

**Capacity of constituents strengthened to prevent unacceptable forms of work among
women and indigenous workers in target sector (BGD229)
ILO Country Office for Bangladesh**

TERMS OF REFERENCE

Assignment: Hiring a consultant for Indigenous women in the informal economy in Bangladesh: A rapid assessment into the impact of multiple COVID-19 waves and implications for building an inclusive response and recovery

Contract Type: Individual Consultant

Duty stations: Dhaka, Bangladesh.

Languages required: English and Bangla

Duration of Ex-Col contract: 35 working days over the period of 3 months (tentatively the assignment will be started from July 2021 but the date will be finalized after completion of recruitment process).

A. Background

Bangladesh is home to a multitude of ethnic groups and communities, including some 50 indigenous and tribal peoples comprising 2-3 million persons or 2 per cent of the country's total population. They live in the delta region of the country (popularly known as the Plains) and in the Chittagong Hill Tracts (CHT). Indigenous and tribal peoples seek to maintain their cultures which are expressed through, inter alia, their languages, lifestyles, traditional occupations, and their special relationship with the land that they have traditionally occupied or used.

Indigenous and tribal communities traditionally engage in small-scale agriculture, and a range traditional occupations and livelihood activities, with land and natural resources playing a crucial and indispensable. Loss of land due to conflict, land grabbing, establishment of large forestry or development projects, as well as climate change, are among the factors leading to rapid changes in the livelihoods of indigenous peoples in the country. Such changes result in impoverishment, food insecurity and are push factors for rural-urban migration. Overall, indigenous peoples' situation is characterized by subsistence farming, insecurity of land tenure, low levels of formal education and skills, high incidence of informality in rural and urban areas, seasonal work, precarious working conditions, and vulnerability to violations of fundamental principles and rights at work. Moreover, a worrying trend of exposure of indigenous women to violence is present in both CHT and the Plains, which is often related to conflicts over land.

Migration from indigenous and tribal areas to urban centres in search of economic opportunities is a well-known and documented phenomenon which is also a reality for indigenous and tribal peoples in Bangladesh. In this context, indigenous and tribal peoples, and particularly women from these communities, experience specific issues and conditions in the labour market that need to be understood in the context of their social, economic, and political marginalization.¹ Despite

¹ ILO, Exploring and Tackling Barriers to Indigenous Women's Participation and Organization
A study based on qualitative research in Bangladesh, the Plurinational State of Bolivia, Cameroon and Guatemala, 2021; ILO/IWGIA, Indigenous women's realities: Insights from the Indigenous Navigator, 2020.

Bangladesh's adoption of certain laws and policies valuing ethnic diversity and promoting equality, including through affirmative action measures, exclusion and marginalization along ethnic lines remain deeply entrenched and are often shaped by "invisible barriers", which can also be described as structural discrimination. Indigenous women and indigenous persons with disability in particular, are impacted by the compounded effects of intersectional discrimination. Such phenomena negatively affect access to public services and the ability to benefit from labour market institutions, training, and social protection, and as such are drivers for informality. In turn, working in the informal economy indigenous women and men are more exposed to vulnerabilities to labour rights violations, low productivity and incomes. Based on experiences in other countries, indigenous and tribal workers benefit from formalization efforts, where they exist, to a lesser exponent than other parts of the population, which constitutes a missed opportunity for building inclusive, peaceful, and resilient societies.

Bangladesh has ratified the Indigenous and Tribal Populations Convention, 1957 (No. 107) and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). Several other ILO instruments are relevant to the present assessment, including in particular the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204). Bangladesh has stated that ratification of the Indigenous and tribal Peoples Convention, 1989 (No. 169) is under consideration.

B. The COVID-19 context

Several waves of the COVID-19 pandemic have had enormous social and economic consequences in Bangladesh. While the COVID-19 pandemic and its impacts are yet to be fully assessed, considering the context of social, economic and political marginalization described above, urban indigenous and tribal workers are among the most vulnerable to this pandemic and believed to be disproportionately impacted.² They are also at risk of being left behind in the scheme of responses developed by policy and decision-makers as well as development actors on the ground. During the COVID-19 pandemic and due to the nationwide lockdown economic activities have been reduced, stopped, or changed, including closure of commercial establishments. This resulted in loss of livelihoods and income and return of hundreds of thousands of internal migrant workers from cities to their hometowns or villages. In response to the COVID-19 pandemic, the government has extended its social safety net programmes across the country including in Dhaka city and increased its related budget allocations for 2021-2020. City Corporations, benevolent, private, and non-governmental organizations have launched emergency response programmes. However, its unknown to which extend indigenous and tribal peoples have benefited from these mainstream social protection and support measures. According to anecdotal evidence, access by these communities to support measures have been limited.

C. Rationale for the Assessment

The ILO has undertaken a number of studies in recent years to promote access of indigenous and tribal workers to decent work and social protection in Bangladesh, particularly through collaboration with the Ministry of Chittagong Hill Tracts Affairs, Ministry of Labour, trade unions, employers' organizations, and indigenous peoples' organizations. This included research into the working

² ILO, COVID-19 and the world of work: A focus on indigenous and tribal peoples, 2020; ILO/IWGIA, The impact of COVID-19 on indigenous communities: Insights from the Indigenous Navigator, 2020.

conditions of urban indigenous workers and tea garden workers. Other work focused on the country's job reservation policy, women's representation in decision-making, and violence and harassment in the world of work experienced by indigenous women. Indigenous workers in urban areas formed Bangladesh Indigenous Workers Association as a network for raising their voices. While informality is a central and dominant feature of the labour market in Bangladesh more generally,³ ILO studies have pointed to a high degree of informality as a key factor behind decent work deficits experienced by indigenous and tribal workers. These experiences of informality are shaped by the broader social, economic, and cultural dynamics playing out in multi-ethnic settings, including the "invisible barriers" referred to above.

As COVID-19 and its socioeconomic consequences are now particularly exacerbating the challenges and difficulties faced by indigenous and tribal peoples in Bangladesh, it is timely to undertake a rapid assessment into COVID-19 impacts particularly on indigenous women workers in informal work arrangement in selected sectors and occupations. The assessment will be a means for amplifying indigenous and tribal women's voices and capturing their views and perspectives on how they have been affected by the COVID-19 pandemic as well as their aspirations for response and recovery measures. The overall aim is to contribute to building back better by ensuring that response and recovery measures are relevant and effective for responding to the needs of indigenous and tribal women, and to make contribution to advancing and supporting inclusive transitions to formality.

D. Research questions

In line with the rationale and overall objective set above, the Assessment will be designed to generate insights and answers to the following research questions:

1. Using the [ILO Transition from the Informal to the Formal Economy Recommendation, 2015 \(No. 204\)](#) as a framework, what are the various types of informal work arrangements indigenous women in Bangladesh are engaged in (with a focus on selected sectors and occupations)? What are the main difficulties indigenous women in the informal economy face (working conditions, social protection, discrimination, etc.) and what are the obstacles for accessing formal employment/formalization? Are there barriers related to gender and ethnicity?
2. What are the direct and indirect impacts of the COVID-19 pandemic on indigenous and tribal women across various waves of the pandemic (e.g. job loss, income loss, food security, violence and harassment, discrimination, etc.) and the coping strategies adopted by indigenous and tribal peoples, both individually and collectively? What needs arise from these impacts?
3. What is the level of awareness among indigenous and tribal women of existing COVID-19 prevention and support measures (such as income support, protective equipment, healthcare and social protection)? Are these measures pertinent and effective and what are the challenges in accessing them?
4. What are the intersections of gender inequality, ethnicity and informality as determinants of the lives and livelihoods of indigenous women? How can they be taken into account and tackled to ensure that policies to support the gradual transition to formality, indigenous and tribal peoples' rights and gender equality reinforce each other?

³ According to 2017 Labour force survey data, 94.7 per cent of all workers in Bangladesh were in informal employment and 96.6 per cent of women.

5. What are possible areas for policy development and practical support promoting transitions to formality benefitting indigenous women both as workers and entrepreneurs?
6. What are the roles and capacities of constituents and relevant stakeholders, including indigenous peoples' organizations, as well as organizations of entrepreneurs and organizations of workers in the informal economy, for fostering and implementing actions in support of equality and formalisation benefitting indigenous and tribal women?

C. Scope

The assessment will focus on a selected number of sectors and occupations in which indigenous women are known to be present and where prior ILO research has revealed high levels of informality. The sectors and occupations initially identified for inclusion in the assessment are beauty parlours, domestic work, fashion retail stores, and foods and handicrafts production and marketing (including through on-line shops). In addition, the assessment will look at weaving and bamboo made products which are produced in rural areas but marketed in urban areas. Drivers, an occupation predominantly exercised by indigenous men, is a means to analyse gender-differentiated experiences in the COVID-19 context. Other sectors or occupations where indigenous women and men are involved might be included depending on the results the inception phase of the assessment. Geographically, the research will focus primarily on selected urban centres including the capital Dhaka. The target groups of the Assessment are indigenous and tribal women and their networks, organizations of workers and entrepreneurs in the informal economy, government's officials and workers and employers' organizations.

D. Organization and Methodology

In the initial phase of the Assessment, relevant information, available data, documents, literature and reports on the situation of indigenous and tribal women workers and entrepreneurs in the informal economy in Bangladesh, COVID-19 related impacts and existing response and recovery measures will be collected, reviewed and analysed. This phase will also include interviews with key informants as a means to map and describe the informal arrangements indigenous women are engaged in with a view to income generation, with a focus on the sectors and occupations identified above in section. Also during the inception phase, interviews will also be conducted to establish a catalogue of COVID-19 related impacts on indigenous and tribal women workers and entrepreneurs in the informal economy, and related issues and challenges that the Assessment then will further explore.

The inception phase will conclude with an inception report that summarizes and analyses available information and data obtained through the desk review, confirms and/or proposes modifications to the selection of sectors and occupations and geographic areas covered by the assessment, and defines the methodology for data collection during the main phase of the assessment. The ILO will provide guidance on the selection of target groups, key informants and participants of focus groups, which will be identified in the inception report along with the method of data collection for each target group (key informant interviews and participants to the focus groups), in addition to survey questionnaires and interview guides. A preliminary list of contacts for government officials, organisations and networks (indigenous and tribal women organizations, workers' and employers' organizations, including in the informal economy) should also be provided at this time. The inception report will also set out a work plan and the means engaged to carry out the work. Finally, the inception report will

include the envisaged annotated outline of the assessment report. The main phase of the Assessment will involve data collection through key informant interviews as well as focus group discussions, analysis of the data collected and the preparation of the assessment report which will include an executive summary of main findings and recommendations.

E. Tasks and responsibilities of the consultant

The ILO is recruiting a consultant to carry out the Assessment under the overall supervision of the National Programme Coordination and the Senior Specialist and Team leader, Indigenous and tribal peoples and ethnic minorities at the Gender, Equality, Diversity and Inclusion Branch (GEDI), Conditions of Work and Equality Department. The specific tasks and responsibilities incumbent on the consultant are as follows:

- Desk review of policies, laws and regulations governing the relevant sectors and occupations, as well as identification of relevant statically data that may be available, along with information on existing COVID-19 response and recovery measures put in place by the government.
- Review reports, journals, articles, and publications concerning informality, the COVID-19 pandemic's impact on indigenous and tribal women workers in the world of work in Bangladesh and other relevant areas.
- Identify and contact stakeholders in order to organize key informant interviews (KIIs) and focus groups discussions (FGDs), in close consultation with the National Project Coordinator.⁴
- Prepare an inception report as specified in section C above that includes interview guide and questionnaires generating data in response to the research question identified in section D above.
- Following approval of the inception report by the ILO, conduct KIIs and FGDs with indigenous and tribal women and their organizations, government officials, workers' and employers' organizations, as well as organizations of workers and entrepreneurs (business owners) in the informal economy relevant for this study.
- Transcribing data collected through KIIs and FGDs into a consolidated data file, analyse the data collected, prepare a draft final assessment report, and share the data collected with the ILO.
- Support the ILO in organizing and attend a seminar/workshop with indigenous peoples' organizations, formal and informal enterprises, development workers, concerned government officials, employers, trade union, among other relevant stakeholders, to validate study findings.
- Submit the final report incorporating comments and recommendations stemming from the workshops, experts, and relevant ILO staff within the contract period.

F. Timeline: 35 workdays in the period July-September 2021

The duration of the assignment will be for 35 working days over the period of three months (tentatively the assignment will be started from July 2021 but the date will be finalized after completion of recruitment process). The ILO shall NOT provide office space in Dhaka and necessary

⁴ Key informants will be selected from formal enterprises, service providers, Bangladesh Indigenous Workers Association, Bangladesh Indigenous Peoples Forum, relevant government agencies, including Ministry of Labour/department of labour, Ministry of CHT Affairs, legal aid agencies, Bangladesh Employers Federation (BEF), National Coordination Committee for Workers Education (NCCWE), UN agencies, researchers, development partners and other organizations that are of immediate relevance to the study.

logistics (like Laptop, Printer, Paper, internet, local travel, etc.) to carry out day-to-day jobs of the consultant.

Tasks	No. of days
Collection and review view of the relevant literature, reports and documents, and data	04
Inception report including methodology, work plan, suggested sample size for KIIs, number of FDGs, topics covered and list of persons involved as KII or in FDGs, interview guides, among other aspects related to the research plan	02
Data collection, contact and interview of KIIs, FDGs, field visits to relevant areas and workplaces (if possible, considering the COVID-19 precautionary measures)	10
Transcribing, summarizing and analyzing data collected in KIIs and FDGs and field visits.	05
Draft report with issue brief to be shared with the ILO and ILO comments integrated	07
Support the organization of and participate in stakeholders' consultations and validation	02
Final report incorporating stakeholders' feedback/recommendations	05
Total	35 days

G. Payment schedule

SL	Deliverables	Payment
1.	Inception report as specified above in Section D.	20%
2.	Draft report containing an executive summary with key findings of the assessment and bibliography and consolidated file of original data collected. In addition, a preliminary financial report detailing expenses incurred during the contract period (i.e. field visits expenses will be reimbursed against the submitted relevant expenditure reports including bills, tickets, accommodation bills, food bills and other meeting costs with participant lists).	40%
3.	Final reports incorporating feedback of the selected stakeholders. The report should be in compliance with the ILO House Style (hard and soft version). In addition, a final financial report detailing expenses incurred during the contract period (assignment-related costs will be reimbursed against the expenditure report including bills, tickets, accommodation bills, food bills and other meeting cost with participant lists)	40%

H. Completion criteria

- a. All reports to be submitted to the ILO must be relevant to the outputs (activity and the task) mentioned in the TOR.
- b. Provide information and update progress as requested by the Project team of the ILO.
- c. The consultant has to follow the guideline of ILO to ensure quality of the reports/documents.

- d. The consultant should be proactive, report timely on the progress, and undertake visits to the project partners' site, participate in meetings as and when necessary.

I. Special terms and conditions

- a. **Confidentiality Statement and Intellectual Property of Data:** The documents prepared under this contract are the property of ILO. Therefore, the consultant cannot publish these without permission of the ILO.
- b. **Unsatisfactory or incomplete work:** For the assignment, the ILO's Standard Rules and Procedure for external collaboration contract shall be applicable. In event that the service delivered is unsatisfactory or fails to conform to the conditions set out above, the ILO reserves the right, as appropriate to interrupt it, to request that it be corrected or modified, or to refuse to accept the service.
- c. **Insurances:** The ILO accepts no liability in the event of death, injury or illness of the External Collaborator. The External Collaborator attests that he/she is adequately covered by insurance for these risks. In no circumstances shall the External Collaborator be covered by any ILO insurance and it is his/her responsibility to take out, at his/her own expense, any personal insurance policies he/she may consider necessary, including a civil liability insurance policy.

J. ILO's responsibilities

The responsibility of the ILO will be to

- a. Provide all the documents and other related literature of ILO available as relevant to the task.
- b. Assist in coordination with relevant stakeholders.
- c. Identification of interviewees and validation of questionnaire, interview guide and other budget analysis tools.
- d. Review progress of the work and provide feedback as necessary.
- e. Quality assurance of the deliverables.
- f. Organize the validation workshop.
- g. Ensure payment of agreed amounts, based on deliverables.
- h. Any other tasks/supports as required and agreed by the ILO.

K. Qualifications and experience of the consultant

Academic Qualification:

- A tertiary degree in anthropology, sociology, development studies or relevant disciplines, with demonstrated knowledge of indigenous and tribal peoples; PhD candidates/ PhD degree holders encouraged to apply.

Experiences:

- Proven experience with qualitative and quantitative research methods
- Prior research experience regarding indigenous and tribal women workers in the world of work and regarding the informal economy in Bangladesh an advantage. At minimum, must demonstrate detailed knowledge in these fields.
- Work experience on indigenous and tribal peoples' issues and rights will be an asset.

Competencies:

- Proven experience in designing and conducting research projects.

- Highly proficient in written English.
- No conflict of interest that would interfere with the independence of the Assessment to be prepared.
- Knowledge of the ILO's labour standards, role and mandate, tripartite constituents and gender policies are an advantage.
- Strong interpersonal and communication skills;
- Strong analytical, research, reporting, and writing skills;

L. Evaluation Criteria and Score

The selection of the candidate will be made based on the cumulative analysis scheme, where total score will be obtained upon combination of weighted technical and financial aspects.

(a) Technical weighted score, out of 70: When using this weighted scoring method, the award of the contract should be made to the individual consultant whose offer has been evaluated and determined as:

- I. Responsive/compliant/acceptable, and
- II. Having received the highest score out of a pre-determined set of technical and financial criteria specific to the solicitation.

Only candidates obtaining a minimum of 70% score in the technical evaluation would be considered for the financial evaluation. The technical proposal will be evaluated in accordance with the criteria stated below:

Evaluation Criteria	
I.	Relevant educational qualification
II.	Relevant and recent experience in/working with indigenous and tribal women workers in the world of work and regarding the informal economy in Bangladesh an advantage. At minimum, must demonstrate detailed knowledge in these fields
III.	Experience of dealing with indigenous
IV.	Experience of conducting qualitative and quantitative research with indigenous relevant study/academic reference
V.	Quality of the concept note and relevant publications

(b) Financially weighed score, out of 30:

The maximum number of points assigned to the daily fee is allocated to the lowest daily fee quoted by the applicant. All other quoted daily fees receive points in inverse proportion. The suggested formula is as follows:

$$p = y (\mu/z),$$

p = points for the daily fee being evaluated,

y = maximum number of points for the daily fee (here it is 30),

μ = the lowest daily fee quoted among the candidates being considered,

z = the daily fee being evaluated.

M. Recommended presentation of proposal

Interested individuals must submit the following documents/information:

- **Personal CV**, indicating all past experience from similar assignments, as well as the contact details (email and telephone number) of the candidate and at least three (3) professional references;

- **One page concept note on the assigned task**, specifying the methodology to conduct the study and draft capacity building plan, candidate's qualifications and relevant experiences, and preferably attach sample(s) of accredited publication(s), if any;
- **Financial proposal**, specifying the professional fees for this assignment. The proposal is to be submitted through the attached standard template (ANNEX – 01);
- **Copy of a recent contract** to be submitted as an evidence of daily fees offered to the candidate for similar assignment by other agency (preferably by any UN agency, institution, Multilateral Development Bank, or bilateral donors).
- **Evidence of relevant publications or reports**

The ILO promotes equal opportunities for women and men to obtain decent and productive employment in conditions of freedom, equity, security and human dignity.

Interested individuals are requested to submit aforementioned documents to the ILO through e-mail id: DHAKA@ilo.org latest by **19 July 2021 by 4:30 pm** stating the subject line: **Submission of Proposal: Consultant for A rapid assessment into the impact of multiple COVID-19 waves and implications for building an inclusive response and recovery**'. *Proposers who shall not submit these documents shall not be considered for further evaluation.*

BREAKDOWN OF COSTS
SUPPORTING THE ALL-INCLUSIVE FINANCIAL PROPOSAL

A. Breakdown of Cost by Components:

Cost Components	Unit Cost in BDT	Quantity	Total Rate for the Contract Duration
I. Personnel Costs			
Professional Fees		35 working days	
II. Duty Travel			
Round Trip Airfares (Domestic Airfare)			
Living Allowance (outside Dhaka)			
Grand Total			