

BGMEA Issues Statement with False Claims and Unsubstantiated Commitments to Building Safety in Bangladesh

On October 26, 2020, the nongovernmental organization (NGO) Witness Signatories to the Accord on Fire and Building Safety in Bangladesh (Accord) issued a brief expressing their concerns over the effectiveness of the Ready-Made-Garment Sustainability Council (RSC) to credibly ensure implementation of the legally binding Accord agreement between 200 garment brands and global and local trade unions.¹ On November 26, 2020, the Bangladesh Garment Manufacturers and Exporters Association (BGMEA), a member of the RSC's governing board, issued a response to the brief.² The response contains false claims and unsubstantiated commitments about the RSC, which was set up to carry forward the work of the Accord in Bangladesh and, at the same time, to support the fulfillment of the signatory obligations under the Accord agreement.

First, the statement falsely claims that the RSC is founded on the core principle that its governance structure brings together all critical stakeholders in one single platform with equal voice and authority. In reality, the RSC is governed by a board of 18 directors that is made up of 12 representatives of financially-vested companies (six brands and six factory owners), with representatives of workers (global and local unions) making up only a third of its members. Furthermore, the RSC's board has refused to include a key group of critical stakeholders, labor-rights NGOs, who have worked extensively to ensure the obligations of the Accord are being fully executed and who have participated directly in the governance of the Accord in their capacity as non-voting Witness Signatories.

Second, the BGMEA claims that the RSC is fully committed to a high level of transparency as practiced under the Accord. In reality, unlike the Accord, the RSC's website, six months after the organization's inception, provides none of the following information: factory-specific remediation data, aggregate reports, nor minutes of its Board meetings.

Third, the BGMEA claims that the RSC commits to a boiler safety inspection program which was first initiated as a pilot in 2018. As explained in the Witness Signatories' brief, the Accord brands and unions agreed with the BGMEA to start the roll-out of the boiler safety program at the start of the establishment of the RSC. However, even after six months since the RSC began its operations, there is no indication that a boiler safety inspection program has started. As a result, as the Accord's boiler safety pilot program demonstrated, hundreds of thousands of ready-made-garment factory workers are still being exposed to the imminent risk of a boiler explosion.³

Fourth, the BGMEA statement makes multiple references to the Transition Agreement signed between the Accord and the BGMEA and Bangladesh Knitwear Manufacturers and Exporters Association. However, one of the most important commitments made in that Transition Agreement, the recruitment of an independent Chief Safety Officer (CSO), remains unfulfilled.⁴ A CSO, with the same independence, autonomy, authority, and reporting requirements as elaborated and practiced by the Accord, is essential for the quality and credibility of the inspection program.

Finally, the Witness Signatories are alarmed by the BGMEA's reference to carry out a so-called 'deep dive' pilot program to improve the progress rates of factories. While the Witness Signatories encourage the continued progress of remediation across all factories, it is critical that these efforts be carried out and approved in accordance with the Accord's rigorous standards. Failing to do so or rushing the process of remediation places the safety of millions of workers at risk.

In our October statement, the Witness Signatories suggested that, if in November 2020 the RSC failed to uphold its responsibilities with assisting the brands in meeting their obligations under the

Accord Agreement, the Accord's signatories should terminate its relationship with the RSC and determine alternative ways to fulfill their obligations to the enforceable agreement. Although the RSC has indeed failed to demonstrate the aforementioned task, the Accord's brand and union signatories have reported plans to address outstanding concerns in the next quarter. Moreover, during this same period of time, the signatories have indicated their intention to extend and expand the obligations of the Accord Agreement after its expiration in May 2021. Therefore, the Witness Signatories will reassess and make a recommendation with regards to the RSC relationship to the Accord in February 2022. The Witness Signatories are optimistic that, in the coming months, the brand and union signatories take the necessary steps to ensure that the Accord remains an exemplary model for supply change reform in Bangladesh and beyond.⁵

¹ Clean Clothes Campaign, Maquila Solidarity Network, Worker Rights Consortium, and Global Labor Justice - International Labor Rights Forum, Amidst Covid-19 Crisis, Untested Industry Group Assumes Safety Responsibilities for Bangladesh Garment Factories despite Concerns, October 26, 2020, <https://www.workersrights.org/wp-content/uploads/2020/10/Accord-Witness-Signatory-Assessment.pdf>.

² Bangladesh Garment Manufacturers and Exporters Association, BGMEA's Observations on the Concerns of Accord Witness Signatories about RSC's Functionality, November 26, 2020, https://www.bgmea.com.bd/page/BGMEA_observations_on_the_concerns_of_Accord_Witness_Signatories_about_RSC_Functionality.

³ Bangladesh Accord on Fire and Building Safety, Accord Boiler Safety Pilot Program Results, March 18, 2019, <https://bangladeshaccord.org/updates/2019/03/18/boiler-safety-pilot-program-results>.

⁴ Bangladesh Accord on Fire and Building Safety, Transition Agreement, January 14, 2020, <https://bangladesh.wpengine.com/wp-content/uploads/2020/01/Accord-BGMEA-Transition-Agreement-Final-14Jan2020.pdf>.

⁵ Clean Clothes Campaign, How to change the garment industry? | Bangladesh Accord, May 7, 2020, https://www.youtube.com/watch?v=TnPesU_yPgw.

Notes to editor:

The witness signatories to the Accord on Fire and Building Safety in Bangladesh are Clean Clothes Campaign, Global Labor Justice/International Labor Rights Forum, Maquila Solidarity Network, and Worker Rights Consortium. The statement can also be found on: https://cleanclothes.org/file-repository/accord_witness_signatory_response_to_bgmea.pdf/view.