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**Verification Options Used in Public Procurement by
Apparel Sourcing Countries**
Potential and Effectiveness in Bangladesh

Khondaker Golam Moazzem
Tamim Ahmed



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APPAREL SOURCING COUNTRIES**
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Centre for Policy Dialogue (CPD) was established in 1993 as a civil society initiative to promote an ongoing dialogue between the principle partners in the decision-making and implementing process. Over the past 29 years, the Centre has emerged as a globally reputed independent think tank, with local roots and global reach.

A key area of CPD's activism is to organise dialogues to address developmental policy issues that are critical to national, regional and global interests, with a view to seeking constructive solutions from major stakeholders. The other key area of CPD's activities is to undertake research programmes on current and strategic issues.

CPD's research programmes are both serviced by and intended to serve, as inputs for particular dialogues organised by the Centre throughout the year. Major research themes are: macroeconomic performance analysis; poverty and inequality; agriculture; trade; regional cooperation and global integration; infrastructure; employment, and enterprise development; climate change and environment; development governance; policies and institutions, and the 2030 Agenda for Sustainable Development.

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Dissemination of information and knowledge on critical developmental issues is another important component of CPD's activities. Pursuant to this, CPD maintains an active publication programme, both in Bangla and in English. As part of its dissemination programme, CPD has been bringing out **CPD Working Paper Series** on a regular basis. Research work in progress, background papers of dialogues, investigative reports and results of perception surveys which relate to issues of high public interest are published under this series.

The present paper titled ***Verification Options Used in Public Procurement by Apparel Sourcing Countries: Potential and Effectiveness in Bangladesh*** has been authored by *Dr Khondaker Golam Moazzem*, Research Director, CPD (moazzem@cpd.org.bd) and *Mr Tamim Ahmed*, Research Associate, CPD (tamim@cpd.org.bd).

Series Editor: *Dr Fahmida Khatun*, Executive Director, CPD.

Abstract

The objective of the study is to review the existing practices of different standards and certificates related to socially responsible public procurement (SRPP), and their potential and effectiveness in improving workers' well-being, along with employment and workplace safety and workers' rights in Bangladesh. An evidence-based approach, based on both primary and secondary data, has been followed in conducting the study. The study identifies a number of gaps in the process and maintenance of certification and standards that include submission of false documents in getting certified, lack of traceability of the supply chain, inadequate disclosure of information, lack of accountability of audit firms and suppliers and ineffective measurement approach. Despite having gaps, the certification process has contributed to improving the labour standards in Bangladeshi readymade garment (RMG) factories to different extents. Human rights in the RMG industries of Bangladesh will be significantly determined by the transparency and effectiveness of the certification process.

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Table of Contents

<i>Abstract</i>	<i>v</i>
<i>Authors' Acknowledgements</i>	<i>vii</i>
<i>Acronyms</i>	<i>xi</i>
1. Introduction	1
2. Analytical Framework	1
3. Methodology	6
4. Standards and Certification in the context of Export-oriented Bangladesh's Textiles and Garments Industry	7
5. Reach of the Standards and Certifications to the Workers and Suppliers in the Upstream	15
6. Best Practices that Support Suppliers in Fulfilling the Standards	17
7. Effectiveness of Grievance Mechanisms for Workers	18
8. Challenges in Implementing Standards and Certification at the Factory Level	19
9. Conclusions and Recommendations	22
References	25

List of Tables, Figures and Boxe

Table 1: Some Good Examples of SRPP across the World	2
Table 2: Status of Required Criteria Covered by the Selected Certificates	8
Table 3: EU GPP Textile Criteria	8
Table 4: Overview of the Key Certifications/Standard/Initiatives Relevant in Bangladeshi RMG Industry	10
Table 5: An Overview of the Process of Some Certification and Standards/Initiatives	14
Table 6: Status of Certified Factories for Selected Indicators as per Workers Opinion	16
Table 7: Status of Certified Factories for Selected Indicators as per Workers Opinion	17
Figure 1: A SRPP Framework Based on Existing Good Practices	3
Figure 2: Methodology of the Study	7
Figure 3: Factories Complying with Different Certification and Standards	7
Figure 4: General Verification Process of Certifications and Standards	13
Figure 5: Time Lag in Arbitration Process and Time Lag in Court Cases	19
Text box 1	6

Acronyms

BSCI	Business Social Compliance Initiative
CMT	Cut, Make and Trim
DIFE	Department of Inspection of Factory and Establishments
DoE	Department of Environment
DoL	Department of Labour
ETI	Ethical Trading Initiative
EU	European Union
FWF	Fair Wear Foundation
GPP	Green Public Procurement
ISO	International Organization for Standardization
LEED	Leadership in Energy and Environmental Design
OECD	Organisation for Economic Co-operation and Development
OHSAS	Occupational Health and Safety Assessment Series
RMG	Readymade Garment
RSC	RMG Sustainability Council
SAI	Social Accountability International
SAQ	Self-Assessment Questionnaire
SEDEX	Supplier Ethical Data Exchange
SRPP	Socially Responsible Public Procurement
UK	United Kingdom
UNGP	United Nations Guiding Principles on Business and Human Rights
USA	United States of America
WPC	Workers' Participation Committee
WRAP	Worldwide Responsible Accredited Production

1. INTRODUCTION

The European Commission's initiative of socially responsible public procurement (SRPP) has been regarded as a major instrument to comply better with the public procurement system to promote employment opportunities, decent work, social inclusion, ethical trade and wider social standards (European Commission, 2020). The initiative promotes compliance standards across different value chains, including that of textiles and apparels sector value chains. Bangladesh poses special importance to the textiles and apparels sector of the European Union (EU) since Bangladesh is the second-largest supplier of apparel to the EU after China (11.1 per cent in 2020). Effective implementation of SRPP would provide the opportunity to improve social and environmental standards in Bangladesh's garments and textile sector.

The textile and garments sector of Bangladesh has maintained different social and labour standards as per compliance with brands and buyers of major sourcing countries, particularly those from the EU. These standards and certifications include: Accreditation Ethical Trading Initiative (ETI), Business Social Compliance Initiative (BSCI), Guidance Document for Social Accountability 8000, H&M Ethical Standards audit Certificate and International Organization for Standardization (ISO) 14001, ISO 9001, International Quality Guidelines for Auditing Companies in the Framework for SA8000, Occupational Health and Safety Assessment Series (OHSAS) 18001, Social Accountability 8000 (SA8000), Social Accountability International (SAI) Guideline, Primark Ethical Standards Audit Certificate, and Worldwide Responsible Accredited Production (WRAP). However, translating standards and certificates availed by the suppliers into ensuring workers' social and human rights as well as their well-being depends on whether workers are informed about the entitled facilities and how the related facilities are passed on to workers.

Despite the application of different standards and compliances related to human and labour rights in the readymade garments (RMG) sector of Bangladesh, a wide variation is observed in case of maintaining those (CPD & Shojag Coalition, 2021). The study reviews the existing practices of various standards and certificates related to SRPP, and their potential and effectiveness in improving the following issues: workers' well-being; employment and workplace safety; and workers' rights in Bangladesh. The key research questions include:

- a) to what extent and how do the standards and social criteria demanded by public procurement and certifying organisations travel up the supply chain?
- b) which are the relevant certificates and standards in this sector from the viewpoint of workers, factory representatives and third parties?
- c) how are standards communicated to workers and suppliers upstream?
- d) what are best practices that support suppliers in meeting the standards required?
- e) how effective are grievance mechanisms in empowering workers to point out violations of their rights?

2. ANALYTICAL FRAMEWORK

2.1 An Overview of Sourcing Countries' Public Procurement Structure

Governments of different countries award the public contract to suppliers based on several criteria. The criteria, however, differ across and within the country. While the price offered is one of the most common criteria, there are other criteria as well to ensure positive social outcomes through the contract. This practice is referred to as SRPP, the aim of which is to establish positive social outcomes

through public contracts (European Commission, 2020). SRPP can assist the supply chain to enhance global sustainability and human rights (SOMO, 2014).

Generally, ILO conventions are considered as the minimum standard for SRPP policies and practices (SOMO, 2014). However, other guidelines and standards are considered as well in this regard; these include United Nations Guiding Principles on Business and Human Rights (UNGPs), OECD (Organisation for Economic Co-operation and Development) Guidelines for Multinational Enterprises, and Guidance on social responsibility of the ISO (SOMO, 2014). The EU public procurement rules from 2014 clarified that public buyers of its member countries could consider the social aspects throughout the procurement cycle (European Commission, 2020). Based on this directive, member states have been reshaping their national framework (European Commission, 2020).

The criteria of public procurement vary from country to country and also within the country.¹ Yet, many examples can be found based on the practice of different national and local governments worldwide which can be considered as a practice of SRPP (Table 1).

Table 1: Some Good Examples of SRPP across the World

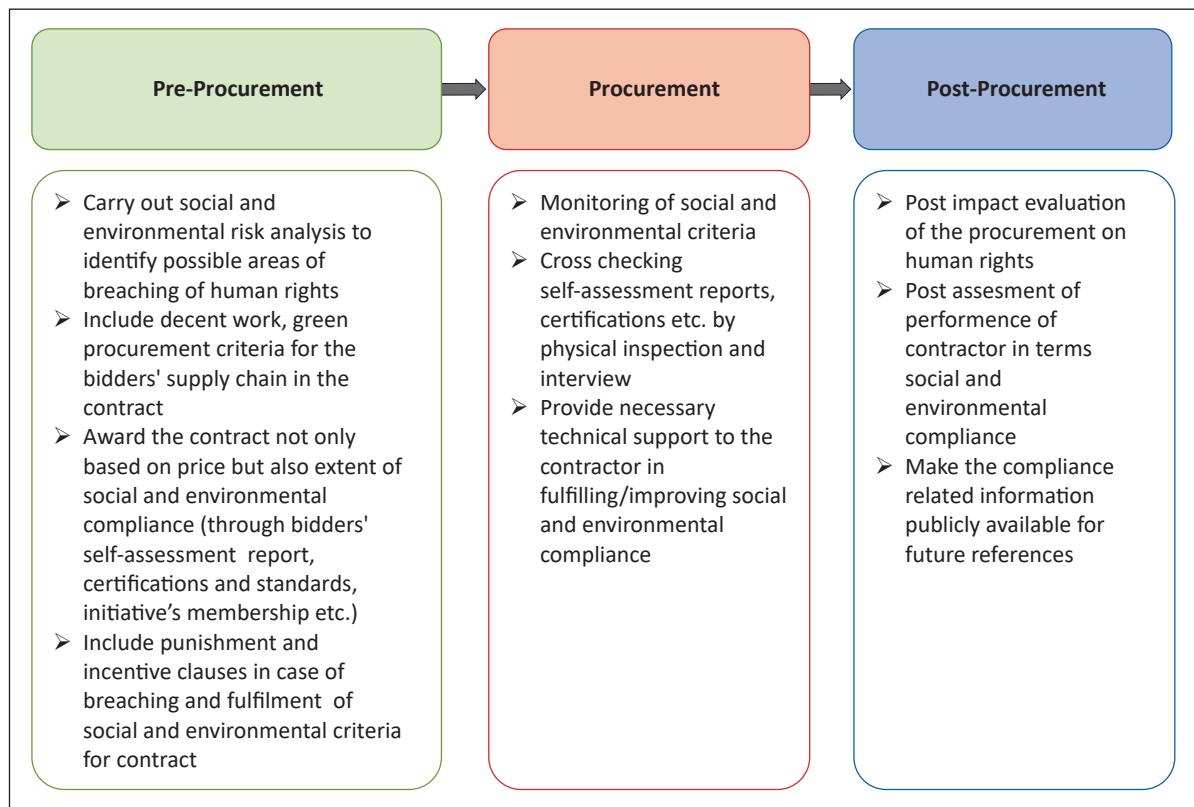
Practiced by	Procedure
Utrecht, The Netherlands	Formulate stringent social criteria based on international labour standards that are included throughout the steps of procurement process.
South-Eastern Regional Health Authority, Norway	Carry out risk analyses of products and producing countries in major procurements where there is a risk of the breach of human rights.
Madison, US	Engage suppliers through an ongoing plan of compliance with labour norms.
Amsterdam West, Ministry of Security and Justice, Netherlands	Require that suppliers join credible supply chain initiatives.
Los Angeles, US	Investigate supplier factories by interviewing workers.
San Francisco, US	Ensure central role of a citizen oversight body
City of Portland, Oregon, US	Push supply chain transparency

Source: (SOMO, 2014).

Based on these good practices, a framework could be developed for ensuring SRPP (Figure 1). The framework indicates that the process of SRPP should cover the pre-procurement and the post-procurement phases. While the practice of these activities would assist in achieving the true objective of SRPP, the existing challenges at the implementation level can make adoption of these activities complicated.

The main challenge of SRPP practice includes understanding the market, suppliers' business model and supply chain to identify what is realistically achievable and their ways (European Union, 2021a). Moreover, the lack of clear political support, along with the uncertainty regarding required resources for SRPP (particularly for monitoring) and legal risks, are other key challenges in SRPP practice (European Union, 2021a). There might be uncertainty among public procurers as regards extensive requirements from the bidders leading to insufficient biddings, which would reduce competition and value for money (Santos, Hooper & Evans, 2021). On the other hand, municipalities in Europe, particularly in Germany, are accountable for a large share of public procurement (German Development Institute, 2020). The effectiveness of these local-level SRPPs may be limited due to several issues (German

¹In the EU, many countries have a system of local self-administration. Thus, to a certain degree, each municipality can decide on which criteria to adopt in the tender.

Figure 1: A SRPP Framework Based on Existing Good Practices

Source: Authors' Illustration.

Development Institute, 2020). One probable reason is that, in most cases of these local-level SRPPs, environmental issues get the ultimate priority while social standard remains ignored to various extents (German Development Institute, 2020). This is the opposite of the countries in the Global South, particularly in the Sub-Saharan Africa, where public procurement is being used to improve the societal status of disadvantaged groups in their societies (German Development Institute, 2020). Besides, for the average procurer, efficiency and lowest price are often the ultimate focus, since taking social responsibility into account is considered as a radical change to them, particularly in their existing procurement paradigm; that creates the classic 'chicken-and-egg problem' (Crafoord, Dalhammar & Milios, 2018, as cited in Strohmaier & Stoffel, 2021).

As part of SRPP, governments adopt different approaches to ensure that contracted suppliers would comply with the terms and conditions stipulated in the contract throughout the procurement process. Along with others, labelling and certification is important indicator for most procuring governments in identifying the compliance level of the bidders. However, the credibility of these labelling and certifications in the textile industry largely depends on the transparency and oversights in the implementation process throughout the value chain (Changing Market Foundation, 2018).

The labelling of all non-food goods within the country's origin was made mandatory in 2014 by the European Parliament (Richero & Ferrigno, 2016). However, concern prevails regarding traceability of apparel products as labelling the country of origin only (including knitting, dyeing and sewing locations) are not of value for the consumers (Richero & Ferrigno, 2016). Due to the lack of information, garment producers working in the CMT (cut, make and trim) system do not have any update about the

upstream supplies (i.e., fabrics, yarns, etc.) and regarding the product status after delivery (Richero & Ferrigno, 2016).

The transparency of certification and standards followed by the suppliers who work as sub-contractors of the suppliers of the sourcing countries is critically important, since workers working in the production segment of the value chain are located in different countries with limited scope for being directly monitored and supervised by the suppliers of the sourcing countries. Often the monitoring has been carried out by third-party certificates and initiatives bodies—through accredited private companies. A transparent and efficient assessment would portray whether firms have reached the level of certification and standards or what kinds of initiatives are required in order to make the certification level align with the required standards.

2.2 Non-Compliance of Labour, Social and Environmental Issues in Bangladesh's Textile and RMG Sector regarding SRPP

The level of compliance in terms of labour, social and environmental standards maintained in the textile and garment sector value chain in a supplying country, like Bangladesh, portrays how the global accords on labour rights-related issues are being maintained in the industry. This also identifies the gaps in areas where the industry needs to take action in order to improve workers' overall well-being. At the same time, the standards and certification for maintaining compliance could be appropriately customised for the well-being of the workers.

The textile and RMG sector of Bangladesh has yet to reach the international level of human, labour and environmental standards. Since the sector employs over 2.8 million workers, maintaining necessary compliance with human and labour standards has substantial implications on sustainable development. Among all other issues, fragile occupational safety, particularly after the Rana Plaza incident in 2013, drew significant attention globally. Several initiatives, mainly the formation of Accord and Alliance by buyers, contributed to decent progress in terms of occupational safety (Rose, 2021). However, forceful abrogation of their operation has slowed down occupational safety related initiatives—mainly due to the lack of institutional capacity of newly formed inspection bodies (CPD, 2021). Besides, initiatives of the Bangladesh government focused only on structural safety with no significant attention to the occupational health system (Akhter, Rutherford & Chu, 2019). As a result, RMG workers remain exposed to a number of health risks. For instance, the defective sound masking principles in RMG factories harm the workers' hearing, particularly those who work overtime (Shahed & Imam, 2018). The level of noise is yet to be brought under the inspection criteria by the inspection bodies (Shahed & Imam, 2018). On the other hand, medical attendants available at the factories are neither well educated nor skilled in the medical field, and regular physicians are not available all the time (FIDH & Odhikar, 2020). There is a dearth of safe drinking water, poor ventilation, and sanitation facilities in many factories, and some of these facilities are arranged just before the factory-visit by the buyers (FIDH & Odhikar, 2020).

Bangladeshi RMG workers are still deprived of a number of work related benefits to various extents. The absence of unemployment insurance and benefits left their livelihood in a fragile state, particularly during any crisis period. An active unemployment benefit would partly ease the suffering of around 3.5 lakh workers who lost their jobs in view of COVID-19 (CPD & MiB, 2021).² There is still a dearth of a formal procedure for releasing workers, particularly in small and non-member factories (CPD &

²Instead of compensation, 59 per cent received their monthly wage only, whereas 18 per cent received nothing (CPD & Shojag Coalition, 2021).

Shojag Coalition, 2021). Hence, a segment of RMG workers is still not notified properly before their job dismissal, having limited scope to know the reason behind the decision as well as limited scope to challenge the decision and claim compensation accordingly (CPD & Shojag Coalition, 2021).

The uncertainty involving job security allows a number of labour rights violations with no reporting from workers, particularly during COVID-19. The fear of losing jobs prevents the workers from complaining in case of any workplace harassments or misconducts (Moazzem et al., 2021); (NORC, 2020). Also, RMG workers, particularly those who lead and organise trade unions, are targeted to be abused and harassed with almost no action taken against the real culprits in case of any disputes (Committee on Foreign Relations United States Senate, 2020). On the other hand, there remains a gap in terms of ensuring decent work hours. A group of workers (21 per cent) are concerned about excessive production targets, whereas more than one-third of the workers' employers (36 per cent) do not follow the legal limit of overtime (ILO, 2020). Although the minimum wage of workers was set in November 2018, it is still to be fully implemented (Zaman & Khan, 2021).

Female RMG workers still face challenges in terms of equal treatment at workplace. A section of female workers faces discrimination in getting expected job postings, timely wage payments, and promotions (Haque et al., 2020). The female workers are still exposed to sexual violence and harassment. According to the survey of Action Aid (2019), 80 per cent of the survey participants either experienced or witnessed sexual violence and harassment in their workplace. Availing maternity leaves somewhat remain challenging to a section of female workers. According to ILO (2020a), 31 per cent of female workers are still not aware of the existing provision regarding maternity leave. Also, female workers face difficulties in availing their stipend even if they manage the leave (Ahmed et al., 2019). Besides, a section of female workers does not have breastfeeding facilities at their factories (ILO, 2020a).³ The industry made substantial progress in eradicating child labour. However, indirect child labour⁴ and children working in subcontracting factories are yet to be addressed thoroughly (SOMO, 2017; DoL, 2018).

2.3 Possible Areas to Focus on while Implementing SRPP in the Context of Bangladesh's Textile and Apparel Sector

The nature and extent of challenges confronted by the workers in Bangladesh indicate that the practice of labour, social and environmental issues at the factory level is not fully standardised. There are lots of deviations in factory level practices that require close monitoring. Public monitoring systems on human, labour and environmental issues are troubled with lack of transparency due to a number of constraints, including: i) lack of skilled staff; ii) limited capacity to provide training of international standards; iii) weak delegating authority of factory inspectors at the factory level; iv) lack of cooperation from the factory management; v) lack of adequate logistic facilities; vi) unclear inspection guideline; vii) biased process for selecting factories; viii) limited awareness among the owners regarding compliance standards; ix) lack of transparency in the inspection process, and x) poor ethical standard of the officials (Moazzem, Halim & Shafayat, 2018). Under such a weak monitoring and institutional framework, the implementation of SRPP through private sector-led initiatives needs special effort. Hence, the study needs to understand the transmission and implementation mechanism of the SRPP related standards at the workers' end with specific attention. Without a transparent and efficient mechanism, there is a risk of violation of the workers' rights even in certified factories.

³23 per cent of the female workers.

⁴Child labour generated due to low earning of RMG workers.

Text box 1

The lack of credibility of certifications and standards started to grow in 2010, when a garments factory, Garib & Garib, in Bangladesh caught on fire, killing 21 workers, even after announced WRAP certified (Clean Clothes Campaign, 2019). Besides, many factories in Bangladesh and Pakistan caught into fire and collapse incidents even after being certified by SA 8000 (Somo, 2014). The social auditing also came under question as in 2012, workplace harassment brought about workers' unrest in Bangladesh's Rosita knitwear factory, although just ten months before, the factory was audited by BSCI, which was unable to detect any such issues (Clean Clothes Campaign, 2019). In the same year, the fire incident in the Tazreen factory killed 112 workers. Ironically, the factory was supplying their product to BSCI members during the incident (Clean Clothes Campaign, 2019). However, the Rana Plaza collapse in 2013 fueled the lack of credibility issue towards the certifications process to the largest extent. It is alleged that just less than a year before the incident came about, Phantom Apparel Ltd—a factory located within Rana Plaza—was audited for social compliance and eventually got away without any objections by the auditors (ECCHR, 2018). Later, the OECD made a complaint against the auditors—who audited Phantom Apparel based on the standards of the BSCI (ECCHR, 2018). The lack of credibility regarding the certification and standard did not disappear even after four years of the Rana Plaza incident. In 2017, a powerful boiler blasted in Multifabs Ltd, killing 13 people, which went through a BSCI audit for fire and building safety and assumed as safe before the incident took place (Clean Clothes Campaign, 2019).

Standard and certification could play a positive role in Bangladesh's RMG industry, where labour rights and environmental regulation violations have always been a concern. The necessity of transparent and effective certification and standardisation has always been felt, particularly by the workers who become the ultimate sufferers of those issues (Text box 1). With growing pressure, particularly from the consumers' end, the certification and standardisation have evolved based on buyers' interests. Consequently, a number of certifying bodies updated, modified, and extended their auditing process, whereas some of the others lost involvement with the RMG industry. Besides, a number of initiatives in the certification process came into existence in an effort to ensure improved social and environmental practices in the industry. Some of these initiatives are: the inclusion of closed-circuit television (CCTV) surveillance monitoring in auditing, the practice of quality monitoring by auditing the auditors, among others.

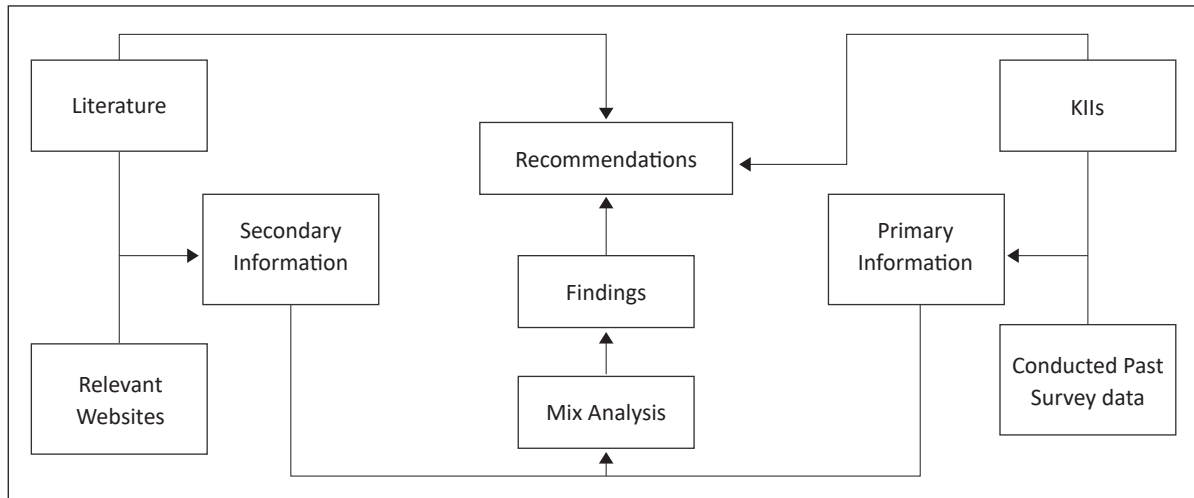
3. METHODOLOGY

The study has been conducted following an evidence-based approach. A mix of both primary and secondary data has been used to find the answer to the research questions (Figure 2). The primary data has been collected mainly through two sources. One is by conducting key informant interviews (KIIs). In total, 11 KIIs have been conducted: with one RMG owner, five RMG management officials, one buying house owner, one brand's representative, two trade union representatives, and one audit firm representative. Another key source of primary data has been the conducted survey on RMG factories and workers by CPD and Shojag Coalition (2021). The survey data for the workers of 25 RMG factories—having at least one or more than one certification—were generated randomly.⁵

An extensive literature review has been carried out in order to gather additional information on relevant issues. Besides, information was collected from official websites of certifications and standards companies with a view to appreciating the most recent information about their certification process. Also, information from national newspapers were used in order to enhance the analysis.

⁵The certification status of these factories was collected from the website "Mapped in Bangladesh". Later, the survey data were cross-checked with different certification standards in an effort to evaluate the standard status of certified factories.

Figure 2: Methodology of the Study



Source: Authors' Illustration.

4. STANDARDS AND CERTIFICATION IN THE CONTEXT OF BANGLADESH'S EXPORT-ORIENTED TEXTILE AND RMG SECTOR

4.1 Identification of existing certificates and standards demanded by the buyers

Several certificates and standards are currently prevailing in the Bangladeshi RMG industry (Figure 3, Table 2, Table 3 and Table 4). The interviewed RMG officials and workers' representatives have identified a number of certifications and standards that are in use in the Bangladeshi RMG industry

Figure 3: Factories Complying with Different Certification and Standards (% of factories)



Source: Mapped in Bangladesh (2021).

Notes: i. Some factories hold multiple certificates; ii. Although the population data in Mapped in Bangladesh (2021) website does not have any specific information on FWF membership, according to FWF, they hold membership of around 250 factories in Bangladesh (almost 7 per cent of total factories).

Table 2: Status of Required Criteria Covered by the Selected Certificates

Promoted by European Commission Guideline	BSCI	WRAP	OEKO-TEX STEP	SA 8000	Higg Index (Higg FSLM)	SEDEX
Secure employment	✓	✓	✓	✓	✓	✓
Fair wages	✓	✓	✓	✓	✓	✓
Safe working conditions	✓	✓	✓	✓	✓	✓
Social protection	✓	✓	✓	✓	✓	✓
Equality of opportunity and treatment for all women and men	✓	✓	✓	✓	✓	✓
Gender equality and non-discrimination in access to employment	✓	✓	✓	✓	✓	✓
Social dialogue	✓	✓	✓	✓	×	✓
Safeguarding of rights at work	✓	✓	✓	✓	✓	✓

Source: Prepared based on the data from European Union (2021).

Table 3: EU GPP Textile Criteria

EU GPP criterion\Textile label or certification		EU Ecolabel	Nordic Swan	Blue Angel	OEKO-TEX 100	GOTS
Cotton fibres	Core	0	0	✓✓	0	✓✓
	Comprehensive	0	0	✓✓	0	✓✓
Cotton fibres (Core & comprehensive)		0	0	✓	0	✓
Wool fibres (Core & comprehensive)		✓	✓✓	o	×	0
Sulphur emission to air (Core & comprehensive)		✓	✓	✓	×	×
Halogenated emissions from pulp (Core & comprehensive)		✓	✓	✓	×	0
Polyester recycled content (Comprehensive)		0	×	0	×	✓✓
Polyester and polyamide (nylon) recycled content (Comprehensive)		0	×	0	×	✓
Polyester recycling (Comprehensive)		×	×	×	×	×
Declaration for REACH Candidate List substances (Core & comprehensive)		✓✓	✓✓	✓	✓	✓✓
Substances to be tested for on the final product (Core & comprehensive)		✓	✓	✓	✓✓	✓✓
Restrictions on substances to be verified at production sites (Comprehensive)		✓✓	✓	0	×	✓
Durability standards (Core & comprehensive)		✓	0	0	0	0
Availability of parts and accessories (Core & comprehensive)		×	×	×	×	×
Fabric selection to minimise energy use for drying and ironing (Core & comprehensive)		×	×	×	×	×
Care labelling (Core & comprehensive)		×	×	×	×	×
Design for reuse and recycling (Core & comprehensive)		×	×	×	×	×

Source: Prepared based on Oyeshola et al. (2020).

Note: × = does not apply, 0 = partially or potentially covered/further assessment required, ✓ = covered, ✓✓ = exceeded; GPP=Green Public Procurement.

at the moment. These include Accord, Alliance⁶, Blue Sign, SA 8000 of SAI, Business Social Compliance Initiative (BSCI), Fair Wear Foundation (FWF), Higg index (Higg FEM, Higg FSLM), Leadership in Energy and Environmental Design (LEED), OEKO-TEX (OEKO-TEX 100 Standard, OEKO-TEX STEP, OEKO-TEX Made in Green), Supplier Ethical Data Exchange (SEDEX), and Worldwide Responsible Accredited Production (WRAP). Among these, buyers of the USA mostly prefer WRAP, buyers of the UK mostly prefer SEDEX.

After being initiated in 2002, certification of ISO in Bangladesh's textile and RMG sector used to play a key role in indicating social and environmental compliance of factories. A number of ISO standards have been introduced in the following periods—ISO 9001 refers to quality management, ISO 14001 refers to environmental management; ISO 45001 refers to occupational health and safety; ISO 170025 refers to laboratory standards. Most of the Bangladeshi RMG suppliers tend to be ISO certified as it is mainly a document-based process. However, according to the interviewed RMG officials, ISO certification is not mandatory anymore by brands even after several modifications. Therefore, the Bangladeshi RMG industry hardly opts for ISO certification nowadays.

At present, Oeko-Tex, LEED, WRAP, among others, are some of the most availed certificates by the Bangladeshi suppliers. However, a number of new certifications have recently been launched in Bangladesh, which could play a crucial role in the future. For example, Green Button certification, a German initiative, started in 2019. Similarly, Bluesign is a recently launched (in 2018) certification in Bangladesh. By following different verification methods, all these certificates attempt to justify the level of compliance of certified factories.

On the other hand, most of the initiatives (such as BSCI, FWF) do not believe in providing any certification to any compliant factories. Rather, initiatives try to ensure good practice by sharing the auditing or performance reports of member factories in a common platform. While the effectiveness of each individual initiative is uncertain, in terms of factory coverage, BSCI and SEDEX are the two most successful initiatives. FWF on the other hand, with comparatively lower coverage in Bangladeshi RMG factories, focuses on making their member brands accountable for suppliers' activities and also on conducting collaborative activities with different local and international partners to enhance the compliance of the industry.

The identified relevant certificates and initiatives of the Bangladeshi RMG industry cover three major areas (Table 4). These include: a) environmental compliance, b) social compliance, and c) occupational health and safety. A number of these certificates and initiatives cover one dedicated area. However, some of these focus on more than one area to a different extent. LEED, OEKO-TEX 100 Standard, and Bluesign are the certifications that concentrate only on the environmental aspects. In contrast, SA 8000 covers both social standards and health and safety. On the other hand, OEKO-TEX STEP, WRAP, SEDEX, OEKO-TEX Made in Green, BSCI, and two Higg modules under the Higg index consider all three areas of standards—social, environmental, and occupational health and safety. The preference over these certifications and initiatives varies from brand to brand and their country of origin. WRAP was established by the American Apparel and Footwear Association and is commonly preferred by the US origin brands/buyers. It is popular among the UK based brands/buyers as well. Similarly, SEDEX is popular among both the USA (United States of America) and the UK (United Kingdom) based brands/buyers. BSCI, on the other hand, is preferred mostly by the European brands/buyers. Rather than

⁶A major brand-led initiative—forming Accord & Alliance—brought a drastic change in the inspection process for occupational health and safety in the Bangladeshi RMG industry. However, the discontinuation of their operation after 2018, at the behest of Bangladeshi suppliers, has raised new concerns regarding workplace safety inspection.

Table 4: Overview of the Key Certifications/Standard/Initiatives Relevant in Bangladeshi RMG Industry

Certification/ Standards/ Initiatives	Focus Area	Validity Period	About
LEED	<ul style="list-style-type: none"> • Location and transportation • Materials and resources • Water efficiency • Energy and atmosphere • Sustainable sites • Indoor environmental quality • Innovation • Regional priority credits 	All the time	LEED is a green building rating system. It has four different levels of LEED certification. These include Platinum, Gold, Silver and Certified. At the moment, there are at least 90 LEED-certified RMG factories in Bangladesh.
OEKO-TEX 100 Standard	<ul style="list-style-type: none"> • Product testing (for harmful substances) 	1 Year	100 Standard is one of the certification standards of OEKO-TEX. It tests for harmful substances. The validity of this label can be checked at any time.
OEKO-TEX STEP	<ul style="list-style-type: none"> • Chemical management • Environmental performance • Environmental management • Social responsibility • Quality management • Health protection and safety at work 	3 Years	STEP is also a certification standard of OEKO-TEX. It also acknowledges different existing standards and certifications from third-party providers, such as BSCI, FWF, SA8000, ISO 14001, ISO 9001. It has merged almost all the questionnaires that those ISO 9001, ISO 7001 certifications had. As of 2019, at least 653 garment factories were certified by OEKO-TEX.
OEKO-TEX Made in Green	<ul style="list-style-type: none"> • Area of OEKO-TEX STEP and OEKO-TEX 100 Standard 	1 Year	Made in Green is a label of OEKO-TEX. Products produced in STEP and 100 Standard certified factories are eligible for using Made in Green label.
WRAP	<ul style="list-style-type: none"> • Compliance with laws and workplace regulations • Prohibition of forced labour • Prohibition of child labour • Prohibition of harassment or abuse • Compensation and benefits as required by law • Hours of work as limited by law • Prohibition of discrimination • Health and safety • Freedom of association and collective bargaining 	Platinum – 2 Years Gold – 1 Year Silver – 6 Months	The WRAP certifications mainly focus on its 12 principles. It provides the certificate for three categories – Platinum, Gold and Silver. As of 2019, at least 437 factories were wrap certified in Bangladesh.
	<ul style="list-style-type: none"> • Environment • Customs compliance • Security 		
Bluesign	<ul style="list-style-type: none"> • Resource productivity • Consumer safety • Air emissions • Water emissions • Occupational health and safety 	Varies from product to product	Bluesign started its operation in Bangladesh in 2018, yet to be used widely in the industry. It focuses on a number of areas related to environment and occupational health and safety. In 2021, the German government approved the Bluesign System as a qualifier for GPP.

(Table 4 contd.)

(Table 4 contd.)

Certification/ Standards/ Initiatives	Focus Area	Validity Period	About
Higg Index (Higg FEM)	<ul style="list-style-type: none"> • Environmental management system • Energy use • Greenhouse gas emissions • Water use • Wastewater • Emissions to air (if applicable) • Waste management • Chemical use and management 	1 Year	It is one of the five tools of Higg Index for RMG suppliers. It provides no certificate. However, the suppliers can find their score on the criteria and can take measures accordingly. The scores are not available publicly.
Higg Index (Higg FSLM)	<ul style="list-style-type: none"> • Recruitment and hiring • Working hours • Wages and benefits • Employee treatment • Employee involvement • Health and safety • Termination • Management systems • Empowering people and communities 	1 Year	It is also one of the five tools of Higg Index for RMG suppliers. It also provides no certificate. The scores are not available publicly.
SEDEX	<ul style="list-style-type: none"> • Labour standard • Health • Environment • Business integrity 	3 Years	SEDEX is a network of online platform. Its members share information about social and ethical performance within the network. It conducts audit based on SMETA guidelines. As of 2019, at least 1141 garments factories of Bangladesh are members of SEDEX.
SAI (SA 800)	<ul style="list-style-type: none"> • Child labour • Forced or compulsory labour • Health and safety • Freedom of association & right to collective bargaining • Discrimination • Disciplinary practices • Working hours • Remuneration • Management system 	3 Years	SA 800 is a certification standard under SAI. The certification can be obtained by non-RMG companies as well.
BSCI	<ul style="list-style-type: none"> • Rights of freedom of association and CBA • Fair remuneration • Occupational health and safety • Special protection for young workers, • No bonded labour • Ethical business behaviour • No discrimination • Decent working hours • No child labour • No precarious employment 	Not applicable	BSCI is the most popular initiative in the Bangladeshi RMG industry. At least 1,745 Bangladeshi RMG factories are a member of this network. It does not provide any certificate. All of its members share the audited result within the BSCI network.

(Table 4 contd.)

(Table 4 contd.)

Certification/ Standards/ Initiatives	Focus Area	Validity Period	About
	<ul style="list-style-type: none"> Protection of the environment 		
Fair Wear Foundation (FWF)	<ul style="list-style-type: none"> Gender based violence Occupational safety 	Not applicable	Similar to BSCI, FWF does not provide any certification. According to FWF almost 250 garments factories of 28 brands are member of FWF in Bangladesh.
Accord	<ul style="list-style-type: none"> Occupational safety 	Not applicable	Accord was a joint initiative of European brands and was formed in order to ensure workplace safety in the Bangladeshi RMG industry.
Alliance	<ul style="list-style-type: none"> Occupational safety 	Not applicable	Alliance was a joint initiative of North American brands and was formed in order to ensure workplace safety in the Bangladeshi RMG industry.

Source: Authors' compilation from various websites.

being aware of the criteria, suppliers are more aware of the process, as their prime objective is to get certified.

Other than environmental and social issues, audits of these certificates and initiatives assess the management system of factories. Under this assessment, there are several management system related issues such as whether relevant managerial policy exists in the factory, whether there are responsible personnel or team on key areas, whether monitoring mechanism exists, whether local law is traced regularly, whether awareness-raising activities are conducted, and whether the compliance issues are communicated to workers, raw materials provider and to sub-contracting factories.

The use of these certificates and standards by the suppliers varies based on the requirement of brands/buyers. Bangladeshi suppliers need to acquire one or even more than one certification and standard to be eligible for receiving orders from the buyers. According to the interviewed RMG officials, the robustness and required number of certifications usually depend on the size and location of the brands. Large brands tend to require multiple certifications, and vice versa for the smaller brands. On the other hand, American and European brands tend to be more meticulous in this regard, particularly compared to the brands of Brazil, Australia and Russia. From the suppliers' end, two factors influence them in going for these certifications, a) involuntarily—to fulfil the buyers' requirement, and b) voluntarily—to remain prepared for advanced orders.

Local suppliers have limited knowledge about the public procurement process to be followed at the buyers' end. Based on the procurement guideline, the buyer/brands set the criteria for their supplying partners and demand certifications in an effort to fulfil the procurement contract criteria.

4.2 Standards/Certifications Verification Mechanism Followed at Bangladesh's End

The verification process holds the key importance in ensuring transparency of certifications and standards. Although the verification process varies depending on the criteria of certificates and initiatives, the general verification procedure operates in a similar way. Depending on the requirement of the public procurement contract or initiatives' objective, the brand sets the certification demand from the suppliers (Figure 4). In this regard, the suppliers apply to local auditing firms recognised by brands/buyers and certification authorities. The third-party audit firm carries out offsite and onsite

Table 5: An Overview of the Process of Some Certification and Standards/Initiatives

LEED	OEKO-TEX 100 Standard	OEKO-TEX STEP	WRAP	SAI (SA 8000)	SEDEX	BSCI
Step 1	Determination of rating system by applicant firm	Certification application submission	Certification application submission	Conduction of self-assessment by the applicant firm	Opening of account with required information	Applying for the membership (must be through a member brand)
Step 2	Project Registration	Completion of web-based assessment tool	Conduction of self-assessment by the applicant firm	Find an accredited certification body and apply for evaluation	Complete questions in the Self-Assessment Questionnaire (SAQ)	Conduction of audit
Step 3	Evaluation of documents for testing of articles	Evaluation of submitted documents by selected auditing institute	Audit of the accredited certification body	Inspection and Announcement of certification decision	Conducting SMTEA audit as per SEDEX requirement	Audit report
Step 4	Announcement of certification decision	Onsite inspection by selected auditing institute	Announcement of certification decision	On site monitoring in post certified period include random visit	Sharing of audits with customers via the SEDEX online platform	Follow-up audit (depending on the result of audit report)
Step 5	Onsite by auditing institute visit to confirm the details	Announcement of certification decision	N/A	N/A	N/A	Sharing of audit report in the platform

Source: Authors' compilation from different websites.

along with certification. The Higg index is mostly a document-based inspection that does not involve any physical inspection. On the other hand, in case of membership initiatives such as BSCI or SEDEX, the inspection method can vary depending on their own evaluation criteria. Although one of the core criteria of the BSCI and SEDEX membership is to report its auditing result within the platform, this is not the case for some other certification standards. For example, OEKO-TEX certified supplier chooses whether or not to report their certification status publicly.

Engagement of workers in the process of implementation of labour, social and environmental standards and certification in the RMG factories is a major prerequisite. Such engagement ensures labour, social and environmental compliances from the below—on the one hand, workers as implementers assure all workers' rights and entitlements in the factory; on the other hand, workers as recipients enjoy the benefit of better rights and entitlements in factories. As discussed in the following sections, although workers are more aware of the verification process than before, they still lack practical knowledge of the criteria of different certifications and initiatives. The whole certification process is being followed from a 'top-down' approach where attaining certificates is viewed from the perspective of business interest. The sense of responsibility is particularly vulnerable in case of small buyers and suppliers to whom the responsibility could appear as a burden against their business interests.

5. REACH OF THE STANDARDS AND CERTIFICATIONS TO WORKERS AND SUPPLIERS UPSTREAM

5.1 Standards Communicated to Workers

The standards and certifications are verified in the presence of workers' representatives. Similarly, post-monitoring has been done in the presence of workers' representatives. However, workers' presence does not necessarily ensure workers' active engagement in the verification process. According to the official understanding, the audit team needs to consult with representatives of workers who are elected. The workers' representatives are alleged to be nominated by the owners who are not a member of the elected workers' participation committees (WPCs). Even the elected members of the WPCs are not out of the influence of the management as the committees are allegedly selected by the management. It is alleged that the suppliers could manage necessary approval from the authority and get the document which they show to auditors as evidence. As a result, although the elected worker does not truly represent the workers, the auditor is left with no other options but to accept his/her opinion representative of the opinion of all workers.

On the other hand, although the workers are interviewed during the physical inspection of auditing, it is alleged, the suppliers themselves select the workers to be interviewed. They tend to select those workers who will speak for the benefit of the factory. Even in some cases, workers are selected on a random basis, they are interviewed in the factory or factory premises. As a result, the fear of losing their job and other harassment from the factory prevents them from speaking out on malpractice issues. Moreover, interviewing a small portion of workers might fail to sketch the whole picture of a factory's working conditions. The auditing firm does not have any workers representative in their inspection body. Therefore, the issue of the interest of workers remains ignored at various levels even in the factories that got certified. Despite limited participation and involvement of the workers in the certification and standards verification process, RMG workers are now comparatively more aware of the relevant standards (Table 6).

However, most of them yet have a minimal idea regarding these issues. According to the survey, the major portion of workers of all the certified factories stated that their factories disclose different

information to them. However, a significant portion of workers in the same factories feel that they do not get this information from their factories. On the other hand, the absence of a proper mechanism involving workers' release remains a huge concern even in these certified and member factories. The majority of the workers of these factories claim that their factories do not inform well before the release of any workers, which is a violation of human rights. Furthermore, a section of workers of these certified factories points towards the absence of clarification in case of the release of workers (Table 4). This practice is against what these certifications and initiatives except "LEED" claim to ensure—positive social impact.

Only awareness of the standards and rights does not benefit workers to a large extent. The grey area in the labour law in Bangladesh is one reason behind that. For example, labour law states the entitlement of workers maternity leaves with full benefit. However, there is no specific definition of what is meant by the term "benefit". As a result, if suppliers pay the worker a random amount as the maternity leave benefit, workers can hardly raise voice.

Table 6: Status of Certified Factories for Selected Indicators as per Workers Opinion

Issues	Nature of Responses	Name of Certification (%)					
		BSCI	ISO	LEED	OEKO-TEX	SEDEX	WRAP
Factory discloses and updates information regularly for different indicator to workers	No	30.0	12.5	33.3	35.7	33.3	22.2
	Not Sure	15.0	12.5	33.3	0.0	5.6	11.1
	Partial	15.0	0.0	0.0	21.4	11.1	11.1
	Yes	40.0	75.0	33.3	42.9	50.0	55.6
Factory notifies workers well before in case of firing/laying off.	No	40.0	25.0	66.7	50.0	44.4	33.3
	Not Sure	5.0	0.0	0.0	0.0	5.6	11.1
	Partial	30.0	25.0	0.0	28.6	16.7	22.2
	Yes	25.0	50.0	33.3	21.4	33.3	33.3
Factory clearly explain the reason behind firing/laying off a work	No	25.0	25.0	66.7	35.7	33.3	33.3
	Not Sure	5.0	0.0	0.0	0.0	5.6	11.1
	Partial	45.0	25.0	0.0	42.9	27.8	11.1
	Yes	25.0	50.0	33.3	21.4	33.3	44.4
Workers feel pressurised speaking against any malpractice of factory	No	35.0	25.0	66.7	42.9	27.8	33.3
	Partial	40.0	12.5	0.0	42.9	44.4	33.3
	Yes	25.0	62.5	33.3	14.3	27.8	33.3
The extent of trade union can play their role in factory	Not Applicable	50.0	50.0	66.7	50.0	55.6	66.7
	Not at all	5.0	0.0	0.0	7.1	5.6	0.0
	Not sure	15.0	0.0	0.0	14.3	11.1	11.1
	To large extent	5.0	0.0	0.0	0.0	5.6	0.0
	To small extent	25.0	50.0	33.3	28.6	22.2	22.2

Source: Authors' calculation based on CPD-Shojag Coalition Survey (2021).

Surprisingly, a section of workers from the certified factories feels unsafe in speaking against their factory's malpractice (Table 4). This is rather higher in ISO certified factories, as 62.5 per cent of the ISO-certified workers feel the same. The pressure in speaking against any malpractices is rather intensified with no scope for the trade unions to play any significant role in these certified factories. Almost all the workers of these certified factories feel that trade unions can play their role to a large extent in their factories. More surprisingly, there are certified factories with no trade unions.

Table 7: Status of Certified Factories for Selected Indicators as per Workers Opinion

Issues	Nature of Responses	Name of Certification (%)					
		BSCI	ISO	LEED	OEKO-TEX	SEDEX	WRAP
The extent, wages are being paid fully and timely by factory	Not at all	5.0	0.0	0.0	0.0	0.0	0.0
	To large extent	70.0	100.0	66.7	71.4	77.8	77.8
	To small extent	25.0	0.0	33.3	28.6	22.2	22.2
Factory provides day-care facilities	No	25.0	12.5	0.0	28.6	22.2	11.1
	Yes	75.0	87.5	100.0	71.4	77.8	88.9
Factory has doctor/clinic facility	Yes	100.0	100.0	100.0	100.0	100.0	100.0
There is any discrimination in factory based on in case recruitment and termination	No	55.0	87.5	100.0	57.1	55.6	88.9
	Not sure	5.0	0.0	0.0	0.0	11.1	11.1
	Partial	15.0	12.5	0.0	21.4	22.2	0.0
	Yes	25.0	0.0	0.0	21.4	11.1	0.0
Factory has adequate preparation to face any accidental emergency	To large extent	65.0	87.5	66.7	57.1	61.1	77.8
	To small extent	35.0	12.5	33.3	42.9	38.9	22.2

Source: Authors' calculation based on CPD-Shojag Coalition (2021).

According to Table 7, certified factories show good progress in ensuring doctor/clinic and daycare facilities, timely wage payment, and occupational safety. However, this progress might not be the outcome of certifications only. Also, there are questions regarding the qualities of these facilities.

5.2 Reach of the Standards and Certifications in the Supply Chain

The reach of the standards and certifications is limited to the willingness of the brands/buyers. According to the interviewed officials, it does not get the highest priority in most cases. For example, in case of suppliers sourcing their raw material from any Bangladeshi enterprises, brands/buyers leave the inspection responsibility to the suppliers. Suppliers then, being an auditor, inspect the compliance of raw material providing enterprises through offsite or onsite inspection or both. The suppliers then submit the audit report directly or through the auditor firm to brands/buyers. Usually, in case of kids' items, environmental compliance of raw material providers got priority to some degree. Some of the certifications (such as Bluesign) by default cover the raw material inspection when auditing the suppliers, while some other ignore the raw material provider completely (such as OEKO-TEX). Even if inspection on raw material providers takes place, it is mainly limited to document-based inspection.

On the other hand, if raw materials are imported from foreign countries such as China and India, suppliers do not take the responsibility for auditing the raw materials provider. In some cases, brands/buyers instruct suppliers to import raw material product from their preferred raw material providers which the third-party auditor of brands had already inspected.

6. BEST PRACTICES THAT SUPPORT SUPPLIERS IN FULFILLING THE STANDARDS

According to the interviewed third-party auditor, several factories in Bangladesh maintain the highest standard—sometimes beyond the certification requirements. These factories⁷ are well renowned and

⁷They include both knit and woven factories and they mostly are suppliers of renowned brands operating in Bangladesh such as H&M, INDITEX, M&S, Primark, Next, Tesco etc.

always on the priority list of brands/buyers for orders. However, their motivation towards fulfilling the standards cannot be attributed entirely to the certification process. For example, where the certification process can only ensure the regular wage and benefit payment, these factories provide additional financial support to the workers in need. As a result, these factories hardly have to face any labour unrest. This shows that, within the existing framework of the certification verification process, true compliance can be achieved if the suppliers are self-responsible.

According to the interviewed brand's representative, they provide large quantities of orders to well-compliant suppliers. Moreover, brands implement several projects—mainly to train workers on a number of rights and safety-related issues. Nevertheless, these projects need broader coverage and to be conducted regularly to assist the workers to a large extent. Indeed, a coordinated approach between brands and suppliers could play a significant role in ensuring social compliance and workplace safety at all levels of the industry.

Several initiatives of the Bangladesh government, such as directives for making the formation of an anti-harassment committee mandatory at the factory level, initiation of call centre services for receiving allegations from workers, and so on, could support suppliers in resolving worker related complaints in a focused way. To get a better outcome of the initiatives mentioned above, public agencies need a proactive role in monitoring and inspection, which could make the factories comply with different laws, rules and directives related to workers' entitlements, rights and well-being.

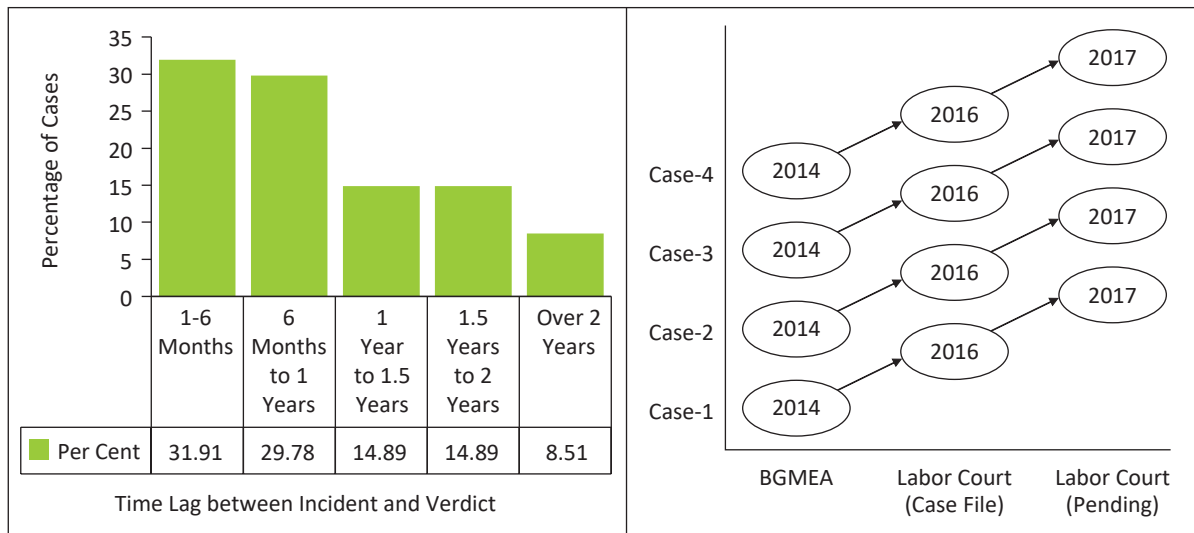
7. EFFECTIVENESS OF GRIEVANCE MECHANISMS FOR WORKERS

Worker-related disputes in the RMG factories have been handled at three levels—factory level, association level and national level. At factories, grievances have been handled either through separate institutional bodies such as grievance officers or industrial relations officers or through administrative processes by the floor managers, HR managers, or managers. At the association level, there is a specific institutional set-up to tackle workers/factory-level disputes through a dispute settlement body. Workers could lodge complaints against factory management regarding the grievances either directly or through trade unions/workers' organisations and could try to get a solution outside the formal set-up to complain to legal authorities. At the national level, workers could lodge complaints against the factory management to the labour courts.

The anecdotal information indicates that workers-related disputes are rising, solutions at the factory level are difficult to happen amicably, and a long list of cases are pending in the labour courts (Figure 5). This raises the question about the effectiveness of grievance mechanisms for workers at the factory level. According to Moazzem et al. (2017), the labour court cases take a further unspecified level of time to yield a decision (Figure 4); only 32 per cent of the cases reach a verdict within the first six months of the incident. A staggering 23.5 per cent of the cases have to wait for over 1.5 years to reach a solution finally. In many cases, the decision does not benefit the workers. This lagged process, filled with risks and uncertain endings, discourages workers to file cases and obtain justice.

According to the discussion with different stakeholders, the presence of a structured grievance mechanism is still limited in small and non-member RMG factories. If suppliers have any objection against the performance report of the auditor, they can file complaints to the initiative or certification body. However, it is a very rare practice as there are hardly any disputes between suppliers and the auditing agency in most cases.

Figure 5: Time Lag in Arbitration Process and Time Lag in Court Cases



Source: Prepared by Authors Based on Moazzem et al. (2017).

8. CHALLENGES IN IMPLEMENTING STANDARDS AND CERTIFICATION AT THE FACTORY LEVEL

8.1 Challenges from the Viewpoint of Suppliers and Third Parties

In order to achieve certification, a number of criteria have to be met by the suppliers. Based on suppliers' observations, the following challenges are identified.

8.1.1 Higher certification cost

Higher cost for achieving certification has been identified as a significant barrier by the interviewed RMG factories. From the submission of the application to post-certification monitoring, a supplier has to spend a huge amount of money throughout different phases of the process.⁸ Besides, they have to spend a significant amount in order to comply with the required standard. This is particularly pertinent for the small and medium-sized suppliers, given their low turnover and profit margin. However, the costing gradually decreases after the first-time certification as no robust improvement is made by suppliers afterwards. Yet, according to the suppliers, administration cost related to the certification process is still a barrier for them.

8.1.2 Lack of coordination among certification standards

A supplier has to achieve a number of certifications as per the requirement of buyers. In achieving these certificates, suppliers have to fulfil certain standards. However, according to interviewed officials, sometimes different standards are required for different certifications on the same issue, which puzzles the suppliers in the process. For example, after the formation of Accord and Alliance, a rigorous change has been made in the occupation safety mechanism of its members' factories. The RMG Sustainability Council (RSC)—which took over the responsibility of the Accord and Alliance—are now demanding somewhat different standards in ensuring occupational safety.

⁸Only the registration fee for WRAP certification is 1195 USD. The self-assessment costing for SA 8000 is 300 USD while the per day audit cost ranges between 400–1500 USD. The certification fee for LEED and OEKO-TEX can take at least 10,000 USD.

8.1.3 Lack of support from brands/buyers

According to RMG suppliers, the brands/buyers' support is not adequate for fulfilling all the required standards. At the current offer price (CM rate) that brands offer the suppliers, it is nearly impossible to ensure 100 per cent compliance. Moreover, the suppliers have to bear the full expenses of the certification process without any direct contribution from the brand.

8.1.4 Lack of skilled manpower

The lack of skilled manpower is another barrier for suppliers to achieve the certification process. Sometimes the suppliers are unable to make self-improvement aligning with certification requirements with its existing human resources. Consequently, a part of them depends on hired consultant firms in preparing themselves for the certification process. The workers lack education as well. Therefore, when they are asked any questions during auditing interviews, they cannot provide answer properly. On the other hand, at the auditors' end, some issues (as mentioned in the following paragraphs) impede them in conducting audits.

8.1.5 Lack of support from some suppliers

In conducting the audit, sometimes the auditors feel a lack of support from the suppliers, particularly in recent times. The brands/buyers, certification body, or initiative scheme selects a pool of audit firms for the suppliers to be audited for. For a number of certifications and initiatives, the suppliers choose a particular audit firm and make the payment. This sometimes causes the auditors to come to terms with the suppliers on certain issues.

8.1.6 Structural barriers

The auditor has a structural limit in conducting a 'true' assessment of a factory. Firstly, auditing is a time-bound process. In some cases, even if the auditor senses falsification of documentation by suppliers, they cannot go for deep investigation due to time constraints and suppliers' reluctance. Secondly, there are specific criteria based on which the auditors have to audit. The stringency of fulfilment criteria depends on brands, certification bodies, and initiatives. In other words, they decide which areas are to be given what importance during the audit. As a result, even though some suppliers come up with some additional good practices, due to criteria-based auditing, both the good suppliers and mediocre suppliers end up with the same rating.

8.1.7 Psychological barrier

It is difficult for auditors to obtain 'true' information by interviewing the workers. The workers are not entirely aware of their rights all the time. Therefore, sometimes it is difficult to assess the labour rights practice. For example, when a female worker is entitled to maternity leave with benefits, she becomes satisfied even if she is offered half of the benefit. She considers it as an opportunity instead of a right. Sometimes the suppliers issued the full maternal benefit for the workers. However, a syndicate of the management satisfies the workers by paying half or less than the benefits and by taking away the money. As a result, while asking, the workers sometimes fail to identify that they were not given their full benefit. Besides, some of the workers tend to provide false answers. Some provide false answers favouring the employers due to the fear of losing a job; some provide false answers taught by his trade union to serve the purpose of the union.

8.1.8 Cultural barriers

In view of COVID 19, there has been a revision in most of the certifications' standards. Unlike before, some new criteria, for example, wearing a mask, maintaining social distancing, and so on, have been added to the checklist. However, lack of safety culture among the workers sometimes creates a barrier for the factories to fulfil these requirements. Although factories try to ensure that the workers follow all the guidelines when they are in the factory, there remains uncertainty regarding their awareness while they are not in the factory. This keeps them unprotected from not being infected by COVID-19.

8.2 Gaps in the Verification Mechanism

Over the years, there have been questions regarding the effectiveness and transparency of the verification mechanism of the certifications and standards—particularly in Bangladesh. In the past, many well-certified factories were revealed to have fallen short of certain standards only after the catastrophic incident. Although significant changes were gradually made in the verification process, interviewed workers representatives still find huge gaps in the whole process. The surveyed data on workers of certified factories, however, justify their allegations to various extents.

8.2.1 False documents submission and impression building

Inspecting documentation is an integral part of all the existing verification processes, if not the only part, such as for the Higg index. It is alleged that the factories prepare two sets of documents overlooking the factory. Of which one is specially prepared for certification while the other one contains true information hardly disclosed. Since most of the workers are not aware of the full process, they hardly get the idea regarding their factories getting away even after violating their rights. Moreover, sometimes just before the physical auditing, they take corrective measures to falsify information. Some factories have a tendency to provide a wrong perception about their factory during inspection. For example, they tend to hide child labour (if any) from the factory during the day of inspection. Regarding environmental compliance, some factories produce a small portion of goods with only allowed chemical substances. Then they send it to the laboratory for testing. Once it gets approval, the product is then finally produced again with the prohibited chemicals. They prefer using the prohibited chemical due to the lower price. Later, on the day of physical inspection, they manage to hide all the prohibited chemicals from the factory. To make it look more authentic, they sometimes put the list of the chemical in the factory, stating, "Using of these chemicals is prohibited". It helps them to get the eco-friendly status even though that is not the case.

8.2.2 Lack of traceability

Among all, this is the biggest weakness of the existing verification method. The large factories occasionally hire small subcontracting factories in producing some of their goods. However, the inspection is done merely in case of the large factories where the compliance standards are very high. On the contrary, the small factories have minimal compliance standards, and they are not audited for what they produce. During the physical inspection, the large factories do not reveal the small factories. Instead, they get an excellent status after showing the compliance standard of large factories to the auditors. Generally, large RMG suppliers of Bangladesh holds ownership of a number of other small factories. This is because the market competition drives out the small factory owners and forces them to sell their factories to the large factories. The large factories then use their small factories for production while not revealing it. As a result, social and environmental compliance

remained ignored in case of inspection by auditors. Sometimes even if it is known by an accredited auditing team, it remains beyond their reach due to the complexity in terms of the location, types and number of these sub-contracting factories.

8.2.3 Zero disclosure

Regardless of the types of certifications, zero disclosure remains a big concern against ensuring transparency. There is no mandatory obligation that would ensure the publishing of the auditing reports. As a result, there hardly exists any scope to hold the brands, suppliers and auditing firms responsible.

8.2.4 Lack of accountability of local audit firms and supplier firms

It is alleged that the accredited certification auditors' goal is to do business than anything before. As a result, they always work to hold the brand's reputation high, ignoring many important concerns (Clean Clothes Campaign, 2019). Even after allegations against a number of these auditing firms, no visible action was seen to take place against them (Clean Clothes Campaign, 2019). As a result, there remains a lack of accountability from their end. On the other hand, the intention of a section of Bangladeshi suppliers is still only business-oriented. Some of them even prefer copying policies from other certified factories in an effort to somehow get through the certification process, while the reality is quite different. Some owners possess insignificant knowledge regarding what environmental and social compliances are and their implications. As a result, the managements of those RMG factories lose motivation in addressing the standard related issues of their factories.

8.2.5 Ineffective measurement approach

The scoring criteria for some of the certifications affect the main purpose of certification. Under LEED certification, for example, bonus scores are offered in case of innovating building design, which undermine the certification's original purpose (Soomro, 2020). Moreover, LEED only measures the yearly use of resource energy, which does not clarify whether the supplier truly intends to save energy (Soomro, 2020). On the other hand, the verification method of the Higg index is not clear and suffers from a lack of transparency (Changing Market Foundation, 2018). In case of OEKO-TEX, there is a decrease in testing procedure after two years of consecutive testing that raises questions (Changing Market Foundation, 2018). Moreover, OEKO-TEX ignores testing on certain criteria if it were tested and announced certified by any other OEKO-TEX recognised certification such as ISO. Sometimes, the brands/buyers do not prefer to continuously audit suppliers once they are certified and build a good mutual relationship.

9. CONCLUSIONS AND RECOMMENDATIONS

The study discusses the use of SRPP as a tool to ensure labour, social and environmental standards in the textiles and garments value chain in Bangladesh. According to the MiB database, about 79 per cent of factories have maintained at least one major certificate/initiative. As per the discussion with the suppliers, auditor and workers, the application of standards and certification help the factories to maintain compliance on labour, social and environmental standards. Despite the gaps in a number of areas in the certification process, it has contributed to improving the labour standards in Bangladeshi RMG factories to different extents. As getting certified has become a crucial condition for getting orders, the suppliers are more concerned regarding compliance issues. As a result, a number of factories do have dedicated compliance departments. This has enabled the management

of certified factories to be aware of the compliance status and opportunity in enhancing it further. In addition, some structural progress could be observed in those certified factories, such as in terms of establishing daycare facilities, enabling doctor/clinic facilities, payment of wages in time, and so on. Therefore, by making the certification process more transparent and effective, human rights in the RMG industry of Bangladesh could be ensured to a significant level.

However, process and maintenance of certification and standards are often used as a device not to ensure compliance standards at first but to secure production orders from the brands and buyers. Such an indirect way of ensuring labour and social standards tended factories raise the question of their motivation to achieve the objectives of SRPP ultimately. On the other hand, the challenges of third-party monitoring, including their quality of monitoring, may overlook the weakness of labour and social standards in the certified factories. In fact, the occurrence of labour unrest on a regular basis in different industrial clusters and the discussion presented in this paper reflect that the SRPP process has yet to fully ensure the expected level of compliance at the suppliers' end. In fact, an operational and effective public monitoring and enforcement of labour, social and environmental compliances is a prerequisite to get better outcomes from the SRPP process.

9.1 On Existing Verification Procedure

Based on the discussion, following recommendations can be considered in making the verification procedure more effective and transparent and thereby contribute to improving labour and social standards in the textiles and garments value chain in Bangladesh.

Enhancement of the workers' involvement in the process

The verification procedure requires more genuine participation from the workers. There should be a dedicated committee including trained workers to monitor the standard in the post-certification period. The safety committee in each factory could facilitate the process. The workers of the committee should be randomly picked and shuffled regularly.

Expansion of the coverage of verification

The verification mechanism should reach all kinds of factories involved in the production process—including subcontracting factories. Identifying the challenges in subcontracting factories in this regard is crucial.

Setting up effective criteria

There should be dedicated certification criteria for a country like Bangladesh. The regular criteria for global standards have a limited capacity in bringing out the actual labour rights status in Bangladesh. Also, the requirements should be fair so that the suppliers with additional good practices (other than the certificate requirements) do not fall into the same category as those suppliers who manage to fulfil the criteria by some means. The verification should be a more information-based process instead of just cross-checking of numbers.

Disclosure of information

To make any verification process transparent, disclosure of information plays one of the most significant roles. The inspection report, including the details of inspection methodology, should

be made available to a large extent. The access to the information would assist the workers in apprehending their rights status and monitoring them.

Ensuring the accountability of auditing firms and suppliers:

The accountability of the auditing firms and suppliers should be ensured simultaneously. There should be punitive measures in case of any malpractice made by both suppliers and auditing firms. In addition, under the same certification process, there should be two parallel inspections by different auditing firms. The comparison of the finding report of two inspections might help to identify some underlying issues.

Need to make the costing affordable

While the monetary cost of getting certified is affordable for the large factories, it is expensive for the small factories. In order to make the cost affordable for the suppliers regardless of their capacity, the cost of certifications could be allowed to be built in the overall operational cost of firms, at least for a certain period of time.

9.2 On existing policies of sourcing countries' public procurement

Less dependency on certification

The certification and initiatives have assisted in making the suppliers compliant to some extent. However, the procuring government should still not consider certification as the only mean to identify the social and environmental compliance status of the brands/buyers supply chain given that their transparency is still not out of the question. A special emphasis should be made on the compliance issue in preparing the contract.

Cooperation with public monitoring and inspection authority

Sourcing country governments as part of the implementation of SRPP should consider working together with the public monitoring and inspection agencies of Bangladesh—Department of Inspection of Factory and Establishments (DIFE), Department of Labour (DoL), Department of Environment (DoE). The objective will be to improve the technical and logistic capacities of public agencies in line with international labour, human rights and environmental compliance standards. This cooperation will be in addition to the existing mechanism of the SRPP verification method.

Need to make certification mandatory

In some public procurement cases, the certificates are considered additional criteria. That is, certified bidders are given additional points in awarding the contract. However, the certification should be made a mandatory criteria rather than optional.

Need to provide equal importance

The procurement process should provide equal emphasis on all three broad aspects of RMG compliance—social, environmental, and health and safety.

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