



Terms of Reference:

Research and scoping report for Anti-Slavery International on the proposed EU legal framework on mandatory human rights and environmental due diligence

February 2021

Context

Together with a small group of peer NGOs and trade unions in Brussels, Anti-Slavery International has been working since 2017 to advocate for EU mandatory human rights and environmental due diligence (mHREDD) legislation that would mean that companies operating in the EU would be held accountable for any human rights and environmental abuses in their supply chain. In late 2020, the European Commission opened a [consultation](#) on proposals for the law, within the framework of sustainable corporate governance. In quarter two 2021, the Commission is expected to table a legislative proposal. The European Parliament Legal Committee has [adopted](#) its own proposal for the law.

As we move towards near certainty that some form of EU-level mandatory human rights and environmental due diligence framework will be passed, Anti-Slavery International is working to advance awareness of the proposed law among civil society and other actors in producing countries, by collaborating closely with our network of partners and peers.

The scoping/research outlined in this ToR is intended to guide Anti-Slavery International, our partners and our peers forward in this work, helping us to shape our next years of advocacy and work on this area.

Scope

We are inviting applications from research teams to undertake rapid research and scoping on the below research questions, providing recommendations against each question area and identifying entry points for further research and exploration.

The research would be informed by in-depth consultations with ASI's partners through focus-group discussions, individual interviews and, if deemed relevant, with businesses, and would look at two-three specific case studies of forced labour in EU private sector supply chains. These are proposed as the [leather industry](#) in Ambur (Tamil Nadu, India), Brazil (coffee and cattle - bovine meat¹) – we welcome the research team's proposal for inclusion of a third case-study country based on their existing research/ networks, but this is not required.

The below are top-line research questions, which the chosen research team is expected to break down into more specific questions, in consultation with the Anti-Slavery team and our partners in this research.

Advocacy priorities

1. Anti-Slavery International's objective is to form a network of anti-slavery/forced labour focused organisations from around the world, which can influence the European Union as the

¹ The coffee industry is intended to be the primary focus, but findings on cattle as possible within the timeframe of research will be of additional value.

debate on mHREDD and complementary initiatives moves forward. To support this aim, we are seeking recommendations against the following questions:

- a. Which factors should Anti-Slavery and its global partners from producing countries (such as Brazil, Chile, Thailand, India, Bangladesh, Jordan etc) focus advocacy upon in the final year/ two years of the EU mHREDD debate in order to ensure that the agreed law is effective to prevent, and respond to, *forced labour*, with meaningful change for workers and potential workers?
- b. Which factors are more important for Anti-Slavery/ its, as organisations focusing on forced labour, to advocate on, compared to peer NGOs with wider/different remits and compared to trade unions? Case studies should be provided to evidence these factors.²
- c. What are the structural and foundational needs of civil society actors working on forced labour in producing countries to better enable their access to be active actors in these debates on EU mHREDD?
 - i. For e.g. considering language barriers, security threats, resource (human and financial) restrictions, organisational structures, advocacy experience, etc.

Guiding initiatives and strategies in producing countries

2. If/when the law is implemented, using the top-line criteria we expect to be included at a minimum in the proposed law, which factors/initiatives (for e.g. local-level monitoring, awareness raising activities) are necessary at local and national levels in producing countries to ensure that the implementation of the law is effective to address forced labour and places power to hold corporations accountable in the hands of workers and communities?
 - a. This should provide examples specific to the three case studies, but also identify common elements relevant which could be relevant all contexts in order to inform wider development of strategies to support workers and communities in other contexts. It should provide recommendations to local, national and international NGOs and trade unions on effective support and partnering strategies to ensure that mHREDD is effective to address forced labour at a grassroots/local level.
 - b. The research should also consider the necessary factors to ensure long-term sustainability of initiatives at local and national levels, in particular how to ensure local/national initiatives are effectively connected to potential EU Member State developments on enforcement and monitoring.

Looking beyond mHREDD

3. Which other EU policy and legislative areas (for e.g. specific trade policy) should Anti-Slavery and its partners focus advocacy upon at EU-level, in order to maximise and complement the positive impact of mHREDD in addressing forced labour?

² *Anti-Slavery International has already significantly developed our policy asks on mHREDD, and these have been informed by extensive discussions with global partners. However, the purpose of this research is to add further detail, evidence and external perspective to these asks, thoroughly informed by organisations in producing countries.*

- a. This should provide examples specific to the three case studies for illustrative purposes, but also inform wider thinking and development of policy advocacy focus areas for other NGOs/trade unions working on the EU mHREDD agenda.
- b. Beyond producer country governments, which other bodies should be key advocacy targets, for e.g. regional bodies?

Methodology

The research will involve the desk review of existing literature and interviews with stakeholders.

The research team is required to interview a large range of stakeholders, including focus-group discussions on case study, as well as other stakeholders. At least 50% of interviewees are expected to be organisations/individuals based in producing countries, and Anti-Slavery will produce budget for reimbursing interviewees for their time, and for interpretation as necessary.

For the Indian case study, in first instance, the research team will be able to liaise with [Cividep India](#) – a partner in this research and an expert on the case study topic – who can support with facilitating interviews. For the Brazil case study, applicants will similarly be able to liaise with [Reporter Brasil](#), and other Brazilian partners. This communication will be facilitated by Anti-Slavery International's Business and Human Rights Policy and Research Officer, who will be the point of contact throughout the entire project for the research team.

The research team will be required to develop the interview questions.

Output

The required output of this assignment is two-fold:

1. A full report with the full findings, reflections and recommendations, which will not be published. This report will be for internal purposes for Anti-Slavery, our partners, peers and donors. This report intended to include a range of reflections. Given the rapid nature of the research and current stage of the mHRDD debate, we do not expect full conclusions across each research question, but expect the researchers to identify areas, idea and entry points which could require further study and development.
2. An approximately 15-18 page summary of the report for public audiences, with an introduction, a summary of each case study findings, a summary of common findings, and recommendations to EU policymakers, NGOs and trade unions active in EU advocacy, national/local NGOs and trade unions in producing countries interested in working on the EU mHREDD agenda, and businesses. This report will be used as an advocacy tool by Anti-Slavery International going forward in the debate.

Timeline

- Deadline for application: 21 February 2021, 23:59 GMT. However, applicants may be considered before this date and recruitment closed early.
- Interviews: 1-2 March 2021
- Project commencing date: 8-12 March 2021
- Deadline for final summary version of report for public audiences: 28 May 2021

- The deadline for the internal full report is more flexible, and we are open to discussing with the research team. The public report must be completed by the above date to allow for proofreading, translation and design before the launch date, which is timed to be before the summer break across Europe.
- Launch of public version of report: by 29 June 2021.
 - The researchers will be invited to participate in the launch of the report. The format for this is TBC.

Payment and budget

A budget of EUR 30,000 is available for the research team, of which EUR 10-15,000 is expected to be allocated towards researchers who are experts/local to each context covered in the two-three case studies. The inclusion of such researchers must be outlined in the application – applications which do not outline this are unlikely to be considered.

Additional budget is allocated towards payment to interviewees, interpretation, design and proofreading of the public version of the report and other related costs. These areas and budget will be managed by Anti-Slavery International. Should travel for interviews be possible within COVID-19 restrictions, this travel budget must be within the EUR 30,000 allocated to the research team.

The research team will be assisted by Anti-Slavery's Business and Human Rights Policy and Research Officer in connecting with organisations in producing countries, arranging interpreters, and other tasks.

This research is funded through Anti-Slavery International's grant from Laudes Foundation.

Who we are looking for

We wish to hear from multi-disciplinary research teams with expertise on business and human rights, forced labour and civil society, with proven capacity/knowledge on the following areas:

- The legislative developments at EU-level relating to EU mHREDD;
- How business models, practices and risk management impact forced labour in supply chains
- How effectively designed, implemented and enforced human rights due diligence could impact the prevalence of forced labour in supply chains;
- The role of civil society actors at grassroots, local, national and international levels, in particular civil society actors working to prevent and remedy forced labour;
- Access to remedy and justice for victims of corporate harm, in particular victims of labour exploitation and forced labour.

In addition, the research team must be able to demonstrate the following:

- A multi-disciplinary team which reflects the research areas as listed above, including researchers who are experts/local to each context covered in the two-three case studies;
- Network and contacts with stakeholders involved in HRDD, experts, policy-makers and companies;
- Ability to write in a simple, concise and publicly-accessible way;
- Demonstrable experience in conducting research and interviews, including with CSOs working in producing countries;



- Demonstrable policy on research ethics and UK/EU GDPR;
- Ideally, existing networks with organisations, particularly CSOs or trade unions, working on the identified case studies. However, Anti-Slavery and partners will support in facilitating communication;
- Ideally, research teams with relevant language skills to each case study.

Application and deadlines

Applicants should prepare and email the following to Chloe Cranston c.cranston@antislavery.org to be considered for this opportunity:

- CVs of the research team
- Cover letter
- An approach paper (no more than 4 pages) outlining a methodology for conducting the study, estimated time-frame per stage, activity workplan outlining numbers of days allocated per activity, and fees (excluding expenses which will be covered by Anti-Slavery International, such as interpretation and reimbursement to interviewees).
- At least two examples of recent and relevant pieces of work (preferably published) authored by yourself

The successful candidate will need to submit two references (preferable one academic and one professional).

The successful candidate will require the relevant safeguarding checks.

The deadline for applications is Sunday 21 February 2021 at 23:59 GMT with interviews scheduled to be held via Zoom 1-2 March 2021. Should relevant applicants apply before this date, interviews may be scheduled earlier and the recruitment closed at an earlier date. The research teams are expected to be able to kick off the research asap upon being contracted, due to the rapid nature of this research.

Anti-Slavery International is committed to safeguarding all children and adults that our staff and representatives encounter virtually and in-person. As such, the consultant is required to commit to and uphold our organisational safeguarding principles, practice and procedures. Our organisational policies include but are not limited to, the Code of Conduct policy, Safeguarding policy and the Anti-bribery and Corruption policy. Anti-Slavery International maintains a strictly zero-tolerance policy towards bullying, harassment, sexual exploitation or abuse, of any form, perpetrated by any representative of the organisation.