ms Rubana Huq*, Managing Director, Mohammadi Group suggested that inspections should not be carried out on Thursdays as long weekends (Bangladesh's and countries in the West together) create communication gaps. Drawing examples from what happened in case of Softex industry she said that as a result of closure instruction from Accord (served in an A4 paper) the company was pressured to pay the workers three months' salary (USD 1 million) within a fortnight. In this connection she also said that Accord and Alliance should share the compensation to be paid to the workers during the process of unexpected closure of factories instead of putting the full responsibility on the manufacturers' shoulder. She informed that initially they were committed to do that.

We have to be Optimistic?

Mr M Syeduzzaman expressed his surprise at the emotional appeal and pessimistic remarks of the BGMEA leaders and indicated that since the Rana Plaza incident, while there has been increased global awareness about workers and factory safety issues of Bangladesh, it has simultaneously opened up opportunities for expansion of the industry. Despite the recent political turmoil, the country is regaining its orders as "there is a keen awareness amongst apparel producers for developing Brand Bangladesh. Multilateral and bilateral donors and development partners are also showing more interest in providing various kinds of support, so I think we have to be optimistic." According to *Mr Syeduzzaman*, there is no organised group trying to destroy the industry. He felt that it was more important now to focus public action towards wage-related issues as was the case prior to the Rana Plaza collapse. He stressed the need to address the issue of massive disparity between the 67 per cent price benefit enjoyed by retailers in comparison to the meagre 33 per cent by the producers, within which only a slim percentage is counted for profit.

As opposed to *Mr Syeduzzaman*, *Mr Tipu Munshi*, MP maintained that orders have actually been decreasing for the upcoming months, and that while some buyers are unwilling to place orders without fire licenses, the fire department on the other hand are now imposing very stringent regulations prior to providing new licenses. *Mr Mohammed Hatem* of BKMEA

disagreed with Mr Munshi on the issue of increasing number of factory closures. Moreover, he indicated that owners are more aware of safety issues now and sitting with workers at meetings show that there has been a change of mind set. *Mr Munshi* shared his concern that such a report which is to be published globally should not portray a negative message regarding the Bangladesh's garment industry, which has already suffered greatly. *Ms Rubana Huq* also mentioned that there is a serious image deficit in RMG sector, and felt that with the first year anniversary of Rana Plaza approaching, CPD should do some positive campaign for the sector.

Bringing the issue of reinstatement of the US GSP into the discussion, the Chief Guest shared that himself along with the Commerce and Foreign Ministers are meeting once or twice every month to work towards ensuring that Bangladesh can regain this benefit. Furthermore, eight ambassadors, including EU, USA, Canada and the Netherlands, have also shown interest to evaluate the activities at the ministerial level. The Secretary mentioned about another upcoming initiative – establishment of a 530 acre industrial park in Munshiganj, which is almost ready for acquisition and awaiting funds for finalising the deal. *Mr Rob Wayss* informed that they were currently focusing on getting more brands to sign the international agreement and currently has the support of 146 signatories. Besides ensuring factory safety, Accord is also working alongside worker groups to ensure greater participation, increased awareness and implementation of the Occupational Health and Safety regulations, and establishing complaints and right to refuse mechanisms.

Other Suggestions and Concerns

Several participants felt that the information provided during the presentation were not updated, and in some cases had minor errors. *Mr Mikail Shipar*, *Mr Atiqul Islam*, *Mr Mohammad Hatem* and *Mr Abdul Mannan Miah* were amongst those who has requested CPD to ensure greater collaboration with their concerned organisations prior to finalising such reports.

CONCLUDING REMARKS BY THE SPECIAL COMMENTATOR

Dr Debapriya Bhattacharya summarised the key discussions of the dialogue and responded to some of the issues and concerns raised by the dialogue participants. He reiterated that there are three issues that have surfaced through the Rana Plaza incident: a) it has led to collaboration amongst various levels of stakeholders starting from the government to international organisations, and such efforts should serve as a commendable future model; b) such collaboration also raises the issue of symbiotic need for accountability that can further the outcomes of these collaborative efforts; c) all concerned stakeholder are becoming more aware and shifting towards a more forward-looking perspective for this industry.

Some of the key concerns expressed by the dialogue participants are: *firstly*, lack of coordination in overall rescue efforts. *Secondly*, lack of transparency, accountability in information sharing, which if not addressed will constantly keep surfacing; a designated authority (e.g. local government) should ensure this, who will also take ownership of its procedures. Such practices towards ensuring accountability ought to be established so that

issues like the current lack of awareness on the PM's fund disbursements do not persist. International level initiatives should be similarly scrutinised for their use of funds and should publicly disclose what percentages of funds have been allocated towards operational, practical and various other activities, and how much have been provided to the victims. *Thirdly*, flow of information need to be improved. This is significant particularly when it comes to providing the long-term support required for amputated workers, rehabilitation efforts, etc.; in doing so, there will be lesser scope for misunderstandings, blaming one another and it could be clearer as to which areas require further attention.

Regarding the shared concerns about lacking in data due to restricted participation of concerned organisations (BGMEA, BKMEA, MoLE, BTMA), *Dr Bhattacharya* noted that the presentation clearly indicated the people interviewed from each of the concerned organisations and that since the report was only a draft, further written updates and feedbacks from concerned stakeholders are particularly welcome.

Dr Bhattacharya pointed out one key area of concern, which he felt was not adequately discussed during the dialogue, there is no proper exit policy for the factories that may have to close down or will no longer have access to its previous markets. He also mentioned that the country is lacking a long-term (5-10 years) national plan for such a significant industry. While many people tend to cite the Mackenzie report on the future prospects of the industry, no implementable forward-looking plans have been established to ensure the long-term sustainability and competitiveness of the garments sector. Also besides the timely availability of low-term and low-cost funding to implement the necessary changes, there need to be public services in place that would provide a strong foundation for private enterprises.

Regarding concerns of adjusting compliance and legal requirements to the local context, *Dr Bhattacharya* sided with the notion that since RMG sector is engaged in an international trade, the local industry should strive towards ensuring international standards. He opined that the national level improvements are not sufficient to improve the conditions of the workers since majority percentage of the value chain is retained abroad. Therefore better prices for our products should also be ensured and should be considered with equal significance.

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