

FTZ Workers Rights and Militarised Approach to Covid19

20 October 2020

Situation Update

Sri Lanka Brief

News, views and analysis of Human Rights & Democratic Governance in Sri Lanka



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1. On 4 October Sri Lanka's newest Covid-19 cluster spreading within the Brandix-owned factory in Minuwangoda, Gampaha came to be known by an accident. Brandix Apparel Limited, headquartered in Sri Lanka, is one of South Asia's biggest clothing manufacturers, employing 53,000 workers across Sri Lanka, India, and Bangladesh. Being one of Sri Lanka's biggest clothing exporters, the company produces apparel for US and European retail giants, including Gap, Victoria's Secret, and Marks & Spencer.

2. On that day, a Brandix Fast Fashion worker from the company's Minuwangoda plant tested COVID-19 positive at Gampaha Hospital. Management only allowed the female worker to enter the hospital after she insisted that she was sick and could not work without treatment. The hospital found out she has contracted the virus through a random PCR test carried out.

3. By 18th October the total number of COVID-19 positive cases reported from the Brandix garment factory was increased to 2016. Of them, 1,041 are factory employees and 975 are contacts of the garment factory employees.

4. It has been established beyond doubt that the Brandix factory prioritised production targets over workers' health, forcing hundreds of female workers who had a high fever to work, asking them to take just painkillers.

5. Trade Union rights are violated in many FTZ factories in Sri Lanka. In a letter to Human Rights Commission of Sri Lanka, Civil Society Collective for the rights of FTZ workers emphasised that rights, including the right to health of the workers of the Brandix factory in Minuwangoda would have been protected if their freedom to join a trade union or to right to collective bargaining had been assured .

6. The minimum monthly wage paid to apparel industry workers has been reduced to Rs. 14,500/- (about 80 \$) since March this year because of COVID-19. Several incentives paid to these workers such as payments for overtime work have been cut off completely. Nearly 10 factories have been

shut down its operations so far. Despite suffering from a shortage of nearly 74,000 workers it has been reported that more than 80,000 workers have been laid off.

7. During all these years the situation of the female garment workers in Sri Lanka has been pathetic although they are major contributors to the country's foreign income. To fulfill the targets FTZ workers don't drink even water because they want to cut down on the time they are using the wash-room, they avoid lunch and tea breaks to meet their personal targets.

8. This second wave of the COVID-19 has shown that there is a need to find an equitable balance between unconscionable profit and people's welfare. It's time the governments stand up for workers' rights rather than corporate profit.

9. Government of Sri Lanka adopted a militarised approach to Covid-19 prevention from the beginning. The government was claiming that it has controlled the pandemic successfully. YICAI Research Institute, China even ranked Sri Lanka 2nd in its world survey on pandemic control in late September.

10. As the post of Director General of Health Services is vacant since former DG Dr. Anil Jasingha was transferred, Head of the National Operation Centre for Prevention of COVID 19 Outbreak (NOCPCO) Army Commander General Shavendra Silva has become the main spokesperson on Covid-19 situation. Secretary to the Health Ministry Sanjeeva Munasinghe is also a serving Major General.

11. By 19th October 2020 Sri Lanka military was running 83 quarantine centers with nearly 10,000 suspected close contacts of Covid-19 affected persons.

12. Identifying and transporting them to those quarantine centres are also done by the Sri Lanka Army and its intelligence gathering units. In the recent wave of Covid-19 military has acted inhuman and arbitrary way, collecting and transporting "close contacts" of Covid 19 patients according to a number of reports.

13. In a written complaint to the Human Rights Commission of Sri Lanka four civil society organisations (06 Oct 2020) requested to initiate an inquiry into the arbitrary illegal manner in which workers were rounded up, and the cruel, inhumane, or degrading treatment, restriction on their freedom of movement guaranteed, equal protection of the law, discrimination based on the economic and social status of the workers guaranteed under Articles 11, 12(1), 12(2), 13(1), 13 (2), 14(1) (h) of the Constitution. The complaint provides detailed information on those accusations.

14. Twenty-eight-year-old Kasuni, a garment worker told leading Sunday newspaper (18 Oct 2020) thus: "We were taken by army personnel. There was no Public Health Inspector or grama sevaka even. There was no female officer. They arrived at night and shouted at us saying we will be given 10 minutes to get ready. Some girls cried and some fainted."

15. Civil Society Collective for the Rights of FTZ Workers in a letter (19 Oct 2020) to the Human Rights Commission of Sri Lanka requested the Issuance of recommendations to ensure that the rights of workers are not violated by the programs to control COVID 19 in the Kayunayaka Free Trade Zone.

16. In a letter to General Major General Sanjeeva Munasinghe, Secretary to the Ministry of Health All Island Nurses Association detailed incidents of unjustifiable and forcible removal of families of the medical service personal by the military in order to take them to quarantine centers. The letter stated that “thus our association observes that there is no good working relationship between the Army, the Police and the health officials in the area of Covid prevention and it is clear that the security forces are acting in defiance of the recommendations of the Health Service officers.” Further it says that mid-night operations to take “close contacts” to detention centers are being reported from number of areas.

17. former editor and a leading journalist warned that “ Sri Lanka’s anti- corona strategy is increasingly being dominated by the military top brass, and not the doctors. That can also create a false sense of complacency. There again the shortcuts might lead you astray. Not to mention the long-term social implications of militarisation. You don’t need surgeons and epidemiologists if the men in uniform could decide on the national health policy.”

18. President of the Sri Lanka Public Health Inspectors Union Upul Rohana told that one reason for individuals suspected of contracting the new coronavirus tend to hide is actions of the military. Another reason, according to him is unethical media coverage of Covid-19 patients.

19. Meanwhile in the second week of October five civil society activists filed a court case requesting a writ of mandamus against the Minister of health among others on the ground that though many measures are taken by the Minister of Health to control the Corona Pandemic, without the quarantine regulations, the measures are not valid in terms of Law. They further state that such inaction is illegal and arbitrary.

20. In their application for a writ of mandamus they state that “ once the government located a close contact act of the COVID 19 patient, a. the authorities are not given a fair time to arrange their belongings. b. The close contacts were taken, without giving at least one-hour notice. c. Sometimes, the children are taken without proper custody or care. d. The media giving unnecessary, publications which give unnecessary publications to the area, to the person due to the cause of the decease.”

21. In the face of mounting criticisms, on 18th October, Lieutenant General Shavendra Silva, NOCPCO, Chief of Defence Staff and Commander of the Army denied allegations raised over the treatment of factory workers taken to quarantine centers by the military.

22. General Shavendra Silva blamed the campaign that is being carried out by civil society groups to ensure the rights of Free Trade Zone workers, in the face of the deadly pandemic as a “ treacherous attempt” and stated that “all those intentional fabrications bear all the hallmarks of a precursor to a bigger future machination the interested elements are now mapping out in order to tarnish or ridicule the role of the troops when the whole country is afflicted with a global health challenge of this magnitude.”

The End.