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Minding their own business? Firms and activists in the making of private labour regulation

Fransen, L.W.

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Appendix I: The eight private regulatory organizations

1. Introduction

This appendix summarizes some characteristics of the eight private regulatory organizations for labour conditions in the clothing production chain. The information presented here also features within the main text, but it is collected here in order to offer the reader the key points at a glance. First it summarizes the main points in the history of the development of the organizations (as discussed in Chapter Four); then it rehearses how stringent these organizations are (as established in Chapter Three); and finally it presents their main policy characteristics (as in Chapter Three).

2. History

The eight regulatory organizations were developed between 1996 and 2004 in the United States and Europe, through formally independent negotiations. However, some firms and activist groups were party at more negotiation tables and the research shows that information about developments diffused between different sets of negotiators.

- The *Fair Labour Association (FLA, www.fairlabor.org)* started as the Apparel Industry Partnership (AIP) in 1996, including at first American apparel and sporting goods firms including Nike, Reebok and Liz Claiborne, trade unions and NGOs in the discussion on development of a code of conduct and an implementation scheme;
- *Social Accountability 8000* by the Council on Economic Priorities Accreditation Agency (CEPAA, later renamed *Social Accountability International, SAI, www.sa-intl.org*), was established by the US social research institute Council on Economic Priorities and included brand and retail firms, as well as NGOs and unions in development, from 1996 onward;
- The *Ethical Trading Initiative (ETI, www.ethicaltrade.org)* was negotiated in the UK from 1996 onwards, as a result of the engagement of NGOs and trade unions with company representatives, of mainly multi-product retailers, which are the biggest players in the UK market for consumer products;
- The *Fair Wear Foundation (FWF, www.fairwear.nl)* was the result of negotiations starting 1995 in the Netherlands. FWF is a collaboration of two clothing industry related trade associations, Modint and Mitex, Dutch trade unions, and Dutch labour and developmental NGOs;
- *Worker Rights Consortium (WRC www.workersrights.org)* was developed from 1999 onwards as an initiative by the US United Students Against Sweatshops, the American trade union federation AFL-CIO, together with a group of American NGOs as well as garments union UNITE

- *Worldwide Responsible Apparel Production programme (WRAP, www.wrapapparel.org)* was initiated by the American Apparel Manufacturers Association (nowadays American Apparel and Footwear Association, AAFA) from 1998 onwards, with input from consultants and US university staff;
- *Business Social Compliance Initiative (BSCI, www.bsci-eu.org)* was negotiated from 2003 onwards in the European business association for retailers, the Foreign Trade Association (FTA);
- *Initiative Clause Sociale (ICS)* was developed by a group of French retailers, including Carrefour and Casino, from 1998 onwards.

3. Stringency

Figure 1 depicts how the organizations are more or less stringent, following measurement of different policy variables before policy adjustments commenced.

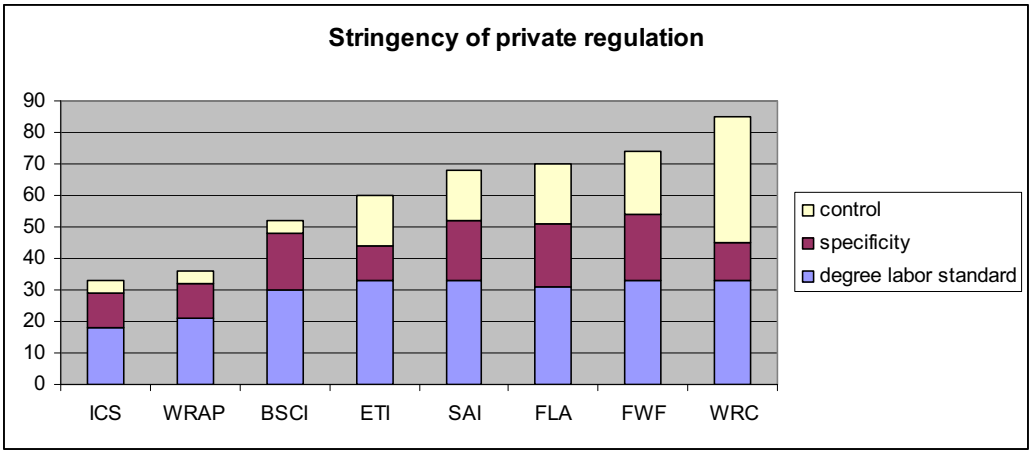

Figure 1. Stringency of private regulation

4. Policy characteristics

Central policy characteristics are summarized in Figure 2 below.

	Labour standards	***Implementation***	***Governance***	***Control***
ICS	ILO Conventions, unspecific about content	Less specific: audit & report	Business	Business controlled
WRAP	Local laws, except discrimination, forced and child labour	Less specific: audit & report	Business	Business controlled
BSCI	ILO conventions, discretion on living Wage	More specific: management implementation; audit; complaints; remediation	Business	Business controlled
ETI	ILO conventions, including living wage issue	Less specific: complaints; experimental on monitor; verification; remediation	Multi-stakeholder	Business > Societal
FLA	ILO conventions, excluding living wage issue	More specific: management implementation; monitor; verification; complaints; remediation	Multi-stakeholder	Business > Societal
SAI	ILO conventions, including living wage issue	More specific: management implementation; auditing; complaints	Multi-stakeholder	Business > Societal
FWF	ILO conventions, including living wage issue	More specific: management implementation; monitor; verification; complaint; remediation	Multi-stakeholder	Business - Societal
WRC	ILO conventions, including living wage issue	Less specific: external monitor and report	Societal	Societally controlled

Figure 2. Policy characteristics of private regulatory organizations