



HUMAN
RIGHTS
WATCH

TOXIC TANNERIES

The Health Repercussions of Bangladesh's Hazaribagh Leather

SUMMARY AND RECOMMENDATIONS



Leather scraps are laid out to dry near a landfill in Hazaribagh, Dhaka, June 2012.



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Photographs by Arantxa Cedillo for Human Rights Watch



Slum houses in Hazaribagh beside an open gutter channeling untreated effluent from tanneries nearby. Local residents of Hazaribagh reported to Human Rights Watch an array of health problems—many of them undiagnosed due to the cost of medical attention—such as fevers, diarrhea, respiratory problems, and skin, stomach, and eye conditions. Dhaka, June 2012.



Jahaj, 17, has worked in a factory where animal hides are tanned in Hazaribagh, a combined residential and industrial neighborhood of Dhaka, since he was 12. He works a 10-hour day (with an hour off for lunch) and earns 3,000 taka (US\$37) a month. Around 50 other people work in the tannery, including a seven and an eight-year-old, who are employed nailing hides out to dry.

Jahaj told Human Rights Watch that he mostly processes raw hides into the first stage of leather, known as “wet blue,” which exposes him to hazardous chemicals. The tannery pits are four-

meter square tanks that hold hides and many of the diluted chemicals used to cure them. Jahaj particularly dislikes working there.

We get inside, take the hides with our hands and throw them outside the pit. We wear gloves and boots but water splashes on our skin and clothes. We don’t wear an apron. The water in the pits has acid, which burns when it touches my skin.

He suffers from rashes and itches; his father and two brothers, also tannery workers, have similar



skin diseases. Asked why he performed such hazardous tasks, he said: “When I’m hungry, acid doesn’t matter—I have to eat.”

Jahaj has had various accidents at work: he once stepped on a nail used to pin leather out to dry, has hurt his back lifting heavy hides, and was once trapped inside a large rotating wooden drum used to hold the skins.

I started shouting, ‘Who has turned on the drum?’ After a couple of minutes they turned it off but I was already injured with

lots of cuts and bruises on my head, my back, my arms. There are long wooden planks inside the drum that make the skins soft and they hit my body repeatedly.

A major Dhaka hospital diagnosed Jahaj with asthma. “The fumes from the chemicals where I work are really strong,” he said. When Jahaj cannot work because he is ill or injured, he is not paid—also a violation of Bangladesh’s labor laws. Nor, he said, has he seen a government labor inspector during his five years at the tannery.



Untreated tannery effluent in a pond near the Hazaribagh tanneries. The government estimates that the Hazaribagh tanneries release about 21,000 cubic meters of untreated effluent each day. This wastewater surpasses Bangladesh's permitted limits for tannery effluent, in some cases by many thousands of times permitted concentrations. Dhaka, June 2012.

Human Rights Watch estimates there are some 150 tanneries in Hazaribagh, ranging in size from small operations with just a dozen or so workers to larger ones that employ a few hundred workers. Together, the tanneries employ around 8,000 to 12,000 people (swelling to around 15,000 during the peak processing season for two or three months following the annual festival of Eid-al-Adha).

Hazaribagh is home to between 90 and 95 percent of all

tanneries in Bangladesh and, as a result, holds an important place in Bangladesh's increasingly lucrative leather industry. From June 2011 to July 2012, Bangladesh's tanneries exported close to \$663 million in leather and leather goods—such as shoes, handbags, suitcases, and belts—to some 70 countries worldwide, including China, South Korea, Japan, Italy, Germany, Spain, and the United States. Over the past decade, leather exports have grown by an average of \$41 million each year.

This report is based on research conducted in Bangladesh between January and May 2012, and interviews with 134 people, including past and current tannery workers, slum residents, healthcare professionals, workers with nongovernmental organizations (NGOs), trade union and



government officials, leather technologists, and chemical suppliers.

This report supports previous reports, studies, surveys, and even government findings dating to the 1990s that have documented a range of human rights abuses and problematic conditions in and around Hazaribagh tanneries. These include unregulated industrial pollution of air, water and soil, illness among local residents, perilous working conditions, and labor of girls and boys (often in hazardous conditions and for menial pay).

This report also finds that public knowledge and records concerning these problems have not led to changes on the ground. The reason is that Hazaribagh tanneries operate

In some tanneries, old machinery, poor machinery maintenance, and a lack of training for workers increase the risks of operating tannery machines. Dhaka, June 2012.

in an enforcement-free zone in which they are subject to little or no government oversight with regard to environmental regulations or labor laws, as government officials readily admit. Quazi Sarwar Imtiaz Hashmi, a Department of Environment official put it simply: “There is no monitoring and no enforcement in Hazaribagh.”

As a result of this inaction—which is due to a *de facto* policy not to implement environmental laws in Hazaribagh, and a labor inspectorate that lacks manpower and prioritizes good relations with management—workers and

local residents (many of whom are poor and live in slums) continue to reside and labor in a noxious, foul-smelling environment that damages their health.

HEALTH PROBLEMS

Past and present tannery workers described and displayed a range of health conditions including prematurely aged, discolored, itchy, peeling, acid-burned, and rash-covered skin; fingers corroded to stumps; aches, dizziness, and nausea; and disfigured or amputated limbs. Although Human Rights Watch is not aware of any epidemiological studies on cancer among tannery workers in Bangladesh, some anecdotal evidence suggests that cancer rates are indeed elevated among workers dealing with chemicals.

Many common health problems that tannery workers face—such as skin and respiratory diseases—result from repeated exposure to a hazardous cocktail of chemicals when measuring and mixing them, adding them to hides in drums, or manipulating hides saturated in them. Some chemicals can be injurious to health in the short term, such as sulfuric acid and sodium sulfide that can burn tissue, eye membrane, skin, and the respiratory tract. Others, such as formaldehyde, azocolorants, and pentachlorophenol, are confirmed or potential human carcinogens, the health effects of which may only manifest years after exposure.

Workers expressed extreme concern to Human Rights Watch regarding the possible long-term effects of such exposure. Many complained that their tannery did not supply protective equipment such as gloves, masks, boots, and aprons, or if it did, failed to supply sufficient quantities. Other workers told Human Rights Watch they suffered serious accidents working old and poorly maintained tannery machines for which they had scant training. Shongi, in his mid-40s, described an accident with a large hot plate used to press hides, which had occurred nine days before his interview with Human Rights Watch.





Human Rights Watch interviewed 10 children, some as young as 11, working in tanneries. Many children work 12 or even 14 hours a day, considerably more than the 5-hour limit for adolescents in factory work established by Bangladeshi law. Dhaka, June 2012

I put the hide into the machine but it was a little crumpled and I put my hand inside to fix it. Without pushing the pedal, the plate fell on my hand. It was a malfunction of the machine.... I screamed. The flesh started to come off my hand.

No tannery worker interviewed had a written employment contract. Some tannery managers deny workers legal entitlements such as paid sick leave or compensation when workers become ill or injured.

In Hazaribagh's tanneries, raw hides often undergo the first stage of tanning in large wooden drums and pits on the ground floor. Larger, multi-story tanneries will then take hides known as "wet blue" upstairs for drying and further processing with heavy machinery; smaller tanneries might transfer the "wet blue" hides to another tannery that will then complete the procedure. Many tanneries are hot and cramped, with loud noise from machines and poor ventilation of chemical fumes.

Human Rights Watch did not seek to interview all tannery owners in Hazaribagh due to time concerns. Government officials, tannery association representatives, trade union officials, and staff of NGOs all said that no Hazaribagh tannery has an effluent treatment plant to treat its waste.

As a result, huge amounts of chemicals flow off the tannery floor, into open gutters in Hazaribagh streets, and then into a stream leading to the Buriganga, one of Dhaka's main rivers. The government estimates that tanneries release 21,600 cubic meters of untreated effluent each day in Hazaribagh, endangering the health of local residents. Pollutant levels in the wastewater surpass Bangladesh's permitted limits for tannery effluent, in some cases by many thousands of times the permitted concentrations.

People living in the densely-packed streets and alleys surrounding the tanneries, from which dark effluent spouts and swirls in open gutters, reported an array of health problems—many of them undiagnosed due to the cost of medical attention. These included fevers, diarrhea, respiratory problems, and skin, stomach, and eye conditions. While other factors may play some part in these illnesses, the extent of documented tannery pollution, the results of interviews with residents, and the findings of

studies showing a higher prevalence of these illnesses in Hazaribagh compared to neighborhoods with similar socio-economic characteristics, strongly suggest a causal relationship between tannery pollution and poor community health.

Residents also said they were worried that they did not know the extent of environmental contamination since government authorities do not monitor the pollution. Ashor, married with four children, said:

I am worried about the supply water.... The corrugated tin [used in house construction] corrodes in six months. This also worries me. I want to know more but I've never been given any information about the water, air, and soil.

FAILURE TO IMPLEMENT LAWS

Department of Environment officials explained there is a *de facto* policy not to implement environmental laws in Hazaribagh because the government is preparing a site in Savar, some 20 kilometers to Hazaribagh's west, in which to relocate the tanneries. Officials confirmed that, on the basis of this understanding, they do not regularly monitor water, air, or soil in Hazaribagh, nor do they levy fines or other sanctions against its tannery owners for untreated effluent discharges.

The government's plan to prepare a relocation site in Savar has suffered chronic delays. Its most recent deadline (at this writing) is for tanneries to move there by the end of 2013. But given the long history of bureaucratic delays, some people familiar with the leather industry believe that relocation is unlikely before 2015, while others suggested it might only happen in 2017. When Human Rights Watch visited Savar in May 2012, no tannery had begun building new facilities at the site.

The country's two main tannery associations agreed with the government in 2003 that some 150 member-tanneries in Hazaribagh would relocate, and the Bangladeshi government agreed to compensate these tanneries for some of the costs of relocation. However, officials in both tannery associations told Human Rights Watch they were negotiating compensation from the government considerably in excess of the amount previously agreed.



A worker transports dried leather to a tannery. Dhaka, June 2012.

In June 2012, the chairman of the Bangladesh Finished Leather, Leather Goods and Footwear Exporters Association told Human Rights Watch that while the group was “hopeful” that the government will meet its demands, failure to do so would mean “it won’t be possible to shift and this [situation] will be the government’s liability.”

LACK OF OVERSIGHT

While the Department of Environment operates on an understanding not to implement environmental laws in Hazaribagh, officials in the Ministry of Labour’s Inspection Department admitted that “the Hazaribagh tanneries are barely touched [by us].” They explained that with just 18 inspectors to monitor an estimated 100,000 facto-

ries in Dhaka, the department lacks resources to ensure that Hazaribagh tannery employers comply with the law.

Human Rights Watch was told that factory inspectors do visit some tanneries, but that no tannery has been prosecuted in labor courts. Another official explained that inspectors prioritize good relations with managers and give them advance notice before an inspection.

According to a Bangladeshi High Court ruling in 2001, the government should have ensured that the Hazaribagh tanneries installed adequate means to treat their waste over a decade ago. The government ignored that ruling. The



A sample of finished leather dries at a chemical factory in Hazaribagh. Dhaka, Bangladesh June 2012.

High Court then ruled in 2009 that the government should ensure that the Hazaribagh tanneries relocate outside of Dhaka or close them down. The government and the tannery associations sought (and were granted) a number of extensions to that order, and then ignored the order when those extensions lapsed.

The lawyer who represented the tannery associations in one petition to the High Court in February 2010 for an extension was Sheikh Fazle Noor Taposh, who is a member of the government and the lawmaker representing Hazaribagh. He is also Prime Minister Sheikh Hasina's nephew.

OBLIGATIONS

International human rights law compels Bangladesh's government to protect its citizens from abuses, including those connected with business activity. Many of Hazaribagh's tanneries have serious health implications for their workers, including children like Jahaj, and local residents.

The International Covenant on Economic Social and Cultural Rights (ICESCR) requires that states realize the right to the highest attainable standard of health for everyone in their territory. The Committee on Economic Social and Cultural Rights (CESCR), tasked with interpreting the ICESCR, has affirmed states' obligations to protect the health of its workers.

The CESCR has also explained that governments violate the right to the highest attainable standard of health if they fail to regulate the activities of corporations to prevent them from violating the right to health of others. This includes “the failure to enact or enforce laws to prevent the pollution of water, air and soil by extractive and manufacturing industries.” The right to health encompasses the right to healthy natural environments. This right involves the obligation to “prevent threats to health from unsafe and toxic water conditions.”

The government has also failed to implement relevant national laws that could protect its citizens from abuses. As a result, it is not fulfilling its duties to protect the right to health of its citizens as recognized under domestic and international law. Compounding this situation, the government’s failure to respect High Court rulings has deprived residents suffering health problems due to Hazaribagh’s tanneries of an effective judicial remedy.

There is a widespread assumption in government circles that building a planned central effluent treatment plant (CETP) in Savar will resolve the environmental and health issues related to the Hazaribagh tanneries. Human Rights Watch recognizes that a CETP will allow tanneries in Savar to treat their waste. However, there are already well-documented alternative processes and technologies proven to significantly reduce tannery pollution— and which do not require a CETP. Without enforcement of environmental laws by the Bangladeshi government, there is no incentive for the Hazaribagh tanneries to reduce their pollution load by adopting such measures.

A CETP will do nothing to resolve most of the problems identified in this report, such as poor occupational health and safety conditions, hazardous child labor, and the existing industrial pollution of Hazaribagh. Even if the CETP is built, there is a risk that tanneries might simply refuse to use it in the absence of proper monitoring and enforcement. Simply put, the issues identified in this report cannot be solved by a technical fix.

Regardless of the status of CETP construction, the Bangladeshi government should closely monitor and regulate the Hazaribagh tanneries and rigorously enforce the country’s labor and environmental laws. This will be an important

step towards resolving many problems identified in this report, such as poor occupational health and safety conditions, denial of paid sick leave and compensation when injured, and hazardous child labor.

Since each of Hazaribagh’s 150 or so tanneries may have contracts with numerous buyers that vary by facility and over time, the report does not focus on working conditions in specific tanneries, nor on particular international companies that may purchase leather from Hazaribagh tanneries. Human Rights Watch believes that sustained enforcement of Bangladeshi law throughout the Hazaribagh tanneries offers the best hope for remedying the systemic human rights violations identified in this report.

Foreign companies that source leather produced in Hazaribagh have a crucial role to play in ensuring that Hazaribagh residents are no longer exposed to hazardous chemicals and other forms of pollution, and that tannery workers enjoy safe and healthy workplaces. They should immediately take steps to ensure that they are not implicated in unregulated pollution, violations of occupational health and safety laws, or hazardous child labor through their supplier relationships (including through “job work” tanneries sub-contracted to perform part or all of leather processing).

Critics of regulation contend that Bangladesh is a poor country, which can ill-afford to enforce laws that could possibly shut down the tannery industry. However, ensuring compliance of all Hazaribagh tanneries with international standards and Bangladeshi law is an opportunity to establish the industry as a modern sector capable of producing high-value and high-quality leather in an environmentally sound and rights-respecting manner that strengthens, rather than undermines, this growing sector of the nation’s economy.

RECOMMENDATIONS

TO THE GOVERNMENT OF BANGLADESH

- Order all Hazaribagh tanneries to immediately begin relocating outside Dhaka city.
- In accordance with Bangladesh's Environmental Conservation Act (1995) and Environment Conservation Rules (1997), ensure that all tanneries (including relocated ones) have an environmental clearance certificate for industrial units categorized as “red” (i.e. heavily polluting) from the Department of Environment, or close them down.
- Immediately fill all vacancies for inspectors and assistant inspectors in the Ministry of Labour's Inspection Department. Within two years, significantly increase the number of staff positions and resources (including for salaries) available to the department to enable it to conduct more regular in-field assessments, including unannounced inspections.
- Revise the Labour Act to strengthen penalties for the following offences:
 - Causing death, grievous bodily harm, or any “injury or danger to workers,”
 - Employing a child or adolescent in hazardous labor,
 - The “catch-all” offence of violating the terms of the act.
- Ratify the International Labour Organization's Convention 138 On The Minimum Age For Admission To Employment And Work.

TO THE MINISTRY OF ENVIRONMENT AND FORESTS

- Regardless of the status of the relocation plan, implement the provisions of Bangladesh's Environmental Conservation Act (1995) and Environment Conservation Rules (1997) that allow for monitoring of all tanneries in Hazaribagh for pollution levels that surpass national standards. Prioritize tanneries that discharge a comparatively large amount of effluent, or discharge effluent with high concentrations of comparatively hazardous chemicals.
- Regardless of the status of the relocation plan, implement the provisions of Bangladesh's Environmental Conservation Act (1995) and Environment Conservation Rules (1997) that allow for fines on all tanneries in Hazaribagh found to have pollution levels that surpass national standards.
- In accordance with Bangladesh's Environmental Conservation Act (1995) and Environment Conservation Rules (1997), ensure all tanneries in Bangladesh have an environmental clearance certificate for industrial units categorized as “red” (i.e. heavily polluting). Close tanneries operating without an environmental clearance certificate, if necessary seeking the cooperation of law enforcement agencies and/or utility service providers.

- Design a comprehensive environmental strategy for the Savar relocation site to prevent replicating the environmental damage and hazards to health present in Hazaribagh.
- Devise a comprehensive environmental clean-up strategy for Hazaribagh, prioritizing surface ponds, large dumps of tannery waste, and the main drainage canals. Remove topsoil polluted beyond the risk-based threshold values and replace it with clean soil.
- Actively monitor for Hazaribagh groundwater contamination on an ongoing basis.
- Ensure that residents of Hazaribagh are informed about the extent of environmental contamination in Hazaribagh and possible health consequences of contamination.
- Increase children's knowledge of environmental health issues by introducing environmental health programs in schools in Hazaribagh.

TO THE MINISTRY OF LABOUR AND EMPLOYMENT

- Take immediate and sustained action to enforce compliance by all tanneries in Hazaribagh (and, following relocation, in Savar) with the Labour Act (2006), including the provisions on:
 - Worker health and safety,
 - All paid leave including sick leave,
 - Compensation for injuries (including occupational diseases),
 - Effective disposal of waste and effluent.
- Revise the practice whereby labor inspectors set up advance appointments with factory management. Train and instruct labor inspectors to undertake unannounced inspections.
- Immediately implement an effective removal program for child laborers in tanneries that provides: access to education, including non-formal education and skills development training; alternative income generation opportunities where appropriate; and socio-economic empowerment programs for their families. Prioritize those children performing hazardous labor, including work with chemicals, tannery machinery, and blades for cutting leather. Ensure that the program includes children not reached by previous programs, such as those working full-time, those working with employers who did not want to cooperate with the projects, and those living in tanneries.
- Rigorously enforce existing laws prohibiting hazardous child labor in tanneries, including through proactive monitoring and unannounced on-site inspections, and by imposing effective penalties against employers who violate the law.

- Provide labor inspectors with all the necessary support, including child labor expertise, to enable them to effectively monitor the implementation of labor law standards regarding children in Hazaribagh tanneries.
- Require employers to have, and produce on demand, proof of age of all children working on their premises.

TO THE MINISTRY OF HEALTH AND FAMILY WELFARE

- Devise a comprehensive public health strategy to tackle the health problems of residents in Hazaribagh (and, following relocation, to prevent such health problems for residents in Savar).
- Ensure the cancer registry maintained by National Institute of Cancer Research and Hospital collects and makes available data disaggregated by profession and current address at the level of *thana/upazila* (i.e. sub-district).

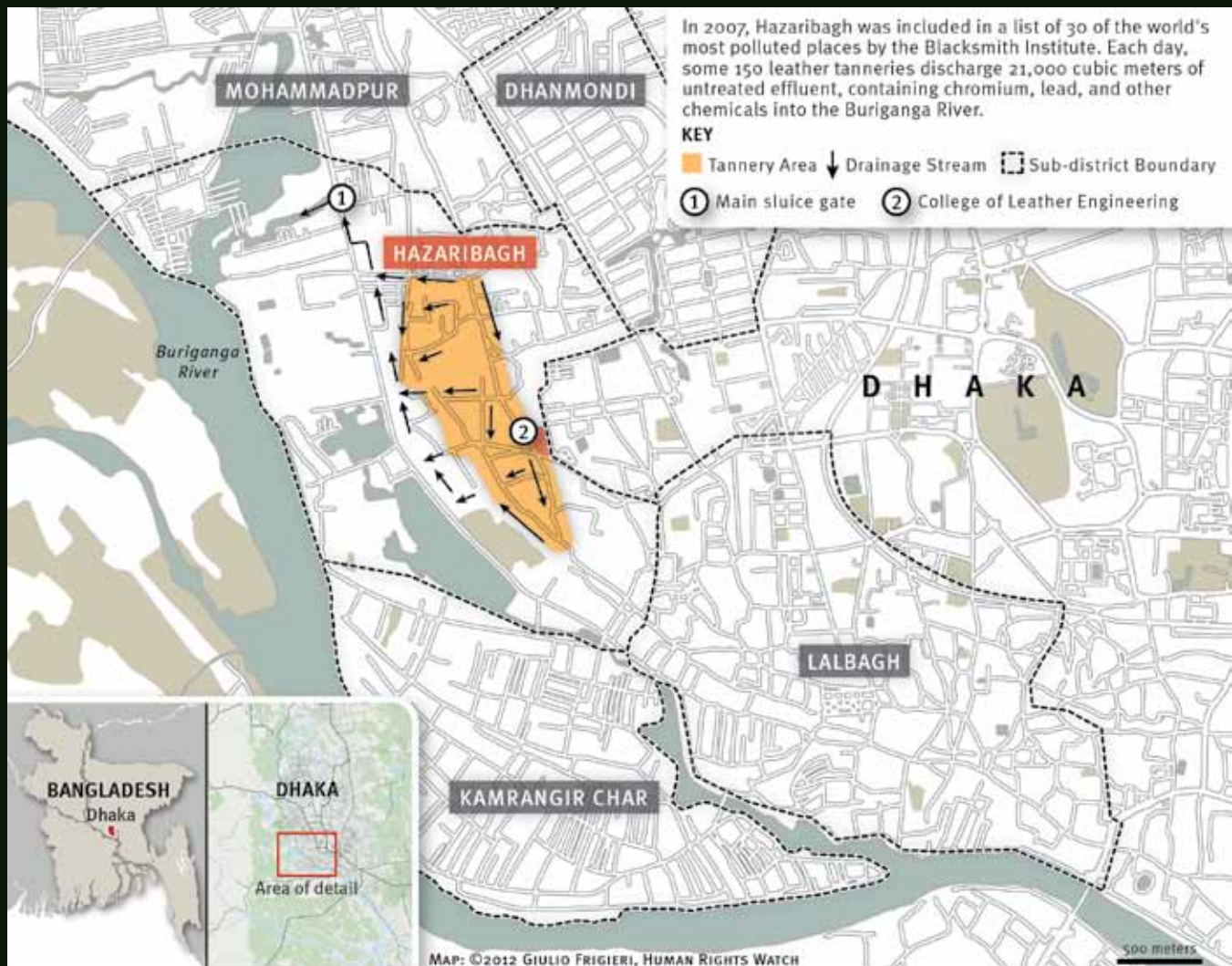
TO FOREIGN COMPANIES SOURCING LEATHER OR LEATHER GOODS FROM HAZARIBAGH

- Ensure that all leather and/or leather goods originate from tanneries in compliance with international standards and Bangladeshi environmental and labor law, through the following mechanisms:
 - A social and environmental review of source tanneries (including tanneries that process all or part of the leather from supplier tanneries on a “job work” basis) performed by a credible third party,
 - Site visits of source tanneries (including tanneries that process all or part of the leather from supplier tanneries on a “job work” basis).
- Cease all commercial relationships with tanneries that do not operate in compliance with international standards and Bangladeshi environmental and labor law.

TO BANGLADESH’S BILATERAL AND MULTILATERAL DONORS

- Support a comprehensive environmental clean-up strategy for Hazaribagh, prioritizing surface ponds, large dumps of tannery waste, and the main drainage canals, and the removal and replacement of polluted topsoil.

THE HAZARIBAGH TANNERY AREA, DHAKA





Every year, Bangladesh exports hundreds of millions of dollars' worth of leather for luxury goods to some 70 countries worldwide, including China, South Korea, Japan, Italy, Germany, Spain, and the United States.

Most of this leather originates in tanneries in Hazaribagh, a neighborhood of Dhaka, the capital. *Toxic Tanneries* documents health problems among workers and residents of Hazaribagh's slums related to unregulated pollution produced by these tanneries and dangerous working conditions within them. Many tanneries do not supply appropriate or sufficient protective equipment, or training to work with harmful chemicals and aging machinery; some managers deny sick leave or compensation to workers who fall ill or are injured on the job. Residents of Hazaribagh's slums complain of illnesses such as fevers, respiratory problems, diarrhea, and skin, stomach, and eye conditions.

Government officials and tannery association representatives told Human Rights Watch that no Hazaribagh tannery has an effluent treatment plant to treat its waste. Consequently, pollutant levels in tannery wastewater surpass Bangladesh's permitted limits for tannery effluent, in some cases by many thousands of times permitted concentrations.

Under international law, Bangladesh's government must take reasonable steps to protect the right to health of everyone in its borders. But government officials told Human Rights Watch that they do not enforce environmental or labor laws with respect to Hazaribagh's tanneries, and the government has ignored High Court orders to clean up, relocate, or shut offending tanneries.

Human Rights Watch calls on the government to immediately begin enforcing its environmental and labor laws in Hazaribagh's tanneries. It also calls on international companies to ensure that all leather and leather goods originate from tanneries in compliance with international standards and Bangladeshi environmental and labor law.

(above) A tannery worker shows skin disease caused by contact with tanning chemicals. Many workers complained to Human Rights Watch that their tannery did not supply protective equipment such as gloves, masks, boots, and aprons, or supplied it in insufficient quantities. Dhaka, June 2012.

(front cover) A boy soaks hides in a pit of diluted chemicals in a Hazaribagh tannery. International law binding on Bangladesh, as well as Bangladesh's own labor law, prohibits employing children under 18 in harmful or hazardous work. Dhaka, June 2012.

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