

Survey on fashion brands and retailers' approach to human rights due diligence in Myanmar

Business & Human Rights Resource Centre (BHRRC) is collecting information on fashion brands and retailers' approaches to heightened due diligence in Myanmar as a sourcing country.

This survey provides you with the opportunity to detail your approach to human rights due diligence beyond any responses you have made to BHRRC's Myanmar Allegation [Tracker](#). Your answers will be analysed for our upcoming report on how brands have adapted operational strategies in Myanmar after the military takeover as well as their impacts on garment workers.

Please feel free to provide any supporting information on your practices in any of the questions below (including tick box questions).

The survey will take 15 minutes and will be open for 3 weeks, from the 6th April to the 27th April 2023.

We thank you for your time and cooperation!

Part I: General information

1. Company name: **TENDAM**
2. Your name:
3. Your role:
4. Your department:

Part II: Operation history in Myanmar

5. When did your company start sourcing from Myanmar? We started in **2005**
6. Do you still source from Myanmar, as of the 6th April 2023?

- Yes - **We do have a plan to leave the country but has not been announced yet**
- Yes, but we have announced that we plan to stop sourcing from Myanmar
- No, we have now left and no longer have any ongoing production in Myanmar

Part III: Heightened human rights due diligence approach in Myanmar

This section will explore your approach and practices to human rights due diligence in the high-risk context of Myanmar.

7. Which of the below mechanisms do you currently utilise in the context of Myanmar?*

	Yes	No	Not sure
Human rights due diligence guideline in conflict-affected contexts like Myanmar	X		
Public disclosure of an up-to-date list of direct and indirect suppliers in Myanmar		X	

	Yes	No	Not sure
Requirement for suppliers' to undertake a human rights self-assessment questionnaire (SAQ)		X However, social audits are performed regularly	
Supplier code of conduct that includes human rights	X		
Your company has its own field office in Myanmar		X	
Regular field visits/inspection to your suppliers in Myanmar	X		
Requirement that third-party audit to be undertaken across your Myanmar suppliers	X		
Involvement of the Factories and General Labour Laws Inspection Department	X		
Institution of remediation and grievance mechanisms at each supplier site	X		
Training for suppliers on human rights	X On voluntary basis		

**Please feel free to add any further comments*

8. How often do you undertake field visits/inspection to your suppliers in Myanmar? Please tick as many as apply.

- Annually
- Regularly (more than once per year)
- In case of reported allegations
- Never
- Not sure

*Please feel free to provide any further information on how you undertake field visits/inspection to your suppliers in Myanmar:...*Regular visits, semi-announced social audits.

9. How often do you have a third-party factory audit in Myanmar? Please tick as many as apply.

- Annually
- Regularly (more than once per year)
- In case of reported allegations
- Never
- Not sure

Please feel free to provide any further information on third-party auditing in Myanmar: Audits performed in Myanmar by third party firms like SGS or BV based on ETI, AMFORI, ETC...

Which stakeholders do you engage in your due diligence process? Please tick as many as apply.

- Workers
- Trade unions in Myanmar
- Workplace Coordinating Committee (WCC)
- Global union federations (eg IndustriALL Global Union)
- Multi-stakeholder initiatives (MSIs) i.e. **amfori**
- Civil society organisations
- SMART Myanmar
- MADE in Myanmar
- Other. Please specify:.....

Please detail how you engage with the above stakeholders:.....

10. Do you have a grievance mechanism that workers in Myanmar can access? Please tick as many as apply.

- Yes, through our company's grievance mechanism **Whistleblowing channel**
- Yes, through Myanmar's Dispute Resolution system
- Yes, through multi-stakeholder grievance mechanisms i.e. **Amfori**
- No
- Not sure
- Other. Please specify: **Local Unions through our global agreement with Global Union federations**

Please provide further details on how the grievance mechanism (if any) is communicated with workers:... **Whistle-blower Channel**

The company has a Whistle-blower Channel, accessible on both the intranet and the website that allows any employee or third party to report possible irregular, unethical conduct or conduct that goes against the principles established by the Internal and External Codes of Conduct. Furthermore, it has been extended to the human right categories promoting access by third parties, as well as an action protocol for the processing of these complaints, strengthening the capacities for due diligence.

It is managed by an external company, which ensures confidentiality and security of the entire reporting process. The complaints received are forwarded to the responsible managers defined by Tendam based on the matter to which they refer, who are in charge of analysing, investigating and resolving them, and ultimately, reported to the Ethics Committee.

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11. How are you made aware of human rights concerns in your supply chain? Please tick as many as apply.

- Through factory owners
- Through existing grievance mechanism **Social audits, Whistle-blowing channel, Global Unions.**
- Through civil society organisations
- Through trade unions
- Through Workplace Coordinating Committee (WCC)
- Other. Please specify:.....

12. When an allegation is raised, what is your standard procedure to address the issue?
Sourcing teams starts an investigation. The case is shared with the ownership of the vendor seeking for their cooperation to investigate the case. We send our own team over the field to conduct interviews and review supporting documents if any. If necessary, we request supplier to put in place a remediation plan including follow up of the case.

13. Please feel free to provide any further information on how you undertake human rights due diligence that you would like us to know.

Part IV: Business decision in Myanmar

14. We understand that the decision as to whether to remain or to discontinue sourcing from Myanmar is complex. Please provide any information on how your company has reached its current business decision in Myanmar.

Part V: Responsible exit from Myanmar

*We are asking brands to answer this section if you have either already stopped sourcing from Myanmar, or have announced that you will stop sourcing from Myanmar in the future. **If you plan to continue to sourcing from Myanmar, please skip this section.***

Our plan has not been announced yet. We cannot share this information at this point.

Final order placement and final shipment dates (Anticipated if you are planning your exit)

- 15. Total number of workers being laid off in all suppliers (Anticipated if you are planning your exit)
- 16. How long in advance have you let your suppliers know about the exit before stopping your orders?
- 17. Which stakeholders do you engage in your decision and preparation of the exit? Please tick as many as apply.

- Workers
- Trade unions in Myanmar

- Workplace Coordinating Committee (WCC)
- Global union federations (eg IndustriALL Global Union)
- Multi-stakeholder initiatives (MSIs)
- Civil society organisations
- SMART Myanmar
- MADE in Myanmar
- Other. Please specify:.....

18. How do/did you mitigate the impacts of the exit on workers? Please tick as many as apply.

- Maintain open lines of communication with relevant supply chain partners
- Require suppliers to report their plans for terminations in advance to review these in line with your Codes of Conduct
- Seek evidence of payment of workers at the end of the exit plans, including all severance and benefits payable for those affected
- Other. Please specify:.....

Thank you for your continued engagement with BHRRC on our work in Myanmar!

Please contact Hanh Nguyen - Senior Labour Rights Researcher at nguyen@business-humanrights.org and Natalie Swan - Head of Labour Rights Programme at swan@business-humanrights.org if you have any questions following this survey.

Annex:

Regarding the open case of our brand Women'secret, as per Human rights Tracker webpage, we have not answered to the allegations of abuses in Myanmar NexStar Factory.

Hereby we would like to clarify as below:

1. We conducted a full investigation of the case.
 - a. Our teams travelled to Myanmar for a deep investigation.
 - b. We shared our concerns with the Chinese ownership of the factory and asked for their full cooperation to investigate and solve the case.
 - c. We obtained the official investigation report from local authorities.
 - d. We shared our findings with the factory management.
2. We reported our findings Through our existing grievance mechanism i.e. informed Global trade unions.
3. We put in place a remediation plan and follow up will be done accordingly.

