

The outlook for modern slavery in the apparel sector in a post-lockdown economy

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Abstract

Purpose – This paper argues that the closures will cause regressive rather than progressive modern slavery shifts as the necessity of survival prevails over addressing modern slavery risks within supply chains.

Design/methodology/approach – In the spring of 2020, global clothing retailers were advised or ordered to close physical stores due to lockdown measures of the COVID-19 pandemic and many supply chains temporarily halted production. This paper explains how pre-pandemic modern slavery advancements will be detrimentally affected as a result of societal lockdowns and apparel retail closures around the world.

Findings – Two consequences of lockdowns are highlighted, which will have negative implications on modern slavery progress. These are the exploitation of vulnerable people, which includes higher exploitation of those already involved in modern slavery and increased risk of exploitation for those susceptible to being drawn (back) into modern slavery and; the need for repetition of previous work completed by external stakeholders or in some cases, a better alternative.

Practical implications – The pandemic itself causes friction between immediate response solutions and long-term modern slavery goals.

Social implications – In response to modern slavery drivers, governments may need to fill governance gaps, to control the power of corporations and to reconsider migration regulation.

Originality/value – The COVID-19 lockdowns and subsequent supply chain disruptions were unforeseen. This paper argues that there are significant negative effects on the developments in modern slavery eradication made in the past 10 years. As businesses struggled for basic survival, the apparel manufacturing sector has been detrimentally affected as upstream labourers are now at higher risk from the increased likelihood of modern slavery violations.

Keywords Sustainability, Garment industry, Suppliers, Supply chain disruptions, Apparel industry, Modern slavery, COVID-19, Social sustainability, Garment, Textiles

Paper type Viewpoint

1. Introduction

In a world that was becoming accustomed to recycling household waste, reusing plastic carrier bags and rejecting disposable single-use items such as coffee cups, prior to the COVID-19 pandemic we were seeing increasingly impressive sustainability developments across the globe. Then occurs the upheaval of a world where this was dislodged, as lockdowns caused by a contagious virus altered access to the supply of goods, halted services we took for granted and sanitation was at the height of everyday activity. Due to the COVID-19 pandemic, large online grocery retailers stepped back in history to a time where they delivered shopping in plastic bags and encouraged the use of additional packaging on loose items. After years of campaigning to persuade households to set washing machines to 30°, we were encouraged to wash clothes at 60° to kill germs. In public bathrooms, we were asked to use disposable paper towels rather than the more environmentally friendly hand dryers. In addition, these examples of environmental sustainability being “undone” are the tip of the

problem compared to the longer-term issues of social sustainability initiatives relating to workers in parts of the upstream supply chains consumers barely see and often do not think about (Miemczyk *et al.*, 2012).

The supply chain disruption caused by the COVID-19 pandemic (which is ongoing at the time of writing this paper), has had implications for the apparel industry. Physical retail stores were closed in national lockdowns and many buyers cancelled orders that suppliers had already produced or were in the process of producing. Factories in low-cost production countries were closed either due to the pandemic lockdowns or due to reduced orders from buyers, directly affecting worker income. When able to recommence production for suppliers who could survive the short-term closures, employees scrambled for work resulting in a surplus of labour available in low-cost production countries. In the short time that supply chains unravelled for the apparel industry, there has been immediate debate on whether advances in social sustainability in supply chains (such as modern slavery improvements) would be lost or whether it will be highlighted further. This paper firstly

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considers that debate and offers likely and mostly negative, outcomes of people working in the upstream supply chain in the apparel sector as the world firstly adapts, and then revives in recovery. The immediate evidence points to regressive results in the fight against modern slavery. The second thread of the paper questions modern slavery commitments during and post-lockdown and discusses whether the short-term focus on the need to restock and ensure continuity of supply in the face of the virus will be detrimental to social sustainability gains. To fulfil orders in a time-critical and competitive environment, the necessity of survival displaces the action of addressing modern slavery risks within supply chains.

The paper is laid out by explaining the pre-pandemic position of modern slavery action in the apparel sector. Then, the COVID-19 lockdowns and implications on apparel supply chains are explained before the consequences of this are considered. Table 1 presents how each success achieved prior to the pandemic has been compromised in a detrimental way. Conclusions and future research directions leave the reader with suggestions for studying some of the predictions made. Two research questions have been developed that consider firstly, the effect on previous success in modern slavery efforts and secondly, current and future implications as the pandemic unfolds. The research questions for the paper are as follows:

- RQ1.* What are the likely effects of supply chain disruptions caused by lockdowns in the apparel sector, on modern slavery developments previously achieved?
- RQ2.* What do lockdown supply chain disruptions mean for modern slavery commitments in the apparel sector during and post-lockdown?

The paper takes a global view to modern slavery using examples from around the world to consider systems to address social demands and the needs of wider society. However, it is recognised that although the virus is global, responses to it have not been uniform. Lockdowns, governmental support and indeed the previous nature of modern slavery progress is different in alternative country contexts. For example, in some emerging economies, a social security network does not exist to the same maturity as countries with established governments and so the outlook of modern slavery may manifest differently around the globe. Many garment brand headquarters are situated in the developed world whereas their production is in low-cost production countries.

2. Pre-COVID-19 progress on tackling modern slavery

To project the likely effects that the temporary closures in the apparel sector will have on modern slavery developments previously achieved, those positive developments must first be explained.

2.1 Improved buyer-supplier relations

As we entered a new decade in 2020, the pursuit of modern slavery eradication was progressing. Successful collaborative

supplier development programmes led to improved sustainability capabilities of suppliers with the support of buying firms. The involvement of buying firms in developing the capabilities of their suppliers was improving the economic performance of suppliers and in particular, significantly reducing social risks in supply chains (Gualandris and Kalchschmidt, 2016; Klassen and Vereecke, 2012; Sancha *et al.*, 2016).

Wilhelm *et al.* (2016a) studied the bridge between buying companies and upstream suppliers in disseminating sustainability standards along multi-tier supply chains. The most serious social issues in the supply chain are often generated by suppliers upstream e.g. second tier and beyond (Tachizawa and Wong, 2014). Retailers would ideally like to monitor all the relationships with upstream suppliers independently, but this is a complex and often unrealistic task, given that these suppliers are often situated in globally dispersed remote locations and are unlikely to have access to collaborative technologies. The recently emerging discussion on multi-tier supply chains in the context of sustainability has started to acknowledge the role of the first-tier supplier in disseminating the standards and practices of the lead firm to the lower tiers (Mena *et al.*, 2013; Grimm *et al.*, 2014; Cole, 2017; Sancha *et al.*, 2019). That said, the capabilities such as those linked to the promotion of labour rights and eradication of modern slavery practices these programmes are able to develop, often do not address the drivers of modern slavery such as irresponsible business practices and governance gaps, which go beyond mismanagement at the shop floor level.

Despite some positive progress, the global supply chains of some of the largest retailers continued to be infiltrated by modern slavery violations due to the nature of the industry, which demands cheap labour to keep prices competitive. Some suppliers (and retailers) take advantage of weak human rights due diligence (HRDD) and recruitment in second-tier suppliers, resulting in low wages, irresponsible business practices and governance gaps. Nonetheless, prior to the pandemic in 2020, retailers were seen to be taking the modern slavery agenda more seriously. Wider sustainability improvements in the apparel industry linked to buyer-supplier relations are evidenced by the use of more specialist intermediaries (Cole and Aitken, 2020) and rigorous supplier selection requirements teamed with better supplier development programmes (Cole and Aitken, 2019). These factors contribute to the ability to improve processes to monitor and educate suppliers. In the apparel industry, an increase in brand buy-in of modern slavery programmes has been manifested by the production of modern slavery statements and supplier auditing in response to legislation (Stevenson and Cole, 2018; Benstead *et al.*, 2020). Therefore, for an industry with a significant cost focus, some progress towards better buyer-supplier relations was evident by 2020.

2.2 Developments in legislation

Various national legislation has also been (slowly) improving, imposing mandatory requirements for disclosure of labour issues in company supply chains (Phillips *et al.*, 2016). The Australian and UK Modern Slavery Acts, require corporations to publicly disclose information on adverse human rights risks such as modern slavery in their operations and supply chains and the actions they have taken to address such issues. France has been a pioneer in adopting HRDD law. French Duty of Vigilance law requires large

multi-national corporations to identify and prevent potential gross violations of human rights. Laws that require disclosure or HRDD currently apply in countries such as Argentina, Denmark, Finland, India, Indonesia and Pakistan. Canada, Germany, Switzerland and The Netherlands are also developing similar regulations on disclosure. These legislations vary in terms of scope, stringency and effectiveness (LeBaron and Rühmkorf, 2017; Phillips *et al.*, 2016; Ford and Nolan, 2020). However, they all enhance a degree of public transparency and awareness. Companies, to some extent, are now more accountable for actual and potential human rights risks that arise from their business activities and business relationships in both their domestic and global supply chains (Gold *et al.*, 2015; New, 2015; Stevenson and Cole, 2018; ILO 2020a).

While the public awareness of the problem gradually improves, largely helped by non-governmental organisations (NGOs), there has also been an increase in political recognition at a national and international level (Landman and Silverman, 2020). For example, the International Labour Organisation (ILO) Forced Labour Protocol came into force in 2014, which requires governments to take measures to prevent and eliminate forced labour and to protect and provide justice for victims (ILO, 2014). Also, ILO has launched a global “fair recruitment initiative” to help to prevent human trafficking and forced labour, particularly migrant workers during the recruitment process (ILO, 2015b). The United Nations Sustainable Development Goal (SDG) 8.7 called for member states to “take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour” (ILO 2015a).

At a national level, well-developed systems of support for victims of modern slavery are evident. For example, the National Referral Mechanism in the UK to help people recover from abuse is improving. Such mechanisms particularly protect workers vulnerable to modern slavery in domestic supply chains or victims of human trafficking. Although the number of people identified as victims of modern slavery in the UK has been rising (e.g. the number of modern slavery victims referred to the government’s support system from the UK doubled between 2017 and 2018), task forces have been increased to tackle the problem. For example, in June 2019, there were over 1,479 active law enforcement investigations of modern slavery crimes, compared with 188 in November 2016 (UK Annual Report on Modern Slavery, 2019).

Despite the emergence of the Modern Slavery Acts, HRDD, self-regulations and other policies globally, modern slavery is far from being eradicated and it is still a predictable feature of globalisation. The most recent estimation by the ILO suggests that at any given time, 40.3 million people globally are in modern slavery, of which 25 million people are in forced labour – work that is performed involuntarily and under the menace of any penalty (ILO, 2016). Modern slavery is prevalent in the production of apparel (Gold *et al.*, 2015) and the majority (~80%) of these are women in low-skilled roles (Huq *et al.*, 2014). Traditionally, low-cost production countries contribute heavily to the global apparel industry as Tier 1+ suppliers. Just one example of apparel (which happens to be linked to the pandemic) is the manufacture of garments for medical use where most production is outsourced to factories in Asia that

rely on apparel workers (Edmonds *et al.*, 2019). All in all, by 2020 government responses were improving and more modern slavery legislation was in place, in addition to an increased global awareness of modern slavery often brought about by NGOs.

2.3 Decline in drivers of modern slavery

Several underlying factors (that is, they are similar across industries) account for the existence of modern slavery within the supply chain. Drivers of modern slavery include poverty, discrimination, limited labour protection, restrictive mobility regimes, concentrated power and ownership, irresponsible business practices and governance gaps (LeBaron *et al.*, 2018). For instance, poverty creates a pool of people, known as the population of working poor, deprived of access to social service safety nets, education, migrant rights, gender justice, decent work and wages and other human development opportunities. Yet, by 2020, both the number of people living in poverty and instances of child labour were declining (The World Bank, 2018) and resources for rehabilitation were being allocated to victims of modern slavery (e.g. by the Office of the High Commissioner for Human Rights).

As a result of the pandemic, Oxfam (2020) made an early prediction that an estimated 400–600 million increase in people in poverty across the globe. Also, in a world where only one in five are eligible for unemployment benefits, the ILO estimated in March 2020 that 25 million people could become unemployed as the result of the COVID-19 pandemic (ILO, 2020b), which they now fear to be much higher than this. A survey of 396 garment workers across 158 factories in 9 countries also found that 75% of workers accumulated debt to buy food since the pandemic started due to temporary suspension of employment, permanent dismissal or decreased income (Kyritsis *et al.*, 2020). The first three columns of Table 1 present further supporting evidence of how global modern slavery was successfully being tackled, before the short-term changes and long-term regressive impacts of lockdown on apparel supply chains is developed on the right.

3. Immediate apparel supply chain response to the COVID-19 pandemic

The World Health Organisation declared the COVID-19 outbreak a pandemic (a disease that is spreading in multiple countries at the same time) on 11 March 2020. More importantly, it is also a term that is used in commercial contracts as a trigger event for the purposes of a force majeure clause (meaning by law, it is an unforeseeable circumstance that prevents someone from fulfilling a contract). Hence, there are examples of supply chains halting production in the apparel industry. The examples provided in this section are illustrative and, in some cases, may be the exception rather than the rule.

In response to the pandemic, many major apparel brands and retailers cancelled orders and stopped payments for orders already placed, even when the work had already been done, taking no responsibility for the impact this had on the people working in their supply chains. One example of this in the UK is a new look who cancelled all in-production orders and informed suppliers that payments would be delayed indefinitely (Financial Times, 2020). Their rationale was that it was a

matter of survival and like many brands in crisis, the fight for survival often does not extend to supply chain workers or stakeholders not directly employed by the big brands. This is despite the fact that many brands have “responsible exit” policies, in which they commit to support factories to reduce potential adverse impacts to workers should they decide to exit (Anner, 2020). The Global Centre for Workers’ Rights publicly called on apparel brands to make payments for completed and in-production orders but many did not leading to them publish this information for public awareness.

Apparel supply chains are often characterised by high complexity and a focus on emerging economies, resulting in high institutional distances between the buying firm and its supply base (Wilhelm *et al.*, 2016b). Low-cost production countries such as Bangladesh and Cambodia (who have seen at least one million garment workers and 150,000 workers, respectively, become unemployed in 2020), were affected in three phases. Firstly, societal lockdowns in China caused a delay in raw material transport; secondly, global high-street retailers were closed causing brands and retailers to cancel orders and; thirdly, workers in low-cost production countries themselves were under lockdown restrictions because of the pandemic.

Some retailers’ responses to the disruption have been reactive and uncoordinated, and the impact of the crisis hit many of their supplier’s full force with cancelled orders, delayed payments and demands for deep retrospective discounting in return for taking delivery and paying for goods. In the media, there were examples of apparel retailers’ responses to supplier needs, which are likely to have a direct or indirect impact on modern slavery development. Where a retailer announced it would create a fund to pay its supply chain workers, questions still remained over whether the brand would be receiving and paying for orders already made or in-production from its factories, including covering the costs of raw materials that factories have paid for in advance to manufacture their orders not yet in production (Sen *et al.*, 2020). H&M (Sweden), Target, (US), Inditex (Spain), Kiabi (France) and Uniqlo (Japan) all publicly confirmed that they intended to receive and pay for products already made and orders already placed, but in some cases, no time frame was outlined on when payments would be made – keeping in mind the urgency of the crisis and its catastrophic impact on workers that was unfolding (Financial Times, 2020). Where contracts could be honoured and existing orders were able to be paid in full, the effects on suppliers should have been minimised. Nonetheless, where problems were passed upstream in the supply chain, suppliers faced substantial practical and financial hurdles. A 45% reduction in exports to the EU for April–May 2020 compared to the same period in 2019 was reported (Anner *et al.*, 2020).

Given that COVID-19 originated in China and a high volume of clothing manufacturers are based there, it was inevitable that there was an impact on the apparel supply chain as factories shut and production slowed – due to fewer orders and lockdowns. China is a major producer of cotton, fabrics and silk. In 2019, China exported \$120bn (£91bn) of textiles and \$152bn (£115bn) of clothing, making it the world’s biggest exporter of these categories (World Trade Statistical Review, 2020). NEXT declared that during the spring 2020 lockdown, it had approximately £20m of inventory at risk in China (Forbes, 2020).

Delays in delivery further compounded the discounting spiral that many were caught in, as clothes arrived too late for the intended season and were then needed to be marked down to sell. Some retailers were more immune to the effects of COVID-19 as they had a more diverse supply base. For example, fast-fashion operators such as H&M and Inditex’s Zara have a diverse supply base located in North Africa and Turkey, and their ability to shift volumes from one supplier to another provided some protection against the disruption in China.

Suppliers were wary that retailers that were financially distressed themselves could go out of business before invoices were settled, leaving them in a long queue of creditors. Longer payment terms were also causing acute cash flow problems. GlobalData, a leading data and analytics company, declared apparel as set to be the hardest hit retail sector by the COVID-19 pandemic. China saw a good early recovery with uncertainty for Europe and the US. The global apparel market is not expected to return or exceed its 2019 value, until at least 2022 (GlobalData, 2020). All parties (e.g. brands, suppliers and workers) are facing extreme disruption caused by COVID-19 lockdowns; however, these parties are not equally situated to find the liquidity needed to cover their expenses. For example, low wage workers have been left without pay, employment or social protections increasing their economic precarity and suffering.

4. The outlook for modern slavery in a post-lockdown economy

4.1 Progressive impacts of lockdowns on modern slavery eradication

There may be some positive consequences for modern slavery developments in a post-lockdown economy, resulting in progressive behaviours. Threatening business failure in an industry renowned for its high degree of modern slavery violations may herald the end of current high production and the fast fashion model and result in fewer, smaller collections from more sustainable supply chains. Risk analysts predict that well-known brands are already in the spotlight for the ethics they demonstrate and this scrutiny is likely to increase as the crisis unfolds (KPMG, 2020). There is also an opportunity for better contracts to be applied in the sector. For example, consequences for late delivery often sit with the suppliers – but now it is the buyer who is using falls in demand to be unreliable in terms of continuing business with suppliers. Propelled by the pandemic, contracts could be better developed to protect the whole supply chain (Verbeke, 2020). For example, by incorporating disruption risk-sharing protocols in sourcing contracts (Majumdar *et al.*, 2020) to remove uncertainty and balance positions of power.

There are many other opportunities that the crisis may trigger for supply chains. According to a recent PwC survey of finance leaders in the US and Mexico, 31% indicated supply chain issues as one of their top 3 concerns related to the COVID-19 outbreak (PWC Pulse, 2020). Firms were keen to develop additional, alternate sourcing options; gain a better understanding of the financial and operational health of suppliers; extend visibility into suppliers’ networks and diversify product assembly and/or service delivery locations.

These will have positive implications on supply chains as these risk mitigation strategies should lead to continuity of supply.

Another positive outcome is that technology is likely to continue to improve in organisations where funds will allow – which is advantageous for modern slavery eradication (Cole *et al.*, 2019). It is likely that physical supply chain relocations (e.g. onshoring or nearshoring) will likely happen only as a last resort, given the costs involved. However, automation of certain elements of the supply chain, to eliminate time-consuming manual tracking efforts and check tariff structures, for example, will likely become more common as companies seek better data to make more informed decisions. So, the increase in literature on technology for track and trace purposes will be useful. A small minority of companies that invested in mapping their supply networks before the pandemic have emerged better prepared as they have better visibility into the structure of their supply chains (Norwood and Peel, 2020). Real-time information provided by better technological systems provided details on exactly, which suppliers, sites, parts and products are at risk, which allowed them to put themselves first in line to secure constrained inventory and capacity at alternate sites. However, although better supply chain mapping may be encouraged, the required resources for supply network mapping are expensive. Many companies and leaders talk about the need to do supply network mapping as a risk-mitigation strategy, but they have not done so because of the perceived amount of labour and time required for such a complex task. Instead, the information collected via personal relationships is typically anecdotal and often mere conjecture, and when procurement personnel leave, change roles or retire, their knowledge leaves with them.

During the national lockdowns, some consumer action has been seen in the form of social media influence, such as the #payup campaign, which targeted the industry's biggest brands and retailers who were seen to be acting irresponsibly. As a result (after enormous public pressure), it is estimated that at least US\$15bn out of approximately US\$40bn initially withheld from suppliers, has been paid by retailers such as Asos and Gap (Anner *et al.*, 2020).

4.2 Regressive impacts of lockdowns on modern slavery eradication

Despite the possibility of some promising progressive behaviours for modern slavery as a result of global shutdowns, it is more likely that the lockdowns of businesses and society go on to cause significant damage to the modern slavery pre-COVID-19 position outlined in Section 2. Rather than enhance modern slavery endeavours as previously debated, these achievements may simply unravel and a fallacy of any degree of close buyer-supplier relationships may be exposed. For example, short-term desperation for employment may entice apparel workers into unsuitable positions where businesses have overlooked modern slavery guidance, especially while lockdowns reduce physical audits and reporting (especially by buyers) leading to possible opportunism of suppliers. There will be a resource intensive series of actions for stakeholders to take to bring the standards back up to pre-pandemic levels or develop them more to ensure they are further improved.

Even though modern slavery eradication was progressing by 2020 with strong global public and political awareness and legislation was in place prior to the lockdowns, commercial survival may have displaced positive developments in tackling apparel modern slavery violations as both governments and the public have had to reprioritise health and personal well-being. Short-term shifts in attention by governments, the public pressures and businesses' commercial survival may mean that in the long-term ramping back up to pre-pandemic levels and beyond needs to be addressed. Although improvement trends in modern slavery were evident prior to the pandemic, with child labour reducing (ILO, 2020a) and more victims getting access to help (e.g. National Referral Mechanism), job losses and power imbalances between employers with work to offer, combined with desperate workers, will lead to heightened modern slavery. The risk of debt bondage for vulnerable people is increased as desperation for survival grows. Children may be required to work and school closures may make this more feasible. It can be difficult for vulnerable people to access resources under lockdown restrictions as initiatives stall and resources are diverted. In the short term, upstream labourers are now at higher risk from the increased likelihood of modern slavery violations and this may continue long term. Groups who help these people have been disrupted by physical lockdowns, funds being reallocated and victims not being able to access them. Longer-term there is a backlog of work and the exploitation risks are severe.

Table 1 shows that there are significant modern slavery risks as a result of disrupted supply chains during COVID-19 lockdowns. Each success from the pre-COVID-19 position identifies reactive changes in the apparel supply chain and longer-term impacts, leading to the development of two negative consequences due to the supply chain disruption caused by the lockdowns. The negative post-lockdown consequences on modern slavery for the apparel sector are categorised in two ways:

- 1 *Exploitation of vulnerable people.* Higher exploitation is likely for those who were *already* locked in modern slavery and there is a new and increased risk of exploitation for those who had escaped or were previously protected and those not previously affected by modern slavery. For workers already involved in modern slavery, this increased exploitation occurs as conditions worsen rather than improve due to loss of jobs and buyers (albeit, perhaps, temporarily) focussing on commercial survival over supplier conduct. Ground has been lost in the pursuit of safer working conditions. Where people had *escaped or were previously protected*, governments around the globe diverted or reprioritised resources such as task forces during lockdown conditions. In some cases, these task forces were unable to physically intervene. It became more difficult for vulnerable people to access resources as the level of care altered. The exploitation of vulnerable people *previously not affected* by modern slavery occurs due to job losses and changes in income resulting in desperation for employment. Worker's anxiety where medical or household bills need to be paid may make them more vulnerable to accepting exploitative work. As poverty increases, so does the risk of enslavement. The

Table 1 Modern slavery consequences on the apparel sector in a post-lockdown economy

Pre-COVID-19 modern slavery achievements	Pre-COVID-19		Effects of COVID-19 lockdowns	
	Example	Evidence	Immediate changes to apparel supply chains during lockdowns	Regressive impacts of lockdowns on modern slavery action
Improved buyer-supplier relations	Processes becoming more manageable to audit and monitor suppliers	The use of intermediaries, technology and/or increases in knowledge improve audit processes. There are record levels of membership to sustainability member groups e.g. the Supplier Ethical Data Exchange (Sedex) has over 60,000 members in 180 countries, across 35 industry sectors and continues to increase	Many employees no longer working Reduced audit, monitoring and educational processes conducted during lockdown	Exploitation of employees who accept work under worse conditions Opportunism of suppliers who are experiencing reduced monitoring Increase in work to do after lockdowns including re-introducing audits and educational programmes to pre-pandemic levels, which may be resource intensive
Developments in legislation and guidance	Modern slavery legislation is in place	Legislations such as the California Transparency in Supply Chains Act, The Australian Modern Slavery Act, French Duty of Vigilance Law and The UK Modern Slavery Act enforce or encourage focal firms to provide modern slavery statements requiring all large companies to report on whether they have modern slavery in their supply chains and commit to report on progress	Businesses may prioritise other objectives to ensure commercial survival, especially as much legislation is not enforceable	A need to re-promote the initiatives and enforce legislation
	Government responses to modern slavery improving	Taskforces are in place such as the European Trafficking Convention or the National Referral Mechanism in the UK. Governmental action plans against forced labour have been separately introduced in some Asian countries including Nepal and Pakistan	Disruption of efforts to tackle modern slavery as resources diverted or physically unable	Backlog of work for enforcement teams to deal with
	Global awareness of modern slavery improving	The Alliance 8.7 is a global partnership of 15 countries committed to achieve SDG Target 8.7 through coordinated international actions. Developments also include global protests and the Anti-Slavery Day Act 2010 (an Act of the Parliament of the UK to introduce a national day to raise awareness of the need to eradicate modern slavery)	Global awareness remains the same or some interest lost Other priorities for public as people may focus on their own problems rather than those of others	A need to re-promote the initiatives and encourage collective rather than individual focus on global problems
	NGOs have good donors and awareness	The Modern Slavery Registry created by the global Business and Human Rights Resource Centre provides information on what companies worldwide are doing to eradicate modern slavery from their operations and supply chains (accessible to the public)	Donations reduce as priorities shift (may go elsewhere, such as virus control)	Task to keep (or bring back) modern slavery on the public's agenda

(continued)

Table 1

Pre-COVID-19 modern slavery achievements	Pre-COVID-19		Effects of COVID-19 lockdowns	
	Example	Evidence	Immediate changes to apparel supply chains during lockdowns	Regressive impacts of lockdowns on modern slavery action
Decline in drivers of modern slavery	Improvement trends in modern slavery	The World Bank (2018) reports a decline in people living in poverty (although even the decline is slowing). The 2019 Global Slavery Index reports a trend towards improvement, with the global average score since 2015 increasing from 4 out of 10 to 5 out of 10	Lost income for suppliers during crisis as buyers cancelling orders means survival is paramount Power imbalances enhance again as business priorities shift and workers are desperate for employment (people need to pay for medical care or cover lost wages and will earn money however, they can) Many garment workers in Asian and African countries (global South) have lost their jobs Garment workers who face job loss or suspension face growing hunger and food insecurity Workers in informal economy with few savings and limited access to social protections are at a greater risk to accept loans with debt bondage terms	Vulnerable people taking any jobs regardless of exploitation risks Risk of increasing debt bondage Poverty and inequality increase due to lack of employment so opportunity for modern slavery violation increases Increased child labour Increased risk of acceptance of poorer working practices damaging improvement trends
	Child labour reducing globally	A 38% reduction in child labour in the 16 year period from 2000 to 2016 (ILO, 2020a) has been achieved by improving education. However, progress in recent years has slowed and agriculture and apparel are some of the worst industries	Access to a wider pool of child labour, e.g. children are not at school. Households may require children to work to cope with job loss and medical bills	Increased child labour. Children in marginalised minority groups are at greater risks Work to readdress child labour violations needed
	Some vulnerable people previously removed from modern slavery conditions are living in government or charity accommodation	Resources such as housing are provided under the International Justice Mission or Victim Care Contract (UK Annual Report on Modern Slavery, 2019)	Difficult for vulnerable people to access resources. As health officials and social workers prioritise COVID-19, response level of care deteriorates. Economically vulnerable survivors struggle to locate basic resources Priorities have shifted and public resources may have been reallocated	Hard work undone and progress diminishes Vulnerable people suffer

Notes: From the pre-COVID-19 position, there has and will continue to be changes in apparel supply chains due to the disruption of lockdowns. These changes lead to regressive impacts on recent progress in the ongoing battle against modern slavery, which lead to both exploitation of vulnerable people and the need for repetition of the previous work completed by external stakeholders

access to workers for gangmasters increases as demand outstrips supply.

- 2 *Need for repetition of previous work completed by external stakeholders.* There are significant implications for organisations trying to tackle modern slavery and repeated work is likely to be needed as some focussed priorities have shifted, disrupting these efforts. For example, NGO donations are likely to reduce as funds are focussed elsewhere (such as infectious disease prevention). Moreover, modern slavery legislation and task forces have seen renewed focus away from their objectives in the short-term crisis of COVID-19, which worsens the governance gaps in global supply chains. Global awareness has shifted to the health and safety of one's self and donations are being redistributed (Lucas and Landman, 2020).

5. Discussion

The paper has identified two debates that lockdowns may have on global modern slavery developments in the apparel sector. Firstly, as Table 1 shows, by examining the position prior to the pandemic. Secondly, by examining how apparel supply chains may change and further commitments to these initiatives may be impacted *during* (in the short term) and *after* the virus containment (longer-term). The research questions were developed to highlight these debates and have been answered by explaining the likely regressive impacts that this disruption will cause to previous good works achieved and future endeavours, using examples from the literature and real-time evidence as it is reported.

The first research question was: *what are the likely effects of supply chain disruptions caused by lockdowns in the apparel sector, on modern slavery developments previously achieved?*

There is some possibility, highlighted in Section 4.1 that the pandemic may bring about some positive modern slavery developments. For example, more ethical supply chains may evolve as the good work previously achieved by firms may, in some cases, place them in a strong recovery position. However, some support for workers in highly precarious employment situations, which was offered at the uncertain start of the crisis may well change as the pandemic evolves (Brydges and Hanlon, 2020). On the other hand, desperation to ramp up immediate supply to remain competitive and the effects of closures make the likelihood of modern slavery violations more probable. That is, globally, modern slavery violations are likely to increase, even temporarily, in the post-lockdown economy. Table 1 summarises the pre-COVID-19 achievements and the short and longer-term implications on these successes in apparel. In short, business and human survival, as well as the surge of modern slavery drivers have stunted or been detrimental to the progress. The severity and frequency of these issues render the likelihood of modern slavery to increase, which would, in turn, negatively impact SDG 8.7 (eradicating forced labour and ending modern slavery). However, this may not be the direct fault of the buyers who may keep their programmes in place, but the lack of income in low-cost production countries, which is forcing people to do things they otherwise would not.

Governments across the world have a role in the recovery. To serve as a reminder, the drivers of modern slavery include

poverty, discrimination, limited labour protection, restrictive mobility regimes, concentrated power and ownership, irresponsible business practices and governance gaps (LeBaron *et al.*, 2018) and these have been exacerbated as a result of lockdowns. There is a responsibility on governments to fill the governance gaps, to control the power of corporations and to reconsider migration regulation. Otherwise, there might be higher exploitation of vulnerable people already locked in modern slavery; higher risk of vulnerability for workers who previously had access to social security networks and labour laws; and higher risk for the marginalised groups of workers including migrant workers, women and the poor, outside the remit of labour laws and protection. The ILO predicted that poverty would increase as a result of the pandemic due to lack of employment, so the vulnerability of workers to modern slavery is also likely to increase. This economic necessity and desperation for jobs may lead to riskier working conditions and workers accepting such conditions. With children missing school where they are closed, they may be encouraged to work, leading to an increase in child labour if young people have fallen back into it or try it for the first time, due to the necessity of survival. Both Kabir *et al.* (2020) and Majumdar *et al.* (2020) emphasise the need for multiple stakeholders to continue collaborative working in the garment industry to ensure networks of production and responsibilities with respect to notions of care in the context of worker well-being do not deteriorate.

Prior to the effects of the pandemic, the debate on enforceable modern slavery legalisation was prevalent. For example, in the UK companies can report that they have taken no steps in the past financial year to address modern slavery risks whereas the Australian Modern Slavery Act includes mandatory reporting criteria (Field *et al.*, 2019). For better due diligence to become mandatory globally, this would drive transformative change in supply chains through encouraging action down the supply chain tiers (Rogerson *et al.*, 2020). The logic is that increasing the accountability of companies may motivate them to go beyond the tick-box approach and to address the upstream modern slavery problem through approaches such as collective action and rethinking of business models or correction action reporting (Cole and Aitken, 2019) where needed. Wilhelm's (2016a) double agency role of the Tier 1 supplier could have a significant part to play here. However, Voss (2020) claims that the pandemic has provided a stress test on the regulatory frameworks on business conduct showing that structures and relationships in supply chains can be vulnerable and fragile. The disruption to the industry may now curtail these beneficial initiatives.

The second research question was: *what do lockdown supply chain disruptions mean for modern slavery commitments in the apparel sector during and post-lockdown?*

Two negative consequences have been identified that have been developed under the lockdown conditions and will continue to manifest as the pandemic evolves. In short, the necessity of survival overcomes addressing modern slavery risks within supply chains. Overall, it is likely that vulnerable groups (e.g. those already involved in modern slavery, those who had escaped or those not previously affected by modern slavery) now have a higher risk of being exploited in a post-lockdown economy due to changes in the working landscape. The rise in

unemployment accompanied by a lack of sufficient social security networks for garment workers *and* disruption in efforts to address modern slavery have increased workers' vulnerability to exploitation. Lockdowns increase the likelihood of an individual being exploited by exacerbating the "push factors" that make them vulnerable. Unemployment is expected to disproportionately impact migrant workers and those in the informal, garment (and hospitality) sectors. Economic precariousness and poverty are particularly affected by the pandemic and there are some calls for governments to extend financial support to non-citizen and informal sector workers. For example, [Narula \(2020\)](#) encourages the integration of the informal economy into the commercial fabric of society.

There are serious implications for those working to tackle modern slavery as they are highly likely to find themselves having to conduct repetitive cycles of work previously completed. NGOs will need to canvas for donations they have seen reallocated, reassess supplier sustainability behaviour if that was part of their offering and re-educate the public to social sustainability quests. Governments and national taskforces will need to make up for a lost time during lockdowns and clear a backlog of work. Buyers may need to remap supply chains and reselect suppliers. All these actions are described as "repetition of previous work completed by external stakeholders" costing time and money and also include the need to improve on previous efforts. The pandemic has lifted the veil and shown the fragility of some of the previous interventions. It is the case that some previous work should not be repeated at all, but be replaced with a better alternative. One example of how this could be tackled is explained in the paper by [Lucas and Landman \(2020\)](#) referring to *social listening*.

Evidence of business survival has emerged as the key priority in the uncertain period of lockdowns, whereby payments to suppliers have been retracted or were promised, done so under limited clarity. Therefore, a return to a more transactional approach to price-driven purchasing practices and frequent switching of suppliers, found to be the case historically in the apparel industry ([Wilhelm et al., 2016b](#)) or a lighter version of sustainability partnerships may emerge. Furthermore, this would be a far step away from progress towards extended or full producer responsibility to more of a contract responsibility ([Schrempf-Stirling and Palazzo, 2016](#)). There is an inevitable disruption of modern slavery efforts as businesses divert resources to ensure survival ([Trautrim et al., 2020](#)), and governments do the same. For example, in India, six states planned to ease labour laws to help the industry to recover from the economic impact of the pandemic ([Srivastava and Nagaraj, 2020](#)). Other reports from India suggest that some workers are now working extra shifts to pay back food and shelter during a lockdown or be threatened with unemployment ([Nagaraj, 2020](#)). There is a danger that lockdowns roll back gains made in the fight against modern slavery as short-term emergency response overrides the importance of long-term sustainability orientation. For example, although governments are *not* on track to eradicate modern slavery and *not* achieve SDG 8.7 by 2030, there was a trend towards improvement with an increasing global average score since 2015 ([Global Slavery Index, 2019](#)). Where governments have taken initiatives to protect garment factories such as tax rebates, reduction in VAT, financial support for owners to pay wages and loan

installment rescheduling, such as in Bangladesh as outlined by [Sen et al. \(2020\)](#), these initiatives were for the welfare of the factory owners and not the workers who may remain or become oppressed. Sustainability advances are being undermined due to the urgency of continuity of supply during the pandemic causing tensions between short- and long-term responses.

Where retailers need to restock and competition will remain fierce to sell the hottest trends (or there is urgency for medical garments), a choice of going with an abundant supplier (potentially with little regard for their modern slavery credentials) or working with established and partnered suppliers remains to be seen. Either way, securing supply for competitive reasons as the crisis is downgraded, may take priority over pursuits into modern slavery eradication. A more reactive, transactional approach will have a negative effect on the modern slavery advantages that supplier development initiatives can have on upstream supply chains, as outlined by [Gualandris and Kalchschmidt \(2016\)](#), [Klassen and Vereecke \(2012\)](#), [Sancha et al. \(2016\)](#) and [Subramaniam et al. \(2019\)](#). Where vulnerable clothing retailers scramble to ensure their supply is fulfilled post-lockdown, we may expect to see a temporary loosening of labour standards. Yet, (often expensive) social compliance audits are more important than ever as the risk of standards slipping is a real concern.

A disciplined attitude towards risk assessment, joint and common purposes between members and the pursuit of flexible and efficient flows of materials and information will enhance resilience in post-pandemic supply chains ([de Sousa Jabbour et al., 2020](#)). The post-lockdown consequences on workers also depend on what commitments (if any) will be made at national and international levels to address the shortcomings of previous programmes to eradicate modern slavery practices, exacerbated by the sudden short-term supply chain reactions, which demonstrated that the exact policies in place to protect vulnerable workers were not fit for purpose under emergency conditions ([Crane and Matten, 2020](#)). However, it is still unclear how economies will deal with the current crisis and whether any global agreements between buyers and other actors will be made or changes in national and international policies will happen.

6. Conclusion

The contribution of this paper is twofold, namely, firstly, it provides a useful snapshot of where we were prior to the virus outbreak, lockdowns and closure of apparel retailers (up until March 2020). It may take many years for sectors to recover after the global lockdowns and understanding the point we were at as the pandemic struck is a necessary benchmark for research studies and observations moving forward. Second and more importantly, it proffers likely outcomes of people working in the upstream supply chain in the apparel sector, which are not in line with what we would have expected under the status quo. That is, that things are likely to get worse before they get better. Years of modern slavery work has been compromised by short-term reactions and we are yet to see the full scale of long-term impacts on social sustainability in supply chains. Temporal issues in demand fluctuations and constrained markets have led to tensions between short and long-term

supply solutions, which have and will continue to impact short and long-term modern slavery developments. In sum, the consequences firstly include the increased exploitation of vulnerable people including:

- those already involved in modern slavery; and
- those who had escaped or were previously protected and those previously not affected.

Secondly, a key consequence of the disruption supply chains have faced is the need for repetition of previous work completed by external stakeholders redoing past actions or indeed developing better processes and instruments that stand up to volatility in the market.

7. Future research directions

Where there is a risk of higher exploitation of vulnerable groups (e.g. those already locked in modern slavery, those who had escaped or those not previously affected by modern slavery) further research is needed into the nature and legality of recruitment and employment behaviours during lockdown periods and the role of civil society to undertake their enforcement and protection work. Any unfavourable opportunism of businesses to re-engage vulnerable groups (in the short-term) should be investigated. In the longer term, further research is needed into the shortcomings of labour protection and standards for vulnerable workers and improvements to be made to ensure positive policy shifts embedded in regulatory frameworks so that global disruptions cannot displace previous fruitful achievements. Although apparel is not deemed an item that would have seen demand dramatically increase during lockdown periods, the exception of medical garments would have been characterised by hurried production, so there is opportunity for labour exploitation that should be reviewed. Additionally, the reaction of the public to overlook short-term fair labour practices such as longer working hours providing the longer term sustainability agendas remain relatively intact is an interesting avenue for research. More severe modern slavery labour practices such as child labour and human trafficking are less likely to see this nonchalant approach. The majority of immediate calls for post-pandemic research focus on the supply chain itself and not specifically the workers within.

Where repeat work of modern slavery efforts is necessary (the repetition of previous work completed by external stakeholders), research is needed into the re-engagement with the community to work on redelivering the global message and interventions by governments worldwide to prevent the most perverse outcomes of resource diversion. Research is also needed into whether any key groups who have previously underpinned global modern slavery governance responses have been impacted by the pandemic and any implications on their future work, for example, where there has been any reduced investment into modern slavery eradication as a result of economic downturn. Learning from new ways of working (virtually) to tackle modern slavery where physical interventions could not take place may have uncovered opportunities for more of this practice, which should be investigated. Finally, harvesting the good social practice of enhanced community and volunteer efforts during the

pandemic towards tackling modern slavery could be beneficial for the plight.

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