



Terms of Reference (ToR)

Study on the Status of HRDD and Labour and Human Rights Violation in Garment Industry in Bangladesh: Identification of Gaps and Way Forward

01. Summary

This 'Terms of Reference' details the working modalities for conducting a research titled 'Status of Human Rights Due Diligence and Labour and Human Rights Violation in Garment Industry in Bangladesh: Identification of Gaps and Way Forward'. Bangladesh Institute of Labour Studies - BILS is the implementing partner of this research. This research constitutes an essential part of a partnering project between BILS and Clean Cloth Campaign (CCC) titled 'Fabric of Fairness: Upholding workers' rights in the garment industry' in which 'Clean Cloth Campaign (CCC)' is the main funding partner.

02. Context

The Ready-Made Garment (RMG) industry of Bangladesh is cornerstone of the country's economic development. Contributing over 80% of total export earnings and employing more than 4.4 million workers, approximately 60% of whom are women, it plays a vital role in promoting employment, economic growth, and female empowerment (BGMEA, 2024). However, despite its contributions, the industry has long faced criticism for persistent labour rights violations, poor working conditions, limited unionisation, wage theft, excessive working hours, and workplace harassment.

In recent years, the global conversation around business and human rights has shifted towards Human Rights Due Diligence (HRDD), a process through which companies identify, prevent, mitigate, and account for how they address their adverse human rights impacts. The UN Guiding Principles on Business and Human Rights (UNGPs), endorsed in 2011, urge businesses to implement HRDD throughout their operations and supply chains (UNOHCHR, 2011). The OECD Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector (2018) further outlines sector-specific responsibilities for companies sourcing from Bangladesh.

While global brands have made HRDD commitments, implementation at the supplier and factory level in Bangladesh remains inconsistent. Most local manufacturers operate under intense price and delivery pressures from buyers, often leading to the compromise of basic labour standards. Moreover, the national regulatory framework lacks the capacity and political will to enforce compliance effectively. According to Human Rights Watch (2022), many Bangladeshi garment factories still fail to ensure

occupational safety, fair wages, or freedom of association, and workers frequently face retaliation for organizing or reporting abuses.

Furthermore, Bangladesh has ratified multiple International Labour Organization (ILO) conventions, including C 87 (Freedom of Association) and C 98 (Right to Organize and Collective Bargaining), but enforcement gaps persist at the factory level. National laws like the Labour Act 2006 (Amended 2018) also fall short in harmonizing with international labour standards, particularly regarding union registration, subcontracting regulation, and grievance mechanisms.

In the face of increasing international pressure including mandatory HRDD legislation such as the EU Corporate Sustainability Due Diligence Directive (CSDDD) and Germany's Supply Chain Act (2023), it is critical for Bangladesh to improve its governance of labour and human rights in the RMG sector. Buyers and investors are increasingly tying compliance with ESG (Environmental, Social, and Governance) standards to sourcing decisions and financing. As a result, failure to strengthen HRDD practices could pose a reputational and economic risk to the sector.

Given these backdrops, BILS has undertaken this research particularly to comprehensively assess the status of HRDD implementation in Bangladesh's garment sector, map patterns of labour and human rights violations, and identify the systemic, regulatory, and institutional gaps that hinder responsible business conduct. The findings will contribute to informed advocacy, policy development, and multi-stakeholder dialogue, ensuring that the garment sector moves toward a more rights-respecting and sustainable model of development.

03. Overall Objective

The core objective of this research will be exploring the status of the labour and human rights situation in the garments industry in Bangladesh in the light of HRDD framework, and collectively determining ways forward.

Specific Objectives

- To assess the existing practice including real and potential rights violation, follow up actions and monitoring mechanism for the promotion of human rights due diligence at the global supply chain of the Bangladesh's RMG industry.
- To capture the preparedness, challenges and opportunities of employers, Brands and national trade unions/sectoral trade unions to act effectively in advancing human rights due diligence in the RMG industry of Bangladesh.
- To recommend towards improvement of the current situation by employers, Brands and national trade unions/sectoral trade unions through joint initiative in advancing human rights due diligence in the RMG industry of Bangladesh.

04. Expected Outputs

The comprehensive research output shall consist of an edited detailed report including the following;

- A concrete analysis of the current practices of the situation of labour and human rights violation in the Bangladesh RMG;
- Pinpoint the gaps in policy and practices;
- Set of recommendations for tripartite stakeholders to attain sustainable way forwards.

05. Scope of Work

- Mapping, review and analysis of the existing practices on Human Rights Due Diligence of diligence in the RMG industry of Bangladesh
- Review and analysis of the other available resources on Human Rights Due Diligence in the RMG industry of Bangladesh
- Interview/FGD/consultation/meeting with workers and TU leaders (RMG sector, GSKOP, IBC, SKOP and others) and collection of necessary primary information
- Interview/consultation/meeting with experts/academics, employers, CSOs/NGOs, relevant GOV institutions and officers and collection of necessary primary information
- Interfacing between primary and secondary information
- Documentation and report writing

06. Methodology:

Considering the nature it is expected that this research employ qualitative research approaches and respective tools and techniques. Data needs to be collected both from primary and secondary sources.

Please note that, this is only an indicative methodology. Lead/principal consultant is requested to develop a detailed methodology plan and a complete research plan and agree with the project authority the same before conducting the research.

07. Key Sources and Peoples to be Consulted:

Primary sources:

Workers, employers, brands, TU leaders, experts/academics, s, CSOs/NGOs, Relevant GOV institutions and officers

Secondary Sources:

Both electronic and non-electronic literatures, including research reports, articles, policy briefs, journals, newspapers, policies and laws, and Conventions and Recommendations.

08. Audience of Research Report

- RMG workers
- TUs
- NGO/CSO
- Related Government Institutions
- Employers
- International and National Policy Makers
- BILS- Clean Cloth Campaign (CCC)
- Academics/Experts
- Donors & Foreign Missions
- Garments Companies, including Brand

09. Style and Length of Report:

The lead consultant needs to prepare and submit both an electronic version and signed hard copy. The document should be very precise, and must ensure detailed narrative and analyses for each specific objective. The main body of the study report shall be plus/minus a 40-45 pagers document including a 4-5 pagers executive summary. The executive summary is expected to develop in the form of a briefing paper for the purpose of dissemination immediately among the audiences. Necessary supplementary information (if any) like transcripts of consultations and interviews (if required) and references are to be attached as annexes.

10. Timeline:

Starting from 01 August 2025, particularly end up to 30 December 2025.

11. Ethics and Risks:

The research report must avoid any kind of plagiarism and provide due acknowledgement to the sources. Objectiveness is the key to mitigate the risks where researchers have to be strategic and analytic in arguments but not biased.

12. Documentation:

- Checklists, and interview notes should be submitted, signed and dated by the consultant or other interviewer (if needed).
- Final report must provide endnote references for all specific facts and statistics used. The report must also include a bibliography of the major references used.
- Primary sources must be used wherever possible over secondary sources. For example, the Consultant should reference a statistic to its original report, not where it is cited second hand by a newspaper or website.

13. General Terms & Conditions:

- Any document, information or data entrusted to or produced by in connection with this assignment, shall be strictly confidential. After completion of this assignment only BILS shall be eligible to use them. However, in case of any emerging need to use it or any part of it by any academics or other users, prior informing and written endorsement from BILS is mandatory. The copyright of the final product will be endowed with the BILS.
- In the event of any emerging priorities and needs, concerned authority at BILS shall enjoy all authority to reschedule the operational framework of this research assignment.
- BILS 's Finance section shall follow the country's legal framework to deduct VAT & Tax as per requirements.

Submission Deadline: 20 July 2025