



# Fact Sheet

## Migrant labour in the textile and garment industry

### A focus on the role of buying companies

February 2016

**Migrant workers are an increasingly important part of the global garment industry workforce. These workers are particularly vulnerable to exploitation: they often do the same job as local workers but for lower wages and in more precarious conditions, and face specific barriers to articulating and demanding their rights as workers. Abuse of migrant workers in textile and garment supply chains is a growing problem. This fact sheet addresses these abuses and offers companies that buy garments for retail a set of recommendations to address exploitation of migrant workers in their supply chain. This publication is part of a series of fact sheets that SOMO is developing for the WellMade programme.<sup>1</sup>**

### What is the problem?

A number of countries that produce textiles and garments have been identified as having a high proportion of migrant workers employed in these industries. These countries include Taiwan, Malaysia, Thailand, Mauritius, Jordan and Egypt. In order to be able to compete on a global level, these countries rely on the import of labour from other countries. In other cases, such as in China and India, migrants come from within the country to work in textile and garment factories.

The rising number of migrants that make up the garment workforce is a consequence of the 'fast fashion trend' that dominates the industry. Brands and retailers offer ever faster changing collections for bargain prices and are therefore constantly searching for cheap production locations that can deliver quality items at short notice. The focus on low prices and short lead times translates into precarious working conditions (see other fact sheets in this series)<sup>2</sup> and the need for ever cheaper labour. Consequently, in the textiles and garment industry there has been a dramatic shift from the use of permanent, regular employment to temporary and contract labour, often carried out by vulnerable groups of workers such as migrant workers.

To a large extent the conditions faced by migrant workers are similar to those of local workers in the global garment industry. Violations of the right to freedom of association or the failure to provide a living wage affect both local and migrant workers. However, there are a number of issues that place them in an even more vulnerable position:<sup>3</sup>

- ❑ *Pay discrimination and pay deductions.* Migrant workers are often paid wages well below living wage levels and may receive lower pay than local workers. During peak-order periods, migrants frequently work excessive



overtime. When orders are low, they may have no work and receive no pay. The fact that many migrant workers are employed on inferior terms and conditions puts them into competition with local workers, which makes organising difficult. In some cases (for instance in Malaysia) employers using migrant workers have to pay a levy to the government. This amount is often deducted from migrant workers' wages. Deductions are also made to cover accommodation, food, electricity, uniforms and medical treatment.

- *No access to freedom of association.* In some countries, such as Thailand and Malaysia, migrant workers are prohibited by law from forming or taking up positions in trade unions. Sometimes employers and agents include prohibitions in contracts. Moreover, migrant workers are not always aware of rights or what trade unions can do.
- *Weak legal position.* Undocumented migrant workers are usually deprived entirely of legal protection and are therefore highly vulnerable to exploitation. However, documented migrant workers also face problems. Employers sometimes retain their documents, which means they are not able to move freely without fear of arrest. In addition, migrant workers rely on their employer to renew their work permit in order to keep not only their job but also their legal status. In some

cases migrant workers have no access to education and healthcare. In China, for instance, migrant workers cannot obtain a formal household registration in their new place of residence, and therefore are excluded from the use of certain public services (see Case 2).

- *Forced labour.* Migrant workers are particularly vulnerable to falling prey to forced labour and human trafficking. Debt bondage, false promises, retention of documents, financial penalties and threats of violence and deportation are all common issues faced by migrant workers in the garment industry. The recruitment sector plays a central role in the exploitation of migrant workers.
- *Gender discrimination.* The majority of migrant workers in the textile and garment industry are women. Gender discrimination is apparent in both the recruitment process and employment conditions of women migrant workers. In some cases the women themselves may not have chosen to migrate but have been compelled to do so by their families. Women migrant workers may earn less than their male counterparts. Women migrant workers may face forced medical checks, and pregnancy and HIV testing. Sexual harassment in factories and dormitories is also common and is often not reported because migrant workers fear losing their job, their work and their residence permit.

## Case 1: Syrian refugees working in sweatshops in Turkey

In Turkey, migrants from Eastern Europe and Central Asia have been working in the textile and garment industry for many years. They are a source of cheap, unregistered and therefore extremely vulnerable labour. However, the arrival of Syrian refugees has created a new wave of illegal employment. During the past few years, Syrian refugees are increasingly finding work in the Turkish cotton, textile and garment industry. They are particularly vulnerable to various forms of labour exploitation.

Since the outbreak of fighting in Syria in 2011, an estimated 1.6 million refugees have fled to Turkey. Refugee camps in Turkey are far from equipped to offer the space for such numbers of people and international aid has not kept pace with growing needs. As the number of refugees increases, and the length of their stay in Turkey grows into months and years, refugees are understandably looking for ways to earn an income.

The Fair Wear Foundation (FWF) has looked into the presence of Syrian refugees in the Turkish garment sector and the associated human rights risks. FWF concludes that there is a high risk in the Turkish garment sector of the following issues:

- employment of Syrian refugee children;
- discrimination against undocumented Syrian refugees, for example, widespread failure to pay legal minimum wages (payment of as little as 50% of the legal minimum has been reported), social security, and other legally mandated benefits;
- first-tier suppliers subcontracting work to 'hidden' factories employing large numbers of refugees, often working in unhealthy and dangerous conditions.

Source: Fair Wear Foundation, Guidance for affiliates: Risks related to Turkish garment factories employing Syrian refugees, February 2015

## Case 2: China's internal migrants have little access to social welfare

Migrant workers from China's inner provinces constitute the majority of factory workers in the country's coastal areas. These migrant workers face various problems because of the *Hukou* system. This is a system used to register households in China. It means that workers who migrate from rural areas cannot register in the cities where they come to live and work.

Migrants from rural areas therefore have little access to social welfare in cities and are restricted in their access to public services. Most of them leave their children in their home town because of this system, which denies them access to subsidised education and healthcare in areas other than their home towns.

Sources: Clean Clothes Campaign, Facts on China's Garment Industry, February 2015

## Case 3: Internal migrant workers employed under forced labour schemes in India

In South India's textiles and garment industry, where it is common to employ young women and girls from distant Indian states, migrant workers live in dormitories and are not allowed to leave the factory premises, receive visitors, or possess or use mobile phones.

Parents, usually poor and from lower castes, are persuaded by brokers to send their daughters to the textile and garment factories in Tamil Nadu with promises of well-paid jobs, comfortable accommodation, three nutritious meals a day and opportunities for training and schooling, as well as a lump sum payment at the end of three years. However, when the girls arrive at the mills, the reality of their new working life is not so attractive. Working conditions are harsh; workers have to work excessive hours and are not allowed to leave the factory grounds. Wages are low and the promised lump-sum (usually compiled of withheld wages or social security contributions) is only paid after workers have completed three years of employment which effectively keeps them in a position of forced labour.

Source: SOMO & ICN, Flawed Fabrics – The abuse of girls and women workers in the South Indian textile industry, October 2014

## Normative framework

Basic norms around labour practices are defined by the International Labour Organisation (ILO). The ILO, a United Nations agency, sets international labour standards by adopting conventions that ratifying countries have to implement in their legislation. After implementation, the conventions are binding for the implementing country. Eight of the ILO's conventions have been qualified as 'fundamental'. These conventions are binding upon every member country of the ILO, regardless of ratification.

The fundamental conventions address the following subjects:

- ❑ non-discrimination (ILO Conventions 100 and 111) ;
- ❑ freedom of association and recognition of the right to collective bargaining (ILO Conventions 87 and 95);
- ❑ prohibition of all forms of forced labour (ILO Conventions 29 and 105);
- ❑ prohibition of child labour (ILO Conventions 138 and 182).

ILO conventions apply to all workers, including migrant workers. In addition to the above fundamental conventions, other conventions particularly relevant to migrant workers include:

- ❑ the Migration for Employment Convention (ILO Convention 97).<sup>6</sup> This convention covers migrant workers with regular status only. States should apply equal treatment when it comes to remuneration, joining trade union, accommodation and social security.
- ❑ the Migrant Workers Convention (ILO Convention 143).<sup>7</sup> This covers all migrant workers, regardless of their status, entitling them to equal treatment in relation to payment, working conditions, social security and other benefits.
- ❑ the Private Employment Agencies Convention (ILO Convention 181).<sup>8</sup> This sets out that states must implement a system of authorised licensing or certification of agencies. It also prohibits the charging of fees to workers, directly or indirectly.
- ❑ the United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.<sup>9</sup>

Unfortunately, ILO Conventions regarding migrant labour have a poor record of ratification. None of the countries with a high number of migrant workers has ratified these conventions. The UN Convention on the Protection of the Rights of All Migrant Workers and Members of their Families has been ratified by 48 states, including Turkey, Egypt and Argentina.

### UN Convention on the Protection of the Rights of All Migrant Workers and Members of their Families<sup>10</sup>

The primary objective of the Convention is to foster respect for migrants' human rights. The Convention does not create new rights for migrants but aims at guaranteeing equality of treatment, and the same working conditions for migrants and nationals. This implies:

- ❑ preventing inhumane living and working conditions, physical and sexual abuse and degrading treatments;
- ❑ guaranteeing migrants' rights to freedom of thought, expression and religion;
- ❑ guaranteeing migrants' access to information on their rights, ensuring their right to legal equality, which implies that migrant workers are subject to correct procedures, have access to interpreting services and are not sentenced to disproportionate penalties such as expulsion;
- ❑ guaranteeing migrants' equal access to educational and social services;
- ❑ ensuring that migrants have the right to participate in trade unions.

The fundamental notion is that all migrants should have access to a minimal degree of protection. The Convention recognises that documented migrants have the legitimacy to claim more rights than undocumented migrants, but it stresses that undocumented migrants must see their fundamental human rights respected, like all human beings.

The Convention specifies that actions should be taken against misleading information inciting people to migrate irregularly,<sup>11</sup> and through sanctions against traffickers and employers of undocumented migrants. The Committee on Migrant Workers monitors implementation of the convention

## Role of governments

Governments have a duty to respect, protect and fulfill human rights and uphold labour rights for all workers. States may exercise their national sovereignty to decide who to admit into their territory. However, once an individual has entered a country, the government is responsible for the protection of this person's rights. All persons regardless of their nationality, race, legal or other status, are entitled to human rights and basic labour protections. Some of the human rights treaties, however, do make distinctions between the rights of nationals and non-nationals and impose different obligations on States in relation to nationals and non-nationals. In addition, States may have different obligations towards migrants who are lawfully present in the State and those who are unlawfully present. For example, article 25 of the International Covenant on Civil and Political Rights (the right to vote) applies only to citizens, and article 12 (the right to freedom of movement and choice of residence) applies only to nationals and migrants who are lawfully present in the State.<sup>12</sup>

While human rights are often guaranteed in law in producer countries, enforcement of these laws is often lacking and human rights abuses are not penalised. For governments at the production end of the supply chain the biggest problem is the poor enforcement of national labour law. Lack of governmental resources is a major stumbling block, but so are corruption and pressure from vested industry and trade interests. As a result, labour inspectorates are not fulfilling their designated roles. With reference to migrant workers, the lack of regulation of labour agencies and recruitment of migrant workers, prohibitions on migrant worker organising, and a lack of legislation guaranteeing equal rights for migrant workers is a particular problem.<sup>13</sup>

Governments at the buying end of the supply chain - home states of international brands and retailers - have a clear role in ensuring that companies domiciled in their territory/ jurisdiction respect human rights throughout their supply chains. The UN Guiding Principles for Business and Human Rights affirmed the need for a 'smart mix' of both voluntary and mandatory measures in order for governments to ensure businesses respect human rights.<sup>14</sup>

### Addressing corporate involvement in modern slavery and trafficking of human beings through legislation

Two states have introduced obligations for mandatory due diligence when it comes to modern slavery and human trafficking (offences for which migrant workers are particularly vulnerable).

In March 2015 the United Kingdom adopted the Modern Slavery Act, which requires companies to report on how they have prevented slavery and human trafficking in their supply chains through a due diligence process. Large companies have to publish evidence online on how they take responsibility for working conditions in supply chains.<sup>15</sup> While the Act was largely welcomed by civil society, serious concerns have been raised about its limitations. Anti-Slavery International points out several weaknesses, such as "excluding the right for overseas domestic workers to change abusive employers, lack of extraterritoriality of slavery offences and a loophole that could allow companies to hide supply chain abuses".<sup>16</sup>

In January 2012, the California Transparency in Supply Chains Act came into effect. Under the Act, all retailers and manufacturers with annual global revenues of over US\$100 million doing business in California, whether or not they have their headquarters there, are required to disclose their efforts to eradicate slavery and human trafficking from their direct supply chains for goods offered for sale. The law provides consumers with greater insight and opportunity for victims to sue companies that do not comply with the Act's requirements. While an important development, the law is judged to be insufficient because it only requires companies to report on what, if anything, they are doing to address contemporary forms of slavery, using five specific categories: verification, auditing, certification, internal accountability and training, and no specific preventive actions need to be taken - nor does it call to improve conditions for those vulnerable to abuse in the supply chain.<sup>17</sup>

## Role of companies

At supplier (producer) level, factories are reluctant to assume responsibility for the conditions of migrant workers. Often they take the position that they are not the direct employer of these workers (passing responsibility to the outsourcing agency or labour agency). The labour agent, who is legally and contractually the employer, would not consider themselves responsible for ensuring that workplace conditions meet good standards.<sup>18</sup>

On the buying side, garment brands and retailers might be linked to these abusive practices through their supply chains. However, most of these companies have no adequate policies to identify, prevent and address such abuses. They have not developed any kind of strategy for remediation of violations involving migrant workers. Purchasing practices are generally inductive to a race to the bottom: low prices, short lead times, last-minute changes and inadequate monitoring.

Companies have a responsibility to respect human rights, including those of workers, throughout their supply chain.

Companies should avoid and address adverse human rights impacts, even if they have not contributed directly to the violation of these rights. This responsibility is laid down in the United Nations Guiding Principles on Business and Human Rights, which were adopted by the United Nations Human Rights Council in 2011. According to these internationally accepted principles, companies should act with due diligence to avoid infringing the rights of others and to address any adverse impacts. Due diligence is a business process through which enterprises actively identify, prevent, mitigate and account for how they address and manage their potential and actual adverse human rights impacts.<sup>19</sup>

Another important guiding document for companies is the OECD Guidelines for Multinational Enterprises. The OECD Guidelines, updated in 2011, incorporate the due diligence concept and stipulate that due diligence should be undertaken for all matters covered in the standards and should cover all business operations, including supply chains and other business relationships.<sup>20</sup> Outsourcing production through subcontracting does not exonerate a multinational enterprise of its responsibility. Both frameworks emphasise that migrant workers are a vulnerable group.

### Dhaka Principles for migration with dignity

The Dhaka Principles for Migration with Dignity<sup>21</sup> are a set of human rights based principles to enhance respect for the rights of migrant workers from the moment of recruitment, during overseas employment and through to further employment or safe return to home countries. They are intended for use by all industry sectors and in any country where workers migrate either inwards or outwards.

They are based on the UN Guiding Principles on Business and Human Rights and international labour and human rights standards. The Dhaka Principles provide a roadmap that traces the worker from home to place of employment and back again and provides key principles that employers and migrant recruiters should respect at each stage in the process to ensure migration with dignity.

The Dhaka Principles for migration with dignity were developed between 2010 and 2012 in consultation with trade unions, civil society groups and businesses by the Institute for Human Rights and Business. The Principles set two core principles of non-discrimination and equal protection under employment law and articulate the following ten standards:

1. No fees charged to migrant workers
2. Clarity and transparency of worker contracts
3. Inclusive policies and procedures
4. Non-retention of passports or ID documents
5. Regular, direct and timely remuneration
6. Right to worker representation
7. Safe and decent working conditions
8. Safe and decent living conditions
9. Access to remedies
10. Freedom to change employment and safe return guaranteed.

## Case 4: Burmese migrant workers in Thailand

There are about two million migrant workers in Thailand. Migrants from Myanmar form about 75% of the migrant worker population in Thailand. In Mae Sot, one of the biggest entry points of migrant workers from Myanmar, there are over 200 textile and garment factories.

Burmese migrants struggle with the language and have difficulties obtaining work permits. Common labour abuses faced by migrant workers in Thailand include extremely long working hours, receiving wages considerably below legally set minimum wages and unfair wage deductions. Migrant workers also risk having their documentation confiscated and paying too much into health and social benefit plans that they do not know how to claim.

Burmese migrant workers face difficulties in claiming their rights as migrant workers lack the legal right to form trade unions and cannot hold leadership roles in unions.

Source: Clean Clothes Campaign, Migrant workers in Thailand's garment factories, 2014

## Case 5: Bolivian migrants working under exploitative conditions in Argentina

In April 2015, a fire killed two young Bolivian boys at one of the hundreds of sweatshops in and around Buenos Aires.<sup>4</sup> In Argentina, clothing manufacturing largely takes place in the informal sector where a lot of (undocumented) migrants work under exploitative conditions. Bolivian migrants are lured by traffickers promising wages in dollars, housing, food, and an eight-hour working day.

However, once they arrive in Argentina, they have to work and live without papers in the sweatshops. Workers are often forced to sew between 12 and 17 hours a day. Salaries are far below negotiated wages and often garment workers are paid only by the piece. Frequently, they live in the same room in which they work. The workshops are usually locked.<sup>5</sup> Workers do not have the opportunity to organise or even to get in touch with existing trade unions.

Several international brands that are active on the Argentinian market have parts of their production manufactured in Argentina.

Sources: SOMO, Gender aspects in the Latin American garment industry, April 2011, <[http://www.somo.nl/publications-en/Publication\\_3677](http://www.somo.nl/publications-en/Publication_3677)>  
Aljazeera, "No action as Argentina's illegal sweatshops flourish", 19 May 2015



## What can buying companies do?

### • Align purchasing practices with human rights standards

The purchasing practices of buying companies should enable – and not inhibit – respect for human and labour rights at all supplier levels. Brands and retailers should practice what they preach in terms of social compliance. Purchasing practices too often undercut corporate commitments to improved social performance in supply chains and contribute directly to negative impacts. Aligning purchasing practices with human rights requirements means:

- building long-term, stable buyer-supplier relationships. Buyers that maintain long-term relationships with their suppliers send a clear signal to these manufacturers that they are willing to invest in them. In turn, suppliers are more likely to invest in the improvements.
- good production planning, including reasonable supply lead times, predictability of orders and minimising last-minute changes. Plan well and realistically, so factories do not need to attract ever cheaper labour. With ‘collaborative planning’ buyers can share their calendar with the factory and encourage the factory to do the same.<sup>22</sup> Adapt the volume of orders to the total production capacity of suppliers.
- developing a pricing policy that takes the social and environmental quality of sourced products into account.

### • Enable workers to stand up for their rights

First and foremost, the right of all workers – including migrant workers – to form and join trade unions and to bargain collectively should be protected and respected. These enabling rights allow workers to defend their rights, voice grievances and negotiate recruitment and employment conditions. Buying companies should support and facilitate the training of management, workers and workers’ representatives (both separately and jointly) in freedom of association, collective bargaining, labour-management relations etc. Such training should be delivered by trade unions or credible labour rights organisations. In addition, genuine and credible grievance mechanisms should

be established at supplier level to deal with workers’ needs and complaints. Companies’ grievance procedures are an important supplement to collective bargaining, but may never be used to replace this legitimate process.

### • Implement proper human rights due diligence procedures

- Buying companies should get a complete overview of all the entities in their supply chain (including second-tier suppliers, sub-contractors etc) and the composition of the work force at all those production locations. If migrant workers are among the work force, buying companies should pay special attention to housing, employment relations, fees or deductions etc.
- Monitoring of working conditions should include steps to adequately include the perspective and needs of migrant workers. This can be done by ensuring an appropriate composition of workers and stakeholders (e.g. migrant groups) are involved. Regular visits to the factories in addition to formal audits and an understanding of the actual working environment are essential. Monitoring should be continuous.
- Buying companies should ensure that migrant workers are explicitly mentioned in codes and implementation policies. Ensure that references to migrant workers are focused on rights and not legal status, and choose standards that are based on international conventions (in situations where national law offers weaker protection to migrant workers).
- Buying companies should be transparent and urge suppliers to also be transparent. Publicly disclose the location of both production sites using migrant workers and the details of labour agents being used to supply workers to these sites. Migrant workers need to know about their legal employer in order to effectively address their situation. In cases where migrant workers are unsuccessful in calling upon their (direct) employer, they need information about buyers to push claims for redress or compensation.

## More information

### Reports and papers



**Fair Wear Foundation, Guidance for affiliates: Risks related to Turkish garment factories employing Syrian refugees**, February 2015



**Clean Clothes Campaign, Migrant workers in Thailand's garment factories**, 2014



**Clean Clothes Campaign, False Promises -Migrant Workers in the garment sector**, December 2009

Verité has produced numerous informative and practical guidelines on ethical recruitment practices and guidance on assessing labour intermediaries, working conditions for migrants in the supply chain, and improving supplier management of migrant labour:



**SOMO and La Strada, Engaging the Private Sector to End Human Trafficking – A resource guide for NGOs**, October 2015



**Fair Hiring Toolkit**



**SOMO and ICN, Flawed Fabrics – The abuse of girls and women workers in the South Indian textile industry**, October 2014



**An Ethical Framework for Cross-Border Labor Recruitment: An Industry Stakeholder Collaboration to Reduce the Risks of Forced Labor and Human Trafficking**

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### Useful links

- ❑ [Centre for Research on Multinational Corporations \(SOMO\)](#)
- ❑ [Clean Clothes Campaign \(CCC\)](#)
- ❑ [Fair Wear Foundation](#)
- ❑ [International Labour Organization](#)
- ❑ [La Strada International European Network Against Trafficking in Human Beings](#)
- ❑ [Verite](#)
- ❑ [WellMade](#)

## End notes

- 1 WellMade is an initiative of Fair Wear Foundation (FWF), Christian Initiative Romero (CIR), National Federation of Christian Trade Unions in the Netherlands (CNV), the Centre for Research on Multinational Corporations (SOMO) and the Ethical Trading Initiative (ETI). WellMade provides people working for European clothing companies with the tools to understand major labour issues that they have an influence over, and how they can support better working conditions. For more information, go to [www.wellmade.org](http://www.wellmade.org).
- 2 SOMO, Fact sheet forced labour, September 2013, <[http://www.somo.nl/publications-en/Publication\\_3991](http://www.somo.nl/publications-en/Publication_3991)>; SOMO, Fact sheet child labour, March 2014, <[http://www.somo.nl/publications-en/Publication\\_4058](http://www.somo.nl/publications-en/Publication_4058)>; SOMO, Fact sheet: Unsafe Garment Factory Buildings, July 2013, <[http://www.somo.nl/publications-en/Publication\\_3979](http://www.somo.nl/publications-en/Publication_3979)> (3 January 2015).
- 3 Based on: Clean Clothes Campaign, False Promises – Migrant Workers in the garment sector, 2009, <<http://www.cleanclothes.org/resources/publications/migrant-workers-internal.pdf>> (3 January 2015); SOMO & LaStrada, Engaging the Private Sector to End Human Trafficking – A resource guide for NGOs, October 2015, <[http://www.somo.nl/publications-en/Publication\\_4239/](http://www.somo.nl/publications-en/Publication_4239/)> (3 January 2015).
- 4 “No action as Argentina’s illegal sweatshops flourish”, Al Jazeera (May 2015), <<http://www.aljazeera.com/blogs/americas/2015/05/action-argentina-illegal-sweatshops-boys-killed-150518200950128.html>> (3 January 2015).
- 5 Heinrich Böll Stiftung, Transnational Corporations on Trial: On the Threat to Human Rights Posed by European Companies in Latin America, 2008.
- 6 ILO, Migration for Employment Convention (Revised), 1949 (No. 97)” <[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_INSTRUMENT\\_ID:312242](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312242)> (3 January 2016).
- 7 ILO, Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)” <[https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_INSTRUMENT\\_ID:312288](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312288)> (3 January 2016).
- 8 ILO, Private Employment Agencies Convention, 1997 (No. 181), <[http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100\\_INSTRUMENT\\_ID:312326](http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_INSTRUMENT_ID:312326)> (3 January 2016).
- 9 United Nations, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, Adopted by General Assembly resolution 45/158 of 18 December 1990 <<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CMW.aspx>> (3 January 2016).
- 10 United Nations, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, Adopted by General Assembly resolution 45/158 of 18 December 1990, <<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CMW.aspx>> (3 January 2016).
- 11 Irregular migration refers to migration that takes place outside the regulatory norms of the sending, transit and receiving countries.
- 12 Asia Pacific Forum of National Human Rights Institutions, Promoting and Protecting the Rights of Migrant Workers: The Role of National Human Rights Institutions, August 2012 <<http://nhri.ohchr.org/EN/IHRS/Documents/APF%20publication%20-%20promoting%20and%20protecting%20the%20rights%20of%20migrant%20workers.pdf>> (3 January 2016).
- 13 Clean Clothes Campaign, “False Promises – Migrant Workers in the garment sector”, 2009 <<http://www.cleanclothes.org/resources/publications/migrant-workers-internal.pdf>> (3 January 2016).
- 14 United Nations Human Rights Office of the High Commissioner, Guiding Principles on Business and Human Rights. Implementing the United Nations ‘Protect, Respect and Remedy’, 2011.
- 15 UK Government, Modern Slavery Act 2015, <<http://www.legislation.gov.uk/ukpga/2015/30/contents/enacted>> (3 January 2016).
- 16 Anti-Slavery International website, “Modern Slavery act soured by lack of protection for migrant domestic workers and business responsibility loophole say Anti-Slavery International”, 26 March 2015, [http://www.antislavery.org/english/press\\_and\\_news/news\\_and\\_press\\_releases\\_2009/modern\\_slavery\\_bill\\_soured\\_by\\_glaring\\_black\\_holes.aspx](http://www.antislavery.org/english/press_and_news/news_and_press_releases_2009/modern_slavery_bill_soured_by_glaring_black_holes.aspx) (3 January 2016).
- 17 United Nations Human Rights Council, “Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Urmila Bhoola”, 8 July 2015, <[www.ohchr.org/EN/HRBodies/HRC/.../A\\_HRC\\_30\\_35\\_ENG.docx](http://www.ohchr.org/EN/HRBodies/HRC/.../A_HRC_30_35_ENG.docx)> (3 January 2016).
- 18 Clean Clothes Campaign, “False Promises – Migrant Workers in the garment sector”, 2009, <<http://www.cleanclothes.org/resources/publications/migrant-workers-internal.pdf>> (3 January 2016).
- 19 United Nations Human Rights Office of the High Commissioner, Guiding Principles on Business and Human Rights. Implementing the United Nations ‘Protect, Respect and Remedy’, 2011, <[http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR\\_EN.pdf](http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf)> (3 January 2016).
- 20 OECD, OECD Guidelines for Multinational Enterprises, 2011, <http://www.oecd.org/investment/mne/48004323.pdf> (3 January 2016).
- 21 The Dhaka Principles for Migration with Dignity website <<http://www.dhaka-principles.org/>>
- 22 WellMade website, “Cases: Sub-contracting: How can this small group of workers produce so many T-shirts?”, no date, <<http://www.wellmade.org/cases/subcontracting-can-small-group-workers-produce-many-t-shirts/>> (3 January 2016).

## Colophon

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The Centre for Research on Multinational Corporations (SOMO) is an independent, not-for-profit research and network organisation working on social, ecological and economic issues related to sustainable development. Since 1973, the organisation investigates multinational corporations and the consequences of their activities for people and the environment around the world.



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