The Code Debate in Context: A Decade of Campaigning for Clean Clothes

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Introduction

On March 11, 1999, in Utrecht, a small group of people gathered in one of the many conference rooms located in the city's Central Station. Some had been facing each other in similar rooms for years and years, including two people from the Dutch Clean Clothes Campaign, others were completely new. The occasion was the official launch of the Dutch "Fair Wear Charter Foundation" (Stichting Eerlijk Handels Handvest), marking the end of a series of negotiations that had gone on for five years.

While the representatives of activist organizations, unions, and clothing retailers and manufacturers were joining in commemorating the closure of negotiations, at the same time, those present felt it was only a beginning, that what they were participating in was an experiment and the sounding out of new possibilities. The metaphor of a newborn baby was brought up frequently (mainly by the industry representatives) during the first part of the meeting, when participants were asked to describe their personal background and motivation. It remains to be seen, for all of us, how "the child" will grow. Finding the common ground to go this far has been a long, slow, and difficult process. It is expected that the difficulties will, if anything, increase. The foundation's project plan gives a picture of the areas where agreement has been reached, but it also shows the different agenda's of the parties involved. The first two years are expected to be a time of transition and a time to decide on the future path of the foundation. The Dutch CCC is looking at it as something to learn from, in conjunction with other 'projects' on independent monitoring.

But, these difficulties aside, there have been accomplishments. How was it that the Dutch CCC, a campaign that started out as a direct action group, initiated a chain of events that led to meetings in anonymous conference rooms and the formation of a foundation chaired by a former government minister?

As a campaign, it is exciting to have a chance to see some of our longstanding demands put into practice, but it also creates apprehension. Were our demands the right ones? Did we think them through well enough? How do we measure what we have achieved and have not achieved? To answer these and other strategic questions for the future, it is essential to...
develop a collective understanding of our past. Of course, this is primarily the story of what happened in the specific context of the Netherlands, but any retelling of these events includes documenting activities in other countries where parallel and related developments took place.

This paper first describes the early years of the Dutch campaign, and why a charter and a foundation to oversee its' implementation, were proposed as tools in our struggle to improve workers' rights. As the campaign spread to other countries in the mid-nineties, the debates on charters (or codes of conduct, in today's language) and monitoring procedures, by a foundation or by other means, multiplied. Some of the background to this is presented in subsequent sections of this article. The following part of the paper looks at corporate reactions to these activities, and the changing global context which meant, among other things, that campaigning for legal tools became not only a necessity but also a possibility. The final part of discusses where the campaign is today and briefly outlines a workplan for the next few years, with specific emphasis on codes and monitoring.

Back to 1989

In 1989 a lockout in a clothing factory in the Philippines became the focus of attention for a number of groups active in the solidarity movement in the Netherlands and the UK. From what we now know it was in fact quite atypical case: a C&A contractor (William Baird PLC) had a subcontractor (IGMC). The women workers at IGMC, located in the Bataan Free Trade Zone, demanded their legal minimum wage, and got fired for it. They started a picket that lasted over a year. At the time this didn't seem typical, as there was virtually no knowledge in Western European countries about the way consumer products were being made, and the consequences for (women) workers. It was considered news that companies like C&A produced in faraway countries under bad conditions, news that there were women involved, and especially news that some people held a retailer company such as C&A responsible for all of this. After all, what did C&A have to do with what was happening in the Philippines? Not their company, not their country, not their employees, not their business. This was at first the general reaction of the public as well. Remember, this is long before globalization became a buzzword, before the Internet and even before the PC boom. It was the midst of the economic crisis in the West when people couldn't care less about other people's jobs, especially on the other side of the world.

When a public burning of clothes in front of C&A's main store in Amsterdam led to fights between activists and police, C&A, though publicly denying any responsibility for what happened at IGMC, took steps. They published a leaflet on buying practices that distributed among their stores in the Netherlands. They wrote letters to William Baird telling them to settle, one way or another, with IGMC. Throughout 1989 and 1990 (as the case dragged on) the different groups involved managed to keep having actions, partly energized by working together with organisations from different backgrounds. Press attention was ongoing and stories on women workers, on the international division of labour, and TNC responsibility were receiving more coverage. Uncool subjects, reserved at the time exclusively for a few academics, some radicals, and several anti-imperialistic seventies leftovers. More research on C&A continued to reveal new cases, in Bangladesh, India, and the sweatshops of the Netherlands. The solidarity groups involved took care of the communication with local worker organisations. More organisations showed an interest in the subject. A national day of protest against C&A's practices was organised. Clearly, this initiative struck a nerve: campaigning for "Clean Clothes" provided a concrete way of taking up the political demands of womens' and labour organisations in the south at the time: change the behaviour and the policies of TNC's and governments in the North, since they are responsible for the way people in the South live and work.
During this time the IGMC case was kept alive in the UK as well and other organisations there took the issue further. The NGO Traidcraft started a clothing campaign, demanding that the public ask retailers 'how clean their clothes are'. The IGMC workers got some back-pay as a result of continued pressure but the main demand, re-opening of the plant with minimum wages, wasn't met. The coalition in the Netherlands decided to continue - the Dutch Clean Clothes Campaign officially was founded in 1990, as a separate foundation with its own secretariat. Though there were only a few volunteers this was deemed necessary to prevent one organisation from claiming the campaign. Coalitions, at the time, were not long lived, especially not those which crossed-over (or attempted to) between the solidarity movement, the womens' movement, and the labour movement.

**Now what?**

By the end of 1991, however, it became clear that we were running out of steam. A second national day of action on C&A was less successful, in terms of mobilisation and press. "Yes, we have heard of your problems, and we are taking steps," was the company reaction. "Now what do you want?" was rapidly becoming the reaction of the general public and the press. Worker organisations we were in touch with urged a more pro-active approach. They felt that simply reacting when already there were a lot of problems the campaign was doing nothing to change the fundamentals of the situation.

In January 1992 a study day was organised that had different aims. The main reason was to develop more clarity on our demands to the industry, going beyond a case-by-case approach. Without the direct involvement of the unions and some of the larger NGOs we felt we had no basis to put forward our claims, so we also wanted to broaden the coalition inside the Netherlands. Different workshops were prepared and about 90 people attended. A number of models were put forward.

One was the concept of a union label (where we would demand that retailers only sell clothes that had a label sewn in). The main problem with this approach was that most workplaces are not organized, and organisation levels will not increase unless other measures are taken as well. Another approach was based on expanding alternative trade. Though this was seen as positive, it was not clear how and to what extent this would influence regular trade practices in the short to medium term. A product label had the built-in difficulty of getting a "rack of clean clothes" for the ethical consumer instead of a whole clean shop. This would create a niche industry, and not change standard industry practices. Some felt a label should only be given if the whole shop, or company, was clean, no matter how utopian this might be.

A third model looked at the possibilities of having an international law on production chain responsibility. The main problem with this was the lack of international legal structures able to deal with this. And that's assuming we would reach the stage of gaining acceptance from our governments and other legal entities for our claims (then considered extremely unlikely). The participants agreed that responsibility should lie at the very top of the production chain - if not recognized by law then otherwise.

A fourth model was the introduction of a social clause in trade agreements, a debate that was at the time responsible for serious fights and deep rifts between those in favour (because it included government responsibility and the possibility of sanctions) and those against (because it excluded TNC responsibility, legitimized the GATT structures, and was potentially protectionist). A combination of a workers' charter and a company label was put forward, where the monitoring of compliance with the charter should be done by a special foundation (due to the lack of willingness, for the time
being, of the ILO or other international bodies to take up such duties).

Following the study day a working group was set up consisting of the CCC, FNV, and NOVIB to further work out the ideas, later called the Fair Wear Charter working group.

A first international meeting discussing these ideas was held shortly after early 1993. More research was done, drafts of the Fair Wear Charter, as it was started to be called, were sent around to workers' organisations and womens' groups in Asia and a few in other continents that we had been in touch with. Representatives of the campaign took drafts with them to discuss during visits to the Philippines, Hong Kong, Indonesia, and India. One of the main points raised at the time (and before) was that the five basic ILO labour conventions - the starting point of many other codes and charters -- did not cover the needs of garment workers. Without standards for wages, hours of work, and health and safety the real problems of the majority of the workers remain unadressed. As these discussions were taking place, the CCC started an English newsletter to keep groups informed. In 1994 the working group presented the text of the 'Fair Wear Charter for Clothing and accompanying documents' to the retailers' association.

**Going European**

Again, the next step for the campaign wasn't clear. Industry accused us of making impossible demands. They refused to enter into a real debate on the issues, arguing that it was all very well for a few Dutch people (OK a lot of Dutch people) to demand these things, but because the Netherlands is very small (i.e. a small market) companies can not be be expected to take up these demands (which were "impossible" anyway). It was the job of governments, assisted by the ILO to work this out and if this did not happen - too bad. The Dutch coalition decided to make an all-out large scale effort to "go European," to show that there was widespread support for these demands.

The "Euro-project" as we started to call it, started in 1995 with workshops in the UK, Germany, France, and Belgium. Written material in local languages would be made on the basis of this, and a second bigger meeting organized. Parallel to this, meetings and research were organized in eight Asian countries, again including material in local languages about the CCC. This would culminate in 1996 with a month-long tour of six Asian guests, from different countries, together with people from the Dutch CCC, throughout Europe. Approximately one week in each country, for exchange, public debate, street actions, and visits to garment companies.

We got in touch with other European organisations on the basis of their being a partner of one of our member organisations, or because they contacted us, or seemed like a group that might be interested.

For most of these organisations the Clean Clothes meetings were the first time they were together in one room. The potential for building this type of coalition was a real incentive for many organisations to become active at their national level. Unions as well as development NGOs, and those with a background in the solidarity movement, felt a real decline in membership, mobilizing power, and public attention. This had been going on for years, but had gotten to a stage where it was so serious that people were willing to try new things, and form new alliances. The rifts caused by the social clause debates had closed many doors, preventing collaboration even in areas where it was politically possible. Providing a way out of this impasse was welcome.

**The Eurotour**
The 1996 tour generated unexpected levels of interest and ended with an evaluation/future planning meeting with all the tour participants and organizers from the different countries. At that meeting a system for European coordination for the campaign was set up.

One of the main issues raised was the threatening proliferation of codes and systems for monitoring their implementation. Companies had started reacting with their own inhouse codes, and we ourselves were working with different sets of demands. The Dutch Fair Wear Charter had been translated and discussed in Europe during the course of the project, but unions in other European countries, for example, worked only with the five basic conventions.

During the preparations and during the tour extensive discussions with our Asian partners took place, especially on the issue of monitoring - more then on the content of the codes. It was also repeatedly stressed that a broadbase was also needed to show support for all our demands. The first step, it was decided, should be to develop a joint model code, for the European and Asian groups to speak with one voice to the companies and to show that a large number of people do agree that workers have these rights. It should also set a standard to prevent company inhouse codes from being accepted.

Ideas on independent monitoring should be discussed and outlined in the model code. Asian organisations, international union organisations, and other relevant NGOs should be part of the process, in addition to the CCC member organisations.

It was also made clear that addressing the retailers and big producing companies (the "northern" companies), was the job of the NGOs and unions in the North. Both the access and the responsibility for that end of the production chain lies here. In the current context of the debate on codes of conduct this may sound strange. At that time, the choices in solidarity work for NGOs and unions were between promotion of fair/alternative trade, promotion of social clauses in trade agreements, or pressuring companies.

The mandate for the European CCC was more or less set at pressuring companies, while also promoting fair trade as a first alternative to consumers. What companies should be pressured into doing was still open for debate. In our view, it was clear that they should be made responsible for a whole package of labour standards - not just child labour, and not just the five basic ILO conventions.

Within Europe different organisations involved in a growing number of CCCs followed this up with research, discussions, and public debates. Meetings were organized together with the international union secretariats and other NGOs to facilitate the process of developing a single code of conduct for the garments and sportswear (including shoes) industry. Representatives of the CCC went to Hong Kong to discuss drafts for a system of independent monitoring to be included in the draft model code that had started circulating.

In February 1998 the model code was finally unveiled, supported by the CCCs, international union federations, and a number of regional and national organisations in Asia.

**What's in the model code?**

The model code has different sections. Section one sets out everything that it's not intended to be. That list is quite long, and it appears first because it was considered essential to make clear that codes are not meant to replace collective bargaining, for example, or national legislation, and should not be implemented only among the first tier of subcontractors.

The list grew during the process of drafting, as more and more companies
started to adopt their own codes as a means of fighting public criticism.

The "code-debate" became our vehicle for getting the issue of labour rights and TNC responsibility into the public arena. At the same time "a code of conduct" came to have different meanings for different people. Section one of the code also outlines the scope and says something about the context and our own expectations. For us, it's one tool out of a toolbox, whose value is dependant on the other tools in that box.

The second part of the model code lists the labour standards, the five basic conventions plus provisions on hours of work, living wage, health and safety, and job security. Today there is a high level of consensus among unions that these are our demands, and that company codes (and others) not mentioning these fall short of the mark. In that sense, we accomplished one of our goals. Increasingly, we saw the use of codes as away to enter into a political debate, forcing companies to talk about the notion of a living wage and of job security, and forcing authorities to react to violations of the right to organize. At the same time it enabled campaigns to be much more effective watchdogs using either our own or the companies' code as the standard against which "reality checks" take place.

The third part of the model code lists the tasks of a company to implement the code, for example they must translate it into local languages and distribute it to workers. Implementation is as crucial as independent monitoring, though less talked about. Violations should be prevented, and we have to keep on making these demands. The fourth section lists principles for independent verification, and is the least specific. It is loosely based on the Dutch foundation ideas, but opens the door for other models. Despite the unformed nature of our ideas, it was felt we should put them forward. To oppose one must propose, and in our direct surroundings others were developing their own systems at high speed, for example via the US Apparel Industry Partnership and SA8000.

In the CCC "foundation model" monitoring can be based upon a two-track system: one track includes the use of accredited agencies/organizations, who can gather a certain type of information via the methods open to them; the other track includes information gathered by local-level worker organizations, for example via complaints, who have access to different kinds of information and use different methods. Pressure must be applied to maintain a balanced interest in the pursuit of both tracks. Input from trade unions and NGOs at the local (production) level needs to fully integrated into methods of implementation, verification, and monitoring. In discussions about monitoring systems access by local level organizations is often mentioned as important, but it remains a highly complex issue for all and more work is needed to see how we can guarantee quality, confidentiality, and credibility. Only more participatory forms of monitoring can make this process one that really helps to address problems in the work place.

Monitoring systems that would continue to put all the responsibility for upholding good working conditions with suppliers, and exempt their clients who set the actual wage norms for example, are clearly not acceptable. Sourcing guidelines should in no way facilitate a "cut and run" approach, and instead should call for a commitment to help those without access to resources to improve conditions over time.

A growing network

By the time the model code was developed the CCC had become active in six other European countries (Belgium, Germany, France, the UK, Spain, and Sweden). During 1998 Switzerland and Austria also joined. In each country the campaign is coordinated by a coalition of consumer groups trade unions,
researchers, solidarity groups, womens' organisations, and world shops. Initiatives for new platforms are currently underway in Denmark, Italy, and Ireland.

The consumer angle was relatively new for those that became directly involved. Most had a background in either fair trade or in the solidarity/labour-related movement. The wish to find an effective expression of solidarity with groups in the South and increasingly also in the East, was and is the main motivation for the groups active in the various CCCs.

Using the consumer angle to raise awareness on these issues has worked far beyond our original expectations - this holds true for all the countries that the campaign has spread to. Interest in labour rights codes and verification systems has also grown beyond our expectations.

This has become one of the main social debates in the recent years -drawing attention and input not just from NGOs and unions but from the ILO, the European Commission, the European Parliament, major industry associations, companies, an increasing number of universities, and the international press. In the past two years it has become something fashionable to work on - and, inevitably, much more controversial as well. Obviously, this did not happen in a vacuum. Not only was there an important global dimension to consider, this context was (and continues to be) a rapidly changing one.

General interest in international business and its behavior has increased. The continuing processes of globalization have added to an environment where non-governmental initiatives to reign incorporate violations of human rights are more common, as governments seem unable or lack the political will to sufficiently take up this challenge.

Current growing worldwide competition between corporations has meant that market behavior has become a crucial factor. As a result companies are much more sensitive to public pressure of any kind. Informing the buying public of the conditions under which products are made runs the risk of jeopardizing corporate campaigns aimed at establishing brand loyalty. As corporations have truly started to work globally, instead of regionally, they themselves have a need to develop tools to control and monitor their own activities. These developments have meant changing corporate strategies (witness the enormous growth of the advertising and marketing industries to service those strategies, and subsidiary industries to service "human rights" needs, such as auditing firms).

**Different needs, different strategies**

With the globalization of business placing corporate practices in a brighter spotlight and the increasing acceptance of labour rights as a TNC responsibility, legal strategies to challenge the impunity with which labour rights are violated has become a more feasible course to follow. While 10 years ago such ideas seemed beyond the scope of possibility, that is no longer the case. Those working to improve conditions in the garment industry also wanted to be able to support their current approaches with legal arguments, even more so in a situation where the role of governments in the global corporate playing field has rapidly decreased.

We saw two specific possibilities for legal approaches: first via the consumer's right to be informed of the working conditions under which the clothes they buy are produced; and secondly via the liability of the distributors and the clothing companies at every stage of production. What did international law have to say about the present impunity of these transnational companies? These were the needs articulated by the CCC in our 1997 request to the Permanent People's Tribunal (PPT) for a hearing. The request was granted and
cases were compiled on some of the major transnational corporate players in
the garment and sportswear sector. Witnesses (researchers, workers, and
representatives of workers organizations, including unions) presented
testimony before the PPT that highlighted working conditions that clearly
violated ILO standards and the company’s own self-styled “codes of conduct.”

Framing the questions

In the official request to the Tribunal, the Campaign called for clarification on
the legal definition of the liability of the buying companies towards their
subsidiaries, contractors, subcontractors, and suppliers, and the working
conditions which prevail in those factories. We also wanted a public forum
where consumers’ right to be informed of the social conditions in which
articles of clothing and port shoes are manufactured would be addressed
within a legal framework. If companies make claims about the conditions
under which their products are made, what is the legal right of consumers to
know whether such claims are true? The CCC also asked about the meaning
of codes of conduct from a legal point of view. What should be included in
such codes if we want to maximize their enforceability? How can the codes of
conduct already accepted in the garment and sportswear sectors be assessed?
How can the Code of Labour Practices for the Apparel Industry including
Sportswear be assessed from a legal point of view? Which conditions can be
mentioned to make the monitoring of the codes of conduct be efficient?

Practically on the eve of the International Forum on Clean Clothes, during
which the PPT hearing would take place, a lawsuit was filed in San Francisco
Superior Court against sportswear giant Nike, charging the Oregon-based
company with “unlawful and unfair business practices” that violate California’s
Business and Professions Code. The suit alleged that Nike’s advertising and
public statements present a deceptive image of the company, and that Nike
falsely claimed to protect workers through a Code of Conduct and
Memorandum of Understanding. Nike has illegally misled and deceived
California consumers about working conditions and wages in its overseas
factories.

Two months later an exiled Chinese dissident announced plans for a class
action suit against the U.S. subsidiary of Adidas-Salomon AG accusing the
company of using prison labour to make soccer balls in China. The suit alleged
that while in prison between 1994-1997 the dissidents had stitched footballs
for the company. They demanded compensation for the work they put in
during 15 hour days, seven days a week. The interest in pursuing legal
approached was clearly not confined only to Europe.

Overall coordination for the International Forum was taken on by the French-
speaking Belgian CCC, with guidance coming from a Dutch/Belgian steering
committee. Specific cases were coordinated by other CCCs, based on past
knowledge/activity on the company in question, or due to contacts in the
production country. They also handled communications with researchers and
witnesses.

From the opening ceremony, held in a packed auditorium at the Palais des
Congrès, to the final press conference at the International Press Center where
the Tribunal unveiled their verdict, the event ran smoothly. Much media
coverage was generated (we were even on the radio in China) and there was
a great deal of follow-up press attention in the various CCC countries, where
the witnesses were hosted for “mini tours.” In contrast to the 1996 tour, the
witnesses to working conditions in Asia, Africa, and Eastern Europe did not
travel from country to country, but instead visited one country, based on the
needs and interests of each of the various national platforms and the visitors.
Those countries which had participated in the earlier tour were now in more of
a position- due to ongoing activity and an expanded knowledge/contact base-
to better utilize the input from the visiting resource people. Debates and events held in the context of these post-Forum mini-tours were better informed in terms of content.

**Restructuring for New Action**

Since the Forum, the campaign continues to study legal measures that can support codes of conduct and (voluntary) agreements to work on independent monitoring. The EU legal framework for the protection of the rights of the consumer (principally the right to information and to a quality product), as well as extra-territoriality law, are the starting points identified for follow-up by the CCCs legal working group, formed after the Forum. The formation of this international working group, with participants drawn from the various national level CCCs, was one of many created in the fall of 1998.

In the wake of the Forum the CCC recognized a need to evaluate and take stock of the campaign. Growth of the campaign, heightened consumer awareness, and expansion of the network coupled with the changing global backdrop and constantly revamped corporate responses all pointed to the need for some reflection on where we'd been and where we were going.

A summit was convened, and in addition to evaluation and strategizing for the future, the campaign concluded that an amended structure, with more of a decentralized character was called for. The structure allows for international coordination and work on joint actions. But it also brings with it enough flexibility to accommodate the different needs and interests at the national level. It is important to recognize, for example, that a 10-year-old campaign such as the Dutch CCC, is different from a one-year-old campaign. Just as people have different starting points, campaigns also have different starting points. The Spanish CCC, started in 1997 felt that some time devoted largely to awareness raising (via consumer post card campaigns and public debates) were necessary to get the campaign off the ground. In Sweden, on the other hand, the campaign got going at around the same time, but entered from a different perspective.

The campaign went almost directly into negotiations with companies and now, just two years later, is engaged in a series of pilot projects with Swedish companies (H&M, Kapp-ahl, Lindex, and Indiska) to develop a system for the independent monitoring of corporate compliance with labour standards which closely resemble the CCC code mentioned earlier. Pre-studies in Bangladesh, India, and China, shaped by input from CCC partners in those countries, will be followed by the actual pilot projects which will focus on procedures for implementation, monitoring, and verification of labour standards.

**Back to the Foundation**

The course that the Dutch campaign has followed has led to the creation of the foundation. As described in the opening, just two months ago the terms for this initiative, which the negotiating team had discussed for years, were finalized and the documents handed over to the new board.

First of all there is "the Fair Wear Charter for Clothing", which starts out setting out the standards and general obligations of companies participating in this initiative. A code of conduct, in today's terminology. In terms of standards, it is similar to the CCC model code.

The next set of documents deals with the structure of the foundation. The foundation has a board, an expert panell, and a secretariat. The idea is that an appeals committee will be formed at a later stage. The board is divided equally among representatives of unions, NGOs, retailers, and producers with an independent voting chair. This composition is also reflected in the expert
panel which is meant to advise the board. During the first two years this is expected to be an especially tough job.

And finally, a project plan was presented. Parties agreed to start a two-year project to further develop the way monitoring should be organized, based upon a number of agreed upon principles. Among other items this includes a pledge to link up with other European systems and developments, to share the learning and experiences.

The Foundation project plan also describes the difference between "self-monitoring" and "third party monitoring", and it is agreed that both are essential. It is further agreed that proper complaints procedures should be in place, and that a developmental approach (no "cut and run") is essential. Lastly, there should be enough attention to the special position and limits of influence of the small- and medium-sized entreprises we are dealing with in the context of the initiative.

The company commits/agrees to independent monitoring of the provisions of the code and agrees that they will follow the advice of the foundation in this. Companies are expected to sign the code and join the foundation from now on, but the provision relating to independent monitoring and following the advice of the foundation only starts working when the foundation has established clear procedures and cost-estimates for such procedures.

**Small & Medium Sized**

Though the Fair Wear Charter and the proposals tied to it for monitoring are intended for large retailers and producing companies, in the end it was the Dutch federations of small- and middle-sized retailers and producers that became involved in the Foundation. Of course first we tried to get the large retailers to accept the demands set out in the charter. After a lot of public pressure and debates indifferent fora, they started answering our letters, and then met with the unions and NGOs two times over the course of 1995. In the end they drafted their own, internal code of conduct on child labour only, and refused to discuss independent monitoring. After that, in 1996, the first meetings with the other federations took place.

This meant that we had a lot of debates on the whole notion of responsibility throughout the production chain -- where does it extend to? What can a single sportswear shop do to influence Adidas? These are the questions the Foundation will try to deal with in the coming two years.

**Other experiments**

In addition to the launch of the foundation in the Netherlands, and the Swedish project, other CCCs are making advances in investigating the possibilities for independent monitoring and are initiating projects to explore how the principles for processes we have campaigned for can be translated into action.

The French CCC (L’ethique sur L’etiquette) and the French retailer Auchan, signed a letter of intention regarding the adoption of a Code of Conduct and to further develop implementation and monitoring, including four trainings for buyers (now concluded), and pilot projects in Vietnam and Madagascar. In October 1998 the French organization of large retailers FCD (including Carrefour, Promodes, and Casino) adopted a code including a commitment to work on systems of monitoring. Companies, of course, follow different approaches: Promodes wants to work within the framework of SA 8000, while Carrefour wants to involve de Federation International de Droits de L’homme (FIDH).
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The Ethical Trading Initiative, a UK coalition of trade unions, NGOs and retailers, includes a number of organizations active in the UK CCC (called Labour Behind the Label). Characterized as a learning initiative, in which companies adopt codes of conduct based on ILO conventions and accept independent monitoring. Participating companies make a commitment to improving standards and not to simply "cut and run." Pilot studies are underway on the garment industry in China, and more are foreseen, as is a European level sharing of the results. The plan is to develop practical and cost-effective tools to be tested and adapted and ultimately be suitable for widespread use.

Fighting confusion

Despite all the unfinished business and work still to be taken up, we are determined that public enthusiasm for the very issues which we invested so much effort in making visible will not be siphoned off via an environment of confusion. As a campaign we know that if we lose consumers to the confusion generated by competing company codes, model codes, and corporate funding to unrelated development projects, then the future of initiatives like the Foundation are inclined to become moot points. Confusion works to lessen confidence and credibility in these initiatives. Ten years ago we used to describe the labour that went into garment production as "invisible labour." While we have clearly brought these issues out into the open - onto the front pages of newspaper, into prime time TV documentaries and into the minds of individual shoppers, investment club members, and students - it is still our job to keep up the pressure and keep those issues in view. During this "new era" we have also seen our language lifted, reshaped, and inserted into corporate press releases which tout the victories of various TNCs over sweatshop abuses.

Company codes emerged from this very process of keying into consumer desires. That they are vaguely defined, incomplete and above all not implemented, monitored or independently verified is another story-one which we have to tell, loudly and clearly. While companies say that their codes illustrate their commitment to continuous improvement in the workplace, we see the bulk of improvement in their public image and not a whole lot more. Successful monitoring (and in the end a "successful" code) brings worker empowerment, and is not merely a process to minimize a company's chances of losing face with consumers.

Recognizing the changing context, not only from the perspective of those working in globalized export industries, but also from the vantage point of the consumers of those goods, is important for activists involved in these issues to recognize. Indeed, here we might take a lesson from corporate stakeholders who are constantly monitoring the moods of the marketplace, on the lookout for needs to be met. Beyond sustaining public momentum and awareness around the issues, we also need to recognize that activists are just as susceptible to being overwhelmed by a morass of strategies and "solutions."

For example, as "experiments" or pilot projects with monitoring models take place these experiences need to meet certain guidelines themselves, and then must be carefully evaluated. Findings should be widely disseminated and considered in a thorough fashion so that informed learning takes place. This phase of experimentation and information-gathering should not be company-led. It should also be emphasized that while a pilot is merely a test, it can have an important impact on the agenda for the next round of learning experiments. Therefore, avenues for input to this process are extremely important.

Communication among ourselves must be clear and channels between NGOs,
trade unions, and others (North, South, East, and West) need to be open, so that information is regularly exchanged and the possibility of input always exists. In an international network the possibility for misunderstanding can also be compounded by language differences. As the network grows we run the risk of sacrificing clarity; in terms of content on important issues and also on strategies.

There are many avenues for investigation. The legal questions spelled out above still need conclusive answers, and not just in one country but in many. And not just at the EU level but in the context of other regions. The various pilot projects point to the fact that much is still be hammered out in terms of the actual way to lift labour standards off the page and into full force in the workplace. We expect that there will be more meetings in conference rooms, more cases to be prepared, and, as always, more actions in the streets.