

**Subject: Fatal accidents and shooting at Kabir Steel shipbreaking, Bangladesh**

**Reaction by the NGO Shipbreaking Platform to Kabir Steel’s response**

Brussels, 26 April 2016

**Accident and shooting at Kabir Steel shipbreaking**

In the early morning of 28 March, shipbreaking worker, Sumon, was run over by a truck at the gate of Kabir Steel shipbreaking yard, located to the north of Bangladesh’s major port city, Chittagong. His brother, Delwar, who works at the shipbreaking yard as well, was seriously injured in the same accident. Both men were entering the yard in the morning to start work. The truck that killed Sumon, squeezing his body between the vehicle and the gate’s wall, did not belong to the shipbreaking yard, but to another company: a business partner responsible for the transportation of scrap steel from the shipbreaking yard.

Sumon’s body was laying by the wall (the Platform has pictures taken by local sources), while his brother was taken to hospital. Due to the fact that the two workers are locals – many others are migrant workers from the northwest of Bangladesh – and to the fact that the body was visible from the street, the news of Sumon’s death spread quickly. At around 11 a.m., locals started gathering outside the yard in protest and blocked traffic on the highway. They claimed, according to the English daily newspaper, The Daily Star, that the company was withholding Sumon’s body inside the yard. They were asking the shipbreaking yard to pay the compensation owed to the family of the victim. At some point, a private security guard started shooting at the protestors and seven people had to be treated at the hospital in Chittagong.

**Despair of the local community**

The explanation behind the gathering, the protest and the anger of the locals is that the families of workers who have either been killed or seriously injured in the shipbreaking yards have to fight for the legal compensation to be paid. The lawyers of our local partner organisation provide legal aid to the victims’ families and take these cases to the Labour Court. Otherwise, the yard owners would not pay the compensation. In particular when there is uncertainty which company is responsible for the death or an injury, the families have to be even more afraid that nobody will take responsibility. Yard owners seek to avoid compensation payments, sometimes by covering up accidents or by blaming the accident on the worker. Thus, the fear of the family that they will not receive any financial support was very real in this given incident. According to the Platform, the protest was a sign of the local community’s despair regarding the working conditions in the yards and their anger about regular fatal and severe accidents.

**Open questions**

The yard management claims that the protest had turned violent with people trying to break the gate and to set fire to a fuel tank. The question of whether the protest turned violent before the yard’s security personnel started shooting or whether it was once the yard security resorted to violence, has to be clarified by an independent and impartial police report. The Platform does not know whether the body was taken to the police station, as claimed by the yard management, or if it remained within the yard.

**Need for independent investigation and end of impunity**

The NGO Shipbreaking Platform demands an independent and impartial policy investigation into the shooting and asks the authorities to ensure that the people responsible will be held accountable. Kabir Steel shipbreaking yard has used forced against protesting workers and injured seven people, and the police and the judiciary need to establish whether the use of force was justified or not.

The Platform is concerned that the investigation will not be independent and impartial: Kabir Steel shipbreaking is part of the larger Kabir Group of Industries / KRSM – a powerful industrial conglomerate – and the truck that ran over worker Sumon belongs to the local Member of Parliament. The shipbreaking industry has benefitted from its close contacts to political decision-makers and the sector suffers from the impunity of those companies responsible for infractions, such as illegal child labour, negligent manslaughter, or continuous environmental pollution.

**Kabir Steel’s claim of a safe work environment**

Apart from the proper investigation into the shooting, the Platform and its members in Bangladesh intend to highlight that Kabir Steel shipbreaking has had a bad accident record over the last years. This clearly indicates that the company’s claim to be amongst the “safest work environments in the country” does not hold true. In 2014 alone, when the yard had the highest recorded number of incidents amongst the Bangladeshi shipbreakers, at least 2 workers were killed and six more severely injured in four different accidents at Kabir Steel’s shipbreaking yard and re-rolling mill. This included the case of three workers who suffered severe burn wounds all over their bodies after an explosion on a Norwegian-owned oil tanker used by Teekay Corporation. The victims’ co-workers said that the yard operator did not provide sufficient safety gear and that the workers cutting the tanker using blowtorches did not wear fireproof clothes.

**Kabir Steel’s claim to work in line with international standards**

The ISO standards Kabir Steel allegedly follows are not meaningful. ISO 9001, 14001 and 18001 are general standards that do not relate to the specific challenges of shipbreaking. ISO 30001 is a specific standard for shipbreaking; however, there are no accredited certifiers. It is based on self-certification and most of the Bangladeshi shipbreaking yards claim to work in accordance with it. Kabir Steel cannot produce any certificate provided by an accredited certifier. The yard is neither in line with the requirements of the already weaker Hong Kong Convention, nor with the stricter European Ship Recycling Regulation.

The Platform and its members in Bangladesh welcome that Kabir Steel shipbreaking has paid the compensation for the death of Sumon and has made small payments to those injured in the shooting. However, given the events of 28 March 2016, the Platform calls for a thorough impartial and independent investigation. Compensation payment should never forestall proper police investigation. Furthermore, concerns of the safety standards are not a novelty as can be seen by the track record of accidents that have occurred at the yard. We call upon the Labour Department to ensure proper inspections of the yard. Moreover, the Platform calls on Kabir Steel shipbreaking yard’s international business partners, in particular, the banks financing the shipbreaking operations, as well as ship owners selling their vessels for demolition to Bangladesh with the help of cash buyers, to do a proper human rights and environmental risk assessment and stop all business activities in their value chain connected to dirty and dangerous shipbreaking yards in Bangladesh.

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