CWC BRIEFING PAPER

Investing in Decent Work

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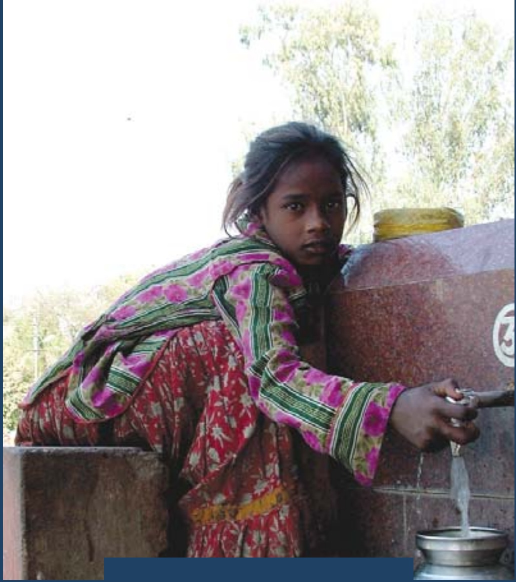
committee on workers' capital



Investing in Decent Work

The case for investor action on forced labour

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About the CWC

The Global Unions Committee on Workers' Capital (CWC) is an international labour union network for dialogue and action on the responsible investment of workers' capital. It is a joint initiative of the International Trade Union Confederation (ITUC), the Global Unions Federations (GUFs), and the Trade Union Advisory Committee to the OECD (TUAC).

The CWC works to educate union pension trustees on responsible investment issues, monitor global trends and policies related to corporate and financial market governance and examine ways in which the responsible investment of workers' capital can yield economic and social value in our communities.

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Investing in Decent Work

The case for investor action on forced labour

Introduction

What role should investors play in tackling egregious violations of workers' rights? How can trade-union trustees take action on unfair labour practices in global markets? Is responsible investment simply a catchphrase in policy circles or does it offer a pragmatic framework to advance positive social, financial and environmental development?

These are some of the broader questions that underpin the CWC's latest research project, which aims to build a case for investor action on forced labour. This briefing paper explains the project's objectives, outlines a few initial research findings and highlights key recommendations for action.

About the project

Forced labour remains one of the most pressing and complex challenges of our time. Estimates suggest that 12.3 million people are working under forced labour conditions of which, 40% are children.[1]

Forced labour or compulsory labour is "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".[2]

According to the ILO, the right to decent work entitles all people to work under good conditions and to earn an adequate living wage that supports their basic economic, social and family needs.[3] In practice, forced labour cannot be equated simply with low wages or poor working conditions. Rather, forced labour represents a severe violation of workers' rights, restriction of freedom and a denial human dignity.[4] As such, forced labour is a striking counterpoint to the concept of decent work.

It is noteworthy that in the 21st century, forced labour is primarily carried out, not by governments, but by private agents.[5] As the use of forced labour is concentrated in the economic sphere, businesses must do more to tackle this problem. Consequently, this project focuses on institutional investors, and trade union trustees in particular, as they can influence the companies they invest in to have progressive policies and practices on forced labour. In doing so, the project emphasises that forced labour is as much an issue of investment risk, as it is a matter of social responsibility.

The project brings three inter-related issues into focus. First, forced labour is widespread and costly. Second, forced labour practices pose significant risks to shareholder value and third, although investors have taken some action to address forced labour, this action has been limited.

Our initial research findings suggest that a crowded responsible investment agenda and difficulties in integrating social issues in investment decision-making are barriers to more effective and coordinated investor responses on forced labour. Even so, the CWC proposes that institutional investors can leverage their rights as shareholders, build on existing policy frameworks and work with partner organisations to mitigate the observed barriers. The paper concludes with a set of action points for institutional investors who wish to support global efforts to eradicate forced labour.

Forced labour in the global economy

Globalised markets and systems of production have generated many benefits. However, they have also ushered an ever-increasing demand for cheap labour which has placed a downward pressure on employment conditions and wages. These dynamics, along with high levels of labour migration, have raised the vulnerability of workers to exploitative practices such as forced labour.

Forms of forced labour include:[6]

- **Slavery:** a person is treated by "owners" as if they were possessions.
- **Serfdom:** a person is bound to live and labour on land belonging to another person. The worker is forced to perform services which are not always compensated.
- **Bonded labour (debt bondage):** a person's labour is demanded as means of repayment for a loan or any other form of debt.
- **Prison labour:** a prisoner is forced to work because of limited legal rights.
- **Forced overtime:** a person works extra hours involuntarily and under the menace of a penalty.
- **Child labour:** a child that is forced to work.
- **Trafficked labour:** a person that is recruited and transported coercively for the purpose of exploitation.

Forms of forced labour and the mechanisms used to obtain forced labour share two common features: the exercise of coercion and the denial of freedom.[7]

Forced labour is widespread and costly

The ILO report A Global Alliance against Forced Labour provides compelling evidence that forced labour is a truly global problem in modern labour markets.[8]

Women, ethnic or racial minorities, migrants, children, and above all the poor are particularly vulnerable to forced labour. Many observers are concerned that these groups will face even greater vulnerability to forced labour in the wake of the recent global financial crisis, as they are least covered by social protection systems.

Photo: flickr.com/photos/adrenalin/3324160

Photo: flickr.com/photos/vipez/2709961878

Case example Forced Labour in the Global Economy[9]

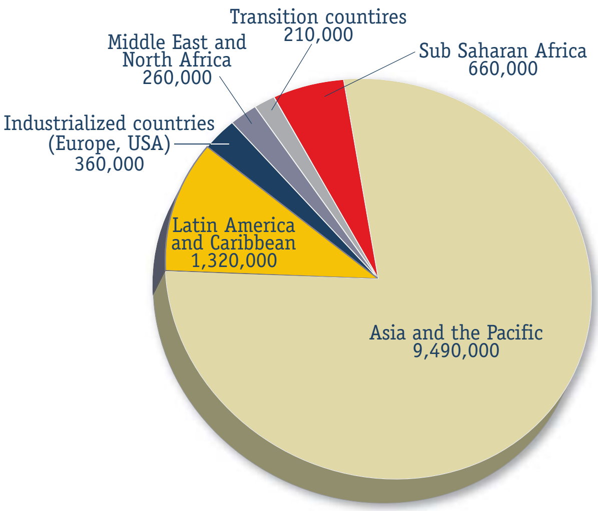
In July 2008, Nike was accused of using trafficked and forced labour. The alleged incidents took place in the Hytex factory in Malaysia, where Nike contracts were being filled.

According to reports, migrant workers were recruited by labour brokers in Myanmar, Bangladesh and Vietnam and promised higher wages when moving to Kuala Lumpur. In order to secure such a job, the workers had to pay a significant fee, which in some cases, was up to a year's wage.

Once in Malaysia, the workers had to sleep in cramped rooms without adequate space or sanitation. They had to work six days a week for meagre wages and were unable to travel, as their passports had been confiscated. Some workers could buy back their passports and pay back their debt. However, with the limited wages, these options were impossible.

Following an embarrassing exposé by the Australian Broadcasting Corporation, Nike's response to the allegations included commitments to move workers to better housing conditions, to refund recruitment fees and to provide workers with their passports and free flights home.

Regional distribution of forced labour[10]



Forced labour occurs in a variety of investment sectors. Forced labour especially affects workers in labour-intensive economic sectors with a high labour turnover and seasonal shifts, such as agriculture, construction, mining, textiles and garments and restaurants.

Forced labour has far-reaching social, psychological and financial impacts on individual workers. The ILO estimates that the total financial cost of coercion to workers affected by forced labour – excluding the victims of forced commercial sexual exploitation – is approximately US$ 21 Billion.[11] This figure is based on estimates of the financial cost to workers in terms of unpaid wages, unremunerated overtime and other deductions. This finding is significant in that it provides a rationale for why forced labour should be seen as an economic as well as a moral and human rights issue.

Research findings

Forced labour poses investment risks

Forced labour presents a range of potential risks to shareholder value. This creates a clear incentive for investors to understand these risks and step up their support for addressing the problem of forced labour.

Political risks

Investing in regimes that employ forced labour creates significant political risks such as expropriation and the threat that fixed assets may be stranded by sanctions. Burma is a foremost example in this regard, as the current military regime has consistently flouted international human rights norms. Aung San Suu Kyi, the leader of the pro-democracy opposition in Burma, has indicated that when the junta eventually falls, foreign companies that supported the illegal military regime are likely to face expropriation without compensation.[12]

Profitability and reputation

A failure to manage social risks such as forced labour could negatively impact a company's share price, brand value and operational performance. Public-facing campaigns and consumer boycotts may prevent companies from being able to sell their share in projects linked with forced labour or may force a sale at a heavily discounted price. If a company becomes the subject of a sustained campaign, management time and resources may be unproductively diverted from business operations. Such exposés can tarnish a company's brand image and customer base. For instance, the sportswear company Nike experienced falls in sales and share price over allegations of the use of child labour in factories working as third party suppliers in the manufacture of its sportswear.[13]

A company may face weakened operational performance resulting from increased employee turnover and lower worker motivation and productivity in the supply chain due to forced labour conditions.[14] Under-investment in factory working conditions has been increasingly associated with low productivity, particularly as factories require higher skills and labour pools begin to shrink. Companies sourcing from such factories may therefore face greater disruption and be forced to find new suppliers at short notice.[15]

Firms that consistently violate expectations of ethical behaviour also confront moral liability, which can ultimately put business value at risk.[16] Moral liability reflects a shift in societal expectations of responsible business. These expectations are forcing companies to adopt new business models in relation to a number of different areas, including respecting labour standards in their supply chain.[17]

Legal and regulatory risks

Investors should be aware that companies implicated in the use of forced labour and human trafficking could face lawsuits. The risk of litigation could entail lengthy delays, additional costs and in some cases may even halt certain investment projects. For example, War on Want, a UK-based NGO, has called on the UK government to introduce legislation that will enable overseas workers who supply UK companies and suffer exploitation to seek legal redress in the UK.[18]

Case example

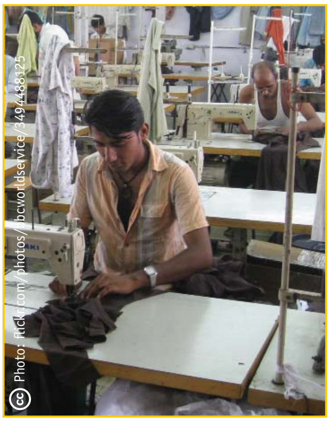
Forced Labour and regulatory risk[19]

In 2004, thirteen Nepalese men were killed in Iraq after being trafficked into the country. According to family members, the men believed that they were being recruited to work in hotels and restaurants in Amman, Jordan. Instead, it is alleged that Daoud & Partners, a Jordanian security company, confiscated the passports of these men when they arrived in Jordan. It is also alleged that the company then trafficked the workers to Iraq to work on a US military facility associated with the U.S publicly traded company, Kellogg Brown & Root (KBR).

In 2006, nine of the victims' families filed action against Daoud and its insurance company in an administrative court which has jurisdiction over cases that involve workplace injuries and deaths at overseas military bases. In April 2008, the judge found that the men's families were entitled to death benefits. The following August, family members of the workers also filed a joint action lawsuit, claiming that KBR and Daoud were responsible for the trafficking scheme. The case is still pending before the court.

Investor action on forced labour is possible but limited

The diverse sources of risk - political, legal, regulatory, financial and reputational - related to the use of force labour, coupled with strong moral arguments have motivated investors to take some action on forced labour.



Since the late 1990s, high-profile cases of forced labour in a range of sectors - agricultural, mining, textiles and manufacturing - have garnered significant media attention. Investors appear to have been responsive in such cases. For example, in 2006, reports emerged regarding the use of slave labour in the Brazilian pig iron supply chain. In response, a group of investors led by Hermes[20] used the United Nations Principles for Responsible Investment (UNPRI) Clearinghouse to organise and initiate a comprehensive engagement with a variety of companies including Bombardier, DaimlerChrysler, Deere & Co, Ford Motor Company, General Motors, Harley Davidson, Honda Motor Company, JFE Holdings, Magna International, Nippon Steel, Russel Metals, Sumitomo Metal Industries and Suzuki Motor Corp.[21]

Similarly, in 2005, a coalition of NGOs campaigned effectively to raise public awareness about the state-sponsored use of forced child labour in the Uzbek cotton industry. Following the campaign, the NGO coalition, joined by investors and sector-related companies, began working together to form the Responsible Cotton Network in 2008. As a result of the Network's actions, many clothing companies came under strong pressure to exclude Uzbek cotton from their supply chains, in order to ensure they were not complicit in the violation of these children's rights.[22]

Case example

Investor action on forced labour in Burma[23]

Since 2007, institutional investors have worked to draw attention to the social and financial risks associated with investing workers' capital in Burma in light of the junta's poor labour rights record. A few examples include:

The Danish fund ATP announced divestment from TOTAL and all oil and gas companies dealing directly with the Burmese regime's Myanmar Oil company.

The Teamsters General Fund and United Steelworkers were part of a shareholder coalition that requested Chevron's Board to review and develop guidelines for country selection and report these guidelines to shareholders and employees in 2008. In 2009 they called on the company to disclose the criteria it uses to start and end investments in high-risk countries. This latter resolution received support from more than 25 percent of the shares cast at the company's annual meeting.

The Canadian Labour Congress lobbied the Canada Pension Plan's Investment Board and called on the Canadian Prime Minister to ban on Canadian investments in Burma. This may have contributed to the toughened sanction regime against Burma announced by the Canadian government in November 2007.

In 2008, Norges Bank Investment Management (NBIM) and APG Asset Management began engaging major cocoa suppliers and chocolate producers on how they were monitoring child labour risks in West Africa. Companies were asked to develop and disclose action plans to monitor and combat child labour in their operations and supply chains. According to the investors, companies appear to be taking more direct responsibility for tackling child labour in part by buying more cocoa directly from farmers, working to improve social conditions and improving risk management. However, citing the failure to meet targets set by the 2001 Cocoa Protocol to eliminate the worst forms of child labour by 2005, investors remain concerned about stalled efforts at the industry-wide level.[24]

Overall, while individual companies may commit to taking action on particular issues and concerns that garner media attention, investors have had limited success in affecting broad-based or sector-wide commitments on the eradication of forced labour.

Roadblocks

When we consider the scale and scope of forced labour in the global economy, clearly effective action on this issue is needed now more than ever. However, as part of future action plans, institutional investors will have to address a number of challenges, a few of which are explained here.

A crowded responsible investment agenda

Some observers suggest that the financial crisis presents an opportunity for investors to reflect on issues of long-term sustainability. This has resulted in a growing recognition that environmental, social and governance (ESG) issues play an important role in value creation. In the midst of the global financial crisis in 2008, the United Nations Principles on Responsible Investment (UNPRI) noted that in the year since the start of the credit crisis, the number of institutions signing the Principles grew 65%, and the rate of growth since the start of 2008 continued at 37%.[25]

As investors are increasingly "buying-in" to the principles of responsible investment, their obligations and investment practices are also expanding in range and frequency. For instance, in the U.S. 2009 proxy voting season, shareholder members of the Interfaith Centre on Corporate Responsibility submitted a total of 365 resolutions (up from 352 in 2008) to 245 companies addressing a broad range of social, environmental and governance issues. Of these, 322 included a component calling for greater disclosure on matters of corporate social performance.[26]

The proliferation of work on responsible investment raises important questions about which issues emerge on the responsible investment agenda and how priorities for action are established. Developing coordinated responses to such questions will have important implications for the future of responsible investment.

Information asymmetries

With the increasing number of actors and issues in the responsible investment sphere, "information asymmetry" is becoming a danger. Available information resources may not be used productively because they vary in quantity, quality and accessibility.[27] This raises a paradox whereby genuine progress and mainstreaming of responsible investment policies and practices could be significantly hindered by the type and quality of information on major ESG issues like forced labour.

Questions that arise here include: What are the information needs of investors who wish to consider forced labour as part of their investment-decision making process? What mechanisms should be fostered so as to meet these needs in a timely and actionable way?

Social metrics

A 2010 Study by the Danish Institute for Human Rights (DIHR) concluded that although the financial sector has a wide range of processes to assess investment risk, social issues continues to play a relatively minor role in investment decision making. This conclusion points to a further challenge for investors.

The primary barrier to integrating social issues into financial sector processes is the widespread perception that social issues are not material to financial valuation.[28] The fact that many social issues and their impact on financial viability are difficult to quantify further exacerbates this challenge. Pertinent questions in this respect include: How should forced labour be integrated into asset valuation, if at all? Which aspects of forced labour should be deemed material and can they be quantified? What bearing should forced labour have on asset valuation? How can forced labour-related criteria can be integrated into the investment processes of a wide range of financial actors?[29]

Drivers for action

The problems associated with forced labour practices are real and pressing, and present credible risks for investors. Despite the considerable challenges, institutional investors have tools at their disposal to take action on forced labour. They can leverage their rights as stewards of workers' capital; build on existing policy frameworks and use "hot-topics" as a departure point to engage companies on forced labour.

Leverage workers' capital

A large portion of workers' retirement savings and pension funds - otherwise known as workers' capital – are invested in shareholdings in global capital markets. Assets held in workers' retirement funds are increasingly global, and often invested in transnational corporations. These corporations may focus on short-term returns, while long-term social and environmental challenges – including forced labour – are not addressed.

As the earlier discussion on investment risks suggests, neglecting these challenges can adversely impact the sustainability of our economies and the well-being of working people. This may eventually undermine the ability of pension plans to provide long-term financial returns promised to pension fund beneficiaries. Stewards of workers' capital, especially trade union pension trustees, must play an important role in ensuring that pension investments, aside from generating short-term financial returns, do not undermine the fundamental rights of workers.

Draw on the policy context

The International Labour Organisation (ILO) articulates global standards on the eradication of forced labour, while the United Nations Principles on Responsible Investment (UNPRI) defines the role and responsibilities of investors in taking such standards into account in their investments. Linking these two global policy instruments offers a valuable framework for investors who want to play an active role in tackling forced labour.

Further guidance is available in the OECD Guidelines for Multinational Enterprises. The Guidelines are a set of voluntary principles and standards for responsible business conduct. Investors should refer to Section III of the Guidelines (Employment and Industrial Relations) which specifically addresses child labour and forced labour.

Use red flags as a point of departure

Given the scale and scope of the problem, institutional investors may feel wary of taking action on forced labour. However some aspects of supply chain management, as part of broader investment risk management strategies, warrant urgent attention.

For example, the use of labour brokers and/or export processing zones (EPZs) have been linked to forced labour.[30] Similarly, under new US legislation on human trafficking (Trafficking Victims Protection Re-authorization Act of 2005, TVPRA) the Department of Labor (DOL) is required to monitor and combat child labour and forced labour. The DOL publishes a list of goods believed to be produced by forced labour or child labour in violation of international standards.[31] This is a tool that investors can use to identify the sectors and countries where forced and child labor risks are higher.[32]

Institutional investors could consider such "red flags" when making investment decisions and use them as a point of departure for engaging companies on forced labour.

Taking action

The risks highlighted in our research support the view that forced labour can negatively impact the creation of sustainable and responsible long-term value for investors. Institutional investors ready to lend their support in the global fight against forced labour may take these steps.

Assess your risks

A simple first step involves asking your investment manager to answer questions such as:

- Does your fund own shares in companies with significant exposure to forced labour?
- How does your investment manager assess the reputational, financial, legal and political risks that forced labour may pose to your fund?
- What is your investment manager's strategy for addressing these risks?

Take a public position

Ask your fund to take a public position on the risks posed by investments in companies that may be using forced labour, or on gross violations of labour rights more generally. You can ask your board of trustees to publicly report on your discussions on forced labour, and more specifically on the questions raised above.

Communicate with plan members

You can inform your pension fund members on the board of trustees' discussions on forced labour and what your fund intends to do regarding companies with significant exposure to forced labour or confirmed incidences of forced labour being used. Ask for members' feedback, and outline possible strategies to respond to the problem, including divestment.

Engage companies directly

As concerned shareholders, you (or your investment manager or service provider acting on your behalf) can communicate directly with companies in your portfolio, informing them in writing or in person of your concerns. In any communication, you should state how many shares of the company you own, and outline your concerns regarding the reputational, financial, legal and political risks arising from the use of forced labour. Make sure you ask the company to explain the specific measures it has implemented to ensure it is not complicit in, or contribute to labour rights violations such as the use of forced labour. Further recommendations are noted in the adjacent page. Engagement on forced labour will usually occur in one of the following phases:

- **Prevention:** Engagement involves the proactive management of risks associated with forced labour
- **Release:** Engagement usually occurs after allegations of forced labour have been verified and prioritises terminating forced labour conditions
- **Rehabilitation:** Engagement focuses on appropriate reparations for survivors of forced labour.

Share information and network

Collaborating and pro-active information-sharing on forced labour, is very helpful, especially sharing information with other trustees. Your union or national center may be able to help you connect with other trustees in your country. The Global Unions Committee on Workers' Capital can help you connect with trade union trustees working on forced labour internationally.

Recommendations for engaging companies on forced labour

Depending on which stage investors begin their engagement, some questions may be more critical than others. A set of recommended questions that institutional investors can use to engage companies in their portfolio on the issue of forced labour is provided here.

Adapted from Global Unions Committee on Workers' Capital (CWC). 2007. Burma Investor Fact Sheet.

Determining exposure to forced labour

- What is the company's exposure to forced labour?
- Is the company aware of the forced labour conditions in its supply chain products and the countries they are sourced from?

Ensuring adequate policies on forced labour

- Does the company have a policy banning the use of forced labour?
- Does the policy include respect for worker representation, principles of non-discrimination, minimum age, regular and direct payment of wages and prohibit the confiscation of personal documents and the use of violence and intimidation?
- Does the company's supply chain labour standards policy cover forced labour?
- Is the supply chain policy embodied in all contracts with joint ventures partners, suppliers and subcontractors, including external employment agencies?

Implementation of policies on forced labour

- Are the company's management systems for implementing its forced labour policy comprehensive?
- How are employees informed of their rights in all stages of the supply chain?
- Is compliance with the company's policy on forced labour monitored with the involvement of independent trade unions?
- What procedures are in place to remedy any non-compliance found? Specifically, does the company have an action plan in place to provide for the release and rehabilitation of forced labour survivors. Do these plans cover effective and adequate compensation for forced labour survivors?
- Is the company part of a multi-stakeholder initiative that could help manage forced labour in its supply chain?
- Is the company open to observing best practices on contributing factors to forced labour?
- How are the company's management systems for supply chain labour standards integrated with its procurement management systems?
- Does the company report publicly on this issue, in particular on the amount and type of non-compliance found with its policy?
- Does the company seek feedback from trade unions about the content of its report?

Relationships with suppliers

- Does the company have long-term relationships with its suppliers?
- How does the company communicate this policy to suppliers?
- Does the company audit suppliers against this policy? If so how often?
- Does the company provide training and capacity building on labour standards to its suppliers?
- Does the company ensure that costs of complying with labour standards are not unfairly passed on to producers in economically developing countries.

What the CWC is doing about forced labour

The CWC will extend the initial research findings from this paper to support a global investor initiative on forced labour.

In the next phase of our research project, we will work with trade unions and other organisations to identify specific companies with a high likelihood of forced labour practices in their respective supply chains. The forthcoming research will also include an impact analysis for selected cases of investor action on forced labour.

Using a qualitative case-study approach, our efforts will focus on publicly traded companies in the consumer goods sector. This is because recent research has established that the consumer goods sector has a relatively high risk of exposure to the use of forced labour.[33] Moreover, companies in this sector may to be more sensitive to reputational risks than companies that focus on business to business relationships.[34] The combination of risk exposure and reputational sensitivity could give institutional investors better leverage in engaging companies on forced labour.

The finalised research report will be launched in October 2010.

Further resources

The International Labour Organisation (ILO) runs a Special Action Programme to combat Forced Labour (SAP-FL). The Programme was created in November 2001, as part of broader efforts to promote the 1998 Declaration on Fundamental Principles and Rights at Work and its follow-up. The SAP-FL works to raise global awareness of forced labour in its different forms, as a necessary prerequisite for effective action against it. Several thematic and country-specific studies and surveys have since been undertaken, on such diverse aspects of forced labour as bonded labour, human trafficking, forced domestic work, rural servitude, and forced prison labour.

Website: www.ilo.org/sapfl/AboutSAPFL

The International Trade Union Confederation (ITUC), in close cooperation with the ILO's Bureau of Workers' Activities (ACTRAV) and Special Action Programme on Forced Labour (SAP-FL), coordinates the Global Trade Union Alliance to Combat Forced Labour and Trafficking. The Alliance aims to build capacity among trade unionists to fight forced labour and human trafficking in a structural and coordinated way. The ITUC works with friendly organisations such as Anti-Slavery International and the American Solidarity Center to broaden cooperation on these issues. The ITUC also cooperates with the Global Union Federation to detect forced labour practices and react to them by confronting governments and/or employers. The ITUC's work on eliminating forced labour pays special attention to the rights of migrants, domestic workers, workers in the informal economy and child labour. To support this work, the ITUC produces in-depth briefing reports, action guides and a newsletter on forced labour.

Website: www.ituc-csi.org/+-forced-labour,30-+.html

The United Nations Principles for Responsible Investment (UNPRI) provides a voluntary framework for investment professionals who seek to include environmental, social and corporate governance factors in their investment decision-making. The initiative was launched in 2006 and is supported by the UN Global Compact and the UN Environment Programme, and is endorsed by the UN Secretary-General. The PRI reflects the core values of the group of large investors whose investment horizon is generally long, and whose portfolios are often highly diversified. However, the Principles are open to all institutional investors, investment managers and professional service partners to support. PRI signatories have coordinated action on forced labour through collaborative engagements. The PRI clearinghouse is a useful tool in facilitating links and information-sharing among PRI signatories.

Website: www.unpri.org

Photo: flickr.com/photos/arifur/rahman/4567633112

Endnotes

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[19] Case summarised from: UN Global Compact. Human Rights and Business Dilemmas Forum. Forced Labour, Legal Risks. Accessed at: http://humanrights.unglobalcompact.org/dilemmas/forced-labour/

[20] Hermes is an asset manager owned by the BT Pension scheme, the UK's largest funded pension scheme.

[21] UNPRI. Collaborative engagements by PRI Signatories. Accessed at: http://www.unpri.org/collaborations/#2

[22] Case summarised from: UN Global Compact. Human Rights and Business Dilemmas Forum. Forced Labour, Legal Risks. Accessed at: http://human-rights.unglobalcompact.org/case_studies/forced-labour/forced_labour/combating_forced_child_labour_in_uzbekistan.html

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[28] Danish Institute for Human Rights. 2010. *Values Added: The Challenge of Integrating Human Rights into the Financial Sector*. Accessed at: http://198.170.85.29/Danish-Institute-pressrelease-re-Values-Added-report-4-Jan-2010.pdf

[29] The DIHR report referenced earlier offers valuable insights to these questions, which for the sake of brevity are not replicated here.

[30] See for example: International Labour Organisation. (ILO). 2009. *The Cost of Coercion: Global Report under the follow-up to the ILO Declarationon Fundamental Principles and Rights at Work*. Report of the Director General to the 98th Session of the International Labour Conference. International Labour Office: Geneva. p.16; Lang, Andrew. 2010. "Trade Agreements, Business and Human Rights: The case of export processing zones." Corporate Social Responsibility Initiative, Working Paper No. 57. Cambridge: MA. John F. Kennedy School of Government, Harvard University; Perman Sarah. et al. 2004. *Behind the Brand Names: Working Conditions and Labour Rights in Export Processing Zones*; ITUC. 2010. News Release: Annual Survey of Trade Union Rights. Accessed at: http://www.ituc-csi.org/ituc-annual-survey.html

[31] US Department of Labor Documents, *Notice of Procedural Guidelines for the Development and Maintenance of the List of Goods from Countries Produced by Child Labor or Forced Labor*; Request for Information – Federal Register Extracts (27 December 2007).

[32] EIRIS. 2009. *A Risky Business? Managing core labour standards in company supply chains*. p.21-22

[33] Ibid.

[34] Ibid.

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