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THE URGENT NEED FOR FASHION BRANDS TO CHAMPION WORKERS' RIGHTS; BRAND RESPONSES TO AMNESTY INTERNATIONAL SURVEY

Photo: Getty Images

EXECUTIVE SUMMARY

The aim of this briefing is to provide an insight into the policies, commitments and active promotion of the right to freedom of association and collective bargaining in key fashion brands and retailers' supply chains. It identifies the steps that brands can take in order to promote the right to freedom of association, and, at the same time, help mitigate the endemic human rights abuses found throughout the industry, such as low wages, overwork, harassment and systemic gender discrimination and sexual violence.¹

This briefing highlights the responsibilities of fashion companies in relation to the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework (UN Guiding Principles), and assesses the key ways in which fashion companies compound the failure of states and factory employers to protect workers and respect freedom of association. In this briefing, Amnesty International analyses the areas where fashion companies can work harder to promote freedom of association and decent working conditions across their supply chain in Bangladesh, India, Pakistan and Sri Lanka. We identify how the current model of complex supply chains and privatized auditing in the industry diffuses responsibility and places a low value on the labour of the predominantly female garment workers, solidifying an exploitative business model which fashion companies need to address at its core. We make recommendations for how these companies can play a much larger role in promoting freedom of association for workers in their supply chain.

This briefing is designed to be read alongside Amnesty International's ***Stitched Up: Denial of Freedom of Association for Garment Workers in Bangladesh, India, Pakistan and Sri Lanka***. That report looks in more detail at the human rights violations in Bangladesh, India, Pakistan and Sri Lanka, and the role of states and employers (supplier factories).²

¹ Amnesty International, *Stitched Up: Denial of Freedom of Association for Garment Workers in Bangladesh, India, Pakistan and Sri Lanka* (Index: ASA 04/8929/2025), 27 November 2025, <https://www.amnesty.org/en/documents/asa04/8929/2025/en/>

² Amnesty International, *Stitched Up: Denial of Freedom of Association for Garment Workers in Bangladesh, India, Pakistan and Sri Lanka* (Index: ASA 04/8929/2025), 27 November 2025, <https://www.amnesty.org/en/documents/asa04/8929/2025/en/>

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1.1 METHODOLOGY

This briefing is based on research carried out by Amnesty International between September 2023 and August 2024. From July 2023 to June 2024, our researchers conducted 88 interviews (64 workers including 12 union leaders and labour rights activists). Of these, over two thirds of the individuals interviewed were women. Amnesty International also interviewed 14 labour organizers, activists, unions and experts. The names of all the workers interviewed have been anonymized in this report to protect their identities due to the risk of reprisals.

Amnesty International also analysed existing research on human rights abuses in the garment sector over the past 30 years conducted by external organizations, including research by local unions, women's groups and community groups. Amnesty International looked at reports by global NGOs, the UN and the International Labour Organization (ILO) investigating the working conditions in garment factories, the challenges for labour organizing and the right to freedom of association.

Amnesty International sent 21 major brands and retailers based in nine countries a survey in November 2023, requesting information about their policies, monitoring and concrete actions related to freedom of association, gender equality and purchasing practices.³ Of the 21 companies, adidas, ASOS, Fast Retailing, Inditex, the Otto Group and Primark, provided full responses.

The results of the survey and an analysis of the survey responses, alongside an analysis of company policies that are publicly available, have been included in this briefing. In November 2024, Amnesty International sent the surveyed companies and other stakeholders in the report relevant draft findings. adidas, ASOS, Best Seller, Fast Retailing, Inditex, Marks and Spencer, Morrisons, Next, Primark, PVH, Otto Group, Sainsbury and Shein responded. Action Transformation and Collaboration (ACT), Ethical Trading Initiative (ETI) and IndustriALL also replied with comments. Details of the responses received are included in relevant sections of the report and relevant extracts found in Annex 3.

1.2 FINDINGS

Today the garment industry is a trillion-dollar global business employing almost 100 million people around the world, the majority of them women.⁴ The industry's importance in the region cannot be underestimated with workers in the garment industry in Bangladesh, India, Pakistan and Sri Lanka (including textiles) accounting for an estimated 40% of employment in manufacturing.⁵

The industry has long been challenged over human rights abuses in its supply chain and in its business model. Amnesty International's research found in *Stitched Up: Denial of Freedom of Association for Garment Workers in Bangladesh, India, Pakistan and Sri Lanka*, combined with that of decades of research by labour rights organizations, women's groups and trade unions, shows that the rights to freedom of association and collective bargaining are systematically denied, that abusive working conditions are the norm for most garment workers in the region, and that there have been no significant improvements in the poverty wages, excessive working hours and gender discrimination faced by South Asian garment workers in the past 30 years since the explosion of outsourced

³ The 21 companies were selected based on their size, geographical location and product range in order to cover a range of both "fast fashion", high street fashion, sportswear and global brands. The full list of companies and their home country headquarters is: adidas (Germany), Amazon clothing (USA), ASOS (UK), BESTSELLER (Denmark), Boohoo (UK), C&A (Belgium/Netherlands), Desigual (Spain), Fast Retailing (Japan), Gap Inc (USA), H&M (Sweden), Inditex (Spain), Marks and Spencer (UK), Morrisons (UK), Next (UK), Otto Group (Germany), Primark (Ireland/UK), PVH (USA), Sainsbury's (UK), Shein (China), Tesco (UK) and Walmart (USA).

⁴ ILO, "How to achieve gender equality in global garment supply chains", March 2023, <https://webapps.ilo.org/infostories/en-GB/Stories/discrimination/garment-gender#introduction>

⁵ Economic and Social Commission for Asia and the Pacific (ESCAP), Exploring New Value Chains in Textile and Garments in South Asia: Building Back Better from COVID-19, 31 August 2021, <https://www.unescap.org/events/2021/exploring-new-value-chains-textile-and-garments-south-asia-building-back-better-covid>

garment production in the region.⁶

Restrictions on the right of workers to organize into trade unions and collectively speak out against human rights abuses at work are a violation of the fundamental right to freedom of association and collective bargaining.⁷ At the same time, the International Convention on Economic, Social and Cultural Rights (ICESCR) Committee is clear that “trade union rights, freedom of association and the right to strike are crucial means to introduce, maintain and defend just and favourable conditions of work.”⁸

International law and standards, including the UN Guiding Principles are clear that business enterprises must address and mitigate human rights impacts. These include impacts outside of their control, but directly linked to their operations, products or services through their business relationships, for example through their supplier factories.⁹ This duty encompasses the need for both employers – in this case garment factories and garment production units (suppliers) – and businesses (buyers), such as fashion companies which contract out production to the suppliers, to ensure abuses are mitigated and remediated.¹⁰

In the search for cheaper production and low wages, brands and retailers have developed a highly complex supply chain with global sourcing strategies involving flexible outsourcing from multiple locations, usually with orders placed on commercial and price considerations rather than ethical sourcing decisions.¹¹ This model has enabled brands and retailers to contract out responsibility for workers and working conditions, and relies on low-cost, labour-intensive production, predominantly based in regions such as South Asia, that have low wages and low levels of regulation and oversight.

All fashion brands and retailers surveyed had codes of conduct for suppliers, human rights policies or principles, which affirmed the company’s commitment to workers’ right to freedom of association. However, Amnesty International’s findings revealed a limited commitment to implementing these policies at the factory level, especially in proactively promoting union organizing and ensuring human rights commitments and the ability of workers to exercise this right were reflected in their choice of sourcing location. Brands and retailers monitor labour conditions and freedom of association in supplier factories through factory audits (social auditing) while referring to or using their own codes of conduct and policies as the standards required for suppliers to meet. Company codes of conduct, which are voluntarily set and measured by an opaque and business-led social auditing system have not led to significant progress towards freedom of association. Rather, they can be seen as focused primarily on ensuring compliance and managing risk for companies, as opposed to advocating for changes to a fundamentally exploitative industry.

1.3 TRANSPARENCY

Supply chain transparency is a key component of human rights due diligence and provides crucial information for workers and their local trade unions. It enables accurate and timely information of which brand or retailer produces at which factory, helping address and remedy human rights abuses in the supply chain. Without this information, there is little proof to substantiate many brand claims of human rights compliance.

6 Amnesty International, *Stitched Up: Denial of Freedom of Association for Garment Workers in Bangladesh, India, Pakistan and Sri Lanka* (previously cited)

7 UN, International Covenant on Civil and Political Rights (ICCPR), Article 22.

8 ICESCR, General Comment 23 (2016) on the Right to just and favourable conditions of work, para 1; UN Committee on Economic, Social and Cultural Rights (CESCR), General Comment 18: The Right to Work, 24 November 2005, para 12(c).

9 OHCHR, Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework (UN Guiding Principles), 2011, Principle 13.

10 UN Guiding Principles, Principle 15.

11 E Arrigo, “Global sourcing in fast fashion retailers: Sourcing locations and sustainability considerations”, 2020, Sustainability Volume12, Issue 2, p. 508, <https://doi.org/10.3390/su12020508>

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BRAND RESPONSES TO AMNESTY INTERNATIONAL SURVEY

Across the garment industry there is no current mandatory requirement for brands and retailers to publicly report their suppliers' details. While larger numbers of companies provide public lists of their suppliers on a regular basis, listing suppliers remains a voluntary practice and there is no formal oversight. Amnesty International's findings on published details of companies' supply chains confirmed an inconsistent practice and lack of transparency. On a positive note, of the companies we surveyed for this report, 19 do publish some data on at least their tier 1 suppliers (the final production units).

While the public listing of supplier details is the crucial first step, it is key that details on trade unions and collective bargaining agreements are provided in these lists to support claims of compliance with freedom of association. Only a very limited number of companies surveyed provided this information publicly.¹²

Amnesty International asked the 21 companies surveyed if they provide public disclosure of functioning and/or registered trade unions at production units and processing facilities. Crucially, we also asked if they distinguish between unions and factory-level worker committees,¹³ which in many cases are nominated and coordinated by the employer or management. The promotion of worker committees has been used as a tool by states to replace trade unions with bodies which often have much more limited powers and are often co-opted by factory management. Worker committees can also be seen as a way to provide brands and retailers sourcing from countries which deny freedom of association to workers, a useful mechanism with which to still claim compliance with freedom of association and other fundamental rights.¹⁴

All six brands: adidas, ASOS, Fast Retailing, Inditex, Otto Group and Primark, which responded in full, answered that they do monitor the existence of trade unions and/or worker committees. However, only Fast Retailing provided public disclosure of trade unions in their supply list at the tier 1 level – the final garment production units. In March 2024, Fast Retailing expanded the scope of disclosure and provided information on trade unions for fabric mills in the list of tier 2 partners.¹⁵ adidas stated that it did disclose union status for all suppliers nominated as suppliers for major sporting events.¹⁶

Amnesty International also asked the 21 brands and retailers how they proactively promote the right to freedom of association among their suppliers in India, Bangladesh, Sri Lanka and/or Pakistan outside of belonging to multi-stakeholder initiatives (MSIs), such as the Ethical Trading Initiative, or other such bodies, and outside of any Global Framework Agreements they may have with global trade unions. None of the six brands that responded in full provided detailed evidence of independent proactive promotion and encouragement of the right of workers to freedom of association and collective bargaining, except through training and dissemination of supplier codes of conduct and membership of MSI's, which do not necessarily have clear, public, measurable targets for improving trade union existence.¹⁷

12 Amnesty International cross-checked supplier lists and checked company supplier lists available online for the 15 brands that did not respond or fully complete the survey. Only H&M, Marks and Spencer and Next listings provide details of whether the factory has a trade union or worker committee/council. Sainsbury's list provides details of tier 1 factories and details of the existence of either a trade union or a committee but does not distinguish between the two.

13 Also called worker councils or welfare committees.

14 Mark Anner, "CSR participation committees, wildcat strikes and the sourcing squeeze in global supply chains", March 2018, British Journal of Industrial Relations, pp. 75–98.

15 In its response to Amnesty International's presentation of our draft findings, Fast Retailing provided a link to its updated (March 2024) supplier lists: <https://www.fastretailing.com/eng/sustainability/labor/list.html>

16 adidas Group, Supplier lists, <https://www.adidas-group.com/en/sustainability/transparency/supplier-lists> (accessed 20 September 2024). For example, the supplier list for the UEFA Euro Cup 2024 includes details of five Pakistan factories producing accessories and apparel, none of which have a trade union, but all of which have "employee elected worker representatives".

17 For example, Inditex referred to collaboration with the ILO Better Work Programme [Better Work Pakistan, <https://betterwork.org/pakistan/our-programme/>], which operates in Pakistan and ETI on its social dialogue and gender programme in Bangladesh. The programme focuses on tackling gender harassment but not the development of trade unions. Inditex, Workers at the Centre 2022, <https://www.inditex.com/itxcomweb/api/media/9235c592-7d6c-4878-b891-36134c402e57/Workers+at+the+Centre+2022.pdf?t=1685097514063>, p.3.

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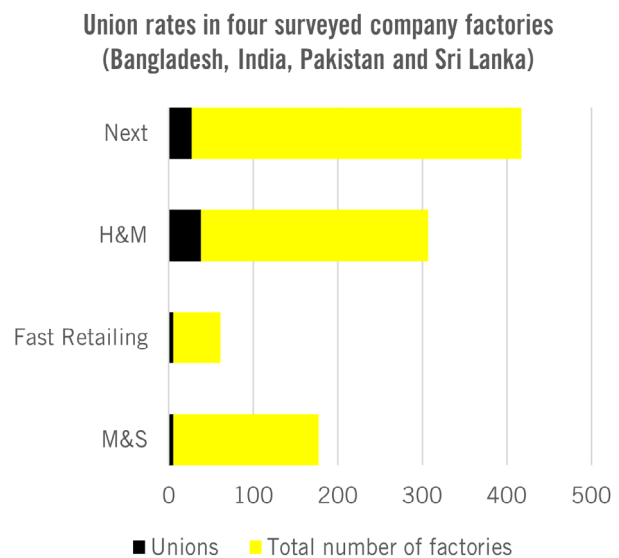
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BRAND RESPONSES TO AMNESTY INTERNATIONAL SURVEY

Amnesty International asked the 21 brands about the criteria used to identify and maintain a list of preferred suppliers, and if human rights compliance or exceeding compliance was weighted in terms of choosing suppliers. Many of the responses were limited and unclear. While several brands (**Inditex**, **ASOS** and **adidas** provided responses, which detailed how they actively weigh the promotion of trade unions in their supplier factories, no brand was able to provide details of weighting the existence of a union higher than a worker committee. In their response to Amnesty International's draft findings, **adidas** stated that factories with a trade union *or* worker committee both perform better on assessments leading to a higher probability of orders. **ASOS** clarified that, the non-existence of a trade union or committee contributes negatively to the overall score but does not necessarily lead to an overall negative score in the audit while a "higher rating is achieved through having collective bargaining agreements in place which provide benefits that surpass the provisions in the local law"¹⁸ **Inditex** stated that in factories with higher grades of compliance the presence of "Employees Councils can replace the existence of trade unions to fulfil the audit marks on freedom of association." This clearly conflates the existence of employee councils, which are often management-led, with independent trade unions.¹⁹

1.4 IMPACT

Our findings show an extremely low number of actual trade unions in fashion companies' supply chains in all four countries. For example, **Marks and Spencer** had five trade unions among 172 listed clothing suppliers, with 167 worker committees.²⁰ No unions were present at factories in India or Pakistan. Based on the latest published list (September 2024) from **Fast Retailing**, among the 56 tier 1 garment and processing factories located in India, Pakistan and Bangladesh (no production partner in Sri Lanka), there were a total of five trade unions: three unions among 32 factories in Bangladesh, two unions among 23 factories in India, and no unions at their single factory in Pakistan.²¹

Based on public information, **H&M** had 1,087 suppliers' entries with approximately 145 factories in Bangladesh, including tier 1 and tier 2 (and several accessories and homeware) factories. Of these factories, 29 had trade unions. Of their 31 factories in Pakistan, none had unions; in India 93 factories were listed with eight trade unions. There were no suppliers listed for Sri Lanka.²² **Next** had 23 trade unions in Bangladesh (compared to 134 worker committees) among 167 apparel factories. India had one trade union (and eight worker committees) among 150 apparel factories. Pakistan had no trade unions (and 29 worker committees) among 30 apparel factories). In Sri Lanka, there were three trade unions (and 26 worker committees) among 43 apparel factories. Other brands did not provide details or provide this data on their supplier listings.



¹⁸ In addition, ASOS also responded that the assessment of the gender pay gap in their suppliers contributes positively to the overall audit score, one of the few cases in the responses where wider workplace factors is weighted in factory assessments.

¹⁹ See Annex 3

²⁰ Marks and Spencer, [Interactive Supplier Map](https://corporate.marksandspencer.com/sustainability/interactive-supplier-map), <https://corporate.marksandspencer.com/sustainability/interactive-supplier-map>

²¹ Fast Retailing reported this as 7% of its 56 tier 1 garment and processing factories located in Bangladesh, India and Pakistan (no production partner in Sri Lanka), <https://www.fastretailing.com/jp/sustainability/labor/excel/FRGarmentProcessingFtyList.xlsx>

²² H&M Group, "Supply chain", <https://hmgroupp.com/sustainability/leading-the-change/transparency/supply-chain/>

ABANDONED BY FASHION:

THE URGENT NEED FOR FASHION BRANDS TO CHAMPION WORKERS' RIGHTS;
BRAND RESPONSES TO AMNESTY INTERNATIONAL SURVEY

1.5 CONCLUSION AND RECOMMENDATIONS

There is clear evidence of endemic human rights abuses and denial of rights to freedom of association and just and favourable conditions of work in Bangladesh, India, Pakistan and Sri Lanka. Yet, fashion companies continue to source without properly acknowledging and addressing these abuses, the impact of poverty wages and the impacts of the industry's own business model and purchasing practices. Through the pursuit of profit and the expansion of the supply chain, fashion companies are in danger of being an invaluable ally for repressive governments that continue to deny workers the right to freedom of association, through their willingness to source in any or all countries around the globe.

Fashion brands reliance on their own codes of conduct and compliance through tick box auditing is failing their workers and is nowhere near enough to lead to any credible respect for freedom of association in the face of state and employer restrictions and violence. The state's denial of freedom of association and the lack of human rights for workers in the four countries, underlines the need for companies sourcing from Bangladesh, India, Pakistan and Sri Lanka to meet their responsibility to undertake ongoing human rights due diligence, with specific attention to these issues, and to take the necessary measures to prevent abuses and provide effective remedy.

Fashion companies' lack of transparency on global supply chains and information about where exactly our clothes are made has meant limited public oversight. The role of auditing and non-binding company codes of conduct has unfortunately further masked the barriers to freedom of association and perpetuates a lack of legislative change in states which deny fundamental human rights to workers. This model for the garment industry enables both governments and brands to profit from a low-cost, predominantly female labour force who are denied the right to raise their collective voice.

International law and standards, including the UN Guiding Principles, require fashion companies to address all human rights impacts throughout their supply chain.²³ However, in most states there is a lack of binding legislation requiring companies to conduct such human rights due diligence. This has allowed the abuse of workers' rights to become embedded throughout the supply chains of major companies, with little meaningful action taken to address it.

Purchasing practices, including precarity of orders, low prices and time pressures placed on suppliers, have been clearly shown to negatively impact workers, encouraging precarity and informal employment, low minimum wage levels and excessive work targets. These practices, alongside the fact that significant production takes place in countries with high levels of gender-based violence and discrimination, mean brands must focus more attention on ensuring purchasing practices support progress towards just and favourable conditions of work. Companies must also recognize the particular challenges for women to raise grievances and ensure that intersecting discrimination for women, based on age, rural migration status, caste and descent-based discrimination as well as language are addressed throughout the supply chain.²⁴

The importance of ensuring relationships and long-term dialogue with **local**, regional and national trade unions cannot be overstated. These trade unions understand the dynamics at the factory level and the difference between management controlled yellow unions and genuine trade unions. Working with local trade unions will also support negotiations, enforceable, binding collective agreements and progress on wider issues such as raising the minimum wage or reforming anti-union legislation.

²³ UN Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework, <https://www.ohchr.org/en/publications/reference-publications/guiding-principles-business-and-human-rights>

²⁴ Clean Clothes Campaign, Developing an intersectional approach to challenge discrimination in the garment industry, June 2022, https://cleanclothes.org/file-repository/an-intersectional-approach-challenging-discrimination-in-the-garment-industry_lbl_dci-wpc-paper-final.pdf/view

ABANDONED BY FASHION:

THE URGENT NEED FOR FASHION BRANDS TO CHAMPION WORKERS' RIGHTS;
BRAND RESPONSES TO AMNESTY INTERNATIONAL SURVEY

Companies should consider entering into Global Framework Agreements with global unions which provide time-bound and public commitments showing concrete progress towards improving freedom of association and the empowerment of women workers in supply chains.

More broadly, brands need to implement sourcing strategies which incentivise genuine worker involvement and the formation of unions. For some brands, this might mean committing to factories outside of production locations or special economic zones which restrict trade unions or ensuring that their supplier factory and its workers have access to trade union representatives in the local areas. Importantly, it also means that brands incentivise states and suppliers committed to freedom of association. Crucially there must be analysis of the risks of employer retaliation against union members, and clear distinction made between independent trade unions and yellow unions, or worker councils. Where unions do not exist, there must be active work to encourage worker organizing – through engagement with local stakeholders but also ensuring that suppliers understand the brand is truly supportive of worker organizing in the factory. This could take the place of ensuring longer term and regular orders are placed with those suppliers with functioning independent trade unions – and crucially keeping this relationship while union demands are negotiated and implemented. Short-term and precarious contracts with suppliers mean that there is little motivation for suppliers to support trade union building.

There is an urgent need for mandatory due diligence of brands at both the national and the regional level to hold companies to account and crucially ensure remediation for workers harmed by human rights abuses. Due diligence regulations at the state or regional level must include effective monitoring by the state (which includes participation of workers and their representatives) alongside requirements for all companies to commit to increased transparency and reporting as well as robust legal and financial sanctions for non-compliance.

As brands' human rights due diligence processes develop in response to the introduction of legislation, for example in the European Union (EU), it must be clear that the goal of such due diligence is not to transform human rights violations into a series of risks that only need assessing – but not addressing. The aim is to fundamentally shift the discourse on rights and freedom of association to one that empowers workers and sets brands and retailers on a path towards concrete change in this regard – as well as states.²⁵ Brands and retailers can take immediate steps towards progress by ensuring they account for their progress in commitments to freedom of association, while MSIs hold their members to account.

This briefing contains recommendations for brands and retailers including the following.

1.5.1 ON FREEDOM OF ASSOCIATION

- Take urgent action to end any and all coercion or retaliation against workers and community members who speak out, attempt to improve conditions in the workplace, report abuse or join a trade union.
- Develop and implement a proactive public strategy on building freedom of association which works with independent local trade unions to concretely strengthen worker organizing.
- Build an ethical sourcing strategy that rewards genuine freedom of association, penalizes its denial, prohibits retaliation against unions, and reconsiders sourcing from any location that denies the right to freedom of association and collective bargaining for workers.
- Ensure that policies, paper commitments and codes of conduct on freedom of association are practically implemented, with time-bound progress monitored and made public.

²⁵ T. Brydges and others, "Garment worker rights and the fashion industry's response to COVID-19", 2020, *Dialogues in Human Geography*, Volume 10, Issue 2, pp. 195-198.

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THE URGENT NEED FOR FASHION BRANDS TO CHAMPION WORKERS' RIGHTS;
BRAND RESPONSES TO AMNESTY INTERNATIONAL SURVEY

- Support the formation of independent trade unions at suppliers, ensuring that worker committees and councils are not used to discourage or sidestep worker organizing.
- Negotiate enforceable legally binding agreements with trade unions and suppliers, similar to the International Accord, which operates with the support of the ILO, as well as Global Framework Agreements, making sure that progress is effectively monitored and made public.
- Work with other brands and retailers to develop leverage across suppliers and across countries to promote freedom of association in shared suppliers.
- Work with suppliers, unions and other stakeholders to ensure women workers and representatives are a critical partner and equally represented in social dialogue.
- Support female-led trade unions in the workplace by genuine engagement, public support for their work, and specific training and awareness campaigns to all staff and suppliers on intersectional gender and caste-based discrimination.

1.5.2 ON DUE DILIGENCE AND HUMAN RIGHTS

- Publicly commit to respecting human rights and put in place adequate systems to identify, prevent, mitigate and – where necessary – provide effective remedy for human rights abuses connected to their operations. This includes assessing suppliers for barriers to *all* workers forming or joining a union of their choice. Conduct effective human rights due diligence on the right to form or join a trade union, and collectively bargain in collaboration with trade unions and other forms of independent worker organizations, including women’s organizations and independent worker committees.
- Review operational practices and policies to ensure the company does not commit, or materially assist in the commission of, acts that lead to human rights abuses. This includes ensuring that respect for freedom of association is integrated throughout the company and that specific internal committees are tasked with this responsibility and have the ability to influence sourcing decisions.
- Provide swift and effective remedy where violations of freedom of association and collective bargaining – and other violations that may result from these, including gender-based violence and harassment – occur.

1.5.3 ON AUDITING AND TRANSPARENCY

- Commit to publishing audit reports and measurable human rights targets, disclosing names, addresses and other details of supplier factories, including disaggregated data on wages, gender, trade unions and collective bargaining agreements, as well as worker committees and all tiers in the value chain.
- Publish and make accessible to workers and national labour inspectorates all audit results, alongside related remediation measures, time-bound corrective action plans and details of brand support for the supplier.
- Regularly review auditing methodologies and ensure that auditing methodologies are gender-sensitive and undertaken in conjunction with other ongoing measures, including effective, enforceable, independent grievance mechanisms, proactive strategies to encourage independent union formation, genuine long-term engagement with local stakeholders, including trade unions, labour groups and women’s groups.

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BRAND RESPONSES TO AMNESTY INTERNATIONAL SURVEY