

[Joint Letter] Statement condemning the brutal firing on unarmed construction workers of the Banshkhali coal-fire

(April 20, 2021) – We, the undersigned, condemn the brutal killing of at least five and the grievous injury to more than 50 workers of the Banshkhali coal-fired power plant in Chattogram (Chittagong), Bangladesh.

At least five people were killed, and numerous others gravely injured when state security forces started shooting live ammunition at the construction workers of the coal-fired power plant (currently under construction) of the S. Alam Group in Chattogram's Banshkhali. The Banshkhali Coal Power plant site has witnessed previous two occasions in 2016 when local people were killed by law enforcing agencies for protesting against land acquisition by the project itself, fearing negative impact on their lives.

Our inquiries reveal that the workers were acting within their democratic rights by staging a protest over several legitimate demands, including the non-payment of wages due. NGO Forum on ADB and the undersigned civil society groups, strongly condemn this event, which is a significant violation of human rights and the provisions in the Constitution of Bangladesh on peaceful assembly. Using deadly force against workers protesting for their due wages and dignified working conditions is against the rule of law. This brutal killing by the police is nothing but abuse and unlawful use of power.

According to the Constitution of Bangladesh, state security forces or police do not have the right to shoot at innocent civilians and workers who are protesting within their lawful rights. According to Police Regulations 1943, police are allowed to use minimum force as a last resort for democratic assemblies, which they deem a severe security concern; but the purpose of using the minimum force would be breaking the assembly apart and under no circumstances should be intended to kill anyone. As of late, police brutality against civilians has extended beyond the limits of the law in Bangladesh, and yesterday's action was a clear demonstration of that. Yesterday's incident is a clear violation of the law by state security forces.

As the country struggles with the second wave of the COVID-19 pandemic, the life of the working class has turned into a living nightmare. In such a time, workers not being paid their due wages constitutes a serious violation of the Bangladesh Labour Law and fundamental human rights. The fact that one of the country's top industrialists, S. Alam Group has failed to pay their workers and settle their dues, despite the ongoing lockdowns in the country amid the holy Ramadan month is wholly unacceptable and deserves a full, independent, and transparent investigation. It is now incumbent upon the state to decisively withdraw its agreement with the S Alam Group for the Banshkhali coal-fired power plant to be built in light of the failure of the S Alam Group to duly comply with its legal obligations as an employer, as they have proven themselves as an unfit project developer fully lacking in due diligence -- prepared to violate both social and constitutional norms.

Our Demands:

- We demand that all the workers be paid their due wages immediately and that they be compensated not only for lost wages but also for the delays in payments over the past year. More importantly, we demand compensation not only for the delayed payments but also for the sheer loss of lives of all the workers (aged 18, 24, 28, and alike) and those who have been injured.

- It has come to our attention that the police after yesterday's incident has filed criminal cases against 3000 plus workers and have labeled them as unidentified 'miscreants'. This labeling and criminalization of peacefully protesting workers will stigmatize them for the rest of their lives. We demand an immediate withdrawal of all 3000 plus harassing legal cases against the workers.
- We demand that the strictest legal measures be taken by the government against S. Alam group, SEPCO III, the HTG Development Group involved, and the state-supported security forces for depriving the workers of their legitimate dues, pushing them to protest, and eventually unleashing the use of deadly force on unarmed civilians. Consequently, we demand that all workers have effective access to remedy through a fair, neutral, and transparent investigation of this event by an independent judicial probe committee leading to punitive action against the police officers involved, HTG Development Group, SEPCO III, and S Alam group, with guarantees of non-repetition, reparations, as well as due recourse and restitution to the workers along with the grieving families. We further demand that all financiers of the project including BOC, ABC, CHEXIM, CCB, CDB, CMB, PAB are held accountable for their lack of safeguarding of the workers.

This appalling incident at the site of the Banshkhali Coal Power Plant comes just days before the "Leaders' Summit on Climate" hosted by US President Biden, where the Government of Bangladesh, along with state representatives of 40 other nations, will discuss the critical issues of climate change, Paris Alignment, and COP26. At this event, it is expected that the Prime Minister of Bangladesh, Sheikh Hasina, will receive formal recognition for her leadership in tackling climate change concerns. The NGO Forum on ADB, as an international network, hopes that after this heinous incident around a coal power plant, the Government of Bangladesh will use this global platform and demonstrate authentic climate leadership. For those bereaved and struggling at Banshkhali and all the climate-vulnerable people of Bangladesh, we urge the Prime Minister to announce an immediate end to all socially unacceptable coal and thermal power plants in the country and suspend the construction of the Banshkhali Coal Plant immediately.

Endorsed by the following organizations:

350.org Asia, Asia

350.org Pilipinas, Philippines

Advocate, India

Advocate, Supreme Court of Bangladesh, Bangladesh

AEER, Indonesia

All India Union of Forest Working People AIUFP, India

Anu Chenoy, india

ASD-Bangladesh, Bangladesh

Asian Energy Network (AEN), Philippines

Asian Forum for Human Rights and Development (FORUM-ASIA), Bangkok, Thailand

Asian Peoples' Movement on Debt and Development (APMDD), Regional

Bangladesh Building and Wood Workers Federation (BBWWF), Bangladesh

Bangladesh Institute of democracy and development, Bangladesh

Bangladesh Working Group on External Debt (BWGED), Bangladesh

BINDU, Bangladesh

BWI Asia Pacific, Philippines

CADTM India, India

Center for Energy, Ecology and Development (CEED), Philippines

Center for Environment and Participatory Research - CEPR, Bangladesh

Center for rural child development (CRD), Bangladesh

Centre for Environmental Justice, Sri Lanka

Centre for Financial Accountability, India

CEPHED, Nepal

Charmian Beabout, Australia

CLEAN (Coastal Livelihood and Environmental Action Network), Bangladesh

COAST Foundation, Dhaka, Bangladesh

Conseil Régional des Organisations Non Gouvernementales de Développement, DRC

Construction Safety Campaign IK, UK

CPI ML Liberation, India

DY Patil International University, India

Environics Trust, India

Equitable Cambodia, Cambodia

Equity and Justice Working Group Bangladesh [EquityBD], Dhaka, Bangladesh

Families Against Corporate Killers, United Kingdom

Financial Express, Bangladesh

Focus on the Global South, Thailand

Freedom from Debt Coalition, Philippines

FRESH EYES, United Kingdom

Growthwatch, India

Harvard Chan School of Public Health, USA

Healthy Public Policy Foundation, Thailand

HK Social Security Society, Hong Kong

Human Rights and Peace Activist, India

Independent Consultant, Activists, Bangladesh

Indian Community Activists Network (ICAN), India

Indian Social Action Forum (INSAF), India

Integrated Social and Agriculture Development Organization (ISADO), Bangladesh

International Accountability Project, USA

ISDE Bangladesh, Bangladesh

Karmojibi Nari, Bangladesh

KRuHA - people's coalition for the right to water, Indonesia

Labour Education Foundation, Pakistan

Mangrove Action Project, USA

Market Forces, Australia

Market Forces, Australia

Maurizio Farhan Ferrari, United Kingdom

MAUSAM Movement for Advancing Understanding of Sustainability And Mutuality, India

Mineral Inheritors Rights Association, India

Mines mineral and people, India

Mongla Nagorik Somaj, Bangladesh

Nash Vek, Kyrgyzstan

National Alliance of People's Movements (NAPM), India

National Fisheries Solidarity Movement, Sri Lanka

New Trade Union Initiative, India

NUJ, UK

OHSA Gujarat, India

OHSA Gujarat state, India

Oyu Tolgoi Watch, Mongolia

Pabna University of Science and Technology, Bangladesh

Pakistan Fisher Folk Forum, Pakistan

Pakistan India Peoples' Forum for Peace and Democracy, India

Pakistan Kissan(Farmer) Rabita Comittee, United Kingdom

Peoples Training & Research Center, India

Phulbari Solidarity Group, Bangladesh and Britain

PROGRAMME, Bangladesh

Recourse, Netherlands

Rivers without Boundaries Coalition, Russia

Rivers without Boundaries Coalition (Mongolia), Mongolia

Safety and Rights Society (SRS), Bangladesh

Shramik Mukti Dal, India

Social Economic Development Society [SEDS], Bangladesh

Society for Participatory Education and Development (SPED), Bangladesh

Songshoptaque, Bangladesh

Sustainability and Participation through Education and Lifelong Learning (SPELL), Philippines

TuK INDONESIA (Supervisory Board), Indonesia

UK Hazards Campaign, United Kingdom

University of Barishal, Bangladesh

University of Dhaka, Bangladesh

urgewald, Germany

WomanHealth Philippines, Philippines

Women & Child Development Organizatio (APARAJITA), Bangladesh

Worker's Initiative, India

YouthNet for Climate Justice, Bangladesh

YPSA, Bangladesh

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