

**EMBASSY OF THE UNITED STATES OF AMERICA**

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**AMBASSADOR DAN MOZENA'S REMARKS**

**TO THE  
PARLIAMENTARY STANDING COMMITTEE ON MINISTRY OF LABOR AND  
EMPLOYMENT PUBLIC HEARING ON "SAFE WORK ENVIRONMENT IN GARMENTS  
FACTORIES: EXPERIENCE AND FUTURE REMEDIES"**

**PARLIAMENT MEMBERS' CLUB  
BANGLADESH PARLIAMENT  
DHAKA, BANGLADESH**

**MAY 18, 2013**

**Ambassador Mozena:** Thank you very much, Mr. Chairman.

I want to thank you for offering this hearing. I thank all of the members of the committee. What's happening here today is an important part of democracy. It's called oversight. This is the role of the legislative branch, to oversee the work of the executive branch.

I know this function very well. I have on many occasions sat in a very hot seat at the Congress of the United States, and people just like you asked very hard questions. It is uncomfortable, but it is a good thing; it is essential for democracy.

I'm very pleased that America, working with our British friends, DFID, is supporting a large program, a program called Promoting Democratic Institutions and Practices (PRODIP.) This program ... five years, \$23 million ... works to strengthen the institutions of parliament. It works with 12 standing committees, this is one, to help fill this function. The Asia Foundation helps implement that, and the State University of New York is also working with that. So that's a very good thing ... that kind of oversight ... that part of checks and balances ... that's part of a vibrant, transparent, effective system of governance.

I'm a little concerned that the current rules, Mr. Chairman, I need you to listen to this one. The current rules of parliament do not allow for this kind of hearing, and that this hearing today is only by an ad hoc decision of the Honorable Speaker. That was very nice of her to do this, but it should be part of your standard procedures. This should not be an extraordinary event. This should be a routine, regular practice, and I hope that you and others of your colleagues will push on that front.

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I want to now turn to the topic of the day. It's obviously a very timely topic. I appreciate the opportunity to be here to share my own views.

The context is very sad. What we saw at Savar, what we saw at Tazreen is horrible beyond belief. They were horrible tragedies. They must never, never happen again. I think we all need to dedicate ourselves to that proposition that it must never, never happen again.

Mr. Chairman, I wanted to bring somebody with me today. I tried very hard. A couple of days back I called up my mother and I said, "Mom, I need you to come with me. I'm going to testify in this committee." She said, "I just turned 92 years old. I can't go that far ... halfway around the world." So I'm here all by myself. I don't have my mother.

But if my mother were here, this is what she'd say, "The darkest clouds of life have silver linings." The darkest clouds of life have silver linings. And no cloud can be more dark than Rana Plaza. No cloud can be more dark than Tazreen Factory and the other fires. The silver lining ... there is a silver lining. I believe that the tragedies of Rana Plaza and Tazreen Factory have riveted the attention of the government of Bangladesh, owners, buyers, workers, parliament, consumers around the world. Everyday, everyday in America for the last three weeks, Bangladesh has been on the front page. This has created energy. This has created a moment for transformational change in Bangladesh. This has created an environment in which we can work together to ensure that Rana Plaza is the last of its kind; the Tazreen Fashion fire is the last.

Here is the outline that I see. This is what I and my mission and my government hope to advance.

One, I'm listing off three ideas for how we can ensure there is never again another Tazreen Factory fire, never again another Rana Plaza building collapse.

Point one. Workers, workers, workers must have the right to freely associate and organize. Workers who have a voice, a real voice, a respected voice, would not have been intimidated by an incompetent mid-level manager at Tazreen Factory. They would have exited that burning building. They would not be dead today. Workers with a respected voice would have refused to have entered Rana Plaza. They would have refused to enter a building that was obviously on the verge of collapse because they would have had a voice.

But workers without a voice, they were afraid. They went in to their deaths. Never again. Workers must have the ability to associate freely and to organize. Organize, organize real unions, unions that represent the workers ... that come from the workers ... that are of the workers.

I'm pleased that much is happening in that regard. Labor law reform is moving forward. Mr. Chairman, I need you to listen again, I know you're very busy there, but this one I want you to listen to. Labor law reform is moving ahead, but it's not quite right. In the process it went from being right to being not quite right, because some changes sneaked in there. They need to come out. When that

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legislation comes to parliament in a couple of weeks, Mr. Chairman, Members, that legislation needs a fix. It needs to be done right. It needs to enable workers to have the right to freely associate and organize. It needs to meet the standard so the International Labor Organization, ILO, can proceed to launch the largest Better Work Program ever in the history of the world. That's your job. The world is looking upon you.

Meanwhile, other progress has been made on this front. Twenty-three unions, real unions ... I'm not talking about fakes ... I'm talking about real unions of the workers ... have been registered. Last year there was one. The year before there was one. So far this year, 23. That's progress.

On the second front. Fire safety, factory structural soundness. These are genuine challenges, and they can be addressed and resolved. Here's how.

First, there needs to be an agreed minimum standard for fire safety, for building structural soundness. Those standards are nearly already in place: the National Plan of Action and the existing building codes. Maybe with a little tweaking those can be the minimum standards.

How do you enforce those standards? That must be done by an independent entity, and here's my thinking on this:

The way to enforce these standards is to require that every, every, every RMG and knitwear export from Bangladesh is certified ... is certified, is certified to have been produced in factories that meet minimum fire safety standards, minimum factory structural soundness standards.

Who does the certifying? There's a question. Who certifies? The answer is, you have a mechanism to accredit the certifiers. ILO, government of Bangladesh, owners, workers can come together and create that accrediting mechanism.

Who would they accredit? Well, we've had a buyer from H&M telling us about the Accord that was signed in Europe. This entity could be reviewed, and it could be a certifier. WalMart has a plan that it's working on. Maybe that could be a certifier. GAP, I think, has a plan. Bangladesh would have its own plan ... all different mechanisms for certifying that a factory is safe for fire and structural soundness.

Like I said, the accrediting would be done by a Bangladeshi entity ... maybe ILO could help.

The bottom line is that the certification process needs to be independent. No certification, no export license. The goal is, as I said at the beginning, never again. All 5,000 factories. Not 200, not 500, not 800, not 90 percent, 100 percent must meet standards.

Of course there's a lot of work yet to be done to work this out. And it's just an idea that I'm putting out.

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Sometimes people say to me, oh Bangladesh, nothing ever changes. That is not true. I have seen transformation in this country. When I worked here in 1998 to 2001, I spent my time on the issues of camel jockeys. There's no one in the room who even knows what I'm talking about. Anybody know what the camel jockey issue was? Nobody knows. Okay. That's the proof of my point. I spent three years fighting camel jockeys. Little Bangladeshi boys shipped off to the Middle East to be jockeys on camels. It was disgusting and it is gone. It is transformation.

I spent three years fighting child labor in the ready-made garment sector, knitwear sector. Virtually gone.

I spent three years fighting padlocked exit doors on factories, virtually gone.

I spent three years fighting blocked toilets. Toilets are open.

I spent three years fighting unpaid overtime. Mostly paid.

Huge change ... transformational change ... I think it's time for more change ... deep changes ... changes that will recognize workers' rights to freely associate and organize ... changes that will recognize workers' rights to work in safe conditions.

Thank you.

**Chairman Israfil Alam:** Thank you, Mr. Ambassador. Can I ask you something?

**Ambassador Mozena:** Sure.

**Chairman Israfil Alam:** Chairman: Let me introduce with the Committee: She is Rawshan Jahan Shathi, Honorable Parliament Member and member of this committee, Mr. Emaz Uddin Pramanik, veteran Parliamentarian, also the Chairman of the Parliamentary Standing Committee on Ministry of Food and Mr. Nani Gopal Mondol, MP.

**Ambassador Mozena:** What?

**Chairman Israfil Alam:**

What is your suggestion for Bangladesh manufacturers to deal with the challenges in garment sector?

**Ambassador Mozena:** The question is what are my suggestions for how to deal with these challenges. My whole set of remarks was the answer to that question because I believe this is the moment of transformation. I believe this is the time to address these problems on three fronts. I'll just underscore it.

Workers must have the right to freely associate and organize. Workers should work in factories that are safe in terms of fire conditions. Workers should work in factories that are not collapsing on top of them. That's it. I laid out an idea that I have that brings together all sorts of efforts going on all over the world -- in Europe, in America, everybody's doing something different. You have to bring it all

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together into something focused and tap the energy that David was talking about, the H&M buyer. Others ... WalMart and Gap and others here in Bangladesh ... have ideas. All these things are happening. They need to be pulled together.

The way you pull them together is through a universal system of certification of exports.

### **Chairman Israfil Alam:**

What is your advice for covering? Can you explain to Bangladesh for updating labor standards?

**Ambassador Mozena:** The question is what's the advice for upgrading the labor standards, and I think that's a very easy question. That will happen when workers can organize. I'm talking real unions. Unions that represent the workers themselves directly, meaningfully. Those unions working with owners and managers ... they will work together to ensure fair compensation, to ensure safe working conditions.

### **Chairman Israfil Alam:**

Mr Ambassador, what is GSP, let us understand. How could these strategies affect the status of GSP in Bangladesh?

**Ambassador Mozena:** Well, the question is about GSP. GSP trade privileges, trade benefits are a privilege and not a right. It's a privilege that is made available to countries that meet certain conditions. Among those conditions is that the particular country respects workers' rights to freely associate and organize; that a particular country respects and assures safe working conditions.

So the question arises, and I'm talking now about the United States. Other countries have their own situations. A question came up in the year 2007. Does Bangladesh meet the conditions related to workers' rights to freely associate? Does Bangladesh meet conditions to provide safe working conditions?

The people who filed that petition in 2007 said no. So now that petition is under review. A judgment will be made next month, sometime in June, as to whether Bangladesh meets those standards or not.

Of course what we saw in Tazreen, what we saw at Rana Plaza building collapse raises questions about that.

**Chairman Israfil Alam:** We reduced our child labor. We are reviewing our labor law. We've done our labor policy, our national labor policy okayed. We're doing many things. We will have to continue dialogue with the U.S. We have the GSP facilities. The U.S. is the biggest buyer of our readymade garments. What is your suggestion for us to have the GSP continued?

**Ambassador Mozena:** To retain GSP privileges, Bangladesh will have to convince the members of the review panel that in fact Bangladesh is taking steps to ensure that workers have the right to freely

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associate and organize, that Bangladesh is taking steps to ensure that factories are safe in terms of fire, that factories are safe in terms of structural soundness. So that is the message that Bangladesh will need to convey to the members of the review panel.

As you know, a senior Bangladesh government team has been in Washington, and they've been meeting and sharing their views on that topic.

**Chairman Israfil Alam:** We need your help or cooperation to keep safe our factories. In this case how can you help us?

**Ambassador Mozena:** I think you already know well that in fact we've been working full time on helping Bangladesh and the way that America and Bangladesh, many other international friends can help, is to ensure there's an understanding of the issues at stake, that there's an understanding of what must be done to address those issues. But at the end of the day only Bangladesh, only Bangladesh can make those decisions.

**Chairman Israfil Alam:** Thank you.

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