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**Master's degree in
Human Rights and Multi-level Governance**



WOMEN'S HUMAN RIGHTS VIOLATIONS
IN THE 'FAST FASHION' INDUSTRY IN
BANGLADESH.

A NEW VENUE TOWARDS EMPOWERMENT

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**Women’s Human Rights Violations In The ‘Fast Fashion’ Industry In Bangladesh.
A New Venue Towards Empowerment**

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I hereby declare that all information in this document has been obtained and presented in accordance with academic rules and ethical conduct. I also declare that, as required by these rules and conduct, I have fully cited and referenced all material and results that are not original to this work.

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LIST OF ABBREVIATIONS

AL	Awami League
ATC	Agreement on Textile and Clothing
BCWS	Bangladesh Center for Workers Solidarity
BEPZA	Bangladesh Export Processing Zones Authority
BGMEA	Bangladesh Garment Manufacturers and Exporters Association
CBA	Collective bargaining agents
CCC	Clean Clothes Campaign
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CPD	Centre for Policy Dialogue
CSR	Corporate Social Responsibility
DPS	Deposit Premium Scheme
DSA	Digital Security Act
ECI	European Citizens' Initiative
EPZ	Export Processing Zones
EU	European Union
EWWAIRA	EPZ Workers' Welfare Association and Industrial Relations Act
GCC	Global Commodity Chains
GDP	Gross Domestic Product
GPNs	Global Production Networks
GSC	Global supply chain
GTF	Garment, textile and footwear (industry)
GVCs	Global Value Chains
HR	Human Rights
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICPD	International Conference on Population and Development
ICT	Information and communication technologies
ILO	International Labour Organization
ITUC	International Trade Union Confederation
MDGs	Millennium Development Goals

MFA	Multi Fibre Arrangement
MNE	Multinational enterprise
NGO	Non-governmental organisation
OECD	Organisation for Economic Co-operation and Development
OHCHR	United Nation Human Rights Office of the Higher Commissioner
RAB	Rapid Action Battalion
RMG	Ready-made Garment (industry)
SDGs	Sustainable Development Goals
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNCHR	United Nations Commission on Human Rights
UNGA	United Nations General Assembly
UNHCR	Human Rights Council
WTO	World Trade Organization
WWA	Workers Welfare Association

INTRODUCTION

The Rana Plaza collapse has been one of the most heartbreaking displays of Human Rights violations ever occurred in recent history.¹ Witnessing the collapse of an eight-floor complex on April 2013, with an overall toll of 1134 victims,² made the international public opinion notice how the garment industry overseas - which nowadays has become almost entirely linked to the “Fast Fashion” phenomenon³ - wasn’t flawless, but rather intrinsically anchored in careless overproduction and unregulated working environments.⁴

Researching and addressing the complex phenomenon of fast fashion entails a vast acknowledgment of the ready-made garment (RMG) industry and its consumer-oriented markets. Indeed, the fast fashion industry didn’t end nor was born in 2013, when the Rana Plaza collapse occurred:⁵ this economic sector and its profitable history of growth, development and massive consumption habits revolve around wide phenomena which are deeply intertwined with Human Rights violations.⁶

Many scholars such as Mark Anner have widely investigated the idea that recent shifts in the production model in apparel industries could have consolidated a huge power-asymmetry in supply chains,⁷ giving space to dreadful working conditions. Especially in the early 2000s, the buyer-driven evolvement of these specific Global Supply Chains (GSCs) has brought with itself harmful consequences in the Eastern Asia region, for

¹ Taplin, I. M. (2014). “Who is to blame?: A re-examination of fast fashion after the 2013 factory disaster in Bangladesh”. *Critical Perspectives on International Business*, 10(1), 72–83.

² Aggarwal, N., & More, C. (2021). Fast Fashion: A Testimony on Violation of Environment and Human Rights. *International Journal of Policy Sciences and Law*, 1(3), p. 1283.

³ A definition of Fast Fashion can be found in Gupta, S., & Gentry, J. W. (2019). Evaluating Fast Fashion: Examining its Micro and the Macro Perspective. *Eco-Friendly and Fair*, p.4, which states as it follows: “Fast fashion is a retail strategy where retailers adopt marketing approaches to respond to the latest fashion trends by frequently updating products with short renewal cycles and turning the inventory at a rapid rate.”

⁴ Aggarwal, N., & More, C. (2021), p. 1280. Only in 2017 global standards on child labour, forced labour and salaries were adopted by OECD.

⁵ A quick look at the history of Fast Fashion as such can be found inside: Cline, E. L. (2018). *Siete pazzi ad indossarlo: perchè la moda a basso costo avvelena noi e il pianeta* (PIEMME). The author of “Overdressed” gives an important outline of the growth of fast fashion, which will be later addressed in this work.

⁶ Anner, M. (2020). Squeezing workers’ rights in global supply chains: purchasing practices in the Bangladesh garment export sector in comparative perspective. *Review of International Political Economy*, 27(2), 320–347. As it will be explained afterwards, for the author the new global supply chain changes have taken place with the direct consequence of neglecting workers human rights in the garment sector, especially in Bangladesh.

⁷ Anner, M. (2020), p. 323.

instance in Bangladesh, the second biggest textile exporter worldwide.⁸ “Who is to blame” for human rights violations inside ready-made garment factories? As professor Ian Taplin⁹ states, it is no longer difficult to point out drawbacks and liabilities at different stages of the supply chain, but this also requires a deep acknowledgment of Multinational enterprises (MNEs) behaviours through recent decades and their connections with changing working conditions and working environments. On the other hand, it shall be of our concern to understand on a multi-level perspective how state policies and due diligence are in compliance with the Human Rights framework, in order to investigate outsourcing practices¹⁰ and their consequences on working environments. The small amount of money which consumers are willing to pay for a single t-shirt or a pair of shoes, comes with a hidden cost: billionaire growing revenues for fast fashion companies such as Inditex¹¹ and health hazards and social consequences for women workers. This is a matter also of state due diligence and state adherence to international obligations, which fail to be met when the international standards on paper remain low. According to Anner, Bangladesh factories that pay garment workers only 0.51 USD hours per hour, are fully in compliance with national standards.¹²

A female sector¹³ such as the one of garment industry in the mistakenly called “global south” has been highly impacted by reports and complaints addressing women human rights violations and working-related hazards complaints. ILO periodic reports,¹⁴ NGOs inquiries, independent investigations and grassroots campaigns, together with new efforts from the working class to be unionized and to avoid export processing zones (EPZs), already neglecting their rights, have boosted their self-determination, undermining the exploitative model currently in place and leading towards significant steps forward

⁸ Ruma Paul. (2021, July 6). *Bangladesh exports up 15% as global demand for garments rebounds*. Reuters, at: <https://www.reuters.com/world/asia-pacific/bangladesh-exports-up-15-global-demand-garments-rebounds-2021-07-06/>

⁹ Taplin, I. M. (2014)

¹⁰ Crofton, S. O., & Dopico Macrometrix, L. G. (2007). Zara - Inditex and the growth of fast fashion. *Economics & Business History*, XXV, 41–54

¹¹ *Idem*. Already in 2006, its model was the dominant one.

¹² Anner, M. (2020).

¹³ Lawton, N. R., Calveley, M., & Forson, C. (2015). Untangling multiple inequalities: intersectionality, work and globalisation. *Work Organisation, Labour and Globalisation*, 9(2).

¹⁴ See International Labour Organization (ILO) and International Finance Corporation (IFC). (2019). *Better Work Bangladesh: garment industry 1st compliance synthesis report*, at: www.ilo.org/publns. Other examples will be taken into account during this research.

towards groundbreaking state policies, such as the ones achieved with the Bangladesh Accord¹⁵, recently renewed and expanded.¹⁶

Therefore - due to the urge to analyse new venues towards women empowerment in the working sector - this research will analyse the violations of women's human rights in the Fast Fashion industries in Bangladesh, taking into account whether empowerment (Sustainable Development Goal 5¹⁷) can be achieved for women and girls working in this sector. With a deep analysis of the most endangering conditions at their working places, I will stress out which are the burdens to be overcome in order to get there, and how does grassroots mobilization change these possible achievements.

In the course of writing this thesis, I will adopt an Intersectional perspective¹⁸, making use of third wave feminism theories and, therefore, a post-colonial approach. It is no doubt that, since Women Human Rights have been discussed and put in place for the first time, after the clear reference to women in the preamble of the United Nations Charter in San Francisco in 1945 and due to the establishment in 1946 of the Commission on the Status of Women¹⁹, many pivotal changes have occurred in the international human rights arena.

Intersectionality, as a matter of understanding also Human Rights, has been acknowledged as a dominant approach in recent years.²⁰ As it has also accurately been defined by the United Nations Human Rights Office of the High Commissioner (OHCHR)²¹ taking into account the concept on violence against women, and therefore its very concerning repercussions, *“analysis of gender-based violence should take into account factors that increase women's and girls' vulnerability, such as geographic location, level of education, employment situation, household size, marital relationships, access to*

¹⁵See <https://bangladeshaccord.org/>

¹⁶ Many different networks of activists have celebrated the new achievement in August 2021. Here is the statement of Remake, a community of fashion lovers, women rights advocates, and environmentalists involved in advocacy and educational and transparency campaigns. See Remake. (2021, August 25). *Victory! Bangladesh Accord Renewed and Expanded!* At: <https://remake.world/stories/news/victory-bangladesh-accord-renewed-and-expanded/>

¹⁷ Further information will be provided in Chapter 3..

¹⁸ Natalia Rocha Lawton, Moira Calveley, & Cynthia Forson. (2015)

¹⁹ United Nations. Division for the Advancement of Women, & Luchsinger, G. (2019). *Short history of the Commission on the Status of Women.*

²⁰ See United Nations. (2014). *Women's Rights are Human Rights.* HR/PUB/14/2, p.37.

²¹ *Idem*, see p.39

political and civic participation, race, skin colour, intellectual and physical abilities, age, language skills and fluency, ethnic identity and sexual orientation.”

Women have always been discriminated in multiple forms and ways, and therefore, in tackling their Human Rights violations, it becomes fundamental to take into account the elimination of these violations in a multiple and interconnected dimension. As S. Laurel Weldon states: “[*intersectionality*] is a concept that describes the interaction between systems of oppression”.²²

The Intersectionality theory was firstly named by Crenshaw in 1989²³ in order to stress the interrelations of class and gender with other social categories, and becomes a fundamental starting point in order to deeply understand female workers power and the state-labour relations.²⁴

In this light, I will also take into account the multi-level perspective of the Human Rights framework, analysing state due diligence and compliance to international, regional and national accords and conventions. Special attention will be put towards Amartya Sen Capability approach²⁵ and the concept of social upgrading.²⁶ In analysing new empowerment perspectives in an Asian country, it becomes fundamental to set aside the aid-dependency approach typical of neoliberal policies growing the eighties and nineties²⁷ and to further investigate how grassroot engaging practices have grown locally through the years, with direct consequences on state practice and on bargaining power towards local authorities.²⁸

According to Sen, “*The capability approach to a person’s advantage is concerned with evaluating it in terms of his or her actual ability to achieve various valuable functionings as a part of living. The corresponding approach to social advantage –for aggregative appraisal as well as for the choice of institutions and policy – takes the set of individual*

²² Goertz, G., & Mazur, A. G. (2008). *Politics, Gender, and Concepts -Theory and methodology* (Cambridge University Press, Ed.). Cambridge University Press, p.193.

²³ Crenshaw, K. (1989). Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics. *University of Chicago Legal Forum*, 1989(1)

²⁴ Marslev, K. ;, Staritz, C. ;, & Raj-Reichert, G. (2021). Roskilde University Worker power, state-labour relations and worker identities: Re-conceptualising social upgrading in global value chains. *Department of Development Studies, University of Vienna*.

²⁵ Sen, A. (1993). Capability and Well-being. In M. Nussbaum & A. Sen (Eds.), *The Quality of Life* (Clarendon Press, pp. 30–53). Oxford University Press.

²⁶ Marslev, K. ;, Staritz, C. ;, & Raj-Reichert, G. (2021).

²⁷ Greco, L. (2016). *Capitalismo e sviluppo nelle catene globali del valore* (Carocci).

²⁸ Marslev, K. ;, Staritz, C. ;, & Raj-Reichert, G. (2021).

capabilities as constituting an indispensable and central part of the relevant informational base of such evaluation”²⁹. As professor Ingrid Robeyns states, it is due this innovative approach born in the nineties that development studies ask “*whether people are being healthy, and whether the resources necessary for this capability, such as clean water, access to medical doctors, protection from infections and diseases, and basic knowledge on health issues, are present*”³⁰, and “[...] *whether people have access to a high quality education*”³¹. Therefore, to deeply investigate women’s human rights violations in the ready-made garment industry, I find it pivotal to analyse working conditions, wellbeing and bargaining rights of female workers in order to tackle concrete opportunities for them to fully develop their capabilities and reach equality inside the workplace.

As to the concept of social upgrading, I will refer to the theoretical framework developed by Stephanie Barrientos, Gary Gereffi, Arianna Rossi³² and then revised by Kristoffer Marslev, Cornelia Staritz, & Gale Raj-Reichert.³³

While most of the studies on GVC and garment industry focus on economic upgrading of firms³⁴, many scholars have been questioning the link between this process and the concept of “labour blindness”, addressing how direct damages and harms on the workforce are rarely taken into account. The response to the mismatch between expectations towards economic growth for firms and improvements for the workforce, has also been framed by the International Labour Organisation (ILO), with its Decent Work Agenda³⁵, anchoring social upgrading to decent employment and income, social dialogue, social protection and standards and rights at work. According to Barrientos³⁶, it is through tangible aspects of working conditions that becomes possible to influence collective bargaining rights and empowerment itself.³⁷

²⁹ Robeyns, I. (2003). The Capability Approach: An Interdisciplinary Introduction. *Department of Political Science and Amsterdam School of Social Sciences Research*.

³⁰ Robeyns, I. (2003), p.7.

³¹ *Ibidem*.

³² Barrientos, S., Gereffi, G., & Rossi, A. (2011). Economic and social upgrading in global production networks: A new paradigm for a changing world. *International Labour Review*, 150(4).

³³ Marslev, K. ;, Staritz, C. ;, & Raj-Reichert, G. (2021).

³⁴ *Idem*.

³⁵ ILO Declaration on the Fundamental Principles and Rights at Work (1998)

³⁶ Barrientos, S., Gereffi, G., & Rossi, A. (2011).

³⁷ See also Marslev, K. ;, Staritz, C. ;, & Raj-Reichert, G. (2021), p. 4.

In trying to investigate a multi-layered topic, Bangladesh becomes one of the core countries to better understand the course and development of the textile industry in Southern Asia: going into detail about what is happening in the second most important export country of fast fashion could provide broad perspectives of working class empowerment in different countries deeply linked with the garment sector and, to the same extent, also change our perspective of how we purchase and act as consumers in our everyday life.³⁸

The fast fashion way of purchasing clothes has a long-lasting history, embedded in the growth of consumerism and consumeristic approaches in the apparel industry, and expanded all along with the phenomenon of globalisation. Around the core issue of consumerism, in 2009 scholars like Ward and Lasen³⁹ had already started to depict a circumstance which was deeply concerning and affecting enterprises in the way they were selling their products. It was due to the vast demand of cheap labour and market flexibility that this had been possible, and the industry model founded in the 1960s by Amancio Ortega Gaona, Inditex, was able to reach annual sales of \$2.6 billions a year in 2001⁴⁰ and then a \$8 billion revenue already in 2005,⁴¹ expanding itself with the opening of different branches such as Bershka, Zara, Pull&Bear and Oysho. This was definitely the idea which struck many scholars like Crofton and Dopico in the early 2000s: the dangers which this model would have brought with itself, in a rapid competition with already existing brands like America's Gap and Sweden's H&M, and its closest pursuer, Italy's Benetton, was due to be understood. Therefore, at the time, literature was very much focusing on the concept of this specific kind of networking: research questions were revolving around the opportunities which the garment sector would have brought with itself and on whether different innovative venues would have worsen women's living conditions in Bangladesh or not.⁴² Other complementary studies explored the growth in

³⁸ Data are worrying about consumer habits. Firms can still provide high percentages of new apparel collections because fast fashion consumers have an active role in buying more than other costumers. See Cline (2018), pp. 119-120.

³⁹ Ward, D., & Lasen, M. (2009). An Overview of Needs Theories behind Consumerism. *MPRA*, 13090.

⁴⁰ McGuire, S. (2001, September 16). *Fast Fashion*. Newsweek. At. <https://www.newsweek.com/fast-fashion-152467>

⁴¹ Crofton, S. O, & Dopico Macrometrix, L. G. (2007). Zara - Inditex and the growth of fast fashion. *Economics & Business History*, XXV, 41-54.

⁴² Here it is interesting to follow for instance Nidhi Khosla work. See Khosla, N. (2009). The Ready-Made Garments Industry in Bangladesh: A Means to Reducing Gender-Based Social Exclusion of Women?

numbers of suppliers and the development of global value chains and their direct consequences, with the deep analysis related to outsourcing as a structural approach to the newly born garment industry and the consequences of newly born export processing zones.

While this approach was firstly taken into account by the majority of scholars - eager to understand critically new means of production and models inside a very globalized sector - authors such as Erfan Ahmed in the early 2000s had already discovered the contradictions of the possible concept of women entrepreneurship and women presence in RMG sector. The author, in his article “*The Rise of the Bangladesh Garment Industry: Globalization, Women Workers, and Voice*”⁴³ had depicted a condition through which women ran the risk of being silenced and segregated due to the imbalances already present inside the export-oriented garment industry. Comparative analyses of these discrepancies had already been well displayed by authors such as Paul-Majumder, and Begum⁴⁴, who were concerned that the rapid growth of the export oriented garment industry in Bangladesh - witnessing an increased participation in the labour force for women and more control over their income and decision making inside the work place - came together with gender discriminatory practices, especially to the extent of wage rates.⁴⁵

This gendered approach towards the matter of fast fashion and its consequences on female workers and their wellbeing became central right after the Rana Plaza collapse: scholars, of which SOAS professor Alessandra Mezzadri is a well-known example,⁴⁶ shifted in considering directly the “*nexus between the commodification and exploitation of women’s labour, and how it structures gendered wage differentials, labour control and the high ‘disposability’ of women’s work*”.⁴⁷ Attention was also drawn by researchers and International institutions upon specific working conditions and human rights violations inside the factories, with the deep concern that the broader concept of sustainability in

Journal of International Women’s Studies, 11(1), 289–303. However, this paper could be considered in between the these two main approaches to the matter.

⁴³ Erfan Ahmed, F. (2004). *The Rise of the Bangladesh Garment Industry: Globalization, Women Workers, and Voice*. *NWSA Journal*, , 16(2), 34–45.

⁴⁴ Paul-Majumder, P., & Begum, A. (2000). *The Gender Imbalances in the Export Oriented Garment Industry in Bangladesh*. *Gender and Development*, 12, 1–40. <http://www.worldbank.org/gender/prr>.

⁴⁵ *Idem*, p.8.

⁴⁶ Mezzadri, A. (2018). *Class, gender and the sweatshop: on the nexus between labour commodification and exploitation*. In *Class Dynamics of Development* (pp. 133–156).

⁴⁷ *Idem*, p.1

fashion could not be applied anymore to factories and brands highly exploiting their workers.

The new tendency became to take into account general conditions of women workers, in order to briefly depict an overview of their conditions regarding health, sanitation and wellbeing,⁴⁸ wages and bargaining rights. It is from specific qualitative and quantitative analyses that criticism around the fast-fashion model brought together different scholars to build new models of women workers empowerment, with the support of grassroots organisations such as the Awaj Foundation, the Fashion Revolution movement and unions at all levels.

Nowadays, the research agenda revolves very much around the disruptive changes which Sustainable Development Goals have brought in the international arena since they were first established by the United Nations General Assembly (UNGA) in 2015, with clear aims to be achieved both from unions and NGOs, and opportunities arising to change the situation of RMG women workers. Key concepts such as endless economic growth and disposability of goods have been questioned, such as in the case of Khurana and Muthu⁴⁹, and this criticism has been widely recognized and accepted also inside the general public discourse.

In the course of this research, I will therefore follow all these three different and intertwined streams of research, starting from the First Chapter: the starting point of this work will be to consider the core definitions and issues related to the Fast fashion global phenomenon. I will take into account the evolution of supply chains and Corporate Social Responsibility, and give an overall overview of the regulatory framework which entangles women and girls in the garment industry, on an international level. The Second Chapter will be devoted to better shape the concept of human rights violations and women's rights, with a specific focus on Bangladesh human rights framework and compliance to International Conventions and treaties. Sustainable Development Goals, and in particular SDG5, will become the core issues of the Third Chapter and Women's

⁴⁸ Akhter, S., Rutherford, S., & Chu, C. (2019). Sewing shirts with injured fingers and tears: Exploring the experience of female garment workers health problems in Bangladesh. *BMC International Health and Human Rights*, 19(1).

⁴⁹ Khurana, K., & Muthu, S. S. (2021). Are low- and middle-income countries profiting from fast fashion? *Journal of Fashion Marketing and Management*.

Human Rights violations and rising empowerment opportunities will be deeply tackled, with a specific focus on women conditions in and outside the working place, trade unions involvement in RMG sector in Bangladesh and changes occurred due to the Covid-19 pandemic outbreak. The last chapter will draw conclusions on the pivotal concepts of grassroots achievements recently gained, taking into account successful and specific case studies in Bangladesh.

In order to collect data, I have used both qualitative and quantitative research methods, both through primary and secondary sources. I have chosen to appeal to a literature review methodology. This work was drawn up with the help of numerous specialist journals, single scientific articles, monographies, essays, books, visual materials, reports and websites of international organisations, trade unions and non-governmental organisations, newspaper articles and social media content of multiple institutional and non-institutional actors which are involved in activities and development projects related to the topic.

CHAPTER 1 - The “Fast Fashion” phenomenon

1.1 Fast Fashion: a general overview

Fashion is one of the most profitable industries of our time. Daily purchases of clothes have risen drastically in recent years, especially due to their grown disposability,⁵⁰ bringing with them highly remarkable revenues for the most important and widespread brands of fast fashion.⁵¹ Nowadays, the garment sector accounts for 2 percent of the world’s Gross Domestic Product (GDP)⁵² and its profit amount around an average of almost three trillion USD *per year*.⁵³

The roots of the so-called “Fast fashion phenomenon” and its all-encompassing consequences are somehow to be investigated in the light of the complex environment in which consumer behaviour has evolved. To fully understand why it is very much needed to cover Human Rights violation towards Fast Fashion workers, our first intent shall be to be acknowledged about the volume and the expansion of the Fast Fashion industry itself, the evolution of its industrial model and its pivotal changes in our globalised economy.

“Fast fashion” can be considered “*the massive production for mass-market retail of trendy, but ever-changing and affordable new apparel designs*” as recently put forward by Neha Aggarwal and Chinmay More.⁵⁴ Fast fashion is a term which also indicates the different strategies used by retailers in order to comply with emerging trends as quickly as possible, as fashion cycles become increasingly fast-paced, unfortunately leading to unsustainable production techniques.⁵⁵

⁵⁰ Cline, E. L. (2018), pp.119-120. The author gives a broad overview about fast-fashion buyers, stating that for instance Zara clients are on average used to purchase their clothes 17 times in a year.

⁵¹ Already in the nineties, revenues could be considered significant. See Christerson, B., & Appelbaum, R. P. (1995). Global and Local Subcontracting: Space, Ethnicity, and the Organization of Apparel Production. *World Development*, 23(8), p. 1366, in particular Tab.1.

⁵² Fashion United. (n.d.). *Global fashion industry statistics - International apparel*. Retrieved March 2, 2022, from <https://fashionunited.com/global-fashion-industry-statistics/>

⁵³ Labour Behind the Label. (n.d.). *Who we are and why we have to exist*. Retrieved March 2, 2022, from <https://labourbehindthelabel.org/who-we-are/>

⁵⁴ Aggarwal, N., & More, C. (2021), p. 1278.

⁵⁵ Liu, S. Y. H., Napier, E., Runfola, A., & Cavusgil, S. T. (2020). MNE-NGO partnerships for sustainability and social responsibility in the global fast-fashion industry: A loose-coupling perspective. *International Business Review*, 29(5), p.1.

It therefore revolves around the concept of cutting time, production and workforce costs,⁵⁶ in order to fully satisfy the consumer demand for new fashions, and the symbolic value they bring with them.⁵⁷ The renewal cycles become very short and limited amounts of products are deliberately stock in order to adhere to consumer behaviour and to frequently update collections⁵⁸. As big firms worldwide are remarkably aware of, our common societal need for approval must be met in order to let the Fashion industry move forward. As Ward and Lasen analyse - taking into account Consumerism and consumer theories - what comes directly after the satisfaction of our basic human needs, are categories of clothes, family and possessions, and they are deeply linked with the construction of our social self, due to the embedded public recognition and approval by other members of society gained through them.⁵⁹ In the context of Consumerism, as it has been witnessed in most economic developed countries, income becomes fundamental in order to provide the workforce with the necessary economic status to play his part as consumer.⁶⁰ Consumerism becomes a strong driver for societal interaction and prevents us from noticing and becoming aware of the dark sides which our consumption brings with itself. We are no longer considering single purchases as a result of a complex industrial process or networks,⁶¹ but we are indulging in playing our part as buyers, becoming part of an alienating process which starts from the factory floor and directly arrives to retailers. Consumers are demanding more items, willing to buy instant “fashionability” at low prices, careless of the hidden costs which firms such as the Inditex group bring with themselves.⁶² There is alarming evidence that on average 75% of buyers decides on their purchase within three seconds from seeing what is displayed, and undoubtedly being exposed to a cheaper price becomes psychologically exciting, releasing a sense of accomplishment.⁶³

⁵⁶ Anner, M. (2020). Squeezing workers’ rights in global supply chains: purchasing practices in the Bangladesh garment export sector in comparative perspective. *Review of International Political Economy*, 27(2), p. 321.

⁵⁷ Ward, D., & Lasen, M. (2009). An Overview of Needs Theories behind Consumerism. *MPRA*, 13090, p.3.

⁵⁸ Gupta, S., & Gentry, J. W. (2019), p.1.

⁵⁹ *Idem*, p.3.

⁶⁰ *Idem*, p.5.

⁶¹ A more broad view on Global Production Networks will be given afterwards.

⁶² Taplin, I. M. (2014), p. 78.

⁶³ Aishwariya, S. (2019). High Cost of Cheap Fashion. *Apparel Views*, 18(9), 40–41.

It is also due to social and cultural evolutions starting from the 1990's that both the changes in the supply chain of clothes and the sensible growth in terms of fashion items availability, contributed to the general conception of a "*faster pace of living*"⁶⁴. Fashion and culture journalist Dana Thomas reports in a Wall Street Journal article from 2019⁶⁵ that world's citizens acquire some 80 billion apparel items annually. The article explains how each piece on average would have been worn seven times before getting tossed, as it has been confirmed by Zara itself.⁶⁶ Not surprisingly, it is due to this consumer drive that in the last six months of 2020, the most important fast fashion brands brought at least US\$10 billion in profits combined.⁶⁷ Inditex alone, one of the world's largest fashion retailers, with eight brands (Zara, Pull&Bear, Massimo Dutti, Bershka, Stradivarius, Oysho, Zara Home and Uterqüe) selling in 216 markets through its online platform or its 6,654 stores in 96 markets,⁶⁸ claimed a revenue of 28.2 billion euros in net sales for 2019, with a slightly downturn in 2020 towards 20.4 billion euros, mostly due to the Covid-19 pandemic.

The growth of the fast fashion industry has a long and well rooted path, since it was firstly pioneered in the 1960s by Amancio Ortega Gaona's companies,⁶⁹ together with already existing UK retailers such as New Look.⁷⁰ In time, a local discount store, Zara, shifted in less than fifty years to be the second-largest apparel business in the world, counting more than 2,982 stores in countries different from Spain, where it was originally born, in 2001⁷¹ starting from annual sales of 30 million USD at first, to reach rapidly sales of 8 billion only in 2006.⁷² Its revolutionary vision towards disposability of goods and, in this case, fashion items, was due to the more encompassing concept of "*democratisation of*

⁶⁴ Gupta, S., & Gentry, J. W. (2019), p. 3.

⁶⁵ Dana Thomas. (2019, August 29). *The High Price of Fast Fashion*. The Wall Street Journal. <https://www.wsj.com/articles/the-high-price-of-fast-fashion-11567096637>

⁶⁶ Taplin, I. M. (2014), p. 78.

⁶⁷ Business & Human Rights Resource Centre. (2021, March 10). *Fashion brands bring US\$10bn in pandemic profits as thousands of their garment workers face wage theft*. <https://www.business-humanrights.org/en/from-us/media-centre/fashion-brands-bring-us10bn-pandemic-profits-thousands-their-garment-workers-face-wage-theft/>

⁶⁸ <https://www.inditex.com/en/about-us/who-we-are>; See also Inditex around the world: <https://www.inditex.com/en/about-us/inditex-around-the-world#continent/000>

⁶⁹ Aggarwal, N., & More, C. (2021), p. 1279.

⁷⁰ Different scholars, such as Gupta, are assigning the origin of the fast fashion industry to New Look. However, most of the literature agrees on attributing innovations to the Inditex model.

⁷¹ Aggarwal, N., & More, C. (2021), p. 1279.

⁷² Crofton, S. O, & Dopico Macrometrix, L. G. (2007), p. 4.

fashion”⁷³: customer demands were leading the industry towards cheap clothing which could become therefore affordable for everyone, and had to be delivered as fast as possible. In order to fulfill these demands, the Inditex group has chosen to produce with “just in time” production lines: usually, a normal cycle in the industry, the so called design-to-retail one, might last from six up to eight months, while Zara, deciding not to move along the seasonal tenet anymore, now takes only 4 weeks to deliver a new line of clothes.⁷⁴ “Just in time” supply chains can be considered agile supply chains with specific characteristics. Taking into account a specific contribution on the matter by Shipra Gupta⁷⁵ their main features can be summarized as it follows:

- market sensitive – closely connected to end-user trends
- virtual – reliant upon shared information across all supply chain partners
- network-based – gaining flexibility through utilization of the strengths of specialist players
- process aligned – possessing a high degree of process interconnectivity between the network members

According also to Aggarwal and More, the key to success lies upon the fact that, in the specific case of Ortega’s group, “*Inditex performs the more capital-intensive and value-added-intensive stages of manufacturing, such as raw materials, design, cutting, dyeing, quality control, ironing, packaging, marking, distribution, and logistics, and outsources the more labour-intensive and less value-added-intensive stages of manufacturing, such as sewing.*”⁷⁶ To understand how the Inditex model succeeded in speeding up its manufacturing cycle, one must understand better the core concept of vertical integration, and how this new industrial innovation has profoundly shaped the different relationship with subcontractor networks and, also with the due differences, with retailers.

In this specific case, the Inditex model is just one clear example of how Global Value Chains and Global Production Networks have changed, through the years, and of how

⁷³ Rizzo, A. L. de F. (2020). The democratization in fashion and the insertion and acceptance of various styles as a form of influence on major fashion brands and mass consumption. *South Florida Journal of Development*, 1(3), 114–121.

⁷⁴ Aggarwal, N., & More, C. (2021), p. 1285.

⁷⁵ Gupta, S., & Gentry, J. W. (2019), pp. 6-7.

⁷⁶ *Ibidem*.

different industrial models and their consequences of the workforce, are indeed direct outcomes of recent shifts of globalised trades and their regulatory framework.

In investigating global production networks, specific interpretative approaches have been followed through recent years. The history of the fragmentation of production is strictly tied to the one of fast fashion workers and human rights violations perpetrated towards them, thus it is fundamental to clearly unfold different terms and give a broad and concrete overview of Global production networks⁷⁷.

Three different approaches to scrutinise global streams of goods have been put forward in recent years in the economic development realm, as well depicted by Rannie and McGrath-Champ. The concept of network theory, in fact, is the direct consequence of different theoretical frameworks starting from the late eighties, based upon the analysis of Global Commodity Chains (GCC), understood to be “*sets of interorganizational networks clustered around one commodity or product, linking households, enterprises, and states to one another within the world-economy. These networks are situationally specific, socially constructed, and locally integrated, underscoring the social embeddedness of economic organization*”.⁷⁸

What was new about this first approach, was the idea of drawing attention not only to commodities and products themselves, but instead on the “*role of networks [and therefore different relationship in between the different stages of production] in driving the co-evolution of cross-border industrial organization*”⁷⁹. Few years later, scholars such as Kaplinsky⁸⁰, in 1998, dismantled and put under scrutiny the concept of commodity itself. They decided to introduce the core notion of Global Value Chains (GVCs), driven by the underlying belief that it was very much needed to cover many of the changes occurred in the global production system, encompassing also the intersectional links between firms and third party actors, and their governance structures.⁸¹ The intention was

⁷⁷ Barrientos, S., Gereffi, G., Pickles, J., & Posthuma, A. (2011). Decent work in global production networks: Framing the policy debate. *International Labour Review*, 150(3–4), 299–317.

⁷⁸ The quote is an extract from: Gereffi, G., Korzeniewicz, M. & Korzeniewicz, R.P. 1994. Introduction: Global Commodity Chains. In: G. Gereffi and M. Korzeniewicz, eds. *Commodity Chains and Global Capitalism*. Westport, CT: Greenwood Press, pp. 1–14.

It is taken from: Rainnie, A., Herod, A., & McGrath-Champ, S. (2011). Review and Positions: Global Production Networks and Labour. *Competition & Change*, 15(2), 155–169.

⁷⁹ *Idem*, p.157.

⁸⁰ Kaplinsky, R. (1998). *Globalisation, Industrialisation and Sustainable Growth: The Pursuit of the Nth Rent*.

⁸¹ Rainnie, A., Herod, A., & McGrath-Champ, S. (2011), p.158.

to try to rework the narrow scope of GCC governance in order to better convey complex interactions and exchanges between buyers, suppliers and workers in the intertwined broad production phenomenon: the main criticism consisted in trying to overcome the already existing approach focused on organisational linkages and internal conditions, in the attempt to bridge it with domestic institutions and internal capacity of the economic development.⁸² Global value chains had started to evolve and to develop into far more complex systems: as it has been well pictured by Barrientos, Gereffi, Pickles and Posthuma,⁸³ outsourcing activities of single firms came into contact with a policies, institution, actors in general which were new in the overall process. Value chains had witnessed a shift due to the hard hit of globalization and new industrial models which were shaping production and employment. Inside the realm of the global apparel industry, as a matter of fact each stage of the value chain had started to witness a fragmentation in terms of means of production: multinational corporations soon took advantage of facilitated access to transport, communications and information technology through outsourcing to developing countries segments of the value chain, creating new positions of suppliers and intermediaries. A clear example of this complex evolution, to the extent of the apparel industry, can be identified in the Eastern Asian economies which, according to Barrientos & al.: *“upgraded from being direct apparel exporters to playing a critical role as intermediaries in GVCs. As these economies received orders from global buyers in the United States and Europe, they discovered new sources of low-cost apparel supply in the developing world, such as China, South-East Asia, Central America and Africa. From their new position as intermediaries, these East Asian countries acquired new logistics skills and were able to export low-cost apparel by using their own regional suppliers of textiles.”*⁸⁴ Thus, these new circuits of production, referable under the definition of “tripartite manufacturing”, brought with themselves a new evolution of complex systems of intermediate goods and labour exploitation, which needed to be defined through a different framework, given the *“asymmetry of power relations between*

⁸² Lee, J. (2017). Global Commodity Chains and Global Value Chains. *International Studies Association and Oxford University Press*. Accessed at <https://oxfordre.com/internationalstudies/internationalstudies/view/10.1093/acrefore/9780190846626.001.0001/acrefore-9780190846626-e-201>

⁸³ Barrientos, S., Gereffi, G., Pickles, J., & Posthuma, A. (2011).

⁸⁴ *Idem*, p. 303.

*the various commercial and social actors involved.*⁸⁵” Here is where the Global Production Network (GPNs) analyses stem from. As to the definition given by scholars Coe, Dicken and Hess they could be perceived as “*interconnected functions, operations, and transactions –through which a specific product or service is produced, distributed, and consumed– extend spatially across national boundaries.*”⁸⁶ The main objective of this highly innovative approach to global production was to deeply take into account also how companies controlled their international operations, which were the clear influences from institutional and informal actors (such as NGOs) in the international arena, their role in social upgrading of the workforce and their negative spillovers on society⁸⁷.

Different environment and socio-political contexts influence important firms also in organising their work and taking into account workers’ conditions, and therefore, this specific shift needed to be taken into consideration.

Unfortunately, all these three approaches were missing a fundamental key point: a true role and analysis attributed to workers and the centrality of the workforce as driver of change, during all the phases of the GPNs, was never broadly provided. Hence, this is why scholars such as Rainnie, Herod and McGrath-Champ stress out the necessity to take labour agency more seriously and state the urgency to incorporate labour process analyses into a GPNs approach⁸⁸. Workforces need to be considered true change makers also in mainstreaming global production theories, in order to concretely change also compliance codes and boosten their agency. A new governance of GPNs is needed, and “*the social relations of production, class, conflict and resistance [...] must be at the hearth of any analysis of such networks.*”⁸⁹ Workers empowerment and their fight for dignity at the workplace is strongly linked to the disruption of global supply chains in the way they are currently organised. Reshaping those chains could mean different and true solutions in

⁸⁵ *Ibidem*.

⁸⁶ Quote from Coe, N., P. Dicken, & M. Hess. (2008). Global production networks realizing potential. *Journal of Economic Geography*, 8(3), 271–295; the quote itself is taken from the following journal article: Escalona Orcao, A. I., & Ramos Pérez, d. (2014). Global production chains in the fast fashion sector, transports and logistics: the case of the Spanish retailer Inditex. *Investigaciones Geográficas, Boletín, UNAM*, 85, 113–127, p.14.

⁸⁷ Rainnie, A., Herod, A., & McGrath-Champ, S. (2011). Review and Positions: Global Production Networks and Labour, p.161.

⁸⁸ *Idem*, p. 156.

⁸⁹ *Idem*, p. 163.

order to let workers fully experience health, safe and inclusive environments, as it had been theorised through the concept of social upgrading.⁹⁰

Global supply chains, and global production networks could become the forefront - as Jeroen Merk⁹¹, research and former policy coordinator at the International Secretariat of the Clean Clothes Campaign, states - of barriers to organise collective bargaining. While I will further unravel the complex theme of bargaining rights in another section of this research, it is interesting to shed more light on which apparent safeguards are currently in place for workers. GPNs are exposing workers to a lack of security, and, what is worst, the export oriented upgrading experience for many firms, has been associated with high revenues but also deteriorating labour conditions.⁹² Unfortunately, it is still a truth that human rights violations may occur for the sake of allowing efficiency-seeking mechanisms.⁹³

1.2 Corporate Social Responsibility

Governance instrument are there, and it is important to take them into account. One of the most important ones is the Corporate Social Responsibility (CSR) mechanism. There is a way in which specific firms became directly responsible for what occurs inside their workplace. Unlike the international compliance mechanisms, conventions and regional and local agreements and laws, this particular form of responsibility was put in place through the years as a direct answer to a common fight for an enlargement of human rights. As we already discussed earlier, factory owners, especially in the apparel industry, with the expansion of MNEs themselves, had to seriously take into account the opportunity to guarantee an increasing production rate, given the fact that they weren't able to cut on production costs, nor cloth and sewing machines' initial prices. The specific segment in which they could manage to make changes was the workforce: due to abusive

⁹⁰ See the general content of Marslev, K., Staritz, C., & Raj-Reichert, G. (2021). Worker power, state-labour relations and worker identities: Re-conceptualising social upgrading in global value chains. *Department of Development Studies, University of Vienna*.

⁹¹ Merk, J. (2009). Jumping scale and bridging space in the era of corporate social responsibility: Cross-border labour struggles in the global garment industry, p.599.

⁹² Appelbaum, R. P., & Lichtenstein, N. (2016), p. 11.

⁹³ Fiaschi, D., Giuliani, E., Macchi, C., Murano, M., & Perrone, O. (2011). To abuse or not to abuse. This is the question. On whether Social Corporate Responsibility influences human rights abuses of large Multinational Corporations (1990-2006), p. 8.

See also on this: Appelbaum, R. P., & Lichtenstein, N. (2016), p.19.

practices which were similar to the ones perpetrated even at the beginning of the century,⁹⁴ there was a strong need to let firms become accountable for their violations. Therefore, the concept of CSR, already present since the early fifties⁹⁵ was highly valued by the international communities and by scholars. If we were to define it, we could try to use the words by Vogel⁹⁶, who exemplified Corporate Social Responsibility as a set of “*practices that improve the workplace and benefit society in ways that go above and beyond what companies are legally required to do*”, or, as it has been analysed in a wellknown article by Fiaschi and Giuliani, as an umbrella term which gives the idea that “*corporations have responsibilities beyond profit maximization*”.⁹⁷ The history of this tool comes from afar,⁹⁸ with the evolution of business philanthropic activities (such as the ones already perceived through welfare provisions given to workers) into specific social responsibility frameworks, also supported by a wide range of scholars. From the 1950s on, what was firstly taken into account were negative externalities directly related for instance to racial discrimination or pollution consequences, especially until the late seventies.⁹⁹ Afterwards, corporations’ main concerns became to organise and seriously manage CSR issues. As it has been well reported by William C. Frederick, one of the early pioneers of CSR,¹⁰⁰ corporate managers in those years had become more and more public trustees, with an common widespread idea that philanthropy was a manifest tool of common appreciation. It was thanks to Howard Bowen¹⁰¹ that social responsibility was

⁹⁴ *Idem*, p.18

⁹⁵ Carroll, A. B. (2008). A History of Corporate Social Responsibility: Concepts and Practices. In *The Oxford Handbook of Corporate Social Responsibility*.

⁹⁶ Vogel, D., (2005). The market for virtue: the potential and limits of corporate social responsibility. Washington, DC: The Brookings Institution. See also LeBaron, G., Edwards, R., Hunt, T., Sempéré, C., & Kyritsis, P. (2021). The Ineffectiveness of CSR: Understanding Garment Company Commitments to Living Wages in Global Supply Chains. *New Political Economy*, 27(1), p.12.

⁹⁷ Fiaschi, D., Giuliani, E., Macchi, C., Murano, M., & Perrone, O. (2011), p.5.

⁹⁸ Some specific practices can be traced back to the late XIX century. See Carroll, A. B. (2008). A History of Corporate Social Responsibility: Concepts and Practices, pp.20- 21.

⁹⁹ *Idem*, see p. 25.

¹⁰⁰ *Idem*, p. 26.

¹⁰¹ In his wellknown publication of his landmark book *Social Responsibilities of the Businessman* (1953) he gives a clear definition of what social responsibility is: *It (SR) refers to the obligations of businessmen to pursue those policies, to make those decisions, or to follow those lines of action which are desirable in terms of the objectives and values of our society.* (p. 6). See also Carroll, A. B. (2008)., p.25. By many contemporary scholars, he is considered the father of CSR.

conceived as *corporate* social responsibility, including the use of social audits, education of business managers, specific business codes of conduct, and further research in the social sciences¹⁰², which even nowadays are still present in CSR compliance codes. Different firms have interpreted this all-encompassing concept of being socially responsible and investing more into human capital and safe environment in many different ways, since corporations have the possibility in this case to self-regulate their activities. This is the main reason why it is difficult to understand different relationship between accountability mechanisms, their direct (positive or negative) consequences on the workforce, their effectiveness or ineffectiveness and mutual links with the rule of law. It is interesting to analyse how Fiaschi and Giuliani have tried to shed light on the possibility for CSR adherence to truly affect the implementation of human rights mechanisms inside many multinational enterprises. Unfortunately, the relationship between CSR and human rights abuses remains not so outlined, but the key to better shape workforce and in particular women's perspectives in the garment sector lies also in the attempt to try to examine it more broadly.

Even if universality and indivisibility of all human rights have been for a long time now and widely recognized as central features of the International Human rights law framework¹⁰³, it is also still relevant and present a general distinction between *jus cogens* and *non-jus cogens* norms¹⁰⁴, and therefore also specific CSR norms and abuses. *Jus cogens* abuses entails, for instance, arbitrary deprivation of life, genocide, slavery, torture and detention, while *non-jus cogens* human rights violations encompass environment contamination, workers' discrimination, health risks and wage thefts.¹⁰⁵ Abuses can be direct or indirect¹⁰⁶, and the distinction between these two different types of violations

¹⁰² Carroll, A. B. (2008), p. 26.

¹⁰³ Paragraph 1.4 will be devoted to further analyse these concepts. See Donnelly, J., & Whelan, D. J. (2017). *International Human Rights (5th ed.)*. Routledge.

See also Donnelly, J. (2007). The relative universality of human rights. *Human Rights Quarterly*, 29(2), 281–306.

¹⁰⁴ An interesting overview is given by Fiaschi, Giuliani et al. (2011), in trying to briefly sum up the differences between different peremptory norms. See p. 6.

¹⁰⁵ *Idem*, see more on p.7.

¹⁰⁶ Here the reference is to the differences depicted by Fiaschi et al (2011) between abuses directly associated to the firms (in which also violations committed by MNC subsidiaries are considered) and indirectly associable to the MNC (for instance, violations made by actors in the supply chain). See pp. 7 and 12.

has a relevant impact on MNEs behaviour, according to scholars Fiaschi, Giuliani and Macchi.¹⁰⁷

In taking into account the fact that a comprehensive literature review was already been vastly covered by contemporary researches,¹⁰⁸ it becomes fundamental for the purposes of this research to unravel different shades, positive and negative aspects, of adopting corporate social responsibility. Optimistic viewers of the adoption of these voluntary compliance codes stress out the idea that MNCs, as they contribute to capital accumulation inside new recipient countries, could increase as a consequence GDP levels and subsidize the environment's general improvement, establishing safe, stable and secure societies¹⁰⁹ and enhancing the peace building processes. CSR practices may act as substitutes of gaps in the regulatory frameworks, and can "*stimulate fundamental changes in the rule of law*"¹¹⁰ also on a national level.

On the other hand, it is through a very important study in 2011 - which can be considered a milestone and which takes into account a sample of 135 MNC and their behaviour in between 1990 and 2006 - that Fiaschi and others discovered how there is a positive correlation between the adoption of CSR mechanisms and the involvement of human rights alleged abuses, while the probability of committing an abuse of every kind diminishes over time, mostly due to CSR experience.¹¹¹ This specific paper tries to overcome the oversimplification and normative analysis of corporate responsibility as a black or white issue, in giving a broad overview of direct, indirect, alleged and tangible abuses, and in analysing quantitative data about significative correlation factors which bring with themselves high probabilities of increasing HR violations. Furthermore, it also develops the concept of vast contradictions and gaps presents in this voluntary mechanism. In the first place, CSR through the years has been understood by many firms as a weapon of public accountability, considerable as a window-dressing tool for regaining reputation on the market,¹¹² also due to the increased amount of accountability campaigns grown starting from the 1990s of NGOs and networks such as Clean Clothes

¹⁰⁷ General reference to Fiaschi, D., Giuliani, E., Macchi, C., Murano, M., & Perrone, O. (2011); Giuliani, E., Macchi, C. (2014); Giuliani E. (2016)

¹⁰⁸ Giuliani, E., Macchi, C. (2014), pp. 484 -487.

¹⁰⁹ *Idem*, p.484

¹¹⁰ Fiaschi, D., Giuliani, E., Macchi, C., Murano, M., & Perrone, O. (2011), p.3

¹¹¹ *Idem*, p. 19.

¹¹² *Idem*, p.8

Campaign,¹¹³ turning codes of conducts and audits into a routine and outward function. Moreover, there is evidence that it isn't uncommon for workers in the garment sector not to be even aware of the existence of corporate social responsibility and, therefore, their human rights protection mechanisms. It is without doubt that in most of the cases, as reported by Merk,¹¹⁴ corporate interests become the priority and CSR might be viewed as a means of escaping challenging confrontation with third parties. This is why many abuses go underreported¹¹⁵ and it also becomes really easy for firms to externalize human rights violations to third parties¹¹⁶, since there is a strong lack of control. On the one hand, there is a true commitment to reduce abuses which could be directly associated to each firm and on the other, there is no consistent evidence of diminishing indirect abuses overtime.¹¹⁷

Moreover, scholars agree on the fact that voluntary mechanisms of accountability might worsen the erosion of state based regulation¹¹⁸ within the already existing problems of lack of due diligence from states.

By some researchers, corporate social responsibility has been indicated as a scapegoat of assessing human rights in a non-truly implemented manner, conceiving it as a form of new economic and cultural imperialism.¹¹⁹

Given that for many companies CSR is still used as a shield to preserve their business model,¹²⁰ and that the idea of "strategic philanthropy" is still relevant,¹²¹ there is still room for improvement in a significant way. Many different hypotheses have been put forward by scholars: more Southern voices shall be involved in the debate, as advocated for by Kabeer, Haq and Sulaiman, and a true shift from compliance codes to the core concept of co-operation is needed.¹²² It is only through multi-stakeholder initiatives that a valuable change in taking into account workers in the garment industries is possible. In order to

¹¹³ Merk, J. (2009). Jumping scale and bridging space in the era of corporate social responsibility: Cross-border labour struggles in the global garment industry, p. 604.

¹¹⁴ *Idem*, p. 605

¹¹⁵ Fiaschi, D., Giuliani, E., Macchi, C., Murano, M., & Perrone, O. (2011), p.13.

¹¹⁶ *Idem*, p. 21.

¹¹⁷ *Ibidem*.

¹¹⁸ LeBaron, G., Edwards, R., Hunt, T., Sempéré, C., & Kyritsis, P. (2021). The Ineffectiveness of CSR: Understanding Garment Company Commitments to Living Wages in Global Supply Chains, p. 5.

¹¹⁹ Kabeer, N., Haq, L., & Sulaiman, M. (2019). Multi-stakeholder initiatives in Bangladesh after Rana Plaza: Global norms and workers' perspectives, p.4.

¹²⁰ LeBaron, G., Edwards, R., Hunt, T., Sempéré, C., & Kyritsis, P. (2021), p.13.

¹²¹ Kabeer, N., Haq, L., & Sulaiman, M. (2019), p.2.

¹²² *Idem*, p.4

pursue this goal effectively, there is the need to mobilise those factors which have been depicted by Giuliani¹²³ as meaningful in order to let CSR have a positive impact in the overall environment: having a strong state capacity, aiming at NGOs' and civil society involvement, taking into account global value chains changes and local institutions joint actions and involvement, in addition to a long terms overarching strategy and a key role played by international actors.

This struggle takes multiple paths, all worthy, and which will be therefore investigated in this work. Their common origin, however, stems also from local conditions and local expertise and attempts:¹²⁴ nothing will succeed if local and grassroots fights aren't incorporated or taken into account. Unions, where is possible, shall be involved and recognized, in order to fully implement bargaining rights as mechanisms to mitigate power imbalances, and therefore also corporate social responsibility's flaws¹²⁵. Here, struggles of the working class of garment factories in Bangladesh, and especially female workers, become pivotal in order to shape a shared and relevant answer to common fights for equality, in the fully achievement of women's rights. Changes in the "world's sweatshop"¹²⁶ could definitely wash away the concept of blue washing,¹²⁷ with firms and local and regional authorities committed to workers' rights only on the books, not only in Bangladesh but in most of the states engaged in apparel global production networks. In this complex multi-partite approach, women play a fundamental part.

1.3 Women in the fast fashion industry: a gendered dimension

With the rapid growth of the garment sector, low-wage areas, and particularly East Asia, have become a centre for highly labour-intensive production, as already mentioned.¹²⁸ It is no doubt that women represent most of the workforce in this particular industrial sector.

¹²³ Giuliani, E. (2016). Human Rights and Corporate Social Responsibility in Developing Countries' Industrial Clusters. pp. 45-47.

¹²⁴ Merk, J. (2009) p. 605.

¹²⁵ *Ibidem*.

¹²⁶ Appelbaum, R. P., & Lichtenstein, N. (2016), p. 25.

¹²⁷ *Idem*, p. 5.

¹²⁸ Christerson, B., & Appelbaum, R. P. (1995). Global and Local Subcontracting: Space, Ethnicity, and the Organization of Apparel Production. *World Development*, 23(8), p. 1363.

Overtime, as it has been well depicted by the UK based organization Labour Behind the Label¹²⁹ women workers have become 80% of the sector's workforce. There is evidence, in relation to the Garment Sector in Asia and the Pacific region, that the percentages of female employment are significant: ILO reported a rate of 5.2% of all working women in the region and 27.9% of all women working in manufacturing.¹³⁰

One of the countries with the highest female rate in the sector is Bangladesh. It has been acknowledged by a recent report by the International Labour Organization (ILO)¹³¹ that when a peak was reached in the 1980s and 1990s, in the country 90% of apparel workers were women. The sector's expansion contributed to a drastic change in women's employment, "*pushing Bangladesh's female labour force participation rate up to 36.4 per cent in 2017*".¹³² Despite having a lower employment rate than South East Asia, the percentage is still important to take into account: it is significant to say that it was higher than in other South Asian countries, such as India (20.8 per cent), Pakistan (21.9 per cent) and Sri Lanka (35.8 per cent).¹³³ Other sensitive data referred to 2018 and collected by the Centre for Policy Dialogue (CPD)¹³⁴ found that the proportion of women workers declined from 58.4 per cent in 2012 to 53.2 per cent in 2016. According to many other studies, despite having a high rate of women workers engaged in Bangladesh's RMG sector, its decrease since the 1990s is a clear indicator of an evolution of a sector which is not giving sufficient guarantees to women's workers.¹³⁵

Within also other single national contexts, in a sample of emerging Asian economies, it is outstanding how most jobs in apparel production were occupied by women.

For instance, data from 2014 related to garment, textile and footwear industry women's presence, ranged from nearly three-fifths in Indonesia to about four-fifths in Cambodia.¹³⁶

By contrast, in India and Pakistan the industry is still driven by considerably more men

¹²⁹ This labour cooperative, which represents the Clean Clothes Campaign in the UK, is currently one of the forefront global actors working towards a fair and responsible garment industry. Together with many other NGOs, local unions and groups, their main purpose is to lobby together with local workers for improved pay and conditions. See Labour Behind the Label. (n.d.). *Who we are and why we have to exist*. Retrieved March 2, 2022, from <https://labourbehindthelabel.org/who-we-are/>

¹³⁰ ILO, (2021). *Moving the Needle: Gender equality and decent work in Asia's garment sector*, p.29.

¹³¹ ILO, & UN Women. (2020). *Understanding the Gender Composition and Experience of Ready-Made Garment (RMG) Workers in Bangladesh*. www.ilo.org/publns p.7.

¹³² *Idem*, p.2

¹³³ *Ibidem*.

¹³⁴ *Idem*, p. 3.

¹³⁵ *Ibidem*.

¹³⁶ ILO. (2016). *Wages and productivity in the garment sector in Asia and the Pacific and the Arab States*, p. 2.

than women workers, as a consequence of low indicators of women's contribution to the overall economy.

The race to the bottom regarding social welfare and human rights guarantees has highly affected women in time, since textile industries have increasingly represented an entry point in the formal economy for women coming from a rural context, with economically disadvantaged backgrounds.¹³⁷ And it has also given space to a considerable and heated debate in between the benefits and disadvantages of female employment in the Asian region.¹³⁸

On the one hand, economists like Naila Kabeer and Gunseli Berik¹³⁹ are convinced that employment opportunities in situations in which the informal context would be the only other option feasible, become an effective tool to let women gain their economic independence, even if the price to pay is still high. Evidence provided by Oxfam strongly advocates for the improvement of Bangladesh garment sector as it has been fundamental for women to gain economic independence.¹⁴⁰ On the other hand, scholars such as Barrientos, Kabeer or Mezzadri¹⁴¹ have shed light on the contradictions of this system, which tends to perpetrate and reproduce the power imbalances of our society also throughout the working environment.¹⁴² Accepting the monetary gains and improvements, according to them, is necessary but insufficient in order to fully address and change women conditions, especially in Southern countries.

The issue of structural gender burdens inside different societies has been widely investigated. Hence, I also share the belief that gender power imbalances need to be

¹³⁷ English, B. (2013). Global Women's Work: Historical Perspectives on the Textile and Garment Industries. *Journal of International Affairs*, 67(1, The Gender Issue: Beyond Exclusion), 67–82. <https://www.jstor.org/stable/24461672>, pp. 67-68. See also ILO. (2021). *Moving the Needle: Gender equality and decent work in Asia's garment sector*.

¹³⁸ A vast literature overview is given in ILO. (2021). *Moving the Needle: Gender equality and decent work in Asia's garment sector*, p.33. My focus will be only on specific authors taken into account by ILO and further contributions by different scholars such as Alessandra Mezzadri.

¹³⁹ Here the reference is to two different articles by these authors. See Kabeer, N. (2004). Globalization, Labor Standards, and Women's Rights: Dilemmas of Collective (In) Action in an Interdependent World. *Feminist Economics*, 10(1), 3–35 and Berik, G. (2017). Revisiting the Feminist Debates on International Labor Standards in the Aftermath of Rana Plaza. *Studies in Comparative International Development*, 52(2), 193–216.

¹⁴⁰ Raworth, Kate., & Coryndon, Anna. (2004). *Trading away our rights : women working in global supply chains*. Oxfam International, p.18

¹⁴¹ Barrientos, S., Kabeer, N., & Hossain, N. (2012). The Gender Dimensions of Globalization of Production. *SSRN Electronic Journal*; on this topic, see also Mezzadri, A. (2016). *The Sweatshop Regime: Labouring Bodies, Exploitation, and Garments Made in India*. Cambridge: Cambridge University Press, p.5.

¹⁴² ILO. (2021). *Moving the Needle: Gender equality and decent work in Asia's garment sector*, p.33.

considered in order to fully take into account the garment sector. In order to analyse them properly, clarifications need to be drawn upon the concepts of commodification and disposability of women workers in RMG environments.

These two core concepts are strongly rooted in the intersectionality framework, a central third wave feminism approach which has recently become very widespread in a variety of fields of study.¹⁴³

Starting from the early seventies, the feminist community witnessed a shift in theoretical framework, in the aftermath of the clash between white feminist theories and the Afro-American community which was moving towards the attempt of addressing the need for more visibility.¹⁴⁴ Thus, it was thanks to authors such as Kimberlé Crenshaw that the discussion moved forward: with her milestone “Demarginalizing the Intersection of Race and Sex: a Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics¹⁴⁵” the pivotal role of addressing the needs and problems of the most disadvantaged¹⁴⁶ took an important turn in considering intersections between different axes of power.¹⁴⁷ Feminist theories, according to Crenshaw, had to be redrawn and questioned, in order to fully picture conditions of subordination and little protection, because discrimination and oppression would manifest themselves in very much broader ways than the one provided by the general “white feminist discourse”.¹⁴⁸ Women, in their personal experience on the workplace, are undergoing multiple fights for power, since each institutional system of oppression - both the household and the workplace, for instance - has a link with other collective environments.¹⁴⁹ Crenshaw’s approach paved the way to many other well-known scholars in framing the intersectionality approach, such as Ange-Marie Hancock,¹⁵⁰ who defined intersectionality as a normative and empirical paradigm, therefore going even beyond the focus on content which brought together intersections of race, gender and class, and other possible categories of

¹⁴³ An overview has already been given in the introduction.

¹⁴⁴ Marchetti, S. (2013). Intersezionalità. In Caterina Botti (Ed.), *Le tecniche della diversità culturale* (pp. 133–148). Le Lettere., p.134.

¹⁴⁵Crenshaw, K. (1989). Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics. *University of Chicago Legal Forum*, 1989(1(8)).

¹⁴⁶ *Idem*, p.167.

¹⁴⁷ An interesting literature review was given by Marchetti, S (2013).

¹⁴⁸ Crenshaw, K. (1989), p.143, p.145, p.148, p.152.

¹⁴⁹ Marchetti, S. (2013), pp. 138 - 139.

¹⁵⁰Hancock, A. M. (2007). Intersectionality as a Normative and Empirical Paradigm. *Politics and Gender*, 3(2), 248–254, p.251)

difference.¹⁵¹ Her viewpoint, which has strongly been followed by other intersectional author and which I support, was stating the idea that Intersectionality could go past traditional approaches since “[it] can generate strategies for political change that incorporate all of us as political beings, not simply a subset of the population discussed in a single comparative case study.”¹⁵² Furthermore, in her clear definition of intersectionality, she stressed out the need to proceed with a clear analysis between the intersections of the categories of which women are part (representing more than the sum of their parts) and also the relationships between the individual and institutional level.¹⁵³ In the early 2000s a shared vision arose: the ‘Western perspective’ wasn’t appropriate anymore to tackle inequality and the intersection between gender, class, race, marginalisation, power and exploitation needed to be investigated in order to disrupt gender hierarchies for women working in GPNs in the ‘Global South’¹⁵⁴ and better conceptualise the complex dynamics they were exposed to.¹⁵⁵

Following interesting evolutions in the sociological field and in gender studies, this specific debate was therefore at center of late nineties studies merging together Marxist historical materialist theories and male patriarchal domination.¹⁵⁶ Thanks to Heidi Gottfried, it was possible to give shape to a different mean of conceiving a feminist analysis of gender as well as class in the production system¹⁵⁷ starting from Bourdieu’s theory of practice and Gramsci’s conceptions of hegemonic structures which were interpreted by scholars such as Acker and Cockburn, a feminist interpretation of male-female domination and subordination was conveyed.¹⁵⁸ In particular, their explanation about cultural reproduction of gender-based discriminations and power imbalances in capitalist organisations have been widely acknowledged as fascinating in considering different levels of inequalities reproduced also in the garment sector. As it was well affirmed by Gottfried, there is a strong and complex interplay between class and gender,

¹⁵¹ *Idem*, p.248.

¹⁵² *Idem*, p.249.

¹⁵³ A clear explanation is given at *idem* p.251, where she lists six different specific aspects.

¹⁵⁴ A clear example of all-encompassing debate on this issue is given by Mohanty, C. T. (1984). Under Western Eyes: Feminist Scholarship and Colonial Discourses. *Boundary 2*, 12/13(3,1), 333–358, pp.335-336. It is not possible to generalise talking about ‘Global South’.

¹⁵⁵ Lawton, N. R., Calveley, M., & Forson, C. (2015). Untangling multiple inequalities: intersectionality, work and globalisation. *Work Organisation, Labour and Globalisation*, 9(2), pp 9-10.

¹⁵⁶ This complex debate has been well described by Gottfried, H. (1998). Beyond Patriarchy? Theorising gender and class. *Sociology*, 32(3), 451–468.

¹⁵⁷ *Idem*, p.464.

¹⁵⁸ *Idem*, see p. 459-460.

meaning that no-ungendered class relations could exist. Following on these observations, other significant contributions have been further developed, such as the ones by Nathalia Rocha Lawton, Moira Calveley and Cynthia Forson. In 2015, in the attempt of trying to find a convergence between these different perspectives, they stated that one-dimensional approaches unfortunately provide only a partial understanding of the reality of precarious workplace worldwide¹⁵⁹ and that an intersectional approach - as it was understood by Gottfried - became pivotal in order to guarantee “*a better understanding of the social structures and processes that generate and sustain unequal opportunities for individuals within the workplace.*”¹⁶⁰

The ‘complex geography of power’ as it was conceived by Crenshaw and Gottfried¹⁶¹ seemed to have brought the interplay between social differences produced by capitalism and patriarchal norms of oppression on another level, bringing forward also the understanding of women’s laboring experiences. The impossibility to parcel out Marxist’s analyses and feminist theoretical framework has been widely advocated for by Alessandra Mezzadri - in the attempt to bridge the analysis of global production networks and global *reproduction* networks - especially in what she defines the ‘Sweatshop regime.’¹⁶² According to Mezzadri, GPNs represent highly ‘gendered’ working environments, in which the so-called ‘feminisation’ phenomenon is highly present. Feminisation can be understood not only as an ongoing increase in the number of waged women workers, but also as the reproduction of historically-shaped social prescriptions inside the working environments.¹⁶³

¹⁵⁹Lawton, N. R., Calveley, M., & Forson, C. (2015). Untangling multiple inequalities: intersectionality, work and globalisation. *Work Organisation, Labour and Globalisation*, 9(2), p. 12.

¹⁶⁰ *Idem*, p.10.

¹⁶¹ The main reference is the analysis put forward by Mezzadri, A. (2016). Class, gender and the sweatshop: on the nexus between labour commodification and exploitation. *Third World Quarterly*, 37(10), p.1879. Regarding other authors’ contributions, see: Crenshaw, K. (1991). Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color. *Source: Stanford Law Review*, 43(6), 1241–1299 and Gottfried, H. (2008). Reflections on Intersectionality: Gender, Class, Race and Nation. *Journal of Gender Studies*, 11, 22–40.

¹⁶² Mezzadri, A. (2016). *The Sweatshop Regime: Labouring Bodies, Exploitation, and Garments Made in India* (Development Trajectories in Global Value Chains). Cambridge: Cambridge University Press, p.2. Fast-fashion and the garment industry are understood to be, from Mezzadri’s point of view, a complex environment which cannot be analysed setting aside particular power relationships: “[...] *the sweatshop has to be understood as a complex system of labour subjugation and social oppression establishing a strong interrelation between different clothing ‘things’ and the people who make them across multiple (factory and non-factory) spaces of work.*”

¹⁶³English, B. (2013). Global Women’s Work: Historical Perspectives on the Textile and Garment Industries. *Journal of International Affairs*, 67(1, The Gender Issue: Beyond Exclusion), p.72.

As I already pointed out, the garment sector is mainly a female employment sector. Starting from this premise, the author gives a broad overview of how women are affected by sweatshop regimes both inside and outside the factories: since garment jobs have become more and more informalised and rely on the core assumption that sewing is an informal job mainly suitable for women¹⁶⁴, their bodies pay the price of being directly exposed to safety risks and commodification. This can be explained by the fact that the growing female presence in the garment sector was driven and alimented by the misconception directly linked to female bodies: sweatshops minimise women's contribution reflecting the idea that women can be considered cheaper and secondary workers, in a highly gendered discourse.¹⁶⁵ The interplay between exploitation and reproduction of patriarchal norms, according to Mezzadri, are self-evident: women, considered to be 'docile' by nature, are employed to substituted 'troublesome' male labour, and this paternalistic conception of women in most of the cases is directly connected to the de-skilling process of women work. Significant changes in the language employed widely display the embedded sexism inside the garment sector: while male factory workers are referred to as tailors, they become operators. The requirement of unskilled labour becomes evident in the choice of assembly-line work, in most of the cases repetitive and alienating, which reproduces patriarchal choices even in preferring women workers due to their alleged need for fewer toilet breaks.¹⁶⁶

Women were historically associated to cheap and flexible labour,¹⁶⁷ and within the textile and garment industries this particularly meant being exposed also to a persistent sexualization of their bodies, reporting gender-based harassment as a key problem.¹⁶⁸

The factory will therefore endlessly reproduce the social hierarchy of class and gender which characterise the wider society, and evidences about this issue have been collected also in Bangladesh.¹⁶⁹ Assessing the interplay between commodification and exploitation

¹⁶⁴ Mezzadri, A. (2017). Garment Sweatshop Regimes, the Laboring Body, and the Externalization of Social Responsibility over Health and Safety Provisions. In R. Prentice & G. de Neve (Eds.), *Unmaking the Global Sweatshop: health and safety of the world's garment workers* (pp. 173–200). University of Pennsylvania Press, pp.176-177.

¹⁶⁵ Mezzadri, A. (2016). Class, gender and the sweatshop: on the nexus between labour commodification and exploitation, p.1888.

¹⁶⁶ *Idem*, p. 1889.

¹⁶⁷ An interesting historical overview is given by English, B. (2013). Global Women's Work: Historical Perspectives on the Textile and Garment Industries. *Journal of International Affairs*, 67(1, The Gender Issue: Beyond Exclusion), pp.69-74.

¹⁶⁸ This will be further investigated in relation to the Bangladesh context.

¹⁶⁹ Kabear, N., Haq, L., & Sulaiman, M. (2019), p.20.

means having to face the truth that ongoing reproduced conditions of subalternity place women workers “*in the worst paid, dead-end jobs within the factory*”¹⁷⁰ and oblige them to frequently work longer hours overtime due to a complex system of labour subjugation which is often underestimated in mainstream analyses.

Thus, the understanding of women bodies exploitation on context based assumptions becomes fundamental in order to address their self-determination.¹⁷¹

As it has been well stated by Beth, unfortunately “*the key debate should not be whether sweatshops are good or bad, but and how women workers can exert agency and improve working conditions with the context of globalized production.*”¹⁷² This research serves precisely this purpose.

1.4 Garment industry regulatory framework

After having shed light on the most important general aspects of the garment sector and having provided for an encompassing analysis on the gendered dimension of this particular industrial sector, a step towards the in-depth study of the Human Rights International regime is needed. Before taking into account the specificity of Bangladesh regulatory framework, it is central to better outline fundamental Human Rights mechanisms and its contradictions, and the role of the International Labour Organization (ILO), in order to fully understand the state’s compliance to international conventions and standards.

1.4.1 *Defining Human Rights*

The garment regulatory framework, in fact, has been widely embedded inside the Human rights regime, since its Conventions and regulations have a direct impact on workers’ individual freedoms. It is precisely on a human-centred basis that the Human rights regime was born: women and workers’ rights conventions represent the direct consequence of a codification in the legal system of broader concepts already considered

¹⁷⁰ *Ibidem.*

¹⁷¹ Mezzadri, A. (2016). Class, gender and the sweatshop: on the nexus between labour commodification and exploitation, p. 188.

¹⁷² English, B. (2013), p.76.

in place by many scholars since the American and French revolutions, stemming from a liberal tradition, even if their broad conception is still debated.¹⁷³

A short and all-encompassing definition of Human Rights might be excerpted from David P. Forsythe's book "Human Rights in International Relations", which defines them as:

*"[...] widely considered to be those fundamental moral rights of the person that are necessary for a life with human dignity. Human rights are thus means to a greater social end, and it is the legal system that tells us at any given point in time which rights are considered most fundamental in society."*¹⁷⁴

As it could be assumed from Forsythe's statement, Human rights have been considered inalienable and universal due to their bond with individual freedoms, and were codified in the legal system prioritising a human-centred approach. In taking also into account wherever do social and working rights belong to - in this long history of legalisation - if we were to refer to Karel Vasak¹⁷⁵ exemplification, a general distinction could be made between first, second and third generation rights. First generations rights are considered to be liberty rights, and include among others freedom of speech, religion, and association, the right to a fair trial and to have voting rights; therefore, they were codified as civil and political rights in the United Nations' International Covenant on Civil and Political Rights.¹⁷⁶ The second generation of rights includes the entitlement to freedoms which are considered to be fundamental in order to guarantee human flourishing, such as rights to basic levels of economic subsistence, education, work, housing, and health care:¹⁷⁷ these are considered social rights and are the most interesting ones for the purposes of our research. As to the third category of rights, they could be directly linked to the collective dimensions, and are generally talked about as "solidarity rights". Thus, they are regarded as consequence of a deeper understanding of various obstacles that may

¹⁷³ Forsythe, D. P. (2017). *Human Rights in International Relations*. Cambridge University Press. p. 3; see also Donnelly, J. (1999). The social construction of international human rights. In *Human Rights in Global Politics* (pp. 71–102). Cambridge University Press.

¹⁷⁴ Forsythe, D. P. (2017), p. 3.

¹⁷⁵ Here I refer to a brief introduction to the topic given by Goodhart, M. (2016). *Human Rights: Politics and Practice (3rd edn)*. Oxford University Press, p.16. See also: <https://www.coe.int/en/web/compass/the-evolution-of-human-rights>

¹⁷⁶ Goodhart, M. (2016), p.16. A specific part will be devoted to take into account their most important characteristics for women workers.

¹⁷⁷ *Ibidem*.

stand in the way of fulfilling the first and second generation rights: they include rights to development, to peace, to a healthy environment, to share in the exploitation of the common heritage of mankind, to communication and humanitarian assistance.

Having made this required distinction, it is important to bare in mind that, even if Human rights core goal was to protect each human being only for the sake of humanity itself¹⁷⁸ and regardless of any differences¹⁷⁹, therefore with a moral connotation, their dimensions of universality and inalienability have been highly threatened and eroded. Scholars attribute this relevant drawback in recent years to direct consequences of the predominance of state sovereignty on other dimensions and denote a strong enforcement gap to the extent of international human rights norms and conventions, still reported as damaging.¹⁸⁰ One of the core characteristics of Human Rights (HR), their universality, has been analysed by scholars such as Donnelly and also scrutinised by feminist movements.¹⁸¹ It would be difficult to give a broad overview on the concept of “relative universality” of human rights, since the vast majority of single contributions is directly linked to the general framework of cultural relativism, which is a debate still on the rise. However, I support the interpretative framework by Donnelly, who underlines the relevance of not taking for granted post-colonial perspectives:¹⁸² criticism towards the universal value of Human Rights arose due to the power relations asymmetries embedded in the national discourse and the possibility to witness a shift, also inside the international debate, “*to open or preserve discursive and practical space for autonomous action by marginalized groups and peoples across the globe.*”¹⁸³ According to Donnelly, universalism without imperialism is possible, if in discussing it we are willing to show caution and sensitivity as Western researchers and academic community, since

¹⁷⁸ According to HR mainstreamed theories, every individual is entitled to inalienable rights and freedom by virtue of being human. See Mary Robinson. (n.d.). *Universality and priorities*. United Nations Development Programme, Human Development Reports. Retrieved March 24, 2022, from <https://www.hdr.undp.org/en/content/universality-and-priorities>

¹⁷⁹ Donnelly, J., & Whelan, D. J. (2017). *International Human Rights (5th ed.)*. Routledge, p.33.

¹⁸⁰ Forsythe, D. P. (2017), pp. 32-33. Here the author, after a clear historical overview of discussions and steps forward regarding Human rights, stresses out how a backlash is hitting hard on also on International organisations due to a resurgence of nativist nationalist.

¹⁸¹ Donnelly, J. (2007). The relative universality of human rights. *Human Rights Quarterly*, 29(2), 281–306. The author himself participated in the debate.

¹⁸² *Idem*, pp.297-299 and see also 304.

¹⁸³ *Idem*, p. 297.

authoritative international standards - as I will discuss - are very much needed, but shall not support “unilateral universalism”, which does not legitimately exist.¹⁸⁴

In this debate, a useful contribution has been given by Brooke Ackerly¹⁸⁵, whose critique is rooted in the premise that the moral resonance of human rights shall not be misunderstood with their universal political efficacy. In her view, one of the main detriments of the current theoretical framework on human rights is the difference between the *entitlement* to specific rights¹⁸⁶ and the *enjoyment* of the same rights, as well depicted by feminists and human rights activists. She questions the true opportunity for specific subjects to actually benefit from the substance of single entitlements and rights for underrepresented categories of people inside their communities, taking into account economic, social, political obstacles they have to face and therefore, having to overcome wide implementation and enforcement gaps of laws which, on paper, are already in place.¹⁸⁷ Challenges these barriers, as to the author, means also defeating the broad protection of power and privileges for others, as the intersectionality theories are attempting to do.

She also clearly illustrates three of the most diffuse aspects on the Western interpretation of Human Rights which represent a challenge to feminist scholarship. First, her analysis is taking into account the problem of ‘androcentrism’¹⁸⁸, meaning the idea that broad concepts of Human rights were developed taking into account only men as victims of violations, with a subsequent distortion in the early framing and application of specific provisions, as a result of women viewpoint being water-boarded most of the time. This particular misconception, according to Ackerly, is directly linked also to another often observed phenomenon: the conceptual division between the private and the public sphere of relationships, giving space to a public/private dichotomy whose eradication was also on the agenda of the seventies feminist movement. Direct abuses and human rights violations for women need to be taken into account also in private spaces, since many of

¹⁸⁴ *Idem*, p.305.

¹⁸⁵ Goodhart, M. (2016), p. 29. The second chapter of the book, *Feminist and Activist Approaches to Human Rights*, is entirely devoted to the matter.

¹⁸⁶ *Idem*, p. 34. Here she openly criticises Donnelly traditional categories, and the widespread concept of entitlement *per se*.

¹⁸⁷ *Ibidem*.

¹⁸⁸ *Idem*, p.35.

the power imbalances and societal injustices stem from patriarchal cultural traditions and are the specific result of formal laws, policies, and resource allocations which are driven by systemic norms, as already analysed in subsection 1.3¹⁸⁹. A third problem according to Ackerly can be traced back to the interpretation of social norms and anti-discrimination practices in the way they have been conceived by the traditional theory of human rights in general. Unfortunately, some contexts of women's human rights violations are still going unexamined or underestimated, since in many cases social norms which do not support the idea that women should be heard are still there. As she states, anti-discrimination arguments of which HR are filled with, would require for people to "already agree that the people being discriminated against are equal in a relevant sense",¹⁹⁰ which is not always recognized to be a common starting point also in policy making. One last important notable consideration brought out by Ackerly in her theoretical framework is the direct connection she establishes between political rights and social rights.¹⁹¹ In this work, for purposes of clearness and order, I will address compliance to specific Conventions and Declarations, as well as standards, in a separate way, but is important to bear in mind, as the author states, that since "no right is secure unless all rights are secure" the indivisibility of rights is an overarching concept which, unlike Human Rights universality, even if it has been mostly left out in a prejudicial way, cannot be taken for granted.¹⁹²

1.4.2 *The International Human Rights regime*

Despite being really difficult to sum up in short terms, the genesis of the Human rights regime can be traced back to the end of World War II, prior to which International laws designed to protect individuals, hadn't been able to "invade" the impenetrable space of state sovereignty, as it has been stated by Beth Simmons¹⁹³ and hadn't codified globally human rights as we discussed them previously. After the attempt to establish the first

¹⁸⁹ *Idem*, p. 36.

¹⁹⁰ *Ibidem*.

¹⁹¹ *Idem*, p. 35.

¹⁹² *Idem*, p. 38.

¹⁹³ Simmons, B. A. (2009). *Mobilizing for Human Rights: International Law in Domestic Politics*, p. 24; See also Forsythe, D. P. (2017). *Human Rights in International Relations (4th ed)*. Cambridge University Press, p.4.

International organisations already happening with the League of Nations,¹⁹⁴ the second half of the century quickly became, for the first time in history, the intersecting point of an advocacy process which included state and non-state actors, towards the finalisation in the form of legally binding documents of a broad range of rights which included rights of non-discrimination, civil, political, economic and social ones.¹⁹⁵ The outlook of the Human rights regime as we know it, is not monocausal. Simmons traces back its development to three historical trends which, according to the scholar, would have boosted its legalization:¹⁹⁶ the trend towards democratisation of institutions, the elaboration of accountability in international law and the growth in absolute terms of transnational civil society.¹⁹⁷ These three trends provide different central elements to also understand why governmental and non-governmental institutions share an interlinked involvement in the international arena, and where they take their own features from. According to the author, democracy in most of the cases serves the institutional framework and tools for human rights to be successfully enforced, even without a direct causal effect, since governments would be most likely held accountable for their actions.¹⁹⁸ Democracies and the features they carry with them could be a strong ally in the implementation of social rights. Secondly, Simmons underlines how particular accountability mechanisms have both helped Human Rights legalisation and also made state intervention subject to the public pressure of International non-governmental institutions, which through the years have become more and more central, bringing inside the international arena the “*idea that human rights - rights of domestic citizens - could be brought under this broader accountability trend in public international law*”.¹⁹⁹ For many constructivist authors, like Kathryn Sikkink,²⁰⁰ the role of transnational human rights organisations, together with the multifaced multiplicity of international actors, has

¹⁹⁴ Simmons, B. A. (2009), pp. 28-29.

¹⁹⁵ *Idem*, p.23.

¹⁹⁶ For a broader view on the concept of legalization see Abbott, K. W., Keohane, R. O., Moravcsik, A., Slaughter, A.-M., & Snidal, D. (2000). The Concept of Legalization. *International Organization*, 54(3), 401–419. According to Simmons, these three trends aren't direct causes of the Human rights' regime legalisation itself.

¹⁹⁷ Simmons, B. A. (2009), p.24.

¹⁹⁸ *Ibidem*.

¹⁹⁹ *Idem*, p. 31.

²⁰⁰ Sikkink, K. (1993). Human Rights, Principled Issue-Networks, and Sovereignty in Latin America. *International Organization*, 47(3), 411–442.

to be viewed as essential in leading to an improved human rights situation.²⁰¹ Their pressure on governments and states shouldn't be taken for granted, as it is the sum of all different actors in place (International institution, transnational organisations, states, NGOs, monitoring bodies) that all together shape the Human Rights regime. For this reason, without any doubt the increased role of international civil society becomes another trend to be scrutinised. Organisational changes in their capacity and the enhancement of information and communication technologies (ICT) have made NGOs far more influential than they were in the past.²⁰² These groups, and the added value they bring with themselves in tandem with other actors, create a vast environment of which each specific entity is necessary but not self-sufficient to change the enforcement and implementations of human rights conventions and social norms alone.²⁰³

One last fundamental remark, within this general framework, needs to be made: given that NGOs and transnational civil society do not shape and change human rights on their own, it is undoubtable that state sovereignty still plays a part, even if it is undergoing fundamental changes.²⁰⁴ Even though no state power neither any super-power is willing to be restricted by international law in most of the cases, due to a possible decline of their international bargaining power,²⁰⁵ the social contract established with their citizens and most of all with international authorities and other states bound them to be liable specific obligations. International human rights laws, once states become parties to international treaties, bound them to respect, protect and fulfil human rights,²⁰⁶ meaning that states must refrain from interfering with the individual enjoyment of human rights, but also have positive obligations towards the protection and facilitation their implementation.

Unfortunately, it is also up to the states to decide whether to fully commit themselves to these three fundamental actions or not, due to the fact that unfortunately there are many

²⁰¹ Forsythe, D. P. (2017). *Human Rights in International Relations (4th ed)*. Cambridge University Press, pp. 23-24.

²⁰² Simmons, B. A. (2009), pp 31-33.

²⁰³ Forsythe, D. P. (2017), p.23.

²⁰⁴ Forsythe, D. P. (2017), p.7.

²⁰⁵ Simmons, B. A. (2009), p.55.

²⁰⁶ See OHCHR website. <https://www.ohchr.org/en/instruments-and-mechanisms/international-human-rights-law#:~:text=By%20becoming%20parties%20to%20international,the%20enjoyment%20of%20human%20Rights>. Also Donnelly, J., & Whelan, D. J. (2017), p.38.

gaps between the formal process of treaties' ratification and eschewing specific obligations.²⁰⁷

Nevertheless, where states fail to meet their obligations and fail to address human rights abuses, *“mechanisms and procedures for individual complaints or communications are available at the regional and international levels to help ensure that international human rights standards are indeed respected, implemented, and enforced at the local level.”*²⁰⁸

Among fundamental international players that contribute to monitor state practices globally, the most significant ones are represented by the Human Rights Council (UNHCR, formerly the Human Rights Commission)²⁰⁹, the Office of the High Commissioner for Human Rights (OHCHR)²¹⁰ and another subsidiary body, the International Labour Organization (ILO).

The first one, established in 1946 under the name of United Nations Commission on Human Rights (UNCHR), and being replaced by the Human Rights Council in 2006, in 1948 formally compiled the Universal Declaration of Human Rights: adopted by the UN General Assembly, even if it is still not binding for itself, it represents the milestone for ensuing international human laws.²¹¹ Nowadays, 47 states are part of this inter-governmental body, which still meets the main purpose of addressing situations of human rights violations through accountability mechanism such as the Universal Periodic Review, even with some resonant limits.²¹²

The Office of the United Nations High Commissioner for Human rights was created in 1993 after the Vienna World Conference²¹³ and has the same global reach of the Council but without its procedures and politicization given by the presence of different states' interests. The High Commissioner is directly appointed by the United Nations secretary-general and has become pivotal in order to deal directly with global standards and issue,

²⁰⁷ Simmons, B. A. (2009), p.56.

²⁰⁸ See OHCHR website.

²⁰⁹ The Council receives thematic and country-specific reports from a series of independent expert mechanisms, including special procedures. See <https://www.hrw.org/topic/united-nations/human-rights-council> and also Forsythe, D. P. (2017), pp 99-100. It was directly involved in the drafting of the so-called Bill of rights.

²¹⁰ The Office of the High Commissioner for Human Rights is the leading United Nations entity in the field of human rights, with a unique mandate to promote and protect all human rights for all people.

²¹¹ Donnelly, J., & Whelan, D. J. (2017), pp. 4-6

²¹² The Universal Periodic Review (UPR) is a 4 years process guarantees that all 193 members of UN are periodically undergoing scrutiny of their human rights records; it has therefore become a complex mechanism of mainstreaming human rights. For specific critiques on the UPR system and UNHRC , see Forsythe, D. P. (2017), pp. 103-104.

²¹³ Donnelly, J., & Whelan, D. J. (2017),

taking care of the administrative support given by officers directly to the Council and other treaty bodies. Currently the OHCHR is present in thirteen countries, Bangladesh included.

A primary role is also played by the International Labour Organization (ILO). This additional global but not negligible actor represented at first a parallel organization to the League of Nations: founded in 1919, it then became a specialized agency of the UN system.²¹⁴ As Forsythe states, of the more than 190 treaties developed through and supervised by the ILO “*a handful are considered oriented towards basic human rights such as the freedom to associate in trade unions, the freedom to bargain collectively, and the right to be free from forced labour.*”²¹⁵ The ILO monitoring procedures represent a model for other international human rights reporting systems, due to its cooperative system of resolution of problems: states find obstacles in hiding their violations due to ILO tripartite structure - laid down as a principle already in 1916 by Leonard Woolf for the London Fabian Society - which establishes tripartite a decision-making structure composed of governments, trade unions and employers.²¹⁶ Bodies are therefore composed by two government representatives and one representative, respectively, of employers’ and of workers’ associations: this is why the procedure of adopting and implementing ILO conventions is recognized as one of the most effective mechanism for the protection of human rights within the UN system, reducing states’ political obstruction and witnessing a strong workers’ organisations participation.²¹⁷

1.4.3 *International Conventions, Recommendations and standards*

There are multiple international sources which would need to be examined while investigating in the realm of labour rights and women’s human rights. Therefore I will underline the importance only of a selected number of them. The International Labour Organisation in 1998 exemplified its set of principles in the ILO Declaration on

²¹⁴ Forsythe, D. P. (2017), pp. 104-105.

²¹⁵ *Idem*, p.105.

²¹⁶ Reinalda, B. (2009). *Routledge History of International Organizations: From 1815 to the Present Day (1st ed.)*. Routledge, pp. 228-229. See also Forsythe, D. P. (2017), p. 104. For more information about the ILO and its internal functioning, see <https://www.ilo.org/global/about-the-ilo/how-the-ilo-works/lang-en/index.htm>

²¹⁷ See also <http://www.claiminghumanrights.org/ilo.html> and Forsythe, D. P. (2017), p.105.

Fundamental Principles and Rights at Work and its Follow-up. Inside this specific document, four are the categories of principles and rights which states, even if they have not ratified the ILO Conventions, have to abide by:²¹⁸ freedom of association and the effective recognition of the right to collective bargaining, the elimination of all forms of forced or compulsory labour, the effective abolition of child labour, and the elimination of discrimination in respect of employment and occupation. It is precisely in this light that every compliance to International documents should be read.

Furthermore, eight Conventions have been identified overtime by the ILO governing body, and they are:

- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
- Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
- Forced Labour Convention, 1930 (No. 29)
- Abolition of Forced Labour Convention, 1957 (No. 105)
- Minimum Age Convention, 1973 (No. 138)
- Worst Forms of Child Labour Convention, 1999 (No. 182)
- Equal Remuneration Convention, 1951 (No. 100)
- Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

Ratifying countries (of which, in case of specific conventions also Bangladesh is part), due to the fact that these conventions are legally binding international treaties, commit themselves to implement provisions and rights inside each specific document and are subject to ILO's supervisory system.²¹⁹

The right to work - even if its complex conception has been scrutinized and questioned by scholars such as Sarkin and Koerig²²⁰ - has been considered in several different instruments of the international human rights regime, and has always been a core rights

²¹⁸ See ILO. (2014). *Rules of the game: a brief introduction to international labour standards* (Third). ILO, pp. 15-16. See also http://www.claiminghumanrights.org/_ilo.html

²¹⁹ ILO. (2014). *Rules of the game: a brief introduction to international labour standards* (Third). ILO p. 16 and also pp.18-19. Additional information also retrieved at: <https://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang--en/index.htm>

²²⁰ Sarkin, J., & Koenig, M. (2011). Developing the Rights to Work: Intersecting and Dialoguing Human Rights and Economic Policy. *Human Rights Quarterly*, 33, 1–42. The two authors take into account the multifaced interpretations about this right, and their importance in regard to development.

since the drafting of the Universal Declaration of Human Rights. Indeed, according to article 22 of the UDHR, society carries the weight of guaranteeing access to social and material supports to all citizens in order to maintain a dignified life²²¹ and article 23 offers a clear definition on the broad concept of work:

1. *Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.*
2. *Everyone, without any discrimination, has the right to equal pay for equal work.*
3. *Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.*
4. *Everyone has the right to form and to join trade unions for the protection of his interests.*

What is interesting to note is that the International Covenant on Economic, Social and Cultural Rights (ICESCR) expanded the concept of right to work in the context of individual freedoms²²², placing on states the responsibility of the attainment of the right. And as Sarkin and Koerig also underlined, it is thanks to article 7 that workforce conditions at the workplace witnessed a change in their fundamental guarantees, as it “[...] expands on the concept of the right to work with general guidelines of rights at work. Article 7 provides that everyone has the right to just and favorable conditions of work, in particular, the right to safe working conditions.”²²³

²²¹ Universal Declaration of Human Rights, adopted 10 Dec. 1948, G.A. Res. 217A (III), U.N. GAOR, 3d Sess., art. 22, U.N. Doc. NRES/3/217A (1948):

“Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international cooperation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.”

²²² Adopted in 1966, it entered into force in 1976. International Covenant on Economic, Social and Cultural Rights, adopted 16 Dec. 1966, G.A. Res. 2200 (XXI), U.N. GAOR, 21st Sess., art. 6, U.N. Doc. N6316 (1966), 993 U.N.T.S. 3 (entered into force 3 jan. 1976). Article 6 states as it follows:

(2) The steps to be taken by a State party to the present Covenant to achieve the full realization of this right shall include technical and vocational guidance and training programmes, policies and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.

²²³ Sarkin, J., & Koenig, M. (2011), p. 13.

Other clear and specific references, are to be found in the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which will be analysed.²²⁴

A concluding remark on the overall understanding of the Human Rights regime which insists on the protection of human rights directly affecting women workers in the fast fashion industry deals with ideas put forward by Ackerly:²²⁵ human rights are interrelated and indivisible, and therefore how political, social, economic structures secure the enjoyment of women's rights all together, also in a localised way, could result in completely different outcomes. All rights are strongly interdependent and, has CEDAW itself spells out, are indivisible. "*Women rights are human rights.*"²²⁶

²²⁴ *Idem*, p.11. Also, specific reference to the International Covenant on Civil and Political Rights, adopted 16 Dec. 1966, G.A. Res. 2200 (XXI), U.N. GAOR, 21st Sess., art. 8, , 3 (a), U.N. Doc. N6316 (1966), 999 U.N.T.S. 171 (entered into force 23 Mar. 1976); Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), adopted 18 Dec. 1979, G.A. Res. 34/180, U.N. GAOR, 34th Sess., art. 11 , 1(a), U.N. Doc. N34/46 (1980), 1249 U.N.T.S. 13 (entered into force 3 Sept. 1981).

²²⁵ Goodhart, M. (2016), p.38.

²²⁶ This phrase, used by many feminists activists since the eighties, as been attributed for the first time to Sarah Moore Grimké who, in "Letters on the Equality of the Sexes", writes, "Consequently I know nothing of man's rights, or woman's rights; human rights are all that I recognize". See also United Nations. (2014). *Women's Rights are Human Rights. HR/PUB/14/2*, p.12.

CHAPTER 2 - Women's Human Rights violations and the Garment sector in Bangladesh

2.1 Bangladesh: an environment prone to human rights violations

Now that a general overview has been given, it becomes pivotal to further investigate Bangladesh's context. Indeed, compliance to norms and the understanding of breaches in workers' rights can be taken into account only if read in light of their localization.²²⁷ From this standpoint, it is possible to also start an all-encompassing discourse about the gendered dimension of labour in the country and, as theorized by Brems,²²⁸ shape a cultural, ideological and political change.

2.1.1. Social and economic environment

Of the larger countries, Bangladesh represents the most highly populated one, with a population of approximately 160 million inhabitants.²²⁹ It is in this specific environment that it becomes interesting to look at its urbanization and poverty rates especially in those specific areas where the industrial - and therefore RMG - sector has been growing rapidly in recent years. According to recent records from the World Bank, currently at least 37 percent of the country's population lives in urban areas, and urban population is projected to reach 112 million (58 percent of the total population) by 2050.²³⁰ This shift has brought overtime also changes in the overall employment rate of the female population, in comparison with male rates and distribution in the industrial areas.

There is still an open debate about the possibility for the country to witness a general progress of its economic conditions due to female employment, and in particular about the opportunity of finding a positive correlation between increased Bangladesh's GDP

²²⁷ A great notion of localisation of Human Rights and the harsh debate on it, has been given by Feyter, K. (2006). *Localizing Human Rights. Institute of Development Policy and Management, University of Antwerp*, p.6. The overarching idea which takes shape in his publication is to design and implement development policies together with the population.

²²⁸ *Idem*, p.9. This analysis follows the path of relative universality of Human Rights: core human rights are not attacked but there are margins of appreciation in their interpretation.

²²⁹ UN Women - Asia and the Pacific. (n.d.). *UN Women Bangladesh*. Retrieved April 13, 2022, from <https://asiapacific.unwomen.org/en/countries/bangladesh>

²³⁰ Kotikula, A., Hill, R., & Raza, W. A. (2019). *What works for working women? Understanding Female Labor Force Participation in Urban Bangladesh*, p.11.

per capita, women employment and women empowerment, as already discussed during Chapter 1.²³¹ Nevertheless, “*despite achieving MDG Target 1 to halve poverty between 1990 and 2015 [...], Bangladesh remains one of the poorer countries in the world.*”²³²

As it has been recorded by the World Bank in October 2021²³³, upper poverty rates significantly decreased to a 24.3 percent rate, while extreme poverty rates in urban areas haven’t declined yet. Approximately, the percentage of people still living with no more than 1.90 USD per day per capita (below the poverty line) is 14.3 percent, as displayed by Table 1.²³⁴

Inequality measured by the Gini Index was 32.4 in 2016, with little change taking into account the same index in early 2000. Furthermore “*the ongoing COVID-19 pandemic has created an unprecedented crisis in Bangladesh that risks erasing the substantial progress strategies*”,²³⁵ due to the decline in demand especially from the export-oriented garment sector side.

²³¹ About this specific debate, also the World Bank has contributed to recollect a vast literature review. See Solotaroff, J. L., Kotikula, A., Lonnberg, T., Ali, S., Pande, R. p., & Jahan, F. (2019). Voices to Choices - Bangladesh’s Journey in Women’s Economic Empowerment. In *International Development in Focus*, pp.3-4.

²³² *Idem*, p.3.

²³³ The general reference is to Poverty and Equity Briefs, see World Bank. (2022). *Poverty and Equity Briefs*. Retrieved April 13, 2022, from <https://www.worldbank.org/en/topic/poverty/publication/poverty-and-equity-briefs>

The briefs are released twice a year for the Spring and Annual Meetings of the World Bank Group and International Monetary Fund. Poverty rates and total number of poor as measured by the national poverty line and for the international extreme poverty line (\$1.90 in 2011 PPP terms), as well as the lower (\$3.20) and upper-middle-income (\$5.50) poverty lines. Specific part on Bangladesh:

Esmubanche Wambile, A. (2022, April). *Bangladesh*. Poverty and Equity Brief, South Asia. https://databank.worldbank.org/data/download/poverty/987B9C90-CB9F-4D93-AE8C-750588BF00QA/AM2021/Global_POVEQ_BGD.pdf


²³⁴ *Ibidem*. Also, here the reference is to the specific document. Data considered refer to 2016, as showed in the Table.

²³⁵ *Ibidem*.

Table 1. Poverty and Equity Brief in Bangladesh

POVERTY	Number of Poor (million)	Rate (%)	Period
National Poverty Line	39.6	24.3	2016
International Poverty Line 61.1 in Bangladesh taka (2016) or US\$1.90 (2011 PPP) per day per capita	22.6	14.3	2016
Lower Middle Income Class Poverty Line 102.8 in Bangladesh taka (2016) or US\$3.20 (2011 PPP) per day per capita	82.6	52.3	2016
Upper Middle Income Class Poverty Line 176.8 in Bangladesh taka (2016) or US\$5.50 (2011 PPP) per day per capita	133.0	84.2	2016
Multidimensional Poverty Measure		21.2	2016
SHARED PROSPERITY			
Annualized Consumption Growth per capita of the bottom 40 percent		1.35	2010-2016
INEQUALITY			
Gini Index		32.4	2016
Shared Prosperity Premium = Growth of the bottom 40 - Average Growth		-0.19	2010-2016
GROWTH			
Annualized GDP per capita growth		5.25	2010-2016
Annualized Consumption Growth per capita from Household Survey		1.54	2010-2016
MEDIAN INCOME			
Growth of the annual median income/consumption per capita		1.65	2010-2016

Sources: WDI for GDP, National Statistical Offices for national poverty rates, POVCALNET as of September 2021, and Global Monitoring Database for the rest.

 **WORLD BANK GROUP**
Poverty & Equity

Poverty Economist : Ayago Esmubancha Wambile

This analysis strongly suggests the need to take action in order to guarantee more and better paid jobs for women. On the one hand the general employment rate has increased overtime, making strides in female labour force participation, accounting it at a 36 percent rate.²³⁶ On the other hand, the national rate is still considered significantly low in comparison with the rate for male counterparts in Bangladesh (82 percent), as also displayed (Table 2).²³⁷ Moreover a vast majority of the female population, around the 80 percent, reports household work as a means for unemployment (Table 3).²³⁸

²³⁶ Kotikula, A., Hill, R., & Raza, W. A. (2019), p.11.

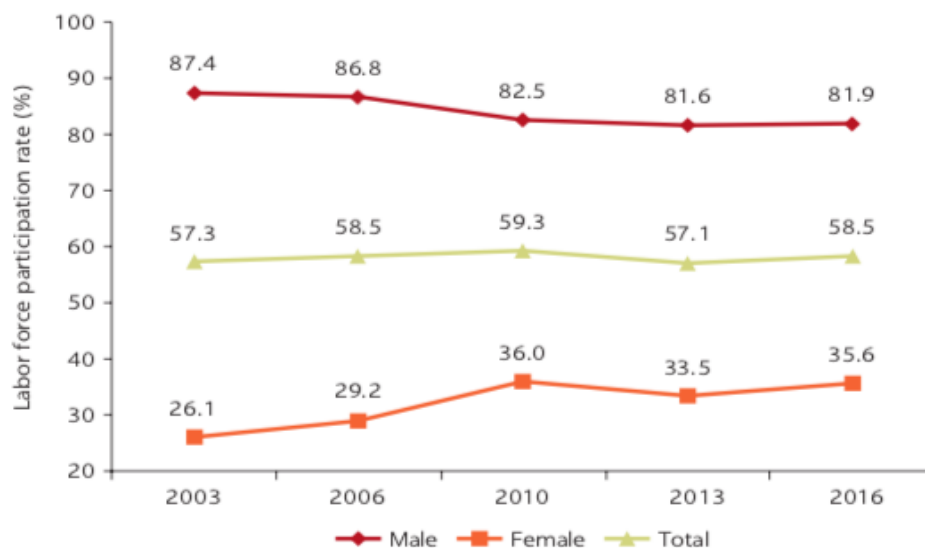
²³⁷ *Ibidem*. The reference for the specific table is Solotaroff, J. L., Kotikula, A., Lonnberg, T., Ali, S., Pande, R. p., & Jahan, F. (2019), p. xvii.

²³⁸ Kotikula, A., Hill, R., & Raza, W. A. (2019), p. 29. Also the Table is referred to the World Bank analysis (originally Table 10).

Table 2. Trends of Labour participation in Bangladesh

FIGURE ES.1

Trends of labor force participation in Bangladesh, by sex and year, 2003-16



Sources: World Bank calculations based on LFS 2003, 2006, 2010, 2013, and 2016 data.

Table 3. Primary Reasons for Not Participating in the Labor Force

	Male		Female		Test (Male - Female)
	Mean	SD	Mean	SD	
Household work (1/0)	0.00	0.00	0.79	0.41	***
Illness (1/0)	0.67	0.47	0.11	0.31	***
Other (1/0)	0.33	0.47	0.10	0.30	***
N	51		556		

Note: Table shows weighted means. * p<0.1; ** p<0.05; *** p<0.01.

According to the World Bank Report “Voices to Choices”, significant steps forward have been made towards a decrease of the gender wage gap, since in 2016 female workers earned roughly three-fourths of what men did (a 24 percent gap), a substantial improvement over the 43 percent gap of 2013.²³⁹ Despite this, as it would be explained in dept in the following subparagraphs, the degree of occupational sex-segregation in Bangladesh remains high also due to pervasive gender norms and institutional biases, which in most of the cases resort into women rights’ violations and discriminatory

²³⁹Solotaroff, J. L., Kotikula, A., Lonnberg, T., Ali, S., Pande, R. p., & Jahan, F. (2019), Voices to choices, executive summary, p. xviii.

practices. Unluckily, early marriage percentages are still way too high, settling at 59 percent rate, and “*the fact that more than one-fourth of Bangladeshi girls are married before age 15 speaks volumes about the remaining strictures on more and better jobs for women in Bangladesh.*”²⁴⁰

Bangladesh has been also listed by the International Trade Union Confederation (ITUC) Annual Report as one out of the ten world’s worst countries for workers.²⁴¹ For a long time, as addressed in their Global Rights Index, any attempt to form or join trade unions were met with physical violence and mass dismissal.²⁴² Out of 1,100 union registration applications deposited to the authorities between 2010 and 2021, the Department of Labour of Bangladesh rejected 46% of them, marking a worrying behaviour towards the right to form a union. Violent attacks on workers are unfortunately not such news: one of the most recent episodes - occurred on 25 July 2020 - was directly linked to the garment industry and witnessed the police in Dhaka, the capital, violently attacking garment workers who were protesting unpaid wages, using disproportionate force to disperse the demonstrators using batons, gunshots, tear gas and sound grenades against them, of whom twelve were severely injured.²⁴³

2.1.2 Institutional and political framework

On the political and institutional side, Bangladesh has been established as a secular people’s republic in 1971.²⁴⁴ Despite its constituency, due to many violations of human rights recorded by international organisations such as Human Rights Watch and Amnesty International,²⁴⁵ there is concern that Bangladeshi current institutional and political balance established overtime a “dysfunctional democracy”, as it has been raised by Siddiqui and Uddin.²⁴⁶ The state, according to some evidence gathered in 2016, is openly

²⁴⁰ *Ibidem.*

²⁴¹ ITUC International Trade Union Confederation. (2021). *2021 Global Rights Index - The world’s worst countries for workers*, p.5.

²⁴² *Idem*, p.27.

²⁴³ *Ibidem.*

²⁴⁴ UN Women - Asia and the Pacific. (n.d.). *UN Women Bangladesh*. Retrieved April 13, 2022, from <https://asiapacific.unwomen.org/en/countries/bangladesh>

²⁴⁵ DW. (2014). *HRW: Human rights ‘no priority to Bangladeshi government.’* <https://www.dw.com/en/hrw-human-rights-no-priority-to-bangladeshi-government/a-17742707>

²⁴⁶ Siddiqui, J., & Uddin, S. (2016). Human rights disasters, corporate accountability and the state: an emerging economy case. *Accounting Auditing & Accountability Journal*, 29, p. 3.

ignoring “UN Guiding principles on business and Human Rights” drafted in 2011 and is in complete denial of the different tragedies occurred in recent years. The state, according to the authors, is unwilling to act due to its will to shield itself from wider stakeholders such as multilateral agencies (which will resort in specific procedures or actions), and also for fear of losing foreign investors.²⁴⁷ Stemming from Cohen’s work on “official denial”, Siddiqui and Uddin have in fact analysed Bangladesh’s government overall turn towards becoming autocratic (with crackdowns on political opponents, media and civil society, as reported by Human Rights Watch itself²⁴⁸) and also scrutinized its public discourse after severe violations made public in the international arena. In the aftermath of the worst accidents in the Garment sectors, the authors give an complete interpretation of Bangladesh scarce accountability system and reputation. In their opinion, following Cohen allegations, this could be directly linked to the fact that public legitimacy might be cognitively based “*when the organisation is accepted as necessary or inevitable.*”²⁴⁹ Thus, in the case of a human rights violation in Bangladeshi garments factories, different state and non-state actors persisted in their state of denial due to their specific accountability framework, directly linked to the institutional environment. Bangladesh can be considered an example of “cognitive legitimacy”. As country, it has been considered a family-led state, where two families have an apparent birth right to institutional control and monopoly. It is in this light that family relationships are sufficient to provide accountability, and “*no further justification is needed to exercise power.*”²⁵⁰ As a consequence, a real state accountability framework, in Bangladesh, is not present, and leaves enough spaces and gaps in law enforcement and human rights protection. Therefore, it shall be also of no surprise that for instance, despite being accused of criminal negligence with regard to the Hameem factory fire in 2010, the Tazreen Fashions fires in 2012 and the unfortunately well-know Rana Plaza collapse in 2013, the government - even if put under pressure by the international media and international agencies - was only able to blame the opposition party and refer to “*acts of sabotage*”.²⁵¹

²⁴⁷ *Idem*, pp. 5-6.

²⁴⁸ *Idem*, p.3. See also general reference to Human Rights Watch. (2022). *World Report 2022*, pp. 73-81. Direct link to Bangladesh section here: <https://www.hrw.org/world-report/2022/country-chapters/bangladesh>

²⁴⁹ Siddiqui, J., & Uddin, S. (2016), p.10.

²⁵⁰ *Ibidem*.

²⁵¹ *Idem*, p. 20.

These are the main reasons why Bangladesh, in its ongoing political scenario, is considered by many actors as a dysfunctional democracy. Its ruling party, the Awami League (AL) and its prime minister Sheikh Hasina, had already been under scrutiny since 2007 due to foreseeable concerns expressed by the international community about the integrity of the election and the already dominant presence of patronage, violence and corruption.²⁵² Until its foundation with the bloody war of independence from Pakistan in 1971, the state has been characterized by violence and familism. The illegal use of the army is still a reality, witnessing the existence of the Rapid Action Battalion (RAB), a paramilitary organization, established in 2003 and responsible in 2021 for enforced disappearances and extrajudicial killings, widely documented by Human Rights Watch and completely denied by the government.²⁵³ Even right after the Rana Plaza collapse, with the “world’s watching” and hoping for change especially on Human Rights matters, elections in 2014 were met with violent clashes between the police and contesters from the opposition party, which were taking the street due to the lack of political democratic competition, and with the lack of independent investigations into unlawful killings.²⁵⁴ Another striking example of Human Rights violations directly put in place by the government and linked with a general situation of impunity and denial was the establishment in 2018 of the Digital Security Act (DSA) used to target, harass and detain human rights activists and journalists, with undoubtable evidence of the violation of freedom of expression and - according to official statistics - an outcome of more than 900 cases filed under the DSA between January and December 2021, nearly 1,000 people

²⁵² Philipson, L. (2006, June 25). Bangladesh’s Fraying democracy. *Open Democracy*. https://www.opendemocracy.net/en/bangladesh_3681jsp/.

See also Sowula, T. (2006, November 24). Bangladesh’s political meltdown. *Open Democracy*. https://www.opendemocracy.net/en/bangladesh_4127jsp/

²⁵³ Sowula, T. (2006, November 24). Bangladesh’s political meltdown. *Open Democracy*. https://www.opendemocracy.net/en/bangladesh_4127jsp/.

Vast findings have also been collected by HRW through many different documents. On the matter, see <https://www.hrw.org/report/2021/08/16/where-no-sun-can-enter/decade-enforced-disappearances-bangladesh> and also Human Rights Watch. (2022). *World Report 2022*, pp.73-75.

²⁵⁴ Shमित, M. (2017, February 9). *Violating Universal Rights for Power: A Look at Human Rights in Bangladesh*. Synergy: The Journal of Contemporary Asian Studies. <http://utsynergyjournal.org/2017/02/09/violating-universal-rights-for-power-a->. Interesting evidence of electoral frauds have also been collected by Freedom House, Freedom House. (2022). *Bangladesh: Freedom in the World 2022*. <https://freedomhouse.org/country/bangladesh/freedom-world/2022>

charged and 353 detained.²⁵⁵ Of this “dark side” of the conduct of the prime minister, local newspapers seem to struggle to make reference.²⁵⁶

In an already difficult and complicated political and institutional framework - whose consequences are extensive and will be tackled to underline its responsibilities towards women workers, in compliance with women human rights norms and RMG workers regulations - the interplay between webs of corruption, MPs and trade unions needs to be taken into account.

As already stated, existing political parties have led Bangladesh towards the “*personification of state bodies, capture of the judicial process and the creation of a support base in the civil service and military. Only family members and wealthy supporters of the families can be nominated and elected to public office. Unsurprisingly, business owners side strategically with the political families.*”²⁵⁷

For this reason, since the ruling party, Awami League (AL) has consolidated its political power, an overlap has been witnessed between members of parliament and businessmen, with a percentage of 57 per cent of current members operating on economical purposes. Taking one of the two leading party’s sides has become an urgency also for trade unions, which are directly affected by patronage and which, such as in the case of Bangladesh Garment Manufacturers and Exporters Association (BGMEA), tend to protect RMG owner’s interests.

The mechanism is circular: the state depends on businessmen because of garment sector’s economic value but also because they, themselves, directly influence politics.

²⁵⁵ Recent evidence has been provided by Amnesty International. (2021). *Amnesty International Report 2020/21.*, p.80 (specifically about 2021 DSA consequences) and also by Human Rights Watch. (2022). *World Report 2022*, p.75. Further evidence, Shamit, M. (2017, February 9).

²⁵⁶ See online article: The Daily Star. (2018, September 28). PM’S birthday today. *The Daily Star*. <https://www.thedailystar.net/city/news/happy-birthday-pm-1806445>. This “Daily Star” article can be taken into account as a clear example of analyses struggling to take the full spectrum into account. Progress in term of economic development has been undoubtedly been achieved during Sheikh Hasina’s mandates, but they have to be assessed and considered with a broad spectrum. Here the newspaper underlines difficulties concerning DSA. See The Daily Star. (2022, March 1). Digital security Act cases: Politicians worst victims. *The Daily Star*. <https://www.thedailystar.net/news/bangladesh/crime-justice/news/digital-security-act-cases-politicians-worst-victims-2972616>.

²⁵⁷ Siddiqui, J., & Uddin, S. (2016), p.15. See also The Daily Star. (2011, February 4). Of political leadership, politics, and politicians. *The Daily Star*. <https://www.thedailystar.net/news-detail-175230>

In addition, the phenomenon of corruption is endemic, as Bangladesh has been acknowledge by actors such as Transparency International and Freedom House as a state where impunity is the norm and corruption is more than tolerated, making it one out of the twenty most corrupted countries in the world.²⁵⁸

Violence and discrimination against religious minorities and refugees, particularly Rohingya who have fled Myanmar, are significant additional problems, and sum to an already worrying scenario, in which also human rights defenders and workers on strike are constantly at risk.²⁵⁹

Furthermore, data on violence against women have been considered to be worrying and account as growingly problematic. Amnesty International reports an overall toll of at least 2,392 cases of abuses, in 2020 only. Records from the advocacy group showed 1,623 rapes (331 against girls under 12 years old), 326 attempted rapes, and 443 cases of physical assault.²⁶⁰ Unluckily, physical violence is not the only means of understanding women human rights' violations, as it has become outstanding, through the years, due to the long discussion which revolves around the UN Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol. Next subparagraph will provide evidence precisely on this topic.

2.2 Women's human rights framework in Bangladesh: a multi-level perspective

The UN Convention on the Elimination of All Forms of Discrimination against Women was first adopted in 1979 and entered into force in 1981. It was meant to represent an International Bill of Rights for Women. It served the purpose of bringing women human rights at center since, even during that particular phase in history, with the international feminist movement on the rise and the dissemination of intersectional theories, different

²⁵⁸ Transparency International. (2022). *Corruption Perceptions Index 2021*, p. 3.

See also:

<https://www.ti-bangladesh.org/beta3/index.php/en/about-us/what-we-do/research-policy/research-knowledge/cpi>

See also Freedom House. (2022). *Bangladesh: Freedom in the World 2022*. <https://freedomhouse.org/country/bangladesh/freedom-world/2022>

²⁵⁹ DW (2014). Numerous example of inappropriate conduct towards workers' strikes have been recorded by Human Rights Watch. A specific part will be devoted to bargaining rights, but here is a cleat example: Human Rights Watch. (2017, February 15). *Bangladesh: Stop Persecuting Unions, Garment Workers*. <https://www.hrw.org/news/2017/02/15/bangladesh-stop-persecuting-unions-garment-workers>

²⁶⁰ Amnesty International. (2021). *Amnesty International Report 2020/21*. www.amnesty.org, p.81.

legal instrument and Conventions already in place had resulted to be insufficient to enhance gender equality and women human rights protection. A deeply feminist and overarching perspective was needed and only a specific document could let perspectives be changed also to the extent of interpreting and widening other Covenants, such as mainly the International Covenant of Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights.²⁶¹ With a toll of 90 percent of existing states having ratified it, nowadays 189 are parties to the Convention and it is considered the second most ratified treaty ever.²⁶²

The Convention still represents the most complete instrument to assess women human rights violations, and the reasons are self-explanatory.

The Preamble itself is symbolic: it explicitly addresses the context in which the Convention was written and also gives general idea of how the document itself should be read - with a substantive and general understanding - but most of all it underlines how women at the time still didn't enjoy substantial equal rights with men, despite already existing treaties.²⁶³ It also stresses out the need for states (as it is fully made clear in the case of article 2 and article 5) to take all the concrete measures necessary to eradicate discrimination.

It therefore becomes important to understand how Bangladesh is in compliance with it, due to its broad *spectrum* in defining discrimination and therefore, women's conditions. Indeed, article 1 articulates:

*"the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."*²⁶⁴

²⁶¹ Tang, K.-L., & Cheung, J. T.-Y. (2003). Realizing Women's Human Rights in Asia: The UN Women's Convention and the Optional Protocol. *Asian Journal of Women's Studies*, 9(4), 9–37, p.10. See also Manjoo, R., & Jones, J. (2018). *The Legal Protection of Women From Violence, Normative Gaps in International Law* (Routledge), p. 12.

²⁶² All updates about the Convention can be found here: https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-8&chapter=4&clang=en
Signatory parties at first were 99.

²⁶³ United Nations. (2014). *Women's Rights are Human Rights*. HR/PUB/14/2, pp.5-6.

²⁶⁴ *Convention on the Elimination of All Forms of Discrimination Against Women*. (1979). UN General Assembly, Treaty Series, vol. 1249.

Without any doubt, direct human rights violations at the workplace are incorporated in the realm of this specific conception: women's right to fair compensation, social security, to health and safety working conditions are therefore addressed by article 11 of this fundamental convention. The direct reference to the social and economic field marks a milestone in human rights' law, since definitions and articles already present in the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR) weren't directly addressing those issues as violence against women.²⁶⁵

The Convention marks another fundamental step forward with the direct reference to state commitments and positive obligations. It is by the means of article 2 and article 5 that not only state commit themselves towards refraining from discriminatory practices but also to completely eliminate it by any person, organisation or enterprise present in their territories. Article 2 in particular presents elements of novelty, since it makes direct reference both to the concept of the equality of opportunity and equality of results in initiatives undertaken by governments. States shall have to eradicate violence against women with formally prohibiting it and through guaranteeing legal protection of women's rights, with refraining from discriminatory practices, with direct protection of women against each third party and modifying or abolishing discriminatory legislation.²⁶⁶ Most of all, positive measures are enlisted too, with CEDAW being the only UN treaty suggesting that culture and tradition influence gender roles in societies (article 5) and stating that governments should aim at incorporating the principle of equality in their legal framework.

Like many other conventions, CEDAW foresees an independent body of experts which oversees the implementation of the Convention its and has a monitoring function. The Committee on the Elimination of Discrimination against Women (CEDAW), whose functioning is regulated by Part V of the Convention (article 17 to article 22), consists of 23 experts on women's rights from around the world. The CEDAW Committee examines periodic reports submitted by state parties, carries out periodic reviews every four years, guarantees a direct interaction with representatives of the signatories, formulates suggestions and recommendations on the state of the implementation of the Convention

²⁶⁵ For more on this topic, see Manjoo, R., & Jones, J. (2018).

²⁶⁶ United Nations. (2014). *Women's Rights are Human Rights*. HR/PUB/14/2, p. 6.

for each country, providing also guidance for state parties on the implementation of their obligations. The role of the Committee, in this case, together with documents collected during each cycle of the Universal Periodic Review brought forward by the Human Rights Council, becomes pivotal.²⁶⁷ It gives the opportunity to constantly document women's human rights violations in an objective way, and also grants women the direct opportunity to become significant actors in enforcing the Convention, as stated by Kwong-Leung Tang & Jacqueline Tak-York Cheung.²⁶⁸

In October 1999, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women was officially adopted. In fact, the Convention itself didn't give to women the right to send out complaints to their governments, once all the domestic venues of redress have been exhausted.²⁶⁹ Thanks to the Protocol, it was possible to strengthen protection of the rights present in the Convention, and to hold states directly accountable for their actions or inaction, bringing a structural change in the international arena and drawing international attention to each specific case.

Thus, the fact that Bangladesh put forward specific reservations both to the Convention and to the Optional Protocol - like most of the Asian countries - represents a concrete obstacle to the effective implementation of women's rights provisions.

2.2.1 Bangladesh and CEDAW: reservations and compliance

Bangladesh ratified CEDAW in 1984 and the Optional Protocol in 2000. Since then, the country has regularly submitted periodic reports to the CEDAW Committee and proved on paper to be making progress, as also testified by national reports submitted during the Universal Periodic Review.²⁷⁰ However, it cannot be stated that Bangladesh is putting effort towards truly achieving substantive equality of rights. In fact, some Bangladesh's reservations are pending in regards of Articles 2 and 16.1(c).

²⁶⁷ See <https://www.ohchr.org/en/hr-bodies/upr/basic-facts> information about UPR and also about the Committee. <https://www.ohchr.org/en/treaty-bodies/cedaw>

²⁶⁸ Tang, K.-L., & Cheung, J. T.-Y. (2003), p. 11.

²⁶⁹ *Idem*, p.12.

²⁷⁰ London College of Legal Studies (South). (n.d.). *Bangladesh's Reservation in CEDAW & Human Right Protection; Causes, Justifications and Prospects*. Retrieved April 25, 2022, from <https://lcls-south.com/bangladeshs-reservation-in-cedaw-causes-justifications-and-prospects/>
See also Human Rights Council. (2013). *National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21: Bangladesh* (A/HRC/WG.6/16/BGD/1).

In particular, as already pointed out, “*article 2 is seen as groundwork of the convention which is central to the objects and as a consequence its importance cannot be mistreated*”,²⁷¹ and this is why it becomes so problematic to witness a reservation on the matter. The efficacy of the Convention threatened due to the obstacle of not going against Sharia law.²⁷² In particular, it is due to the jeopardy maintained by religious groups, unwilling to let Bangladesh withdraw the reservations, that no government has ever undertaken the opportunity to change, even if it would mean to also implement provisions which are already foreseen by Bangladesh’s Constitution.

Bangladesh’s Constitution explicitly mentions equality for women and non-discrimination, with its article 19 marking a direct reference to the state’s obligation to ensure equal opportunities for women in every sphere, and article 28 explicitly prohibiting discrimination against women. This not only proves how, on paper, the State is unwilling to fully participate into the process of contrasting discrimination against female workers, but also, in doing so, puts forward reservations which directly contrast even with its own Constitution.²⁷³ As it has been well underlined by Malina Khan,²⁷⁴ even if in 2019 it seemed that the Ministry of Women and Children Affairs was working towards legal and political bases for withdrawing pending reservations, its attitude was considered insufficient also by shadow reports submitted 56-strong women and human rights organisations, collectively called the Citizens' Initiatives on CEDAW, Bangladesh (CIC-BD).²⁷⁵

Nevertheless, in order to provide evidence to the CEDAW Committee on the implementation of the Convention, Bangladesh’s government - as every signatory state - submitted several reports on its actions²⁷⁶. Its reports have highlighted improvements over the years: on paper, the country has adopted an increased number of provisions which

²⁷¹ London College of Legal Studies (South). (n.d.). at <https://lcls-south.com/bangladeshs-reservation-in-cedaw-causes-justifications-and-prospects/>

²⁷² See specific reservations at https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-8&chapter=4&clang=en

²⁷³ Begum, S., Ali, S., Ali, O., & Bhuyan, H. R. (2011). The CEDAW Implementation in Bangladesh: Legal Perspectives and Constrains. *The Bangladesh Institute of Development Studies*, 183, p.1 and 4. See also London College of Legal Studies (South). (n.d.).

²⁷⁴ Khan, M. (2019, March 8). *CEDAW at a dead end in Bangladesh?* The Daily Star. <https://www.thedailystar.net/star-weekend/news/cedaw-dead-end-bangladesh-1711840>

²⁷⁵ <https://www.ecoi.net/en/document/1057536.html>

²⁷⁶ Begum et al. in their work take into account respectively the ones submitted in 1993, 1996, 1997, 2002 and 2010.

aim at improving women's conditions and working environment. One of them, the Seventh Five-Year Plan (2016-2020), included a long-term implementation of the Government's Vision 2021, which included the promotion of women's rights, a National Action Plan for the Implementation of the National Women Development Policy, in 2013, and a National Action Plan to Prevent Violence against Women and Children (2013-2025).²⁷⁷ Even so - as I will make clear further on in this work - there is still clear evidence of degrading treatments for female workers nowadays in Bangladesh. The main reason for that, as the Committee has continued to underline all along his monitoring work, lies in the full implementation of the Convention. Already in 2011²⁷⁸ the monitoring body had expressed concern towards the possibility to take prompt appropriate measures to guarantee the withdrawal of its reservations to articles 2 and 16 (1) (c). Within the framework of the eight periodic review on the State, I find interesting to underline two different parts of the recommendations, in particular the ones regarding the working sector and the ones related to the patriarchal and societal system. Firstly, the Committee was concerned by the persistent wage gap between women and men in most sectors and the failure to implement the High Court Division guidelines concerning the protection of women from sexual harassment in the workplace. Thus, the statement of the Committee revolved around the opportunity to make all of those provisions truly work.²⁷⁹

Provisions on paper had been developed by Bangladesh's government, in compliance to article 11 of the Convention: special laws were enacted, such as the Compensation Act of 1923, the Payment of Wage Act of 1936, the Maternity Benefit Act of 1939 (entitlement to paid maternity leave with other benefits), the Maternity Benefit (Tea Estates) Act of 1950 (Section 3), the Maternity Benefit Act of 2006, the Factory Rules and Regulations Act of 1977, the Recruitment Act (Permanent Order) of 1965 and 1985 (Amendment). Despite this, arrangements regarding equal employment and training opportunities still lack of significant implementation, especially in the RGM sector.

²⁷⁷ Committee on the Elimination of Discrimination against Women. (2016). *Concluding observations on the eighth periodic report of Bangladesh* (CEDAW/C/BGD/CO/8), p. 2.

²⁷⁸ Committee on the Elimination of Discrimination against Women. (2011). *Concluding observations of the Committee on the Elimination of Discrimination against Women Bangladesh* (CEDAW/C/BGD/CO/7), para. 12. See also Committee on the Elimination of Discrimination against Women. (2016). *List of issues in relation to the eighth periodic report of Bangladesh* (CEDAW/C/BGD/Q/8).

²⁷⁹ CEDAW/C/BG/CO/8 pp.9-10. See also <http://hrlibrary.umn.edu/iwraw/shadow/bangladeshreport.htm> It is important to note also that similar evaluations had been pointed out in regards to working rights.

Secondly, as to the provisions related to society, there was still high concern towards persistent patriarchal attitudes and discriminatory stereotypes about the roles and responsibilities of women and men in the family and in society. The Committee was “concerned about the limited efforts made by the State party to eliminate such stereotypes, which constitute serious barriers to women’s equal enjoyment with men of their human rights and their equal participation in all spheres of life.”²⁸⁰ And it is also on this that the true commitment to enhancing women’s human rights can be referred to, as I already stated.

2.2.2 What is missing

Unluckily, the achievement of equality has very much to do with cultural obstacles and, as to the specific context of Bangladesh, it seems that the issue is still unresolved. A research conducted by the Pew Research Centre in 2013, indicated that only 46 percent of Bangladeshis believed sons and daughters should have equal inheritance.²⁸¹ Generally speaking, the attitude towards women remains problematic, as well testified by Begum and other scholars. Women in Bangladesh still pay the price of being subjected to the country’s patrilineal and patriarchal kinship system, in which their role is mostly linked to social and religious constructs, and where they have access to less opportunities in terms of health, education, income, decision making powers and legal rights.²⁸² A clear example of how Bangladesh progress to make is represented by the fact that under the Women and Children Repression Prevention Act 2000 (WCRPA) sexual harassment, eve-teasing, other verbal offences and mental torture are still not recognized as violence²⁸³ and that “sexual harassment is recognized only when there is physical violence and to file a case under this Act, medical certificate is made a precondition, which is never possible in such cases.”²⁸⁴ And preferences continue to manifest also in more household-related decisions, such as the ones related to inheritance and asset

²⁸⁰ CEDAW/C/BG/CO/8, p.4

²⁸¹ Khan, M. (2019, March 8).

²⁸² Begum, S., Ali, S., Ali, O., & Bhuyan, H. R. (2011), p. 1. See also p.18.

²⁸³ Taslima, Y. (2020, October 8). *Time to initiate legal reforms in rape prosecution*. The Daily Star. <https://www.thedailystar.net/opinion/news/time-initiate-legal-reforms-rape-prosecution-1974197>

²⁸⁴ Begum, S., Ali, S., Ali, O., & Bhuyan, H. R. (2011), p.20.

ownership practices: women pay the price of being subjugated to an historical belief of superiority of male members both of the family and of the working environment.²⁸⁵

Also, two major concerns add to this specific scenery. The first one is represented by restrictions posed to non-governmental organisation working on women's rights and gender equality in the country, as pointed out by the Committee.²⁸⁶ NGOs, as will be discussed in Chapter 3 of this thesis, have to struggle in order to find enough space to bargain, help in the training of workers' and put in place concrete measures to prevent violations. The second one is represented by the fact that, on a Regional level, the Convention on the Elimination of All Forms of Discrimination Against Women hasn't find a concrete Asian regional Covenant. Through the years the alleged uselessness of an additional treaty has been underlined surprisingly by the Association of Southeast Asian Nations Commission on the Promotion and Protection of the Rights of Women and Children, which in 2017 had declared that it would constitute an additional reporting burden for the states party.²⁸⁷ In an environment in which many scholars still advocate for the acceleration towards a full incorporation and implementation of international, regional and national provisions and instruments, the ongoing gaps on women's protection, make it so much more difficult for Bangladesh civil society to rise up and demand for social justice.

2.3 Bangladesh Garment Sector framework

Bangladesh's history in the Garment sector, as already explained, is very recent and relevant. Throughout the years, it has been characterized by different shifts in terms of volume of the production, regulations, safety measures and unfortunately, dreadful events. This subchapter will provide evidence of how the development of the industry changed women conditions in time, its major challenges and changes and, most of all, its compliance to international ILO norms.

²⁸⁵ Solotaroff, J. L., Kotikula, A., Lonnberg, T., Ali, S., Pande, R. p., & Jahan, F. (2019), pp. 5-6.

²⁸⁶ CEDAW/C/BGD/CO8 pp.7-8.

²⁸⁷ Manjoo, R., & Jones, J. (2018), p. 97.

2.3.1 Evolution of the garment sector in the region

The Bangladesh industry directly experienced the consequences of the end of the Uruguay Round and the shift between different systems of textile quotas.²⁸⁸

The Multi Fibre Arrangement (MFA) - established in the 1970s in order to set preferential tariffs on textile imports to Europe, Canada and the United States - had restrained for a long period of time the opportunity for the country to emerge in the sector.²⁸⁹ And yet also the shift from the MFA to the Agreement on Textile and Clothing (ATC) in 1995, didn't mark a significant improvement of Bangladesh workers' conditions and profits but made them worst. What changed in this transitional phase was the rapidly growing workload of the sector, and the overall pressure exerted towards the textile industry itself. The process of liberalisation of the quotas put in place by the World Trade Organisation (WTO) dramatically increased the already high production rates in Bangladesh and other Asian countries, bringing with itself a severe transformation in the local economy. Due to the phenomenon of triangle manufacturing from US and European firms, and therefore with the exploitation of low-wage factories in specific locations,²⁹⁰ Bangladesh underwent a totally different phase. Since its independence, indeed, the country had already experienced a shift from a mostly agricultural economy to a proto-capitalistic one. The market-oriented policies of the second half of the seventies determined the growth of a new industrial class.²⁹¹ Capital accumulation became the most important goal to be pursued, together with the idea of fueling policies of privatisation. According to different scholars, two non-market factors which played a crucial role were undoubtedly the Multi Fibre Arrangement and the preferential access to European markets. Additional elements which contributed in changing workers' environment for the worst became currency devaluations and reduced trade barriers, together with the creation of EPZs, whose revenues were at the roots of Bangladesh's strategy for expansion. Despite being considered by ILO itself an important source of economic growth for the country, Export

²⁸⁸ https://www.wto.org/english/tratop_e/textile/textintro_e.htm

²⁸⁹ Mohan Kathuriat, L. (2003). Impact of the Multi-Fibre Arrangement (MFA) phase-out on the garment workers of the world. *Management & Labour Studies*, 28(1), p. 65. See also Christerson, B., & Appelbaum, R. P. (1995), p. 1365 and Hoskins, T. E. (2014). *Stitched up: The Anti-Capitalist Book of Fashion*. Pluto Press, p. 79 .

²⁹⁰ Christerson, B., & Appelbaum, R. P. (1995), p. 1369.

²⁹¹ Erfan Ahmed, F. (2004). The Rise of the Bangladesh Garment Industry: Globalization, Women Workers, and Voice. *NSWA Journal*, 16(2 (Summer)), p.35.

Processing Zones since the late eighties represented a means of true labour exploitation.²⁹² In particular, the massive expansion of Dhaka and Chittagong EPZs²⁹³ fuelled exploitative conditions and limited even more bargaining rights. Investigations made clear how in those specific areas - as testified by Mark Anner and the Worker Rights Consortium - salaries were more and more at risk of being cut due to actions put forward by lead firms in forcing governments not to raise minimum wages.²⁹⁴

As a direct outcome of these rapid shifts, disasters weren't long in coming: according to scholars such as Scott Nova and Chris Wegemer, they could have been directly traced back to specific causes and could have been prevented from happening. Incentives from the garment factory operators' side and lax regulation, together with the willingness to tolerate abusive working conditions, were already existing fundamental threats to people physical integrity in Bangladesh, the country where between 2005 and 2013 nearly two thousands of workers had already died in a dozen fires and building collapses.²⁹⁵ As already pointed out in this work, political instability and really low standards in protecting women's rights were understood to be further problems which needed to be carefully addressed. Moreover, it was also the failure of the self-regulatory approach linked to Corporate Social Responsibility programmes that was exposed by most recent factory disasters. Those voluntary compliance mechanisms proved several times to be ineffective and social audits to be insufficient.

The combination of all these element was at the roots of the three most dramatic disasters in RMG factories which happened in Bangladesh.²⁹⁶ The first one occurred in 2010, with the Hameem factory fire. Here, at least 5,000 people worked every day at the Hameem

²⁹² A good definition and history of EPZs is given by Lang, A. (2010). Trade Agreements, Business and Human Rights: The case of export processing zones. *Corporate Social Responsibility Initiative Working Paper*, 57, p.7.

²⁹³ Bhattacharya, D. (1998). *Export processing zones in Bangladesh: Economic impact and social issues* (No. 80; Multinational Enterprises Programme).

See also Apparel Resources News-Desk. (2012, May 1). *Beyond Dhaka and Chittagong – other upcoming EPZs in Bangladesh*. Apparel Resources.

Available at: <https://apparelresources.com/business-news/trade/beyond-dhaka-chittagong-upcoming-epzs-bangladesh/> and Jahan, D. A., Hoskins, T., Mayorga, J., & Bautista, N. (2021, July 17). *How the West's thirst for fast fashion is destroying lives*. Dhaka Tribune. <https://archive.dhakatribune.com/business/2021/07/17/how-the-west-s-thirst-for-fast-fashion-is-destroying-lives>

²⁹⁴ Anner, M. (2020), p. 325. See also ITUC-CSI-IGB. (2021). *We Need a Better Bangladesh: violations of worker's rights in the ready-made garment, shipbreaking and leather sectors*.

²⁹⁵ Christerson, B., & Appelbaum, R. P. (1995), pp. 18-19.

²⁹⁶ Siddiqui, J., & Uddin, S. (2016), p. 17.

Group factory, producing garments for big name brands such as Gap, Abercrombie, JC Penney, and Phillips-Van Heusen, the MNE which owns Calvin Klein and Tommy Hilfiger, among others. In that specific circumstance, on the 10th floor of a building located in Ashulia, 29 workers were declared deceased and hundreds others were injured very critically. Building safety problems, at the time - as stated by Scott Nova for the Workers Rights Consortium - were widespread and, what's worst, preventable as already put forward in warnings addressed to major brands and retailers.²⁹⁷

Then, only two years after this tragedy, a horrific fire broke out at the Tazreen Fashions Factory, in 2012. The overall toll was shocking: at least 112 dead factory workers, with 300 people injured and 1137 people at the workplace during the spread of fire whose lives were dangerously threatened. An investigation conducted by Clean Clothes Campaign and SOMO even discovered that although the fire alarms had started to ring, management staff had ordered the people to keep working, turning up the radio's volume in order to cover the noises and locking the gates and fire escapes at several doors.²⁹⁸ Even if according to the company ILO and Bangladesh labour law rules and regulations had fully been implemented and maintained, BBC reports found out that working inside the factory should have been permitted only on three of the nine floors. The factory was again producing for mostly "west" brands, such as C&A, Karl Rieker and KiK in Germany, Walmart, Dickies, Sears for the US, Li & Fung in Hong Kong, Edinburgh Woolen Mill in the UK, Hipercor in Spain, Piazza Italia in Italy and Teddy Smith in France and was also supplying Disney for Disney-branded products.

We could state that the last tragedy could be understood as a direct consequence of a poor accountability-assessment mechanisms reproduced through the years, and outcome of political unwillingness, especially in the private sector, to take action for the better.

Less than one year after, the worldwide-known tragedy of the Rana Plaza Collapse took place: on a eight-level commercial building, 1134 workers were killed and 2500 injured.

²⁹⁷International Labor Rights Forum. (2010, December 16). *Bangladeshi Ha-Meem Group Garment Factory Goes Up in Smoke and Flames*. At <https://laborrights.org/blog/201012/bangladeshi-ha-meem-group-garment-factory-goes-smoke-and-flames>. See also Nova, S. (2010, December 16). *Another Factory Fire in Bangladesh Kills 29, As Safety Crisis Continues*. Worker Rights Consortium. <https://www.workersrights.org/communications-to-affiliates/another-factory-fire-in-bangladesh-kills-29-as-safety-crisis-continues/>

²⁹⁸Theuws, Martje., van Huijstee, Mariette., Overeem, P., van Seters, J., & Pauli, T. (2013). *Fatal fashion. Analysis of recent factory fires in Pakistan and Bangladesh: A call to protect and respect garment workers' lives*. SOMO, Centre for Research on Multinational Corporations, pp. 39-40.

As a testimony of how much the context had been deteriorated, the negligence of the government has been widely displayed: it failed and chose not to act even after the cracks in the building - which resorted to collapse on itself - had been broadcasted on national media the day before the tragedy.²⁹⁹ Furthermore, the probe report stated how this specific choice was well rooted in the idea of fully meeting the deadlines set by buyers and nothing different than that. Workers were forced to work despite the constant threats to their own integrity.³⁰⁰

These three specific moments marked a change in the way international media were covering the RMG sector and women workers' rights in Asian countries, and therefore - as already stated - put pressure on factory owners, MNEs and the government to pursue new paths towards a binding agreement. The Accord, signed in the aftermath of the Rana Plaza collapse, was the Accord on Fire and Building Safety in Bangladesh. Before this fundamental milestone in safety legalisation for workers, the specific treaties signed on paper by Bangladesh itself had resorted to be insufficient and - in most of the cases - disregarded. The state, as already explored with the compliance to CEDAW, wasn't protecting human rights, ignoring international conventions and peremptorial norms: core elements of article 22 of the UDHR and article 7 of the ICESCR had been completely violated, and the Declaration of Fundamental Principles and Rights at Work had been forgotten.

2.3.2 *Compliance to international norms and the Accord on Fire and Building Safety in Bangladesh*

On paper, Bangladesh shouldn't have ignored those peremptory norms: ILO member since 1972, it was and still is signatory party to many fundamental conventions. The country signed on the 22th June 1972 six different conventions³⁰¹, respectively the Forced

²⁹⁹ Siddiqui, J., & Uddin, S. (2016), p. 17.

³⁰⁰ Hoskins, T. E. (2014). *Stitched up: The Anti-Capitalist Book of Fashion*, p.68.

³⁰¹ International Labour Organization (ILO). (1930, June 28). *Forced Labour Convention, C29*. International Labour Organization (ILO); International Labour Organization (ILO). (2014, June 11). *Protocol of 2014 to the Forced Labour Convention, 1930, P29*; International Labour Organization (ILO). (1948, July 9).; *Freedom of Association and Protection of the Right to Organise Convention, C87*; International Labour Organisation (ILO). (1949, July 9). *Right to Organise and Collective Bargaining Convention, C98*. See also International Labour Organization (ILO). (1959, June 25). *Convention Concerning the Abolition of Forced Labour, C105*; International Labour Organization (ILO). (1958, June 25). *Discrimination (Employment and Occupation) Convention, C111*.

Labour Convention, (No. 29) of 1930 and its Protocol of 2014 (ratified on 20 Jan 2022, soon to enter into force), the Freedom of Association and Protection of the Right to Organise Convention (No. 87) of 1948, the Right to Organise and Collective Bargaining Convention (No. 98) of 1949, the Abolition of Forced Labour Convention (No. 105) of 1957 and the Discrimination (Employment and Occupation) Convention (No. 111) of 1958.

Few years later, on 28 January 1998, the country formally became committed to enforce the Equal Remuneration Convention (No. 100) of 1951 and three years later Bangladesh signed the Worst Forms of Child Labour Convention (No. 182). Only very recently it has put effort towards joining the Minimum Age Convention (No. 138), dated back 1973, which will enter into force in 2023³⁰².

Nevertheless, baring this analysis in mind, the main question which needs to be cleared up remains how those three tragedies could have taken place. The answer was dreadfully predictable: Bangladesh technically ignored international law commitments and failed to protect its workers, in spite of already existing systems of audits and monitoring mechanisms.

As it had been written by the Human Rights Council through its Working Group on the Universal Periodic Review during its Thirtieth session³⁰³ (7-18 May 2018), in the country the “*status of workers’ rights in the formal and informal sectors remained poor, ranking among the 10 worst countries in the world.*”³⁰⁴ Even if during the previous UPR round Bangladesh had agreed upon taking concrete legislative measures to concretely enforce workers’ health and safety, and their freedom of assembly, they continued to face abuses, both physical and economic ones, meaning salaries which were inconsistent with the cost of living. The Human Rights Council itself was concerned that women workers were not guaranteed in their health, well-being and security, and in 2018 urged Bangladesh to strengthen already existing monitoring mechanisms.³⁰⁵ At the time, like I already

³⁰² International Labour Organization (ILO). (1951, June 29). *Equal Remuneration Convention, C100*; International Labour Organization (ILO). (1999, June 17). *Worst Forms of Child Labour Convention, C182*; International Labour Organization (ILO). (1973, June 26). *Minimum Age Convention, C138*.

³⁰³ Human Rights Council. (2018). *Summary of Stakeholders’ submissions on Bangladesh: Report of the Office of the United Nations High Commissioner for Human Rights*, (A/HRC/WG.6/30/BGD/3).

³⁰⁴ *Idem*, p.7.

³⁰⁵ Human Rights Council. (2018). *Compilation on Bangladesh. Report of the Office of the United Nations High Commissioner for Human Rights* (A/HRC/WG.6/30/BGD/2), p.3.

covered, also the Committee on the elimination of Discrimination against Women had recommended that Bangladesh regulated and monitored the working conditions of women in the garment sector, who had been exposed to a persistent gender wage gap and obstacles deterring them from entering the workforce. As I will analyse further on, the Export Processing Zones Labour Act (passed and voted by the government at first in 2004, in order to guarantee to EPZs workers bargaining rights³⁰⁶) had been widely criticized due to its only partial adherence to the ILO Freedom of Association and Protection of the Right to Organise Convention. Implemented in 2010 through the EPZ Workers' Welfare Association and Industrial Relations Act (EWWAIRA) and then in 2015, even if labour rights within these zones had been gradually improving, women workers were asking for "*greater engagement of the tripartite constituents in Bangladesh in the planning, designing and implementation of such technical assistance to promote rights at work*"³⁰⁷, since their freedom of association had been repetitively violated, as reported by UNI Global Union.

Workers' rights on paper had been progressing, but after the Rana Plaza Collapse it became evident that the right to work in a safe and healthy environment, enshrined in article 7 of the International Covenant on Economic, Social and Cultural rights, together with the universal principle of the duty to protect, had been violated by Bangladesh's government.

To make the situation even worse, institutionalised compensation schemes were unforeseen by the country's national framework and still lacking since Bangladesh wasn't a signatory party of ILO Convention 121, the Employment Injury Benefits Convention of 1964. Therefore, pursuing specific measures still represented a burden to be overcome and the need to act on a wider scale and on many different levels became pivotal, especially towards single MNEs.

A true attempt was made after the huge media attention gained by the Rana Plaza tragedy: global trade unions, in particular Uni Global Union and IndustriALL, "*capitalized on the outpouring of anger by serving retailers with an ultimatum*"³⁰⁸, and by November 2013,

³⁰⁶ More on the individual case at:

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3284577

³⁰⁷ *Ibidem*.

³⁰⁸ Hoskins, T. E. (2014), pp. 75-76.

90 global brands, including Zara and H&M, had signed the Accord on Fire and Building Safety.

The 2013 Accord - which is no substitute for a company's own corporate responsibility policies and practices - represented a "*an independent, legally binding agreement between brands and trade unions to work towards a safe and healthy garment and textile industry in Bangladesh. The Accord covers factories producing Ready-Made Garments (RMG) and at the option of signatory companies, home textiles and fabric & knit accessories.*"³⁰⁹ Since the first drafting period, 1600 factories decided to sign, meaning that also 200 different brands became involved. It didn't directly make the government responsible, but obviously it envisaged clear tangible consequence: workers were granted the opportunity of being involved locally, regionally and globally and of refusing to work, for instance, in unsafe assembly lines.³¹⁰ Thus the Accord marked a huge step forward in assuring concrete outcomes and actions against safety hazards. Through signing the Accord, brands and retailers could be held individually accountable for their breaches of the law on many different levels. According to SOMO journalist Joseph Wilde-Ramsing, the Accord finally wrote on paper binding forms of meeting inspection and remediation programmes:³¹¹ brand suppliers needed to meet specific standards within set and specific timelines, decided by an independent and qualified Accord Chief Safety Inspector. Workers could also refuse to work in an unsafe environment and training had to be put first and directly financed by all signatory factories in Bangladesh. Global unions could bring up charges against any retailer which failed to meet objectives and deadlines regarding health and safety in accordance with the New York Convention and structures of governance ought to become equal and democratic, foreseeing the presence of both trade unions, advisory boards, retailers, government institutions and NGOs in having a voice in the process. The most concrete evidences of its outcomes were represented by the multi-million dollar settlements obtained after the two first ever arbitration-

³⁰⁹ See Accord on Fire and Building Safety in Bangladesh website, at: <https://bangladeshaccord.org> . The reference here is also to the two original texts of the Accord itself. See *Accord on Fire and Building Safety in Bangladesh*. (2013, May 13) and *Accord on Fire and Building Safety in Bangladesh: May 2018*. (2017, June 21).

³¹⁰ Hoskins, T. E. (2014), p. 76.

³¹¹ Wilde-Ramsing, J. (2021, April 16). *Amidst the trend towards mandatory due diligence, the Bangladesh Accord model should not be abandoned*. Business & Human Rights Resource Centre. <https://www.business-humanrights.org/en/blog/the-bangladesh-accord-a-blueprint-for-the-expansion-of-mandatory-due-diligence/>

proceedings under the Accord, in 2018. Scott Nova and Ben Hensler reported that it was also in this way that the Accord represented “*a new model of labor rights enforcement—one defined by binding obligations for brands, including a commitment to share the cost of producing under safe conditions.*”³¹²

The original Accord was renewed and expanded in 2018, when the signatory parties decided to set up a Transition Accord with the global unions in order not to lose the progress gained throughout the years.³¹³ Those significant changes had to also confront the expiration of the purpose of this Transition Accord when in 2021, during the pandemic crisis, it was supposed to cease and was renovated again, after the fundamental contribution of labour activists and grassroots campaigners³¹⁴, as it’ll be investigated in Chapter 3.

I have deeply taken into account women’s human rights framework in Bangladesh and their working rights, as they have been developed and are evolving on paper.

International Conventions and the Bangladesh Accord - if consistently enforced - represent true tools and alternatives in order to empower women and to foster their condition. However, knowing which are the burdens and limits of the International Human Rights system, as I already put forward in Chapter 1, a far more complete idea of empowerment needs to be brought together.

Sweatshops and factories in most of the cases disguise degrading and inhumane working conditions which do not go on record and are often not even incorporated in existing institutional frameworks. To fully reach women empowerment, specific assessments need to be followed and undertaken. Thus, the following chapter will be devoted to fully scrutinize women rights conditions in practice and to evaluate which specific measures have been put in practice in order to uplift their social conditions.

³¹² Nova, S., & Hensler, B. (2018). Settlement Reached in Groundbreaking Bangladesh Accord Arbitration. *WRC - Worker Rights Consortium*. <https://www.workersrights.org/communications-to-affiliates/settlement-reached-in-groundbreaking-bangladesh-accord-arbitration/> The case was brought to the Permanent Court of Arbitration in The Hague by the global unions IndustriALL and UNI.

³¹³ <https://bangladeshaccord.org/about>

³¹⁴ Wilde-Ramsing, J. (2021, April 16). See also Remake. (2021, August 25). *Victory! Bangladesh Accord Renewed and Expanded!* <https://remake.world/stories/news/victory-bangladesh-accord-renewed-and-expanded/>

CHAPTER 3 - Overcoming HR violations for women: a path towards empowerment (SDG5)

3.1 Human Rights threats inside garment factories: women's conditions in practice

The burden of women terrible conditions inside and outside warehouses or industries still remains, as it has been clearly depicted by academic researchers and independent organisations. This represents a concrete obstacle towards the achievement of their empowerment capability but also offers a clear overview of the paths to reach it. As already illustrated, right after the Rana Plaza tragedy the international debate around Bangladesh's factory workers started to revolve around safety issues, bringing with itself significant changes in terms of mandatory tools such as the Bangladesh Accord and therefore the adherence of Bangladesh Labor Act to those *criteria*. Despite this, a strong sense of unwillingness to tackle specific individual problems within systemic-condition frameworks and analyses remained present.

Women payed the price of being silenced and unable to denounce their conditions due to the fear of losing their jobs³¹⁵ and on top of this, also streams of literature forgot to cover their burdens.

In order to develop a path through which Bangladesh women could self-determine themselves and find empowering solutions - their individual conditions need to be covered and brought together through a comprehensive approach.

Empowerment will be achieved not only when labour codes will be fully enacted (many of them are still ignored, as Akhter and other authors report³¹⁶) but also when women's conditions in practice will reach better concrete standards. From my own viewpoint, this would only be possible through a fully fledged implementation of targets belonging to sustainable development goal 5, gender equality and empowerment, and a completely different narrative associated to them.

Self-determination and empowerment are still challenging topics to be defined, but this chapter, starting from a review of concrete elements in women's lives, will unravel their intricacy. On one hand, empowerment comes from scrutinising complex environments

³¹⁵ Akhter, S., Rutherford, S., & Chu, C. (2019). Suffering in silence: violence against female workers in the ready made garment industry in Bangladesh: A qualitative exploration. *Women's Health, 15*, p.5.

³¹⁶ *Idem*, p. 8

and the acknowledgment of concrete starting points. On the other, it comes with the opportunity to understand and question already existing parameters and targets in order to fully overcome those concrete conditions, therefore paving the way to a resignification of empowerment itself.

To deepen the analysis on this side, I will directly take into account Alessandra Mezzadri and other intersectional authors' works on laboring bodies which have recently shaken the international research agenda on women's conditions inside garment factories.

Mezzadri, Prentice and De Neve³¹⁷ argue in different works that health and wellbeing are not to be considered only technical issues, which resort to be solved by voluntary mechanisms or which can be directly shaped by Corporate approaches in general.³¹⁸ Therefore, they refer to the “*non-exceptionality of risk*³¹⁹”, a core concept according to which tragedies such as the Rana Plaza collapse shall not only initiate new safety measures, but rather shed a light on structural obstacles regarding the exploitation of female bodies and their invisibility. These authors argue that catastrophes shall instead make visible the concept of female disposability and the neglect to which they wellbeing and general conditions are exposed.

I already underlined how garment jobs were unluckily considered deplorable and “*often defined by harsh working conditions and rhythms and low levels of social security*”³²⁰ which are direct consequence of the feminization of the factory floor as a whole. For women in the garment sector, the alienation from their bodies and the projection of social relation and social reproduction schemes towards the workplace, have direct consequences on their poor health, on their wellbeing and often - as I will analyse - on violence towards them. These outcomes are unluckily directly associated with more extensive human rights violations such as the ones connected to wage theft and insufficient incomes and obstacles represented by violations of bargaining rights.

³¹⁷ Prentice, R., de Neve, G., Mezzadri, A., & Ruwanpura, K. N. (2018). Health and safety in garment workers' lives: Setting a new research agenda. In *Geoforum* (Vol. 88, pp. 157–160).

³¹⁸ *Idem.* See also Mezzadri, A. (2017). Garment Sweatshop Regimes, the Laboring Body, and the Externalization of Social Responsibility over Health and Safety Provisions. In R. Prentice & G. de Neve (Eds.), *Unmaking the Global Sweatshop: health and safety of the world's garment workers* (pp. 173–200). University of Pennsylvania Press.

On this topic, see also Barrientos, S., Gereffi, G., Pickles, J., & Posthuma, A. (2011).

³¹⁹ Mezzadri, A. (2017), pp. 176-178

Mezzadri argues that codes of conduct ignore completely the experiences of workers due to exploitation schemes and neglect their health and sanitation: the prioritisation is made towards the interest of distant others (usually the managerial elites and MNEs reputational standards) rather than women workers' themselves, with their personal interpretation of threats to their integrity.³²¹

Thus it becomes fundamental to re-shape health, wellbeing but also wages and bargaining rights under a different lens, thanks to a multi-dimensional and intersectional approach. On one hand, it'll mean taking into account the externalisation of costs which women workers have to carry outside the workplace,³²² with hidden expenditures that mainstream literature doesn't usually take into account.

On the other hand it would imply considering health issues highly variable from one country to another, as an outcome of linkages between different levels of analysis (MNEs, NGOs, trade unions, the state and local manufacturers and contractors) and also that gendered struggles and fights - in order to change concretely the status quo - shall be considered localised, in order to change concretely the *status quo*. Women in Bangladesh have the chance to self-determine themselves but it starts from giving voice to their own personal conditions.

3.1.1. Health and wellbeing

Data on health and wellbeing on the factory floor are very difficult to gather, as put forward by scholars such as Ahmed and Akhter.³²³ This could be directly traced back to the will of multinational industries to hide their inconsistency with International provisions or even the Bangladesh Accord, putting pressure on women not to talk. An important assumption to be made is that in most of the cases audits occur under the

³²¹ Prentice, R., de Neve, G., Mezzadri, A., & Ruwanpura, K. N. (2018), p. 158.

³²² *Idem*, p.159.

³²³ Mia, R., Ahmed, T., Tanjim, M. N., Waqar, M. A., Hasan, M. M., Das, A., Shamim, A. M., & Jahan, K. (2020). An extensive analysis of the health hazards for RMG workers in apparel sector of Bangladesh. *Journal of Textile Engineering & Fashion Technology*, 6(4). See also Akhter, S., Rutherford, S., & Chu, C. (2019). Suffering in silence: violence against female workers in the ready made garment industry in Bangladesh: A qualitative exploration. *Women's Health*, 15, 1–10. See also Better Work Bangladesh. (2019). *An Industry And Compliance Review - Bangladesh*, available also at www.ilo.org/publns

supervision of managers, which are warned beforehand. Thus, the most reliable data around topics useful to this research are the ones deduced from qualitative interviews. Health and wellbeing encompass different essential realms of experiences and problems. For the sake of simplicity, I will stress out the analysis of most common threats to women physical health and part them from what also violence means.

Sewing, mending and ironing can be considered physically demanding works, and become even more harsh when working shifts reach up to 10-12 hours shifts, with only one hour break.³²⁴ Working as machines operators, in most of the cases working targets are so high that women fall behind schedule in meeting them: with an average of 80 shirts processed in one hour, they could easily be asked to meet a standard of 100 items, resorting therefore to work extra-time often without overtime payment. Conditions get worst during the weeks of Ramadan, as they have to make up the lost hours all at once. In most of the cases, they suffer from eye irritation due to fabric dust, poor lighting and scarce ventilation. Electric fans on the factory floor produce terrible sounds together with the noise of hundreds of machines which are constantly running, and which in most of the cases can cause headaches and the dreadful occurrence of hearing loss.

Backpain and physical illnesses are similarly common on the factory floor: fingers and wrists are constantly pressured, and punctures and burns are frequent due to ironing. Often, all these different physical pains are eased with Panadol or other medicines, purchased by women in the first place, which do not contemplate going to the doctors' anymore. Medical assistance or medicines in first aid boxes are rarely available in factories. On top of this, proper hygiene conditions to guarantee a safe environment in which to eat and to have access to facilities are still far from being achieved.

Many other health and well-being-related problems go underestimated or not even considered due to the gendered dimension of trauma and illnesses: giving concrete examples, since most of the supervisors on factory floors are men, menstrual problems aren't even discussed nor talked about, due to the stigma associated to them. Because of a comparable approach, factory training related to HIV/AIDs prophylaxis is completely absent, with workers found to be unaware of accurate and up-to-date information on

³²⁴ Akther, S., Rutherford, S., & Chu, C. (2019), p.5.

reducing the risk of HIV/AIDS in their personal lives and the workplace.³²⁵ This adds to the already worrying conditions of a lack of general listed by Ahmed in 2020:³²⁶ 54% of the respondent revealed not to have been guaranteed proper instructions about safety and health measures. Their conditions are additionally made more severe by the barely minimum enactment of compensative measures and agreements, which in most of the cases don't even exist.

As I already pointed out, there cannot be a comprehensive analysis without a wide conception of wellbeing. Discrimination and violence have been widely viewed as part of the realm of wellbeing, to the extent to which - once they occur or are perpetrated - they modify and alterate personal conditions of women.³²⁷ Violence can take different forms *assumere varie forme*, of which the annihilation of the person and the unavailability of services and compensation mechanisms are one expression.

As underlined by Akhter, behavioural restrictions played a detrimental role inside the workplace for women.³²⁸ Isolated from the outside world, while they were suffering due to verbal and physical abuses from their supervisors, they couldn't reach for help nor even drink, in order not to withdraw from their work station.

Verbal and physical violence was persistent and included "*sexualized verbal abuse, as well as touching, patting, pinching, slapping, coerced sex, and rape*".³²⁹ Suffering the consequences of those psychological abuses also at home, was a reality for most women with sleep deprivation, depression and weight loss,³³⁰ therefore externalizing the opportunities to get better or recover completely. According to a study conducted by the Bangladesh Center for Workers Solidarity (BCWS) and FEMNET in 2020, 75% of the interviewed women (the ones who had courage to speak about the abuses) reported having experienced gender-based violence at the work place.³³¹

³²⁵ Better Work Bangladesh. (2019), p. 24.

³²⁶ Mia, R., Ahmed, T., Tanjim, M. N., Waqar, M. A., Hasan, M. M., Das, A., Shamim, A. M., & Jahan, K. (2020).

³²⁷ Here a fundamental contribution has been developed by Mezzadri through her research

³²⁸ Akhter, S., Rutherford, S., & Chu, C. (2019), p. 5.

³²⁹ Naved, R., Rahman, T., Willan, S., Jewkes, R., & Gibbs, A. (2018). Female garment workers' experiences of violence in their homes and workplaces in Bangladesh: A qualitative study. *Social Science and Medicine*, 196, p.151.

³³⁰ Kabir, H., Maple, M., Usher, K., & Islam, M. S. (2019). Health vulnerabilities of readymade garment (RMG) workers: A systematic review. In *BMC Public Health* (Vol. 19, Issue 1), p.6.

³³¹ Marx, S., & FEMNET e. V. (2020). *Wages and gender- based violence. Exploring the connections between economic exploitation and violence against women workers*, p. 2.

Even talking about their problems and undergone pressures has been widely recognized by scholars as violence, with direct consequences on targets met at work and overtime shifts, in a never ending cycle of commodification of the person and constant threat to their personal integrity.

Violence comes in many ways and has to do with economic independence on one hand, and with the threat of losing it, and losing a source of income for women's families on the other. I will therefore provide a brief analysis of concrete situations of burdens regarding wages and struggles related to them.

3.1.2. Wages

It is acknowledged that Bangladesh's garment workers' wages are among the lowest worldwide. As reported by a 2021 assessment conducted by ITUC, "*Bangladesh has some of lowest wages among garment producer countries, despite increases to the minimum wage introduced in 2013 and 2018.*"³³² As I pointed out, this environmental starting point has direct consequences on women's behaviours and conditions: low wages often carry with themselves the likelihood of not being able to properly feed the rest of the family, and of deciding to work longer shifts inside an unsafe workplace.³³³ Indisputably, one of the worst squeezes and pressures occurred inside the Garment sector over the years was represented by the actions put in place to limit costs in the first phases of the supply chain, with the direct consequence of wages being cut and maintained at the bare minimum. In many of the personal experiences collected by ITUC, a discrepancy between contracts and real practice was self-evident. One of the workers denounced having the right to earn a monthly salary of 9,300 taka (US\$119) and then receiving 8,400 taka (US\$99) a month instead. The situation was precisely the same when considering overtime earnings: the rate was supposed to be 80 taka (US\$0.50) per hour, and while she worked two hours extra every day, and therefore was supposed to receive 1,2000 taka (US\$14) per month, she received 10,00 taka (US\$11)³³⁴. In most of the cases, women had also the responsibility to hand over their earnings to their families. Money could have

³³² ITUC-CSI-IGB. (2021). *We Need a Better Bangladesh: violations of worker's rights in the ready-made garment, shipbreaking and leather sectors*, p.7.

³³³ Prentice, R., de Neve, G., Mezzadri, A., & Ruwanpura, K. N. (2018), p. 158.

³³⁴ITUC-CSI-IGB. (2021)., p.8. It is important to consider that wages are expressed with the exchange rate valid during the time of the collection of data. Nowadays, the value would be even lower.

been used both as an instrument of negotiation with their husbands, but also recognized as the only scapegoat possible from a life of dependency:³³⁵ some women also hid their earnings in order to try to gain an economic independence in a near future.

Thus, the fight towards better wages assumes a central role in the evaluation of women's concrete conditions.

And what become significant to be addressed at this point is the true difference between Minimum wage and Living wage.

National minimum wages are usually established by governments and are calculated in contexts which fuel profit-oriented public policies on a daily basis, as in the case of Bangladesh's government. As underlined by transnational advocacy networks like Clean Clothes Campaign "*many suppliers don't even pay their workers the legal minimum*"³³⁶ which in the country is currently recognized by law to be 94 USD per month.

A living wage should on the other hand guarantee decent conditions to workers in order to meet basic needs such as food, clothes, shelter and schooling, both for them personally than for their families.

Hence, wages and benefits set by governments - such as in the cases analysed in this work - despite being set through international guidelines are insufficient to provide for sufficient standards, and directly force citizens to put themselves in exploiting conditions in order to compensate.³³⁷ Thanks to an investigation authorized by Fair Labour Organisation, the minimum wage in Bangladesh resorted to be even falling even below the World Bank Poverty Line.³³⁸

There is still a huge gap between minimum wages that workers earn and what should be provided with dignified conditions. According again to the Fair Labour Organisation, "*the gap of 6,041 taka (\$72 .66) per month between average worker wages and even the lowest suggested living wage benchmark demonstrates the scale of the challenge for companies committed to achieving fair compensation for workers. To achieve this level of pay, wages would need to be raised by almost 80 percent*".³³⁹

³³⁵ Naved, R., Rahman, T., Willan, S., Jewkes, R., & Gibbs, A. (2018), p. 156.

³³⁶ Clean Clothes Campaign. (n.d.). *Wages: a living wage and severance pay*. Retrieved October 1, 2022, from <https://cleanclothes.org/issues/poverty-wages-living-wage>

³³⁷ Anner, M. (2020). Here the concept of "sourcing squeeze", as previously described in this work, becomes fundamental to be taken into account.

³³⁸ Fair Labor Association. (2018). *Towards fair compensation in Bangladesh: insights on closing the wage gap*, p. 2

³³⁹ *Idem*, 12.

During the pandemic, starting from march 2020, RMG industry workers exposed the impossibility to face daily expenses for their families with minimum wages set by law, and disclosed the necessity to increase them.³⁴⁰

Another recent investigation by Clean Clothes Campaign highlighted the presence of a tangible wage gap due to the intertwined spread of Covid-19 and the interruption of production.³⁴¹ On average, before the pandemic a female worker was granted a monthly wage of 217 USD, with bonuses and overtime payments. That due amount of money was recorded being of 150 USD in June 2021. According to workers interviewed, the average decrease in pay became of 82 USD per month.

Working during the pandemic was tiring and extremely unstable. Workers were losing money and the opportunity to work as a result of the inexistence of compensation mechanisms. Many were forced to interrupt or postpone their working schedule from 1 up to 3 months, by reason of the spread of the virus, and never got payed a sick leave, even if they had to face Covid-19 themselves. As denounced by CCC, “*the average period that workers did not receive their full pay was six weeks*”.³⁴² On the verge of this inefficiency, costs of basic needs were rising, monthly outgoings due to unforeseeable expenses were also growing³⁴³ and production targets - after a huge dropout of workers which couldn't afford anymore to live on such a low minimum wage - became unreachable. Many women, starting from 2020, got laid off or dismissed. In most of the cases, if they got ill due to Covid-19, they had to also to add other expenses in order to pay for tests and accommodation for self-isolation, even if the different firms involved hadn't foreseen social distancing to prevent the spread of the infection.

Not paying a sick leave wasn't nothing new: evidences showed that this practice was already common well before the pandemic period³⁴⁴.

³⁴⁰ ITUC-CSI-IGB. (2021).

³⁴¹ Clean Clothes Campaign. (2021). *Breaking Point. Wage theft, violence and excessive workloads are pushing garment workers to breaking point during the pandemic*, p. 14. The virus erupted immediately and at first, due to the lack of vaccines, threatened the lives of millions of workers worldwide because of its contagiousness.

³⁴² *Idem*, p. 15.

³⁴³ Among these expenses, facemasks, tests and sanitizers, and also paying for internet packages for homeschooling or in other cases also to work from home (for others members of the family).

³⁴⁴ Anner, M. (2018). *Binding Power: The Sourcing Squeeze, Workers' Rights, and Building Safety in Bangladesh Since Rana Plaza Executive Summary*, p. 22.

With this picture in mind, it is clear that the environment became intolerable: women suffered from a huge economic dependency, which fuelled a never ending spiral of indirect violence, in a vicious cycle, as “*gender based violence is cause and consequence of economic exploitation*”³⁴⁵.

Workers, unions, NGOs and advocacy networks are still pushing the government and private firms to change the status quo, therefore towards guaranteeing fair compensative measures and respect of basic human rights for all. The path is still long, and even when trade unionists try to have a say and organise the collective power, in most of the cases they are silenced. Bargaining rights - which could boost both health and wellbeing provisions and also wage negotiations - are still not fully enacted and thus represent an essential element in shaping the opportunities of empowerment for women workers in the garment sector. To be able to further proceed, I will therefore briefly explicate the state of the art concerning the right to unionize and to bargain inside RMG industries in Bangladesh, and how it has been threatened even recently.

3.1.3. *Bargaining rights*

Bangladesh, according to its national legislation, recognizes freedom of association as a fundamental human right, since it is signatory country of international conventions such as the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).³⁴⁶ As a consequence, national law allows workers to form a union or to join an informal local group. However, concrete obstacles are still tolerated and fuelled by Bangladesh’s government, which obstructs the implementation of this particular right. Human Rights Watch declared that “*freedom of association and collective bargaining are part of company codes of conduct but in their experience audits and inspections*

³⁴⁵ Marx, S., & FEMNET e. V. (2020), p. 4.

³⁴⁶ CNV Internationaal, Ethical Trading Initiative, Mondiaal FNV, Fair Wear, & ACV - CSC. (2021). *Country Information & Practical Advice on Freedom of Association (FoA) & Collective Bargaining (CB) - Bangladesh.*

We’ve already analysed its adherence to ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)

*conducted by company agents prior to the Rana Plaza collapse often overlooked these issues or addressed them only superficially”.*³⁴⁷

I will therefore explain the main reasons for a gap of such kind.

In analyzing participation processes inside garment factories, I will try to make a distinction between formally recognized unions and other participatory networks.

Taking as a starting point the description of formally recognized unions in Bangladesh, if the aim is to form one, it needs to be registered according both to the Labour Act 2006 (amended in 2013 and then again in 2018) and to Bangladesh EPZ/EZ Labour Law Ordinance n. 1 2019, which gives concrete instructions for people working in EPZs. No permission is needed from factory owners, but in order to have a fully functioning union, a percentage of 20% of the total number of workers needs to be involved. Even if the previous percentage was recorded to be of 30%, this number still represents a concrete burden in order to let all women workers have a say in decisions regarding themselves.³⁴⁸

In making a distinction between recognized unions and informal participatory groups, it is interesting to know that unions also showed traces of the division according to territorial adherence. In fact, the union's structure can variate from a basic union (the most common ones, working on day-by-day circumstances and on field, trying to directly address problems on the workforce), to global union federations, which operate actively inside Bangladesh's RMG industries.³⁴⁹ Industrial federations or trade unions and national federation or confederations have usually had a leading role in organising strikes and put their efforts towards active collective reactions which reached international public opinion worldwide.

ILO reports that the number of unions grew from 132 in 2012 to 437 in 2015, in the aftermath of the Rana Plaza tragedy.³⁵⁰ Nowadays, even if data variates due to the lack

³⁴⁷ Human Rights Watch. (2015, April 22). *Whoever Raises their Head Suffers the Most. Workers' Rights in Bangladesh's Garment Factories*.

http://features.hrw.org/features/HRW_2015_reports/Bangladesh_Garment_Factories/index.html

³⁴⁸ Better Work Bangladesh. (2019), pp. 8-9.

³⁴⁹ A concrete example would be IndustriALL Global Union, a textile worldwide trade union, which has 19 affiliated in Bangladesh. See CNV Internationaal, Ethical Trading Initiative, Mondiaal FNV, Fair Wear, & ACV - CSC. (2021), p. 6.

³⁵⁰ International Labour Organization (ILO). (2015). *Rana Plaza two years on - Progress made & challenges ahead for the Bangladesh RMG sector*, p. 6.

of information and different categorisations of unions³⁵¹, the RMG sector in Bangladesh has 54 industrial federations and 905 basic factory unions, with an overall number of 593 unions registered between 2010 and 2020.

Conditions on freedom of association and bargaining rights in EPZs areas are regulated by the Instructions of the Bangladesh Export Processing Zones Authority (BEPZA) directly linked to the national government, which - according to CNV International - completely restrict collective bargaining power for women, since *“EPZ workers are prohibited from forming unions. Workers may only form Workers Welfare Associations (WWA), which do not have the same rights as trade unions. The new law forbids workers from associating with workers’ organizations outside the EPZ.”*³⁵²

The existence of two different kind of laws which address the same judicial matter differently is to be considered a breach of working rights for a considerable number of women in Bangladesh and completely in contrast with provisions put forward by the Human Rights Council.³⁵³

Moreover, in factories where unions are registered, if the percentage of female workers is at least of 20% out of the overall workforce, they should be granted by law the 10% of the executive committee of the union. In the vast majority of the cases, this isn't a reality and women experience a severe deprivation of representation.

Given the centrality of bargaining processes and the role widely recognized to official unions in shaping bottom-up participatory approaches of collective solidarity, it is fundamental to understand its burdens in the context of Bangladesh.

As already discussed in Chapter 2, the country is unfortunately very prone to corruption and patronage. Trade unionists in many cases have proven to be agents for employers and political governments, disregarding their core aim of shielding workers' right.³⁵⁴ This condition of dependency might be explicitly connected to corruption or rather be linked

³⁵¹ CNV Internationaal, Ethical Trading Initiative, Mondiaal FNV, Fair Wear, & ACV - CSC. (2021), p. 6.

³⁵² *Idem*, p.3.

³⁵³ It has already been underlined how this is in contrast with provisions foreseen by the Human Rights framework. See A/HRC/WG.6/30/BGD/2, p. 6.

³⁵⁴ Akil, N. Z. (2019, September 10). *The state of the unions*. Dhaka Tribune. <https://archive.dhakatribune.com/opinion/op-ed/2019/09/20/the-state-of-the-unions>

with external international donors, hence creating a phenomenon similar to aid dependency.³⁵⁵

Lack of education and knowledge also play a fundamental role in expanding the distance between women and bargaining groups themselves.

Even if trade unions exist, often women workers don't even know about their existence. According to a study conducted by ILO in 2017, Collective bargaining agents (CBA), which are in charge of the responsibility to put forward workers' rights, weren't even perceived as important nor existing by many interviewed workers, and other evaluations showed how only a percentage fluctuating from 30 % to 50% of them were aware of working rights and main goals of unions. Moreover, the lack of coordinated efforts and a severe correlation between low financial capacity and bargaining power, resulted in negative widespread prejudices against unionists and worrying fears about the uselessness of collective efforts.

Undoubtedly, one of the worst reason which stops women workers from taking part into collective bargaining processes, is being silenced and suppressed while trying to raise their voices, both on the factory floor and during strikes in the streets. Whoever wants to put forward complaints or to share their negative experience, in solidarity with other workers experiencing violence or unequal treatments, is punished, intimidated and humiliated: *"the workers who tried to form a union were immediately sacked with humiliating allegations such as theft, drug addiction, etc."*, reports an anonymous source employed for one of the subsidiaries of H&M and Primark in Bangladesh, when recently heard by Clean Clothes Campaign.³⁵⁶ Prentice and Ashraf denounced that factory owners in 2011 reached the point of publicly displaying some of the names of people who were not welcomed anymore there, right up to the gates of their production sites, with the direct consequence of the dismissal of 269 worker. The working site was guarded by more than 100 members of law enforcement, and while women were trying to enter the gates of the site, teargas canisters and rubber bullets were fired on them.

Right in the aftermath of Rana Plaza, despite having all the eyes of the international public opinion watching, the situation did not evolve nor change. In December 2014, in Gazipur

³⁵⁵ CNV Internationaal, Ethical Trading Initiative, Mondiaal FNV, Fair Wear, & ACV - CSC. (2021), p.9. All data reported are taken from the same qualitative survey.

³⁵⁶ Clean Clothes Campaign. (2021), p. 24. See also Ashraf, H., & Prentice, R. (2019). Beyond factory safety: labor unions, militant protest, and the accelerated ambitions of Bangladesh's export garment industry. In *Dialectical Anthropology* (Vol. 43, Issue 1, pp. 93–107). Springer Netherlands, p. 102.

more than 100 workers were fired from a factory after they had filed up union registration papers early that year.³⁵⁷

In February 2017, Human Rights Watch reported unlawful fabricated criminal cases towards labour unionists in Bangladesh after wage strikes which had been going on in December 2016. *“Thousands of garment workers outside Bangladesh’s capital, Dhaka, participated in wage strikes between December 11 and 19. They came from an estimated 20 factories that supply global brands based in the Ashulia industrial area. According to information by local groups and official information, the vast majority were from factories that had no unions [...] but the Bangladesh authorities used these strikes as a justification to arrest national union federation leaders and labor activists for “leading” and “planning” the strikes.”*³⁵⁸

In December 2018, the pattern was similar: as it has been directly reported by the Workers Rights Consortium, brutal crackdowns were brought out by the government on garment workers for peaceful protests against the country’s extremely low minimum wage, and baseless criminal charges were put forward with the behest of factory suppliers for brands like H&M, Mango, and Next.³⁵⁹

The year after, in 2019, a new wave of protests involved at least 100 factories, according to the Workers Rights Consortium³⁶⁰, and production was suspended during the strikes: the police responded with excessive and deadly acts of violence, of which the most tragic example was the death of Sumon Mia, a 22-year-old worker shot dead on the street on his way home during his lunch break, in Savar.

The same happened during Covid-19 epidemic crisis, and had even more disrupting consequences, with the intensification of pre-existing problems. Clean Clothes Campaign, supported again by Human Rights Watch, different advocacy networks and the international public opinion³⁶¹, repetitively denounced the repression of workers

³⁵⁷ Human Rights Watch. (2015). *Whoever Raises their Head Suffers the Most - Workers’ Rights in Bangladesh’s Garment Factories*. http://features.hrw.org/features/HRW_2015_reports/Bangladesh_Garment_Factories/index.html

³⁵⁸ Human Rights Watch. (2017). *Bangladesh: Stop Persecuting Unions, Garment Workers Brands Should Make Binding Commitments to Protect Freedom of Association*. <https://www.hrw.org/news/2017/02/15/bangladesh-stop-persecuting-unions-garment-workers>

³⁵⁹ Workers Rights Consortium (WRC). (2019). *Banning Hope - Bangladesh Garment Workers Seeking a Dollar an Hour Face Mass firings, Violence, and False Arrests*, p. 3.

³⁶⁰ *Idem*, p. 10.

³⁶¹ The international media during the pandemic put a lot of pressure towards international brands and their anti-union conduct. A clear example was represented by the following articles. See Johnson, S. (2021, July 2). Wage theft’ in Primark, Nike and H&M supply chain – report. *The Guardian*.

taking the streets. In April 2020, thousands of workers in Ashulia protested against their experiences of hardship during that specific period, and some of them were repeatedly scared with death threats and physical harm. Factories were continuously guarded by armed forces and workers were forced to take voluntary resignation.³⁶²

June 2020 represented again a blast of union busting mechanisms: 3,000 garment workers were dismissed in Gazipur, amid COVID-19, from factories belonging to the Windy Group, an important supplier for H&M and Inditex groups.³⁶³ The dismissed workers tried to fight back, in order to call for reinstatement, through hunger strikes.

In January 2022, 1700 workers took the streets in Fatullah, Narayanganj.³⁶⁴ They organized sit-ins and protests right under the factories' offices in order to demand a due payment of wage arrears. The struggle continued during the following months, up to the breaking point of witnessing again the use of teargas against peaceful demonstrators in June, with a peak of horrifying threats of job losses posed by the Prime Minister Sheikh Hasina herself to the garment workers.³⁶⁵ As testified by Hilama Perera, there was a clear attempt to find out who were "*instigating the workers' leaders*" in order to step up to police attacks. Protests seemed to erupt spontaneously and it was precisely in those circumstances that many unions manifested their limits, deciding to settle in with Hasina's government, in order to contain workers' anger.

These specific episodes of violence and already existing structural imbalances - as previously underlined - reinforced in many scholars the idea that trade unions *per se*

<https://www.theguardian.com/global-development/2021/jul/02/wage-theft-in-primark-nike-and-hm-supply-chain-report>

³⁶² Clean Clothes Campaign. (2021)pp. 24-25. See also Ruma, P. (2020, April 26). *Bangladesh textile workers flout coronavirus lockdown to demand wages*. Reuters. <https://www.reuters.com/article/health-coronavirus-bangladesh-protests-idUSL3N2CE08V>

³⁶³ Business & Human Rights Research Centre. (2020, July 14). *Bangladesh: H&M and Inditex supplier accused of union busting amid COVID-19 after dismissal of 3,000 garment workers; Incl. company responses*.

³⁶⁴ Clean Clothes Campaign. (2022, January). *January 2022 COVID blog*. <https://cleanclothes.org/news/2022/january-2022-covid-blog>

³⁶⁵ See also human rights watch source Clean Clothes Campaign. (2022, April). *April 2022 COVID blog*. <https://cleanclothes.org/news/2022/april-2022-covid-blog>

couldn't constitute the only solution in order to fuel an empowered environment for women workers in the garment industry.³⁶⁶

According to Ashraf and Prentice, even worker participation committees - established in factories under the Bangladesh Accord - could become non-conflictual fora, mostly dedicated to health and safety, a window-dressing means to undermine workers' contractual power. Since the vast majority of women workers hadn't received a sufficient and proper training before being brought to the negotiating table with their employers, they ran the huge risk of being dismissed by employers and of experiencing the direct consequences of their core intimidation, "*that there is no place for militancy in this industry.*"³⁶⁷

Therefore, alternative informal groups are highly valued by some scholars as complementary forms of collective bargain, useful to fuel the concept of self-awareness, since they are less likely to be contaminated by inconsistency and give enough space to self-awareness.

The majority of women working in the sector are already conscious of their underprivileged environment and do not romanticize their jobs, with true awareness of poor pays and bad conditions.³⁶⁸ What they are still missing, also according to independent trade unions such as Bangladesh Independent Garment Workers' Union and following the research achievements of scholars like Dannecker, are safe and wide spaces of shared experiences and knowledge, as well as the capabilities to renegotiate different relationships with all actors who surround them.

Accordingly, mass collective trade union movements and militant grassroots protests play without doubt a fundamental part in temporarily shaking existing power structures, but they resort to be less important than challenging completely the whole system which sustains the *status quo* and basic conditions for women which restrain their lives.³⁶⁹ For

³⁶⁶ Ashraf, H., & Prentice, R. (2019). Beyond factory safety: labor unions, militant protest, and the accelerated ambitions of Bangladesh's export garment industry. In *Dialectical Anthropology* (Vol. 43, Issue 1, pp. 93–107). Springer Netherlands. See also Kabeer, N. (2004). Globalization, Labor Standards, and Women's Rights: Dilemmas of Collective (In) Action in an Interdependent World. In *Feminist Economics* (Vol. 10, Issue 1, pp. 3–35) and Siddiqi, D. M. (2009). Do Bangladeshi Factory Workers Need Saving? Sisterhood in the Post-Sweatshop Era. In *Feminist Review* (Vol. 91, Issue 1, pp. 154–174).

³⁶⁷ Ashraf, H., & Prentice, R. (2019), p. 104.

³⁶⁸ Kabeer, N. (2004), p. 19.

³⁶⁹ Here the reference is to their two different works and researches already cited, given some intersections and similarities. See Berik, G. (2017). Revisiting the Feminist Debates on International Labor Standards in

this reason, it becomes central to take into account the gendered dimension of working environments and subject behaviour in full, in order to shape a true capability approach which can lead to a fully-framed strategy of empowering opportunities.

Change for Bangladesh women workers in the fast-fashion industry will only be possible if their self-determination and primary human rights are considered.

Their capabilities must be fully implemented and no international Accord or framework nor any voluntary compliance initiative would be comparable to this attempt nor sufficient *per se*, as I specifically analysed through the evaluation of Corporate Social Responsibility Programmes, the implementation of traditional labour standards, the enforcement of the Bangladesh Accord, possible social clauses and the attempt to booster trade union initiatives. Aspired capabilities of women shall be considered human rights and developed as such.³⁷⁰

Therefore, revisiting the international debate about RGM workers and their opportunities, with a clear attention towards concrete good practices of empowerment and inverted perspectives, represents the only way forward for the future of women in Bangladesh. Scholars such as Prentice, Kabeer, De Neve, Berik, Siddiqi and Mezzadri and a vast community of feminist scholars are now claiming for a different and revised narrative towards the enactment of a true sense of collective belonging for this specific category of women and workers. They are putting at centre the fundamental development of women worker capabilities through grass-root mobilization and bottom-up approaches.

I am personally convinced that possible solutions lie precisely in this realm: in order to fully understand how women workers can change their conditions for the better, one of the first objectives shall be to put empowerment targets at centre and therefore scrutinize beforehand self-awareness capabilities of women in Bangladesh. This approach has its roots in Amartya Sen conception of capabilities and can be linked to the vast goals set by United Nations, Sustainable Development Goals, which encompass the overall *spectrum* of empowerment, even if with a small percentage of inaccuracy.

the Aftermath of Rana Plaza. *Studies in Comparative International Development*, 52(2), 193–216; Siddiqi, D. M. (2021). Rescripting Empowerment? Post- COVID Lessons from Bangladeshi Garment Workers. *Kohl Journal*, 7(2); see also Alamgir, F., & Alakavuklar, O. N. (2020). Compliance Codes and Women Workers' (Mis)representation and (Non)recognition in the Apparel Industry of Bangladesh. *Journal of Business Ethics*, 165(2), 295–310.

³⁷⁰ Alamgir, F., & Alakavuklar, O. N. (2020), p. 297.

For these reasons, in the next subparagraph I will shed a light on Sustainable Development Goal 5 (Achieve gender equality and empower all women and girls), in order to fully understand what empowerment means and how to address concrete and already existing grass-root empowering projects.

3.2 Empowerment: its role as a key concept in Sustainable Development Goals

What happens outside the factory gates isn't irrelevant to the improvement of living conditions and independence of women workers in Bangladesh. It is possible to state so also thanks to the great steps forward done since the initial drafting process of 2000 Millennium Development Goals, which - in taking a gender-neutral approach to development issues - remained silent regarding women's unpaid care work, wellbeing and empowerment needs.³⁷¹ People nowadays have been recognized having equal dignity and equal potential, since Amartya Sen "capabilities approach" has been put at centre of the development agenda in most of the international institutional frameworks worldwide. As stated by Sen in 1993 "*the capability of a person reflects the alternative combinations of functionings the person can achieve, and from which he or she can choose one collection*"³⁷². It is precisely from this conception of enacting freedom and potentiality of each individual that many steps forward in the long history of development and international institutional framework were made, towards a multi-level and bottom up approach also at the United Nations' level.

The idea that people capabilities and needs (rather than economic growth only) should be prioritized in development projects, directly shaped international *fora* and agreements, and it was also along this specific path that the 2030 Agenda for Sustainable Development was drafted.³⁷³ Finally the economic, social and environmental dimensions were considered and integrated all together.

³⁷¹ McMichael, P. (2017). Global Counter-movements. In *Development and Social Change - A Global Perspective (Sixth edition)* (SAGE Publications, pp. 179–213), p. 203.

³⁷² Sen, A. (1993). Capability and Well-Being. In Nussbaum & Sen (Eds.), *The Quality of Life*. Clarendon Press., p.31.

In this analysis, according to Sen there is a fundamental difference between "capabilities" and "functionings", which represent parts of a state of a person. It is fundamental to underline that quality of life can be assessed in terms of the capability to achieve valuable functionings.

³⁷³ See <https://sdgs.un.org/2030agenda>

The 17 Sustainable Development Goals (SDGs) became a fundamental part of the Agenda itself.³⁷⁴ Their drafting started in 2013, following the request of the General Assembly of the United Nations to set-up a 30-member Open Working Group, and were adopted in September 2015.

In talking about the new agenda, one of the fundamental starting points becomes the full implementation of already-set gender equality goals. It is clearly written in the Agenda: *“Realizing gender equality and the empowerment of women and girls will make a crucial contribution to progress across all the Goals and targets. The achievement of full human potential and of sustainable development is not possible if one half of humanity continues to be denied its full human rights and opportunities.”*³⁷⁵ The official document also underlines how mainstreaming a gendered perspective in the implementation of the Agenda marked a key element in the enactment of the agenda as a whole.

This is where the central point of analysis lies: the broad definition of “empowerment” as it has been scrutinized and taken into account by the United Nations can truly be defined and understood in different ways, according to the narrative and framework we decide to consider. I will further unravel this understanding throughout the analysis of Sustainable Development Goal 5 (Achieve gender equality and empower all women and girls), its concrete targets already set by United Nations and the explanation of new recent feminist research agendas.

3.2.1 *About empowerment and Sustainable Development Goal 5 - SDG5 (Achieve gender equality and empower all women and girls)*

Empowerment brings with itself many different shades and understandings. Through the years, its constituent elements - for the vast majority of scholars - have been directly linked with the concept of economic upgrading and the idea of moving along the different stages of GPNs, as well explained by Barrientos, Gereffi and Rossi.³⁷⁶

In the most recent understanding of women empowerment, as it was officially conceived by the 2030 Agenda for Sustainable Development and now implemented by international agencies, the criticized and opposed *“vertical development model”* was removed.

³⁷⁴ See <https://sdgs.un.org/goals>

³⁷⁵ See <https://sustainabledevelopment.un.org/content/documents/1579SDGs%20Proposal.pdf>

³⁷⁶ Barrientos, S., Gereffi, G., & Rossi, A. (2011).

International policies became rather better anchored to “*primary communities*” and “*improved forms of political decision-making – facilitating people’s access to power and resources both locally and nationally.*”³⁷⁷ It is possible to recognize this significant conceptual shift if we carefully interpret the overall constituent targets of Sustainable Development Goal 5 - SDG5, Achieve gender equality and empower all women and girls. To be more precise, these are recognized to be³⁷⁸:

- *5.1 End all forms of discrimination against all women and girls everywhere*
- *5.2 Eliminate all forms of violence against all women and girls in public and private spheres, including trafficking and sexual and other types of exploitation*
- *5.3 Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilations*
- *5.4 Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies, and the promotion of shared responsibility within the household and the family as nationally appropriate*
- *5.5 Ensure women’s full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic, and public life*
- *5.6 Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Program of Action of the ICPD and the Beijing Platform for Action and the outcome documents of their review conferences*

It is the presence of elements like health and wellbeing, of features different from the economic realm that let us realise the broad *spectrum* of SDG5 commitments. The

³⁷⁷ This concept and the broad conception of empowerment through recent history has been explained by Calvès, A.-E. (2009). Empowerment: The History of a Key Concept in Contemporary Development Discourse. *Revue Tiers Monde*, 200(4).

³⁷⁸ The complete list was retrieved at: <https://unric.org/en/sdg-5/> .

Some targets are also present on a side:

- 5.a. Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance, and natural resources in accordance with national laws
- 5.b. Enhance the use of enabling technologies, in particular ICT, to promote women’s empowerment
- 5.c. Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels

dimensions of reproductive rights and the value given to care and domestic work are not to be taken for granted, especially if considering how - as already stated - private spheres of women were often set aside and underrated, like it third wave feminists denounced.³⁷⁹ It is precisely stemming from discussions already put in place in the eighties, together with the conception in literature of “empowerment approaches”³⁸⁰ and critical networks such as for instance DAWN (Development Alternatives with Women for a New Era), of which also Amartya Sen was part, that discussions started to escalate, became widespread and gave birth to a mainstreaming process in which international agencies and organisations finally questioned the aid-related approach. The conception according to which gaining economic independence and securing basic primary needs was insufficient in order to reinforce women’s power became widespread.

Empowerment started to be progressively related to wider spheres of the lives of human beings, as well depicted by Calvès in her article “*Empowerment: The History of a Key Concept in Contemporary Development Discourse*”.

During the late nineties, the number of publications which were taking into account alternative approaches escalated and widely shaped processes of development.

Empowerment started to be understood by feminist scholars like Naila Kabeer and Jonathan Friedman as a collective political power used by grassroots organizations (“*power with*”), and also a “*power from within*,” with direct reference to the idea of self-determinations and capacity building, on the path already traced by Sen.³⁸¹

The research agenda was shifting towards a different theoretical ground, where the engine of development became the alternative model based on people and environment at centre, rather than profit and economic upgrading. As it was theorized also by John Friedman, the idea was that empowerment could originate only from mobilization of civil society around local issues, and then, in a second phase, could gain ground on an international level. The turning point on this side was represented by the International Conference on Population and Development held in Cairo in 1994, in which the newly conceived concept

³⁷⁹ Berik, G. (2017). Revisiting the Feminist Debates on International Labor Standards in the Aftermath of Rana Plaza. *Studies in Comparative International Development*, 52(2), 193–216.

³⁸⁰ Calvès, A.-E. (2009), p. IV.

³⁸¹ *Idem*, p. V.

of empowerment as a bottom-up process gained international visibility, soon followed by the United Nations Beijing Conference on Women taking place in 1995.³⁸²

After a few years, the term rapidly became synonym of “increasing assets” granting space to a juxtaposition with the concept of “*agency of the poor*”, through a mainstreamed process of usage inside international institutions.

Although in the vast debate which entails the concept of mainstreaming human rights and the language used to describe development, the term “empowerment” was greatly involved, many scholars whose theoretical frameworks I all agree with, are convinced that it didn’t lose its meaning nor its core features.

The key disruptive element in development practices and in the way the term was weakened was represented by the moment of the shift from “*liberating empowerment*” to “*liberal empowerment*”, as conceived Sardenber.³⁸³ When the term became mostly used to refer to individual uplifting, rather than to shed a light on collective issues, and tracing it back precisely to the International Conference on Population and Development (ICPD) in 1994, Cairo, the focus on political mobilization and participation was set aside, to grant more space to issues of individual choice, access, and opportunity. The core problem became the opportunistic and superficiality of institutional approaches, which started to disregard and silence local population, rather than giving voice and space to the most marginalized women of the world.

These contradictions and neoliberal manipulations didn’t go unnoticed for many different scholars, who continued to shed light on inequalities and models which had assimilated individual realization and economic uplifting to a broader conception of empowered collective groups. It is also thanks to those progresses in research that theories disrupting a stretched conception of empowerment regained weight and were recognized as valuable. One of these theories became the one of “social upgrading”. I will therefore firstly provide a short overview of its implications and features, in order to expand the picture of this significant shift, and then further elaborate on the conception of a changing narrative.

³⁸² *Idem*, p.VI.

³⁸³ *Idem*, p.X. Here the direct reference is to Sardenberg, Cecilia M. B. 2008. “Liberal vs. Liberating Empowerment: A Latin American Feminist Perspective on Conceptualizing Women’s Empowerment.” *IDS Bulletin*, 39, 6:18-27.

3.2.2 *A different narrative about empowerment: expanding the picture*

“Social upgrading” is one of the key theoretical frameworks which attempted to make a marked difference with the concept of defined economic uplifting.³⁸⁴ The core hypothesis according to Barrientos, Gereffi and Rossi, was proving the inexistence of a biunivocal correspondence between economic upgrading (and therefore employment and specialized jobs) and social conditions which could uplift women or subjects in general for a better position in GPNs. Social upgrading, defined as “*the process of improvement in the rights and entitlements of workers as social actors, which enhances the quality of their employment*”,³⁸⁵ they assert, can be completely detached from economic uplifting, since in most of the cases a comprehensive approach to assess single situations wasn’t even considering, for instance, health and wellbeing of the beneficiaries, nor their potential contributions to society as a whole. What they advocated for, with their research (even if an intersectional perspective on women working rights was out of the picture) was a urge to analyse the connections and intersections between economic upgrading and social upgrading, in order not to consider co-dependency obvious. Their main solution to achieve better jobs for workers in a downgraded position consisted in acknowledging policy-makers, workers’ and employers’ organizations and civil society of key drivers for quality employment creation in the global economy and of the conditions under which quality jobs could flourish.

Their understanding of the bigger picture of empowerment in a broader sense is just one out of the many examples of alternative frameworks of analysis which evolved through the years, putting the core necessities of the human being at centre of the production process.

Yet, it is true that empowerment nowadays has kept its individualistic conception. I am convinced, anyhow, that current circumstances shall not be viewed as a burden, but rather considered as an opportunity to question existing models and prove them valid or pointless. Even if “*originally, empowerment was conceived as a strategy in opposition*

³⁸⁴ Barrientos, S., Gereffi, G., & Rossi, A. (2011). Economic and social upgrading in global production networks: A new paradigm for a changing world. *International Labour Review*, 150(4). See also Barrientos, S., Gereffi, G., Pickles, J., & Posthuma, A. (2011).

³⁸⁵ Barrientos, S., Gereffi, G., & Rossi, A. (2011), p. 324. They originate this conception by Sen’s theoretical framework.

to the mainstream top-down development model”³⁸⁶ and “today it is viewed by international organizations not as a mechanism for social transformation, but rather as a means to increase efficiency and productivity while maintaining the status quo”, with this work I strongly advocate for a true re-signification of the term in order to actively boost empowering bottom-up projects and experiments, like already existing and functioning ones. Bearing in mind that empowerment still represents “a process that permits women and the poor to gain awareness, individually or collectively, of the dynamics of dominance that marginalize them, and to build up capacities to radically transform inequitable economic, social, and political structures”,³⁸⁷ as Calves claims, we shall decide to use common existing tools and goals already in place at an institutional level to reshape and re-determine the concrete practices against neoliberal, patriarchal and neo-colonial development model that perpetuates and reinforces inequitable power relations.

This obviously directly involves Bangladesh’s working women and programmes which directly assess Sustainable Development Goal 5 in an innovative and intersectional way.

Empowerment itself originates from feminist development theories and thus it is precisely in this particular realm that it shall be reconceived.

Furthermore, empowerment primarily encompasses what is currently displayed also by Sustainable Development Goal 5 and its targets, even if they should be read and understood under different lights and - in order to guarantee a concrete and significant impact - undergo continuous assessments and evaluations.

According to the interpretation of Anne-Emmanuele Calves, with whom I agree, empowerment in any case also encompasses an approach, as it was well argued by Fischer, which acts towards the eradication of “poverty, social injustice, and environmental degradation [as well] as the intersectional oppressive effects of capitalism, racism, patriarchy and heteronormativity”.³⁸⁸ It is, indeed, permeated with intersectional theories. As a direct consequence of this, if well implemented, it could take into account SDGs as a whole.

³⁸⁶ Calvès, A.-E. (2009), p. XII.

³⁸⁷ *Idem*, p. XIII.

³⁸⁸ *Idem*, p. XIV.

Women empowerment will be possible only if clear objectives would be implemented on an institutional level, without neocolonial narratives.

But it would only be pursuable if new narratives about empowerment and gendered approaches towards women working rights in the Global South become widespread.³⁸⁹

Literature and research need to expand towards a complete and all-embracing understanding of HR violations against women and, thus, vast and multi-faced solutions for their empowerment which stem from intersectional frameworks.

On one hand, it is true that on an institutional level, health and wellbeing, equal wages and bargaining rights of women workers should be seriously taken into concrete account, since real and objective conditions for women don't seem to improve. On the other hand, we need also to put forward new strategies and narratives in order to give multi-level and complex solutions to a problem - the one concerning women's human rights violation in this specific production sector in Bangladesh - which requires a new research agenda and a new narrative.

Traditional labour standards are not enough, as it has been widely explained, and a change shall come from collective and local actions, as advocated for by Kabeer, Mezzadri, Prentice, Siddiqi but also Berik, Alamgir and Alakavuklar.³⁹⁰

We shall decolonize and deconstruct mainstream understanding, remove the culture of global moralism³⁹¹ and focus on standing points which have always been set aside.

As advocated for by Siddiqi *“Recuperating silences and erasures, re-centering, and re-signifying that which is obscured, remains a critical task for any project of advancing labor rights. Such narrative reconstructions are also fundamental for forging meaningful transnational feminist solidarity.”*³⁹²

Grassroot mobilizations and local groups already exist and have been considered and taken into account in development literature. Those, if supported in their everyday efforts, could be recognized as fundamental good practices and examples to be followed.

³⁸⁹ In particular, here I refer to Mezzadri, A. (2017). *Garment Sweatshop Regimes, the Laboring Body, and the Externalization of Social Responsibility over Health and Safety Provisions*. In R. Prentice & G. de Neve (Eds.), *Unmaking the Global Sweatshop: health and safety of the world's garment workers* (pp. 173–200). University of Pennsylvania.

³⁹⁰ Siddiqi, D. M. (2009); Siddiqi, D. M. (2021); Berik, G. (2017); Alamgir, F., & Alakavuklar, O. N. (2020). *Compliance Codes and Women Workers' (Mis)representation and (Non)recognition in the Apparel Industry of Bangladesh*;

³⁹¹ Siddiqi, D. M. (2009), p. 156.

³⁹² Siddiqi, D. M. (2021).

Contemporary feminist literature has already taken into account the opportunity to scrutinize these environments, and consequently it becomes fundamental to describe and analyse their features. Building new paths of research cannot disregard an overarching approach which stems from already existing all-encompassing practices.³⁹³

I have shed light on the most significant and concrete violations of women human rights in the garment sector in Bangladesh, despite existing monitoring mechanism, private voluntary CSR mechanism, International ILO Conventions and the Bangladesh Accord. I have also broadly defined empowerment and how to re-examine and put into shape a complex understanding of this dimension, giving an overview of different streams of literature on the topic. In the last Chapter of this work I will therefore try to put on the spot already existing good practices which bring with themselves most of the features previously underlined in the literature review, in order to shape possible new intertwined conceptions from which conditions of women working in Bangladesh could be improved.

³⁹³ Marslev, K. ;, Staritz, C. ;, & Raj-Reichert, G. (2021).

CHAPTER 4 - Women empowerment through change and grassroots campaigning

4.1 NGOs building new paths towards empowerment: “Awaj Foundation” as a case study in Bangladesh

Women shall become agents of a complete transformation of approach towards empowering practices. In a complex reality such as the one of the fast fashion industry in Bangladesh, a consistent and effective solution should originate directly from women who experienced the burden of that workplace in first person. Thus, a deep analysis of already existing models would be beneficial. I will in particular take into account a specific successful localised but also international actor, the “Awaj Foundation”. Since individual or voluntary solutions have proven to be ineffective, it is from workers in first-person and from growing Bangladeshi’s women associations that a lesson should be learned. Moreover, as suggested by Siddiqi³⁹⁴, feminist solidarity and changes can succeed only if fuelled by actions which question and shake the supply chain as a whole. Transnational solidarity shouldn’t be abandoned, but rather it shall further sustain and reinforce campaigns and projects initiated by groups directly involved in the matter, in order to gain credibility, efficacy, and to provide concrete alternatives to current systems, starting from the most harmed categories of the worldwide garment sector.

Concrete examples could give to distant observers a distinct scale of what is still threatening Bangladesh women’s human rights and could shape with distinctive and innovative code worlds discursive structures and strategies worldwide.

Can specific localised strategies hopefully evolve into a means to expand a broad sense of self-awareness and independence in other countries? This fourth and last chapter, starting from the case study, moves along the path of this specific question.

A whole disrupting new movement of women leaders had started to rise silently, following the growing damages of the fast fashion industry.

It expanded significantly as a direct outcome of the Rana Plaza collapse and the establishment of the Bangladesh Accord, which both paved the way to new forms of local protagonism, but a social movement claiming for improved conditions of garment

³⁹⁴ Siddiqi, D. M. (2021).

workers it was already present in the late nineties.³⁹⁵ Militant informal groups, NGOs, development organizations - which had women workers not only as members but in leadership roles - started to become powerful actors and needed to find their strength and their voice. The presence of actual former factory workers became a game changer also in the advocacy process: it made possible to move from informal representation to representing the interests of the voiceless through formal policy channels as well as with street protests.³⁹⁶ Since experienced union leaders were not reliable in most of the cases, due to the already existing ambiguous relationships with the government, all together with well-known stories of patronage, corruption, and hierarchical male-dominated relationships, a far-reaching variety of women workers' leaders groups and associations started to advocate for themselves in order to gain new and innovative opportunities, using as main approach an intersectional one. This was the only way forward after the long list of alarming episodes which had become the vessel of a collapsing neoliberal system based on a lack of good governance, on greed and negligence.

This ground-breaking stream of grassroot initiatives was fuelled also by changes happening in the state of Bangladesh as a whole, where, according to The Guardian, since 2015 “almost every village, island or slum is being organised and led by committees of women”.³⁹⁷ At the time, the notion that women human rights violations needed to be assessed not only at the workplace level but also in their private spheres, was already present in the ideas of Asian Networks such as We Can³⁹⁸ (original name, Amrai Pari, with its Bangladesh's section), which were, by that time, enacting forms of gender equality, with the main aim of shifting social attitudes and beliefs that supported violence against women, as well as completely eliminate its consequences on every level.

³⁹⁵ Saxena, S. (2014). *A Glimmer of Hope: Women Leading Change in Bangladesh's Garment Industry*. The Asia Foundation. At: <https://asiafoundation.org/2014/09/24/a-glimmer-of-hope-women-leading-change-in-bangladeshs-garment-industry/>

See also Siddiqi, D. M. (2009), pp 159-160.

³⁹⁶ Here the reference is to a 2017 Siddiqi article. Siddiqi, D. M. (2017, April 21). *Organising Labour under the Neoliberal Gaze*. The Daily Star. At: <https://www.thedailystar.net/star-weekend/spotlight/organising-labour-under-the-neoliberal-gaze-1393885>

It is interesting to underline what she wrote at the time. “The evidence so far suggests that without bodily resistance – the literal occupation of public spaces and streets as well as factories – possibilities for meaningful change are minimal given existing political and legal infrastructures.”

³⁹⁷ Ridout, A., & Tisdall, S. (2015, September 29). *Women in Bangladesh are taking charge – from grassroots up to government*. The Guardian. At: <https://www.theguardian.com/global-development/2015/sep/29/bangladesh-women-taking-charge-from-grassroots-to-government>

³⁹⁸ See website of “We Can - Bangladesh” at: <https://wecan-bd.org>

This in any case didn't mean to completely shift the fight on an individual level, putting the weight of the bargaining process on individuals which had already difficulties in challenging the industrial world and a neoliberal individualization of overcoming the burdens of the garment factory workplace.³⁹⁹

The process implied to gain proper individual knowledge tools but also to work on a larger movement and conception.

Researcher and authors such as Siddiqi were at the forefront of explicitly referring to already existing forms of bottom-up initiatives years in advance,⁴⁰⁰ but it was only within the context of recent Covid-19 related protests and cuts on wages and employers that the discussion regarding bottom-up organisations stimulated a deeper knowledge of the subjects in the field, with its pros and cons.

Hence, I will try to give an overarching picture of just one out of the many interesting subjects present in Bangladesh. On a side note, however, I believe it is essential to mention a few others and their direct relationship with transnational advocacy networks.

4.1.1 *Awaj Foundation's identity and main objectives: an innovative grassroots dimension*

The Awaj Foundation is recognized under the label of labour rights NGO and currently includes 600,000 members in Bangladesh. Their core goal is to amplify workers' voices, fighting to change current working conditions in the apparel supply chain and to empower women workers. Its founder Nazma Akter, a former garment worker, is one of the most exposed Bangladesh activists and in 2003 she decided to start the organization after having worked in the sector for 25 years, since she was 11.⁴⁰¹ The urge to give shape to a concrete project had its roots in the "*need to protect workers' rights in the Ready-Made Garment (RMG) sector of Bangladesh*",⁴⁰² and Nazma Akter chose to concretely apply this conception maintaining high levels of gender equity and standards, in a dignified environment given directly by the presence of former workers.

³⁹⁹ Siddiqi, D. M. (2017, April 21).

⁴⁰⁰ Siddiqi, D. M. (2009).

⁴⁰¹ Saxena, S. (2014). See also <https://www.fairwear.org/programmes/nazma-akter/>

⁴⁰² See the direct sources about their story at: <http://awajfoundation.org/about-us/our-story/>

A safe environment in which everyone was granted concrete opportunities to learn and grow, also professionally, together with the chance to share direct experiences wasn't to be taken for granted: the noun "awaj" ment "voice" in Bengali, and the peculiarity of the organization started to make a difference.

At present time, results are self-explanatory: the Foundation operates through 22 offices and community centers, providing support to over 740,000 workers in 12 major industrial clusters in Dhaka and Chittagong Divisions.

Its peculiar features can be divided in three different sections. Firstly, I will consider the relationship between Awaj Foundation's objectives and the organisation's struggle to grant truly empowering opportunities to its women beneficiaries (according also to SDG5 indicators). Secondly, concrete examples of their daily work will be taken into account and, thirdly, their relationship with international media and third subjects will be explored, in the way it developed through the years also inside the international discourse.

Most of the popularity the Awaj Foundation gained in recent years has its roots in the biography of its founder, Nazma Akter, a veteran in the labour rights movement as well as the founder of an independent union, Somnilito Garments Sramik Federation (SGSF), an affiliate of IndustriALL Global Union, which now counts 70 affiliated unions in separate companies and thirteen collective bargaining agreements, with over 70,000 members.⁴⁰³ Her path of early-age exploitation during her work on the factory floor, a background in common with the personal experiences of many other young women, made her a reliable role model in the long fight against the oppressive mechanisms of the RMG industrial sector. Due to her outstanding commitment to the cause, after becoming Executive Director of the Foundation, she was awarded both with the Bangladesh Mohila Parishad (BMP) award for workers' empowerment and also the Female Leader of the Year award by ASTRAIA Female Leadership Foundation in Germany in 2013. In 2014 she attended as speaker the 1st Annual Summit for Global Female Leaders and in 2018

⁴⁰³ Akter, N., & Scholte, M. (2022, April 13). *The price garment workers paid for Covid-19 in Bangladesh*. D+C Development and Cooperation. At: <https://www.dandc.eu/en/article/labour-activist-nazma-akter-assesses-developments-bangladeshs-textiles-factories>

she presented as panelist the UN General Assembly event “Women Leading the Way”⁴⁰⁴. She is now considered a key note speaker in her field and she has carved out an important role for herself as advisor and expert in the international arena. She is currently Co-chair of the Asia Pacific Women’s Committee of IndustriALL Global Union.

It is through the analysis of the main aims of the Awaj Foundation that it becomes possible to understand its all-encompassing strategy to uplift women workers’ conditions in Bangladesh. Its strategy has been enacted within a broad framework which widely takes into account Sustainable Development Goal 5 features, and encompasses a broad definition of empowerment such as the one I already pointed out in the previous Chapter. The Foundation itself recognizes as core objectives the followings:⁴⁰⁵

- A living wage that enables workers to live with dignity
- Centering the welfare of women workers, who are the majority of the workforce in the RMG sector, by ensuring safe workplaces for women and implementation of provisions such as maternity benefits and daycare facilities
- Developing capacity and creating an enabling environment for women to take up leadership roles in their factories and the sector as a whole
- Increasing awareness among all stakeholders, including workers, factory owners and management on their rights and responsibilities to each other
- Enabling implementation of decent working conditions through social dialogue between workers and factory management
- Amplifying grassroots voices in policy processes through a research and advocacy agenda that is shaped by workers themselves

The direct and natural reference here is to most of the targets of SDG5, with a particular focus on the private sphere of the subjects always taken for granted in many past needs-assessments. In particular, I refer to a general and authentic attention to target 5.2 “Eliminate all forms of violence against all women and girls in public and private

⁴⁰⁴See: <http://awajfoundation.org/staff/nazma-akter/>

See also Fair Wear. (n.d.). *The Story of Nazma Akter, Executive Director, Awaj Foundation*. Retrieved November 7, 2022, from <https://www.fairwear.org/programmes/nazma-akter/>

⁴⁰⁵ See: <http://awajfoundation.org/about-us/theory-of-change/>

spheres[...]", target 5.4 "Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies, and the promotion of shared responsibility within the household and the family as nationally appropriate", and target 5.5 "Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic, and public life."

For each of these specific widely-known targets, ground-breaking and far-reaching projects are enacted and try to shape different solutions in light of a renewed perspective on women workers.

The Foundation grants to all the women in need continuous assessments of the projects through a high level of accountability mechanisms, with a consistent monitoring of its yearly actions and impact in numbers.⁴⁰⁶

Their approach continued to be intersectional in the way they put their projects into practice and became even more broad during the pandemic - the most difficult time for RMG workers in Bangladesh - during which the Awaj Foundation was able to widen the network of supporters through our online platforms, raising funds and granting additional emergency relief funds to their beneficiaries.⁴⁰⁷

I will therefore provide 6 examples of these ongoing practices which bring with themselves a new idea of women empowerment based on the different spheres of interest analysed both by Awaj's main goals and which mirror SDG 5 targets.

With direct reference to target 5.2, out of many initiatives the most significant one can be considered the annual pilot project of the establishment and promotion of Anti-Harassment Committee in RMG sector in Bangladesh.⁴⁰⁸ From September 2018 until May 2019, at a supplier factory in the Gazipur industrial area, workers and mid-level management members were trained on gender-based violence and harassment at work and the steps that can be taken to combat it. Legal tools were provided to all women in order to have a deep focus also on Bangladesh Labour Law and national and international

⁴⁰⁶ Awaj Foundation. (2020). *Awaj Annual Report 2019-2020*.

⁴⁰⁷ *Idem*, p.5.

⁴⁰⁸ For further information about the project see: <http://awajfoundation.org/project/establishment-and-promotion-of-anti-harassment-committee-in-rmg-sector-in-bangladesh/>

provisions, and, at the end of the training period, harassment committees (AHCs) were established as accountability mechanism.

Another pivotal project which can be traced back to target 5.4 and to the importance of broadly shared experiences and knowledge which go beyond the factory walls are “Women's Café: Promotion of social dialogue in the industry”.⁴⁰⁹ This project was financed for the first time in 2010 with the idea of establishing a safe environment for workers where to connect with others and also find a wide range of trainings, on labour law, participatory committees, trade unions, sexual harassment, gender-based discrimination, anti-harassment committees, leadership, communication, social dialogue and negotiation. In these community based centres, women learn also life skills beyond the factory, such as financial management and nutrition.⁴¹⁰ Therefore, financial literacy workshops are provided, and help is given in order to identifying savings plans such as a Deposit Premium Scheme (DPS), to let families develop the financial capacity of saving for educational purposes. Workers are also helped in opening bank accounts and, as a direct consequence of these training, their family-bargaining power significantly changes. The cafes have as main aim in addition to give further support and tools in order to resolve disputes between workers and management. In fact they “*also connect workers with services provided by government bodies and civil society organizations*” and provide “*legal aid to workers on workplace issues and family disputes*”.⁴¹¹ In terms of direct impact on the workers’ community, these tools have settled over 15,000 cases so far. These specific characteristics and more accurate elements of leadership-building programmes are part of the UP! Project, which successfully started in March 2014.⁴¹² Through this programme, women workers’ are granted the opportunity to fully become an agent of change in the factory and therefore improve their lives and conditions in the sector as a whole. To give a concrete idea of the wide perspective in which they operate, different phases of the project include:

- Increased savings through bank accounts

⁴⁰⁹ For further information about the project see: <http://awajfoundation.org/project/empowering-female-garment-workers/> and Awaj Foundation. (2020). *Awaj Annual Report 2019-2020*, p.17.

⁴¹⁰ See: <http://awajfoundation.org/our-work/life-skills-beyond-the-factory/>

⁴¹¹ See: <http://awajfoundation.org/project/empowering-female-garment-workers/>

⁴¹² See: <http://awajfoundation.org/project/up/>

- Improvements in bargaining power at home and at work
- Improved awareness of health, nutrition and healthier lifestyles
- Greater participation of workers (especially women) in improving working conditions, including greater presence of UP! graduates in committees, forums and unions available to them
- Significant improvements in working conditions within individual factories and across the sector

Only in 2019, 1,560 workers were recruited for the programme, among which 1,401 were women and 159 were men.⁴¹³

For Awaj, what should be truly put at centre are workers voices and needs. This is testified by the tangible opportunity for women to contribute in the debate on their conditions thanks to a transversal significant project which is the “Workers' Voice Report”, born in 2013. This project, more than others, summarizes how a multi-faced approach towards the working environment can be granted only by workers experiences’ in first person and though the direct elaboration of their data (also regarding abuses, wellbeing in general terms, travel costs and future plans, all in relation with the variable of gender.⁴¹⁴)

As I tried to convey, thanks to Nazma Akter the Awaj Foundation grew bigger and in its perceived relevance in a short amount of time, and it was precisely its openness and attitude towards a transversal approach that made it emerge in the international realm.

4.1.2 Beyond Bangladesh: Awaj Foundation joining a transnational narrative

Nazma Akter soon became a popular figure which could, on one hand, directly testify what was happening in the RMG system and industry, with all its unbalanced and inhumane conditions; on the other, decide to continue to push forward outstanding bargaining demands, putting the Foundation at the forefront of an international new fight. She became a wellknown symbol of international campaigns and a person which could attract towards herself the interest of international media.

⁴¹³ Awaj Foundation. (2020), pp. 18-19.

⁴¹⁴ <http://awajfoundation.org/wp-content/uploads/2018/12/Workers-Voice-Report-2016.pdf>

The opportunity to do so came directly from her exploited background and experience: the contact with the work floor and daily routine of RMG workers - being a worker herself - permitted a direct link with all of them and a striking perspective for the international media, especially during the pandemic⁴¹⁵. Her struggle as a union organizer was to build something from scratch on the basis of common obstacles and struggles which were shared also by sisters and friends: her direct experiences resorted in very clear requests such as a fair pay, the end of sexual harassment at the work-place and, for instance, the complete elimination of child labour.⁴¹⁶

Thanks to these peculiar set of starting points, after the very first peak of international media attention in the aftermath of Rana Plaza, the Awaj Foundation and the authoritative figure of Nazma Akter became widely chased: journals, newspapers and press agencies such as The Guardian, Al Jazeera, Deutsche Welle and Forbes, Reuters, together with magazines such as Vogue, followed step by step the organization and the voices of the workers.⁴¹⁷

The collaboration with donors and other associations, unions and advocacy networks became fundamental: their struggle and example became inspirational for many transnational fights and their voices fuelled a growing demand for social justice in the sector.⁴¹⁸

⁴¹⁵ *Bangladesh's New Generation Of Women-Led Labor Unions Confronts The Pandemic*. (2020, April 7). Forbes. At: <https://www.forbes.com/sites/ashoka/2020/04/07/bangladeshs-new-generation-of-women-led-labor-unions-confronts-the-pandemic/?sh=533f7e812196>

See also: <https://www.ashoka.org/en-us/fellow/nazma-akter>

⁴¹⁶ Inside Story. (2022, June 12). *What will it take to end child labour?* Al Jazeera. At: <https://www.aljazeera.com/program/inside-story/2022/6/12/what-will-it-take-to-end-child-labour>

⁴¹⁷ Awaj Foundation. (2020), p. 28. Additionally see Young, H. (2014, April 24). *Without stronger unions, Rana Plaza will happen time and time again*. *The Guardian*. At: <https://www.theguardian.com/global-development-professionals-network/2014/apr/24/rana-plaza-garment-workers-bangladesh>; *Thousands of Bangladeshi garment workers struggle amid job loss*. (2020, October 2). Al Jazeera. At: <https://www.aljazeera.com/economy/2020/10/2/thousands-of-jobless-bangladesh-garment-workers-fear-for-future>;

Moloney, A. (2016, September 9). *Get Bangladesh women in unions to improve worker rights: campaigner*. Reuters. At: <https://www.reuters.com/article/us-bangladesh-women/get-bangladesh-women-in-unions-to-improve-worker-rights-campaigner-idUSKCN11F2CR> *The Global 3000 Questionnaire: Bangladesh - Nazma Akter*. (2015, April 20). Deutsche Welle. At: <https://www.dw.com/en/the-global-3000-questionnaire-bangladesh-nazma-akter/video-18395113>;

Staff Reports. (2020, November 19). *3 Organizations Helping Garment Workers in Bangladesh*. Borgen Magazine. At: <https://www.borgenmagazine.com/3-organizations-helping-garment-workers-in-bangladesh/>

⁴¹⁸ Chitnis, R. (2022, January 17). *Garment Workers Organize to End Wage Theft*. Next City. At: <https://nextcity.org/urbanist-news/garment-workers-organize-to-end-wage-theft>

The story of Nazma Akter and of the Awaj Foundation was soon emulated by many other female leaders, in order to shape Bangladesh differently. A clear example of such struggle can be represented by women workers who are currently part of Karmojibi Nari, with whom the Foundation collaborates and which as always helped in the reporting sessions.⁴¹⁹ Already existing in Bangladesh since 1991, their broad-spectrum research is fundamental in order to differently shape also gender relations in Bangladeshi society.⁴²⁰

Many other partners started to cooperate with the Awaj Foundation and consolidated the collaboration especially during Covid-19. Among these fundamental actors was also the Bangladesh Centre for Worker Solidarity (BCWS), a prominent labour rights advocacy organization based in Dhaka.⁴²¹ With a similar organizational structure and shared goals, also BCWS started to develop its own labour rights education programmes, legal aid provisions and advisory support to workers, together with welfare solutions for all workers and child care and adult literacy centers centres, reaching an overall toll of 93,000 solidarity members.

Currently its founders, Kalpona Akter, Nazma Sheikh and Babul Akhter, are attempting to reach out for as many testimonies as possible in order to act promptly to offset the terrible situation caused to workers, occurring in particular by the pandemic period, with a widespread sharing of their conditions. Their personal stories in time resorted to be fundamental in order to explain to mainstream audiences what the common struggles for an equal word of fashion could look like, without losing the opportunity to personally expose themselves in international and institutional contexts, including through the media.⁴²²

⁴¹⁹ *COVID-19 Impact on selected RMG factories and way forward*. (2020, October 24). The Daily Star. At: <https://www.thedailystar.net/round-tables/news/covid-19-impact-selected-rmg-factories-and-way-forward-1983209>

⁴²⁰ See: <https://www.karmojibinari.org/organization/>

⁴²¹ See: <https://www.bcwsbd.org/page/mission-and-history/>. See also Staff Reports. (2020, November 19). *3 Organizations Helping Garment Workers in Bangladesh*. Borgen Magazine. At: <https://www.borgenmagazine.com/3-organizations-helping-garment-workers-in-bangladesh/>. See also Saxena, S. (2014).

⁴²² Clean Clothes Campaign. (2017, December 21). *Why transparency is important* / Kalpona Akter. At: <https://www.youtube.com/watch?v=M5KZijLKTJ0>. See also UN Women. (2016). *Out of the Ashes*. Progress of the World's Women 2015-2016. <https://progress.unwomen.org/en/2015/kalpona/>
Kalpona Akter also released some interviews with channels such as France 24. See: France 24. (2015, May 8). *Made in Bangladesh: The labour rights' advocate who took on the garment industry*. <https://www.france24.com/en/20150508-51-percent-bangladesh-garment-kalpona-akter-paraguay-abortion-paris-metro-harassment>

Nazma Akter - together with all of them - didn't miss a chance to advocate for RMG workers' rights both *via* institutional and in civil-society *for a*,⁴²³ and it was in the light of this commitment that for example she decided to give her direct contribution to enrich the collective struggle and research of the Fashion Transparency Index,⁴²⁴ an innovative tool and source provided by Fashion Revolution international which has become a milestone in the long-lasting fight towards human rights violations in the fashion industry. In that particular context, she was claiming for a true implementation of CSR measures, true and all-encompassing welfare measures for factory workers and a complete transformation of the role of female workers and the system in factories. Transparency and dignity were, according to her, the most important values towards which the international community needed to move forward: "*Women should be empowered and treated with dignity and respect*".⁴²⁵

And it is precisely starting from this assumption that the complex scenario of the international movement committed to undertake a true and a all-embracing fashion revolution was based upon and was born, right in the aftermath of the Rana Plaza collapse.

4.2 Transnational solidarity in perspective

The idea of a transnational solidarity movement which aimed at disrupting the ongoing capital-accumulation and neoliberal-driven conception of the fashion and textile industry wasn't new. Activists around the world had started to question the system of fast fashion and its "buyology", exploitation and of disrupting the class-related conception of luxury long before the different tragedies which have been depicted in this work.⁴²⁶

Their activism had started long before the Rana Plaza. Here is an example of intervention during the International Labor Rights Forum's Honoree Ceremony, 11 april 2011, at:

<https://www.youtube.com/watch?v=CqKhuVS3GcE>

⁴²³ The protests didn't stop even during the pandemic, when she joined many different international conventions and online dialogues. Out of the many examples are the following: "COVID-19 and beyond: Making gender equality a reality", 30 June 2022 organised by ILO. At: https://www.ilo.org/asia/events/WCMS_748782/lang--en/index.htm. She also participated in panel organized by internationally recognized actors of mainstream media. See https://climate-events.nytimes.com/climate-forward/events/new-york/sessions/responsible-fashion-industry_20_set_2022

⁴²⁴Fashion Revolution. (2021). *Fashion Transparency Index 2021*, p. 87.

⁴²⁵ *Ibidem*.

⁴²⁶ Hoskins, T. E. (2014), p.54.

Within the framework of the global movement which had its peak and culminating moment with the 1999 Seattle protests against the World Trade Organization Ministerial Conference and whose claims were perfectly summed up by the core elements of the book “*No Logo*” by Naomi Klein,⁴²⁷ organisations such as Clean Clothes Campaign (CCC) were already advocating for a complete change in the global value chain and the disruption of consumer capitalism.

The mobilization of consumers, towards a true fair trade and decent working conditions, had inspired the 1989 “*Schone Kleren Campagne*” in the Netherland - which later on became the Clean Clothes Campaign - to create an horizontal advocacy network which could bring together the garment and sportswear industry, grass-roots unions, women's and feminist organisations, trade unions and activists in order to lobby on multiple level, ensuring the respect of workers' fundamental rights.⁴²⁸

Nowadays the organisation has expanded to become a global network of over 235 groups operating in over 45 countries. The networking expansion represented a game changer in the way transnational solidarity was push forward: it was thanks to international actors such as CCC and a strong grass-root movement that, when the Rana Plaza collapse occurred, the request to implement effective safety measures could become strong and authoritative. The idea was to give a safe and direct space to the voices which had been silenced until then.⁴²⁹

Years later, it was thanks to the already existing example of advocacy networks like CCC that the “Fashion Revolution” movement was born, and - as far as I am concerned - became an absolute game changer in the way the international public opinion had always

⁴²⁷ See the historical reconstruction at: Seattle Municipal Archives. (n.d.). *World Trade Organization Protests in Seattle*. City of Seattle. Retrieved November 8, 2022, from <https://www.seattle.gov/cityarchives/exhibits-and-education/digital-document-libraries/world-trade-organization-protests-in-seattle>

See also Hancox, D. (2019). No Logo at 20: have we lost the battle against the total branding of our lives? *The Guardian*. <https://www.theguardian.com/books/2019/aug/11/no-logo-naomi-klein-20-years-on-interview>

⁴²⁸ See: <https://cleanclothes.org/about>

⁴²⁹ See: <https://cleanclothes.org>

perceived RMG industry and human rights. Direct experiences needed to be amplified and transnational solidarity was imperative.

4.2.1 A worldwide change of narrative: “Fashion Revolution” starting a new idea of transnational solidarity

In the wake of the Rana Plaza disaster, in 2013, Orsola de Castro and Carry Somers decided to give birth to what is recognized nowadays as the widest international advocacy movement in the Fashion realm: “Fashion Revolution”.⁴³⁰

They came to the conclusion that it was vital to take advantage of their past privileged experiences - with an already sensitive background based upon fair trade and upcycling - and to put them into practice through the formation of activist groups in more than 100 countries worldwide.

The overall aims and goals of the platform were to completely overturn contemporary conceptions and understandings of fashion, moving away from a judging and neo-colonial approach towards safety measures and working experiences: exposing what was still invisible became their main commitment.

It all started with the strong belief that a different and binding accord was necessary to protect women workers: alongside IndustriALL Global Union, UNI Global Union and eight of their Bangladeshi affiliated unions, Fashion Revolution too strongly advocated for the sign of The Accord on Fire and Building Safety in Bangladesh. They continued to ask brands true accountability mechanisms and were joined by many different subjects in pushing big firms towards it.

Their campaign to renew the Accord both in 2018 and in 2021, together with the strong action of Clean Clothes Campaign and other subjects, highly contributed to make the renewal visible and well-known to the public opinion. In doing so, what was significantly different from past experiences was the capacity to bring together many different actors, from small and grassroots ones to most significant and influential ones under the same sign.

⁴³⁰ More about Orsola De Castro at: <https://www.fashionrevolution.org/about/>
https://www.showstudio.com/contributors/orsola_de_castro

About Carry Somers and the growth of Fashion Revolution: Spadaro, C. (2020). La moda dell'avvenire: etica, solidale, sostenibile e rivoluzionaria. *Altreconomia*.

An appropriate example about the topic can be represented by the consistent number of protests and mobilizations- in person and online - recently organized: they pushed firms which had significant lacks in accountability mechanisms and alleged breaches of RMG human rights, such as in the cases of Levis and Shein,⁴³¹ to sign the Accord.

“*No one should die for fashion*”⁴³² was starting to become a shared acknowledgment, and even if the fight was still long, many different international campaigns were displaying clear evidences of a changing attitude, especially in countries with higher purchasing power and which seemed less sensitive to the issue.

Many different stories of worldwide individual and collective commitment to several campaigns made visible what - until that specific period in time - had always been considered unnegotiable. The difference was made by the opportunity to go beyond already active citizens, organizations and union: Fashion Revolution, starting from the huge mobilization towards the Accord, was forming a solid transnational alliance which would regain strength whenever necessary.⁴³³

4.2.2 *The way forward: new transnational multi-level fights and advocacy campaigns*

The same coalition - including, as already said, among the others the Awaj Foundation, Clean Clothes Campaign and Bangladesh Centre for Worker Solidarity - proved to be crucial in giving shape to a core instrument set by Fashion Revolution itself, in order to acknowledge as many consumers as possible: the Fashion Transparency Index, published every year since 2015, became a powerful and effective tool in order to review and rank the social environment, policies and practices of 250 of the world’s largest fashion brands

⁴³¹ The campaign #SigntheAccord continued through the years. Here is an example of how important the constant advocacy work continued to be: Srivastava, A. (2020). *Bangladesh Accord: An urgent call-to-action to #ProtectProgress*. Fashion Revolution. At: <https://www.fashionrevolution.org/bangladesh-accord-an-urgent-call-to-action-to-protectprogress/>. See also Vemulakonda, S. (2021, November 29). *Why Won't Levi's Sign Onto the Accord? It's Time for the Brand to Put Action Behind Its Ethical Intent*. Remake. <https://remake.world/stories/why-wont-levis-sign-onto-the-accord-its-time-for-the-brand-to-put-action-behind-its-ethical-intent/>; Faseli, S. (2022, May 17). *Il lato oscuro della moda: tra sfruttamento dei lavoratori e prodotti dannosi per la salute*. The Bottom Up. <https://thebottomup.it/2022/05/17/moda-sfruttamento-lavoratori-prodotti-dannosi/>

⁴³² See <https://www.fashionrevolution.org/frw-2022/>.

⁴³³ The attention put towards partners is still a key element in order to win the fight against the fashion exploitative industry. Fashion Revolution provides a list of active subjects which collaborate with them and are always at the forefront of this lasting struggle: <https://www.fashionrevolution.org/key-organisations/>

and retailers, and therefore ask for accountability and transparency at all stages of the global value chain⁴³⁴. This research activity not only became the pretext to bring many different actors (which had always fought for themselves) together in a more overarching environment. It also created the perfect opportunity to include individual subjects and activists in the acknowledgment process of all the boundaries and consequences which the world of fast-fashion was bringing with itself.

The request alone for more transparency wasn't by any chance sufficient to compensate the struggles suffered by workers daily, and it became fundamental not to set aside the memory of those who had lost their lives in the Rana Plaza collapse. Thus, by all this complex set of subjects, the decision was taken to establish an intense week of mobilization every year during the month of April, in order to turn the spotlight back on campaigning for women human rights protection in the garment sector worldwide. The Fashion Revolution week currently has become so wellknown, with open conversations, concrete happenings, petitions,⁴³⁵ and so popular that all these elements give hope enough for new transnational struggles and fights.

At first, nobody would have thought that projects such as the ones provided locally by the Awaj Foundation or advocacy networks such as Fashion Revolution would have slowly succeeded in their mission. Yet, at present time what is happening is that a growing network of activists, NGOs, International organization and unions are moving forward in the same direction, asking for a radical change of attitude at all levels of the complicated world of Fashion.

Crucial elements therefore become recurring elements which nowadays have acquired the form of specific common fights, amplified by the opportunity to use open-access tools and online resources.⁴³⁶ The #WhoMadeMyClothes campaign,⁴³⁷ the most popular one, became the perfect opportunity to, on one hand, truly question the living conditions of

⁴³⁴ Fashion Revolution. (2022). *Fashion Transparency Index 2022*.

⁴³⁵ See <https://www.fashionrevolution.org/looking-back-at-fashion-revolution-week-2022/>

⁴³⁶ See <https://www.fashionrevolution.org/resources/free-downloads/>

⁴³⁷ A brief explanation presented by one of the international partners of the campaign, the Italian Rifò Lab. See Rifò Lab. (n.d.). *Fashion Revolution: cosa è e come è nato il movimento della moda sostenibile*. Retrieved November 8, 2022, from <https://rifo-lab.com/blogs/blog-di-rifo/fashion-revolution>

garment workers, and on the other to grant them a voice and a space which had never been given to any RMG worker before.

This experiment was followed by many other different moments in time in which the international public opinion seemed to collectively push legislators, local authorities and private firms towards a change of pace.

When women workers took the streets during the pandemic, not only scholars monitored and supported their struggles⁴³⁸: from their homes, thousands of international citizens were asking brands: #PayYourWorkers in order to guarantee them a self-sufficient and decent life in already troubled times.⁴³⁹

Currently, a new significant way of becoming human rights defenders is being shaped by legal actions. The most recent one is represented by the #GoodClothesFairPay European campaign⁴⁴⁰. This European Citizens' Initiative (ECI) is demanding a European common legislation that imposes a fair pay for textile and garment workers around the world. Alike other policy instruments such as the proposed EU Minimum Wage Directive, the OECD Due Diligence Guidance, the ILO MNE Declaration and the forthcoming EU strategy for sustainable textiles, this legislation is asking to:⁴⁴¹

- complement and build on the EU's Sustainable Corporate Governance framework, and the EU Adequate Minimum Wage Directive
- require brands to identify, prevent and mitigate adverse impacts on the human right to a living wage and freedom of association and collective bargaining rights;
- reduce poverty in the EU and worldwide, paying particular attention to the circumstances of women, migrants and workers with precarious contracts and the need to combat child labour;

⁴³⁸ I've already underlined how the academic interest in their protests grew, such in the case of Siddiqi.

⁴³⁹ Clean Clothes Campaign. (2020, September 28). *Garment workers in H&M, Primark, and Nike's supply chains need their full wages during a pandemic*. At: <https://cleanclothes.org/news/2020/garment-workers-in-hm-primark-and-nikes-supply-chains-need-their-full-wages-during-a-pandemic>

⁴⁴⁰ The campaign has a specific website at: <https://www.goodclothesfairpay.eu/about>; See also https://ec.europa.eu/commission/presscorner/detail/en/IP_22_3369. Here are constant updates about the initiative: https://europa.eu/citizens-initiative/initiatives/details/2022/000004_en. The petition would need 1 million European citizen's signatures in order to be discussed at the European Parliament level.

⁴⁴¹ Specific elements of the campaign can be analysed here at: <https://static1.squarespace.com/static/60f6d59438bd8267d20085e7/t/633d89a84e7191401c866e1f/1664977325182/NEW-Briefing+Doc+ECI+Proposal-v4.pdf>

- prohibit unfair trading practices which cause, or contribute to, actual and potential harms to workers in the garment and footwear sector and promote fair purchasing practices;
- provide a right to information for consumers regarding brands in the garment and footwear sector;
- improve transparency and accountability of brands in the garment and footwear sector.

If the ECI initiative will succeed in its means, it would bring with itself astonishing results in terms of access to fast fashion reseller or suppliers items, and it will question the current fashion environment *status quo*, requiring by law new and different standards which had never been asked to brands ever before.

If this would impact women working in the garment sector positively it's all to be discussed and discovered. The high sensitivity towards a true living wage worldwide gives encouraging clues of change, but as it has widely been analysed in this research, a living wage and higher welfare standards don't always bring with themselves a change in an empowered perspective.⁴⁴²

Through this chapter, I wanted to shed light on significant empowering grass-root experiences which, through the years, were involved in the transnational movement for a changing attitude in the realm of fashion. And even if their territorial origin and local action was what truly made (and is still making) the difference in time, the question about whether this local change, if reinforced in a transnational solidarity system, would highly impact other environments, paving the way to a system overturn, remains unsolved.

Alternative forms of empowerment represent, in any case, a concrete opportunity for women in the fast fashion industry in Bangladesh and grass-root mobilizations have proved to be part of the solution towards stronger and self-determined communities.

Using the words of Richard D. Wolff, professor of economics emeritus at the University of Massachusetts, "*before you fix a problem, you need to admit to have one*".⁴⁴³

Those actors, from a local to a global perspective, have proven to be consistent in exposing the nerve of a biased and troubled system, giving concrete and tangible

⁴⁴² Berik, G. (2017); see also Kabear, N. (2004).

⁴⁴³ His contribution was directly taken during the shooting of "The True Cost". See Morgan, A. (2015). *The True Cost*. Untold Creative.

evidences that: *“cheap clothes do not exist, because there is always someone who pays the price. That price is payed by workers.”*⁴⁴⁴

⁴⁴⁴ Also Kalpona Akter (founder of BCWS) directly took part in the documentary. See Morgan, A. (2015).

CONCLUSION

“The work of social justice is the work of narrative reconstruction, building new stories around facts that are often disregarded, invisibilized, and taken for granted as acceptable and unremarkable features of social life.”

*Kimberlee Crenshaw*⁴⁴⁵

The present analysis on women’s human rights violations in the fast fashion industry in Bangladesh wanted to portray the complexity of women’s opportunities of empowerment starting from a deep analysis of all the instruments available - institutional and informal - in a multi-level perspective.

This research broadly reveals how current solutions and attempts to challenge women exploitative conditions are necessary but not self-sufficient to make significant impact. At least, not if taken separately.

Corporate Social Responsibility initiatives have proven to be biased and inadequate due to their voluntary nature and therefore their burden in being enforced, as analysed in Chapter 1, is concrete. Moreover, even the International Human Rights regime *per se* still presents many contradictions and boundaries to be removed. Despite binding Conventions and Protocols, and the presence of monitoring bodies, international institutions are still unable to provide sufficient guarantees in order to assess correctly the implementation of international standards.

So is the Bangladesh Accord, which still represents a fundamental binding document but which has disclosed its own limits: it cannot directly impact effectively the complex aspects of women conditions in a gendered environment. The enforcement of human rights standards and their monitoring mechanisms are sure not to be taken for granted,

⁴⁴⁵ Crenshaw, Kimberle. 2020. “Under the Blacklight: Narrating the Nightmare and (Re)Imagining the Possible.” *Intersectionality Matters*, 18. Podcast. <https://soundcloud.com/intersectionality-matters/18-under-the-blacklight-narrating-the-nightmare-and-reimagining-the-possible>; this source is cited in Siddiqi, D. M. (2021).

even if at the same time, what the Rana Plaza tragedy conveyed especially for many scholars, was a change of narrative.

To my understanding of the topic and, accordingly, also to the ones of many feminist scholars, what started to make a significant difference right after the worst factory tragedy of our times - and what challenged the broad notion of safety, wellbeing, working conditions and, more broadly, women's human rights in the fashion industry in general - was a complete change in the conception of empowerment. Women's human rights and, therefore, their capacity building and empowerment opportunities needed to be understood in a different light and thus not judged and not assessed with a top-down approach.

If empowerment was to work, new paths to achieve it were to be built. Accordingly, this disrupted the mainstream narrative, in order to give women a true voice. An all-encompassing process could be started only from an intersectional perspective. It went past provisions on paper, and had something to do directly with women's personal experience, their bodies, their wellbeing conditions, their bargaining power and a direct assessment of all of them starting from the factory floor, as I explained in Chapter 3.

The fashion industry was and still is completely embedded with power imbalances: letting women workers having a direct say, strongly challenged the system as a whole.

An empowering environment could only be a "*bodily material phenomenon*" such as the one described by Haraway,⁴⁴⁶ watched and shaped through a lens which bounds us, as researchers, to give voice to the voiceless, with the awareness that analyses will be always shaped by material conditions and system imbalances.

There is no juxtaposition between different conditions, but only empowering practices which need to be built from scratch.⁴⁴⁷ As Edward Said wrote, "*the power to narrate or*

⁴⁴⁶ Lykke, N. (2010). *Feminist Studies: A Guide to Intersectional Theory, Methodology and Writing* (Taylor&Francis). Routledge, pp. 5-6.

⁴⁴⁷ *Idem*, pp. 53-56.

block other narratives from forming and emerging, is very important to culture and imperialism.”⁴⁴⁸

In order not to run the risk of defining concrete elements of empowerment which do not resemble what could truly make the difference for women working in the fast fashion industry, the only way forward is to try to build bridges, both figuratively - with new research streams - and physically, as it has been well embodied by existing networks such as Clean Clothes Campaign and Fashion Revolution. Researches, workers and women need to “jump scale” and “bridge space”⁴⁴⁹.

Scaling up local struggles, such as the ones put forward by the Awaj Foundation and all the local subjects which I cited in this work, could give additional strength and echo to already self-aware structures, which in most of the cases need only to be seen more clearly by consumers.

As Jeroen Merk states *“it is only through concrete political projects that the labour movement and allies can hope to achieve their objective of improving working conditions in the global garment industry.”*⁴⁵⁰

This won't necessarily mean to abandon legal and institutional changes gained in years of Human Rights policies and lobbying towards national governments, such as in the case of the steps forward taken by the United Nations through the definition of Sustainable Development Goals and their targets (in particular SDG5, directly addressing empowerment).

On the contrary, this specific *scenario* requires all the means possible in order to contrast, on a multi-level scale, a system which is starting to understand a change of consumer behaviour and a metamorphosis in the public opinion, especially if taking into account younger generations.⁴⁵¹

⁴⁴⁸ This quote is taken from Hoskins, T. E. (2014), p.142.

⁴⁴⁹ This body of literature, already cited in my research, has been developed by Jeroen Merk. See Merk, J. (2009), p. 606.

⁴⁵⁰ *Idem*, p. 613.

⁴⁵¹ Amed, I., Blachandani, A., Beltrami, M., Berg, A., Hendrich, S., & Rolkens, F. (2019, February 12). *The influence of 'woke' consumers on fashion*. McKinsey & Company. At: <https://www.mckinsey.com/industries/retail/our-insights/the-influence-of-woke-consumers-on-fashion>

Big firms are using their economic power in order to reorient consumers towards social-irresponsible items and fast fashion collections which are sold through “social and blue washing” promotional mechanisms.⁴⁵²

Shaping a different narrative within a system that seems rooted and designed in exploitative practices is definitely a complex challenge, and because of this reasons experts like Hopkins question the true existence and persistence of the fashion system itself.⁴⁵³ “*Articulation between Northern and Southern civil society actors can be difficult to achieve, in particular because global power inequalities are mirrored in civil society*”⁴⁵⁴, as stated by Sarah Ashwin, Naila Kabeer and Elke Schußler. Still, also through this research we are acknowledge that an erosion of the system is possible, if fought by a collective and disruptive feminist movement.

A system change would only be possible - and would definitively affect the fast fashion system - if narratives change: human rights enforcement, conscious consumption and women empowerment would become, at that point, part of the very same path towards a revolutionary change.

⁴⁵² Kavita, A. (2020, October 24). *Woke-washing: How fast fashion brands use social issues for sales*. Euronews. At: <https://www.euronews.com/green/2020/10/24/woke-washing-how-fast-fashion-brands-use-social-issues-for-sales>. See also Appelbaum, R. P., & Lichtenstein, N. (2016), p. 25.

⁴⁵³ Hoskins, T. E. (2014), pp.178-179.

⁴⁵⁴ Ashwin, S., Kabeer, N., & Schußler, E. (2020). Contested Understandings in the Global Garment Industry after Rana Plaza. *Development and Change*, 51(5), p. 1303.

BIBLIOGRAPHY

Accord on Fire and Building Safety in Bangladesh. (2013, May 13).

Accord on Fire and Building Safety in Bangladesh: May 2018. (2017, June 21).

Aggarwal, N., & More, C. (2021). Fast Fashion: A Testimony on Violation of Environment and Human Rights. *International Journal of Policy Sciences and Law*, 1(3), 1278–1303.

Aishwariya, S. (2019). High Cost of Cheap Fashion. *Apparel Views*, 18(9), 40–41.

Akhter, S., Rutherford, S., & Chu, C. (2019a). Sufferings in silence: Violence against female workers in the ready-made garment industry in Bangladesh: A qualitative exploration. *Women's Health*, 15.

Akhter, S., Rutherford, S., & Chu, C. (2019b). Sewing shirts with injured fingers and tears: Exploring the experience of female garment workers' health problems in Bangladesh. *BMC International Health and Human Rights*, 19(1).

Akil, N. Z. (2019, September 10). *The state of the unions*. Dhaka Tribune. <https://archive.dhakatribune.com/opinion/op-ed/2019/09/20/the-state-of-the-unions>

Akter, N., & Scholte, M. (2022, April 13). *The price garment workers paid for Covid-19 in Bangladesh*. D+C Development and Cooperation. <https://www.dandc.eu/en/article/labour-activist-nazma-akter-assesses-developments-bangladeshs-textiles-factories>

Akhter, S., Rutherford, S., & Chu, C. (2019). Suffering in silence: violence against female workers in the ready made garment industry in Bangladesh: A qualitative exploration. *Women's Health*, 15, 1–10.

- Alamgir, F., & Alakavuklar, O. N. (2020). Compliance Codes and Women Workers' (Mis)representation and (Non)recognition in the Apparel Industry of Bangladesh. *Journal of Business Ethics*, 165(2), 295–310.
- Amed, I., Blachandani, A., Beltrami, M., Berg, A., Hendrich, S., & Rolkens, F. (2019, February 12). *The influence of 'woke' consumers on fashion*. McKinsey & Company. <https://www.mckinsey.com/industries/retail/our-insights/the-influence-of-woke-consumers-on-fashion>
- Amnesty International. (2021). *Amnesty International Report 2020/21*. www.amnesty.org
- Anner, M. (2018). *Binding Power: The Sourcing Squeeze, Workers' Rights, and Building Safety in Bangladesh Since Rana Plaza Executive Summary*.
- Anner, M. (2020). Squeezing workers' rights in global supply chains: purchasing practices in the Bangladesh garment export sector in comparative perspective. *Review of International Political Economy*, 27(2), 320–347.
- Apparel Resources News-Desk. (2012, May 1). *Beyond Dhaka and Chittagong – other upcoming EPZs in Bangladesh*. Apparel Resources. <https://apparelresources.com/business-news/trade/beyond-dhaka-chittagong-upcoming-epzs-bangladesh/>
- Appelbaum, R. P., & Lichtenstein, N. (2016). *Achieving Workers' Rights in the Global Economy*. Cornell University Press.
- Ashraf, H., & Prentice, R. (2019). Beyond factory safety: labor unions, militant protest, and the accelerated ambitions of Bangladesh's export garment industry. In *Dialectical Anthropology* (Vol. 43, Issue 1, pp. 93–107). Springer Netherlands.
- Ashwin, S., Kabeer, N., & Schußler, E. (2020). Contested Understandings in the Global Garment Industry after Rana Plaza. *Development and Change*, 51(5), 1296–1305.

Awaj Foundation. (2020). *Awaj Annual Report 2019-2020*.

Bangladesh's New Generation Of Women-Led Labor Unions Confronts The Pandemic.

(2020, April 7). Forbes.

<https://www.forbes.com/sites/ashoka/2020/04/07/bangladeshs-new-generation-of-women-led-labor-unions-confronts-the-pandemic/?sh=533f7e812196>

Barrientos, S., Gereffi, G., Pickles, J., & Posthuma, A. (2011). Decent work in global production networks: Framing the policy debate. *International Labour Review*, 150(3–4), 299–317.

Barrientos, S., Gereffi, G., & Rossi, A. (2011). Economic and social upgrading in global production networks: A new paradigm for a changing world. *International Labour Review*, 150(4).

Barrientos, S., Kabeer, N., & Hossain, N. (2012). The Gender Dimensions of Globalization of Production. In *SSRN Electronic Journal*. Elsevier BV.

Begum, S., Ali, S., Ali, O., & Bhuyan, H. R. (2011). The CEDAW Implementation in Bangladesh: Legal Perspectives and Constrains. *The Bangladesh Institute of Development Studies*, 183.

Berik, G. (2017). Revisiting the Feminist Debates on International Labor Standards in the Aftermath of Rana Plaza. *Studies in Comparative International Development*, 52(2), 193–216.

Better Work Bangladesh. (2019). *An Industry And Compliance Review - Bangladesh*. www.ilo.org/publns

Bhattacharya, D. (1998). *Export processing zones in Bangladesh: Economic impact and social issues* (No. 80; Multinational Enterprises Program).

- Bradsher Keith. (2013). *After Bangladesh, Seeking New Sources*. The New York Times. <https://www.nytimes.com/2013/05/16/business/global/after-bangladesh-seeking-new-sources.html>
- Business & Human Rights Research Centre. (2020, July 14). *Bangladesh: H&M and Inditex supplier accused of union busting amid COVID-19 after dismissal of 3,000 garment workers; Incl. company responses*.
- Business & Human Rights Resource Centre. (2021, March 10). *Fashion brands bring US\$10bn in pandemic profits as thousands of their garment workers face wage theft*. <https://www.business-humanrights.org/en/from-us/media-centre/fashion-brands-bring-us10bn-pandemic-profits-thousands-their-garment-workers-face-wage-theft/>
- Calvès, A.-E. (2009). Empowerment: The History of a Key Concept in Contemporary Development Discourse. *Revue Tiers Monde*, 200(4).
- Carroll, A. B. (2008). A History of Corporate Social Responsibility: Concepts and Practices. In *The Oxford Handbook of Corporate Social Responsibility* (pp. 19–45).
- Christerson, B., & Appelbaum, R. P. (1995). Global and Local Subcontracting: Space, Ethnicity, and the Organization of Apparel Production. *World Development*, 23(8), 1363–1374.
- Clean Clothes Campaign. (n.d.). *Wages: a living wage and severance pay*. Retrieved October 1, 2022, from <https://cleanclothes.org/issues/poverty-wages-living-wage>
- Clean Clothes Campaign. (2017, December 21). *Why transparency is important / Kalpona Akter*. <https://www.youtube.com/watch?v=M5KZijLKTJ0>
- Clean Clothes Campaign. (2020, September 28). *Garment workers in H&M, Primark, and Nike's supply chains need their full wages during a pandemic*.

<https://cleanclothes.org/news/2020/garment-workers-in-hm-primark-and-nikes-supply-chains-need-their-full-wages-during-a-pandemic>

Clean Clothes Campaign. (2021). *Breaking Point. Wage theft, violence and excessive workloads are pushing garment workers to breaking point during the pandemic.*

Clean Clothes Campaign. (2022a, January). *January 2022 COVID blog.*
<https://cleanclothes.org/news/2022/january-2022-covid-blog>

Clean Clothes Campaign. (2022b, April). *April 2022 COVID blog.*
<https://cleanclothes.org/news/2022/april-2022-covid-blog>

Cline, E. L. (2018). *Siete pazzi ad indossarlo: perchè la moda a basso costo avvelena noi e il pianeta* (PIEMME).

CNV Internationaal, Ethical Trading Initiative, Mondiaal FNV, Fair Wear, & ACV - CSC. (2021). *Country Information & Practical Advice on Freedom of Association (FoA) & Collective Bargaining (CB) - Bangladesh.*
https://www.cnvinternationaal.nl/Resources/Persistent/7/d/7/6/7d7678bcdbe896d050bce6fe3cc9c175e48b1e7b/Country%20information%20FOA%20and%20CB%20Bangladesh_2021.pdf

Coe, N., P. Dicken, & M. Hess. (2008). Global production networks realizing potential. *Journal of Economic Geography*, 8(3), 271–295.

Committee on the Elimination of Discrimination against Women. (2011). *Concluding observations of the Committee on the Elimination of Discrimination against Women Bangladesh* (CEDAW/C/BGD/CO/7).

Committee on the Elimination of Discrimination against Women. (2016a). *List of issues in relation to the eighth periodic report of Bangladesh* (CEDAW/C/BGD/Q/8).

- Committee on the Elimination of Discrimination against Women. (2016b). *Concluding observations on the eighth periodic report of Bangladesh* (CEDAW/C/BGD/CO/8).
- Convention on the Elimination of All Forms of Discrimination Against Women*. (1979). UN General Assembly.
- COVID-19 Impact on selected RMG factories and way forward*. (2020, October 24). The Daily Star. <https://www.thedailystar.net/round-tables/news/covid-19-impact-selected-rmg-factories-and-way-forward-1983209>
- Crenshaw, K. (1989). Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics. *University of Chicago Legal Forum*, 1989(1(8)). <http://chicagounbound.uchicago.edu/uclfhhttp://chicagounbound.uchicago.edu/uclf/vol1989/iss1/8>
- Crenshaw, K. (1991). Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color. *Source: Stanford Law Review*, 43(6), 1241–1299.
- Crofton, S. O., & Dopico Macrometrix, L. G. (2007). Zara - Inditex and the growth of fast fashion. *Economics & Business History*, XXV, 41–54.
- Dana Thomas. (2019, August 29). *The High Price of Fast Fashion*. The Wall Street Journal. <https://www.wsj.com/articles/the-high-price-of-fast-fashion-11567096637>
- De Feyter, K. (2006). Localizing Human Rights. *Institute of Development Policy and Management, University of Antwerp*, 02.
- Donnelly, J. (1999). The social construction of international human rights. In *Human Rights in Global Politics* (pp. 71–102). Cambridge University Press.
- Donnelly, J., & Whelan, D. J. (2017). *International Human Rights (5th ed.)*. Routledge.

- DW. (2014). *HRW: Human rights 'no priority to Bangladeshi government.'* <https://www.dw.com/en/hrw-human-rights-no-priority-to-bangladeshi-government/a-17742707>
- English, B. (2013). Global Women's Work: Historical Perspectives on the Textile and Garment Industries. *Journal of International Affairs*, 67(1, The Gender Issue: Beyond Exclusion), 67–82.
- Erfan Ahmed, F. (2004). The Rise of the Bangladesh Garment Industry: Globalization, Women Workers, and Voice. *NSWA Journal*, 16(2 (Summer)), 34–45.
- Escalona Orcao, A. I., & Ramos Pérez, d. (2014). Global production chains in the fast fashion sector, transports and logistics: the case of the Spanish retailer Inditex. *Investigaciones Geográficas, Boletín, UNAM*, 85, 113–127.
- Escalona Orcao Ana Isabel, & Ramos Perez David. (2014). Global production chains in the fast fashion sector, transports and logistics: the case of the Spanish retailer Inditex. *Investigaciones Geográficas, Boletín*, 85, 113–127.
- Esmubanche Wambile, A. (2022, April). *Bangladesh. Poverty and Equity Brief, South Asia.* https://databank.worldbank.org/data/download/poverty/987B9C90-CB9F-4D93-AE8C-750588BF00QA/AM2021/Global_POVEQ_BGD.pdf
- Fair Labor Association. (2018). *Towards fair compensation in Bangladesh: insights on closing the wage gap.*
- Fair Wear. (n.d.). *The Story of Nazma Akter, Executive Director, Awaj Foundation.* Retrieved November 7, 2022, from <https://www.fairwear.org/programmes/nazma-akter/>

- Faseli, S. (2022, May 17). *Il lato oscuro della moda: tra sfruttamento dei lavoratori e prodotti dannosi per la salute*. The Bottom Up. <https://thebottomup.it/2022/05/17/moda-sfruttamento-lavoratori-prodotti-dannosi/>
- Fashion Revolution. (2021). *Fashion Transparency Index 2021*.
- Fashion Revolution. (2022). *Fashion Transparency Index 2022*.
- Fashion United. (n.d.). *Global fashion industry statistics - International apparel*. Retrieved March 2, 2022, from <https://fashionunited.com/global-fashion-industry-statistics/>
- Fiaschi, D., Giuliani, E., Macchi, C., Murano, M., & Perrone, O. (2011). To abuse or not to abuse. This is the question. On whether Social Corporate Responsibility influences human rights abuses of large Multinational Corporations (1990-2006). *LEM Working Paper Series*, 2011(13).
- Forsythe, D. P. (2017). *Human Rights in International Relations (4th ed)*. Cambridge University Press.
- France 24. (2015, May 8). *Made in Bangladesh: The labour rights' advocate who took on the garment industry*. <https://www.france24.com/en/20150508-51-percent-bangladesh-garment-kalpona-akter-paraguay-abortion-paris-metro-harassment>
- Freedom House. (2022). *Bangladesh: Freedom in the World 2022*. <https://freedomhouse.org/country/bangladesh/freedom-world/2022>
- Giuliani, E. (2016). Human Rights and Corporate Social Responsibility in Developing Countries' Industrial Clusters. *Journal of Business Ethics*, 133(1), 39–54.

- Giuliani, E., & Macchi, C. (2014). Multinational corporations' economic and human rights impacts on developing countries: A review and research agenda. *Cambridge Journal of Economics*, 38(2), 479–517.
- Goertz, G., & Mazur, A. G. (2008). *Politics, Gender, and Concepts -Theory and methodology* (Cambridge University Press, Ed.). Cambridge University Press.
- Goodhart, M. (2016). *Human Rights: Politics and Practice (3rd ed)*. Oxford University Press.
- Gottfried, H. (1998). Beyond Patriarchy? Theorising gender and class. *Sociology*, 32(3), 451–468.
- Gottfried, H. (2008). Reflections on Intersectionality: Gender, Class, Race and Nation. *Journal of Gender Studies*, 11, 22–40.
- Greco, L. (2016). *Capitalismo e sviluppo nelle catene globali del valore* (Carocci).
- Gupta, S., & Gentry, J. W. (2019). Evaluating Fast Fashion: Examining its Micro and the Macro Perspective. *Eco-Friendly and Fair*, 15–23.
- Hancock, A. M. (2007). Intersectionality as a Normative and Empirical Paradigm. *Politics and Gender*, 3(2), 248–254.
- Hancox, D. (2019). No Logo at 20: have we lost the battle against the total branding of our lives? *The Guardian*. <https://www.theguardian.com/books/2019/aug/11/no-logo-naomi-klein-20-years-on-interview>
- Hobson, J. (2013). To die for? The health and safety of fast fashion. In *Occupational Medicine* (Vol. 63, Issue 5, pp. 317–319).
- Hoskins, T. E. (2014). *Stitched up: The Anti-Capitalist Book of Fashion*. Pluto Press.

Human Rights Council. (2018a). *Summary of Stakeholders' submissions on Bangladesh: Report of the Office of the United Nations High Commissioner for Human Rights*, (A/HRC/WG.6/30/BGD/3).

Human Rights Council. (2018b). *Compilation on Bangladesh. Report of the Office of the United Nations High Commissioner for Human Rights* (A/HRC/WG.6/30/BGD/2).

Human Rights Watch. (2015a). *Whoever Raises their Head Suffers the Most - Workers' Rights in Bangladesh's Garment Factories*.
http://features.hrw.org/features/HRW_2015_reports/Bangladesh_Garment_Factories/index.html

Human Rights Watch. (2015b, April 22). *Whoever Raises their Head Suffers the Most. Workers' Rights in Bangladesh's Garment Factories*.
http://features.hrw.org/features/HRW_2015_reports/Bangladesh_Garment_Factories/index.html

Human Rights Watch. (2017a, February 15). *Bangladesh: Stop Persecuting Unions, Garment Workers*. <https://www.hrw.org/news/2017/02/15/bangladesh-stop-persecuting-unions-garment-workers>

Human Rights Watch. (2017b). *Bangladesh: Stop Persecuting Unions, Garment Workers Brands Should Make Binding Commitments to Protect Freedom of Association*.

Human Rights Watch. (2021, August 16). *"Where No Sun Can Enter" A decade of Enforced Disappearances in Bangladesh*.
<https://www.hrw.org/report/2021/08/16/where-no-sun-can-enter/decade-enforced-disappearances-bangladesh>

ILO, & UN Women. (2020). *Understanding the Gender Composition and Experience of Ready-Made Garment (RMG) Workers in Bangladesh*. www.ilo.org/publns

Inside Story. (2022, June 12). *What will it take to end child labour?* Al Jazeera. <https://www.aljazeera.com/program/inside-story/2022/6/12/what-will-it-take-to-end-child-labour>

International Labor Organization (ILO). (2014, February 20). *Union registrations rise sharply in Bangladesh garment sector: New labour laws pave way to improve conditions, workers' rights.*

https://www.ilo.org/dhaka/Informationresources/Publicinformation/Pressreleases/WCMS_236042/lang--en/index.htm

International Labor Rights Forum. (2010, December 16). *Bangladeshi Ha-Meem Group Garment Factory Goes Up in Smoke and Flames.*

<https://laborrights.org/blog/201012/bangladeshi-ha-meem-group-garment-factory-goes-smoke-and-flames>

International Labour Organization (ILO). (1930, June 28). *Forced Labour Convention, C29.* International Labour Organization (ILO).

International Labour Organization (ILO). (1948, July 9). *Freedom of Association and Protection of the Right to Organise Convention, C87.*

International Labour Organization (ILO). (1951, June 29). *Equal Remuneration Convention, C100.*

International Labour Organization (ILO). (1958, June 25). *Discrimination (Employment and Occupation) Convention, C111.*

International Labour Organization (ILO). (1959, June 25). *Convention Concerning the Abolition of Forced Labour, C105.*

International Labour Organization (ILO). (1973, June 26). *Minimum Age Convention, C138.*

International Labour Organization (ILO). (1999, June 17). *Worst Forms of Child Labour Convention, C182*.

International Labour Organization (ILO). (2014, June 11). *Protocol of 2014 to the Forced Labour Convention, 1930, P29*.

International Labour Organization (ILO). (2015). *Rana Plaza two years on - Progress made & challenges ahead for the Bangladesh RMG sector*.
https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms_317816.pdf

International Labour Organization (ILO). (2016). *Wages and productivity in the garment sector in Asia and the Pacific and the Arab States*.

International Labour Organization (ILO) and International Finance Corporation (IFC). (2019). *Better Work Bangladesh: garment industry 1st compliance synthesis report*.
www.ilo.org/publns

ITUC-CSI-IGB. (2021). *We Need a Better Bangladesh: violations of worker's rights in the ready-made garment, shipbreaking and leather sectors*.

Jahan, D. A., Hoskins, T., Mayorga, J., & Bautista, N. (2021, July 17). *How the West's thirst for fast fashion is destroying lives*. Dhaka Tribune.
<https://archive.dhakatribune.com/business/2021/07/17/how-the-west-s-thirst-for-fast-fashion-is-destroying-lives>

Johnson, S. (2021, July 2). Wage theft' in Primark, Nike and H&M supply chain – report. *The Guardian*. <https://www.theguardian.com/global-development/2021/jul/02/wage-theft-in-primark-nike-and-hm-supply-chain-report>

- Kabeer, N. (2004). Globalization, Labor Standards, and Women's Rights: Dilemmas of Collective (In) Action in an Interdependent World. In *Feminist Economics* (Vol. 10, Issue 1, pp. 3–35).
- Kabeer, N., Haq, L., & Sulaiman, M. (2019). Multi-stakeholder initiatives in Bangladesh after Rana Plaza: Global norms and workers' perspectives. *International Development, London School of Economics and Political Science (LSE)*, 19(193). www.lse.ac.uk/InternationalDevelopment
- Kabir, H., Maple, M., Usher, K., & Islam, M. S. (2019). Health vulnerabilities of readymade garment (RMG) workers: A systematic review. In *BMC Public Health* (Vol. 19, Issue 1). BioMed Central Ltd.
- Kaplinsky, R. (1998). *Globalisation, Industrialisation and Sustainable Growth: The Pursuit of the Nth Rent*.
- Kavita, A. (2020, October 24). *Woke-washing: How fast fashion brands use social issues for sales*. Euronews. <https://www.euronews.com/green/2020/10/24/woke-washing-how-fast-fashion-brands-use-social-issues-for-sales>
- Khan, M. (2019, March 8). *CEDAW at a dead end in Bangladesh?* The Daily Star. <https://www.thedailystar.net/star-weekend/news/cedaw-dead-end-bangladesh-1711840>
- Khosla, N. (2009). The Ready-Made Garments Industry in Bangladesh: A Means to Reducing Gender-Based Social Exclusion of Women? *Journal of International Women's Studies*, 11(1), 289–303.
- Khurana, K., & Muthu, S. S. (2021). Are low- and middle-income countries profiting from fast fashion? *Journal of Fashion Marketing and Management*.

- Kotikula, A., Hill, R., & Raza, W. A. (2019). *What works for working women? Understanding Female Labor Force Participation in Urban Bangladesh*.
- Kumar Saha Assistant Professor, A. (2017). Experience in Readymade Garments Export: A Study on Global Context. *The Millennium University Journal*, 2(1). www.themillenniumuniversity.edu.bd/journal/index.php/TMUJ
- Labowitz, S., & Baumann-Pauly, D. (2015). *Beyond the Tip of the Iceberg: Bangladesh's Forgotten Apparel Workers*.
- Lang, A. (2010). Trade Agreements, Business and Human Rights: The case of export processing zones. *Corporate Social Responsibility Initiative Working Paper* , 57.
- Lawton, N. R., Calveley, M., & Forson, C. (2015). Untangling multiple inequalities: intersectionality, work and globalisation. *Work Organisation, Labour and Globalisation*, 9(2).
- LeBaron, G., Edwards, R., Hunt, T., Sempéré, C., & Kyritsis, P. (2021). The Ineffectiveness of CSR: Understanding Garment Company Commitments to Living Wages in Global Supply Chains. *New Political Economy*, 27(1).
- Lee, J. (2017). Global Commodity Chains and Global Value Chains. *International Studies Association and Oxford University Press*. <https://oxfordre.com/internationalstudies/internationalstudies/view/10.1093/acrefore/9780190846626.001.0001/acrefore-9780190846626-e-201>
- Liu, S. Y. H., Napier, E., Runfola, A., & Cavusgil, S. T. (2020). MNE-NGO partnerships for sustainability and social responsibility in the global fast-fashion industry: A loose-coupling perspective. *International Business Review*, 29(5).
- London College of Legal Studies (South). (n.d.). *Bangladesh's Reservation in CEDAW & Human Right Protection; Causes, Justifications and Prospects*. Retrieved April

25, 2022, from <https://lcls-south.com/bangladeshs-reservation-in-cedaw-causes-justifications-and-prospects/>

Lykke, N. (2010). *Feminist Studies: A Guide to Intersectional Theory, Methodology and Writing* (Taylor & Francis). Routledge.

Marchetti, S. (2013). Intersezionalità. In Caterina Botti (Ed.), *Le tecniche della diversità culturale* (pp. 133–148). Le Lettere.

Marslev, K. ;, Staritz, C. ;, & Raj-Reichert, G. (2021). Worker power, state-labour relations and worker identities: Re-conceptualising social upgrading in global value chains. *Department of Development Studies, University of Vienna*.

Marx, S., & FEMNET e. V. (2020). *Wages and gender- based violence. Exploring the connections between economic exploitation and violence against women workers*.

Mary Robinson. (n.d.). *Universality and priorities*. United Nations Development Programme, Human Development Reports. Retrieved March 24, 2022, from <https://www.hdr.undp.org/en/content/universality-and-priorities>

Mcguire, S. (2001, September 16). *Fast Fashion*. Newsweek. <https://www.newsweek.com/fast-fashion-152467>

Merk, J. (2009). Jumping scale and bridging space in the era of corporate social responsibility: Cross-border labour struggles in the global garment industry. *Third World Quarterly*, 30(3), 599–615.

Mezzadri, A. (2016a). *The Sweatshop Regime: Labouring Bodies, Exploitation, and Garments Made in India*. Cambridge: Cambridge University Press.

Mezzadri, A. (2016b). Class, gender and the sweatshop: on the nexus between labour commodification and exploitation. *Third World Quarterly*, 37(10), 1877–1900.

- Mezzadri, A. (2017). Garment Sweatshop Regimes, the Laboring Body, and the Externalization of Social Responsibility over Health and Safety Provisions. In R. Prentice & G. de Neve (Eds.), *Unmaking the Global Sweatshop: health and safety of the world's garment workers* (pp. 173–200). University of Pennsylvania Press.
- Mia, R., Ahmed, T., Tanjim, M. N., Waqar, M. A., Hasan, M. M., Das, A., Shamim, A. M., & Jahan, K. (2020). An extensive analysis of the health hazards for RMG workers in apparel sector of Bangladesh. *Journal of Textile Engineering & Fashion Technology*, 6(4).
- Mohan Kathuriat, L. (2003). Impact of the Multi-Fibre Arrangement (MFA) phase-out on the garment workers of the world. *Management & Labour Studies*, 28(1), 65–74.
- Mohanty, C. T. (1984). Under Western Eyes: Feminist Scholarship and Colonial Discourses. *Boundary 2*, 12/13(3,1), 333–358.
- Moloney, A. (2016, September 9). *Get Bangladesh women in unions to improve worker rights: campaigner*. Reuters. <https://www.reuters.com/article/us-bangladesh-women/get-bangladesh-women-in-unions-to-improve-worker-rights-campaigner-idUSKCN11F2CR>
- Morgan, A. (2015). *The True Cost*. Untold Creative.
- Naved, R., Rahman, T., Willan, S., Jewkes, R., & Gibbs, A. (2018). Female garment workers' experiences of violence in their homes and workplaces in Bangladesh: A qualitative study. *Social Science and Medicine*, 196, 150–157.
- Nova, S. (2010, December 16). *Another Factory Fire in Bangladesh Kills 29, As Safety Crisis Continues*. Worker Rights Consortium. <https://www.workersrights.org/communications-to-affiliates/another-factory-fire-in-bangladesh-kills-29-as-safety-crisis-continues/>

- Nova, S., & Hensler, B. (2018). Settlement Reached in Groundbreaking Bangladesh Accord Arbitration. *WRC - Worker Rights Consortium*.
<https://www.workersrights.org/communications-to-affiliates/settlement-reached-in-groundbreaking-bangladesh-accord-arbitration/>
- Nussbaum, M., & Sen, A. (1993). Capability and Well-Being. In *The Quality of Life* (pp. 1–30). Oxford University Press.
- Ozsoz, E. (2014). Exploitation or Empowerment? The Impact of Textile and Apparel Manufacturing on the Education of Women in Developing Countries. *MPRA*, 58125.
- Paul-Majumder, P., & Begum, A. (2000). The Gender Imbalances in the Export Oriented Garment Industry in Bangladesh. *Gender and Development*, 12, 1–40.
- Philipson, L. (2006, June 25). Bangladesh's Fraying democracy. *Open Democracy*.
https://www.opendemocracy.net/en/bangladesh_3681jsp/
- Prentice, R., de Neve, G., Mezzadri, A., & Ruwanpura, K. N. (2018). Health and safety in garment workers' lives: Setting a new research agenda. In *Geoforum* (Vol. 88, pp. 157–160). Elsevier Ltd.
- Rainnie, A., Herod, A., & McGrath-Champ, S. (2011). Review and Positions: Global Production Networks and Labour. *Competition & Change*, 15(2), 155–169.
- Raworth, Kate., & Coryndon, Anna. (2004). *Trading away our rights : women working in global supply chains*. Oxfam International.
- Reinalda, B. (2009). *Routledge History of International Organizations: From 1815 to the Present Day (1st ed.)*. Routledge.

- Remake. (2021, August 25). *Victory! Bangladesh Accord Renewed and Expanded!* <https://remake.world/stories/news/victory-bangladesh-accord-renewed-and-expanded/>
- Ridout, A., & Tisdall, S. (2015, September 29). *Women in Bangladesh are taking charge – from grassroots up to government*. The Guardian. <https://www.theguardian.com/global-development/2015/sep/29/bangladesh-women-taking-charge-from-grassroots-to-government>
- Rizzo, A. L. de F. (2020). The democratization in fashion and the insertion and acceptance of various styles as a form of influence on major fashion brands and mass consumption. *South Florida Journal of Development*, 1(3), 114–121.
- Ruma, P. (2020, April 26). *Bangladesh textile workers flout coronavirus lockdown to demand wages*. Reuters. <https://www.reuters.com/article/health-coronavirus-bangladesh-protests-idUSL3N2CE08V>
- Ruma Paul. (2021, July 6). *Bangladesh exports up 15% as global demand for garments rebounds*. Reuters. <https://www.reuters.com/world/asia-pacific/bangladesh-exports-up-15-global-demand-garments-rebounds-2021-07-06/>
- Sarkin, J., & Koenig, M. (2011). Developing the Rights to Work: Intersecting and Dialoguing Human Rights and Economic Policy. *Human Rights Quarterly*, 33, 1–42.
- Saxena, S. (2014). *A Glimmer of Hope: Women Leading Change in Bangladesh's Garment Industry*. The Asia Foundation. <https://asiafoundation.org/2014/09/24/a-glimmer-of-hope-women-leading-change-in-bangladeshs-garment-industry/>
- Seattle Municipal Archives. (n.d.). *World Trade Organization Protests in Seattle*. City of Seattle. Retrieved November 8, 2022, from

<https://www.seattle.gov/cityarchives/exhibits-and-education/digital-document-libraries/world-trade-organization-protests-in-seattle>

Sen, A. (1993). Capability and Well-Being. In Nussbaum & Sen (Eds.), *The Quality of Life*. Clarendon Press.

Shamit, M. (2017, February 9). *Violating Universal Rights for Power: A Look at Human Rights in Bangladesh*. Synergy: The Journal of Contemporary Asian Studies. <http://utsynergyjournal.org/2017/02/09/violating-universal-rights-for-power-a->

Siddiqi, D. M. (2009). Do Bangladeshi Factory Workers Need Saving? Sisterhood in the Post-Sweatshop Era. In *Feminist Review* (Vol. 91, Issue 1, pp. 154–174).

Siddiqi, D. M. (2017, April 21). *Organising Labour under the Neoliberal Gaze*. The Daily Star. <https://www.thedailystar.net/star-weekend/spotlight/organising-labour-under-the-neoliberal-gaze-1393885>

Siddiqi, D. M. (2021). Rescripting Empowerment? Post- COVID Lessons from Bangladeshi Garment Workers. *Kohl Journal*, 7(2).

Siddiqui, J., & Uddin, S. (2016). Human rights disasters, corporate accountability and the state: an emerging economy case. *Accounting Auditing & Accountability Journal*, 29, 679–704.

Sikkink, K. (1993). Human Rights, Principled Issue-Networks, and Sovereignty in Latin America. *International Organization*, 47(3), 411–442.

Simmons, B. A. (2009). *Mobilizing for Human Rights: International Law in Domestic Politics*.

- Solotaroff, J. L., Kotikula, A., Lonnberg, T., Ali, S., Pande, R. p., & Jahan, F. (2019). *Voices to Choices - Bangladesh's Journey in Women's Economic Empowerment. In Interntional Development in Focus.*
- SOMO Fact Sheet. (2014). *Child labour in the textile and garment industry, Focus on the role of buying companies.*
- Sowula, T. (2006, November 24). Bangladesh's political meltdown. *Open Democracy*. https://www.opendemocracy.net/en/bangladesh_4127jsp/
- Spadaro, C. (2020). La moda dell'avvenire: etica, solidale, sostenibile e rivoluzionaria. *Altreconomia*. <https://altreconomia.it/moda-etica-solidale-fashion-revolution/>
- Srivastava, A. (2020). *Bangladesh Accord: An urgent call-to-action to #ProtectProgress*. Fashion Revolution. <https://www.fashionrevolution.org/bangladesh-accord-an-urgent-call-to-action-to-protectprogress/>
- Staff Reports. (2020, November 19). *3 Organizations Helping Garment Workers in Bangladesh*. Borgen Magazine. <https://www.borgenmagazine.com/3-organizations-helping-garment-workers-in-bangladesh/>
- Sustainable Development Goals Open Working Group proposal for Sustainable Development Goals*. (n.d.). <http://undocs.org/A/68/970>
- Taplin, I. M. (2014). Who is to blame?: A re-examination of fast fashion after the 2013 factory disaster in Bangladesh. *Critical Perspectives on International Business*, 10(1), 72–83.
- Taslina, Y. (2020, October 8). *Time to initiate legal reforms in rape prosecution*. The Daily Star. <https://www.thedailystar.net/opinion/news/time-initiate-legal-reforms-rape-prosecution-1974197>

The Daily Star. (2011, February 4). Of political leadership, politics, and politicians. *The Daily Star*. <https://www.thedailystar.net/news-detail-175230>

The Daily Star. (2018, September 28). PM'S birthday today. *The Daily Star*. <https://www.thedailystar.net/city/news/happy-birthday-pm-1806445>

The Daily Star. (2022, March 1). Digital security Act cases: Politicians worst victims. *The Daily Star*. <https://www.thedailystar.net/news/bangladesh/crime-justice/news/digital-security-act-cases-politicians-worst-victims-2972616>

The Global 3000 Questionnaire: Bangladesh - Nazma Akter. (2015, April 20). Deutsche Welle. <https://www.dw.com/en/the-global-3000-questionnaire-bangladesh-nazma-akter/video-18395113>

Theuws, Martje., van Huijstee, Mariette., Overeem, P., van Seters, J., & Pauli, T. (2013). *Fatal fashion. Analysis of recent factory fires in Pakistan and Bangladesh: A call to protect and respect garment workers' lives*. SOMO, Centre for Research on Multinational Corporations.

Thousands of Bangladeshi garment workers struggle amid job loss. (2020, October 2). Al Jazeera. <https://www.aljazeera.com/economy/2020/10/2/thousands-of-jobless-bangladesh-garment-workers-fear-for-future>

Transparency International. (2022). *Corruption Perceptions Index 2021*.

UN Women. (2016). *Out of the Ashes*. Progress of the World's Women 2015-2016. <https://progress.unwomen.org/en/2015/kalpona/>

United Nations. (2014). *Women's Rights are Human Rights*. HR/PUB/14/2.

Vemulakonda, S. (2021, November 29). *Why Won't Levi's Sign Onto the Accord? It's Time for the Brand to Put Action Behind Its Ethical Intent*. *Remake*.

<https://remake.world/stories/why-wont-levis-sign-onto-the-accord-its-time-for-the-brand-to-put-action-behind-its-ethical-intent/>

Ward, D., & Lasen, M. (2009). An Overview of Needs Theories behind Consumerism. *MPRA*, 13090.

Wilde-Ramsing, J. (2021, April 16). *Amidst the trend towards mandatory due diligence, the Bangladesh Accord model should not be abandoned*. Business & Human Rights Resource Centre. <https://www.business-humanrights.org/en/blog/the-bangladesh-accord-a-blueprint-for-the-expansion-of-mandatory-due-diligence/>

Workers Rights Consortium (WRC). (2019). *Banning Hope - Bangladesh Garment Workers Seeking a Dollar an Hour Face Mass firings, Violence, and False Arrests*.

World Bank. (2022). *Poverty and Equity Briefs*.
<https://www.worldbank.org/en/topic/poverty/publication/poverty-and-equity-briefs>

Young, H. (2014, April 24). Without stronger unions, Rana Plaza will happen time and time again'. *The Guardian*. <https://www.theguardian.com/global-development-professionals-network/2014/apr/24/rana-plaza-garment-workers-bangladesh>

RINGRAZIAMENTI

“Not everything that is faced can be changed, but nothing can be changed until it is faced.”

James Baldwin

“Non tutto ciò che viene affrontato può essere cambiato, ma niente può essere cambiato finché non viene affrontato.”

Esistono questioni e problemi complessi, nel mondo globalizzato in cui viviamo, cui spesso non sembra possibile dare risposta. Nel confrontarsi con essi, il mondo accademico non può che avere l'aspirazione di dare risposte - anche se parziali - a quella complessità, dotando di strumenti efficaci le persone che ne attraversano le aule.

Spesso però il mondo universitario e le sue modalità di fare ricerca si ostinano a non voler dialogare con il mondo esterno, rischiando di rimanere autoreferenziali, chiudendo le mura accademiche rispetto a contaminazioni e non cogliendo le sfide che la complessità del nostro “vivere il mondo” ci impone. Durante tutto il mio percorso, di fronte alla sfida di interrogarmi su quanto gli strumenti accademici potessero essere messi in dialogo con la società, non è stato facile costruire invece per me e per gli altri occasioni di confronto che potessero farci rendere consapevoli di quanto il nostro studio, la nostra vita universitaria, fosse in fondo un modo essenziale di avere capacità di lettura del mondo. Per fare, a nostro modo, la differenza.

Se questo è stato possibile, anche solo in minima parte, lo devo ad una serie di enormi fortune.

La mia famiglia mi ha permesso di frequentare un'università pubblica, e di far sì che io potessi crescere in consapevolezza e formazione. Di questo, e del continuo sostegno, senza il quale il mio percorso accademico non sarebbe stato possibile, sono immensamente grata. Mi avete insegnato che è dall'esempio e dall'impegno in prima persona, al servizio degli altri, che il mondo può essere cambiato, e non mi è stato mai

più chiaro che in questi anni. Grazie per avermi spronata ad essere cittadina del mondo, con curiosità e coraggio.

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Le esperienze fatte, all'interno del mondo del commercio equosolidale, delle università europee e non da ultimo, dell'educazione alla pace, hanno rafforzato in me l'idea che "ci si salva e si va avanti se si agisce insieme e non solo uno per uno". Grazie a tutte le persone che hanno reso possibili le avventure con Angoli di Mondo, Le Rondini, con ARQUS e con Non dalla Guerra: riconoscere il privilegio di far parte di famiglie più grandi è un sollievo e allo stesso tempo una grossa responsabilità. Grazie di averla voluta condividere con me.

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All'Unione degli Universitari, che attraverso gli strumenti della rappresentanza e del conflitto mi ha dato prova di cosa significhi andare a fondo e non solo in superficie, cosa voglia dire costruire "un altro mondo possibile", devo un grazie viscerale. A quell'UDU che mi ha insegnato che l'università non è una gara, ma una fortuna enorme di cui fare tesoro, che mi ha fatto comprendere le modalità per renderla un ambiente non ostile.

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Continueremo, sempre e per sempre dalla stessa parte.

Continueremo per chi fatica ancora e per chi si autodetermina da tempo.

Per le donne del Bangladesh e del mondo.

Per chi ancora è dimenticato.

Per noi, per chi verrà dopo di noi, per chi non ce l'ha fatta.