

Study on

Prospect of EU's GSP+ for Bangladesh
Addressing Challenges related to Labour Laws and Rights

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1. Introduction

- Over the past few years, Bangladesh has crossed **several milestones** in terms of economic and social development
 - **Graduation from the LDC group** will be the most important milestone that Bangladesh could achieve in the coming years
- It is widely acknowledged that Bangladesh is **capable of capitalising** the opportunities made available by its newfound achievements
 - However, there are many **new challenges** too
- Bangladesh has to **overcome numerous** legislative, structural, and administrative challenges related to labour standards
 - Especially when it comes to the smooth graduation from the LDC category
- The main challenges stem from the fact that Bangladesh will **lose preferential market access** in a lot of export destinations
 - Erosion of preference in the **EU market**, the largest export market of Bangladesh, would be a major concerning factor

1. Introduction

- Becoming **eligible for the EU's GSP+ scheme** is one way to ensure that the exports from Bangladesh to the EU do not suffer a major setback in the post-graduation period
- Gaining market access through the GSP+ scheme requires Bangladesh to **comply with twenty-seven international conventions**
 - Fifteen of which are related to human rights and the labour standards of ILO
- This study **reviews the shortcomings in the legislation**, in the monitoring and application of the relevant labour standards in Bangladesh
 - It puts forward **suggestions for fulfilling all requirements** of GSP+ related to labour standards in a time-bound manner

2. Economic Importance of EBA

- Bangladesh, as an LDC, has been enjoying zero tariff benefits from the best possible schemes available under the Generalised Scheme of Preferences (GSP) of the European Union
 - After the introduction of the **'Everything But Arms (EBA)'** initiative in 2001, under the GSP scheme, Bangladesh automatically qualified due to its LDC status
- Although LDCs automatically qualify for this scheme, the preferences provided to them through this initiative can be withdrawn in 'exceptional circumstances'
 - When certain principles of human rights and labour rights are violated (as per article 19 of the regulation)
- From 2016 to 2018, the **utilisation rate of EBA for Bangladesh** has increased from 95.7% to 96.8%
 - It means that Bangladesh uses almost all of the eligible preferences under EBA, which is **one of the highest utilisation rates of EBA** among all the beneficiary countries
- The European Union (EU) is one of Bangladesh's biggest trading partners
 - It accounts for 58% of the country's total exports and 64% of the total apparel exports

2. Economic Importance of EBA

- Bangladesh will officially be regarded as a 'developing country' within next few years, and will no longer be regarded as an LDC
 - The 'zero duty' access to EU will continue three years after official announcement of 'developing country'
- If the preferences under **EBA are not available** after that, the exports of Bangladesh would face **8.7% duty** on average
 - It is estimated that shipments would drop at the rate of 5.7% per year
- Overall, the **continuation of tariff preference after LDC graduation** is important for Bangladesh in all major markets particularly in the EU market
 - Maintaining export competitiveness through the preferential tariff would increase the country's exports
- This would contribute to higher manufacturing production, higher export earnings, higher employment, women empowerment and, ultimately, the reduction of poverty
- To mitigate these effects, Bangladesh **needs to qualify for the GSP+ scheme** in order to preserve its competitiveness in the export market

3. Process for Qualifying for GSP+

- The GSP+ scheme is a ‘**special incentive arrangement** for Sustainable Development and **Good Governance**’ for ‘vulnerable developing countries’
 - This system grants full removal of tariffs on over 66% of EU tariff lines
- The **criteria for being eligible for GSP+** include the following:
 - The country has to fulfil the ‘**vulnerability**’ criteria as set out by the EU
 - The country must **ratify 27 core international conventions** (15 conventions related to core human and labour rights)
 - The country **must not have formulated reservations** that are prohibited by these conventions
 - Monitoring bodies under those conventions **must not identify any serious** failure to effectively implement them
- After a country qualifies for GSP+, the European Union monitors the country’s **compliance levels**
 - Adherence to the conventions and their implementation
 - Reporting requirements
 - Monitoring cooperation e.g. by checking all of the relevant information is provided

3. Process for Qualifying for GSP+

- Availing GSP+ requires following human and labour rights to comply

Box 1: Fifteen conventions relating to core human and labour rights for qualifying for GSP

1. **Convention on the Prevention and Punishment of the Crime of Genocide (1948)**
2. **International Convention on the Elimination of All Forms of Racial Discrimination (1965)**
3. **International Covenant on Civil and Political Rights (1966)**
4. **International Covenant on Economic Social and Cultural Rights (1966)**
5. **Convention on the Elimination of All Forms of Discrimination Against Women (1979)**
6. **Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984)**
7. **Convention on the Rights of the Child (1989)**
8. **Convention concerning Forced or Compulsory Labour, No. 29 (1930)**
9. **Convention concerning Freedom of Association and Protection of the Right to Organise, No. 87 (1948)**
10. **Convention concerning the Application of the Principles of the Right to Organise and to Bargain Collectively, No. 98 (1949)**
11. **Convention concerning Equal Remuneration of Men and Women Workers for Work of Equal Value, No. 100 (1951)**
12. **Convention concerning the Abolition of Forced Labour, No. 105 (1957)**
13. **Convention concerning Discrimination in Respect of Employment and Occupation, No. 111 (1958);**
14. **Convention concerning Minimum Age for Admission to Employment, No. 138 (1973)**
15. **Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, No. 182 (1999)**

3. Process for Qualifying for GSP+

- The eligibility for this scheme **requires countries to ratify and properly implement** many of the core international conventions related to labour rights and human rights
- The proper implementation of these rights can lead to better human development
 - The country could be enjoying sustainable economic growth
- Overall, qualifying for the GSP+ scheme and compliance with the standards would translate into sustainable development for the country
- This study will mainly focus on **gaps in the labour laws and make recommendations for the effective implementation** of the conventions related to labour rights
 - Related with conventions on child labour, forced labour, right to organise, collective bargaining, and violence against workers
- This study will also focus on the labour law of Bangladesh in general and the administrative procedures related to its implementation

4. Methodology of the Study

- The study employed a **qualitative method of research** to understand the gaps in the labour law, the related administrative processes, and the overall scenario of Bangladesh vis-à-vis the labour conventions of ILO
- Firstly, data on different activities of the government, recent developments in different labour related issues etc. have been collected from secondary sources
 - Ministry of Labour and Employment (MoLE), Department of Factories and Establishments (DIFE) and ILO
 - Data from previous research of CPD, especially the **NTPA Review** (which was a study conducted by CPD in collaboration with the ILO) has also been used in this study
- Secondly, different key informant interviews (**KIIs**) **have been conducted** with key stakeholders along with legal experts to understand the current situation, the gaps, and what needs to be done
 - To fill those gaps in ensuring decent work and establishing worker rights in Bangladesh
- Information was obtained from KIIs and FGDs conducted in previous studies of CPD
 - A number of **case studies on petitions lodged on child labour related** issues in the High Court have been discussed based on the information and documents collected from the high court library

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

- The **European Union**, on the basis of its technical missions to Bangladesh, proposed the **development of an Action Plan** to further improve the labour rights situation of Bangladesh on the 21st of November, 2018
- After that, on the 21st of October, 2019, the 9th Session of the European Union **(EU)-Bangladesh Joint Commission was held** in Dhaka, Bangladesh
 - During the session, **it was emphasised that any sort of preferential treatment** and future trade relations depend on the respect of human rights, including labour rights
- It is of utmost importance to ensure sustained reforms of labour rights standards by the Government of Bangladesh, and their full alignment with International Labour Organisation (ILO) Conventions
 - On the basis of consensus between the tripartite constituents
- The EU and Bangladesh **reached an agreement to develop a roadmap** for addressing those issues

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

- The EU suggested **nine areas of action** are:
 - **Action 1:** Amendment of labour related laws
 - **Action 2:** Elimination of child labour
 - **Action 3:** Combatting violence against workers, harassment, unfair labour practices and anti-trade union discrimination
 - **Action 4:** Increasing the success rate of trade union registration
 - **Action 5:** Elimination of the backlog of cases at labour courts
 - **Action 6:** Efficient following up of workers' complaints
 - **Action 7:** Recruitment of new labour inspectors
 - **Action 8:** Ensure proper work of the remediation coordination cell (RCC) and transition to industrial safety unit (ISU) while ensuring close cooperation of the RCC/ISU with the RMG sustainability council (RSC)
 - **Action 9:** Ratify ILO conventions on minimum age (CO 138) and forced labour protocol (P29)

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

- The government of Bangladesh has already **developed an indicative action plan** on the basis of tripartite meetings
 - Preliminary comments on it have been received from the EU on the 31st of January, 2020, while detailed comments were received on 27th of February, 2020
 - The European Union had **proposed a 'Technical EBA mission'** to Bangladesh during 10-12 March, 2020 but due to the Covid-19 pandemic, this technical mission was replaced by a video conference on 11th March, 2020
 - Also due to the pandemic, the **negotiations for finalising the Action Plan** were put on hold
- The **government has been active** on this issue
 - Due to technological issues, holding all tripartite consultations was not possible; however, meetings of secretaries of the Ministry of Commerce (MoC), Ministry of Foreign Affairs (MoFA) and Ministry of Labour and Employment (MoLE) were held
- **An inter-ministerial committee on** the Implementation of the Action Plan has already been formed
 - DIFE has formed its own dedicated committee on this

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.1 Amendments to the Labour Act, 2006

Progress

- The **Bangladesh Labour Act, enacted** on 11th October, 2006, (amended twice: once in 2013 and once in 2018) states in detail the rights and entitlements of workers
 - **With regard to wages**, working hours, freedom of association, industrial relations, workplace safety and related issues
- **Bangladesh Labour Rules, 2015 provide** specific guidelines for the implementation of the law
 - However, rules for the **2018 amendment are yet to be issued**
- A **tripartite committee has already been** formed with six representatives from the government, with three representatives from entrepreneurs and three representatives from workers
 - The **objectives of this committee** are to update Bangladesh Labour Rules, 2015 in light of the 2018 amendment of Bangladesh Labour Act and to review the observations of ILO committee of experts, etc.

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.1 Amendments to the Labour Act, 2006 (contd..)

Progress

- The Bangladesh Labour (Amendment) Act, 2013 **revised eighty-seven sections** of the labour law of 2006, and the major revisions included:
 - **Extension of coverage** of group insurance to a minimum of one hundred workers instead of two hundred
 - **Introduction of four new** categories of workers — ship-breaking, construction agro-firms, and rice-husking mills – adding the requirement of setting aside five per cent of their net profit as a contribution to the worker welfare fund
 - **Deletion of provisions for submission** of list of workers intending to form trade unions to factory owners/management
 - **Inclusion of provisions for prohibiting** gender discrimination and disability discrimination
 - **Making safety committees mandatory** in factories with more than fifty workers and requirement for registration of workforce supply agencies under the labour act
 - **The old provision of gathering signatures** of at least 30 per cent of a company's workers to form a union remained unchanged, but the prohibition of the MoLE from passing on the list of signatories to factory owners was included

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.1 Amendments to the Labour Act, 2006 (contd..)

Progress

- The latest amendment to the labour act, the Bangladesh Labour (Amendment) Act, 2018, **revised fifty sections** of the previous labour law
 - These included **minor revisions in definitions**; **exclusion of women** who have abortions from maternity leave benefits
 - Requirements for **providing spaces** for rest and lunchtime
 - **Relaxation** of the **requirement for group insurances** given the establishment of a centralised fund by the government
- As per the recommendations made by the ILO 's committee of experts, substantial progress was made in expanding the scope of the Act by broadening the definitions of workers to include
 - **Industries and groups of workers** that were previously excluded
 - The **repeal of specific provisions** (that infringed upon freedom of association and collective bargaining rights) such as the requirement for government approval for receipt of **funds from external sources**
 - Possibility for the **DoL to cancel union registration** if it had been obtained by fraud or misinterpretation of facts
 - Possibility to cancel a union if the union obtains **less than 10% of votes** in an election for a collection bargaining agent

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.1 Amendments to the Labour Act, 2006 (contd..)

Progress

- The **prohibition of strikes** in establishments formed less than 3 years before
- The **adoption of Standard Operating Procedures (SOPs)** for the registration of trade unions and for responding to unfair labour practices and anti-union discrimination
- Deletion of the provision that allowed the **employment of children under age 12** in light works
- The formation of a **Tripartite Consultative Council (TCC)** in the garments sector, through which tripartite consultation takes place

Gaps in the Labour Law

- Freedom of Association: **Bangladesh has ratified** the freedom of association (C 87) and right to bargain (C 98) conventions of ILO
 - However, there are certain concerns about the proper alignment of the laws of the land with the conventions
- The **major concerns** are as follows:
 - One major advancement in trade union registration was the **lowering of the membership requirement** to 20%, as mentioned earlier
 - This is **still a high percentage** given that collecting necessary documents from a large number of workers in large factories with thousands of workers

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.1 Amendments to the Labour Act, 2006 (contd..)

Gaps in the Labour Law

- One complaint from representatives of workers' organisations is that **unions are allowed to select their leaders** only from workers at the establishment
 - This **enables employers to force out union leaders** by firing them due to other reasons, such as 'unruly behaviour' (as cited in the law)
 - However, the **term 'unruly behaviour' has not been defined** properly in the labour law
- As per the law, the **government has the power to stop a strike or lockout** if there is concern of "**serious hardship to the community**" or if it is "**prejudicial to the national interest**"
 - But, the related terms are **not properly defined** by the law
- There are **discriminatory anti-strike provisions**
 - Strikes are prohibited in an enterprise during the first three years of operation if it is "**owned by foreigners or is established in collaboration** with foreigners"
- There is no **clearly defined role** of the participatory committees
 - They are **not empowered** with the right to bargain

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.1 Amendments to the Labour Act, 2006 (contd..)

Gaps in the Labour Law

- Loss of Lien: According to the section 27-3(A), **if a worker is absent at the workplace** without prior notice or prior permission for more than ten (10) days, then the worker would be given another ten (10) days to provide reasons for the absence
 - If the worker fails to do so he/she would be given another seven (7) days to defend himself/herself
 - If he/she fails to do so within the time period, the worker's contract would be considered as **'terminated' from the date of the first day of his/her absence**
 - This translates to what is known as the 'loss of lien', as, according to the KII's conducted with worker representatives, this is sometimes used against the interests of the workers
- Lack of Clarity in Different Sections of the Labour Act: Section 23-3 of the labour law states that a **worker will not get any compensation** (excluding other lawful dues) if he is dismissed for **misconduct** under sub-section 4(b) and (g)
 - Where sub-section 4(g) mentions **'disorderliness**, riot, arson or breakage in the establishment'; however, no definition was provided for 'disorderliness' or **'disorderly behavior'**
 - This proved to be particularly difficult for less educated workers

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.1 Amendments to the Labour Act, 2006 (contd.)

Gaps in the Labour Law

- Child Labour: Bangladesh has already ratified the worst forms of child labour convention (CO 182)
 - Through the 2018 amendment of labour law, **employing children under the age of 12** in any factory or establishment has been prohibited and is a punishable offence
- Eliminating child labour completely in order to move towards the ratification of the Minimum Age Convention (CO 138) **will be difficult**
 - Due to the socio-economic conditions of Bangladesh, where **many children work in order to provide for themselves** and their families
- Violence against Workers and Workplace Harassment issues: Bangladesh Labour Act, 2006 and its amendments do not explicitly address the issues of violence against workers and workplace harassment
 - There **are no explicit laws for addressing workplace related** violence issues
- Even worker unrest is **sometimes considered as a 'criminal offence'**
 - Police force gets involved in the event of the unrest turning violent, although the unrest usually **stems from industrial disputes**

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.1 Amendments to the Labour Act, 2006 (contd..)

Gaps in the Labour Law

- There are **other laws** in place for violence against women, and that too would be tried in criminal courts when they turn into '**criminal offences**'
 - But harassment at the workplace is **not clearly identified** anywhere in the law, and so the consequences of such actions are not yet delineated

Recommendations

- To further align the labour law of Bangladesh with the international conventions, the following steps need to be taken:
- Revision of provisions related to freedom of association in BLA: There are some provisions in the labour act of Bangladesh that **need to be considered for revision** in order for BLA to be **fully aligned with the ILO conventions**, especially the conventions ratified by Bangladesh. These provisions include:
 - **Restrictions regarding freedom of association** on many sectors and workers, including, but not limited to, government workers, university teachers and domestic workers (sections 1(4), 2(49) and (65) and 175);

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.1 Amendments to the Labour Act, 2006 (contd.)

Recommendations

- One remaining **restriction on organising in civil aviation** (section 184(1) – the provision should clarify that trade unions in civil aviation can be formed irrespective of whether they wish to affiliate with international federations or not);
- Restrictions on **organising in groups of establishments** (sections 179(5) and 183(1));
- **Restrictions on trade union membership** (sections 2(65), 175, 193 and 300);
(v) **interference in trade union activity**, including cancellation of registration for reasons that do not justify the severity of the act (sections 192, 196(2)(b) read in conjunction with 190(1)(c), (e) and (g), 229, 291(2)–(3) and 299)
- **Interference in trade union elections** (section 180(1)(a) read in conjunction with section 196(2)(d), and sections 180(b) and 317(4)(d));
- **Interference in the right to draw up constitutions** freely by providing overly detailed instructions (sections 179(1) and 188 (in addition, there seems to be a discrepancy in that section 188 gives the DOL the power to register and, under certain circumstances, refuse to register any amendments to the constitution of a trade union and its Executive Council whereas Rule 174 of the BLR only refers to notification of such changes to the DOL who will issue a new certificate)²³

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.1 Amendments to the Labour Act, 2006 (contd..)

Recommendations

- Based on the 2020 report of the Committee of Experts on the Application of Conventions and Recommendations
 - **Excessive restrictions on the right to strike** (sections 211(3)–(4) and (8) and 227(c)) accompanied by severe penalties (sections 196(2)(e), 291(2)–(3) and 294–296)
 - **Excessive preferential rights for collective bargaining** agents (sections 202(24)(b), (c) and (e) and 204)
- **The ILO committee of experts suggests that** while 2018 BLA amendments (sections 195(1)(g) and 202(13)) prohibit employers' interference in the conduct of elections for a collective bargaining agent and Rule 187(2) of the Bangladesh Labour Rules (BLR) prohibits interference in elections of workers' representatives to participation committees
 - **These provisions do not cover all acts of interference prohibited** under Article 2 of the Convention, such as acts designed to promote the establishment of workers' organisations under the domination of the employer, to support workers' organisations by financial or other means with the objective of placing them under the control of an employer or an employers' organisation, to exercise pressure in favour or against any workers' organisation, etc

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.1 Amendments to the Labour Act, 2006 (contd..)

Recommendations

- Worker representatives suggest that the **safety of trade union activists is a vital** issue
 - Rather than introducing harsher provisions in the law, there is a need to ensure proper implementation of the provisions that are already present in the labour act of Bangladesh
 - Hence, **DIFE needs to be empowered** more
- *Inclusion of workplace harassment*: Currently, there are different provisions under the **penal code of Bangladesh** that protect the citizens of Bangladesh, especially women, from different forms of harassment
 - But there is **no specific law or no specific provision** in the labour law for workplace harassment issues
 - So, this **should be added in the labour law**, with adequate detail and punishment for different offences
- *Revision in the provision of closure of establishments*: Section 13 (1) of the labour law suggests that the **employer may close down** any section of the establishment, or can close down the whole establishment, due to an **'illegal strike'**
 - Also, workers who participate in that **strike will not be paid wages** after such closures

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.1 Amendments to the Labour Act, 2006 (contd..)

Recommendations

- Worker representatives suggest that this is one of the **most misused provisions** of labour law, particularly because in the **absence of laws or provisions dealing with industrial disputes, strikes** are considered as public nuisances and are subject to criminal procedures
- *Termination of workers*: Although section 26 (1) of the labour act suggests that workers are to be given prior notice of 120 days before they are terminated by the employer, section 26 (3) suggests that the employer can also terminate the worker by paying them wages of the period of **notice 'in lieu of the notice'**
 - According to worker representatives, this is another provision that is **frequently misused**, as it allows entrepreneurs to terminate workers without any notice
- *Introducing adequate penalties*: Another important part of implementing the labour act properly is the **introduction of adequate penalties** for offences committed under the act
 - Currently, the fines prescribed for different offences under the act range from **Tk. 1,000 to Tk. 10,000** (\$11.72 - \$117.2); for entrepreneurs, this fine **is too small** to be an issue
- The **relative cost of providing decent working conditions to workers is significantly higher** than the cost of penalties associated with non-compliance under the labour law
 - Hence, this is a major area where significant revisions are required

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.2 Aligning Labour Rules and EPZ Labour Law in line with ILO Conventions

Progress

- The EPZ Labour Act was gazetted in 2019, and it is to function as a substitute of labour law in the export processing zones of Bangladesh
 - This basically adds to the complexity of implementing two types of laws for workers in the same country

Gaps in EPZ Labour Act and Recommendations

- To align the EPZ labour act with BLA, a number of restrictive provisions need to be removed
- The EPZ Labour Act 2019 has a number of restrictive provisions
 - Section 94 of the EPZ Labour Act (gazetted on 28 February, 2019) allows workers to join Workers' Welfare Associations (WWAs)
 - However, section 100 allows only one WWA to be formed in each enterprise operating in EPZs
 - Moreover, section 102 outlines the activities of WWAs which include awareness building about workers' responsibilities, establishing harmonious relationships between workers and employers, increasing productivity, etc.
 - It does not include the right to collective bargaining
- With regard to Bangladesh Labour Rules, the ILO committee of experts, in their latest report, has urged the government of Bangladesh to consider amending rule 202 in consultation with social partners

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.2 Aligning Labour Rules and EPZ Labour Law in line with ILO Conventions (contd..)

Gaps in EPZ Labour Act and Recommendations

- Another restrictive provision is outlined in section 109, which empowers the EPZ authority to cancel the registration of WWAs if that association is involved in any kind of 'malpractice'
 - Although the term is not properly defined anywhere in the law
- Worker representatives have complaints about limited opportunity for collective bargaining and freedom of association given that the Worker Welfare Associations (WWA) inside the EPZs are not allowed to have any contact with NGOs or other organisations outside the EPZs
- The act allows the exclusion of specific categories of workers in supervisory and managerial positions
 - The exclusion of members include security staff, drivers, irregular workers, workers employed in kitchen, and clerical workers
- The act allows, intern alia, a broad authorisation and interference of the Zone Authority in the approval for funds from an outside source
 - The approval and arrangements for elections to the Executive Council of WWAs
 - The transfer or termination of a WWA representative
 - The monitoring of any WWA elections and so on

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.2 Aligning Labour Rules and EPZ Labour Law in line with ILO Conventions (contd..)

Gaps in EPZ Labour Act and Recommendations

- Hence, these legal complexities need to be taken care of **to smooth processes in collective bargaining** and to ensure labour rights
- In case of labour inspection, **inspectors of DIFE are now allowed** to inspect EPZ factories
 - However, they're required to conduct the inspections via the EPZ's authority
 - This does not allow inspectors to make **unannounced visits** for proper inspections and therefore, this restrictive provision needs to be removed
- There are provisions in the EPZ law for the **formation of labour court** inside or outside EPZs
 - However, **one court in Dhaka was to be formed**, but has not been formed yet
 - Current labour courts are performing the duties for EPZs as an additional duty
- When the same **Chairman functions** under labour law it's a normal labour court, and when he functions under EPZ law it's an EPZ labour court
 - This just adds to the **complexities in the processes of the labour courts**, and so the quick completion of the EPZ labour courts is required

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.3 Establishing an Action Plan to Eliminate Child Labour

Progress on legal framework

- The legal framework of Bangladesh with regard to **child labour is governed** by Bangladesh Labour Act 2006 and its amendments
 - According to the Bangladesh Labour Act, a **child means** a person who has not completed his/her fourteenth year of age, **while adolescent** is a person who has completed his/her fourteenth year of age, but not the eighteenth year
 - The **2018 amendment of the labour law** has eliminated the provision of allowing twelve year olds for 'light work'
- **Only adolescents are** allowed to be employed by establishments for light work
 - According to BLA, section 34 (2), **no adolescent can be employed or allowed** to work in any occupation or establishment **without a certificate of fitness** in the form prescribed by BLR 2015, and granted by a registered medical practitioner, and the adolescent must carry it with him/her
 - Section 35 prohibits adults making **employment agreements as a parent** or *guardian* of the child
 - Also, section 39 **restricts the employment of adolescents** in work such as cleaning, lubricating or adjusting machinery in motion

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.3 Establishing an Action Plan to Eliminate Child Labour (contd..)

Progress on legal framework

- Previously, there was a provision that a child who has completed 12 (twelve) years of age may be employed in such light work which is not dangerous to his health and development or shall not interfere with his education
 - Provided the child is a student, his or her working hours shall be arranged so that it does not interfere with his or her school attendance
- After the 2018 amendment, this provision has been made null and void
 - Hence, no child can now be employed in establishments
- According to section 40, no adolescent will be allowed to work at any machine unless the adolescent has received proper training or is under adequate supervision
 - Also, the government is to publish a list of hazardous work from time to time where no adolescent shall be employed

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.3 Establishing an Action Plan to Eliminate Child Labour (contd..)

Progress on legal framework

- Other provisions in the labour law include **restricting the working hours** for adolescents and the prohibition of adolescents from working underground and underwater, etc.
- The inspection of presence of child labour falls under the jurisdiction of the Department of Factories and Establishments (DIFE)
 - Every inspection **checklist explicitly includes the** *number of children and adolescents employed* as one of the metrics for evaluating the overall compliance of factories
- If the **inspector is not clear about** the age of any worker, then according to section 36 of labour law, it is to be resolved on the basis of a birth registration certificate, a school certificate, or a certificate issued by a registered medical practitioner certifying the age of the concerned person
 - Also, according to section 38, **inspectors can order a medical examination**
- Complaints about **child labour can** be made directly to DIFE through **their helplines**
 - DIFE can take action against the guilty parties through labour courts, if necessary

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.3 Establishing an Action Plan to Eliminate Child Labour (contd.)

Challenges and Recommendations

- Bangladesh **Child Labour Elimination Policy 2010** outlines the identification of child labour and gradual elimination plan for Bangladesh
 - However, there are certain challenges that can impede the progress of gradual child labour elimination in Bangladesh
- The **main challenges** that need to be overcome are
 - The **Labour Act does not cover the large number of domestic workers** in Bangladesh, and child labour is one of the dominant forms in this area
 - Since the act does not cover domestic workers, it is impossible to bring domestic workers under scrutiny
 - So, the labour **act needs to expand its purview** in order to include domestic workers as well
- The socio-economic conditions in Bangladesh are such that many families are dependent on the income of their children
 - The only option for livelihood of many children is working in different establishments
 - So, the application of the provisions introduced in tackling child labour needs to be ensured through **a planned approach that addresses** the socio-economic contexts of the problem as well

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.3 Establishing an Action Plan to Eliminate Child Labour (contd..)

Challenges and Recommendations

- The inspectors of **DIFE are not sufficiently empowered** to take action against different factories which employ child labour
 - DIFE can only **take action through labour courts**, which is a lengthy and cumbersome process
 - There should be some form of **enforcement capacity** (such as charging fines, etc.) of the inspectors that would enable them to apply the law properly
 - In the absence of this, the enforcement of law gets caught up in the **cumbersome processes of labour courts**
- The **punishment for employing child labour is minimal** – a maximum amount of Tk. 5,000 (approximately 58.6 USD) can be charged for employing child labour
 - This level of fine is low and should be raised adequately

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.4 Combating Violence against Workers

Progress in Legal Framework

- In **Bangladesh, the Penal Code 1860**, contains provisions that protect the citizens of the country from any form of violence
 - Hence, any type of violence on workers, or violence from workers (if any) is generally considered to be an offence under the penal code, and is tried according to criminal procedures
- But there are **no laws specifically designed for handling** worker unrest resulting from flawed attempts of **industrial dispute** resolution mechanisms
 - Hence, any form of worker unrest, which is **sometimes viewed as violence that** can damage private or public property, is dealt with in the same manner as public unrest, as there are no separate laws (or provisions) detailing the handling of worker unrest resulting from industrial disputes
 - So, when worker unrest reaches the streets, and **the police get involved**, they take action under the penal code of Bangladesh
- Hence, the ILO committee of experts, in their latest report, have raised their concerns over these **'allegations'** (complaints from ITUC to ILO) of violent suppression of several workers' protests and **'filing of false criminal complaints'** against unionists and hundreds of 'unnamed persons'

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.4 Combating Violence against Workers (contd.)

Progress in Legal Framework

- The **penal code of Bangladesh** also has provisions **for protecting women** from different forms of violence
- As for harassment (especially for women) in the workplace, **the high court of Bangladesh has issued guidelines** that detail the forms of harassment and how to deal with them in different organisations through the formation of designated committees
 - There are **no provisions in the labour law** nor is there a separate law dealing specifically with workplace harassment, and until a detailed law is in place, the guidelines provided by the high court would serve as law
 - If the **guidelines are not followed**, the guilty parties can only be held in contempt of court
 - The **enforcement mechanism is quite vague** too, as punishments are not outlined in detail
- Clause 332 of the labour act can be remotely linked with punishments for harassment, where the **maximum punishment is Tk. 25,000**
 - However, there are no direct links of harassments to punishments prescribed in the law, as the punishment only talks about '**ungentlemanly conduct**', with no clear definition
 - The **high court asked the ministries to initiate the formation of committees** in the offices to deal with harassment issues, but there has been no noticeable progress
- Recently, a **writ petition** has been filed by BMWLA , and in response to which, the high court issued a rule to ministries regarding the reasons behind the delay in the formation of committees

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.4 Combating Violence against Workers (contd..)

Implementation Challenges and Recommendations

- Most of the incidents of violence against workers in Bangladesh have been workplace related
- There are also legal issues related to it; in fact, if entrepreneurs are found to be applying violence on workers which can be classified as **unfair labour practices**, a **maximum fine of 10,000 Bangladeshi taka (BDT)** which equals US\$120 is applicable, according to section 291(1) of the BLA
 - The ILO committee of experts finds this amount to be **'not sufficiently dissuasive'**
- There are no explicit details in law with regards to the handling of workers in case of industrial disputes
 - Any form of worker unrest is generally considered as an activity that is harmful to public property, and, hence, the police deal with it like any other unrest
 - Therefore, there should be **new provisions in the labour law** or a new law **introduced to govern the industrial** disputes and how they should be handled, such that the use of excessive force against workers can be controlled
- Also, if workers face **anti-union discrimination**, they aren't entitled to any compensation for it as of yet

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.4 Combating Violence against Workers (contd.)

Implementation Challenges and Recommendations

- The **ILO committee of experts** has also raised concerns about the allegations communicated by the ITUC referring to widespread **anti-union practices** in the country
 - Illustrated by the dismissal of 36 workers in two EPZ factories in April 2019 following unsuccessful attempts at collective bargaining
- So, a **new law needs to be formed**, or detailed provisions in the current labour law need to be added, in order to address the issues which are directly related to workplace harassment
 - There should be **adequate enforcement mechanisms and punishments** prescribed in those laws as well
- Many workers have been found to have no idea about what constitutes workplace harassment
 - Hence, **awareness building mechanisms** need to be developed too

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.5 Trade Union Registration

Progress

- **Slow progress in trade union** registration, accompanied with different complexities of the registration process, have always **plagued the freedom** of association in Bangladesh
- To ease these complexities, **an online trade union registration system** was officially launched by the Department of Labour Bangladesh with support from ILO on April 2015
- Also, the **standard operating procedures (SOPs)** for the Unfair Labour Practice and Anti-Trade Union Discrimination have been developed (published in August, 2017) and incorporated into the 2018 Amendment of the Labour Act
- After the adoption of the SOPs, **the success rate in union registration has** increased from 65 per cent in 2017 before the adoption of the SOPs, to 79.85 per cent after their adoption, then 74.85 per cent in 2018, and 74 per cent up to July 2019
- However, **during 2018-19, 667 applications were received** and 98 of them were rejected, and 302 trade unions have been registered of which 41 are in process and 226 have been filed

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.5 Trade Union Registration (contd.)

Challenges and Recommendations

- The adoption of SOPs and the launch of an online system for trade union registration are certainly major achievements for Bangladesh
- There are certain challenges with regard to the implementation of the whole process. The major challenges are:
 - Many of the **workers in Bangladesh are illiterate** and so handling online registration procedures is difficult for them
 - Hence, the **online procedure seems** more difficult to them than the manual one
 - This means that there is a need for the **proper training of workers** and all persons involved regarding the whole registration process
- The whole process of trade union registration is basically a combination of the **manual and online systems**; this only increases **complexities**
 - These complexities need to be reduced
- The **online database is not functional** (till date) due to upgrading of the software and technical issues. Hence, obtaining updated data is quite difficult
- However, after upgrading, the database will **include different information**
 - Applications for registration accepted and rejected; registration of sectoral and national federations and confederations; trade union-related court cases; conciliation; election of collective bargaining agents and anti-union discrimination and participation committees

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.6 Eliminating Backlog of Cases in Labour Courts

Progress

- There were **mainly seven labour courts** in Bangladesh; however, three new courts have been added during 2018-19
 - There were **9821 cases filed** in total in the appeal tribunal and the seven labour courts, of which **8530 reached a verdict**
- The establishment of **three new labour courts** at Narayanganj, Gazipur, and Comilla has already been approved by MoPA
 - The establishment of a new labour court in Faridpur is under process as well
- The labour courts of Bangladesh have **historically suffered from problems of backlogs**, where cases take years to reach a proper verdict
 - The ILO Committee of Experts, in their latest report, has also raised their concerns over the issue

Challenges and Recommendations

- Although the problem of case backlog is acute, there is also the **problem of cases ending due to absence of either party**
- Sometimes, workers don't show up due to not being able to bear the **burden of increased costs and lengthy processes** and cases are dismissed early
 - Workers access is limited too, as year after year the cases go on which means the financial burden on workers is increased and prolonged

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.6 Eliminating Backlog of Cases in Labour Courts (contd.)

Challenges and Recommendations

- The procedure in labour courts also sometimes leads to **cases not reaching a verdict soon enough**
 - For example, written statements are required from owners or their representatives
 - This takes up a lot of time. After that, when the hearings start, there is the problem of backlog
 - Even if dates are given, sometimes owners ask for time, sometimes workers ask for time, some members are not present, or the chairman is not available (due to illness and such) etc, which complicates the process further
- There is a provision that cases must be **disposed of within 180 days**, but it is not a mandatory provision
 - There are **no consequences for extending** the period; so there should be a **revision in the law** so that there is an incentive for all parties to take care of the cases quickly

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.6 Eliminating Backlog of Cases in Labour Courts (contd..)

Challenges and Recommendations

- One of the reasons behind backlog is the low number of labour courts
 - **Due to distance**, all workers of Bangladesh do not have access to labour courts. Still, given these circumstances, the situation can be improved
- For that, there is a need for further amendment of the law in the following areas:
 - The **cumbersome procedure of court hearings** should be eased, like **evidence and witness requirements** because many cases can be decided using document-based evidence
 - **Alternative dispute resolution mechanisms** can be made mandatory whereby labour courts can ask for mediation, like family court ordinance
 - Because dispute resolutions based on verdicts take up a lot of time, especially when one of the parties decide to appeal, most cases are disposed of through out-of-the-court mediations anyway
 - These **out-of-the-court settlements should be brought under the legal framework** and should not depend on the Chairman's discretion
 - That's the reason behind some disposals of the courts being faster than other courts
- Furthermore, **dispute resolutions can be done** through its members

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.7 Filling the Vacant Posts of Labour Inspectors

Progress

- The main administrative body for monitoring the implementation of labour law is the Department of Factories and Establishments (DIFE)
- After the Rana Plaza tragedy, effective from 14 January 2014, DIFE was upgraded to a department under the ministry of labour
 - Initially inspectors were selected through the public service commission
- The detailed organogram of DIFE has already been developed
 - DIFE is now finalising the procedures for ensuring the tenure for different posts
- Currently, **a total of 340 posts are vacant (around 34 per cent)**
 - Of **which 144 posts belong to labour** inspectors, which is roughly 15 per cent of the total posts and 40 per cent of total labour inspector posts (Table 1 in the next slide)

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

Table 1: Status of Total Posts Filled and Vacant under the DIFE

Posts	Total Posts	Total Posts Filled	Total Vacant Posts
Inspector General	1	1	0
Additional Inspector General	1	1	0
Joint Inspector General	4	4	0
Deputy Inspector General	27	9	18
Assistant Inspector General (General)	96	40	56
Assistant Inspector General (Health)	41	10	31
Assistant Inspector General (Safety)	41	24	17
Statistics and Research Officer	1	1	0
Librarian	1	0	1
Information and Communication Officer	1	1	0
Law Officer	1	1	0
A. Total Officers (First Class)	215	92	123
Labour Inspector (General)	248	168	80
Labour Inspector (Health)	58	34	24
Labour Inspector (Safety)	58	17	41
Administrative Officer	1	1	0
B. Total Officers (Second Class)	365	220	145
Total Staff (Third Class)	206	145	61
Total Staff (Fourth Class)	207	196	11
C. Total Staff (Third and Fourth Class)	413	341	72
Total (A + B + C)	993	653	340

Source: CPD-ILO Study, 2020

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.7 Filling the Vacant Posts of Labour Inspectors (contd.)

Recommendations

- DIFE is still going through **an upgrading process**, where a revised organogram has been designed with the aim of delineating the duties of each official
 - There is also an ongoing process with regard to transforming the posts of **labour inspectors to tenured positions**
- There is the **issue of delegation of authority**
 - Almost all major decisions have to be taken by the Inspector General, and the staff, even at the immediate lower levels, have little to no capacity for decision making
 - This is one major flaw in the system
- DIFE still needs **workforce to extend its activities to all the districts of Bangladesh** and all industrial establishments
 - DIFE needs to work on recruiting new inspectors for covering all sectors of Bangladesh
- Another main problem with the current situation is that the scope of promotion is limited
 - This leads to **high turnover of DIFE staff due to lack of career advancement**
 - This should be improved to better the performance of the DIFE
- There is also **absence of proper incentives for inspectors** such as risk allowances and performance bonuses, etc.
 - These issues need to be addressed properly along with the design and implementation of a proper organogram

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.8 Ensuring Proper Work of the Remediation Coordination Cell (RCC)

Progress

- The Remediation Coordination Council (RCC) was **set up in 2017** by DIFE to expedite the remediation process of factories inspected under the national initiative
 - The RCC has been monitoring and overseeing the progress of the corrective action plan of NI factories
- Until January 2019, **26 engineers worked under the RCC** with technical support provided through an Implementation Agreement with the **ILO, bringing on board 3** engineers, and IT, communications, and support staff to support RCC management
- Additionally, the **government recruited 60 engineers** in 2019 to facilitate remediation
 - Furthermore, ILO **provided 54 personnel including** 47 engineers recruited through hiring a private firm for the support of the RCC
- As of August, 2020, **42 per cent, 43 per cent and 40** per cent of the 2821 factories under the national initiative have received (and are implementing) CAPs for improving the structural safety, electrical safety, and fire safety of those factories respectively

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.8 Ensuring Proper Work of the Remediation Coordination Cell (RCC) (contd..)

Progress

- Overall, the **process of remediation** of the factories under the national initiative has been **42 per cent**
- A plan for a **future transition of RCC into Industrial Safety Unit (ISU)** is currently underway
 - A proposal has been made to **form ISU with a workforce of 227**, among which 99 will be engineers
- There are also plans for establishing a **Government Coordination Council (GCC)**
 - Established through **funding from Canada**, Kingdom of Netherlands and UKAID and technical support from ILO

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.8 Ensuring Proper Work of the Remediation Coordination Cell (RCC) (contd..)

Recommendations

- The KIIs with employers and development partners suggest that the progress of factories in terms of remediation activities have been **slower than the factories** under Accord and Alliance
 - Because **most national initiative factories operate in shared buildings**, and so they need to move to their own buildings for proper remediation
- Most of these factories **do not work for international brands**
 - Hence they do not face increased pressure from buyers and brands with regard to social compliance issues
- DIFE **needs to work with these factories** to ensure remediation is completed in a timely manner
 - Ensure that proper awareness of entrepreneurs can be developed
- **Remediation financing is** still an issue, as stressed by entrepreneurs
 - Efforts have been carried out by ILO as well as the German Development Agency GIZ to enhance access to remediation financing

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.8 Ensuring Proper Work of the Remediation Coordination Cell (RCC) (contd..)

Recommendations

- Access to Finance sessions has been carried out for factory owners to present the remediation credit line (two-step loan) supported by JICA and facilitated by Bangladesh Bank
 - Recommendations from access to finance sessions with factory owners have been shared with GIZ to address in their capacity needs assessment study
- According to KIIs done with development partners, access to finance is still an issue due to complications in the associated rules
 - For gaining access to the funds **from JICA factories require approval** from PWD, which, in turn, gives its approval only if the load requirements for different floors of BNBC are met
 - The **BNBC requirements are higher than** those of Accord and Alliance in terms of load capacity
- So, factories certified as compliant by Accord and Alliance still didn't get the JICA funding due to the higher requirements
- **Private consulting firms** that are employed for detailed engineering assessments (DEAs) by RCC have **higher and differential rates**
 - This adds to the burden of factories which are already burdened with increased costs of remediation

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.8 Ensuring Proper Work of the Remediation Coordination Cell (RCC) (contd..)

Recommendations

- There is a revision needed in the current process of hiring private consulting firms
 - However, as per 14th NTC meeting minutes, **DIFE will explore the mechanism of intervening into issues** of different rates by firms by possibly placing caps on the costs associated with different types of work required
- A **detailed engineering assessment (DEA)** is a detailed engineering investigation and reporting of the structure of a building
 - This is primarily required to understand the safety issues and the remedial works requirements
- Also ensure that proper awareness of entrepreneurs can be developed

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.9 Ratifying ILO Conventions 29 and 138

Progress

- The Forced Labour Convention, 1930 (CO 29) of ILO suggests that each member of the ILO is to ‘**suppress the use of forced or compulsory** labour in all its forms within the shortest possible period’,
 - Where forced or compulsory labour is defined as ‘all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily’
- The Constitution of Bangladesh while **guaranteeing the fundamental** rights for the people, prohibits all forms of forced labour **under Article 34**
 - Article 34 lays down that 'all forms of forced labour are prohibited and any contravention of this provision shall be an offense punishable in accordance with law'
- There's also the **penal code of Bangladesh where**, under section 374 (1), it is stated that forced or bonded labour can lead to punishments such as imprisonment, fines, or both
 - Now, the ratification of this convention implies that there would be adequate penalties for forced labour and they are ‘strictly enforced’

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.9 Ratifying ILO Conventions 29 and 138 (contd..)

Progress

- However, the presence of forced labour in Bangladesh is a debated issue
 - KIIs with different stakeholders reveal that forced labour might be present in some sectors of Bangladesh, but generally it is non-existent in the export-oriented industries
 - Currently, the **government is actively considering ratification of CO 29** and is in the process of receiving comments from concerned ministries
- The Minimum Age Convention of ILO (CO 138) specifies that the minimum age for admission to work should not be **less than the age of completion of compulsory schooling**, and, 'in any case, shall not be less than 15 years'
- There must also be a plan by the government for '**raising progressively the minimum age for admission** to employment or work to a level consistent with the fullest physical and mental development of young persons'
- With regards to child labour, however, there has been important progress in terms of legislation (as discussed in the section on child labour), as employing workers under twelve years of age is now a punishable offence
- **Bangladesh has ratified the** ILO's [Worst Forms of Child Labour Convention \(C182\)](#)
 - In addition, the country also ratified the UN [Convention on the Rights of the Child](#)

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.9 Ratifying ILO Conventions 29 and 138 (contd..)

Recommendations

- The basic challenge for ratifying the Forced Labour Convention is the fact that the labour law of Bangladesh does not clearly address the forced labour issue, as there is **no clear definition of forced labour in the law**
 - As for child labour, the definitional issues are well addressed in the law (as mentioned in the section on child labour), and through the 2018 amendment of the labour law, Bangladesh has eliminated the provision of employing children under twelve years of age
- There are still complaints of child labour and bonded labour in Bangladesh, as evident from different cases lodged in supreme courts
 - For example, one such case by Ain-o-Salish Kendra on 2004 (which reached a verdict in 2011) has led to high court recommendations that state that there is bonded labour or servitude practised in the coastal fishing areas, where child labour is also employed
 - So, first of all, **harsher punishments need to be introduced and, secondly, the inspection system along with the enforcement** of penalties for non-compliance need to be upgraded to better enforce the law

5. Key Recommendations to Qualify for GSP+ and Addressing Issues on Labour Laws and Rights

5.9 Ratifying ILO Conventions 29 and 138 (contd.)

Recommendations

- The **data on forced labour and child labour** is also not readily available in Bangladesh
 - There is an urgent need for an updated survey on those issues in order to review the current situation here
- The government of Bangladesh, however, is **currently in the process of implementing a survey on child labour soon**

6. Conclusion

- Bangladesh has made **a lot of progress in terms of ensuring decent work** in factories, especially in the garments sector
 - Regulatory issues under **different laws, acts**, and rules have been amended and/or revised in order to ensure worker rights and decent working environments
 - Major **amendments/revisions include the elimination of provisions** that allowed the employment of workers under the age of twelve, and the establishment of an administrative process for trade union registration and labour inspection etc.
- There **is still a lot to be done in terms of implementation** of the laws
 - Inclusion of **workplace harassment** issues in the legal framework; addressing the forced labour issue properly; addressing the concerns of the ILO committee of experts and improvement of the overall monitoring and implementation framework of decent work
- The government of Bangladesh is, however, **actively consulting with stakeholders** about how to address these issues in a timely manner
 - Hopefully there will be adequate improvements in the areas of decent work and the related legal framework so that Bangladesh can become eligible for the GSP+ scheme
- **A time-bound action plan with specific responsibilities for** concerned public institutions is urgently required to set in order necessary changes
 - Furthermore, the **necessary technical support needs to be extended** by the development partners and international organisations in this regard

Thank you.