Confronting root causes: forced labour in global supply chains

Genevieve LeBaron, Neil Howard, Cameron Thibos and Penelope Kyritsis

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ABOUT BTS
Beyond Trafficking and Slavery (BTS) is an independent marketplace of ideas that uses evidence-based advocacy to tackle the political, economic, and social root causes of global exploitation, vulnerability and forced labour. It provides original analysis and specialised knowledge on these issues with the rigour of academic scholarship, the clarity of journalism, and the immediacy of political activism. BTS is housed within openDemocracy, a UK-based digital commons dedicated to converting trailblazing thinking into lasting, meaningful change.

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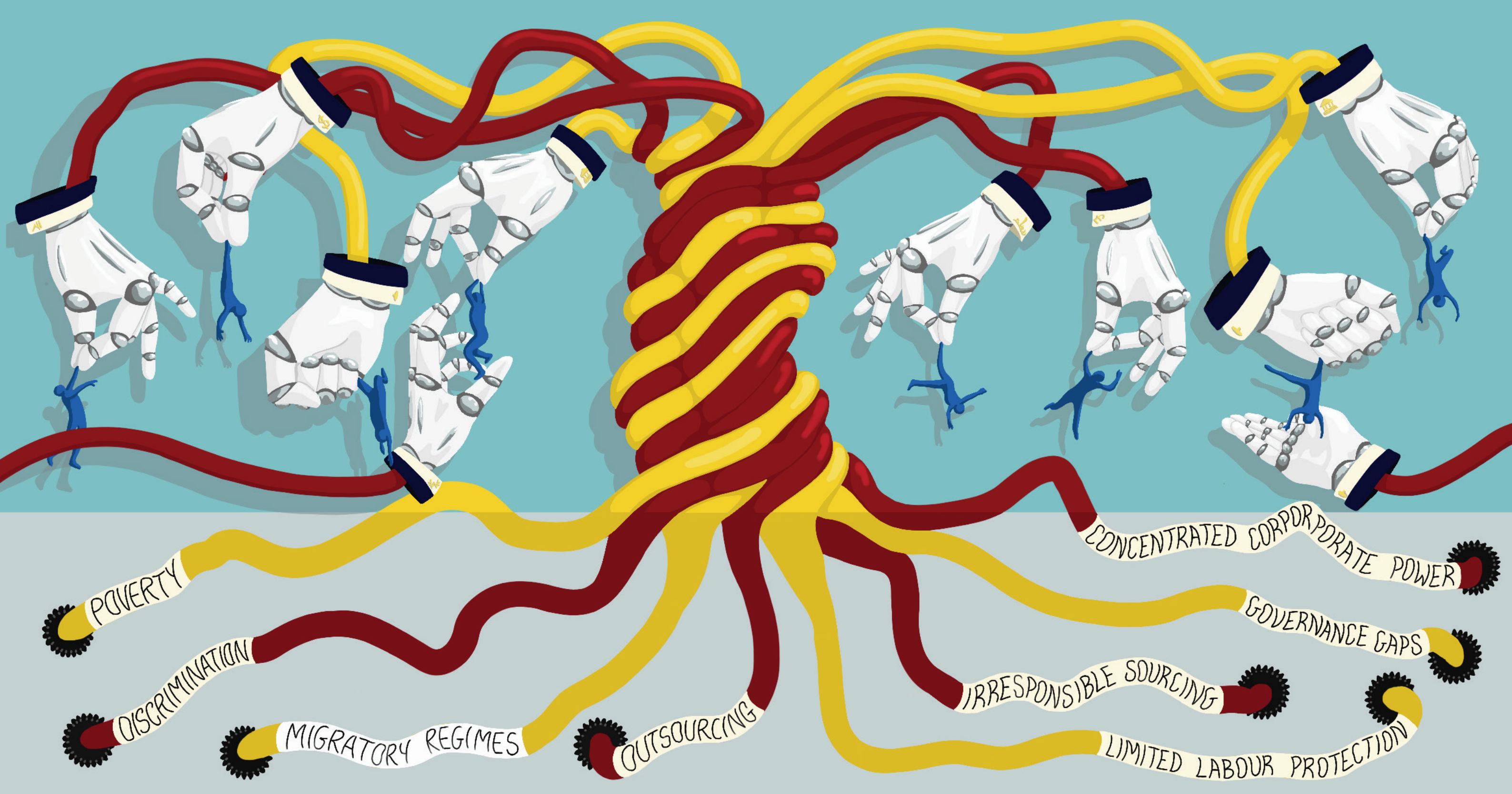
Contents



1

INTRODUCTION

The political economy of forced labour

It is by now widely recognised that effectively tackling forced labour in the global economy means addressing its 'root causes'. Policymakers, business leaders and civil society organisations all routinely call for interventions that do so.[1-2] Yet what exactly are these root causes? And how do they operate?

The two most commonly given answers are 'poverty' and 'globalisation'.[3] Although each may be foundational to forced labour, both terms are typically used in nebulous, catch-all ways that serve more as excuses than explanations. Both encompass and obscure a web of decisions and processes that maintain an unjust status quo, while being used as euphemisms for deeper socio-economic structures that lie at the core of the capitalist global economy.

The question thus becomes: exactly which aspects of poverty and globalisation are responsible for the endemic labour exploitation frequently described with the terms forced labour, human trafficking or modern slavery? Which global economic processes ensure a constant and low-cost supply of highly exploitable and coerced workers? And which dynamics trigger a demand among businesses for their exploitation, making it possible for them to profit from it?

This 12-part report is an attempt to answer these questions in a rigorous yet accessible way. With it, we hope to provide policymakers, journalists, scholars and activists with a road map for understanding the political economy of forced labour in today's "global value chain world".[4]

The Beyond Trafficking and Slavery study

Why is this important? First, because although awareness is growing that exploitation is structural – in the sense that systemic forces underpin the fact that some people are exploited while others are not – little has been done to explain how these forces operate, what causes them, or why they have not yet been overcome.

Second, while calls to address root causes are now commonplace, there remains a distinct lack of discussion about what doing so should precisely entail. This poses huge problems for policy-makers and activists, because if we cannot understand the issues we face, we are limited in what we can do about them. We are also more likely to mistake symptoms for causes, wasting precious resources on treating the former without ever achieving real gains on the latter.

What do we mean by forced labour?

This report uses a broader definition of 'forced labour' than the standard international definition discussed in the next chapter. We include work brought about by physical, psychological or economic coercion and recognise that, despite lacking the alternatives needed to defend against such coercion, workers' frequently retain and exhibit agency when entering into coercive labour relations.

Indeed, millions are spent every year on efforts to prevent forced labour.[5] Yet that expenditure often amounts to little, since most policymakers and activists lack a comprehensive theory to guide their actions. This deficit causes them to shy away from pushing for bigger and more politicised change, instead favouring small-scale, isolated interventions that can be marketed as concrete and measurable 'wins'.[6] The resulting programmes are often like Band-Aids, and have minimal impact on existing structures of power within the global economic system. Worse still, they often do more harm than good to the people they are supposed to be helping.[7-12]

It is time for policy and activism to address these failings, to confront the root causes of severe exploitation, and to do so in a systemic and informed fashion. With the hope of sparking a conversation that will help them do this, we have drawn together existing research on the political economy of forced labour in global value chains (GVCs) to provide an overview of its root causes. Our source material has been gathered from across a range of academic disciplines and includes country and industry-specific cases, ethnographic investigations, statistical studies and relevant non-academic data. We also draw upon the canon of historical and theoretical work accounting for forced labour in the modern economy.

The picture of forced labour that we present in this report departs markedly from prevailing discussions of modern slavery. Much recent analysis tends to conceptualise the deepening and expansion of markets as the solution to forced labour.[13] By contrast, we see the problem of forced labour as intrinsically linked to core dynamics of the global economy. Soaring levels of inequality, indecent work, concentrations of corporate power and ownership, shifting legal and governance regimes – these are all factors that render workers increasingly unprotected in the face of ever-harsher market forces.

What do we mean by political economy?

Political economy refers to the underlying social and political mechanisms and principles that structure systems of social organisation. These are the girders and tent poles propping up and giving shape to our everyday lives. Structures that matter for this discussion include race, gender, caste, legal systems, and the market economy.

The study of political economy is the study of these structures. It examines the 'rules of the game', rather the actions of any individual player. It is also the study of power and its unequal distribution, specifically the power to affect the shape of the global economy. Today the actors with the power to do that include major corporations and industry bodies, as well as politicians, governments and inter-governmental organisations.

Overview of the report

This report is organised around a metaphor – the classical economic metaphor of 'supply and demand'. Within mainstream economic theory, the price of any particular good is not determined by the individuals who buy and sell it. Instead, the price results from a system-wide balance between how much of it is available in the world (supply), how many people want it, and how badly (demand). The price goes up as supply decreases or as demand increases, and down if the opposite applies. This is a useful way of thinking about forced labour. Rather than a simple consequence of greed or the moral shortcomings of individuals, forced labour in global supply chains is a structural phenomenon that results when predictable, system-wide dynamics intersect to create a supply of highly exploitable workers and a business demand for their labour.

Our report looks at eight of these dynamics: four relating to supply and four relating to demand. On **the supply side**, the four dynamics we look at all contribute to creating a pool of workers vulnerable to exploitation. These include:

- **Poverty**, which we understand to entail the legally-created deprivation of material and social resources;

- **Identity and discrimination**, by which we understand the denial to some people of the rights and status of full personhood, e.g. along lines of race and gender;

- **Limited labour protections**, which create pools of unprotected workers outside the remit of state safeguards, who face serious barriers to acting collectively and exerting rights;

- **Restrictive mobility regimes**, which do the same.

Each of the elements we have chosen to look at on **the demand side** either create pressure within the market for highly exploitable forms of labour or open up spaces within which that labour can be exploited. All of these dynamics are integral to the nature of global supply chains as they are currently constituted. They include:

- **Concentrated corporate power and ownership**, which creates huge downward pressure on working conditions, in part by lowering the share of value available to workers as wages;

- **Outsourcing**, which fragments responsibility for labour standards and makes oversight and accountability very difficult;

- **Irresponsible sourcing practices**, that put heavy cost and time pressures on suppliers, which can lead to risky practices like unauthorised subcontracting;

- **Governance gaps,** which are intentionally created around and within supply chains, opening up spaces for bad practice.

Each of these eight dynamics shall be dealt with in turn over the subsequent chapters.

THE POLITICAL ECONOMY OF FORCED LABOUR

Before we take a closer look at these factors, however, we must first lay out the conceptual foundations of our analysis. In the next two chapters, we define key terms and articulate a theory of the concept of freedom. We believe this to be essential both for understanding the root causes of forced labour and for building progressive political responses to them. We also break apart the apolitical history of globalisation, which we argue is a political and historical process designed by and for the powerful, rather than some neutral consequence of autonomous market forces. It is to such theoretical foundations that we now turn.

CONCEPTS

2 Forced labour and the meaning of freedom

Many international agencies and non-governmental organisations (NGOs) simultaneously endorse the accepted legal definition of forced labour and the claim that poverty is its primary root cause. We argue that this stance is highly contradictory, and that those who believe that economic dynamics like poverty are the root cause of forced labour need a broader understanding of freedom and coercion in order to better make sense of the phenomena they seek to address.

Damaging definitions

Forced labour is defined in international law as "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily". The guardian of this definition, the International Labour Organisation (ILO), has further elaborated that the threat of penalty "can take various forms, whether physical, psychological, financial or other".[1] However, it has also made clear that it understands coercion primarily as restricted to individualised acts perpetrated by governments or employers. According to its Committee of Experts:

> An external constraint or indirect coercion interfering with a worker's freedom to "offer himself voluntarily" may result not only from an act of the authorities … but also from an employer's practice … *However, the employer or the State are not accountable for all external constraints or indirect coercion existing in practice: for example, the need to work in order to earn one's living.*[2] (emphasis added)

What is most disturbing about this is that it negates the key form of coercion found in market society, namely economic necessity. The ILO takes it as a given that people will be forced to sell their labour to survive unless they are wealthy enough to avoid having to do so. Yet this idea – that 'real' coercion can only ever be perpetrated by one individual against another – prevents the ILO and likeminded institutions from understanding where the force in 'forced labour' comes from in a large number of cases.

A simple scenario from one of the poorer regions of the world will suffice to make this point concrete. Imagine you are a subsistence farmer with a young family to support. You have no money and your crops earn very little, in part because much of the return is paid to the multinational companies supplying you with fertiliser and seed. If everyone in your household remains fit and healthy you can just about get by, but your daughter has just fallen seriously ill. Remember, this is a poor and rural area and there is no clinic nearby. There is a hospital in the nearest town but it is expensive and far away, and there is no social safety net to pay for her care or for your travel. This leaves you with only one option – to borrow money. But doing so creates new problems, since the only person willing to lend to someone in your position charges a hefty sum. And as you both know, you will never be able to repay him, so he offers you a choice: either you work his crops or you make clothes in his brother's factory for a year without pay. Or, your daughter could die. What do you do? And who here is guilty of coercion?

It is important to emphasise that this is not a whimsical example. A wealth of research shows that people all over the world routinely make choices such as this, submitting themselves to precisely these kinds of exploitative labour relationships because doing so represents their best or only available option.[3-10] Under conditions where menace of penalty are also present (such as the use of violence, intimidation, or threats of non-payment of due wages), the political establishment refers to them as 'forced labourers' and holds only the moneylender responsible for their plight. But is that appropriate? This report argues that it is not. Instead, we argue that pinpointing blame in this individualised way is neither an acceptable nor an accurate distribution of responsibility. The farmer above was given a choice and he took it. Although the moneylender may have taken advantage of the fact that the farmer had no better option, the fact that the farmer had no better option is not the fault of the moneylender. To focus narrowly on the moneylender is thus to miss the deeper, underlying structures that make his predatory offer possible.

In our analysis, the real problem is less that the farmer was 'forced' by the moneylender to do work that he did not want to do, though this type of lending obviously takes advantage of the farmer's desperation, and the use of intimidation, violence, or threats is not appropriate under any circumstance. Rather, it is that this exploitative exchange was the best choice the farmer had. And responsibility for that fact lies with the power-brokers organising our social world, who have ensured that money is a pre-requisite to survival and yet left the farmer with none of it, with no healthcare and with no social protection.[11]

Poverty and freedom

Let's now return to poverty and root causes. We said at the outset that there is a contradiction between accepting the ILO definition of and approach to forced labour and believing that poverty is its underlying root cause. At the centre of this contradiction is the way that freedom is typically understood.

In mainstream political thinking – and certainly in the thinking that structures international law[12] and policy around forced labour – freedom is understood in negative terms, i.e. as 'freedom from' something.[13] Accordingly, we are understood to be free to the extent that no one interferes with us, and unfree to the extent that they do. Negative conceptions of freedom inform the dominant neoclassical understandings of the market that were developed by thinkers like Friedrich Hayek and Milton Friedman. They argued that capitalist markets are characterised by voluntary, free and equal exchange between individuals, and that workers are free so long as they experience an "absence of coercion" from other individuals.[14]

Negative conceptions of freedom, however, do not square with the idea of poverty as a root cause of forced labour. A root cause is a fundamental reason for the occurrence of a problem – an underlying, original source of action which sets in motion a chain of other actions and leads to a particular event. But poverty is no more than an abstract concept. It has no power on its own, and certainly cannot force anyone to labour involuntarily or under the menace of penalty.

As such, when we say that poverty is a root cause of forced labour, we are really saying that we understand the poor to be pushed into situations of exploitative or forced work by the fact that they lack viable alternatives. We therefore acknowledge that an abstract freedom from interference – as might be found in a constitution entitling all citizens to be 'free' – is not enough to guarantee the exercise of that freedom. Only the freedom to resist interference can accomplish that. This acknowledgement that true 'freedom from' only exists with an accompanying 'freedom to' is of major significance, since it means that within the story that 'poverty is a root cause of forced labour' there exists an enormously powerful and more positive theory of freedom – a freedom anchored in the power to say no.[15]

When we say that poverty is a root cause of forced labour, we are really saying that we understand the poor to be pushed into situations of exploitative or forced work by the fact that they lack viable alternatives.

Implications

What are the implications of this theory of freedom? First of all, it compels us to expand our understanding of key concepts, such as coercion and vulnerability, from the personal to the structural. Individual instances of exploitation rely on one side having no viable or superior alternatives to what is on offer, and thus extremely limited power to say no. Yet unless we believe this lack of alternatives to occur naturally like the rain, we have no choice but to acknowledge that it derives from the human arrangement of social, political and economic affairs. The 'bad guy' in this story, therefore, is not just the unscrupulous person offering exploitative work to people who need to take it. It is the system which ensures that taking it is the best option those people have.

This recognition, in turn, requires us to rethink vulnerability as well. Vulnerability is commonly understood as a static or individual notion attached to individual types of people, often rooted in gendered and racialised narratives of victimhood. (Think 'women and children', for example, in the standard discourse).[16-17] But according to our thinking, a fuller understanding of vulnerability must attend to the fact that it is relational, and that it could entail inhabiting a position within society that involves structural limits being placed on one's available alternatives.[18] Poverty – which we conceive of as the state of being denied access to society's wealth – is one such structural limit. But there are others, as we will be discussing throughout this report. Together, they combine to ensure the supply of workers who can be subjected to labour exploitation, including its most severe forms.

Finally, if the limits on people's freedom to say no are neither randomly nor naturally distributed, we need to ask ourselves who or what is responsible for them? Who is responsible for arranging social, political and economic affairs such that only a small number of people enjoy the power to say no to the coercion inherent to the market while the vast majority do not? Who or what, ultimately, shapes the 'root causes' of forced labour? As you will see throughout this report, we hold governments, employers and the powerful very much to account. And in doing so, we challenge the notion that capitalist markets are harmonious, equal and natural institutions, and that their expansion entails a solution to the problem of forced labour.

CONCEPTS

3 Globalisation and the rise of supply chains

Former UN Secretary General Kofi Annan is rumoured to have once complained that arguing against globalisation is like arguing against the laws of gravity. So widely accepted is its inevitability that most never question its nature, and those who do still see it as unstoppable.

This aura is powerfully depoliticising. It implies that, for good or ill, globalisation just *is* – like gravity, an impersonal force shaping our lives and beyond our control. This is why, when globalisation is given as a reason for something, the speaker often accompanies her explanation with a slight shrug of defeat. The ILO, for example, famously labelled forced labour as the "underside of globalisation", implying it to be just some bad accompaniment to an inevitable event.[1] We seek a stronger explanation, however, to understand the links between globalisation and forced labour.

Neoliberalisation and its architects

The term 'globalisation' has become an everyday shorthand for the complex mix of social, cultural, political and economic change characterising our times: the heightened exchange of information and ideas; the increased mobility of people and money; and especially the transnational integration of production, investment and trade.[2] Having a catch-all term for the world's increasing complexity and interconnectedness is useful, but it does not get us any closer to explaining why, how, or at whose behest these changes are taking place. This makes it a poor explanatory tool for forced labour.

In our view, it is more useful to speak of *neoliberal* or *capitalist* globalisation, or better still '*neoliberalisation*'. Neoliberalism, in the words of geographer David Harvey, is primarily a theory of capitalist governance that sees human well-being as best advanced through "liberating individual entrepreneurial freedoms" against a backdrop of "strong private property rights, free markets, and free trade".[3]

Unlike amorphous globalisation, neoliberalisation can be traced, dissected and analysed as a distinct policy framework. Its proponents have names, its guiding ideas and recipes for action are known, and its policies produce recognisable patterns of consequences as they propagate throughout the world. This gives it far more explanatory power for why the world looks the way it does today.

The project of neoliberalisation

Neoliberalisation has been a dominant policy paradigm since the 1970s, centred around the following core trends:

- increased capital mobility and exposure to international trade;
- structural reorientations in favour of shareholder value and financialisation;
- the generalised intensification of competitive pressures, speculation and short-termism;
- widespread evasion and externalisation of the costs of social and ecological reproduction;
- the development of various forms of state outsourcing, devolved governance and lean bureaucracy;
- the weakening of specific national government capacities, especially with respect to sociospatial redistribution and long-term (public, social) investment.

Source: Peck, 2010: 29.

Originating in the work of scholars like Hayek and Friedman – who were prominent in the elevation of the market to its current status – neoliberalisation has been driven primarily by business elites, their allies in Western governments and institutions such as the World Bank. Its philosophy conceives of all individuals as potential entrepreneurs and of markets as society's primary and 'natural' organising force: we get what we pay for, pay for what we can, and reduce the government's role to that of a policeman protecting our property.

What has this meant in practice? For four decades, governments around the world have pushed – and, in the case of poor countries, have been pushed – to remove most subsidies and tariffs; to roll back the social protections serving as safety nets for those in need; to reduce anti-poverty redistribution and privatise public goods provision; to allow large-scale foreign direct investment; and to reinforce power imbalances between workers and employers.[4-12]

The promise of all this has been of a new dawn of prosperity, with creative energies liberated and market efficiency fostered by the state getting out of the way of freely chosen, voluntary exchanges between workers and employers. Neoliberalism would improve the lives of western consumers by bringing them ever-cheaper goods from overseas; while for Southern workers the carrot has been nothing less than an end to poverty itself, through inclusion into the world market as producers of those goods. This is where global supply chains enter the picture.

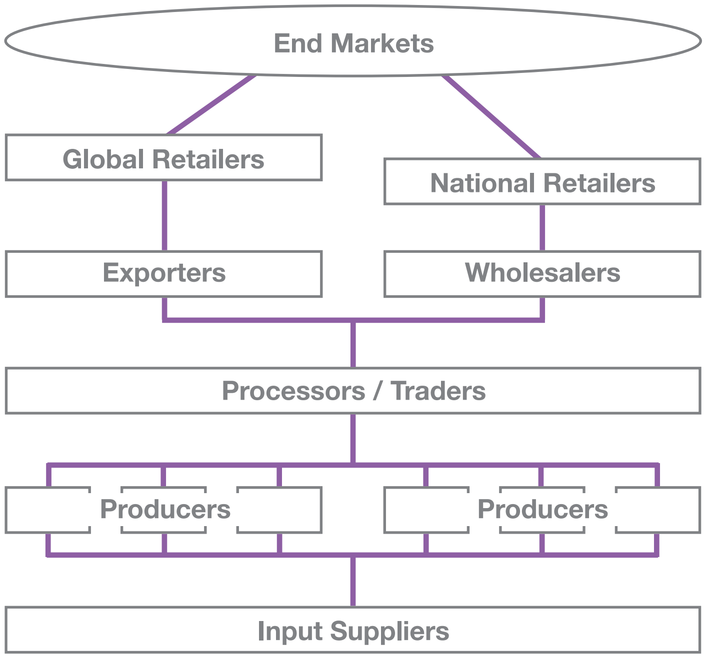
The growth of global supply chains

The chances are that you are reading this on a computer, tablet or smart phone. If so, you are sitting at the end of a long and winding global supply chain. Today, a typical computer might contain a memory chip from Malaysia, a battery from Indonesia, a screen from South Korea, RAM from Germany and a hard drive made in Thailand. This all before it was assembled in China and bought off a shelf in New York, Buenos Aires, or wherever you may be.[13] Apple, the company from which you may have bought it, sources its parts from a global network spread across over a dozen countries, including China, India, Italy, Indonesia, Ireland, the Philippines, Puerto Rico, Singapore, Malaysia and the Czech Republic.[14]

This reflects a key shift in global production practices spurred by neoliberalisation. It has engendered the rise of a new, international division of labour in which vast brand and retail companies coordinate production across a panoply of sub-contracted suppliers located all over the Global South.[15-19] Initially, lead firms were predominantly Western, but today there are a growing number of large companies located in the 'rising powers' which also make use of global supply chains to produce their products.[20]

Today, companies such as Tesco or Nike design and sell products but produce very little themselves. That crucial middle step is outsourced to smaller firms in an attempt to expand profits and reduce legal liability. For instance, mega-company Nestlé has almost 165,000 direct suppliers and 695,000 individual farmers worldwide.[21] Many supply chains cut across transnational borders to take advantage of lower labour costs and weaker labour protections in other countries, but some also remain concentrated within national borders.[22-23]

SIMPLIFIED GARMENT SUPPLY CHAIN



Source: Emilia Saarelainen and Merten Sievers (2011) 'ILO Value Chain Development Briefing Paper 2: The Role of Cooperatives and Business Associations in Value Chain Development'.

As we further explore in chapter 8, the reorganisation of global production has led to monopolisation, soaring profits and the rise of corporations whose scale and political power has hitherto been unknown. Apple is officially the world's most valuable ever company and holds cash reserves of over US$200 billion.[24] The United Nations Conference on Trade and Development (UNCTAD) has estimated that the productive networks coordinated by firms like this encompass fully 80% of world trade, with one in five jobs linked to their operations.[25-26] Indeed, as scholars Peter Dauvergne and Jane Lister observe, "one third of global gross domestic product (GDP) and 70% of all employment and activity in developed countries are now tied to retail", with firms like Costco and Carrefour leading the way.[27]

The links to forced labour

What does all of this have to do with forced labour? And which aspects of globalisation are important for our understanding of it? There are many, and it will be the task of this report to spell those out in greater detail. For now, however, let us underline a few key points.

First, the global spread of neoliberal models of market and social governance has been neither an organic nor an even development. It has happened as a result of elite, powerful actors pushing through changes in the interests of big business, financial capital and the wealthy. It is and always has been an inherently unequal project that has been shown to deepen inequality.[28-29]

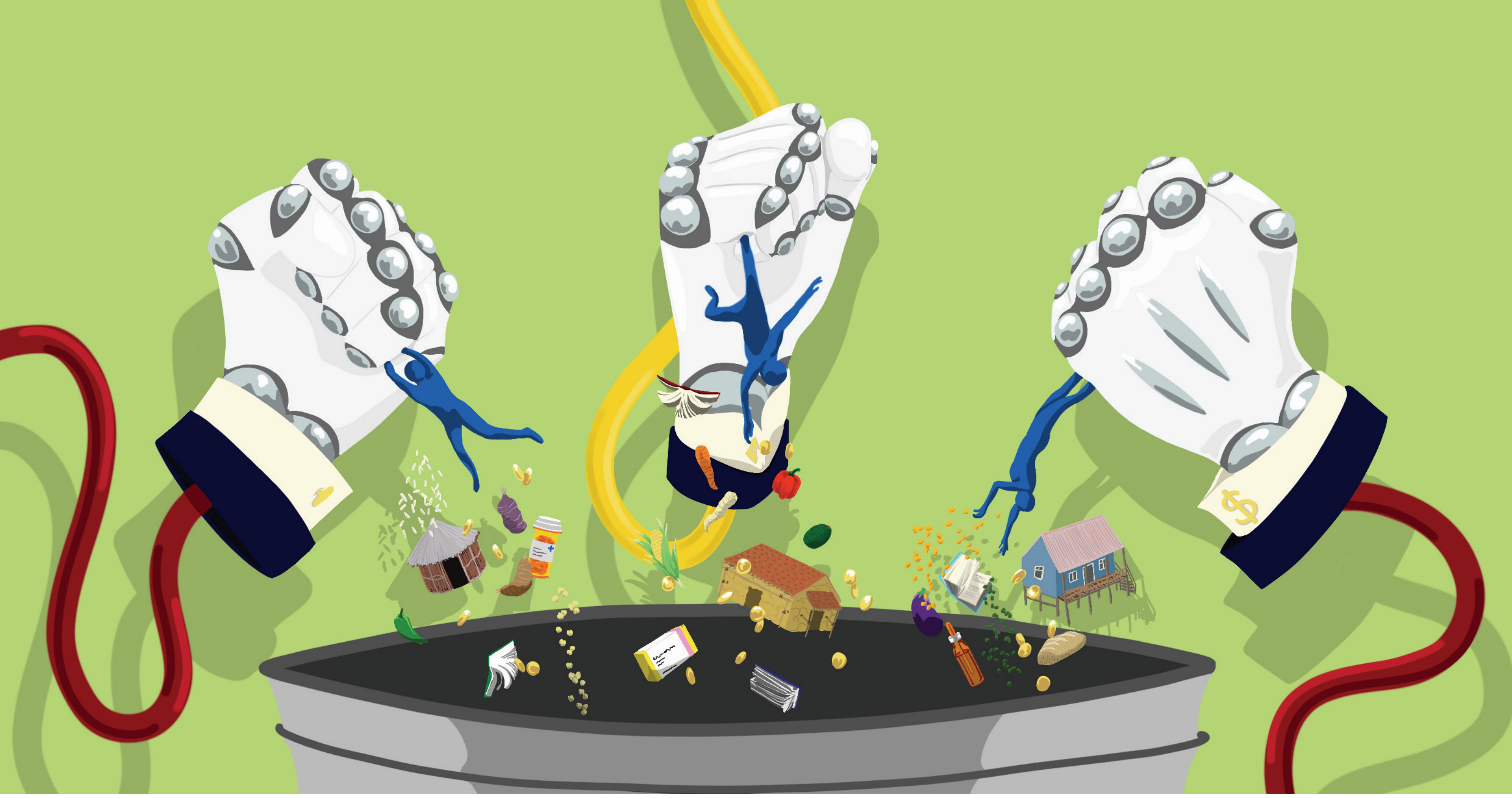
Second, this rising inequality has thrown onto the global labour market a vast army of people so poor and lacking in state protections that they epitomise the inability to say no to exploitation.[30-31] In Mexico, for example, the number of people living in extreme poverty rose by 500% at the height of neoliberalising reforms, between 1994 and 2000.[32] In much of Africa, real wages declined substantially around the same time period, with average household food consumption falling to 25% lower than it was a quarter century previously.[33]

Numerous factors explain this immiseration, and the specific dynamics at work vary across industries and regions of the world. One of the most pernicious, particularly in the agricultural sector (where existing research has documented severe labour exploitation to be disproportionately concentrated),[34] is that the global reduction in tariffs and subsidies has proceeded in highly unequal fashion. That is, while poorer countries have typically removed their protections under pressure from the rich, the rich have often failed to follow suit.[35] For example, despite urging African countries to liberalise their cotton sectors, the US government subsidised American cotton-growing multinationals by over US$13 billion between 1996 and 2002 – a per-kilogram price subsidy of almost 50%.[36] This decimated much African cotton production.[37-38] These and similar trends are key to explaining why we see forced labour in the cotton industry, and indeed, in many other industries.[39]

Third, many of the dispossessed farmers and other workers impacted by these sorts of changes end up at the bottom of supply chains, where they face highly predatory business practices from more powerful firms. The companies directing many supply chains command enormous power in the global economy, which they use to control as well as reduce the costs of production.[40-41] They do this, for example, by imposing short-term contracts, penalties and fees for late or low-quality orders. They also float disproportionate profits to the top of value chains by demanding razor thin margins at the bottom.[42]

In the words of Nelson Lichtenstein, big brands squeeze their suppliers "by shifting every imaginable cost, risk, and penalty onto their books".[43] This, in turn, places major pressure on suppliers to balance their own books through the use of coercive, exploitative, and otherwise unacceptable labour practices. As later chapters of this report make clear, extensive research now shows correlations between such lead firm practices and the widespread abuse and exploitation of workers.[44-45]

For the next eight chapters, we explore these structural supply and demand factors in detail.



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SUPPLY

Poverty

It is empirically indisputable that vulnerability to forced labour is shaped by poverty.[1-3] This chapter will draw on research from across several sectors and regions of the world to illustrate how market coercion interacts with poverty to create a supply of people vulnerable to forced labour.

Poverty and the market

The cold, hard truth of market societies is that you need wealth – or, more precisely, money – to obtain the necessities of life and thus to survive. If you do not have money and nobody is prepared to give you the food, water, medicine, shelter and other things you require, you will die. This is the 'invisible hand' of the market in action. Lacking money, huge swathes of the world's population never enjoy the effective power to say no to coercion or exploitation, and so are systematically vulnerable to forced labour.

Before delving into the data, it is important to be clear that this is not a natural state of affairs. Nor is it an accidental but inevitable consequence of globalisation and economic growth. Rather, poverty – along with the perpetuation of exploitative labour relations – is written into the very DNA of global capitalism.[4]

We explored this theoretically in chapter 2 and gave an example of the peasant farmer accepting debt bondage as an illustration of how market societies force people to accept exploitative work, prioritising short-term survival needs over long-term economic security. In this chapter, we will provide further examples of the interplay between poverty and forced labour to illustrate how global and national markets rely on – and perpetuate – the supply of people vulnerable to exploitation.

The big picture

In 2015, the ILO estimated that more than 75% of the global workforce was in temporary, informal or unpaid work, meaning that only a quarter of workers have the security of permanent contracts.[5] Four in 10 young workers are either unemployed or working but living in poverty,[6] while as of 2014, over 200 million people were entirely unemployed. This is 31 million more than before the start of the global financial crisis in 2008,[7] with that number being expected to increase further.[8] In fact, between 1981 and 2008, the number of people living on between US$1.25 and US$2 a day doubled worldwide.[9]

Taken together, these statistics show that the ranks of the "working poor"[10] are constantly expanding. In a context where corporate profits are at their highest levels in nearly a century,[11] the majority of the world's workers lack the certainty that they will earn a sufficient living from their work and almost half of the world's working young people have next-to-no income security. All of which raises the question: why is poverty so resilient in the face of unprecedented wealth?

The restructuring of global and national economies along neoliberal lines (as described in chapter 3) is a major part of the answer. For the past four decades, neoliberal restructuring has divorced millions across the global south from their means of subsistence, whilst simultaneously slashing the social protection mechanisms on which they and their families relied.[12-13] Dispossessed and abandoned by the state, they have had few means with which to resist being integrated into the cash economy on unequal and often highly coercive terms.

In other words, the intensified need to obtain money to secure the necessities of life has underpinned the integration of millions of people into the labour market, but because they are poor, they have had very little scope or power to shape their working conditions. They have thus entered into dangerous, risky, insecure or poorly remunerated employment relations, because doing so has been their only way to meet urgent needs.

Adverse incorporation

Although the dominant understanding of poverty within mainstream economic thinking is that it is 'residual' – a pure consequence of exclusion from the market economy – research shows that one can be included in the labour market and *still* be very poor.[14] Indeed, for many people inclusion actually worsens their circumstances and puts them at risk.

For example, Nicola Phillips and Leonardo Sakamoto's mapping of forced labour in Brazil's cattle sector shows that those most likely to be in forced labour are not actually the very poorest. For them, some social protections still exist. Instead, those most at risk are earning slightly above the income threshold for social welfare protections, and are therefore almost *exclusively* dependent on earned income to survive.[15] People caught in this situation are commonly referred to as the 'working poor' and, as noted above, their numbers are growing.

Phillips describes situations like what she and Sakamoto observed in Brazil as "adverse incorporation".[16] The central insight of this concept is that when people are compelled to undertake wage labour on bad terms, this can entrench their poverty and vulnerability by preventing them from accumulating wealth or achieving long-term economic security. The dynamics of adverse incorporation are circular, which means that while poverty shapes people's vulnerability to exploitation, their exploitation also reinforces their inability to escape poverty.[17]

The use of children to produce garments in home-based settings in India demonstrates how this works. A survey conducted by Phillips shows that, out of a sample of 201 households, almost 70% used children to fulfil piece-work orders from garment manufacturers, and for the most part the children received little or no money for their labour.[18] This system of production will have both immediate and long-term effects. By doing piece-work now, the children will likely eat tomorrow. However, the self-reinforcing nature of their adverse incorporation means that working now will make it less likely that they obtain better work in the future. By prioritising short-term survival over long-term security – when doing otherwise is extremely difficult, if not lethal – they must forego schooling or other opportunities to strengthen their bargaining power in the labour market. This prevents them from 'upgrading' towards more skilled, secure and better-paid employment prospects and entrenches their poverty further.[19-20]

The 'multidimensional' character of poverty

The experience of 'poverty' cannot therefore be reduced only to a lack of money. Poverty is "multidimensional", as economics professor Sabina Alkire has made clear, meaning that those at the bottom of the socio-economic ladder are statistically more likely to face a mutually reinforcing bundle of disadvantages that combine to perpetuate their destitution.[21] These include poor health, poor sanitation, food insecurity or a lack of education. Each may interact with the lack of money to increase an individual's vulnerability to forced labour.

To take but one quantitative example, a multi-country study from the ILO examining the backgrounds of formally identified victims of forced labour finds that those originating from food insecure households or households that have recently experienced a sharp decline in revenue are much more likely to end up in situations of forced labour than others.[22] In Nepal, for instance, only 9% of documented forced labourers came from food secure households, in contrast to 56% who came from households that were food insecure.[23]

Education is another good example of the multidimensional aspect of poverty. Monetarily poor people are more likely to be educationally poor because they are obliged to prioritise short-term survival over formal training. The child labourers producing garments in India demonstrated this in the previous section. A lack of education, in turn, reduces bargaining power in the labour market, making it more likely that the only jobs on offer will come with poor conditions.[24]

Data from a range of studies now show a strong correlation between illiteracy or low levels of schooling and the likelihood of experiencing forced labour. In Brazil, for example, nearly 70% of workers identified by the government as "slaves" between 2003 and 2009 were either illiterate or had a maximum of four years of schooling,[25] while in Armenia, Georgia and the Republic of Moldova, forced labourers were found to be on aggregate less educated than the "freely employed".[26]

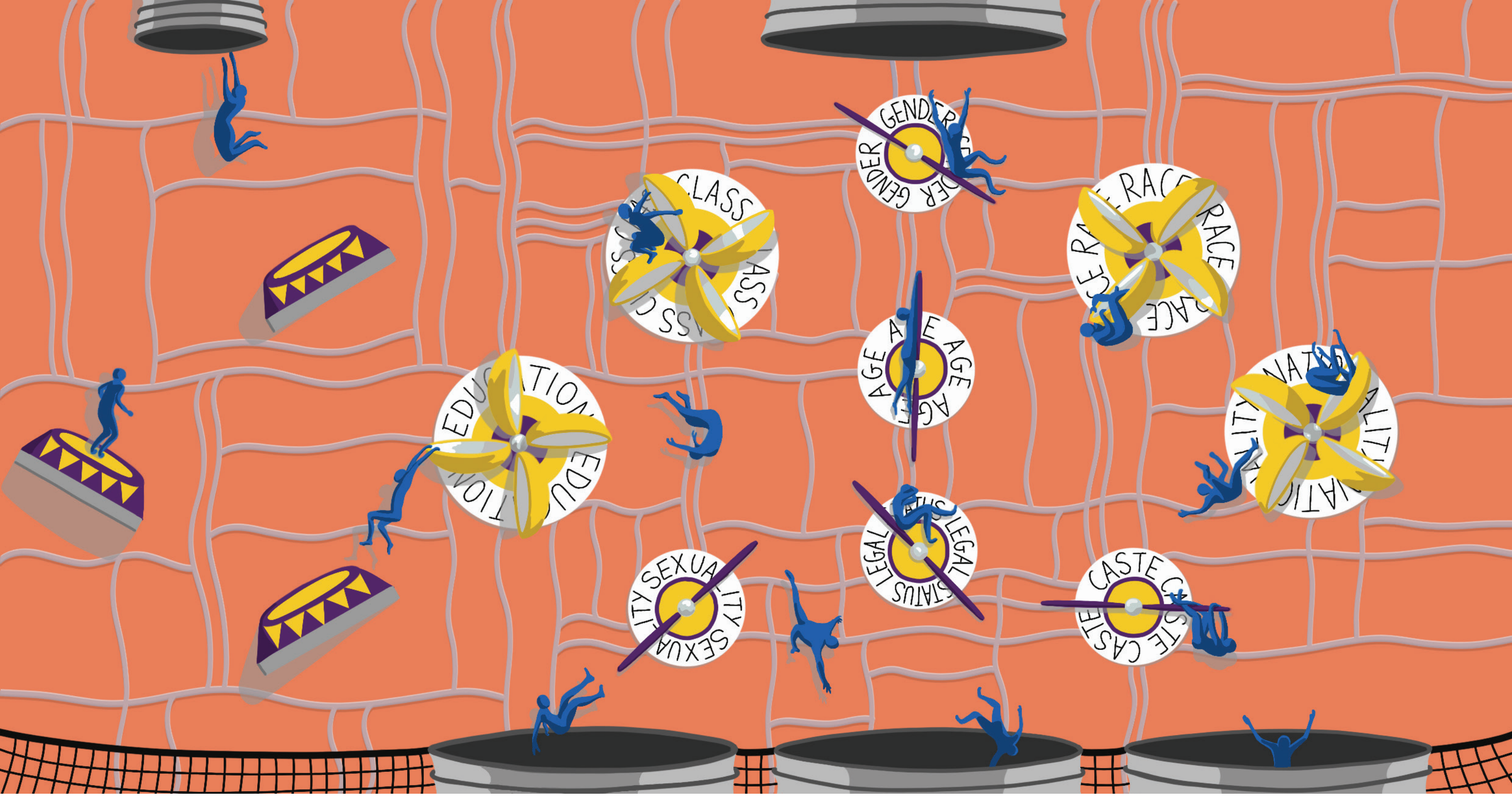
Debt bondage and poverty's many faces

Nowhere is poverty's role in creating a supply of people vulnerable to forced labour clearer than with debt. Debt, as anyone who has had any knows, can be a powerful disciplinary mechanism.[27] Loans or advances – along with other measures such as withholding wages – are frequently used to discipline and coerce workers. In richer countries, this affects migrant workers who take out large loans to fund their travel and find themselves with no choice but to work highly exploitative contracts to pay them back.[28-31] In poorer countries, debt captures and disciplines the working poor who lack access to cheap credit and thus cannot absorb economic shocks when they come along.

Verité's reports on the Guatemalan sugar sector, the palm oil industry in Ecuador and the production of electronic goods in Malaysia provide further evidence for how the intersection of debt, withholding wages, and exploitative recruitment practices increase workers' vulnerability to forced labour.[32-34] In Malaysia, 28% of 501 electronics workers were found to be in situations of forced labour, and more than 80% reported paying excessive recruitment fees. In Guatemala, Verité found that withholding wages and meals was a common punitive practice to ensure that production quotas were met for farmworkers in the sugar sector. Other research has found similarly punitive practices in use elsewhere, such as Ben Richardson's work in the sugar cane fields of Brazil,[35] and has confirmed the importance of debt in keeping workers labouring under them.

Much research has also been done on debt bondage as it relates to health. Typically, health expenditure is a major burden in countries where health coverage is poor and/or not universally provided. To make matters worse, in rural areas where cash is scarce, credit can be exceptionally expensive. That combination often leads to debt bondage, because when a family member is in need of urgent medical attention the only option available is usually for another family member to take a loan against the collateral of their future labour power.[36-37]

In short, poverty is not just about lacking money. It is an interlinking web of mutually reinforcing disadvantages, which interacts with the demands of the market society to shape people's vulnerability to forced labour. The story does not stop there, however, as we have yet to answer the question of why some people are more likely to be in situations of poverty than others. Identity and discrimination play enormous roles in determining who comes out on top, and it is to these that we now turn.



5

SUPPLY

Identity and discrimination

It is not uncommon for proponents of globalisation to view the integration of marginalised social groups into the global economy as a positive step towards poverty reduction. However, as we showed in chapter 4 with our discussion of adverse incorporation, it is possible for people to be incorporated into the labour market, and *still* remain vulnerable to chronic poverty and exploitative labour relations.

Discrimination on the basis of race, gender, caste and other factors shapes how people are treated in the labour market, and helps to create and justify the supply of people vulnerable to forced labour in the global economy. The "social categorisations"[1] at the root of these various forms of discrimination are not 'natural', nor are they new phenomena; they are rooted in the very same logics that justified European colonialism, the transatlantic slave trade, and other non-European systems of domination.[2]

According to the International Labour Organisation (ILO), the incidence of forced labour is particularly high among 'scheduled' castes and tribes in India, indigenous minorities in Nepal and non-Muslims in Pakistan. In Africa, forced labour relations are particularly prevalent in countries that experienced slavery, or where continuing patterns of discrimination against people of slave descent are present. And in Latin America, the majority of forced labourers are indigenous people.[3-4]

The fact that these particular groups are most likely to be found in situations of forced labour suggests that the social discrimination leading to poverty and adverse incorporation is intimately bound up with legacies of hierarchy, domination and exclusion. At the same time, it is important to note that the dynamics fostering the exploitation of marginalised communities are not mere remnants from the past: they are actively reproduced and maintained by the global political economy.

This chapter looks at how the neoliberal restructuring of global markets has exacerbated social hierarchies and shaped long-lasting patterns of exploitation into a continual supply of people vulnerable to forced labour.

Poverty and social discrimination

While some remain deeply invested in the idea that forced labour has nothing to do with structural inequalities, or that in this context race and gender matter little,[5] there is an abundance of research that demonstrates that poverty and labour exploitation disproportionately impact women, lower castes, and non-white and indigenous people.[6-8] And to the extent that they can be relied upon, statistical estimates constantly reveal more women than men in forced labour and locate considerably more forced labourers in Africa and Asia than in Europe or North America.[9]

As discussed in chapter 1, the restructuring of global markets has heightened the demand for exploitable, 'disposable', and flexible labour.[10-11] For this reason, global and domestic labour markets have become increasingly reliant on mechanisms that deepen unfreedom and labour insecurity for large segments of the working poor.[12] Within this dynamic, social discrimination serves as an "inequality-generating mechanism"[13] that facilitates the wider patterns of poverty and inequality in which GVCs are rooted.[14] Why? Because if certain people are considered to be lesser than others, they are more likely to face the poverty that facilitates their exploitation, *and* to be viewed by society and employers as more justifiably exploitable.

For instance, gender inequality has been documented as a driver for export competitiveness, because the segregation of jobs by gender tends to keep women's wages artificially low.[15] This is what economist Stephanie Seguino calls the "comparative advantage of gender disadvantage".[16-17] It is important to note, however, that these dynamics are also present in cases where women and men do the same work. For example, Alessandra Mezzadri's research into transnational garment production shows that women are consistently valued less than their male counterparts and live subject to both covert and overt forms of coercion and exploitation that their male co-workers are spared. Most are paid less than men even when performing the same tasks, and many have been the targets of gendered verbal or physical discipline on the shop floor.[18-19]

This is compounded by other types of gender-intensified constraints, such as women's asymmetric role in reproductive labour and the barriers they face in accessing resources such as land, credit and education.[20] All these constraints combined can make it much more difficult for women to socially upgrade in GVCs than men.[21,22]

If certain people are considered to be lesser than others, they are more likely to face the poverty that facilitates their exploitation, and to be viewed by society and employers as more justifiably exploitable.

Intersecting disadvantages

Gender disadvantages often intersect with other forms of disadvantage, including those based on race. Cruz Caridad Bueno has conducted research with low income black women working in export processing zones (EPZs) and as domestic workers in the Dominican Republic. Her conclusion is that they contribute to wealth and capital formation for the homes and businesses that employ them, "but are limited in their ability to accumulate wealth and human capital for themselves, because employers take advantage of racial, gender, and class discrimination to devalue their work contributions".[23] In simple terms, employers find them suitable only for certain low-status and low-pay jobs to which they are then effectively confined. Employers furthermore take advantage of their prior exclusion from rights-based education and resulting legal illiteracy to extract extra-legal labour from them. And, finally, employers rely on the fact that most poor people with family responsibilities are rarely able to say no to a job.

Of course, discrimination based on race or other factors impacts people of other genders as well. In Brazil, for example, Nicola Phillips found that the overwhelming majority of workers identified as working in "conditions analogous to slavery" on sugar plantations supplying the world market came "overwhelmingly from the poorer regions of the country, with corresponding racial characteristics".[24] Sugar production is extremely demanding and turns a profit by relying on hard physical labour, yet employers do not look for just anyone willing to perform that labour. Research shows that they specifically seek out dark-skinned young males, since their gender and racial characteristics are said to make them especially well adapted to the work.[25]

Verité's in-depth research into Peru's and Ecuador's labour markets tells similar stories of discrimination-based vulnerabilities. In Peru's illegal gold mining industry, indigenous Peruvians from remote areas were found to be the group most vulnerable to forced labour and debt bondage. Known as *indocumentados*, they have no birth certificates verifying their nationality and thus cannot acquire the national identification documents necessary to access jobs in the formal sector. This pushes them into informal sectors such as the mining industry, where they lack the resources and ability to report labour violations, and many end up trapped in dangerous and exploitative conditions.[26]

In Ecuador, Verité found that women, indigenous people and people from African descent working in the palm industry are substantially more vulnerable to labour exploitation than other groups.[27] Many Afro-Colombians and indigenous people immigrate to Ecuador from Colombia precisely because they are unable to secure decent jobs in their home country, only to be subjected to similar forms of discrimination in Ecuador. Their irregular migration status further exacerbates their race-derived vulnerability in the new country, a topic we will delve into more fully in chapter 9.

Indigenous people frequently face restricted options for more reasons than a lack of documentation. In addition to being subjected to chronic poverty,[28] indigenous people are usually deprived of land and other resources, which makes them especially vulnerable to exploitative labour conditions. We also see such dynamics at work with caste.[29] Recent research by Alpa Shah and Jens Lerche has confirmed that it is more difficult for members of lower castes and indigenous peoples in South Asia to exit situations of extreme poverty and to benefit from increases in income.[30]

Nicola Phillips' research into garment production in Delhi corroborates the findings of these other researchers. In a survey of 220 households employing children to produce garments, she found that 60% come from the very lowest castes.[31] Research conducted by the Centre for Research on Multinational Corporations (SOMO) and the India Committee of the Netherlands (ICN) led to similar findings: 60% of the workers they interviewed in the spinning units of five textile enterprises in Tamil Nadu – a major production hub in the global garment sector – came from what are known as 'scheduled castes' or other backward castes. And this type of caste-based discrimination is also prevalent in tea plantations, brick kilns and mining quarries, to name a few other industries.[32-34]

Deep structures

The many examples above illustrate that even if the lines dividing us were initially drawn by elites bent on entrenching their domination, they have now evolved into living systems that are constantly maintained and reproduced in the localised forms of discrimination, coercion, and exploitation that comprise forced labour at the foot of the global economy. Discrimination on the basis of gender, race, caste and ethnicity, among other socially-constructed markers, shapes vulnerability to exploitative labour relations and socially sanctions both exploitation and disadvantage.[35] It also prevents people who find themselves in such situations from accumulating the necessary wealth and resources to exit situations of chronic poverty or debt bondage. Such systems "entrench a particular set of power relations in a given society", contribute to the exclusion of certain groups from access to wealth, and "give rise to and structure patterns of poverty and marginalisation".[36]

SUPPLY

6 Limited labour protection

In 2013, the Bangladeshi garment industry made headlines after the Rana Plaza factory building collapsed, killing more than 1000 people and injuring more than 1000 others.[1] A year later, rampant use of forced labour was documented in Thailand's shrimp industry, a major supplier to the world's largest retailers.[2] And in 2017, shoppers at a Zara retail store in Istanbul found messages sewn into clothing claiming garment workers were not being paid. It was later discovered that Inditex, Zara's parent company, had refused to pay 155 labourers after one of its factories unexpectedly shut down in 2016.[3]

These high-profile cases are just a taste of the widespread and well-documented instances of labour abuse occurring across various countries and sectors in today's global economy.[4-6] All involved workers who were left unprotected in part because they were in non-standard forms of work: temporary work, part-time and on-call work, contract and agency work, and false self-employment. Non-standard work is usually associated with lower wages and fewer protections, as well as difficulty in accessing available protections. Non-standard workers are also disproportionately vulnerable to abuses such as wage theft and illegal wage deductions, mandatory overtime, and health and safety violations. As the International Labour Organisation (ILO) notes, non-standard forms of work have become "a prominent feature of labour markets in developing countries, and has grown in importance in industrialized countries. In Bangladesh and India, nearly two-thirds of wage employment is casual".[7]

The decline of 'standard' work and the labour protections that came with it has been a major component of globalisation. For all workers this has meant greater difficulty in accessing the protections that are in place, and for the ranks of non-standard workers, many of those protections are not available at all. Additionally, many governments have exempted certain sectors and areas (e.g. export processing zones) from labour laws and protections, such as those that govern minimum wage and overtime.

This has created a context in which various grades of labour exploitation are able to thrive, including forced labour at the extreme end of the labour exploitation continuum.[8] Indeed, a core factor driving forced labour is the interaction between workers' individual vulnerability – which as we have shown, can be rooted in poverty, adverse incorporation and intersecting forms of social discrimination – and a setting in which workers can be exploited without impunity.[9] This chapter looks at how shifts in the labour protection landscape have contributed to workers' vulnerability to exploitation, including forced labour.

From protection to precarity

Extensive research has documented the relationship between neoliberal market restructuring and the proliferation of unprotected, precarious form of work.[10-15] The workers who are the most likely to suffer from labour abuses are those in low-paid, informal and unorganised jobs[16-17] and in sectors that are heavily reliant on flexible, temporary workforces.[18]

The expansion of precarious work globally has coincided with the rise of global production networks.[19] While later chapters explore in much greater depth how these networks function, for the moment it suffices to say that precarious work is attractive for firms because it both reduces labour costs and absolves employers of responsibility for their employees. As such, precarious work has become extremely widespread. A 2016 report by the International Trade Union Confederation (ITUC) analysed the global supply chains of 50 TNCs with a combined revenue of US$3.4 trillion, and found that only 6% of their global supply chain workforces were directly employed. Of the remaining 94%, large swathes were in non-standard employment.[20]

Neoliberal reforms have also created spaces of legal exception where production takes place literally beyond the bounds of 'mainland' law, such as export processing zones (EPZs).[21-22] EPZs are industrial havens offering investors tax breaks and labour law exemptions in an effort to attract their foreign capital. They have exploded over recent decades, increasing from 80 to over 3000 between 1975 and 2000.[23] They now play a major role in many global supply chains. Research from a range of contexts shows that labour standards within them are frequently poor, and workers caught within them frequently face forced overtime, dangerous conditions, and widespread gender or racial discrimination.[24-26]

Living with insecurity

These shifts have had dire consequences for workers. Alongside declining real wages, many now-informal workers face increased exploitation, and a greater need to accept difficult, dangerous and dirty work for want of superior alternatives.[27-29] Informality has made them unprotected. A good example of this is the garment industry, where the proliferation of outsourcing labour from the factory to the home has excluded home-based workers from certain labour protections, while also creating barriers to organising.[30-31] The expansion of informalisation, temporariness and flexibility has also led to increased insecurity for workers,[32] as it makes planning for the future and bargaining to improve work conditions more difficult. Starting workers on temporary contracts is a powerful way to keep them there, as it enables employers to quickly jettison any workers attempting to organise.[33]

The widespread incidence of wage-related rights abuses has been widely documented. One report by the Asia Floor Wage Alliance found that 73% of contract workers and 50% of permanent workers across 36 seafood processing plants in southern Bangladesh reported receiving less than the nationally set minimum wage. In many sectors, including garment production, agriculture, and food processing, a shift from hourly wages to a piece-rate system has also deepened workers' income insecurity.[34-36] Too often, piece-rate salaries received by workers do not amount to the minimum or living wage.[37] And in many cases, already low wages are further reduced by deductions for food and housing,[38-39] and wage theft practices – such as late payments, non-payments, or denial of legally stipulated overtime rates.[40]

In addition to wage-related rights abuses, workers are also vulnerable to coercive practices that could make them vulnerable to forced labour. In the US seafood processing industry, for example, a shift from unionised workers to immigrant labour provided by temporary work agencies has given employers greater ability to implement low wages and substandard work conditions while evading liability. A report by the National Guestworker Alliance found that many of these workers faced immigration-related coercion (such as threats to call police or immigration), the inability to change employers, and threats of blacklisting, physical harm and sexual abuse.[41]

The Asia Floor Wage Alliance has also found that workers producing garments for Walmart in supplier factories in Bangladesh, Cambodia, India and Indonesia face threats of termination for refusing to work overtime or for exercising their right to freedom of association.[42] In many cases, gender-based violence or threats of violence can have similar impacts in terms of disciplining workers, as documented in Bolivia's cattle and Brazil-nut sectors,[43] Bangladesh's shrimp industry,[44] Ecuador's cut flower industry,[45] and Guatemala's palm oil sector,[46] just to name a few. These forms of gender-based violence in the workplace make it particularly difficult for women workers to bargain collectively and to advocate for better work conditions.[47]

The decline of collective action

The history of labour relations shows unquestionably that worker power lies in numbers, with union strength consistently correlated with better working conditions, greater respect for existing labour laws, and greater likelihood of worker redress in the case of abuse.[48-49] We know, for example, that in industries with strong trade union representation, there are reduced rates of forced labour and other forms of exploitation.[50-52]

We also know that where workers do not enjoy the right or ability to collectively organise and defend their rights, they are more likely to experience individual and collective forms of exploitation. Yet, governments all over the world have placed limits on union activity. These have ranged from denying the right of collective organisation to specific sub-sets of workers (such as migrants), removing the requirement for firms to bargain collectively, raising the number of members necessary to form a union, setting mandatory participation rates in strike ballots and physically preventing union formation.[53-54]

Union membership is thus everywhere down.[55] In the United States, for example, the rate of union membership was 10.7% in 2016, almost half the 20.1% it was in 1983.[56] The ILO's recent study of bargaining coverage in 48 countries found an average drop of 4.6% between 2008 and 2013, while the average decline in union density over the same period and for the same group of countries was 2.3%.[57]

Absent state efforts to ensure workers' rights to form unions and organise, it is more difficult for workers to advocate for better work conditions or to report cases of labour exploitation or forced labour.

Lack of enforcement

While gaps in both international and domestic labour laws certainly exist, most labour violations occur when existing laws to protect workers are not enforced. An acute example is minimum wage. Despite being addressed in most countries' national laws as well as in international law, minimum wage requirements are continually and consistently violated all along the supply chain. So too are safety regulations, so too are holiday and overtime pay requirements.[58]

Part of the problem is that labour inspectorates face chronic personnel and funding shortages almost everywhere.[59] Overstretched government agents are unable to keep up with even formal enterprises, let alone the vast informal economy where forced labour concentrates.[60] This is of great significance because research shows that labour compliance is more likely where inspections are more frequent.[61]

Instead, severely strained labour enforcement authorities have looked for any way they can to reduce their burden. One solution governments have hit upon is self-regulation by the private sector. Business has promoted this idea as well, lobbying for the power, legitimacy, and discretion to create and enforce their own rules.[62] Their success has given them freedom from oversight whilst also allowing them to market themselves as 'socially responsible'. These private corporate social responsibility initiatives have well-documented flaws, which we will explore in detail in chapter 11.[63-66]

These dynamics are highly damaging for global labour. At the macro level, they are reflected in rising inequality, stagnant or declining real wages, and in capital's capture of an ever-increasing share of global value relative to labour.[67-68] At the micro-level they contribute directly to pushing workers into vulnerable 'zones of exception' beyond the reach of protection, by fostering climates where labour exploitation and forced labour can thrive. In 2015, the ITUC found that almost half of the 141 countries they examined had "systematic violations" or "no guarantee" of labour rights.[69] This is not a coincidence. The freedom from forced labour depends on the capability of accessing external protection, and under the circumstances documented above far too many are unable to do so.

7

SUPPLY

Restrictive mobility regimes

The rules governing people's mobility within the global economy are not neutral sorting mechanisms but tools producing different categories of people able to enjoy different rights and freedoms.[1] To be on the right side of them is to be able to move *away* from poverty, unemployment, and labour abuses towards better work conditions, labour protections and public safety nets. To be on the wrong side of them is to substantially lose one's freedom to say no to exploitative labour conditions. This is starkly reflected in the existing data on the link between migrant status and forced labour.[2-5] As Nandita Sharma puts it, "immigration policies [are] the vehicle through which [migrants'] unfreedom is organized".[6] This chapter will examine how such policies operate in the contemporary global economy to shape people's vulnerability to exploitative labour conditions amounting to forced labour.

Border controls

Migrant vulnerability to forced labour begins at the border. Although political authorities routinely claim that tighter borders protect would-be migrants from 'trafficking', in reality borders increase the likelihood of migrants ending up in situations of exploitation.[7-9] Aggressive border policies create a game of cat and mouse, where those committed to moving must take evermore circuitous, dangerous and illegalised paths to achieve their objectives. Success therefore comes with a price, one which is frequently paid to smugglers and other intermediaries by taking on debt. To repay these debts many migrants agree to debt-bonded forms of work in hyper-exploitative conditions.[10-11]

Yet even people who arrive in a country legally can be placed at risk by restrictive migration regimes. Certain categories of migrants – such as asylum seekers – are denied access to the labour market or to social protections while they wait for a decision on their status. In the United Kingdom, the 2002 Asylum Act withdrew the right to work from asylum seekers as a means of deterring excessive or 'bogus' applications, while later legislation limited the extent to which they can call on the state when in need.[12-14] These changes have thrown many into destitution, forcing them to make do with limited state support or enter the informal economy. When they opt for the latter illegal and exploitative conditions often await.[15-17]

Aggressive border policies create a game of cat and mouse, where those committed to moving must take evermore circuitous, dangerous and illegalised paths to achieve their objectives. Success therefore comes with a price.

Systemic vulnerability

Myriad studies have documented the links between migration status and vulnerability to forced labour.[18-20] In the UK, researchers have shown this in low-skilled or illegal sectors such as agriculture, construction and cannabis production.[21] Similar results have been found in Italy's agricultural sector, where tomatoes, oranges, and other produce are predominantly harvested by African migrants caught between needing to earn a living and being entitled to absolutely no state support.[22-28]

Irene Peano has been conducting research with these workers for several years and observes that most "earn on average less than half the minimum wage established by collective agreements". Worse still, "many work for a piece rate rather than an hourly wage, and in most cases do so entirely outside the social security system.

Working hours greatly exceed those prescribed, and illegal gangmasters, frequently employed to recruit and discipline the labour force, charge workers for transport to the fields as well as accommodation".[29-30]

Although most of these workers do consent to their conditions, their freedom to do otherwise has been radically curtailed by their extra-legal status. This status prevents them from accessing state support and places high constraints on their ability to secure the means of their own reproduction.[31] This disadvantage is exacerbated by racial discrimination and other aspects of agricultural production (such as the low prices demanded by large buyers) to produce their exploitation. They represent a disposable labour force available when employers need them, yet those same employers have no responsibility for their welfare when they don't.

Such dynamics also exist in countries across the global south. In India and China, for example, governments have placed restrictions on the rights and entitlements of migrants when they move internally from state to state. As a consequence, millions of migrants effectively exit social protection when they leave their home states. Researchers at Oxford University surveyed 7000 households in the Indian province of Bihar, whose members usually migrate seasonally for work. They found that 30% were unable to access their entitlements to subsidised food when they did so because their ration cards were declared invalid at their destinations. Such limitations significantly increase the likelihood of people ending up in situations of abuse, since they have no safety net in times of hardship and must rely on employers or labour contractors for food, board and social support.[32]

Apart from geographic region, certain sectors are often especially vulnerable to forced labour because states place them outside the purview of labour law while migrants are intentionally recruited into them. A study by the Organisation for Security and Cooperation in Europe (OSCE), for example, found that farm work across the Global North is "exempt from requirements concerning overtime, rest days, and health and safety standards", as well as free from labour inspection.[33] In many instances, therefore, the only force available to ensure employers comply with existing labour standards are the employers themselves.[34] This, as the International Labour Organisations's (ILO) recent *Economics of Forced Labour* report highlights, carries significant risks for agricultural migrant worker safety.[35]

Worse still, certain governments place limits on the rights of migrants to collectively organise in defence of their interests. The same OSCE study found restrictions commonly applied to migrants' rights to participate in trade unions or to form their own unions. These include "making citizenship a condition for taking a trade union office, stipulating that a proportion of the membership must be nationals, or linking trade union membership to a condition of residence or reciprocity or both".[36]

Visa programmes

Temporary or 'tied' visa programmes are another important mechanism fostering forced labour among migrants and restricting their ability to exert their rights. Such visa programmes allow migrants to enter a country but only to work for one specific employer or in one specific location. They commonly apply to sectors which already entail significant worker vulnerabilities because of their geographical or social isolation, such as agriculture, domestic work or care work.[37-38] For example, workers on visas such as the H2 Guestworker Programme in the United States or the Overseas Domestic Worker visa in the UK are not permitted to change employer or to seek alternative employment if and when problems with their current employers arise. If for any reason they choose to leave their current employment relationship, they are subject to deportation.[39-42]

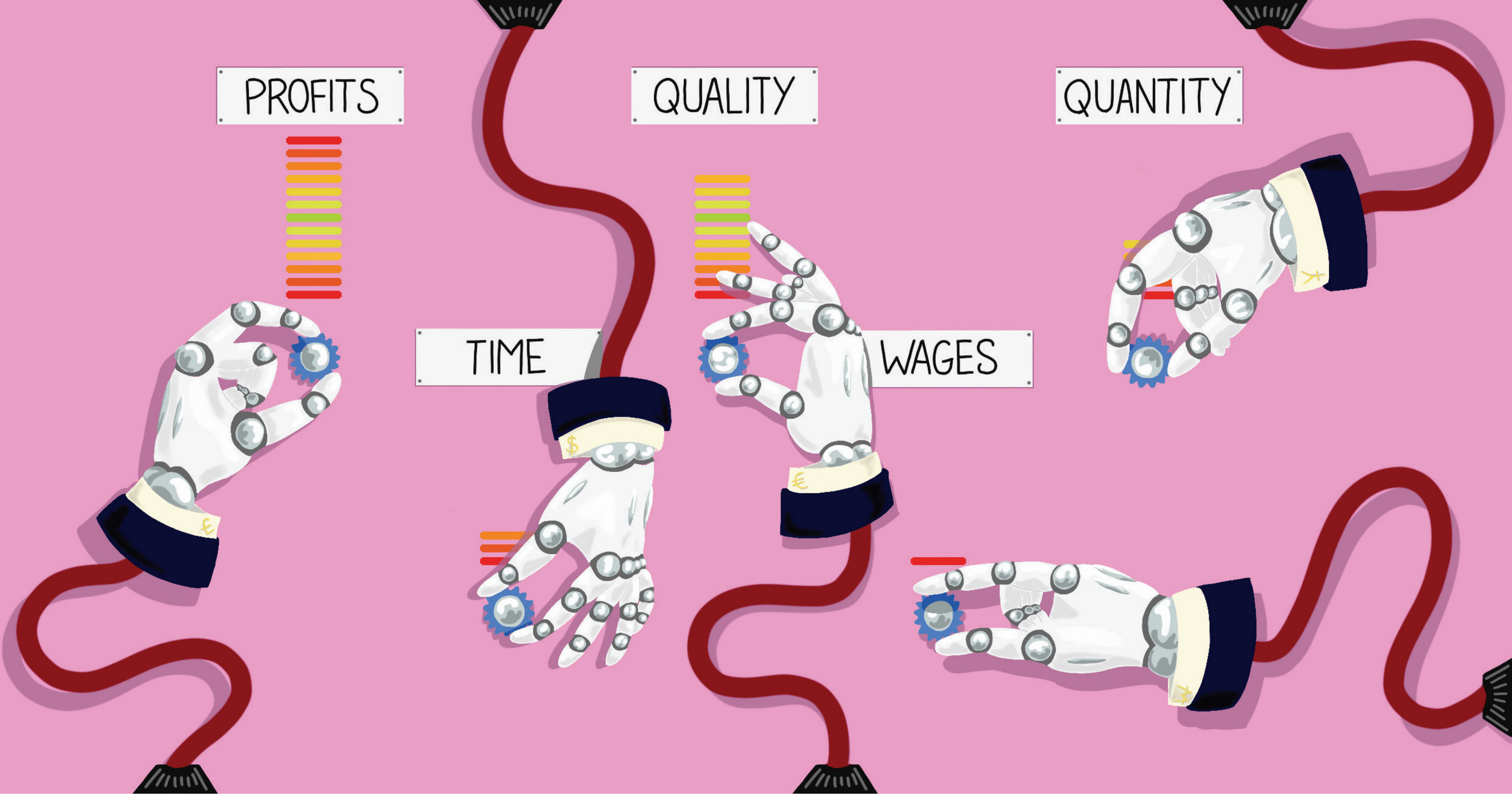
The Kafala system, a visa sponsorship programme in Gulf countries, has also been documented to foster exploitative labour conditions. Migrant workers to countries like Bahrain, Qatar and the United Arab Emirates experience what the Sarah Leah Whitson, the executive director for the Middle East and North Africa Division of Human Rights Watch, calls a "triangle of oppression", the three sides of which are: heavy fees to labour brokers to secure a job, the confiscation of their passports by employers as soon as they arrive in their destination country, and the absence of legal protections and recourses if they face abuse.[43]

Tied visa programmes inevitably create spaces of structural vulnerability.[44] Many of the workers on them are relatively poor, with family dependents back in their home countries relying on their wages for school, healthcare or other necessities. Many will also have indebted themselves heavily to fund their travel and the purchase of their visa. They thus face very high opportunity costs if they attempt to leave their employment, even when that has become abusive or exploitative. And in many cases, employers capitalise on these vulnerabilities and use threats of denunciation as a mechanism for bolstering productivity or preventing migrant workers from organising.[45] As a result, although they may be formally 'free', the substance of their freedom is severely curtailed by their lack of any meaningful freedom to exit this labour relation.

Conclusion

We know that labour regulation, enforcement and organising are crucial for preventing the exploitation of workers. Yet migrants frequently have no choice but to work outside the reach of regulation and without the benefit of collective action due to the limitations that states place on their freedom. Thus while the prophets of 'globalisation' hold that markets bring liberty with them, in reality its distribution is far from even.

Capital roams the earth freely but labour most certainly does not. Excluded from wealth or adversely incorporated into the processes that generate it, many of the world's poor are denied their freedom to say no when – and especially when – they choose to leave their homes in order to make more money elsewhere. Their continued exclusion is a result of immigration policies and consequently they live at a real risk of forced labour. This risk is compounded by processes of social discrimination, by the neoliberalising undercutting of labour protection, and by the creation of migratory regimes that entrench vulnerability. This is what it means to create a 'supply' of potential forced labourers. It is to the demand for their labour that we now turn.



8

DEMAND

Concentrated corporate power and ownership

The political economic forces creating a business 'demand' for forced labour are no more random than those creating a supply of people vulnerable to it. Instances of forced labour are not – we repeat, not – the simple outcome of immorality among criminals or 'bad apple' employers.

Although often characterised as a hidden crime occurring randomly on the "underside of globalisation",[1-2] in reality, forced labour is a stable and predictable feature of many global supply chains. Just as we can understand the factors that make people vulnerable to forced labour, so too can we trace the dynamics that underpin the business demand for their labour. This section of the report draws together research from across several sectors and regions to illustrate four key political economic drivers of the demand for forced labour in supply chains. We begin with the increasingly concentrated corporate power and ownership.

Corporate scale and profits

One of globalisation's most striking features has been the massive growth of multinational corporations (MNCs). As we explained in chapter 3, many of these companies do not own or operate their own factories, but rather have redrawn global production patterns to coordinate the making of the goods they sell across thousands of supplier factories located around the world. Walmart, for instance, coordinates across over 100,000 suppliers.

The model of fast, high-turnover production that Walmart, H&M and others have pioneered since the late 1990s has brought vast profits for the lead firms at the helm. In 2017, Apple brought in over US$45 billion in profits,[3] Disney brought in US$9.39 billion, and Nestlé's profits hit US$8.65 billion.[4] Walmart brought in US$481.3 billion in net sales that same year, nearly 35 times the GDP of a small country like Jamaica.[5]

These profits have been a driving force behind contemporary global inequality. The 2017 list of the world's richest people is topped by Amazon founder Jeff Bezos (net worth US$90.6 billion), Microsoft founder Bill Gates (net worth US$90 billion), and Amancio Ortega (net worth US$83.2 billion), founder of Inditex fashion group, which owns Zara. According to Oxfam, just eight men now control the same amount of wealth as the poorest half of the planet.[6-7] The global workforces working directly and indirectly for these men and their companies largely come from this poor second half, and – as the 'supply' section of this report makes clear – it is an understatement to say that they have not benefited nearly as much as these men at the top.

Monopolisation and market power

In addition to making their founders and executives very wealthy, the size and scale of today's MNCs gives them enormous market power, which is critical for understanding forced labour. Swiss food giant Nestlé buys 10% of the world's cocoa crop, 10% of the world's coffee beans and 2% of the world's milk and sugar.[8] Companies have also become conglomerates encompassing hundreds of brands: Unilever alone owns over 400, including such major household names as Dove, Lipton, PG Tips, Vaseline, Ben & Jerry's and Becel. The breadth of competition in many markets has lessened as a result, and often just a handful of companies hold virtual monopolies over entire markets. For instance, roughly 80% of the global tea market is held by just three companies – the Dutch-British Unilever, the Indian Tata Group and Associated British Foods.[9] Corporations' vast market power allows them to dictate prices and margins in global value chains (GVCs). Unsurprisingly, they do so in ways that allow them to accrue huge profits while squeezing ever-lower margins down along their supply chains.

Examples abound. Four years ago, the major Canadian current affairs magazine *Maclean's* investigated the cost breakdown of a C$14 polo shirt, reporting that it cost retailers only C$5.67 to produce, and of that, only C$0.12 went to workers.[10] In cocoa, we know from research conducted by scholars at the Institute of Development Studies that cocoa farmers in Ghana receive "just 4 per cent of the final price of an average UK bar of milk chocolate", with the lion's share of the retail price going to chocolate manufacturers and retailers.[11] Similarly, a study of value distribution in the production of Apple's iPhone reveals that the majority of the money – 58.5% – goes straight to Apple's profits, while Apple's suppliers receive a far lower proportion; Taiwan's profits are 0.5%, while South Korea's are 4.7%. In all, only 5.3% of the value of an iPhone goes into the pockets of Apple's global workforce.[12]

Stephen Roach, an economist at Morgan Stanley, has called this model of MNC profitability "global labour arbitrage", referring to the enormous profits that MNCs accrue through their systemic, near monopolistic control over the global labour market.[13-14] Their sourcing practices rely on, reinforce and seek to profit from countries' 'comparative advantages' in terms of labour exploitation. In the garment industry – as in agriculture and other industries with fierce competition over prices – firms like H&M decide where to source and manufacture goods primarily based on the cost of labour, and as such they 'comparison shop' for places where labour remains cheap (and by extension under-protected). It is no coincidence that, according to H&M's supplier list,[15] the company primarily turns to countries with notoriously low-wage garment sectors, like Bangladesh, China, Vietnam and Thailand, to find this optimal combination.

Because of their size and market power, the prices MNCs choose to pay their first-tier suppliers have knock-on effects throughout the entire supply chain. They affect not only the margins of all downstream firms, as the following section explores, but also the overall labour conditions of producing countries. For instance, the world's second largest clothing retailer, H&M, sources from "some 1,900 [first-tier] factories in which about 820 suppliers … employ about 1.6 million people".[16] Beneath these factories lies a web of smaller suppliers, conducting embroidery, printing, washing, spinning, knitting, weaving and dyeing, along with cotton growing, trading, and ginning.

The price that H&M pays at the top shapes the working conditions of those below, since each subsequent tier of suppliers must struggle over the remaining slice(s) of the pie. As labour is usually a factory's biggest cost – or at the very least its most negotiable cost – the most obvious option for remaining profitable is to further squeeze workers in turn. As such, even if H&M does not consider cotton growers or weavers to be its direct business partners, the firm nevertheless structures the world in which they work.

Companies like H&M are quick to disclaim responsibility for this squeezing effect and for the low share of value accruing to workers and firms deeper down in the supply chain. They even note on their website that "workers are employed by the supplier – and not by us. We neither set nor pay the factory workers' wages and consequently, we cannot directly decide what they are paid".[17] Technically this is true. But by dictating value distribution along the supply chain MNCs give shape to the market structures within which all those beneath them must work. The squeeze brought about by vastly uneven value distributions has, by this point, often become so tight that it fuels demand for forced labour amongst businesses further down the chain.

Commercial pressures

The concentration of corporate power and ownership in lead firms not only allows them to dictate value distribution along the chain but also the absolute size of the pie to be shared. In other words, lead firms' market power gives suppliers little choice but to accept that the end retail price will remain low. In combination with unequal value chain distribution this inescapably reduces profit margins further along the chain, especially in industries where labour costs are a major expense of doing business. These trends have resulted in huge downward pressure on working conditions.

Major brands have consistently sought to drive down commodity and shop prices in recent years, or to keep them there, and one way they have done this has been to demand ever lower prices from their suppliers. This is especially true of competitive industries where margins are often already very thin. Faced with little choice but to accept the new terms or be replaced, manufacturers have attempted to alleviate the pressure by lowering their labour costs – often the only cost that can be reduced without sacrificing quality. As one South African apple farm owner put it, "the only ham left in the sandwich is our labour costs. If they [the supermarkets] squeeze us, it's the only place where we can squeeze".[18]

One of the starkest examples is the food and agriculture industry, in which an estimated 1.3 billion people work.[19-20] Over two decades of evidence make it clear that downward pressure on prices in this industry create corresponding pressures towards forced labour. Debt-bondage, underpayment of wages, and forced overtime have become endemic to the cane industry, where the price of sugar has been steadily falling,[21] while lower coffee prices correlate with the increased use of forced labour. [22-23]

Research across a range of industries suggests that businesses in tiers below the top-tier firm have sought to lower labour costs in several ways. Allain *et al.* (2013)'s study of the business models of forced labour highlights three. First, they directly lower labour costs by not paying the promised wage, openly paying below the minimum wage, and providing substandard accommodation for workers. Second, they attempt to generate revenues *from* workers, such as by charging recruitment fees or by overcharging for accommodation and other services. Third, they re-outsource work further down the supply chain, or to agency workers through labour subcontracting.[24-26] All of these scenarios can introduce higher risks of forced labour, as well as patterns of informalisation.[27]

Sometimes, suppliers respond to commercial pressures by introducing business models configured directly around forced labour, using practices like debt bondage, forced overtime, illegal wage deductions, and physical, psychological, or other forms of coercion in an attempt to further lower labour costs. Research on a number of products – including sugar, garments, seafood, and electronics – has linked the business demand for forced labour to pressure on costs and prices.[28-33] Occasionally, this occurs within the factories that supply directly to MNCs. For instance, a bed supplier to UK department store John Lewis, Kozee Sleep, was recently convicted of exploiting a "slave workforce".[34] This is in some senses unsurprising since, according to one study of the UK garment industry, manufacturers often have "very low or even no profit margins". In such a situation the business demand for extremely low-cost labour is painfully clear.[35]

Cases like Kozee Sleep, however, are relatively rare. Much more frequently we find that the businesses resorting to forced labour exist far from the public gaze and from consumer-facing operations. They are often unregistered or informal organisations with no official link to the brand. To understand how and why this occurs, we need to take a closer look at outsourcing, and the research that documents higher prevalence of forced labour amongst outsourced portions of supply chains. It is to this we move next.

9

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Outsourcing

Academic discussion regarding the business of forced labour generally focuses on the role and responsibility of large multinational corporations (MNCs). This makes sense insofar as MNCs are usually based in Western countries and wield vastly disproportionate power within global supply chains. However, the overwhelming focus on MNCs overshadows the aggregate importance of smaller subcontractors in shaping labour standards, particularly those that 'need' labour exploitation to remain profitable. For this reason, it is equally important for us to understand how the dynamics of outsourcing shape smaller businesses' behaviour toward both their workers and other firms within the supply chain.

In contrast to the academy, the media has made these smaller businesses the main culprits in its reporting on labour exploitation. When forced labour happens, it is typically said to occur in shadow or unregistered production centres several steps removed from MNCs and far below where any reasonable due diligence might reach.[1] As if to confirm this, MNCs invariably express shock and disbelief when such reports break. Yet it is no accident that these practices occur in portions of the supply chain where MNCs have limited formal presence. And, far from being 'hidden' or impossible to map, a growing body of research now shows clear patterns regarding the types of businesses most likely to perpetrate forced labour, and the relative importance of forced labour to their business model depending on their sector, task, and location within MNC-dominated supply chains.[2-6]

Outsourcing is the crucial dynamic that allows labour exploitation to take place without tarnishing the reputation or credibility of MNCs. It does this by fragmenting and deflecting responsibility for workers while making oversight and accountability for labour standards difficult. The situation becomes even more complicated, and thus opaque, when informal businesses or intermediaries such as labour brokers are present. These dynamics fuel forced labour because the complexity and lack of traceability introduced by outsourcing make it easy for businesses to get away with abuses, and because the legal distance that outsourcing introduces between lead firms and their suppliers shields the former from reputational damage and legal liability.

The more layers of outsourcing there are, the harder it is to track the working conditions surrounding the creation of a product.

Outsourcing along product supply chains

From electronics to sporting goods, MNCs have outsourced lower-value added activities to third parties. Those suppliers often then further outsource parts of the production – say, the making of microchips, or intricate leatherwork on a football – to additional parties. Today, most product supply chains, meaning "the discrete stages that a product goes through to transform it from raw materials to a finished product",[7] involve several stages of production. The more layers of outsourcing there are, the harder it is to track the working conditions surrounding the creation of a product.

A burgeoning body of academic research reveals that forced labour often occurs in heavily outsourced portions of product supply chains. To take but one example, Nicola Phillips' major study of forced labour in Brazil shows higher levels of subcontracting to be correlated with incidences of forced labour.[8-10] It includes statistical analysis of data pertaining to "more than 21,000 workers released from conditions defined as 'slave labour' between 2003 and 2009",[11] as well as qualitative research conducted by Phillips and her team on value chains in Brazil. One key finding is that "the most severe forms of labour exploitation tend to occur in those parts of the production process that are associated with outsourcing practices".[12] Forced labour was found to be concentrated in "outsourced activities in such sectors as sugar cane, soybean, cotton or coal (and also in urban sectors such as garments), [which] are routinely associated with a higher incidence of 'slave labour'".[13]

Evidence across a wide body of industries and locations confirms these links between outsourcing and forced labour. Recent studies of fishing,[14-15] garments,[16] electronics,[17] agriculture,[18] and construction[19] all point to the concentration of forced labour within subcontracted activities. Quantitative data, too, confirm that link. For instance, a 2013 study of more than 10 years of data by the Supplier Ethical Data Exchange (Sedex) found that risk – including the risk of forced labour – is highest beyond tier one; 18% more incidents of non-compliance with labour standards in the second tier, and 27% more non-compliance in the third tier. It also found that non-compliance became more critical and severe in the deeper tiers of the supply chain.[20]

In short, data from a range of studies now show that outsourcing contributes significantly to forced labour. Because outsourcing has fragmented responsibility for workers across several firms, and distanced the consumer-facing brands from bad practices, it has created the conditions under which forced and exploitative labour can be used, without damaging brand reputation.

Outsourcing along labour supply chains

Outsourcing along the labour supply chain, a part of which is made of "often unregulated networks through which forced or trafficked workers may be recruited, transported, and supplied to business by third party agents", is equally important for understanding forced labour in supply chains.[21-22] As mentioned earlier, firms have deepened their reliance on workers provided by labour market intermediaries (agencies, 'gangmasters' or 'recruiters') as a part of the larger project of globalisation. Recruitment agencies help companies avoid the costs of sustaining large, permanent workforces by providing a "parallel workforce" of "highly flexible, casualised workers to meet variable, just-in-time deadlines at low cost".[23-27]

Labour recruitment agencies also 'outsource' part of their work, so to speak, frequently working with other intermediaries who then work with others in turn. This can produce long labour supply chains that frequently involves exploitation well before workers actually enter the factory gates. Apple recently acknowledged this when noting that "some of our suppliers work with third-party labour agencies to source workers from other countries. These agencies, in turn, may work through multiple sub-agencies: in the hiring country, the workers' home country, and in some cases, all the way back to the workers' home village".[28] Recognising that these practices frequently create situations of "bonded servitude", as the BBC put it, for factory workers long before they enter the workplace, Apple has outlawed this practice amongst its suppliers, mandating that they cover the cost of recruitment fees themselves.[29]

A number of recent studies have found that forced labour is widespread amidst long and complex labour supply chains.[30-33] While not all labour market intermediaries are exploitative, some use forced labour as a revenue-generating and cost-saving strategy. A string of recent studies suggests that forced labour is especially prevalent among those providing labour at or around minimum wage.[34-37] Indicators of it include contract substitution, passport retention, restrictions on mobility, predatory recruitment fees, debt bondage, wage deductions and threats of penalty.

In all this, informality and flexibility are key. As Allain *et al.* argue, "although serious levels of exploitation can be found among a range of such intermediaries, forced labour typically emerges where an intermediary is operating at some level of informality, at least for some period of time. The more legitimate the intermediary, the less likelihood there is that they engage directly in forced labour".[38] A wealth of evidence pertaining to food and agricultural industries in many different regions of the world suggests a similar conclusion, namely that informal subcontracting among labour market intermediaries can introduce forced labour.[39-42]

Why is this so? In the first case, it is often significantly easier to exploit agency or broker-provided workers than a supplier's own employees, as they are not on the books of the company who holds the supply contract, and therefore are often overlooked by labour standards, inspections and audits. Workers on the same job site may also have several different 'employers', making oversight and accountability for labour standards difficult. Furthermore, workers tend to be moved from worksite to worksite in relatively short periods of time, and therefore often evade any efforts that may be in place to ensure labour standards.

Second, long labour supply chains often exist in industries where price competition is fierce and the margins associated with some activities are very low, such as clean-ing services, construction or agriculture. In these industries, where there is intense pressure to keep labour costs low, there is both pressure towards informality and to over-work and under-pay informal, contracted workers.

Distancing big brands from big human rights abuses

Outsourcing fragments responsibility for labour standards and makes maintaining oversight as well as determining accountability very difficult. It fuels the demand for forced labour by making it easier for small businesses to get away with exploitation while shielding bigger businesses further up the supply chain from reputational damage or legal liability. This, in turn, makes it harder for workers, NGOs, unions, lawyers and consumers to hold consumer-facing businesses to account. None of this is accidental. MNCs and politically-aligned governments have been instrumental in the neoliberal shifts that have made outsourcing possible and that have limited the liability of MNCs operating from their jurisdictions. They have pushed for labour flexibility and driven down the prices paid to top-tier suppliers, taking an ever-greater share of value in the process. But the implications of their business practices for forced labour go well beyond outsourcing and profit hoarding, and it is to a number of especially nefarious others that we now turn.

10

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Irresponsible sourcing practices

Forced labour is illegal in most jurisdictions and expressly prohibited in most multinational corporation (MNC) contracts and supplier codes of conduct. It therefore carries risks for businesses who use it. For MNCs such risks are generally confined to reputational damage, but for supplier firms the consequences could include the loss of MNC contracts, the imposition of large fines, or even criminal prosecution. So, when is forced labour 'worth' the risk?

Business Professor Andrew Crane has argued that a confluence of business conditions and capabilities must come together to make forced labour a viable management practice.[1] A growing body of evidence shows that one key factor shaping these conditions and capabilities, and in doing so triggering the business demand for labour exploitation, is irresponsible sourcing practices on the part of MNCs. Such practices include short-term contracts, extremely tight production windows, chronically delayed payments, and unfair or unreasonable payment terms. Because buyers wield disproportionate purchasing power and influence, suppliers often enter into commercial agreements that are difficult if not impossible to meet without imposing harsh or unfair conditions on workers. Such conditions can include excessive and compulsory overtime, illegal wage deductions or delayed payment, punitively high quotas, physical abuse or discipline, constraints on freedom of movement, repression of freedom of association, sexual violence, and harassment and intimidation.

Sometimes suppliers resort directly to forced labour to meet their obligations.[2-7] Others open the door to forced labour later on by engaging in risky practices like unauthorised product and labour subcontracting.[8] But regardless of whether the consequences are immediate or time-delayed, the forces unleashed by irresponsible sourcing practices almost invariably trigger a demand for labour exploitation somewhere along the supply chain.

Time pressures and unstable sourcing

Global production is widely reported to be speeding up. Companies are always striving to offer customers something 'new', and a consequence of this has been ever-smaller orders with ever-shorter turnaround times.[9] These time pressures fuel labour exploitation across several sectors, from the production of high-end consumer electronics and home goods to leather and footwear,[10-13] but nowhere is the issue thrown into such stark relief as in 'fast fashion'. Where it once took six months for runway styles to hit high street stores and catalogues were designed around the four seasons, we now see retailers with "up to 52 season cycles, with a new product line every week".[14]

The enormous strain this places on suppliers and workers is further exacerbated by price and quality pressures as well as smaller order sizes. A recent study of the garment sector for the United Nations Industrial Development Organisation (UNIDO) finds that, "without exception, clothing and textile researchers have been noting how [lead firms] are insisting on lower prices, better quality, shorter lead times, smaller minimum quantities and supplier acceptance of as much risk as possible".[15] Forced labour in garment production is not new, and has been well-documented among the unregistered factories, home workers, and contract and agency workers working in many different national contexts.[16-19] Yet as garment production has sped up we have seen new challenges emerge that have further increased its likelihood.

To meet their obligations suppliers frequently pressure workers to work overly long or consecutive shifts for below-minimum wages while fulfilling extremely high quotas.[20-24] They may also seek out workforces (e.g. children, refugees, irregular migrants) whose desperation, vulnerability and restricted mobility leave them with little choice but to accept illegal working conditions.[25-29] As we saw in chapter 5, such populations also find it difficult to resist or escape psychological or physical coercion.[30] Time pressures on tier-one suppliers, furthermore, are generally passed down to the sub-tiers of the supply chain.

As just one example, the garment suppliers in India's Tamil Nadu region are so affected by this dynamic that the Sumangali system has now emerged, in which young women "live in company-controlled hostels with no freedom of movement so that they will be available to work on call, won't seek work in other factories or mills and will be deterred from joining a union".[31] This need for instantaneous yet cheap labour power is a direct result of decreasing production windows, and it fuels the business demand for forced labour.

Research also suggests that the time-sensitive nature of some products, such as perishable foods or seasonable goods, leads to predictable yet temporary concentrations of forced labour.[32-34] Products like strawberries or tomatoes have very short harvest windows, and at picking time suppliers need a large number of workers but only for a short period. Artificial Christmas wreaths or Valentine's Day hearts are produced under similar constraints, and to cope factories frequently must expand their core workforces while keeping costs as low as possible in the process.

As we saw in the last chapter, this need is often met through either labour subcontracting[35-36] or subcontracting work to smaller, less formalised production sites. These include unregistered factories, where exploitative labour practices are a core part of the business model,[37] as well as informal and unregulated workers including home workers.[38-39]

Instability within MNC sourcing practices adds to the pressure on supplier firms to engage in forced labour. That instability takes many forms, including late-notice alteration to the size, content or timing of orders. A recent study of the 'root causes' of excessive overtime in Turkey's garment industry, for example, found key issues to be delays in the supply chain outside the vendor's control, the limited ability of suppliers to adapt to fluctuating orders, sudden and large orders, the unpredictability of future orders, last minute style changes and short lead times.[40]

Falling prices

Changing price points are also significant to the business demand for forced labour. According to national consumer price indexes, the prices of key household goods like clothing and food have fallen dramatically since the 1980s in many countries.[41-43] Pressure on prices stems, in part, from MNCs competing to sell goods to cash-strapped Western consumers, whose standard of living been hit hard by neoliberal restructuring. Indeed, *The Guardian* recently noted that "Britain is experiencing a rapid decline in living standards with the biggest squeeze in workers' pay since 2014".[44] Downward pressure on prices puts producers at a disadvantage because buyers are not willing to pay as much for goods. And at the same time, many producers face growing business costs because of everything from regulatory or legislative changes to increasing commodity prices.[45] This dynamic is often referred to by economists as the 'price-cost squeeze'.

MNCs use their disproportionate commercial power to maintain their own profit margins even as prices fall. They do this by passing costs onto already squeezed suppliers. These relentless and ever-worsening pressures around price and cost are a key driver of forced labour in the global economy. Mark Anner, a professor of labour and employment relations at Penn State University, once illustrated this point in an interview using an anecdote from a factory he visited in El Salvador:

> [The owner] explained that the statutory minimum wage had just gone up by 10%. So, I asked her, 'What did you do about it'? And she said she called the lead firm that was providing her with her orders…and she told them that she was going have to adjust her prices to reflect the fact that she now had to pay a higher statutory minimum wage. This was important because we know that about 80% of her overheads were labour costs…The lead firm paused for a moment and said, 'No, you don't understand, that *is* the price point. There is only one question and that question is, "Can you make this order at this price point?" Because if you can't, with one or two phone calls we can move this to Haiti'. 'So, what happened then?', I asked her. She said she got on the megaphone and basically told the workers that they had to work 10% faster.[46]

The naked market power at work here is not uncommon in global supply chains. Although the lead firm was not responsible in this instance for altering the price point, it used its power to force its supplier to absorb the added cost of the recent shift in production costs. When shocks like this happen, suppliers use several cost-minimisation and revenue-generating strategies to mitigate the effects, including forced labour. In this light, it is unsurprising that global data on forced labour indicates that it is most prevalent in the agricultural sector,[47] where producers have been badly hit by rising costs of inputs (e.g. seeds and energy) and decreasing prices for their final goods (e.g. wool, sugar, beef, wheat).

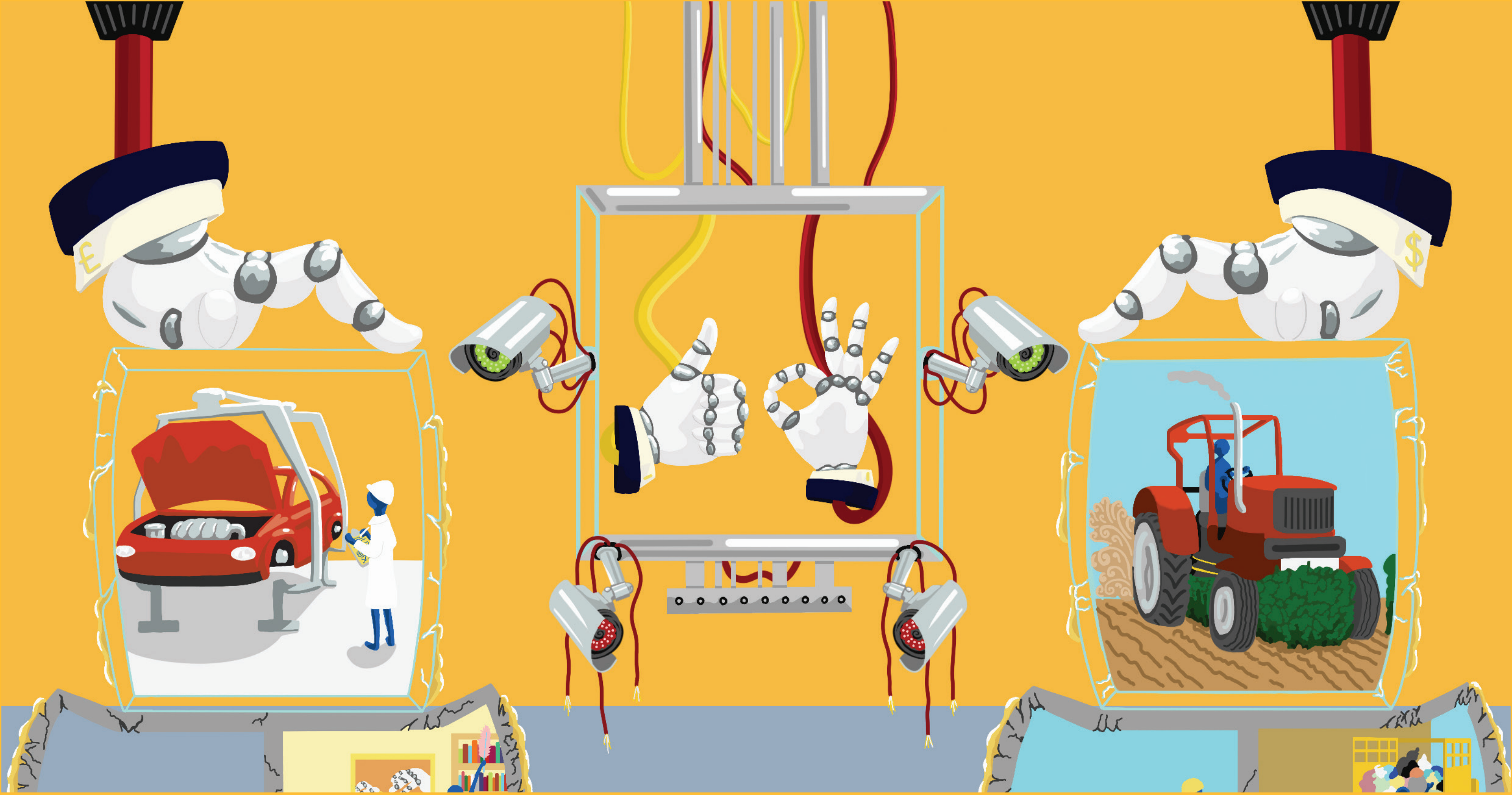
MNCs further exercise their power by delaying payments to suppliers. Suppliers' tight margins make it difficult to pay production costs up front *and* wait long periods to recoup those costs, yet this is exactly what retail buyers frequently compel them to do. In the UK, Tesco has become infamous among farmers for this reason.[48-49] Despite the colossal profits Tesco makes, farmers report the company disputes agreed payment plans, imposes penalties for crop deficiencies, and makes un-scheduled deductions for in-store promotions. Where farmers contest these changes, further delays to payments can result, with the consequence that farmers are unable to cover their own overheads and may be forced into debt or to transfer their costs onto the labourers working for them.

In short, the unwillingness of MNCs to budge on their own profits – even in the face of rising production costs and falling prices – is a key driver of the business demand for labour exploitation and forced labour.

Conclusion

Today, the risks of forced labour are well documented. High-tech programmes also exist to help companies measure and mitigate risks, and to prevent and address forced labour in their supply chains. Yet, they continue to use irresponsible sourcing practices that are established triggers of the business demand for forced labour.

As we will see in the next chapter, MNCs are investing considerable resources in ethical certification schemes and social auditing programmes to combat forced labour and trafficking in their supply chains. Yet such schemes generally fail to address the root causes of problems, such as time and cost pressures, and some place even greater burden and punitive pressure on suppliers which can push problems deeper into the shadows of supply chains.



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Governance gaps

A final root cause underpinning the business demand for forced labour are the governance gaps that allow employers to perpetrate it with impunity. Although forced labour has long been formally banned, the laws designed to protect workers are spottily enforced and it is rare that government inspectors physically check to see whether or not businesses are selling goods made with forced labour. Indeed, in the United States, one recent study found that "an employer would have to operate for 1,000 years to have even a 1 percent chance of being audited by Department of Labor inspectors".[1]

Where non-government monitoring systems also exist, they are generally ineffective when it comes to detecting and correcting forced labour. Most social auditing systems focus on first-tier suppliers' core workforces, and thus neglect the portions of supply chains where vulnerable subcontractors work and the risks of forced labour are highest. Furthermore, such private systems are riddled with conflicts of interest. When abuses are uncovered, they tend to be reported only to retailers who then have discretion over whether or not to act on them.[2-8]

In this sense, businesses' 'freedom to exploit' must be understood as running in parallel to workers' lack of the freedom to say no. Klara Skrivankova of Anti-Slavery International captures this point well when she says that forced labour's "underlying causes include a regulatory framework in which the use of forced labour makes 'business sense' even if illegal, because the risks of discovery and prosecution are low, [in light of] weak enforcement of labour standards".[9]

The governance gaps and enforcement issues surrounding labour standards in global supply chains have been studied extensively.[10-14] There is also a smaller body of emerging research that specifically considers gaps surrounding forced labour.[15-19] Synthesising across this work, we suggest that there are at least three key governance gaps that have been strategically created around and within supply chains that facilitate the business of forced labour. These are:

1. the consistent under-enforcement of national and sub-national labour regulations;

2. weak global governance and national legislative approaches to ensuring labour standards in global supply chains, such as transparency legislation;

3. a governmental preference for self-regulation and corporate social responsibility (CSR) initiatives, which are too often not fit for purpose such as poor quality auditing and social certification programmes.

At the outset of this report, we noted that globalisation has been characterised by declines in the national enforcement of labour standards.[20-26] In chapter 5, we showed how dangerously low levels of labour inspection create a pool of workers who are vulnerable to forced labour. Here, we show how poor enforcement of national and sub-national labour laws also contributes to businesses' demand for forced labour.

Poor enforcement of labour standards

Across many countries, national and sub-national agencies tasked with enforcing labour standards have had their budgets and staff cut to the extent that they are no longer effective. This makes it unlikely that businesses will be caught committing labour violations. If they are, the consequences are rarely more than a minor inconvenience; the penalty for violating the labour code in Bangladesh, for example, is a mere US$325.[27] This creates a context in which businesses can safely include forced labour within their business model.

While unenforced labour standards are often considered to be a 'developing country' problem, they contribute to the thriving business of forced labour in developed countries as well. As Allain *et al.* (2013) demonstrated in their study of forced labour in the UK, "vulnerability to forced labour is not an inherent quality of the person subjected to it, but rather is rooted in structural vulnerabilities established within the UK economy. These result in denying effective protection for workers' rights, particularly at the lower rungs of the labour market." They found that this context creates an environment where it makes "business sense to use forced labour", which they then demonstrated using the commercial cannabis, food and agricultural industries as examples.

The under-enforcement of labour standards has become a popular strategy for attracting and maintaining investment, or for preventing offshoring, in the era of globalisation. It is part of an ongoing redesign of the labour market and business regulation to maximise profitability.[28] Consequently, illegal business practices like forced labour have become stable and now constitute viable parts of many organisations' business models.

One recent study found that "an employer would have to operate for 1,000 years to have even a 1 percent chance of being audited by Department of Labor inspectors"[1]

Weak global governance

As awareness of forced labour has grown over the past decade, a number of transnational regulatory initiatives have sought to incentivise corporate accountability and responsibility for labour standards in global supply chains. These include the 2011 United Nations Guiding Principles for Business and Human Rights,[29] ILO's Protocol of 2014 to the Forced Labour Convention, 1930,[30] and revised OECD Guidelines for Multinational Enterprises.[31]

In addition, the home governments of many transnational corporations (TNCs) – including the United States, UK and France – have passed national legislation intended to strengthen global governance systems to combat forced labour. This has frequently taken the form of transparency or disclosure legislation. One study found that over 55 pieces of national disclosure legislation have been passed since

2009,[32] and high profile examples include: the 2015 UK Modern Slavery Act, 2012 California Transparency in Supply Chains Act, and France's 2017 Corporate Duty of Vigilance Law. As the authors of the study describe, this type of legislation relies on the economic leverage of the private sector to shape and improve working conditions and is anchored in the assumption that knowledge of corporate behaviour will shape consumers' and investors' purchasing decisions.[33]

Transparency legislation varies hugely in terms of its quality and stringency. As Genevieve LeBaron and Andreas Rümkorf note:

> at one end are strong laws that mandate companies to develop a due diligence plan on human rights in their supply chain, to disclose this plan and to implement it. At the other end are weak laws that merely provide statutory endorsement to existing voluntary CSR initiatives and reporting, with no penalty for non-compliance. Most recent legislation falls towards the weaker end of the spectrum.[34]

The UK Modern Slavery Act, for instance, requires companies conducting business in the UK with an annual turnover of £36 million to report on any measures they have taken to prevent or address forced labour. But it does not require them to report whether those measures are actually effective, and does not include penalties for non-compliance. This leaves open the quixotic possibility of brazenly reporting that they are doing nothing. To date, the enforcement of transparency legislation has also been lacking.[35-42] Only a fraction of companies covered under the UK legislation have published reports, and many of those that have been published have fallen short of complying with the law.[43-44] No companies have been prosecuted for non-compliance. As such, this legislation has upheld the status quo and done little to curb the root causes of business' demand for forced labour.

Recent initiatives to address the business of forced labour within the global governance arena have been similarly ineffective. The ILO's 2014 legally binding protocol on forced labour, for instance, does not include a provision on supply chains, while efforts to achieve a binding convention on decent work supply chain governance have yet to bear fruit.[45-47] In short, research suggests that a key factor underlying the business of forced labour is the failure of states to either enforce existing labour standards or to create new, modern, and effective global governance solutions to the problem.

Weak social auditing and ethical certification regimes

Governments have sought to replace their own enforcement capacity by devolving sizeable power, authority and legitimacy to private companies to set and enforce their own labour standards.[48-51] In this context, TNCs have created codes of conduct for suppliers, which they claim to 'monitor' and 'enforce' through social auditing. They also rely on social certification schemes like Fairtrade and Rainforest Alliance to independently verify production standards and communicate these to consumers.

However, a growing body of research reveals that social audit and certification programmes are not effective tools to detect, report or correct forced labour.[52,53] Some of their most crucial shortcomings include:

- Limited audit duration, resulting in a 'snapshot' of practices rather than long-term observation;
- Weak audit methodologies with ample room for deception and cheating;
- Financial conflicts of interest and commercial relations between audit firms and their clients;
- Failure to encompass practices occurring beyond the factory gates, such as debt bondage to recruiters;
- A focus on first-tier suppliers' core workforces rather than the many layers of sub-contracting;
- Marginalisation of workers, who are most aware of how forced labours manifest on the ground, during the audit process.

Many social auditing programmes therefore give a blinkered view of who is involved in production, missing out on vulnerable workers in heavily subcontracted and informal portions of supply chains.[54-55] They give consumers, investors, and the public a false impression of labour standards within supply chains, and give rise to the perception that governance gaps surrounding forced labour in supply chains are being mitigated through voluntary CSR efforts. In reality, such systems do little to tackle the problems at hand.

Briefly put, the inspection and auditing system for global supply chains does more to safeguard corporations' reputations, operations, and profits than protect workers in both developed and developing countries.[56] As LeBaron *et al.* have argued, "for nearly two decades, workers' rights and trade union organizations, scholars, and auditors themselves have documented the flaws of the audit regime; yet, corporations have done little to transform it. The problem is not one of finessing the institutional design or audit methodology, but rather relates to corporate power, politics, and profits".[57]

Weaknesses in private supply chain monitoring systems render them ineffective tools for detecting and addressing forced labour. They are, along with weak enforcement of labour standards and poor global governance frameworks, a key governance gap fuelling the business demand for forced labour.

Conclusion

Existing research suggests that forced labour tends to happen in certain types of industries, activities, and portions of supply chains. It furthermore materialises in the face of specific business pressures, such as cost and time pressures and seasonality. Yet, these insights about the patterns of forced labour in supply chains have not been incorporated into the latest governance initiatives, which systematically under-protect workers by leaving open gaps in which exploitation can occur without redress.

Adequate regulation and enforcement of labour standards within global supply chains would go a long way to eliminating the business demand for forced labour within those chains. And, as the next and final chapter of this report notes, where labour law is effectively enforced, and where businesses face consequences and penalties if they are caught using forced labour, it becomes a lot less viable as a business model.

The key barriers to closing these governance gaps are not technical, but political. As Nicola Phillips and Fabiola Mieres note, they derive from "an unshaken 'market fundamentalism' and a reluctance significantly to challenge the private sector and powerful corporations".[58] It is time for that to change.

12

CONCLUSION

Where do we go from here?

Globalisation's promise was to pull people out of poverty by integrating them into the world market and offering them decent work. It hasn't delivered. Today, hundreds of millions of people are unemployed; more than 75% of the global workforce is on temporary or informal contracts; the ranks of the working poor are expanding daily; the provision of social and labour protection has been reduced; migrant rights are under threat; and exploitative as well as forced labour appear endemic in a number of industries. What is worse, many of the policy efforts aiming to address these problems don't seem to be working. What, therefore, is to be done? In this, our concluding chapter, we point in a number of promising new directions and outline the kinds of actions that can be and have been taken, as well as suggest several avenues of research that could help strengthen the evidence base on exploitation in the global economy.

What do we know?

First, let's review: this report has explored the structural root causes of forced labour in global supply chains. Our core message has been that those roots lie in systemic features of the contemporary global political economy, and that forced labour cannot be successfully tackled without changing these dynamics.

The mechanics and structures of the contemporary global economy create both a 'supply' of vulnerable workers and a business 'demand' for their labour. On the supply side, the key dynamics include poverty, social discrimination, limited labour protection, and restrictive mobility regimes. These, both on their own and in interaction with each other, create a global workforce vulnerable to exploitation. On the demand side, what matters most is the concentration of wealth and ownership, the business models structuring supply chains, major firms' power to dictate the rules of global production, and the manifold governance gaps which make the business of exploitation not only viable but profitable.

These features of the world economy have not evolved spontaneously. Rather, they have been set in motion or catalysed by elite-led processes of neoliberal globalisation that have dramatically changed approaches to economic regulation. States have been fundamental to their institutionalisation, curtailing the structural and individual power of workers to say no and intensifying the structural and individual power of employers to compel them to accept dangerous, risky, and exploitative work. This means that the root causes of forced labour are fundamentally and inherently *political*.

It follows that states and political institutions must take responsibility and push towards genuine solutions. On the supply side, this means tackling distributional questions about poverty and inequality, creating and enforcing meaningful forms of labour and social protection, and responding humanely to the complex dynamics of migration. On the demand side, it means grappling with the dynamics of subcontracting and outsourcing, including in long, complex and informal labour supply chains. It also means asking fundamental questions about the role and power of corporations in the twenty-first century.

What do we still need to learn?

Much is known about the political economy of forced labour, but even more remains to be learned. We need detailed, in-depth and comparative research, with a special focus on causes as well as on the people, institutions and organisations that make the causes of forced labour possible. Below are a few of the key themes that are most urgent for scholars and activists to address.

Political economic policy: It is clear that states produce the conditions needed for forced labour to remain part of many profitable business models, even as sitting governments claim to champion anti-slavery causes. They do this through their political and economic policies relating to labour markets, to immigration and to the regulation of firms. Further research is needed to establish the links between political economic policy frameworks and the prevalence of forced labour and exploitation.

Corporate self-regulation: We know that allowing businesses to police themselves is not enough and we know that the non-enforcement of labour standards helps make forced labour a viable business model. However, further research is needed to understand when, why and how public and private governance of labour standards fall short, and to establish which alternative models of governance could address these failings.

Inequality: The widespread use of forced labour in the contemporary global economy is rarely linked to soaring inequality. Yet our research has led us to believe that the two trends are strongly connected. Although neoliberal discourses have effectively divorced 'poverty' from 'inequality', arguing that only the former is a problem,[1-2] the latest research on inequality[3-6] and the social nature of power[7-8] suggests that inequality is in fact causally related to poverty, with higher rates of inequality worsening deprivation. Further research is needed to understand how income and wealth inequality influence the prevalence of forced labour, as well as to explore forms of wealth redistribution that can successfully address it.

Beyond these big questions, it is also clear that we need focused research into specific supply chains. Scholars must map the length, breadth and depth of individual chains to parse out the distributions of profit and value between actors along the chain, as well as the labour practices linked to these patterns of distribution.

What is to be done?

Thankfully, although more work is needed, a wealth of struggles from all over the globe are pointing the way towards policies and actions able to push back against the root causes of forced labour. Although these neither form a cohesive global movement nor work from a single overarching theory, they include promising initiatives that together form the pillars of an emerging framework for pushing beyond our current neoliberal impasse. Below, we explore a number of promising initiatives to address both the 'supply' and 'demand' factors that we have identified.

Enforcement of labour standards and innovative, worker-led models: An immediate and obvious starting point for better enforcement of labour standards is for states to reverse the labour reforms pushed through by neoliberalisation and to drastically increase both the size and mandate of their labour inspectorates. This will require altering budgetary priorities in favour of workers and their rights. Other promising strategies to bolster workplace standards and decrease exploitation include: the creation of penalties for businesses who violate labour standards, such as Brazil's 'dirty list' for companies found to have used forced labour;[9] targeted enforcement of labour standards in sectors and portions of the supply chain with the highest risks of exploitation;[10] and the protection of collective action and the right to organise.[11] Given the growing evidence that these new strategies are effective in reducing exploitative practices in supply chains, their potential to reduce forced labour should be investigated and bolstered further.

However, in recent years, as governmental monitoring and enforcement of labour standards has decreased, workers' organisations and advocacy groups have pioneered their own alternative strategies to protect workers from exploitation. These include innovative models of labour standards enforcement, such as formally including unions and workers' centres as monitors. Found mainly in low-wage sectors in the United States,[12-13] these models of "co-produced enforcement"[14] have led to decreases in wage theft, unsafe working conditions, discrimination and gender-based violence, and have facilitated the refunds of illegal wage deductions to workers.[15] The Coalition of Immokalee Workers, a farmworker organisation based in Florida, has pioneered this type of worker-led labour standards enforcement[16] and underpinned it with a worker-drafted code of conduct agreed to by partner firms. Worker-driven social responsibility initiatives have been demonstrated to protect and improve conditions for vulnerable and low-wage workers. As such, they should replace traditional, industry-led corporate social responsibility (CSR) initiatives – the shortcomings of which have been well-documented – to address forced labour in supply chains.

Value re-distribution and living wages in global supply chains: Activists and workers' organisations are putting forward a number of novel bargaining strategies to capture a greater share of the value they help to produce, and to achieve living wages in global supply chains. One example is the Asia Floor Wage Campaign,[17] a regional initiative to establish a living wage for garment workers across Asia by bargaining with big brands at the helm of clothing and apparel supply chains. By raising the wage floor for all workers within a regional sector, this type of initiative could reduce the demand for forced labour in global supply chains since it ensures workers get a larger share of the pie.

Increased public goods provision and basic income: If being poor increases a person's vulnerability to forced labour, then policies that reduce poverty will likely reduce the supply of people vulnerable to exploitation. In the age of neoliberalism, with public goods privatised and social protections rolled back, the obvious option is to reverse the neoliberal trend – pushing towards increased social protection, stronger safety nets, more extensive public goods provision, and greater redistribution of wealth.

One potential option for doing this is Unconditional Basic Income (UBI). UBI is defined as a regular payment given to all people without means test or work requirement. It seeks to give all people a solid material base, which could in turn provide them with the monetary security they need to walk away from forced labour. Although it has long been theoretically attractive,[18] it is now increasingly being tested empirically. UBI is currently being piloted in several locations around the world, and the recent results of a UNICEF trial in India are arresting.[19] There, UBI led to an increase in economic activity among the poor and generated improvements in health and welfare indicators ranging from nutrition to sanitation. Its effects also worked against traditional axes of discrimination, resulting in greater benefits for women and the poor than men and the wealthy. Most significantly, however, it engendered a clear decrease in debt bondage, as poor villagers were able either to pay off their debts or to accumulate sufficient cash reserves to avoid indebting themselves in the first place. Given these results, the potential of UBI to contribute to a decreased supply of vulnerable workers should be further explored, in particular with populations vulnerable to or currently experiencing exploitative or forced labour.

Yet cash alone may never be enough. For this reason, we must also explore modalities for the provision of basic needs outside of market relations, such as cooperative natural resource management, land redistribution and legally enshrined guarantees of the means of subsistence to all.

Better immigration policies and the 'employer pays' principle: If punitive mobility and border control regimes facilitate the use of forced labour, then it follows that policies to ensure safe passage and improve conditions and rules for migrant workers must play an important role in curtailing the supply of workers vulnerable to forced labour. Around the world, migrant workers and migrant rights organisations are pushing for better policies and protections to address the exploitation and untimely death[20] of migrant workers. They are pioneering strategies to protect and empower migrant workers from forced labour. One promising idea that features in many such strategies is the "employer pays principle".[21] This recognises that many migrant workers are made vulnerable by the recruitment and service fees they pay to obtain jobs, and seeks to alter that dynamic by shifting the financial burden of recruitment to the employers instead.

Efforts to address the vulnerabilities shaped by immigration policy must be closely intertwined with the robust labour standards enforcement systems described above. As Janice Fine and Gregory Lyon, both professors at Rutgers University, have argued, "preventing the exploitation of vulnerable low-wage immigrant workers requires integrating into immigration reform proposals significantly strengthened labour standards enforcement".[22] We must be careful though. While all of these strategies are promising methods of curtailing the immediate crisis of widespread worker vulnerability to forced labour, they do not fundamentally transform the power dynamics between employers and workers, nor do they disrupt the political economic processes – such as inequality, immiseration, privatisation or land enclosure – that shape the global political economy.

Better governance, including a binding global convention on labour standards in supply chains: Traditional, national, regulatory frameworks – particularly where they are poorly enforced – have proved insufficient for governing labour standards in global supply chains. Put less kindly, they frequently facilitate the use of forced labour by overseas suppliers in global supply chains, and obstruct efforts to hold multinational corporations (MNCs) accountable for the exploitation involved in the creation of their products.[23] Stronger governance is needed to effectively curtail MNCs' ability to legally distance themselves from the abuse and exploitation inherent to their business models and triggered by their purchasing practices.

Activists have called for a binding global convention on labour standards in supply chains to close existing legal gaps and loopholes.[24] Their demand is backed by mounting evidence that direct MNC accountability for working conditions in their global supply chains is effective in combatting exploitation. For instance, the Accord on Fire and Building Safety in Bangladesh,[25] signed by major garment companies following the Rana Plaza collapse in 2013, has led to improved safety, stronger labour rights and reduced exploitation. Stronger governance – including through initiatives that establish legally binding accountability for lead firms for working conditions along their entire supply chain – is a promising strategy to address the business demand for forced labour.

Joint employer and intermediary liability: The rise of labour market intermediaries – including labour providers and contractors, labour agencies, and 'gangmasters' – means that today, a large number of workers are working under the supervision and management of companies who are not technically their employer. As this report has documented, such workers often face challenges when seeking to organise, bargain or access labour protection, and in some contexts they are disproportionately vulnerable to exploitation.

In the United States, a wave of recent court decisions across national and state jurisdictions have confirmed that companies and labour market intermediaries can be 'joint employers', in other words, that companies using temporary staffing agencies, labour providers, and other sub-contracting arrangements are not insulated from responsibility for those workers' conditions. Trade unions and workers' organisations are pushing for broad application of the joint liability principle[26] in relation to global supply chains. The International Trade Union Confederation, for instance, has called for multinational brands to accept joint responsibility for working conditions in their global supply chains, particularly around wages and health and safety.

Such campaigns are promising and deserving of support. An important challenge in this work, however, is enforcement and implementation. As the lawyer and scholar JJ Rosenbaum has argued, "business entities expand their use of contingent work arrangements because these arrangements lower labour costs and in practice often shield liability even when the law says otherwise. The power of a joint employer liability legal regime – whether USDOL, ILO or any other – rests significantly in the effectiveness of its enforcement arm".[27]

Anti-discrimination measures and 'positive action': Chapter 5 explained that discrimination on the basis of race, caste and gender is fundamental to forced labour. These hierarchies intersect with class and other forms of inequality to heighten some people's vulnerability to exploitation vis-à-vis others'. A systematic political response to their heightened vulnerability will necessarily have to address these systems root and branch – challenging the patriarchy, racism, white supremacy, and so on. Doing so will undoubtedly be complex. But examples of state-led 'positive action' do exist. Economic reforms include equal pay legislation, recruitment quotas, and well-enforced anti-discrimination legislation. 'Social' measures with economic effects include parliamentary quotas for previously discriminated against groups, reparations, or the provision of preferential public service access. Further initiatives can be taken beyond the state-level, and support for community self-organisation and collective action is key. The Self-Employed Women's Association are a great example of the power of this in India.[28]

Restrictions on subcontracting: Subcontracting introduces inherent risks into supply chains by limiting lead firms' liability for working conditions and by reinforcing low prices as the key to suppliers' success.[29] The evidence documented in this report compels us to question whether it will be possible to eradicate forced labour from global supply chains without alterating this low-cost business model.

Conclusion

The ILO's Declaration of Philadelphia (1944) urges that "all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity". These conditions are profoundly undermined by the immiserating processes of uneven global neoliberalisation. Those processes, which result in clear inequities and injustices, reveal how little "the attainment of the conditions in which this shall be possible … constitute the central aim of national and international policy". The opposite indeed seems to be the case, with the consequence that millions worldwide are being denied the freedom to say no to exploitative work.

It is time for that to change. With the Eighth Sustainable Development Goal, the world has committed to taking all necessary steps to achieve "decent work for all" and to "end forced labour" by the end of the next decade. Alliance 8.7 has been established to maintain momentum towards that target, and governments worldwide are making pledges that they will meet it. Here, we outline a number of critical strategies that can help them to meet that goal. Ultimately, if we are serious about addressing unfreedom in the global economy, then we need to think seriously about political economy. We need to confront and tackle root causes.

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Chapter 12: Conclusion: where do we go from here?

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"This report is a game changing explanation of why attempts to ensure human rights in global supply chains are failing. The authors' questioning of the widely accepted "truths" of globalization and its impact are a wake-up call to all those brand owners who invest more in risk management than in reassessing how they do business."

—Judy Gearhart, Executive Director, International Labor Rights Forum

"This report offers a powerful analysis of the root causes of labour exploitation in today's global supply chains. Combining top-drawer scholarship with real political clarity, it shows that exploitation is no accident – and it is the big players who are responsible."

—Cathy Feingold, Director, International Department, AFL-CIO

"For those who wish to go beyond facile explanations and instead seek deeper understanding of exploitation and abuse within supply chains, this powerful report is a must-read. Its mix of excellent research and sharp analysis shows that labour exploitation is no accident. No more tinkering around the edges, it is time for fundamental shifts in our global economy."

—Anannya Bhattacharjee, International Coordinator, Asia Floor Wage Alliance

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