



## Police action on protesting garment workers

Fact-finding Report  
Odhikar

*This fact-finding report relates to the unrest of the garments workers of Mirpur in Dhaka and surrounding areas, which erupted on January 8, 2008. Garments workers placed their 8 point demands to the owner of MBM Garments. Their demands included:*

- *Their full salaries*
- *Overtime*
- *Payment of unpaid portion of salaries*
- *Ending the sacking of garments workers without notice*
- *Improvement of the quality of lunch and reinstatement of other facilities that are no longer available*

*With the motive to attain the above-mentioned demands the garments workers of MBM Garments seized the road alongside the Kachukhet area. The garments workers of neighbouring garments factories expressed solidarity with the dissenting MBM Garments workers and on January 14, 2008, they engaged in a clash with the law enforcers. The police initially baton charged the garments workers and then fired rubber bullets and tear shells towards them. This resulted in a widespread clash. Shakhawat, a garments worker of MBM Garments was arrested by RAB 4.*

The information and reports regarding the attack by the police on the garments workers in Mirpur along with the information of police firing rubber bullets and throwing tear shells on them was the basis on which Odhikar conducted a fact-finding mission.

During the fact-finding, Odhikar spoke with:

- Workers of MBM Garments
- Local people
- Police
- Management of the MBM Garments
- Security guard of Opex garments
- President of the Bangladesh Garment Manufacturers and Exporters Association (BGMEA)<sup>1</sup> and
- Deputy Director (Factory Inspection) of Ministry of Labour at Labour Bhaban

When fact-finders from Odhikar went to the MBM Garments premises on January 16, 2008, the security guard of MBM Garments told them that there was no one from the management at the MBM Garments office that day. However, there were a few garments workers wandering about here and there. They were initially reluctant to speak but later on informed that the representatives of the management were inside the factory. They also informed that they would be willing to speak after Odhikar spoke with the management first. The fact-finding team of Odhikar failed to have any word with the management of MBM Garments that day. The following day was January 17, 2008, a

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<sup>1</sup> BGMEA is a trade body that represents the export oriented garment manufacturers and exporters of Bangladesh.

Thursday, which meant that according to the Governmental rule, it would be a holiday for all garments workers employed in the Mirpur area. When the fact-finding team went to MBM Garments on January 17, 2008, they found the factory fully operational.

### **Management of the MBM Garments**

Rezaur Rahman (Raju), Mohammad Mehroz Jalil and Ayub Ali, all involved in the management of the MBM Garments told Odhikar that MBM Garments had been upholding its high name in the business world for the past 25 years. MBM Garments had received awards three times for its contribution to the garments sector. They also informed that 2800 workers were employed at MBM Garments. Odhikar was told that the concerns of the workers were always looked after by the management. From 1991, MBM Garments has been providing free lunch and free medication for its labourers. The MBM management also informed that they had employed four doctors dedicated to their workers. The management of MBM Garments also stated that their owner, Mahmudur Rahman had temporarily stopped the medical treatment allocated to the workers and redirected the funds to the Sidr affected victims. According to the pay scale, it was also decided that the salaries of the labourers would be raised in July, 2008. They also informed Odhikar that the starting salary was Taka<sup>2</sup> 1500 and this went up to Taka 8000 and that the labourers were also entitled to overtime along with bonus payment of both Eid festivals. Odhikar was also told that the labourers received their bonus for Eid ul-Fitr within the first week of the month of Ramadan and their salaries were paid within the 1<sup>st</sup> and 7<sup>th</sup> day of each month. The management of MBM Garments also informed that they had arranged for 'complaint boxes' on all floors of the factory. These boxes were placed in the bathrooms of the floors. The reason behind this is because it would then provide anonymity as to who had made the complaint. When Odhikar inquired as to how this unrest began, they said that on January 8, 2008, a group of labourers expressed their discontent when after being called in for lunch and were served *murighonto*<sup>3</sup> instead of beef. They declared, 'we will not eat and we will not work' and left. On January 9, 2008, they placed their 8 point demands and said that if these demands were not met, they would refrain from working. They also refused to negotiate with the management of MBM Garments. They demanded that they would directly speak with the owner, Mahmudur Rahman. During that time, Mahmudur Rahman was outside the country. The workers were informed that Mahmudur Rahman's son, Mr. Wasim accompanied by Joint Secretary of the BGMEA Mr. Rafik and a Government officer would sit in a meeting with 30 representatives of the 9 floors of the factory on January 13, 2008. The labourers said that they would work on the 10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup> of January. As per the previous decision, the 13<sup>th</sup> of January, 2008 was declared a holiday. The BGMEA began its meeting with 30 labourers of MBM Garments. The labourers worked properly on January 14, 2008. However, they wanted to know how the meeting had progressed and demanded 'We must be made aware of the decisions of the meeting by loudspeaker'. On the basis of this demand, General Manager of MBM Garments, Rezaur Rahman (Raju) informed all

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<sup>2</sup> Taka is the name of the Bangladeshi currency. According to current market rate, Taka 67 is equal to US \$ 1.

<sup>3</sup> A Bangladeshi dish which is a mixture of fish head and lentils.

the labourers about the decisions taken in the meeting by loudspeaker. After hearing the decisions taken at the meeting, the labourers stopped working and came down to the road and seized it. They also caused a great deal of damage to the vehicles on the road. The MBM management also informed that their labourers urged the labourers of Opex Garments, a neighbouring garments factory to come and join their movement and express solidarity to their demands. When the labourers of Opex garments refused to express solidarity, the labourers of MBM Garments went to the Opex Garments premises and tried to cause damage to it also. The authorities of the MBM Garments called in the police. This led to clashes between the police and the garments workers. The labourers of MBM Garments conveyed that if their leader Shakhawat was released, they would return to work. However, the management of the MBM Garments claimed that they had never confined labour leader Shakhawat in the first place and that they were not aware of where he was. They informed Odhikar that on January 16, 2008, they held another meeting with the labourers and said that they would agree with all the demands those had been placed forth and urged the labourers to return to their jobs. The labourers joined work on January 17, 2008.

### **Opex Garments**

When Odhikar fact-finders went to the Opex Garments premises, the security guards told them that there were no problems whatsoever at their factory and that the labourers were working perfectly. They told the Odhikar fact-finding team to inquire into other garments factories.

### **Nazma (25), a tea seller**

Nazma, a tea seller, told Odhikar that she regularly sells tea at her small tea stall in front of the MBM Garments. She witnessed unrest in the area from January 8, 2008. She saw how all the labourers came down to the streets and the clash occurred between the labourers and police. Nazma stated that many labourers were injured and that she had heard from others that a labourer had died due to bullets fired by the police. However, after two days, she came to know that no labourer had died in the incident.

### **Md. Kamal (50) and Md. Abdul (55)**

Md. Kamal and Md. Abdul were residents of the neighbourhood near MBM Garments. They recalled how the labourers of MBM Garments suddenly took to the streets and caused riots. The riots assumed a massive scale at a certain point. They recalled seeing street clashes between the police and labourers on January 14, 2008, while the police was firing tear shells towards the labourers. Md. Kamal, Md. Abdul and others closed down their shops as a result of these clashes. However, on January 17, 2008, they saw the labourers returned to their jobs.

### **Labour leader Shakhawat (32), MBM Garments**

Shakhawat told Odhikar that the labourers were under a great deal of hardship. Their demands were very small and insignificant. He commented that the owner of MBM Garments was well capable of enforcing these demands. Shakhawat complained that

labourers were sacked without notice and that their salaries did not rise properly. He mentioned that their movement had been going on for a week. He also mentioned that they used to receive previously free medical treatment which they were not entitled to any more. Shakhawat went on to say that some of his female co-labourers had been sacked without a justified cause. They were not served a notice of termination and although they were provided their salary, they were denied of their deserved overtime. Shakhawat went on to tell Odhikar that he and a few others had found out that the owning authorities of MBM Garments had sacked several other labourers as well. He informed that when a Supervisor and a labourer were sacked from their jobs, the Supervisor would receive a full month's salary but the labourer would only be given half of a full month's salary, a practice which is absolutely unacceptable. When female labourers go to the management authorities with their problems, usually those problems would remain improperly addressed. Labour leader Shakhawat informed that he was taken away by RAB 4 for questioning at 12.30 pm on January 15, 2008. Shakhawat told Odhikar that he was not tortured by the RAB authorities in any way. RAB 4 asked Shakhawat as to why the labourers were rioting in the streets and who was instigating this. RAB 4 also wanted to know who those people were who had supported the instigator. Shakhawat was released on January 16, 2008. Shakhawat informed that no labourer from their side had died in the incident and that he did not know who had spread this rumour.

### **Asma (23), Rabeya (27)- MBM Garments**

Asma informed Odhikar that she had been employed at MBM Garments for the last two years. Her starting salary was Taka 1200. Her current salary was Taka 1800 and adding up her overtime, she earned around Taka 3000 per month. She told Odhikar that the General Manager of MBM Garments was rude to its labourers. If a female labourer lost her job due to the negligence of a Supervisor, the blame would be given to the female labourer herself. In fact, the Supervisors were never sacked and their faults were never addressed. Asma told Odhikar that their salaries were inadequate and that their movement was driven by their 8 point demands. Asma considered the 8 point demands to be of a very normal nature and assured that the labourers would return to work if their demands were met. Asma referred to the recent price hike due to which it would not be possible to support her children and pay for their education with the salary she received.

### **Officer-in-Charge (OC) Akram Hossain, Kafrul Police Station**

OC Akram Hossain informed Odhikar that the management of MBM Garments had told him over the telephone that their labourers had stopped working and taken to the streets and started confrontation. It was at that point that OC Akram Hossain took his force to the place of the incident. Clashes between the police and the labourers began there. OC Akram informed that the rioting labourers threw brick-bats at the police and 12 of their members were currently receiving treatment at the Dhaka Medical College Hospital. He also informed that the police was trying to unearth the real reason behind this unrest. OC Arkam said that in attempt to bring the clashes within control and inspire the labourers to return to their jobs, the police, the Directorate General of Forces Intelligence (DGFI), the

National Security Intelligence (NSI), BGMEA, Labour Ministry authorities and the owning authorities of MBM Garments sat in a meeting. OC Akram also stated that the MBM Garments authorities did not file any case with regard to this incident. Since, the rioting labourers had taken part in processions and public meetings, the police filed six cases for violating the Emergency Power Rules 2007. He said that for the sake of the ongoing investigation along with the continuing process to bring things under control, he would not say any further. He said that he would be willing to talk again after the investigation. OC Akram refused to show Odhikar the *Ezaha*<sup>4</sup>. However, he did state that the police had arrested three people with regard to the incident. OC Akram was not aware as to who had taken away Shakhawat.

### **Anwar UI Alam Choudhury (Parvez), President, BGMEA**

Anwarul UI Alam Choudhury told Odhikar that if the garments factory owners were unable to address the problems placed forth by the labourers, it was unfair on the part of the labourers to instigate and cause damage to public property. He asked, "Is it appropriate to call upon labourers of other garments to join their movement?" Anwar UI Alam informed that the labourers of MBM Garments caused public destruction because the labourers of Opex Garments had refused to join them. The labourers must understand that causing destruction will only bring about problems for the nation and that they have no gain from it. The BGMEA had a meeting with the labourers and the MBM management and the labourers were urged to return to their work, but instead of complying, the labourers again took to the streets. Anwar UI Alam stated that the earnings of people were low in relation to the market rates. It is for this reason he urged the present Government to provide the common people with rice, lentils and oil on a rationing basis. He commented that if the Government failed to control the price hike, the labourers would become agitated again. He concluded by saying that, just as he had to look after the demands of the labourers, he also had to hear the voice of the garments factory owners.

### **Pallobi Police Station**

The police as plaintiff filed a case against the labourers for taking part in processions and meetings on the streets in violation of the Emergency Power Rules 2007. The case was filed under the Emergency Power Rules 2007 under sections 3 and 4(1). The case number was 29 and it was filed on January 16, 2008. 11 garments labourers were accused in that case filed in the Pallobi Police Station as organisers of the incidents. They were:

1. Touhidur Rahman
2. Shahidul Islam
3. Kamrul Islam
4. Shamim Ara Nasrin
5. Lovely Yasmeen

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<sup>4</sup> A formal complaint made to the police.

6. Asma
7. Rabeya
8. Abul Kalam Azad
9. Rashedul Alam Raju
10. Amirul
11. Rana

In the case filed, the police stated that 300/400 unknown 'miscreants' had instigated the described incident. Mehedi Hasan was an arrested suspect in this case.

### **SI Azmeer, Investigation Officer, Pallobi Police Station**

SI Azmeer told Odhikar that the Nation Security Intelligence (NSI) arrested Mehedi Hasan from Uttara on January 24, 2008. The NSI then handed him over to the Pallobi Police Station. SI Azmeer went on to say that Mehedi was brought before the court on January 25, 2008 and a remand period of 10 days was prayed for. The court granted four days remand. After the end of the remand period, Mehedi was brought before the court on January 30 and again remand was prayed for, this time a period of 7 days. The court granted three days remand. The police alleged that Mehedi Hasan met in secret meetings with the labourers of various garments factories of Bangladesh and conveyed their stories and problems to a US foreign workers rights based organisation called Workers Rights Coalition (WRC) via email, without notifying the garments owners or management authorities. SI Azmeer stated that Mehedi Hasan claimed himself to be the sole representative of a foreign intelligence agency in Bangladesh during the initial interrogation. SI Azmeer opined that if Mehedi Hasan was extensively interrogated it would be possible to unearth the identities of those who instigated the garments labourers to engage in destructive activities, i.e. those very people provide information to the garments labourers in order to inspire them in committing disruption.

### **Mehedi Hasan (30), an activist of WRC**

Mehedi Hasan while he was in the Court explained to Odhikar very briefly that on January 24, 2008, he went to the Zia International Airport, to bid farewell to Bent Gehrt, South East Asia Field Director of WRC. He was arrested by the NSI on his way back from the airport. Mehedi was transferred from the NSI to the Detective Branch of Police (DB Police) and then to the Pallobi Police Station for remand via a Magistrate Court. It should also be mentioned here that the fact-finding officer from Odhikar who went to observe the Court proceeding of Mehedi Hasan was briefly detained for questioning by the plain cloth people belonging to the law enforcement agencies

Odhikar later on came to know from Jahanara Haque, the lawyer representing Mehedi, that all allegations against Mehedi had been withdrawn and that he had been released on February 3, 2008.

### **Jamshedur Rahman, Deputy Director (Factory Inspection), Labour Bhaban**

Jamshedur Rahman told Odhikar that the Government had categorised garments factories of Bangladesh into three groups. These are:

1. Standard
2. Medium standard
3. Substandard

It was said that the owners of the standard garments factories properly takes care of the interests of the labourers. The medium standard garments factories are unable to fully maintain the rights of the labourers but nonetheless try to do so. The Government had filed cases against the owners of the substandard garments factories because they failed to uphold the rights of the labourers. The substandard factory owners also failed to neither regularly pay the salaries along with overtime nor grant holidays to the workers. Jamshedur was unable to say who were exactly behind this worker unrest. He mentioned that the police are investigating into the incident and the truth could possibly be known after that.

**-End of Report-**