# HIGHER IS NOT BETTER: AN ECONOMIC SOCIOLOGY OF BUSINESS AND CHILD LABOUR IN INDIA'S GLOBAL COTTON VALUE CHAIN

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## Abstract

This research examines child labour risks within India's cotton value chain among children and adolescents under age 18. Businesses and farmer groups face global market pressure to eliminate child labour despite deep-rooted structural inequalities shaping why children work. Poverty, informality, limited educational access, and uneven labour law enforcement increase children's vulnerability to harmful and illegal work. Drawing on economic sociology, integrative social contract theory, and transnational labour law, the study conceptualizes child labour risk as socially embedded, organized through value chain structures, normalized through compliance systems, and governed through public and private institutions.

The research examines how businesses address child labour risks through employment practices and participation in voluntary sustainability standards, including Better Cotton, Fairtrade, and organic standards, under differing public policy and enforcement conditions. It develops a human-rights-aligned Business and Child Labour Tool to evaluate governance responses, focusing on child labour specificity, public–private compliance and enforcement arrangements, and ethical capability. Using a mixed-methods design, the study combines legal research, surveys, interviews, and policy evaluation across three Indian states. The findings suggest that increasing minimum-age thresholds beyond India's statutory minimum of 14 is not, by itself, associated with better outcomes for children. Effective policy requires indicators that capture hazardous work, coercive practices, and gaps in safeguards, including schooling, child protection, and remediation. The study identifies misalignments between voluntary standard design, state enforcement capacity, and the conditions sustaining child labour risks, helping explain why increasingly robust governance procedures may coexist with limited evidence of sustained remediation. Enforcement is frequently society-dependent, with NGOs and community actors assuming protective and enforcement functions where state capacity is limited. Comparative analysis suggests that reductions in child labour risks may emerge through multiple pathways rather than a single governance model.

The thesis concludes that reducing child labour risks requires governance arrangements that combine credible monitoring, remediation-capable enforcement, educational safeguards, and proportionate escalation linked to child-centred outcomes. Effective implementation depends on aligning international human rights norms with domestic legal requirements and local realities through context-sensitive, child-centred responses.

## Résumé

Cette recherche examine les risques liés au travail des enfants au sein de la chaîne de valeur du coton en Inde, chez les enfants et adolescents de moins de 18 ans. Les entreprises et les organisations de producteurs sont confrontées à la pression des marchés externes pour éliminer le travail des enfants, malgré les inégalités structurelles profondément enracinées menant à ce travail. La pauvreté, l'informalité économique, l'accès limité à l'éducation et l'application inégale du droit du travail accroissent la vulnérabilité des enfants face à des formes de travail préjudiciables et illégales. S'appuyant sur la sociologie économique, la théorie intégrative du contrat social et les droits du travail transnational, cette étude conceptualise le risque lié au travail des enfants comme un phénomène socialement ancré, organisé à travers les structures de la chaîne de valeur, normalisé par les systèmes de conformité et régi par des institutions publiques et privées.

La recherche examine comment les entreprises gèrent les risques liés au travail des enfants par le biais de leurs pratiques d'emploi et de leur adhésion à des normes volontaires de développement durable, notamment Better Cotton, Fairtrade et les normes biologiques, dans des contextes variés en matière de politiques publiques et d'application de la loi. Elle élabore un outil d'évaluation des entreprises et du travail des enfants (Business and Child Labour Tool), aligné sur les droits de la personne, afin d'évaluer les réponses de gouvernance, en mettant l'accent sur la spécificité du travail des enfants, les dispositifs de conformité et d'application des règles entre les secteurs public et privé, ainsi que la capacité éthique. Utilisant une méthodologie mixte, l'étude combine recherche juridique, enquêtes, entretiens et évaluation des politiques dans trois États en Inde.

Les résultats suggèrent que le fait de relever l'âge minimum au-delà du seuil légal indien de 14 ans n'est pas, en soi, associé à de meilleurs résultats pour les enfants. Une politique efficace nécessite des indicateurs permettant de cerner le travail dangereux, les pratiques coercitives et les lacunes en matière de mesures de sauvegarde, notamment dans la scolarisation, la protection de l'enfance et les mécanismes de remédiation. L'étude met en évidence des décalages entre la conception des normes volontaires, la capacité de l'État à les faire respecter et les conditions qui entretiennent les risques liés au travail des enfants, expliquant pourquoi des procédures de gouvernance de plus en plus solides peuvent coexister avec des preuves limitées d'une remédiation

durable. L'application de la loi dépend souvent de la société civile, les ONG et les acteurs communautaires assumant des fonctions de protection et de contrôle lorsque les capacités de l'État sont limitées. Une analyse comparative suggère que la réduction des risques liés au travail des enfants peut s'opérer par des voies multiples plutôt que par un modèle de gouvernance unique.

La thèse conclut que la réduction des risques liés au travail des enfants nécessite des approches de gouvernance reposant sur un suivi crédible, une application de la loi permettant des mesures correctives, des garanties en matière d'éducation et une escalade proportionnée liée à des résultats centrés sur l'enfant. Une mise en œuvre efficace passe par l'alignement des normes internationales relatives aux droits de l'homme sur les exigences juridiques nationales et les réalités locales, grâce à des réponses adaptées au contexte et centrées sur l'enfant.

## અમૂર્ત (Abstract in Gujarati)

આ સંશોધન ભારતમાં કપાસની મૂલ્ય શૃંખલા (Cotton Value Chain) માં 18 વર્ષથી ઓછી ઉંમરનાં બાળકો અને કિશોરોમાં બાળમજૂરી સંબંધિત જોખમોનું પરીક્ષણ કરે છે. બાળકો શા માટે કામ કરે છે તેનાં કારણોને આકાર આપતી ઊંડે સુધી મૂળ ધરાવતી માળખાકીય અસમાનતાઓ હોવા છતાં, વૈશ્વિક બજારના દબાણને કારણે વ્યવસાયો અને ખેડૂત સંગઠનો પર બાળમજૂરી નાબૂદ કરવાની અપેક્ષાઓ વધી રહી છે. ગરીબી, અસંગઠિત રોજગાર વ્યવસ્થા, શિક્ષણની મર્યાદિત ઉપલબ્ધતા અને શ્રમ કાયદાઓના અસમાન અમલીકરણને કારણે બાળકો હાનિકારક અને ગેરકાયદેસર કામ માટે વધુ સંવેદનશીલ બને છે. આર્થિક સમાજશાસ્ત્ર (Economic Sociology), સંકલિત સામાજિક કરાર સિદ્ધાંત (Integrative Social Contract Theory) અને આંતરરાષ્ટ્રીય શ્રમ કાયદાના અભિગમોના આધારે, આ અભ્યાસ બાળમજૂરીના જોખમને સામાજિક પરિસ્થિતિઓમાં મૂળ ધરાવતી, મૂલ્ય શૃંખલાની રચનાઓ દ્વારા સંગઠિત થતી, અનુપાલન પ્રણાલીઓ દ્વારા સામાન્ય ગણાતી અને જાહેર તથા ખાનગી સંસ્થાઓ દ્વારા સંચાલિત થતી ઘટના તરીકે સમજાવે છે.

આ સંશોધન તપાસે છે કે વિવિધ જાહેર નીતિ અને કાયદાના અમલીકરણની પરિસ્થિતિઓ હેઠળ વ્યવસાયો રોજગાર પ્રથાઓ અને સ્વૈચ્છિક ટકાઉપણાના ધોરણોમાં ભાગીદારી દ્વારા બાળમજૂરીનાં જોખમોનો કેવી રીતે સામનો કરે છે. તેમાં બેટર કોટન, ફેરટ્રેડ અને ઓર્ગેનિક ધોરણોનો સમાવેશ થાય છે. આ અભ્યાસ માનવ અધિકારો સાથે સુસંગત એવો વ્યવસાય અને બાળમજૂરી મૂલ્યાંકન સાધન (Business and Child Labour Tool) વિકસાવે છે, જે શાસન અને સંચાલન સંબંધિત પ્રતિસાદોનું મૂલ્યાંકન કરવા માટે બાળમજૂરીને લગતી વિશિષ્ટતા, જાહેર અને ખાનગી ક્ષેત્રની અનુપાલન તથા અમલીકરણ વ્યવસ્થાઓ અને નૈતિક ક્ષમતાઓ પર ધ્યાન કેન્દ્રિત કરે છે. મિશ્ર પદ્ધતિ આધારિત સંશોધન અભિગમ (Mixed-Methods Design) અપનાવીને, આ અભ્યાસ ભારતનાં ત્રણ રાજ્યોમાં કાનૂની સંશોધન, સર્વેક્ષણો, મુલાકાતો અને નીતિ મૂલ્યાંકનને સંયોજિત કરે છે.

સંશોધનનાં તારણો સૂચવે છે કે ભારતના કાયદા હેઠળ નિર્ધારિત 14 વર્ષની લઘુત્તમ વયમર્યાદા કરતાં વધુ વયમર્યાદા નક્કી કરવાથી, માત્ર એટલા આધારે, બાળકો માટે વધુ સારા પરિણામો પ્રાપ્ત થાય છે એવું સાબિત થતું નથી. અસરકારક નીતિ માટે એવા સૂચકાંકો જરૂરી છે, જે જોખમી કામ, બળજબરીપૂર્ણ પ્રથાઓ અને સુરક્ષાત્મક વ્યવસ્થાઓમાં રહેલી ખામીઓ, જેમાં શાળાકીય શિક્ષણ, બાળસુરક્ષા અને નુકસાનના નિવારણ તથા સુધારાત્મક પગલાંનો સમાવેશ થાય છે, તેને ધ્યાનમાં લે. આ અભ્યાસ સ્વૈચ્છિક ધોરણોની રચના,

રાજ્યની અમલીકરણ ક્ષમતા અને બાળમજૂરીનાં જોખમોને ટકાવી રાખતી પરિસ્થિતિઓ વચ્ચે રહેલી અસંગતતાઓ ઓળખે છે. આ અસંગતતાઓ સમજાવવામાં મદદ કરે છે કે શા માટે વધુ મજબૂત શાસન અને અનુપાલન પ્રક્રિયાઓ હોવા છતાં લાંબા ગાળાના સુધારાત્મક પરિણામોના મર્યાદિત પુરાવા જોવા મળે છે.

જ્યાં રાજ્યની ક્ષમતા મર્યાદિત હોય છે, ત્યાં અમલીકરણની જવાબદારી ઘણીવાર સમાજ આધારિત બની જાય છે અને બિનસરકારી સંસ્થાઓ (NGOs) તથા સમુદાયના સભ્યો બાળકોના રક્ષણ અને કાયદાના અમલીકરણ સંબંધિત ભૂમિકાઓ નિભાવે છે. તુલનાત્મક વિશ્લેષણ સૂચવે છે કે બાળમજૂરીનાં જોખમોમાં ઘટાડો માત્ર એક જ શાસન મોડેલ દ્વારા નહીં, પરંતુ વિવિધ માર્ગો દ્વારા શક્ય બની શકે છે.

આ થીસિસ નિષ્કર્ષ આપે છે કે બાળમજૂરીનાં જોખમો ઘટાડવા માટે વિશ્વસનીય દેખરેખ, અસરકારક સુધારાત્મક પગલાં અમલમાં મૂકવાની ક્ષમતા ધરાવતી અમલીકરણ વ્યવસ્થા, શૈક્ષણિક સુરક્ષા અને બાળકોના હિત તથા પરિણામો સાથે જોડાયેલ તબક્કાવાર અને પ્રમાણસર કાર્યવાહીનો સમાવેશ કરતી શાસન વ્યવસ્થાઓ જરૂરી છે. અસરકારક અમલીકરણ માટે આંતરરાષ્ટ્રીય માનવ અધિકારના ધોરણો, સ્થાનિક કાનૂની આવશ્યકતાઓ અને સ્થાનિક વાસ્તવિકતાઓ વચ્ચે સુસંગતતા સ્થાપિત કરવી જરૂરી છે, જેમાં સંદર્ભને અનુરૂપ અને બાળક-કેન્દ્રિત પ્રતિસાદોને પ્રાથમિકતા આપવામાં આવે છે.

## सार (Abstract in Hindi)

यह शोध भारत की कपास मूल्य श्रृंखला (Cotton Value Chain) में 18 वर्ष से कम आयु के बच्चों और किशोरों से जुड़े बाल श्रम के जोखिमों का अध्ययन करता है। बच्चों के काम करने के कारणों को प्रभावित करने वाली गहरी संरचनात्मक असमानताओं के बावजूद, वैश्विक बाजार के दबाव के कारण व्यवसायों और किसान संगठनों पर बाल श्रम को समाप्त करने का दबाव बढ़ रहा है। गरीबी, अनौपचारिक रोजगार व्यवस्था, शिक्षा तक सीमित पहुँच तथा श्रम कानूनों का असमान प्रवर्तन बच्चों को हानिकारक और अवैध कार्यों के प्रति अधिक संवेदनशील बनाते हैं। आर्थिक समाजशास्त्र (Economic Sociology), एकीकृत सामाजिक अनुबंध सिद्धांत (Integrative Social Contract Theory) और अंतरराष्ट्रीय श्रम कानून के आधार पर, यह अध्ययन बाल श्रम के जोखिम को एक ऐसी सामाजिक रूप से अंतर्निहित घटना के रूप में देखता है, जो मूल्य श्रृंखला की संरचनाओं के माध्यम से संगठित होती है, अनुपालन प्रणालियों के माध्यम से सामान्यीकृत होती है तथा सार्वजनिक और निजी संस्थाओं द्वारा नियंत्रित होती है।

यह शोध इस बात की जाँच करता है कि विभिन्न सार्वजनिक नीतियों और कानूनों के प्रवर्तन की परिस्थितियों में व्यवसाय रोजगार संबंधी प्रथाओं तथा स्वैच्छिक स्थिरता मानकों में भागीदारी के माध्यम से बाल श्रम के जोखिमों का समाधान किस प्रकार करते हैं। इनमें बेटर कॉटन, फेयरट्रेड और जैविक मानक शामिल हैं। यह अध्ययन मानवाधिकारों के अनुरूप एक व्यवसाय एवं बाल श्रम मूल्यांकन उपकरण (Business and Child Labour Tool) विकसित करता है, जिसका उद्देश्य शासन और प्रबंधन संबंधी प्रतिक्रियाओं का मूल्यांकन करना है। इसमें बाल श्रम से संबंधित विशिष्टता, सार्वजनिक एवं निजी क्षेत्र की अनुपालन तथा प्रवर्तन व्यवस्थाओं और नैतिक क्षमता पर विशेष ध्यान दिया गया है। मिक्स्ड-मेथड्स डिज़ाइन अपनाते हुए, यह अध्ययन भारत के तीन राज्यों में कानूनी अनुसंधान, सर्वेक्षणों, साक्षात्कारों और नीतिगत मूल्यांकन को एक साथ जोड़ता है।

शोध के निष्कर्ष बताते हैं कि भारत में कानून द्वारा निर्धारित 14 वर्ष की न्यूनतम आयु सीमा से अधिक आयु सीमा निर्धारित करना अपने आप में बच्चों के लिए बेहतर परिणामों से संबंधित नहीं है। प्रभावी नीतियों के लिए ऐसे संकेतकों की आवश्यकता है, जो खतरनाक कार्यों, जबरन श्रम संबंधी प्रथाओं तथा सुरक्षा उपायों में मौजूद कमियों को पहचान सकें। इन सुरक्षा उपायों में स्कूली शिक्षा, बाल संरक्षण और सुधारात्मक कार्रवाई शामिल हैं। यह अध्ययन स्वैच्छिक मानकों की संरचना, राज्य की प्रवर्तन क्षमता तथा बाल श्रम के जोखिमों को बनाए रखने वाली परिस्थितियों के बीच असंगतियों की पहचान करता है। इससे यह समझने में

मदद मिलती है कि अधिक मजबूत शासन और अनुपालन प्रक्रियाओं के बावजूद स्थायी सुधारात्मक परिणामों के सीमित प्रमाण क्यों दिखाई देते हैं।

जहाँ राज्य की क्षमता सीमित होती है, वहाँ कानूनों का प्रवर्तन अक्सर समाज पर निर्भर हो जाता है। ऐसी परिस्थितियों में गैर-सरकारी संगठन (NGOs) और समुदाय के सदस्य बच्चों की सुरक्षा तथा कानूनों के प्रवर्तन से संबंधित जिम्मेदारियाँ निभाते हैं। तुलनात्मक विश्लेषण से संकेत मिलता है कि बाल श्रम के जोखिमों में कमी किसी एक शासन मॉडल के बजाय विभिन्न मार्गों के माध्यम से प्राप्त की जा सकती है।

यह शोध-प्रबंध निष्कर्ष निकालता है कि बाल श्रम के जोखिमों को कम करने के लिए ऐसी शासन व्यवस्थाओं की आवश्यकता है, जिनमें विश्वसनीय निगरानी, प्रभावी सुधारात्मक कार्रवाई सुनिश्चित करने वाली प्रवर्तन प्रणाली, शिक्षा संबंधी सुरक्षा उपाय तथा बच्चों के हितों और परिणामों से जुड़ी आनुपातिक एवं चरणबद्ध कार्रवाई शामिल हो। प्रभावी कार्यान्वयन के लिए अंतरराष्ट्रीय मानवाधिकार मानदंडों, घरेलू कानूनी आवश्यकताओं और स्थानीय वास्तविकताओं के बीच सामंजस्य स्थापित करना आवश्यक है। इसके लिए स्थानीय परिस्थितियों के अनुरूप तथा बच्चों को केंद्र में रखने वाली प्रतिक्रियाओं को प्राथमिकता दी जानी चाहिए।

## పరిశోధనా వ్యాస సారాంశం (Abstract in Telugu)

ఈ పరిశోధన భారతదేశంలోని పత్తి విలువల సరఫరా వ్యవస్థ (cotton value chain) లో 18 ఏళ్ల కంటే తక్కువ వయస్సు ఉన్న పిల్లలు మరియు యుక్తవయస్కులలో ఎదురయ్యే బాలకార్మిక ముప్పును పరిశీలిస్తుంది. పిల్లలు పనిచేయడానికి దారితీసే లోతైన నిర్మాణాగత అసమానతలు ఉన్నప్పటికీ, బాలకార్మిక వ్యవస్థను నిర్మూలించాలనే ప్రపంచ మార్కెట్ ఒత్తిడిని వ్యాపారాలు మరియు రైతు సంఘాలు ఎదుర్కొంటున్నాయి. పేదరికం, అసంఘటిత రంగ స్వభావం, పరిమిత విద్యా సౌకర్యాలు మరియు కార్మిక చట్టాల అసమాన అమలు వలన పిల్లలు ప్రమాదకరమైన మరియు చట్టవిరుద్ధమైన పనులకు గురయ్యే అవకాశాలు పెరుగుతున్నాయి. ఆర్థిక సామాజికశాస్త్రం (economic sociology), సమగ్ర సామాజిక ఒప్పంద సిద్ధాంతం (integrative social contract theory) మరియు సరిద్దులు దాటిన కార్మిక చట్టం (transnational labour law) ప్రాతిపదికన, ఈ అధ్యయనం బాలకార్మిక ముప్పును సమాజంలో ముడిపడి ఉన్నదిగా, విలువల సరఫరా వ్యవస్థ నిర్మాణాల ద్వారా నిర్వహించబడుతున్నదిగా, నియమానుసరణ వ్యవస్థల (compliance systems) ద్వారా సాధారణీకరించబడుతున్నదిగా మరియు ప్రభుత్వ, ప్రైవేట్ సంస్థల ద్వారా పాలించబడుతున్నదిగా భావిస్తుంది.

వివిధ ప్రభుత్వ విధానాలు మరియు చట్టాల అమలు పరిస్థితుల కింద, 'బెటర్ కాటన్' (Better Cotton), 'ఫెయిర్ ట్రేడ్' (Fairtrade) మరియు సేంద్రీయ ప్రమాణాలు (organic standards) వంటి స్వచ్ఛంద నిలకడ ప్రమాణాలలో (sustainability standards) భాగస్వామ్యం కావడం మరియు ఉపాధి పద్ధతుల ద్వారా వ్యాపారాలు బాలకార్మిక ముప్పులను ఎలా పరిష్కరిస్తున్నాయో ఈ పరిశోధన పరిశీలిస్తుంది. బాలకార్మిక నిర్దిష్టత, ప్రభుత్వ-ప్రైవేట్ నియమానుసరణ మరియు అమలు నిబంధనలు, అలాగే నైతిక సామర్థ్యంపై దృష్టి సారిస్తూ పాలనాపరమైన స్పందనలను మూల్యాంకనం చేయడానికి ఇది మానవ హక్కులకు అనుగుణంగా ఉన్న "వ్యాపార మరియు బాలకార్మిక పరికరం" (Business and Child Labour Tool) ను అభివృద్ధి చేస్తుంది. మిశ్రమ పరిశోధనా పద్ధతుల (mixed-methods design) ద్వారా, ఈ అధ్యయనం భారతదేశంలోని మూడు రాష్ట్రాలలో చట్టపరమైన పరిశోధన, సర్వేలు, ముఖాముఖీలు (interviews) మరియు విధాన మూల్యాంకనాన్ని మేళవిస్తుంది.

భారతదేశ చట్టబద్ధమైన కనీస వయస్సు 14 కంటే కనీస వయస్సు పరిమితిని పెంచడం వల్ల మాత్రమే పిల్లలకు మెరుగైన ఫలితాలు రావడం లేదని ఈ ఫలితాలు సూచిస్తున్నాయి. సమర్థవంతమైన విధానానికి ప్రమాదకరమైన పని, నిర్బంధ పద్ధతులు మరియు చదువు, బాలల పరిరక్షణ, సరిదిద్దే చర్యలు (remediation) వంటి రక్షణ వ్యవస్థలలోని లోపాలను ప్రతిబింబించే సూచికలు అవసరం. స్వచ్ఛంద ప్రమాణాల రూపకల్పన, ప్రభుత్వ చట్టాల అమలు సామర్థ్యం మరియు బాలకార్మిక ముప్పును నిలబెట్టే పరిస్థితుల మధ్య ఉన్న వ్యత్యాసాలను ఈ అధ్యయనం గుర్తిస్తుంది. రోజురోజుకూ బలపడుతున్న పాలనా విధానాలు అమలులో ఉన్నప్పటికీ, నిలకడైన పరిష్కారాలు ఎందుకు లభించడం

లేదో అర్థం చేసుకోవడానికి ఇది తోడ్పడుతుంది. ప్రభుత్వ సామర్థ్యం పరిమితంగా ఉన్న చోట స్వచ్ఛంద సంస్థలు (NGOs) మరియు సమాజంలోని వ్యక్తులు రక్షణ మరియు అమలు బాధ్యతలను స్వీకరిస్తూ, చట్టాల అమలు తరచుగా సమాజంపైనే ఆధారపడి ఉంటుంది. పోల్చదగిన విశ్లేషణల ప్రకారం, బాలకార్మిక ముప్పు తగ్గింపు అనేది ఒకే పాలనా నమూనా కంటే బహుళ మార్గాల ద్వారా సాధ్యమవుతుందని సూచిస్తుంది.

బాలకార్మిక ముప్పును తగ్గించడానికి నమ్మకమైన పర్యవేక్షణ, సరిదిద్దే సామర్థ్యం కలిగిన చట్టాల అమలు, విద్యా సంబంధిత రక్షణలు మరియు పిల్లల సంక్షేమానికి అనుసంధానించబడిన అనుపాత తీవ్రత గల చర్యలను కలిపి నిర్వహించే పాలనా ఏర్పాట్లు అవసరమని ఈ సిద్ధాంత గ్రంథం (thesis) ముగింపుగా చెబుతోంది. సమర్థవంతమైన అమలు అనేది అంతర్జాతీయ మానవ హక్కుల ప్రమాణాలను, స్థానిక చట్టపరమైన అవసరాలు మరియు పరిస్థితులకు అనుగుణంగా పిల్లలను కేంద్రంగా చేసుకుని స్పందించడంపై ఆధారపడి ఉంటుంది.

*To Nicholas,*

*Zara and Aisha.*

*I love you to the moon and back.*

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## List of Abbreviations

| | |
|---|---|
| AKRSP | Aga Khan Rural Support Programme |
| BBA | Bachpan Bachao Andolan. Translates from Hindi to "Save Childhood Movement" |
| Better Cotton | formerly Better Cotton Initiative (BCI) |
| BHR | business and human rights |
| BRSR | Business Responsibility and Sustainability Reporting |
| Bt cotton | *Bacillus thuringiensis* cotton, a genetically modified organism |
| CALPR | (India) Child and Adolescent Labour (Prohibition and Regulation) Act of 1986, as amended by the Child Labour (Prohibition and Regulation) Amendment Act of 2016 (name adopted following the 2016 Amendment; used in Government of India communications) |
| CLPRA | (India) Child Labour (Prohibition and Regulation) Act of 1986 (original Act) |
| CSR | corporate social responsibility |
| ESG | environmental, social, and governance |
| FIR | First Instance Report |
| FLOCERT | Fairtrade Labelling Organizations Certification (independent auditing and certification body for Fairtrade International) |
| FPO | farmer-producer organization (generic term); Farmer Producer Company (an FPO registered under the Companies Act). |
| GMO | genetically modified organism |
| GOTS | Global Organic Textile Standard |
| GPN | global production network |
| GRI | Global Reporting Initiative |
| GVC | global value chain (primary term used in this study) |
| HRDD | human rights due diligence |
| ICLS | International Conference of Labour Statisticians |
| ILO | International Labour Organization |
| ILO C029 | ILO Convention 29 – Forced Labour Convention (1930) |
| ILO C105 | ILO Convention 105 – Abolition of Forced Labour Convention (1957) |

| | |
|---|---|
| ILO C138 | ILO Convention 138 – Minimum Age Convention (1973) or: Convention concerning Minimum Age for Admission to Employment |
| ILO C182 | ILO Convention 182 – Worst Forms of Child Labour Convention (1999) or: the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour |
| ILO MNE Declaration | ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy |
| ILO R146 | ILO Recommendation 146 – Minimum Age Recommendation (1973) |
| ILO R190 | ILO Recommendation 190 – Worst Forms of Child Labour Recommendation (1999) |
| ILO R204 | ILO Recommendation 204 –Transition from the Informal to the Formal Economy Recommendation (2015) |
| ILO-IPEC+ | International Programme on the Elimination of Child Labour and Forced Labour (formerly: International Programme on the Elimination of Child Labour) |
| INUS | an insufficient, but necessary part of an unnecessary but sufficient condition |
| ISCT | Integrative Social Contract Theory |
| ISO | International Organization for Standardization |
| KSCF | Kailash Satyarthi Children's Foundation |
| MDGs | Millennium Development Goals |
| MFA | Multi-Fibre Arrangement |
| MNE | multinational enterprise, also called multinational corporation (MNC) |
| MPI | Multidimensional Poverty Index |
| MV Foundation | Mamidipudi Venkatarangaiya Foundation |
| NCLP | National Child Labour Project |
| NEET | not in employment, education, or training |
| NFHS | National Family Health Survey |
| NIE | New Institutional Economics |
| NPOP | National Programme for Organic Production |
| NREGA | Mahatma Gandhi National Rural Employment Guarantee Act (2005), earlier known as the National Rural Employment Guarantee Act |
| NSS | National Sample Survey |

| | |
|---|---|
| OBC | Other Backward Caste |
| OCS | Textile Exchange's Organic Content Standard |
| OECD | Organisation for Economic Co-operation and Development |
| OECD Guidelines | OECD Guidelines = OECD Guidelines for Multinational Enterprises (2011); revised as the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (2023) |
| OHCHR | Office of the United Nations High Commissioner for Human Rights |
| OHS | Occupational Health and Safety |
| OPHI | Oxford Poverty and Human Development Initiative |
| PENCIL | Platform for Effective Enforcement for No Child Labour portal |
| RBC | responsible business conduct |
| RQ | research question |
| RTE | (India) Right of Children to Free and Compulsory Education Act (2009), commonly known as the Right to Education Act (2009) |
| Rotterdam Convention | Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (1998) |
| SC | Scheduled Caste |
| SEWA | Self Employed Women's Association |
| SNA | System of National Accounts |
| SPO | (Fairtrade) small-scale producer organizations |
| SSE | social and solidarity economy |
| ST | Scheduled Tribe |
| State/UTs | States and Union Territories |
| U.S. DOL | United States Department of Labor |
| UNCRC | United Nations Convention on the Rights of the Child (1989) |
| USDA-NOP | United States Department of Agriculture National Organic Program |
| UNDP | United Nations Development Programme |
| UNGP | United Nations Guiding Principles on Business and Human Rights (2011) |
| UNICEF | United Nations Children's Fund |

# CHAPTER 1
# Introduction

Global commerce is built on rituals of trust—handshakes, contracts, and agreements—that convey legitimacy across borders. Yet these rituals, while signalling cooperation, often lack accountability. A persistent cross-cultural dilemma remains, as there are no binding obligations to prevent the trade of goods produced through the economic exploitation or forced labour of children. The right of children to be protected from labour that is exploitative and harmful remains marginal in the norms and practices governing international trade and supply chains. Theories of justice and social contract approaches (Rawls, 1999) tend to treat labour conditions as matters of domestic governance by sovereign states rather than as issues of transnational labour law (Blackett, 2018, p. 283).

As Phillips et al. (2014) explain, "The literature on global production shares some responsibility, having traditionally prioritized highly firm-centric modes of analysis and paying, until recently, rather little attention to the social and labour foundations on which global production networks (GPNs) rest" (p. 429). Trebilcock (2015) concludes that "The fundamental mismatch between the direction of corporate structures and strategies [which are] global, and the nation-based paradigm of labour rights, and even transnational labour rights, creates a basic constraint on how the due diligence framework can effectively deal with such issues" (p. 107).

This thesis aims to make methodological and theoretical contributions and to generate evidence on the effect of employment practices as defined under voluntary sustainability standards and adopted by businesses on reducing child labour risks among underage and adolescent children working in global cotton value chains.

There are few, if any, guarantees to consumers that business enterprises have produced goods on the global market in ways that respect fundamental human rights. *Respect for human rights* is a foundational principle of the United Nations Guiding Principles on Business and Human Rights (UNGPs). This means that [businesses] should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved (OHCHR, 2011, p. 13). However, even the most conscientious and well-informed consumer will find it difficult to judge

a product by its label and to discern how diligently a business seeks to identify, prevent, or mitigate adverse human rights impacts on working children.

This accountability and transparency problem is emblematic of the debate on business, human rights, and child labour—not only over the last decades but across centuries. Despite government regulation dating back to the Industrial Revolution, such as Britain's Cotton Mills and Factories Act (1819), child labour abuses in the cotton sector by businesses remain a reality today. International labour law has long recognized the urgency of regulating children's working conditions. The preamble and labour clauses of the Constitution of the International Labour Organization (ILO), which established the organization in 1919, explicitly identified the effective abolition of child labour as a matter of special and urgent importance. By 1921, the ILO had adopted six Conventions concerning working children (Dahlén, 2007, p. 22), laying the foundation for a century of normative advancements, yet enforcement and corporate accountability remain uneven and contested.

Under internationally recognized human rights and labour rights, the broad concept of *child labour* is a human rights norm that includes economic exploitation, hazardous work, and work interfering with education (ILO, 1973; United Nations Convention on the Rights of the Child [UNCRC], 1989). With the adoption of the ILO Declaration on Fundamental Principles and Rights at Work (1998/2022), the effective abolition of child labour has been recognized as a fundamental convention. Despite progress, child labour remains a major global human rights challenge.

In 2024, nearly 138 million children aged 5-17 years (59 million girls and 78 million boys) were in child labour worldwide, accounting for almost 8% of all children globally. This included 54 million children in hazardous work, a proxy for the worst forms of child labour and work likely to harm their health, safety, or morals (ILO & UNICEF, 2021, 2025). Contrary to common assumptions, child labour is not concentrated solely in low-income countries; middle-income countries account for 57% of all children in child labour, approximately 78.4 million children (ILO & UNICEF, 2025, p. 19). Most child labour occurs in the informal economy and unorganized sector (ILO, 2019, pp. 33–34), often beyond the reach of government inspections and direct business relationships.

Child labour includes forced and slave-like conditions in violation of ILO C182 – the Worst Forms of Child Labour Convention (1999), which made history in 2020 as the first international labour convention ratified by all member states. Many of these children work for businesses

operating in global value chains [1] producing goods that end up in our stores, including cotton products, textiles, garments, and apparel that are the subject of this study.

The debate over the role of business has shifted over the last decade, marking a "paradigm shift" (Geddes, 2003) away from corporate social responsibility (CSR)—traditionally understood as largely voluntary, firm-driven initiatives—toward more formalized approaches to regulation through voluntary means, often referred to as "private regulation" or "self-regulation." [2] This shift is reflected in the growing prominence of the responsible business conduct (RBC) approach under the OECD Guidelines for Multinational Enterprises (2011; 2023), which extends risk-based due diligence expectations across a broad set of social, environmental, and governance issues.

In parallel, the adoption of the UN Guiding Principles on Business and Human Rights has reinforced a governance framework centered on human rights due diligence (HRDD). Together, the business and human rights (BHR) framework under the UNGPs and the RBC approach are shaping emerging regulatory requirements. This shift from CSR toward RBC and BHR has significant implications for how businesses are expected—and, in some cases, legally required—to manage child labour risks across their operations, business relationships, and global value chains. Government regulators are increasingly using supply chain legislation to address BHR issues. Such legislation introduces mandatory transparency or due diligence requirements.

While some of these laws address human rights risks broadly; others focus more specifically on forced labour, often framed as modern slavery or human trafficking. These laws include the California Transparency in Supply Chains Act (2010), the UK Modern Slavery Act (2015), France's Duty of Vigilance Act (2017; La Loi sur le devoir de vigilance), the Australian Commonwealth Modern Slavery Act (2018), Germany's Corporate Due Diligence in Supply Chains Act (2021), the Norwegian Transparency Act (2021), as well as the European Union's Corporate Sustainability Due Diligence Directive (2024). Canada is implementing the Fighting Forced Labour and Child Labour

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[1] This study uses global value chain (GVC) terminology for chain structure and governance analysis while drawing on global production networks (GPN) insights where they better explain embeddedness, social reproduction, and labour outcomes.

[2] This research defines regulation as any law or other government-endorsed rule for which compliance is expected. Regulation encompasses the range of instruments (i.e., the tools in the toolbox) through which governments establish requirements, create incentives, or communicate expectations to enterprises and citizens. These instruments include legislation, formal and informal orders, subordinate rules, administrative formalities and rules issued by all levels of government, and rules issued by non-governmental bodies or self-regulatory bodies to whom governments have delegated regulatory powers. (OECD, 2018b, Glossary). See also Treasury Board of Canada Secretariat (2007).

in Supply Chains Act (2023), complementing existing trade prohibitions under the Canada-United States-Mexico Agreement. India has required CSR policies for certain Indian companies under the Companies Act (2013), and environmental, social, and governance (ESG) disclosure through Business Responsibility and Sustainability Reporting (BRSR) became mandatory for the top 1000 listed companies in FY2022-23, building on voluntary regulation issued in 2009 by the Securities and Exchange Board of India (SEBI), India's securities and commodity markets regulator under the Ministry of Finance.

Nevertheless, there is a gap between the ambitions to prevent human rights abuses in global value chains and the realities. There is scant research on the effectiveness of the BHR approach—in both state and business practices—to prevent business activities that adversely impact human rights. McCorquodale and Nolan (2021) point out that "While the concept of HRDD has increased in prominence in the last decade, there remains significant ambiguity around its preventative value, and the years ahead will determine its transformative potential to prevent and redress corporate human rights harms" (p. 21). Studies examining human rights public reporting have found that most businesses lack a coherent narrative explaining how risk or impact assessments and mitigation measures work together to achieve their objectives. Companies are cherry-picking certain rights to which they are committed, such as child labour, non-discrimination, and health and safety, rather than respecting all international human rights (Shift, 2017, pp. 6, 14).

According to Trebilcock (2015), the problem arises because the UNGPs place rights at work in a new operational context. Trebilcock explains: "While the duties on states are in relation to internationally defined norms, the procedural process of due diligence to reduce risk in relation to a corporation's own interests uses no clear common standard" (p. 94). The business model and risk management concept of due diligence, integrated into the UNGPs, operate fundamentally differently from the human rights model of due diligence (McCorquodale, 2009, pp. 392–393). In other words, while HRDD under the UNGPs is anchored in *internationally recognized human rights* (e.g., the International Bill of Human Rights and ILO fundamental conventions), corporate risk-based due diligence prioritizes the firm's exposure and interests, creating a divergence between rights-based benchmarks and business-driven risk management.

Although responsible business conduct and business and human rights scholarship have advanced significantly, gaps remain in explaining how employment practices in business enterprises, voluntary sustainability standards, and public policies interact to influence child labour risks and

outcomes. This thesis addresses these gaps by more fully integrating global value chain analysis with human rights scholarship (Bair, 2008; Barrientos et al., 2010; Gereffi et al., 2005; Gereffi & Fernandez-Stark, 2016; Gibbon et al., 2008; Kaplinsky & Morris, 2001; Selwyn, 2013). Doing so provides a stronger theoretical framework for interpreting business employment practices associated with lower child labour risk in accordance with international norms and conventions (Donaldson & Dunfee, 1994; Ponte & Gibbon, 2005; Ruggie, 2013).

First, the thesis refines conceptualizations of *due diligence* by foregrounding the risks faced by working children as rights holders within global value chains. Due diligence is understood as the process of identifying, preventing, mitigating, and accounting for child labour risks effectively (OECD, 2018a). Integrating global value chain analysis with a BHR framework sharpens assessment of the nature, circumstances, and harmful consequences of children's work. A case study of India's cotton value chain illustrates the importance of differentiating legitimate and illegitimate roles of working children, including market/non-market work, formal/informal work, and work in factories, family farms, and large-scale agricultural enterprises (Zelizer, 1985)

Second, the thesis broadens prevailing understandings of employment practices beyond direct employment and supplier relationships by emphasizing how firms govern labour conditions across subcontracted businesses, informal work arrangements, and other third parties within global value chains.

Third, the thesis extends child labour analysis beyond lead firms that govern and coordinate production networks by incorporating the vertically integrated ownership structures that characterize much of India's textile sector. This perspective enables governance to be traced upstream to include Tier 4 seed cotton and cottonseed suppliers, providing greater visibility into firm-farmer relationships. [3] These lower-tier segments are typically opaque, complicating regulation (ILO Fundamentals, 2016).

Drawing on *ethical capability* from integrative social contract theory (Buller & McEvoy, 1999; Donaldson, 1989; Donaldson & Dunfee, 1994), the thesis argues that effective child labour governance requires enforceable governance arrangements that extend beyond policy commitments and auditing. Such procedural measures include corrective action, mitigation measures, and enforcement arrangements capable of addressing non-compliance across complex supply chains.

[3] Cottonseed refers to the plant's seeds, while *seed cotton* is to the raw fibre before ginning.

Ethical capability is defined as the capacity of business enterprises and standard-setting bodies to recognize, interpret, prioritize, and act upon international human rights norms and legal requirements through organizational decision-making and governance arrangements, particularly under conditions of normative and institutional complexity, and is developed further in Chapter 3. Ethical capability is a theoretical construct that helps explain why firms facing similar institutional and governance conditions adopt different governance configurations and respond differently to child labour risks and normative expectations.

This chapter begins, in Section 1, by setting out the context of child labour in India's cotton value chain and identifying the problem statement that contributes to knowledge and practice. Section 2 states the purpose and research objectives. Section 3 presents research questions, a theoretical framework, and hypotheses. Section 4 outlines the conceptual framework, including key theorists and the comparative case study design core to the research methodology. Section 5 explains the study's significance, Section 6 its delimitations, Section 7 the definition of terms, and Section 8 the chapter outline and thesis logic.

## 1.1 Context: Child Labour in India's Cotton Value Chain

Against this backdrop of an evolving business and human rights regulatory landscape, this study examines which combinations of public and private governance arrangements are more likely to reduce child labour risk across India's cotton value chain, from farm to fabric to fashion. [4] It explores why some firms translate child labour norms into credible governance arrangements and employment practices while others operating under similar governance conditions do not. The study further evaluates the role of voluntary sustainability standards in supporting employment practices associated with lower child labour risk in the cotton-producing states of Andhra Pradesh, Telangana (which were formerly unified as Andhra Pradesh) and Gujarat.

[4] The *from farm to fabric* concept surfaced early in community research and was highlighted in an interview with Arvind Limited, a vertically integrated textile company in Gujarat. As Arvind's website states: "Instead of looking at cotton as just a key raw material, we see it as a vital ally and are establishing a mutually beneficial ecosystem from farm to fabric" (Arvind, n.d.). This approach includes farmer alliances for sustainable cotton, local partnerships to train farmers and pickers, research collaborations, and engagement with government and international organizations on water conservation and soil health. It also partners with brands such as Inditex and Patagonia to strengthen the sustainable cotton value chain.

Child labour (including hazardous adolescent work and forced labour of children) is found in many of India's export-oriented industries. According to the U.S. Department of Labor's *List of Goods Produced by Child Labor or Forced Labor* (2024), 26 goods produced by business enterprises in India use child labour: bidis, brassware, bricks, carpets, cotton, cottonseed (hybrid), embellished textiles, fireworks, footwear, garments, gems, glass bangles, incense, leather goods/ accessories, locks, matches, recovered metals (electronic waste), mica, rice, sandstone, silk fabric, silk thread, soccer balls, stones, sugarcane and thread/yarn. Children below the age of 18 in India are also engaged in the unconditional worst forms of child labour, such as bonded and forced labour in agriculture (e.g., hybrid cottonseed production), manufacturing (e.g., producing garments, embroidering silver and gold into textiles.

India emerged as one of the fastest-growing large economies in the world while moving to low-middle-income country (LMIC) status in 2009, with a growth rate of 6.5 percent in 2024-25. It aims to reach high middle-income status in 2047, its centenary year. Since 2000, its economy nearly quadrupled in real terms, per capita income almost tripled, and its share in the global economy doubled by 2023—making India the world's fifth-largest economy. Despite this progress, India remains the only original BRICS country still classified as a low-middle-income country; its Gross national income (GNI) per capita rose from USD 1,110 in 2009 to about USD 2,650 in 2024, remaining well below the upper-middle-income threshold of USD 4,496. Trade growth is expected to be supported by free trade agreements signed with United Kingdom in 2025 and the European Union in 2026, benefitting labour-intensive sectors including textiles while deepening integration into global value chains (World Bank, n.d., 2021a). Monetary poverty in India declined sharply between 2011-12 and 2023-24. Using the 2025 revisions to LMIC thresholds (USD 4.20 in 2021 purchasing power parity (PPP) terms), the share of people living below the poverty line also fell substantially from 57.7% in 2011-12 to 16.6% in 2023-2024, while extreme poverty (USD 3.00 in 2021 PPP) fell from 27.1% to 2.6% (World Bank, 2026).

Despite strong economic gains, India still faces major development challenges, including slow structural transformation, low productivity growth, and high labour-market informality, with especially low female labour force participation. Rising climate vulnerability and widening regional disparities highlight the need to accelerate productivity-enhancing reforms, revive private investment, create enabling conditions for more and better jobs, and support states in growing together to ensure inclusive growth through greater per-capita income convergence (World Bank,

2025). Access to quality health, education, and economic opportunity remains uneven across regions and population groups, and youth unemployment, particularly among educated rural youth, remains high despite expanded social protection and financial inclusion.

The Government of India has recently taken steps to address child labour. In 2016, the central government amended the *Child Labour (Prohibition and Regulation) Act* of 1986 to bring it more in line with ILO Convention 138 – Minimum Age Convention (1973). For the first time, the law prohibits the employment of children under 14 in any occupation or process. The Child and Adolescent (Prohibition and Regulation) Labour Act of 1986 (CALPR), as amended in 2016, now also regulates the employment of adolescents aged 14 to 18 years. However, India's regulatory framework continues to demonstrate gaps. For example, the U.S. DOL (2024) *Findings on the Worst Forms of Child Labour* [5] reports that hazardous-work prohibitions do not cover all occupations in which children work for long periods in unsafe and unhealthy environments, and penalties for employing children are insufficient to deter violations. The Government of India also did not publicly release information on its labour law enforcement and criminal law enforcement efforts.

It is, in part, for the following reasons that this comparative case study focuses on businesses in India's cotton industry from farm to fabric. More than 75 years after India's independence in 1947, cotton continues playing a vital role in India's economy because the textile industry dominates industrial production. India's textile industry is a significant source of employment and is primarily cotton-based (OECD & FAO, 2021, p. 220). Risks of child labour in business occur along India's entire cotton supply chain, from the agricultural sector producing hybrid cottonseed and cultivating cotton, to spinning cotton thread and yarn. Particularly worrisome are violations of ILO C182 on the Worst Forms of Child Labour in producing hybrid cottonseed, embroidering silver and gold into textiles, and making garments. Children from India's rural areas migrate or are trafficked as forced labour in cotton spinning mills and cottonseed production, where they may receive little or no pay (U.S. DOL, 2017, p. 532; U.S. DOL, 2024).

There is much concern about child labour in agricultural cotton production. The application of chemical and toxic pesticides in cotton farming by children, including adolescents, is hazardous.

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[5] The US Department of Labor's annual report, *Findings on the Worst Forms of Child Labor*, has documented efforts to eliminate child labour in 140 countries, including India, since 2002. The report summarizes information on the prevalence and sectoral distribution of child labour, legislative reforms, intragovernmental coordination, law enforcement, and policies and social programs, and suggested government actions to eliminate child labour.

In India, young girls under 14 are tasked with cross-pollinating hybrid cottonseeds, and their wages often do not meet statutory minimum standards. According to some reports, multinational cottonseed companies seem to have a better track record than Indian companies in reducing the number of children employed in child labour activities within their organizations, likely a response to public scrutiny over the past few decades (International Law and Policy Institute [ILPI], 2015). The initiatives of a few local seed companies had a positive impact, though the seed industry's response has been minimal. The response of state governments to child labour in the cottonseed sector is not encouraging, particularly in Gujarat and Rajasthan (Venkateswarlu, 2015, pp. 5–6).

Indeed, the grey area of child labour emerges in agriculture. As in most developing countries, India's agricultural sector is labour-intensive and dominated by smallholder farmers, as well as by tenancy and sharecropping. Agriculture employs the highest number of working children, including children involved in child labour. As with many countries, India's child labour laws allow some forms of work by children below 14 on family farms. Article 3 of the CALPR provides an exemption allowing children under age 14 to help their family or family enterprise (including family farms, home-based work, and artisanship) after school hours and during vacations, provided the work does not involve hazardous occupations or processes.

Child labour is prevalent in cotton cultivation (ILO Fundamentals, 2016). Children work long hours hand-picking cotton bolls from the plant. News reports on the cotton sector in Gujarat noted that 20% of the workforce are children, with reports that many of the workers are *Dalit* or *Adivasi* children [6] working under forced labour conditions. At the next tier of the supply chain, work by children in ginning mills leads to injuries because children work without training or protection. Children and adolescents also perform hazardous work in businesses that produce thread and yarn.

Countries and industries other than India's cotton industry could just as well have been selected, given that child labour continues to be rife in the cocoa industries of seven countries, including Ghana and Côte d'Ivoire, in the coffee industry of 17 countries, and the sugar cane industry of 18 countries. The United States Department of Labor's *List of Goods Produced by Child Labor*

[6] Dalit children are officially classified as Scheduled Castes under India's Constitution; the term means "oppressed" or "broken," and refers to groups historically subjected to caste-based exclusion and untouchability. Adivasi children are members of Scheduled Tribes, a constitutional category for India's Indigenous tribal communities; the term means "original inhabitants". Adivasi children often reside in remote areas with limited access to education and social services.

*or Forced Labor* (2024) includes 204 goods from 82 countries as of September 5, 2024. The U.S. DOL has published this list of goods annually since 2002 to raise consumer awareness and promote efforts to address child labour and forced labour worldwide.

This research examines the efforts of businesses and voluntary sustainable cotton standards to promote decent working practices in their supply chains. The four sustainable cotton standards analyzed in this study—Better Cotton (formerly the Better Cotton Initiative, BCI), Fairtrade Labelling Organizations International (Fairtrade International), Global Organic Textile Standard (GOTS), and Textile Exchange's Organic Content Standard (OCS)—account for a substantial share of India's certified/sustainable cotton output. Sustainable cotton, cultivated under these standards, is produced across more than 30 countries and accounts for roughly one-third of all cotton fiber. Conventional cotton remains the bulk of the cotton market in India and globally. Global and India-level volumes and market shares are reported in Chapter 2. In contrast to conventional cotton, voluntary sustainable cotton schemes explicitly aim to support viable producer livelihoods and minimize environmental impacts while accounting for socioeconomic and ecological constraints.

This study shifts the analytical lens from states to markets. Business policies—defined here as formal private-sector rules—shape employer and stakeholder behaviour beyond the scope of public regulation. Evaluating child labour through voluntary sustainability standards is appropriate because the standards' program logic (criteria, verification/auditing) maps directly onto observable compliance and enforcement pathways, which the evaluation literature relates to socio-economic outcomes (Oya et al., 2017), while also enabling observation of how private compliance interacts with public enforcement capacity.

Given the persistence of child labour across India's cotton value chain—from agricultural production to ginning, spinning, and garmenting—important questions arise regarding how different economic actors (states, industry, and firms) shape or condone (or not) child labour, including hazardous adolescent work. How are India's child labour laws, regulations, and enforcement mechanisms functioning within cotton production networks, and how should business enterprises behave to demonstrate social responsibility and respect for human rights? In the context of pervasive informality—both in agriculture and in the substantial reliance on informal workers within formal-sector enterprises—further questions arise about the roles of social actors in India and consumer movements in high-income countries in addressing child labour and increasing firm-level

accountability and transparency. This research investigates these issues in India's cotton value chain and evaluates several hypotheses through comparative case study analysis.

**Problem Statement**

The problem that motivates this research is the working conditions of children below age 18 employed in the cotton industry in Andhra Pradesh, Telangana (formerly unified as Andhra Pradesh) and Gujarat, who may (or may not) be exposed to child labour risks and associated harms within business enterprises.

Child labour remains a serious problem in India despite progress in reducing its prevalence. It is most prevalent in the informal and unorganized economy, where decent work deficits are pronounced, and employers operate outside labour inspection, social protection and occupational health and safety systems (ILO, 2022, p. 6; Phillips et al., 2014). Increased use of contract labour and outsourcing of production has also expanded informal employment within formally registered enterprises (Bonnet et al., 2019; ILO, n.d., 2017c). As a result, child labour risks frequently arise under conditions that are difficult for governments and businesses to monitor and regulate. This challenge remains significant because employment growth since 2019 has further increased the share of total employment in the informal economy (ILO & Institute for Human Development, 2024, pp. xx, 257-260). In 2022, nearly 81.1% of the workforce is engaged in the informal sector and 90.3% is informally employed (99.4% in the agricultural sector, 81.5% in manufacturing).

According to latest available Census data for India (2011), there are 259 million children aged 5 to 14 years old, of which 10.1 million (3.9%) are working and considered child labour. [7] The largest share were agricultural labourers (33%, or 3.3 million) and cultivators (26%, or 2.6 million) (ILO, 2017b, p. 2). [8] There is scant official government data on child labour between the ages of 15 and 17 years.

Census data showed substantial declines in the number of working children between 2001 and 2011 in Andhra Pradesh and Telangana, while progress in Gujarat was more limited. Andhra Pradesh halved the number of working children from 666,910 in 2001 to 343,973 in 2011. Meanwhile, Telangana reported 696,430 working children in 2001, decreasing to 329,030 in 2011

[7] India's 16th Census, originally due in 2021, is now scheduled with 1 March 2027 as its reference date.

[8] An agricultural labourer is a person who worked on another person's land for wages in money, kind or share of crop. A cultivator is a person who is engaged as employer, single worker, or family worker in the cultivation of land owned or held for payment in money, kind or sharing of crops. (Government of India, Ministry of Labour and Employment, n.d.).

(a 53% decrease). Gujarat reported 485,530 working children in 2001, decreasing slightly to 463,077 working children in 2011 (a 4.6% decrease). According to the Kailash Satyarthi Children's Foundation [9] (2020b, pp. 21, 25, 39), Telangana recorded the largest annual decrease in the number of working children between 2001-2011 was highest in Telangana (7.2% per year). Andhra Pradesh recorded the fourth largest decrease (6.4% per year), while Gujarat ranked 15th among 22 states (0.5% per year).

Estimates of child labour in India vary considerably depending on the data source and methodology used. Based on the latest National Sample Survey (NSS) data, a lower-bound estimate identified approximately 5.8 million children aged 5-17 years in child labour in 2011-2012 (1.9% of children) (Lyon and Khan, 2015). [10] Of these, more than 600,000 were below age 12 (0.4% of this age group), 2.6 million were aged 12-14 years (3.5%) and engaged in regular (non-light) work, and 2.5 million were adolescents aged 15-17 years (3.8%) engaged in hazardous work. By gender, 4.1 million boys aged 5-17 years (2.5%) and 1.7 million girls (1.2%) were engaged in child labour. Educational exclusion also remained significant, with an estimated 12.3 million children aged 7-14 years out of school.

More recent estimates based on Periodic Labour Force Survey (PLFS) data are emerging but are not directly comparable because of differences in survey design, definitions, and coverage. According to the PLFS 2025, an estimated 2.9 million children aged 5-17 years (1.1%) are engaged in child labour, including 2.27 million boys (1.6%) and 0.64 million girls (0.5%) (L. Guarcello, ILO, personal communication, June 15, 2026). These figures suggest a lower prevalence than earlier NSS estimates, however, methodology differences preclude drawing definitive conclusions about trends over time.

Moreover, available estimates likely understate the extent of child labour. India's census and survey instruments do not adequately capture children who combine school and work, or the number of hours worked, while the NSS classifies child labour only among older children primarily through

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[9] The Kailash Satyarthi Children's Foundation, founded by 2014 Nobel Peace Prize laureate Kailash Satyarthi, works to combat bonded child labour through child protection, enforcement, and rehabilitation initiatives. Its sister organization, Bachpan Bachao Andolan, is discussed in Chapter 7.

[10] These estimates do not necessarily reflect child labour as defined by national legislation in each of these countries. They reflect a standardized approximation of child labour for a regional overview. The India survey does not collect data on working hours. For this reason, the group of children aged 12-14 and 15-17 are classified in child labour only based on their involvement in designated hazardous industries or occupations. (Lyon & Khan, 2015, pp. 8, 19).

participation in designated hazardous industries and occupations (Lyon & Khan, 2015, p. xi, 20, 50, 55–56). Consistent with this limitation, some estimates of out-of-school children are substantially higher, ranging from 42.7 million (ILO, 2017a, p. 2) to 47.4 million reported by UNESCO (2025) using Ministry of Education data from the Unified District Information System for Education Plus (2023–24).

The importance of addressing these challenges is reflected in renewed international commitments to end child labour. Since the 2010 Hague Global Child Labour Conference, there has been a renewed effort by governments, employers, workers' organizations, non-governmental organizations, and other stakeholders to eliminate the worst forms of child labour (ILO, 2010). Furthermore, under the Sustainable Development Goals, it is a priority 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, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms" (United Nations General Assembly, 2015, p. 20).

## 1.2 Purpose Statement and Research Objectives

The purpose of this comparative case study is to investigate how voluntary sustainable cotton standards and other governance arrangements are translated into business employment practices that are more likely to reduce child labour risk in India's cotton value chain.

The research objective is to measure, analyze, and compare employment practices using indicators aligned with international human rights law, national labour law, and local norms.

Using an economic sociology approach, the study examines institutions, their embeddedness in social relationships, and institutional change by comparing how firms and standard-setting bodies translate child labour as a human rights norm into enforceable, context-responsive employment practices and governance arrangements in the cotton value chain across Andhra Pradesh, Telangana (formerly unified as the state of Andhra Pradesh) and Gujarat. These three states are selected for their prominence in cotton-textile markets, documented child labour risks, and variation in institutional and industry contexts.

## 1.3 Research Questions and Hypotheses

This study, focusing analysis on children under 18 engaged in the cotton value chains in Gujarat, Andhra Pradesh, and Telangana, addresses these research questions (RQs):

RQ1: How do voluntary sustainability cotton standards define and operationalize the specificity of employment practices, compliance requirements, and enforcement arrangements that certified business enterprises should follow to reduce child labour risks?

RQ2: How do laws, their enforcement, and other public policies influence child labour risk through their effect on the employment practices of business enterprises?

RQ3: What other factors play a role in explaining the degree to which business enterprises adopt practices to reduce child labour risk?

This research explores variation across public policy regimes, voluntary sustainability standards, and society-dependent enforcement arrangements. The analysis examines how these sources of variation shape business responses to child labour risk under different institutional conditions. Drawing on comparative case analysis, the study assesses the plausibility of alternative governance pathways through which child labour risks may be internalized rather than displaced.

This study expects that variation in child labour risk within India's cotton value chain is best explained by the interaction of voluntary sustainability standards, business employment practices, national laws and public policy, and society-dependent enforcement rather than by any single governance mechanism in isolation. Child labour governance is shaped by the relationships among businesses, public institutions, voluntary sustainability initiatives, workers, community and civil society actors operating under different socioeconomic conditions. Effective governance is expected to depend on specific rules, organizational capacity, remediation pathways, and supportive educational and child-protection institutions, and the ethical capability to recognize and respond to child labour risks.

*Employment practices* refer to the policies, decisions, and operational actions through which organizations govern children's work and address child labour risks. In this thesis, employment practices provide the empirical domain through which the specificity of rules, compliance and enforcement arrangements, and ethical capability are assessed, including in relation to state-level laws and public policies that establish relevant legal requirements and international human rights norms. The study conceptualizes ethical capability as the organizational capacity to recognize,

interpret, prioritize and act upon child labour as a fundamental human rights concern under conditions of normative and institutional complexity.

The study assesses the content of policies, including child labour, forced labour, and human rights policies; supplier and internal codes of conduct; and related human resource management, supply chain, transparency, and financial disclosure mechanisms. Policies alone provide limited insight into child labour risk management; accordingly, the analysis focuses on the extent to which commitments are institutionalized through credible compliance-monitoring systems, structured response (including proportionate corrective action and escalation), and enforcement arrangements that support due diligence.

**Business, Human Rights and Child Labour: Measurement Rationale**

The outcome of interest in this thesis is child labour risk including among adolescents below the age of 18 engaged in the cotton industry. *Child labour risk* refers to the potential for a business's operations, relationships, or supply chains to cause, contribute to, or be directly linked to adverse or severe negative human rights impacts on working children.

Accordingly, the analysis centres on *risk* as potential adverse impacts, rather than solely on actual observed violations or direct business involvement in abuse. This formulation enables a focus on employment practices aimed at identifying, assessing, preventing, and mitigating potential adverse impacts, including harmful consequences of children's work. It also enables attention to the severity and likelihood of child labour risks. While the study does not evaluate the State's duty to protect as an outcome of interest, state policy and enforcement are incorporated as contextual factors that condition the effectiveness of business employment practices.

Child labour risk assessment focuses on criteria grounded in international human rights and labour standards. These criteria include minimum-age rules (including thresholds for hazardous work), the nature and circumstances of work (tasks performed, work conditions, duration, and setting), potential harmful consequences for children's health, development, or schooling, and the presence of safeguards, including protections and schooling.

The approach shifts attention away from the mere presence of working children toward the conditions under which work becomes harmful, recognizing that not all forms of children's work constitute child labour. Minimum-age rules are central to child labour governance, but age-based thresholds can misclassify work when applied uniformly across diverse social and economic contexts. Determining whether work is harmful depends partly on the realistic alternatives available

to the child, including schooling and household livelihood constraints. These distinctions, together with education safeguards and the prioritizing of severe or irremediable harm, form the core constructs of the analytical framework developed in this thesis.

This thesis aligns with the UNGPs and the ILO Declaration on Fundamental Principles and Rights at Work. Although international standards provide common reference points, child labour remains an essentially contested concept, whose interpretation varies across jurisdictions and governance systems. The elephant in the room is the uneven uptake of international human rights norms by economically powerful actors, which sustains controversy, weaken comparability across governance systems, and obscures child labour risk assessment. [11] Ethical capability provides the normative lens for assessing when context-sensitive, non-uniform approaches are warranted, particularly where strict age-based rules fail to capture material harm.

**Hypotheses**

*H1 (effect of voluntary sustainability standards).* Participation in recognized voluntary sustainable cotton standards is associated with greater adoption of employment practices that lower child labour risk. Voluntary sustainability standards establish expectations, monitoring systems, and accountability mechanisms that shape business employment practices.

*H2 (role of child labour specificity criteria).* Comprehensive, context-sensitive child labour specificity criteria are necessary elements of governance arrangements that lower child labour risk. By distinguishing between harmful child labour and other forms of children's work, including schooling as a realistic alternative, these criteria establish what work activities are legitimate across different institutional and livelihood contexts.

*H3 (effect of ethical capability of voluntary sustainability standards and business enterprises).* Ethical capability is the capacity of organizations to navigate normative tensions and translate international human rights norms and legal requirements into decision-making and governance arrangements. Governance configurations that involve credible monitoring, response, enforcement, and child-centred remediation arrangements demonstrate stronger indicators of ethical capability and

[11] As of 31 July 2026, the Minimum Age Convention, 1973 (ILO C138) had not been ratified by 10 countries: Iran, New Zealand, Somalia, Timor-Leste, United States, and five Pacific Island countries: Cook Islands, Marshall Islands, Palau, Tonga, and Tuvalu (ILO, n.d.). ILO C138 was more recently ratified by Mexico (2015), Canada (2016), India (2017), Suriname (2018), Vanuatu (2019), Myanmar (2020), Bangladesh (2022), Liberia (2022, and Australia (2023), and Saint Lucia (2025).

are thereby more likely to reduce child labour risk. Such governance configurations support the systemic identification and internalization of child labour risks and thereby shape employment practices that strengthen prevention, protection, and remediation measures for children, particularly in contexts involving risks of underage work, inadequate safeguards, and severe or irremediable harms.

*H4 (role of social actors in enforcement).* Social actors—such as NGOs, farmer-producer organizations, workers, and local communities—can strengthen state enforcement capacity and help reduce child labour risks through their assistance in information generation, compliance support, and monitoring that enhance the implementation and enforcement of public policies and voluntary sustainability standards, especially in informal and agricultural sectors.

## 1.4 Theoretical and Conceptual Frameworks

This research adopts a multidisciplinary approach to explain how business employment practices, governance arrangements, and institutional environments shape child labour risk. The analysis is anchored in *new institutionalist economic sociology* (Nee, 2003), which emphasizes how economic behaviour is embedded in social relations and institutional contexts. Consistent with this perspective, the study adopts a multi-level analytical perspective to examine how institutional environments, governance configurations, and social action shape child labour outcomes.

Building on this foundation, the framework draws on (a) economic sociology of childhood and global value chain (GVC) governance to explain how child labour risk is organized, normalized, governed, and reproduced within production systems; (b) business studies on CSR and codes of conduct to examine how firms respond to social and regulatory pressures; (c) business and human rights scholarship, including integrative social contract theory and transnational labour law, to explain the normative and enforcement conditions under which responsible business conduct occurs; and (d) multidimensional measurement approaches.

In this thesis, *governance arrangements* refer to institutionalized structures, processes, and rules—expressed through employment practices—through which organizations coordinate monitoring, response, enforcement, and child-centred remediation. *Governance configurations* refer to patterned combinations of those arrangements through which organizations govern child labour risk in practice, reflecting different governance logics and pathways to child labour risk reduction.

Within cotton value chains, child labour governance is shaped by the interaction of business employment practices, formal institutions, and social norms.

This thesis conceptualizes child labour as a multidimensional form of harm whose governance and legitimacy are socially embedded. Reductions in child labour risk are most likely when legal and private standards are coupled with organizational capability and governance arrangements capable of reconciling local norms with internationally recognized human rights and child labour norms when these appear to conflict. Conversely, child labour risk may persist where formal commitments become decoupled from practice.

Economic sociology provides the primary analytical lens for understanding how social relations and institutional contexts shape business behaviour. Within this tradition, the economic sociology of childhood highlights that the meaning and legitimacy of children's work are socially embedded rather than fixed. The framework works at both macro and micro levels of analysis. At the macro level, global value chain governance and labour regulation scholarship explain how institutional environments and governance arrangements shape opportunities for, and constraints on, reducing child labour risk, including how socially embedded relationships and institutions condition enforcement capacity. At the micro-level, CSR, business and human rights, and ethical capability scholarship explain variation in how firms interpret, implement, and enforce child labour norms in practice and why similar governance configurations may generate different governance configurations and outcomes.

## 1.5 Significance of the Study

This study makes methodological, scholarly, policy and practice contributions to the study and governance of child labour in global value chains. Its principal contribution is the development and application of the human rights-aligned Business and Child Labour Tool, while also advancing understanding of child labour measurement, business and human rights governance, and interventions aimed a reducing child labour risk.

The study argues that reducing child labour risks requires more than the existence of governance rules. Sufficiently specified child labour standards (H2) provide the normative basis for identifying harmful child labour, but variation in organizational responses depends on ethical capability (H3), defined as the organizational capacity to navigate normative tensions and translate international human rights norms and legal requirements into enforceable, context-responsive

governance arrangements and employment practices. The human rights-aligned Business and Child Labour Tool developed and applied to this study operationalizes these constructs and helps interpret how configurations of child labour specificity criteria, governance arrangements, and organizational capacity are associated with variation in child labour risk internalization across cases. The tool helps interpret organizational approaches that are globally integrative yet locally responsive (Buller & McEvoy, 1999, p. 335; Donaldson, 1989; Donaldson & Dunfee, 1994), aligning with ILO guidelines emphasizing that "no single uniform legal definition of child labour exists for universal application across countries" (ICLS & ILO, 2008, pp. 6, 58).

Beyond its methodological contribution, the thesis advances scholarship in two additional ways. First, it corrects a persistent blind spot in how child labour measures are used in research to evaluate business employment practices. Indicators centred on minimum-age thresholds omit essential information needed to interpret the full scope of child labour as defined under international human rights—hazardous consequences, coercive practices, and the absence of safeguard mechanisms. These gaps lead to empirical assessments that misclassify risks. By applying a more stringent test of construct validity, this study specifies indicators aligned with India's child labour laws and international human rights, avoiding conceptual stretching and distinguishing child labour from permissible work and other workplace abuses.

Second, it brings analytical attention to adolescents, understood in this study as older children between the general minimum working age and age 18, as an underexamined group who are rarely prioritized in child labour, youth employment, or occupational safety and health research. Most studies focus on children below the general minimum working age of 15 years (or 14 in exceptional cases, including under India's laws), leaving the adolescents insufficiently theorized despite their distinct vulnerabilities in informal work. (Guarcello et al., 2016)

**Improvements to Policy.** Findings can inform jurisdictions developing supply chain transparency and mandatory due diligence legislation by highlighting the need for indicators aligned with national laws, international human rights, and local social contexts. A key policy implication concerns the design of measurement and monitoring systems: transparency and due diligence require indicators that can distinguish permissible work from child labour, identify hazardous and coercive conditions, and detect safeguard gaps, including for adolescents in informal tiers. The study provides evidence on the impact of business interventions in agricultural and textile segments of the cotton value chain, relevant to international commitments under the Sustainable Development Goals (SDG)

Target 8.7 on ending child labour in all its forms and SDG Target 16.2 on ending violence, exploitation, trafficking and abuse of children, as well as the ILO Declaration on Fundamental Principles and Rights at Work, the OECD Guidelines, and the UNGPs. The findings may assist policymakers in India and other countries aiming to reduce multidimensional poverty, eliminate child labour, and strengthen child protection systems.

**Improvements to Practice.** This study aims to enhance the effectiveness of supply chain due diligence and voluntary sustainability standards on child labour for practitioners, including regulators, auditors, certification bodies, NGOs, industry, and businesses. It offers criteria specific enough to identify, prevent, mitigate, and account for child labour risks. Most importantly, it provides a usable, human rights-aligned instrument, the Business and Child Labour Tool, that enables practitioners to: (a) identify risks correctly (underage work, hazardous child labour, and worst forms); (b) assess safeguards (schooling access, protective measures, remediation pathways); and (c) evaluates the specificity of child labour rules, public-private compliance and enforcement arrangements, and organizational capacity through observable employment practices. The tool further supports assessment of ethical capability and its relationship to child labour risk across firm- and standards-based governance systems. Ultimately, it extends best practices in human rights due diligence by advancing a harm-based risk assessment approach that prioritizes the identification, prevention, mitigation, and remediation of child labour risks most consequential to children's well-being, rights, and educational opportunities.

## 1.6 Delimitations and Assumptions

The scope and boundaries of this study are as follows. The study was conducted from September 2016 to August 2022, with primary community-based research conducted between July 2021 and June 2022. It focused on business enterprises (N=40)—both those with and without sustainable cotton standards—operating in India's top cotton-producing states, with particular emphasis on Gujarat, Andhra Pradesh and Telangana. Due to constraints on participation, the study's scope includes one certified textile-producing enterprise in Madhya Pradesh.

Surveyed or interviewed participants belonged to five main groups: (a) business enterprises involved in sustainable cotton standards, CSR, or the cotton supply chain; (b) standard-setting bodies and social enterprises; (c) government representatives; (d) social actors, including non-governmental organizations (NGOs), labour organizations, and United Nations agencies; and (e) farmer-producer

organizations. The case studies analysis in Section 7.2 primarily focuses on vertically integrated textile companies and farmer-producer organizations, thereby excluding ginning, spinning, and trading or export enterprises from in-depth case analysis.

The sample in this empirical study is not considered representative of the total population of business enterprises with or without voluntary sustainability standards in the cotton supply chain in Gujarat, Andhra Pradesh, and Telangana. Nevertheless, the findings allow for analytical generalization because theory-driven analysis and replication logic enable the identification of governance conditions relevant to similar places and contexts. This study further assumed that participants were authorized to represent the organizations and responded to the survey and interview questions openly and honestly.

## 1.7 Definitions

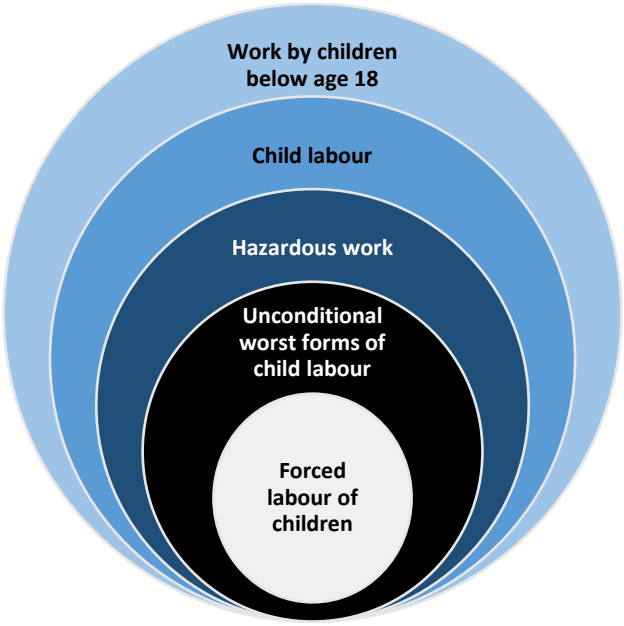
The concept of *child labour* reflects the engagement of children below 18 in undesirable work activities that may cause harm, as defined by national legislation and accepted international standards (ICLS & ILO, 2008). There is not one "uniform legal definition of child labour for universal application across countries" (pp. 6, 58), in the sense of a single regulatory framework that applies rigidly and uniformly across all jurisdictions. [12] Nonetheless, three international legal standards set out general criteria for delineating the legal concepts that define child labour, based on the child's age, the "nature" of the work, or the "circumstances" in which the work is performed. These child labour boundaries provide a basis to assess "likely harm" to working children's health, safety, and morals, which is central to this study. The three standards are the UN Convention on the Rights of the Child (1989), the ILO Convention 138 - Minimum Age Convention (1973), and the ILO Convention 182 - Worst Forms of Child Labour Convention (1999). ILO C138 allows flexibility clauses, and the UNCRC enables reservations left to the discretion of the competent national authority. Regardless, under the ILO Declaration on Fundamental Principles and Rights at Work, all ILO Members must promote and realize the effective abolition of child labour.

[12] As affirmed by the ICLS & ILO (2008, pp. 5-6) resolution, international labour standards on child labour—while offering normative guidance—allow for flexibility and exceptions to general prohibitions. National legislators, in consultation with employers' and workers' organizations retain significant discretions under ILO C138 and ILO C182 to determine age thresholds and prohibited forms of work within internationally recognized parameters. The determination of the exact list of hazardous work is left to national legislation or competent authorities. As a result, the interpretation and application of child labour standards vary across jurisdictions despite a common international normative framework.

*Hazardous work* is a subset of child labour, which, in turn, is a subset of working children (Figure 1). Under national law and international conventions, definitions of child labour are inherently complex and multifaceted. For example, there is no global list of hazardous work under ILO C138 or ILO C182. National lists of designated hazardous industries and occupations differ from country to country. The competent national authority must determine hazardous types of work prohibited for children up to 18 years old after consultation with employers and worker organizations. However, there is a "core" or "minimal" list of hazardous work for children for statistical and comparative purposes, which identifies work in the textile industry as hazardous under national legislation.

**Figure 1**

*Conceptualizations of Work by Children, Including Child Labour and Its Worst Forms*




*Note.* Adapted from: ILO-International Programme on the Elimination of Child Labour [IPEC] (2013, p. 46)

In contrast to child labour, there is a universally agreed-upon definition of *the worst forms of child labour*. These worst forms represent extreme forms of exploitation that cause irremediable harm. Since 2020, ILO C182 – The Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999) reached universal ratification. Therefore, ILO C182 makes history as the first and only ILO Fundamental Convention to be universally adopted. Article 3 of ILO C182 defines the worst form of child labour to be prohibited, including *inter alia* all

forms of child slavery, child trafficking, debt bondage, serfdom, forced and compulsory labour, the unlawful recruitment of child soldiers, child prostitution, child pornography, and hazardous work.

The *unconditional worst forms of child labour*, excluding hazardous work and including forced labour of children, are central to understanding child labour. These unconditional worst forms are considered the most egregious manifestation of child labour and often a form of forced labour (Blackett, 1999, p. 31). Increasingly, government attention is shifting to banning the trade of goods produced with forced and compulsory labour, including forced and compulsory child labour. For example, the Canada-United States-Mexico Agreement of 2020 includes a forced labour import prohibition. Key terms use in this thesis are defined in Appendix E1.

While much child labour research focuses on children below the general minimum working age, this study includes adolescents for several reasons. First, ILO C138 states that children aged 15 and above (or 14 years and above in developing countries) may only work legally if the work is not hazardous. ILO C182 defines hazardous work performed by any child below 18 as a worst form of child labour. More fundamentally, the UNCRC (1989), which is nearly universally ratified, defines a child as every human being below 18 years of age, unless the age of majority is attained earlier under applicable law. An adolescent is understood here as any older child above the general minimum age for employment and below 18, permitted to work only under conditions defined under national law (International Conference of Labour Statisticians [ICLS & ILO, 2008); definitions overlap with "young workers" (see Appendix E1) and draws attention to adolescents positioned between regulatory categories. Notably, India's child and adolescent labour law does not classify adolescents as children, whereas the ILO and broader international human rights law do.

Second, including adolescents helps to sharpen the focus on the 2016 amendments to India's Child Labour (Prohibition and Regulation) Act of 1986. The amendments prohibit the engagement of children under 14 in all occupations and prohibit adolescents aged 14 to 18 from working in hazardous occupations and processes (George & Panda, 2015; UNICEF & V. V. Giri National Labour Institute [VVGNLI], 2017, pp. 13–14). As noted above, the Act retains an exemption under Article 3 allowing children under age 14 to assist in family enterprises, including agriculture, home-based work, and artisan activities, under specified conditions.

Most child labour research focuses on younger children and forgets the adolescents. This omission is significant for two reasons. First, adolescents can be involved in child labour too, but it is harder to assess because they are allowed to work. Second, a larger proportion of adolescents than

children is involved in work, whether it is child labour or acceptable work (hence the scope of the problem is larger). Indeed, adolescents aged 15 to 17 years engaged in hazardous work constitute the largest share of child labourers in many countries. Two out of five employed adolescents worldwide are engaged in hazardous work (Guarcello et al., 2016, p. 17).

The importance of including adolescents in child labour analysis is particularly evident in India. Adolescents in India aged 15-17 are more than eight times as likely to work than children aged 7-14 (Lyon & Khan, 2015, pp. 50–56). In 2012, almost 3.3 million children (1.7%) in the 7–14-year age group were employed, compared with 9.7 million adolescents (14.7%) in the 15–17-year age group. Adolescent girls are more than three times as likely as boys to be neither in employment nor school. The employment rate for adolescent girls is 10%, compared to 18.7% for adolescent boys. These patterns have become increasingly important since the Child Labour (Prohibition and Regulation) Amendment Act, 2016 introduced adolescents as a distinct legal category. As a result, the central policy challenge is no longer preventing child labour among younger children but determining when adolescent work crosses the boundary into hazardous-work and rights violations.

## 1.8 Chapter Outline

This thesis comprises eight chapters. Chapter 1 introduced the empirical problem of child labour in India's cotton sector, explained its relevance to responsible business conduct and human rights, and set out the research questions and thesis structure.

Chapter 2 develops the theoretical framework. Drawing on economic sociology, global value chain governance, and society-dependent enforcement, it examines how child labour is socially embedded, organized, normalized, and governed within global production systems and develops hypotheses H1-H4.

Chapter 3 develops the Business and Child Labour Tool and analytical framework. It integrates human rights standards, child labour specificity criteria (H2), schooling as the counterfactual safeguard, and ethical capability via public-private compliance and enforcement (H3) and operationalizes the study's core constructs for empirical analysis.

Chapter 4 situates the study within India's public policy framework. It examines labour market regulation, child labour law and society-dependent enforcement, multidimensional poverty, educational deprivation, and rural poverty across Andhra Pradesh, Telangana, and Gujarat, establishing the conditions under which child labour governance operates.

Chapter 5 details the mixed-methods comparative case study design, including textual analysis and an axiomatic approach to operationalizing employment practices and child labour risk.

Chapter 6 examines voluntary sustainable cotton standards at the organizational level through a process-oriented analysis of their governance arrangements. It evaluates Better Cotton, Fairtrade, GOTS, and the Organic Content Standard and assesses how standards define, distinguish, and govern child labour risks. The chapter evaluates H2 and develops a theory of ethical capability (H3) through analysis of specificity criteria, schooling-related safeguards, compliance and enforcement arrangements, and the normative trade-offs embedded in child-centred remediation.

Chapter 7 examines how child labour governance operates in practice at macro and meso levels. It evaluates society-dependent enforcement and the role of social actors in shaping accountability and enforcement outcomes (H4). The chapter then examines business employment practices and ethical capability (H3), assessing certification-, disclosure-, and compliance-centred approaches to child labour governance alongside governance configurations associated with stronger child labour risk internalization and remediation-capable responses. Finally, it turns to cottonseed production as a high-risk governance context that illustrates an alternative pathway through which child labour risk may be reduced under different institutional conditions.

Chapter 8 concludes by revisiting the research questions, synthesizing findings across process-, micro-, meso-, and macro-level, summarizing the study's theoretical and methodological contributions, and outlining policy implications and recommendations.

# CHAPTER 2
# Economic Sociology of Business and Child Labour in Global Value Chains

Existing child labour research often focuses on the supply of child labour and policy interventions aimed at poverty, labour market conditions, household decision-making, or regulatory failure. In contrast, this chapter develops a relational explanation that situates firms and employers within the governance structures that shape child labour risk in global production systems.

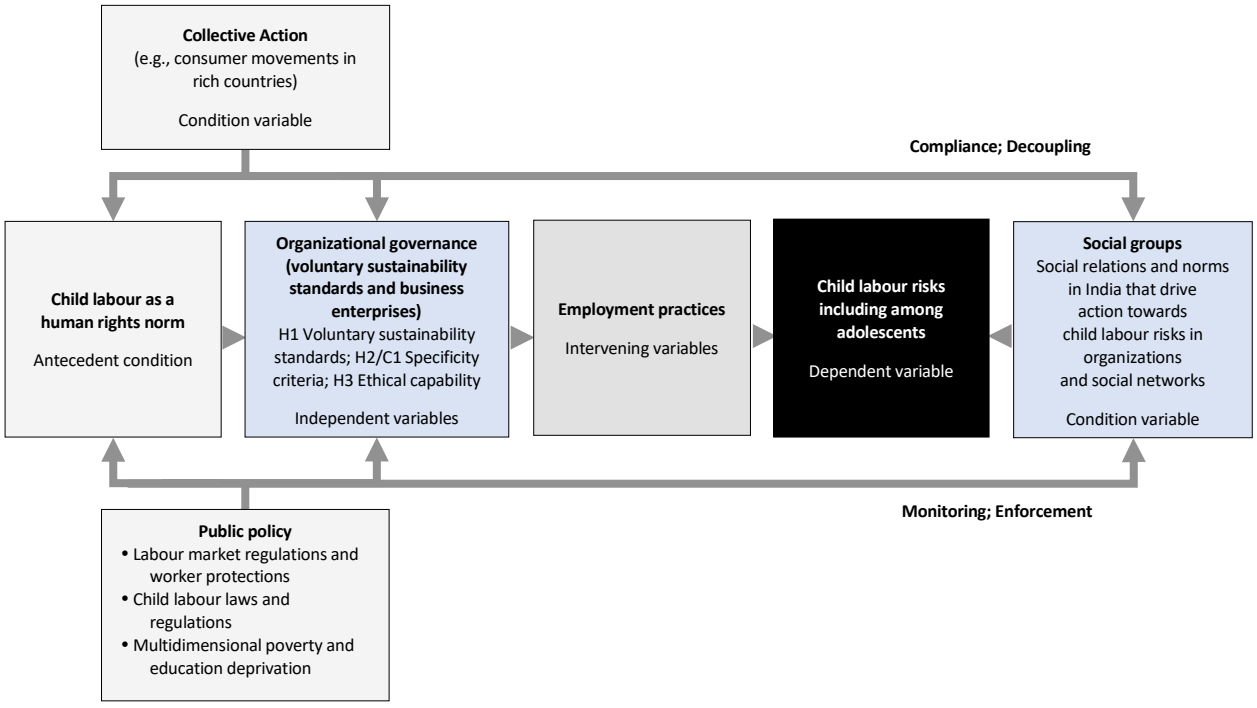
The chapter develops the theoretical foundations of an economic sociology of business and child labour. Drawing on economic sociology, the economic sociology of childhood, global value chain (GVC) governance, adverse incorporation, international business ethics and business and human rights scholarship, and society dependent enforcement, the chapter explains how child labour risk is socially embedded, organized through value chain structures and processes of adverse incorporation, normalized, and governed through public and private institutions, and shaped by the interaction of businesses, public policy, and social actors. The chapter also positions economic sociology in relation to competing explanations, including new institutional economics (NIE), organizational institutionalism, and transaction-cost approaches, and develops the study's explanatory model.

The chapter proceeds in five parts. First, it introduces economic sociology and the social construction of children's work. Second, it discusses how child labour is organized in global value chains, including processes of adverse incorporation. Third, it explores GVC governance as normalization and integrates voluntary sustainability standards into the theoretical framework. Fourth, it discusses the implications of society-dependent enforcement for child labour governance. Finally, the chapter synthesizes how this literature informs the hypotheses tested in later chapters: H1 (effect of voluntary sustainability standards), H2 (role of child labour specificity criteria), H3 (effect of ethical capability of voluntary sustainability standards and business enterprises), and H4 (role of social actors in enforcement).

Variables in the theoretical framework (Figure 2) include collective action, public policy, social groups, organizational governance, employment practices and child labour risk. Within the thesis' multi-level analytical framework, voluntary sustainability standards and business enterprises function as empirical units through which organizational governance is examined. Figure 2 illustrates how governance arrangements shape employment practices and child labour risk. At the macro-level, collective action, public policy, and social groups (NGOs, farmer-producer organizations, workers, and communities) establish and reinforce expectations, norms, and rules, while organizational governance mediates how those expectations are translated into business employment practices. Consistent with Nee's multi-level framework, child labour risk outcomes emerge through the interaction of institutional environments, organizational governance, and social action. The framework motivates the hypotheses developed in this chapter and provides a bridge to Chapter 3, where constructs used to assess employment practices are operationalized, including specificity criteria, compliance-enforcement arrangements, and ethical capability.

**Figure 2**

*Theoretical Framework*




*Note.* Within the thesis' multi-level analytical framework, voluntary sustainability standards and business enterprises function as empirical units through which organizational governance is examined. Chapter 6 focuses on the process-level by assessing variation in governance dimensions across voluntary sustainability standards, while Chapter 7 focuses on the meso-level by examining how these dimensions are translated into employment practices within business enterprises.

## 2.1 Economic Sociology and the Social Construction of Children's Work

This section introduces new institutionalist economic sociology as the primary lens (Nee, 2003; Smelser & Swedberg, 2005). It reviews key concepts, including institutions and embeddedness, and the social organization of economic activity, before examining the economic sociological perspectives on childhood and child labour, particularly the work of Zelizer (1985) on the changing value of children. The section develops the first argument. Child labour is socially embedded and historically contingent. Distinguishing harmful child labour from other forms of children's work additionally requires attention to context and to the realistic opportunities available to children, particularly access to education and other opportunities that support their development.

### New Institutionalist Economic Sociology

Since the mid-1980s, new institutionalist economic sociology has reoriented the study of economic action by emphasizing how institutions interact with social networks and norms (Fligstein, 2018; Granovetter, 1985; Nee, 2003; Polanyi, 1944/2001; Smelser & Swedberg, 2005; Swedberg, 2005). Drawing on both economics and sociology, it examines how political, legal, and economic institutions shape action, while recognizing that behaviour is also embedded in social relationships (Swedberg, 2005, p. 5).

A core heuristic is that economic action is a form of social action (Granovetter & Swedberg, 2011, p. xix). Economic outcomes cannot be explained solely by markets and formal institutions because individuals and organizations operate through networks, social groups, and patterns of interaction. As Nee (2003, p. 50) explains, ongoing interpersonal ties and informal social organizations interact with formal rules, mediating the relationship between institutions and individual behaviour.

Economic sociology defines institutions more broadly than new institutional economics (NIE). While NIE incorporate both formal and informal institutions, it tends to analyze them through the lens of incentives, transaction costs, and institutional constraints. By contrast, economic sociology views institutions as "a system of interrelated informal and formal elements—custom, shared beliefs, conventions, norms, and rules—governing social relationships within which actors pursue and fix the limits of legitimate interests" (Nee, 2003, p. 23-24). This interest-based definition, partly influenced by North (1990), places greater emphasis on the interaction of formal institutions, informal norms, and social relationships.

This perspective also informs Fligstein's (1996, 1997, 2018) conceptions of markets as socially constructed fields rather than self-regulating arenas of exchange. Market outcomes reflect political institutions, governance arrangements, and social relations that stabilize competition and organize production and consumption (Fligstein & Dioun, 2015). States and markets are mutually dependent, with firms seeking stable institutional and political solutions to competition (Fligstein, 1996, 2018). This complements Granovetter's concept of embeddedness by emphasizing how markets, firms, and industries, are socially organized and governed. Moreover, Fligstein's analysis of globalization cautions against treating labour market outcomes, welfare state retrenchment, shareholder value governance, or rising inequality as inevitable consequences of global competition, emphasizing instead the continuing importance of national institutions, state capacity, social redistribution, and varieties of capitalisms in shaping market outcomes (Fligstein, 1997).

Figure 2 adapts Nee's (2003, p. 26) model of economic sociology to child labour governance. It illustrates how institutions do not operate in isolation but through social relationships linking states, firms, workers, households, and civil society actors. From this perspective, institutional incentives and disincentives are mediated by social norms, networks, and individual interests, which influence how child labour standards are interpreted, monitored, enforced, and complied with in practice. Collective action and social relations therefore help explain why the same formal rules may produce different outcomes across contexts: they may reinforce compliance with formal rules or contribute to forms of decoupling between formal commitments and actual practice (Nee, 2003, p. 33).

A key strength of economic sociology is its explicit multi-level analysis of the reciprocal relationships between macro-level institutional environments and micro-level action. In Nee's (2003, pp. 55-60) model, institutional environments operate through state regulation, market mechanisms, collective action, and monitoring and enforcement. These forces shape production markets and organizational fields composed of firms and non-profit organizations, providing an intermediary organizational layer through which institutional incentives and constraints are mediated. At the micro level, social groups and interpersonal networks mediate how incentives, interests, and norms influence compliance, decoupling, and economic behaviour through ongoing social interaction. Economic sociology therefore traces how regulatory, political, market, and social dynamics shape everyday economic behaviour across interconnected levels of analysis.

### *Embeddedness and Child Labour Governance*

This study acknowledges that state-based institutions and enforcement mechanisms influence business behaviour by strengthening or weakening incentives to address child labour risks. However, economic sociology emphasizes that the effects of institutions are mediated through social relationships, networks, and collective action.

Granovetter's (1985) concept of embeddedness is foundational. Granovetter (1985, pp. 481, 487-488, 504) challenges utilitarian and deterministic conceptions of actors by rejecting portrayals of actors as purely rational agents or products of a social contract, emphasizing instead how ongoing social relations shape interests, trust, cooperation, and opportunities for action. Actors pursue interests, but they do so within networks of social relationships that influence the information available to them, the opportunities they perceive, and the constraints they face.

In this thesis, embeddedness theory foregrounds the role of social groups in shaping how firms respond to child labour risks. These include local economic networks (e.g., producer associations, NGOs, community organizations) and consumer movements in high-income countries. Rather than treating compliance as a direct consequence of formal regulation, economic sociology emphasizes that business behaviour is mediated through these social relationships.

Economic action is socially situated within networks of relations (Granovetter, 1985; Polanyi, 1944/2001; Scott, 1976), and economic institutions are socially constructed. This position contrasts with transaction cost economics (Williamson, 1975) and internalization theory (Dunning, 1981) and highlights a broader point: institutional traditions differ not only in how they define institutions but also in their assumptions about actors, motivations, and the mechanisms through which institutions influence behaviour.

Granovetter emphasizes analyzing proximate economic behaviour at both micro- and meso-levels, grounded in everyday interaction (Bair, 2008, pp. 342-347; Gibbon et al., 2008, p. 326). Trust, he argues, arises primarily from social relations rather than institutional arrangements or generalized morality (1985, p. 491). According to Granovetter (1985), "both enormous trust and enormous malfeasance, then, may follow from personal relations" (p. 492). This relational emphasis later informed global production network analysis and studies of adverse incorporation of child labour (Phillips et al., 2014).

Social networks built on interpersonal relationships and shared norms uphold group interests through approval, rewards, and sanctions. Constraints on action are thus economic, social, and

institutional. Read this way, social groups can strengthen or weaken compliance monitoring and enforcement of voluntary standards and public policies, especially in informal and agricultural sectors where state reach is thin. As Granovetter notes, "no adequate link between macro- and micro-level theories can be established without a much fuller understanding of these [social] relations" (1985, p. 506-507).

This emphasis on social relations leads to the labour regulation and enforcement theory developed later in this chapter. Amengual's (2016) society-dependent enforcement shows how bureaucrats rely on civil society mobilization to enforce labour norms when administrative resources are weak. Taken together, these perspectives underscore that governance arrangements (compliance and enforcement) are socially embedded processes rather than direct products of formal rules alone.

However, as Nee (2003) argues, explanatory mechanisms must extend beyond Granovetter's proximate causes to include distal institutional forces emphasized by Weber, Schumpeter, and Polanyi. Economic sociology therefore seeks to connect socially embedded action with broader institutional and historical processes operating at macro-levels of analysis.

***Economic Sociology, Polanyi, and New Institutional Economics***

Polanyi's (1944/2001) "double movement" illustrates how macro-level institutional dynamics and micro-level social responses interact within a broader process of institutional exchange (Nee, 2003, pp. 16-17, 36). Modern efforts to expand market relations and commodify economic activity generate countervailing pressures for social protection, producing a continuous tension between marketization and social regulation. A complementary argument is advanced by Evans (1995), who argues "there is no reason to believe that exchange relations are ontologically prior to other kinds of social relationships" (p. 26). Economic sociology therefore traces how regulatory, political, and social dynamics shape everyday economic behaviour.

In this respect, Evans' (1995) study of India shows how state-society relations produced developmental outcomes distinct from those observed in South Korea's state-led industrialization and close state-industry collaboration (Amsden, 1989). India's "license, permit, quota raj" constrained private capital while also rewarding firms for operating within a protected regulatory environment, which reduced incentives for the kind of technological innovation and creative destruction associated with Schumpeterian economic growth (Evans, 1995, p. 242). While private capital lost autonomy, it gained security through protected markets and restricted competition. Evans characterizes this as an "anti-Schumpeterian" bargain that benefited established business houses by shielding them from

competitive pressures, but at the cost of broader innovation, industrial upgrading, and structural transformation (Evans, 1995, p. 242).

According to North (1995, p. 1), NIE incorporates a theory of institutions into economics that "builds on, modifies, and extends neo-classical theory to permit it to come to grips and deal with an entire range of issues heretofore beyond its ken". Whereas traditional economic theories focus on the gains from trade made possible by increasing specialization and division of labour, the NIE model introduces transaction costs and governance structures, enabling analysis of how institutions, including firms, contracts, and state institutions shape economic outcomes and international trade (Nee, 2003, p. 48; North, p. 34-35; 1995, p. 27).

Institutions are understood as formal and informal rules and constraints that structure incentives, including laws, constitutions, norms, and self- imposed codes of conduct (North, 1990, p. 3). Firms emerge as mechanisms for organizing economic activity and economizing on transaction costs, while contractual arrangements, voluntary institutions, and third-party enforcement in contracting reduce uncertainty and hazards of opportunism, thereby facilitating the gains from trade (North, 1990, pp. 56-60).

Yet, while NIE substantially broadens economic analysis beyond neoclassical models, Nee (2003, p. 12) argues that North treats beliefs and norms as a "black box" of informal constraints, without explaining how these interact with formal rules to shape economic behaviour. Economic sociology addresses this by examining how social relations, networks, and shared understandings mediate the operation of institutions in practice. Granovetter (1985, pp. 506-507) similarly identifies an under-analyzed question: how economic and political change reshapes the social relations underpinning economic life.

The influence of embeddedness extends beyond economic sociology itself. Bair (2008) observes that Granovetter's relational network is echoed in Gereffi et al.'s (2005) GVC governance theory. While GVC governance incorporates network-based thinking (i.e., "production networks"), it remains more aligned with the transaction-cost logic it critiques. In contrast, Granovetter's emphasis on embeddedness aligns more directly with global production networks approaches and efforts to integrate social upgrading and labour outcomes into GVC frameworks (Barrientos et al., 2010; Phillips, 2016; Selwyn, 2013).

These concepts also distinguish economic sociology from other institutional approaches relevant to business and child labour research, including new institutional economics, institutionalism

in organizational analysis, social choice and capabilities approaches, Rawlsian social contract institutionalism, and transnational legal institutionalism. These traditions are considered next.

## Competing Institutionalist Traditions

New institutionalist economic sociology differs from several competing institutional traditions relevant to business and child labour research. Understanding these ontological differences helps situate the various theoretical traditions for business and child labour research, as illustrated throughout this chapter and the next. As explained by Powell and DiMaggio, scholars have been most casual about defining institutions, with varying emphasis on micro- and macro-level features, the extent to which normative aspects are considered, and the importance accorded to interests and relational networks (1991, p. 1). These ontological differences are summarized in Table 1. The traditions summarized offer distinct explanations of institutions, economic behaviour, and child labour governance. The discussion below highlights those explanations most relevant to this study.

**Table 1**

*Ontological Differences in Traditions for Business and Child Labour Analysis*

| Institutional tradition | Core conception of institutions | Primary mechanism | Child labour implications |
|---|---|---|---|
| New institutionalist economic sociology (Nee, 2003; Granovetter, 1985) | Interrelated formal and informal institutional elements governing social and economic relationships and fixing limits of legitimate interests (Nee, 2003). | Macro: state regulation, market mechanisms, collective action shape context-bound incentives and constraints.<br>Micro/Meso: interest-driven action by individuals within organizations, networks, and social groups mediates how formal and informal rules operate; embeddedness may reinforce compliance or generate decoupling through opposition norms and competing interests. | Children's work is socially embedded and historically contingent (Zelizer, 1985); child labour may become adversely incorporated into production systems through embedded social and economic relationships (Phillips et al., 2014); labour regulation and enforcement are socially embedded and mediated by networks, norms, and social groups (Amengual, 2016). |
| New institutional economics (North, 1990, Ostrom, 1990; Williamson, 1975) | Humanly devised formal and informal constraints that structure incentives and reduce transaction costs (North, 1990). | Macro: States seek to maximize revenue and establish institutional arrangements that structure incentive systems and transaction cost conditions.<br>Micro/Meso: Firms and individuals economize on transaction costs through contracting and governance structures; self-interested principals and agents calculate hazards of opportunism. | Child labour is explained primarily through labour supply, poverty, incentives, transaction costs, and household decision-making; regulation may produce unintended consequences where realistic alternatives are unavailable (Basu & Van, 1998; Edmonds, 2006). |

| Institutional tradition | Core conception of institutions | Primary mechanism | Child labour implications |
|---|---|---|---|
| Institutionalism in organizational analysis (DiMaggio & Powell, 1983; Thelen, 1999; Berger & Luckmann, 1967) | Institutions confer legitimacy through rationalized myths, routines, and accepted organizational practices. | Macro: State regulation and coercive, normative, and mimetic pressures shape expectations of legitimate organizational behaviour.<br>Micro/Meso: Professionals serve as agents of institutionalization; organizations pursue legitimacy through mimicking, conformity, routinized practices, with possible decoupling between formal structures and organizational practice. | Child labour is addressed through corporate governance mechanisms, including codes of conduct, certification schemes, and CSR initiatives; gaps may emerge between formal commitments and implementation (Kolk & van Tulder, 2002a, 2002b, 2004) |
| Transnational legal institutionalism (Zumbansen, 2011; Blackett and Trebilcock, 2015) | Institutions emerge through interactions among multiple legal orders, norms, and governance systems operating beyond the nation-state. | Macro: National and international law, and transnational legal orders interact with collective action by organizations and civil society to shape legal norms and governance arrangements.<br>Micro/Meso: States, firms, courts, and civil society actors interpret, institutionalize, coordinate, and enforce legal norms across jurisdictions and governance systems. | Child labour governance emerges through interactions among national, international, and transnational legal regimes, including labour law, international human rights, human rights due diligence, and private regulatory systems (Deva, 2014; Trebilcock, 2015). |
| Social choice and capabilities approaches (Sen, 1999; Nussbaum, 2000; Alkire & Foster, 2011) | Institutions shape the substantive freedoms, capabilities, and opportunities available to individuals. | Macro: Public institutions and social arrangements shape the distribution of capabilities and opportunities.<br>Micro/Meso: Capability deprivation or expansion influences agency, functioning, human development, and alternative life changes. | Child labour is understood as a deprivation of capabilities, functioning, and development opportunities; education and child welfare are central to evaluating children's rights, well-being, and life chances (Dixon & Nussbaum, 2012). |
| Rawlsian social contract institutionalism; ISCT (Rawls, 1971; Donaldson & Dunfee, 1999) | A public system of rules defining roles with rights and duties, powers and immunities, permissible actions, and penalties and defenses for violations. | Macro: Principles of justice and public rules establish legitimate rights, duties, obligations, and fair terms of social cooperation, guiding the provision of basic social goods.<br>Micro/Meso: Individuals and organizations orient conduct to institutional roles, rights, duties, powers, immunities, permissible actions, and sanctions defined by public rules. | Harmful child labour constitutes a violation of fundamental human rights and principles of justice. Ethical business conduct requires protecting children's access to basic social goods, including education, while navigating cross-cultural dilemmas through context-sensitive responses (Donaldson & Dunfee, 1999; Buller & McEvoy, 1999). |

*Note.* Adapted from The New Institutionalisms in Economics and Sociology, by V. Nee, 2003. Working Paper No. 4; CSES Working Paper Series, p. 72, Cornell University - Center for the Study of Economy and Society. (https://doi.org/10.1515/9781400835584.49). Copyright 2005 by Princeton University Press.

New institutional economics (NIE) influenced the shift from corporate social responsibility (CSR) to business and human rights (BHR), making it relevant to the theoretical framework developed in Chapters 2 and 3. In 2010, the UN Guiding Principles on Business and Human Rights were endorsed as the new global standard to help business enterprises identify, prevent, mitigate and account for adverse human rights impacts linked to their operations, products or services, including business relationships. With the adoption of the UNGPs, using institutional theory to investigate responsible business conduct takes on greater policy relevance. According to Ruggie (2014, pp. 8–10) and Taylor (2011), NIE theories on polycentric governance and collective action (E. Ostrom, 2010b; V. Ostrom et al., 1961) inspired the "Protect, Respect, Remedy" framework that bolsters the UN Guiding Principles on Business and Human Rights (UNGPs).

When it comes to child labour, NIE theories have focused on globalization and the impact of liberalized trade policies on child labour (Basu & Van, 1998; Brown, 2000; Edmonds & Pavcnik, 2005; ILO-IPEC, 2007). As explained by Edmonds (2008, p. 1), "Economic theory largely focuses on child labour as labour supply rather than as a distinct type of work where there may be human rights issues. There is little distinction about types of activities, and therefore theory is not informative for solving the problem of the counterfactual". This limitation is particularly important for child labour research because it raises the question of the relevant counterfactual. Whether children's work should be understood as harmful child labour often depends on the alternatives available to them, especially meaningful access to education.

Most oft-cited, Basu and Van (1998) clarify the economics of child labour by modelling the existence of multiple equilibria in one labour market due to household decision-making. The assumptions include the "luxury axiom", i.e., that a "family will send the children to the labor market only if the family's income from non-child-labor sources drops very low", and the substitution axiom, i.e., that "from a firm's point of view, adult labor and child labor are substitutes. More specifically, child labor can be substituted by adult labor" (Basu & Van, 1998, p. 416). Basu and Van (1998) prove that one equilibrium exists where the adult wage rate is low and children work, and another equilibrium exists where the adult wage rate is high, and children do not work. As a result of these multiple equilibria, in countries where there are difficulties in monitoring child labour violations (for example due to children laboring on their family farms), total bans or partial bans on child labour cannot be implemented, which would therefore backfire and cause deterioration in labour conditions.

Therefore, it is best to address the child labour problem by also improving the conditions and scope for adult labour. [13] (ILO-IPEC, 2007)

The transaction cost approach to analyzing child labour in an international context shows that strict prohibition can have perverse consequences (Basu & Van, 1998, p. 423; Fyfe and Jankanish, 1997; Nielsen, 2005, p. 577). As detailed in Chapter 3, during the 1990s, the threat of U.S. sanctions under the proposed Child Labor Deterrence Act harmed children more than it helped, pushing them into more dangerous jobs or even prostitution. Brown (2000) uses transaction cost analysis to examine various measures to tackle child labour. Enforcing a ban through import tariffs or shifting demand away from goods produced with child labour through product labelling could lower the wages of children who continue to work or push them into more hazardous work.

This transactional logic is extended by Brown (2000) to a comparison of the monitoring by the WTO and ILO of trade and labour standards. Defining the WTO rules regulating free and fair international trade is relatively easy, as it serves the prisoner's dilemma, which allows for cooperation based on self-interest and mutual comparative advantage. "[T]he trade rules can serve the interests of all participants without regard to specific country characteristics such as stage of economic development. Optimal labor market characteristics, however, depend heavily on each country's level of income." (Brown, 2000, p. 257). In context, developing countries have expressed concerns that the U.S. commitment to free trade and cooperation labour side agreements is motivated by protecting their domestic labour from low-wage competition abroad.

These debates intersect with the broader "race to the bottom" thesis, which posits that countries may compete for trade and investment by weakening labour standards or their enforcement (Appelbaum et al., 2005; Fligstein, 1997). From this perspective, child labour may be understood not only as a household labour-supply decision but also as a potential outcome of competition pressures within global markets (ILO-IPEC, 2007, pp. 20-28). While some scholars argue that globalization and international competition may place downward pressure on labour protections

[13] A more comprehensive argument is offered by Basu, Genicot and Stiglitz (2000). Issues of poverty and unemployment may influence children's participation in the labour market. An 'added worker effect' is possible; if the primary breadwinner in a low-income family has little possibility of finding work then the family will send other members of the family including children to seek work as well (ILO-IPEC, 2007). Furthermore, when multiple equilibria and parental decisions in conditions of poverty are taken into considerations, then child labour may persist partly as a social norm (Hirschman, as cited in Basu, 1999) with 'virtuous spirals' and an intergenerational child labour trap shown to be plausible (ILO-IPEC, 2007, p. 4).

(Mosley & Uno, 2007; Singh & Zammit, 2004), others contend that the effects of globalization are mediated by institutions, public policy, and social protection systems, thereby challenging deterministic accounts (Chang, 2010; Esping-Andersen, 2003; Rodrik, 2007, pp. 229-233). The relationship between globalization, labour regulation, and child labour therefore remains an empirical question rather than a settled matter. This issue reappears in later chapters through the analysis of public policy, voluntary sustainability standards and business governance arrangements (Chapters 4, 6 and 7).

Beyond economic sociology and NIE, the "new institutionalism in organizational analysis" extends the comparative sociology developed by Durkheim (1898/2014) and Weber (1922/1978), who viewed institutions not only as formal structures but also as social systems of cultural beliefs, norms and collective sentiments motivating both social and economic action. Theoretically, this approach relies on the cultural turn in social theory (Goffman 1967; Berger and Luckmann 1967; Bourdieu 1977) to argue that the actions of businesses are affected by a broader institutional context. Culturally imbued definitions share a common view of institutions as "rationalized myths and routines" where conformity bestows legitimacy on organizations (Nee, 2003, p. 50).

Habermas' (1996) distinction between the facticity and validity of law provides a complementary perspective on institutional legitimacy. On the one hand, law derives authority both from its factual generation, administration, and enforcement in social institutions, that is, its *facticity*, and, on the other hand, from its claim to legitimacy and general recognition, that is, its *validity* (Chambers, 2017). Habermas emphasizes the potential tension between facticity and validity, as legal norms may enjoy broader normative acceptance while remaining only partially realized in practice.

This distinction between facticity and validity is relevant to child labour governance because laws, voluntary sustainability standards, and business and human rights frameworks may embody widely accepted normative commitments regarding the protection of children while differing substantially in their implementation and effects. Habermas' emphasis on the relationship between legitimacy and social reality complements organizational institutionalist concerns with legitimacy and informs the later analysis of why widely accepted responsible business conduct and child labour governance frameworks may nevertheless exhibit means-ends decoupling and uneven practical outcomes.

Organizational analysis is typical of business studies of corporate social responsibility; and chapter 3 uses the perspective of organizational theory to provide more details on the effectiveness of codes of conduct to address child labour. In organizational analysis, this cultural turn recognizes that voluntary measures for private self-regulation such as standards and codes of conduct are imbued with social and cultural meanings that extend beyond their technical purpose alone (Berger & Luckmann, 1967; Helms et al., 2012, p. 1120).

Transnational legal institutionalism examines how legal norms emerge through interactions among national, international, and transnational legal orders (Zumbansen, 2011; Blackett & Trebilcock, 2015). Child labour governance therefore reflects the interaction of multiple legal orders, including labour law, international human rights, trade regimes, human rights due diligence legislation, and private regulatory systems. Business responsibilities regarding child labour are shaped not only by domestic regulation but also by transnational legal processes operating across jurisdictions. Chapter 3 builds on this insight by examining how business and human rights frameworks contribute to the transnational governance of child labour, including its worst forms.

The capabilities approach differs from the classical social contract traditions, despite concerns about justice and human well-being. Whereas Rousseau, Kant, Rawls generally locate obligations of justice among citizens within a political community or among peoples, Sen and Nussbaum evaluate justice in terms of the capabilities, functioning, and substantive freedoms available to individuals. From this perspective, institutions are assessed not primarily by their formal rules or agreements but by the opportunities they create for human development.

For this study, polycentric governance theories are a useful framework for understanding multilevel governance regimes and their analytical limits. Polycentric governance considers how formally independent centers of state and non-state decision-making interact in a local area to resolve collective problems and adapt governance strategies (Ostrom et al, 1961). Morrison et al. (2019) extend this perspective by emphasizing power as "the uneven capacity of different actors to influence the goals, process, and outcomes of polycentric governance" (2019, p. 2). They distinguish between "power by design" theories, focused on formal institutional arrangements and legitimacy (Weber, 1922/1978), "pragmatic power", focused on rules-in-use (Ostrom, 2010a), and "framing power", focused on "Weapons of the Weak" (Scott, 2008) theories. These conceptualizations of power connect well with this present study because it highlights how formal institutions, governance practices, and social groups may strengthen (or weaken) compliance monitoring, labour

enforcement, and efforts to reduce child labour risks. This study treats power as relational and examines how social groups shape governance outcomes, an approach that is developed further in subsequent discussion of labour enforcement, adverse incorporation, and social upgrading (Amengual, 2016; Phillips et al. 2014; Selwyn, 2013).

In summary, the section compared competing institutional traditions relevant to business and child labour research and highlighted their differing conceptions of institutions and causal mechanisms operating at macro-, micro- and meso-levels, while also clarifying their implications for child labour analysis. The comparison clarifies the rationale for adopting economic sociology (Nee, 2003) as the primary lens for this study while selectively drawing on complementary insights from capabilities theory, social contract theory, organizational institutionalism, NIE, and transnational legal institutionalism. In this thesis capabilities and social contract approaches are primarily used as normative theories for evaluating harm, rights, and children's well-being, rather than as explanations of how labour markets and governance systems operate. The next section discusses how one economic sociologist, Viviana Zelizer, applied economic sociology theories to childhood and child labour.

**Economic Sociology of Childhood and Child Labour**

Viviana Zelizer's work exemplifies the economic sociology of childhood (Zelizer, 1985, 1994, 2011). *Pricing the Priceless Child* (Zelizer, 1985) traced a shift in U.S. social attitudes toward children and child labour between the 19th and 20th centuries. Society redefined the wage-earning child's social value, moving from labour market usefulness to sentimental value. Childhood came to be seen as "economically useless but emotionally priceless" (Zelizer, 1985, p. 57). Zelizer (1985) shows how processes of commercialization through price coexisted and reinforced a reciprocal process of "sacralization" that elevates sentimental value. These dynamics repositioned children as emotional and moral assets: child labour gave way to light work, wages to allowances, and jobs were validated on educational rather than economic criteria (1985, p. 112).

More fundamentally, Zelizer's work shows that distinctions between children's work and child labour are historically contingent and socially embedded. Societies construct boundaries between legitimate, illegitimate, and ambiguous forms of children's work through ongoing debates about childhood, family responsibility, economic necessity, and children's welfare. Zelizer's broader works similarly examine morality and economics, echoing Durkheim's (1893/2014) *The Division of Labor in Society* and Weber's (1922/1978) *Economy and Society* (Granovetter & Swedberg, 2011,

p. 136). Zelizer argues for a middle path: a well-balanced analysis attends to economic, social, and cultural factors without allowing either social relations or cultural terms to dominate (Swedberg, 1997, p. 168).

Zelizer's case study also shows how imprecise and ambivalent cultural definitions of child labour confounded debates over child labour laws (1985, pp. 73-112). From this perspective, the central question is not simply whether children work, but how societies determined which forms of children's work are legitimate, illegitimate, or contested. Between 1879 and 1909, state legislation increasingly used age to distinguish legitimate and illegitimate economic roles for children—children's work versus child labour (pp. 75-77). Zelizer's emphasis on contested legitimacy and shifting age thresholds foreshadows the "no distinction" problem addressed later in this thesis through counterfactual logic. Early federal legislation focused mainly on prohibiting industrial child labour in factories, mines, and mills, including the cotton textile industry. Most state laws and two federal child labour bills, however, consistently exempted agriculture due to farm work's "cultural legitimacy" (pp. 77-79).

Zelizer's central insight is not merely that attitudes toward children changed, but that competing social groups advanced rival claims about the legitimacy of children's economic roles. Zelizer described the ongoing battle between opponents of child labour reform and reformers, the latter of whom organized the National Child Labor Committee. Zelizer writes:

> The conflict over the propriety of child labor between 1870 and 1930 in the U.S. involved a profound cultural disagreement over the economic and sentimental value of young children. While opponents of child labor legislation hailed the economic usefulness of children, advocates of child labor legislation campaigned for their uselessness. For reformers, true parental love could only exist if the child was defined exclusively as an object of sentiment and not as an agent of production. (1985, p. 90)

Child labour reforms succeeded partly because reformers transformed prevailing definitions of childhood and legitimate work.

This moral revaluation underpinned reforms culminating in the Fair Labor Standards Act of 1938, part of Roosevelt's New Deal. The Fair Labor Standards Act institutionalized a federal baseline by restricting child labour and setting minimum labour standards. It also illustrates a broader

point in Zelizer's account: legal boundaries, when followed and reinforced, contest meanings of childhood and work rather than resolving them.

Industries also developed codes more comprehensive than the Fair Labor Standards Act. For example, the Cotton Textile Code (1933) was the first industry code adopted under the New Deal. It abolished child labour below age 16 in factories, set a maximum 40-hour workweek, and established a minimum weekly wage of $13 in the North and $12 in the South (Hindman, 2009, pp. 482-486). This example underscores how "standards" can operate through hybrid governance arrangements, combining law plus industry self-governance, and illustrates that child labour governance has historically relied on overlapping public and private forms of authority rather than a clear separation of power between them. It also demonstrates that effective child labour governance has often depended on the interaction of multiple governance actors and institutions, foreshadowing the governance arrangements and configurations examined in this thesis.

In *Pricing the Priceless Child*, Zelizer (2011) challenged market-work doctrines and the "hostile worlds" view, which imagines separate spheres of rational self-interest versus sentiment and solidarity (2011, p. 73). Zelizer argues that economic transactions and intimate personal relations can coexist without corruption and that efforts to separate them analytically fail to capture how economic and social life are interconnected (p. 85). This perspective is particularly relevant for understanding children's work in household production and informal economies, where family, livelihoods, and economic relationships are often deeply intertwined. While this insight is valuable, this thesis argues that greater attention must also be given to exploitation in household production and India's informal economy, where work is often precarious, poorly paid, insecure, and characterized by weak worker protections that shift risks from employers to workers (ILO, 2012; Phillips et al., 2014; Standing, 2014). Treating household work primarily through the lens of family and social relations may also obscure how economic necessity and power asymmetries shape children's participation in work.

Zelizer observed that "between the extremes of industrial child labour and farm work" lay a range of occupations with uncertain status and contested legitimacy (1985, p. 79). These roles were neither clearly illegitimate nor unquestionably legitimate (Table 2). Zelizer's list included cash girls, newsboys, child peddlers, home-based industrial work by mothers and young children, and child domestic work (pp. 79-85). Zelizer argued that distinguishing legitimate from illegitimate economic roles requires considering market versus non-market work and formal versus informal work (p. 85).

By foregrounding social relations, Zelizer (1985) shows how economic sociology can transform child labour studies by analyzing how societies construct, negotiate, and contest legitimacy claims tied to the nature of children's work. Whether children's work is viewed as acceptable, harmful, exploitative, or economically necessary depends on those broader social evaluations.

Zelizer's emphasis on the material culture of childhood also remains influential. Building on this work, Boyden and Hart (2018) call for the re-materialization of childhood studies by integrating socio-cultural and political-economic perspectives. They argue that childhood studies, as developed by scholars such as Prout, James, Jenks, and Valentine, has often privileged discourse, representation and symbolism while treating materiality with unease, thereby neglecting the economic and structural conditions that shape children's lives (Boyden & Hart, 2018, p. 10, citing Prout, 2005, p. 63).

**Table 2**

*Claims of Legitimacy Related to the Nature of Children's Work (Zelizer, 1985)*

| Illegitimate role (child labour) | Uncertain status | Legitimate role |
|---|---|---|
| Industrial child labour (factories, mines, mills, including the cotton textile industry) | Senate page, cash girl or cash boy, street work, newsboys, child peddlers, bootblacks, neighbourhood newspaper carriers, industrial homework, tenement homework, child domestic work | Farm work |

*Note.* Adapted from Zelizer (1985, pp. 79-85).

Childhood studies have tended to focus on micro-level domains proximate to the child—family, school, and work environments, including class, gender, and ethnicity (Bronfenbrenner, 1977; James & Prout, 1990, pp. 8-9)—rather than on macro-level systems through which power operates asymmetrically (Boyden & Hart, 2018, p. 3). This orientation reinforced a broader shift toward child-centred approaches associated with the expansion of children's rights and the adoption of the UN Convention on the Rights of the Child (1989). According to Pearson (1997), the post-Cold War period and the fall of the Berlin Wall accelerated the General Assembly's unanimous adoption of the UN Convention on the Rights of the Child (1989). Childhood studies aligned closely with the Convention's emphasis on respect for the child's views (Article 12) and recognizing children as active (not passive) subjects shaping their own lives and societies (Verhellen, 2000, pp. 19-62).

However, as Boyden and Hart (2018, p. 11) argue, the new sociology of childhood often underplays macro-level mechanisms, such as state regulation, business power, and economic systems, that condition children's development and vulnerabilities. This critique is particularly relevant to the present study because child labour in value chains is shaped not only by household meanings and practices, but also by market demand, regulatory capacity, and governance arrangements that structure vulnerability. More broadly, these developments occurred alongside wider intellectual and policy debates associated with neoliberalism, which integrated market rationality into understandings of human motivation (Chang, 2002) and reshaped ideas about human capital formation, education, and child development (Heckman, 2012).

Both childhood studies and Zelizer (1985; 2011) privilege particular meanings of child labour and children's work, contributing to long-standing debates over ILO C138 on the minimum age for admission to employment. Critics argue that minimum-age standards are inadequate when working children contribute essential household income (Bourdillon et al., 2010; Morrow & Boyden, 2018; Myers, 2001). While some forms of underage labour are harmful, children's work may contribute to household livelihoods and serve as a coping mechanism during periods of economic stress, including shocks such as COVID-19 (ILO & UNICEF, 2020). Zelizer (1985; 2011) is skeptical of universal prescriptions, urging "moralists and policymakers" to attend to "close studies" of children's work (2011, p. 83). For Zelizer (2011), whether a child's work is exploitation or valuable experience depends on context and social ties.

The social construction of childhood and child labour does not eliminate the constraints facing poor households. Debates over children's work are shaped not only by changing meanings of childhood and legitimacy, but also by persistent tensions between household survival, education, and child welfare. The *World Report on Violence Against Children* describes the decision to send children to work instead of school as a 'Faustian bargain' poor parents make for immediate economic gain (Pinheiro, 2006, p. 240). The dilemma applies particularly to agricultural households and families in the informal economy (ILO-IPEC, 2007). No remedy is sustainable without addressing children's lost income (Rahman et al. 1999). Strict prohibitions without viable alternatives risk penalizing children and families because of poverty (Edmonds, 2008, 2022; Edmonds et al., 2006; Edmonds & Pavcnik, 2005).

Zelizer's earlier work engages legal regimes only indirectly. *Pricing the Priceless Child* infrequently references the Fair Labor Standards Act or regulatory amendments (1985, pp. 65, 97,

224) and does not engage substantively with international labour standards, despite milestones such as the ILO's establishment in Washington in 1919 and Convention 5 on the Minimum Age (Industry) (1919). In later work, Zelizer acknowledges "extremes" such as child soldiers, prostitution, drug trafficking, and mining (2011, p. 83), yet does not engage with ILO C182 on the Worst Forms of Child Labour (1999).

While Zelizer's work illuminates how societies construct the legitimacy of children's work, it pays less attention to the mechanisms through which particular understandings become normalized, institutionalized and enforced. It also leaves open the question of how competing understandings of children's work interact with poverty, educational opportunities, and other constraints facing children and their families. This limitation is analytically productive here because it leaves space to connect Zelizer's meaning-centred account with broader questions of governance, human rights, and the social and economic factors shaping children's participation in work.

**The Nature of Work and the Problem of Distinction**

Zelizer (1985) highlights economic sociology's potential to transform child labour studies by stressing the "nature of work" (ICLS & ILO, 2008; 2018a) as a key measurement dimension in tools for business and child labour analysis. Beyond the extremes of illegitimate industrial work and culturally legitimate agricultural work, children's work spans a spectrum of arrangements across economic to non-economic, market to non-market, paid to unpaid, and formal to informal contexts.

This study extends Zelizer (1985) by arguing that child labour is not only a labour-market phenomenon but also as an education-governance, human rights, and exploitation problem. The distinction between children's work and child labour depends not only on the nature of work itself, but also on whether children enjoy the substantive opportunities and protection necessary for their development. This includes meaningful access to education and other developmental opportunities, freedom from exploitation, and the realistic alternatives available to work. Access to schooling therefore serves as an important counterfactual condition for evaluating child labour risk. Work is more likely to constitute child labour when it compromises children's rights, capabilities, development, or future opportunities relative to the alternatives available to them. In addition, societies differ in how they assign value, legitimacy, and visibility to children's work. While Zelizer's contributions are significant, this section advances three critiques using a rights-based framework and a political economy perspective.

First, Second, Zelizer's theory of the priceless child may not extend readily to contexts where

poverty and educational deprivation push children into informal work. This limitation underscores Edmonds' (2008) counterfactual dilemma: what would children in poverty do if accessible schooling were unavailable. Consistent with this logic, Article 2 of ILO C138 aligns the minimum working age with the compulsory schooling age and permits flexibility for countries with limited educational infrastructure. India illustrates these structural constraints: multidimensional poverty, education deprivation, and workforce informality persist (see Chapter 4).

These intergenerational poverty conditions challenge frameworks that prioritize children's agency and highlight the need for greater inclusion of global South perspectives in theory-making (Boyden and Hart, 2018, p. 15). For many children in India, agency is constrained by age, caste, and gender discrimination, which compounds poverty, educational exclusion, and adverse incorporation into labour markets (Phillips et al., 2014). Debt-bonded labour remains a driver of child labour in the cottonseed sector (ILPI, 2015):

> Often children must work in the cotton fields in order to repay a debt, which may have been incurred by a parent or guardian. … Sometimes the debt is passed down through generations, inherited from grandparents and forcing entire families into servitude and poverty. (ILPI, 2015, p. 29, citing Venkateswarlu, 2010)

Considering these linkages between structural poverty, constrained agency, and legally defined forms of unfreedom, it is analytically useful to conceptualize child labour as a dual deprivation: the deprivation of substantive opportunities required for child development alongside freedom from economic exploitation. This aligns with the capabilities approach, which understands freedom not only as protection from harm but also as the ability to develop capabilities and functioning (Sen, 1999, p. 75), as elaborated through social choice theory and the capabilities approach (Nussbaum, 2000; Sen, 1982, 1999).

This perspective is reinforced by Dixon and Nussbaum (2012), who argue that children's rights warrant special priority in international human rights law and constitutional frameworks, due to children's particular vulnerability and dependence on institutional support for welfare needs and agency. Dixon and Nussbaum reject justifications grounded solely in agency or future self-reliance, focusing instead on children's special vulnerability and the cost-effectiveness of protecting children's rights, which contributes to human development (Heckman, 2012).

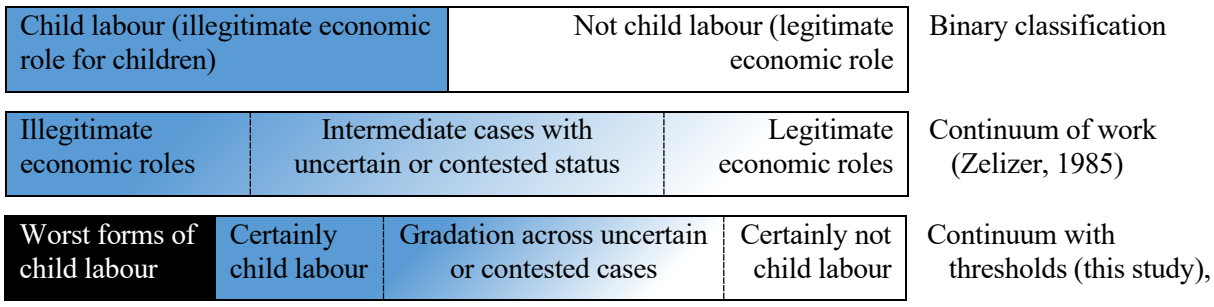
Many constitutions grant "special priority" to children's rights, including welfare and socioeconomic protections (Dixon & Nussbaum, 2012, pp. 551, 581). India's constitutional provisions recognized government responsibilities regarding child labour, education, and social security as early as 1950 (Drèze and Sen, 2013, pp. 110-113). Nevertheless, key rights—such as free and compulsory education—were affirmed through much later Supreme Court rulings and legislation. The Supreme Court also mandated state governments to provide cooked mid-day meals in all primary schools, a policy that remains central to pro-poor education and nutrition strategies.

Extending Zelizer's insight that the meaning and valuation of children's work vary across a continuum of socially evaluated roles, this study conceptualizes child labour as a continuum of risk and legitimacy rather than a simple binary category. The boundary between "child labour" and "non-child labour" is therefore understood as socially and materially constructed, shaped by context, educational opportunities, working conditions, and the availability of meaningful alternatives.

This approach treats child labour as a continuum of risk and legitimacy, in which the nature of tasks, working conditions, and associated harms vary across contexts rather than conforming to a simple present/absent classification (Basu & Van, 1998; Donaldson & Dunfee, 1994; Edmonds & Pavcnik, 2005; Zelizer, 1985). The continuum reflects the varying meanings, risks, and social valuation of children's work across contexts, which are not adequately captured by binary categories. Figure 3 illustrates this conceptualization.

**Figure 3**

*Continuum of Children's Work: From Legitimate Work to Child Labour*




*Note.* Author's conceptualization, drawing on Zelizer (1985). The figure represents children's work as a continuum of legitimacy and child labour risk, while recognizing the worst forms of child labour under ILO Convention 182 as categorically unacceptable due to severe or irremediable harm.

While the framework allows for gradation across ambiguous or context-dependent forms of work, it also recognizes that certain forms—particularly the worst forms of child labour as defined

under ILO C182 including forced labour—are categorically unacceptable, irrespective of context or degree. This continuum framework addresses the problem of "distinction" identified throughout this section. It recognizes that some forms of children's work occupy contested positions between clearly legitimate and clearly illegitimate categories, while also acknowledging that certain forms of exploitation remain categorically unacceptable irrespective of context.

Second, Zelizer's framework excludes "unfree labour," including the worst forms of child labour (ILO C182) and forced labour (ILO C029), which limits its applicability to contexts such as bonded child labour in India. Drawing on Fudge (2019), labour law provides a particularly helpful lens for conceptualizing freedom, as it reflects underlying assumptions in neo-classical economics and liberal social contract theory that equate freedom with consent—namely, exchange relations where there is no coercion, force or deception—while also resonating with liberal ideas of self-ownership and contractual relations. This emphasis on consent also aligns with Donaldson and Dunfee's integrative social contract theory (ISCT), which situates the legitimacy of economic arrangements within two levels of consent—a macrosocial contract grounded in universal principles and microsocial contracts reflecting local norms—while requiring that such agreement is meaningful and consistent with "hypernorms," or fundamental moral principles (discussed in detail in Chapter 3).

Fudge (2019) explains that although there is no single legal definition of free labour, its contours can be inferred from what the law considers to be unfree: international human rights define slavery as the exercise of powers of ownership over a person (1926 Slavery Convention; ILO C182 Art. 3a) and forced labour as work exacted under the menace of penalty without voluntary consent (ICLS & ILO, 2018b; ILO C029; ILO C182, Art. 3a). Read in relation to child labour, these definitions foreground freedom both as freedom from economic exploitation (UNCRC, Art. 32) and from its worst forms (ILO C182). Zelizer (1985)'s omission of these legally grounded forms of unfreedom obscures the conditions under which coercion and constraint structure children's work, thereby limiting its ability to account for severe forms of exploitation and constrained agency.

Third, this study adopts Miller's (2005, p. 28) anthropological approach to materiality, which contrasts with Zelizer's treatment. As Miller's reading of Zelizer (1985) suggests, materiality often gains importance through the systematic cultivation of "immateriality," such that "humanity proceeds as though the most effective means to create value is that of immateriality: (Miller, 2005, pp. 28, 46). This perspective helps explain how child labour can be rendered invisible even as it

produces tangible material outcomes. By obscuring the labour and social relations underlying production, this process detaches value from the conditions under which goods are produced. As a result, the labour of marginalized children is frequently excluded from dominant production narratives and from recognition as economically significant work.

Miller's anthropological approach to materiality thus complements the continuum framework advanced in this study by explaining why children's work often occupies ambiguous or contested positions; not only because its meanings vary socially (Zelizer, 1985), but because labour and exploitation may be rendered invisible through processes of valuation, consumption, and governance. This perspective is particularly helpful for situating child labour in India's cotton value chain, where processes of visibility and invisibility intersect with meanings of childhood (including *Dalit* or *Adivasi* identities), the material properties and value of cotton—particularly *desi* cotton from the Indigenous species *Gossypium herbaceum* and *G. arboreum*—and textiles such as *khādī*, a hand-spun and hand-woven cloth. Drawing on Banerjee and Miller's (2003) work on the Indian sari and material culture, these textiles function as carriers of cultural value and local identity, including through mechanisms such as Geographical Indications, which link material production to place. A similar paradox is evident in fast-fashion consumer culture (Schor, 1999; Schor, 2013, p. 436)., where aesthetic and symbolic value is elevated while the labour embedded in garment production—including children's labour—remains obscured.

**Summary**

Section 2.1 examined how economic sociology, especially the work of Zelizer's (1985), clarifies the meanings attached to children's work and child labour across diverse economic contexts, as well as the tensions among legitimacy, ambiguity, and exploitation. Two propositions emerge from this discussion. First, children's work is socially embedded and historically contingent rather than fixed across contexts. Second, the distinction between legitimate children's work and child labour is socially negotiated and context-dependent, shaped by educational opportunities, alternative life chances, freedom from exploitation, and prevailing understandings of childhood and work. These propositions provide the conceptual foundation for the counterfactual distinction developed in H2.

Section 2.2, therefore, turns to GVC analysis to examine how value chain governance shapes child labour risk. The cotton and textile industries provide useful cases because of their longstanding association with labour regulation, informality, and children's work.

## 2.2 Child Labour, Global Value Chain Organization, and Adverse Incorporation

Efforts to address child labour do not always produce the outcomes policymakers and businesses intend. In Bangladesh's ready-made garment industry, concerns emerged that children removed from factories entered forms of work that work that were less visible and potential more hazardous (UNICEF & ILO, 2004). Similarly, Phillips et al. (2014) found that as child labour declined in monitored garment factories in Delhi, it reappeared in home-based and informal production units beyond the reach of factory audits and labour inspections. In both cases, the visibility and location of child labour changed more readily than the political-economic conditions that sustained it.

Building on the economic sociology perspective developed in Section 2.1, this section examines child labour through a political-economy lens. Following Granovetter's insight that economic action is embedded, it situates child labour within interconnected systems of production, governance, and exchange. Child labour risks are shaped not only by households and employers but also by the organization of production, the distribution of market power, and the decisions of multiple governance actors, including states, firms, standard-setting bodies, international organizations, and civil society organizations.

The section develops the central argument that child labour is organized through political-economic and global value chain structures and may be reproduced where social upgrading remains uneven or where vulnerable households are incorporated into economic systems through processes of adverse incorporation. Drawing on Phillips et al. (2014), adverse incorporation provides a framework for understanding how participation in globalized markets and production networks may perpetuate rather than alleviate poverty and vulnerability. This perspective connects macro-level governance structures, market dynamics, and value-chain organization with the firm-level employment practices, governance arrangements, and governance configurations through which child labour risk is governed in practice in Chapters 6 and 7.

It proceeds in six parts: (a) organizing production and labour in global value chains, (b) identifying the limitations of GVC explanations, (c) explaining child labour as a process of adverse incorporation, (d) situating cotton in the global context, (e) outlining the international political economy of cotton value chain governance, and (f) examining India's cotton transformation, Together, these discussions explain how child labour becomes embedded within polycentric governance arrangements, market structures, and business relationships that organize

production in India's cotton economy. Section 2.3 then considers how research on GVC governance as "normalization" explains the effect of voluntary sustainability standards on businesses' child labour due diligence practices.

**Organizing Production and Labour in Global Value Chains**

GVC analysis is germane to this research: it examines the production, material and labour processes that bring a product from conception to the consumer. Typical segments include research and design, inputs, production, distribution and marketing, sales, and sometimes recycling (Gereffi & Fernandez-Stark, 2016, p. 8). In cotton, segments include fibre production, ginning, spinning, weaving/knitting, textile dyeing and finishing, cutting and sewing, and retailing (Figure 4).

By mapping relationships among actors across these stages, GVC analysis provides a framework for examining how labour is organized and governed throughout the value chain. This perspective is particularly relevant for child labour research because risks are not distributed evenly across value chain segments. It provides a framework for examining how labour is organized and child labour becomes visible or obscured within different parts of the value chain, including informal and subcontracted segments that are often weakly captured by governance and compliance systems. Consistent with the OECD Due Diligence Guidance on Responsible Business Conduct, this study examines child labour risks across enterprise-level, geographic, sectoral, and product-specific context (OECD, 2018a, pp. 62–63).

The GVC analysis tradition emerged from international political economy, sociology, and economic geography (Bair, 2008; A. Ebner, personal communication, March 26, 2019), foregrounding how businesses, including MNEs, govern supplier networks (Gereffi et al., 2001; Gereffi, 1995). GVC analysis overlaps with global production network (GPN) research, which similarly foregrounds governance and embeddedness but places more emphasis on networked power relations and extra-firm institutions. This thesis uses GVC terminology for chain mapping while drawing on GPN perspectives, where they better explain social reproduction and labour outcomes. Scholars increasingly use GVC and GPN frameworks in parallel to analyse how governance, embeddedness, and multi-scalar institutional dynamics shape labour and social outcomes.

Mainstream GVC literature focuses on governance systems that link lead firms through industrial clusters and organizations based on sourcing and contracting arrangements (Cattaneo et al., 2010; UNCTAD, 2006). GVC analysis examines global industries through two lenses: governance (top-down, global, macro) and upgrading (bottom-up, local, micro). Gereffi and

Fernandez-Stark's (2016) *Global Value Chain Analysis: A Primer* identifies six dimensions: input-output structure, geographic scope, governance, economic upgrading, local institutional context, and stakeholder analysis.

Gereffi, Humphrey, and Sturgeon (2005) clarified the value-added chain concept:

> In its most basic form, a value-added chain is 'the process by which technology is combined with material and labor inputs, and then processed inputs are assembled, marketed, and distributed. A single firm may consist of only one link in this process, or it may be extensively vertically integrated ….' (Kogut, 1985: 15). The key issues in this literature are which activities and technologies a firm keeps in-house and which should be outsourced to other firms, and where the various activities should be located. (Gereffi, Humphrey, & Sturgeon, 2005, p. 79)

While early GVC research focused primarily on governance and economic upgrading, later scholarship increasingly examined labour outcomes. In response to the tendency of economic upgrading research to prioritize competitiveness and value creation, Barrientos, Gereffi, and Rossi (2010) integrated the ILO's decent work framework into the concept of social upgrading, defined as "the process of improvement in the rights and entitlements of workers as social actors, and [enhancing] the quality of their employment" (Barrientos et al., 2010, p. 7). Social upgrading thereby extends GVC analysis beyond firm performance to consider how broader governance conditions affect labour and working conditions. Social upgrading is particularly relevant for child labour research because it links production organization, labour standards, and social outcomes. It thereby provides a framework for examining whether business employment practices contribute to labour protections within cotton value chains. Early GVC scholarship also reflected concerns about race-to-the-bottom dynamics in labour-intensive sectors such as textiles and apparel (Gereffi, 1994, pp. 101-104; Ramaswamy & Gereffi, 1998). Subsequent research, however, produced more differentiated accounts of labour outcomes, drawing attention to social upgrading, adverse incorporation, private governance, and the institutional conditions under which participation in global value chains improves or undermines working conditions and well-being (Barrientos et al, 2010; Phillips et al., 2014; Selwyn, 2013).

This study also examines how child labour risks are rendered visible or obscured within each segment or tier, including forms of adverse incorporation that remain weakly captured by governance

or compliance systems. Across the global cotton value chain, from farm to fashion, children work. According to the *2024 Findings on the Worst Forms of Child Labor,* child labour in India occurs in cultivating cotton and spinning thread and yarn, while forced labour of children is found in hybrid cottonseed production, embroidering of silver and gold into textiles and garment production (U.S. DOL, 2024).

From this perspective, GVC analysis provides a useful framework for understanding how production, labour, and commercial relationships are coordinated across the cotton value chain, while social upgrading highlights the extent to which these governance arrangements generate improvements in labour conditions.

**The Limitations of Global Value Chain Explanations**

Despite its utility, GVC analysis has limitations for case study research. This review identifies three analytical blind spots: (a) the under-recognition of governance functions carried out by public institutions external to the value chain, (b) the narrow focus on governance structures rather than governance processes such as normalization, and (c) the limited consideration of workers' framing power within social upgrading debates.

In cotton, many of these limits are visible in how governance operates in practice. The fashion industry's complexity and fragmentation hinder coordination and standardization by both public authorities and private standard-setters across the global value chain. Multinational lead firms (brand retailers)—such as adidas, C&A, Gap, H&M, IKEA, Inditex, Nike, and Levi Strauss—influence standards and sourcing requirements, and their leverage outpaces that of small marginal farmers, who produce 70 to 80% of cotton yet have limited resources. Efforts to improve labour conditions and reduce sweatshops have progressed, though governance and data gaps persist in segments such as ginning, where work is seasonal, and working conditions are often poor, and in cottonseed production, which remains under-researched. Together, these dynamics point to dispersed coordination and enforcement across internal and external actors, shaped by power asymmetries that exceed ties between lead firms and suppliers—a pattern of concern reflected in stakeholder interviews (Interview #02IN1T21; Interview #04IN1N21).

First, GVC work often centres on chain-internal governance and underplays external institutions and fragmented sectoral structures. Even where analysis highlights lead firms, their supplier interactions, and sources of influence such as standards compliance (Gereffi and Fernandez-Stark, 2016, p. 10), governance is not limited to firm-to-firm ties: they are distributed across public

regulators, industry bodies, NGOs, and standard-setting bodies, and mediated by production structures—prompting a closer look at where governance functions actually sit.

Kaplinsky & Morris (2001, p. 30) argue that effective governance requires sanctioning power: positive incentives to reward cooperation and compliance ("carrot") and penalties against transgressions ("stick"). They distinguish legislative, executive, and judicial functions that may be performed within or outside the chain (Kaplinsky & Morris, 2001, pp. 68-73). Research often assumes large brands set standards suppliers must follow (legislative), monitor and audit compliance (judicial), and support suppliers in meeting objectives (executive). In reality, these functions are dispersed among second-party actors within the chain and third parties outside it.

> It is seldom the case that the three functions are in fact performed by the same firm, which is one of the reasons why the supply chain literature has difficulty in explaining the prevalence of value chain inefficiency in the real world (Kaplinsky & Morris, 2001, p. 31).

Chapter 3 and Chapters 5-7 clarify distinctions between public and private governance in business and human rights—including standards-based private governance, state-based public regulation, and hybrid governance configurations—and develop a public-private compliance-enforcement continuum. In the context of child labour, these external functions often fall to the state, which shapes labour conditions through laws, enforcement capacity, and policy choices. Legislative authority sets the legal boundaries of children's work; executive capacity determines inspection, remediation, and access to services; and the judiciary functions determine whether violations lead to sanctions or impunity. State policy also shapes incentives upstream—through seed and pesticide regulation, agricultural support, and trade policy—affecting farm profitability and household reliance on flexible family labour. This interaction matters for business conduct because private standards and due diligence operate within (and often compensate for) uneven public enforcement rather than replacing it. These wider governance conditions form an important part of the empirical context examined in Chapter 4, which analyzes labour markets, child labour governance, and poverty patterns across Andhra Pradesh, Telangana, and Gujarat.

Second, the literature emphasizes governance structures over practices. Since Gereffi's (1994) work, three interpretations have emerged: governance as driving, coordination, or normalization (Gibbon et al., 2008). GVC governance as "driving" distinguishes producer-driven and buyer-driven structures (Gereffi, 1994). Empirical research shows this binary does not explain

"bipolar" structures where lead firms control different segments (Ponte & Sturgeon, 2014). For example, the global chocolate value chain includes MNE lead firms in cocoa trading and brand-name retailing (Fold, 2002). A similar bipolarity is observed in India's cotton value chain, where brand retailers govern downstream segments, while seed systems and farm inputs are shaped by agribusiness.

Gereffi, Humphrey, and Sturgeon (2005) reconceptualize governance as "coordination" and identify five structures: market, modular, relational, captive, and hierarchical governance. They draw on three streams of literature—transaction cost economics, production networks, and technological capability and firm-level learning—and operationalize governance using three variables (scored high/ low): ease of codifying information for production, transaction complexity between value chain actors, and supplier competence to meet transaction requirements (Gereffi et al., 2005). Research on apparel and wine value chains suggests these variables should capture not only coordination between lead firms and first-tier suppliers, but also socially embedded constraints and structural constraints beyond transactions imposed by dominant regulatory systems or corporate strategy paradigms among lead firms (Gibbon et al., 2008, p. 324).

To address limitations in GVC structure-centred explanations, normalization theory offers a complementary lens for examining how governance works in practice (Gibbon et al., 2008, p. 324). Normalization involves realigning management practices or systems with established industrial-market, domestic, or legal norms. Section 2.3 applies this normalization lens to voluntary sustainability standards in global value chains.

Third, although social upgrading extends GVC analysis to labour outcomes, mainstream GVC research continues to give limited attention to worker agency and the framing power of social actors in defining and contesting labour conditions. Selwyn (2013) extends this critique by arguing that social upgrading should prioritize workers' freedom of association and labour rights, including collective bargaining. Analyzing Cambodia's Better Factories Project, Selwyn contends that social upgrading should be "turned on its head": workers' collective action should not be treated as secondary to the institutional arrangements between capital, labour, and the state. "An alternative approach … is to analytically prioritize workers' attempts to ameliorate their conditions and to

understand that institutional arrangements between capital, labour and the state are, in part at least, outcomes of these struggles from below." (p. 87). [14]

From this alternative perspective, labour conditions are not simply outcomes of governance structures established by firms, states, and international organizations. They are also shaped by workers' efforts to negotiate, contest, and transform those arrangements. This emphasis on workers' structural and associational power (Wright, 2000) aligns with Burawoy (1979) and Scott (2008), moving beyond conflict/consensus dichotomies by tracing how workers frame, negotiate, and contest labour conditions, demonstrating how labour struggles emerge through specific social, cultural, and historical contexts.

Analyzing the social discourse framing labour conditions is also critical to this research, as no uniform legal definition of child labour applies globally. Discourse shapes whether children's work is interpreted as exploitation or as socially valued practice (Zelizer, 1985), emphasizing interpretive power in defining labour categories. This thesis applies a cultural sociology approach to support H4 by examining how social actors frame, contest, and interpret rules governing child labour and social upgrading.

**Child Labour as a Process of Adverse Incorporation**

Complementing these limitations, Phillips, Bhaskaran, Nathan, and Upendranadh (2014) foreground child labour in their analysis of the social foundations of global production networks. Departing from mainstream economic models, they propose a "global political economy of child labour" that integrates social relations of poverty and vulnerability to explain how child exploitation can become embedded and reproduced across dispersed production sites (2017, pp. 430-431). Phillips et al. (2014) affirm Granovetter's (1985) approach: "[t]he key notion in GPN analysis of 'embeddedness' that is, how production networks are embedded in particular kinds of social and power relations" (p. 431). Phillips et al.'s GPN framing is compatible with the GVC lens used here but sharpens analysis to how institutions external to the value chain and local social relations reproduce adverse incorporation—a perspective elaborated in Chapters 5-7.

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[14] Selwyn's research on Brazil's export-oriented grape sector shows union organizing enabled workers to achieve some social upgrading despite persistent exploitative labour systems. Before collective agreements, conditions on grape farms were highly precarious—low ad hoc pay, job insecurity, dangerous conditions, and child labour. Selwyn explains that bargaining improved wages and safety, but farms tried to reduce non-wage benefits (e.g., maternity leave, childcare), disproportionately affecting women.

Drawing on global production networks and poverty research, Phillips et al. argue that child labour cannot be understood purely in terms of household-level dynamics. Instead, socially embedded commercial processes within global production networks contribute to its persistence and expansion (2014, p. 429). Commercial demand for labour flexibility has driven the rise of informal work, particularly in India's garment sector, where nearly 98% of production units are unregistered. Since the early 1990s, India's industrial policy promoted subcontracting to small-scale units, reducing regular formal employment and increasing home-based and migrant labour, disproportionately affecting women and girls.

Phillips et al.'s (2014) investigation of Delhi's garment industry examined a well-known site where forced and trafficked child labour had been uncovered in clothing manufacture for Gap in 2007. In the follow-up, Phillips et al. (2014) observed a reduction in child labour in factories, largely in response to public scrutiny and shifting political priorities. However, the problem was not eliminated; it was displaced to other production areas. Child labour moved into non-factory and informal sectors, particularly home-based and household units (Phillips et al., 2014, p. 429).

Their survey of 220 households identified 19 household enterprises and 201 home-based units. Among these, 69% of home-based units reported some form of child labour, and 83% of 370 children aged five to 14 years engaged in income-generating activities. Children mainly worked in garments: younger children (ages 5-11) performed tasks such as embroidery and thread cutting, while older children (ages 12-14) undertook more skilled activities such as tailoring (pp. 434-435).

Phillips et al. (2014)'s argument is that child labour represents a form of "adverse incorporation" (Wood, 2000 in Hickey et al., 2007), in which relational aspects of poverty (class, status, age, gender)—combined with market dynamics and state practices—produce persistent labour exploitation. Child labour is a relational phenomenon emerging at the intersection of economic upgrading, capital accumulation, and social dynamics within global value chains, often contributing to the perpetuation of poverty. As they explain:

> The concept responds to the clear empirical evidence that, contrary to the dominant orthodoxies of poverty reduction, inclusion in global economic activity through employment does not always, everywhere and for everyone, result in an alleviation of chronic poverty and vulnerability; rather, it is for vast swathes of the global labour force associated with their perpetuation. (Phillips et al, 2014, pp. 5-6)

Research on adverse incorporation (Wood, 2000 in Hickey et al., 2007) and social inclusion (de Haan, 2000; Kabeer, 2000) suggests large parts of the global labour force—especially women's work and child labour—are integrated into upgrading trajectories on precarious and exploitative terms that perpetuate poverty.

While child labour in Delhi's garment factories declined under public scrutiny, its displacement to informal sectors—such as home-based work excluded from India's child labour laws—underscores Phillips et al.'s argument that child labour is not merely a consequence of poverty, but a relational phenomenon shaped by adverse incorporation.

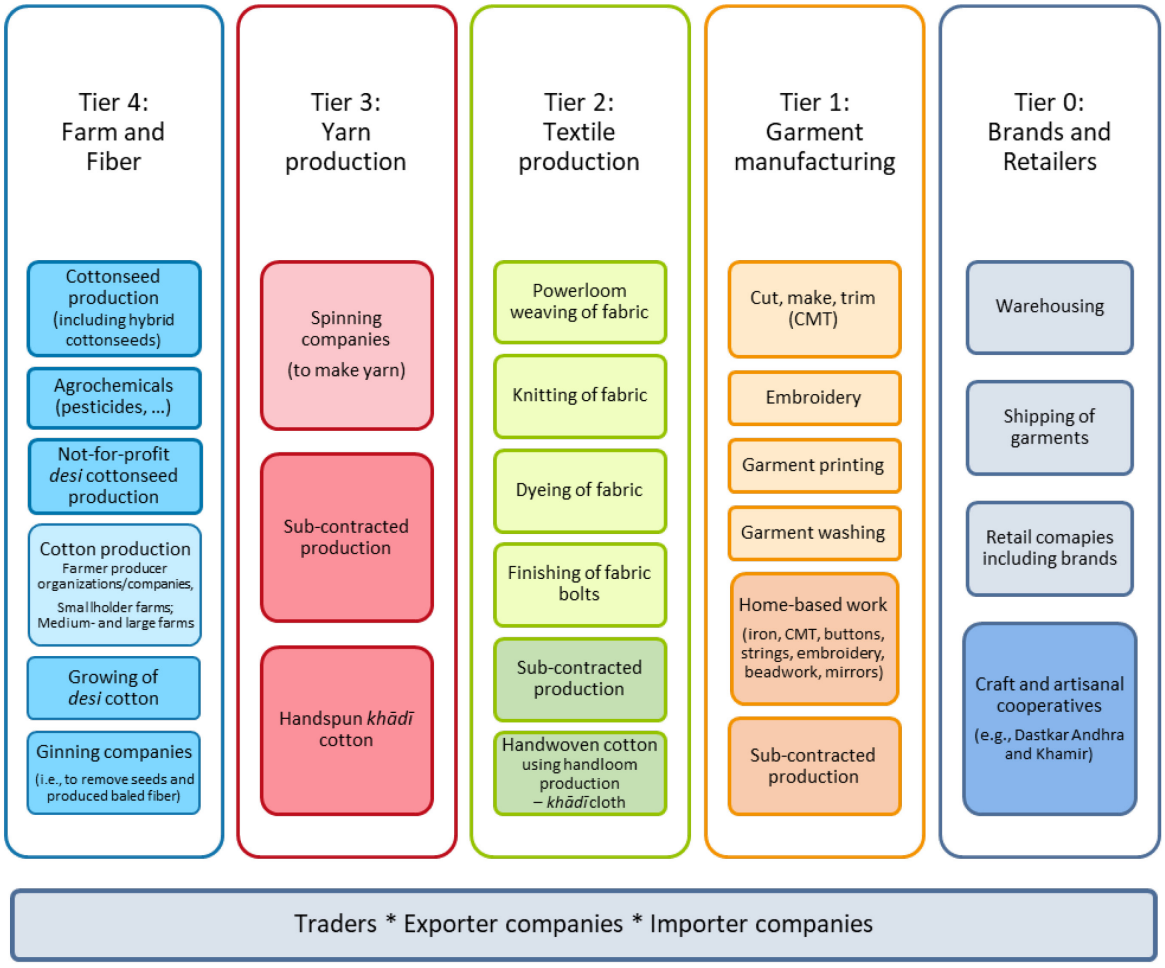
**Cotton in Global Context**

Not all children's work in India's cotton economy is interpreted through the same regulatory or moral lens across contexts. This reflects the diversity of production systems that coexist within cotton value chains, including industrial, agricultural, household-based, and artisanal forms of work. More broadly, important segments of India's cotton economy fall outside standard global value chain representations, including cottonseed production, subcontracted and informalized production, home-based work, and craft-and artisanal-led cooperative systems. These segments are often weakly captured by firm-level compliance frameworks and certification schemes despite their relevance to child labour risk and governance. Figure 4 therefore expands conventional value chain representations by incorporating these organizational forms alongside more familiar farm-to-fashion segments.

*Khādī* and handloom traditions provide a useful contrasting case because children's participation in work is often embedded in household livelihoods, apprenticeship, and the transmission of inherited craft skills rather than formal employment relationships. Interviews with representatives of the Self Employed Women's Association (SEWA), Satvik, and other stakeholder organizations emphasized these distinctions, highlighting how local understandings of heritage, informal economies, and negotiated household practices complicate standardized regulatory classifications. Handloom weaving provides a particularly powerful illustration. It is the second most important rural livelihood after farming, employing over 3.5 million workers in 2019-20, including 2.7 million weavers, many of whom live in poverty (Mamidipudi & Bijker, 2018).

**Figure 4**

*India's Cotton Value Chain from Farm to Fashion*




*Note.* This figure is produced by the author based on mixed-methods analysis (interviews, surveys, desk review) and structured using Gereffi's global value chain analysis framework (e.g., Gereffi & Fernandez-Stark, 2016).

Under India's Child and Adolescent Labour (Prohibition and Regulation) Act of 1986 (CALPR), as amended in 2016, children are explicitly prohibited from assisting in handloom and powerloom work. Although these prohibitions aim to protect children from hazardous work, they do not fully capture household-based production systems where the boundary between harmful labour, apprenticeship, and livelihood participation remains contested.

Rooted in Gandhi's Swadeshi movement, *khādī* also symbolizes self-sufficiency and decentralized production. In many communities, *khādī* work continues to be understood as a respected form of skill transmission that reflects deeply rooted domestic norms and artisan traditions (Mamidipudi & Bijker, 2018; Lalitha & Vinayan, 2019; Sundari, 2017). Indian scholars

conceptualize handloom weaving as a socio-technology (Mamidipudi et al., 2012), an adaptive system through which communities innovate across design, technique, and social organization while sustaining distinctive cultural identities and livelihoods.

For some children and adolescents, participation in weaving is therefore understood not simply as labour but as involvement in a locally valued social and economic practice. These dynamics illustrate both the socially embedded nature of child labour categories and the limits of compliance-based governance systems designed primarily to regulate commercial employment relationships.

Policy shifts since the 1980s have fragmented many traditional weaving communities. Initiatives such as the Geographical Indications of Goods (Registration and Protection) Act, 1999, and the Handloom Mark have sought, with mixed success, to support artisan livelihoods and preserve traditional knowledge. Groups like Dastkar Andhra and Khamir similarly illustrate efforts to revive Indigenous cotton varieties and strengthen connections between artisans and markets (Sundari, 2017).

These examples illustrate the diversity of labour regimes within India's cotton economy and the limits of treating children's work as a uniform category. This study focuses primarily on agricultural and industrial production, where child labour risks are shaped more directly by large-market structures, value-chain governance, and trade dynamics. The discussion therefore turns to cotton's global production and trade patterns.

Cotton cultivation supports the livelihoods of approximately 100 million people in 75 countries, with an additional 350 million people working in cotton farming and processing, and 25 million employed in the textile industry (ILO Fundamentals, 2016, p. 6). Farm size varies sharply across countries. Large, mechanized farms are common in Brazil, Australia, and the United States, averaging 2,000 hectares (ha), 600 ha, and 144.3 ha, respectively. In contrast, India, Pakistan, and Sub-Saharan Africa rely on small farms, averaging 2.8 ha, 1.9 ha, and 1.0 ha, respectively, often using family and seasonal labour, including working children.

In 2021-22, global cotton fibre production totalled 25.2 million tonnes (Mt), up from 24.0 Mt in 2020-21 (USDA, n.d.). India and China accounted for approximately 44%–50% of global cotton production, followed by the United States and Brazil. The top four countries accounted for roughly 18.1 Mt, or 70% of global output. India was the second-largest producer and user of cotton and the third-largest exporter. Cotton mills process cotton fibre into yarn, which is then used to produce

textiles and apparel: China leads global cotton mill consumption (approximately one-third), followed by India (20%), Pakistan (9%), Bangladesh, Vietnam, and Turkey.

Voluntary sustainable cotton standards have expanded over the past two decades. In the early 2000s, rising consumer demand for transparency and farmer protection accelerated the spread of voluntary standards into cotton. In India, early transition efforts were supported by development agencies and NGOs (e.g., Solidaridad, Swiss and Dutch cooperation, Traidcraft Exchange), multinational enterprises (Vericott Ltd, Shell, Remei AG), and Indian companies (Agrocel Industries, Pratibha Syntex, Maikaal Fibres), which helped Indian farmers move from conventional production toward organic farming systems, and from contract farming to cooperative, farmer-producer organization-led governance (Development Alternatives, 2009). These initiatives established the organizational pathways through which sustainable cotton moved from farm programs into textile and apparel value chains, setting the backdrop for the governance patterns analyzed in Chapters 6-7. These patterns are associated with the expectations tested in H1 and H4.

Sustainable cotton is now grown in more than 30 countries, and its global market share increased to approximately 27% (6.9 Mt) in 2021-22, up from approximately 25% (6 Mt) in 2020-21. In 2023, 159 companies (146 brands and retailers and 13 suppliers and manufacturers) signed the Sustainable Cotton Challenge, coordinated by Textile Exchange, committing to increasing sustainable cotton uptake to 50% by 2025 (final reporting in 2026). Better Cotton remains the most prominent voluntary sustainability standard. Cotton grown under the Better Cotton label (including equivalents) represented approximately 21.5% (5.4 Mt) of global market share in 2021-22, while Better Cotton alone accounted for about 9% (2.4 Mt). Organic cotton represented approximately 1.36% (342 kt), and Fairtrade cotton approximately 0.07% (18 kt). (FAO & International Cotton Advisory Committee, 2015; Textile Exchange, 2023; Voora et al., 2023).

In India, the four sustainable cotton standards examined in this study exhibited comparable patterns earlier in the period. In 2017-18, Better Cotton accounted for 572,000 tonnes (83.5%); GOTS- and OCS-certified organic cotton accounted for 85,530 tonnes (12.5%); and Fairtrade cotton for 14,885 tonnes (2.2%) (Textile Exchange, 2020a, pp. 14, 18).

Taken together, these production patterns and the expansion of voluntary sustainability standards illustrate how cotton is embedded in a transnational system of production, trade, and governance. While global value chains connect farms, firms, and consumers across countries, important forms of production and work remain unevenly visible within both value chain

representations and compliance frameworks. Understanding child labour in cotton therefore requires attention not only to production volumes, market shares, and standards uptake, but also to the economic and governance structures that shape incentives across the chain. The analysis now turns to the international political economy (IPE) of cotton to examine how trade, market power, and governance arrangements influence employment practices and child labour risks from farm to finished goods.

**The International Political Economy of Cotton Value Chain Governance**

Cotton's contemporary organization is not determined solely by production volumes. It is structured by a dense network of institutions—including trade laws, industrial policy, dispute-settlement mechanisms, buyer-driven sourcing norms, and private standards—that regulate the movement of fibre, textiles, and garments through global value chains (Sneyd, 2016, pp. 19–43).

Given cotton's relevance to child labour, this section outlines the international political economy (IPE) shaping that value chain: the evolution of governance arrangements within globalizing production and trade liberalization; the role of protectionist instruments and price supports; and the implications for employment practices in India's cotton sector the (Gereffi, 1995; Lopez-Acevedo & Robertson, 2012; Ramaswamy & Gereffi, 2000; Rieple & Singh, 2010; Sneyd, 2016). Framing the IPE in this way clarifies how business involvement in child labour must be understood within these wider policy and market dynamics. These dynamics also inform expectations about how governance conditions shape employment practices (H1, H2, H3) and the role of social actors in enforcement (H4).

Participants and non-participants alike emphasized cotton's central role in India's history. India's cotton trade dates back over 6,000 years. Archaeological evidence shows that Indian textiles circulated as both everyday goods and heirloom pieces, creating a global market for masterfully dyed and printed woven cloth produced with simple equipment (Victoria and Albert Museum, 2015). From the 18th century onward, Britain's hegemonic power severed India's link between cotton growing and textile weaving. As Hobsbawm noted, this was no ordinary event but a major landmark in world history: '[F]or since the dawn of time Europe has always imported more from the East than she has sold there …" (Menon & Uzramma, 2017, p. xxii, citing Hobsbawm 1992, p. 51).

Seed cotton became a cash crop for the East India Company, while textiles emerged as Britain's leading export. Britain controlled the global cotton value chain through technological improvements, purchasing raw seed cotton from colonial plantations (India, the United States, Egypt,

Brazil, and Australia), processing it into cotton cloth in Lancashire's ginning, spinning, and textile mills, and exporting it to captive markets (West Africa, India, and China). Tariffs and protectionism discouraged textile production in India, threatening the industry's survival (Beckert, 2014; Santhanan & Sundaram, 1997).

As Lopez-Acevedo and Robertson (2012, p. 10) observe, "few industries have been as affected by global regulations as the apparel industry." This observation is particularly relevant to the historical governance of textile and apparel trade, which remained an exception to broader post-war trade liberalization efforts. During World War II and the post-war settlement, Bretton Woods created the International Monetary Fund and World Bank in 1944, followed by the General Agreement on Tariffs and Trade (GATT) in 1947.

Textiles and garments were the only major manufacturing industries excluded from GATT, allowing protectionism to persist. From the 1970s to the mid-1990s, the Multi-Fibre Arrangement (MFA) governed trade through a system of import quotas (Ernst et al. 2005; Pelzman, 1987; Wyman, 2005). These quotas were intended to help industrial countries adjust to competition from developing-country exporters that had a comparative advantage due to lower labour costs, including among unskilled female workers and children. In this context, trade governance shaped patterns of labour demand associated with labour vulnerability, including the persistence of child labour in lower-cost segments of production. Industrialized countries, led by the U.S. and Europe, negotiated bilateral quota arrangements with major exporters such as Japan, Hong Kong, South Korea, Taiwan, and later China. Between 1995 and 2005, the World Trade Organization (WTO) replaced the MFA with the Agreement on Textiles and Clothing, phasing out quotas in four stages.

The MFA's legacy was substantial. According to the International Monetary Fund, MFA-related quotas and tariffs were associated with annual income losses of approximately US$24 billion and export losses of US$40 billion for developing countries, based on 1997 estimates (International Monetary Fund, 2002, pp. 31, 33, 39, 42–43). Industrialized countries also faced similar export losses and roughly half the income loss. Some of these effects resulted from backward linkages, as restrictions on textile and apparel reduced demand for cotton fibre. The most competitive exporters (China and India) faced more stringent restrictions, with MFA quotas functioning as *de facto* bilateral export constraints. For example, World Bank estimates showed export-tax equivalents of nearly 300% on t-shirts from China (International Monetary Fund, 2002, p. 39).

The IMF estimated that the MFA disproportionately affected low-income people in developing countries, particularly low-skilled, rural migrant workers (International Monetary Fund, 2002, pp. 31, 33, 39, 42–43). Projected employment impacts were severe: up to 27 million jobs were lost in developing countries, and each job saved in industrialized countries cost 35 jobs in developing countries, many in China and India. These employment shifts were associated with increased precarity in informal and subcontracted production segments, where regulatory oversight was weaker and risks of child labour were more pronounced.

Following the phase-out of the MFA, Asian exporting countries saw gains: apparel employment rose between 2004 and 2008, including Bangladesh (40%), Cambodia (20%), India (48%), and Vietnam (52%) (Lopez-Acevedo & Robertson, 2012, pp. 71-72). Since 2003, cotton has also featured prominently on the WTO agriculture agenda through negotiations to reduce trade-distorting subsidies and market barriers, alongside development assistance provided to cotton-producing countries (WTO, n.d.).

These historical dynamics help explain how India's institutions evolved as both rule-makers and rule-takers, shaped by embedded policy processes yielding a particular pattern of economic upgrading (Collier & Collier, 2002; Evans, 1995; Thelen, 1999). Research on export competitiveness suggests India followed an alternative path to industrial upgrading in the global textile value chain compared to China, Mexico, Eastern Europe, and other South Asian countries (Tewari, 2008). With a locally based textile industry, over 90% of clothing manufactured in India for domestic and export consumers uses textiles produced within India (Tewari, 2008, pp. 57-58). These good-quality textile manufacturing capabilities supported higher-value apparel production.

Large and medium-sized Indian textile firms anchor India's growing global presence. Once inward-looking, the sector began integrating into global markets in the late 1980s and ranked among the world's top ten exporters of textiles and apparel by 1998. Apparel exports rose sharply, averaging 22% annual growth in the 1980s, and reached over $13.5 billion by 2003—a fifteenfold increase from $0.9 billion in 1985. (Tewari, 2006, p. 2326)

During the mid-1980s restructuring, these textile firms responded to deregulation and built new buyer-supplier relationships at home and abroad. Firms like Arvind (denim), Welspun (towels and linens), and Raymond (suiting and shirting) introduced new products while working closely with local mills or through backward linkages. The industry grew despite factors that typically undermine

productivity: technological obsolescence, fragmented capacities, small-scale operations, lack of an exit policy, and rigid labour laws. (Tewari, 2006; Tewari, 2008, pp. 49-51)

In the post-MFA era, leading Indian firms combined backward linkages with forward integration into apparel and home textiles. Major players (e.g., Arvind, Indian Rayon, Madura, Raymonds, and Vardhman; later Alok, Bombay Dyeing, Nitin Spinners, and Sutlej Textiles) shifted toward design-intensive, niche-market export—a trajectory closer to Italy and Hong Kong's early experiences than to mass-production models and helped anchor 17 major textile clusters, notably Ahmedabad and Surat in Gujarat; and Guntur and Rayadurga in Andhra Pradesh. (Tewari, 2006, p. 2327; U.S. International Trade Commission, 2024, pp. 187-188)

Cotton remains vital to India's economy. The textile industry, largely cotton-based, dominates industrial production and is a major source of employment (OECD & FAO, 2021, p. 18). The textiles and apparel sector accounts for 18% of manufacturing jobs: 2.7 million workers in textiles out of 14.9 million in manufacturing, according to the Annual Survey of Industries (2016-18). The textile and apparel sector employs about 45 million people overall, making it India's second-largest employment sector after agriculture (U.S. International Trade Commission, 2024, p. 188).

India's cotton textile history underscores the importance of domestic institutions, a strong domestic market, and post-independence legacies. These factors shielded India's cotton textile industry and supported its integration into the global economy. Growth occurred despite limited foreign direct investment, preferential trade agreements, and major global buyers; instead, it reflected endogenous policy choices and rising domestic retail demand, reshaping local firm capabilities and driving the expansion of export-oriented textile and apparel industries (Tewari, 2006).

**India's Cotton Transformations: Biodiversity and Bt Cotton, and Market Structure**

Moving further upstream in the cotton value chain, the political economy of the global cottonseed industry warrants particular attention because it shapes the agronomic, economic, and labour conditions under which cotton production begins. Colonial rule began India's decline in cotton biodiversity. This thesis devotes substantial attention to seed varieties—*Gossypium hirsutum, G. arboretum, and G. herbaceum*—because they reveal technical and governance gaps with far-reaching implications for policy and sustainability standards. As with other commodity sustainability standards (e.g., bananas or coffee), cotton standards must engage crop biology, varietal diversity, and biodiversity as environmental and climate pressures reshape production risks.

India once grew diverse short-staple *desi* (Indigenous) cottons (G. arboreum; G. herbaceum), known as Asiatic cotton outside India, which tolerated drought, salinity, disease, and insect pests, including bollworms. In 1790, however, the British East India Company introduced American cotton (*G. hirsutum*, or Upland cotton) to supply Manchester's mills, pushing farmers toward medium- and long-stapled varieties, as British mills were designed for those fibre types.

In 1947, when Gandhi promoted hand-spun and hand-woven *khādī* cloth during the freedom struggle, 97% of the cultivated cotton area was desi (Table 3). Today, almost all of India's cotton is American *G. hirsutum*, not *desi* cotton. Since Independence, desi cotton and khādī cloth have sharply declined. India is the only country to grow all four spinnable cotton species commercially, but desi varieties are now greatly diminished. *G. arboreum* and *G. hirsutum* are grown across India, while *G. herbaceum* is limited to Gujarat and Karnataka (Lalitha, 2011; Santhanan & Sundaram, 1997).

**Table 3**

*Changes in Cotton Production by Species (Percentage of Total Cotton Area)*

| Species | Fibre length | Yarn count | 1947 | 1970 | 1980 | 1990 | 2000 | 2007 | 2013 |
|---|---|---|---|---|---|---|---|---|---|
| Gossypium arboretum | Short <25 mm | 3- Ne | 65 | 30 | 20 | 30 | 17 | 4 | 2 |
| Gossypium herbaceum | Short | 3- Ne | 32 | 17 | 14 | 12 | 11 | 5 | 1 |
| Gossypium hirsutum (Upland) | Medium 25-50 mm, long 30-35 mm | 18-45 Ne | 3 | 53 | 54 | 48 | 69 | 90 | 96 |
| Gossypium barbadense (Egyptian or Pima) | Long, extra long > 35 mm | 40-130 Ne | - | - | 11 | 10 | 3 | 1 | <1 |

*Note.* Adapted from Blaise and Kranthi (2019, p. 196) and Textile Exchange & Kering (2016, p. 4).
The yarn count (fineness) refers to the thickness of yarn determined by its mass per unit length. The spinning industry uses the English cotton count, specified as the number of yarn hanks (each 840 yards long) per pound of yarn, and notated "Ne." In this system, the larger the number, the finer the yarn. The yarn count for denim ranges from Ne 4.0 to Ne 12.5, with lighter-weight fabrics, such as chambray, ranging from Ne 12.5 to Ne 30.5.

Short-staple cotton is used for denim, home textiles, canvas, nonwovens, and medical and industrial applications (Textile Exchange & Kering, 2016, p. 4). Upland cotton is used widely for denim, home textiles, t-shirts, underwear, yoga, casualwear, industrial and smart textiles, and geotextiles. Egyptian or Pima cotton is reserved for high-end products such as fine apparel and intimates. (Government of India, Ministry of Agriculture and Farmers Welfare, 2020; Lalitha, 2011; Menon, 2018; Menon & Uzramma, 2017; Santhanan & Sundaram, 1997)

Genetically modified (GMO) cotton was introduced in India and rapidly came to dominate the market. In 2002, a joint venture between Monsanto and Mahyco (Maharashtra Hybrid Seed Company) commercialized Bt cotton, derived from *Bacillus thuringiensis*. Adoption expanded swiftly: by 2011, Bt hybrids accounted for 99% of the cotton area in Andhra Pradesh and Telangana and 74% in Gujarat (Kranthi, 2012, pp. 27, 30). By 2013, approximately 96% of India's cotton area was planted with intrahirsutum Bt hybrids (Table 3).

Since 2002, the monopolization of a single seed type—the genetically modified Bt cotton—has increased dependency on purchased seeds, synthetic pesticides, and fertilizers. N. Lalitha's (2011) *India's Tryst with Bt Cotton* is especially valuable and deserves broader academic engagement beyond Indian scholarship. These input-intensive production systems do not only pose health risks to child labour through exposure to agrochemical but also contribute to cycles of debt and economic vulnerability among smallholder farmers.

Beyond children's exposure to occupational health risks, cotton's agronomic and production characteristics shape child labour risk through several pathways. Input-intensive seed systems increase cash requirements and financial volatility, pushing households to rely on family labour when credit is scarce, costs rise, or yields disappoint. They also intensify time-bound labour demands during activities such as weeding, pest management, and harvesting, when hiring adult labour becomes costly and children's labour may become a flexible substitute. From a political-economy perspective, these pressures help explain why child labour may persist even where downstream firms adopt compliance programs, as the underlying drivers often originate in agronomic risk, household coping strategies, and uneven public policy support.

These conditions also shape how firms organize production and labour is organized throughout the value chain, including reliance on informal arrangements, subcontracting, and family labour that can be difficult for firms, auditors, and regulators to monitor and enforce. In this way, agronomic risk is linked not only to household vulnerability but also to the organization of production

itself. The example highlights the broad theme of this section: child labour risk may be generated by political-economic conditions that operate beyond the immediate reach of firms and households, thereby helping to explain the limits of formal governance systems and compliance mechanisms. These dynamics inform the hypotheses examined in Chapters 6 and 7, particularly those concerning employment practices and the limits of compliance-based governance configurations.

There are widespread skepticism and debate over the suitability of Bt cotton for India's farmers. Critics such as Vandana Shiva and P. Sainath link farmer suicides to seed monopolization in the cottonseed sector (Sainath, 2020; Shiva & Jalees, 2005). India saw approximately 300,000 farmer suicides between 1995 and 2012. While some scholars question the scientific basis of this link, the issue remains central to debates on India's economic liberalization and globalization (Thomas & De Tavernier, 2017, p. 17). A compounding factor is that India's smallholder cotton farmers lack the subsidies and social safety nets available to capital-intensive producers in countries such as the United States (ILO Fundamentals, 2016; Sharma et al., 2020., p. 15).

Bt cotton increased the cost and complexity of cotton farming. Since 2005, farmers have faced stagnating yields alongside sharply rising input costs: seed prices rose by 70%, insecticides by 158%, fertilizers by 245%, and labour costs by 275% (the latter due to unrelated legislative changes) (Kranthi & Stone, 2020, p. 195). Bt cottonseed is more expensive than traditional varieties and often requires loans to cover seed and input costs. Combined with unfavourable yields, crop failures, and limited access to institutional credit, these burdens leave many Bt cotton farmers more financially precarious than their non-Bt counterparts. Bt cotton has not delivered sustainable benefits for many of India's farmers and has contributed to cycles of debt and economic distress, often linked in public debates to farmer suicides (Kranthi & Stone, 2020, p. 195; Thomas & De Tavernier, 2017, p. 17).

Private actors, including multinational enterprises (MNEs), large Indian companies, and smaller domestic firms, dominate India's cottonseed sector (Venkateswarlu, 2015, p. 16-17). Since the mid-1980s, private seed companies have displaced public corporations and account for nearly 98% of hybrid cottonseed output. MNEs such as Bayer, Monsanto, DuPont, Advanta, and Mahyco expanded their production area fourfold between 2006–07 and 2014–15, increasing their share from 12.7% to 31.6%. Meanwhile, large Indian companies, including Nuziveedu, Kaveri, Ajit, Raasi, and Bioseed, control roughly 50% of the production area, although the number of firms declined from about 200 to around 100. This growing concentration is driven by acquisitions and private investment, with firms such as Kaveri and Nuziveedu attracting global capital and entering public markets.

**Summary**

Section 2.2 examined child labour through a political-economy lens that connects local labour practices to broader systems of production, governance, and economic relations. Building on the economic sociology perspective developed in Section 2.1, it has argued that child labour cannot be understood solely through household characteristics, employer behaviour, and legal violations. Rather, child labour risks are organized across global value chains and shaped by the distribution of power among the multiplicity of actors and institutions that structure them.

First, child labour must be situated within the organization of production itself. GVC analysis provides a framework for understanding how production, labour, and commercial relationships are coordinated across dispersed production systems. Extending this perspective, decent work and social upgrading scholarship link governance arrangements to labour outcomes and draw attention to labour conditions within informal, subcontracted, household-based, and lower-tier production systems. The discussion also highlighted the diversity of labour regimes within India's cotton economy, ranging from commercial and export-oriented production to household-based and artisanal forms of work.

Second, the organization of production alone cannot fully explain child labour outcomes. Governance functions often extend beyond business-to-business and supply chain relationships and are distributed across states, industry bodies, standard-setting organizations, NGOs, and other actors operating within polycentric governance arrangements. The discussion also highlighted the importance of governance as a process of normalization, worker agency, and the framing power of social actors in shaping labour outcomes and interpretations of child labour.

Third, drawing on Phillips et al. (2014), the section introduced adverse incorporation as a framework for understanding how child labour may be reproduced through participation in economic systems. From this perspective, child labour is not simply a consequence of poverty or exclusion. Rather, it is embedded in value-chain structures, commercial relationships, and governance arrangements through which production is organized, and participation in markets occurs on highly precarious and exploitative terms. The concepts of social upgrading and adverse incorporation therefore extend GVC analysis by drawing attention to the ways poverty and vulnerability may persist despite economic participation and upgrading.

The discussion of cotton in global context, the international political economy of cotton value chain governance, and India's cotton transformations illustrated these dynamics empirically.

Together, these examples show how governance structures have been shaped by globalization, trade liberalization, and patterns of economic development. India's trajectory, from colonial cotton production and textile trade to textile and garment production under the Multi-Fibre Arrangement, and to contemporary cottonseed markets and global sourcing arrangements, illustrates how institutions, market structures, governance arrangements, agronomic conditions, and business relationships shape labour relations, patterns of incorporation, and the possibilities for economic upgrading within the cotton value chain.

Taken together, these literatures suggest that child labour is organized through political-economic and value-chain structures and may be reproduced where social upgrading remains uneven or where vulnerable households are incorporated into economic systems on disadvantageous terms. Understanding child labour therefore requires attention to the systems of production, governance, and economic relations within which it is organized. This proposition provides the foundation for the next section, which examines how child labour norms are translated into organizational practice through standards, certification, and other governance mechanisms.

## 2.3 Governing Child Labour Through Standards and Institutions

The governance of child labour involves more than the articulation of labour norms; it also requires processes through which those norms acquire organizational force. While international labour standard, human rights instruments, and voluntary sustainability standards establish expectations concerning child labour, their effects depend on how they are institutionalized within the routines, technologies and governance arrangements that regulate economic activity.

This section examines how child labour norms acquire organizational force through the concept of normalization. Drawing on global value chain research, convention theory, and institutional approaches to governance, it argues that child labour is governed not only through laws and standards but also through processes of normalization that embed norms within organizational routines, auditing systems, and enforcement arrangements. From this perspective, governance operates not simply by establishing rules, but by translating normative commitments into forms that can be monitored for compliance, verified, and acted upon within organizations.

The section develops the analytical bridge between global governance and business practice by examining how transnational labour standards are operationalized through certification systems, auditing procedures, remediation processes, and enforcement arrangements. Whether governance

arrangements lower child labour risk depends not only on the normative content of those standards, but also on the institutional configurations through which they are implemented and enforced.

It proceeds in four parts: (a) reviewing evidence on the effectiveness of certification schemes in agricultural production; (b) examining governance as a process of normalization in global value chains; (c) analyzing child labour and decent work provisions in cotton standards; and (d) examining how labour norm are translated into practice through public, private, and hybrid governance arrangements.

Following UNCTAD (2012), "voluntary sustainability standards" refer to governance mechanisms that specify sustainability requirements for producers, traders, manufacturers, retailers, or service providers across issues such as internationally recognized human rights and occupational health and safety (UNCTAD, 2012, p. 4). The literature also uses "certification scheme/standard" for voluntary sustainability standards that are implemented through third-party auditing and certification, sometimes accompanied by labels.

Voluntary sustainability standards interact with public regulations along a continuum and can be public-mandatory (e.g., food safety regulations), public-voluntary, private-mandatory, or private-voluntary (e.g., in agricultural trade). Private-voluntary schemes commonly complement compulsory public standards but rely on monitoring done through private audits and third-party certification. Many of these schemes also engage in broader policy advocacy, capacity building, and market and supply chain development (Oya et al., 2017, pp. 12, 19).

The analysis focuses on four industry-specific voluntary sustainability cotton standards: Better Cotton, Fairtrade, OCS, and GOTS. "Conventional cotton" [15] farming primarily uses genetically modified or chemically treated seeds. In contrast, "sustainable cotton" refers to production systems claiming improved environmental and social outcomes, including organic, Fairtrade, recycled, and regenerative. Additional cotton-related initiatives and labels identified through fieldwork are summarized in Table D16.

[15] "Conventional cotton" refers to cotton grown with synthetic chemicals, including petroleum-based fertilizers, pesticides (insecticides, fungicides, and herbicides), defoliants (i.e., used to kill the leaves on cotton plants before mechanical pickers go into harvest) and growth regulators. Conventional cotton production has historically been associated with high pesticide use, while the adoption of genetically modified cotton varieties has reduced some insecticide applications but increased reliance on herbicides in many contexts. Environmental concerns also include heavy irrigation demands and groundwater contamination. (Pesticide Action Network UK, 2017; Textile Exchange, n.d.)

Upstream segments, such as cottonseed production, remain notably absent from most voluntary sustainable cotton standards despite high labour risks, input-intensive cultivation systems, and concentrated MNE control. While consumer-side collective action has helped expand standards' coverage in some sectors, these upstream omissions persist and limit understanding of governance where standards do not apply or apply only partially. Chapter 7.4 examines cottonseed production as an alternative governance space, showing how multistakeholder initiatives (MSIs) and society-dependent enforcement can lower risk without standards-based oversight.

Each voluntary standard studied here navigates challenges of market reach and penetration, often without fully resolving the tensions between global certification requirements shaped by consumer-driven market expectations, and local agronomic knowledge—especially around seed systems (e.g., GMO hybrids versus organic systems) and verification. These tensions illustrate how technical and market expectations shape the specification, verification, and operationalization of "sustainability" within certification systems.

In practice, voluntary sustainability standards pair a standard (rules, principles, or guidelines) with verification and compliance mechanisms, while certifications and labels then provide independent assurance that these requirements are met. Verification typically relies on third-party audits, supported by monitoring and accreditation systems, to ensure consistency and credibility across certifiers. Where traceability is central to a scheme's claims, chain-of-custody requirements specify how certified materials are tracked through supply chains.

International frameworks also shape disclosure and social performance expectations alongside sectoral standards. Relevant examples for child labour related governance in cotton—which also emerged through our data collection—include Social Accountability 8000 (SA8000; a social accountability certification program based on decent work) and selected International Organization for Standardization (ISO) guidance for quality management, social responsibility, and occupational health and safety. Global Reporting Initiative (GRI) disclosure standards apply where child labour constitutes a material topic for reporting purposes, including GRI 408-1 (child labour), GRI 409-1 (forced labour), GRI 414-1 (supplier social assessment), and GRI 414-2 (negative social impacts and actions taken).

Technical standards also underpin quality assurance and traceability: for example, laboratory and GMO-screening protocols in organic cotton certification can support upstream verification of seed origin and genetic modification status, even when labour verification is less consistent. [16]

Finally, a distinction is useful between "voluntary sustainability standards" primarily associated with cotton production (commodity-specific standard-setting with verification) and "multi-stakeholder initiatives" that convene actors but are not centred on cotton production or that do not develop their own standards. Some organizations, such as the Better Cotton and Fairtrade International standards, function as both voluntary sustainable cotton standards and MSIs. [17]

**The Effectiveness of Certification Schemes on Socio-Economic Outcomes**

Certification schemes are widely promoted as mechanisms for improving producer livelihoods, labour conditions, and broader social outcomes. Yet the evidence of their effectiveness remains uneven and highly context dependent. Their theories of changes typically assume that market incentives, capacity-building initiatives, premium-funded investments, and labour standards implemented will contribute to improved socio-economic outcomes. This subsection reviews these mechanisms through which certification is expected to generate socio-economic change and evaluates the available evidence on its effectiveness.

Oya et al.'s (2017) systematic review addresses two questions: the effects of certification schemes and associated interventions on household and individual well-being in low and middle-income countries; and the barriers, enablers, and contextual factors shaping those effects (Oya et al., 2017, pp. 39, 43, 48-49). For the first question, Oya et al. examined 43 studies, and for the second, 136 studies. Qualitative evidence was organized into three themes: implementation dynamics,

[16] Interviews identified ISO/IEC 17025:2017 as important for cottonseed producers and organic cotton supply chains because it sets quality requirements for testing and calibration laboratories. In organic cotton, collaborations among GOTS, Textile Exchange, and the Organic Cotton Accelerator have supported protocols for GMO screening (e.g., ISO IWA 32:2019, developed with Wageningen Food Safety Research), which are used in supply chains where GMO exclusion is mandatory (including GOTS, OCS, and OCA). Screening can be applied to unprocessed cotton materials, including cottonseed, cotton fibre, "greige yarn," and "greige fabric." The point for this thesis is that certification can create standardized technical verification infrastructures for traceability and quality assurance, extending upstream to cottonseed and enabling verification of seed origin and genetic modification status, even when social and labour verification remains uneven.

[17] MSIs convene diverse actors—including firms, NGOs, producers, government agencies, and other stakeholders—to develop and/or implement sustainability standards in global value chains. Many are MNE-driven, aimed at branding, reputational risks management, and securing competitive advantage, including to reliable raw material access; others are locally headquartered MSIs operating in lower- and middle-income contexts. Evidence on their impacts on producers and workers remains contested. (Auld et al., 2015; Kumar et al., 2019; Riisgaard et al., 2020; Van der Ven & Cashore, 2018)).

distributional dynamics, and external contextual factors shaping the strength and sustainability of effects (p. 43).

Two issues arising from this study are particularly relevant for understanding child labour. First, it clarifies causal mechanisms, helping to distinguish which outcomes can be attributed to certification and which cannot. Second, it highlights distributional dynamics, including how impacts vary by age (schooling), gender, and access to resources (wealth). Notably, none of the three cotton studies included in the review examined child labour directly; they focused on Fairtrade cotton in Mali (Balineau, 2012), a multi-commodity Fairtrade assessment (Fairtrade, 2015), and a study of cotton certification in India (Fayet and Vermeulen, 2014). Several cotton studies excluded from the review (e.g., Nelson and Smith, 2011) are discussed separately in the following subsection.

Existing evidence provides only a partial account of certification's effects. Most studies focus on agricultural producers (77%), while research on employment effects remains limited (23%). Market interventions are frequently evaluated (97%), whereas labour interventions are comparatively understudied (28%). Coffee as a commodity dominates the literature (38% of studies), and Fairtrade schemes are disproportionately represented relative to organic (52% compared to 23% of studies, respectively). Evidence for Asia and cotton-specific contexts remains sparse. (Oya et al, 2017, pp. 8, 68, 70, 71, 74, 76-77, 175)

Where impacts are identified, these are selective and context dependent. While certified agricultural production shows positive effects on prices, income, and schooling, it does not show improvements in workers' wages or total household income. Certified producers receive prices 14% higher than non-certified producers, and sales income is 11% higher when products are certified; however, workers' wages do not benefit from certification schemes. Wages of workers engaged in certified production are 13% lower under certification schemes, indicating limited positive effects on living standards. Changes in total household income due to certification are among the most critical outcomes for farmers (p. 176); however, although eight studies report increases in household income, the pooled effect is not statistically significant. (Oya et al., pp. 175-176; 182-183).

Schooling outcomes provide one of the few areas where certification is associated with relatively consistent positive effects. Five studies reported a modest increase (approximately 6%) in school attendance rates among children in households producing certified commodities, relative to households of non-certified producers, though three of these studies exhibited a high risk of bias, and two (i.e., Minten et al., 2015; Bennett et al., 2012) a moderate risk. Moreover, the review does

not provide a detailed account of the mechanisms linking certification to schooling, limiting inference about how, and under what conditions, certification affects children's time use.

Certification rarely operates as a stand-alone governance mechanism. Its effectiveness is conditioned by national labour laws, enforcement capacity, and the broader institutional environment in which standards are implemented (Oya et al., 2017, pp. 128-130). Where labour laws are strong and enforced, certification schemes often add little value; where laws are weak or poorly enforced, certification schemes can improve specific conditions (e.g., paid leave, chemical safety), but effects remain constrained when standards are non-binding for employers or not weakly enforced. A key example is the minimum wage: most studies report that minimum wages in certified production typically align with national laws that are themselves below living wage thresholds, calling into question the capacity of certification alone to improve labour outcomes; several studies emphasize national institutions and company practices as primary determinants.

Child labour and schooling do not respond to certification in a straightforward manner; improvements in schooling do not necessarily translate into reductions in child labour. While most schemes prohibit child labour, few embed operational levers such as mandatory school-attendance checks, re-enrolment requirements, or education-centred remediation. Fairtrade International is a partial exception in explicitly linking child labour prevention to education: Oya et al. (2017, pp. 8-9, 111-113). However, the systematic review did not analyze standard content in sufficient detail to identify whether education and child labour provisions co-existed, leaving an important evidence gap.

More broadly, assessing causal pathways remains difficult because certification schemes bundle multiple interventions, and most studies report on businesses being 'certified' as a whole (Oya et al., 2017, p. 26). Reported outcomes often reflect composite effects rather than discrete governance mechanisms (e.g., labour outcomes). Oya et al. (2017, pp. 27-28, 184) suggest practical improvements (e.g., certification schemes focusing on feasible sustainability niches, reducing the number of requirements per standard, and tightening monitoring) to improve implementation and make evaluations more meaningful, while lowering certification costs.

Most agricultural certification schemes assume that socio-economic improvements occur through a combination of product quality and capacity-building interventions, market incentives,

premium-funded investments, and labour standards enforcement (Oya et al., 2017, pp. 10-12). [18] Although Oya et al.'s (2017) simplified theory of change incorporates market and organizational interventions, it underemphasizes normalization theory and social upgrading within global value chains. Consequently, the review does not address how the ILO Fundamental Principles and Rights at Work (1998/2022) become operationalized within private governance systems. Moreover, while the review protocol included studies reporting on children's education (e.g., years of schooling), it did not treat child labour outcomes as a distinct evaluative category. The literature suggests that certification schemes can contribute to improved agronomic and market outcomes, but provides limited, context-dependent evidence on labour conditions and child labour.

These limitations reveal a deeper explanatory gap within certification research. Existing evaluations focus primarily on outcomes, such as incomes, productivity, or schooling, but provide less insight into how certification standards become embedded within organizational practice. They do not explain how labour norms are translated into routines, auditing systems, and compliance arrangements that shape employment practices and child labour risks. Governance as normalization provides a framework for addressing this problem by examining how voluntary sustainability standards operationalize labour norms through auditing, verification, and compliance processes within global value chains.

**Governance as Normalization: Beyond Price and Market Coordination**

Voluntary sustainability standards govern not simply by establishing rules, but by transforming normative expectations into organizational routines that can be monitored, verified, and enforced through auditable practices. From this perspective, governance operates as a process of normalization, whereby norms acquire organizational force by becoming embedded in everyday business practices, management systems, and compliance routines (Ponte and Gibbon, 2005; Gibbon, Bair, and Ponte, 2008). Technical systems (including standards, certification, and labelling),

[18] Oya et al. (2017, pp. 10, 12) define these interventions as follows: (a) product quality and capacity-building, which enhances economic upgrading through improved agricultural practices and strengthened governance and participation within farmer-producer organizations, thereby enhancing legitimacy and bargaining capacity and enabling reinvestment in production; (b) market interventions, such as minimum price floors or premiums, longer or more stable contracts, and improved market access; (c) premium-funded investments, which support social, community, and business development (for example, education and healthcare); and (d) labour standards implementation, which monitors and audits working conditions for labourers employed by agricultural producers, including wages and occupational health and safety.

codify these norms, while auditing, inspection, instrument-based testing, or other verification mechanisms render then visible, measurable, and actionable within organizations.

Normalization emerged as a critique of the governance approaches centred on coordination and transaction costs (Gereffi et al., 2005) shifting attention to discursive power, firm-level learning, and technological capability within buyer-supplier relations. The perspective arises from a social constructivist account of the knowledge content of transactions and suppliers' capacities, and it aligns with research on ethical capabilities (Buller & McEvoy, 1999) discussed further in Chapter 3.

Normalization depends on shared conventions regarding what counts are quality, legitimacy, and acceptable conduct. Convention theory sharpens this view by demonstrating how coordination relies not only on market conventions (price) but also on industrial, domestic, and civic/legal conventions (Boltanski & Thevenot, 1991; Riisgaard et al., 2020). Under industrial conventions, quality is evidenced through standardized processes and efficiency measures, verified by external inspection and certification. Under domestic conventions, quality turns on trust, place attachment, and long-term relationships (e.g., geographical indications). Under civic/legal conventions, quality draws on public-interest commitments, social welfare, and legal norms, including ILO standards and national laws.

As Ponte and Gibbon (2005) observe:

> Placing quality issues at the heart of an understanding of how global value chains work is a radical departure from mainstream epistemologies in economic analysis of the global economy. … Even recent versions of transaction cost economics still assume that economic agents have an 'objective' idea of quality, which entails pre-determined preferences that do not change in relation to the behaviour of others. If we accept that economic agents (especially consumers) make quality decisions also on the basis of imitation and/or the achievement of 'distinction', then we need a more adequate conceptualization of quality that relates to inter-subjective cognitive and normative aspects. (p. 6)

Building on this, Gibbon and Ponte (2005) argue that GVC normalization implements quality conventions via standards that translate product attributes (e.g., how a product looks, tastes, feels) and production processes into auditing requirements—such as origin authentication, occupational health and safety (e.g., pesticide use), and environmental or socio-economic conditions (e.g., organic

or fair trade). This reading aligns with evidence that certification schemes are bundles of inventions extending beyond price and market access to socio-economic outcomes (Oya et al., 2017).

Ponte and Gibbon (2005) further show how voluntary sustainability standards can also fold legal norms into industrial quality-assurance systems, thereby strengthening operational control while narrowing other normative commitments. Lead firms may seek to manage the "threats to leadership" posed by the growing prominence of legal/civic conventions—such as ESG expectations—by embedding them as supplier requirements inside standardized management systems; in practice, such requirements function as components of a broader, integrated packages of managerial and technical specifications that suppliers rather than discrete obligations.

Child labour prohibitions provide a useful illustration of how legal and civic norms become translated into operational requirements. For example, garment buyers commonly embed child labour prohibitions in multi-purpose quality-assurance and auditing regimes, extending expectations to suppliers, contractors, and sub-contractors through documentation, monitoring, and record-keeping requirements. Suppliers are expected to monitor child labour by maintaining human resources records and by monitoring transactions with contractors and subcontractors (Ponte & Gibbon, 2005, p. 14). These cascading obligations to suppliers and contractors help labour norms travel the global value chains as auditable compliance artefacts, even when underlying labour conditions remain uneven. Consumer-side collective action in high-income markets further amplifies reputational risk and demand for demonstrated compliance, reinforcing the pull of auditable proof.

Debates within the normalization literature note risks that ethical attributes (e.g., organic or fair-trade) are diluted or compromised within industrial certification systems (Barham, 2002; Raynolds, 2002, 2004; Renard, 2003). In contrast, other evidence shows that Fairtrade can challenge mainstream market-industrial norms by promoting trade that integrates domestic and civic/legal conventions. In Ecuador's export-oriented floral sector, for example, Fairtrade reinforces ILO norms and national law while advancing industry-based technical rules for occupational health and safety; some Fairtrade International employment standards mirror legal requirements (e.g., forced and child labour), while others exceed legal and industry and baselines (Raynolds, 2014, pp. 504-505). Fairtrade also differentiates through the social premium (invested in health and education), programs for workers and communities, and aspirations beyond minimum wage requirements toward living wages. As Raynolds notes:

> domestic values of interpersonal trust are typically associated with face-to-face interactions ... fair trade extends these values internationally by 'shortening the distance' between consumers and producers, 'humanizing' trade, and fueling personal trust through direct trade. The telling of producer stories has proved to be a powerful vehicle for fostering consumers' sentimental attachment to far-off locations and cultures. (Raynolds, 2014, p. 502)

Narrative and labelling strategies help convert dispersed consumer concerns into collective action that supports civic/legal conventions through market demand. Normalization, in this sense, recognizes that consumers base their decisions on more than price—country-of-origin cues, brand reputation, and trust —and that certified narratives co-produce perceptions of product quality and reinforce the auditable embedding of social and legal norms.

Riisgaard et al. (2020) characterize Better Cotton as a cooperative approach to sustainability governance, emphasizing continuous improvement, scalability, and business value within market-industrial conventions, rather than a strict compliance-based approach. A compliance-based approach relies on lead firms to define sustainability requirements through supplier codes of conduct and govern labour conditions at a distance through auditing, monitoring, corrective action, and, ultimately, the threat of commercial sanction or supplier exclusion in cases of persistent non-compliance (Riisgaard et al., 2020, p. 217).

By contrast to a compliance-based approach, Better Cotton's cooperative approach operationalizes sustainability through stakeholder inclusion, capacity-building and verification rather than strict ex-ante labour conditionality. This approach maintains smallholder engagement by supporting agronomic performance and profitability but can also subordinate labour reforms and civic objectives to commercial priorities. Riisgaard et al. (2020, pp. 220) identify three recurrent governance tensions that structure outcomes: (a) stakeholder inclusion versus process control and efficiency; (b) stringency of the standard versus production scale; and (c) capacity building versus auditing.

In this sense, Better Cotton's design reflects an industrial imperative of scale: capacity building over ex-ante certification-style stringency, emphasizing continuous improvement and checks on decent work rather than more stringent labour-rights conditionality. To keep smallholders in scope, buyers (retailers and brand members) cover part of the assurance costs through volume-based fees. The wider GVC implication is normalization: the standard-setting process reaches settlements that prioritize and entrench efficiency and scalability, aligning with

lead-firm aims to extend "control of the GPN to cotton fields and primary-level production in the South" (Riisgaard et al., 2020, p. 231), while shifting sustainability away from more redistributive objectives associated with fairer trading practices and toward business value (Ponte, 2019).

Importantly, neither Riisgaard et al. (2020) nor the broader GVC governance literature treats the compliance-based paradigm and more cooperative approaches to sustainability standard initiatives as a strict dichotomy; rather, they analyze how different combinations, emphases, and sequencing of these logics shape labour outcomes under varying institutional and market conditions (see also Auld et al., 2015 on control and empowerment; Locke et al., 2009 on compliance and commitment).

Building on this literature, this thesis interprets cooperation-oriented and hybrid compliance-cooperation configurations as ideal types rather than mutually exclusive categories. Subsequent work likewise found that compliance and cooperation rarely operate as isolated governance models in practice; they are typically combined in different ways to shape labour outcomes. Ghori et al. (2022a) show that firms and MSIs frequently operate hybrid cooperation–compliance models in which capacity-building, training, and technical assistance are combined with time-bound corrective action. In these arrangements, cooperation often precedes formal compliance with brands, retailers, and MSIs supporting suppliers in meeting standards through learning and cost-sharing. Continued participation nevertheless remains conditional on verification outcomes: access depends on meeting criteria after a remediation window, and persistent non-compliance can lead to temporary suspension or exclusion from the program. In theory, such hybrid governance models support economic, environmental, and social upgrading; in practice, impacts remain context-dependent and shaped by institutional design, value chain relations, timing, and geography (Ghori et al., 2022a, p. 2, citing Van der Ven & Cashore, 2018).

Drawing on their cross-national study of Better Cotton in India and Pakistan, Ghori et al. (2022a) find that participation in the hybrid compliance-cooperation governance model is associated with higher gross farm incomes and lower input costs but shows no corresponding improvements in on-farm labour conditions relative to comparable non-participants. Outcomes are mediated by institutional, value chain, temporal, and geographic differences; more broadly, social upgrading can fail where unequal power relations and weak enforcement persist (Ghori et al., 2022a, p. 2, citing Lund-Thomsen & Coe, 2015; Riisgaard et al., 2020).

In contrast, Fairtrade and organic approaches lean more on civic/legal and industrial conventions. Fairtrade brings up-front labour safeguards, social premium investments, and, in some cases, price floor mechanisms. Organic standards (e.g., GOTS/OCS) add industrial integrity controls—stringent input rules, process requirements, and chain-of-custody verification. Taken together, these provide a useful point of comparison with Better Cotton's cooperative approach and establish the organizing framework for the governance configurations examined in Chapters 6-7.

**Child Labour as a Human Rights Norm**

Governance as normalization raises a further question: what normative content is being embedded through standards and governance arrangements? Across public and private governance systems, child labour is increasingly being treated as both a human rights concern and labour rights issue, reflected in international labour standards, human rights instruments, certification schemes, and business and human frameworks. While these governance arrangements converge around broad prohibitions against child labour, they vary in the specificity of their requirements used for implementation and enforcement. Chapter 3 develops these normative foundations further and examines how human rights norms are translated into business expectations, employment practices, and governance arrangements.

**Evidence on Child Labour and Decent Work in Certification Standards**

Certification schemes frequently assume that improvements in income, schooling, and community well-being will contribute indirectly to reductions in child labour. Evidence supporting these pathways, however, remains mixed (Oya et al., 2017, pp. 111-113).

One proposed pathway links certification to reductions in child labour through educational improvements and community investment. Minten et al. (2015) examine Fairtrade and organic coffee in Ethiopia and report that certified cooperatives invested premiums into community services (notably schooling) and that households participating in certification showed higher school attendance rates. Attendance was also higher among producers selling to coffee cooperatives, irrespective of certification, indicating an organizational effect. At the same time, the study cautions that farmers' diversified crop portfolios can reallocate children's work to non-certified plots or activities, so plot-level improvements may not translate into a reduction in children's work at the farm, village, or country level. "While coffee might have been sustainably produced and certified, little might have changed in the aggregate" (Minten, 2015, p. 36).

Bennett et al. (2012) find more regular school attendance and age-appropriate grade completion among children in Rainforest Alliance-certified cocoa-producing households in Côte d'Ivoire, yet the causal pathway from certification to reduced child labour remains unspecified. School attendance serves as a proxy for child labour in the absence of traceable, farm-level mechanisms—it is based on the intuition that children working long hours struggle in school and that low-income households cannot afford school fees (p. 43). This study also omits content analysis of child labour and education provisions in the standard, leaving its labour expectations implicit. [19] In 2011, 51% of children in certified farm households had completed the appropriate number of grades for their age, compared with 13% in non-certified farm households—a 38 percentage point gap—while school attendance was the only social indicator that differed consistently from control farms in 2009 and 2011. (Bennett et al., 2012, pp. 12-13, 18, 43)

Taken together, these studies show that certification may improve schooling outcomes, but the link to reduced child labour is weak. The pathways are unclear, and children's work may be shifted to other tasks or uncertified plots, rather than reduced, especially in smallholder households. As Basu and Van's (1998) argue, when binding income constraints persist, households may reallocate children's labour instead of withdrawing it altogether. For design, the implication is the importance of explicit labour expectations and traceable, farm-level mechanisms—an issue developed in Chapters 6-7 through the contrasting approaches of Better Cotton and Fairtrade.

Nelson and Smith (2011) assess Fairtrade cotton producer organizations in Mali, Senegal, Cameroon, and India and find improved organizational capacity and greater awareness of labour standards among participating groups. Evidence on child labour reduction is inconclusive, reflecting conflicting reports on whether it exists on family farms and under what conditions, as well as the difficulty of monitoring in informal rural contexts.

Subsequent Fairtrade research points to a similar conclusion: stronger labour provisions do not automatically translate into better labour outcomes when enforcement remains weak. The Centre for Labour Research and Action & Prayas (2021) documents widespread non-compliance with

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[19] Rainforest Alliance's (2023) *Sustainable agriculture standard* distinguishes requirements for small farms (with fewer than ten permanent workers) and large farms, and for group management responsible for ensuring the implementation of the requirement. It requires management to actively encourage children's school attendance (p. 64) and to maintain up-to-date worker records, including birth year; and for children conducting light work (12-14 years) and young workers (15 – 17 years), the records should include records on (a) their school registration if applicable, (b) type of work or tasks, and (c) daily/weekly working hours per day and per week (p. 25).

Indian labour law and Fairtrade standards across sampled farms in Gujarat, Madhya Pradesh, and Odisha—persistent child labour (especially in Odisha), wages below statutory minimums, lack of basic facilities, and weak Occupational Health and Safety (OHS), with protective equipment largely absent, while differences between Fairtrade and non-Fairtrade farms were small on several indicators. [20] The report highlights weak state enforcement and the limitations of voluntary standards in altering outcomes at the farm level, where public regulation is thin; the report calls for stricter audits, enforcement of minimum wages and child labour laws, improved facilities, and regular labour rights training for workers.

Similar challenges are evident in studies of Better Cotton, despite its different governance model and emphasis on continuous improvement. Evidence from Better Cotton suggests that agronomic and economic improvements do not necessarily translate into social upgrading or reductions in child labour. In a randomized controlled trial with 694 producer households in Kurnool, Andhra Pradesh (2015-2018), Kumar et al. (2019) report declines in pesticide use, increased adoption of pest-and soil-management practices, and modest income gains; social outcomes lagged as decent work activities began late, women's participation was 6%, and improved awareness of child labour did not translate into reductions within the study period. Focus groups continued to report children working during weeding and cotton picking, with child labour risks acute for migrant-worker households; hired workers wages remained below statutory minimums; written contracts were uncommon (unsurprising in an informal farming sector), and gender norms restricted women's access to better-paid activities (e.g., pesticide spraying; ploughing), confining them to lower-paid tasks (e.g., sowing, weeding, carrying water, and cotton picking).

Complementary research reinforces these patterns. Ghori et al. (2022b), using household surveys (n=600) and focus groups in India and Pakistan, find higher farmer incomes and lower input costs under Better Cotton but little change in wages or working hours; some female workers in Gujarat experienced income losses due to structural labour regimes, wage-negotiation procedures, migration dynamics, and sharecropping arrangements. Zulfiqar et al. (2019) show that Better Cotton adoption in Punjab, Pakistan, increased gross margins (37%) and yields (9%) with only a small rise

[20] The four Fairtrade producer companies covered in the study were Suminter India Organic., Om Organic Cotton, Pratima Agro & Paper, and Pratibha-Vasudha Jaivik Krishi Kalyan Samiti (Centre for Labour Research and Action & Prayas, 2021, p. 5).

in labour costs (3%), again pointing to agronomic gains without commensurate improvements in labour protections.

Sustainability standards appear more effective at improving agronomic performance than at transforming labour conditions or reducing child labour. Theories of change assume that higher incomes, community investments, or social safeguards will shift household decisions away from children's work toward school; yet the available evidence indicates that children often continue working, sometimes shifting their labour across tasks and crops rather than reducing it. While certification may contribute modest gains in schooling outcomes, awareness of labour standards, and selected economic gains, evidence on direct reductions in child labour are limited and inconsistent. Taken together, these findings suggest that labour outcomes depend not only on the content of standards but also on the conditions under which they are implemented and enforced. This expectation tempers H1 and points to H4: outcomes depend on local enforcement capacity and social actors underscoring the importance of governance configurations. Structural constraints, including informality, gender norms, migration dynamics, and weak enforcement, limit what compliance promotion, verification, and assessment can achieve through voluntary sustainability standards alone.

## 2.4 Society-dependent Enforcement

This section examines how labour norms are enforced in contexts characterized by informality, uneven regulatory capacity, and weak labour market institutions. It develops the proposition that the effectiveness of child labour governance depends on socially embedded enforcement and accountability relationships involving state actors, civil society organizations, workers, and social intermediaries.

Persistent variation in labour outcomes highlights a central governance problem: similar labour standards frequently produce very different outcomes across regulatory contexts. The literature on uneven private compliance and limited state administrative capacity underscores the need to understand how labour norms are enforced in low-capacity settings. Certification may shape business incentives and household decisions, but its effectiveness hinges on regulatory capacity and local social dynamics, including the presence of social intermediaries. Amengual's (2016) framework of society-dependent enforcement posits that in such settings, officials tend to enforce where social mobilization occurs, effectively depending on civil society and social intermediaries to activate and sustain enforcement (pp. 36-37).

Amengual (2016) distinguishes four patterns of public enforcement—state-driven, co-produced, society-dependent, and no enforcement—reflecting different combinations of administrative capacity and social pressure. Where regulators lack administrative resources, society-dependent enforcement can constrain business behavior and support respect for workers' rights, including protections against child labour, when organized social actors and intermediaries mobilize and maintain working relationships with officials. Obstacles such as a lack of monitoring capacity can be partly mitigated through civil society partnerships (Amengual, 2016, p. 37). Conversely, where both administrative resources and social mobilization are weak or lacking, enforcement remains limited and uneven, particularly in informal and agricultural sectors.

Understanding these enforcement arrangements also requires distinguishing labour rights governance from broader business and human rights frameworks. It is important to distinguish the State's duty to protect human rights from labour rights, which are the specific institutionalized protections attached to workers. From a business and human rights (BHR) perspective, this matters because the BHR framework affirms both the State's duty to regulate and enforce international human rights law under UN and ILO instruments (Ramasastry, 2015, pp. 238, 245, 246-247) and the corporate responsibility to respect internationally recognized human rights (OHCHR, 2011).

In practice, supply-chain governance often emphasizes human rights due diligence (HRDD), while the enforcement of labour rights depends on broader institutional arrangements. Social intermediaries (including unions, NGOs, community and worker organisations) can support enforcement by identifying violations, facilitating access to grievance and remedy mechanisms, and maintaining relationships with public officials. They may also provide local knowledge and social pressure that strengthen enforcement where administrative capacity is limited. This distinction highlights the importance of labour rights institutions and intermediary capacity in translating formal commitments into labour protections (see Section 3.5).

These interactions inform H4: compliance monitoring and enforcement are expected to be stronger where social actors actively shape accountability, particularly in informal and agricultural settings, and weaker where state capacity and social mobilization are both low. In the cotton context, this perspective helps explain why certification and compliance checks alone seldom reduce child labour. Effective governance depends on the interaction of public enforcement capacity, locally trusted social intermediaries, and credible remediation pathways

that translate formal standards into practice. Chapters 6 and 7 evaluate these dynamics empirically.

## 2.5 Conclusion

This chapter developed a theoretical framework linking economic sociology, global value chain (GVC) governance, and labour governance research to explain how child labour risks are socially embedded, organized, normalized, and governed within cotton value chains. Addressing the research questions, it showed how meanings attached to children's work interact with value-chain structures, governance arrangements, and enforcement processes to shape business employment practices and the governance of child labour risk.

The chapter makes three contributions to the theoretical framework developed in this thesis. First, it demonstrates how economic sociology and GVC analysis support multi-level explanations by linking micro-level actors (workers, firms, organizations) and organizational mechanisms to broader macro-level institutional, community, market, and state structures and contexts.

Second, drawing on Nee's (2003) new institutionalism in economic sociology, the chapter conceptualizes business and child labour in global value chains as embedded institutional phenomena shaped by social relations, legitimacy, and the social construction and organization of child labour and children's work. It extends Nee's framework by incorporating perspectives on the nature of work (Zelizer, 1985), malfeasance and adverse incorporation (Phillips et al., 2014), and counterfactual assessments of harm, including schooling-child labour dynamics (Edmonds, 2006).

Third, it integrates GVC normalization theory (Gibbon et al., 2008; Riisgaard et al., 2020) with internationally recognized human rights standards on child labour by examining how industrial, domestic, civic/legal conventions are translated into and institutionalized within voluntary sustainability standards and other private governance arrangements, thereby connecting private governance, labour regulation, and society-dependent enforcement within a common analytical framework (Amengual, 2016).

**Synthesis: Theoretical Expectations and Hypotheses**

Four hypotheses guide the empirical analysis in Chapters 6 and 7. H1 and H4 derive directly from the theoretical literature reviewed in this chapter, while H2/C1 and H3 extend the framework through the operationalization of specificity criteria, compliance-enforcement arrangements, ethical capability, and employment practices in Chapter 3. In this thesis, "C1" refers to the counterfactual

logic used to distinguish harmful child labour from other forms of children's work (including schooling as a realistic alternative). H2/C1 is interpreted using an INUS logic: specificity criteria are individually insufficient but may be necessary within a sufficient configuration of conditions (e.g., when paired with credible compliance–enforcement and remediation mechanisms). Chapter 3 formalizes this logic within the analytical tool. Collectively, the hypotheses specify how governance conditions create the environment within which firms respond to child labour risk in India's cotton value chain.

Together, the chapter advances four propositions. First, child labour is socially embedded and historically contingent. Distinguishing harmful child labour from other forms of children's work also requires attention to context and to the realistic alternatives available to children, particularly access to education and other opportunities that support their development. Second, child labour is organized through political-economic and value-chain structures and may persist through processes of adverse incorporation and uneven social upgrading. Third, child labour norms are normalized and governed through public, private, and hybrid governance arrangements that translate transnational standards into organizational practices. Fourth, the effectiveness of governance depends on socially embedded enforcement and accountability relationships involving state actors, civil society organizations, workers, and social intermediaries.

In summary, labour standards are normalized through governance arrangements that translate transnational norms into organizational practices. Whether these processes of normalization lower child labour risk depend on the normative content of those standards, the credibility of compliance monitoring, enforcement and remediation arrangements, and the social relationships through which they are implemented. These propositions provide the conceptual foundation for the hypotheses examined in Chapters 6 and 7.

# CHAPTER 3
# Developing a Business and Child Labour Tool

Chapter 2 explained how child labour risks are socially embedded, organized, normalized, and governed within cotton value chains. However, governance conditions alone do not explain why businesses facing similar institutional environments often adopt different approaches to child labour. While public policy, voluntary sustainability standards, and social norms establish expectations regarding children's work, firms vary in how they translate those expectations into practice. Explaining this variation requires an analytical framework focused on business conduct.

Building on Chapter 2, this chapter examines how firms respond to governance conditions through ethical capability. The chapter argues that reducing child labour risk requires more than the existence of governance rules. Sufficiently specified child labour criteria (H2/C1) provide the normative basis for identifying harmful child labour, but variation in organizational responses depends on ethical capability. Child labour is treated as a human rights norm grounded in internationally recognized human rights and labour rights.

This chapter puts forward the proposition that businesses and standard-setting bodies exhibiting greater ethical capability are more likely to implement enforceable, context-responsive employment practices that reduce child labour risk (H3). Ethical capability explains why organizations operating under similar governance environments in plural institutional contexts develop different governance configurations, employment practices, and child labour risk outcomes. This proposition thereby focuses not on the existence of rules themselves but on how organizations translate those rules into context-sensitive governance arrangements (monitoring, response, enforcement, and remediation).

In this thesis, *ethical capability* is defined as the capacity of business enterprises and standard-setting bodies to navigate normative tensions and translate international human rights norms and legal requirements into organizational decision-making and governance arrangements within complex transnational environments where global standards, local customs, and national laws may diverge. This conceptualization of ethical capability provides the basis for the analysis developed in this chapter and applied in later chapters. It extends beyond compliance to encompass

context-sensitive governance, requiring rights-consistent judgment in the application of human rights principles and education-linked safeguards (including distinguishing permitted children's work from harmful child labour; protecting access to education; and appropriately applying light-work provisions).

Drawing on responsible business conduct (RBC), business and human rights (BHR), international business ethics, transnational labour law, and ethical capability theory, this chapter develops and operationalizes the Business and Child Labour Tool as an analytical framework for examining variation in business responses to child labour risk. The tool links axiomatic concepts emerging from the literature review and primary research, enabling a multidimensional assessment of child labour risk and its association with business employment practices. It provides the operational framework used to assess the hypotheses developed in Chapter 2 and applies INUS (insufficient but necessary part of an unnecessary but sufficient condition) logic to examine how configurations of conditions are associated with lower child labour risk, rather than treating individual variables as standalone causes.

The chapter elaborates H2/C1 and H3, defines their key concepts and indicators, and specifies the dependent variable (child labour risk). The analysis is organized around employment practices. H2/C1 centres on child labour specificity and the counterfactual distinction between harmful child labour and other forms of children's work, consistent with international standards (Section 3.3). The counterfactual logic "C1" recognizes that assessments of child labour risk depend partly on the realistic alternatives available to children, including access to education and other protective opportunities. Specificity criteria therefore evaluate the quality and precision of child labour rules and safeguards relating to minimum-age standards, the nature and circumstances of work, and harmful consequences. The chapter further develops H3 by linking governance arrangements to integrative social contract theory and ethical capability, emphasizing the challenges organizations face when navigating normative tensions under diverse and legally plural governance conditions. In so doing, it establishes the foundations for the governance configurations examined in Chapters 6 and 7.

**Conceptual Contestation and Measurement Gaps in Child Labour Research**

Child labour research often overlooks essential elements of internationally recognized human rights law, leading to measurement choices that weaken construct validity in assessing business effects on child labour risk. A more stringent test of construct validity is needed to evaluate whether business employment practices are associated with lower child labour risks, rather than assuming

risk reduction, and to avoid conceptual stretching (Collier & Mahon Jr., 1993). Evidence-based research on business respect for human rights rarely analyzes everyday risk factors for child labour—including those affecting adolescents—or adequately explains how business variables interact with context-specific factors across sectors and geographies. Existing scholarship focuses heavily on management performance (inputs/outputs, outcomes, and impact) while giving less attention to normative constructs for assessing compliance with internationally recognized human rights through structural, process, and outcome indicators (Barenberg, 2015; Barrientos & Smith, 2007; Global Affairs Canada, 2014; OHCHR, 2012a; UNICEF, 2012).

A key blind spot is the inconsistent definition of child labour across theoretical, empirical, and applied research (ILO-IPEC, 2008). Although debates emphasize construct validity to avoid conceptual stretching—the loss of precision when concepts are applied beyond their appropriate scope (Yin, 2014, p. 45; Collier & Mahon Jr, 1993, p. 845)—child labour is often defined in ways that blur critical distinctions—for example, using hazardous child labour to describe all forms of children's work. This inconsistency reflects a failure to manage the trade-off between extension (the range of cases to which a concept applies) and intension (concept richness), which is crucial for conceptual clarity (Collier & Mahon Jr., 1993, pp. 845, 851, 852).

Existing measures also omit information needed to distinguish legitimate from illegitimate economic roles for children (Phillips et al., 2014; Zelizer, 1985), including schooling as a counterfactual (Edmonds, 2006). Missing indicators limit analytical precision, especially as related to adolescents ("young workers" below age 18), the nature and circumstances of work, and its hazardous consequences. Sectoral, product, and geographic factors relevant to global value chains are also inconsistently incorporated. Hazardous work and the unconditional worst forms of child labour (ILO, 1999) often involving forced labour (Blackett, 1999, p. 31) are not reliably captured.

These problems show that construct validity—essential for evaluating the effectiveness of employment practices—requires systematic reassessment. In response, this chapter expands and reframes Kolk and van Tulder (2002a)'s criteria and presents the indicator set in Table 4. Together, employment practices provide the observable policies and actions through which specificity criteria, public-private compliance and enforcement arrangements, and evidence of ethical capability are assessed using the Business and Child Labour Tool developed for this study.

**Table 4**

*Business and Child Labour Tool*

| Dimension | Indicators |
|---|---|
| Specificity criteria | |
| Minimum-age standards | • The general (or basic) minimum working age is identified as 15 years, with 14 years as the exception.<br>• The minimum age for hazardous work is 18 years, with 16 years as the exception. |
| Nature of work | • Different forms of work by children, including distinctions by status of employment<br>• Unconditional worst forms of child labour |
| Circumstances of work | • Hazardous-work conditions<br>• Exposure to abuse<br>• Long hours and night work |
| Harmful consequences of work | • Nature of safeguard mechanisms (e.g., education, social protection, referral to child protection services)<br>• Nature of occupational health and safety standards<br>• Priority action based on the severity of harm |
| Public-private compliance and enforcement criteria | |
| Public governance | • Organization targeted<br>• Applicability of universal and country-specific minimum-age standards<br>• Reference to national laws and international standards |
| Compliance | • Monitoring systems and processes<br>• Position of the monitoring actor<br>• Regulatory approach for non-compliance (suppliers and contractors)<br>• Regulation of third parties (sub-contractors and sub-suppliers)<br>• Classification and graduated, remediation-capable enforcement |
| Disclosure of child labour and forced labour risk management | • Internal accountability standards<br>• Training for employees and management<br>• Third-party verification of supply chains<br>• Unannounced audits to evaluate suppliers<br>• Compliance with host country laws |

*Note.* This table presents the Business and Child Labour Tool, developed by the author.

The tool's conceptual structure is adapted from "Child Labor and Multinational Conduct: A Comparison of International Business and Stakeholder Codes," by A. Kolk and R. van Tulder, 2002a. *Journal of Business Ethics*, 36(3), p. 294, Copyright 2002; and from *Child labour statistics: 18th International Conference of Labour Statisticians*, by the ILO, 2008. These sources informed the organization of dimensions and indicators.

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The first four dimensions (specificity) capture the precision and unambiguity of business policy definitions; the next three dimensions (public-private compliance and enforcement criteria) assess governance arrangements that, in combination, give rise to different governance configurations. In short, evidence on specificity criteria and public-private and compliance-enforcement arrangements is used to assess ethical capability and its relationship to child labour risk. The dependent variable is operationalized using outcome indicators relevant to child labour risk—underage, no distinction, inadequate safeguards, irremediable (Section 3.3.1).

The Business and Child Labour Tool operationalizes the study's core constructs: child labour as a human rights norm, the role of specificity criteria in reducing child labour risk (H2/C1) as well as the effect of ethical capability of voluntary sustainability standards and business enterprises on child labour risk (H3).

**Overview of Constructs, Normative Foundations, and Their Application in Later Chapters**

This chapter proceeds in six steps. Sections 3.1-3.2 revisit CSR debates and early code of conduct frameworks, including Kolk and van Tulder's model, because the objective here is instrument design. These sections trace how prior scholarship informed measurement choices and identify omissions that motivate the redesign of the indicator set. Although elements of this baseline reappear in later empirical chapters, this reflects the persistence of unresolved questions—specificity, monitoring, sanctions, safeguards, and accountability—that shape how child labour is governed and evaluated across standards, firms, and contexts.

Section 3.3 defines the dependent variable and the counterfactual logic required to distinguish harmful child labour from other forms of work. This distinction is central to the tool's operation across cases, including where school is not a realistic alternative.

Section 3.4 justifies the revised indicator set and anchors child labour as a human rights norm grounded in internationally recognized human rights and the evolving landscape of transnational labour law.

Section 3.5 places the measurement choices in the context of human rights due diligence (HRDD, under the UN Guiding Principles on Business and Human Rights (UNGPs) and the OECD responsible business conduct approach. It notes how severity and irremediability are used to assess the worst forms of child labour and forced labour, clarifies distinctions with audit-style corporate due diligence, and sets out why the tool examines normative coherence, context-sensitivity, and enforceability.

Section 3.6 concludes and links to the empirical chapters by summarizing the analytical framework, operational constructs, and levels of analysis used to examine child labour governance across standards, businesses, and institutional contexts.

***Constructs Defined in Chapter 3 and Where They Are Used***

**Ethical capability** *(H3; higher-order organizational capacity to translate norms into employment practices).* Ethical capability refers to the capacity of business enterprises and standard-setting bodies to navigate normative tensions and translate international human rights norms and legal requirements into organizational decision-making and governance arrangements. Within this thesis, ethical capability is evidenced by the extent to which **governance arrangements** reconcile local social norms, economic realities, and internationally recognized human rights standards in ways that strengthen prevention, protection, and remediation measures for children, particularly in contexts involving risks of underage work, inadequate safeguards, and severe or irremediable harms. Evidence of ethical capability is indirectly observed when businesses move beyond aspirational policy commitments and demonstrate the capacity to operationalize human rights norms and legal requirements within context-specific governance arrangements. Ethical capability may emerge through standards-based, state-based, and hybrid governance configurations, reflecting equifinality.

**Employment practices** *(intervening variable; anchors H1–H4).* Employment practices refer to the policies, decisions, and operational actions through which organizations govern children's work and address exposure to child labour risk (i.e., the observable practices through which governance arrangements are implemented to identify, prevent, mitigate, and remediate child labour risks). Rather than constituting a distinct governance mechanism, employment practices provide the empirical domain through which specificity criteria, compliance and enforcement arrangements, and ethical capability are assessed. This construct is operationalized and assessed across the tool's dimensions and indicators. Employment practices are examined across voluntary sustainability standards and business enterprises to assess how governance arrangements are translated into practice under different institutional conditions.

**Specificity criteria** *(H2/C1; policy content thresholds + counterfactual distinction).* Specificity criteria matter because child labour policies and standards cannot be implemented or evaluated when minimum-age thresholds, hazardous-work definitions, safeguards, and remediation pathways are vague or incomplete. Specificity also requires the counterfactual distinction between harmful child labour and other forms of children's work for which schooling remains a realistic

alternative. This construct is operationalized through dimensions covering minimum-age standards, the nature of work, the circumstances of work, and harmful consequences. Chapter 6 evaluates whether standards meet the policy-content thresholds required to support H2/C1.

**Public–private compliance and enforcement criteria** *(supports H2/C1; conditions H3).* Public–private compliance and enforcement arrangements matter because specificity alone cannot reduce child labour risk. Accordingly, the analysis distinguishes policy content from the governance arrangements that render rules actionable. These governance arrangements encompass the institutionalized structures, processes, and rules through which organizations promote compliance, verify compliance, and respond to non-compliance through prevention, detection, corrective action and child-centred remediation, escalation, and proportionate enforcement. Within the Business and Child Labour Tool, the construct is operationalized through the dimensions of public governance, compliance, and disclosure. Chapter 6 evaluates how voluntary sustainability standards specify compliance monitoring, response, enforcement, child-centred remediation, and disclosure arrangements, while Chapter 7 examines how these governance arrangements are enacted in practice and combined into different governance configurations.

Together, these concepts form the analytical architecture of the Business and Child Labour Tool. The remainder of the chapter develops and operationalizes these dimensions, indicators, and decision rules to assess child labour specificity, public-private compliance and enforcement arrangements, ethical capability, and child labour risk across cases.

## 3.1 The History of Corporate Social Responsibility and Child Labour

This section situates CSR-style interventions within child labour governance and highlights measurement-relevant limitations of early private regulation. It is indisputable how voluntary business regulation became the dominant paradigm in the 1980s under a neoliberal approach. During this period of deregulation and privatization, businesses adopted CSR policies and codes of conduct to demonstrate responsible business conduct (Brammer et al., 2012, p. 10). The textile-garment industry's increasing role in CSR was notable during the phasing out of the Multi-Fibre Arrangement. In response to sweatshop and child labour scandals in the 1990s, consumers in industrialized countries began scrutinizing the societal impacts of business, particularly affecting multinational garment and footwear companies in Asia (De Neve, 2016, p. 90).

Several events played pivotal roles in shaping the CSR agenda to address child labour. In the 1990s, media attention focused on sweatshops and child labour in Bangladesh, Pakistan, and Indonesia, involving companies like Walmart and Nike. The ILO International Program on the Elimination of Child Labour (ILO-IPEC), established in 1992 and supported by Germany, launched a new global campaign against child labour and became the ILO's most extensive operational program, reaching approximately 90 countries. The United States Congress proposed the Child Labor Deterrence Act (Harkin Bill) to ban the import of goods produced by child labour [21], leading to the Trade and Development Act of 2000, which required countries to make efforts to eliminate the worst forms of child labour for receipt of trade benefits. The Trade and Development Act also mandated the annual publication of the *Findings on the Worst Forms of Child Labor* report (published since 2002). The first global conference on child labour was held in Oslo (1997), followed by conferences in The Hague (2010), Brasilia (2013), Buenos Aires (2017), and Durban (2022). The Harkin–Engel Protocol (2001) aimed to eliminate the worst forms of child labour in cocoa production in Côte d'Ivoire and Ghana. (Bjerkan & Gironde, 2004; Greenberg & Knight, 2004, 151-75; Nielsen, 2005, 559-580)

CSR literature on child labour highlights Bangladesh's ready-made garment sector, noting efforts to address child labour sometimes cause additional and more severe harm to children (Basu & Van, 1998, p. 423; Fyfe and Jankanish, 1997; Nielsen, 2005, p. 577). The threat of U.S. sanctions under the proposed Child Labor Deterrence Act prompted the Bangladesh Garment Manufacturers and Exporters Association (BGMEA) to advise its members to remove underage workers from their workplaces. This child labour rule conforms with Bangladesh's Factory Act, which sets the minimum employment age at 14 years. Reports suggest that 40,000 to 50,000 children were laid off in 1993. There was speculation that many children ended up in more hazardous work in the informal economy, or worse, in prostitution (Bissell, 2000; Bourdillon et al., 2010, pp. 180–190; Masud & Masud, 2002; UNICEF & ILO, 2004).

The negative impact of business intervention on children was partly due to the Government of Bangladesh and the BGMEA's decision to adopt an "education only" approach (Nielsen, 2005, 577-579; UNICEF & ILO, 2004). While internationally recognized human rights (ILO C138, article 7; UNCRC) allow children above the minimum employment age to combine work and school,

[21] The Harkin Bill was not passed after being introduced to Congress in 1992, 1993, 1995, 1997 and 1999.

Bangladesh's Factory Act did not. According to Nielsen (2005, p. 577), the BGMEA expressed concern that an education-and-work approach would not be acceptable to international buyers.

Compliance monitoring was another point of conflict between the BGMEA and U.S. stakeholders, including the Asian-American Free Labor Institute (AAFLI), part of the American Federation of Labor and Congress of Industrial Organizations; the Washington-based Child Labor Coalition; the U.S. Embassy; and the U.S. Department of Labor. The position of the monitoring actor was contentious. The BGMEA insisted that independent monitoring by the AAFLI was inappropriate and that external monitoring should be led solely by UNICEF and ILO. (Nielsen, 2005, 578-579). This debate reflected broader trade and labour standards monitoring by the WTO and ILO (Brown, 2000).

The lessons from Bangladesh are often generalized in the literature, overlooking the fact that most working children in countries like Bangladesh and India are not in export-sector factories or manufacturing but in the rural informal sector or on family farms (ILO & UNICEF, 2021; Lyon & Khan, 2015; Rahman et al., 1999). The CSR agenda also posed challenges to a human rights approach because businesses, NGOs, and other private actors often developed their own definitions and monitoring criteria for child labour, creating variation in standards and enforcement expectations. The CSR paradigm did not grapple with a child-centred approach to children's work (Bronfenbrenner, 1977; Boyden et al., 1998).

The CSR paradigm focused on firm-specific factors to explain CSR effectiveness rather than on factors operating at the worker, community, or institutional level. The proliferation of private governance systems, often operating alongside one another with limited coordination, has contributed to fragmented monitoring, reporting, and enforcement arrangements (Marx & Wouters, 2016, p. 453). By 2003, multinational enterprises had developed more than 1,000 voluntary codes of conduct (Feldman & Smith, 2003, p. 2), creating challenges for harmonization, comparability, and oversight of CSR commitments. More broadly, debates over globalization and labour governance have raised concerns that competition for investment and market access may place downward pressure on labour protections and their enforcement (i.e., a race to the bottom), particularly in export-oriented sectors.

A shift from CSR toward the "business and human rights" (BHR) framework emerged in the 1990s, demanding increased corporate accountability with a strong focus on internationally recognized human rights and closing the "governance gap" that arises when host countries are

unwilling or unable to provide their citizens with access to remedies for human rights violations by businesses (Ramasastry, 2015, pp. 240-247). The UN Guiding Principles on Business and Human Rights, adopted in 2011, emphasized human rights due diligence as a process for businesses to address human rights risks (OHCHR, 2011; Taylor, 2011).

Despite this shift, the fragmentation associated with CSR—particularly the lack of standard harmonization—persists alongside these new frameworks. Research by Shift (2017) on human rights reporting found 90% of large-listed companies lack coherent narratives on how risk or impact assessments inform mitigation actions, how decisions are made, and whether senior management is involved (p. 6). Company policies do not articulate commitment to all internationally recognized human rights. Instead, 23% of companies have cherry-picked rights they are publicly committed to, such as non-discrimination, health and safety, or child labour (Shift, 2017, p. 14). Consequently, lessons from the CSR paradigm remain relevant under the business and human rights approach.

**Limitations in Corporate Social Responsibility Literature**

Although there is much literature on CSR, including child labour, this literature review identified three noteworthy limitations: the lack of specificity in policy commitments, the lack of comparative methods, and the lack of institutional theory-building. These limitations motivate the development of a tool (see Table 4) that evaluates not only whether policies exist, but also the extent to which they are specific, enforceable, and aligned with international human rights norms.

The first limitation is that the CSR literature on child labour is largely focused on the general minimum working age (15 years, or 14 years in developing countries), which creates significant measurement limitations in assessing CSR effects on child labour risk. Despite extensive scholarship, adolescents aged 15-17—who are legally "children" under human rights law—receive limited and inconsistent attention in child labour-focused CSR research. A preliminary review suggested few studies address risks among adolescents above the general minimum working age. While the literature has expanded over time, with much empirical work appearing to concentrate in OECD contexts (notably the United States and Europe), uneven coverage of adolescent labour risks may persist. [22] This pattern is consistent with Guarcello et al. (2016), who noted a lack of research on child labour involving adolescents at or above the minimum working age (for example,

[22] A Google Scholar search for "corporate social responsibility and child labour" (2000-2018) returned approximately 16,700 results, however this is illustrative and time bound.

adolescents aged 15-17 years, adolescents aged 14-17 years in developing countries, or "adolescent hazardous work"). Given that the UN Convention on the Rights of the Child defines a child as "every human being below the age of eighteen years" (ICLS & ILO, 2008; Convention on the Rights of the Child, 1989), this gap raises unresolved questions about the adequacy of CSR measures in addressing the child labour risks faced by working adolescents.

The minimum age for "hazardous work" is 18 years. Article 3 of ILO C138 sets a minimum-age standard for hazardous work and provides a clear exception:

> 1. The minimum age for admission to any type of employment or work which, by its nature or the circumstances in which it is carried out is likely to jeopardise the health, safety or morals of young persons shall not be less than 18 years.
>
> 2. The types of employment or work to which paragraph 1 of this Article applies shall be determined by national laws or regulations or by the competent authority, after consultation with the organisations of employers and workers concerned, where such exist.
>
> 3. Notwithstanding the provisions of paragraph 1 of this Article, national laws or regulations or the competent authority may, after consultation with the organisations of employers and workers concerned, where such exist, authorise employment or work as from the age of 16 years on condition that the health, safety and morals of the young persons concerned are fully protected and that the young persons have received adequate specific instruction or vocational training in the relevant branch of activity. (ILO, 1973, Article 3)

Therefore, the CSR literature on child labour should recognize at least two minimum-age standards: the general (or basic) minimum working age and the hazardous-work minimum age, as shown in Table 4.

The second limitation is that international CSR research lacks comparative approaches, creating both theoretical and methodological constraints. Pisani, Kourula, Kolk, and Meijer (2017) systematically reviewed 4,949 articles on international CSR research in 31 journals over 31 years and found that only 14.8% are comparative studies across countries. The remaining 85.2% examined cross-border CSR issues without comparing countries, cultures, or industries, even though CSR policies and practices vary across contexts. Their review concluded that international CSR scholarship needs stronger comparative work across countries and industries, alongside more

"integrative and/or multilevel views of CSR" (Pisano et al., 2017, p. 608). Without comparative designs, scholar-practitioners have a limited ability to generalize claims about CSR's effectiveness.

Surprisingly, most international CSR articles do not focus on developing or emerging countries. Pisani et al. (2017) report that 87% of articles focused on developed (i.e., industrialized) countries as the home country, compared with 12% and 1% on developing countries; only 7.7% focused on developing countries (versus 59% on emerging; 34% on developed). Egri and Ralston (2008, p. 325), cited in Pisani et al. (2017), explain, "[I]t is particularly troubling that there has been relatively little on-the-ground corporate responsibility research in countries where the need for corporate responsibility is most pressing due to greater poverty, environmental degradation, and institutional governance issues." Across the sample, 44% of articles were theoretical; of the 56% that were empirical, 26% were quantitative, 28% were qualitative, and 2% used multiple methods. The present study addresses some of these shortcomings through a multi-level comparative case study of India and a mixed-methods approach described in Chapter 5.

The third limitation concerns the testing and development of institutional theory. Despite CSR research extending beyond the business management literature into economics, law, and political science, it did not lead to a more interdisciplinary analysis of CSR through the lens of institutional theory and as a mode of governance (Basu & Palazzo, 2008; Brammer et al., 2012). There is a gap in the literature on the political dimensions of CSR as a mode of private governance, to be examined in tandem with national laws and public governance systems to address child labour effectively (Ingram et al., 2013, p. 12; Pisani et al., 2017, p. 610). Brammer et al. (2012) state "CSR at the firm level must be understood within the wider dynamics of business and trade associations, social networks and state regulation … [and] aspects of transnational institutional building and comparative capitalism" (p. 20).

In summary, a lack of comparative, multi-level, and integrative approaches in CSR literature means that the macro- and micro-level analyses characteristic of the economic sociology and GVC literature are underutilized. As elaborated in Chapter 2, institutional theory provides a framework for explaining why and how corporate responsibility for child labour takes different forms across countries. Ultimately, the contribution of economic sociology theory to this multidisciplinary research on business and child labour is broadening the debate to understand CSR as a mode of governance within broader societal governance structures (Brammer et al., 2012; Nee, 2003)

## 3.2 Kolk and van Tulder's Model to Analyze and Compare Codes of Conduct

This section discusses research by Ans Kolk and Rob van Tulder (2002a, 2002b, 2004) on CSR and child labour and uses their influential model as a foundational baseline for instrument design. Kolk and van Tulder's research (2002a, 2002b) was premised on the hypothesis that firms endorsing self-regulation would develop more specific, monitorable child labour provisions (2002b, pp. 261, 264). Kolk and van Tulder developed a "model to analyze and compare codes of conduct on child labour" (Table 5). They guided their model development by a content analysis of 55 codes developed by a range of different actors (Kolk & van Tulder, 2002a) and six codes developed by major garment companies (Kolk & van Tulder, 2002b).

**Table 5**

*Model to Analyze and Compare Codes of Conduct on Child Labor Issues (Kolk & van Tulder)*

| Criteria | Short elaboration | Classification |
|---|---|---|
| *Specificity* | | |
| 1.1. Minimum age to employment | Does the code include a minimum age to employment? If so, what age? | yes (age); no |
| 1.2. Applicability | Is this a universal minimum age or are country-specific exceptions indicated? | n.a.; universal; country-specific |
| 1.3. Organization targeted | To whom is the code addressed? General, governments; internal operations of specific firms; business partners (suppliers, subcontractors, vendors, manufacturers) | actor category (exact wording) |
| 1.4. Reference | Is reference made to international standards (ILO, UN), either implicit or explicit, or to home-country or host-country laws? | none; home; host; international (implicit/explicit) |
| 1.5. Nature of code | Are alternative measures included in the code (such as education for children)? Or does the code only prohibit child labor? | broad; strict |
| *Compliance* | | |
| 2.1. Monitoring systems and processes | Good insight into system and process (clear); reference to some parts, but criteria or time frames are lacking (clear to vague); only general reference to monitoring without details (vague). | clear; clear to vague; vague; none |
| 2.2. Position of monitoring actor | Firms themselves (1st party); BSGs (2nd party); external professionals paid by firms (3rd party); combinations of different actors (4th party); NGOs (5th party); legal authorities (6th party). | ranging from: 1st to 6th party |
| 2.3 Sanctions | Measures have no large implications, e.g. warnings and exclusion of membership (mild); threat to business activities (severe). | none; mild; severe |
| 2.4 Sanctions to third parties | Measures such as fines, or demands for corrective action (mild); severance of relationship, cancellation of contract (severe) | n.a.; none; mild; severe |

From "Child Labor and Multinational Conduct: A Comparison of International Business and Stakeholder Codes," by A. Kolk and R. van Tulder, 2002a. *Journal of Business Ethics,* 36(3), p. 294, Copyright 2002 by Springer Nature: Springer. Reprinted with permission.

Although developed more than two decades ago, the Kolk and van Tulder model remains a useful point of departure because it provides an early and widely cited framework for assessing how firms defined and managed child labour through codes of conduct. However, its focus on general minimum-age provisions did not fully incorporate hazardous work, hours-of-work limits, or the worst forms of child labour recognized in international human rights and transnational labour law, including ILO C138, ILO C182 and the UNCRC. The Business and Child Labour Tool therefore extends the original framework in light of these standards and subsequent developments in national and international law, child labour governance, human rights due diligence, and voluntary sustainability standards. Consequently, the Business and Child Labour Tool combines foundational measurement literature with contemporary legal and governance developments. In contrast to Kolk and van Tulder's focus on firm-level codes, international statistical and legal standards (ICLS & ILO, 2008; 2018a; 2018b) provide the basis for defining and measuring child labour risks beyond corporate policy commitments.

Kolk et al. (2000) defined "codes of conduct" as "guidelines, recommendations and rules issued by entities (adopting bodies or actors) within society with the intent to affect the behaviour of business entities within society to enhance corporate responsibility" (p. 147). The Kolk and van Tulder model was constructed on five "specificity" criteria and four "compliance" criteria. "Specificity" criteria referred to internal characteristics, notably how terms and definitions in policies, principles, norms, rules, and procedures are precise, detailed, explicit, and unambiguous. The rationale is that greater specificity enables more accurate measurement and monitoring of codes of conduct, thereby reducing the likelihood of misinterpretation.

As demonstrated in Table 5, the specificity criteria identified in the Kolk and van Tulder model are: (1.1) Minimum age to employment, i.e., does the code include a minimum age for employment? If so, what age? (1.2) Applicability, i.e., is this a universal minimum age, or are country exceptions indicated? (1.3) Organization targeted, i.e., to whom is the code addressed? (1.4) Reference, i.e., is reference made to international standards (ILO, UN), either implicit or explicit, or to home- international country or host-country laws? And (1.5) Nature of the code (broad or strict), i.e., are alternative measures included in the code (such as education for children)? Or does the code only prohibit child labour? Additionally, four compliance monitoring criteria identified by Kolk and van Tulder are: (2.1) monitoring systems and processes; (2.2) the position of the monitoring actor; (2.3) sanctions and their scope; and (2.4) third-party sanctions.

**Child Labour and Multinational Conduct: A Comparison of Minimum-Age Requirements**

This section discusses Kolk and van Tulder's (2002a) exploratory research, entitled "Child Labor and Multinational Conduct: A Comparison of International Business and Stakeholder Codes," which examined how codes of conduct address child labour, focusing on minimum-age requirements, alternative measures such as education, monitoring, and sanctions. The authors analyzed 55 codes developed by firms (n = 40), business associations (n = 6), international organizations (n = 4), and NGOs (n = 5). Although the firm sample drew from Fortune 500 companies considered CSR pioneers, child labour provisions remained uncommon (Kolk et al., 2000).

Kolk and van Tulder (2002a) challenged the general assertion that voluntary self-regulation by businesses is sufficient to address child labour. Less than 20% of large multinational companies had child labour provisions in their codes; these codes also scored "mixed results" based on the specificity criteria and compliance likelihood identified in Kolk and van Tulder's model (p. 298). Company codes of conduct were the least specific, whereas NGO codes were the most exact. Kolk and van Tulder (2002a) explained, "Many company codes suggest universal applicability of a minimum age, for example, are country-specific and prefer vague or internal monitoring procedures, whereas others include clear monitoring mechanisms and sanctions for business partners in case of non-compliance" (p. 298). Kolk and van Tulder (2002a) found that severe sanctions were common in some actor categories—45% of MNEs and 80% of business support group [23] codes took severe sanctioning measures, such as terminating business relationships or cancelling orders.

Kolk and van Tulder (2002a) pushed forward the argument that "the prevention of child labour seems to be much less of a universal 'hypernorm' than is sometimes suggested" based on a "broad" approach to child labour emerging from the study rather than a strict approach to prohibiting child labour (pp. 297-299). The nature of the child labour code was "broad" if it included compensatory measures to address child labour, such as access to education, food, and health care, and alternative sources of income for children's families (p. 297). In their analysis of 40 MNEs, only three (less than 5%) adopted such an approach. They treat the "nature of the code" as a key variable

[23] The business associations (n = 6) included in Kolk and van Tulder (2002a) are: American Apparel Manufacturers Association; Athletic Footwear Association; Association Merchandising Cooperation; British Toy and Hobby Association; International Council of Toy Industries; Toy Industries of Europe.

to argue that child labour is not a universal hypernorm.

In international business ethics, hypernorms—understood as fundamental human rights (Enderle, 2016, p. 177)—refer to universal principles that bind economic actors and impose a duty on them to support institutions that secure access to basic social goods such as health care, food security, housing, and education (Donaldson & Dunfee, 1999b, p. 8). Drawing on Rawls (1999), these principles can be understood as norms through which institutions contribute to the efficient provision of basic social goods, including aggregate economic welfare and social justice.[24] International businesses are thus also responsible for contributing to socio-economic well-being and justice in communities where they operate. However, a review of Kolk and van Tulder's work (2002a; 2002b; 2004) suggests their reasoning is insufficient—even in its original context—to reject Donaldson and Dunfee's assertion that child labour constitutes a hypernorm or fundamental human right in international business ethics (Donaldson & Dunfee, 1994, pp. 265–271; Enderle, 2016, p. 177; OHCHR, 2011, p. 14). This interpretation informs the critique developed in this thesis of their 2004 analysis of international business ethics and remains relevant for evaluating subsequent developments in BHR approaches.

A related limitation of Kolk and van Tulder's approach is its focus on firm-level characteristics, with less attention to broader governance arrangements, public policy, local institutional conditions, and social norms. These omissions became particularly relevant when assessing how child labour standards are interpreted and implemented across different legal and social contexts and help explain why the present study extends the analysis beyond corporate codes to governance arrangements and employment practices.

### *Conceptualizing "Underage" to Measure the Minimum Age for Employment*

Kolk and van Tulder's (2002a) treated minimum age for employment as a specificity criterion. While they acknowledged that country-specific minimum ages may be most appropriate (pp. 264-265), their model lacks a clear normative anchor. They suggested that further analysis of differences across companies, home-country and public policy contexts would be valuable (p. 270). Their treatment of ILO C138 rules was particularly ambivalent. Although they identified age 15 as

[24] Rawls defines institutions in social contract theory as rules-based systems assigning roles with rights and duties, powers and immunities, permissible actions, and penalties for violations (Rawls, 1999, pp. 47-48). Institutions sustain social order and cooperation by governing individuals' behaviour through collectively recognized rules, including governmental, legal and educational systems.

a specificity criterion, they excluded ILO C138 from their scoring framework because it permits exceptions to a 15-year minimum age (Kolk & van Tulder, 2002a, Table IIa). This exclusion overlooks ILO C138's normative significance: the flexibility clause permitting a minimum age of 14 years under national laws in defined circumstances is a context-sensitive implementation mechanism, rather than a basis for excluding the standard itself. [25]

From a business and human rights (BHR) perspective, this exclusion is problematic because ILO C138 constitutes the internationally recognized framework governing minimum-age regulation. Kolk and van Tulder acknowledged that "a few company codes explicitly refer to this ILO code, which means that 15 years is mentioned, with 14 as a developing-country exception" (p. 295).

More broadly, their model was grounded in a CSR approach rather than a human rights framework. The indicators were not explicitly anchored in rights and corresponding obligations established by international law (OHCHR, 2006, p. 15, 2012a). Instead, Kolk and van Tulder (2002a) treated the UNCRC, ILO C138, and ILO C182 as "international organizations" (pp. 295, 299), rather than as authoritative normative standards. [26] From a BHR perspective, this framing is significant because the BHR framework affirms both the State's duty to protect human rights and the responsibility of businesses to respect "internationally recognized human rights" (OHCHR, 2011; Ramasastry, 2015, pp. 238, 245, 246-247). This floor includes the rights of the child, including those protected under the UN Convention on the Rights of the Child, ILO Convention C138 (Minimum Age), and ILO C182 (Worst Forms of Child Labour).

Four related limitations emerge from Kolk and van Tulder's treatment of minimum age:

1. **Misinterpretation of ILO C138's flexibility**: Kolk and van Tulder treated age 14 as incompatible with ILO C138 (p. 295), despite Articles 2(3) and 2(4) permitting a minimum age of 14 for ILO members under certain conditions:

   > (3) The minimum age specified in pursuance of paragraph 1 of this Article shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years. (4) Notwithstanding the provisions of paragraph 3 of this Article, a Member whose economy and educational facilities are insufficiently developed may, after

[25] Kolk and van Tulder (2002a, Table IIa) also omitted to acknowledge that ILO C182 mentions age 18.

[26] Kolk and van Tulder (2002a) also categorized the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct as an international organization.

> consultation with the organisations of employers and workers concerned, where such exist, initially specify a minimum age of 14 years. (ILO C138, 1973)

This distinction informs the study's indicator defining the general minimum working age as 15 years, or 14 years as an exception.

2. **Contradictions in data interpretation**: Although Kolk and van Tulder (2002a) excluded ILO C138 from their scoring framework, their own findings identified companies that explicitly referenced and applied the convention's standards. In their 2002 dataset, 8% of MNE codes (3 out of 40 companies) referred to a 15-year minimum age together with 14-year developing-country exception (Kolk & van Tulder, 2002a, p. 295), while their subsequent study also identified H&M and WE Fashion as explicitly referencing ILO C138 (Kolk & van Tulder, 2002b, p. 264). [27] This inconsistency suggests the evidence did not justify excluding ILO C138 from the scoring framework.
3. **Omission of hazardous-work standards**: The model focused on the general minimum age but did not distinguish hazardous work age thresholds. However, Kolk and van Tulder's own data identified examples of minimum ages of 16 and 18 years, including Nike's code and several other organizational codes (Kolk & van Tulder, 2002a, Table IIa, 2002b, Table 2). These cases illustrate the need to differentiate between general minimum-age rules and hazardous-work provisions.
4. **Limited treatment of conflicts of law**: Kolk and van Tulder (2002a) observed but did not analyze how MNEs navigate conflicts of laws regarding minimum-age standards by referencing both international standards (ILO C138) and national legal requirements. Most codes were country-specific (70% of MNE and 80% of NGO codes), often applying a higher age where host-country law required it. This transnational legal complexity is increasingly important in contemporary business and human rights governance.

[27] H&M and WE Fashion were not only the two companies that explicitly referenced ILO C138, but also the two companies that assumed broader responsibility for child labour by incorporating alternative arrangements, including access to education for children found working (Kolk & van Tulder, 2002b, p. 261).

The issue of conflicts of law is illustrated by the Reebok code of conduct:

> The company will not work with business partners that use child labour. The term 'child' generally refers to a person who is less than 14 years of age, or younger than the age for completing compulsory education if that age is higher than 14. In countries where the law defines 'child' to include individuals who are older than 14, the company will apply that definition. (Kolk & van Tulder, 2002a, p. 295)

This example illustrates how MNEs may seek to reconcile international standards, compulsory schooling requirements, and national law within a single child labour provision. It also foreshadows the concept of ethical capability developed later in this thesis, as navigating tensions among international human rights norms, national legal requirements, and local social norms requires rights-consistent and context-sensitive judgment rather than a simple choice between local and global framings, or universal and relativist approaches (Buller and McEvoy, 1999).

Taken together, these limitations inform the design of the Business and Child Labour Tool developed for this study. Consistent with ILO C138 and ILO C182, the tool distinguishes between two minimum-age indicators:

- a general (or basic) minimum working age of 15 years, or 14 years as an exception
- a minimum age for hazardous work of 18 years, or 16 years as an exception

**Nike Case and Hazardous-work Criteria.** Nike's policies illustrate why this distinction matters. Kolk and van Tulder (2004) noted that Nike's supplier code of conduct specified higher minimum-age thresholds than most multinational companies, including 16 years for apparel production and light manufacturing, and 18 years for footwear factory workers (Kolk & van Tulder, 2002a, p. 295; 2002b, pp. 263, 265). Rather than treating these age thresholds as anomalies, they can be interpreted as reflecting evolving concern with hazardous work and adolescent labour (Deva, 2014). Nike's policies subsequently incorporated differentiated age thresholds and restrictions for workers under age 18, reflecting developments associated with ILO C182 and ILO R190's adoption in 1999. The company's more recent standards require workers to be at least 16 years old, or past the national legal age of compulsory schooling, prohibit hazardous tasks for workers below 18, and include remediation measures, such as education support and continued wages, where non-compliance is identified (Nike, 2021; Nike, n.d.).

The case therefore demonstrates how corporate codes can evolve beyond a single minimum-age threshold to address hazardous work, adolescent labour, and remediation. These are indicators that were largely absent from Kolk and van Tulder's original framework but are incorporated into the Business and Child Labour Tool developed for this thesis. Nike's evolution also illustrates how corporate standards may respond to changing transnational labour norms while integrating safeguards and remediation mechanisms that extend beyond simple age-based prohibitions.

**The Effectiveness of Self-Regulation: Compliance Monitoring**

This section summarizes Kolk and van Tulder's (2002b) findings on compliance monitoring and the dilemmas of sanctioning. Treating child labour as a litmus test of self-regulatory effectiveness, their study, "The effectiveness of self-regulation: Corporate codes of conduct and child labour," analyzed six garment MNEs (Gap, Levi Strauss, Nike, headquartered in the United States; and C&A, H&M, and WE Fashion headquartered in Europe) and surveyed 15 opinion leaders. The sample emphasized monitoring and compliance, which, according to Kolk et al. (2000), increased the likelihood that companies conformed in practice. Child labour provisions were more prevalent in the apparel industry due to public interest and the frequent use of child workers than among the 100 largest Fortune 500 companies overall (13%) (Kolk et al., 2000).

Kolk and van Tulder (2002b) ask: How effective are corporate codes of conduct in addressing child labour? They focus on how monitoring is conducted and by whom, what happens to underage workers, and the limits of multinational responsibility across supplier relationships and social contexts. Using the same model as their 2002a article, this second article also derived its observations by studying the codes' internal characteristics (specificity criteria) and their compliance likelihood.

Kolk and van Tulder (2002b) concluded that corporate self-regulation can support social responsibility for child labour when codes are specific, strictly implemented and monitored, and when accompanied by alternative measures for underage workers. They explained:

> All respondents favour a broad approach to child labour, with an important role for specific, strictly implemented and monitored corporate codes of conduct, combined with alternative measures for under-age child workers. There is only some difference of opinion as to whether these arrangements must be included in the codes themselves or be part of a broader package of other policies, as preferred by a few company respondents. (p. 267)

They also concluded that respondents generally endorsed the positive impact of codes of conduct, particularly when accompanied by independent monitoring to enhance credibility and mitigate unintended consequences. This approach also recognized the importance of a supply-chain-wide implementation and attention to the host-country context. Although child labour codes of conduct were the most common forms of commitment, some companies integrated child labour concerns within other policy packages. The debate persisted over the appropriate placement of alternative measures, whether within the codes or in supplementary policies.

### *Conceptualizing "Lacking Adequate Safeguards" from Harmful Consequences*

A central tension concerns strict measures; Kolk and van Tulder's (2002b) conclusion warrants attention, as it remains surprising and controversial. They maintain that codes of conduct remained effective despite potential adverse side effects or harmful consequences. Kolk and van Tulder stated: "Possible negative side effects and limitations of codes are not seen as crucial factors that harm their effectiveness" (2002b, pp. 260, 269).

Kolk and van Tulder acknowledge evidence from Bangladesh's garment industry that strict sanctions can push children into more hazardous informal work (Basu, 1999) yet still treat these adverse side effects as manageable trade-offs within a broader compliance strategy: "A strict approach, such as firing child workers or terminating relationships with companies that employ them, does not necessarily change underlying causes" (Kolk & van Tulder, 2002b, p. 260).

Kolk and van Tulder's utilitarian perspective on effectiveness prioritizes the existence of a code and formal compliance over its impact on vulnerable populations. By contrast, a business and human rights perspective emphasizes human rights due diligence (HRDD)—preventing, ceasing, and mitigating human rights adverse impacts, and providing remedy—over formal compliance alone (Blackett & Trebilcock, 2015; McCorquodale, 2009; McCorquodale & Nolan, 2021; OHCHR, 2011; Trebilcock, 2015).

Respondents generally supported voluntary self-regulation through codes of conduct supplemented by broader CSR measures to address child labour (e.g., engage in community involvement, collaborate with child-focused NGOs, public institutions, and UNICEF) while recognizing that fewer than 5% of working children were employed in export industries, thereby limiting MNE responsibilities and what their supplier codes alone could achieve. Drawing on a broader set of managerial dilemmas concerning the effectiveness of child labour codes, Kolk and van Tulder identified several conditions that could reduce the effectiveness of corporate self-

regulation: (a) narrow child labour prohibitions without compensatory or alternative measures (such as education); (b) the absence of independent monitoring to ensure credibility and correct compliance; (c) supplier codes imposing higher labour standards than host-country laws, which could shift the child labour problem from the formal to the informal sector, (d) restricting interventions only to only export-oriented industries, which employ only a small proportion of child workers, (e) deviating social norms and values that do not lead to businesses fully integrating codes of conduct into their management systems, and (f) using codes as substitutes for government regulation, despite the continuing importance of public policy for addressing child labour. [28]

A gap emerges between principles and practices. Although most respondents endorsed extending responsibilities beyond direct first-tier suppliers, none of the MNEs applied their codes to third-party suppliers' supply chain-wide (p. 268). Companies cited costs and complexity in auditing dense international production networks, with likely cost implications passed through the chain and perhaps affecting consumer prices as well. Independent monitoring was preferred in principle but limited in practice, with few companies actually using third-party auditors: Nike employed third-party auditing (through PricewaterhouseCoopers); WE Fashion used the SA8000 standard for external verification; others relied largely on internal systems. Kolk and van Tulder (2002b) concluded that compliance monitoring systems were clear for all three European companies (C&A, H&M, and WE Fashion); vague for Gap and Nike; and absent for Levi Strauss. [29] Several MNEs preferred combining internal evaluation with selective external audits.

Sanctioning measures varied. Levi Strauss and Nike did not include sanctioning measures; their codes strictly prohibited child labour but did not specify mitigation or remediation obligations (e.g., payment of education costs for children or transition income). In contrast, C&A and Gap included explicit sanctions for suppliers and third parties; sanctions required a strict prohibition on child labour, including termination of business relationships with suppliers and cancellation of

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[28] Kolk and van Tulder also examined the view that MNEs without a child labour code might believe they are not responsible for child labour through self-regulation. However, they found no support for this position, as businesses generally took responsibility for child labour (p. 270). This view could be rationalized by businesses as follows: public institutions are responsible for enacting child labour legislation including rules; businesses are not rule making entities; and it is only necessary and sufficient for businesses to comply with host-country national legislation (pp. 261, 262).

[29] Kolk and van Tulder (2002b) report that Levi Strauss considered internal monitoring most effective (p. 266), while also noting external evaluators had assessed the company's code in the Dominican Republic and the Philippines. They further note Levi Strauss's participation in the Fair Labour Association (FLA) and Ethical Trading Initiative (ETI), both of which involve independent monitoring of member facilities.

outstanding orders with third parties. [30] WE Fashion uniquely required suppliers to take "remedial and corrective action and allocate adequate resources appropriate to the nature and severity" of nonconformances (Kolk & van Tulder, 2002b, p. 268), signalling the role that third-party certification frameworks (e.g., SA8000) can play. H&M stated it would terminate business relationship with a supplier if corrective measures were not taken by the supplier within agreed-upon timeframes, with supplier factories to bear the costs of alternative arrangements needed.

In summary, Kolk and van Tulder's effectiveness framework privileges code specificity, strict implementation, and strict compliance monitoring, and accepts strict sanctions even where foreseeable harmful consequences or cut-and-run risks may arise. By contrast, an integrative social contract perspective—illustrated by Levi Strauss's negotiated schooling-and-income arrangements (Donaldson & Dunfee, 1999b)—foregrounds safeguards to prevent foreseeable harmful consequences. This contrast underpins the indicator set used here to assess adequate safeguards—income continuity, access to schooling (including bridge education), remediation funding, safe rescue/withdrawal and rehabilitation, and non-retaliation—within voluntary standards, business employment practices, and ethical capability via public-private compliance and enforcement (Chapter 6; Hypothesis H3).

**Ethics in International Business: Multinational Approaches to Child Labour**

Kolk and van Tulder's (2004) paper, entitled "Ethics in international business: Multinational approaches to child labour," examined how child labour codes are embedded in strategic international human resource management (HRM) systems. Building on Buller & McEvoy's (1999) framework linking international strategy, HRM, and ethics practices in MNEs, Kolk and van Tulder (2004) analyzed codes of conduct from 50 leading MNEs (including 22 U.S. apparel companies) to assess the adoption of universal versus relativist norms. They interpret child labour codes as elements of HRM systems balancing global integration and local responsiveness.

Kolk and van Tulder (2004, p. 5) concluded that child labour codes were far more often aligned with local norms than with universal standards, contrary to what Buller and McEvoy (1999)

[30] If the business is suspended due to infringement of the C&A Code of Conduct, the business relationship may only be re-established after a convincing Corrective Plan has been submitted by the supplier, approved by C&A. C&A also requires corrective plans if there are infringements but no fully conclusive evidence to terminate business relationships. Such a plan must include alternative arrangements for children, and suppliers must pay for them. (Kolk & van Tulder, 2002b)

implied. Kolk and van Tulder (2004) argued that child labour posed fewer regulatory or ethical dilemmas when global strategies were grounded in universal ethical norms. Their supporting argument focused on three criteria: 1.1 Reference, 1.2 Minimum age, and 1.4 Applicability. Under 1.4, they found 52% of codes referenced only host-country laws, 26% cited "international conventions, i.e., international universal standards", 22% referenced neither, and none cited home-country laws (pp. 53-56). Under criteria 1.1 and 1.2, 66% of codes relied on country-specific minimum ages, 6% on universal minimum-age requirements, and 28% did not specify either (pp. 53, 56). Table 6 summarizes these patterns.

**Table 6**

*Summary of Minimum-age Standards (Kolk & van Tulder, 2004)*

| | Global consistency | - - - - - - - | Local responsiveness |
|---|---|---|---|
| Ethical approach, i.e., 1.4 Reference | Universal, i.e., international conventions, ILO, and UN (26%) | None (22%) | Relativist, i.e., host country laws only (52%) |
| Internal human resource management approach, i.e., 1.1 Minimum age to employment and 1.2 Applicability | Exportive, i.e., universal, worldwide minimum-age requirements (6%) | Not indicated (28%) | Adaptive, i.e., country-specific minimum-age requirements (66%) |
| Strategy | Global consistency, i.e., universal and exportive (3%) | Dilemma, i.e., universal ethics and country-specific HRM practices (31%) | Local responsiveness, i.e., adaptive and relativist (66%) |

*Note.* Adapted from Buller and McEvoy (1999, p. 332), Kolk and van Tulder (2004, Table 5); percentages based on n=35.

Kolk and van Tulder (2004, p. 53) further report that 66% of MNEs combined relativist ethics with adaptive HRM strategies focused on local responsiveness, 3% followed globally consistent approaches, and 31% paired universal ethics with country-specific (adaptive) HRM. Kolk and van Tulder conclude that even when MNEs adopt global codes, their overall approach tends toward local responsiveness, with ethical and HRM practices often diverging (2004, p. 53).

Taken together, their findings suggested universal ethical norms play a more limited role in shaping child labour codes than earlier theorized, highlighting the need to revisit how child labour dilemmas in international business are conceptualized (Kolk & van Tulder, 2004, p. 5).

Kolk and van Tulder (2004) frame MNEs as facing competing pressures: their consumer expectations in high-income countries urging them to ban child labour versus their business operations in weak regulatory environments, where child labour remains common. The next section challenges their position that child labour is not governed by universal norms (ILO, 1973; 1999), arguing that this position reflects limitations of their conceptualization and operationalization, rather than the nature of child labour itself. Chapters 6 and 7 assess this hypothesis using documentary and interview evidence. Although Kolk and van Tulder (2004) acknowledge complexity, their model reduces the dilemmas to a binary between universal and relativist ethics.

This binary is precisely what Buller and McEvoy (1999) sought to move beyond. Kolk and van Tulder's analysis did not address cosmopolitan ethics, which were central to Buller and McEvoy's (1999) conception of ethical capability for navigating conflicts among norms, laws, and ethical principles. According to Buller and McEvoy (1999, p. 332), this capability applies to moral economy issues (Polanyi, 1944/2001; Scott, 1976; Zelizer, 1985), such as child labour and gift-giving, in which firms seek common ground rather than default to universal rules or local norms.

In emphasizing the universalism-relativism distinction, Kolk and van Tulder (2004) largely leave unexplored the middle path identified by Buller and McEvoy (1999), which links transnational strategy, integrative HRM, and cosmopolitan ethics. These limitations underscore the need for a Business and Child Labour Tool that operationalizes ethical capability and counterfactual reasoning beyond a simple relativist-universal dichotomy. In this thesis, ethical capability is not primarily an internal moral disposition or cultural attribute. Rather, it is an organizational and governance capability through which businesses and standard-setting bodies translate international human rights and child labour norms into enforceable, context-responsive employment practices and governance arrangements.

## 3.3 Rationale for a Contemporary Business and Child Labour Tool

This measurement challenge motivates the indicator-based tool developed in this chapter: child labour is a latent variable; its attributes must be indirectly observed and inferred from indicators reflecting minimum-age standards, the nature and circumstances of work, and harmful

consequences. Treating child labour as latent clarifies how economic and social dynamics shape rules, norms, and legitimacy claims surrounding it. Chapters 6 and 7 examine areas of consensus and divergence—including blurred boundaries between what counts as child labour and what does not. This research documents what constitutes "child labour risks" in business practice, particularly within voluntary sustainable cotton standards in Andhra Pradesh, Telangana, and Gujarat.

Ethical capability, originally defined as "an organization's ability to identify and respond effectively to ethical issues in a global context" (Buller and McEvoy, 1999, p. 327), has been linked to strategies considered a competitive advantage in terms of balancing global integration with local responsiveness (Bartlett & Ghoshal, 2002; Taylor et al., 1996). MNEs may pursue multidomestic, transnational, or global strategies and adopt adaptive, exportive, or integrative HRM approaches. The adaptive approach refers to adapting practices to the host country; the exportive approach refers to imposing home-country practices; and the integrative approach uses a combination of best practices regardless of origin (Taylor et al., 1996, cited in Buller & McEvoy, 1999, p. 331). Buller & McEvoy also propose:

> There are also situations in which the MNC is compelled, through collaboration and/or imagination, to develop a unique response to a cross-cultural ethical dilemma, one that attempts to find the common ground among disparate moral views. For the purposes of this paper, we propose three possible general responses of the MNC when faced with a cross-cultural ethical conflict: *relativism* (i.e., adopting the local norms), *cosmopolitanism* (i.e., identifying the common moral ground), and *universalism* (i.e., enforcing universal moral principles). (Buller & McEvoy, 1999, p. 329)

A cosmopolitan culture using integrative human resource management or a transnational strategy "goes beyond simple rule formulations or ethical algorithms and is characterized by a higher level of moral sensitivity based on ongoing education and collaboration among decision makers across cultures" (Buller & McEvoy, 1999, p. 328). Hence, a "cosmopolitan" culture of ethical awareness in the MNE is neither relativistic nor universalistic.

What is largely missing from Kolk and van Tulder (2002a; 2002b; 2004) is an analysis of how child labour codes can reconcile universal norms with host-community expectations and circumstances. Integrative social contract theory emphasizes that norms should adapt to the communities where transactions occur to resolve conflicts among norms, while taking a principled

approach to remain consistent with "the spirit and letter of the macrosocial contract" (Donaldson & Dunfee, 1994, pp. 269–270).

**Conceptualizing Ethical Capability and Child Labour Risk**

Ethical capability enables multinational enterprises to exercise rights-consistent judgment when applying child labour rules through relativist, universal, or cosmopolitan ethical frameworks. The cosmopolitan approach requires stakeholder engagement in a collaborative effort to identify common ground in a moral-free space (Buller & McEvoy, 1999; Donaldson, 1989; Donaldson & Dunfee, 1994). Buller and McEvoy (1999) argued that developing ethical capability requires MNEs to establish a common understanding of complex child labour rules through learning and stakeholder engagement. This normative orientation presents a challenge to Kolk and van Tulder (2004), who approached their research questions from a descriptive (or positive) approach, using their model to analyze and compare codes of conduct from an organizational standpoint. Their approach does not resolve the ethical dilemma of whether companies should follow global or local rules regarding "underage" children aged 14-15 (Edmonds, 2008; ICLS & ILO, 2018a, pp. 3–4; Phillips et al., 2014; Zelizer, 1985).

In contrast, the present study uses a normative economic sociology approach to describe the cross-cultural dilemma in India's global cotton value chain. It examines how ethical capability can guide responsible business conduct in morally complex and cross-cultural contexts. It explores how transnational and integrative strategies can help enterprises navigate questions around "underage" workers, dilemmas in "no distinction" and the nature and circumstances of work by children, safeguard children from harmful consequences of work, and respond to risks deemed "irremediable", such as the unconditional worst forms of child labour or forced labour of children. Section 3.5 connects these dilemmas to human rights due diligence and theories of transnational labour law, particularly where severity and irremediability are at issue.

Against this backdrop, key questions arise in the context of India's global cotton value chain (see Table *7*): What rules should businesses implement to address child labour risks and uphold the human rights of working children? Should a universal minimum age be enforced? Should companies follow the host country's legal standards? How should local social norms and values be considered? What should a transnational and integrative strategy look like to demonstrate responsible business conduct and uphold the human rights of working children?

**International Business Ethics: Integrated Social Contract Theory**

Integrated social contract theory (ISCT) in international business ethics (De George, 1993; Donaldson & Dunfee, 1994; Jackson, 1997) provides a framework for understanding how ethical capability operates across global and local contexts. ISCT situates responsible business conduct within two levels of consent: a macro-social contract grounded in universal principles, and a micro-social contract reflecting local norms. The macrosocial contract comprises general principles that rational contractors, aware of the bounded nature of morality in economic affairs, would select to govern economic morality (Donaldson & Dunfee, 1994, p. 260).

**Table 7**

*Ethical Capabilities and Practices to Address Child Labour*

| | Global consistency | - - - - - - - | Local responsiveness |
|---|---|---|---|
| International strategy | Global | Transnational | Multi-domestic |
| HRM strategy | Exportive | Integrative | Adaptive |
| Ethics practices | Universal | Cosmopolitan | Relativist |
| Example of cross-cultural ethical dilemma: What minimum-age employment rules and safeguards should business enterprises implement in India for children aged 14 to 15 years old? Should they follow international standards, local laws and norms, or seek a transnational solution that reconciles both? | | | Localized norms (e.g. India's child labour law, local customs, and social values.) |

*Note.* Adapted from Buller & McEvoy (1999, p. 332).

Understanding ISCT highlights the limitations of Kolk and van Tulder's model. The macrosocial contract connects directly to debates on hypernorms (Donaldson & Dunfee, 1994, 1999b; Kolk & van Tulder, 2002a, p. 299; 2004, p. 50)—fundamental human rights (Enderle, 2016), including discussions linking ILO Fundamental Principles and Rights at Work to proposal for a social clause in trade agreements (Blackett, 1999; Kabeer, 2004). Donaldson (1989) argues that firms operating across home- and host-country contexts must honour "moral minimal" duties consistent with these fundamental human rights.

For the purposes of this study, child labour is treated not merely as a labour-market regulation but as a human rights norm grounded in the UNCRC, ILO C138, ILO C182, and the ILO Declaration on Fundamental Principles and Rights at Work. These instruments establish normative minima that constrain both business conduct and locally accepted practices. Ethical capability therefore concerns the organizational capacity to navigate normative tensions and translate these international human

rights norms and legal requirements into organizational decision-making and governance arrangements under conditions of legal pluralism and institutional variation. Ethical capability is embedded within transnational labour institutionalism, wherein labour governance is produced through interactions among international organizations, states, firms, certification schemes, civil society organizations, and local organizations rather than through state regulation alone.

Donaldson and Dunfee (1994, pp. 260-262) outline four principles constituting the macrosocial contract, with the second and third principles establishing constraints on the binding nature of localized (microsocial) contracts, ensuring they are procedurally and substantively ethical:

1. The principle of the "moral-free space", where local economic communities, including businesses and social groups, specify obligatory or contractual norms through microsocial contracts.
2. The principle of "consent and the right to exit the contract" introduces procedural constraints: for microsocial contracts to be binding, they must be "grounded in informed consent buttressed by the right of exit" (Donaldson & Dunfee, 1994, p. 262).
    a. This procedural safeguard ensures that localized norms reflect authentic agreement among economic actors in host communities.
    b. ISCT rejects the validity of norms where consent is compromised, including in contexts where consent cannot be genuine and where coercion or lack of freedom undermines choice, including situations of forced labour or the worst forms of child labour (Donaldson & Dunfee, 1994, pp. 262-269).
3. The principle of "legitimacy and hypernorms" requires substantive alignment: localized norms are binding only if compatible with hypernorms—universal principles of human rights and justice (Donaldson & Dunfee, 1994, pp. 265-271).
    a. Norms consistent with Principles 1 and 2 qualify as "authentic"; their status as "legitimate" depends on compliance with Principle 3.
    b. In combination, informed consent and hypernorms establish evaluation criteria for private regulation and certification schemes, encompassing both procedural integrity and substantive alignment with internationally recognized human rights, especially those protecting children's welfare, access to education, and freedom from child labour.

4. In the case of conflicts among norms, priority rules compatible with principles 1-3 should be used to resolve those conflicts.

Donaldson and Dunfee (1999a) illustrate the binding nature of real micro-social contracts: "In sum, then, the same logic that sanctifies a handshake between two individuals turns out also to sanctify the implicit understandings of economic communities woven throughout the business world. These are the informal but critical agreements—or "social contracts"—that provide the warp and woof of economic life. These are the agreements that exist within industries, national economies, trade groups, and corporations, and, further, that are the implicit "contracts" critical for understanding business ethics. These, then, are the 'ties that bind'." (p. 10)

From an ISCT perspective, ethical capability functions as the mechanism through which organizations reconcile authentic local norms with child labour hypernorms when these appear to conflict. ISCT's principles and rules illustrate how MNEs can uphold child labour hypernorms while adapting procedures to local realities. Donaldson and Dunfee (1999b) illustrate global-local tensions in the well-known Levi Strauss case from the 1990s, in which two suppliers in Bangladesh legally employed children under national law (Bangladesh's Factory Act), but contravened the company's policy. The company and suppliers negotiated a solution that maintained income, supported schooling, and upheld corporate principles. As explained by Donaldson and Dunfee:

> Forcing the suppliers to fire the children would not have ensured that the children received an education, and it would have caused serious hardship for the families depending on the children's wages. In a creative arrangement, the suppliers agreed to pay the children's regular wages while they attended school and to offer each child a job at age fourteen. Levi-Strauss, in turn, agreed to pay the children's tuition and provide books and uniforms. This approach allowed Levi-Strauss to uphold its principles and provide long-term benefits to its host country. (Donaldson & Dunfee, 1999b, p. 60)

While Kolk and van Tulder (2002b, pp. 260, 269) treated the negative side effects of strict measures—such as firing underage workers or terminating supplier relationships—as acceptable trade-offs that do not necessarily diminish a code's effectiveness, Donaldson and Dunfee (1999b), by contrast, emphasize that punitive or inflexible sanctions—such as "cut-and-run" can expose children to greater harm, when their livelihoods depend on context-sensitive working arrangements. This contrast underlines how Buller & McEvoy (1999, p. 332) and Donaldson and Dunfee (1999b)

interpret harmful child labour as a violation of hypernorms—moral minima that MNEs are responsible for respecting—whereas Kolk and van Tulder do not (2002a, p. 299; 2004, p. 50).

Under ISCT, MNEs are expected to prohibit child labour that is harmful even where local norms or laws permit children to work. Children's right to education and freedom from exploitation also constitute such hypernorms (Donaldson, 1989, pp. 171, 174; Donaldson & Dunfee, 1999b, p. 60). Ethical capability, in this sense, reflects an enterprise's ability to uphold these rights while navigating contextual dilemmas through engagement with local actors. As noted in Section 3.2, Kolk and van Tulder (2002a; 2004) do not treat child labour as a universal hypernorm. Their conception of a moral-free space leaves MNEs to choose between universal or relativist ethical norms, framing trade-offs between profitability and responsibility, and between shareholder and stakeholder values (Kolk & van Tulder, 2004, pp. 50, 58). However, this approach does not adopt a child-centred lens for preventing and mitigating child labour risks or for interpreting the ethical dilemmas that rise across diverse contexts.

**Ethical Capability as a Determinant of Lowering Child Labour Risk**

Consistent with the definition developed in Chapter 3, ethical capability refers to the capacity of business enterprises and standard-setting bodies to navigate normative tensions and translate international human rights norms and legal requirements into organization decision-making and governance arrangements.

This study extends ethical capability (H3) to transnational labour law, linking specificity (H2/C1) and public-private compliance and enforcement:

- H2/C1 (the role of child labour specificity criteria) analyzes policy content thresholds: minimum-age standards, definitions of the nature and circumstances of work, and harm-based safeguards.
- H3 (the effect of ethical capability of voluntary sustainability standards and business enterprises) examines how organizational capacity is expressed through governance arrangements, including credible monitoring, structured response mechanisms (mitigation measures, corrective action, and escalation procedures), proportionate enforcement, and child-centred remediation, and how these arrangements support the development of governance configurations more likely to reduce child labour risk.

Together, these elements function as INUS conditions—insufficient alone, but necessary within standards-based, state-based, and hybrid governance configurations that are associated with

lower child labour risks (equifinality). When specificity and compliance–enforcement in voluntary standards are embedded in credible private regulation (with enforcement capacity and normative legitimacy), they help operationalise the ILO Fundamental Principles and Rights at Work—notably the effective abolition of child labour—within day-to-day employment practices and supplier/procurement decisions. When integrated into legal frameworks (e.g., India's legal requirements; emerging supply-chain legislation in the European Union, Canada, etc.) and due diligence regimes, they can strengthen governance by clarifying duties, thresholds, and consequences, consistent with the UNGPs.

The implications of ethical capability emerge in two areas. First, global regulatory discourse is shifting toward mandatory transparency and due diligence in international supply chains under polycentric governance (states, firms, civil society, multi-stakeholders, and standards). Ethical capability aligns with European Union's Corporate Sustainability Due Diligence Directive (Directive 2024/1760), OECD Guidelines, and the UNGPs. Second, ethical capability requires recognizing children's rights not to be subjected to child labour and ensuring access to quality education as universal minima.

The dependent variable (Y) is *child labour risk* among children under 18 engaged in cotton production or processing. It reflects four foundational concepts in internationally recognized human rights law as these pertain to child labour: minimum-age standards and the nature, circumstances, and harmful consequences of work (ICLS, 2008, Table 5.1). The tool operationalizes child labour risks through four risk-relevant indicators: underage, no distinction, inadequate safeguards, and irremediable. Ethical capability is assessed separately through evidence of governance arrangements captured by the public-private compliance and enforcement dimensions of the tool. Together, these indicators capture the counterfactual logic required by H2/C1 and provide the basis for assessing the governance arrangements and governance configurations central to H3.

The risk of being "underage" requires distinguishing children below the minimum age for general admission to employment from adolescents who are underage for hazardous work. This study examines the limits of globally standardized approaches—such as imposing a uniform minimum employment age of 15—and shows that reliance solely on country-specific minimum ages is also insufficient (Kolk & van Tulder, 2002b, p. 265; 2002a). Evidence from India's cotton value chain indicates that rigid, uniform models overlook the complex local conditions that shape child labour risks and fail to account for their transnational characteristics. Addressing these risks

requires context-sensitive approaches grounded in ethical capability and attuned to multiple interconnected factors.

**Counterfactual Logic and the Risk of "No Distinction" and "Inadequate Safeguards"**

A central conceptual challenge is unavoidable: assessing child labour risks requires considering what a child would be doing in the absence of work. As one practitioner observed during an interview, "Any child not in school is, by definition, a child labourer." This perspective reinforces the treatment of schooling as the counterfactual safeguard in this study and supports the inclusion of education-linked indicators (attendance, retention, remediation) in the operationalization of child labour risk.

Many child labour theories and definitions do not resolve this counterfactual problem, even though it is embedded in international human rights standards. The counterfactual challenge has long complicated efforts to implement child labour measures consistent with international conventions (Edmonds 2008, p. 18). As Edmonds (2006, p. 4) notes, whether work is harmful depends in part on how schooling and child labour co-move with plausible exogenous factors. Without counterfactual reasoning, minimum-age thresholds and other indicators cannot show whether work displaces schooling, exacerbates deprivations, or exposes children to hazardous or coercive practices.

The risk of "no distinction" follows directly from the counterfactual problem: classifying work as posing a child labour risk requires assessing the likelihood that it is harmful to a child's health or development, or whether it interferes with schooling, relative to realistic alternatives available to the child in the absence of that work. Without such comparison, indicators based on age, sector, or activity may misclassify acceptable work as harmful, or obscure forms that are actually harmful in practice.

Incorporating counterfactual reasoning therefore ensures that the operationalization of child labour risks reflects the nature, circumstances, and consequences of work in India's cotton value chain rather than relying on proxies alone. This study narrows its scope to the cotton value chain while recognizing that ILO C138 allows flexibility for certain forms of agricultural work on family farms. The concept of "no distinction" must therefore be assessed in relation to sector-, product-, and geographic-risk factors (OECD, 2018a, p. 62) that shape whether work is likely to be harmful or to interfere with schooling.

The risk of "inadequate safeguards" recalls a longstanding human rights principle that the child, by reason of immaturity, needs special safeguards and care, including appropriate legal

protection to prevent harm (Declaration of the Rights of the Child, 1959; UNCRC Preamble). The right to quality education functions as a safeguard in the UNCRC and ILO C138. In contemporary usage, child safeguarding refers to actions that prevent and reduce the risk of harm to persons arising from contact with an organization or its work. In this framework, safeguards—especially schooling and allied child protection measures—serve as the counterfactual benchmark; they specify what children might do in the absence of work, allowing the analysis to assess whether observed work plausibly displaces schooling, deepens deprivations, or exposes children to hazardous or coercive practices. The risk of inadequate safeguards arises where such protections are absent, weak, or not effectively implemented, limiting the organizational capacity to prevent, deter, or remediate harm.

### 3.4 Normative Justification for the Business and Child Labour Tool

The development of the Business and Child Labour Tool is normatively justified by the conceptual and measurement gaps identified in Chapters 2 and 3, supported by a textual analysis of international laws and norms. Existing child labour indicators, including Kolk and van Tulder's model, do not fully reflect the international legal standard governing child labour or the counterfactual logic and specificity criteria required to test H2/C1 and H3.

The Business and Child Labour Tool was developed to operationalize the governance dimensions introduced in Chapter 3 and provide a systematic basis for assessing voluntary sustainability standards and business employment practice. The tool is used in Chapter 6 to evaluate specificity criteria, compliance-enforcement arrangement, and ethical capability across standards, and in Chapter 7 to examine how these dimensions are translated into business and farm-level employment practices. It therefore functions as the principal measurement instrument for testing H1 and H2/C1 and for comparing governance configuration more likely to reduce child labour risk (H3).

A review of international guidance documents and statistical resolutions (summarized in the Annex) and a textual analysis of existing child labour measures and indicators for business enterprises revealed common limitations. The tool was therefore developed in alignment with jurisprudence in key international instruments, including: ILO C138 and ILO R146 – Minimum Age Recommendation (1973), the UN Convention on the Rights of the Child (1989) and its Optional Protocols (2000), the ILO Declaration on the Fundamental Principles and Rights at Work (1998/2022), ILO C182 and ILO R190 – Worst Forms of Child Labour Recommendation (1999),

ILO Protocol 29 (2014) on forced labour, and the UN Guiding Principles on Business and Human Rights (OHCHR, 2015).

**Specificity Criteria**

While "minimum-age standards" typically receive attention in research and policy guidance, this study introduces three additional specificity criteria and eight indicators to provide a more comprehensive operationalization of child labour risks. Research that focuses exclusively on the general minimum age for work (15 years, or 14 years as the exception) often overlooks:

- minimum age for hazardous work (18 years or 16 years as an exception),
- nature and circumstances of work, and
- harmful consequences of work.

Similarly, focusing solely on the minimum employment age omits indicators related to employment status and work form—including agricultural work on family farms, informal-sector subcontracted work, and home-based work—and neglects indicators such as hazardous conditions, excessive hours, night work, and exposure to abuse. It also fails to capture the unconditional worst forms of child labour, which trap children in forced or bonded labour and are likely to cause severe and irremediable harm.

H2/C1 posits that comprehensive specificity criteria in policies are necessary but not sufficient on their own within configurations associated with lower child labour risk in business enterprises (Buller & McEvoy, 1999, p. 335; Donaldson & Dunfee, 1994, pp. 269–270). Employment practices are more likely to be effective when child labour rules embody key attributes of the right to be protected from economic exploitation, are consistent with national law and internationally recognized human rights, and when compliance monitoring is undertaken by independent third-party auditors empowered to impose punitive sanctions.

This research conceptualizes specificity criteria as an antecedent variable that operationalizes child labour as a human rights norm (a hypernorm), encompassing minimum-age standards and requirements regarding the nature, circumstances, and harmful consequences of work. These criteria should be fine-tuned within a moral-free space that recognizes contextualized microsocial contracts, while affirming that freedom from harmful child labour and the right to basic education remain non-negotiable moral standards regardless of conflicting norms. The logic of H2/C1, therefore, motivates the development of a public-private compliance and enforcement continuum. Additional specificity

criteria added to the tool include, for example, a "hazardous-work minimum age" indicator consistent with ILO C138 Article 3, and an indicator for "worst forms of child labour".

These revisions were consolidated into seven dimensions and 18 indicators. Table 8 summarizes the revisions used to update Kolk and van Tulder's model (2002a; 2002b; 2004); full indicator definitions and coding rules are provided in the Annex. The tool retains Kolk and van Tulder's compliance criteria but reframes them under "public-private compliance and enforcement criteria" to assess ethical capability including credible compliance monitoring, structured response (including proportionate corrective action and escalation), and enforcement arrangements.

Three indicators—organizations targeted, applicability of universal and country-specific minimum-age standards, and reference to international standards and national laws—are consolidated under the "public governance" dimension, together with compliance monitoring and enforcement (sanctioning) indicators. A disclosure dimension captures internal accountability, transparency, and supply-chain verification practices.

**Table 8**

*Business and Child Labour Tool: Summary of Changes*

| Criteria | Criteria change | Indicators (process-level) | Indicator change |
|---|---|---|---|
| Specificity criteria | | | no change |
| Minimum-age standards | revised | • The general (or basic) minimum working age is identified as 15 years, or 14 years as an exception | revised |
| | | • Hazardous-work minimum age is set at 18 years, or 16 years as an exception | new |
| Nature of work | new | • Different forms of children's work, including distinctions by status of employment | new |
| | | • Unconditional worst forms of child labour | |
| Circumstances of work | new | • Hazardous-work conditions | new |
| | | • Exposure to abuse | |
| | | • Hours of work and night work | |
| Harmful consequences of work | revised | • Nature of safeguard mechanisms (e.g., education, social protection, child protection) | revised |
| | | • Nature of occupational health and safety standards | new |
| | | • Priority action based on the severity of harm | new |

| Criteria | Criteria change | Indicators (process-level) | Indicator change |
|---|---|---|---|
| Public-private compliance and enforcement criteria | | | new |
| Public governance | new | • Organization targeted [31] | same |
| | | • Applicability of universal *and* country-specific minimum-age standards | minor revisions |
| | | • Reference to international standards *and* national laws | minor |
| Compliance monitoring | no change | • Monitoring systems and processes | no change |
| | | • Position of the monitoring actor | no change |
| | | • Regulatory approach for non-compliance (suppliers and contractors) [Formerly "Sanctions"] | no change |
| | | • Regulatory approach for non-compliance (third parties) [Formerly "Sanctions against third parties"] | no change |
| | | • Classification and graduated, remediation-capable enforcement | new |
| Disclosure of child labour and forced labour risk management | new | • Internal accountability standards | new |
| | | • Training for employees and management | |
| | | • Third-party verification of supply chains | |
| | | • Unannounced audits to evaluate suppliers | |
| | | • Compliance with host country laws | |

## 3.5 On the Horizon: Transnational Labour Law and Irremediable Harm

This section examines how human rights due diligence (HRDD) addresses the harmful consequences of children's work by prioritizing severity, including irremediability (J. Diller, personal communications, December 19, 2019). As outlined in Chapter 2, economic sociology (Granovetter, 1985; Nee, 2003; Zelizer, 1985) offers insights into children's work and child labour but does not resolve issues of unfree labour (ILO C182; ILO C029). In India, bonded/forced child labour persists in agriculture (cottonseed) and manufacturing (textiles; garments), which warrants foregrounding stringent HRDD grounded in international human rights and attention to peremptory norms from which no derogation is permitted.

[31] These dimensions on the nature and circumstances of work could either be separate or combined.

**Polycentric Labour Governance, HRDD, and a Gap on ILO C182**

Since their unanimous endorsement in 2011, the UNGPs have positioned HRDD as an expectation for responsible business conduct. [32] The three pillars of the UNGPs are the State duty to protect, the corporate responsibility to respect, and access to remedy. Businesses implement policies and processes—appropriate to size and circumstances—including HRDD to identify, prevent, mitigate, and account for adverse impacts (OHCHR, 2011, p. 15). HRDD typically involves four steps: identifying and assessing actual and potential adverse human rights impacts; integrating and acting on the findings; tracking the effectiveness of measures; and communicating how impacts are addressed (i.e., disclosure) (OECD, 2018a; OHCHR, 2011, 2012b, pp. 31–35). HRDD is integrated into related standards and instruments, including the OECD Guidelines for Multinational Enterprises (2011; 2023); the ILO MNE Declaration (1977; 2000; 2006); the International Finance Corporation's Performance Standards (2012); the Equator Principles (2013); and the Protocol of 2014 to the Forced Labour Convention. (Deva 2013; McCorquodale & Nolan, 2021, pp. 458, 461, 469) [33]

The UNGPs define the corporate responsibility to respect by reference to internationally recognized human rights and labour rights understood, at a minimum, as those expressed in the International Bill of Human Rights and the ILO Declaration on Fundamental Principles and Rights at Work (1998/2022), which encompasses, among other rights, freedom of association and collective bargaining; the elimination of forced or compulsory labour; the effective abolition of child labour; the elimination of discrimination in respect of employment and occupation; and a safe and healthy working environment (ILO, 2022; OHCHR, 2011, p. 13). Debates continue over the UNGPs' emphasis on "impact" and "risk", rather than "violation", with concerns that this can shift attention

[32] Taylor (2011) explains how the UNGPs reinforce States' obligation to regulate businesses while defining business responsibility for human rights through the due diligence concept, which renders it a corollary of the primary State duty to protect human rights. Thus, respecting internationally recognized human rights becomes the primary obligation for businesses.

[33] There has been alignment between the UNGPs (2011), OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (2011; 2023) and ILO Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy (1977; 2000; 2006). For example, under the OECD Due Diligence Guidance for Responsible Business Conduct (2018), the due diligence process outlines six steps that can be used not only to implement the OECD Guidelines, but also the UNGPs and ILO MNE Declaration. The OECD due diligence process outlines six supporting measures: 1) embed responsible business conduct into policies and management systems; 2) identify and assess actual and potential adverse impacts associated with the enterprise's operations, products or services; 3) cease, prevent and mitigate adverse impacts; 4) track implementation and results; 5) communicate how impacts are addressed; and 6) provide for or cooperate in remediation when appropriate.

away from breaches of obligation, affected persons, and legal injury; elements of customary human rights law may impose obligations directly on companies in cases of gross abuses (Deva, 2013, pp. 94-98).

The UNGPs' "Protect, Respect, Remedy" framework draws on new institutionalist theories of polycentric governance and collective action (E. Ostrom, 2010b; V. Ostrom et al., 1961; Ruggie, 2014, pp. 8-18; Taylor, 2011). Within the UNGPs, social norms—rather than treaty-like mechanisms or legal norms—play the central role in shaping responsible business conduct and complementing regulations that are legally binding on companies and backed by enforcement sanctions. While much empirical work on polycentric governance addresses environmental governance (Morrison et al., 2019), this approach is extended to transnational labour law grounded in international human rights (Blackett and Trebilcock, 2015; Deva, 2013). At the same time, few international instruments impose legally binding obligations directly on corporations with respect to child labour (Deva, 2014, p. 171), reinforcing the importance of governance arrangements that operate through a combination of public regulation, private standards, and social norms.

A human rights-based power analysis examines micro- and macro-level mechanisms, pragmatic power (Ostrom, 2010a; 2010b), framing power (Scott, 2008), and the duties and responsibilities of external actors in rulemaking and rule-keeping for international labour standards. In the context of labour, such analysis clarifies how governance arrangements relate to social upgrading, decent work, and workers' rights in global value chains (Phillips et al., 2014; Selwyn, 2013), particularly in relation to child labour risks. This power-centred lens also exposes a critical gap: despite their salience for irremediable harm, peremptory norms tied to worst forms of child labour (e.g., forced or bonded child labour) are not consistently translated into binding HRDD requirements.

In practice, HRDD can blur with business due diligence. Legal scholarship warns that this conflation risks superficial compliance: procedural rules for corporate due diligence lack a clear, common standard; without genuine corporate commitment to human rights, it might become a "tick-box exercise" (Muchlinski, cited in Blackett & Trebilcock, 2015, p. 106). Trebilcock (2015) argues that labour rights due diligence is inherently different from general business due diligence, particularly in terms of (a) internal human resources, (b) workers in linked business enterprises through contractual relations and supply chains, and (c) collective and representational rights (Trebilcock, 2015, pp. 106–107). Recognizing that labour rights are human rights (Alston, 2004;

ILO, 1998; Langille, 2005; Trebilcock, 2015), transnational labour law clarifies duties and responsibilities across borders and draws strength from work over centuries to build and consolidate labour standards, including child labour (Blackett, 2020, p. 457, 2021; Dahlén, 2007).

### *Irremediable Risks and Prioritization*

The concept of *irremediable* aligns with business and human rights practice that prioritizes action by severity, emphasizing prevention, mitigation, and remediation where adverse impacts are irreversible (see Appendix E1, "severe human rights impact"). Due diligence guidance increasingly uses severity to prioritize responses and structure disclosure (ILO & International Organisation of Employers [IOE], 2015; OECD, 2017, 2018a). Under UNGP Principle 14, severity is defined in terms of scale, scope, or irremediability, reflecting the gravity of harm, the number of individuals affected, and the feasibility of restoring individuals' prior enjoyment of rights (OHCHR, 2011).

The universal ratification of ILO C182 (since August 2020) underscores the need to examine child labour risks through this severity lens, including mitigation measures and sanctions that prioritize action on "irremediable" harms. This severity lens also reframes Kolk and van Tulder's (2002b) findings on compliance monitoring including sanctioning; while strict codes may have unintended harms and sanctions may not address root causes, their conclusion still favours strict wording and implementation. Their CSR model of self-regulation contrasts with business and human rights approaches, emphasizing mandatory HRDD to prevent, cease, and mitigate violations and abuses.

### *Jus Cogens, Forced Labour, and Irremediable Harm*

In international law, *jus cogens* refers to peremptory norms that are non-derogable, universally applicable, and hierarchically superior to both treaty law and customary international law. A non-exhaustive list includes the prohibitions of aggression, genocide, crimes against humanity, racial discrimination and apartheid, slavery, and torture, along with the basic rules of international humanitarian law (International Law Commission, 2022, A/77/10, chap. IV, Annex). Within this framework, the prohibition of slavery is widely recognized as a *jus cogens* norm. Transnational labour law scholarship similarly recognizes the prohibition of forced labour as a *jus cogens* norm (Blackett & Trebilcock, 2015, p. xiii).

Some scholars further argue that *jus cogens* status may extend to certain unconditional worst forms of child labour, particularly child slavery, the forced labour of children, and child prostitution (Diller & Levy, 1997b; Humbert, 2018; McDougall, 2017), although debates remain regarding the

status of bonded labour systems. These issues are especially relevant in transnational contexts because crimes such as slavery, human trafficking, child prostitution, and related offences are governed by treaties establishing specialized international legal regimes aimed at their prevention, suppression, and punishment (International Law Commission, 2022, pp. 240-241). Within transnational labour law, the recognition of forced labour and slavery-like practices as *jus cogens* norms reinforces the priority accorded to severe forms of exploitation and highlights the limits of purely voluntary approaches to labour governance.

This view of *jus cogens* contrasts with Ruggie's (2014) perspective, which stated, "at an everyday level jus cogens norms do not help resolve ordinary normative conflicts" (p. 17). However, empirical evidence suggests their practical relevance. For example, strict prohibitions of child labour in Bangladesh's garment industry displaced children into more hazardous work or prostitution (Basu & Van, 1998; Fyfe and Jankanish, 1997; Nielsen, 2005), underscoring the need for mitigation- and remediation-oriented, HRDD-aligned responses to ILO C182 risks.

Without effective legal institutions and public policies, child labour continues to be incorporated into global value chains in adverse ways (Basu & Van, 1998; Phillips, 2013; Phillips et al., 2014). Similar concerns arise in bonded-labour contexts, such as the Sumangali scheme in Tamil Nadu's textile industry, where girls, some as young as 12, are recruited under multi-year contracts with wages withheld until a "dowry" lump sum is paid, amounting to forced labour of children (Fairwear Foundation, 2019). Private auditing alone is often insufficient; many child labour violations fall within labour inspection mandates, while forced labour of children and ILO C182 violations also fall under criminal law (Trebilcock, 2015, p. 105). Accordingly, H3 highlights the limits to CSR-based voluntary self-regulation of child labour (Kolk et al., 2000; Kolk & van Tulder, 2002a, 2002b, 2004) and the increasing role of external rulemaking and rule-keeping authorities (Kaplinsky & Morris, 2001, p. 68), with state-based enforcement required in egregious violations (ILO C182; ILO C029).

In summary, HRDD remains only partially operationalized in business scholarship with respect to international law and peremptory norms, particularly given the UNGPs' emphasis on severity (including irremediability), which should guide prioritization. Chapters 6-7 examine whether employment practices align with Ruggie's account under conditions shaped by jus cogens, and whether they are associated with lower child labour risks. Conceptually, *jus cogens* implies stringent HRDD, especially for forced child labour. Irremediability is therefore operationalized to

anchor evaluation thresholds for State and business behaviour within the hypotheses. Recent developments, including the Supreme Court of Canada's decision in Nevsun Resources Ltd. v. Araya, 2020 SCC 5, have further stimulated debate regarding the relationship between business conduct, customary international law, and peremptory norms, including prohibitions against slavery, forced labour, and crimes against humanity.

## 3.6 Conclusion

This chapter developed a Business and Child Labour Tool (Table 4) within a normative economic sociology framework, drawing on integrative social contract theory and extending Donaldson and Dunfee's (1994) proposition that freedom from child labour constitutes a hypernorm and fundamental human right.

**Synthesis: Elaboration of Hypotheses Operationalized**

The chapter examined H2/C1 and H3 to reassess Kolk and van Tulder's concepts of *specificity* and *compliance monitoring*, evaluating whether their framework adequately captures the configurational complexity and normative dimensions of child labour risk—particularly in contexts characterized by outsourcing, informality, and non-binding regulatory arrangements. Section 3.5 situated these hypotheses within broader developments in human rights due diligence and transnational labour law, emphasizing the ways in which severity and irremediability shape expectations regarding business conduct.

Building on Donaldson and Dunfee (1994), H3 conceptualizes ethical capability as the organizational capacity to navigate normative tensions and translate international human rights norms and legal requirements into organizational decision-making and governance arrangements under diverse and legally plural governance conditions. This organizational capacity is expected to be associated with lower child labour risks, particularly in situations involving underage work, inadequate safeguards, or severe or irremediable harms. For empirical purposes, public-private compliance and enforcement arrangements provide evidence of this capacity through monitoring, response, enforcement, and remediation practices.

The Business and Child Labour Tool operationalizes the study's core constructs: child labour as a human rights norm, specificity criteria (H2/C1), public-private compliance and enforcement arrangements, ethical capability (H3), and child labour risk. In doing so, it extends Kolk and van Tulder's framework by integrating child labour specificity, counterfactual logic, ethical capability,

and public-private governance into a multidimensional analytical framework suitable for comparative analysis across standards, firms, and institutional contexts.

The dissertation examines child labour governance across four interconnected levels of analysis. At the process level, Chapter 6 investigates how voluntary sustainability standards operationalize child labour rules and compliance and enforcement arrangements (H1). Chapter 6 also examines specificity criteria and work-school distinctions central to H2/C1. At the macro level, Chapters 4 and 7 analyze how public policy regimes, social actors, and society-dependent enforcement shape child labour governance (H4). At the meso level, Chapter 7 examines how business enterprises respond to these governance conditions through their employment practices and ethical capability (H3).

Together, these levels of analysis provide the foundation for examining how child labour risks are governed across interconnected polycentric institutional environments in which regulatory authority is dispersed among state, market, and civil society actors, and how different combinations of specificity, ethical capability, and governance arrangements contribute to reduce child labour risk and more effective prevention and remediation outcomes.

# CHAPTER 4
# Public Policy Regimes & Child Labour Risks Across Indian Cotton-Producing States

This chapter situates child labour within India's labour market, legal and regulatory framework, and social service landscape, with particular attention to how state-specific factors—especially informality, schooling pathways, rural poverty, and enforcement arrangements—shape the embeddedness of child labour risks.

The chapter proceeds in four parts. Section 4.1 examines India's labour market structure and the institutional limits of laws including regulatory instruments in an economy dominated by informal, family- and home-based work. Section 4.2 reviews the evolution of India's child labour laws and governance frameworks, highlighting gaps in coverage and enforcement. Section 4.3 analyzes national and state-level data on working children and child labour, including district-level variation, and patterns of marginal work in rural communities. Section 4.4 synthesizes multidimensional poverty evidence to assess rural and education-related deprivations shaping children's work-school trajectories. Together, these sections provide the context for the analysis in Chapters 6 and 7.

**Conceptual Contribution**

A central conceptual thread in this chapter is society-dependent enforcement (Amengual, 2016): labour regulation and enforcement are shaped not only statutory design or bureaucratic capacity, but also by how public rules are embedded within state-society relations. In India, implementation depends on local political will, NGO engagement, and decentralized district-level arrangements, as seen in the National Child Labour Project's District Project Societies. This perspective complements the thesis's focus on rules-in-use, underscoring that protections hinge on coverage and credible enforcement, particularly where informal, family- and home-based work predominates.

The chapter recognizes long-standing regional patterns in public action and social-sector outcomes that condition enforcement and child labour risks. Since the 1970s, southern states such as

Kerala, Tamil Nadu, Andhra Pradesh, and Karnataka have consistently outperformed most others on education, health, and child welfare, despite ranking in the middle to lower range of per capita income; several high-income states (e.g., Punjab, Haryana, Maharashtra) also perform above national averages (Kohli, 2004; 2012). In contrast, states such as Bihar, Odisha, Uttar Pradesh, Madhya Pradesh, and Rajasthan have lagged across multiple indicators. These structural divergences frame cross-state variation and help explain why similar legal frameworks yield different outcomes. Viewed through Kohli (2004)'s framework, Kerala reflects a redistributive or social-democratic state, Gujarat a growth-first pro-business orientation, and Andhra Pradesh and Telangana fall between these poles, combining industrial promotion with selective welfare initiatives.

These developmental trajectories are also relevant to society-dependent enforcement. Kohli's analysis suggests that long-run differences in state-building and public action shape the capacity of states to deliver education, welfare, and social protection. Such differences may also influence the strength of relationships between government ministries, local communities, and civil society organizations. States with stronger traditions of public action are therefore more likely to demonstrate governance conditions supportive of collaborative forms of enforcement, including coordination among labour departments, schools, child protection actors, and NGOs. From this perspective, variation in society-dependent enforcement may reflect not only differences in formal regulatory frameworks, but also longer-term differences in state-building, public-action, and society-state relations (Amengual, 2016; Kohli, 2004, 2004).

While these developmental trajectories provide useful context for understanding state-society relations and enforcement capacity, labour-market policy orientation is not treated as a distinguishing explanatory variable in this study. Earlier pro-worker/pro-employer classifications are not retained. Enforcement-sensitive critiques and outcome-based employment condition indicators suggest that the three case-study states cluster within a similar mid-to-high range of employment quality rather than at opposing poles (ILO & IHD, 2024). Consequently, the effect of labour-market policy orientation on child labour risk is not examined. Appendix C details the reassessment and its implications for case selection and variable choice.

This chapter operationalizes the public policy context that conditions the mechanisms analyzed later. It links to the Chapter 3 constructs—specificity criteria (H2/C1), ethical capability (H3), and the role of social actors in enforcement (H4)—and provides the structural and institutional baselines (informality, schooling, rural deprivation, coverage, enforcement capacity)

and normative baseline (internationally recognized child labour prohibitions, regulations, and education rights) required for the standards comparison in Chapter 6 and the business-level, cross-state analysis in Chapter 7.

## 4.1 Labour Market Regulations and the Informal Economy

### India's Developmental Path and the Enduring Challenge of Informality

India is among the world's largest and most diversified economies, yet it has long struggled with low per capita income and exceptionally high informality. This developmental trajectory reflects a distinct path: a prolonged reliance on agriculture for employment, services-led growth, and a manufacturing sector that did not absorb labour at scale. As Mehrotra (2019) argues, the "Lewisian" transition of workers out of low-productivity agriculture arrived late, between 2004–05 and 2009. Even then, much of the workforce moved into informal services and microenterprises (leaving most workers without any hope of social insurance), rather than moving into organized manufacturing with social protection (Mehrotra, 2019, p. 19; Mehrotra et al., 2014). The result is a dual economy: modern, capital-intensive segments operate alongside extensive small-scale and family-based enterprises and home-based production, where children's work is most easily concealed.

Mehrotra (2019) argues that India's post-independence industrial strategy, rooted in state-led capitalism, was ill-suited to absorb surplus agricultural labour into formal employment. India's mixed economic model channeled investment into import-substituting industrialization (ISI), prioritizing heavy industries such as steel, machinery, and chemicals to achieve industrial self-reliance. Guided by the Planning Commission, this strategy was implemented through the Industries (Development and Regulation) Act of 1951, and a complex system of industrial licenses and permits (the "license-permit raj"), which restricted firm entry and expansion while labour law design focused on the formal sector (Aghion et al., 2005; Bhattacharjea, 2006).

Economic liberalization in the 1990s accelerated output growth and expanded a services-led middle class, but produced only partial employment transformation, with industry (manufacturing and construction) absorbing little labour. After a "retrograde development" (Mehrotra, 2019, p. 7) in agricultural employment (2000-05), the number of agricultural workers began to fall after 2005, marking the delayed onset of India's structural transformation on the employment side (2004-09). This shift occurred in an economy where agriculture's share of the gross domestic product (GDP)

had already declined—54% in 1951; 33% in 1991, 14% in 2014 (Mehrotra, 2019, pp. 8-9)—and has since remained broadly stable at around 16% in recent estimates (2024-25). Over the same period, services expanded to account for roughly half of total output (from 47.8% in 2015 to 49.9% in 2024), while industry's share declined (from 27.3% to 24.6%), and manufacturing contracted (from 15.6% to 12.6%) (World Bank, n.d.). This pattern reflects that services like trade and finance drove most economic growth, while there was limited industrial deepening. Many industries remained dependent on tariff protections for imported goods to stay competitive, and the gains from expanded foreign trade were unevenly distributed (Mehrotra, 2019; Mehrotra et al., 2014).

**Regulatory Complexity, Enforcement Capacity, and Incentives to Stay Small**

A large number of central and state labour laws were enacted over the decades, discouraging workers' mobility and the expansion of organized manufacturing or services. Small firms were frequently exempted, while medium and large firms faced layers of rules intended to protect workers and guide industrial development. In practice, this discouraged transitions into the organized sector and ultimately entrenched informality by constraining formal job creation and limiting labour market flexibility (Betcherman, 2012; Freeman, 2010, p. 20). Enforcement capacity was thin: with only about 6,000 labour inspectors nationwide in a very large, heterogeneous economy. [34] Mandatory social insurance applied mainly to formal workers, so the costs and risks of formality were concentrated in a subset of firms. Employers responded rationally to avoid compliance, capping workforce size, outsourcing labour-intensive tasks, or adopting labour-saving technologies. For child labour governance, this means the visibility of violations is very low, especially where subcontracting chains are long and record-keeping is limited.

Informality remained a defining feature of India's labour market. According to the Periodic Labour Force Survey (2017-18), 83.5% (217 million) of non-agricultural employment was informal, substantially higher than the 60% predicted based on India's per capita GDP (Mehrotra, 2019, Table 3). Countries with similar poverty levels, such as Brazil, Costa Rica, Uruguay, and Uganda, have informal non-agricultural employment rates closer to 40%, while Uganda (a low-income economy) records a rate of around 70%. (Mehrotra, 2019, Table 3; Mitra, 2016)

[34] The U.S. DOL has recommended that India deploy about 35,000 labour inspectors to adequately monitor its labour force of over 523 million people, far more than are currently in place.

Across the economy as a whole, informal employment accounts for 88.2% of India's workforce, reaching 99.7% in the agricultural sector, compared with 81.4% in industry and 77.6% in services (ILO, 2018b, p. 118). This informality exhibits important age and gender dimensions: women, young people and children are disproportionately concentrated in the informal sector, and they are also more likely to work as informal workers in the formal sector.

Conversely, only about one-fifth of the workforce is employed in the formal sector, including mining, plantation agriculture, manufacturing, utilities, and organized services. Although relatively small, this sector contributes disproportionately to GDP, includes many of the economy's higher-productivity activities, and provides a larger share of social protection coverage. It is also the primary focus of labour regulations and of trade unions, employer associations, and professional bodies that shape labour relations and economic policy.

**Small-Scale Industry Reservations and Firm-Size Effects**

Industrial policy amplified these incentives. The small-scale industry (SSI) reservations and subsidy regime—covering 836 consumer products by 1990—was intended to support dispersed entrepreneurship and employment, but it created perverse incentives for firms to remain below size thresholds and avoid formalization. Mehrotra (2019, p. 4) explains that the non-agricultural economy was dominated by own-account workers and tiny establishments employing two to nine workers. These accounted for 99% of unorganized non-agricultural business units: 84% were owned accounts, and 16% were micro-enterprises. Such units often lack payroll systems or age-verification procedures and rely heavily on household labour, making children's work difficult to detect and limiting the reach of statutory protections.

**Human Capital, Schooling, and the Supply of Informal Labour**

On the supply side, low and uneven public investment in education and skills reinforced reliance on informal jobs. Mehrotra (2019) argues that slow growth and industrial policy encouraged the proliferation of unregistered, low-wage firms with poor working conditions, while labour laws centred on the formal sector failed to correct this imbalance. However, the most significant supply-side constraint was India's insufficient investment in education, which produced a poorly educated workforce that was largely employable only in the informal economy. Liberalization in the 1990s

deepened these structural gaps, prioritizing deregulation and fiscal adjustment over human development. [35]

Drèze and Sen (2013) situate this within a broader tradition of public action, emphasizing the pivotal role of public services in educational transformation and highlighting India's comparative lag in expanding schooling. "Oddly enough," they observe, "despite the strong pro-education rhetoric in the Indian national movement, the expansion of school education has been remarkably slow in India—much slower than in East Asia" (p. 112). India also lagged several poorer South Asian neighbors, including Bangladesh and Nepal, both of which achieved faster improvements in adult and female literacy among youth between 1960 and 2010. Kerala is a notable exception, reflecting a longstanding pro-education strategy. (Drèze & Sen, 2013, pp. 110–113) [36]

National programs such as Sarva Shiksha Abhiyan, the Mid-Day Meal Scheme, and the Right to Education Act (2009) expanded access and attendance, but implementation and quality remained uneven across states and districts. Where education systems are weak—or where the indirect costs of attendance are high—households face sharper work–school trade-offs, raising the likelihood that children enter the labour force.

This structural account of human development and schooling helps explain the persistence of child labour in India and aligns with Basu and Van's (1998) "luxury axiom": when adult earnings cannot meet basic needs, families rely on children's work as a constrained choice rather than a preference. The same constrained-choice perspective resonates with Sen and Drèze's critique of India's development model, which emphasizes how inadequate public provisioning—particularly in education, nutrition, and social protection—limits household capabilities and perpetuates intergenerational poverty. In short, child labour is not only a regulatory problem; it is fundamentally a structural one, a point that frames the empirical assessments that follow.

**Implications for Child Labour Governance**

The structural features outlined above have direct implications for how child labour is governed in India and for the distribution of responsibility between business and the state. First,

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[35] Critics of these neoliberal structural adjustment programs called for an "adjustment with a human face" (Cornia et al., 1987), advocating growth strategies that protect vulnerable people.

[36] For rising economic powers, such as Japan, industrial policy accompanied with agricultural reforms and compulsory education enabled miracle growth from 1953 to 1970. This was followed by the East Asian miracle between the 1960s and 1990s in South Korea, Taiwan, Singapore, Hong Kong, all of which included compulsory education to skill the labour force (Birdsall et al., 1993, p. 15) and then China from 1988 to 1998 (Drèze & Sen, 2013, pp. 110–113).

coverage matters as much as content. In settings dominated by informal, family-, and home-based work, statutory protections have limited reach; where work occurs outside the formal sector, child and adolescent labour prohibitions are often inapplicable, weakly enforced, or practically unenforceable. This structural constraint shapes the conditions under which public and private employment practices are associated with children's work. Second, enforcement is society dependent. In environments with small firms, long subcontracting chains, and dispersed production, child labour detection and remediation hinge on the embeddedness of regulation and enforcement actors in local social and political networks; the National Child Labour Project exemplifies district-level coalitions. Third, public policy interacts with business practices. In cotton-textile value chains, private standards and buyer requirements can shape risk identification and mitigation, but outcomes depend on the surrounding institutional environment—above all, the clarity of definitions (H2/C1) and observed governance arrangements for public-private compliance and enforcement. Child labour governance is a shared responsibility. Taken together, these implications motivate the sequence of Sections 4.2-4.4 and provide the structural context for Chapter 6 (standards comparison) and Chapter 7 (business-level, cross-state analysis) testing the role of child labour specificity criteria (H2/C1), the effect of ethical capability of voluntary sustainability standards and business enterprises (H3), and the role of social actors in enforcement (H4) in reducing child labour risks.

## 4.2 India's Child Labour Laws and the Regulatory Framework

India significantly revised its child labour regime in 2016 by amending the Child Labour (Prohibition and Regulation) Act of 1986, renaming it the Child and Adolescent Labour (Prohibition and Regulation) Act of 1986 (CALPR) and aligning it with the Right to Education Act (2009). [37] For the first time, the law prohibits all employment of children below 14 and establishes hazardous-work protections for adolescents (14-18), with limits on night work and hours. In 2017, India ratified ILO Conventions C138 (Minimum Age) and C182 (Worst Forms of Child Labour); revised Schedule (2017) and Standard Operating Procedures operationalize

[37] India has ratified all key ILO conventions on child labour and forced labour, including C138, C182, C029, and C105. It is also a party to the UNCRC and its optional protocols on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict. India maintains a reservation to UNCRC Article 32, affirming supports for the Convention's objectives and for protecting children from all forms of exploitation, while stating that full implementation of economic, social, and cultural rights must proceed progressively in light of resource constraints (UN Treaty Collection, n.d.).

enforcement and re-specified hazardous occupations/processes. (George & Panda, 2015; Kailash Satyarthi Children's Foundation [KSCF], 2019; U.S. DOL, 2020-2024)

This thesis treats the regulatory framework as multidimensional, comprising: (a) legal provisions (constitutional guarantees, CALPR and related statutes, treaty commitments); (b) coverage and scope (e.g., the family-help exception; compulsory education; adolescent protections; technical and vocational education and training linkages); and (c) enforcement capacity and practice (labour inspections, First Instance Reports (FIRs), prosecutions/convictions, program operations). This approach integrates structural (laws, rights, ratified treaties) and process (inspections and enforcement outputs) indicators in line with international guidance (OHCHR, 2012a).

**Historical Evolution of Child Labour Laws in India**

India's child labour regime evolved from colonial factory statutes that raised minimum ages and regulated hours in specific industries—embedding a regulatory rather than prohibition paradigm that persisted until the 2016 amendment to the CALPR. Early ILO instruments included special rules for British India due to its colonial status, [38] and reflecting divergent concepts of childhood [39] and competitiveness concerns (Dahlén, 2007). Over time, amendments to the Factories Acts gradually raised initially low minimum employment ages, reduced maximum hours, expanded prohibitions on "dangerous" processes, and introduced age-verification requirements (Hindman, 2009, pp. 783–787; Jadhav, 2019, pp. 4–6; Sekar, 1997, pp. 37–52).

In the 1930s, British India passed its first child-specific labour laws; the 1933 Children (Pledging of Labour) Act (still in force) prohibits child bondage, [40] and the 1938 Employment of

[38] For example, the ILO C005 – The Minimum Age (Industry) Convention of 1919 established a global minimum age of 14 years for industrial undertakings, while setting 12 years as the minimum age for India. Other conventions, such as ILO C006 – The Night Work of Young Persons (Industry) Convention (1919), specified 18 years as the minimum age for night work in most industrial undertakings and 16 years in others. However, in India, it applied only to "factories" as defined in the Indian Factory Act and did not apply minimum age requirements to male young persons over 14 years old. ILO C033 – The Minimum Age (Non-Industrial Occupations) Convention (1932) also included special rules for British India.

[39] According to Dahlén (2007, p. 334), the discussion about India in the ILO Conference materials is typical of what Edward Said (1979) called "orientalism". Dahlen notes many examples in International Labour Conference materials of condescending attitudes toward the Indian population, which were used by government representatives of India to blame uneducated parents for child labour in India, rather than accept the blame for failing to adopt legislation on compulsory education.

[40] According to Article 3(a) of ILO C182, the worst forms of child labour include "all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, *debt bondage* [my emphasis added] and serfdom and forced or compulsory labour, …"

Children Act introduced the first "child labour" law. [41] After independence, the Factories Act (1948) raised the minimum age to 14, while the Minimum Wages Act restricted working hours for children to 4.5 hours per day. The Employment of Children Act was amended in 1949 to harmonize the industrial minimum age at 14. (Sekar, 1997)

In 1979, the Government appointed the Gurupadaswamy Committee on Child Labour, which recommended uniform minima (15 for general employment age, 18 for hazardous work) and regulation of hours and working conditions (Government of India, Ministry of Labour, 1979). However, the Child Labour (Prohibition and Regulation) Act of 1986 took a narrower approach: it prohibited employment of children under 14 only in listed hazardous areas, regulated working conditions in other sectors, and allowed family-based work. The law did not cover adolescents; a uniform minimum employment age and regulatory protections against hazardous work for adolescents were introduced three decades later, via the 2016 amendments. [42]

India's Constitution of 1950 modelled India as a quasi-federal state. This constitutional arrangement created a federal distribution of legislative powers and functions between the Union and the states, placing education, social security, and labour on the Concurrent List. Both the Union Parliament and state legislatures can legislate on these subjects; however, where provisions conflict, Union law prevails—an arrangement that shapes state-level implementation and enforcement. Key constitutional provisions relevant to child labour include:

- Article 24 prohibits the employment of children, reading: "No child below the age of fourteen years shall be employed to work in any factory or mine or engaged in any other hazardous employment."
- Article 23 prohibits human trafficking and forced labour.
- Article 45 (non-justiciable Directive Principles of State Policy), which commits states to provide, within ten years, free and compulsory education for all children until they

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[41] The *Employment of Children Act* (1938) set the minimum age of employment at 13 years for the transport of passengers, goods, mails, by rail, or in the handling of goods at docks, quays or wharves, but excluded transport by hand. It was amended in 1949 to harmonize the industrial minimum age at 14. The *Child Labour (Prohibition and Regulation) Act of 1986* repealed the *Employment of Children Act* (1938).

[42] Other laws address worst forms of child labour, including the Bonded Labour System (Abolition) Act, the Children (Pledging of Labour) Act, the Juvenile Justice (Care and Protection of Children) Act, the Immoral Traffic (Prevention) Act, the Protection of Children from Sexual Offences Act, the Information Technology Act, and the Narcotic Drugs and Psychotropic Substance Act, and the Penal Code (U.S. DOL, 2020).

complete 14 years. However, as a setback to children's rights, the Constitution (1950) did not guarantee education as a fundamental right.

It was not until 1993 that Supreme Court jurisprudence affirmed the right to education and, in 2002, the 86th Constitutional Amendment made free and compulsory education for all children 6-14 a fundamental right. [43] In 2009, Parliament enacted the Right of Children to Free and Compulsory Education Act (RTE Act), guaranteeing education in a neighbourhood school until the completion of elementary education, i.e., the eighth class.

**2016 Amendments to the Child Labour Law: Progress and Gaps**

India made significant progress in 2016. The Child Labour (Prohibition and Regulation) Amendment Act, 2016, established a general minimum age for employment (14 years) and prohibited all hazardous work by adolescents. The amended statute—now titled the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986—also imposes stricter penalties for employers who violate the law. Alignment with the Right to Education Act (2009) constitutes an important step forward. The CALPR Article 2 defines a "child" as "a person who has not completed his fourteenth year of age or such age as may be specified in the Right of Children to Free and Compulsory Education Act (2009) …, whichever is more," while an "adolescent" is defined as "a person who has completed his fourteenth year of age but has not completed [sic] his eighteenth year." Under the Right to Education Act (2009), Article 2(c) a "child" means "a male or female child of the age of six to fourteen years".

Supporting regulatory instruments include the 2017 revised Schedule to the CALPR, which lists hazardous occupations and processes prohibited for all children below 18, Standard Operating Procedures, and interfaces with the Occupational Safety, Health, and Working Conditions Code (2020) for "hazardous" definitions. Table 9 outlines work considered child labour before and after the 2016 amendments. (George & Panda, 2015; KSCF, 2019, p. 1)

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[43] According to the Supreme Court decision, the passage of 44 years (rather than the ten years stipulated in Article 45 of the Constitution) had effectively converted the non-justiciable right to education of children under age 14 into one enforceable under law. The Supreme Court held that the right to basic education is implicit in the fundamental right to life under Article 21 when read in conjunction with the Directive Principle on education (ESCR-Net, n.d.). This contributed to the recognition of education as a fundamental right for children aged 6 to 14 (Government of India, 2002).

**Table 9**

*Definitions of Child Labour for India, 1986 and 2016*

| Age group: | General production boundary | | | | |
|---|---|---|---|---|---|
| | Work within the "general production boundary" as defined in the 2008 System of National Accounts (SNA) [1] | | | Non-SNA production | |
| | (1a) Regular work in SNA production | Worst forms of child labour | | (3a) Hazardous unpaid household services | (3b) Other work in non-SNA production |
| | | (2a) Hazardous work in SNA production | (2b) Worst forms of child labour other than hazardous work | | |
| **India's Child Labour (Prohibition and Regulation) Act of 1986** | | | | | |
| Children below the minimum age for employment (i.e., age 14) | **Work permitted only under limited conditions:** • non-hazardous work, • no more than 3 hours before a rest break of one hour, • no more than 6 hours per day (including the rest interval), • no night work between 7 p.m. and 8 a.m., and one full weekly rest day. | **Prohibited:** • work in specified hazardous occupations and processes; • long hours; and night (7 p.m. and 8 a.m.) | Other legislation prohibits forced labour, trafficking, commercial sexual exploitation, the use of children in illicit activities, and sets a minimum age for voluntary state recruitment. | **Not permitted:** • work in workshops for long hours or continuously for more than 3 hours, • night work between 7 p.m. and 8 a.m., • hazardous occupations/ processes. | **Permitted:** • supervised, non-hazardous assistance to the family or in recognized school settings, within hour limits. |
| **India's Child and Adolescent Labour (Prohibition and Regulation) Act of 1986 (CALPR), as amended in 2016** | | | | | |
| Children below the minimum age for employment (i.e., age 14) * | **Prohibited:** All employment under 14 is prohibited. | **Prohibited:** • work in hazardous occupations and processes (2017 hazardous list); long hours; and night (7 p.m. and 8 a.m.) | **Prohibited:** • Worst forms (per ILO C182). Other legislation covers forced labour, trafficking, commercial sexual exploitation, the use of children in illicit activities, and sets a minimum age for voluntary state recruitment. | **Not permitted:** • long hours or continuous help over 3 hours in own-use or household services, • work during school hours; • night work or between 7 p.m. and 8 a.m., • any help involving hazardous occupations /processes (2017 list). | **Permitted:** • non-hazardous, school-compatible assistance if the child helps their family or family enterprise, within hour limits. |
| Adolescents aged 14 up to but not including 18 years) | **Work permitted if:** • less than 6 hours per day and 6 days or fewer per week, and, not on the 2017 hazardous list. | | | | |

Denotes child and adolescent labour
Denotes activities not considered child and adolescent labour

| |
|---|
| * Definition of "child": a person under age 14, or such age as may be specified in the Right of Children to Free and Compulsory Education Act (2009), whichever is higher.<br>** Right of Children to Free and Compulsory Education Act (2009): "child" is 6-14 years; "elementary education" means education from first class to eighth class; free education is an entitlement even after 14 years.<br>1. India's CALPR, as amended in 2016, does not define "light work". |
| The CALPR Schedule (Ministry of Labour and Employment, 2017b), Part A, refers to the "Hazardous occupations and processes in which adolescents are prohibited from working, and children are prohibited from helping.<br>Prohibited hazardous activities as relevant to cotton/textiles include: (30) Dyes and dyestuff, including their intermediates.<br><br>The CALPR Schedule, Part B, refers to the "List of occupations and processes where children are prohibited from helping in family or family enterprises (in addition to Part A).<br>Prohibited activities as relevant to cotton/textiles include:<br>• dyes and dyestuffs, including their intermediates;<br>• any occupation concerned with the handloom and powerloom industry;<br>• processes:<br>o cloth printing, dyeing, and weaving (including preparatory and incidental processes);<br>o cotton ginning and processing, production of hosiery goods.<br>o manufacturing or handling of pesticides and insecticides. |

Adapted from ICLS & ILO statistical standards on child labour (2008) and India's Child and Adolescent Labour (Prohibition and Regulation) Act of 1986, as amended 2016).

Despite this progress, coverage and scope gaps remain. A key concern is Article 3's family-help exemption, which allows children under 14 to "help his family or family enterprise … after his school hours [or] during vacations." Critics argue this exemption undermines the law's intent, weakens universal schooling, is prone to misuse (false "family" claims), and raises exploitation risks, especially for marginalized communities. The Parliamentary Standing Committee on Labour (2013) warned that employers could misuse such a clause by falsely claiming child workers as family members. George and Panda (2015) argue that legally enabling children to work in family enterprises to learn skills may reinforce caste-based roles and limit social mobility through education. These risks are pronounced in rural and informal contexts, where excluded social groups, including Scheduled Tribes, Scheduled Castes, and Other Backward Classes (OBCs), are more likely to engage in family-based and home-based work.

**Federal Structure, State Variation, and Policy Instruments**

Under the CALPR, the Ministry of Labour and Employment (MoLE) serves as the competent authority responsible for India's child labour governance. Several statutory and technical bodies structure the centre's role, including the Central Advisory Board on Child Labour (policy reviewing and welfare recommendations), the Child Labour Technical Advisory Committee (which updates the Schedule of prohibited hazardous work), the Central Monitoring Committee (comprising representatives from state governments and relevant ministries to oversee the National Child Labour

Project), and the V. V. Giri National Labour Institute (providing research and technical support) (MoLE, 2017). States often mirror these arrangements through their own monitoring and coordination committees to align labour, police, education, and child protection functions.

Because labour falls on the Concurrent List, Parliament sets a national floor, while states may issue operationalize or augment enforcement (e.g., higher penalties, clarified authorities, but cannot dilute central protections. Illustratively:

- Gujarat's amendment increased maximum fines from 50,000 Indian rupees (INR) to INR 100,000 (approximately $603 to $1,207 USD) and broadened designated authorities through the Child and Adolescent Labour (Prohibition and Regulation) (Gujarat Amendment) Act of 2020.
- Telangana's updated rules, detailing guardrails for the family-help exemption and specifying multi-agency awareness and enforcement roles, were issued under the Telangana Child Labour (Prohibition & Regulation) (Amendment) Rules in 2021.
- Andhra Pradesh continues to rely on its 1995 rules focused on health and safety conditions under the central Act, as part of its implementation framework.

**Implementing India's Child Labour Law: Institutions, Programs, and Convergence**

The National Policy on Child Labour (1987) introduced a convergence approach, linking the elimination of child labour with education, healthcare, nutrition, and livelihoods across government departments. The National Child Labour Project (NCLP) Scheme [44] operationalized this approach, focusing on withdrawal and rehabilitation in coordination with education and child protection systems. Initially launched in 1988 in just nine districts, the NCLP began as a small special school program providing bridge education, nutrition, and basic vocational training for children aged 5-14 withdrawn from labour in high-incidence areas and hazardous industries (e.g., glass, brassware, locks, carpets, slates, tiles, matches, fireworks, gems, agrochemicals, beedis).

The NCLP expanded in phases through the 1990s and 2000s, reaching 100 districts during the Ninth Five-Year Plan (1997–2002), 250 districts during the Tenth Plan (2002–2007), and 271

[44] In Indian public administration, a "scheme" is a government initiative with defined goals, funding arrangements, and implementation plans. Schemes fall into two categories: Central Sector Schemes (funded and administered by the central government), and Centrally Sponsored Schemes (jointly funded by the centre and states and implemented by state governments). Funding for the NCLP Scheme comes directly from the central government through the Ministry of Labour and Employment, while the NCLP District Project Societies operate under the administrative control of the State Government.

districts during the Eleventh Plan (2007–2012), including districts covered under the INDUS Project—a technical cooperation initiative between the MoLE and the Directorate of Education, and U.S. DOL implemented by the ILO-IPEC (USD $40 million; 2003-09). Since 2016, it has also included adolescents engaged in hazardous occupations. By 2021, the scheme had been sanctioned in 324 districts, although only 59 were operational as of March 31, 2021. (Samantroy et al., 2021; Satpathy et al., 2010; UNICEF Innocenti Research Centre, 2021)

The NCLP's operational objectives are:

1. Identification, withdrawal, and bridge-to-school. Proactively identify children in work (with priority to hazardous work), withdraw them, and provide bridge education and other supports to prepare them for mainstream education. Since 2021, this function has been carried out in coordination with *Samagra Shiksha*.
2. Adolescents in hazardous work. In line with the CALPR, as amended in 2016, withdraw adolescents (14-18) from hazardous occupations/processes and facilitate their vocational training through existing skills development schemes.
3. Awareness and frontline orientation. Build role clarity and strengthen the use of Standard Operating Procedures across labour inspectorates, police/anti-trafficking units, education systems, Panchayats [45], and Child Welfare Committees so complaints convert into inspections, FIRs, and child protection referrals; sustain community awareness of prohibitions and regulatory limits, including the family-help exemption.
4. Monitoring and coordination. Maintain case-level tracking and multi-agency coordination—historically through NCLP Project Societies and tools such as the Platform for Effective Enforcement for No Child Labour) portal (PENCIL) portal. Since 2021, coordination has occurred within the education sector and through district-level convergence mechanisms, aligned with the central government's model guidance.

***NCLP Merger and Program Shift***

In 2021, the NCLP was merged into Samagra Shiksha, India's flagship Integrated Scheme for School Education. This merger shifted emphasis from standalone "special schools" to mainstream enrolment with transitional support (bridge support, learning recovery, and limited skills

[45] *Panchayats* are local self-government institutions in rural India; *Gram Panchayats*, the village-level tier of three-tier Panchayati Raj system, play a key role in grassroots governance and community engagement.

training). Rescued children are now Children aged 5-8 who have been rescued from child labour situations are directly linked to formal education under the Samagra Shiksha program; children aged 9-14 years attend two-year bridge education in Special Training Centres run by District Project Societies and operating under the SSA scheme, and then be mainstreamed to schools (Lok Sabha Secretariat, 2023, p. 19). The new design places school attention and retention at the centre of child labour remediation while still requiring:

- frontline detection and withdrawal (labour department and police),
- statutory child protection referrals (Child Welfare Committees under the Integrated Child Protection Scheme),
- follow-up monitoring across agencies.

This shift raises a broader question about whether child labour withdrawal capacity and rehabilitation support have kept pace within a school-system-centred model.

**District-level implementation.** At the district level, multi-agency task forces—bringing together labour, police, education authorities, and child protection actors—coordinate identification, rescues, referrals to Child Welfare Committees, and school enrolment. Administrative platforms, including the PENCIL portal, are used in some states to support case tracking.

**Child protection and post-rescue support.** Post-rescue, the child protection system, which is implemented through the Ministry of Women and Child Development's Integrated Child Protection Scheme, Childline 1098, and TrackChild, plays a key role. Child Welfare Committees assess each child, arrange temporary care or family reunification, and link them to education and social protection services. Education authorities and schools are responsible for enrolment and retention, and for completing the remediation pathway between labour/criminal enforcement and durable remediation.

**Enforcement functions.** Enforcement responsibilities are shared across agencies:

- State labour ministries and labour inspectorates conduct workplace inspections and impose administrative penalties.
- State and local police units, including Special Juvenile Police Units, register FIRs and lead criminal investigations, particularly in cases of trafficking or bonded labour offences.
- District Magistrates oversee prosecution steps, while Child Welfare Committees provide the statutory gateway for child protection once a child is withdrawn.

- Anti-Human Trafficking Units intersect with labour enforcement when cases involve inter-state movement.

**Targeted rescue campaigns.** Several states also conduct periodic, police-led rescue campaigns (e.g., Operation Smile/Muskaan) in coordination with child protection authorities to locate and withdraw missing or exploited children, including those trafficked or in bonded labour. These time-bound operations—typically directed at high-risk environments such as railway stations, bus stops, traffic junctions, brick kilns, mechanic shops, and tea stalls—function as episodic enforcement surges and complement routine inspections and protection systems.

***Limited Reach and Uneven Governance***

Despite a more comprehensive legal framework since 2016, significant data gaps persist in the implementation and monitoring of the National Child Labour Project. Publicly available program and enforcement statistics remain incomplete, under-reported, and inconsistent, limiting their use as definitive measures of performance.

Program outputs contracted over time, with a sustained reduction in reported rescues and mainstreaming after 2015-16, and a sharp drop after 2020–21, when administrative restructuring and the merger of the NCLP into Samagra Shiksha coincided with declining withdrawal and bridge-education activity. Detailed annual series are provided in Appendix D1; Figure D1; Table D6.

Funding levels have also diminished over the past decade. Union budget allocations for NCLP-related lines have declined as a share of the Ministry of Labour and Employment budget over the past decade, and revised estimates frequently fell below initial allocations. Year-to-year budget shifts and state shares are summarized in Appendix D1; Table D4; Table D5.

The distribution and functioning of District Project Societies and Special Training Centres (STCs) also vary markedly across states, raising persistent concerns about underutilization and uneven coverage for children withdrawn from work, and underscoring the gap between sanctioned design and actual throughput (KSCFa, 2022). Some states retained functioning STCs through the transition to the education system, while others experienced substantial reductions. These differences shape the extent to which withdrawn children receive sustained educational support and are then mainstreamed into schools. Time-series outputs and STC footprints for Andhra Pradesh, Gujarat, and Telangana appear in Appendix D1.

Enforcement indicators under the CALPR remain low nationwide and vary by state. Measured criminal-law outputs (FIRs, rescues, prosecutions, convictions) show modest or minimal

activity in Andhra Pradesh and Gujarat during selected periods, whereas Telangana reports comparatively higher FIR and rescue activity. Given underreporting and inconsistencies in official data, these figures are treated as descriptive indicators rather than definitive performance measures. Comparative snapshots appear in Appendix D1; Table D7; Table D8.

### *State-level Variation*

Operational and enforcement outputs differ across states. Andhra Pradesh and Gujarat show declining program footprints and minimal CALPR enforcement, while Telangana demonstrates comparatively higher rescue and FIR activity over selected periods. Gujarat has been less active in the NCLP scheme compared to the former unified Andhra Pradesh, including in the number of sanctioned districts and the scale of operational centres. Detailed annual series are provided in Appendix D1.

### *Summary*

The available data indicate that program reach and enforcement activity vary considerably across states and over time, and that national-level reporting remains incomplete and inconsistent. Reported inspections, FIRs, prosecutions, convictions, rescues, and mainstreaming efforts are low relative to estimated prevalence and often fluctuate without a clear explanation. These limitations underscore the need for caution when interpreting administrative figures.

Following the 2021 absorption of the NCLP into Samagra Shiksha, intended to streamline child welfare and education pathways, the operational implications have been uneven across states and districts; in several contexts, the transition has coincided with reduced specialized child labour withdrawal and bridge-education capacity, while local schools may lack sufficient capacity to enrol and support all rescued children, exposing gaps at the interface of bridging education and child protection services. (U.S. DOL, 2023)

Taken together, Section 4.2 demonstrates that institutional capacity, resources, and coordination shape how India's child labour framework operates in practice. To situate these dynamics within the empirical reality of children's work, Section 4.3 presents national and state-level patterns of child and adolescent labour, establishing the quantitative context for subsequent analysis.

## Society-Dependent Enforcement and Child Labour Governance

Child labour regulation and enforcement in India operates within a society-dependent governance environment. Consistent with North's (1990) conception of institutions, child labour

governance is shaped by formal rules, legal frameworks, and enforcement structures, while also remaining embedded within broader social relationships and networked actors. In polycentric governance arrangements (Ostrom et al., 1961; Ruggie, 2017), authority and problem-solving capacity are distributed across multiple centres of decision-making rather than concentrated exclusively within the state.

Kohli's analysis helps explain why society-dependent enforcement may vary systematically across Indian states. Where states have historically invested in education, welfare, social protection, and administrative capacity, enforcement actors may be better positioned to collaborate with civil society organizations, schools, child protection systems, and local communities. Conversely, in environments characterized by weaker public capacity or weaker state-society relationships, enforcement may be more episodic or dependent on external interventions. Variation in child labour governance therefore reflects not only differences in legal frameworks but also differences in the broader institutional and developmental context within which enforcement occurs (Amengual, 2016; Kohli, 2024, 2012).

Drawing on Nee's (2003) conception of socially embedded institutions, informal norms, trust-based relationships, and network ties shape actor behaviour and institutional performance. Society-dependent enforcement (Amengual, 2016) highlights how social actors—including NGOs, SSE enterprises, civil society and workers' organizations, FPOs, cotton farmers, and community groups—can trigger, sustain, or redirect enforcement through decentralized monitoring, norm diffusion, and adaptive enforcement.

Formal legal protections are therefore frequently supplemented by NGOs, community organizations, child protection actors, farmer organizations, trade unions, and international agencies. This role is particularly important in rural and informal sectors where labour inspectorates face capacity constraints and where child labour is often embedded within family-based and seasonal work arrangements. Consequently, child labour enforcement depends not only on legal rules and administrative capacity, but also on the extent to which social actors participate in monitoring, awareness-raising, detection, rescue, remediation, and school reintegration.

The evidence reviewed in this chapter suggests that child labour governance under India's regime functions less like a traditional labour inspection model and more like a child protection regime with labour-enforcement components. Unlike adult labour regulation—which is typically mediated through formal employment contracts and market mechanisms—child labour governance

operates as a protection-oriented framework nested within education rights, juvenile justice, and the social fabric of households and communities. Rather than relying on a single enforcement system, responsibilities are distributed across multiple actors involved in (a) legal and policy frameworks, (b) justice and accountability, (c) worker and community advocacy, and (d) child protection service delivery.

Child labour governance therefore extends beyond regulating employment and industrial practices to encompass the delivery of protective and rehabilitative services. Viewed through the lens of society-dependent enforcement, the activities of child-focused NGOs and other civil society actors appear not merely complementary to state action, but an integral part of the enforcement landscape. Their role in detection, rescue, remediation, and school integration frequently depends on coordination across multiple institutions, consistent with approaches to strengthening child protection systems (Global Affairs Canada, 2014; Landgren, 2005; UNICEF, 2008, 2012; Wulczyn et al., 2010)

Programs such as the National Child Labour Project illustrate this collaborative model. Implementation relies on district-level networks linking labour departments, police, education authorities, child protection institutions, and NGOs. Chapter 4 highlights the difficulty of constructing a labour enforcement narrative under low administrative capacity. Data gaps on child labour prevalence, coverage, funding, and coordination undermine implementation, while enforcement is neither absent nor solely state-driven: major NGOs and international agencies collaborate with the government—or act independently—to strengthen evidence and deliver socially mediated enforcement. District Task Forces chaired by District Magistrates typically coordinate with police and NGOs for inspections and rescues, reflecting a shared enforcement model suited to informal and high-risk contexts where inspectorates are insufficient. For example, rescue operations often occur through NGO-police-district networks rather than solely through state inspectorates (e.g., Bachpan Bachao Andolan has conducted thousands of raid-and-rescue operations with law enforcement and district authorities, supporting rehabilitation and reintegration).

Social groups therefore function as both norm carriers and enforcement intermediaries, operating through relational ties, awareness-building, and shared expectations. As posited in H4 (role of social actors in enforcement), these actors can strengthen and at times, weaken, monitoring and enforcement processes, particularly in informal and decentralized production systems where child labour risks concentrate. The effectiveness of enforcement therefore varies not only across legal

frameworks but also across state-society relationships and local institutional capacity. These observations provide contextual support for H4 and suggest that variation in social mobilization, education infrastructure, child protection services, and local governance capacity may condition how labour standards, public policy, and enforcement arrangements shape child labour outcomes across states.

## 4.3 Data on Working Children & Child Labour in India

This section situates Section 4.2's institutional analysis within India's broader child labour data landscape, covering working children, child labour, and adolescent hazardous work. It proceeds in three parts: (a) national estimates; (b) contradictions and limitations; and (c) state-level evidence for the former unified Andhra Pradesh (including Telangana, where reliable data are available) and Gujarat. The analysis foregrounds inconsistencies across official sources and examines their policy significance in the context of the 2016 amendments to the Child Labour (Prohibition and Regulation) Act, 1986, which extended the child labour ban to all sectors and introduced new protections for adolescents aged (14-18).

Persistent gaps—including the invisibility of adolescents in hazardous occupations and processes, unpaid family labour, child domestic work, and the absence of enforcement outcome data—obscure the scale, magnitude, and nature of child labour. Internationally comparable estimates rely on the Census of India, National Sample Survey (NSS), produced through collaborations between the Ministry of Labour and Employment and the ILO's Statistical Information and Monitoring Programme on Child Labour (SIMPOC) program, alongside educational and out-of-school statistics, UNICEF's Multiple Indicator Cluster Surveys (MICS), the World Bank's Living Standards Measurement Study, and administrative series. These datasets are not harmonized, resulting in inconsistencies that complicate trend and accountability analysis. Desk reviews and interviews confirm that reliable estimates remain difficult to obtain; reports by the Kailash Satyarthi Children's Foundation (KSCF), UNICEF, and the V. V. Giri National Labour Institute fill gaps.

### National Data: Scope, Trends, and Limits

The primary official sources—the decennial Population Census (latest: 2011) and the NSS Employment and Unemployment Surveys—use distinct concepts ("main" versus "marginal" workers in the Census; "principal" versus "usual" activity in the NSS). Because these classification

systems differ, the resulting figures are not directly comparable without careful methodological alignment. The Ministry of Statistics and Programme Implementation (MoSPI) has noted discrepancies and highlights the absence of age-disaggregated occupational data to distinguish hazardous work, hours-worked data, coverage of adolescents 15-18, and child domestic labour. These statistical gaps are well documented. [46] (Ministry of Labour and Employment, n.d.; National Institute of Public Cooperation and Child Development, 2018) [47]

The National Commission for the Protection of Child Rights further critiques official data for lacking a clear definition of child labour. Current estimates rely primarily on age-wise worker distribution and focus on economic contributions to the gross national product. The Commission underscored conceptual slippage between "child workers" and "child labour", urging a rights-based perspective rather than treating children solely as economic units (National Commission for Protection of Child Rights [NCPCR], 2015, pp. 4–5).

Despite these limitations, the Census and NSS remain indispensable for trend analysis. [48] The Census distinguishes between "main" workers (working ≥ 6 months or ≥ 183 days/year) and "marginal" workers (working < 6 months or < 183 days/year). In 2011, 1.7% of children (4.35 million) were main workers and 2.2% (5.77 million) were marginal workers.

Amid long-term declines, the decade of 1991-2001 stands out as an exception (see Figure 5; Table 10). The Kailash Satyarthi Children's Foundation attributes the increase in child labour during this period to the effects of economic liberalization, which expanded the demand for low-cost labour (2020, p. 4). Child labour rose in 15 states—including Bihar, Haryana, Himachal Pradesh, Punjab,

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[46] A number of expert bodies have highlighted persistent statistical gaps in India's child labour data. The Deshpande Study Group on Labour Statistics (1999) and the Rangarajan Report (2001) recommended methodological improvements, including time-use surveys, clearer classification of children's economic and non-economic activities, and targeted studies on areas and activities prone to bonded labour and other extreme forms of labour exploitation (Bhatt & Abdullah, 2012; Government of India, Ministry of Labour, 1999). The UN Committee on the Rights of the Child similarly recommended the Government of India to establish a national database on "the types and extent of child labour, most of which occurs in the informal sector", through technical cooperation with the ILO's International Programme on the Elimination of Child Labour (IPEC). An ILO assessment of India's labour statistics system further confirmed that child labour in India remains systemically undercounted and remains a multidimensional and complex problem (Papola, 2014, p. 33).

[47] In addition to the Census and National Sample Survey, a third source of official information, the Rural Labour Enquiry (RLE) was conducted every five years with comparable data available since 1964. Since 1977-1978 RLE data was collected through the NSS. Other surveys are also insightful, such as the India Human Development Survey (IHDS), the National Family Health Survey (NFHS) and District Information System on Education (DISE). The NFHS is used to derive India's Multidimensional Poverty Index, which is described in this chapter.

[48] The 1961 Census was the first to classify workers/non-workers by age group, including data on children.

Rajasthan, Uttar Pradesh, and West Bengal—and in three Union Territories. In contrast, Andhra Pradesh, Telangana, and Gujarat recorded consistent declines over the same period, a pattern that aligns with the multidimensional poverty trajectories discussed in Section 4.4.

By the latest available Census data in 2011 recorded 10.1 million child workers aged 5-14 (3.9% of the child population), down from 12.7 million (5.0%) in 2001.

- Roughly 80% of child workers were in rural areas, concentrated in agriculture and allied work: about 40% (3.2 million) were agricultural labourers, 32% (2.5 million) cultivators, 5% (0.4 million) in household industries, and 24% (1.9 million) in other work. Over 1991-2011, rural child workers first rose and then fell sharply, while urban child workers rose steadily, indicative of higher demand for unskilled, low-paid or unpaid menial work (UNICEF & VVGNLI, 2017, p. 29).
- Disaggregated by gender, 4.15% of boys (5.6 million) and 3.63% of girls (4.5 million) aged 5-14 were workers.
- Age-wise, 2% of young children aged 5-9 years and 6% of those aged 10-14 were classified as workers (MoSPI, 2018) [49].

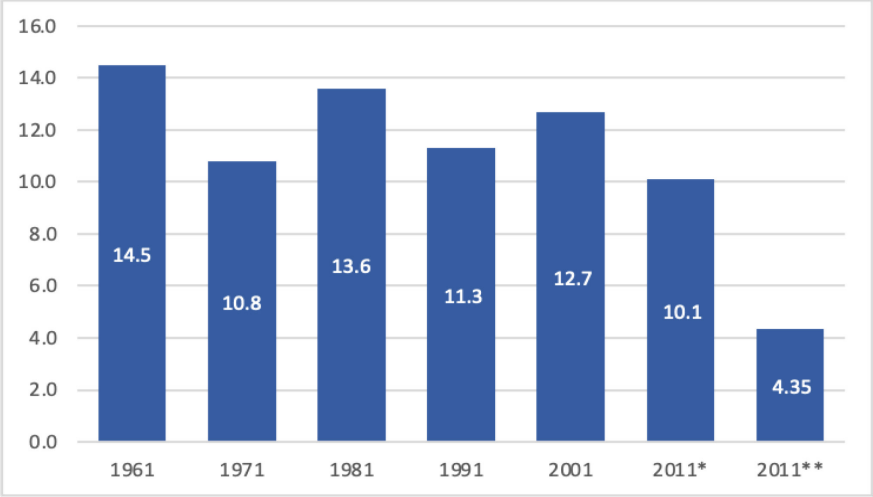
Overall, proportional declines in the share of working children in the total child population are evident, even as absolute numbers have fluctuated. (ILO, 2017b; MoSPI, 2018, pp. 52–53; National Institute of Public Cooperation and Child Development, 2018, p. 198; UNICEF & VVGNLI, 2017)

Under-enumeration persists for unpaid family labour, home-based work, and domestic work. Data on adolescent labour exposure to hazardous occupations and processes remain limited. Estimates range from 23.8 to 33 million main and marginal child workers up to age 18. In contrast, the Planning Commission's (2012) report of the Working Group on Child Labour estimated that 3.64 million children aged 5-14 were working in non-agricultural sectors in 2001, including 1.22 million in hazardous occupations, of which nearly 129,000 children were engaged in hazardous work in spinning and textile mills. (George & Panda, 2015, p. 16; Ministry of Women and Child Development, 2016, p. 28)

[49] MoSPI (2018) reports the prevalence rate of child workers, but absolute numbers were not published.

**Figure 5**

*Working Children (Ages 5–14): Census 1961–2011, in Millions*




*Note.* Data are from the Census of India (1961, 1971, 1981, 1991, 2001, 2011). Office of Registrar General and Census Commissioner, India, Ministry of Home Affairs, Government of India
* Includes main and marginal workers.
** Main workers only. The Government of India (n.d.) used this figure to report the number of children aged 5-14 in child labour in 2011.

**Table 10**

*Working Children in India (Ages 5–14): Census 1961–2011*

| Year | Child population (millions) | Main workers (millions) | Marginal workers (millions) | Total working children (millions) | Proportion of working children (%) |
|---|---|---|---|---|---|
| | *a* | *b* | *c* | *d=b+c* | *e=d/a* |
| 1961 | 113.09 | - | - | 14.5* | 12.1 |
| 1971 | 150.07 | - | - | 10.8* | 7.0 |
| 1981 | 179.05 | - | - | 13.6** | 6.0 |
| 1991 | 209.09 | 9.08 | 2.20 | 11.3** | 5.4 |
| 2001 | 253.16 | 5.78 | 6.89 | 12.7** | 5.0 |
| 2011 | 259.64 | 4.35 | 5.77 | 10.1** | 3.9 |

*Note.* Data are from the Census of India (1961, 1971, 1981, 1991, 2001, and 2011). Office of Registrar General and Census Commissioner, India, Ministry of Home Affairs, Government of India, New Delhi.
* Data for 1961 and 1971 were collected on workers in general (Thorat, 2001).
** Data for 1981, 1991, 2001, and 2011 were collected on main and marginal workers. Census 2011 also provides details on marginal workers who worked 3-6 months or less than 3 months.

**Hidden Dimensions: Marginal Work, Gender, and Social Group Disparities**

Excluding marginal workers working less than 183 days per year distorts both the rural and gendered profile of child labour. In 1991, "main" workers aged 5-14 captured the vast majority of child workers: 9.08 million children aged 5-14 (86% of child workers) were classified as main workers, of whom nearly three-quarters (8.13 million) were rural (Table 11).

By 2011, according to the latest available Census data, this structure had shifted significantly. Rural areas still accounted for roughly 80% of all working children (about 8.1 million), but rural marginal workers had become the single largest subgroup (4.84 million). This shift indicates an increase in seasonal, intermittent, or part-time labour among children, particularly in agriculture and allied activities. Importantly, this rise in marginal work coincides with an increase in the number of marginal child workers who were enrolled in school, from 2.5 million in 2001 to 3.5 million in 2011. These patterns suggest that part-time child labour increasingly coexists with schooling rather than replacing it. (UNICEF & VVGNLI, 2017, pp. 76-83)

**Table 11**

*Working Children (Ages 5–14), Main and Marginal, by Residence and Sex, 1991–2011, in Millions*

| Location | Year | Main workers | | | Marginal workers | | | Total workers | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | | Male | Female | Total | Male | Female | Total | Male | Female | Total |
| Rural | 1991 | 4.96 | 3.17 | 8.13 | 0.50 | 1.63 | 2.13 | 5.46 | 4.80 | 10.21 |
| | 2001 | 2.93 | 1.90 | 4.82 | 2.99 | 3.52 | 6.52 | 5.92 | 5.42 | 11.34 |
| | 2011 | 1.94 | 1.33 | 3.27 | 2.45 | 2.39 | 4.84 | 4.39 | 3.71 | 8.10 |
| Urban | 1991 | 0.70 | 0.25 | 0.95 | 0.03 | 0.05 | 0.08 | 0.73 | 0.30 | 1.03 |
| | 2001 | 0.67 | 0.29 | 0.95 | 0.21 | 0.16 | 0.36 | 0.88 | 0.44 | 1.32 |
| | 2011 | 0.72 | 0.36 | 1.09 | 0.52 | 0.42 | 0.94 | 1.24 | 0.78 | 2.02 |
| Total | 1991 | 5.66 | 3.42 | 9.08 | 0.53 | 1.68 | 2.20 | 6.19 | 5.10 | 11.27 |
| | 2001 | 3.60 | 2.18 | 5.78 | 3.21 | 3.68 | 6.89 | 6.80 | 5.86 | 12.67 |
| | 2011 | 2.66 | 1.69 | 4.35 | 2.96 | 2.81 | 5.77 | 5.63 | 4.50 | 10.13 |

*Note.* Data are from the Census of India (1991, 2001, 2011), as reported in *Statistics on Children in India: Handbook 2018* (Government of India, National Institute of Public Cooperation and Child Development, 2018, Table 7.2).

A related concern is the growing number of very young children engaged in work. The Right to Education Act (2009) guarantees schooling only for children aged 6–14, leaving those under age 6 without equal protection. Between 2001 and 2011, the share of child workers aged 5-9 rose sharply

from 14.6% to 24.8%, a trend UNICEF and VVGNLI (2017, pp. 30-32) describe as particularly troubling. Their analysis highlights the need to strengthen early child support and extend protections to young school-aged children.

Gender patterns also shifted from 1991 to 2011: the proportion of boys in main work remained stable at around 61-62%, while gender parity emerged in marginal work (Table 11). In 1991, girls comprised 76% (1.63 million) of marginal workers, compared to 24% boys (0.5 million). By 2011, this gap had narrowed to near parity, with boys comprising 49% (2.45 million) and girls 49% (2.39 million). This trend suggests that girls face a heightened risk of exclusion from unpaid, invisible, or domestic work not fully captured by surveys. (UNICEF & VVGNLI, 2017)

Social group disparities persist. Scheduled Tribes continue to register the highest child worker rates: 6.7% across India; 8.1% in Andhra Pradesh, 7.5% in Telangana, and 6.2% in Gujarat. Scheduled Castes follow, with the highest rate in Telangana (4.1%), followed by Andhra Pradesh (3.9%), and the lowest in Gujarat (3.1%). These figures reflect structural disadvantages and access barriers to quality education, particularly in rural areas where economic hardships are prevalent. (UNICEF & VVGNLI, 2017, p. 7)

***Contradictions and Misinterpretations in Official Reporting***

Headline claims of a "66% decline" in child labour between 2001 and 2011, citing a fall from 1.26 crore (12.6 million) to 45.53 lakh (4.35 million), conflate categories by comparing the total number of working children (main and marginal) in 2001 with the number of main workers only in 2011. Using consistent categories, the decline is closer to 20%, from 12.67 million to 10.13 million). This misinterpretation recurs in both media [50] and official narratives and subsequently cascades into state-wise comparisons, including those for Andhra Pradesh and Gujarat.

The discrepancy was visible in the Ministry of Labour and Employment's own "*About Child Labour"* webpage, which juxtaposed 1.26 crore (Census 2001) with 43.53 lakh (Census 2011) to show "that the efforts of the Government have borne the desired fruits." [51] Similarly, the state-wise reporting presented Andhra Pradesh's reduction from 1.36 million to 404,851 children (a 70%

[50] Several media reported the comparison between 12.6 million child workers in 2001 to 4.35 million in 2011, thereby excluding marginal workers from the latter figure. Examples include *Business Standard* (2015, May 14), *Hindustan Times* (2016, July 29), and *Ground Report* (2021, November 3). Some media reporting recognized the distinction between main and marginal works, however, including *The News Minute* (2017, October 27).

[51] Ministry of Labour and Employment (n.d.). *About child labour.* Last retrieved July 7, 2025, from https://labour.gov.in/childlabour/about-child-labour.

decrease), and Gujarat's reduction from 485,530 to 250,318 children (a 48% decrease)—again comparing 2001 total with 2011 main workers only (Ministry of Labour and Education, n.d.)

By contrast, organizations such as the ILO, UNICEF, VVGNLI, and the Kailash Satyarthi Children's Foundation adopt the correct practice of including both main and marginal child workers in their estimates, yielding the more accurate figure of 10.1 million working children in 2011 and a modest national decline rather than a dramatic one.

More broadly, the lack of standardized definitions across datasets—especially the interchangeable use of "working children" versus "child labour"—impedes trend assessment and accountability claims. As the ILO (2017, p. 1) notes, the terms have different connotations yet are often used interchangeably due to dataset limitations. UNICEF and VVGNLI (2017, p. 2) likewise acknowledge the conceptual distinction but use the terms interchangeably for analytical and practical reasons, given existing data constraints (UNICEF & VVGNLI, 2017, p. 2).

**NSS Evidence: Labour Force Participation, Sectors, and Adolescents**

The National Sample Survey (NSS) provides essential granularity beyond what the Census captures, producing estimates of labour force participation rates (LFPRs) through principal status (PS) and usual activity status (PS+SS), as well as employment status, and schooling-work combinations. The NSS 68th Round (2011-12) surveyed 122,630 children aged 5-17, collecting information disaggregated by age, gender, and rural-urban location. Unlike the Census, the NSS identifies participation in both the formal and informal sectors, classifies employment status (paid work, unpaid family work, casual wage labour, and self-employment), reports on work conditions including hazardous labour, and provides limited information on hours worked. It also distinguishes whether children are (a) combining work and education, (b) only attending school, or (c) not in education, employment, nor training (NEET)—also referred to as "nowhere children" in India. (Ministry of Labour and Employment, n.d.; NCPCR, 2015; National Institute of Public Cooperation and Child Development, 2018)

Despite the release of the 68th round data by the National Sample Survey Office in 2014, official sources frequently continue to cite older NSS rounds. For example, government publications [52] often repeat the claim that the number of working children declined from 90.75 lakh

[52] Ministry of Labour and Employment, n.d. *FAQ on Child Labour.* Last retrieved on 2 September 2022 from https://labour.gov.in/sites/default/files/FAQ_child_labour.pdf

(9.1 million) in 2004-05 to 49.84 lakh (5 million) in 2009-10. The 68th round shows a steep long-term decline in labour force participation among 10-14-year-olds: rural male LFPR fell from 13.9% (1993-94) to 2.9% (2011-12), and rural female LFPR from 14.2% to 3.0%. Urban rates also declined significantly. Similar reductions among adolescents aged 15-19 and youth aged 20-24 indicate that broader transformations in India's youth labour market may be influencing child labour patterns. (National Sample Survey Office, 2014, pp. 85-87)

Based on ILO analysis of Usual Activity Status (PS+SS), an estimated 12.9 million children aged 7-17 were employed in 2011-12 (Lyon & Khan, 2015). These include 3.25 million children aged 7-14 and 9.66 million adolescents aged 15-17, representing 5.1% of the child population. Of this group, 5.8 million were in child labour. The age gradient is striking; child labour prevalence was 1.7% among 7-14-year-olds, compared to 14.7% among 15–17-year-olds. This distinction between working children (5-17) and children in child labour is analytically important and underscores adolescents' heightened vulnerability to hazardous work. The ILO estimates remain among the few reliable estimates of child labour available for both age groups.

Agriculture continues to dominate children's employment: 56.5% of working children aged 7-14 and 51.6% of working adolescents 15-17 are engaged in agricultural work (Lyon & Khan, 2015, pp. 52-53). Employment status differs markedly by age. Among 7–14-year-olds, 59.9% are unpaid family workers, 32.8% casual wage workers, 8.9% regular paid workers, and 5.2% self-employed. Among 15–17-year-olds, 42.1% are casual wage workers, 39.3% unpaid family workers, and 7.9% self-employed; only 10.7% are in paid work (a rough proxy for the formal sector). The NSS 68th Round does not collect hours-worked data and under-captures domestic work, limiting alignment with international definitions that rely on weekly thresholds of 43 hours or more. [53] The groups of children aged 12-14 and 15-17 are classified as child labour only based on their involvement in designated hazardous industries and hazardous occupation classifications. Unpaid family work is more prevalent among rural and female children, whereas paid work is more common among male children, particularly in urban areas.

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[53] According to Understanding Children's Work Programme (n.d.), the criterion of "long hours of work" was not used in India's National Sample Survey (NSS) 55th round (1999-2000); 61st round (2004-2005), 66th round (2009-2010) and 68th round (2011-2012). In 1999, India's measure of hazardous work was based only on "work in a hazardous occupation", whereas the 2006 estimate relied only on the criterion of "long hours of work". Consequently, these estimates are not directly comparable. Both the 1999 and 2006 estimates were derived from Demographic and Health Survey (DHS) data.

NSS activity status data reveal structural vulnerabilities in schooling-work trajectories (Lyon and Khan, 2015, pp. 52-53). Among children aged 7-14, 93.2% were in schooling-only, 1.4% in employment-only, and 5.1% in neither activity. Among adolescents aged 15-17, the share in "neither" rose to 12.6%, while "employment-only" increased to 13.1%, indicating that adolescence marks a significant divergence in education and work pathways. Across India, children aged 7 to 17 in rural areas were more likely to be employed-only, less likely to be schooling-only, and more likely to be in neither activity than their urban counterparts.

State-level differences based on NSS 68th Round are also striking. Kerala combines exceptionally high school attendance (97.9%) with minimal child labour (0.3%). Andhra Pradesh and Gujarat display similar child labour rates (2.3% and 2.1% for ages 5-17, respectively) but diverge in school attendance (91.7% in Andhra Pradesh versus 87.05% in Gujarat). No 2011-12 schooling estimates were available for Telangana. (Lyon and Khan, 2015, p. 9)

**State-Level Trends in Child Labour: Andhra Pradesh, Telangana, and Gujarat**

Between 1971 and 1991, unified Andhra Pradesh consistently recorded the highest number of child labourers in India. However, over the longer period from 1971 to 2011, southern states—including Andhra Pradesh, Karnataka, Kerala, and Tamil Nadu—as well as Madhya Pradesh in central India, achieved sustained reductions ranging from 37% to 60%. Andhra Pradesh alone saw a 59% decline. In 2001, Andhra Pradesh had 1.36 million working children (the second-highest number after Uttar Pradesh). By 2011, this figure had fallen to 673,003, lowering the state to sixth place nationally. Gujarat's decline was more gradual: the number of working children fell from 485,530 in 2001 to 463,077 in 2011—a reduction of about 5%, within a longer-term decline of roughly 11% since 1971. Andhra Pradesh's share of India's working children fell substantially, from roughly 15% between 1971 and 1991 to under 10% by 2011. By contrast, Gujarat's share remained relatively stable at approximately 5% across the same period.

Disaggregated 2011 data show that Telangana had 329,030 working children (4.9% incidence), of which 273,661 were rural children (4.7% incidence), Andhra Pradesh had 343,973 working children (3.9%), of which 273,661 were rural children (4.3%), while Gujarat had 463,077 working children (3.9% incidence), of which 326,057 were rural children (4.4% incidence) (UNICEF & VVGNLI, 2017, pp. 102–103).

Between 2001 and 2011, the average annual decline was fastest in Telangana (7.2% decline in the child labour population), strong in Andhra Pradesh (6.4%, fourth nationally), while Gujarat

ranked 15th (0.47% decline in the child labour population). These reductions translate to about 367,400 fewer child workers in Telangana, 322,900 fewer in Andhra Pradesh, and 22,500 fewer in Gujarat.

The Kailash Satyarthi Children's Foundation published state-wise counts of working children for 1981–2011 and forward projections (Table 12). By 2025, the Kailash Satyarthi Children's Foundation projects that Gujarat will be among the states with the highest numbers of child workers. The top projected states include Uttar Pradesh (2.58 million), Bihar (1.05 million), Maharashtra (680,300), Rajasthan (491,600), Gujarat (433,440), and both Madhya Pradesh and Jharkhand (390,000 each). In contrast, Andhra Pradesh (140,280) and Telangana (119,680) are projected to rank among the lowest prevalence states, alongside Kerala, which is projected to have 100,600 child workers by 2025. (KSCF, 2020, pp. 10-11)

**Table 12**

*State Distribution of Working Children (Ages 5–14): Census 1971–2011 (thousands)*

| State/Union Territory | 1981 | 1991 | 2001 | 2011 |
|---|---|---|---|---|
| Andhra Pradesh | 953.52 | 812.80 | 666.91 | 343.97 |
| Gujarat | 616.91 | 523.59 | 485.53 | 463.08 |
| Kerala | 92.86 | 34.80 | 26.16 | 45.44 |
| Telangana | 997.59 | 849.15 | 696.43 | 329.03 |
| Uttar Pradesh | 1,381.71 | 1,360.56 | 1,928.00 | 2,176.71 |

*Note.* Data are from the Census of India (1981, 1991, 2001, and 2011), as reported in KSCF (2020b)

### *Geographic Hotspots and Urban Vulnerability*

UNICEF and the V. V. Giri National Labour Institute (2017) identify a "child worker corridor" stretching from Rajasthan to Karnataka, encompassing parts of Madhya Pradesh, Jharkhand, Chhattisgarh, Telangana, and Andhra Pradesh. Within this corridor—and in several northeastern and northern states—clusters of district-level hotspots record child labour rates more than double the national average of 3.9%. Some of the highest concentrations occur in Nagaland, where several districts exceed 25-30% child-worker rates, while Kerala represents the opposite extreme with all districts below 2% child-worker rates.

Within the case study states, patterns vary (as shown in Table 13). Andhra Pradesh has four districts with child worker rates higher than 4%; child worker rates declined across all 13 districts

between 2001 and 2011, leaving only a small number of moderate-incidence hotspots. For example, Kurnool still records 7.9% (66,981 children), and the city of Adoni within Kurnool remains an urban hotspot at 8.9% (3,496 children).

Telangana shows an uneven profile: five districts have child worker rates above 4%; eight districts declined over the decade, two increased, and urban hotspots persist. Hyderabad district has the largest number of child workers in India (67,366; 7.8%); Hyderabad city has 96,892 child workers (9.2%); and Secunderabad, a twin city of Hyderabad, reports an even higher rate (10.7%; 3,681 children). Mahbubnagar is another area of concern (6.6%, 57,925 children).

In Gujarat, district-level trends are mixed: eight districts have child worker rates above 4%; rates increased in nine districts and declined in 16 (one district lacks data). Of 26 districts, 18 fell within the 2-4% range, 6 within the 4-6% range, and 2 exceed 6%. Several tribal districts remain notable hotspots—especially Dohad (6.5%, 36,493 children) and The Dangs (6%, 3,606 children).

**Table 13**

*Incidence of Working Children Across Districts: Number of Districts and Workers, Census 2011*

| State | Number of districts (total number of child workers in '000) | | | | |
|---|---|---|---|---|---|
| | Less than 2% of child workers | 2 to 4% of child workers | 4 to 6% of child workers | 6% or more child workers | Total number of districts (child workers) |
| Andhra Pradesh | - | 9 (173.34) | 3 (103.65) | 1 (66.98) | 13 (343.97) |
| Gujarat | - | 18 (309.31) | 6 (113.67) | 2 (40.10) | 26 (463.08) |
| Telangana | - | 5 (97.11) | 3 (106.63) | 2 (125.29) | 10 (329.03) |
| Kerala | 14 (45.44) | - | - | - | 14 (45.44) |
| Uttar Pradesh | 0 | 32 (646.53) | 36 (1433.80) | 3 (96.38) | 71 (2176.71) |
| Total | 72 (310.12) | 313 (4,314.62) | 160 (3,704.75) | 95 (1,799.18 | 640 (10,128.66) |

*Note.* Data are from the Census of India (2011), as reported in UNICEF and VVGNLI (2017, pp. 58-60).

***Summary***

Together, the evidence summarized in Table 14 shows that Andhra Pradesh, Telangana, and Gujarat all recorded declines in child labour, but at different rates and with different outcomes. Census and NSS data suggest that Andhra Pradesh and Telangana experienced substantially faster reductions in working children between 2001 and 2011than Gujarat. Andhra Pradesh also reported higher school attendance than Gujarat, while Gujarat's decline was slower and remained associated with persistent tribal district and urban concentrations of child labour. These findings highlight the importance of examining local contexts and implementation environments, rather than relying solely on national trends or state-level averages.

Three observations follow. First, measurement matters: conflating Census categories and datasets inflates India's success claims; using consistent definitions indicates a more modest national decline of approximately 20% between 2001 and 2011. Second, visibility gaps persist; excluding marginal child workers obscures rural, seasonal, gendered, and school-work dimensions of child labour, while adolescent hazardous work remains undermeasured. Third, state variation is significant. Although Andhra Pradesh and Telangana reduced the number of working children much more rapidly than Gujarat, important differences remain in prevalence rates, schooling outcomes, and local patterns of vulnerability. These variations justify comparing the three states' cotton sectors, as state-level declines in child labour can conceal important differences in local conditions and the responses of public and private actors.

**Table 14**

*Summary of Selected Working Children and Schooling Indicators*

| Indicator | Unified Andhra Pradesh | Andhra Pradesh | Telangana | Gujarat | Sources |
|---|---|---|---|---|---|
| Working children (ages 5-14), 2011 | 727,000 (7% of India total) | 343,970 | 329,030 | 463,077 (5% of India total) | Census of India, 2011 |
| Main workers (share of working children) | 56% | | | 54% | Census of India, 2011 |
| Marginal workers (share of working children) | 44% (37% at 3-6 months; 7% < 3 months) | | | 46% (34% at 3-6 months; 12% < 3 months) | Census of India, 2011 |

| Indicator | Unified Andhra Pradesh | Andhra Pradesh | Telangana | Gujarat | Sources |
|---|---|---|---|---|---|
| Reduction in working children, 2001-2011 | | 322,000 | 367,400 | 22,500 | Census of India, 2011 |
| Average annual reduction rate in working children (2001-2011) | | 6.4% | 7.2% | 0.47% | KSCF (2020) based on Census of India, 2001 and 2011 |
| Working children rate (5-14) | 4.7% | 3.9% | 4.9% | 3.9% | NSS 68th Round (2011-12) |
| School attendance (5-17) | 91.7% | | | 87% | NSS 68th Round (2011-12) |
| Child labour rate (5-17) | 2.3% | | | 2.1% | NSS 68th Round (2011-12) |
| Projected working children, 2025 | | 140,280 | 119,680 | 433,440 | KSCF (2020) |

*Note.* NSS 68th Round (2011-12) estimates for working children, school attendance, and child labour refer to the former unified Andhra Pradesh prior to the 2014 bifurcation. Telangana-specific NSS estimates were not available in the sources used in this chapter. Census-based indicators are reported separately for Andhra Pradesh and Telangana where available.

### 4.4 Multidimensional Poverty, Education Deprivation & Rural Areas

This section consolidates evidence on multidimensional poverty, education-related deprivations, and rural dynamics as structural conditions associated with children's work-school trajectories and underpinning child labour risk. Attention is given to Andhra Pradesh, Telangana, and Gujarat, which differ significantly in multidimensional poverty outcomes despite sharing similar agricultural and economic characteristics.

The Multidimensional Poverty Index (MPI) applies the Alkire-Foster method (2015) to nationally representative surveys—including the Demographic and Health Surveys (DHS), the Multiple Indicator Cluster Surveys (MICS), and, in India, the National Family Health Survey (NFHS)—to measure overlapping deprivations in health, education, and living standards. It measures acute multidimensional poverty using the adjusted headcount ratio (MPI = H x A), where H is the incidence of multidimensional poverty and A is the average intensity of weighted deprivations among the poor. The MPI captures reductions in deprivations among people who remain poor (censored headcounts), alongside reductions in the share of the entire population that is

deprived (uncensored headcounts). This distribution-sensitive feature aligns with the Sustainable Development Goals' "leave no one behind" principle (United Nations General Assembly, 2015).

Unlike income-based poverty measures, the MPI captures multiple disadvantages experienced simultaneously by households and therefore provides a useful framework for examining the socio-economic conditions associated with child labour and education exclusion.

**Global MPI (2005-06 to 2015-16): Pro-Poor Reduction**

From 2005-2006 to 2015-16, India achieved exceptionally large gains in reducing multidimensional poverty. The headcount ratio was nearly halved, declining from 55.1% to 27.9%, while the MPI fell from 0.283 to 0.123 (Alkire et al., 2021). More than 271 million people exited multidimensional poverty over the decade (Oxford Poverty and Human Development Initiative [OPHI], 2018, pp. xi) and the pattern of reduction was pro-poor, with the steepest improvements accruing to the most deprived subgroups, reversing earlier patterns observed between 1999-2006 when the poorest subgroups were left behind (Alkire & Seth, 2015). The scale of India's progress mirrored that of China's earlier gains in reducing income poverty from 1995 to 2015 and, like China's, has global implications.

Despite progress, multidimensional poverty remained disproportionately concentrated among children, women, rural households, and traditionally disadvantaged communities. In 2015-16, approximately 158 million of the estimated 370 million poor people were under age 18, while children aged 0-9 remained the poorest age group despite experiencing the largest absolute reduction, 2015/16 (Alkire et al., 2021, pp. 5, 12). At the indicator level, poor nutrition contributed most to poverty (about 28%), followed by low years of schooling (about 16%), while school attendance deprivation had fallen substantively relative to earlier periods. Gender disparities were stark. India had the highest number of people living in households where no female member had completed six years of schooling (about 227 million)—a constraint linked to school attendance, nutrition, and child mortality outcomes (OPHI & UNDP, 2021, p. 17).

Rural India—home to roughly two-thirds of the population—remained poorer than urban India but has shown convergence, as rural areas achieved larger absolute reductions from a much higher starting point. Although rural MPI declined from 0.355 to 0.163 and the rural headcount fell from 68.1% to 36.8%, rural areas still accounted for the vast majority of multidimensional poor people in India (an estimated 330 million individuals) (Alkire et al., 2021, pp. 5, 12). These patterns

are especially relevant to child labour and children's work-school trajectories as rural households continue to experience constraints related to income, education, nutrition, and access to services.

Disaggregation by social group shows that multidimensional poverty remained concentrated among Scheduled Tribes (ST), Scheduled Castes (SC), and Other Backward Classes (OBC), with five out of six poor people living in households headed by individuals from such groups. [54] These traditionally disadvantaged groups experienced the slowest progress from 1999 to 2006, and while this trend reversed from 2005-06 to 2015-16, with STs and Muslims experiencing the largest reductions, they remained the poorest groups in 2015-16. (Alkire & Seth, 2015; Alkire et al., 2021; OPHI & UNDP, 2021)

State-level performance varied considerably. **S**everal low-income states—especially Jharkhand, followed by Meghalaya, Bihar, West Bengal, and others—saw absolute reductions greater than 51% (Alkire et al., 2021, pp. 5, 9, 10). States with already low MPI in 2005-06, such as Kerala, Goa, Sikkim, Punjab, Tamil Nadu, Himachal Pradesh, Mizoram, continued to demonstrate strong results. Kerala reduced its MPI by 92%, from 0.053 to 0.004, primarily due to a decrease in the headcount ratio from 13.3% to 1.1%, while Tamil Nadu reduced its MPI by 83% from 0.157 to 0.027. Andhra Pradesh (including present-day Telangana) reduced its MPI by approximately 72%, while Gujarat achieved a reduction of approximately 50% reduction, which reflects comparatively modest progress.

For the purposes of this study, three patterns are particularly relevant. First, by 2015-16, remaining multidimensional poverty was predominantly concentrated in rural areas. Second, education- and nutrition-related deprivations continued to make high contributions to poverty. Third, substantial variation existed across states, creating analytically useful differences in the structural conditions associated with child labour risk. These patterns provide the basic for examining Andhra Pradesh, Telangana, and Gujarat using India's National MPI (2015-16 to 2019-21).

**National MPI (2015-16 to 2019-21): State-Level Trends and Education Linked Deprivations**

Building on the global MPI record to 2015-16, this section turns to India's national MPI to analyze trends from 2015-16 to 2019-21 with emphasis on rural and education-related

[54] In India, "Schedules Castes" (CS) are historically marginalized groups outside the varna system. Scheduled Tribes are Indigenous communities, concentrated in ten states including Andhra Pradesh (including Telangana), Gujarat, and Rajasthan. Both groups are constitutionally recognized and face structural disadvantages.

deprivations—two domains central to children's work-school trajectories and to the structural conditions that shape child labour risk.

India's national MPI follows the Alkire-Foster method applied to the fourth round of the National Family Health Survey (NFHS-4, 2015-16) to produce the baseline report, while the 2023 progress report uses NFHS-5 (2019-21) data. Like the global MPI, India's MPI spans health, education, and standard of living but adds two India-specific indicators: maternal health and bank account ownership, reflecting national policy priorities. India's MPI reports are designed for national, state/union territory, and district level comparisons.

India's index was developed by NITI Aayog in partnership with state governments and Union ministries, with technical support from OPHI and UNDP. [55] Subnational use of MPI methods predates the national series: Andhra Pradesh piloted a state MPI (2016-17) to inform development planning. Although not directly comparable with the national MPI, the Andhra Pradesh exercise produced a deeper diagnostic of deprivation patterns across social groups (SCs, STs, OBCs), rural landholding categories (landless; marginal and small farmers; medium; above), and urban employment status (self-employed; regular wage/salary; casual labour). These findings informed the state's Vision 2029 strategy, which sought to position Andhra Pradesh as a model welfare state and a global investment hub by 2050. (Government of Andhra Pradesh, Planning Department, 2017)

Between 2015-16 and 2019-21, India recorded substantial reductions in multidimensional poverty. The MPI fell from 0.117 to 0.066, while the headcount ratio (H) declined from 24.85% to 14.96%, corresponding to an estimated 135 million people moving out of multidimensional poverty (NITI Aayog, 2023, pp. 26-33). These gains reflect both a lower incidence of poverty and reduced deprivation intensity among those who remained poor.

Rural areas remained more deprived than urban areas but also experienced the largest improvements. The rural headcount fell from 32.59% to 19.28%, while the rural MPI declined from 0.154 to 0.086. Reductions in deprivations related to nutrition, years of schooling, and cooking fuel were especially important drivers of the overall decline in multidimensional poverty (NITI Aayog, 2023, pp. 26-33).

**Data revision caveat.** The 2023 MPI report revised the 2015–16 baseline, including the rural-urban disaggregation for several states, most notably Telangana and Gujarat. The revisions

[55] NITI Aayog (est. 2015), succeeded the Planning Commission to foster cooperative federalism.

show better outcomes than previously reported for Telangana, while indicating higher deprivation, especially in rural areas, for Gujarat. Accordingly, changes over time should be interpreted with caution, as part of the observed difference reflects revised baseline estimates rather than changes in outcomes. Table 15 presents both the original 2021 baseline and the revised 2023 values.

**Table 15**

*Multidimensional Poverty Indicators for India and Selected States (2015–16 and 2019–21)*

| State | MPI 2015-16 ~~(2021)~~ (2023 revision) | MPI 2019-21 | Headcount (H) 2019-21 | Rural MPI 2019-21 | Rural Headcount (H) 2019-21 |
|---|---|---|---|---|---|
| Andhra Pradesh | 0.051 | 0.025 | 6.06% #9 | 0.032 | 7.71% |
| Telangana | ~~0.084~~ 0.057 | 0.024 | 5.88% #8 | 0.031 | 7.51% |
| Gujarat | ~~0.059~~ 0.083 | 0.050 | 11.66% #15 | 0.075 | 17.15% |
| India | 0.117 | 0.066 | 14.96% | 0.086 | 19.28% |

*Sources.* NITI Aayog, 2023, pp. 26, 50, 96, 230, based on NFHS-4 (2015-16) and NFHS-5 (2019-21).
*Note.* Strikethrough values indicate the original 2015-16 baseline estimates reported in NITI Aayog (2021) that were subsequently revised in NITI Aayog (2023). Revisions were most pronounced for Telangana and Gujarat.

**State-level MPI Patterns and Baseline Revisions**

The lowest poverty rates are found in Kerala, Goa, Tamil Nadu, Sikkim, Punjab, Himachal Pradesh, and Mizoram. By 2019-21, Telangana and Andhra Pradesh had moved closer to this top-performing group, ranking eighth and ninth, while Gujarat ranked 15th—a reflection of more modest progress. (NITI Aayog, 2023, pp. xiv, 4, 26)

Between 2015-16 and 2019-21, the headcount ratio declined by 5.71 percentage points (pp) in Andhra Pradesh (from 11.77% to 6.06%), 7.3 pp in Telangana (from 13.18% to 5.88%), and 6.81 pp in Gujarat (from 18.47% to 11.66%). Rural disparities remain sharp: Gujarat's rural MPI is more than double that of Andhra Pradesh and Telangana. (NITI Aayog, 2021, pp. 34-37, 325)

**Andhra Pradesh.** Andhra Pradesh is recognized as an early adopter of multidimensional poverty measures (NITI Aayog, 2023, p. 23; John et al., 2018). By 2019-21, the state recorded an MPI of 0.025, ranking ninth among 28 states and performing substantially better than the national average across both overall and rural poverty measures (Table 15). Years of education and nutrition

were the largest contributors to household deprivation, accounting for 25.7% (rural: 25.15%) and 32.6% (rural: 31.8%) of the state's MPI, respectively (NITI Aayog, 2023).

**Telangana.** Telangana recorded an MPI of 0.024 in 2019, ranking eighth nationally among 28 states and slightly ahead of Andhra Pradesh overall. Although most multidimensional poverty indicators were slightly worse in Telangana than in Andhra Pradesh in 2015-16, by 2019-21 Telangana had slightly overtaken Andhra Pradesh overall, while Andhra Pradesh continued to record slightly lower urban poverty levels. Most of this improvement reflected substantial reductions in rural multidimensional poverty (Table 15). Following its creation in 2014, multidimensional poverty data for Telangana have been reported separately from Andhra Pradesh (NITI Aayog, 2021, 2023; OPHI, 2018). Like Andhra Pradesh, the largest contributors to Telangana's MPI were nutrition (34.1%; rural 33.98%) and years of schooling (26.71%; rural 26.90%), followed by maternal health, sanitation, and housing—all improving between 2015–16 and 2019–21 (NITI Aayog, 2023).

**Gujarat.** Gujarat's MPI for 2019-21 was 0.050, ranking 15th among 28 states and performing less favourably than Andhra Pradesh and Telangana (Table 15). While multidimensional poverty declined considerably between 2015-16 and 2019-21, rural poverty remained a persistent challenge, and rural deprivation levels were substantially higher than Andhra Pradesh and Telangana. The largest contributors to Gujarat's MPI were nutrition (31.81%; rural 31.37%), years of schooling (14.49%; rural 13.64%), school attendance (10.44%; rural 9.30%), followed by cooking fuel and maternal health (NITI Aayog, 2023).

Despite notable progress since to 2015-16, when Gujarat's rural MPI was 0.123 and its rural headcount was 27.25%, rural deprivation remained comparatively high. Although some of the most rapid district-level reductions in the proportion of multidimensionally poor individuals occurred in parts of Gujarat (as well as Madhya Pradesh, Uttar Pradesh, and Rajasthan), the state's overall rural poverty profile remained closer to the national average, in contrast with the stronger rural multidimensional poverty outcomes observed in Andhra Pradesh and Telangana (NITI Aayog, 2023, pp. xx, 325).

**Education-Related Deprivations (2005-06 to 2019-2021)**

Across India, schooling improved sharply. This section synthesizes national trends and the trajectories of Andhra Pradesh, Telangana, and Gujarat, using NFHS-based MPI calculations. Since 2005-06, India has reduced deprivations in years of schooling and school attendance—indicators in India's MPI aligned with the global MPI (Alkire et al., 2021). While both education indicators are

relevant, school attendance is particularly relevant to child labour because it captures whether school-age children are currently participating in schooling. Unlike years of schooling, which largely reflects accumulated educational attainments within a household and therefore captures long-term educational disadvantage, school attendance lies closer to the immediate work-school margin and is therefore more closely related to child labour risk.

Education-related deprivations remain a major contributor to MPI: in 2015-16, education accounted for 22.5% of India's MPI (Andhra Pradesh 29%, Telangana 27%, Gujarat 23%), rising to 26% in 2019-21 (Andhra Pradesh 30%, Telangana 32%, Gujarat 25%), with improvements in years of schooling playing an especially important role. (NITI Aayog, 2021; 2023)

**Progress from 2005-06 to 2015-16.** In 2005-06, 21.3% of people in India lived in a household where at least one child was not attending school. This deprivation dropped to 6.4% in 2015-16—a 14.9 pp decline. In relative terms, school attendance and ownership of assets showed the largest improvements (70% of deprivation removed), followed by access to electricity (63.1%), years of schooling (44.5%), child mortality (44%), and nutrition (34.4%). Among MPI-poor households (censored headcounts), deprivations more than halved for years of schooling (-51.4%) and school attendance (-72.0%). (Alkire et al., 2021, pp. 20-24)

Unified Andhra Pradesh (including Telangana) saw education deprivations fall by 12.4 percentage points overall; relative reductions were 42.9% (years of schooling) and 84.7% (school attendance) (Alkire et al., 2021, pp. 20-24). Among MPI-poor households, the declines were 16.6 pp (62.6%) and 11.2 pp (88.2%), respectively (see Figure 6). Gujarat also improved—although more slowly—with declines of 7.5 pp (43.4%) in years of schooling and 6.4 pp (49.1%) in school attendance. Among the MPI poor households, the declines were 8.3 pp (53.3%) and 6.2 pp (54.9%), respectively. Overall, the pace and depth of reductions in Andhra Pradesh and Telangana exceeded those in Gujarat and the national average—especially in rural areas.

**Continued progress from 2015-16 to 2019-21.** Nationally, deprivations in years of schooling declined from 13.86% to 11.40%, while censored deprivation fell from 10.71% to 6.63%. Deprivation in school attendance declined from 6.40% to 5.27%, while censored deprivation fell from 5.22% to 3.36%. Andhra Pradesh and Telangana recorded faster reductions between 2015-16 and 2019-21, particularly among MPI-poor households, than Gujarat. These trends are consistent with their stronger overall MPI performance and lower rural MPI values.

**State-level, deprivations in years of schooling (uncensored; censored headcounts).**

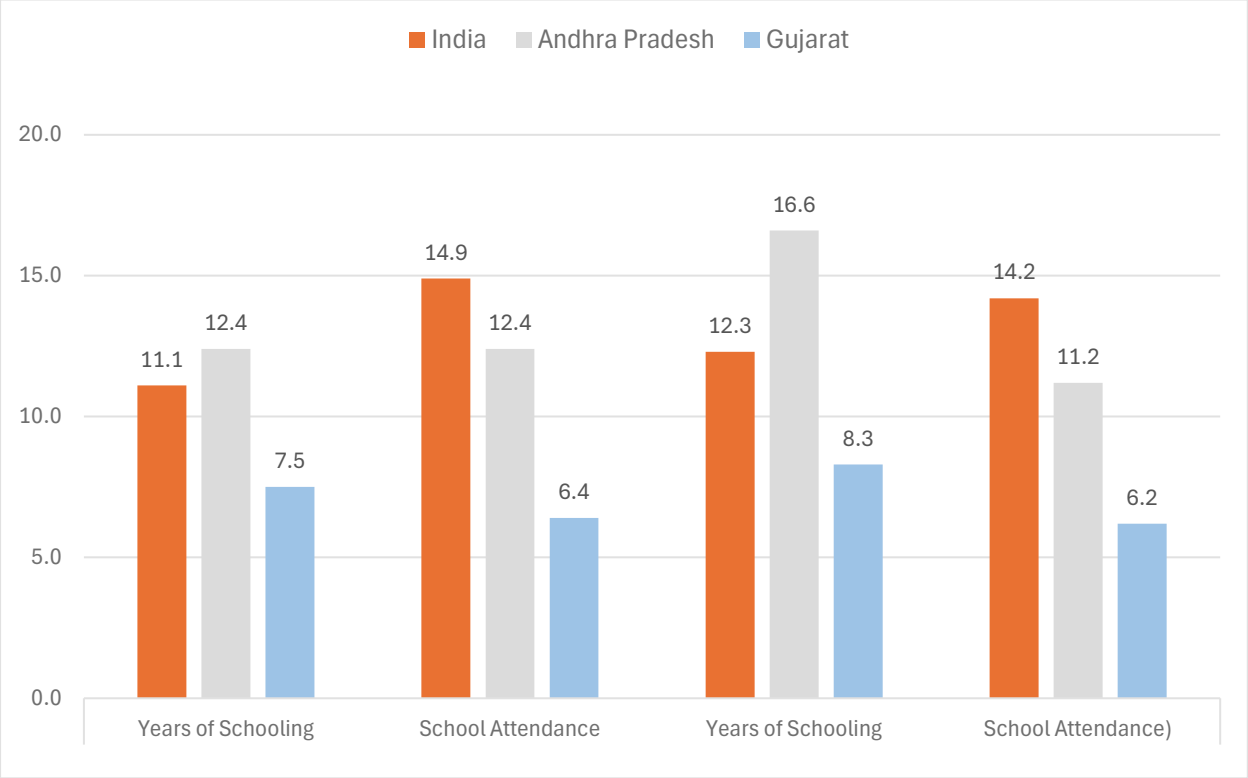
- Andhra Pradesh: from 16.90 to 15.81%; 7.52 to 3.85%
- Telangana: from 15.83 to 14.56%; 8.50 to 3.85%
- Gujarat: from 9.82 to 7.94%; 6.66 to 4.38%.

**State-level, deprivations in school attendance (uncensored; censored).**

- Andhra Pradesh: from 2.35 to 1.35%; 1.44 to 0.64
- Telangana: from 2.10% to 1.35%; 1.14 to 0.74%
- Gujarat: from 6.68% to 5.06%; 4.78 to 3.16% (NITI Aayog, 2023, Tables 4 and 26)

**Figure 6**

*Absolute Reductions in Education Headcount Ratios, 2005–06 to 2015–16 (Percentage Points)*




*Source.* Alkire, S, Oldiges, C. & Kanagaratnam, U. (2021). Data derived from the Alkire et al. (2021) calculations using NFHS 3 (2005/6) and NFHS 4 (2015/16) data.
*Note.* Absolute change in the uncensored headcount ratio refers to the percentage-point change in the proportion of the population deprived in a given indicator between 2005-06 and 2015-16, regardless of whether they are multidimensionally poor. Absolute change in the censored headcount ratio refers to the percentage-point change in the proportion of the population that is both multidimensionally poor and deprived in each indicator between 2005-06 and 2015-16. Andhra Pradesh includes present-day Telangana.

***Long-Run Contrast for Case Analysis (2005-06 to 2019-21)***

Against the NFHS-3 baseline (2005-2006) reported by Alkire et al. (2021), both education deprivation indicators declined substantially across India between 2005-06 and 2015-16 and continued to fall between 2015-16 and 2019-21 (NITI Aayog, 2023). By 2019-21, Andhra Pradesh and Telangana performed substantially better than Gujarat on reducing school attendance deprivation, particularly among MPI poor households. By contrast, Gujarat performed better on reducing years of schooling deprivation among MPI-poor household. These indicator-specific patterns support a nuanced interpretation of educational deprivation and children's work. Andhra Pradesh and Telangana stronger performance in reducing school attendance deprivation, including larger declines among MPI-poor households, is more closely associated with conditions that may reduce children's exposure to work-school trade-offs. Gujarat's stronger performance on years of schooling reflects higher accumulated attainment but does not necessarily indicate lower current child-work risks. See Section 4.3 on marginal work, schooling, and the measurement of working children versus child labour, and on NSS activity status, including NEET or "nowhere children."

**Summary Analysis of Data on Multidimensional Poverty**

Between 2015–16 and 2019–21, India's MPI and poverty headcount declined sharply, with rural areas improving fastest. Andhra Pradesh and Telangana outperformed Gujarat in reducing education-linked deprivations and now exhibit lower rural MPI and poverty headcount ratios. Among MPI-poor households, school-attendance deprivation is below 1% in Andhra Pradesh (0.64%) and Telangana (0.74%) but exceeds 3% in Gujarat, while nutrition deprivation remains twice as high in Gujarat (9.63%) as in Andhra Pradesh (4.87%) and Telangana (4.91).

Because of the proximity and immediacy of school attendance to the work-school margin, where families may face choices between children's work or schooling, these patterns are consistent with comparatively lower child labour pressures in Andhra Pradesh and Telangana than in Gujarat. Together these findings suggest that improvements in education, nutrition, and rural living conditions are important contextual conditions associated with lower child labour risk, although they do not by themselves establish causal effects. They also build on earlier gains in schooling and basic services observed between 2005-06 and 2015-16, which eased household work-school trade-offs despite persistent informality.

More broadly, structural conditions, including labour informality, uneven enforcement capacity, gaps in legal implementation, and data limitations, continue to shape child labour risks,

while improvements in education access, rural development, and social protection appear to have contributed to their reduction. These structural conditions provide the context for the analysis of voluntary sustainable cotton standards in Chapter 6 and business employment practices linked to standards in Chapter 7. The indicators summarized in Table 16 provide a comparative overview of the socioeconomic conditions associated with child labour risk across the three states and inform the interpretation of subsequent comparative analysis.

Table 16 and Table 17 also highlight contextual differences across the case study states that, while not establishing causal effects, provide analytically useful variation for interpreting H1 (effect of voluntary sustainability standards), H2/C1 (role of child labour specificity criteria), H3 (effect of ethical capability of voluntary sustainability standards and business enterprises), and H4 (role of social actors in enforcement).

**Table 16**

*Comparative Public Policy Indicators Associated with Child Labour Risk (2019-21)*

| Variable | Andhra Pradesh | Telangana | Gujarat |
|---|---|---|---|
| **Education-related deprivations** | **Lower** | **Lower** | **Higher** |
| Years of schooling (censored)<br>% of the population that is both multidimensionally poor and lives in a household where no household member aged 10 or older has completed six years of schooling. | 3.85 | 3.85 | 4.38 |
| School attendance (censored)<br>% of the population that is both multidimensionally poor and lives in a household where at least one school-aged child is not attending school up to the age at which Class 8 should be completed. | 0.64 | 0.74 | 3.16 |
| School attendance (uncensored)<br>% of the total population living in a household where at least one school-aged child is not attending school up to the age at which Class 8 should be completed, regardless of poverty status. | 1.35 | 1.35 | 5.06 |
| **Multidimensional poverty index (MPI)** | **Lower** | **Lower** | **Higher** |
| MPI value (H×A) | 0.025 | 0.024 | 0.050 |
| Headcount H (%) | 6.06 | 5.88 | 11.66 |
| Intensity A (%) | 41.12% | 40.85% | 43.25% |

| Variable | Andhra Pradesh | Telangana | Gujarat |
|---|---|---|---|
| **Nutrition deprivation** | **Lower** | **Lower** | **Higher** |
| Nutrition (censored)<br>% of the population that is both multidimensionally poor and deprived in nutrition. A household is classified as deprived in nutrition if any child (0-59 months), any woman (15-49), or any man (15-54) is undernourished.* | 4.87 | 4.91 | 9.63 |
| **Rural poverty deprivation** | **Lower** | **Lower** | **Higher** |
| Rural MPI | 0.032 / | 0.031 / | 0.075 / |
| Rural headcount H (%) | 7.71% | 7.51% | 17.15% |
| **Rate of reduction in working children (2001-2011)** | **Faster** | **Faster** | **Slower** |
| **Socioeconomic conditions associated with child labour risk** | **Lower-risk profile** | **Lower-risk profile** | **Higher-risk profile** |

*Source.* NITI Aayog (2023).
* NITI Aayog (2021) does not explain why children aged 5 to 14 are excluded from the nutrition indicator in India's MPI. This differs from the Global MPI, which includes individuals up to age 70 (Alkire et al., 2020, p. 8). The exclusion also appears difficult to reconcile with the Supreme Court's mid-day meal rulings, which recognizes child nutrition as a constitutional entitlement linked to the right to education.
*Note.* Indicators are drawn from NITI Aayog's multidimensional poverty analysis using NFHS-5 (2019-21) data together with child labour trends discussed in this chapter. "Censored" indicators refers to the proportion of the population that is both multidimensionally poor and deprived in the specified indicator; "uncensored" indicators refer to the proportion of the total population deprived in the specified indicator regardless of poverty status. Lower levels of deprivation in education, nutrition, and poverty-related indicators are interpreted as being consistent with comparatively lower child labour risk, although these indicators do not by themselves establish causal effects. The rate of reduction in working children (2001-2011) are estimates drawn from KSCF (2020) based on Census of India, 2001 and 2011. The final row provides an interpretive summary of the indicators reported above and does not represent a separately measured variable.

## Implications of the Public Policy Context for Comparative Analysis

The preceding analysis demonstrates that Andhra Pradesh, Telangana, and Gujarat differ not only in their rates of child labour reduction but also across several aspects of the public policy context potentially relevant to child labour risk. Table 17 helps clarify why the study does not employ a strict Most Similar System Design (MSSD). It identifies contextual factors that vary across the cases and distinguishes those retained from those excluded in the comparative framework.

Multidimensional poverty and nutritional deprivation, education deprivation, and rural poverty are retained because they may influence child labour risk. while other factors, including state engagement with the National Child Labour Project Scheme, are not treated as common background conditions for comparison. These distinctions help define the public policy environment within

which voluntary sustainability standards, business practices, and enforcement processes operate and inform the interpretation of findings in subsequent chapters.

**Table 17**

*Public Policy Context Variables Retained or Excluded in the Comparative Analysis*

| Dependent variable | Potential contextual variables | Similar or different between cases | Included/ Excluded | Rationale |
|---|---|---|---|---|
| Level of child labour risk reduction among children including adolescents below age 18.<br>Former unified Andhra Pradesh (Case Study 1) and Gujarat (Case Study 2) differed substantially:<br>**Very high rate of reduction**: Former unified Andhra Pradesh (Case study 1)<br>**Very low rate of reduction**: Gujarat (Case study 2) | **Section 4.2: Child labour laws and the regulatory framework** | | | |
| | State-level implementation of and engagement with the National Child Labour Project (NCLP) Scheme | Different | Excluded | Andhra Pradesh and Telangana differed in their implementation of and engagement with the NCLP scheme; hence they are excluded from being considered similar (see Section 4.2). |
| | **Section 4.4: Multidimensional poverty and education deprivation** | | | |
| | Multidimensional poverty and nutrition deprivation | Different | Included | Relevant to structural conditions associated with child labour risk. |
| | Education deprivation | Different | Included | Relevant to work-school trade-offs and child labour risk. |
| | Rural poverty | Different | Included | Relevant to agricultural employment and child labour pressures. |

The following potential explanatory variables were considered but were not retained as primary analytical variables:
a. Besley and Burgess' (2004) classification of *de jure* labour market institutions as pro-worker (less flexible) or pro-employer (more flexible).
b. Employment Condition Index indicators (i.e., status in employment indicators and youth employment indicators).
c. State-level policy commitment measures (i.e., state-level CLPRA amendments or state action plan on child labour)
d. State-level CALPR enforcement indicators (NCRB crime data).

## 4.5 Conclusion

This chapter contributed to answering RQ2 by establishing the structural, institutional, and normative context needed for the analysis that follows on voluntary sustainability standards and business employment practices. Together, the chapter establishes:

1. **Informality and labour market structure.** India's labour market remains dominated by agricultural, informal, and family-/home-based work, limiting the reach and effectiveness of labour law regulation, which in turn complicates cross-state comparisons. The formal, organized segment remains comparatively small.
2. **Legal and regulatory constraints (gaps, coverage, enforcement).** Child labour law is stronger in form than in practice: exemptions for family- and home-based work persist; enforcement capacity and conviction rates remain low; and commitment to withdrawal and rehabilitation infrastructure is uneven across states. Engagement with the National Child Labour Project (with Gujarat less engaged than Andhra Pradesh and Telangana), and subsumption under Samagra Shiksha may weaken specialized rehabilitative functions and erode targeted child labour infrastructure.
3. **Empirical data on children's work and child labour.** Official data remain fragmented, inconsistent, and incomplete: Census and NSS figures diverge; adolescent work (14-17), domestic work, and working hours are often insufficiently captured in official statistics; and rural and marginal forms of work remain difficult to track—obscuring the scale of the problem and limiting evaluation and accountability.
4. **Structural poverty and education-linked deprivation (MPI).** Andhra Pradesh and Telangana reduced education-related deprivations faster than Gujarat and now show lower rural MPI and headcount ratios. Because school attendance is the most proximate indicator of the work-school margin, these patterns are consistent with conditions that may reduce children's exposure to work-school trade-offs in Andhra Pradesh and Telangana. Periods of expanded schooling, basic service provision, and pro-poor policies (Alkire et al., 2021) are associated with reductions in child labour.

A long-run trajectory underlies these findings. Following economic liberalization (1991-2004), India experienced a pro-poor expansion period between 2005-2015, followed by continued, though uneven, progress to 2019-21. Across this period, improvements in schooling, basic services, and social protection were associated with reductions in poverty and child labour pressures. Programs such as the Mahatma Gandhi National Rural Employment Guarantee Act (NREGA) contributed to poverty reduction and improvements in schooling (Klonner & Oldiges, 2019; Drèze & Khera, 2017; Singh et al., 2014, cited in Alkire et al, 2021, p. 9). Flagship programs discussed in this chapter—NCLP, Samagra Shiksha, the Mid-Day Meal Scheme, and the Right to Education Act (2009)—

formed part of this broader trajectory. Although informality, NEET concerns, and uneven enforcement persist, improvements in education and service provision helped ease work-school trade-offs and reduce child labour risk, particularly in rural areas.

These findings frame the enforcement concepts examined in Chapters 6-7 by specifying the structural conditions under which voluntary standards and state systems influence rules in use, compliance behavior, and business responses to child labour risks.

The analysis in Chapters 6-7 is organized around four enforcement components:

**Rules-in-use.** Legal protections translate unevenly into policy and practice; outcomes depend on how rules are applied within specific local, sectoral, and supply chain contexts.

**Specificity criteria (H2/C1).** Clear, context-relevant child labour rules—including minimum-age rules (recognizing lawful family-based exceptions), school attendance safeguards with remediation pathways, and zero-tolerance for irremediable worst forms—are more likely to influence compliance behaviour than vague or generic statements.

**Ethical capability (H3).** Where voluntary sustainability standards and business enterprises demonstrate stronger indicators of ethical capability, they are likely to institutionalize governance arrangements that translate child labour as an international human rights norm and a legal requirement into enforceable employment practices.

**Society-dependent enforcement (H4).** The effectiveness of state-based regulation and enforcement varies with civil society engagement, political will, and the local embeddedness of enforcement actors (e.g., district-level NCLP arrangements), especially in informal and agricultural sectors.

# CHAPTER 5
# Methodology

This chapter presents the study's methodological approach, including research design, ethics, case and sample selection, data sources, data collection and analysis procedures, and limitations. The study combines a comparative analysis of voluntary sustainable cotton standards with business-level and qualitative evidence to assess underlying mechanisms and evaluate explanatory pathways across hypotheses H1-H4.

## 5.1 Research Design

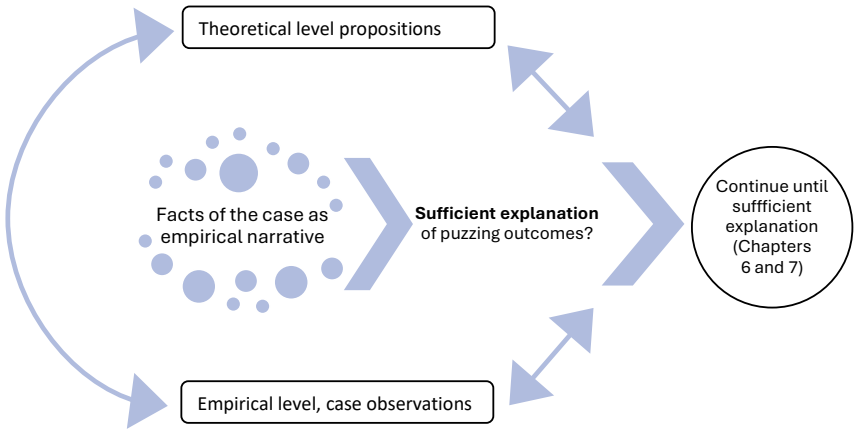
This research employs a mixed-methods approach, integrating quantitative and qualitative techniques. The primary design is an embedded, multiple-case study using explaining-outcome process tracing (Beach & Pedersen, 2013) for within-case causal assessment and a building block strategy (George & Bennett, 2005, pp. 74-77) for cross-case analytical generalization. Comparative case studies can achieve high external and construct validity while identifying new hypotheses through deduction and induction (Goertz, 2017; Mahoney, 2010). This study draws on configurational, set-theoretic reasoning (Ragin, 2009; Rihoux & Ragin, 2009; Schneider & Wagemann, 2012) to operationalize INUS logic and equifinality, and on discourse analysis (Fairclough, 2003) for texts and narratives. The measurement framework for business practices and child labour is informed by the axiomatic, multidimensional approach to poverty (Alkire et al., 2015). Data collection includes online surveys administered via SurveyMonkey, virtual semi-structured interviews conducted on Zoom, and desk reviews of business documents such as annual reports, supplier codes of conduct, and policies on child labour, human rights, business responsibility, CSR, and sustainability reports.

Explaining-outcome process tracing is used to examine employment practices and governance arrangements shaping child labour risk in India's cotton value chain. This method assesses theoretical propositions alongside case observations to determine whether a minimally sufficient explanation can account for an observed outcome (Figure 7). It is particularly suited to case studies seeking to explain specific historical outcomes. This analytical process is iterative,

testing hypotheses and theories again empirical evidence to evaluate minimal sufficiency, defined as an explanation that accounts for the outcome without redundant explanatory elements.

**Figure 7**

*Explaining-Outcome Process Tracing*




*Note.* Sourced from Beach & Pedersen (2013)

Moreover, this study adopts a building-block case study approach within an embedded, multiple-case design. Building block case studies systematically screen instances of a social phenomenon, identify types and subtypes with shared characteristics, and trace the causal processes associated with those subtypes. This design addresses a gap identified by Oya et al. (2017) regarding certification standards for agricultural production. Drawing on new institutionalist theory, the study focuses on child labour-related policies and rules, and traces the causal chain from socioeconomic objectives to human development outcomes, including school attendance.

## Variables and Case Selection

This research adopts a two-by-two embedded multi-case study design (Yin, 2014) to examine how voluntary sustainable cotton standards and business enterprises adopt and implement employment practices and how these practices are designed to reduce child labour risk. Particular attention is paid to changes in employment practices following India's 2016 amendments to the Child Labour (Prohibition and Regulation) Act of 1986, renamed the Child and Adolescent Labour (Prohibition and Regulation) Act (CALPR), which aligned the legislation more closely to the Right to Education Act (2009) and subsequently, India's ratification of ILO C138 – Minimum Age Convention (1973). These reforms provide an important legal reference for assessing how voluntary

sustainability standards and business enterprises operationalize minimum-age requirements, family-work provisions, adolescent work restrictions, and educational safeguards. Accordingly, Chapters 6 and 7 examine where and how these legal distinctions are translated into organizational governance arrangements through specificity criteria, compliance-enforcement arrangements, ethical capability, and the associated employment practices through child labour risks are governed in practice.

***Unit of Analysis and Variables***

The study employes a multi-level analytical framework. The comparative cases are former unified Andhra Pradesh (including Telangana) and Gujarat. The principal unit of analysis is organizational governance arrangements affecting employment practices in cotton value chains. Within this framework, voluntary sustainability standards and business enterprises function as empirical units through which organizational governance is examined at different levels of analysis.

Condition variables (C) include:

- participation in voluntary sustainable cotton standards,
- the public policy context, operationalized at the national and subnational (state) level, and
- social groups relevant to accountability and enforcement (e.g., NGOs, farmer producer organizations, workers, and communities).

The intervening variable linking these conditions to child labour risk is *employment practices*. Employment practices are conceptualized as the observable policies and actions through which organizations govern children's work and address child labour risk. Employment practices provide the empirical domain through which the study assesses (a) child labour specificity criteria, and (b) compliance-enforcement arrangements, and (c) ethical capability.

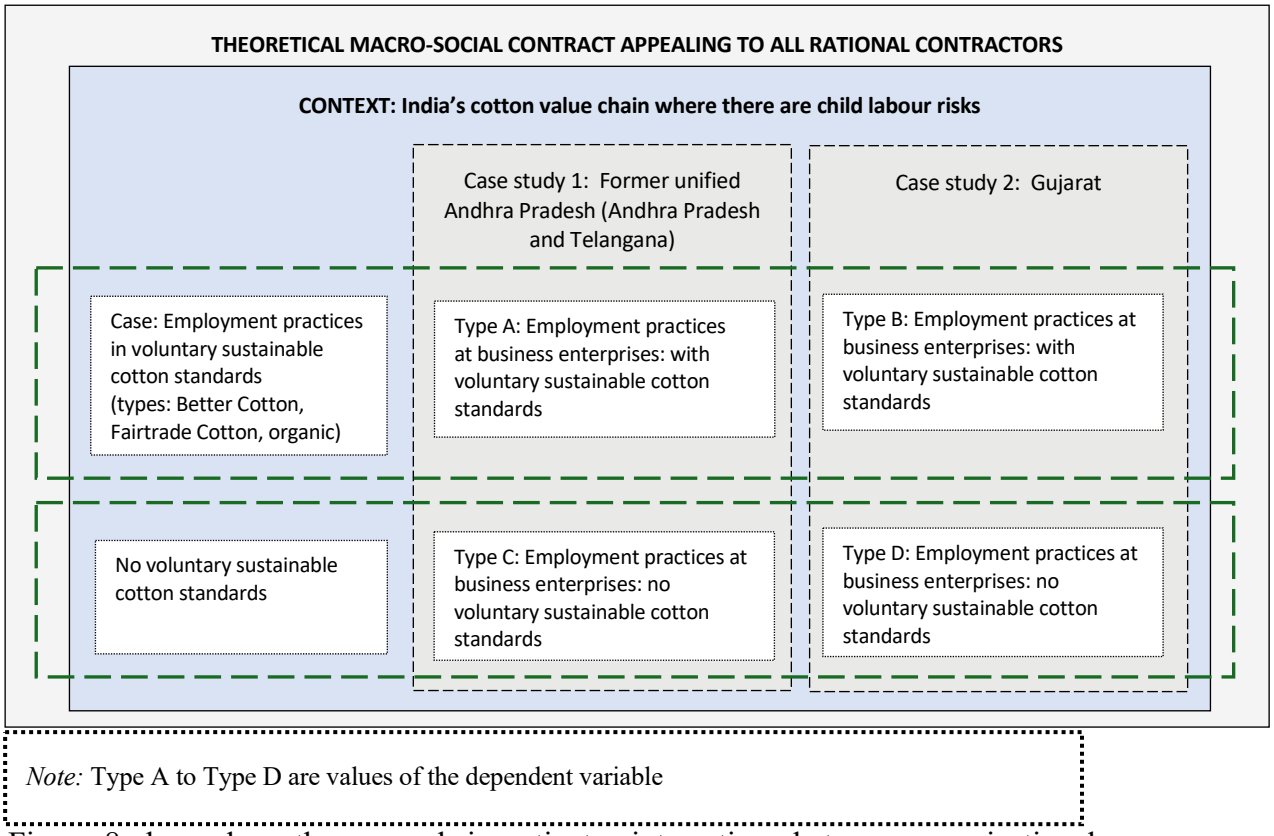
Particular attention is paid to legal distinctions reinforced by India's 2016 amendments to the Child Labour (Prohibition and Regulation) Act of 1986, renamed the Child and Adolescent Labour (Prohibition and Regulation) Act (CALPR), including distinctions between children and adolescents, family-based work exceptions, minimum-age requirements, hazardous-work restrictions, and educational safeguards. The distinctions are incorporated into the tool's specificity criteria and provide an important benchmark for assessing employment practices in Chapters 6 and 7. Chapter 6 examines variation in these three governance dimensions across voluntary sustainability standards at the process level, while Chapter 7 examines how these dimensions are translated into employment practices within business enterprises at the meso level.

### *Case Selection and Scope*

The study employs a two-by-two comparative design combining two state-level cases—former unified Andhra Pradesh and Gujarat—with variation at the business level between enterprises participating in voluntary sustainable cotton standards and those not participating. The four voluntary standards analyzed in this study are Better Cotton, organic cotton under the GOTS and Textile Exchange's Organic Content Standard (OCS) labels, and Fairtrade cotton. Together, these standards represent most sustainable cotton in India during the study period. For global and India-level volumes and market shares, see Chapter 2. Within each case, multiple business enterprises are observed as embedded units, allowing comparison between firms with and without standards participation.

**Figure 8**

*Conceptual Framework for the Case Study Analysis*




*Note:* Type A to Type D are values of the dependent variable

Figure 8 shows how the research investigates interactions between organizational governance arrangements, condition variables, and intervening mechanisms related to employment practices. Employment practices constitute the smallest sub-unit of analysis through which (a) specificity

criteria, and (b) compliance-enforcement arrangements, and (c) ethical capability are assessed within business enterprises.

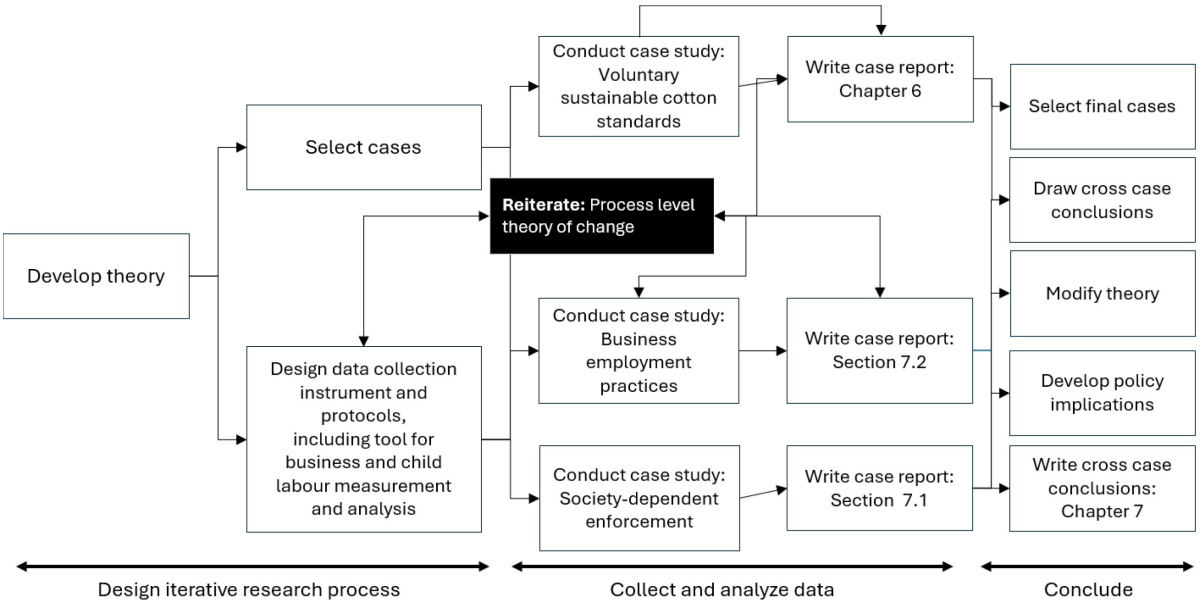
***Research Steps***

The comparative logic follows a structured design enabling comparison according to standards participation (with standards versus without standards) and across state contexts (Andhra Pradesh and Telangana, versus Gujarat). Chapter 4 presents the contextual background and analyzes India's public policies. Similar outcomes are expected across governance configurations characterized by similar governance arrangements and employment practices under comparable conditions (C), while differences are expected where state context, standards participation, or governance arrangements diverge. External validity is sought through replication logic across embedded units of analysis, enabling analytical generalization through literal and theoretical replication (Creswell, 2014; Yin, 2014).

Chapter 6 applies the measurement framework to compare voluntary sustainable cotton standards, while Chapter 7 examines business-level practices and the roles of public policy and social groups through embedded case analysis (see Figure 9).

**Figure 9**

*Case Study Method*




Adapted from Yin (2014, p. 50)

**Step 1: Process-level assessment of governance dimensions across standards (Chapter 6).** This step analyzes data collected from four sustainable cotton certification standards, comparing specificity criteria, compliance-enforcement arrangements, and ethical capability (as defined in Chapter 3) across seven dimensions and supporting indicators to examine the process-level theory of change.

It assesses:

- *H2/C1 (role of child labour specificity criteria).* If standards include comprehensive, context-sensitive specificity criteria, these criteria may be necessary within configurations associated with lower child labour risk, but they are insufficient without credible compliance and enforcement mechanisms, education safeguards, and remedies (INUS logic). H2/C1 includes a plausible counterfactual that distinguishes harmful child labour from other forms of children's work (including schooling as a realistic alternative).
- *H3 (effect of ethical capability of voluntary standards).* If voluntary standards exhibit governance configurations that involve credible monitoring, response, enforcement and child-centred remediation arrangements, these arrangements are interpreted as a proxy of standard's ethical capability and are thereby more likely to reduce child labour risk, especially in cases involving underage workers, inadequate safeguards, and severe or irremediable risks.

**Step 2: Meso-level assessment of business employment practices across states (Chapter 7).** This step assesses business-level employment practices and compares participants versus non-participants in voluntary sustainable cotton standards across states, integrating public policy as a conditioning variable. Results are reported in Section 7.2.

It assesses:

- *H1 (effect of voluntary sustainability standards).* Participation in recognized voluntary sustainable cotton standards is associated with greater adoption of employment practices linked to lower child labour risk than otherwise comparable businesses without such standards, with stronger effects where public policy enforcement capacity is weaker and smaller effects where enforcement capacity is stronger.

The aim is not to prove one single dominant effect over the other, but to identify plausible explanatory claims and configurations that merit further empirical investigation, including

interactions between public policy and voluntary sustainability standards, and their effects on business incentives to adopt and implement employment practices.

These mechanisms are relevant to the broader inquiry into how child labour risks are governed within business practices, particularly in India's cotton value chain and its intersection with formal and informal regulatory regimes.

**Step 3: Public policy and social embedding (Chapter 7).** Building on Step 2, this step examines how public policy contexts and social groups shape governance and accountability, beyond the effects of voluntary sustainability cotton standards. The analysis integrates data from other economic actors in the cotton value chain, including social and solidarity economy (SSE) enterprises, farmer-producer organizations, government representatives, social actors, cotton farmers, and field labourers.

It assesses:

- *H4 (role of social actors in enforcement).* Where social actors (NGOs, farmer-producer organizations, workers, communities) actively shape accountability, compliance monitoring, and enforcement, compliance and enforcement processes are more effective—especially in informal and agricultural settings—and mediate the effects of business employment practices and public policy.

It re-assesses at the case level:

- *H3 (effect of ethical capability of business enterprises).* Business governance configurations that involve credible monitoring, response, enforcement, and child-centred remediation arrangements demonstrate stronger indicators of ethical capability and are thereby more likely to reduce child labour risk. Ethical capability may emerge through multiple sufficient pathways rather than a single institutional arrangement, reflecting equifinality.

H4 is assessed through within-case qualitative process tracing using surveys, interviews (with business actors, standard-setting bodies, NGOs, and officials), evaluations, program documents, and observations. The analysis traces how public and private rules-in-use are applied, interpreted, or not enforced through informal norms, relational ties, and multistakeholder interaction.

***Role on Employment Practices in the Research Design***

Employment practices refer to the policies, decisions, and operational actions that are the central analytical link between governance arrangements and child labour outcomes. They constitute

the smallest sub-unit of analysis within each voluntary sustainability standard and business enterprise, serving as the primary observable expression of governance in practice. It is through employment practices that child labour specificity criteria (H2/C1), compliance-enforcement arrangements, and ethical capability (H3) become observable, assessed, and interpreted, and through which different governance configurations are identified and compared.

***Position on State Typologies***

The "pro-worker state" label is not substantiated by the evidence presented in this study. Although initially considered as a framing device for the embedded case study (Figure 8), a more accurate interpretation of India's political economy follows Kohli's typology, which distinguishes among pro-business, pro-market, and redistributive/social-democratic models (see Appendix C1. Reassessing State-Level Labour Market Regimes and Case Selection).

Accordingly, this study does not test the effects of a binary pro-worker versus pro-employer policy environment on child labour risk. Within Kohli's typology, Kerala reflects a redistributive model, Gujarat a growth-first pro-business orientation, and Andhra Pradesh and Telangana fall between these poles, combining industrial promotion with selective welfare initiatives. These differences reflect broader developmental orientations and state-society configurations, rather than discrete regulatory regimes.

Kohli's typology therefore informs case interpretation without serving as a direct explanatory variable. The analysis instead focuses on how legal frameworks, enforcement capacity, and embedded social groups interact to shape employment practices and child labour risk.

## 5.2 Research Ethics & Human Subjects Protection

**Ethics Approval & Guiding Principles**

This research received approval from the University of Ottawa's Research Ethics Board in March 2021 (see Appendix A1. Certificate of Ethics Approval). Respect for human dignity, including concern for social justice, remains at the forefront of this study in accordance with the Tri-Council Policy Statement (Canada et al., 2018). Given the sensitivity of research involving children under 18, this thesis gave special attention to ethical considerations throughout the study.

### *Ethical Risks in Child Labour Research*

Research on child labour raises ethical challenges because efforts to protect children may, in some circumstances, produce unintended harmful consequences. Child labour researchers must contend with the possibility of acquiring information about child protection cases where children are being exploited or abused. Researchers also face the ethical risk that reporting information about possible child labour cases to duty bearers or other authorities may result in a situation where the child is withdrawn from one work setting with a low risk of harm and displaced into a work setting with a greater risk, including more hazardous, hidden, or exploitative forms of work (Edmonds, 2005; Graham et al., 2013).

The specific problem motivating this research is the working conditions of children, including adolescents who may be exposed to child labour risks, harms, and human rights violations through business practices in the cotton industry in Andhra Pradesh and Gujarat. Consistent with the counterfactual logic discussed in Chapter 2, the ethical challenge is not simply whether children work, but whether alternatives are likely to improve their well-being. The research design was therefore structured to minimize foreseeable risks, discomforts, and unintended harms arising from participation in the study.

This "research involving children" focused on business policies, governance arrangements, accountability mechanisms, and public policies rather than the lived experiences of children. No children were interviewed. By concentrating on adult participants and institutional responses to child labour risks, the study substantially reduced the possibility of research-related harm while still permitting analysis of how businesses, public institutions, and social actors govern child labour risks in practice.

### *Legal and Confidentiality Consideration*

Regarding risks of legal repercussions, it is essential to clarify that this research does not look exclusively at the worst forms of child labour. While there are illegal forms of child labour in India's cotton supply chain, the surveys and semi-structured interviews were not designed to expose specific illegal activities of business enterprises, and there are no finger-pointing questions in this research. Participants were not expected to experience legal or social repercussions, including negative judgments by peers or employers.

Organizations knowingly participating in illegal child labour activities were not expected to agree to participate in this research. If a business unknowingly employed underage children or

adolescents in work activities in violation of minimum-age standards, then the research aimed to support business behaviour change and improved employment practices. In the event of a disclosure of harm to children, the researcher's experience as a child protection specialist and long-standing relationships with UNICEF and other child-focused agencies informed the referral process to local protection services. A range of government departments, NGOs, and United Nations agencies advise businesses on child labour policy enhancements and provide support to children and adolescents trapped in child labour.

### *Informed Consent and Participant Protections*

Participants were informed of the study's title and purpose, the risks and benefits, the data collection methods, and the time commitment required. Free and informed consent was obtained from participants. Participants were informed of their rights, including the right to refuse to participate or answer any questions in the screener surveys or interviews, to remain anonymous, and to withdraw from the research at any time. Participants were anonymized by default. This research identifies participants only if they have explicitly consented to the publication of their identity in the outputs associated with this research. Participants were given the option to be identified by name, institution, or both, or via an alphanumeric codename. Often, names were not revealed even when consent was granted.

The researcher also recognized that participation in the survey and interview required a time commitment that could create inconvenience for participants. To minimize participant burden, the research design was revised from two rounds of data collection to a single survey and interview round. This approach was intended to reduce fatigue, frustration, and attrition. The researcher was sensitive to time pressures on participants, including the average interview length (approximately 75 minutes). If a participant indicated time constraints or a wish to discontinue, the research team offered to reschedule or end the interview.

### *Anonymizing Desk Reviews: Ethical and Legal Rationale*

Most documents reviewed through desk research were anonymized to protect confidentiality and reduce the risk of identifying organizations or individuals. This approach is consistent with a broader commitment to responsible research, particularly given that the firms examined are primarily Indian companies not subject to transnational regulatory oversight. Because the analysis focuses on business activities and relationships rather than on legal accountability (or naming or shaming), no linkage is made between these companies and the regulatory regimes of importing companies.

### *Participant Benefits & Knowledge Sharing*

This research has the potential to enhance participants' and stakeholders' understandings of the institutional policies and practices that organizations have developed and implemented. Participants also benefited from the opportunity to reflect on and validate their experiences through engagement in the study. A summary of findings was prepared as a policy brief. Participants in the study who provided an email address received an electronic copy of the brief, along with links to any publications resulting from the research.

## In-country Collaboration and Research Assistants

A local affiliation with the Gujarat Institute for Development Research (GIDR) and collaboration with Glocal Research were instrumental in bringing my primary, community-based research activities to fruition. Drs. Lalitha and Venkateswarlu have made significant contributions to the literature on child labour in hybrid cottonseed production and the cotton supply chain (Samantroy et al., 2021; Venkateswarlu, 2003, 2007b, 2007a, 2015, 2020; Venkateswarlu & da Corta, 2001), the evaluation of voluntary sustainability cotton standards in India (Kumar et al., 2019; Nelson & Smith, 2011) and the cottonseed industry (Lalitha, 2011).

Both research partners advertised the terms of reference (TORs). GIDR posted them on its website, and Dr. N Lalitha circulated them through her networks. The junior research assistant was recruited through Carleton University's Institute for Data Science's job board. The research assistantships required advanced English and Hindi as essential language criteria, with Gujarati or Telugu identified as asset language criteria. The team's combined language skills ensured that participants in Gujarat, Andhra Pradesh, and Telangana were engaged in their preferred languages.

Three in-country research assistants helped with the research. A Senior Research Assistant (Gujarat) with a doctoral degree in climate studies worked on this project from July 2021 to June 2022. A Research Assistant (Andhra Pradesh and Telangana) holding a master's degree in human rights and political science worked on this project from July 2021 to January 2022. A Research Assistant (Data Sciences), completing her undergraduate degree, worked part-time on this project from July 2021 to April 2022. The research assistant for Andhra Pradesh and Telangana helped recruit participants, collect data, and perform other research and administrative tasks. The senior research assistant for Gujarat helped recruit participants, collect data, perform other research and administrative tasks, and prepare interview reports. The Research Assistant (Data Sciences) helped

with the iterative research process by prototyping the child labour indicators and accompanying composite Business and Child Labour Index using Excel and Tableau.

**Emergent Design and COVID-Related Adaptations**

This section describes how I adapted the research to the COVID-19 pandemic. The pandemic disrupted universities worldwide, and the ILO and UNICEF (2020) warned it could reverse decades of progress in reducing child labour. While the research questions remained unchanged, additional items were added to the data collection tools to examine the pandemic's effects on child and adolescent labour.

Due to travel restrictions, including Government of Canada advisories, I did not travel to India to conduct community-based research. Ethics did not approve in-person focus groups, and the Tri-Agency Secretariat for Responsible Conduct of Research and the Panel on Research Ethics recommended remote research whenever possible. The International Development Research Centre (IDRC) funded only virtual studies, and the University of Ottawa Office of Research Ethics and Integrity emphasized new safety requirements.

Researchers were required to adjust to the pandemic, but they retained agency in how to respond. In January 2021, I met virtually with the affiliated institution to discuss changes to India's research environment. The safety of research assistants and participants remained a priority. A well-being protocol guided pauses in research to reassess objectives as needed.

The study was redesigned to use remote methods. In-person data collection was replaced with digital tools, including an online survey that could be completed independently (using a computer or mobile phone) to limit exposure to COVID-19 risks. The team anticipated challenges, including poor connectivity, limited internet access, and cultural differences in technology use (Kara & Khoo, 2020). Research assistants contacted potential participants by phone and email to confirm their comfort with the research methods and to offer assistance.

The two-round Delphi method could not proceed as planned because it required intensive in-person group work, which was too demanding under pandemic conditions. By October 2021, key informants were experiencing work-related fatigue, economic pressures due to the COVID-19 recession, and constraints linked to the harvest season. Scheduling interviews was difficult due to business operations, trade activities, and audits. As a result, the study used a single survey and interview rather than the two rounds initially planned.

**Researcher's Positionality – Epistemological, Ontological, and Methodological Matters**

Clarifying my positionality as a researcher has been essential to ensuring the validity of my research stance. Throughout this project, ongoing self-reflection helped me identify my views, values, and beliefs regarding the research. I engaged with ontological and epistemological questions. As I developed the theoretical framing, I reflected on my understanding of theories of being and existence in a changing world (ontology) and the nature, limits, and validity of knowledge (epistemology) to discern scholarly claims from personal assumptions. This self-reflection is foundational to any doctoral process.

My professional journey has spanned the NGO, political, governmental, and academic sectors. Since the 1990s, I have worked on domestic and international development policy, as well as foreign policy and trade. I have held roles at the United Nations, Save the Children UK, and the Senate of Canada. I joined the Government of Canada in 2004, focusing on child and family policies and national childcare. Since 2008, I have worked with Global Affairs Canada on human rights, governance, child protection, responsible business conduct, forced labour, and trade strategy.

My commitment to social justice stems from witnessing systems that fail to protect children. My interest in children's rights led me to promote research on child domestic work at UNICEF's Innocenti Research Centre during the adoption of ILO C182. Following my role as manager at the Child Rights International Network (CRIN) for Save the Children UK, I supported the Honourable Landon Pearson as the Prime Minister's Personal Representative and the Minister of Foreign Affairs' Advisor on Children's Rights. In this role, I contributed to Canada's National Plan of Action for Children, "A Canada Fit for Children," (Government of Canada, 2004), developed following the 2002 UN General Assembly Special Session on Children.

I shaped international praxis at Global Affairs Canada, including UN resolutions and the Sustainable Development Goals to end violence against children (16.2) and child labour (8.7). I am proud of advocating for a systems approach to national protection frameworks, collaborating with UNICEF and other agencies to address the risks of violence, exploitation, and abuse children face across society, workplaces, schools, and homes (End Violence, 2017; Global Affairs Canada, 2014). I supported much of Canada's bilateral international development program as a specialist in governance, human rights, and child protection, addressing the most egregious forms of violence perpetrated against children, including on children and armed conflict, through the Monitoring and Reporting Mechanism (MRM) established by UN Security Council Resolution 1612 (2005).

Attending global child labour conferences as part of Canada's delegation to draft outcome documents deepened my understanding of trade and labour dynamics.

During my PhD coursework, I deepened my understanding of development economics and trade while engaging with political science, business, and legal discourses. My literature review and supervisory team reflect this interdisciplinary commitment. Alongside my research, I gained valuable insights into teaching philosophy, particularly social constructivism and community of practice approaches, thereby deepening my appreciation for educators' roles in fostering students' and lifelong learners' active citizenship. I believe liberal arts education and multidisciplinary thinking are essential tools for navigating complex global challenges. This academic journey enhanced my analytical skills, enabling me to drive more impactful change and address Canada's most pressing policy challenges through evidence-based interventions.

## 5.3 Case, Population, and Sample Selections

### Country Case Selection – India's Cotton Value Chain

This study examines the cotton industries of Gujarat and the former unified Andhra Pradesh. Several countries initially met the predetermined criteria: familiarity with lower- or middle-income contexts where child labour is prevalent, and relevant professional experience. A two-country comparison was considered but judged beyond the project's scope.

A second criterion concerned the type of product supply chain. Based on the U.S. Department of Labor's (2016) list, short agricultural chains (e.g., sugar, cocoa), complex manufacturing chains (e.g., cotton, textiles, garments), and ecosystem-linked products (e.g., bamboo, shrimp) were considered. [56]

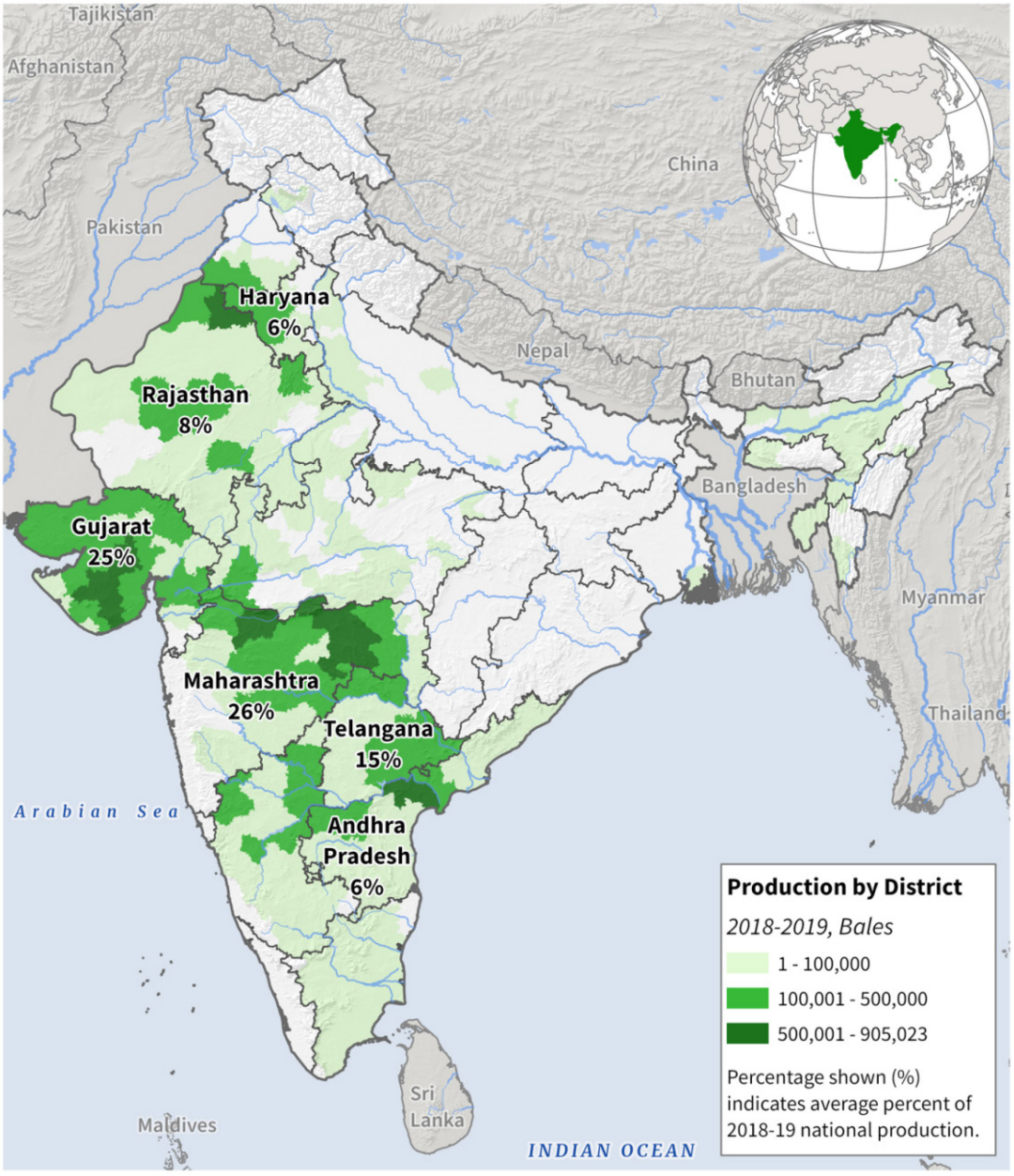
India's cotton supply chain was selected for several reasons. Cotton is central to the country's economic development. Its quasi-federal structure allows for meaningful sub-national comparison. There are 5.8 million children aged 5-17 in child labour in India (Lyon & Khan, 2015), which makes it a serious problem; and the country has documented child labour in the cotton sector. India has also

[56] There are several reasons why this study did not focus on supply chains where children are particularly vulnerable to the unconditional worst forms of child labour, such as gold, diamonds, bricks and pornography. One notable reason is that the study intentionally sets out to document the fuzzier membership boundaries that determine what constitutes a child labour risk or harm. The project is therefore less concerned with documenting only the crisp membership rules associated with the unconditionally worst forms of child labour.

made progress in addressing child labour and hazardous adolescent work. India also has extensive academic and policy literature supporting rigorous analysis. Prior professional experience in India, including in Gujarat, also supported contextual understanding. Together, these factors aligned the Indian cotton sector closely with the study's variables and justified its selection as the case.

**Figure 10**

*Map of India's Top Cotton-Producing States and Districts*




*Note.* "Country summary: India Cotton Area, Yield, and Production," by U.S. Department of Agriculture, Foreign Agricultural Service (2022), https://ipad.fas.usda.gov/countrysummary/Default.aspx?id=IN&crop=Cotton

### *Study Site Selection: Gujarat, Andhra Pradesh, and Telangana*

The research team drew the sampling frame mainly from stakeholders and key informants working in Andhra Pradesh, Telangana (in the south), and Gujarat (in western India). These three states are among the top cotton-producing states, along with Punjab, Haryana, and Rajasthan in the north; Maharashtra, Madhya Pradesh, and Odisha in central India; and Tamil Nadu and Karnataka in the south (see Figure 10).

The comparative analysis was strengthened by including businesses (with or without sustainable cotton standards) with operations, supply chains, or business relationships in India's cotton value chain. Gujarat and former unified Andhra Pradesh are both sites of sustainable cotton produced under the labels Better Cotton, Fairtrade cotton, and organic cotton, including GOTS and Textile Exchange's Organic Content Standard (OCS).

The research team's mapping of the cotton supply chain (Table 18) shows that cotton production from farm to fabric occurs in more than one district. To the extent possible, research participants were selected based on their operations in the following districts in Gujarat: Ahmedabad district, Bhavnagar, Banaskantha, Junagadh, Kachchh, Mehsana, Rajkot, Sabarkantha, or Surendranagar; in Andhra Pradesh: Guntur, Kurnool, or Vizianagaram; and in Telangana: Adilabad, Karimnagar, Mahbubnagar, or Warangal.

**Table 18**

*Site Selection by Segment of the Cotton Supply Chain*

| Stage | Gujarat | | Andhra Pradesh | Telangana |
|---|---|---|---|---|
| Hybrid cottonseed production | Banaskantha<br>Mehsana | Sabarkantha | Kurnool | Jogulamba Gadwal (Gadwal) |
| Commercial seed cotton production | Ahmedabad<br>Bhavnagar<br>Kachchh | Sabarkantha<br>Surendranagar | Guntur | Adilabad<br>Karimnagar<br>Warangal |
| Ginning to remove the seed from cotton bolls | Junagadh (Manavadar and Mangrol)<br>Kachchh<br>Mehsana (Kadi) | Rajkot (Gondal)<br>Surendranagar<br>Sabarkantha (Himmatnagar) | Guntur | Warangal |
| Spinning fibres to make yarn | Sabarkantha | | Guntur | |
| Weaving/knitting to make raw fabric/textile | Kachchh (Bhujodi)<br>Mehsana (Arvind) | | Vizianagaram | Sircilla |

*Note.* Compiled by the research team with expertise from D. Venkateswarlu

**Population**

This subsection defines the meso-level component of the study's multi-level analytical framework by describing the study population and participant categories used to observe business employment practices empirically.

The study population comprises a broad range of businesses involved in the cotton value chain, both with and without voluntary sustainable cotton standards. At the meso-level, business enterprises function as empirical units through which employment practices are examined. Employment practices constitute the smallest sub-unit of analysis within business enterprises and provide the primary observable evidence through which organizational governance is assessed.

Business enterprises are defined broadly to encompass all forms of business. This approach acknowledges that business enterprises may encompass non-profit organizations, cooperatives, and other alternative entities in the cotton sector. Focusing on business employment practices—rather than strictly "corporate" ones—captures the diverse undertakings that bring cotton products to market (J. Diller, personal communications, December 19, 2019; L. Lipset personal communications, June 1, 2020). The cotton value chain is characterized by high informality and multiple ownership models, including SMEs, farmer-producer organizations (FPOs), cooperatives, and social and solidarity economy (SSE) entities, some of which operate outside conventional corporate structures. Following recent UN and ILO definitions, the SSE includes enterprises and organizations that pursue economic, social, and environmental objectives in the collective or general interest, including cooperatives, associations, mutual societies, foundations, and self-help groups (Defourny & Nyssens, 2023; ILO, 2022a; UNGA A/RES/77/281; Utting, 2015).

As explained in Chapter 3, the literature uses the terms voluntary sustainability standards, certification scheme, and certification standards. This thesis examines four cotton-specific voluntary standards: Better Cotton, Fairtrade, GOTS and OCS. Voluntary sustainability standards are private or hybrid governance instruments that specify social and environmental requirements for actors along the cotton supply chain—from producers and traders to manufacturers and retailers.

Corporate business enterprises are formally registered companies, typically structured as private or public limited companies, with hierarchical management, shareholder ownership, and formal reporting obligations. However, corporate employment practices alone do not reflect all economic activities undertaken by businesses in the agricultural industry. A range of farmer-producer organizations (FPOs), including Small Producer Organizations (SPOs) and farmer-

producer companies, are engaged in Tier 4 of India's cotton supply chain, where production is often decentralized and informal.

Within business enterprises, participant categories included staff and managers from business enterprises with knowledge or experience working with certification schemes, corporate social responsibility, and the cotton supply chain from farming and ginning to the dyeing and finishing of cotton fabric or garment production.

The decision to compare employment practices among businesses with and without sustainable cotton standards reflects the study's interest in how different governance arrangements are associated with child labour risk and the availability of evidence documenting these arrangements. There is considerable research on the effect of certification schemes for sustainable agricultural production (especially Better Cotton and Fairtrade) on socioeconomic outcomes. Selecting cases of business enterprises with and without certification enhances the external validity of the case inquiry.

The sampling frame, described below, extends beyond the population of business enterprises to include additional stakeholders. The participants and organizations of interest in this research are stakeholders who either affect or are affected by the activities of businesses operating in the cotton value chain, or engage with those enterprises through social, political, or regulatory activities. Therefore, the sampling frame for this study is broader than the population of interest. In addition to business representatives, the sampling frame included other industry stakeholders and key informants from social enterprises, standard-setting bodies, government officials, and social actors involved in labour and working conditions, child labour, and community engagement.

Participants were drawn from these main categories of stakeholder groups, chosen based on their ability to represent the views of their organizations:

- Businesses working in the cotton supply chain from "farm to fabric"
- Businesses working with sustainable cotton standards or third-party certification standards, on corporate social responsibility
- Social and solidarity economy (SSE) enterprises, including sustainable cotton standard-setting bodies and social auditing firms
- Farmer-producer organizations (FPOs), including SPOs and Farmer-Producer Companies
- Representatives of the state government, including labour enforcement

- Social actors, including non-governmental, child-focused, labour/worker, community-based organizations, and United Nations agencies
- Cotton farmers and field labourers.

The study focused on stakeholders engaged in the bottom tiers of the cotton global value chain: Tier 4 (farm and fibre: cottonseed production, cotton production, and ginning), Tier 3 (spinning of yarn), and Tier 2 (textiles: weaving or knitting through dyeing and finishing fabric). These tiers were prioritized for data collection, including information on the agricultural and informal economies. [57]

**Inclusion Criteria**

Child labour in the cotton value chain is a nuanced topic that benefits investigation through a broad set of respondents. Appendix B1 presents a range of participants from business enterprises to reflect the diversity of the cotton supply chain. The study included business enterprises of different sizes (from operators in the informal economy to multinational or Indian companies exercising greater supply chain control, including through business relationships), varying ownership structures (e.g., smallholder/farmer producers and limited companies), and specialized cotton value chain actors (cottonseed producers, cotton producers, ginners, spinners, and textile manufacturers). This research also includes SSE enterprises, such as certification and standard-setting bodies. Social actors and government representatives were included to integrate additional perspectives.

To understand intended and unintended policy consequences, a range of social actors—NGOs, child-focused agencies, labour organizations, worker groups, and community-based organizations—were included (Basu & Van, 1998, p. 423; Fyfe and Jankanish, 1997; Nielsen, 2005, p. 577). For example, interviews included national NGOs and child-focused agencies, including Bachpan Bachao Andolan, the Global March Against Child Labour, and the Mamidipudi Venkatarangaiya Foundation (MV Foundation), as well as labour organizations such as the Prayas Centre for Labour Research and Action. Participants from labour organizations included home-based workers, self-employed women, and informal workers' groups, such as HomeNet South Asia and SEWA (the Self Employed Women's Association of India).

[57] Tier 1 garment manufacturers were not specifically targeted for inclusion, as child labour in the ready-made garment (RMG) industry has received considerable research attention. However, this study inadvertently included some garment producers due to vertical integration.

Given the economic disadvantages faced by marginalized rural populations in India—including children below 18 years, women and girls, the lowest castes, and tribal groups—inclusion criteria were considered carefully in the analysis. Early findings on general minimum-age standards (i.e., 14- to 15-year-olds) and on the flexibility for children working as family labourers in agriculture informed the inclusion of farmer-producer organizations. The study applied a gender-based analysis to support equitable consultation with women, and the research team ensured the inclusion of female representatives from diverse organizations. This research meets the definitions of "research involving women" and "research involving children" under TCPS2 Articles 4.2 and 4.4, which require that women and child participants not be excluded solely on the basis of age, developmental stage, gender, or sex. There is no age-based selection; all participants were adults aged 18 or older.

***Procedures to Identify and Recruit Participants***

This study used a non-probability sampling method relying on subjective and non-random means to ensure diversity in the sample frame (a representative sample was not required to achieve the study's purpose and objectives). Participants were eligible if they were staff or managers (aged 18 or older) at business enterprises operating along the cotton supply chain—from farm to fabric—either within or outside sustainable cotton standards systems, including certification and standard-setting bodies, corporate social responsibility, or sustainability functions. Experts were also recruited, including government representatives, social actors from SSE enterprises, NGOs, community-based organizations, child-focused agencies, labour organizations, and UN agencies.

Purposive and snowball sampling were used. Purposive sampling helped identify participants with relevant experience and knowledge. Snowball sampling helped reach individuals who were otherwise difficult to reach, especially those at the farm level; staff in India-owned and India-operated business enterprises; specialist personnel in certification and standard-setting bodies; government; and social actors. This approach expanded the networks and supported recruitment across the full range of actors in the cotton supply chain.

The research team used indirect contact methods (a short email and a poster) to invite potential participants from business enterprises with and without sustainable cotton standards. The team compiled a mailing list of over 800 contact names and emails for this study. The list included businesses from each tier of the cotton value chain from farm to fabric (e.g., cottonseed producers, cotton producers, ginners, spinning mills, and textile mills), organizations associated with sustainable cotton standards (i.e., Better Cotton, Fairtrade, GOTS and Textile Exchange), and

locations in Andhra Pradesh, Telangana, or Gujarat. The research team sent mass email invitations and reminders to potential participants via SurveyMonkey.

The research team obtained contact information using various sources, including personal contacts and referrals; websites and databases of Better Cotton, FLOCERT (the independent auditing and certification body for Fairtrade International), GOTS, and Textile Exchange; public records, company websites, online directories, and sources such as the *Economic Times of India*; LinkedIn; academic and policy literature; government websites, including the Small Farmer's Agri-Business Consortium promoted by the Government of India.

Participants from businesses, SSE enterprises, and other organizations were directly contacted and invited to participate by email or verbal communication (including cold calls). The email and phone call scripts were developed, along with an information letter. Recruitment materials, including a poster and an information letter, were distributed in English, Gujarati, Hindi, and Telugu as appropriate. Appendix A2 provides the poster in four languages, and Appendix A3 provides a sample information letter in English. Letters in Gujarati, Hindi, and Telugu were available but are not appended for brevity.

***Number of Participants***

Table 19 summarizes planned and actual participation. Data collection combined surveys, interviews, and desk reviews of business policies, rules, and reports to maximize the inclusion of research participants from both the target population of interest and relevant stakeholder groups.

The research team worked diligently to secure participation from businesses with or without voluntary sustainable cotton standards. The original research plan included 30 desk reviews, 60 surveys, and 28 interviews (14 per case study). The final dataset comprised 55 desk reviews, 33 surveys, and 49 interviews involving 60 individuals from 40 organizations—enough to provide a good understanding of the different perspectives of industry stakeholders in each case study context. During data collection, core elements of the meta-themes emerged after 20 interviews, at which point interviews had covered most stakeholder categories.

Of the 49 interviews, 25 (51%) involved the target population: 13 business enterprises and 12 SSE enterprises. The remaining 24 interviews (49%) involved other stakeholders: 19 social actors and five government representatives. Interviews also included participants from the same organization at different governance levels and locations, enabling comparison across institutional contexts (i.e., international, national, and field offices). For example, representatives of a certification

standard-setting body were interviewed at both global and Indian national levels; representatives of a cottonseed company were interviewed in Gujarat and Telangana; and staff from Bachpan Bachao Andolan were interviewed in Gujarat, Andhra Pradesh, and Telangana.

**Table 19**

*Planned and Actual Study Participants by Data Collection Method and Interview Category*

| Method / Category | Planned | Actual total | AP | TG | GJ | Other | People | Organizations |
|---|---|---|---|---|---|---|---|---|
| Surveys | 60 | 33 | - | - | - | | - | - |
| Interviews* | | | | | | | | |
| Businesses | 10 | 13 | 0 | 7 | 6 | 1 | 16 | 10 |
| SSE enterprises | 4 | 12 | 1 | 1 | 0 | 11 | 16 | 8 |
| Social actors | 10 | 19 | 4 | 5 | 6 | 6 | 23 | 17 |
| Government officials | 4 | 5 | 1 | 2 | 1 | 1 | 5 | 5 |
| Interviews total | 28 | 49 | 6 | 15 | 13 | 19 | 60 | 40 |

*Note.* AP = Andhra Pradesh; TG = Telangana; GJ = Gujarat. Numbers may not sum precisely due to rounding. The state columns report the location of interview participants, whereas the Organizations column reports unique organizations represented. Because multiple participants from the same organization were interviewed and were sometimes located in different states, state-level counts are not directly comparable to organizational counts. For example, participants from the same cottonseed business located in Telangana were interviewed in both Gujarat and Telangana where they maintained operations. No businesses were surveyed or interviewed in Andhra Pradesh.

Of the 60 people interviewed, 16 (27%) represented businesses, 16 (27%) represented SSE enterprises, 23 (38%) represented social actors, and 5 (8%) represented government. Gender representation varied across categories. Among business participants, one was female, and 15 were male (6% female). Among SSE enterprise participants, 8 were female, and 8 were male (50% female). Among other organizations, 14 were female, and 14 were male (50% female). Of the 40 organizations represented, 10 (25%) were businesses, 8 (20%) were SSE enterprises, 17 (43%) were social actors, and 5 (13%) were government entities.

Across cases, 21 interviews (43%) related to former unified Andhra Pradesh, including Telangana, 13 interviews (27%) to Gujarat, and 19 interviews (39%) to other locations. Despite recruitment efforts, participation among businesses, SSE enterprises, and government representatives remained lower than anticipated due to limited willingness to participate.

**Desk Reviews Completed**

The desk review sample reflected a diverse landscape (Table 20). Among the 55 desk-reviewed organizations, 42 (76%) were businesses, while 13 (24%) included certification standard-

setting bodies (n=4; 7%), SSE enterprises (n=5; 9%), and farmer-producer organizations (n=4; 7%). This distribution underscores the diversity of enterprise forms beyond conventional corporate and private firms.

**Table 20**

*Desk Reviews of Enterprises by Organization Type and Office Location*

| Type of enterprise | # Organizations (office locations) | | | |
|---|---|---|---|---|
| | Unified AP | GJ | Other | Total |
| Tier 1 to 4 businesses* | 18 | 31 | 26 | 42 ** |
| Tier 4 farmer organizations | 1 | 3 | 1 | 4 |
| SSE enterprises: certification standard-setting bodies | 0 | 0 | 4 | 4 |
| SSE enterprises: other | 1 | 2 | 4 | 5 |
| Total | 20 | 36 | 35 | **55** |

*Note.* AP = Andhra Pradesh; TG = Telangana; GJ = Gujarat. Numbers may not round. Some organizations have office locations in more than one state.
* Desk reviews were completed for most business enterprises interviewed.
** Of the 42 usable desk reviews of businesses, 40 yielded sufficient data for scoring and analysis.

Geographically, businesses operated across multiple regions: 31 (74%) in Gujarat, 18 (43%) in the former unified Andhra Pradesh (including Telangana), and 26 (62%) in other regions. Some businesses operated in more than one location, contributing to overlapping counts. Farmer producer organizations were concentrated mainly in Gujarat (3), with one in the former unified Andhra Pradesh and one in other regions. Certification bodies were headquartered outside the focal states. SSE enterprises were more geographically dispersed.

The inclusion criteria addressed potential sources of selection bias arising from non-probability sampling and voluntary participation. In particular, the inclusion of diverse actors across the cotton value chain—including business enterprises with and without sustainable cotton standards, SSE organizations, government representatives, and social actors—helps mitigate bias associated with the over-representation of more visible, compliant, or internationally connected firms. Targeted inclusion of informal-sector actors, smallholder-linked organizations, and labour and community-based groups aims to capture perspective that are often under-represented in business-level research. While participation remained dependent on willingness and accessibility, the combination of purposive and snowball sampling—together with desk-based reviews of non-

participating firms—reduces reliance on a single source of data and strengthens the robustness of inferences. These strategies do not eliminate selection bias but were designed to minimize its effects by enabling cross-validation across actor groups.

## 5.4 Instrumentation

This section describes the instruments used to collect data for this research. In addition, this section provides information on how the instruments align with research participants and the setting; the validity procedures used with the survey and interview questions; strategies for collecting responses, observations, and other data; and how the data are analyzed for themes, including the dependability process used for consistent coding. [58]

Three instruments were developed for this research: (a) a survey, (b) a set of interview questions, and (c) a Business and Child Labour Tool for measurement and analysis, as described in Chapter 3. Sample instruments, protocols, and assessment forms are provided in the appendices, including the survey (Appendix B2) and the interview guide (Appendix B3). The Business and Child Labour Tool is in Table 4; the adapted tool for the cultural contexts of Gujarati, Hindi, and Telugu is in the annexed coding book.

The research team made efforts to align instruments with the case selection (Andhra Pradesh, Gujarat, and Telangana), the target population, stakeholder groups, documents, artifacts, and observations from India's cotton value chain. This alignment process included a scoping exercise (albeit virtual), translation, and the pilot test, each of which is described below. The virtual scoping study started in February 2021. Orientation meetings with collaborating organizations in India were held in February and March 2021: the Gujarat Institute of Development Research (GIDR) in Ahmedabad and Glocal Research in Hyderabad—along with meetings and correspondence with Drs. N Lalitha and Davuluri Venkateswarlu deepened my cross-cultural understanding of India's challenge to address child labour in the cotton value chain. Research

[58] This study draws on validity procedures outlined by Seawright and Collier (2010) and Yin (2014), and guidance from Creswell (2014) and Creswell and Miller (2000), who treat validity as the adequacy of descriptive and causal inference and the extent to which methods measure what they intend to measure. Four tests guide empirical social research quality: external validity (assessed through research design; generalization beyond cases studied), construct validity (tested during data collection; extent to which measures/instruments meaningfully reflect the intended concept), reliability (strengthened through case study protocols; stability of results under repeated procedures), and internal validity (tested during data analysis; degree to which inferences drawn from cases studied are correct for those cases).

assistants came on board in June 2021: two research assistants in Ahmedabad (the largest city in Gujarat) and one in Hyderabad (the joint capital of Andhra Pradesh and Telangana for a period). The orientation of the three research assistants in July 2021 included a meeting with the GIDR and Glocal Research to discuss the data-collection strategy, training by the principal investigator on international legal standards related to child labour, and a discussion of child and adolescent labour issues from a cross-cultural perspective.

The research team started by translating the recruitment materials and data collection instruments (survey, interview guide, and Business and Child Labour Tool) from English to Hindi, Telugu, and Gujarati. The translation exercise facilitated the research team's cross-cultural dialogue on international law, socio-cultural norms, child labour, and hazardous adolescent work in Gujarat, Andhra Pradesh, and Telangana. Adapting the Business and Child Labour tool from English to Gujarati, Hindi, and Telugu (as shown in the Coding Book) prompted an informative discussion within the team on India's child labour laws and the general minimum age for employment. For example, the research team discussed how India's law did not ban child labour for children under age 14 until 2016. Before the 2016 amendments, the Child Labour (Prohibition and Regulation) Act of 1986 prohibited child labour below the age of 14 in hazardous work, while regulating conditions in other forms of work.

**Survey Questionnaire**

The survey targeted the full range of business and non-business participants. Survey data were collected using the SurveyMonkey platform with its "question skip logic" function enabling tailored question pathways based on respondents' answers. For example, question skip logic was applied to Question 16 ("Which category does your organization fall into?"). After completing questions 16-20, respondents selecting "government departments" were directed to Question 30 and the closing questions, whereas those selecting "non-government organizations" or "civil society organizations" were directed to Question 22 on public policy enforcement.

**Table 21**

*Alignment of Research Questions and Variables with Instruments*

| Research Question and Variable | Survey Item(s) | Business and Child Labour Tool Item(s) | Interview guide Item(s) |
|---|---|---|---|
| Corollary question (1): To what extent do voluntary sustainable cotton standards and business enterprises address child labour in their employment practice? | | | |
| Business employment practices | Questions 11.<br>An example of the questions:<br>S17. Does your business enterprise or SSE have any of the following policies or reporting programs? Are they publicly available on your website? Would you be willing to share these policies or reports? | Meso-level analysis | All guides: Section 1, "Social relations." |
| Business enterprises with certification or without certification | Questions 15, 16, 17, 19<br>S15. Rank your knowledge and experience of corporate social responsibility, working conditions, child labour, certification standards, and community engagement.<br>16. Using broad terms, which category does your organization or enterprise fall into?<br>17. Using narrow terms, which category does your organization or enterprise fall into?<br>19. Does your business or enterprise have an industry certification standard in place? | Process-level analysis | Businesses: Q5-6 under "Certification standards." |
| Corollary question (2): How can child labour policies and rules be measured, analyzed, and compared using indicators consistent with national and international laws/norms? H2/C1 (role of child labour specificity criteria). | | | |
| Child labour specificity criteria | 20. [Child labour policy question] Choose all that apply to your business, enterprise, or certification body. | Yes. Child labour specificity criteria, as well as public governance. | - Businesses: Q8-12 under "Policy on child and adolescent labour."<br>- Labour organizations and NGOs: Q1-2 under "Child labour policies/rules |
| Corollary question (3): What are the compliance monitoring, enforcement, and disclosure practices of certification standards and business enterprises? | | | |
| Compliance monitoring, enforcement, and disclosure | Added into the second survey only:<br>20. What is the position or authority that monitors or audits social compliance in your business supply chain? Which of the following is most accurate? | Yes, Compliance monitoring, sanctioning, and disclosure | - Businesses: Q13 under "Policy on child and adolescent labour."<br>- Labour organizations and NGOs: Q3-5 |

| Research Question and Variable | Survey Item(s) | Business and Child Labour Tool Item(s) | Interview guide Item(s) |
|---|---|---|---|
| | 21. Is anything specific to child and adolescent workers covered in your contracts with suppliers? Please specify.<br>22. Have there been any awareness programs on the following in the last 12 months? | | under "Child labour policies/rules." |
| RQ2: How do laws, their enforcement, and other public policies influence child labour risk through their effect on the employment practices of business enterprises? | | | |
| Public policies and enforcement | Questions 22-29 (These questions were deleted from the second survey.) | Yes. Child labour specificity criteria, as well as public governance. | All guides: Section 2, "Role of public policies and enforcement." |
| H4 (role of social actors in enforcement). | | | |
| Social relations to enforce/reinforce social norms | Questions 10, 14, 15, 18 | No | - Businesses: Q1-5 under "CSR"<br>- Government: Q1-4 under "Social relations"<br>- Labour organizations and NGOs: Q1-5 under "Social Relations" |

The survey was developed directly from the study's research questions. These were disaggregated into corollary questions and key concepts to draft survey items. Table 21 illustrates the alignment between survey questions, corollary questions, and explanatory variables. The first questionnaire (Appendix B2) included 36 highly structured items to support efficient coding. It contained opening and closing questions on consent and confidentiality (Q1-3, Q31-36); location and eligibility criteria (Q4-6); and items focused on business and SSE-focused items (Q11-20).

To address cross-cultural and language differences, translation prompts and translated key terms were provided in Gujarati, Hindi, and Telugu, documented in the Coding Book. The survey also included modules on government enforcement (Q22-29) and stakeholder-specific items (Q21 for labour organizations; Q30 for government representatives). Context-sensitive enforcement measures were adapted from Amengual's (2016) typology of low, medium, and high enforcement, and modified to capture labour and criminal law enforcement relevant to violations of ILO C138 and ILO C182.

A pilot survey was conducted in August 2021 with five participants. Following revisions, 26 participants completed surveys between October 2021 and June 2022. A shorter 26-question version was later deployed to increase participation and address Tier 3-4 data gaps (farmer-producers, ginner, spinning mills).

The survey ultimately served a dual purpose. In addition to collecting standardized information on organizational and governance practices, it functioned as a screening and recruitment instrument that helped identify respondents, refine case selection, and inform follow-up interviews. Consequently, survey data are interpreted primarily as contextualized and screening evidence, rather than as a standalone source for hypothesis testing. The principal analytical weight of the study rests on documentary review, interviews, and the application of the Business and Child Labour Tool.

Most respondents used the English version (30 out of 33, or 91%), with limited uptake of the translated survey (one in Gujarati; two in Telugu). The predominance of English responses likely reflects the organizational profiles of participants, who commonly use English in professional settings. Nonetheless translated versions supported participation among some of the harder-to-reach stakeholders. While in-person data collection would likely have strengthened rapport and multilingual participation, COVID restrictions prevented site visits.

**Semi-structured Interviews**

Five tailored interview guides were developed for different stakeholder groups: (a) businesses with voluntary sustainable cotton standards and standard-setting bodies, (b) businesses without voluntary sustainable cotton standards, (c) government, (d) labour organizations, and (e) NGOs (Appendix B3). Interview guides shared some core questions that appear in each stakeholder-specific guide. Business interviewees were asked about CSR, voluntary sustainable cotton standards (including third-party certification), and child labour policies; all respondents were asked about relations with industry actors and multi-stakeholder working groups, and their role in addressing child and adolescent labour.

Interview questions were semi-structured to support probing and clarification. While this potentially reduced instrument reliability, it enhanced depth, rapport, and willingness to discuss sensitive enforcement issues—especially compared to the survey, where respondents were more reluctant to comment on enforcement.

### Establishing the Validity and Reliability of Instruments: Pilot Test and Revisions

The pilot survey confirmed feasibility and identified revisions (clearer wording; expanded location questions). Pandemic-related recruitment constraints made the long-form survey impractical, prompting greater reliance on interviews; a short survey was retained for screening and targeted data collection. Pilot interviews showed strong engagement, and several participants shared documents, including non-public materials, such as contracting agreements and implementation guidance, that informed the analysis. Most interviews were conducted in English, despite the availability of multilingual options.

### Strategies to Collect Survey and Interview Responses

SurveyMonkey supported survey distribution, translation integration, skip logic, and emerging design. The platform enabled real-time access to responses. Interview responses were collected through a structured protocol and, with consent, recorded via Zoom. Interviews were scheduled to accommodate participants across multiple time zones.

### Establishing the Business and Child Labour Tool's Validity

The Business and Child Labour Tool and composite index were developed through three iterative cycles. The first iteration involved piloting instruments and producing a process-level dashboard to test hypotheses H2/C1 and H3. The second iteration expanded the analysis to business employment practices and generated a meso-level dashboard, including refinements to indicators and the coding book. The third iteration added state-level comparisons between former Andhra Pradesh and Gujarat. Together, these iterations strengthened construct validity by testing governance mechanisms and applying the tool's logic at multiple analytic levels.

## 5.5 Data Collection Procedures

This section describes data collection procedures (the "when" and "how"). Follow-up procedures are briefly described, including scheduling, timeline changes, and initial data analysis. More details on data analysis are in Section 3.6.

Data collection began with pilot tests in August 2021, which included testing the survey and interview guide and a desk review of four sustainable cotton standards, notably Better Cotton, Fairtrade, GOTS, and Textile Exchange's OCS. As summarized in Table 22, five participants completed the pilot survey, and six participants participated in pilot interviews. The research team

deliberately selected the experts invited to participate in the pilot interviews to ground the team's thinking quickly. Three pilot interviews took place with representatives of SSE enterprises, notably certification standard-setting bodies and their India-based staff, who were well-placed to respond to context-specific questions about cotton production and standards, including verification, certification, and inspection. The pilot also included interviews with three social actors who were well-placed to respond to all the questions, especially about child labour, hazardous adolescent work, public policies, and enforcement in India.

**Table 22**

*Summary of Data Sources: Collection Methods and Analysis*

| Data Collection Method: | Who completed the instrument | Date instrument was received | What/how/when analysis performed |
|---|---|---|---|
| Desk review | 4 reviews completed by the research team of voluntary sustainable cotton standards | Aug – Nov 2021 | Textual analysis using the Business and Child Labour Tool. Beta-testing the tool; prototyping of weighted indicators and the composite index using Excel. |
| Pilot screener surveys | 5 surveys completed: by certification standard-setting bodies and social actors | Aug – Sep 2021 | Ongoing analysis in SurveyMonkey upon submission of surveys. |
| Pilot interviews | 6 interviews were completed by certification standard-setting bodies and social actors | Aug – Sep 2021 | NVIVO analysis initiatives; one- or two-page summaries are just as helpful. |
| Surveys – 1st set | 26 more surveys were completed by certification standard-setting bodies, businesses (cottonseed, textiles), farmer producers, social enterprises, social actors, and government | Oct 2021 – Jun 2022 | Analysis conducted in SurveyMonkey on an ongoing basis upon receipt. |
| Interviews – 1st set | 41 more interviews were completed by certification standard-setting bodies, businesses (cottonseed, textiles), farmer producers, social enterprises, social actors, and government | Oct 2021 – Jun 2022 | Initial analysis and coding in NVIVO; interview summaries prepared. |
| Interviews with farmers and farmer groups | 3 group interviews | Nov 2021 – May 2022 | Summary prepared. |

| | | | |
|---|---|---|---|
| Desk review | 51 more reviews completed by the research team of business (n=42), farmer organizations (n=4), SSE enterprises (n=5) | Nov 2021 – Jan 2022 | Textual analysis using the Business and Child Labour Tool; reporting and visualization conducted initially in Excel and later migrated to Tableau. |
| Surveys and interviews – 2nd set with businesses | 2 additional surveys and 2 additional interviews completed by businesses (spinner and ginner) | Feb –Mar 2022 | Survey responses were analyzed in SurveyMonkey; interview summaries were prepared. |

Participants from business and SSE enterprises who completed the surveys and interviews were asked to share copies of their child and adolescent labour policies for the research team to conduct textual analysis.

After the pilots, the research team promptly started data analysis. Following the pilots, the principal investigator drafted an interim report documenting early observations, which were shared with participants via a short, informal, individualized email. Data collection began in October 2021, as shown in Table 22. Data analysis of interview data began in November, after the entire research team received NVivo training.

By the end of December 2021, the data collection reached a stage where participation from social actors and SSE enterprises, including certification standard-setting bodies, reached the numbers planned for those stakeholder groups (see Table 19 above). However, the research team found it challenging to recruit participants from business enterprises. As previously noted, due to COVID-19 economic disruptions, time was a constraint for potential research participants from businesses.

The business enterprises engaged by the end of December 2021 were mostly Tier 4 cottonseed and textile producers. The biggest challenge was recruiting Tier 4 cotton farmer-producers, Tier 4 ginners, and Tier 3 spinning mills. By the end of June 2022, 49 participants participated in the survey or interview, including business enterprises across all tiers and segments.

Throughout data collection, the research team monitored the time pressures placed on participants to ensure that participation did not create undue burden. During the pilot, the survey took an average of ten minutes, compared to the 12 minutes initially planned. Pilot interviews lasted approximately 100 minutes—longer than anticipated—although interview length was expected to decrease after revisions to the interview guide during the pilot.

By the end of data collection in June 2022, the final calculations indicate that the combined procedures (survey plus interview) required approximately 95 minutes per participant. On average, the survey took 20 minutes to complete, and the interview lasted 75 minutes. This total reflects a significant reduction from the initial estimate of 2.5 hours. The study's time requirements were reduced because the research team did not proceed with the Delphi method or multiple rounds of questionnaires and interviews, as explained in Section 4.2, due to pandemic-related constraints.

Desk reviews of employment practices were accelerated in November due to challenges in collecting data from businesses through surveys and interviews. By the end of January 2022, 55 desk reviews had been completed, including 42 business enterprises, 4 farmer organizations, 4 certification standard-setting bodies, and 5 other SSE enterprises.

Between November and December 2021 and early 2022, a member of the research team (not the principal investigator) participated in interviews organized by Glocal Research with cotton farmers and field labourers in Andhra Pradesh, Telangana, and Gujarat, providing direct understanding of farm-level operations. Table 23 shows that 111 cotton farmers and field labourers, including 69 females and 42 males, were interviewed; the gender ratio is 62% female for farmers and farm labourers. While this evidence is not presented, it informed the analysis in Section 7.2—particularly the identification of patterns of coupling and decoupling in labour practices.

**Table 23**

*Cotton Farmers and Field Labourers Interviewed by Location*

| Type of organization: | Total people interviewed | Location | | |
|---|---|---|---|---|
| | | GJ | AP | TG |
| Producer Unit Managers | 2 (M) | 0 | 0 | 2 |
| Field Facilitators | 7 (4M+3F) | 0 | 0 | 7 |
| Farmers | 26 (20M+6F) | 0 | 0 | 26 |
| Farm Labourers | 34 (F) | 0 | 0 | 34 |
| Producer Unit Managers | 1 (M) | 1 | 0 | 0 |
| Field Facilitators | 9 (3M+6F) | 9 | 0 | 0 |
| Farmers | 15 (F) | 15 | 0 | 0 |
| Labourers | 17 (12M+5F) | 17 | 0 | 0 |
| Total | 111 (42M+69F) | 42 | 0 | 69 |

*Note.* AP = Andhra Pradesh; TG = Telangana; GJ = Gujarat.

A second set of surveys was distributed to businesses in February-March 2022, using a shorter survey (Appendix B2). The team focused on recruiting farmer-producers, ginners, and spinning mills. Cooperation rates were low; the two businesses that elected to participate were a gin and a spinning mill, enabling questions about businesses often omitted from cotton studies. Originally planned for December 2021, data collection was extended to June 2022 due to gaps.

**Participation, Refusal, and Cooperation Rates Calculation for the Research Project**

This study achieved a reasonable cooperation rate through follow-up calls and emails (Table 24). In total, 49 participants fully cooperated: 33 people completed both surveys and interviews, and 16 completed interviews alone. Overall cooperation and participation were approximately 47-49%, while the refusal rate was 17.5%. The first survey yielded significantly higher engagement (36% cooperation; 38% participation) than the second. Invitations followed initial phone or email contact. The second survey showed very low response rates despite a large mailing list (6.7% cooperation; 1.3% participation), suggesting that expanded outreach with an extensive mailing list without prior contact did not improve recruitment.

**Table 24**

*Participation, Refusal, and Cooperation Rates*

| Method | Rate | Numerator | Denominator |
|---|---|---|---|
| Full Research Project (Surveys and Interviews) | | | |
| Cooperation rate | 47.1% | 49 | 104 |
| Participation rate | 49.0% | 51 | 104 |
| Refusal rate | 17.5% | 40 | 228 |
| Surveys Only | | | |
| The first set of surveys | | | |
| Cooperation rate | 36.0% | 31 | 86 |
| Participation rate | 38.4% | 33 | 86 |
| Refusal rate | 19.0% | 40 | 210 |
| Second set of surveys | | | |
| Cooperation rate | 6.7% | 2 | 30 |
| Participation rate | 1.3% | 11 | 837 |
| Refusal rate | 2.0% | 19 | 961 |

*Note.* Calculations by the research team.

- "Cooperation rate" (COOP) is calculated by taking the number of (complete surveys only - according to our measures - not SurveyMonkey) and dividing this by the total number of invitations (i.e., complete, partial, refusals and others, where for example there was an acknowledgement of survey link received (over call/email) but no further response/action). It does not include undelivered invites or non-contacts (COOP = I/((I+P)+R+O)
- The "Participation rate" (PART) is calculated by taking the number of (complete and partial surveys) and dividing this by the total number of invitations (i.e., complete, partial, refusals, no contact and others, where, for example, there was an acknowledgement of survey link received (over call/email) but no further response/action). It does not include undelivered invites. PART = (I+P)/((I+P)+(R+NC+O))
- The "Refusal rate" is calculated by taking the explicit and implicit refusals (i.e. those who read the receipt of the email plus those who logged onto the survey but did not complete it) and dividing this by the total number of invitations, (i.e., complete, partial, refusals, no contact and others, where for example there was an acknowledgement of survey link received (over call/email) but no further response/action). It does not include undelivered invites. REF=R/((I+P)+(R+NC+O)+(UH+UO))

Abbreviations: I = completed instrument, P = partially completed instrument, R = refusal explicit + refusal implicit, NC = non-contact or unavailable, O = others, UH = invitation returned undelivered.

## 5.6 Data Analysis Procedures and Data Reporting

This section outlines how data were analyzed for themes, emphasizing a reliability process and a coding book to ensure consistent coding. Survey, interview, and desk review data were analyzed using multiple methods summarized in Table 22 above. SurveyMonkey's built-in tools provided summaries upon survey submission, while Zoom recordings supported interview transcription. The desk review analysis began in Excel and migrated to Tableau in January 2022 to overcome Excel's limitations. Tableau's interactive data visualization capabilities enabled the research team to produce tables and figures presented in Chapters 6 and 7.

To ensure rigour, NVivo was tested during pilot interviews but replaced by concise one- or two-page summaries, which proved more useful. These summaries, combined with desk review findings, reflected an emergent design and a social constructivist approach. Team members also held pre- and post-interview discussions to refine prompts and integrate interpretive insights. Interviews were sequenced strategically: standard-setting bodies were engaged early, while social actors were interviewed later, after mapping India's cotton value chain.

### *Thematic and Textual Analysis Methods*

This study applies textual and discourse analysis to examine employment practices, drawing on Bourdieu (1991), Fairclough (2003), and Habermas (1996) to interpret how discourses structure meaning, justify practices, and reproduce power relations. Textual analysis, within discourse analysis, involves interdiscursive analysis to establish which discourses are drawn upon (or not) and how they are articulated together (Fairclough, 2003, p. 128). Fairclough emphasizes that "textual analysis needs to be framed … in social analysis which can consider bodies of texts in terms of their

effects on power relations" (2003, p. 9). The analysis is also informed by Habermas' (1996) distinction between validity and facticity, which draws attention to the relationship between the normative claims embodied in legal and governance arrangements and their realization in social practice (Chambers, 2017).

Legal studies increasingly use textual and systematic content analysis to reveal law's connections to social, political, or economic landscape (Hall & Wright, 2008, p. 100). This perspective recognizes law not as an autonomous system but as "the expression of contentious political and moral choices" (Brook, 2020), consistent with legal realism's focus on the everyday application of legal rules. Consistent with studies of child labour law as embedded in political, economic, moral, and socio-cultural choices (Buller & McEvoy, 1999; Donaldson & Dunfee, 1994; Zelizer, 1985), interpretive methods therefore guided how documents, interviews, and policy materials were read for meaning, silences, and contextual cues. [59]

Because interpretive analysis underpins this study's methodological stance, I deliberately return to Geertz's classic formulation of "thick description" to anchor the analytic approach. As Geertz noted, cultural interpretation must remain close to actors' meanings and local context:

> The distinction … that appears in the experimental or observational sciences between "description" and "explanation" appears here as one, even more relative, between "inscription" ("thick description") and "specification" ("diagnosis") – between setting down the meaning particular social actions have for the actors whose actions they are, and stating, as explicitly as we can manage, what the knowledge thus attained demonstrates about the society in which it is found and, beyond that, about social life as such. Our double task is to uncover the conceptual structures that inform our subjects' acts, the "said" of social discourse, and to construct a system of analysis in whose terms what is generic to those structures, what belongs to them because they are what they are, will stand out against the other determinants of human behavior. (Geertz, 1973, p. 321)

In this sense, as Geertz distinguished between a twitch and a wink (1973, pp. 312–315), this study distinguishes between a child at work and a child in child labour, including its worst forms. This

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[59] I owe debt of gratitude to Dr. Peter Gose advice on how to adapt interpretive method to this thesis. P. Gose, personal communications, November 8, 2019.

interpretive distinction guided how voluntary sustainability standards, interview narratives, and business policies were coded and later supported indicator construction by identifying gradations of child labour risk while applying crisp rules for unconditional worst forms of child labour.

### *Coding Across Socio-legal Contexts*

Given the conceptual contestation outlined in Chapters 2 and 3, the analysis also examined how actors classify children's work through different legal jurisdictions. Fudge (2018) advances debates by showing how the social dynamics of law include the choice of legal jurisdiction—human rights, criminal, and labour law—which shapes how labour violations are conceptualized and governed. Using the UK Modern Slavery Act (2015) as an example, Fudge argues that "the attribution of a legal category to a specific form of unfree labour reveals how that unfree labour is conceptualized," depending on prior ontological commitments about whether labour markets are spheres of free exchange or domination (2018, p. 429).

This jurisdictional perspective underscores why jurisdiction matters for child labour: the choice of jurisdiction can shift obligations, enforcement pathways, and what counts as credible evidence of compliance. In this thesis, document analysis therefore attended to the jurisdictional frames actors invoked in standards, policies, and interview accounts—including references to domestic legislation; instruments (e.g., ILO C138 and the UNCRC); and legal domains of human rights, criminal, labour, trade, and contract law. Coding captured how these frames specified obligations, safeguards, and enforcement expectations, and how they shaped interpretations of employment relations and worker protections in practice.

Fudge's jurisdictional lens aligns with economic sociology (Nee, 2003; Zelizer, 1985), GVC governance as normalization (Gibbon et al., 2008), and integrative social contract theory (Donaldson & Dunfee, 1994), and provides an analytic rationale for interpreting texts across socio-legal contexts.

### *Axiomatic Methods for Indicators Construction*

This study's approach to child labour measurement draws on the axiomatic approach to poverty measurement, particularly the Alkire-Foster method (Alkire et al., 2015). The axiomatic approach clarifies the normative assumptions embedded in measurement by specifying the desirable properties a measure should satisfy. It is well-suited to multidimensional concepts such as poverty and child labour, where measurement requires explicit judgments about relevant dimensions, thresholds, and aggregation rules. Incorporating Sen's ordinal approach (1976), axiomatic methods

rely on stated principles (axioms) to guide indicator design and ensure internal coherence across measurement choices.

Alkire et al. (2015) do not extend the axiomatic approach to business and human rights, including labour rights. This study addresses that gap by adapting axiomatic reasoning to develop indicators that characterize business employment practices and child labour risks while ensuring transparency about normative choices, calibration rules, and aggregation.

In practical terms, the axiomatic approach informs three analytic decisions used throughout this study: defining dimensions and indicators anchored in normative frameworks; specifying rules for calibrating degrees of child labour risk and aggregating weighted indicators into a composite index to enable comparison across business enterprises and standards.

The Alkire-Foster method demonstrates how explicit normative choices, multiple dimensions, and indicator weighting can be tailored to contexts. Several countries have partnered with OPHI to apply the Alkire-Foster method to design and calculate multidimensional poverty, well-being, and empowerment measures. India launched its national MPI in 2021, followed by a 2023 follow-up report, and Andhra Pradesh piloted a state-level MPI in 2018; Chapter 4 provides background on India's MPI. Several countries (e.g., Colombia, Mexico, Nepal, Pakistan, South Africa, Uganda) have also integrated child labour indicators into MPI frameworks; India has not.

### *Compliance-Oriented Human Rights Indicators*

Conceptual challenges in developing child labour indicators—framing, weighting and aggregation, data limitations, and the choice of input versus outcome indicators—must account for embedded social and power asymmetries (Barrientos & Smith, 2007, p. 716; Riisgaard et al., 2020). Human rights indicators support the implementation of human rights standards (OHCHR, 2012a). Historically, indicator systems emphasized macro-level inputs and outcomes, with UN systems assessing the performance of duty bearers (i.e., Member States) through input, output, outcome, and impact indicators. [60] Neither human rights nor labour indicators routinely emphasized compliance or process indicators (Barenberg, 2015; Barrientos & Smith, 2007; Selwyn, 2013).

[60] Terminology varies across organizations. For example, Global Affairs Canada distinguishes among inputs, activities, outputs, immediate, intermediate, and ultimate outcomes, with ultimate outcomes corresponding to impacts (Global Affairs Canada, 2016).

Under the Sustainable Development Goals, human rights indicators shifted toward compliance assessment using structural, process, and outcome indicators anchored in human rights standards and relevant to claims of rights holders and defenders (Fukuda-Parr et al., 2014; Global Affairs Canada, 2014; OHCHR, 2012a; UNICEF, 2012). The OHCHR notes process indicators are often more sensitive to change than outcome indicators and can better capture progressive realization of human rights and ongoing efforts by State parties as duty bearers and businesses as responsibility holders (2011, p. 36). Process indicators assess compliance through policies and measures implemented to fulfill commitments, including actions by businesses (OHCHR, 2011, pp. 15–16).

However, affected workforces often have little influence over enabling process indicators tied to core ILO conventions; labour indicator systems may reflect input from dominant organizations with resources and legitimacy to create a "hegemonic indicator system" (Barenberg, 2015, p. 91). Compliance indicators for labour rights under business and human rights remain underdeveloped. No agreed set of compliance indicators exists for the ILO Fundamental Principles and Rights at Work (1998/2022), although "ILO indicators of Forced Labour" (2012) are widely endorsed, including by G7 Trade Ministers (2021). Prominent systems include the ILO Decent Work indicators, the World Bank "Employing Workers" indicators, European labour indicators, and U.S. DOL/National Academy of Sciences measures (Barenberg, 2015; ILO, 2012). Barrientos and Smith (2007, pp. 721–722) argue that codes of conduct rarely affect process rights, except in cases of child labour.

**Operationalizing the Business and Child Labour**

This section summarizes how the thesis operationalized the Business and Child Labour Tool to convert documentary and interview evidence into indicators, measures, and index scores. The tool builds on Kolk and van Tulder's specificity and compliance criteria for analyzing codes of conduct on child labour issues (Kolk et al., 2000; Kolk & van Tulder, 2002a), extending these criteria to capture contemporary business and human rights expectations and the socio-legal context of child labour regulation.

Indicators were derived from internationally recognized human rights standards and normative foundations (ILO Conventions 138 and 182, the UNCRC, and the UNGPs) and organized into seven dimensions: (a) minimum-age standards, (b) nature of work, (c) circumstances of work, (d) harmful consequences of work, (e) public governance, (f) compliance, and (g) disclosure on child

labour and forced labour risk management. Each dimension comprises weighted indicators specified in the coding book (Annex) and summarized in Table F4.

Operationalization proceeded in four steps. First, documentary and interview evidence were extracted and coded using the coding book. Second, coded items were mapped to weighted indicators, organized into two clusters: child labour specificity criteria and public-private compliance and enforcement criteria. Third, weighted indicators were aggregated into a 10-point composite Business and Child Labour Index to enable comparison across business enterprises and voluntary sustainability standards. Fourth, a dashboard was produced to visualize indicator-level patterns and index scores for comparative analysis. Calibration rules captured gradations in risk and compliance; the formal calibration logic and membership calibration are presented later in this chapter to avoid duplication (see Figure 11).

This operationalization is consistent with OHCHR guidance on human rights measurement. Indicators apply a human rights approach to ensure compliance with internationally recognized human rights, consistent with the UN Guiding Principles on Business and Human Rights (OHCHR, 2011). Chapters 2 and 3 provide the conceptual and normative foundations for indicator selection; this section and the coding book (Annex) describe how those foundations were translated into a coding and scoring protocol for analysis. [61]

Chapters 6-7 apply the Business and Child Labour Tool at two levels of analysis: (a) process-level textual analysis of four voluntary sustainability cotton standards and their compliance-enforcement arrangements (Chapter 6; Table 25) summarizes these standards and dashboard outputs), and (b) a comparative analysis of business employment practices linked or not to standards using indicator scores and the composite index across the two indicator clusters—child labour specificity criteria and public-private compliance and enforcement criteria (Chapter 7). Interview evidence from businesses and non-business organizations provides contextual depth to interpret indicator results within India's socio-cultural, socio-legal, and economic landscape.

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[61] OHCHR's conceptual framework for human rights measurement involves two steps: (a) identifying the attributes of a human right and (b) unpacking specific aspects of implementing the standard associated with that right through clusters of indicators and measures (OHCHR, 2012a, p. 30). These attributes capture the essence of the normative content and guide indicator selection through a detailed reading of relevant legal standards. While the concept of the "essence" of basic human rights (OHCHR, 2012a, p. 30), such as the essence of the right to education, (Coomans, n.d., p. 76) finds some expression in the literature, it is more readily acceptable to use the term "core content" or "minimum core content" of a right as explained by Alston (1987, pp. 352–354).

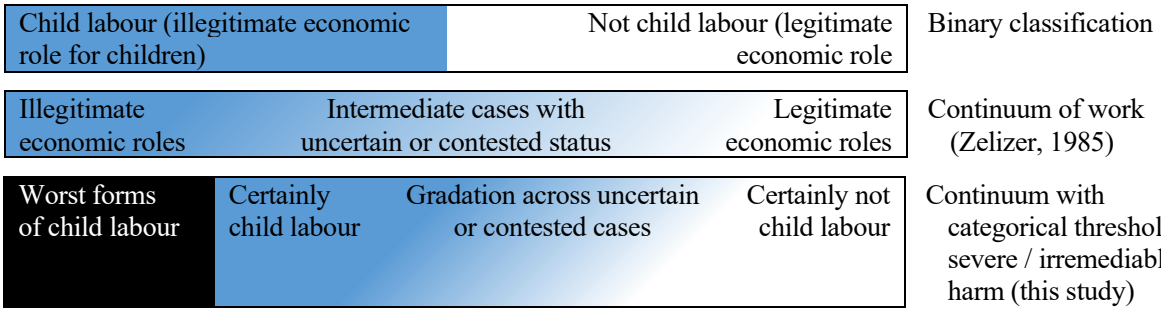
## Calibrating Child Labour as a Continuum of Risk

Figure 11 illustrates how this study conceptualizes child labour as a continuum of risk rather than a binary status, extending the Chapter 2 conceptualization of children's work as socially evaluated roles with varying degrees of legitimacy. This approach treats child labour as a latent construct, rather than a simple present/absent classification. The continuum reflects the legitimacy, degree of risk, and social valuation of children's economic roles, which vary across context and are not adequately captured by binary distinctions.

Accordingly, this study applies fuzzy-set membership rules to calibrate degrees of membership in child labour risk categories, capturing "in-between" cases where the legitimacy of children's work is contested or uncertain. [62] By contrast, the analysis applies crisp rules to the unconditional worst forms of child labour under ILO C182 (1999), including forced labour of children: where these conditions are met, membership is treated as fully present, irrespective of partial scores on other indicators. As explained in Section 3.5, this approach reflects the non-derogable character of peremptory norms of international law (jus cogens), while allowing gradation for cases falling short of the unconditional worst forms.

**Figure 11**

*Degrees of Membership in Child Labour Risk Categories*




*Note.* Author's conceptualization, drawing on Zelizer (1985) and extending the continuum framework to conceptualize child labour as a continuum of risk with categorical thresholds for the worst forms, defined by ILO Convention 182. See also Alkire et al. (2015, Chapter 3, pp. 38-43) and Schneider & Wagemann, 2012

[62] A fuzzy set approach considers varying degrees of membership rather than crisp identification. As Alkire et al. (2015) explain: "Applied to poverty measurement, a key innovation is that rather than defining a person as either belonging to the set of the poor or not (i.e., identifying in a crisp way), the approach allows for degrees of membership to the set of the poor or deprived …" (Alkire et al., 2015, p. 39). The same logic applies here: child labour risk is multidimensional and requires transparent choices about indicators, weights, and thresholds when translating qualitative evidence into calibrated membership scores.

Figure 11 also visually separates the graded continuum of risk (captured through fuzzy membership) from the categorical threshold for severe or irremediable harm, clarifying how the coding framework's weighted indicators translate qualitative evidence into set-membership scores. This calibration logic is applied in Chapters 6 and 7 to situate observed employment practices along a compliance-and-enforcement continuum for child labour risks.

**Coding Book (Annex)**

The coding book (Annex) was developed using deductive and inductive methods. It began with predefined codes from Kolk and van Tulder's model (2002a; 2002b; 2004) and core child labour indicators grounded in normative sources, including indicators on the nature, circumstances, and harmful consequences of work from the ILO and ICLS (2008) *Report III: Child Labour Statistics*. New codes were added as they emerged through iterative analysis. The coding book details the seven dimensions and weighted indicators, benchmarked against relevant standards.

## 5.7 Limitations of the Study

The **small sample size** is a recognized limitation. This study is not a large N-study and does not use regression analysis; accordingly, the findings do not seek to estimate aggregate or population-level effects of business employment practices—with or without certification—on child labour risks. The conclusions drawn should be interpreted with caution, given the specific context and characteristics of the sampled businesses. This study was designed as a small-N comparative case study, grounded in qualitative research. It uses process tracing, causal process observations, and set-theoretic logic to make analytical generalizations, supported by deductive and inductive methods.

A threat to **representativeness** is the extent to which the findings can be generalized beyond the sample. This research was not designed to use a "sampling model" or to generalize results to a representative population. The sample selection process did not use representative sampling because the aim was not to infer outcomes from the heterogeneous businesses in the cotton supply chain. Inferences from this small-N comparative case study are analytically generalizable through theory-based and replication logic, rather than statistical inference. During data collection, the core analytical themes emerged after approximately 20 interviews. Creswell (1998, p. 121) suggests 20-30 interviews to achieve detail in grounded theory.

Numerous efforts were made to avoid **selection bias**. First, there was no selection on the dependent variable. Second, business enterprises were not pre-selected based on their child labour

practices. Third, multiple voluntary sustainable cotton standards, including third-party certification, were included to avoid overstating or understating their effectiveness. Data analysis did not focus solely on "present-present" and "absent-absent" cases to avoid over- (or under-) predicting results. Fourth, businesses that did not participate in surveys or interviews were included through desk review. However, limited transparency constrains access to firm-level practices, and desk-based triangulation only partially mitigates this limitation.

A threat to **external validity** is the degree to which state-level generalizations can be made. This study was not designed to investigate all aspects of public policy or child labour risks in Andhra Pradesh, Telangana, and Gujarat. Its primary purpose is to examine how governance arrangements, including voluntary sustainable cotton standards, are translated into business employment practices associated with lower child labour risk. The strongest claims therefore relate to process-level governance arrangements (standards) and their meso-level implementation through business employment practices. This research does not employ a most similar system design and focuses on specific governance mechanisms and employment practices within the selected cases.

A possible threat to **transferability** is that inferences about child labour risks below age 18 may not apply to broader populations. This heuristic case study focuses on one type of human rights violation—child labour and its subtypes—and its findings may not extend to labour violations involving adults, other child rights, or the full scope of the ILO Fundamental Principles and Rights at Work. At the same time, the use of clearly specified indicators suggests potential transferability to related domains, including forced labour, where similar dimensions of risk, coercion, and compliance and enforcement may be assessed, given their shared grounding in transnational labour law, including non-derogable protections.

# CHAPTER 6
# Assessing Child Labour Risk Governance in Voluntary Sustainable Cotton Standards

Building on the Business and Child Labour Tool and the research design outlined in Chapter 5, this chapter examines how four major voluntary sustainability standards—Better Cotton, Fairtrade, GOTS, and Textile Exchange's organic standard—translate child labour commitments into governance arrangements and employment practices designed to identify, prevent, mitigate, and remediate harm.

Within the thesis' multi-level framework, the chapter examines governance dimensions at the process level by assessing variation in specificity criteria and ethical capability across voluntary sustainability standards. Employment practices are treated as the intervening mechanism linking governance arrangements to child labour risk and as the principal observable expression of governance in practice.

The chapter examines how voluntary sustainability standards operationalize child labour governance through organizational governance arrangements (H1), including the establishment and normalization (Gibbon et al, 2008) of expectations regarding child labour policies, monitoring systems, and how they distinguish harmful child labour from other forms of children's work through specificity criteria and work-school considerations (H2/C1).

First, specificity criteria assess whether standards articulate precise, context-relevant rules for identifying child labour, including work below minimum age, hazardous work, and the worst forms of child labour (Figure 1; Appendix E1: Glossary).

Second, public-private compliance and enforcement criteria assess whether compliance monitoring, corrective action, escalation, and sanctions operate as credible, graduated tools for risk prevention, mitigation, and remediation, including whether enforcement arrangements incorporate child-centred remediation rather than relying primarily on binary certification outcomes. These criteria also capture governance constraints arising from the interaction between weak public

enforcement, informal production arrangements, and uneven monitoring by private voluntary standards.

Third, these governance arrangements provide evidence of ethical capability because they determine whether formal child labour commitments and specificity criteria are translated into practice through context-sensitive, rights-consistent judgement. Together, these arrangements provide the basis for distinguishing governance configurations, including the procedural-compliance configuration identified as the conclusion of this chapter.

Ethical capability is reflected in the extent to which governance arrangements move beyond symbolic compliance and support child-centred responses to identified risks, including educational safeguards, remediation, and proportionate enforcement. Enforcement is central to this organizational capacity: without corrective action, child-centred remediation, and graduated, proportionate escalation (including sanctions for violations of ILO Convention C182 and C029), formal specificity and compliance monitoring are unlikely to translate into practice.

**Findings at a Glance (Process-Level Tests of H2/C1 and H3)**

**Finding 1 – Role of specificity criteria and education safeguards in reducing child labour risk (H2/C1).** Minimum-age rules alone are insufficient to distinguish harmful child labour from other forms of children's work, and a uniform minimum age of 15 does not adequately assess child labour risk in the Indian context. Across the standards assessed, minimum-age requirements and related distinctions are uneven and not consistently harmonized with ILO C138's flexibility clauses and India's legal minimum age of 14 that permits family-based agricultural work below the age of 14. These inconsistencies create governance and legal misalignments for adolescents aged 14–15 and undermine clear boundary-setting between underage child labour and permissible work.

Equally important, standards vary in how they address schooling obligations, education safeguards, and work-school trade-offs, limiting their ability to distinguish child labour and its harmful consequences from children's work that does not interfere with education, child development, or well-being. Together, these weaknesses reduce clarity regarding what constitutes child labour risks and how such risks should be identified, monitored, and addressed in practice, particularly for adolescents aged 14-15 (see Table 4 Business and Child Labour Tool; Table 25 Process-Level Dashboard; Table 27 Minimum-age Approaches).

**Finding 2 – Effect of ethical capability of voluntary sustainability standards on reducing child labour risk (H3).** Voluntary standards rely on assumptions about external enforcement and schooling that limit their effectiveness under weak state conditions. Across the four standards, internal compliance and assurance systems are designed on these assumptions, rather than compensating for their absence. Where these external supports are weak or fragmented (Chapter 4), standards-based governance frequently lacks credible compliance monitoring, structured response (including corrective measures and escalation), and enforcement arrangements to support proportionate and graduated responses to underage work, hazardous tasks, or severe or irremediable risks. As a result, enforcement arrangements are uneven and constrained, limiting the translation of child labour commitments into credible, child-centred remediation and proportionate responses to child labour risks across cotton value chains (Table 4; Table 25; Figure 12 Compliance and Enforcement Continuum for Child Labour Risks).

Corrective and enforcement pathways nevertheless diverge across standards: Remediation-oriented models (e.g., Better Cotton, Fairtrade) emphasize corrective action, child-centred remediation, and continued engagement, whereas suspension-first models (e.g., GOTS, Textile Exchange) rely more heavily on exclusion. However, transparency, schooling-linked safeguards and escalation pathways remain uneven across both approaches (see Figure 12; Table 29), indicating that differences in formal design do not, on their own, resolve underlying enforcement constraints where state administrative capacity is limited.

**Comparative pattern**. Better Cotton and Fairtrade engage directly with cotton farming, while GOTS and OCS begin certification at the ginning and processing stages. Across all four standards, traceability systems prioritize commodity integrity rather than tracking labour risks, and disclosure on child labour and forced labour risk management is absent from their publicly available indicators (see Table 4; Table 26; Figure 12).

The conclusion links these findings to the thesis's broader argument: that governance and market priorities surrounding sustainable cotton continue to foreground commodity integrity, while child labour risks remain marginal in international trade and supply chains. In this respect, standards formalize what counts as material in business compliance and reporting, thereby shaping how labour practices are rendered visible and valued within supply chains. This asymmetry reflects normative trade-offs and delineates the chapter's theoretical contribution, while underscoring that purely voluntary systems cannot substitute for credible government oversight.

## 6.1 Policies and Rules: Key Characteristics of Sustainable Cotton Standards

Multiple stakeholders develop policies and rules to regulate the cotton sector. This section analyzes the policy commitments embedded in four sustainable cotton standards used in India—Better Cotton, Fairtrade International, the Global Organic Textile Standard (GOTS), and the Textile Exchange's Organic Content Standard (OCS)—with a focus on the specificity of child labour policies and public-private compliance and enforcement. Although the standards vary in scope and design, all seek to normalize particular expectations regarding acceptable and unacceptable forms of children's work, thereby shaping how child labour risks are identified, interpreted, and governed across cotton value chains.

Each standard was assessed using the analytical instrument—the Business and Child Labour Tool—developed for this research, in accordance with the criteria outlined in Chapter 3. Table 25 summarizes comparative scores across specificity criteria and public-private compliance and enforcement criteria, whereas Appendix D2 presents the detailed scoring results for each criterion. Table 26 identifies each standard's applicability across tiers in India's cotton value chain. Detailed coding and scoring rules, along with operational definitions used to generate those scores, are provided in the coding book (Annex).

Because standards are periodically revised, the analysis is anchored to versions in force during the study period (September 2016 to August 2022, with primary research conducted between July 2021 and June 2022). It evaluates how standard-setting bodies framed child labour policies and rules during this period. [63] For the relative prevalence of standards and India's market shares during the study period, see Chapter 2.

Each organization uses different terminology and serves different functions. Key descriptive characteristics of each standard—including stakeholder type, social and environmental

[63] Several organizations updated the standards analyzed in this study (last retrieved March 7, 2025). Better Cotton: *Principles and Criteria 3.0* was approved in March 2023 and became effective March 2024; version 3.1 was approved March 2025 and became effective in April 2025. GOTS: *Global Organic Textile Standard (GOTS) 7.0* was approved March 2023 and became effective in March 2024. Textile Exchange: Content Claim Standard 3.1 was released in June 2022, effective for audits and assessments conducted on or after July 1, 2022 (with brand certification effective from April 2023). *Content Claim Standard Certification Procedures 3.0* was released in March 2022, and the *Content Claim Standard Certification Procedures 3.1* was released in July 2023. Additionally, in 2021, Textile Exchange began revising its standards framework to develop a unified framework entitled *Materials Matter Standard* 1.0, piloted in 2024, with publication anticipated in 2025 and implementation beginning in 2026.

considerations, verification system, farm requirements, chain-of-custody model for traceability, and consumer-facing product labels and claims—are presented in Table D9.

**Better Cotton**. Child labour provisions are integrated into Principle 6 (Decent Work) of the *Principles and Criteria*. Criterion 6.1 addresses the minimum age, and Criterion 6.2 covers hazardous work prohibited for children under 18. Farmers are required to have a written child labour policy and to communicate it to farmers, workers, and employees.

**Fairtrade International**. Child labour safeguards are embedded across Fairtrade's standards for small producer organizations, contract production, fibre crops, and traders. Certified organizations must develop a child labour policy with child protection procedures to guide the withdrawal of children found in child labour and ensure their safety. Fairtrade also requires organizations to implement remediation projects and maintain internal control systems for monitoring and responding to child labour.

**GOTS**. Child labour criteria appear under GOTS social requirements. The standard stipulates that "child labour shall not be used" and includes provisions on young workers' health and safety. Certifiers are required to consider local and national conditions in risk assessments during inspections and audits.

**Textile Exchange**. Textile Exchange does not maintain a standalone child labour policy. Certified organizations must comply with applicable laws and ensure accountability for violations of fundamental human rights, including those under ILO Conventions 029 and 182. Standards are built on the *Content Claim Standard*, a chain-of-custody framework that ensures material integrity from inputs to the final product.

**Sustainable Cotton Standards Evaluated**

The following documents were evaluated for child labour policies and rules:

- Better Cotton – *Principles and Criteria*, version 2.1 (2018)
- Fairtrade International – *Standard for Small Producer Organisations* (2019), *Standard for Contract Production* (2011), *Standard for Fibre Crops* (2011), *Child Labour and Forced Labour Guidelines* (2015), *Trader Standard (2015), Textile Standard* (2016)
- Global Standard gGmbH's – *Global Organic Textile Standard*, version 6.0 (2020)
- Textile Exchange – *Content Claim Standard*, version 3.0 (2021), *Content Claim Standard Certification Procedures*, version 2.1 (2021), *Human Rights Policy* (2020), and *Organic Content Standard*, version 3.0 (2020)

The analysis evaluates how voluntary sustainable cotton standards and business employment practices address child labour specificity and public-private compliance and enforcement criteria. Each standard was also checked for alignment with national and international norms. Consistent with insights from Buller and McEvoy (1999), this approach emphasizes the need for clear, context-specific rules that are both globally integrative and locally responsive. Table 25 consolidates measurements across the seven dimensions of the business-child labour problem, with detailed results reported in Appendix D2. The analysis applies two sets of criteria and reports aggregate scores as follows:

**Child Labour Specificity Criteria** *(minimum-age standards; the nature of work; circumstances of work; harmful consequences)*. Fairtrade scored 4.9 out of 5 points (97.5%), followed by Better Cotton at 4.3 out of 5 points (86%), GOTS at 4.2 out of 5 points (83.5%), and Textile Exchange at 1.1 out of 5 points (22%).

**Public-private compliance and enforcement criteria** *(public governance; compliance monitoring; disclosure on child labour and forced labour risk management).* GOTS scored 3.5 out of 5 points (70%), compared to Better Cotton and Fairtrade, both at 3.3 out of 5 points (66%), and Textile Exchange at 2.0 out of 5 points (40%).

**Overall Business and Child Labour Index Scores.** Fairtrade scored 8.1 out of 10 points, followed by GOTS at 7.7, Better Cotton at 7.6, and Textile Exchange at 3.1 points.

***Interpretation***

**Better Cotton**. The score reflects a broader commitment to decent work rather than a child-labour specific focus anchored in the ILO Fundamental Principles and Rights at Work. ***Missing elements***. Gaps remain in how harmful consequences are framed, particularly the lack of clear severity prioritization and the absence of an explicit zero-tolerance policy for the worst forms of child labour (ILO C182)—issues examined in Section 6.3.

**Fairtrade International**. The highest overall score reflects the integration of child labour safeguards across its standards. Fairtrade requires producer organizations to adopt policies and procedures for withdrawing children from child labour and ensuring their protection. Compliance requirements combine a rights-based approach with structured remediation to address root causes and support long-term systemic change in communities. ***Missing elements***. Section 6.2 notes a mismatch between Fairtrade's minimum age (15) and India's statutory minimum age (14), raising concerns about contextual adaptability and regulatory coherence.

**Table 25** *Process-Level Dashboard*

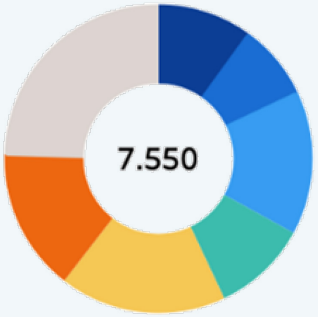
## Better Cotton

Child labour specificity criteria: 4.3 out of 5 (86%)
Public-private compliance and enforcement criteria: 3.25 out of 5 (65%)

- Better Cotton integrates child labour policy in its Principles and Criteria under Principle 6 (Decent work). Criterion 6.1 addresses the minimum age, while Criterion 6.2 focuses on hazardous work by children below 18. Farmers are required to have a child labour policy and a written action plan to prevent child labour.

Standard Evaluated: *Better Cotton – Principles and Criteria*, version 2.1 (2018)

Business and Child Labour Index (out of 10 points)




### Notable findings: Child labour indicators

| | | | |
|---|---|---|---|
| **Minimum-age standards*** (General minimum-age standard) | (out of 1 pts) | **1.0** | 15 years, or 14 years as an exception. |
| **Nature of work **** (Family worker) | (out of 1 pts) | **0.8** | Recognizes flexible rules/exemptions. Smallholder farms: children may help on family farms. ILO C182 Worst forms of child labour. |
| **Circumstances of work** (Hazardous-work conditions) (Exposure to abuse) (Long hours and night work) | (out of 1.5 pts) | **1.5** | Hazardous-work conditions. Exposure to abuse. Long hours and night work. |
| **Public governance*** (Reference to host country law) (Applicable minimum-age standards) (Explicit ILO references) | (out of 1.5 pts) | **1.5** | Host-country laws. International and country-specific minimum-age standards. References: ILO C138, C182, C029, C105. |
| **Compliance monitoring**** (Child labour monitoring systems and processes) (Position of the monitoring actor) (Sanctions related to child labour) | (out of 2 pts) | **1.75** | Clear - Good insight into monitoring. Third-party verification, along with self-assessment and credibility checks. Severe sanctions. |
| **Harmful consequences of work**** (Safeguard mechanisms; OHS standard; Priority action based on severity of harm) | (out of 1.5 pts) | **1.0** | Schooling safeguards. Broadly addresses child labour. OHS standards broadly address hazardous work. (No priority on the severity of harm.) |
| **Disclosure** on child labour and forced labour risk management | (out of 1.5 pts) | **0** | (Does not require businesses to disclose whether child labour is a significant issue.) |

*Note.* The analysis here focuses on how child labour policies and rules were framed during the period relevant to this study, specifically from September 2016 to August 2022, with primary research conducted between July 2021 and June 2022. Several standard-setting bodies have since updated their requirements; the findings reflect the standards as they applied during this period.

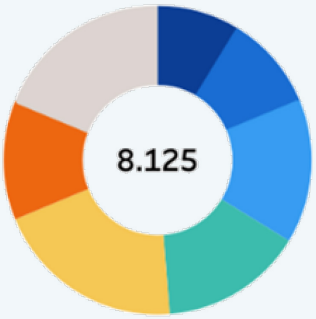
## Fairtrade International

Child labour specificity criteria: 4.875 out of 5 (97.5%)
Public-private compliance and enforcement criteria: 3.25 out of 5 (65%)

- Fairtrade embeds child labour safeguards across standards, including for small farmer-producer organizations, contract production, fibre crops, and traders. It requires operations to develop a policy with procedures for withdrawing children from child labour, ensuring safety, and implementing remediation projects and internal control systems to monitor and respond to child labour.

Standards Evaluated: *Standard for Small Producer Organisations* (2019), *Standard for Contract Production* (2011), *Standard for Fibre Crops* (2011), *Child Labour and Forced Labour Guidelines* (2015), *Trader Standard* (2015), *Textile Standard* (2016)

Business and Child Labour Index (out of 10 points)




### Notable findings: Child labour indicators

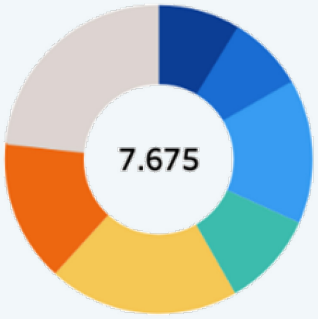
| | | | |
|---|---|---|---|
| **Minimum-age standards*** (General minimum-age standard) | (out of 1 pts) | **0.875** | 15 years. (No flexibility; 14 years is not allowed as an exception.) |
| **Nature of work **** (Family worker) | (out of 1 pts) | **1.0** | Recognizes some flexible rules/exemptions. Family and smallholder farms: children may carry out light work that is not hazardous. ILO C182. |
| **Circumstances of work** (Hazardous work conditions) (Exposure to abuse) (Long hours and night work) | (out of 1.5 pts) | **1.5** | Hazardous-work conditions. Exposure to abuse. Long hours and night work. |
| **Public governance*** (Reference to host country law) (Applicable minimum-age standards) (Explicit ILO references) | (out of 1.5 pts) | **1.25** | Host-country laws. International and country-specific minimum-age standards. References: ILO C138, C182, C029, C105. |
| **Compliance monitoring**** (Child labour monitoring systems and processes) (Position of the monitoring actor) (Sanctions related to child labour) | (out of 2 pts) | **2.0** | Clear - Good insight into monitoring. Third-party certification by FLOCERT. Severe sanctions. |
| **Harmful consequences of work**** (Safeguard mechanisms; OHS standard; Priority action based on severity of harm) | (out of 1.5 pts) | **1.5** | Schooling safeguards. Broadly addresses child labour. The OHS standard broadly addresses hazardous work. Priority on the severity of harm. |
| **Disclosure** on child labour and forced labour risk management | (out of 1.5 pts) | **0** | (Does not require certified businesses to disclose whether child labour is a significant issue.) |

*Note.* The analysis here focuses on how child labour policies and rules were framed during the period relevant to this study, specifically from September 2016 to August 2022, with primary research conducted between July 2021 and June 2022. Several standard-setting bodies have since updated their requirements; the findings reflect the standards as they applied during this period.

## Global Organic Textile Standard

Child labour specificity criteria: 4.175 out of 5 (83.5%)
Public-private compliance and enforcement criteria: 3.5 out of 5 (70%)

Business and Child Labour Index (out of 10 points)




GOTS includes child labour criteria under its social requirements, stating "child labour shall not be used" and addressing young workers' health and safety. Certifiers must consider local and national conditions in their risk assessments during inspections and audits.

Standard Evaluated: *GOTS*, version 6.0 (2020)

### Notable findings: Child labour indicators

| | | | |
|---|---|---|---|
| **Minimum-age standards*** (General minimum-age standard) | (out of 1 pts) | **0.875** | **(**No age specified.) |
| **Nature of work **** (Family worker) | (out of 1 pts) | **0.8** | Recognizes flexible rules/exemptions. Protections for home-workers. ILO C182 Worst forms of child labour. |
| **Circumstances of work** (Hazardous-work conditions) (Exposure to abuse) (Long hours and night work) | (out of 1.5 pts) | **1.5** | Hazardous-work conditions. Exposure to abuse. Long hours and night work. |
| **Public governance*** (Reference to host country law) (Applicable minimum-age standards) (Explicit ILO references) | (out of 1.5 pts) | **1.5** | Host-country laws. International and country-specific minimum-age standards. References: ILO C138, C182, C029, C105. |
| **Compliance monitoring**** (Child labour monitoring systems and processes) (Position of the monitoring actor) (Sanctions related to child labour) | (out of 2 pts) | **2.0** | Clear - Good insight into monitoring. Third-party certification, using multiple GOTS-approved certifiers. Severe sanctions. |
| **Harmful consequences of work**** (Safeguard mechanisms; OHS standard; Priority action based on severity of harm) | (out of 1.5 pts) | **1.0** | Strictly prohibits child labour. OHS standard (broadly reduces hazardous work). (No priority on the severity of harm.) |
| **Disclosure** on child labour and forced labour risk management | (out of 1.5 pts) | **0** | (Does not require certified businesses to disclose whether child labour is a significant issue.) |

*Note.* The analysis here focuses on how child labour policies and rules were framed during the period relevant to this study, specifically from September 2016 to August 2022, with primary research conducted between July 2021 and June 2022. Several standard-setting bodies have since updated their requirements; the findings reflect the standards as they applied during this period.

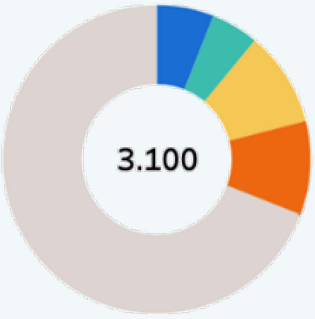
## Textile Exchange

Child labour specificity criteria: 1.1 out of 5 (22%)
Public-private compliance and enforcement criteria: 2.0 out of 5 (40%)

Textile Exchange does not have a standalone child labour policy. Certified organizations must comply with applicable laws and regulations and ensure accountability for violations of fundamental human rights, including those under ILO Conventions C029 and C182. Its standards are built on the *Content Claim Standard*, a chain-of-custody standard that allows companies to ensure that raw material inputs remain in the final product.

Standards Evaluated: Textile Exchange – *Content Claim Standard*, version 3.0 (2021), *Content Claim Standard Certification Procedures*, version 2.1 (2021), *Human Rights Policy* (2020), and *Organic Content Standard*, version 3.0 (2020)

Business and Child Labour Index (out of 10 points)




### Notable findings: Child labour indicators

| | | | |
|---|---|---|---|
| **Minimum-age standards*** (General minimum-age standard) | (out of 1 pts) | **0** | (No minimum-age policy.) |
| **Nature of work **** (Family worker) | (out of 1 pts) | **0.6** | Worst forms of child labour.<br>(All other elements are absent.) |
| **Circumstances of work** (Hazardous-work conditions) (Exposure to abuse) (Long hours and night work) | (out of 1.5 pts) | **0** | (No social policy.) |
| **Public governance*** (Reference to host country law) (Applicable minimum-age standards) (Explicit ILO references) | (out of 1.5 pts) | **1.0** | (N/A - No minimum-age policy.)<br>Host-country laws.<br>References: ILO C182, C029. |
| **Compliance monitoring**** (Child labour monitoring systems and processes) (Position of the monitoring actor) (Sanctions related to child labour) | (out of 2 pts) | **1.0** | (No reference to child labour monitoring.)<br>Relies primarily on compliance with legal authorities.<br>Severe sanctions. |
| **Harmful consequences of work**** (Safeguard mechanisms; OHS standard; Priority action based on severity of harm) | (out of 1.5 pts) | **0.5** | (N/A - No minimum-age policy.)<br>Strictly prohibits violations of ILO Conventions C182 and C29.<br>Priority action based on the severity of harm. |
| **Disclosure** on child labour and forced labour risk management | (out of 1.5 pts) | **0** | (Does not require certified businesses to disclose whether child labour is a significant issue.) |

*Note.* The analysis here focuses on how child labour policies and rules were framed during the period relevant to this study, specifically from September 2016 to August 2022, with primary research conducted between July 2021 and June 2022. Several standard-setting bodies have since updated their requirements; the findings reflect the standards as they applied during this period.

**GOTS**. The score reflects strong social requirements—including child labour specificity criteria—and relatively comprehensive compliance and enforcement mechanisms, including integration of public governance practices. ***Missing elements*.** GOTS does not specify a general minimum age and provides limited guidance on framing harmful consequences, particularly regarding severity prioritization.

**Textile Exchange**. The low score reflects a deliberate choice not to regulate social requirements; child labour is not integrated within this process-standard's audit protocols. The *Content Claim Standard* serves product-traceability functions while leaving employment relations to legal requirements. References to ILO Conventions C029 and C182 are incorporated through legal-compliance clauses.

**Disclosure**. A notable cross-standard finding is that all four standards received a score of zero on the disclosure dimension of the Business and Child Labour Tool. Despite variation in child labour specificity and public-private compliance and enforcement arrangements, none requires businesses to publicly disclose whether child labour constitutes a material risk, how identified risks are managed, or whether enforcement actions relate to child labour or forced labour violations. As a result, child labour risks remain less visible than commodity attributes within certification systems. This pattern is significant because governance arrangements depend not only on compliance monitoring and enforcement but also on transparency regarding how risks are identified, addressed, and remediated.

The next section links these scores to each standard's verification and traceability approach. Section 6.2 assesses minimum-age alignment and the translation of commitments into operational rules (H2/C1). Section 6.3 evaluates ethical capability (H3).

**Certification, Traceability, and the Visibility of Child Labour Risks**

This subsection examines how voluntary sustainable cotton standards structure business relationships with farmers, traceability systems, and disclosure practice, and how these arrangements shape the visibility of child labour risks across India's cotton value chain. While these systems emphasize product integrity and commodity traceability, labour risks in agricultural, informal, or subcontracted segments receive comparatively limited attention. The analysis that follows examines how these design features shape employment practices and the specificity criteria assessed under H2.

Across the four voluntary sustainability standards, three patterns are salient. First, verification and chain-of-custody arrangements prioritize fibre integrity and traceability but offer

limited mechanisms to identify, verify, and respond to child labour risks in agricultural, informal, or subcontracted segments. Second, Table 26 shows a structural mismatch between the segments where child labour risks are concentrated (agricultural production, cottonseed and hybrid-seed production, family-based labour, and informal tasks around small gins) and the value chain tiers where certification and verification systems typically operate.

Third, chain-of-custody models—segregation, physical traceability, and mass balance—track materials rather than labour conditions, constraining the risk-responsive information available to assess H2/C1's specificity criteria and the employment practice through which governance arrangements are implemented.

Engagement with agricultural production differs substantially across the four standards. Better Cotton and Fairtrade International operate at Tier 4, where family-based labour and adolescent work are common. Fairtrade includes farmers in its membership and links production to minimum prices, social premiums, and premium-funded community projects, whereas Better Cotton emphasizes training, capacity building, licensing, and financial mechanisms. Both verify farm-level conditions, although their ability to detect child labour depends on the reach and frequency of third-party verification or audits in smallholder contexts.

GOTS and Textile Exchange's Organic Content Standard (OCS) begin certification at ginning and do not directly engage with farm-level production. Under India's government-controlled organic system, farm-level certification is issued under the India Organics mark through the National Programme for Organic Production (NPOP) and carried out by accredited bodies. NPOP certification is internationally recognized, including under the USDA National Organic Program (USDA-NOP) and the European Union organic regulation. As a result, farm practices are verified through organic certification checks focused on production rather than labour-oriented audits, limiting visibility into upstream labour risks for brands and buyers.

**Table 26**

*Four Voluntary Sustainable Cotton Standards in Segments of India's Global Cotton Value Chain*

| | *Tier:* | 4 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|---|---|
| | | Farm and Fibre* | | Yarn Production | Textile Production | Garment Manufacturing |
| | | Cotton farming to grow and harvest seed cotton | Ginning lint to remove seeds and produce baled fibre | Spinning | Weaving of fabric, dyeing, and finishing of fabric bolts | |
| | | - | Cross-cutting functions (traders, exporters, importers) | | | |
| Better Cotton | *Applicable standards:* | ✓ Principles and Criteria | ✓ Principles and Criteria | n/a | n/a | n/a |
| | *Chain-of-custody model:* | product segregation | product segregation | mass balance | mass balance | mass balance |
| Fairtrade International (Cotton) | *Applicable standards:* | ✓ Standard for Fibre Crops, Standard for SPOs, Standard for Contract Production | ✓ Standard for Fibre Crops and Trader Standard requires a social audit report or SA8000 certificate. | ✓ Standard for Fibre Crops and Trader Standard requires a social audit report or SA8000 certificate. | ✓ Standard for Fibre Crops and Trader Standard requires a social audit report or SA8000 certificate. | ✓ Standard for Fibre Crops and Trader Standard requires a social audit report or SA8000 certificate. |
| | *Chain-of-custody model:* | physical traceability | physical traceability | physical traceability or mass balance | physical traceability or mass balance | physical traceability or mass balance |
| Fairtrade International (Textile) | *Applicable standards:* | ✓ Standard for SPOs, Standard for Contract Production | ✓ Textile Standard | ✓ Textile Standard | ✓ Textile Standard | ✓ Textile Standard |
| GOTS – Global Organic Textile Standard | *Applicable standards:* | n/a (verified organic content from the farm) | ✓ Global Organic Textile Standard | ✓ Global Organic Textile Standard | ✓ Global Organic Textile Standard | ✓ Global Organic Textile Standard |
| | *Chain-of-custody model:* | | scope and transaction certificates | scope and transaction certificates | scope and transaction certificates (incl. dying/printing) | scope and transaction certificates |
| Textile Exchange (Organic cotton) | *Applicable standards:* | n/a (verified organic content from the farm) | ✓ Organic Content Standard | n/a | n/a | n/a |
| | *Chain-of-custody model:* | | scope and transaction certificates | scope and transaction certificates | scope and transaction certificates | scope and transaction certificates |

*Note.* None of the standards cover cottonseed production, including hybrid cottonseeds. Farm-level requirements, chain-of-custody, and product claim details are provided in Table D9.

Textile Exchange's *Content Claim Standard* (CCS) is particularly instructive: its low score reflects a deliberate choice not to regulate social requirements. Child labour is not integrated within CCS audit protocols; instead, employment relations are governed through basic legal compliance expectations. This approach is consistent with ISO drafting guidance, which states that references to legal and regulatory obligations should be used only where necessary, with national law and applicable international labour obligations taking precedence over any voluntary standard.

**Traceability and Consumer-Facing Product Claims:** The standards employ different chain-of-custody models, but all emphasize material tracking over the visibility of labour risks. Technical details on chain-of-custody models and product-claim rules are provided in Table D9.

- **Better Cotton** uses a segregated product model at cultivation and ginning, but shifts to a mass balance approach beyond ginning to cover non-lint traders, spinning, and textile mills. This model allows for mixing or substitution with conventional cotton while maintaining volumetric accounting. Its label explains, "This product is sourced via a system of mass balance. This product may not contain Better Cotton". [64]
- **Fairtrade** offers three labels with varying degrees of traceability: Fairtrade Cotton (physically traceable), Fairtrade Sourced Cotton (mass balance), and Fairtrade Textile Production (mixed model). These variations have implications for the separation between material attributes and labour conditions.
- **Textile Exchange's Organic Content Standard** and **GOTS** use harmonized traceability systems beginning at ginning facilities. As neither system engages the farm directly, their traceability frameworks cannot capture labour conditions in upstream, high-risk segments.
- **GOTS** differs from OCS by applying environmental and social criteria throughout the supply chain, making its certification traceable not only by origin and volume but also by compliance with processing standards.

Across all four systems, public reporting does not identify suppliers or operations with elevated child labour risks or disclose the measures taken to address or mitigate them—such as whether labour-related violations have triggered suspension or decertification. Available public lists

[64] Prior to 2025, Better Cotton's assurance model relied on a combination of first-party, second-party, and limited third-party verification for chain of custody, rather than full certification in the ISO/IEC 17065:2012 conformity-assessment sense. As of 2025, Better Cotton has transitioned to a formal certification scheme, under which Chain of Custody requirements are assessed by accredited third-party certification bodies.

do not specify whether suspended or banned organizations involved child labour or forced labour violations. This lack of transparency limits accountability for buyers, importing country authorities, and consumers, and reinforces a system in which commodity attributes are more visible than child labour risks. [65]

***Implications for H2 Employment Practices and Specificity Criteria***

Taken together, these patterns are best interpreted within the broader governance arrangements in which the four voluntary sustainable cotton standards operate. These standards interact with national laws and public regulations, and can take the form of public mandatory, public voluntary, private mandatory, or private voluntary instruments. The rise of private voluntary standards has shaped agricultural trade while complementing compulsory public requirements through private audits, capacity building, and market-development activities (Oya et al., 2017).

Within this hybrid regulatory context, the four standards contribute to the conditions relevant to H2/C1 by structuring supplier governance, defining labour expectations, and establishing mechanisms for compliance monitoring. However, their underlying theories of change are oriented primarily toward commodity integrity, environmental quality, and formal organizational compliance. As a result, they generate limited information about labour conditions in the segments where child labour risks are most likely to arise, including informal, family-based, subcontracted, and agricultural production contexts.

Accordingly, the specificity criteria under H2/C1 are necessary but not sufficient on their own. Effective identification of child labour risk requires complementary risk-based information for agricultural, informal, and subcontracted production contexts that voluntary sustainability standards are not always structured to capture. This limitation sets up the H3 analysis of how public-private compliance and enforcement arrangements address these information gaps.

## 6.2 Navigating Minimum-age Standards Across Contexts

This section examines how the four sustainable cotton standards translate minimum-age commitments into operational rules for business enterprises, with specific reference to India's legal

[65] The U.S. International Trade Commission (2024, pp. 188) notes that after the U.S. Uyghur Forced Labour Prevention Act took effect, India introduced the Kasturi cotton brand using QR-based traceability from ginning stage onward. See Kasturi Cotton Bharat. (n.d.). *Frequently Asked Questions.* https://www.kasturicotton.com/faq

requirements, to assess H2/C1 (specificity criteria). The analysis integrates ILO instruments, especially ILO C138's flexibility clauses, with transnational labour law and integrative social contract approaches. The following patterns inform the process-level tests of H2/C1 and H3 reported below.

**Evidence Highlights (Standard-Level Patterns)**

- The voluntary sustainability standards apply minimum-age rules inconsistently, creating gaps at the interface among global norms, India's legal framework, and ILO C138.
- Better Cotton and GOTS incorporate flexibility consistent with ILO C138; Fairtrade applies a uniform 15-year threshold globally that exceeds India's statutory minimum (14); Textile Exchange does not specify a standalone minimum-age policy.
- Interview data and document review indicate that none of the standards was revised in response to India's 2016 amendments to the CALPR or its 2017 ratification of ILO C138.
- Where rules are rigid or globally uniform, lawful family-based agricultural work can be misclassified as child labour; where rules lack sufficient detail, safeguards for school attendance and non-hazardous work can be under-specified.
- Across the four standards, minimum-age provisions vary in both specificity and alignment with India's legal framework, creating regulatory misalignment, especially for adolescents aged 14-15 who are most likely to work in family-based agricultural settings.
- Under H2/C1, specificity criteria are necessary but not sufficient on their own to distinguish harmful child labour from other forms of children's work.
- Minimum-age rules are globally integrative and locally responsive when they combine (a) global minimum protections (peremptory norms under ILO C029 and ILO C182), (b) context-sensitive flexibility consistent with ILO C138 and CALPR rules (14-year minimum age; light work under safeguards) and (c) verifiable safeguards, including checks of school attendance and non-hazardous work.

All four standards indicate that compliance with applicable host-country law takes precedence. This approach aligns with ISO guidance that voluntary standards must not substitute for law and should use legal references where they require organizations to identify applicable laws and enable verification (ISO, 2019). (Appendix D2, Table D14)

Textile Exchange's *Content Claim Standard* lacks a standalone child labour policy but includes a customary law, fundamental rights clause with zero tolerance for ILO C029/C182,

authorizing certification withdrawal for violations. Better Cotton, Fairtrade, and GOTS presuppose legal compliance and explicitly reference ILO C138, C182, C029, C105; Fairtrade also references the UNCRC. For hazardous work interpretation under C182, ILO Recommendation 190 is central: GOTS cites R190 in its auditor guidance; Better Cotton and Fairtrade incorporate it implicitly through their Principles and Criteria and child/forced labour guidance. Fairtrade also references the national list of hazardous work prohibited for children below 18 published by the relevant government authority. (Appendix D2, Table D14)

The standards differ in how they operationalize ILO Convention 138 and applicable national law, particularly with respect to minimum-age requirements and safeguards for adolescents aged 14-15. The following analysis examines how these differences affect the governance of child labour risk in the Indian context. Issues of inadequate safeguards and irremediable harm (severity) are reserved for Section 6.3.

**Global-Local Ethical Dilemma within Minimum-age Rules**

Rigid and uniform global thresholds can misclassify legitimate family-based agricultural work and home-based work, while unconstrained flexibility can legitimize hazardous or exploitative situations under the guise of family labour. An integrative approach protects the right to schooling and prohibits hazardous work while allowing context-appropriate minimum-age thresholds and safeguards.

**Comparative Analysis of Minimum-age Rules**

Table 27 contrasts global consistency, integrative, and locally responsive approaches to address cross-cultural ethical dilemmas in setting minimum employment age requirements for adolescents aged 14 to 15 years in India, as examined through H2/C1 and H3. The four standards adopt different approaches to minimum-age regulation, reflecting differing degrees of rigidity and contextual flexibility. The operationalization of “no distinction” highlights that applying the flexibility clauses of ILO C138 requires assessing the nature and circumstances of children’s work, rather than treating all work below a fixed age threshold as equivalent. These differences shape how global norms are interpreted and applied within India’s legal frameworks and sociocultural context.

**Table 27**

*Approaches to Minimum-age Norms for Adolescents Aged 14–15*

| | Global consistency | Integrative | Local responsiveness |
|---|---|---|---|
| | *One-size-fits-all: global, exportive, and universal* | *Transnational, integrative* | *Multi-domestic, adaptive, and relativist* |
| Which minimum-age requirements and safeguards should business enterprises implement for adolescents aged 14 to 15 years in India to align with ILO C138 and the CALPR? | • Pitfalls to avoid: Higher is not always better (ILO and IOE, 2015, p. 30) | • Use ILO C138 flexibility clauses to help identify the common ground | • Consider India's Child and Adolescent Labour (Prohibition and Regulation) Act of 1986 (CALPR), as amended in 2016<br>• India's minimum employment age is 14. |
| Better Cotton | - | • Conformity with ILO C138<br>• Recognizes flexibility in the minimum working age: 15, or 14 as an exception. | • Allows 14 years<br>• Flexibility for family-based work: on smallholder farms, where children may help on their family farms. |
| Fairtrade | • Prohibits work by children below 15 years or the age defined by local law, whichever is higher. | • Conformity with ILO C138 and C182.<br>• Recognizes light work on family and smallholder farms under strict conditions.<br>• The minimum age must be at least the age of completion of compulsory schooling. | |
| GOTS – Global Organic Textile Standard | - | • Conformity at a minimum to ILO C138 or national laws, whichever affords greater protection.<br>• Does not specify a fixed minimum working age. | • Conformity at a minimum to ILO C138 or national laws, whichever affords greater protection.<br>• Protections extend to home workers; not applicable at the farm level. |
| Textile Exchange | - | – | • Compliance with applicable laws and regulations. [No dedicated minimum-age rule; OCS not applicable at the farm level.] |

The analysis that follows compares the standards to assess implications for specificity, education safeguards, and child labour risk identification. Beyond establishing minimum-age requirements, standards also contribute to the normalization of particular interpretations of children's work, schooling, and acceptable labour participation.

- **Better Cotton** applies a flexible general minimum-age standard: 15 years as the general minimum age, with 14 years as an exception under ILO C138 and local law. On smallholder farms, supervised light family work is permitted, provided the tasks are non-hazardous and do not interfere with schooling.
- **Fairtrade International** applies a uniform minimum age of 15 years. In India, this exceeds the statutory minimum of 14 years under the CALPR, and the flexibility permitted by ILO C138. Schooling interference before the age of 15 is considered child labour. For smallholder farms, light non-hazardous work is permitted under strict conditions (no hazardous tools/chemicals/tasks; adult supervision; schooling protected). Fairtrade applies a "higher criteria prevail" rule rather than aligning with host-country law.
- **GOTS – Global Organic Textile Standard** applies a flexible general minimum-age standard; requires compliance with ILO C138 or national law, whichever offers greater protection; no fixed minimum age for employment. Not applicable at the farm level.
- **Textile Exchange** lacks a child labour policy; therefore, no dedicated minimum employment age. (The Organic Content Standard is not applicable at the farm level.)

***Fairtrade's Approach to Minimum-age Rules***

Given the divergence between Fairtrade's uniform 15-year minimum-age rule and India's statutory threshold of 14 years under CALPR (consistent with ILO C138 flexibility provisions), the analysis examines operational implications, documented practices, and implications for H2/C1. Fairtrade's uniform 15-year threshold shows limited coherence with ISO (2019) guidance on legal statements, which holds that voluntary standards should align with applicable law, avoid exceeding or contradicting national requirements without clear justification, and use legal references to clarify rather than substitute for legislation.

However, the 15-year minimum-age rule may reclassify lawful agricultural work as non-compliant by prohibiting non-hazardous work for adolescents aged 14-15 that is permitted under law. Fairtrade's approach, therefore, (a) expands the treatment of children's family-based work to adolescents, effectively broadening what is counted as non-compliant under the standard, and

(b) shifts compliance monitoring toward age-plus-schooling verification rather than task-plus-risk assessment (distinguishing hazardous work). As a result, the rule risks overlooking local practices and legitimate age-appropriate contributions within households, while obscuring the distinction between harmful child labour and forms of children's work permitted under ILO C138 and India's legal framework.

Although Fairtrade safeguards exist, their practical scope in India is limited because the 15-year threshold excludes adolescents aged 14-15 from lawful work. Interview data and document review indicate that Fairtrade's standards did not change following India's 2016 updates to the CALPR or India's 2017 ILO C138 ratification. Fairtrade maintains that FLOCERT enforces alignment with ILO C138 and ILO C182. Consequently, even in countries where national legislation permits the employment of children under 15, Fairtrade-certified organizations may not employ them. Fairtrade explains:

> Fairtrade standards prohibit work that interferes with schooling for those under 15 and considers child labour, even when a country's law permits it. [66]

This divergence between Fairtrade's minimum-age rule and India's legal framework can create a jurisdictional and governance gap vis-à-vis India's law: adolescents aged 14–15 years may fall between Fairtrade's rules and India's law that allows certain non-hazardous, family-based work. In such settings, misalignment may be associated with a higher risk of precarious work or labour force exclusion, with implications for household income and schooling attendance/years completed. Rather than protecting adolescents across the lifecycle, this diverge between standards and domestic law may exacerbate vulnerabilities.

Voluntary sustainability standards should therefore avoid the pitfall of requiring business enterprises to exceed domestic legal obligations unless those higher requirements are clearly justified and supported by structural safeguards (e.g., schooling re-enrolment, bridging support, and credible follow-up)—protections typically beyond the reach and leverage of most voluntary standards and individual firms ((ILO & International Organisation of Employers, 2015, p. 30)

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[66] Fairtrade attributes key elements of its child labour remediation approach to lessons learned in Belize. See Fairtrade (n.d.), *Remediating child labour: Lessons Learnt from Belizean Sugar Cane Producers*. https://www.fairtrade.net/en/why-fairtrade/why-we-do-it/mitigating-risks/remediating-child-labour.html

Fairtrade codifies the "higher criteria prevail" principle: "Where national legislation conflicts with internationally recognized standards and conventions (for example, the fundamental ILO Conventions) or with Fairtrade Standards, the higher criteria prevail" (Fairtrade International, 2019, p. 12).

However, higher is not always better. From an ILO perspective, raising minimum-age thresholds without structural safeguards can displace underage children and adolescents into hidden, informal, or hazardous work. The ILO and IOE caution that companies should not exceed age limits set in local legislation where such limits are permissible under ILO standards, or to do so only after careful consideration (ILO & IOE, 2015, p. 30). Where a standard adopts a higher minimum age, it should require schooling, apprenticeships, or vocational training to reduce OHS risks and youth unemployment.

More broadly, this finding parallels debates about globalization and labour standards discussed in Chapter 3. Both debates caution against assuming that stronger market competition or higher regulatory standards automatically generate better outcomes. In both cases, outcomes depend on institutional environments, enforcement capacity (including sanctioning behaviour), and the availability of meaningful alternatives, particularly education, social protection, and access to effective remedies.

**Finding 1 (H2/C1) – Specificity Criteria and Contextual Alignment.** Specificity criteria function as an INUS condition—necessary within a broader configuration but insufficient on their own. Even comprehensive specificity criteria can misclassify forms of children's work—especially for adolescents aged 14-15—when minimum-age rules are not aligned with ILO flexibility provisions, India's legal framework, or verifiable education safeguards. This incomplete alignment within the broader configuration generates systematic classification problems in family-based agriculture.

**Section Summary**

Minimum-age requirements and related distinctions remain uneven across standards and are often poorly harmonized with India's legal minimum age of 14 and the ILO C138's flexibility clauses. These inconsistencies create regulatory tensions and implementation challenges—especially for adolescents aged 14–15—and, in practice, may weaken the organizational capacity of voluntary sustainability standards to distinguish between children's work and harmful child labour, constraining identification and response (Figure 4 above; Table 25; Table 27).

A minimum-age rule configuration is globally integrative and locally responsive when it:

- upholds global minima (ILO C029 and ILO C182);
- applies ILO C138 flexibility and CALPR rules (14-year minimum age; light work with safeguards); and
- makes safeguards verifiable (school attendance and non-hazardous task restrictions).

Against this benchmark, Better Cotton and GOTS demonstrate integrative intent (with caveats for GOTS' scope), while Fairtrade prioritizes global uniformity with limited local responsiveness in India. Textile Exchange largely defers to applicable national laws and certification systems, making its approach more locally responsive but less prescriptive.

These findings suggest that specificity criteria are necessary but insufficient on their own. Effective child labour governance also depends on arrangements capable of identifying, monitoring, escalating, and responding to risks in practice. The next section therefore examines compliance-monitoring arrangements and ethical capability under H3.

**Interpreting Specificity: Schooling, Work-School Trade-Offs, and Child Labour Definitions**

This section examines how schooling functions as one of the main safeguards for distinguishing harmful child labour from other forms of children's work. In doing so, it documents and authenticates how child labour is defined and operationalized for this study, establishing the education-related criteria and safeguards used to assess and interpret the empirical findings on business practices in Sections 7.2-7.4.

The question of what defines child labour arose during an interview with Venkat Reddy, National Convenor of MV Foundation and vice-chair of the Government of India's Central Advisory Board on Child Labour under the Ministry of Labour and Employment. During our discussion, he offered a striking clarification:

> "Any child not in school is, by definition, a child labourer."

This proposition shifts attention from a child's visible presence in work to their absence from education, positioning schooling as the defining boundary of child labour. It directly informs both RQ1 and RQ2 by challenging conventional indicators and foregrounding education as both a normative and empirical threshold.

In India, where access to education is uneven, this interpretation is salient. It aligns with India's legal requirements, ILO C138, and Article 32 of the UNCRC, all of which link the minimum

employment age protections to the completion of compulsory schooling. It also resonates with the counterfactual logic developed in Chapter 3 (Edmonds, 2006) and critiques of the "priceless child" narrative (Zelizer, 1985), emphasizing that child labour theories must account for structural constraints on education. Labour market imperfections and poverty often drive the substitution of child labour for adult labour, underscoring the need for child labour policies attentive to both the labour market and children's schooling. (Basu and Van, 1998; Betcherman et al., 2004; Dixon & Nussbaum, 2012; Mehrotra, 2019) (Interview #11IN1T21)

This interpretation was also widely reflected in interview data. Most participants (n=30 out of 49 interviews, 61%) identified education as both a safeguard and a definitional boundary: absence from school signals a child's entry into labour "whether waged, non-waged, in a factory, in fields or at home" (Venkat Reddy, MV Foundation). This pattern reveals gaps in voluntary standards and business policies that rarely address education as a structural response to child labour. The distribution of responses varied across stakeholder groups: the education framing appeared in 2 of 4 SSE interviews, 1 of 8 certification standard-setting body interviews, 17 of 19 social actor interviews, and all 5 interviews with government representatives. Among businesses, it appeared in 5 of 13 interviews. Taken together, these responses suggest that the schooling is most consistently understood as a child labour safeguard by government and social actors, with more limited uptake among private and standard-setting organizations.

If schooling functions as one of the main safeguards against child labour, the next question is whether that safeguard is available in practice. Chapter 4 demonstrated that child labour risks are embedded in broader structural conditions, including workplace informality, rural poverty, uneven enforcement, and educational deprivation. The case studies and interviews presented here reinforce that conclusion. Andhra Pradesh and Telangana report lower rural MPI scores and greater reductions in school attendance gaps than Gujarat, suggesting that sustained investment in education and pro-poor policies is associated with lower child labour. Across cases, child labour arises not simply from poverty but from the availability of children for work, driven by informal hiring, depressed wages, low levels of enforcement, and limited educational opportunities.

India's constitutional commitments further underscore the centrality of schooling. Education, the prohibition of child labour, and social security are concurrent responsibilities of the Union and state governments. The Supreme Court recognized education as a fundamental right only in 1993, and enabling legislation followed in 2009. Policies mandating the Mid-Day Meal Scheme in all

primary schools and the 2021 integration of the National Child Labour Project (NCLP) into Samagra Shiksha sought to strengthen school participation and to mainstream rescued child labourers into the formal education system. Significant coverage gaps persist, however, compounded by ambiguity in the Child and Adolescent Labour (Prohibition and Regulation) Act of 1986 (CALPR), as amended in 2016. These gaps undermine the Right to Education Act's guarantee of education for all children aged 6-14. Adolescents remain insufficiently protected, an issue several participants raised when calling for extending educational guarantees to all under 18.

Interviews also emphasized that child labour is driven not only by poverty but also by the collapse of rural education systems. Families send children to work when schools fail to provide meaningful learning. Poor quality public schools erode trust in education, while caste-based discrimination and exclusion by teachers, "looking down on these children," can discourage attendance and weaken the protective function of schooling. Children from poor, tribal, and rural households are pushed into labour due to a lack of alternatives (Interviews, Anonymous). As Sudhir Katiyar of the Prayas Centre for Labour Research and Action observed, "It is not the laws that are inefficient, but the social stratification in society, where lower castes end up doing menial jobs while upper castes can afford better education and living" (S. Katiyar, personal communication, October 14, 2021). Education deprivation remains especially acute among Scheduled Tribes, Scheduled Castes, Other Backward Classes, and migrant families, and girls engaged in unrecognized domestic and home-based work.

The COVID-19 pandemic amplified these vulnerabilities. School closures, digital divides, and financial strain pushed children back to work on family farms, with only 60-70% returning to school after lockdowns ended (interview with MV Foundation). In response, child-focused organizations advocated area-based approaches, including MV Foundation's "child labour free zones" (ILO-IPEC, 2013b), which seek to withdraw all children from work and enrol them in schools. These initiatives shift attention beyond poverty-based explanations toward community-level norm change by redefining school attendance, rather than children's economic contribution, as the socially valued and expected role of childhood.

This emphasis on schooling has important implications for governance arrangements. Voluntary standards rarely link school attendance explicitly to child labour remediation. Fairtrade's remediation requirements and social premium are notable exceptions, while Better Cotton includes improvement indicators for transferring child labourers to schooling. By contrast, GOTS version 6.0

prohibits child labour but omits education-related provisions. (Beyond this study's scope, GOTS version 7.0 introduces remedy requirements that include support for access to education.)

Thus, even where standards prohibit child labour, one of the main safeguards used to distinguish harmful work from permissible work is not consistently incorporated into governance arrangements.

A similar pattern emerges at the business level. A desk review of businesses' CSR policies and ESG reporting (more in Section 7.2) suggests that education receives greater attention as a community investment than as a child labour governance mechanism. Most businesses emphasize activity-based investments, such as constructing schools, supplying textbooks, providing school benches, and funding scholarships. Exceptions exist, for instance, Pratibha Syntex Ltd reported investing over INR 2 crore (approx. $241,400 USD) in education initiatives that enabled over 600 children of cotton farmers to attend school. By reducing travel distances and improving local access to education, the initiative helped shift children's routines from labour to learning. This case illustrates how targeted CSR efforts can address structural barriers to education and help reduce child labour, especially in a context where CSR is legally mandated.

Ultimately, this moral dilemma—what children in poverty would do in the absence of schooling—remains central to defining the relationship between business and child labour in India's cotton value chain. Despite decades of scrutiny of sweatshops and supply chains, business interventions have had limited effects on schooling, leaving unresolved the counterfactual question: what would children be doing if they were not working? (Basu and Van, 1998; Edmonds, 2008; Fyfe and Jankanish, 1997; Nielsen, 2005, p. 577).

With schooling established as a principal safeguard within the specificity criteria, Section 7.2 examines whether business practices reflect these expectations.

## 6.3 Reconciling Compliance-Enforcement Across Public-Private Governance

This section shows that voluntary sustainable cotton standards are not consistently associated with the identification, prevention, mitigation, and remediation of child labour harms, particularly where compliance and enforcement arrangements lack credibility or coherence.

Voluntary standards rely heavily on self-regulation and uneven enforcement, constraining their organizational capacity to identify, prevent, mitigate, or remediate harm at scale. Better Cotton and Fairtrade include corrective pathways—such as schooling policies and remediation plans—and

escalate to suspension/decertification when corrective actions fail and violations persist. By contrast, GOTS tends to bypass corrective sequencing for child labour violations, moving more directly to suspension or decertification. For critical non-conformities, GOTS and Textile Exchange treat severe violations (e.g., ILO C029 and ILO C182) as grounds for immediate termination.

These differences in how voluntary standards operationalize corrective action, enforcement, and critical non-conformity indicate that enforcement design—not only rule specificity—conditions child labour risk outcomes, shaping whether standards enable remediation-capable, child-centred responses or default to termination under conditions of plausible risk or actual harm.

One pathway is associated with multiple enforcement modalities—rather than a singular or intensified response—while others rely on termination without further remediation. These response pathways vary across governance configurations, providing a preliminary typology that is developed further through business practices and case evidence in Chapter 7:

- Procedural-compliance configurations rely primarily on document-based verification, conformity assessment, and sanction-backed escalation mechanisms to demonstrate compliance, with limited emphasis on child-centred remediation or outcomes.
- Corrective-action configurations address organizational shortcomings through monitoring corrective measures, and continuous improvement processes. These configurations support organizational learning and management system improvement but do not necessarily incorporate child-centred remediation, outcome tracking, or proportionate escalation.
- Remediation-capable configurations combine monitoring, corrective action, enforcement, and child-centred remediation, including schooling-linked responses and proportionate escalation for severe, recurring, or irremediable violations. Such configurations may be operationalized through multiple governance pathways, including cooperation-oriented and hybrid compliance-cooperation arrangements that are examined further in Chapter 7.

In this chapter, the INUS logic relevant to ethical capability is assessed through observable governance functions when standards move beyond symbolic policy commitments to specify credible monitoring, structured response mechanisms, proportionate enforcement, and child-centred remediation, particularly where risks are severe or pose a risk of irremediable harm (linked to H3). The INUS logic (H2/C1 and H3) operates as follows. Specificity criteria—clear rules on minimum-age standards and the nature, circumstances, and harmful consequences—and public-private compliance and enforcement arrangements are individually insufficient, yet necessary components

of broader governance configurations associated with lower child labour risk. Multiple sufficient pathways may support such outcomes, including standards-based, state-based, and hybrid governance configurations. Ethical capability becomes visible when these arrangements translate human rights norms into context-sensitive responses that prioritize prevention, child-centred remediation [67], educational safeguards, and proportionate enforcement.

Ethical capability is therefore understood as the capacity to navigate normative tensions and exercise rights-consistent, child-centred judgement under conditions of competing obligations. When embedded in credible private regulation, these governance arrangements help translate child labour norms into day-to-day employment practices and supplier/procurement decisions. When embedded in law and public regulation, they strengthen governance by clarifying duties, thresholds, and consequences. This approach emphasizes reflexivity and structural solutions grounded in "do no harm" and the UNCRC's "best interests of the child." This lens guides the analysis that follows on how voluntary standards monitor, interpret, and respond to child labour risks in practice.

Figure 12 presents a public-private compliance and enforcement continuum that organizes compliance promotion, verification, assessment, and enforcement responses to non-compliance in a structured, graduated sequence linked to remediation. Finding 2 (H3) suggests that voluntary standards rely on assumptions about external enforcement and schooling that limit their effectiveness under weak state conditions. Although standards differ in their response pathways, both remediation-oriented and suspension-first approaches depend on broader public-private compliance and enforcement arrangements that are often fragmented or unevenly implemented.

Adapted for voluntary standards, enforcement operates through graduated, proportionate responses across stages rather than binary exit or disengagement, balancing prevention and remediation with sanctions when violations persist. The continuum used in this study comprises five stages:

1. **Prevention**: education safeguards; age verification; and task design to reduce child labour risk (including protecting school attendance).

[67] The scope and depth of remediation measures should reflect whether an enterprise causes, contributes to, or is directly linked to the risk, as well as its size, supply chain leverage, and market influence, ensuring that actors with greater capacity and bargaining power assume proportionate responsibility (OECD, 2023).

2. **Detection**: monitoring and internal controls; audits and unannounced checks; grievance channels and trusted reporting intermediaries.
3. **Corrective action and remediation**:
    a. corrective action plans addressing organizational shortcomings in compliance systems (procedures, training, oversight, documentation, risk mitigation); and
    b. child-centred remediation (withdrawal from underage and/or hazardous work; bridge schooling/vocational support; enrolment/re-enrolment in mainstream education; and time-bound follow-up).
4. **Escalation**: graduated, proportionate responses calibrated to severity of harm, recurrence, and risk of irremediable harm (e.g., intensified monitoring, conditional approvals, temporary suspension, and buyer notification).
5. **Termination**: sanctions including suspension and decertification; for critical non-conformity, immediate termination of certification/contractual relations, with parallel urgent child protection actions.

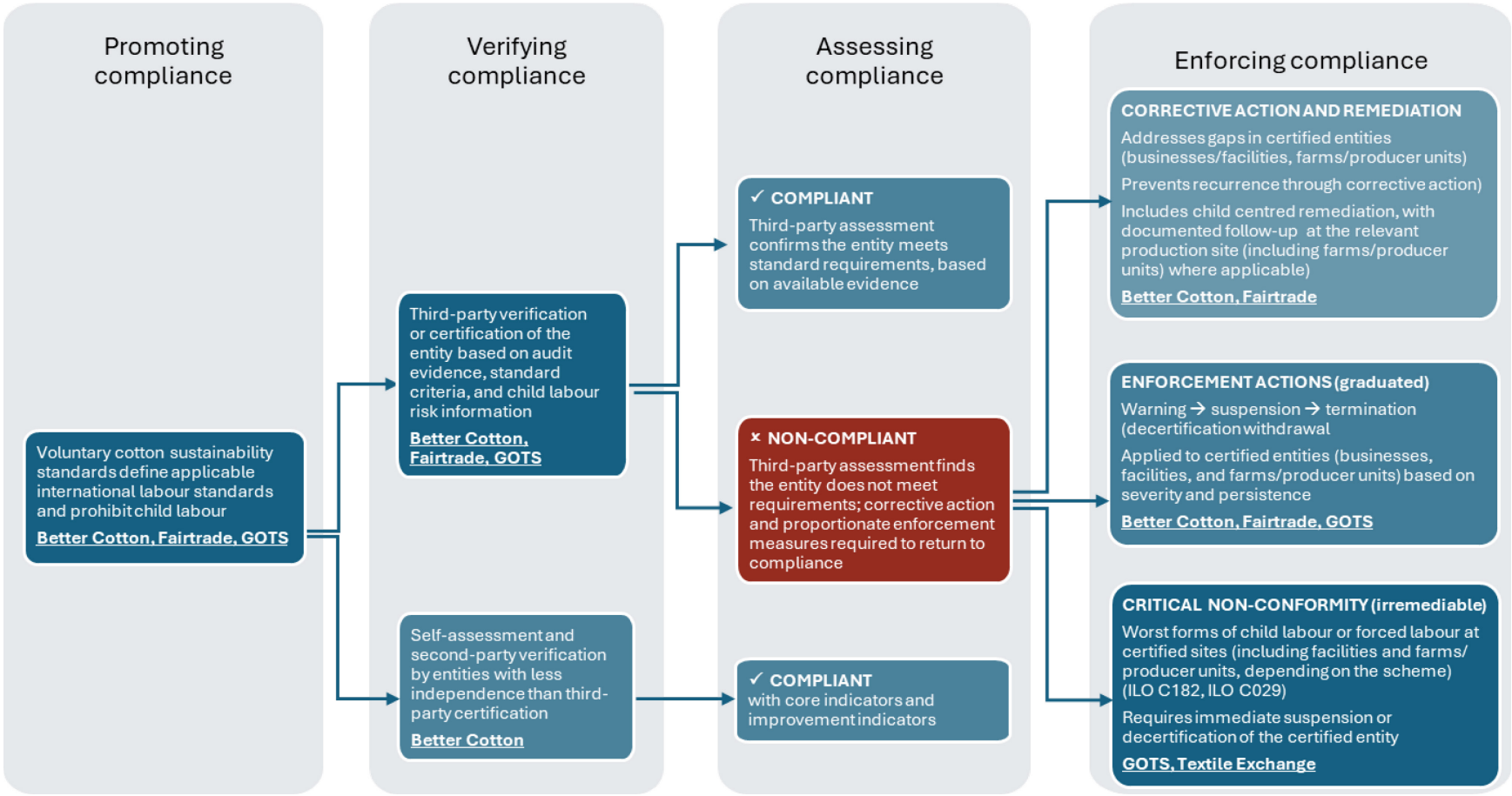
*Critical non-conformity* refers to severe, zero-tolerance violations (including forced labour under ILO C029 and the worst forms of child labour under ILO C182) that are irremediable for certification and contractual purposes, triggering immediate contractual/certification consequences (stage 5), while urgent child-centred protection proceeds in parallel.

These staged mechanisms condition whether specificity criteria (H2/C1)—that is, the clarity on minimum age and the nature, circumstances, and harmful consequences of work—translate into employment practices associated with lower child labour risks, thereby providing evidence relevant to H3. Public-private compliance and enforcement arrangements do not merely govern organizational behaviour; they also normalize expectations regarding how child labour risk should be identified, prioritized, escalated, and remediated.

Table 28 introduces the compliance-enforcement indicator used to test H3. In line with the European Union's Corporate Sustainability Due Diligence Directive and OECD guidance, the indicator prioritizes prevention and correction over default disengagement (cut-and-run) and incorporates classification and graduated, remediation-capable enforcement. Applying the indicator, the empirical findings reveal divergent pathways across standards: some combine multiple enforcement modalities, while others move directly to suspension or decertification.

**Figure 12**

*Compliance and Enforcement Continuum for Child Labour Risks*




*Note.* Adapted from *Compliance and Enforcement Policy*, by Canadian Food Inspection Agency (2020).

The analysis focuses on how child labour policies and rules were framed between September 2016 and August 2022, with primary research conducted between July 2021 and June 2022. Although several standard-setting bodies have since updated their requirements, the findings reflect the standards in place during this period.

**Table 28**

*Updated Compliance and Enforcement Indicator*

| |
|---|
| **Dimension:** Compliance |
| **Indicator:** Classification and graduated enforcement |
| **Question:** To what extent does the policy or certification standard classify verified entities (compliant/non-compliant) and apply proportionate enforcement measures in cases of non-compliance? |
| **Measurement:** Composite indicator (select as many as apply):<br>❒ None – No graduated or proportionate enforcement is specified.<br>❒ Mild (Corrective) - Corrective actions focused on prevention and mitigation—such as schooling policies, risk-reduction measures, or remediation plans—without sanctions.<br>❒ Moderate (Enforcement with sanctions) - Enforcement actions, including escalation to warnings and sanctions such as temporary suspension or conditional continuation of certification following escalation.<br>❒ Severe (Critical non-conformity) – Sanctions for irremediable violations, including immediate suspension or termination of certification for critical non-conformities (e.g., violations of ILO C029; ILO C182) |

Across standards, schooling emerges as one of the main safeguards rather than an ancillary measure. Inadequate safeguards undermine the linkage between the right to be free from child labour and the right to education (ILO C138; OHCHR, 2011; UNCRC arts. 28, 32). Better Cotton integrates child labour requirements with education through core and improvement indicators (prohibiting underage employment unless work allows school attendance and does not undermine education; schooling policy for working children; age verification; child protection committees; local partnerships for alternative income). Fairtrade requires certified operators to maintain child labour policies with withdrawal procedures and access to schooling as part of remediation; refusal to implement is a non-conformity. In high-risk regions, Fairtrade links due diligence to state child protection systems and uses the premium to finance education infrastructure. By contrast, GOTS version 6.0 prohibits child labour and includes OHS but omits schooling safeguards, constraining

organizational capacity to prevent and take corrective actions (schooling provisions are introduced in version 7.0, beyond this study's scope). [68]

The compliance–enforcement continuum was developed through comparative analysis of Better Cotton, Fairtrade, GOTS, and Textile Exchange (Table 29), assessing enforceability across three domains: promoting compliance, verifying compliance, and responding to non-compliance. Within the response domain, corrective and enforcement actions are followed by the classification of critical non-conformity in cases of irremediable harm. The typology applies risk-based and proportionality principles within a human rights frame (OHCHR, 2010).

**Table 29**

*Compliance and Sanctions in Child Labour Governance Across Standards*

| Standard | Specificity: | Compliance: | Strict prohibitions: | Enforcement: |
|---|---|---|---|---|
| | *Safeguards (schooling)* | *Mild demands for corrective action* | *Severity (ILO C182 or C029)* | *Sanctions (suspension)* |
| Better Cotton | Broad child labour policy; schooling policy for working children | Clear: Corrective measures: Core and improvement indicators provided | Forced labour (ILO C029, C105) includes forced labour of children (ILO C182) | Suspension criteria are not transparent in public documents; sanctions thresholds are less prescriptive. Corrective actions are in place for ILO C138 risks. Better Cotton licensing was suspended in Xinjiang over systemic forced labour concerns. |
| Fairtrade | Broad child labour policy; schooling policy for working children | Clear: Corrective measures: Remediation is required where child labour is detected (e.g., access to education); refusal to put in place a remediation scheme constitutes a non-conformity with the minimum criteria. | ILO C182 and C029 violations, protection policy, and procedures for children and vulnerable adults | Clear: Suspension: Internal management systems and third-party audits are required. Monitoring systems are encouraged in high-risk sectors (e.g., cotton, gold, and sugarcane) and regions; avoid regions with systemic forced labour. Certification may be denied or revoked for non-conformity with the minimum criteria. |

[68] GOTS, version 7.0 (2023; effective March 1, 2024) strengthens its child labour policy by explicitly linking remediation to education. Certified entities must remove children below the minimum age from the workplace and provide appropriate remedy, including support for access to education. Young workers must be employed in ways that allow continued education or vocational training (GOTS, 2023, §§4.4.3.2, 4.4.3.5).

| Standard | Specificity: | Compliance: | Strict prohibitions: | Enforcement: |
|---|---|---|---|---|
| GOTS – Global Organic Textile Standard | No schooling provisions (v 6.0).<br>Schooling policy added in v7.0. (outside study scope) | No corrective measures for child labour are specified. | Child labour (ILO C138, C182)<br>Forced labour (ILO C029, C105) under zero-tolerance | Clear: Suspension: There are gross human rights violations where non-conformity is not accepted. Certification was suspended in Xinjiang, with no certified companies operating in the region. |
| Textile Exchange | None | No corrective measures for child labour are specified. | ILO C182 and C029 violations | Clear: Suspension: Immediate suspension if ILO C182 or C029 violations are occurring; these are critical non-conformities. It explicitly excludes cotton from Xinjiang from certification due to systemic forced labour. |

*Note.* The analysis in this table does not include data on occupational health and safety measures.

Empirically, the findings reveal divergent pathways, with some pathways combining multiple enforcement modalities while others terminate without corrective action—moving directly to suspension/decertification upon breaches. These contrasts expose normative and practical tensions in voluntary self-regulation, including cost-benefit trade-offs between maintaining certification and investing in remediation, and between social licence to operate and substantive harm reduction.

Severity-based enforcement prioritizes elimination of the worst forms (ILO C182) and forced labour (ILO C029), consistent with peremptory norms. International guidance specifies that the more severe the violation, the more urgent and robust the response must be (ILO & IOE, 2015; OECD, 2017, 2018a; OHCHR, 2012b). While all four standards mention ILO C182 and ILO C029, the application varies. Fairtrade operationalizes severity through mandatory reporting, child protection procedures, and remediation schemes, ensuring withdrawal and access to schooling. In high-risk regions, it requires a written policy and a monitoring system. [69] Textile Exchange requires the immediate suspension of the scope certificate for a C182/C029 violation, prioritizing deterrence over

[69] Fairtrade International. (n.d.). *Forced labour*. https://www.fairtrade.net/en/why-fairtrade/why-we-do-it/forced-labour.html and *Fairtrade Risk Map*. https://riskmap.fairtrade.net/salient-issues/forced-labour

remediation. Better Cotton and GOTS rely primarily on normative references, with less explicit escalation protocols. [70]

Finally, certification rules translate prohibitions into consequences, yet transparency remains limited. All four standards publish some status information on suspended or banned business enterprises for critical non-conformity, but none disclose which sanctions relate specifically to child labour or forced labour. Public disclosures tend to emphasize fraud- and documentation-related breaches. [71]

GOTS provides the most detailed disclosures (entity, location, reason, duration), though labour rights breaches are not specified. During the review period, GOTS reported several suspensions and bans in Gujarat linked to overselling, fake shipping documentation, forged transaction certificates, and misrepresentation of production capacity. Textile Exchange applies similar criteria and excludes entities subject to U.S. forced labour restrictions (e.g., Withhold Release Orders); it reported a small number of active and expired bans in Gujarat. Fairtrade, through FLOCERT, reports certification status (certified, suspended, or not certified) without disclosing reasons beyond generic non-compliance, and shows a small number of cotton-related suspensions in India (none in states covered by this research). Better Cotton provides the least transparency; its Active Derogation List was empty at the time of review. Enforcement disclosures are opaque and largely confined to the raw fibre stage, with limited visibility downstream; within this confined scope, reporting focuses on high-profile exclusions, most notably Xinjiang.

Overall, sanctioning remains fragmented, escalation for irremediable or severe risks is inconsistently specified, and schooling-linked remediation is weakly integrated. As voluntary systems, these schemes remain reliant on internal compliance models without consistently proportionate and graduated enforcement, limiting their organizational capacity to translate human rights norms into child-centred responses to child labour risk.

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[70] While there are eight mentions of ILO C182 in Better Cotton's Principles and Criteria, version 2.1 (2018), these are tending to emphasize child labour risks that constitute hazardous work (pp. 24, 77, 79).

[71] Sources consulted (retrieved October 31, 2025): Better Cotton. (n.d.). *Find members*. https://bettercotton.org/membership/find-members/; Fairtrade International. (n.d.). *Fairtrade Finder*. https://www.fairtrade.net/en/fairtrade-finder.html; FLOCERT. (n.d.). *Fairtrade customer search*. https://www.flocert.net/fairtrade-customer-search/; Global Organic Textile Standard. (n.d.). *Certification bans.* Global Standard gGmbH. https://global-standard.org/?view=category&id=109; Textile Exchange. (2023). *List of Banned Organizations (ASR-225-V2023.4)*. https://textileexchange.org/app/uploads/2023/09/ASR-225-V2023.4-List-of-Banned-Organizations.pdf

## 6.4 Conclusion: Cotton Traceability and the Invisibility of Child Labour Risks

This chapter examined governance mechanisms, ethical framing, and enforcement practices in voluntary sustainable cotton standards, assessing their organizational capacity to address child labour risks in India's cotton value chain. Section 6.1 reviewed Better Cotton, Fairtrade, GOTS, and Textile Exchange, assessing how their rules operationalize child labour specificity and public-private compliance and enforcement criteria. All prohibit child labour or, at least, its worst forms. The process-level dashboard (Table 25 above) shows strong variation in specificity criteria but critically, zero disclosure across all four standards on child labour and forced labour risk management.

Section 6.2 supports **Finding 1 (H2/C1) – Role of child labour specificity criteria and education safeguards in reducing child labour risk.** Minimum-age rules remain unevenly specified between standards and are often poorly harmonized with India's legal minimum age of 14 and ILO C138 flexibility clauses (see Table 27 above), creating regulatory and governance ambiguities for adolescents aged 14-15 and increasing the risk of misclassifying permissible forms of children's work and harmful child labour. Minimum-age rules alone are insufficient where schooling safeguards and work-school trade-offs are weakly specified, limiting the ability of standards to distinguish harmful child labour from age-appropriate work consistent with international human rights norms. Specificity criteria function as an INUS condition: necessary within configurations of socio-legal norms, incentives, and enforcement mechanisms, yet insufficient in isolation.

Section 6.3 identified divergent responses to non-compliance across voluntary sustainability standards, ranging from remediation-oriented approaches (e.g., Better Cotton, Fairtrade) to suspension-first approaches (e.g., GOTS, Textile Exchange). While these approaches differ in their use of corrective action, remediation, and escalation, they operate primarily through internal compliance systems (Locke et al., 2009; Auld et al., 2015; Riisgaard et al., 2020) and generally assume complementary state enforcement and schooling guarantees.

Regardless of the response to non-compliance, transparency remains limited, disclosure is weak, the application of zero-tolerance provisions for ILO C182 violations is inconsistent, and safeguards—particularly schooling requirements, severity-based escalation, and sanctioning thresholds—are uneven or not publicly evidenced (Figure 12; Table 29). Taken together, these conditions are consistent with enforcement arrangements that prioritize auditability and suspension

over remediation, creating conditions under which child labour risk is more likely to be displaced than effectively addressed.

**Finding 2 (H3) – Effect of ethical capability of voluntary sustainability standards on child labour risk.** Voluntary sustainable cotton standards rely predominantly on internal compliance systems and assume complementary state enforcement and schooling guarantees. In practice, these external supports are often weak or fragmented: the organizational capacity of voluntary sustainability standards to enforce is limited, and schooling for working children is uneven (Chapter 4). Taken together, these conditions are consistent with structural governance gaps that constrain the effectiveness of public-private compliance and enforcement arrangements. Where prohibitions on child labour are not paired with schooling and remediation, it will be hard for children to transition out of child labour in a manner that meets their livelihoods needs combining work and school, thereby constraining prevention, mitigation, and remediation outcomes (see Chapter 7.2-7.3; Edmonds, 2006; Nielsen, 2005, 578-579; UNICEF & ILO, 2004).

Voluntary standards, therefore, cannot substitute for credible public enforcement and independent oversight. Where these supports are weak or fragmented (Chapter 4), certification schemes as a governance mechanism is unlikely to support the prevention, mitigation, or remediation of harmful impacts on children's working conditions. Figure 12 synthesizes the compliance–enforcement continuum associated with lowering child labour risk, identifies remediation-oriented and suspension-first pathways, and shows how severity-based escalation and sanction thresholds should balance corrective action with suspension or termination for critical non-conformities.

Standards that combine education-linked safeguards, corrective measures, and severity-based escalation for the worst forms of child labour—supported by credible verification—are better positioned to address child labour risk. Their reach is also conditioned by where governance begins along the cotton value chain (at the farm level for Better Cotton and Fairtrade; at ginning and beyond for GOTS and Textile Exchange; see Table 26 above).

This chapter highlights a governance paradox: certification schemes trace cotton fibre with precision yet provide no disclosure on child labour risk management across the standards examined, rendering such risks comparatively invisible, under-disclosed, or weakly governed in disclosure and enforcement systems. Standards not only formalize but also normalize what counts as material in business compliance and reporting, shaping which child labour risk are rendered visible, monitored, disclosed, and acted upon within global value chains. This pattern reflects a commodified model of

sustainability in which consumer-facing labels emphasize ecological fibre content and origin over labour conditions in production. Moreover, with enforcement split between remediation-oriented and suspension-first pathways, and given weak public oversight and schooling guarantees (Chapter 4), auditability tends to prevail, while prevention, education-linked safeguards, and transparent remediation remain weak.

Consistent with Chapter 3, child labour specificity criteria (H2/C1) are insufficient without credible compliance and enforcement arrangements. Conformity assessment provides one important mechanism for verifying compliance, but the findings suggest that governance arrangements emphasizing monitoring, corrective action, remediation, and proportionate enforcement are associated with greater child labour risk internalization (H3). Voluntary standards may therefore deliver product integrity and market coordination while allowing child labour harms to persist.

In sum, where child labour prohibitions are not paired with schooling-linked remediation and proportionate escalation, compliance-first enforcement is associated with child labour risk displacement at the standard level; Chapter 7 examines how this pattern reappears at the business level through substitution and invisibility, and interprets how risk internalization emerges through cooperative and hybrid governance arrangements involving social actors and intermediaries.

# CHAPTER 7
# Child Labour Risk Governance: Business, Public Policy, and Local Accountability

This chapter focuses on the meso-level analysis, examining how social actors shape enforcement in child labour governance (H4) and how businesses respond to child labour risk through employment practices and ethical capability (H1; H3). The governance implications that emerge from this analysis inform a set of policy-relevant recommendations, consolidated in Appendix E (Summary of Policy Recommendations). Whereas Chapter 6 examined governance arrangements embedded within standards and compliance processes, Chapter 7 examines how they are implemented by businesses and intermediaries under varying institutional conditions. Consistent with the comparative logic outlined in Chapters 1 and 5, the analysis assesses the plausibility of four governance configurations as pathways through which child labour risks may be internalized rather than displaced.

Drawing on interviews, surveys, and narrative inquiry, the chapter develops three interpretive themes. Consistent with Geertz's (1973), the analysis privileges interpretation and careful distinction over broad generalization, combining thick description with mechanism-focused outcome tracing to explain why seemingly similar governance arrangements produce different outcomes across cases.

**Theme 1—Society-dependent enforcement and state capacity (H4).** Child labour enforcement depends not only on formal legal authority but also on the capacity of social actors to support monitoring, remediation, and accountability. NGOs, community actors, farmer-producer organizations, and child protection agencies often perform functions that supplement or compensate for uneven state administrative capacity, especially in informal and agricultural sectors.

**Theme 2—Business practices, ethical capability, and governance configurations (H1; H3).** Businesses facing similar legal requirements and voluntary standards frequently adopt different approaches to child labour governance. The chapter examines how variation in ethical capability is reflected in firms' capacities to monitor, respond to, enforce, and remediate child labour risks, and how these capacities are expressed through different governance configurations. The analysis

distinguishes between procedural-compliance, corrective-action, and remediation-capable governance configurations. Outcomes are expected to depend not only on standards participation but also on whether governance activities become linked to meaningful child labour risk internalization under real-world conditions. Therefore, the focus is not simply on compliance with formal requirements but also on how businesses translate child labour commitments into governance practices capable of identifying, managing and responding to child labour risks.

**Theme 3—Alternative governance pathways (H3) and equifinality.** Child labour governance operates through multiple governance pathways. The cases illustrate how different combinations of cooperation, compliance, intermediation, and public oversight can support the partial internalization of child labour risk under varying institutional conditions.

Together, these themes are developed through the analysis. Section 7.1 examines society-dependent enforcement and the role of social groups and intermediaries alongside state capacity and voluntary standards in shaping accountability (H4). Section 7.2 examines business employment practices, ethical capability, and governance configurations associated with different responses to child labour risk (H1, H3). Section 7.3 turns to cottonseed production as a high-risk governance context that illustrates alternative governance pathways and the limits of voluntary standards-based regulation.

The chapter evaluates H1, H3, and H4 distinguishing child labour risk displacement from partial risk internalization. Combined with Chapter 6's mechanism-focused analysis, Chapter 7 completes the evaluation of the hypotheses and develops a more integrated economic-sociology account of business and child labour in India's cotton value chains.

**Findings at a Glance: Business- and Process-Level Tests (H2/C1, H3, H4)**

Taken together, findings in Chapters 6 and 7 show how rules, enforcement arrangements, and business responses interact across process and firm levels to shape whether child labour risks are meaningfully identified, prevented, mitigated, and accounted for under voluntary governance (OECD, 2023; OHCHR, 2011).

**Finding 3 – Business-level substitution patterns (H3; H4).** Business responses, not certification, explain most outcome variation. CSR framing, ESG disclosure, and certification uptake across businesses frequently substitute for substantive engagement with child labour risk, especially where public policy enforcement capacity and schooling safeguards are weak. These patterns reflect procedural-compliance approaches that are indicative of weaker ethical capability and limited child

labour risk internalization. Critically, ethical capability is evidenced not by standards participation per se, but by governance arrangements through which firms internalize child labour risk, including monitoring, structured response, enforcement, and remediation systems subject to public and transnational accountability.

**Finding 4 – Limits in voluntary compliance-enforcement arrangements (H3; H2/C1).** Structural limits of voluntary regulation drive weak outcomes. Differences in how voluntary standards operationalize formal rules (specificity, corrective action, escalation, and sanctions) reveal limitations in translating those rules into credible, child-centred remediation pathways, particularly under conditions of actual or potential harm. These limitations contribute to means-ends decoupling, whereby increasingly robust governance procedures coexist with limited evidence of sustained child labour remediation and risk reduction in practice. Governance effectiveness therefore depends not only on formal compliance arrangements but also on local legitimacy, norm authentication, educational safeguards, and remediation-capable institutions that connect governance processes to demonstrable child labour outcomes.

### 7.1 Society-Dependent Enforcement and the Role of Social Actors

Building on Chapter 4, this section evaluates H4 by examining how state and non-state actors shape child labour enforcement. Interview, questionnaire, and documentary evidence suggests that child labour governance in India operates through a society-dependent enforcement system involving labour inspectors, child protection institutions, schools, child-focused NGOs, community organizations, and international agencies. In addition to district-level enforcement networks, agencies such as the ILO, UNICEF, and the U.S. Department of Labor support child labour governance through technical assistance, policy development, capacity-building, research, and programmatic interventions that strengthen enforcement and child protection systems. Child labour governance therefore involves not only regulating employment and industrial practices but also delivering protective services.

Enforcement is neither absent nor solely state-driven; implementation frequently relies on collaboration among government agencies, NGOs, community organizations, and international actors. Consistent with H4, enforcement outcomes depend not only on legal authority but also on the strength of state-society linkages. Where social actors support information generation, monitoring, awareness-raising, rescue, remediation, and school reintegration, enforcement is more likely to be

identified and addressed. Where such linkages are weak, child labour risk remain more difficult to detect and remediate.

**Stakeholder Perceptions of Enforcement Capacity**

To assess H4 (and secondarily H3), this section draws on non-attributable interviews with officials and social actors (NGOs, child-focused agencies, UN agencies, and government representatives). Engagement with the National Child Labour Project (NCLP) serves as a proxy for state commitment to child labour governance, revealing how state-society partnerships at the district-level shape enforcement outcomes. Of 29 questionnaires, only 12 answered questions relating to government enforcement. Many participants were reluctant to comment on state capacity, underscoring the political sensitivities of enforcement. Responses nevertheless supported Chapter 4's findings regarding informality, uneven enforcement, and regulatory gaps. Participants reported contradictions between the Child and Adolescent Labour (Prohibition and Regulation) Act (CALPR) and its Standard Operating Procedures, with several respondents noting missing state-level rules, and concerns that the 2019–2020 labour codes consolidating 29 laws into four could reduce inspection capacity and weaken child labour protections.

Reported enforcement capacity varied across states. Across Andhra Pradesh and Telangana, respondents (NGOs, CSOs, businesses; n=5) rated labour enforcement medium–high and criminal enforcement low. Business respondents in Telangana (n=3) rated the state and central government's enforcement capacity as high across labour and criminal indicators, while business respondents in Andhra Pradesh (n=2) rated labour enforcement medium–high and criminal enforcement low. In contrast, in Gujarat, no business respondents scored enforcement; NGOs and FPOs (n=3) rated capacity as low–medium, noting gaps in protection for adolescent girls in hazardous work. Overall, respondents perceived Telangana labour enforcement capacity as the highest, followed by Andhra Pradesh, and Gujarat rated lowest. Although the small number of valid responses limits generalizability, the findings suggest uneven administrative capacity across states and substantial reliance on state-society collaboration for effective child labour enforcement.

***State-Society Linkages Shaping Enforcement Outcomes***

Amengual's (2016, p. 37) argument that, in uneven enforcement settings, bureaucrats are dependent on society provides a useful lens for understanding child labour governance in India. Interviews consistently indicate that NGOs and child protection organizations help compensate for limitations in information, monitoring, remediation, and service delivery, particularly in rural and

informal contexts. Through partnerships with district-level child protection units under the NCLP, these organizations enable rescues, rehabilitation, and school reintegration. However, persistent gaps, especially in rural and tribal areas where child labour is embedded in family-based and seasonal work, continue to constrain enforcement and service delivery.

This thesis extends Amengual's argument to child labour governance, where enforcement requires not only monitoring and sanctioning, but also child protection, school reintegration, and social support delivered by NGOs, CSOs, unions, and public institutions. Under the NCLP, enforcement is embedded in a broader institutional framework spanning education, juvenile justice, and welfare systems rather than labour law alone. This institutional framework helps explain regional variation and supports H4's claim that active social groups shape compliance trajectories. Public policy moderates the relationship between businesses and child labour risks but is not, on its own, the primary driver of risk reduction. Across interviews, perceptions converge on a common constraint: without credible schooling-linked remediation and proportionate escalation, risk is more likely to be displaced rather than internalized.

***Mapping Society-Dependent Enforcement in Child Labour Governance***

Building on the preceding analysis, interviews with NGOs, child-focused agencies, government representatives, social and solidarity (SSE) enterprises, and standard-setting organizations reveal four complementary functions through with society-dependent enforcement operates: (a) legal and policy development, (b) accountability and legal advocacy, (c) worker-centred organization and representation, and (d) child protection and service delivery. [72]

**Legal and Policy Development**: These actors contribute to strengthening enforcement by shaping legal frameworks, policy coordination, and institutional mandates. The Ministry of Labour and Employment (MoLE) provides the statutory framework for child labour prohibition and enforcement through legislation, coordinates with state labour departments, and administers the National Child Labour Project (NCLP). Civil society organizations including the Kailash Satyarthi Children's Foundation and MV Foundation have led national campaigns for universal education and child rights, influenced amendments to child labour law, and supported the development of standard

[72] While this overview highlights selected actors, it is important to acknowledge its limitations: India hosts thousands of NGOs engaged in child labour prevention and advocacy, and this section offers illustrative cases rather than a comprehensive mapping of the landscape.

operating procedures with the MoLE. Together with Child Rights and You (CRY) and Save the Children India, these organizations contribute through advocacy, research, legal reform, and policy engagement, while the ILO and UNICEF India [73] provide technical assistance linking child protection with education, social welfare, and labour oversight. Together, these actors strengthen the institutional foundations of child labour governance through rights-based programming, information generation, budgetary reforms, and policy coordination across state and civil society institutions, as described by representatives of MV Foundation and other interview participants.

**Accountability and Legal Advocacy**: Where formal mechanisms are weak, these actors address enforcement gaps through legal advocacy and grassroots enforcement. The Prayas Centre for Labour Research and Action (CLRA) illustrates this function through research, litigation, and community mobilization to protect seasonal migrant families in western and central India, particularly in agriculture, construction, brick kilns, and related sectors (including cotton ginning). Its work targets exploitative practices in urban informal and agricultural sectors, including seasonal migration and disruptions to schooling in spaces largely beyond the reach of formal labour inspectorates. Through the integration of judicial processes and community mobilization, such actors support both the rehabilitation of rescued children and the prosecution of perpetrators, a theme that emerged in interviews with Prayas CLRA.

**Worker-centred Organization and Representation**: These actors contribute to society-dependent enforcement by extending monitoring, advocacy, and accountability into sectors where formal labour inspection has limited reach. SEWA (Self Employed Women's Association) and HomeNet South Asia exemplify this function by embedding child labour safeguards within livelihood and labour rights strategies that expand worker representation, labour protections, and access to education in the informal economy.

SEWA organizes informal women workers and integrates child labour considerations into agricultural programs such as RUDI (Rural Urban Distribution Initiative), which promotes decentralized food processing and marketing by women farmers. RUDI strengthens cooperative

[73] UNICEF India is promoting integrated approaches to prevent child labour by engaging over 4,000 businesses, including 381 public sector undertakings, to embed the Child Rights and Business Principles (CRBPs) and family friendly policies in supply chains. In partnership with government ministries and the Indian Institute of Corporate Affairs (Ministry of Corporate Affairs), these efforts extend to tea in Assam, garment in Rajasthan since 2020, and automotive supply chains, supporting responsible business practices in both formal and informal economies (UNICEF, 2025).

governance, economic diversification, and women's decision-making, creating conditions associated with lower child labour risk. Operating across 14 districts and 11 states, RUDI reaches approximately 2 million SEWA members, of whom over half are agricultural workers.

HomeNet South Asia, a member-based network of trade unions, producer cooperatives, social enterprises, community organizations, self-help groups, and NGOs, advocates for recognition of home-based workers, including children in embroidery, beedi rolling, and garment finishing, within labour laws, social protection schemes, and official labour statistics. Its campaigns promote minimum-wage protections, health insurance, and access to education for families in the informal economy (HomeNet South Asia & WIEGO, 2021)

Interviews with representatives of HomeNet South Asia and SEWA reinforced the importance of workers organization, social protection, and access to education in in addressing child labour risks in employment settings.

**Child Protection and Service Delivery**: These actors make enforcement tangible through rescue, rehabilitation, psychosocial support, education access, and reintegration, often bridging gaps where state systems are weak. Bachpan Bachao Andolan (BBA) and MV Foundation exemplify this role through program-based enforcement that connect enforcement with child protection outcomes.

MV Foundation's focus on compulsory education and bridge schooling has been instrumental in the reintegration of rescued children into formal education systems, particularly in Andhra Pradesh and Telangana. BBA's frontline interventions, including rescue operations and legal follow-up, support accountability where formal mechanisms falter.

Interviews with BBA and MV Foundation representatives highlighted how legal intervention, education reintegration, and social support are combined to bridge the gap between child labour policy and practice in high-risk communities.

Together, these functions illustrate how society-dependent enforcement extends beyond labour inspection alone, combining legal authority, advocacy, worker representation, and child protection services to support accountability in contexts of uneven state capacity.

***Case Study: Bachpan Bachao Andolan***

Bachpan Bachao Andolan provides an illustrative example of society-dependent enforcement in practice. The organization combines monitoring, rescue, legal advocacy, rehabilitation, and school reintegration, often working alongside public authorities in contexts where state capacity is limited.

Since its 1980s campaigns against bonded child labour, Bachpan Bachao Andolan has played a central role in frontline enforcement and service delivery. Linked to the Global March Against Child labour (established 1998) and the Kailash Satyarthi Children's Foundation (established 2004)—together combining deep roots in grassroots mobilization with global advocacy networks. As noted in Chapter 4, BBA also sits on MoLE's Central Advisory Board on Child Labour, which was reconstituted in 2017 following the 2016 amendments. Bachpan Bachao Andolan coordinates across Gujarat, Telangana, and Andhra Pradesh to identify, rescue, and rehabilitate children in child and bonded labour, complementing public child protection efforts and, at times, compensating for NCLP implementation.

BBA teams work with district authorities, police, and local NGOs to conduct raid-and-rescue operations, often through District Task Force Committees, and to help develop Standard Operating Procedures for coordinated action. BBA helped activate these committees, now present in all 13 districts of Andhra Pradesh, though only five meet regularly—often due to NGO pressure. (Interviews BBA-Gujarat; BBA-Telangana; BBA-Andhra Pradesh)

Rescues span hazardous sectors. In Gujarat, children were rescued from cottonseed and ginning factories in Sabarkantha, where girls were found sorting cotton and seeds—tasks often normalized as home-based or feminine labour. In Telangana, adolescent girls were found working in cotton fields and on garment tasks like embroidery and beading under unsafe conditions, including a lack of sanitation or medical care. In Andhra Pradesh, children were rescued from spinning mills where they endured long shifts in noisy, enclosed spaces and handled machinery to process cotton yarn. (Interview BBA-Gujarat; BBA-Telangana; BBA-Andhra Pradesh)

BBA applies Standard Operating Procedures to social investigations, educational assessments, and compensation. Children are placed in Child Care Institutions for counselling and protection until reunited with their families or enrolled in school or vocational training. However, short stays—especially in intra-state rescues—often mean children miss counselling (Interview BBA-Gujarat). One case involved trafficked children from West Bengal rescued from packaging units in Andhra Pradesh, underscoring inter-state repatriation needs. (Interview BBA-Telangana; BBA-Andhra Pradesh)

BBA advocates enforcement of back wages and bonded-labour compensation, though implementation is uneven. In Andhra Pradesh, over 490 children were rescued in one year; 200 received back wages, and 180 enrolled in schools. Reintegration is supported by social protection

schemes like Ammavodi, implemented in Andhra Pradesh, which provides INR 15,000 annually (approx. $181 USD) to mothers that is conditional on school attendance, plus hostel and food support for adolescent girls. (Interview BBA-Gujarat; BBA-Andhra Pradesh)

BBA coordinates with law enforcement across state and institutional levels. In Andhra Pradesh, BBA works with law enforcement and government departments to ensure FIRs are filed and judicial processes are followed, despite delays and government officials' reluctance. They have filed over 100 FIRs, though cases face long timelines—one coordinator was called as a witness six years after filing a complaint.

Legal teams pursue accountability under the CALPR and the Juvenile Justice Act, filing FIRs despite delays and weak follow-through. Partnerships with CRY, Save the Children, UNICEF, the Aga Khan Foundation, and MV Foundation support rescues, capacity-building, and awareness campaigns. Overall, BBA illustrates how NGOs fill enforcement gaps and shape child labour governance by integrating legal advocacy with service delivery and promoting accountability in contexts of weak state capacity.

**Summary**

Consistent with H4, child labour enforcement in India's cotton value chain is society dependent. Although public enforcement remains important, enforcement outcomes vary not only with legal authority and state administrative capacity but also with the presence of social actors capable of community awareness-raising, generating information, supporting rescue and remediation, and facilitating school reintegration. NGOs, child protection actors, labour organizations, and community groups frequently bridge implementation gaps in contexts where state capacity is uneven. These state-society linkages help explain variation in child labour governance and shape the conditions under which businesses identify, internalize, and respond to child labour risks.

### 7.2 Voluntary Sustainability Standards and Business Employment Practices

This section applies ethical capability to business employment practices, assessing how firms organize disclosure, engage with voluntary sustainable cotton standards, and structure compliance-enforcement arrangements in ways associated with lower child labour risk. Certification alone is not treated as a reliable proxy for child labour governance. Instead, the analysis examines whether businesses translate child labour commitments into context-sensitive, child-centred employment

practices through credible monitoring, structured response, proportionate enforcement, and remediation.

Initial expectations that voluntary sustainability standards would explain better business employment practices were only partially supported. Months of fieldwork, coding, and desk reviews revealed a more complex picture. Businesses were reluctant to participate. Certification schemes declined to disclose child labour violations (citing privacy obligations); public policy documents offered limited clarity; and transparency requirements were weak. This opacity—well-documented in global cotton value chains—was not merely logistical, as reluctance to disclose information exposed deep governance gaps. [74] Responsible business conduct appeared fragmented, relying on a mix of certification schemes, CSR policies, and Business Responsibility and Sustainability Reporting, none of which consistently predict outcomes.

As one respondent explained:

> So long as you have a tag from XYZ certification, businesses do not pay much attention to the legislation, and on the surface, it is a rosy picture of goods made child labour-free. But that may not be the case at all. (Interview #01IN1N21)

Two recurrent patterns emerged:

**Window dressing.** Certification pressures and fear of losing membership can drive superficial compliance rather than substantive change. As one participant estimated, "80% is window dressing and 20% genuine work," adding, "Certification standards demand you to be perfect, and that is not possible."

**Empowerment via premiums and capacity-building.** Fairtrade programs present a contrasting narrative: price and social premiums finance education and farmer training, and foster structural shifts from contract farming to FPOs, strengthening local governance and autonomy.

These dual dynamics, symbolic compliance on the one hand and community investment on the other, highlight tensions between market-driven certification and socially embedded governance. Respondents consistently emphasized the role of local actors, including NGOs, child-focused

[74] As noted in Chapters 4-6, institutional opacity and limited variation in firm-level practices constrain definitive testing of H1; the analysis here therefore focuses on observable patterns rather than causal inference.

agencies, farmer-producer organizations, and social enterprises working with public and private regulators as critical, in shaping business responses.

Across ESG disclosure, certification packages, and CSR framing, businesses deploy varied strategies that substitute visible signals of responsible and compliance for internal child labour safeguards and governance arrangements. Across cases, evidence suggests that variation is better explained by differences in ethical capability, society-dependent enforcement, and governance configurations than standards participation alone. Using the terminology developed in Chapter 6.3, business responses ranged from procedural compliance and selective disclosure to remediation-capable governance configurations. This section, therefore, evaluates H3 by examining employment practices, disclosure patterns, certification uptake, ESG reporting, and governance arrangements across firms.

Through process tracing, H3 evaluates a theory of change grounded in equifinality. Ethical capability is examined through public-private compliance and enforcement arrangements embedded in business practices, while recognizing that comparable outcomes may emerge through standards-based, state-based, or hybrid governance pathways. The analysis also considers norm decoupling, understood as divergence between formal commitments and everyday practices. The central question is not whether firms possess child labour policies, certification labels, or ESG disclosures, but whether they exercise the rights-consistent judgement necessary to translate child labour commitments into context-sensitive, child-centred responses under real-world conditions.

**Data and scope.** Analysis draws on desk reviews, interviews, and surveys, permitting comparison between disclosed employed practices and reported implementation across tiers of the cotton value chain. Forty firms, certified and non-certified, were assessed for policy presence, child labour specificity, and compliance-enforcement arrangements, and ethical capability. Desk reviews provided the principal source of comparable firm-level information, supplemented by interviews and surveys that provided evidence on implementation and governance practices. Most examples remained anonymized to foreground systemic patterns and avoid over-attributing outcomes to specific firms; named cases are used selectively as benchmarks (see Appendix B1 Primary Research Methodology; see also Appendix D3, Table D16).

The analysis draws on three sources:

- Desk reviews of publicly available documents, including child labour, forced labour, and human rights policies; supplier codes; CSR and ESG disclosures; Business Responsibility

and Sustainability Reporting (BRSR); and annual reports. Of 42 usable desk reviews of businesses, 40 provided sufficient data for analysis and scoring. Within these 40 businesses, 21 (53%) operated in Tier 1-3 segments: retail (n=1), textile and processing (n=12), and spinning (n=1). The remaining 19 (47%) were Tier 4 agricultural producers, including three farmer-producer organizations and growing businesses, five ginning businesses, and 11 cottonseed enterprises.

- Interviews (13 interviews with 16 individuals across 10 firms operating in Tier 2-4 segments) providing qualitative evidence on implementation, interpretation, and governance practices.
- Surveys (n=12) served as a screening and recruitment instrument rather than as a principal source of evidence. They provided standardized information on business practices and governance arrangements and informed the selection of cases for subsequent interviews.

**Analytical Approach:** Business employment practices are examined as observable expressions of governance arrangements. Using the Business and Child Labour Tool, the analysis assesses: (a) specificity criteria, (b) public-private compliance and enforcement arrangements, and (c) ethical capability. It evaluates how firms organize disclosure, certification, monitoring and reporting, remediation, and enforcement activities in response to child labour risks. The resulting Business and Child Labour Index enables comparative analysis of employment practices and governance arrangements across business models. Table D16 provides the underlying firm-level dataset. Consistent with Chapter 6, the analysis distinguishes among procedural-compliance, corrective-action approaches, and remediation-capable governance configurations, while also considering evidence of substitution, selective disclosure, and decoupling.

### 7.2.1 Business Employment Practices: Visibility, Substitution, and Ethical Capability

***Visibility through Disclosure***

Policy disclosure of child labour governance remains limited. Of the 40 businesses analyzed through desk review, 93% (37) did not publicly disclose having a standalone child labour policy, and 93% did not disclose having a code of conduct. As shown in Table 30, disclosure rates vary across tiers, with comparatively higher levels of disclosure among Tier 2 firms and cottonseed enterprises; however, these differences should not be interpreted as statistically significant.

These disclosure gaps limit accountability, constraining the ability of stakeholders to assess how businesses identify, prevent, mitigate, and remediate child labour risks. From an ethical

capability perspective, policy disclosure constitutes an observable aspect of governance commitments. Its absence does not necessarily indicate the absence of governance arrangements, but it does limit public visibility of business norms, compliance and enforcement arrangements, and accountability mechanisms.

**Table 30**

*Policy Disclosure by Tier in India's Cotton Value Chain (n=40)*

| Tier | Firms | CSR Policy (%) | Standalone Child Labour Policy (%) | Code of Conduct (%) | Top 1000 Companies | BRR (%) |
|---|---|---|---|---|---|---|
| Tier 1: Retail | 1 | 100 | 0 | 0 | 0 | - |
| Tier 2: Textiles | 8 | 75 | 12.5 | 12.5 | 2 | 100 |
| Tier 2: Processing textiles | 4 | 100 | 25 | 25 | 2 | 100 |
| Tier 3: Spinning | 8 | 50 | 0 | 0 | 4 | 100 |
| Tier 4: Ginning | 5 | 100 | 0 | 0 | 0 | 0 |
| Tier 4: Growing/trading | 3 | 33 | 0 | 0 | 0 | 0 |
| Tier 4: Cottonseed | 11 | 91 | 9 | 9 | 1 | 100 |
| Total (n=40) | 40 | 78.5 | 7 | 7 | 9 | 100 |

*Note.* Data derived from interviews, desk reviews, and surveys conducted between November 2021 and February 2022. Abbreviations: BRR = Business Responsibility Report, replaced by Business Responsibility and Sustainability Reporting.

The finding also highlights a distinction between participation in certification schemes and firm-level transparency. While certification standards commonly require compliance with child labour provisions through auditing and conformity assessment processes, they do not necessarily require businesses to disclose standalone child labour policies publicly. Consequently, firms participate in certification schemes while providing little public evidence of how child labour risks are governed through their own employment practices, CSR policies, or ESG reporting.

***Visibility of Governance Arrangements***

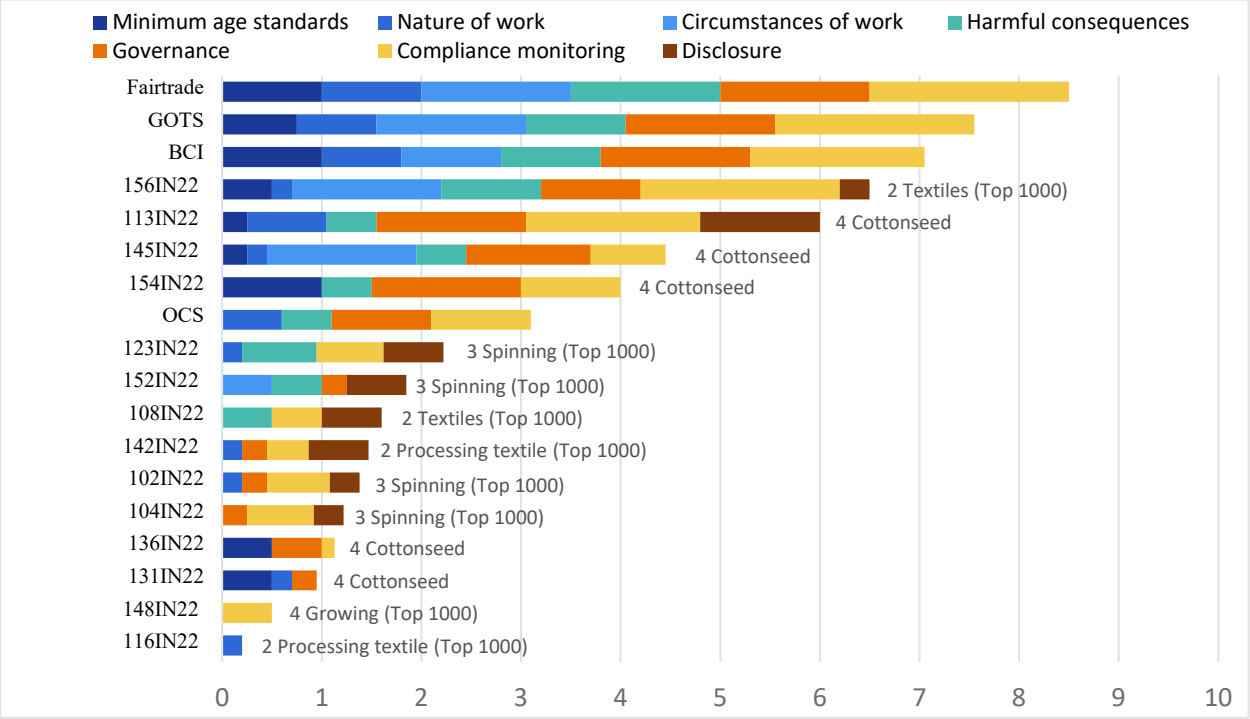
The Business and Child Labour Tool was applied to publicly disclosed employment practices to identify any observable evidence of child labour governance across its seven dimensions. Table D16 provides the underlying firm-level dataset used in this analysis. Although 40 businesses were reviewed, only 14 disclosed sufficient information to assess at least some of the dimensions of

child labour governance. A single firm (Case ID: 156IN22) publicly discloses all four major governance mechanisms assessed by the tool—CSR policy, BRSR, child labour policy, and a code of conduct—an exception within an otherwise limited disclosure landscape.

Figure 13 presented Business and Child Labour Index scores calculated from the publicly available information reported in Table D16. The scores do not measure child labour risk outcomes directly; rather, they provide an indication of the visibility of governance arrangements within business reporting, corporate websites, publicly disclosed policies, ESG disclosures, certification-related documentation, and other accountability mechanisms.

**Figure 13**

*Scores on the Business and Child Labour Index among Business Employment Practices*




*Data source.* Interviews, desk reviews, and surveys (November 2021 and February 2022).
*Note.* Scores are derived using the Business and Child Labour Tool and reflect business-level public reporting only; they are not additive to standard-level design and do not measure incidence or outcomes. In this thesis, they are best read as indicators of the visibility of disclosed governance elements; outcome claims would require evidence of education-centred remediation and proportionate escalation. Aggregate context: N = 40; Avg 0.86 (2.46 for the 14 non-zero); Med 1.55 (of 14); Min 0 (36 firms); Max 6.5; Min (of 14) 0.2.

The visibility of governance arrangements varies across tiers, with relatively higher concentrations of disclosed employment practices relevant to addressing child labour risk in Tier 2: Textiles and processing, Tier 4: Cottonseeds, and Tier 4: Growing/trading, compared to Tier 3:

Spinning and Tier 4: Ginning, where disclosure is minimal or absent. Although cottonseed production falls outside the scope of most certification schemes, businesses in this segment disclose comparatively more information relevant to child labour governance. This pattern is consistent with a distinct governance configuration, potentially linked to heightened reputational pressures, NGO engagement, or participation in multistakeholder initiatives. These patterns suggest that the visibility of child labour governance varies substantially across business segments and that governance arrangements are often only partially observable through publicly disclosed employment practices.

***Certification as a Governance Signal***

Firms assemble certification packages combining environmental, social, quality, and traceability standards. Table 31 summarizes certification uptake patterns across the sample, while Table D16 provides the full firm-level inventory.

**Table 31**

*Certification Uptake by Tier in India's Cotton Value Chain (n=40)*

| Tier: Segment | Firms | Top 1000 | Any / Avg* | Better Cotton | Fair-trade | GOTS | OCS | Other |
|---|---|---|---|---|---|---|---|---|
| 1: Retail | 1 | 0 | 1 | 0 | 0 | 0 | 0 | India Organic (1) |
| 2: Textiles | 8 | 2 | 7 (2.83) | 5 | 1 | 6 | 5 | SA8000 (3), Oeko-Tex (6), Recycled (2) |
| 2: Processing textiles | 4 | 2 | 2 (2.00) | 0 | 0 | 1 | 1 | Oeko-Tex (2) |
| 3: Spinning | 8 | 4 | 5 (3.00) | 2 | 3 | 4 | 3 | SA8000 (2), Oeko-Tex (5), Recycled (1) |
| 4: Ginning | 5 | 0 | 3 (1.67) | 2 | 0 | 2 | 1 | Oeko-Tex (1) |
| 4: Growing/trading | 3 | 0 | 2 (2.50) | 1 | 1 | 2 | 1 | India Organic (1) |
| 4: Cottonseed | 11 | 1 | 0 (n/a) | 0 | 0 | 0 | 0 | International Seed Testing Association (5) |
| Total (n=40) | 40 | 9 | 20 (2.56) | 10 | 5 | 15 | 11 | |

*Notes:* Disclosure data based on desk reviews and interviews conducted between November 2021 and February 2022. "Any" refers to the number of businesses with at least one certification among Better Cotton, Fairtrade, GOTS, OCS, Oeko-Tex, SA8000, or Recycled. "Avg." indicates the average number of certifications per business.

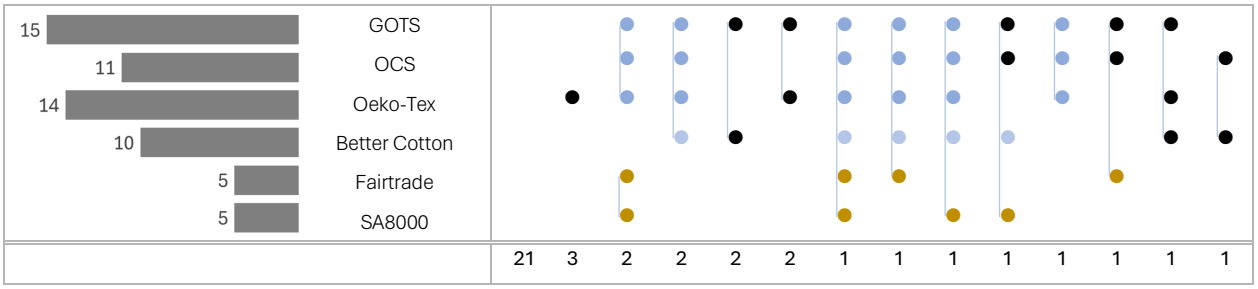
Of the 40 businesses reviewed, 20 adopted at least one certification scheme (including one retail firm with India Organic certification) and 16 adopted two or more. Textile and process standards dominate these packages, with GOTS (15 firms), Oeko-Tex (14), and OCS (11) appearing

more frequently than labour-intensive social standards such as Better Cotton (10), Fairtrade (5), and SA8000 (5). Oeko-Tex, which focuses on textile chemical safety, is widely adopted across textile, processing, and spinning segments.

Co-occurrence patterns, as illustrated in Figure 14, reveal three consistent features: (a) a dominant textile sustainability package combining GOTS, OCS, and Oeko-Tex; (b) consistent clustering of Fairtrade with GOTS and OCS; and (c) widespread use of multi-standard certification packages rather than reliance on a single governance mechanism. OCS frequently appears as an accompanying standard, while Fairtrade is embedded almost exclusively within broader organic and textile certification packages. Although less common overall, SA8000 is co-adopted by three of the five Fairtrade-certified firms and appears most frequently among textile and spinning firms with more extensive governance and compliance systems. Multi-standard engagement is most pronounced among mid-stream firms, whereas cottonseed businesses typically fall outside certification schemes.

**Figure 14**

*Overlapping Voluntary Sustainability Standard Packages Among Cotton-Sector Firms (n = 40)*




*Note.* Bars show the number of firms adopting each observed combination of standards; dots indicate standards included in each combination. The figure highlights dominant textile-standard packages and the marginal position of labour-intensive social standards.

Taken together, these patterns indicate a selective preference for process-oriented standards that emphasize environmental criteria, organic integrity, and product safety. Labour-intensive social standards appear at the margins of certification packages, consistent with substitution effects identified in business disclosure and CSR framing. The rarity of Fairtrade-Better Cotton co-occurrence suggests segmentation rather than convergence in labour governance strategies, reflecting distinct market orientations. Certification therefore functions less as a direct indicator of child labour governance than as a governance signal embedded within broader commercial, reputational, and market-oriented strategies.

Fairtrade aligns readily with organic and textile-safety standards, whereas Better Cotton prioritizes productivity and scale, often subordinating labour rights to broader "decent work" principles (Riisgaard et al., 2020; Selwyn, 2013). Social standards such as Better Cotton, Fairtrade, and SA8000 require deeper engagement with labour rights and child labour safeguards, which can increase compliance costs, operational complexity, and reputational exposure relative to environmental and process standards (Transparentum, 2025).

This pattern of selective and combinatory adoption of certification standards is under-represented in certification literature, which typically treats standards as discrete interventions (Oya et al., 2017). In practice, certification uptake reflects strategic rather than ethical considerations: firms adopt cost-effective standards, align with consumer sustainability narratives, and minimize labour-related scrutiny to manage reputational exposure in contested governance domains (Boltanski & Thévenot, 1991; Gibbon et al., 2008; Riisgaard et al., 2020). This strategic orientation explains why child labour safeguards remain marginal despite sustainability claims.

An important qualification appears among Tier 3 spinning firms subject to mandatory ESG disclosure, where ethical capability appears more closely associated with state-based disclosure requirements and reputational accountability than with voluntary certification alone. Firms included among India's Top 1000 listed companies and therefore subject to the Securities and Exchange Board of India (SEBI)'s Business Responsibility and Sustainability Reporting (BRSR) framework, exhibited some of the highest concentrations of identifiable employment practices (Figure 13) and some of the most extensive certification profiles in the sample, Among the four spinning firms subject to BRSR requirements, certification packages commonly combined Better Cotton (3/4), Fairtrade (3/4), GOTS (4/4), Oeko-Tex (4/4), and SA8000 (3/4).

In sum, these patterns suggest that disclosure mandates are associated with broader multi-standard engagement and more visible child labour governance. The finding reinforces the argument that certification alone is insufficient to explain variation in business employment practices and ethical capability. Public policy, operating through ESG disclosure requirements and reputational accountability, appears to complement voluntary sustainability standards by strengthening the visibility of governance arrangements and supporting the development of ethical capability beyond certification alone.

### *ESG, CSR, and Business Responses*

**ESG Disclosure and the Limits of Complaint-Based Governance**. Similar patterns emerge in ESG disclosure. Of the nine businesses subject to SEBI's BRSR framework, none disclosed substantive child labour risks despite mandatory reporting requirements. This pattern mirrors a review of the top 100 BRSR filings, which identified only one child labour-related complaint among 1,438 human rights complaints, suggesting underreporting within complaint-based systems rather than the absence of actual adverse impacts. Notably, no complaints were reported for forced or involuntary labour, while 71% concerned sexual harassment (BHR Network, 2024, pp. 6, 21).

While BRSR reporting includes child labour indicators, its emphasis is on complaints filed and facilities assessed, which provides limited visibility into actual risk exposure. [75] Reliance on complaint-based metrics is particularly problematic in contexts where child labour is normalized, concealed, or concentrated among indirect suppliers and agricultural producers. Such indicators provide little information about how businesses respond to child labour risk once risks are identified, including through organizational measures (prevention, corrective actions, remediation, and enforcement) and child-centred responses (school attendance, educational support, rehabilitation and reintegration). Although India's National Guidelines on Responsible Business Conduct encourage remediation-oriented reporting, implementation remains uneven (Interviews #13IN1T21; 49IN1N22). [76]

**Cottonseed as an Alternative Governance Space**. Beyond listed firms, governance dynamics differ markedly in upstream segments. Cottonseed production operates under distinct market and regulatory logics. Except for Bayer, most cottonseed firms in the sample were not subject to India's stock-exchange ESG requirements. Nevertheless, cottonseed producers have historically been exposed to transnational regulatory, financial, and reputational pressures

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[75] The BRSR requires 140 disclosures (98 mandatory and 42 voluntary leadership indicators), several of which relate directly to labour governance and child labour reporting, including:
- Child labour complaints made by employees and workers (filed and pending resolution, current and previous FY)
- Percentage of plants and offices assessed for child labour (by the entity, statutory authorities, or third parties)
- Percentage of value chain partners assessed for child labour (voluntary indicator) (Securities and Exchange Board of India, 2021)

[76] The National Guidelines on Responsible Business Conduct (2018, p. 42) recommend the following leadership indicator on remediation: "The percentage of children identified as employed who have been remediated (in the reporting year and cumulatively)" (Ministry of Corporate Affairs, 2018, p. 42).

including from the World Bank Group, the International Finance Corporation, foreign stock exchanges (e.g., joint ownership in Mahyco Monsanto Biotech Pvt. Ltd.), and sovereign investment frameworks (e.g., Norway's ethical investment criteria) that extend beyond domestic disclosure regimes (ILPI, 2015; Venkateswarlu, 2007). This suggests that governance in the cottonseed segment may be shaped by a broader set of accountability mechanisms than those captured through certification or ESG reporting alone.

**Bayer as a Diagnostic Contrast: Risk-Sensitive Governance**. The Bayer case serves as a diagnostic contrast, illustrating how child labour risks become more visible under transnational reporting and enforcement regimes than under domestic complaint-based ESG disclosure systems. Bayer AG's global sustainability reporting (Bayer AG, 2021, pp. 87-93), aligned with Global Reporting Initiative (GRI) indicators and the company's Modern Slavery Act Statement, reflects integrated reporting and a risk-sensitive approach to child labour governance. After identifying India as a high-risk geography for child labour in seed production, Bayer established its Child Care Program, operational in India, Bangladesh, and the Philippines since 2007, which combines supplier engagement, awareness raising, field inspections (up to six per cotton season), documentation reviews by Bayer India teams to ensure compliance, and education-linked enforcement measures and supplier incentives (Global Child Forum, 2021).

Under this system, Bayer AG disclosed 14 child labour cases among monitored seed producers (10 in cotton and four in rice) in the 2019-2020 season, and 40 cases in 2020-2021. Corrective actions included graduated sanctions ranging from written warnings to contract termination, alongside incentive payments for compliant suppliers. The reported cases and associated corrective actions demonstrate active compliance monitoring and enforcement mechanisms rather than an absence of child labour risk.

By contrast, Bayer CropScience Limited, Bayer's Indian subsidiary, listed on the Bombay Stock Exchange and subject to BRSR reporting, disclosed zero formal child labour complaints in its investor annual reports for the same period (2019, 2020, 2021). This divergence may reflect differences in reporting frameworks and disclosure incentives. It highlights the limitations of domestic ESG frameworks that rely on narrow, complaint-based indicators and fail to capture farm-level risks, prevention measures, or remediation processes.

The Bayer case thus underscores a core finding of this chapter: ethical capability at the business level is associated less with voluntary certification or disclosure alone than with credible

oversight, risk-sensitive indicators, and public-private compliance and enforcement arrangements embedded within broader accountability structures (H3). Where supply chain transparency and disclosure regimes emphasize complaints, rather than adverse impacts, child labour risk may remain systematically obscured.

More broadly, the contrast highlights the importance of risk-based reporting approaches associated with frameworks such as the Global Reporting Initiative (GRI). Under GRI 408-1, organizations are expected to identify operations and suppliers at significant risk for incidents of child labour (including young workers exposed to hazardous work) and disclose measures taken to contribute to its elimination. Bayer's global reporting therefore directed attention toward child labour risk identification and mitigation, whereas the domestic ESG framework focused primarily on complaints received and facilities assessed. The difference therefore lies not only in what was reported, but also in whether governance arrangements generated visibility into incidents, risks, and organizational responses. From an ethical capability perspective, the latter provides stronger evidence of compliance monitoring, corrective action, remediation, and enforcement than complaint-based reporting alone.

**Corporate Social Responsibility: Framing Without Risk Mitigation**. CSR reporting reveals a similar pattern. Of the 40 businesses reviewed, 77.5% (31) reported having CSR policies, yet none explicitly addressed child labour. Instead, CSR activities focused on education, health, and rural development, aligning with Schedule VII of the Companies Act, which does not list child labour as a CSR activity. Although these initiatives may support child well-being, they do not typically address child labour as an operational governance challenge. As a result, CSR initiatives signal social responsibility without directly confronting child labour as an operational governance risk within business operations and employment practices. [77]

CSR disclosure is highest in Tier 1-2 (85%) and Tier 4 agricultural production (84%), compared to Tier 3 (50%). Policies are evolving among SMEs and family-owned firms but remain thin on safeguards. Several larger firms institutionalize CSR through affiliated foundations, such as

[77] Compliance under Section 135 adds complexity for SMEs that lack the resources for structured programs. Section 135 of the *Companies Act* (2013) applies to companies with, in the previous financial year, either (a) net worth above INR 5 billion (approx. $60 million USD) (b), turnover exceeding INR 10 billion (approx. $121 million USD), or (c) net profit over INR 50 million (approx. $603 thousand USD). Such companies must form a CSR Committee and allocate at least 2% of their average net profits from the past three years to CSR activities listed in Schedule VII (Ministry of Corporate Affairs, 2013).

Tata Trusts, Birla Foundations, Welspun Foundation, GHCL Foundation, and Azim Premji Foundation, India's largest CSR model with a INR 2.4 trillion endowment (USD 29 billion). [78] (Interviews #46IN2T22; #49IN1N22)

Content analysis of the 20 policies shows a predominantly philanthropic orientation, ranging from generic commitments to "promoting education" to more targeted initiatives, such as vocational training for rural youth, inclusive education for children with disabilities, support for economically disadvantaged students, and education-related infrastructure (e.g., school buildings, student hostels, bicycles for school children, and mid-day meals).

Stakeholders noted that businesses often avoid explicit references to child labour due to reputational or legal concerns. Positive narratives about vocational training and women's empowerment can therefore obscure harsh realities of cotton production, where workers including children may be exposed to extreme heat, cotton dust, unsafe postures, and hazardous ginning tasks. (Interview #55IN1G22)

Interview respondents noted that businesses could, in principle, integrate child labour considerations within existing CSR provisions, such as clause (ii) on education and vocational skills, or clause (iii) on gender equality and support for vulnerable groups. Where CSR initiatives mention child labour, engagement is often superficial (Interviews #46IN2T22; #55IN1G22). Bachpan Bachao Andolan emphasized that meaningful action requires collaboration with women's and child welfare organizations to conduct situational analyses, raise community awareness, and implement rehabilitation- and skills-based programs.

Taken together, CSR practices demonstrate how social responsibility is often framed through education, philanthropy and community development rather than through child labour governance, including the identification, prevention, mitigation, and remediation of child labour risks within business operations.

***Substitution Effects and Ethical Capability***

Certification uptake, ESG reporting, supplier codes of conduct, and CSR commitments may increase the visibility of governance commitments and signal responsible business conduct, but do

[78] The Azim Premji Foundation was founded in 2001 to improve schooling in disadvantaged regions, and now supports over 1,150 NGOs in education, health, nutrition, and governance (Azim Premji Foundation, n.d.).

not necessarily correspond to stronger governance arrangements, nor do they provide consistent evidence of how child labour risks are identified, prevented, remediated, or enforced in practice.

Over half of businesses reviewed disclosed no child labour governance measures. Many others (approximately 16-20 businesses) relied on fragmented policies, supplier codes of conduct, certification packages, ESG reporting, CSR narratives, or multi-standard certification packages that managed certification scope while providing greater visibility of those governance procedures than of their implementation and effects on child labour risks. These patterns suggest variation across firms in the extent to which child labour governance is internalized within business operations.

Using the seven dimensions of the Business and Child Labour Tool, the analysis assessed observable governance arrangements related to child labour. These arrangements are interpreted as indicators of ethical capability, particularly where firms embed child labour governance—including rules, specificity criteria, safeguards, public-private enforcement arrangements, and child-centred remediation—into operational practice under credible oversight. Where such integration is absent, certification, ESG, and CSR signals provide limited evidence that firms possess the organizational capacity to translate child labour norms and legal requirements into effective governance arrangements.

Consistent with the procedural-compliance patterns identified in Chapter 6 (Riisgaard et al, 2020; Locke et al., 2009), these business-level practices are associated with risk displacement, whereby child labour concerns are managed through disclosure, certification scope, or avoidance rather than addressed through preventive, corrective, or remedial action within production systems. In these cases, visibility is increased, but child labour risk remains only weakly internalized within organizational decision-making and governance arrangements. This pattern is consistent with both substitution effects and means-ends decoupling (Bromley and Powell, 2012), whereby visible governance procedures are more readily documented than their effects on child labour risks, remediation processes, and outcomes.

Section 7.2.1 therefore suggests that procedural-compliance and disclosure-heavy approaches, including certification-centred and ESG-centred frameworks, are insufficient on their own. The patterns observed highlight the importance of child labour governance approaches capable of identifying, assessing, and disclosing actual child labour risks, exposure to adverse impacts, elevated-risk suppliers, and corrective actions taken. From an ethical capability perspective, the critical question is not whether firms disclose compliance activities, but whether

governance arrangements generate visibility into child labour risks and provide the organizational capacity to monitor, respond to, enforce, and remediate those risks through child-centred interventions.

The next subsection examines governance configurations associated with stronger indicators of ethical capability and greater child labour risk internalization. Using exemplars, it explores how variation in governance arrangements, organizational capacity, and society-dependent enforcement shapes business responses to child labour risk (H3/H4) and helps explain why some firms move beyond procedural-compliance and corrective-action toward remediation-capable configurations.

### 7.2.2 Ethical Capability and Cooperation and Hybrid Governance Configurations

Building on the preliminary enforcement pathways identified in Chapter 6 and the procedural-compliance patterns analyzed in Section 7.2.1, this section examines what stronger indicators of ethical capability look like in business practice. Whereas Chapter 6 analyzed governance arrangements at the level of voluntary sustainability standards, this section examines how those arrangements are translated into business- and farm-level governance configurations. It interprets a firm's governance arrangements as a proxy of their ethical capability, particularly the degree to which such arrangements are capable of remediation and therefore indicative of greater child labour risk internalization. It traces how social intermediaries, monitoring, enforcement, and education-centred remediation contribute to the translation of child labour commitments into business and farm-level practices under conditions of weak state administrative capacity.

The expectation informing the analysis is that cooperation and hybrid compliance-cooperation governance configurations will exhibit stronger indicators of ethical capability where credible oversight, locally legitimate social intermediaries, child-centred remediation, and proportionate escalation are present.

#### *Configurations*

The section examines two governance configurations associated with stronger indicators of ethical capability, namely cooperation anchored in remediation and local legitimacy, and hybrid compliance-cooperation with informal delegation and redistribution. It assesses whether these configurations indicate internalization of child labour risk, in contrast to procedural-compliance patterns analyzed in Section 7.2.1 and the corrective-action configurations identified in Chapter 6.

Cooperation-oriented approaches (Riisgaard et al., 2020, p. 220) emphasize capacity building, stakeholder inclusion, continuous improvement, and intermediary-supported

remediation, while hybrid compliance-cooperation approaches (Ghori et al., 2022a) combine these features with verification, corrective action, escalation, and sanction-backed compliance pathways. Better Cotton emphasizes cooperation over compliance, prioritizing capacity building over ex-ante certification-style stringency, continuous improvement, NGO/FPO intermediaries, and corrective actions before suspension, thereby privileging stakeholder inclusion and production scale while accepting a focus on promoting rather than respecting decent work (Riisgaard et al., 2020, p. 230).

By contrast, Fairtrade's certified cotton schemes more closely approximate a hybrid compliance-cooperation governance model, combining social criteria and labour rights protections with redistribution (social premiums), participatory governance, and corrective actions via social and government intermediaries, including child protection actors (Fairtrade International, 2015, § 6.6.3). In practice, verification systems and premiums differ, but the contrast is centred on child labour governance—not label-centred (Figure 13; Table 25 Process-Level Dashboard).

The configurations examined here are defined operationally at the business level, based on how cooperation and compliance are combined in practice and on the role of social intermediaries in sustaining enforcement under weak state capacity for enforcement. Whereas Chapter 6 examined governance arrangements embedded within voluntary sustainability standards, the analysis here focuses on how firms, FPOs, NGOs, and other intermediaries assemble and enact those arrangements in practice. Because governance arrangements are ultimately assembled and implemented by businesses and their intermediaries, variation is expected to become more visible at the firm and farm levels than at the level of standards design alone.

Configuration labels are used explicitly at the firm level, where governance arrangements are strategically assembled. They are not repeated at the FPO/NGO level, where variation lies primarily in how inherited arrangements are enacted, adapted, and implemented in practice rather than in the configuration itself. The contrast with procedural-compliance patterns analyzed in Section 7.2.1 provides the basis for the following operational definitions:

- **Procedural compliance.** Audit- and sanction-centred governance that relies primarily on document-based verification, conformity assessment, and escalation mechanisms to demonstrate compliance with limited remediation or social embedding. Expected markers: checklist compliance, conformity assessment, time-bound corrective action and punitive escalation, with limited emphasis on child-centred remediation, outcome tracking, or proportionate escalation.

- **Corrective action without remediation.** Governance centred on monitoring and corrective-action processes that address organizational shortcomings and support continuous improvement. Expected markers: corrective-action plans, management-system strengthening, capacity-building activities, and ongoing verification, with limited evidence of child-centred remediation, outcome tracking, or proportionate escalation. …
- **Cooperation anchored in remediation and local legitimacy.** Capacity-building and ongoing verification are prioritized to keep smallholders engaged, with remediation as the primary response to risk in the context of weak state enforcement. Expected markers: schooling-linked remediation, graduated responses before suspension, NGO/FPO intermediaries, and locally legitimate problem-solving mechanisms.
- **Hybrid compliance-cooperation with informal delegation and redistributive mechanisms.** Labour protections and redistribution (e.g., social premiums) are combined with participatory governance, local legitimacy, and remediation embedded within enforceable compliance and escalation pathways, typically mediated by social intermediaries. Expected markers: participatory premium governance, intermediary-led monitoring and remediation, outcome-oriented reporting, and enforceable escalation pathways linked to corrective action and remediation.

While both cooperation-oriented and hybrid compliance-cooperation governance configurations involve remediation, they differ in whether remediation functions as the primary response to risk or is embedded within enforceable compliance and escalation pathways.

This section approaches cooperation and hybrid compliance-cooperation governance configurations with an explicit concern for decoupling (Bromley & Powell, 2012, p. 500; Nee, 2003, p. 33; Power, 1994). Drawing on labour regulation research that emphasizes enforcement through social resources (Amengual, 2016), the analysis treats these governance arrangements not as inherently effective, but as conditional on legitimate intermediaries, credible oversight, and actionable escalation. It examines whether more socially embedded governance arrangements remain coupled to remedial action in practice, or whether regulatory misalignments and other institutional constraints contribute to the decoupling of formal commitments, governance procedures, and child labour risk outcomes. This framing prepares for the analysis of means-ends decoupling and builds on the discussion of society-dependent enforcement in Section 7.1.

### *Ethical Capability in Practice: Business Governance Configurations*

This section uses business cases as process-tracing exemplars to assess indicators of ethical capability in practice. The analysis focuses on vertically integrated lead firms because they possess greater opportunities to influence governance arrangements across multiple segments of India's cotton-textile value chain (Gereffi & Fernandez-Stark, 2016), including relationships with producers, intermediaries, and certification schemes.

The analysis examines how firms and intermediaries translate child labour commitments into governance arrangements through monitoring, response, enforcement, and child-centred remediation, and how various constraints shape whether and to what extent these arrangements internalize child labour risks in practice. Consistent with H3, the focus is on the mechanisms and conditions associated with indicators of ethical capability and child labour risk internalization. Firms were selected purposively based on their status as active Better Cotton and/or Fairtrade implementing partners with direct leverage over upstream practices and documented engagement with social intermediaries.

Cases are analyzed through process-tracing by identifying governance mechanisms, intermediary roles, indicators of ethical capability, and the structural and systemic constraints that condition their operation. Indicators of ethical capability are assessed through four observable governance functions: (a) monitoring including risk identification, (b) response including corrective action, (c) child-centred remediation, and (d) proportionate enforcement or escalation. Evidence is organized around NGO/FPO intermediation, farmer training, participatory governance arrangements, monitoring and verification arrangements, schooling-linked remediation, child protection initiatives, premium use (where applicable), capacity building, and escalation pathways.

The analysis examines how these governance arrangements interact in practice, including any configuration-relevant features that emerge from their interaction, and whether they remain coupled to child labour risk management under conditions of weak state enforcement. Attention is given to whether these arrangements provide evidence of child labour risk internalization or, alternatively, reveal forms of policy-practice or means-ends decoupling. The cases draw on both publicly available document and, where available, interview evidence. Interviews are used not to verify reported outcomes but to illustrate implementation processes, governance arrangements, and constraints that are often inaccessible through public disclosure alone.

Taken together, the cases provide evidence of how cooperation and hybrid compliance-cooperation governance arrangements translate monitoring, response, enforcement, and child-centred remediation into practice, and whether these mechanisms are associated with the partial internalization of child labour risk.

**Arvind.** Through public reporting and interviews, Arvind [79], [80] provides an example of a cooperation-oriented governance configuration. As a vertically integrated textile manufacturing company, child labour risk management is implemented through NGO/FPO intermediation, farmer training, standard-supported verification, and CSR-supported education interventions.

At the farm level, governance is operationalized through partnerships with NGOs such as Shreeji Trust, Mahiti, and the Vivekanand Research and Training Institute. These intermediaries deliver farmer training and provide compliance support, while Arvind facilitates market linkage activities and financial and organizational support through Better Cotton and organic cotton programmes (Interview Arvind). Interview evidence indicated that Arvind worked with approximately 50,000 farmers under Better Cotton in Gujarat and 14,000-15,000 farmers in organic programs across Gujarat, Maharashtra, and parts of Madhya Pradesh (Interview, Arvind Ltd.). Monitoring is anchored within standards-based verification systems, including Better Cotton and NPOP at the farm level, and GOTS, OCS, Recycled Cotton Standards, SA8000, and ISO 14000 at the factory level, supported by ESG reporting systems including BRSR and GRI 408-1. [81]

***Ethical capability.*** Observable indicators of ethical capability include sustained farmer engagement, intermediary-supported monitoring, buy-back arrangements designed to reduce the risks associated with organic transition, and CSR-funded community-oriented initiatives focusing on education, health, water access, and women's skills development. Education-linked initiatives are particularly visible. For example, the *Gyanda* program reportedly reached approximately 1,100 students in Ahmedabad municipal schools (Arvind, 2019).

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[79] Arvind (Ahmedabad, Gujarat) is India's largest textile exporter, operating the world's biggest denim mill and supplying global brands such as Levi's, Tommy Hilfiger, and H&M. Beyond textile operations, it owns spinning and garment units, sourcing cotton bales post-ginning from certified suppliers. Arvind runs a Regenerative Organic Certified Cotton program audited through Fair for Life and participates in the Sustainable Apparel Coalition and Fashion for Good.

[80] Arvind Ltd. (Case ID: 108IN22). Interview 11 October 2021.

[81] Arvind participates in S&P Global's Corporate Sustainability Assessment (CSA). It is not yet listed on the Dow Jones Sustainability Index (DJSI), the company has signaled its intent to meet these criteria for future inclusion, underscoring its commitment to ESG performance and global sustainability goals.

***Constraints on implementation.*** However, evidence also indicates constraints on child labour risk internalization. Interview evidence suggests that farm-level enforcement remains challenging due to labour informality, the prevalence of family labour, and broader structural incentives associated with smallholder livelihoods (Interview Arvind). Farm-level monitoring remains largely standards-driven, supplemented by informal and undocumented internal audits accompanying farm-level third-party verification. Additionally, interviewees identified structural limits in legal frameworks and public enforcement capacity that reduce the deterrent effect of formal rules at the farm-level.

Taken together, the evidence suggests that cooperation-oriented governance arrangements can generate monitoring capacity, intermediary involvement, farmer engagement, and educational supports, but provide limited evidence regarding child-labour incidents, child-centred remediation, proportionate escalation pathways, or enforcement outcomes when violations are identified. The case therefore indicates elements of child labour risk internalization through cooperation-based governance arrangements, while also highlighting implementation and enforcement constraints that may contribute to decoupling between governance activities and child labour risk outcomes (H3/H4). Arvind's relatively low Business and Child Labour Index score of 1.6 is best interpreted as a visibility effect, reflecting limited public detail regarding incidents, remediation, escalation, and enforcement rather than evidence that governance arrangements are absent (Figure 13; Arvind, Case ID: 108IN22).

**Welspun.** Through public reporting, Welspun [82], [83] provides evidence of a hybrid compliance-cooperation governance configuration. Across its vertically integrated home-textile operations, child labour risk management combines multiple-standard compliance verification, community-based interventions through the Welspun Foundation, Better Cotton farmer engagement, and local monitoring structures, including targeted initiatives that identify and support migrant workers to improve living standards and employability.

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[82] Welspun (Headquartered in Mumbai, Gujarat facilities in Vapi and Anjar in Kutch district): India's largest home-textiles exporter to the U.S., supplying terry towels to Walmart since 1998, supporting sustainable farming and farmer outreach through its Better Cotton partnership and through the Welspun Foundation for Health and Knowledge (WFHK), which delivers education and health programs.

[83] Welspun India Home Textiles Ltd. (Case ID: 156IN22).

At the level of the farm, governance is operationalized through participatory initiatives such as Wel-Krishi, spanning hundreds of villages across Gujarat, Maharashtra, and Telangana, and combining Farmer Learning Groups, field demonstrations, technical training, farm diagnostics, record-keeping systems, and migrant-worker outreach. An impact assessment conducted by Protiviti India reported that the program engaged approximately 10,729 Better Cotton farmers and incorporated child rights and child labour awareness activities alongside agronomic support and sustainable farming practices (Welspun Enterprises, 2025, p. 3). Monitoring is anchored within standards-based verification systems, including Better Cotton at the farm level, and GOTS, OCS, Oeko-Tex and SA8000 at the factory level, supported by ESG systems including BRSR, GRI 408-1, and materiality assessment/Life Cycle Analysis processes.

***Ethical capability.*** Observable indicators of ethical capability include agronomy support and farmer engagement, education-focused programs reinforcing school attendance and access to basic services, support for community managers and child protection committees, targeted outreach to migrant workers, along with the integration of multiple certifications, monitoring, and ESG reporting systems across farm and factory operations.[84] Education initiatives are prominent. Through its WelShiksha program, the Welspun Foundation seeks to improve access to quality education in 135 schools through remedial teaching, learning assessments, career counselling, vocational education, and support for para-teachers (Welspun Enterprises, 2025, p. 2). The program reports reaching approximately 80,942 students across 786 SMART classrooms in 329 schools in Gujarat. An impact assessment results indicate improvements in learning outcomes, school attendance, and student engagement, suggesting a closer integration between educational support and community-level child labour prevention efforts (Welspun Enterprises, 2025).

***Constraints on implementation.*** Evidence also indicates constraints on child labour risk internalization. An informal labour economy upstream and family-farm assistance permitted under Indian law complicate farm-level enforcement. Monitoring remains largely standards-based, and the specifics of escalation pathways and enforcement responses are not publicly documented in the documents reviewed here. Legal and institutional gaps, particularly in upstream agricultural production, further constrain the effectiveness of public-private compliance and enforcement arrangements.

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[84] Establishing child protection or monitoring committees is a Better Cotton improvement indicator.

Taken together, the evidence suggests that hybrid compliance-cooperation governance arrangements can combine standards-based verification, ESG reporting systems, local monitoring structures, and community-based educational interventions, but can provide limited evidence regarding child-labour incidents, corrective action, child-centred remediation, proportionate escalation pathways, or enforcement outcomes when violations are identified. Therefore, the case illustrates partial child labour risk internalization through a hybrid compliance-cooperation governance arrangement, while also highlighting implementation and enforcement constraints that may contribute to decoupling between governance activities and observed child labour risk outcomes (H3/H4). Welspun's Business and Child Labour Index score of 6.5 is best interpreted as evidence of a comparatively strong reporting architecture rather than direct evidence regarding incidents, child-centred remediation, proportionate escalation, or enforcement outcomes (Figure 13; Welspun, Case ID: 156IN22).

**Pratibha Syntex.** Through public reporting and interviews, Pratibha Syntex's [85], [86] provides another example of a hybrid compliance-cooperation governance configuration. As a vertically integrated farm-to-fashion manufacturer—including five spinning units, one knitting and dyeing unit, and three apparel units—child labour risk management combines Fairtrade FPO networks, social-premium governance, certification-based monitoring, internal audits, and community-based capacity-building initiatives focused on education access and women's empowerment.

At the farm level, governance is operationalized through a Fairtrade-certified FPO, including Vasudha, which supports organic farming, farmer training, and participatory premium governance. Company materials report engagement with approximately 20,000 farmers and 6,000 employees. Participatory premium decisions and internal audits are embedded within these arrangements (Interview Pratibha Syntex). Monitoring is anchored within standards-based verification systems, including Fairtrade at the farm level, and GOTS, OCS, Oeko-Tex, Recycled, SA8000, and WRAP at the factory level. [87] Internal audits supplement certification-driven monitoring.

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[85] Pratibha Syntex (Madhya Pradesh) operates a "farm-to-fashion" business mode, integrating cotton sourcing, processing, manufacturing, and garment production for leading global brands.

[86] Pratibha Syntex Ltd. Interview 11 November 2021.

[87] WRAP reinforces factory-level governance through 12 Principles, including child labour prohibition, fair wages, and health and safety standards (Worldwide Responsible Accredited Production, n.d.).

***Ethical capability.*** Observable indicators of ethical capability include Fairtrade premium governance, participatory premium decision-making, internal audits, FPO-mediated farmer support through Vasudha, organic farming training, and community-based capacity building. Education-linked initiatives are particularly visible. Fairtrade premium investments support community development through initiatives such as the Vasudha Jaivik Vidhya Vihar, an English-medium school providing education from nursery to Grade 12 for the children of farmers and workers. The school has educated more than 6,000 children since 2010, illustrating how premium-funded investments can improve access to schooling in rural areas and reduce travel distances for students (Fairtrade Network of Asia and Pacific Producers, 2025). The organization also plans to establish an agricultural college to expand educational and career opportunities for rural youth in sustainable agriculture. Additional indicators include village-level meetings on the economic benefits of compliance and gender-sensitization initiatives designed to strengthen women's decision-making rights (Pratibha Syntex Ltd., n.d.).

***Constraints on implementation.*** Sparse presence of government regulators, limited awareness of age and prohibited-work rules, rare penalties, seasonal subcontracting (e.g., ginning [88]), and broader informality constrain enforcement in agricultural production. Factory-level enforcement is more feasible due to awareness of legal consequences and brand-reputation risk. Pratibha explicitly recognizes structural deficiencies in law and enforcement capacity and situates its approach within those limits. The interviewee linked child labour compliance to both child-labour clauses and wage requirements, noting that wages were aligned with living-wage benchmarks or state minimum wages (Interview, Pratibha Syntex).

Taken together, the evidence suggests that hybrid compliance-cooperation governance arrangements can combine Fairtrade premium governance, FPO intermediation, education-centred interventions, internal audits, certification-based monitoring, along with clearer wage and child-labour linkages at the factory level. However, public disclosures regarding farm-level practice provide limited evidence concerning child labour incidents, corrective action, remediation, escalation, and enforcement when violations are identified. The case therefore illustrates partial child labour risk internalization through a hybrid compliance-cooperation governance arrangement, while

[88] Pratibha enforces a zero-tolerance policy against child labour during the ginning of its own cotton loads through vigilant monitoring and employee oversight (Interview, Pratibha Syntex).

also highlighting that implementation and enforcement constraints that may contribute to decoupling between governance activities and observed child labour risk outcomes (H3/H4).

As an illustrative case, Pratibha Syntex is best interpreted as demonstrating features of hybrid compliance-cooperation governance while also highlighting the limits of publicly available evidence for assessing child labour incidents, remediation, escalation, and enforcement outcomes, and sustained child labour risk internalization.

In summary, Arvind's observable indicators are centred on intermediary-supported capacity building, farmer participation, and education-linked remediation. Welspun combines these cooperative features with more extensive compliance, verification, reporting, and monitoring structures characteristic of hybrid compliance-cooperation governance. Pratibha Syntex likewise exhibits a hybrid compliance-cooperation configuration, but one distinguished by Fairtrade premium governance, participatory FPO structures, internal audits, community-based capacity building, and closer integration of child labour governance with labour rights and wage protections.

The next section examines how these governance arrangements are enacted at the farm level through SPOs/FPOs and NGO-implemented programs, where informality, seasonality, and local implementation constraints become more visible.

***Farm-Level Governance of Sustainable Cotton - Exemplars***

The following cases illustrate how governance arrangements that serve as proxies for ethical capability are enacted at the farm level through FPOs, SPOs, and NGO intermediaries. Rather than assessing organizational performance, the analysis focuses on the governance arrangements through which monitoring, response, remediation, and limited enforcement capacity are assembled under conditions of weak state presence. Attention is given to how these intermediaries translate standards requirements into locally embedded practices that address school attendance, livelihood and migration vulnerabilities, and child protection. [89]

[89] Case descriptions are based on public documentation and non-attributable field insights; no case-level citations are used. Non-public details appear only in cross-case analysis and Section 7.3.

**Vasudha Organic Farmers Welfare Society (Fairtrade).** Vasudha [90] is a Fairtrade-certified organic cotton FPO in Madhya Pradesh that combines participatory premium governance, organic farming support, farmer training, traceability, and education-centred interventions. Operating at scale across cotton-growing communities, it exemplifies a hybrid compliance-cooperation governance configuration in which premium-funded investments are linked to schooling, livelihoods, and community development.

Vasudha's cooperative comprises 1,179 members from 40 villages, producing Fairtrade and organic cotton. Governance is through an elected committee and an executive body that set priorities—such as school access and retention, leadership training, and village-level infrastructure—and oversee implementation. To date, approximately USD $950,000 in Fairtrade Premiums have been invested in agronomy, infrastructure, and social programs. Social initiatives include the Vasudha Vidya Vihar school (educating more than 6,000 children), leadership training to increase women's participation in decision-making, and vocational training centers (e.g., fabric cutting and sewing) to strengthen household resilience. These livelihood-strengthening investments address economic pressures that may contribute to child labour risk.

***Limits to implementation.*** Publicly available evidence provides limited insight into child labour incidents, child-centred remediation, escalation pathways, or enforcement outcomes when violations are identified.

**Chetna Organic Agriculture Producer Company Limited (Fairtrade).** Chetna Organic [91] is a Fairtrade-certified organic cotton producer organization operating across rain-fed regions of Telangana, Andhra Pradesh, Maharashtra, and Odisha. It integrates value chain coordination, price transparency, and participatory premium use with internal control systems and third-party verification. Initially involving 234 tribal farmers, Chetna Organic now includes over

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[90] Vasudha Organic Farmers Welfare Society (Fairtrade International ID#4531) established in 1999, has grown into one of India's largest Fairtrade organic cotton networks, engaging approximately 25,000 farmers across 500 villages and 100,000 acres, including 150 employees (agronomists; organic experts; field officers) in Madhya Pradesh and Rajasthan. Sources: Development Alternatives (2009); Fairtrade Network of Asia & Pacific Producers (2025); International Trade Centre (2007); Pratibha Syntex Limited (n.d); and interview with Pratibha Syntex.

[91] Chetna Organic Agriculture Producer Company Limited (COAPCL, Fairtrade International ID#4018) operates across Telangana, Andhra Pradesh, Maharashtra, and Odisha. It was founded in 2004 as the Chetna Organic Farmers Association with support from Solidaridad, NABARD, and other development partners; incorporated as a producer company in February 2009, and Fairtrade-certified in the early 2010s. It has grown from 234 tribal farmers to more than 13,000 farmers across 11 rainfed districts. Sources: Development Alternatives (2009); International Trade Centre (2007); and Chetna Organic Agriculture Producer Company Ltd. (n.d.).

13,000 farmers across 11 rainfed districts. Chetna Organic coordinates Fairtrade and organic cotton production through collective marketing rather than independent trading: 80% of cotton is sold under Fairtrade, with the remainder as organic. [92] Certified ginning is subcontracted (with Chetna paying above-market rates for segregation assurance).

***Ethical capability.*** Observable indicators of ethical capability include an Internal Control System supporting farm-level traceability, independent technical and social audits, social compliance training, participatory premium governance, monitoring and remediation protocols, and education-centred interventions to strengthen school attendance. Governance combines certification-driven compliance with participatory decision-making, supported by premium allocations to education, health, and livelihoods. Training covers both agronomic and social compliance requirements (Fairtrade standards, OHS, and basic wage norms for farm-level and ginning operations) and is periodically updated to align with evolving framework such as regenerative organic cotton, [93] While oversight is reinforced through independent audits (Glocal Research; Traidcraft UK) and Fairtrade inspections. Transparency pricing and direct bank transfers insulate farmers from market volatility and reduce their exposure to opportunistic intermediation, while premium pricing and long-term agreements help stabilize income and support investments in school access and community services.

Premium investments support education and healthcare (the adoption of government schools/hospitals, infrastructure repairs, ensuring teacher availability and electricity, and providing bicycles for students). Women-focused programs (e.g., Mahila Kisan Sashaktikaran Pariyojana) build capacity and employment; allied initiatives include watershed development, kitchen gardens for food security/income, and inland fisheries to diversify livelihoods. Partnerships such as the International Fund for Agricultural Development, the National Bank for Agriculture and Rural Development, and the Tata Group strengthen irrigation and rural livelihoods, while tailoring and embroidery programs supported by the Japan International Cooperation Agency and the Piece by Piece Foundation in Osaka) have expanded adolescent girls' skills and local production. Together,

[92] Chetna also co-founded Chetco, a coalition of 25–30 member brands and 14 producer companies established during a Textile Exchange workshop in Istanbul in 2013.

[93] Regenerative Organic Cotton combines organic farming, soil regeneration, and social fairness under the Regenerative Organic Certification (ROC) standard, aiming to restore ecosystems, improve biodiversity, and support farmer livelihoods.

these initiatives aim to promote household economic resilience and gender empowerment, reducing exposure to harmful tasks.

***Limits to implementation.*** Chetna Organic demonstrates a commitment to fair compensation and social security for employees (Provident Fund, insurance, and minimum wages). Farm-level wages typically follow NREGA norms (with seasonal variation). However, farmers' living-wage coverage remains unresolved, where social benefits and provident funds do not extend to them. Child labour measures include working with local government to strengthen education and enforce school attendance, monitoring and remediation protocols to manage risk, and mobile schooling during disruptions (e.g., COVID-related closures).

**Rapar & Dhrangadhra Farmers Producer Company (Fairtrade).** Rapar & Dhrangadhra (RDFC) [94] is a Fairtrade-certified SPO-stage producer organization in Gujarat that uses certification and premium to strengthen market access, producer training, and community investments under predominantly rain-fed conditions. RDFC is an FPO (registered as a farmer-producer company under India's Companies Act). [95]

RDFC represents 788 producers (approx. 4% women) and functions as a regional cluster for collective marketing and price stabilization. Fairtrade premiums are allocated to business development, environmental protection, and education (including school-related infrastructure). Governance prioritizes local representation through producer forums and engagement with regional Fairtrade bodies, while certification provides the framework for traceability, oversight, and premium allocation. Cotton is harvested manually and stored at the household level (in jute sacks) before being sold through cooperative weighing points and onward to ginning units. Training emphasizes soil

[94] Rapar and Dhrangadhra Farmers Producer Company (Fairtrade International ID#33573) was incorporated in Gujarat in 2015, Fairtrade-certified in 2016 under contract production, and transitioned to SPO status in 2021; it now functions as a regional Fairtrade cluster for market access and farmer training. The CEO has over 20 years of Fairtrade experience, including with Agrocel Industries, and participated in the early governance of Fairtrade NAPP.

[95] Agrocel Pure and Fair Cotton Growers Association (APFCGA) – Rapar was a predecessor Fairtrade-certified producer organization in the same region. Established in 1998 it grew from approximately 100 farmers cultivating 500 acres into a large network of approximately 45,000 farmers cultivating 45,500 acres of cotton and associated crops across several states of India, including Gujarat, Odisha, Tamil Nadu, Andhra Pradesh and Karnataka, and was among India's early Fairtrade and organic cotton initiatives, Supported by Agrocel Industries Ltd. and partners such as Vericott UK, Traidcraft UK, and Shell Foundation UK, APFCGA was an early pioneer of integrated Fairtrade and organic cotton production in India and maintained sourcing relationships with international buyers including Marks & Spencer. Sources: Development Alternatives (2009); International Trade Centre (2007)

health, water conservation, and regenerative/organic agriculture adapted to semi-arid conditions, including initiatives linked to the Organic Cotton Accelerator.

***Ethical capability.*** Observable indicators of ethical capability include producer participation, certification-based monitoring, premium-financed educational supports (e.g., classroom upgrades and learning materials), and producer-facing capacity building. Training includes record-keeping, price transparency, and basic remediation and referral procedures when labour-related risks are identified. Capacity-building activities also aim to strengthen livelihoods resilience through soil and water management, regenerative agriculture, and post-harvest practices designed to reduce economic vulnerability and distress sales.

***Constraints on implementation.*** Despite these efforts, RDFC operates under structural and environmental limits. Rain-fed agriculture, water scarcity, infrastructure gaps (including limited irrigation), market volatility, and manual harvesting combined with household-level storage complicate monitoring, documentation, and continuous oversight. While certification helps stabilize parts of the value chain and supports traceability, community investments, and basic remediation capacity, climate stress and resource constraints continue to shape productivity, livelihoods, and oversight capacity. Publicly available evidence provides limited insight into child labour incidents, remediation outcomes, escalation pathways, or enforcement responses.

**Aga Khan Rural Support Program (Better Cotton engagement).** Across the cases examined, AKRSP India [96] provides the clearest illustration of how cooperation-oriented governance translates standards requirements into locally embedded child labour prevention and remediation processes. The case demonstrates how NGO intermediaries adapt Better Cotton's technical model to address education continuity, migration-related vulnerability, and gender inequalities that shape child labour risk in cotton-growing communities.

AKRSP works with 23,000 Better Cotton farmers in Gujarat, 7,000 organic cotton farmers in Madhya Pradesh, and 9,000 drip irrigation beneficiaries. The Better Cotton program is organized through Production Units and learning groups of 35-40 farmers, delivering peer-to-peer training in Better Management Practices (pesticide reduction, water efficiency, productivity) with monitoring embedded in the learning-group structure. Production Unit managers and facilitators coordinate data

[96] The Aga Khan Rural Support Program has implemented cotton sustainability programs in India for over a decade. As a civil society member for Better Cotton, AKRSP implements programs in Gujarat and Madhya Pradesh.

capture and field checks; FPO formation is promoted to strengthen market linkages and collective capacity. [97] Agronomy measures commonly include soil-moisture management, integrated pest management, drip/mulch adoption where feasible, and basic post-harvest handling improvements to stabilize fibre quality.

Alongside agronomy, AKRSP layers school-centred supports (school committees, remedial classes, and mobile schooling during disruptions) to protect education continuity; migration-responsive measures to engage both source and destination communities; and gender-focused programs (including women's groups, female facilitators, leadership, and financial-literacy training) to increase women's participation and household decision-making. Partnerships with public and philanthropic actors extend programme implementation, while referral pathways provide mechanisms for responding to identified child labour risks.

AKRSP's cotton program has been supported by Better Cotton brand members and platform partners (e.g., IKEA, CottonConnect [formerly C&A Foundation])—illustrating how global CSR agendas can structure local implementation (e.g., onboarding support, Better Management Practices diffusion, and early drip-irrigation pilots scaled over time).

***Constraints on implementation.*** Child labour persists seasonally (e.g., harvest months from October-March). AKRSP counters these risks through awareness campaigns, child protection groups, adolescent clubs, and School Management Committees (SMCs) supported by citizen educators to promote school attendance. Migration—for example, among pastoral communities such as Bharwad and Rabari, who relocate for 4–5 months—disrupts schooling and complicates continuity measures, prompting partnerships (e.g., UNICEF, American India Foundation under the Learning and Migration Program) to facilitate Right to Education continuity. Gender gaps remain salient. Women share farming responsibilities but are often excluded from key decisions. Female participation in agricultural learning groups is ~20%, prompting AKRSP to convene women's groups, engage female facilitators (8/44 field staff in 2021), and deliver leadership and financial literacy training with programs for adolescent girls.

[97] AKRSP has established 40 FPOs nationwide.

***Cross-Case Synthesis***

Moving beyond the individual cases, cross-case comparison indicates that standard-specific constraints condition implementation. Under Fairtrade and organic cotton arrangements, transition costs, GMO contamination risks, limited market demand, and broader resource and infrastructure constraints, as well as price volatility, affect producer incentives and documentation practices, and the sustainability of enforcement arrangements. India's organic cotton segment remains relatively small, with few domestic players and structural barriers (e.g., GMO contamination and chemical-intensive farming); transitioning to organic requires sustained investment, while markets opportunities are often linked to international brands rather than domestic demand. Under Better Cotton, the absence of a social premium limits flexible funding for community-level services, increasing reliance on project-based partnerships and external support.

Taken together, the business and farm-level cases indicate that stronger indicators of ethical capability are most visible where cooperation and hybrid compliance-cooperation governance arrangements are supported by socially embedded intermediaries capable of translating standards requirements into monitoring, response, remediation, and, to a lesser extent, enforcement practices under conditions of weak state enforcement. Across the cases, observable indicators include participatory premium governance, traceability systems, social compliance training, school attendance initiatives, child protection activities, and remediation and referral pathways. While the specific arrangements vary across organizations, each configuration relies on NGOs, FPOs, SPOs, and other intermediaries to translate standards and policy commitments into local practice.

However, these arrangements operate within persistent structural constraints, including school attendance gaps, poverty, rural informality, seasonal migration, climate stress and environmental variability, water scarcity particularly in rain-fed regions (e.g., Gujarat, Madhya Pradesh, Maharashtra, Rajasthan), and weak state enforcement capacity, which continue to shape implementation and constrain the effects of interventions. Seasonal migration and livelihood diversification disrupt schooling continuity and continuous oversight, particularly among tribal and smallholder populations.

Consequently, the cases demonstrate greater capacity for identifying and managing risk than for producing consistently observable remediation and enforcement outcomes, helping explain why formal procedures do not always translate into observable child labour outcomes. Observed variation in implementation capacity, oversight, and enforcement further indicates that governance design

alone is insufficient to explain outcomes, creating conditions under which policy-practice and means-ends decoupling may emerge. The next subsection examines these forms of decoupling directly.

Beyond governance arrangements and implementation constraints, the cases also highlight tensions in the meaning and classification of children's work. Child labour emerges as a contested socio-legal construct within a "thick" web of everyday meanings (Geertz, 1973; Zelizer, 1985). Child labour is condemned and sanctioned in global markets, yet normalized within local worlds of work, kinship, and season-to-season survival in farming communities. Child labour therefore carries dual meanings; penalized within transnational trade regimes while simultaneously embedded in everyday production systems. Businesses navigate these competing realities by translating children's work, including family-based work, into reportable categories within sustainability and compliance frameworks. This process of specification, what Geertz might describe as diagnosis, exposes a deeper tension: disclosures must satisfy global market expectations while remaining consistent with local moral economies, forcing an uneasy translation between locally legitimate and legally permissible family-based work, harmful child labour, and the categories that compliance and enforcement systems require firms to represent.

### 7.2.3 Governance Visibility, Decoupling, Evidence, and Outcome Limits

The preceding analysis examined how voluntary sustainability standards, businesses, farmer organizations, and intermediary actors operationalize child labour governance through monitoring, response, remediation, and enforcement arrangements. This subsection draws together the evidence to assess how these governance configurations shape the visibility, accountability, and outcomes of child labour governance. Particular attention is given to means-ends decoupling, limitations in outcome evidence, the role of local legitimacy and norm authentication, and the extent to which standards contribute to organizational learning and accountability. Together, these themes help explain why stronger governance arrangements may demonstrate substantive procedural capacity while still producing uncertain or difficult-to-verify child labour outcomes.

#### *Governance Visibility and Means-Ends Decoupling*

Means-ends decoupling emerged as the dominant form of decoupling across the stronger governance configurations examined in this thesis. Consistent with Bromley and Powell's (2012) conception of means-ends decoupling, the cases demonstrate that governance procedures became increasingly visible through policies, audits, certification schemes, premium governance, ESG

reporting, remediation protocols, and stakeholder engagement mechanisms. However, evidence linking these activities to demonstrable reductions in child labour risk remains considerably limited.

Whereas policy-practice decoupling reflects a gap between policy adoption and implementation, often for ceremonial legitimacy, means-ends decoupling reflects a gap between implementation and intended outcomes (Bromley & Powell, 2012, p. 490). Stronger indicators of ethical capability therefore increases the visibility and robustness of governance processes without necessarily providing equivalent visibility regarding child labour risk outcomes, including reductions in hazardous child labour, successful remediation, or transitions from work into schooling.

Across the stronger business and farm-level cases where governance activities were publicly disclosed, those disclosures tended to emphasize policies, training programs, audits, certifications, traceability systems, premium governance, and due diligence processes. By contrast, the disclosures provided comparatively limited information about child labour incidents, remediation outcomes, escalation pathways, sanctions, or long-term outcomes. Consequently, disclosures are best interpreted as indicators of governance capacity and activity rather than evidence of child labour risk reduction. Taken together, the evidence from India's cotton value chain indicates that voluntary sustainability standards are increasingly capable of embedding governance procedures. However, without locally authenticated monitoring, education-centred remediation, proportionate escalation mechanisms, and alignment with public policies, these procedures have limited capacity to generate demonstrable child-labour outcomes. This pattern of means-ends decoupling suggests that transnational private governance systems alone are unlikely to eliminate child labour risks. Rather, effective child labour risk governance appears to require closer integration between global standards, public institutions, local governance structures, and remediation-capable intermediaries.

The observed pattern of means-ends decoupling can also be interpreted through Habermas' (1996) distinction between validity and facticity. While child labour governance systems increasingly institutionalize widely accepted normative commitments regarding the protection of children, their practical realization depends on the enforcement, remediation, and escalation capacities embedded within governance arrangements. Means-ends decoupling therefore reflects not only a gap between procedures and outcomes, but also a tension between the validity of governance commitments and their realization in practice.

Importantly the evidence does not suggest that economic and governance actors generally reject child-protection norms. Many farmers, FPOs/SPOs, NGOs, businesses, and certification actors

appeared to accept the legitimacy of child-protection, child labour laws and supporting compulsory schooling. The challenge was less one of normative acceptance than of translating those commitments into practice in contexts characterized by poverty, household labour constraints, schooling barriers, labour informality, and uneven enforcement capacity. Interview evidence also suggests that some farmers, labourers, producer organizations, and other stakeholders were cautious about discussing children's participation in work activities because they were uncertain who such disclosures might be interpreted by external actors, including auditors, brands, certification systems, researchers, and advocacy organizations (Anonymous personal communications, 2021-2022). This uncertainty may itself constrain transparency regarding children's work and complicate efforts to distinguish between permissible family-based participation and child labour. As a result, governance systems could institutionalize widely accepted commitments regarding child protection while still struggling to produce demonstrable and sustained child labour outcomes.

This pattern raises a broader question: to what extent do visible governance processes translate into demonstrable child labour outcomes? The available evidence suggests that outcome verification remains considerably weaker than procedural verification.

***Outcome Evidence and Verification Limits***

Even where governance activities are visible across business and farm-level cases, evidence of child labour risk outcomes remains limited. Longitudinal evidence is scarce, monitoring reports substantially outnumber independent impact evaluations, and labour indicators are not consistently tracked across standards, firms, or producer organizations. Fairtrade premiums frequently support education and community development initiatives, yet their effects on the structural drivers of child labour remain difficult to assess (Oya et al., 2017). As a result, governance systems often document inputs, activities and procedures without consistently demonstrating their causal relationships to labour-rights outcomes.

This evidence gap risks generating what may be described as a compliance illusion. Independent evaluations examining the effects of voluntary sustainability standards on child labour remain relatively limited, while systematic reviews report mixed findings regarding wages, incomes, and labour conditions. Although some studies identify positive associations with school attendance, evidence of sustainable improvements in labour outcomes remains uncertain (Oya et al., 2017, pp. 111-113).

Recent Fairtrade monitoring among producer organizations in Asia and the Pacific, including India, illustrates both the strengths and limitations of available evidence. Evidence of governance capacity appears to have strengthened over time. Producer organizations reporting that the Fairtrade Network of Asia and Pacific Producers (NAPP)'s support helped them develop policies or internal management systems addressing child labour, forced labour, and gender-based violence increased from 75% in 2021 to 82% in 2022 and 88% in 2024. They also reported increased awareness of workers' rights and labour conditions, greater sensitization of farmers and workers to social compliance issues, improved remediation of identified child labour cases, and reductions in recorded cases of child labor, forced labour, and/or gender-based violence. Likewise, the proportion identifying action on forced labour or child labour as one of the most important benefits of certification increased from 7% in 2021 to 38% in 2022 and 39% by 2024, while those identifying better working conditions and protections increased from 21% to 43% and 54%, respectively (Fairtrade International, 2023, pp. 14, 27; 2024, pp. 15, 28, 2025, pp. 15, 28' 2026, pp. 15, 28).

These findings suggest enhanced organizational capacity and increasing visibility of governance activities across Fairtrade-certified producer organizations. However, the evidence is based primarily on self-reporting and therefore reflects perceptions of governance activities rather than independently verified child labour outcomes. This distinction is important because the indicators largely measure governance processes rather than outcome-level effects. While they suggest stronger organizational capacity and greater visibility of governance arrangements, they do not establish whether certification has reduced child labour prevalence or generated sustained improvements in child labour outcomes. Without transparent third-party access to case data, remediation records, and outcome evaluations, the relationship between governance processes and reductions in child labour risk remain opaque and difficult for external stakeholders to verify.

Similarly, limitations emerge with Better Cotton. Although Better Cotton's own reporting increasingly acknowledges persistent child labour risks, particularly as associated with poverty, access to education and school disruptions (including during the pandemic), and distinctions between hazardous child labour and legally-permitted family-based work, the evidence remains focused primarily on governance processes rather than outcomes (Better Cotton Initiative, 2023b, p. 40). Multi-country risk assessments identify child labour as the most widespread labour concern in smallholder settings since 2020, including in India, driven primarily by poverty and barriers to education (Better Cotton Initiative, 2025, pp. 12-19). Recent reforms, including *Principles and*

*Criteria* version 3.0 and the *Assess and Address* [98] approach, seek to address these limitations directly by moving beyond periodic compliance verification toward a more continuous form of field-level due diligence, emphasizing ongoing monitoring, remediation, grievance handling, stakeholder engagement, and the prevention of child labour through addressing its underlying causes (Better Cotton Initiative, 2023a, 2023a, 2025a, 2025b; Morphet, 2023). Yet, as with Fairtrade, the effectiveness of these reforms in producing sustained reductions in child labour risk remains difficult to assess in the absence of independently verified outcome measures, transparent outcome reporting, and publicly available impact evaluations demonstrating sustained reductions in child labour risk.

Taken together, the available evidence demonstrates increasing visibility of governance processes and organizational capacity, but limited evidence of demonstrable child labour outcomes.

***Local Legitimacy, Norm Authentication, and Normative Tensions in Family-Based Work***

The persistence of means-ends decoupling suggests that governance effectiveness depends on conditions extending beyond certification requirements themselves, including public services, education systems, social protection, and remediation-capable intermediaries. In India's cotton value chain, export-oriented compliance frameworks frequently encounter local laws and norms governing family-based and home-based work, while structural conditions including poverty, school-attendance gaps, migration, informality, and climate stress, and uneven public enforcement continue to constrain implementation (Amengual, 2016). Consequently, local legitimacy and norm authentication become important for translating global standards into enforceable and socially meaningful governance arrangements (Donaldson & Dunfee, 1994).

Community and multistakeholder actors help fill gaps in state oversight, support remediation, and improve understanding of education-work trade-offs in farming households, particularly among smallholders, tribal communities, and other marginalized groups. The evidence suggests that voluntary standards and social embeddedness matter, but only as part of an integrated system combining cooperation with credible, remediation-capable enforcement and structural support.

Examples from Better Cotton (e.g., AKRSP partnerships), Fairtrade SPO remediation programs (e.g., Chetna), and firm-level initiatives by Arvind, Pratibha Syntex, and Welspun illustrate

[98] The Better Cotton Assess and Address approach draws on the Rainforest Alliance model, which emphasizes prevention, collaboration, continuous improvement, and addressing the root causes of child labour. The approach encourages farmers to identify and address child labour risks openly and work alongside supply chain partners, local governments, and civil society organizations to mitigate, and remediate underlying causes (Rainforest Alliance, 2023).

how social actors can strengthen monitoring, schooling-linked remediation, and escalation mechanisms when reinforced by contractual obligations. These cases demonstrate that hybrid compliance-cooperation governance arrangements combine local legitimacy with enforceable instruments, education investments, and social protection in ways that strengthen implementation capacity. These innovations demand adaptive governance and closer integration (Buller & McEvoy, 1999) with public institutions, social protection systems, and local governance structures to address the drivers of child labour.

Normative tensions persist between export-oriented compliance and local understandings of children's participation in family-based work. Misinterpretations of children "helping" versus hazardous or regular employment often distort external audits, especially when auditors frequently lack contextual knowledge of legally permitted household work. Norm authentication by social actors mitigates this risk by translating locally accepted boundaries into monitoring systems, reducing the risk of erroneously breached classifications and preventing norm decoupling between standards and lived realities.

Interviews with SEWA representatives illustrate this tension (SEWA, personal communication, December 14, 2021). While supporting enforcement of child labour laws, SEWA also emphasized the transmission of traditional occupational knowledge within families through farming, tailoring, carpentry, and other livelihood activities. From this perspective, children may participate in age-appropriate work under parental guidance to learn sustainable farming techniques and preserve traditional practices without necessarily constituting child labour. Yet companies bound within global compliance systems, particularly those linked to corporate sourcing and certification standards, may discourage open discussion of children's participation in farm work. Consequently, family-based participation may be viewed as legitimate locally, while remaining suspect within transnational governance frameworks despite Indian law permitting certain forms of family-based work under specific conditions.

SPO/FPO representatives expressed similar concerns about agricultural work. Participants reported that external stakeholders, including brand representatives and journalists visiting cotton farms, frequently misinterpret India's legal definition of child labour. Under the CALPR legal framework, children may assist on family farms provided education, health, and safety are not compromised. Nevertheless, some external stakeholders, perhaps influenced by narratives from other contexts (e.g., Bangladesh or Tamil Nadu textile mills), erroneously equate any child

involvement in work with child labour, overlooking legal distinctions between harmful labour and permitted family-based activities. For these stakeholders, even a child helping on a family farm or contributing to embroidery work in a cooperative is perceived as exploitative, despite legal and cultural distinctions regarding light work. Multiple SPO/FPO participants emphasized that most smallholder farmers operate on plots of less than one hectare and belong to largely homogeneous tribal communities, where farming is deeply embedded in family and community life. Labour arrangements are primarily cooperative, with adults from neighbouring households more often than children helping during peak periods (e.g., cotton picking), while external hired labour remains minimal (Anonymous SPO/FPO participants, personal communications, 2021-2022).

These perspectives highlight the importance of norm authentication. Participants noted that external actors often struggle to grasp and interpret local livelihoods, cultural practices, and India's complex socio-economic realities, where traditional occupations, community-based livelihoods, and economic resilience may be understood differently from transnational compliance expectations. Craft-based and home-based worker organizations expressed mixed perspectives on certification and child labour discourse. NGOs and labour organizations likewise emphasized structural drivers of child labour, including caste inequalities, chronic underinvestment in education, and migration pressures, which remain difficult to capture through compliance reporting alone. Gendered vulnerabilities compound these challenges: women dominate home-based work on the margins of the textile supply chain, often confined to unskilled tasks such as cut-trim-pack operations, while skilled embroidery and weaving remain concentrated in Gujarat and northern India. Rather than appearing as headline concerns, these perspectives emerged in nuanced ways during interviews, requiring close listening to identify their analytical significance.

***Standards, Learning, Accountability, and Alignment***

Transnational standards generate robust procedural systems through policies, audits, premium governance arrangements, and due diligence processes. However, several participants pointed to tensions between standards that prioritize audit compliance over systemic change, including opaque suspension processes that prioritize punitive measures, uneven enforcement that permits non-compliant actors to re-enter supply chains under new organizational identities, and contradictions between certification requirements, India's legal framework, and everyday livelihood practices. This includes areas of tension, such as differences between Fairtrade's minimum-age thresholds and India's child labour law, which sets the general minimum age for employment at 14

years (see Chapter 6). Greater transparency regarding corrective actions, sanctions, remediation outcomes, and enforcement decisions would strengthen organizational learning, facilitate benchmarking, and improve sector-wide accountability.

Taken together, these dynamics show how symbolic alignment with global expectations on child labour may occur without substantive convergence on labour outcomes. As Bromley and Powell (2012, p. 485) observe, "In a managerial world dominated by evaluation, benchmarking, and standardization, policy–practice decoupling may decline, while means–ends decoupling rises." This helps explain why organizations invest heavily in compliance systems, reporting frameworks, certification, and ESG-related governance mechanisms while evidence of impact remains comparatively limited.

In business contexts, certification standards, CSR programs, ESG reporting, and supplier codes often function as proxies for responsible conduct rather than direct evidence of social change. This tendency reflects broader concerns regarding audit-centred governance and the performative effects of measurement systems, in which accountability increasingly rests on demonstrating compliance rather than substantively evidencing outcomes (Power, 1994; Strathern, 2000).

Evidence from the cases examined indicates that impact claims regarding child labour risk outcomes require independent and longitudinal evaluation using both process and outcomes indicators (Barrientos & Smith, 2007; OHCHR, 2012a). Crucially, evaluations must also be locally authenticated to ensure contextual validity and reduce risks of auditor capture. Ethical capability therefore extends beyond procedural compliance to include transparency, recognition of institutional limits, and mechanisms that incorporate local voice and authority into governance systems.

***Summary***

Taken together, the findings indicate that voluntary sustainability standards have become increasingly effective at making child labour governance visible through policies, audits, due diligence systems, premium governance, and remediation-oriented activities. However, the evidence linking these activities to demonstrable reductions in child labour risk remains comparatively limited. This pattern is characteristic of means-ends decoupling: governance arrangements become increasingly robust and observable while their relationship to intended outcomes remains uncertain.

The findings further suggest that overcoming the gap between governance visibility and demonstrable child labour outcomes requires locally legitimate and remediation-capable governance arrangements that combine voluntary standards with public policy alignment, education-centred

remediation, independently verified monitoring, and proportionate escalation. At the same time, interview evidence indicates that governance effectiveness depends on the ability of intermediaries and local actors to translate between transnational compliance expectations and local understandings of family work, education, livelihoods, and child protection. These hybrid compliance-cooperation configurations therefore perform both governance and interpretive functions, highlighting the role of socially embedded intermediaries, NGOs, FPOs, and SPOs in sustaining schooling-linked remediation, community monitoring, and graduated escalation pathways. In this respect, means-ends decoupling (Bromley & Powell, 2012) highlights the limits of procedural visibility as evidence of social outcomes, while local legitimacy and norm authentication (Buller & McEvoy; Donaldson & Dunfee) emerge as important conditions for translating governance processes into demonstrable labour rights outcomes and broader social upgrading.

## 7.3 Cottonseed Production: Alternative Governance Pathways

The cottonseed segment provides a critical contrast for examining child labour governance beyond voluntary sustainability standards. Operating under distinct market, technological, and regulatory conditions, it highlights how business responses, public-private partnerships, and transnational pressures shape governance arrangements where certification plays little role. This section examines the prevalence and drivers of child labour, technological shifts, and governance innovations in cottonseed production, illustrating why this upstream segment remains a governance blind spot within, and often beyond, voluntary sustainability standards.

One of the most striking findings is the near-total exclusion of cottonseed production from mainstream sustainability frameworks.[99] Despite its close integration with cotton production networks, hybrid seed production remains largely outside cotton-textile certification scope yet faces significant transnational regulatory, commercial, and financial pressures. This upstream segment where seed science, agrochemicals, labour informality, and corporate power converge provides a critical vantage point for understanding child labour governance. It therefore intersects with informality, wage violations, hazardous conditions, and a shift from migrant to family labour,

[99] As noted in Chapter 2, "cottonseed" refers to the seeds of the cotton plant, the "cotton boll" is the protective pod that forms after flowering and encloses the fibre and seeds, which matures and splits open before harvest, and "seed cotton" refers to the raw cotton fibre with seeds still attached prior to separation during the ginning process.

particularly in tribal districts of Gujarat and Rajasthan. Evidence draws on interviews with local supervisors (Drs Davuluri Venkateswarlu and Narayanan Lalitha) and five interviews with cottonseed businesses, including field and production managers from three firms. This relatively high level of access, facilitated through snowball sampling, provides insight into a segment of the cotton value chain that is largely absent from sustainability certification and public reporting systems.

Chapter 6 (Table 26) shows that Better Cotton and Fairtrade begin certification at the cotton boll stage (farm level), while GOTS and Textile Exchange start at ginning facilities, tracing lint onward. For working children, however, these boundaries are artificial: growers often produce both seeds and bolls, and children move across tasks in response to seasonal labour demands. While segmentation facilitates traceability, it also determines what falls within certification systems and what remains outside them.

Since 2010, pressure from NGOs and investors, such as Norges Bank, has compelled multinationals, including Bayer, Monsanto, Syngenta, and DuPont, to intensify efforts to eliminate child labour in seed production (Business & Human Rights Resource Centre, 2010; Norges Bank Investment Management, 2010). In 2009, Norges Bank directly engaged these MNEs, prompting CropLife International (whose members include Monsanto, Syngenta, DuPont, Bayer, BASF, and Dow) to adopt an industry-wide standard obliging suppliers and business partners to prohibit child labour. These measures reduced child labour on farms directly tied to multinational buyers. However, growing market consolidation raises concerns that MNEs may not fully leverage their influence over local partners, falling short of OECD expectations to use leverage to prevent adverse impacts and uphold labour rights (ILPI, 2015; Venkateswarlu, 2015, pp. 7, 17, 27, 44). The case of Bayer served as a diagnostic contrast in Section 7.2, illustrating how child labour risks become more visible under transnational reporting and enforcement regimes than under India's domestic compliance-based ESG disclosure systems, thereby reinforcing the importance of risk-sensitive governance, monitoring, and remediation rather than disclosure alone.

**Empirical Evidence: Prevalence and Structural Drivers**

Child labour in cottonseed production is not merely poverty-driven: it is a structural outcome of informal labour arrangements, gendered role expectations, and cost-cutting strategies in hybrid seed systems. Venkateswarlu (2015), the most recent longitudinal study of the sector found that child and adolescent labour is persistent across India's hybrid cottonseed industry.

In 2014-15, children under 14 comprised nearly 25% of the workforce across major cottonseed-producing states: Andhra Pradesh and Telangana (24.7%), Gujarat (21.5%), Karnataka (28.8%), Rajasthan (28.6%), and Tamil Nadu (19.2%). Adolescents aged 15-18 accounted for a further 35% of the workforce. Regional patterns reveal sharp shifts within the industry: Gujarat recorded an 85.8% increase in adolescent labour, while Andhra Pradesh and Telangana experience a 14.4% decline. The evidence also reveals pronounced gender, caste, and regional disparities. In Andhra Pradesh and Telangana, 69.4% of child workers were girls, compared with 56.5% in Gujarat; in Gujarat, 70% were Adivasi (Scheduled Tribes), while in Andhra Pradesh, 45% were from backward classes (Venkateswarlu, 2015, Tables 10 and 15).

Gujarat has emerged as the dominant cottonseed production hub, accounting for 55% of children and 58% of adolescents employed in cottonseed production in 2014-15, compared to 18% in Andhra Pradesh and Telangana. Since 2006-07, Gujarat recorded a 29% increase, while Andhra Pradesh and Telangana experienced a 49% decline, reflecting a geographic shift in production following the spread of Bt cotton (Venkateswarlu, 2015, p. 16).

Despite per-acre declines in some southern states, including Andhra Pradesh, Tamil Nadu, Karnataka, absolute numbers remain high due to production expansion and relocations, particularly into tribal zones in Gujarat. Southern Rajasthan has also emerged as a new hub, with districts like Udaipur and Dungarpur shifting from supplying migrant labour to Gujarat to hosting locations of cottonseed production farms (Venkateswarlu, 2015, Table 11). Trafficking of tribal children between southern Rajasthan and northern Gujarat continues amid weak state responses, exposing children to long working hours, sub-minimum wages, toxic pesticide exposure, and unsafe conditions. Venkateswarlu challenges narratives of family "help," noting that in 2014-15 fewer than 30% of working children in Andhra Pradesh, Tamil Nadu, and Karnataka were family helpers; most were school dropouts engaged in full-time work, including 62% in Andhra Pradesh and Karnataka and more than 55% in other states. As production has shifted to smaller tribal farms, child labour has increasingly moved from migrant to local and family-based forms, yet remains associated with exploitative, with long working hours leading to school absenteeism and dropout.

The persistence of child labour is closely linked to weak enforcement of the Minimum Wages Act. Andhra Pradesh stands out as an important contrast, where stronger wage enforcement coincided with lower levels of child labour. Elsewhere, prevailing wage rates for cross-pollination activities remained below statutory minimum wages—46.5% in Karnataka, 25% in Telangana, and

6.6%-16.6% in Gujarat's Sabarkantha and Chhota Udaipur districts, versus 9.4% in Andhra Pradesh, suggesting that deficiencies in labour market governance continue to reinforce incentives for child labour in cottonseed production. (Venkateswarlu, 2015).

**Technological Shifts**

Technological change is beginning to reduce labour intensity in cottonseed production. Historically, manual emasculation and cross-pollination required substantial labour and dexterity (i.e., "nimble fingers": ILO-IPEC, 2007, p. 20), often performed by women and adolescent girls. Children were withdrawn from school and sent into the fields during peak pollination season (August to October). Interview evidence indicates that technological innovations, when paired with accountable governance, can reduce labour demand and mitigate child labour risks.

Several participants identified the adoption of Genetic Male Sterility (GMS) hybrids, which eliminate the need for manual emasculation by producing male-sterile lines that do not require physical removal of anthers, thereby eliminating the need for manual cross-pollination. Some companies reported reduced labour requirements in certain contexts, with shorter working periods; in some cases, farm workers were able to complete tasks between 9 a.m. and 1 p.m., freeing time for other work or livelihood activities. While GMS is not universally adopted across all production sites, its use is expanding and is described by firms as a strategy for reducing labour intensity and mitigating child labour risks. (Interview #10INT21)

In parallel, companies are also piloting Internet of Things (IoT) systems and related digital tools to monitor compliance and track seed quality (Interview, SeedWorks). Firms reported using digital systems, mobile applications, and electronic field records to strengthen traceability, log field-level data, and flag potential child labour risks as part of quality assurance processes. Field officers also use digital diaries to document grower interactions, seed distribution, and inspection outcomes. These technologies enhance transparency and reduce reliance on manual oversight.

Despite these advances, emasculation remains a key labour activity in many regions, particularly where GMS is not yet adopted. In such contexts, companies rely on smallholder family farms, especially in tribal areas, where the work is carried out within the household. These farms typically manage 0.25 to 1 acre and are described by firms as lower risk for child labour due to their scale and self-managed nature; tribal farmers are more likely to perform emasculation themselves and are committed to maintaining seed purity, aligning with company standards (Interview #43IN1G21). However, this reliance on family-based labour may also reflect use of the family

exemption clause under India's CALPR, which can obscure systemic exploitative practices. Given the high labour intensity of seed production at scale, typically requiring eight to nine workers per acre, governance challenges remain significant (Davuluri Venkateswarlu, personal communication, May 28, 2026).

These developments suggest that child labour governance operates not only through monitoring and enforcement but also through technological and organizational changes that reduce the structural demand for child labour.

**Governance Innovations: Multistakeholder Action and Corporate Practices**

ECHO (Enabling Child and Human Rights with Seed Organizations), led by Davuluri Venkateswarlu, demonstrates a non-certification governance pathway built on industry coordination, wage compliance, monitoring, sanctions, and community engagement. India's largest multistakeholder initiative in the seed industry, spanning cotton and vegetables, ECHO brings together 14 Indian public and private companies, and multinational seed companies (including Advanta UPL, Bayer, BASF/Nunhems, East-West Seeds, HM Clause, SeedWorks, Syngenta) alongside NGOs and research organizations. It uses shared accountability frameworks, promotes labour and wage compliance, coordinates CSR initiatives, and partners with the Wage Improvements in Seed Hybrids (WISH) project, which was launched in 2022 and co-funded by the Netherlands Enterprise Agency, to strengthen minimum wage compliance and child labour prevention (ECHO, n.d.).

Between 2015 and 2019, targeted company interventions reduced child labour rates from 16% to 10% across the participating firms, with further reductions to ~5% projected under sustained engagement (Ressources Humaines Sans Frontières - RHSF, 2020). Strategies include trust-building, information sharing, joint enforcement, and peer sanctions, adapted to child labour dynamics and local production contexts. In Andhra Pradesh and Telangana, where smallholder farms dominate and risks are comparatively lower, prevention-based approaches emphasize community awareness campaigns with village leaders (slogans, plays, and processions to communicate the importance of keeping children out of the fields) and child protection committees. In Gujarat, where migrant labour and child labour risks remain higher, ECHO plays a more operational role through coordinating internal reporting mechanisms and peer-based sanctions, including blacklisting offending growers. At the headquarters level, ECHO supports information-sharing, inspections, and alignment of ethical

standards; all member contracts include child and adolescent labour clauses supported by field monitoring and inspections. (Interviews #11IN1T21; #43IN1G21; #44IN1T21)

Firm-level interviews further illustrate how child labour governance is operationalized through internal audits, contractual enforcement, monitoring, and peer-based sanctions. SeedWorks exemplifies compliance-led governance: multi-tiered monitoring (internal audits, self-reporting, third-party audits by PwC and Grant Thornton), farmer training in local languages to ensure farmers understand the ethical and legal implications of employing children, and contracts with explicit clauses prohibiting child labour and imposing consequences for non-compliance, including sanctions. Other firms report unannounced inspections, Aadhaar-based age verification, and community engagement. Field officers conduct regular visits to monitor and inspect farms during peak seasons, such as pollination; observe for child labour and trigger warnings to families; or suspend contracts with the grower if stricter checks for hazardous tasks (e.g., pesticide spraying) are required. Some companies also collaborate with NGOs or officials to intervene in repeated violations.

**Summary**

Taken together, the cottonseed evidence illustrates equifinality in child labour governance. Child labour risk reduction may emerge through multiple governance pathways, including standards-based, state-based, and hybrid, locally embedded multistakeholder configurations operating beyond, or only partially within, formal sustainability certification systems. In this sense, the cottonseed cases test the limits of certification-based governance and reinforce the argument that ethical capability depends less on formal commitments than on governance design and the capacity to translate human rights norms into practice through credible public-private compliance and enforcement arrangements.

Multistakeholder initiatives such as ECHO demonstrate how hybrid governance arrangements combining cooperation, monitoring, and enforcement can reduce child labour risks in cottonseed production. At the same time, the sector's historical exclusion from voluntary standards and sustainability frameworks highlights a persistent upstream governance gap. As Gibbon et al. (2008, pp. 319-322) note, power in global value chains is often assumed to reside downstream. In the cotton value chain, attention typically focuses on garment brands and manufacturers; however, concentrated control in seed production, dominated by a small number of MNEs, including Bayer and Monsanto, reveals an important governance blind spot. Given that the global market was valued at approximately USD 74 billion in 2024 and is projected to reach USD 111 billion by 2033, the

governance significance of this upstream segment extends well beyond agriculture alone. Without greater upstream integration, transnational child labour governance remains fragmented, allowing structural power imbalances and labour risks to persist.

## 7.4 Conclusion

The chapter developed three interpretive themes grounded in empirical evidence and normative analysis. First, child labour enforcement is society-dependent with social actors, intermediaries, and public institutions jointly shaping enforcement capacity and accountability under India's child labour regime. Second, business responses to child labour risk vary according to their development of ethical capability and the credibility of public-private compliance and enforcement arrangements. Third, the cottonseed sector demonstrates equifinality in child labour governance, illustrating how risk reduction may emerge through alternative governance pathways, including hybrid, locally embedded multistakeholder arrangements operating beyond, or only partially within, formal sustainability certification systems.

Across cases, ethical capability—defined as the organizational capacity to reconcile normative tensions and uphold fundamental human rights through context-sensitive, child-centred responses—better predicts reductions in child-labour risk than standards participation alone. The findings also illustrate equifinality: similar governance outcomes may emerge through different combinations of public-private compliance and enforcement arrangements and society-dependent enforcement. However, child labour governance outcomes vary according to credibility, implementation, and local embeddedness of those arrangements. The findings also further reveal evidence of means-ends decoupling, whereby increasingly sophisticated governance procedures, audits, and monitoring systems coexist with comparatively limited evidence of sustained child labour remediation and outcome-level change.

The findings distinguish between procedural-compliance, corrective-action approaches, and remediation-capable governance responses. Where firms and standards translate formal rules into credible corrective action, escalation, and child-centred remediation, such governance arrangements are more likely to support employment practices associated with lower child labour risk. Where such organizational capacities remain weak, compliance activity may be visible, but improvements in outcomes for working children are only weakly evidenced, and displacement along the value chain is more likely.

The evidence further suggests that public-private compliance and enforcement arrangements are necessary but not sufficient on their own. Their effectiveness depends on the extent to which governance arrangements translate human rights norms into context-sensitive, child-centred responses under varying institutional conditions, including state administrative capacity, society-dependent enforcement, and locally available child-centred remediation and educational supports.

The findings provide qualified support for H1, as participation in voluntary sustainability standards was associated with stronger child labour-related governance arrangements and employment practices in some cases, although standards participation alone did not explain variation in business responses. Their influence was conditioned by public enforcement, intermediary involvement, and local institutional contexts. The findings also support H2/C1: child labour specificity criteria are a necessary but insufficient component of effective governance. Minimum-age standards were most effective when combined with context-sensitive safeguards related to schooling, remediation, and child protection. Standards that failed to address work-school trade-offs, adolescents, and local legal contexts were less capable of distinguishing harmful child labour from other forms of children's work.

Consistent with H3, ethical capability was associated with organizational capacities for monitoring, response, enforcement, and child-centred remediation rather than policy commitments alone. Businesses exhibiting stronger indicators of ethical capability were more likely to internalize child labour risks through governance systems capable of identifying, managing, and responding to risks. Consistent with H4, enforcement frequently depended on NGOs, farmer organizations, community actors, and child-protection institutions operating alongside formal regulatory systems. Society-dependent enforcement influenced whether child labour risks became visible, monitored, and addressed, particularly in informal and agricultural sectors where public enforcement capacity was uneven.

Taken together, the findings suggest that child labour risk is governed not through a single mechanism, but through the interaction of business practices, voluntary sustainability standards, public policy, and society-dependent enforcement. Multiple governance pathways contribute to the internalization of child labour risks, while weak safeguards, limited remediation, and fragmented enforcement create conditions under which risks are displaced rather than addressed. Comparative analysis indicates that governance effectiveness depends less on any single governance instrument than on the interaction among these arrangements.

# CHAPTER 8
# Conclusion

This concluding chapter summarizes the thesis's principal arguments, findings, and contributions. It revisits the research questions, reflects on the empirical data and theoretical frameworks that informed the study, and discusses the implications of the findings for scholarship at the intersection of labour governance, human rights, and economic sociology, as well as for practitioners engaged in responsible business conduct, corporate accountability, and ethical sourcing. The chapter ends by identifying priorities for further research that may enhance both scholarly understanding and practical responses to child labour risks in global supply chains.

## 8.1 Study Overview

This thesis examined child labour governance in India's cotton value chain across Andhra Pradesh, Gujarat, and Telangana. Drawing on economic sociology, integrative social contract theory, and transnational labour law, it investigated how voluntary sustainability cotton standards, business employment practices, public-private compliance and enforcement arrangements, and public policy interact to shape child labour risk governance.

The research addressed three questions concerning the role of voluntary sustainability cotton standards, public policy, and other governance factors in shaping child labour governance within India's cotton value chain. To address these questions, the study evaluated four hypotheses concerning participation in voluntary sustainability standards (H1), the role of child labour specificity and schooling-related safeguards (H2/C1), ethical capability (H3), and the role of social actors in enforcement (H4). Together, these hypotheses examined how standards, firms, public institutions, intermediaries, local communities, and other social actors influence whether child labour risks are identified, governed, internalized, or displaced across the cotton value chain.

In response to the first research question, the findings show that voluntary sustainability standards govern child labour risks through minimum-age requirements, hazardous-work criteria, compliance mechanisms, remediation procedures, and enforcement arrangements. However, Better

Cotton, Fairtrade, and GOTS differ considerably in how they define child labour risks, establish safeguards, and structure enforcement pathways. The findings support H2/CI by demonstrating that comprehensive, context-sensitive child labour specificity criteria are important elements of governance arrangements associated with lower child labour risk because they distinguish harmful child labour from other forms of children's work and identify when schooling remains a realistic alternative across different institutional and livelihood contexts. However, such criteria are insufficient without credible monitoring, remediation, and enforcement arrangements, particularly those that support school attendance and provide child-centred remediation when child labour risks are identified.

In response to the second research question, the findings indicate that public policy shapes child labour governance through legal minimum-age thresholds, compulsory education requirements, hazardous-work prohibitions, and enforcement responsibilities shared across multiple agencies. However, weak enforcement capacity, labour informality, and uneven institutional implementation constrain effective governance. Public policy therefore influences business employment practices both directly through legal requirements and indirectly through the institutional conditions under which firms operate. Effective governance depends not only on legal rules but on their enforcement and coordination across labour, education, child protection, social protection, and criminal justice systems. The comparative analysis further suggests that improvements in education, poverty reduction, and social protection are associated with lower child labour risk.

In response to the third research question, the strongest explanatory factors identified in the study are ethical capability and society-dependent enforcement. Businesses display substantial variation in governance arrangements even when operating under similar voluntary sustainability standards. Firms exhibiting stronger indicators of ethical capability are more likely to internalization child labour risk through monitoring, response, remediation, and proportionate escalation mechanisms. Social actors including NGOs, FPOs, workers, and communities further strengthen governance through information generation, monitoring, compliance support, remediation, and other forms of society-dependent enforcement under conditions of weak state enforcement.

Taken together, the findings suggest that voluntary sustainability standards, business employment practices, public policy, and society-dependent enforcement operate as complementary rather than substitute mechanisms of child labour governance. Context-sensitive specificity criteria

are necessary but insufficient without credible monitoring, remediation, and accountability mechanisms. Effective governance therefore depends on the capacity of organizations and institutions to identify, internalize, and respond to child labour risks rather than displacing those risks elsewhere. At the same time, the evidence reveals persistent means-ends decoupling, whereby increasingly robust governance procedures often coexist with limited evidence of sustained child labour remediation and outcome-level change.

## 8.2 Contributions

**Methodological contributions.** This thesis develops and applies a human rights-aligned Business and Child Labour Tool that operationalizes child labour specificity—capturing the nature and circumstances of work, safeguards, and coercion—alongside public–private compliance and enforcement arrangements to assess risks across informal tiers of the global cotton value chain. The tool provides a normative and analytical basis for evaluating how firms and certification standards internalize—or displace—child labour risk controls in practice.

Moving beyond conventional CSR framings, the tool draws on economic sociology (Granovetter, 1985; Nee, 2003; Zelizer, 1985), integrative social contract theory (Donaldson & Dunfee, 1994), and transnational labour law (Blackett & Trebilcock, 2015). It evaluates employment practices, specificity criteria (H2/C1), compliance-enforcement mechanisms, and ethical capability (H3). Within this framework, ethical capability is not assessed through compliance monitoring alone but through the extent to which child-labour risk controls are embedded in routine practices and contracting arrangements, rather than merely signaled through procedural compliance or certification.

The application of this tool in the study also highlights an area for further conceptual refinement: the compliance–enforcement continuum (Figure 12) remains only partially specified. More work is needed to clarify how internal control systems for child labour risk—prevention, detection, corrective action and remediation, and escalation (especially for persistent or severe ILO C182 and C029 violations) translate into graduated and proportionate enforcement and remediation pathways across governance levels, rather than operating as discrete or static regulatory models.

**Empirical contributions.** The thesis contributes an empirical framework for assessing child labour risk including the role of local economic and social actors in its governance. Central to this

contribution is a validation process grounded in integrative social contract theory (ISCT). Drawing on surveys and interviews with stakeholders—including businesses, standard-setting bodies, social enterprises, government representatives, social actors, and farmer-producer organizations—alongside documentary analysis, the study combines consultation with host communities with empirical assessment of whether norms are accepted in practice and can therefore be considered authentic and legitimate.

**Theoretical contributions.** By drawing on economic sociology (Nee, 2003, p. 33) to assess potential means-ends decoupling (Bromley & Powell, 2012, p. 500; Power, 1994) between formal commitments, procedural compliance, and embedded practices, the thesis demonstrates that such decoupling may persist even where child-protection norms enjoy broad legitimacy. Consequently, this study contributes to the economic sociology of business and child labour by showing that the effectiveness of child labour governance outcomes for voluntary sustainability standards and business enterprises depend not only on normative commitments but also on the structural social and institutional conditions required for their realization.

Data are analyzed through textual analysis of socio-legal contexts and an axiomatic, multidimensional approach to the development of human rights indicators. These indicators, grounded in explicit normative choices, are operationalized within the Business and Child Labour Tool validated in this thesis.

## 8.3 Key Findings

Building on the responses to the research questions presented above, the thesis advances three integrated findings on how child labour risk is organized, normalized, and governed within cotton value chains, drawing on economic sociology, integrative social contract theory, and transnational labour law. Consistent with the principle of equifinality, the evidence indicates that similar reductions in child labour risk may emerge through multiple governance pathways rather than through any single institutional model.

Collectively, the findings offer a system-level explanation for the limited organizational capacity of voluntary sustainability standards to produce credible, child-centred outcomes in agricultural supply chains in which smallholder, family-based production and informal labour relations are prevalent. The evidence shows how rule design, assumptions about state enforcement and schooling, business-level governance choices, and traceability and chain-of-custody systems

interact in ways that channel child labour risk toward internalization or displacement by business actors. The analysis synthesizes these patterns across hypotheses H2/C1, H3, and H4, spanning both process- and business-level dynamics.

This thesis' findings support a multi-level explanation of child labour governance. At the process level, voluntary sustainability standards provide rules, monitoring systems, and compliance arrangements. At the micro-level, specificity and schooling-related safeguards shape how child labour risks are identified and distinguished from other forms of children's work. At the meso level, business responses depend on ethical capability and organizational systems. Within the macro-level institutional environment, public policy regimes, social actors, and society-dependent enforcement influence the effectiveness of organizational governance arrangements. Child labour outcomes emerge through the interaction of these levels rather than through any single mechanisms operating in isolation.

**First**, the research shows that minimum-age rules, when applied uniformly, are insufficient for assessing child labour risk and may undermine effective governance (H2/C1). Analysis of India's legal minimum age (14 years), adopted under ILO C138 flexibility clauses, demonstrates that prescribing a minimum age of 15 across all contexts is not operationally feasible within India's cotton value chain. Certification standards remain inconsistently aligned with national law: Fairtrade sets a minimum age of 15 years, Better Cotton permits 14 years under specified conditions, and GOTS does not explicitly specify a minimum age. These differences create regulatory misalignment and uncertainty regarding the governance of adolescents aged 14 to 15 working within India's cotton value chain. Interviews and ISO guidance indicate that harmonization with national law is essential but must be accompanied by credible safeguards and response mechanisms.

Participants consistently identified education and school attendance as the defining boundary of child labour in India: "Any child out of school is a child labourer whether waged, non-waged, in a factory, in fields, or at home" (Interview with Venkat Reddy, MV Foundation). Where schooling, proportionate escalation, and remediation are structurally embedded in the assurance system and contracting—as partially reflected in Fairtrade's social premium—risks are more likely to be partially internalized; where they are absent, risks are displaced.

**Second,** the findings show that CSR framing, ESG disclosure, and certification participation frequently substitute for substantive engagement with child labour risk, reflecting limited ethical capability (H3/H4). Across business enterprises, child labour is often treated as a reputational or

compliance issue rather than human rights concern. While specificity in rules—such as minimum-age thresholds and hazardous-work definitions—is necessary, it is not sufficient to support configurations associated with lower child labour risk.

In practice, voluntary standards such as Better Cotton illustrate how policy content can coexist with weak compliance, enforcement and remediation arrangements. Absent credible ex ante risk identification and mitigation measures, alongside credible post-facto corrective action, child-centred remediation, and credible escalation mechanisms, businesses tend to rely on disclosure or certification signals while displacing risk to smaller producers or informal segments rather than internalizing corrective duties. Business responses, rather than certification participation alone, explain most variation in child labour outcomes.

Ethical capability varies less by standard participation than by whether firms internalize child labour governance within compliance, enforcement, escalation, and remediation systems subject to public and transnational accountability. Where such internalization is absent, risk is more likely to be displaced to suppliers, informal actors, or households. Codes of conduct therefore constitute only a starting point: effective employment practices require contractual and governance mechanisms that prioritize ex ante risk mitigation, corrective action, and child-centred remediation (where risks are remediable) alongside timely escalation in cases of persistent or critical non-conformity, over termination of business relationships, which may produce unintended harm to working children.

**Third**, the research identifies structural governance and evidence gaps that limit the effectiveness of voluntary sustainable cotton standards. Chain-of-custody and traceability systems across Better Cotton, Fairtrade, GOTS, and Textile Exchange are designed to prioritize commodity integrity and market coordination in support of consumer-facing product claims, while inadequately integrating the identification, assessment, and management of child labour risks, legal compliance requirements, and human rights obligations. Public disclosure is minimal and, in core areas absent, with all four standards showing zero disclosure on child labour and forced labour risk management (Chapter 6) and little reporting beyond raw cotton fibre sourcing into downstream production stages, constraining accountability and verification under emerging supply chain due diligence regimes.

By focusing narrowly on origin and volume verification, existing traceability models overlook social and legal compliance indicators that are fundamental to ethical sourcing, weakening the credibility of voluntary standards. The persistence of the worst forms of child labour—including bonded and forced labour of children, which constitute criminal violations—within India's cotton

value chain underscores that voluntary standards cannot substitute for public enforcement and coordinated compliance mechanisms. Aligning traceability with human rights reporting frameworks, therefore, remains a necessary—though insufficient—condition for strengthening the governance role of voluntary sustainability standards. Evidence from the cottonseed sector further demonstrates that important child labour risks remain concentrated in upstream segments that sit largely outside conventional certification schemes. The persistence of these governance blind spots highlights the importance of aligning governance arrangements with where child labour risks are concentrated, rather than assuming that the formal scope of certification systems corresponds to the location of those risks.

More broadly, these governance and evidence gaps are compounded by weaknesses in the available evidence on certification's labour impacts. Labour outcomes are the least assessed, and rigorous impact evaluations remain rare, with no established protocol for systematically assessing child labour outcomes across agricultural certification schemes, despite agriculture accounting for 70% of global child labour (112 million children aged 5-17). By contrast, evidence linking certification-related interventions to improved school attendance is comparatively stronger, including findings synthesized by Oya et al. (2017), which underscore the centrality of education-related mechanisms. Interviews similarly confirm that education deprivation and child labour frequently coincide, yet most standards lack structural measures to support school attendance; Fairtrade's social premium constitutes a partial exception. Evidence on hazardous work and occupational health and safety is also limited, and existing studies frequently overlook high-risk stages such as seed production and ginning, where child labour risks are concentrated. These gaps constrain voluntary sustainability standards' ability to demonstrate credible social impact across cotton value chains.

## 8.4 Conclusions and Implications

This study develops Business and Child Labour Tool grounded in detailed analysis of internationally recognized human rights (including the ILO's Declaration on Fundamental Principles and Rights at Work), as well existing tools, frameworks, and indicators. It combines normative standards and research to assess how child labour risks are governed in global value chains. As such, the tool offers a practical framework for policymakers, regulators, and legal practitioners, and by

businesses, labour organizations, social actors, and impact evaluation practitioners to evaluate and strengthen child labour risk governance.

**Implications for Scholarship, Policy, and Practice**

**Scholarship.** This study combines global value chain governance as normalization with transnational labour law and economic sociology to shift attention from firm-level compliance outcomes alone to also address child labour outcomes, emphasizing governance structures, employment practices, and relational enforcement across agricultural, fibre, yarn, and textile segments and across tiers (Amengual, 2016; Blackett & Trebilcock, 2015; Gereffi & Fernandez-Stark, 2016; Gibbon et al., 2008; Granovetter, 1985). It advances measurement beyond performance- and threshold-based proxies toward human rights risk indicators, clarifying hazardous consequences, coercive practices, and safeguard failures in informal and lower-tier production (ICLS & ILO, 2008; OHCHR, 2011).

Building on integrative social contract theory, it contributes to debates on the normative foundations of child labour governance and the construct of ethical capability for distinguishing underage work from child labour and assessing irremediable harm (Buller & McEvoy, 1999; Donaldson & Dunfee, 1994; Morrison et al, 2019; Phillips et al., 2014).

The findings further suggest that improving compliance and enforcement requires more than procedural compliance alone. The evidence indicates that increasingly robust procedures can coexist with limited evidence of sustained child labour remediation, highlighting the need to connect governance processes to demonstrable child labour outcomes. Consistent with Integrative Social Contracts Theory (Donaldson & Dunfee, 1994), credible governance arrangements require local legitimacy, norm authentication, and alignment between transnational standards and community-level understandings of human rights and obligations. These principles operationalize consent, legitimacy, the right to exit, and hypernorms by requiring governance arrangements to demonstrate not only procedural compliance but locally authenticated outcomes, integration with public policy, credible remediation and exit options, and recognition of the limits of private governance in safeguarding fundamental human rights. Only when paired with credible enforcement can these arrangements move beyond checkbox governance and contribute to systemic change.

This pattern of means-ends decoupling may also be interpreted through Habermas' (1996) distinction between validity and facticity. While child labour governance systems increasingly institutionalize widely accepted claims to normative validity regarding the prohibition of child

labour, the findings also suggest that many economic and governance actors recognized the legitimacy of child labour laws, compulsory schooling, and related child-protection norms. The challenge was therefore less one of normative acceptance than of implementation within broader institutional and social contexts characterized by poverty, labour informality, schooling constraints, and uneven enforcement capacity. In this respect, the findings are consistent with the view that the prohibition of child labour has become a broadly accepted human rights norm, while the social and institutional conditions necessary for its realization remain uneven and incomplete. Means-ends decoupling therefore reflects not only a gap between procedures and outcomes, but also a tension between the validity of child labour governance commitments and the conditions required for their realization in practice.

**Policy.** The thesis clarifies indicator requirements for effective transparency and due diligence systems by moving beyond minimum-age proxies toward measures capturing the nature and circumstances of children's work, harmful consequences, coercion, informality, and school attendance. It shows the limits of purely voluntary self-regulation—particularly regarding peremptory norms and worst forms of child labour—and underscores the need for credible public enforcement of ILO Conventions C138, C182, and C029. Findings can inform national strategies to strengthen child protection systems, integrate child labour governance into multidimensional poverty reduction, and align domestic frameworks with internationally recognized human rights. (Global Affairs Canada, 2014; ICLS & ILO, 2008; 2018a; OECD, 2018a; UNICEF, 2008; 2012)

**Practice.** The Business and Child Labour Tool provides a structured, human rights-based method to classify child labour risks; assess safeguard measures (schooling access, protective measures, remediation pathways); and identify coercive practices across sectors and tiers. It offers regulators, auditors, certification bodies, NGOs, industry, and businesses clearer criteria to detect underage work, hazardous child and adolescent labour, and the worst forms; to evaluate school attendance and other safeguards; and to select corrective responses that avoid harmful disengagement practices. By supporting context-sensitive, worker-oriented compliance and enforcement—globally integrative yet locally responsive—the tool can help strengthen due diligence, improve monitoring, and enable interventions that meaningfully reduce risks for working children and adolescents.

**Recommendations for Further Research**

1. **Certification combinations and agricultural phases.** Examine how combining organic cotton certification (e.g., GOTS, OCS, India Organic) with Better Cotton and Fairtrade is associated with reducing child labour risks across agricultural production (cottonseed production, cultivation, seed cotton harvesting, ginning). Develop a protocol integrating capacity-building, market-based, and premium-funded interventions, and labour rights safeguards (Oya et al., 2017, pp. 27-36), alongside business and human rights measures fundamental to export-oriented industries; note that voluntary standards do not substitute for legal requirements (ISO, 2019).
2. **Employment practices and adolescent work, particularly 14-15-year-olds.** Address the gap in understanding how business employment practices are associated with reducing child labour risks and respecting human rights among children in India's export-oriented cotton value chain, particularly among children aged 14-15. Undertake larger-scale empirical research across India's cotton value chain to assess the nature and circumstances of children's work and how business enterprises in Gujarat, Andhra Pradesh, and Telangana apply voluntary sustainable cotton standards alongside India's Child and Adolescent Labour (Prohibition and Regulation) Act and ILO C138 flexibility—including: light work not interfering with schooling; family-farm exemptions excluding hazardous work; and unpaid household work excluding subcontracted home-based work (e.g., cut-make-trim, beading).
3. **Scale and apply the tool.** Use the Business and Child Labour Tool in impact evaluations and capacity-building initiatives. Quantitative work could analyze employment practices across larger samples of businesses; qualitative work could test the tool within the supply chains of major textile or garment firms. Extend research beyond Andhra Pradesh, Gujarat, and Telangana to other Indian states and sectors (e.g., Maharashtra's cotton value chain or Tamil Nadu's cotton textile value chain) and to other countries implementing Better Cotton, Fairtrade, and organic cotton standards.
4. **Data and governance gaps**. Address data and governance gaps that limited analysis (notably in Chapter 4). Priorities include consistent reporting, improved public access to microdata, and better integration of labour and education datasets across ministries. Future research should examine how polycentric labour governance arrangements—spanning governments, international organizations, and industry bodies—can strengthen disclosure requirements and

embed child labour risk management into operational practices, particularly where certification schemes intersect with emerging supply chain due diligence regimes.

5. **MPI measurement.** Explore strengthening India's Multidimensional Poverty Index by incorporating a child labour indicator within the education dimension, aligned with the CALPR Act (amended 2016) and the integration of child labour programming into *Samagra Shiksha*. This would improve the MPI's sensitivity to schooling-related deprivations linked to children's work, while remaining consistent with India's current legal and policy framework. Existing precedents to include Uganda, Colombia, Nepal, Punjab (Pakistan), South Africa, and Mexico, alongside potential collaboration with the Human Development and Capability Association (HDCA), demonstrate the feasibility and methodological robustness of such an adaptation.

**Concluding Remarks**

As global trade, investment, and sustainability frameworks continue to reshape production, child labour governance remains a critical lens through which to examine the evolving relationship between capital, labour, and human rights in global value chains. Child labour remains one of the clearest indicators of how global markets intersect with local poverty, social norms, and unequal opportunities, making it both a tracer of deeper structural inequalities and a test case for the ethical limits of global supply chains.

This thesis examined the international political economy and sociological dynamics of business and child labour in global cotton value chains. It assessed the limits of business-led and voluntary governance models in reducing child labour risks, particularly for underage working children and adolescents engaged in hazardous work, using indicators on minimum age, the nature and circumstances of work, and public governance grounded in national law and core ILO conventions. It emphasized child-centred human rights approaches that address risks faced by children already engaged in work and avoid the unintended harms of poorly designed compliance and enforcement mechanisms.

Drawing on a normative economic sociology of business and child labour, the thesis shows how business practices are embedded within global cotton, textiles, and apparel value chains, and how economic activities acquire social and moral significance through valuation, governance and exchange. It highlights cross-cultural moral dilemmas faced by business enterprises and communities, and underscores the importance of collaborative, locally grounded approaches that enhance ethical capability—embedding social norms in employment practices and contractual

relationships, and enabling society-responsive enforcement and relational dynamics, community legitimacy, trust, and shared expectations.

As demonstrated throughout the study, ethical capability requires translating international human rights commitments into context-sensitive governance responsive to the realities of working children. The thesis, therefore, proposes additional human rights indicators, grounded in normative and socio-legal analysis, to assess whether business employment practices incorporate education-linked safeguards, credible monitoring and response arrangements, and context-appropriate pathways for prevention, mitigation, and remediation.

Ultimately, this research reveals a structural disconnect between the governance and traceability of cotton as a globally traded commodity and the visibility and governance of child labour as a human rights concern. Consumer-facing sustainability labels often emphasize fibre content and product origin while overlooking the labour conditions and human rights contexts under which goods are produced. Without stronger enforcement, transparency, and child labour safeguards—particularly those linked to school attendance—voluntary standards risk making ethical claims that outpace observed outcomes. As corporate sustainability and due diligence regimes evolve, responsibility for improving labour outcomes extends beyond businesses alone, reflecting the growing importance of legal, regulatory, and societal mechanisms of accountability.

Addressing child labour therefore requires more than compliance systems or enhanced supply chain visibility. It requires a shared commitment among states, businesses, civil society, communities, and consumers to ensure that economic activity is aligned with fundamental human rights and human dignity. Businesses face increasing pressure to align employment practices with these principles, while consumers can support corporate accountability and ethical sourcing through informed purchasing choices. This thesis offers a framework for policymakers, businesses, and advocates to design more effective interventions and calls for a shared ethic of responsibility across the cotton value chain.



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# Appendix A

# Research Ethics & Participant Materials

## A1. Certificate of Ethics Approval

24/03/2023

Université d'Ottawa
Bureau d'éthique et d'intégrité de la recherche

University of Ottawa
Office of Research Ethics and Integrity

**CERTIFICAT D'APPROBATION ÉTHIQUE | CERTIFICATE OF ETHICS APPROVAL**

| | |
|---|---|
| **Numéro du dossier / Ethics File Number** | S-02-21-5106 |
| **Titre du projet / Project Title** | Assessing business efforts to reduce child labour in developing countries: Part 1 (Delphi process questionnaires and interview with industry stakeholders) |
| **Type de projet / Project Type** | Thèse de doctorat / Doctoral thesis |
| **Statut du projet / Project Status** | Renouvelé / Renewed |
| **Date d'approbation (jj/mm/aaaa) / Approval Date (dd/mm/yyyy)** | 26/03/2021 |
| **Date d'expiration (jj/mm/aaaa) / Expiry Date (dd/mm/yyyy)** | 25/03/2024 |

**Équipe de recherche / Research Team**

| Chercheur / Researcher | Affiliation | Role |
|---|---|---|
| Andrea KHAN | École de développement international et mondialisation / School of International Development and Global Studies | Chercheur Principal / Principal Investigator |
| Geranda NOTTEN | École d'affaires publiques et internationales / School of Public and International Affairs | Superviseur / Supervisor |

**Conditions spéciales ou commentaires / Special conditions or comments**

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24/03/2023

Université d'Ottawa
Bureau d'éthique et d'intégrité de la recherche

University of Ottawa
Office of Research Ethics and Integrity

Le Comité d'éthique de la recherche (CÉR) de l'Université d'Ottawa, opérant conformément à l'*Énoncé de politique des Trois conseils* (2014) et toutes autres lois et tous règlements applicables, a examiné et approuvé la demande d'éthique du projet de recherche ci-nommé.

L'approbation est valide pour la durée indiquée plus haut et est sujette aux conditions énumérées dans la section intitulée "Conditions Spéciales ou Commentaires". Le formulaire « Renouvellement ou Fermeture de Projet » doit être complété quatre semaines avant la date d'échéance indiquée ci-haut afin de demander un renouvellement de cette approbation éthique ou afin de fermer le dossier.

Toutes modifications apportées au projet doivent être approuvées par le CÉR avant leur mise en place, sauf si le participant doit être retiré en raison d'un danger immédiat ou s'il s'agit d'un changement ayant trait à des éléments administratifs ou logistiques du projet. Les chercheurs doivent aviser le CÉR dans les plus brefs délais de tout changement pouvant augmenter le niveau de risque aux participants ou pouvant affecter considérablement le déroulement du projet, rapporter tout évènement imprévu ou indésirable et soumettre toute nouvelle information pouvant nuire à la conduite du projet ou à la sécurité des participants.

The University of Ottawa Research Ethics Board, which operates in accordance with the *Tri-Council Policy Statement* (2014) and other applicable laws and regulations, has examined and approved the ethics application for the above-named research project.

Ethics approval is valid for the period indicated above and is subject to the conditions listed in the section entitled "Special Conditions or Comments". The "Renewal/Project Closure" form must be completedfour weeks before the above-referenced expiry date to request a renewal of this ethics approval or closure of the file.

Any changes made to the project must be approved by the REB before being implemented, except when necessary to remove participants from immediate endangerment or when the modification(s) only pertain to administrative or logistical components of the project. Investigators must also promptly alert the REB of any changes that increase the risk to participant(s), any changes that considerably affect the conduct of the project, all unanticipated and harmful events that occur, and new information that may negatively affect the conduct of the project or the safety of the participant(s).

Coordonateur / COORDINATOR
Coordonnateur de l'éthique / Ethics Coordinator
Pour/For **Barbara GRAVES** Président(e) du/ Chair of the **Comité d'éthique de la recherche en sciences sociales et humanités / Social Sciences and Humanities Research Ethics Board**

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## A2. Recruitment Materials (Poster in Four Languages)



Poster in Gujarati

Université d'Ottawa | University of Ottawa



# શું તમે અને તમારી સંસ્થા ગુજરાત, આંધ્રપ્રદેશ અથવા તેલંગાણામાં કપાસ ઉદ્યોગમાં કામ કરી રહ્યા છો?

આ અભ્યાસ તમારા માટે હોઈ શકે છે - પછી ભલે તમે કોઈ વ્યવસાય, ઉત્પાદક સંસ્થા, પ્રમાણપત્ર સંસ્થા, જિનર, ટેક્સટાઇલ ઉત્પાદક, ઓડિટિંગ ફર્મ, કામદાર સંસ્થા અથવા બિન-સરકારી સંસ્થા સાથે કામ કરી રહ્યા હોવ

આ સંશોધનને આંતરરાષ્ટ્રીય વિકાસ સંશોધન કેન્દ્ર (આઇડીઆરસી) અને ફોન્ડ્સ ડી રેચે ડુ કુએબેક સોસિએટ એટ કલ્ચર (શૈક્ષણિક સંશોધન માટે ક્વિબેકની જાહેર ગ્રાન્ટિંગ એજન્સીનો પ્રાંત) દ્વારા ભંડોળ પૂરું પાડવામાં આવે છે

## જાહેર અને ખાનગી બંને સંસ્થાઓ કપાસમૂલ્ય સાંકળોમાં રોજગારમાં કિશોર છોકરીઓને કેવી રીતે અસર કરે છે તે અંગેનો અભ્યાસ

અમે વ્યવસાયિક ઉદ્યોગો માં સ્ટાફ અને મેનેજરો અને કામદારોના સંગઠનો, બિનસરકારી સંસ્થાઓ અને સરકારી વિભાગોના પ્રતિનિધિઓને આ મુદ્દાઓ વિશે તેમના મંતવ્યો મેળવવા માટે શોધી રહ્યા છીએ

કપાસ ઉદ્યોગના ઘણા વ્યવસાયોએ સારી કામકરવાની સ્થિતિ સુનિશ્ચિત કરવા માટે નીતિઓ, નિયમો અથવા પ્રમાણપત્રધોરણો અપનાવ્યા છે, જેમાં રોજગારમાં બાળકો અને યુવા કામદારોનો સમાવેશ થાય છે. અમને એ સમજવામાં રસ છે કે કિશોરવયની છોકરીઓમાં બાળ મજૂરીના જોખમો પર પ્રમાણપત્ર સાથે (અથવા વિના) વ્યવસાયિક ઉદ્યોગોમાં રોજગાર પદ્ધતિઓની અસરને કેવી રીતે માપવી જેથી નોકરીદાતાઓ, કામદાર - સરકાર અને બિન-સરકારી સંસ્થાઓ માટે આ સૌથી અર્થપૂર્ણ હોય. આ સંશોધન એટલા માટે બનાવવામાં આવ્યું છે કે આ સંશોધનમાં ભાગ લઈ રહેલા સંગઠનાત્મક પ્રતિનિધિઓ અને મેનેજરો તેમની સંસ્થાની જાહેર સ્થિતિને વ્યક્ત કરે તેવી અપેક્ષા છે.

### સહભાગીઓને તેમાં ભાગ લેવા નું કહેવામાં આવશે:

- ✓ એક ટૂંકો સર્વે. પ્રથમ પ્રશ્નાવલીમાં ફક્ત ૧૨ મિનિટ નો સમય લાગે છે. બીજી પ્રશ્નાવલીનો ઉપયોગ જરૂર પડે તો જ કરવામાં આવશે, અને 10 મિનિટથી પણ ઓછો સમય લાગશે.
- ✓ વૈકલ્પિક રીતે - એક અથવા બે ઇન્ટરવ્યુ. પ્રથમ ઇન્ટરવ્યુ સપ્ટેમ્બરમાં ૬૦ સહભાગીઓ સાથે આયોજિત કરવામાં આવશે અને વધુમાં વધુ એક કલાક લેશે. થોડા સહભાગીઓ સાથે ફોલો-અપ ઇન્ટરવ્યુ ઓક્ટોબરમાં થશે, અને ૨૦ મિનિટથી પણ ઓછો સમય લેશે.

**આ સંશોધન સ્થાનિક દેખરેખ હેઠળ અમદાવાદની ગુજરાત ઇન્સ્ટિટ્યૂટ ઓફ ડેવલપમેન્ટ રિસર્ચ (જીઆઈડીઆર) અને હૈદરાબાદમાં ગ્લોકલ રિસર્ચ સાથે જોડાણમાં હાથ ધરવામાં આવ્યું છે. ગુજરાત અને આંધ્રપ્રદેશના સંશોધકો આ અભ્યાસમાં મદદ કરશે.**

સ્થળો: એપી, તેલંગાણા અને ગુજરાત

### અમે શોધી રહ્યા છીએ:

- વ્યવસાયોના સ્ટાફ અને સંચાલકો જે પ્રમાણપત્ર યોજનાઓ સાથે કામ કરી રહ્યા છે;
- કોર્પોરેટ સામાજિક જવાબદારી કામ કરતા વ્યવસાયોમાં સ્ટાફ અને મેનેજરો;
- કપાસ સપ્લાય ચેઇનમાં કામ કરતા વ્યવસાયોના સંચાલકો;
- કામદારોની સંસ્થાઓ, સમુદાય સંસ્થાઓ ,બિન-સરકારી સંસ્થાઓનો પ્રતિનિધિ; અને સરકારી વિભાગો.
- કપાસની ખેતી/જીનિંગથી માંડીને કપાસના કાપડના રંગઅને સમાપન સુધી કપાસ મૂલ્ય શૃંખલાની શરૂઆતમાં વ્યવસાયો કાર્યરત હોવા જોઈએ.
- સહભાગીઓ ૧૮ વર્ષથી વધુ હોવા જોઈએ.

### આ અભ્યાસ વિશે વધુ માહિતી માટે, અથવા સ્વયંસેવક બનવા માટે, મુખ્ય તપાસકર્તાનો ઇમેઇલ દ્વારા સંપર્ક કરો:

એન્ડ્રિયા કેરિના ખાન
સ્કૂલ ઓફ ઇન્ટરનેશનલ ડેવલપમેન્ટ એન્ડ ગ્લોબલ સ્ટડીઝ
ઓટાવા, ઓન, કેનેડા કે૧એન ૬એન૫,
ઇમેઇલ: [[email redacted])
વેબ: uniweb.uottawa.ca/members/1657

## ફેકલ્ટી ઓફ સોશિયલ સાયન્સિસ

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કૃપા કરીને આ સર્વે પૂર્ણ કરો : https://www.surveymonkey.ca/r/GMHJR36
આ સર્વેક્ષણ અમને ગુજરાત, આંધ્રપ્રદેશ અને તેલંગાણામાં કપાસ પુરવઠા શૃંખલામાં કામ કરતી સંસ્થાઓની શ્રેણી વિશે વધુ જાણવામાં મદદ કરશે.

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આ સંશોધન સંશોધનના નૈતિક આચરણ માટેની અપેક્ષાઓનું પાલન કરે છે. યુનિવર્સિટી ઓફ ઓટાવા સોશિયલ સાયન્સિસ એન્ડ હ્યુમેનિટીઝ રિસર્ચ એથિક્સ બોર્ડ દ્વારા તેની સમીક્ષા કરવામાં આવી હતી. પ્રોજેક્ટ ફાઇલ # એસ-02-21-5106.

Poster in Hindi

Université d'Ottawa | University of Ottawa



# क्या आप और आपका संगठन गुजरात, आंध्र प्रदेश या तेलंगाना में कपास उद्योग में काम कर रहे हैं?

यह अध्ययन आपके लिए हो सकता है - चाहे आप किसी व्यवसाय, निर्माता संगठन, प्रमाणन निकाय, जिन्नर, कपड़ा निर्माता, ऑडिटिंग फर्म, कार्यकर्ता संगठन या गैर-सरकारी संगठन के साथ काम कर रहे हों

इस शोध को अंतर्राष्ट्रीय विकास अनुसंधान केंद्र (आईडीआरसी) और फॉर्स डी रेचेचे डु क्यूबेक सोसिएट एट कल्चर (अकादमिक अनुसंधान के लिए क्यूबेक की सार्वजनिक अनुदान एजेंसी का प्रांत) द्वारा वित्त पोषित किया गया है।

## सार्वजनिक और निजी दोनों संस्थानों कपास मूल्य श्रृंखला में रोजगार में किशोरियों को कैसे प्रभावित करते हैं, इस पर अध्ययन

हम इन मुद्दों के बारे में विचार प्राप्त करने के लिए व्यावसायिक उद्यमों में कर्मचारी, प्रबंधकों, और कार्यकर्ता संगठनों, गैर-सरकारी संगठनों और सरकारी विभागों के प्रतिनिधियों की तलाश कर रहे हैं।

कपास उद्योग में कई व्यवसायों ने रोजगार और युवा कामगारों में बच्चों सहित अच्छी कार्य परिस्थितियों को सुनिश्चित करने के लिए नीतियां, नियम या प्रमाणन मानक अपनाए हैं । हम यह समझने में रुचि रखते हैं कि किशोरियों के बीच बाल श्रम जोखिमों पर प्रमाणन के साथ (या बिना) व्यापार उद्यमों में रोजगार प्रथाओं के प्रभाव को कैसे मापना है ताकि यह नियोक्ताओं, कामगार,सरकारी और गैर-सरकारी संगठनों के लिए सबसे सार्थक हो । इस शोध को इसलिए तैयार किया गया है ताकि इस शोध में भाग ले रहे संगठनात्मक प्रतिनिधियों और प्रबंधकों से उनके संगठन की सार्वजनिक स्थिति से अवगत होने की उम्मीद की जा सके।।

### प्रतिभागियों को इसमें भाग लेने के लिए कहा जाएगा:

- ✓ एक संक्षिप्त सर्वेक्षण। पहली प्रश्नावली में केवल १२ मिनट लगते हैं । एक दूसरी प्रश्नावली का उपयोग केवल आवश्यकता पड़ने पर किया जाएगा, और १० मिनट से भी कम समय लगेगा।
- ✓ वैकल्पिक रूप से - एक या दो साक्षात्कार। पहला इंटरव्यू सितंबर में ६० प्रतिभागियों के साथ आयोजित किया जाएगा और इसमें अधिकतम एक घंटा लगेगा । कुछ प्रतिभागियों के साथ एक अनुवर्ती साक्षात्कार अक्टूबर में लिया जाएगा, और २० मिनट से भी कम समय लगेगा ।

**यह शोध स्थानीय पर्यवेक्षण के तहत, अहमदाबाद में गुजरात इंस्टीट्यूट ऑफ डेवलपमेंट रिसर्च (जीआईडीआर) और हैदराबाद में ग्लोकल रिसर्च के साथ संबद्धता में किया जाता है। गुजरात और आंध्र प्रदेश के शोधकर्ता इस अध्ययन में सहायता करेंगे।**

**स्थान: एपी, तेलंगाना और गुजरात**

### हम ढूंढ रहे हैं:

- व्यवसायों में कर्मचारी और प्रबंधक जो प्रमाणन योजनाओं के साथ काम कर रहे हैं;
- व्यवसायों में कर्मचारी और प्रबंधक जो कॉर्पोरेट सामाजिक उत्तरदायित्व पर काम कर रहे हैं;
- कपास आपूर्ति श्रृंखला में काम करने वाले व्यवसायों के प्रबंधक;
- कार्यकर्ता संगठनों, सामुदायिक संगठनों ,गैर-सरकारी संगठनों के प्रतिनिधि; और सरकारी विभाग।
- कपास की खेती/जिनिंग से लेकर कॉटन फैब्रिक की रंगाई और फिनिशिंग तक कपास मूल्य श्रृंखला की शुरुआत में कारोबार होना चाहिए ।
- प्रतिभागियों को 18 साल से अधिक होना चाहिए ।

### इस अध्ययन के बारे में अधिक जानकारी के लिए, या स्वयंसेवक के लिए, ईमेल द्वारा प्रमुख अन्वेषक से संपर्क करें:

एंड्रिया कैरिना खान
स्कूल ऑफ इंटरनेशनल डेवलपमेंट एंड ग्लोबल स्टडीज
ओटावा, पर, कनाडा K1N 6N5,
ईमेल: ([email redacted])
वेब: uniweb.uottawa.ca/members/1657

## सामाजिक विज्ञान संकाय

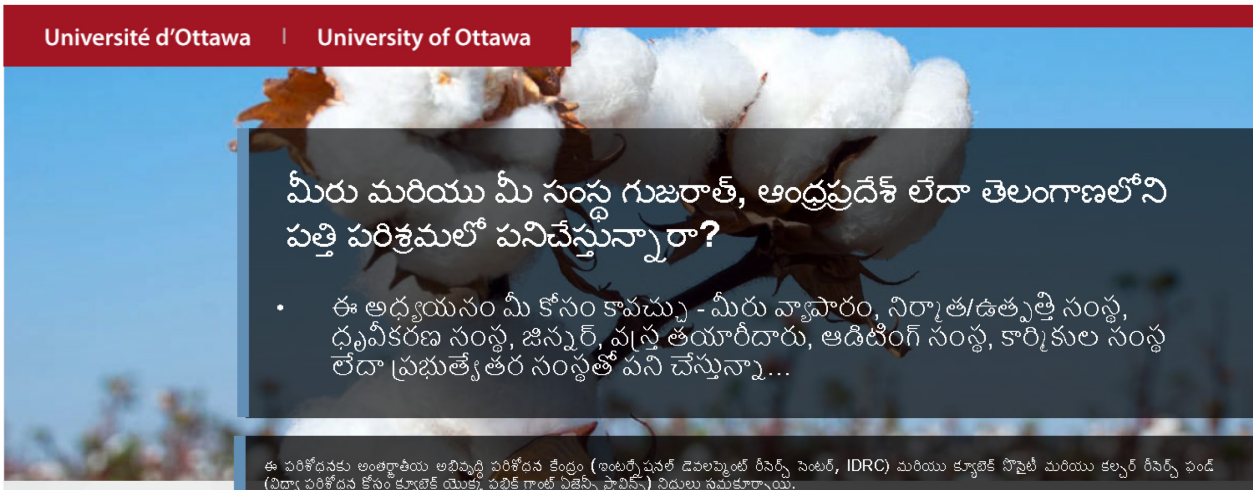
socialsciences.uOttawa.ca

**कृपया सर्वेक्षण पूरा करें : https://www.surveymonkey.ca/r/GMHJR36**
इस सर्वेक्षण से हमें गुजरात, आंध्र प्रदेश और तेलंगाना में कपास आपूर्ति श्रृंखला में काम करने वाले संगठनों की श्रेणी के बारे में अधिक जानने में मदद मिलेगी।

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यह शोध अनुसंधान के नैतिक आचरण के लिए अपेक्षाओं का अनुपालन करता है । इसकी समीक्षा यूनिवर्सिटी ऑफ ओटावा सोशल साइंसेज एंड ह्यूमैनिटीज रिसर्च एथिक्स बोर्ड ने की थी । परियोजना फाइल # एस-02-21-5106 ।

Poster in Telugu




## పత్తి విలువ గొలుసులలో ఉపాధిలో ఉన్న కౌమార బాలికలను ప్రభుత్వ మరియు ప్రైవేట్ సంస్థలు ఎలా ప్రభావితం చేస్తాయో అనే అంశం మీద అధ్యయనం

ఈ సమస్యల గురించి తెలుసుకోవడానికి మేము వ్యాపార సంస్థల సిబ్బంది మరియు నిర్వాహకులు మరియు కార్మికుల సంస్థలు, ప్రభుత్వేతర సంస్థలు మరియు ప్రభుత్వ విభాగాల ప్రతినిధులు వారి అభిప్రాయాల కోసం చూస్తున్నాము.

పత్తి పరిశ్రమలోని అనేక వ్యాపారాలు ఉపాధిలో పిల్లలు మరియు యువ కార్మికులతో సహా మంచి పని పరిస్థితులను నిర్ధారించడానికి విధానాలు, నియమాలు లేదా ధృవీకరణ ప్రమాణాలను అనుసరించాయి. కౌమారదశలో ఉన్న బాలికలలో బాల కార్మికుల ప్రమాదాలపై (ఉండి ఉండక) ధృవీకరణతో వ్యాపార సంస్థలలో ఉపాధి అభ్యాసాల ప్రభావాన్ని ఎలా లెక్కించాలో అర్థం చేసుకోవడానికి మేము ఆసక్తి కలిగి ఉన్నాము, తద్వారా ఇది యజమానులు, కార్మికులు - ప్రభుత్వం మరియు ప్రభుత్వేతర సంస్థలకు అత్యంత అర్థవంతమైనది. ఈ పరిశోధనలో పాల్గొనే సంస్థ ప్రతినిధులు మరియు నిర్వాహకులు తమ సంస్థ యొక్క ప్రజా స్థానాలను తెలియజేసేలా ఈ పరిశోధన రూపొందించబడింది.

### పాల్గొనేవారిని పాల్గొనమని అడుగుతారు:

✓ఒక చిన్న సర్వే. మొదటి సర్వే ప్రశ్నాపత్రం కేవలం 12 నిమిషాలు మాత్రమే పడుతుంది. అవసరమైతే రెండవ ప్రశ్నాపత్రం ఉపయోగించబడుతుంది మరియు 10 నిమిషాల కన్నా తక్కువ సమయం పడుతుంది.

✓**ఆప్షనల్ - ఒకటి లేదా రెండు ఇంటర్వ్యూలు.** పాల్గొనే వారితో మొదటి ఇంటర్వ్యూలు సెప్టెంబర్ నుండి డిసెంబర్ వరకు నిర్వహించబడతాయి మరియు గరిష్ఠంగా ఒక గంట పడుతుంది. కొంతమంది పాల్గొనే వారితో తదుపరి ఇంటర్వ్యూకి 20 నిమిషాల కంటే తక్కువ సమయం పడుతుంది.

**ఈ పరిశోధన స్థానిక పర్యవేక్షణలో అహ్మదాబాద్‌లోని గుజరాత్ ఇనిస్టిట్యూట్ ఆఫ్ డెవలప్‌మెంట్ రీసెర్చ్ (GIDR) మరియు హైదరాబాద్‌లోని గ్లోకల్ రీసెర్చ్ తో అనుబంధంగా చేపట్టబడింది. గుజరాత్ మరియు ఆంధ్రప్రదేశ్ పరిశోధకులు ఈ అధ్యయనానికి సహాయం చేస్తారు.**

స్థానాలు: ఆంధ్రప్రదేశ్, తెలంగాణ మరియు గుజరాత్

### మీము వెతుకుతున్నది:

- ధృవీకరణ పథకాలతో పని చేస్తున్న వ్యాపారాలలో సిబ్బంది మరియు నిర్వాహకులు;
- కార్పొరేట్ సామాజిక బాధ్యతపై పని చేస్తున్న వ్యాపారాలలో సిబ్బంది మరియు నిర్వాహకులు;
- పత్తి సరఫరా గొలుసులో పనిచేసే వ్యాపారాలలో నిర్వాహకులు;
- కార్మికుల సంస్థలు, సంఘ సంస్థలు, ప్రభుత్వేతర సంస్థలు; మరియు ప్రభుత్వ విభాగాలలో ప్రతినిధులు
- పత్తి వ్యవసాయం/పత్తి జిన్నింగ్ నుండి పత్తి వస్త్రానిక రంగులు వేయడం మరియు పూర్తి చేయడం వరకు వ్యాపారాలు పత్తి విలువ గొలుసు ప్రారంభంలో పనిచేస్తూ ఉండాలి
- పాల్గొనేవారు 18 సంవత్సరాలు నిండి ఉండాలి.

ఈ అధ్యయనం గురించి మరింత సమాచారం కోసం, లేదా స్వచ్ఛందంగా, ప్రధాన పరిశోధకురాలిని ఇమెయిల్ ద్వారా సంప్రదించండి:

ఆండ్రియా కరీనా ఖాన్
స్కూల్ ఆఫ్ ఇంటర్నేషనల్ డెవలప్‌మెంట్ అండ్ గ్లోబల్ స్టడీస్
ఒట్టావా, ON, కెనడా K1N 6N5,
ఇమెయిల్: ([email redacted])
వెబ్:uniweb.uottawa.ca/members/1657

దయచేసి మా సర్వే పూర్తి చేయండి: **https://www.surveymonkey.ca/r/GMHJR36**
గుజరాత్, ఆంధ్రప్రదేశ్ మరియు తెలంగాణలో పత్తి సరఫరా గొలుసులో పనిచేసే సంస్థల పరిధి గురించి మరింత తెలుసుకోవడానికి ఈ సర్వే మాకు సహాయం చేస్తుంది

ఫ్యాకల్టీ ఆఫ్ సోషల్ సైన్సెస్

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ఈ పరిశోధన పరిశోధన యొక్క నైతిక ప్రవర్తన యొక్క అంచనాలకు అనుగుణంగా ఉంటుంది. దీనిని ఒట్టావా యూనివర్సిటీ ఆఫ్ సోషల్ సైన్సెస్ అండ్ హ్యుమానిటీస్ రీసెర్చ్ ఎథిక్స్ బోర్డ్ సమీక్షించింది. ప్రాజెక్ట్ ఫైల్ # s-02-21-5106.

## A3. Letter of Information (Sample)

**Title of project: Assessing Business Efforts to Reduce Child Labour in Developing Countries: The Case of Adolescent Girls in India's Cotton Garment Industry**

This research project seeks to better understand how community-level institutions – both public institutions (State and local government) and private business institutions – affect adolescent girls working in the global cotton value chain. The focus is on the start of the value chain, from cotton farming and ginning to spinning, weaving/knitting of yarn to make textile/fabric. We hypothesize that the policies, practices, and codes of conduct that business enterprises use to manage risks related to human resources and employment can improve working conditions and reduce harm to adolescent labour, and that government institutions can moderate the strength of that relationship. For these reasons, we are interested in understanding how to measure the effects of business employment practices on child labour and adolescent labour risks, with a special focus on adolescent girls, so that these measures are most meaningful for workers, firms/organizations, and the community level. The research examines community-level institutions in two parts of India (Andhra Pradesh, Telangana, and Gujarat). The research is policy-relevant and will lead to better knowledge on how to improve community-level institutions.

The business enterprises that we will look at include business enterprises with or without sustainable cotton standards (e.g., Better Cotton, Fairtrade, GOTS, and the Organic Content Standard), including companies, farmer producer organizations, and other cotton value chain actors (i.e., cotton producers, ginners, traders, textile and garment manufacturers) and industry auditing firms. This research will engage the perspectives of other stakeholders, including government representatives responsible for labour, employment, and child protection; the inspectorate; worker representatives; trade unions; informal worker groups; and other social actors, particularly non-governmental organizations.

This research began in July 2021 and is scheduled to be completed at the end of March 2022. Following the pilot process launched in August 2021, the first phase of this research began. Desk reviews of approximately 60 businesses were completed, and follow-up research (surveys and interviews) with approximately 30 industry stakeholders was conducted.

- Participants were asked to commit 12 minutes to a survey, which was sent out starting in September.
- Follow-up interviews were organized and took approximately an hour.

As part of this second phase of the research:

- A survey will take less than 10 minutes and will be targeted at businesses located in India's top 10 cotton-growing states.
- A follow-up interview with approximately 10 businesses with locations or operations in Gujarat, Telangana, or Andhra Pradesh may take less than 20 minutes.

This research is financed by the International Development Research Centre (IDRC - a Canadian federal Crown corporation that funds research in developing countries) and the Fonds de Recherche du Québec Société et Culture (FRQSC – the province of Quebec's public granting agency for academic research). This research complies with expectations for the ethical conduct of research. **Project File #S-02-21-5106.**

This research is conducted by the School of International Development and Global Studies at the University of Ottawa in Canada. It is conducted in affiliation with the Gujarat Institute of Development Research (GIDR) in Ahmedabad and with collaboration from Glocal Research in Hyderabad. Local research assistants in Gujarat and Telangana will assist with the data collection.

As a participant in this research project, the principal investigator assures:

- You can ask the researcher any questions about any part of the research.
- You have the right to refuse to participate in this project and to refuse to answer any questions in the questionnaire or interviews.
- Your comments will remain anonymous so that neither you nor your organization will be identified unless you explicitly consent to be cited. In other words, any publication resulting from this study will not identify you by name or include any information that may permit you to be identified unless you have agreed to be identified.
- You may withdraw your participation in the research project (questionnaire, interviews) at any time. You can instruct the researcher (using the contact information below) to destroy all information gathered from you in the course of the research (questionnaire, interviews) before publication of the results of the study.

If you wish to know more about this project, please contact Andrea Khan, the principal investigator.

Andrea Carina Khan
School of International Development and Global Studies
University of Ottawa
Ottawa, Ontario
Canada K1N 6N5,
Email: ([email redacted])
Web: https://uniweb.uottawa.ca/members/1657

Inquiries about the ethical conduct of this research project may also be directed to:

Protocol Officer for Ethics in Research
Room 159 Tabaret Hall, 550 Cumberland Street, University of Ottawa, Ontario K1N 6N5, Canada
Phone: +1-613-562-5841
Email: ethics@uottawa.ca

**Please keep this document for your records. This signed information is a symbol of our commitment to ethical research.**

| | | |
|---|---|---|
| Signature<br>Andrea C. Khan,<br>Principal Investigator | Signature<br>Janatha Maolyne Uppalapati,<br>Research Assistant - Andhra Pradesh and Telangana | Signature<br>Dr. Vidhisha Moopnar,<br>Research Assistant - Gujarat |

# Appendix B
# Methods & Instruments

## B1. Primary Research Methodology

This research focused on two case studies: former unified Andhra Pradesh (now Andhra Pradesh and Telangana) and Gujarat. Research methods were adapted to the local context to consider business and child labour issues while enabling a cross-comparison of the findings. A set of surveys and interview guides was used to structure data collection and analysis. Research participants included representatives from these main categories of stakeholder groups:

- Business enterprises involved with sustainable cotton standards, corporate social responsibility, or the cotton supply chain.
- Social and solidarity economy (SSE) enterprises, including sustainable cotton standard-setting bodies and social auditing firms.
- Farmer-producer organizations (FPOs), including Small Producer Organizations (SPOs) and Farmer-Producer Companies.
- State government representatives, including labour enforcement.
- Social actors, including NGOs, child-focused, community-based, labour/worker organizations, and United Nations agencies.
- Cotton farmers and field labourers.

Surveys were conducted with a range of enterprises, including business enterprises with or without sustainable cotton standards, sustainable cotton standard-setting bodies, and FPOs. Topics covered included (a) locations and operations, (b) organizational details, (c) knowledge and experience of institutional representatives, and (d) policies and certification in place. The sample survey questionnaire is included in Appendix B2.

Follow-up key informant interviews with a range of stakeholders, including business enterprises, certification standard-setting bodies, and FPOs, were conducted to examine perspectives on child labour and identify areas of consensus and points of convergence. Additionally, key informant interviews with government representatives, social actors, cotton farmers, and field

labourers examined broader perspectives on child labour. The topics covered in the interview guide included: (a) an introduction to the organization and its role in the cotton supply chain; (b) social relations with industry stakeholders, associations, allies, and bureaucrats; (c) perspective on certification, corporate social responsibility, child and adolescent labour policies and practices, and compliance monitoring; (d) perspective on government interventions. The sample interview guide is included in Appendix B3.

**List of Research Participants Interviewed**

Identifying information has been removed to protect participants' identities. Where participants are cited by their organization or name, they have given consent for attribution.

**Table B1**

*Research Participants Who Cooperated in the Survey or Interview (N=49)*

| Participant / Code | Interview date | Type of organization | Location* |
|---|---|---|---|
| Global March Against Child Labour (pilot participant) | 27-Aug-21 | Social actor | New Delhi |
| Glocal Research (pilot participant) | 31-Aug-21 | Social actor | Telangana |
| 03IN1N21 (pilot participant) | 3-Sept-21 | Certification standard-setting body | International |
| 04IN1N21 (pilot participant) | 6-Sept-21 | Certification standard-setting body | International |
| MV Foundation (pilot participant) | 22-Sept-21 | Social actor | Telangana |
| 06IN1N21 | 5-Oct-21 | Certification standard-setting body | International |
| SeedWorks International Pvt Ltd | 6-Sept-21 | Business: Tier 4 Cottonseeds | Telangana |
| Arvind Ltd | 11-Oct-21 | Business: Tier 2 Textiles | Gujarat |
| Prayas Centre for Labour Research and Action | 14-Oct-21 | Social actor | Rajasthan |
| 10IN1T21 | 18-Oct-21 | Business: Tier 4 Cottonseeds | Telangana |
| 11IN1T21 | 21-Oct-21 | Business: Tier 4 Cottonseeds | Telangana |

| Participant / Code | Interview date | Type of organization | Location* |
|---|---|---|---|
| Pratibha Syntex Ltd | 11-Nov-21 | Business: Tier 2 Textiles | Madhya Pradesh |
| 13IN1T21 | 20-Nov-21 | SSE enterprise | Telangana |
| Bachpan Bachao Andolan | 22-Nov-21 | Social actor | Gujarat |
| 15IN1N21 | 23-Nov-21 | Certification standard-setting body | International |
| Narasimha Reddy Donthi | 24-Nov-21 | Social actor | Telangana |
| 17IN1G21 | 30-Nov-21 | Business: Tier 4 Farmer producers | Gujarat |
| Self Employed Women's Association (SEWA) | 14-Dec-21 | Social actor | Gujarat |
| HomeNet South Asia | 17-Dec-21 | Social actor | New Delhi |
| 21IN1N21 | 5-Jan-22 | SSE enterprise | International |
| 22IN1G21 | 18-Jan-22 | Business: Tier 4 Farmer producers | Telangana |
| Bachpan Bachao Andolan | 15-Dec-21 | Social actor | Telangana |
| Bachpan Bachao Andolan | 21-Dec-21 | Social actor | Andhra Pradesh |
| 30IN1N21 | 2-Feb-22 | SSE enterprise | International |
| 31IN1N22 | 19-Jan-22 | Certification standard-setting body | International |
| 32IN1N22 | 31-Jan-22 (survey) | Business: Tier 2 Textiles | Andhra Pradesh and Telangana |
| 35IN1T21 | 3-Dec-21 (survey) | Social actor | Telangana |
| 37IN1N22 | 25-Feb-22 | Certification standard-setting body | International |
| Satvik – Promoting Ecological Farming | 9-Mar-22 | Social actor | Gujarat |
| 39IN1G22 | 26-Mar-22 | Business: Tier 3 Spinning | Gujarat |
| 40IN1G22 | 28-Mar-22 | Social actor | Gujarat |
| 41IN1N22 | 30-Mar-22 | Social actor | New Delhi |
| 42IN1N21 | 30-Sept-21 | Certification standard-setting body | International |
| 43IN1G21 | 6-Dec-21 | Business: Tier 4 Cottonseeds | Gujarat |

| Participant / Code | Interview date | Type of organization | Location* |
|---|---|---|---|
| 44IN1T21 | 13-Dec-21 | Business: Tier 4 Cottonseeds | Telangana |
| Fairtrade India Project | 6-Apr-22 | SSE enterprise | New Delhi |
| 46IN2T22 | 7-Apr-22 | Social actor | Andhra Pradesh and Telangana |
| 47IN1A22 | 11-Apr-22 | Business: Tier 4 Ginning | Gujarat |
| 49IN1N22 | 19-Apr-22 | Social actor | New Delhi |
| 50IN1T22 | 14-Apr-22 | Social actor | New Delhi |
| 51IN1N22 | 29-Apr-22 | Social actor | Gujarat |
| 52IN1N22 | 6-May-22 | Certification standard-setting body | International |
| 53IN1G22 | 12-May-22 | Business: Tier 2 Textiles | Gujarat and Telangana |
| 55IN1G22 | 20-Jun-22 | Social actor | Gujarat |

* In this table, "location" refers to the office location where the research participant is based. It does not refer to the location of all satellite offices or operations.

## Table B2

*Surveys and Interviews by Organization Type*

| Type of enterprise | Total Surveys | # Interviews | | | | | Total People | Total Organizations |
|---|---|---|---|---|---|---|---|---|
| | | AP | TG | GJ | Other | Total | | |
| Enterprises | | | | | | | | |
| Business – Tier 4: Farmer producers | **2** | 0 | 1 | 1 | 0 | **2** | **2** | **2** |
| Business – Tier 4: Cottonseeds | **5** | 0 | 4 | 1 | 0 | **5** | **6** | **3** |
| Business – Tier 4: Ginning | **1** | 0 | 0 | 1 | 0 | **1** | **1** | **1** |
| Business – Tier 3: Spinning | **1** | 0 | 0 | 1 | 0 | **1** | **1** | **1** |
| Business – Tier 2: Textiles | **3** | 0 | 2 | 2 | 1 | **4** | **6** | **3** |
| Subtotal: business enterprises | **12** | **0** | **7** | **6** | **1** | **13** | **16** | **10** |
| SSE enterprises | | | | | | | | |
| Certification standard-setting bodies | 4 | 0 | 0 | 0 | 8 | 8 | 9 | 4 |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| SSE enterprise: other | **2** | 1 | 1 | 0 | 3 | **4** | **7** | **4** |
| Subtotal: SSE enterprises | **6** | **1** | **1** | **0** | **11** | **12** | **16** | **8** |
| Other organizations | | | | | | | | |
| Government representatives | **4** | - | - | - | - | **5** | **5** | **5** |
| Social actors: Child-focused agencies | **4** | 2 | 3 | 2 | 3 | **9** | **11** | **9** |
| Social actors: other | **7** | 2 | 2 | 4 | 3 | **10** | **12** | **8** |
| Subtotal: other organizations | **15** | **5** | **7** | **7** | **7** | **24** | **28** | **22** |
| **Total** | **33** | **6** | **15** | **13** | **19** | **49** | **60** | **40** |

*Note.* AP = Andhra Pradesh; TG = Telangana; GJ = Gujarat.
Numbers may not round. Some organizations have locations in more than one state.

# B2. Survey Questionnaire (Sample)

## Sample of the First Survey Questionnaire




A study on how both public and private business institutions affect adolescent girls in employment in cotton value chains [Screener Survey]

Welcome to My Survey

**A study on the cotton garment industry in Gujarat, Telangana and Andhra Pradesh**

I am a researcher from the University of Ottawa, in Canada; and I am the principal investigator for a research project on how both public and private institutions affect adolescent girls in employment in India's cotton value chains. My research project is undertaken in affiliation with the Gujarat Institute of Development Research (GIDR) and in collaboration with Glocal Research in India. The research assistants who are helping me with the fieldwork include Dr. Vidhisha Moopnar in Gujarat and Janatha Maolyne Uppalapati in Telangana.

We are looking for managers at business enterprises, and representatives of worker organizations, non-governmental organizations and government departments to participate in this study and get their views. This research is designed so that the representatives and managers participating in this research are expected to convey the public positions of their organization.

This survey will help us learn more about the range of business and non-business players working in the cotton supply chains in Andhra Pradesh, Gujarat and Telangana, including the business policies and certifications in place. It will also enable you to determine if you are interested to participate in follow-up interviews and a second-round questionnaire. We hope to speak with approximately 60 industry stakeholders in the next phase of this research project in August and September, which requires that you commit 30-60 minutes of your time to an interview, depending on the type of organization you represent. The research team will be sensitive to time pressures on participants as the research is carried out. We would require some participants to take part in a second interview in October (less than 20 minutes of your time). Only if required, a second questionnaire in October would take less than 10 minutes.

For more information, we have drafted an information letter ( pdf) and a consent letter ( pdf).

Thank you for your time and consideration.

Andrea Carina Khan (Principal Investigator), July 2021
School of International Development and Global Studies
University of Ottawa
Ottawa, Ontario, Canada K1N 6N5
Email: ([email redacted])
Web: https://uniweb.uottawa.ca/members/1657

### *Questions for All Respondents*

**Opening questions**

*1. Do you agree to the above terms? By clicking Yes, you consent that you are willing to answer the questions in this survey.

*2. Contact information

3. Please select the locations of your organization or business enterprise's operations, programs, or projects (select as many as apply)

**Locations**

4. If applicable, in which districts of Andhra Pradesh does your organization or business enterprise have operations, programs, or projects (select as many as apply):

5. If applicable, in which districts of Gujarat does your organization or business enterprise have operations, programs, or projects (select as many as apply):

6. If applicable, in which districts of Telangana does your organization or business enterprise have operations, programs, or projects (select as many as apply):

**Inclusion criteria (all respondents)**

7. What is your gender?

*8. Please confirm: Are you above 18 years of age?

9. Does your organization have a particular strategy for recruitment to ensure social inclusion and community engagement?

10. In what capacity is your organization associated with activities in the cotton industry?
❒ My organization is a business enterprise in the cotton value chain
❒ My organization affects the activities of business enterprises in the cotton value chain
❒ My organization is affected by business enterprises in the cotton value chain
❒ My organization engages in social activities with business enterprises in the cotton value chain
❒ My organization engages in political activities with business enterprises in the cotton value chain
❒ My organization engages in a regulatory capacity with business enterprises in the cotton value chain
❒ None of the above

**Organizational and individual details (all respondents)**

11. In which part(s) of the supply chain is your organization active? Select as many as apply:
❒ Hybrid cottonseed production
❒ Cotton growing and harvesting of organic seed cotton (i.e., to produce raw fibre)
❒ Ginning of cotton lint (i.e., to remove seed to produce baled fibre)
❒ Trading (i.e., of baled cotton fibre)
❒ Spinning cotton fibres (i.e., to make yarn)
❒ Weaving or knitting cotton yarn (i.e., to make bolts of fabric/textile)
❒ Processing (dyeing and finishing) of fabric/textile (i.e., to make bolts of fabric)
❒ Garment production (i.e., including cutting, sewing, trimming_
❒ Embroidery
❒ Garment printing, garment washing
❒ Warehousing, shipping of garments, and retail
❒ Other (please specify)

12. What is the type of business, worker organization, non-governmental organization, or civil society organization that you are representing?
❒ We are a local or community-based organization
❒ We are a national organization
❒ We are an international organization
❒ Other (please specify)

13. What is the scale of your organization or business enterprise? (Micro / Small / Medium / Large / Other (please specify)

14. Identify if you have experience with any of these topics:
- ❒ Corporate social responsibility policies
- ❒ Certification standards or auditing
- ❒ Human resources
- ❒ Working conditions or labour standards
- ❒ Human rights
- ❒ Children in employment, child labour, adolescent labour, or young workers
- ❒ Community engagement
- ❒ Gender equality and non-discrimination
- ❒ None of the above

15. Rank your knowledge and experience of corporate social responsibility, working conditions, child labour, certification standards, and community engagement.

| | Novice | Advanced beginner | Competent | Proficient | Expert | N/A |
|---|---|---|---|---|---|---|
| Corporate social responsibility | ❍ | ❍ | ❍ | ❍ | ❍ | ❍ |
| Working conditions | ❍ | ❍ | ❍ | ❍ | ❍ | ❍ |
| Child labour and adolescent labour | ❍ | ❍ | ❍ | ❍ | ❍ | ❍ |
| Certification standards | ❍ | ❍ | ❍ | ❍ | ❍ | ❍ |
| Community relations | ❍ | ❍ | ❍ | ❍ | ❍ | ❍ |

16. Using broad terms, which category does your organization fall into?
- ❒ Business or business enterprise
- ❒ Farmer producer organization or family producer company
- ❒ Certification body or standard-setting body
- ❒ Workers organization
- ❒ Government department
- ❒ Non-governmental organization
- ❒ Civil society organization
- ❒ Other (please specify)

17. Using narrower terms, what is the type of enterprise that you are representing? Select as many as apply:
- ❒ Indian owned company
- ❒ Multinational enterprise
- ❒ Family-owned company
- ❒ Limited company
- ❒ State-owned company
- ❒ Cooperative
- ❒ Social enterprise
- ❒ Agricultural cotton producer/enterprise
- ❒ Manufacturing enterprise
- ❒ Smallholder farmer
- ❒ Medium farm operation
- ❒ Large farm operation
- ❒ Ginner
- ❒ Trader
- ❒ Textile manufacturer
- ❒ Auditing firms, including specialized industry auditing firms
- ❒ Fairtrade body
- ❒ Farmer-producer organization
- ❒ Farmer producer company

- ❒ Small producer organization or Fairtrade producer organization
- ❒ Handloom organization
- ❒ Employers' organization
- ❒ Farmer group
- ❒ Other (please specify)

18. This question applies mainly to businesses or enterprises: Does your business enterprise have a corporate social responsibility (CSR) policy or Environmental, Social and Corporate Governance (ESG) framework in place?

19. This question applies mainly to businesses or enterprises: Does your business or enterprise have an industry certification standard in place? Select as many as apply:

- ❒ No - no certification standard
- ❒ Better Cotton Standard
- ❒ Fairtrade
- ❒ Organic cotton: Global Organic Textile Standard (GOTS)
- ❒ Organic cotton: Organic Content Standard (OCS)
- ❒ Recycled cotton (Recycled Claim Standard (RCS), Global Recycled Standard (GRS) or SCS Recycled
- ❒ Content Standard
- ❒ ISCC (International Sustainability and Carbon Certification)
- ❒ SA8000 Standard certified
- ❒ European Union Eco Label or Organic Regulation
- ❒ Oeko-Tex Standards, including OEKO-TEX Standard 100 and MADE IN GREEN
- ❒ bioRe
- ❒ Other (please specify)

20. This question applies mainly to businesses, enterprises, and certification bodies. Choose all that apply to your business, enterprise, or certification body:

- ❒ We do not have a child labour policy, and I can confidently say there is no child labour in our supply chains.
- ❒ We do not have a child and adolescent labour policy, and I can say with confidence that there is no child labour and hazardous adolescent labour in our supply chains.
- ❒ We do not have a child and adolescent labour policy, but the prohibition of child labour and hazardous adolescent labour is mentioned in other policies.
- ❒ We do not have a child and adolescent labour policy, but we are working toward drafting one.
- ❒ We have a child labour policy, but it does not include hazardous adolescent labour.
- ❒ We have a child and adolescent labour policy.
- ❒ We have a child and adolescent labour policy, and our supplier code of conduct explicitly refers to child and adolescent labour.

***A question only for Worker/Labour Organizations***

21. This question is for worker organizations. Using narrower terms, what type of worker organization are you representing? Select as many as apply:

- ❒ Trade union
- ❒ Informal worker group
- ❒ Home-based worker group
- ❒ Handloom organization
- ❒ Other (please specify)

***Questions for All Respondents***

**Government enforcement**

22. Labour inspections: How would you describe the state's capacity for strategic and targeted labour inspections relevant to children or adolescents in employment, child and adolescent workers, and child labour, including the worst forms of child labour?

| | High: There are strategically targeted labour inspections | Medium: There are routine labour inspections | Low: There are few labour inspections | No opinion |
|---|---|---|---|---|
| Union government (India) | ❍ | ❍ | ❍ | ❍ |
| Andhra Pradesh | ❍ | ❍ | ❍ | ❍ |
| Gujarat | | | | |
| Telangana | ❍ | ❍ | ❍ | ❍ |

23. Labour law penalties and instruction: How would you describe the state's capacity to respond to child and adolescent labour law violations with credible penalties and instruction?

| | High: Responses to labour violations combine credible penalties with other tools. | Medium: Responses to labour violations sometimes include penalties or instructions | Low: Penalties are not credible, and/or regulators do not take steps to help firms comply. | No opinion |
|---|---|---|---|---|
| Union government (India) | ❍ | ❍ | ❍ | ❍ |
| Andhra Pradesh | ❍ | ❍ | ❍ | ❍ |
| Gujarat | | | | |
| Telangana | ❍ | ❍ | ❍ | ❍ |

24. Information about labour law violations: How would you describe the state's capacity to systematically and actively generate information about labour law violations relevant to children or adolescents in employment, child and adolescent workers, and child labour, including the worst forms of child labour?

| | High: Regulators systematically and actively generate information about labour violations. | Medium: Regulators generate a steady flow of information about labour violations | Low: Regulators generate very little information, if any, about labour violations | No opinion |
|---|---|---|---|---|
| Union government (India) | ❍ | ❍ | ❍ | ❍ |
| Andhra Pradesh | ❍ | ❍ | ❍ | ❍ |
| Gujarat | | | | |
| Telangana | ❍ | ❍ | ❍ | ❍ |

25. Criminal investigation, penalties, and instruction: How would you describe the state's capacity to respond with criminal investigations into child and adolescent labour violations, including the worst forms of child labour?

| | High: Responses to criminal law violations combine credible penalties with other tools. | Medium: Responses to criminal violations sometimes include penalties or instructions | Low: Penalties are not credible, and/or regulators do not take steps to help firms comply. | No opinion |
|---|---|---|---|---|

| | | | | |
|---|---|---|---|---|
| Union government (India) | ❍ | ❍ | ❍ | ❍ |
| Andhra Pradesh | ❍ | ❍ | ❍ | ❍ |
| Gujarat | | | | |
| Telangana | ❍ | ❍ | ❍ | ❍ |

26. Information about criminal law violations: How would you describe the state's capacity to generate information about criminal law enforcement to enforce child and adolescent labour laws, including laws related to the worst forms of child labour?

| | High: Regulators systematically and actively generate information about criminal law violations. | Medium: Regulators generate a steady flow of information about criminal law violations | Low: Regulators generate very little information, if any, about criminal law violations | No opinion |
|---|---|---|---|---|
| Union government (India) | ❍ | ❍ | ❍ | ❍ |
| Andhra Pradesh | ❍ | ❍ | ❍ | ❍ |
| Gujarat | | | | |
| Telangana | ❍ | ❍ | ❍ | ❍ |

27. Do you or your organization have an opinion on the Child and Adolescent Labour (Prohibition and Regulation) Act of 1986, as amended in 2016? Please specify.

❒ Yes: _____
❒ No: _____
❒ I do not wish to answer at this time.

28. Are there particular gaps in public policies for adolescent girls (14-17) working in the cotton sector? (Yes / No / No opinion)

| | Yes | No | No opinion |
|---|---|---|---|
| Union government (India) | ❍ | ❍ | ❍ |
| Andhra Pradesh | ❍ | ❍ | ❍ |
| Gujarat | | | |
| Telangana | ❍ | ❍ | ❍ |

29. What are the gaps in public policies for adolescent girls (14-17) working in the cotton sector? Please specify.

| |
|---|
| Union government (India): |
| Andhra Pradesh: |
| Gujarat: |
| Telangana: |

***Questions only for Government Representatives***

30. This question is for government representatives: Using narrower terms, what is the type of the government organization that you are representing.

| | Union/Central Government Ministry | **State Government** Department | **Urban area Municipal Corporation, Municipality or** Town Council | **Rural area Zilla Parishad (at** district-level) | **Rural area Gram Panchayat** (village-level |
|---|---|---|---|---|---|
| Agriculture | ❍ | ❍ | ❍ | ❍ | ❍ |
| Education | ❍ | ❍ | ❍ | ❍ | ❍ |
| Health & Family Welfare | ❍ | ❍ | ❍ | ❍ | ❍ |
| Home Affairs & Enforcement, including the human rights commissioner, police | ❍ | ❍ | ❍ | ❍ | ❍ |
| Industries, including micro, SMEs, corporate governance, manufacturing, and textiles | ❍ | ❍ | ❍ | ❍ | ❍ |
| Labour & Employment | ❍ | ❍ | ❍ | ❍ | ❍ |
| Labour Inspection | ❍ | ❍ | ❍ | ❍ | ❍ |
| Law & Justice | ❍ | ❍ | ❍ | ❍ | ❍ |
| Rural, including rural employment, development, and Panchayat Raj | ❍ | ❍ | ❍ | ❍ | ❍ |
| Social Development and Social Welfare | ❍ | ❍ | ❍ | ❍ | ❍ |
| Youth Advancement | ❍ | ❍ | ❍ | ❍ | ❍ |

**Closing questions**

31. This research project will require you to share openly about children and young workers in employment, including the risks of child and adolescent labour. Do you agree to share honestly about these subjects?

32. Are you and your organization interested in participating in the study?

33. Are you and your organization able and willing to participate in the next phase of the research project over the next three months? This would require you to commit 30-60 minutes of your time to an interview in November or December. We may also ask you to take part in a second interview in December (less than 20 minutes of your time) and, if required, a second online survey in December (less than 10 minutes).

34. Are you able and willing to be interviewed where your computer/phone and internet are available?

35. This research study will benefit from your sharing a copy of your business's policy on child labour. Would your organization agree to share this information?

36. Would you like the information that you have shared through this screener survey to remain entirely anonymous in the study, or can I quote you and your organization?

❒ Yes, I am giving my permission for attribution: you can quote my organization and me.

- ❒ Anonymous identity: You can quote my organization, but my identity should not be revealed
- ❒ Entirely anonymous: You may not quote my organization or me
- ❒ I do not want to answer at this time (this means that we will not reveal you or your organization unless you provide consent at a later time)
- ❒ Other (please specify)

***Questions only for Farmer-Producer Organizations or Farmer-Producer Companies***

1. If you represent a farmer-producer organization or company, then what is the size of your producer organization? (Please specify)

Number of staff: _____
Number of local representatives: _____
Number of state locations: _____
Number of district locations: _____
Number of village locations: _____
Total Number of Farmer Interest Groups (FIGs): _____
Total Number of Women Farmer Interest Groups: _____
Number of farmer shareholders: _____
Proportion of farmer shareholders who are women: _____

2. Does your organization have any of the following departments?

| | We have a department or team. | We have one or more dedicated staff members | We do not have this function in our organization | We rely on external consultants for this function |
|---|---|---|---|---|
| Human resources department | ❍ | ❍ | ❍ | ❍ |
| Corporate social responsibility team | ❍ | ❍ | ❍ | ❍ |
| Legal department | ❍ | ❍ | ❍ | ❍ |
| Other (please specify): _____ | | | | |

3. Do you work with multiple companies in the cotton supply chain? Or do you work with one company?

| | Multiple companies | One company | N/A |
|---|---|---|---|
| Seed companies | ❍ | ❍ | ❍ |
| Ginning | ❍ | ❍ | ❍ |
| Spinning | ❍ | ❍ | ❍ |

4. Which of these seed companies are you buying your cottonseeds from? (Select as many as apply)

- ❒ Kaveri Seeds
- ❒ Krishak Bharati Cooperative Ltd (KRIBHCO)*
- ❒ Limagrain India Pvt Ltd (including Bisco Bio Sciences) *
- ❒ Mahyco Monsanto Biotech (India) Pvt Ltd
- ❒ Namdhari Seeds
- ❒ Nuziveedu Seeds
- ❒ Rasi Seeds
- ❒ SeedWorks International Pvt Ltd
- ❒ Tierra Seed Science
- ❒ Ankur Seeds Pvt Ltd
- ❒ Corteva Agriscience*
- ❒ East-West Seed India Pvt Ltd(
- ❒ Kalash Seeds Pvt Ltd
- ❒ Krishidhan Seeds Pvt Ltd

❒ Other (please specify)

5. Have there been any awareness programs on matters related to child labour and adolescent labour?

6. Please provide more details on the awareness-raising camps relevant to child labour:
(a) Who organized? _____
(b) Was this a collaboration with a business, government, or worker group, or a non-government organization, or local community organization? _____
(c) When did the awareness camps take place? _____
(d) Were the camps organized at the village, district, or state level, or otherwise? _____
(e) What were the key messages? _____

**Child labour and adolescent labour policy**

7. Please describe your policies and procedures for child labour and adolescent labour.

8. How does your organization show respect for the minimum age for employment standards? Please answer the following questions:

| | No age | 14 | 15, or 14 as exception | 15 | 16 | 17 | 18 |
|---|---|---|---|---|---|---|---|
| What is your organization's minimum age for admission to employment for children? | ❍ | ❍ | ❍ | ❍ | ❍ | ❍ | ❍ |
| What is your organization's minimum age for hazardous work or for permitting work in hazardous occupations or processes? | ❍ | ❍ | ❍ | ❍ | ❍ | ❍ | ❍ |

9. Does your business specify the number of hours of work that adolescents may undertake?
No / Yes (please specify the number of hours of work permitted): _____

10. Does your organization recognize the different forms of work performed by children and adolescents, including distinctions by status of employment, such as informal employment or family work? No / Yes (please specify what different forms of work are recognized)

11. Does your organization have procedures for identifying and addressing the "worst forms of child labour" for all children below age 18? No / Yes (please outline the procedures)

12. How does your organizational policy define the "worst forms of child labour"?

13. Does your business have a policy or code of conduct on protection from discrimination, violence, exploitation, and abuse (including sexual harassment), which aims to protect workers, including children and adolescents, from harm? No / Yes (please specify what is included in the policy)

14. In 2016, the Government of India amended the Child and Adolescent Labour (Prohibition and Regulation) Act of 1986. Has there been a process to update your child labour and adolescent labour policy based on the changes? If yes, please specify:

15. Is anything specific to child and adolescent workers covered in your contracts with suppliers? Please specify:

16. Have you had any situations where adolescents below the age of 18 were seen working in hazardous work? If yes, how did you investigate, manage, and respond to this report or grievance? No / Yes (please specify)

17. What is the position of the authority that monitors or audits child and adolescent labour in your business supply chain? Which of the following is most accurate?
❒ We use an internal audit process (i.e., a first-party audit) conducted by an employee in our organization or by a consultant we have hired.

- ❒ We use an internal second-party validation process (i.e., a second-party audit) that includes a formalized review of documents submitted by contractors/suppliers.
- ❒ We use a third-party verification process (not certified, e.g., Better Cotton).
- ❒ We use third-party auditing or monitoring processes (e.g., independent or external audits, such as Fairtrade, GOTS, and OCS). (Note: this may include a certification or re-certification audit).
- ❒ We use a combination of different actors.
- ❒ We use external monitoring by NGOs.
- ❒ We comply with external monitoring by government legal authorities, including labour inspectors.
- ❒ Other (please specify)

18. What actions does your organization take in the case of non-conformity by contractors or sub-contractors to the rules, policy, or certification standard, particularly as this relates to child labour or adolescent labour?

| | None, we do not take any actions. There are no large implications | There is a warning, possible exclusion from membership, fine, or demand for corrective action | The situation may result in us severing the relationship or cancelling the contract | N/A |
|---|---|---|---|---|
| Contractors who use forms of child labour are not tolerated under our policy. | ❍ | ❍ | ❍ | ❍ |
| Sub-contractors who use forms of child labour are not tolerated under our policy. | ❍ | ❍ | ❍ | ❍ |
| Contractors who use forms of adolescent labour are not tolerated under our policy. | ❍ | ❍ | ❍ | ❍ |
| Sub-contractors who use forms of adolescent labour are not tolerated under our policy. | ❍ | ❍ | ❍ | ❍ |
| Other (please specify): _____ | | | | |

# Sample of the Second Survey Questionnaire

Université d'Ottawa | University of Ottawa

## Study on how businesses and public institutions affect adolescent girls in employment in cotton value chains

### Welcome to My Survey

**Assessing business efforts to reduce child and adolescent labour in developing countries: the case of adolescent girls in India's cotton garment industry**

You are invited to participate in the above mentioned research study conducted by Andrea Carina Khan. This project is funded by the International Development Research Centre (IDRC - a Canadian federal Crown corporation that funds research in developing countries), and the Fonds de Recherche du Québec Société et Culture (FRSCQ – the province of Quebec's public granting agency for academic research). This research complies with expectations for the ethical conduct of research. This study is undertaken in affiliation with the Gujarat Institute of Development Research (GIDR) and in collaboration with Glocal Research in India. The research assistants who are helping me with the fieldwork include Dr. Vidhisha Moopnar in Gujarat and Janatha Maolyne Uppalapati in Telangana.

**Participation**: If you wish to participate in this research project, please complete this survey. The survey should take you approximately 10 minutes to complete. You do not have to answer any questions that you do not want to answer. Once you have completed the questionnaire, please remember that you have to select "submit" it by selecting "next". If we do not receive it by said date, we may send you a notice of reminder. There are five pages to this survey: 1) Welcome message, 2) Contact information and locations; 3) Organization and individual details, 4) Business policies and certification, and 5) Closing question and consent form.

**Purpose of the Study:** From this research, we wish to learn how community-level institutions – both public institutions (State and local government) and private business institutions – affect adolescent girls working in the global garments value chain. The focus is on the start of the value chain, from the farming/ginning of cotton, spinning, weaving/knitting of yarn to the dyeing and finishing of fabric. In this second phase of the study, we wish to engage managers and representatives at farmer producer organizations, ginning operations, spinning and textile mills, and garment companies. We are looking for large, medium and small businesses to participate, including enterprises producing for the domestic or export market. This research is designed so that the representatives and managers participating in this research are expected to convey the public positions of their organization.

**Benefits of your participation:** The possible benefits of this research are that it may give you an opportunity to validate your business practices, experience and opinions through a research project. There is a chance that there is no direct benefit to you for taking part in this research, but your response will help us understand intervention strategies to improve the impact of policies and certification standards on labour and working conditions.

**Confidentiality and Anonymity**: The information that you will share will remain strictly confidential and will be used solely for the purposes of this research. Your answers to open-ended questions may be used as verbatim in presentations and publications but neither you (nor your organization) will be identified, unless you have explicitly consented to having your identity revealed in the publication outputs that are associated with this research.

For more information, we have drafted an information letter (pdf) and a consent letter (pdf). If you have questions, then please email me at

Andrea Carina Khan (Principal Investigator), July 2021
School of International Development and Global Studies
University of Ottawa
Ottawa, Ontario, Canada K1N 6N5
Email: ([email redacted])
Web: https://uniweb.uottawa.ca/members/1657

* 1. Please confirm: are you are above 18 years of age?

- ◯ Yes
- ◯ No

2. What is your gender?

- ◯ Female
- ◯ Male

3. Please select the locations of your organization or business enterprise's operations, programs and projects (select as many as apply):

- ☐ Andhra Pradesh
- ☐ Madhya Pradesh
- ☐ Rajasthan
- ☐ Gujarat
- ☐ Maharashtra
- ☐ Tamil Nadu
- ☐ Haryana
- ☐ Odisha
- ☐ Telangana
- ☐ Karnataka
- ☐ Punjab
- ☐ Other states of India. Or other countries around the world(please specify)

4. Do you agree to the above terms?

You do not have to answer any questions that you do not want to answer. (At the end of the survey we ask if you would like the information to remain entirely anonymous in the study, or if I can quote you or your organization)

- ◯ Yes
- ◯ No

## Part 1: locations

5. If applicable, in which districts of Andhra Pradesh does your organization or business enterprise have operations, programs or projects (select as many as apply):

- ☐ Anantapur
- ☐ Krishna
- ☐ Visakhapatnam
- ☐ Chittoor
- ☐ Kurnool
- ☐ Vizianagaram
- ☐ East Godavari
- ☐ Sri Potti Sriramulu Nellore
- ☐ West Godavari
- ☐ Guntur
- ☐ Prakasam
- ☐ YSR District, Kadapa (Cuddapah)
- ☐ Srikakulam

6. If applicable, in which districts of Gujarat does your organization or business enterprise have operations, programs or projects (select as many as apply):

- [ ] Ahmedabad
- [ ] Amreli
- [ ] Anand
- [ ] Banaskantha (Palanpur)
- [ ] Bharuch
- [ ] Bhavnagar
- [ ] Botad
- [ ] Chhota Udepur
- [ ] Dahod
- [ ] Dangs (Ahwa)
- [ ] Devbhoomi Dwarka
- [ ] Gandhinagar
- [ ] Gir Somnath
- [ ] Jamnagar
- [ ] Junagadh
- [ ] Kachchh
- [ ] Kheda (Nadiad)
- [ ] Mahisagar
- [ ] Mehsana
- [ ] Morbi
- [ ] Narmada (Rajpipla)
- [ ] Navsari
- [ ] Panchmahal (Godhra)
- [ ] Patan
- [ ] Porbandar
- [ ] Rajkot
- [ ] Sabarkantha (Himmatnagar)
- [ ] Surat
- [ ] Surendranagar
- [ ] Tapi (Vyara)
- [ ] Vadodara
- [ ] Valsad

7. If applicable, in which districts of Telangana does your organization or business enterprise have operations, programs or projects (select as many as apply):

- [ ] Adilabad
- [ ] Bhadradri Kothagudem
- [ ] Hyderabad
- [ ] Jagtial
- [ ] Jangaon
- [ ] Jayashankar Bhupalapally
- [ ] Jogulamba Gadwal
- [ ] Kamareddy
- [ ] Karimnagar
- [ ] Khammam
- [ ] Kumarambheem Asifabad OR Komaram Bheem Asifabad
- [ ] Mahabubabad
- [ ] Mahabubnagar
- [ ] Mancherial
- [ ] Medak
- [ ] Medchal–Malkajgiri or Medchal
- [ ] Nagarkurnool
- [ ] Nalgonda
- [ ] Nirmal
- [ ] Nizamabad
- [ ] Peddapalli
- [ ] Rajanna Sircilla
- [ ] Ranga Reddy
- [ ] Sangareddy
- [ ] Siddipet
- [ ] Suryapet
- [ ] Vikarabad
- [ ] Wanaparthy
- [ ] Warangal Rural
- [ ] Warangal Urban
- [ ] Yadadri Bhuvanagir

## Part 2: Organizational and individual details

8. In which part(s) of the supply chain is your organization active? Select as many as apply:

- [ ] Hybrid cottonseed production
- [ ] Cotton growing and harvesting of organic seed cotton (i.e., to produce raw fiber)
- [ ] Ginning of cotton lint (i.e., to remove seed to produce baled fiber)
- [ ] Trading (i.e., of baled cotton fiber)
- [ ] Spinning cotton fibers (i.e., to make yarn)
- [ ] Weaving or knitting cotton yarn (i.e., to make bolts of fabric/textile)
- [ ] Processing (dyeing and finishing) of fabric/textile (i.e., to make bolts of fabric)
- [ ] Garment production (i.e., including cutting, sewing, trimming_
- [ ] Embroidery
- [ ] Garment printing, garment washing
- [ ] Warehousing, shipping of garments, retail
- [ ] Other (please specify)

9. Using broad terms, which category does your organization or enterprise fall into?

- ○ Business or business enterprise
- ○ Farmer producer organization or family producer company
- ○ Certification body or standard setting body
- ○ Workers organization
- ○ Government department
- ○ Non-governmental organization
- ○ Civil society organization
- ○ Other (please specify)

10. Which of the following best describes your organization or enterprise?

- [ ] We are a local or community-based organization
- [ ] We are a national organization
- [ ] We are an international organization
- [ ] Other (please specify)

11. What is the scale of your organization or business enterprise?

- ○ Micro
- ○ Small
- ○ Medium
- ○ Large
- ○ Other (please specify)

12. Using narrower terms, what is the type of organization or business enterprise that you are representing? Select as many as apply:

- [ ] Indian owned company
- [ ] Multinational enterprise
- [ ] Family-owned company
- [ ] Limited company
- [ ] State-owned company
- [ ] Cooperative
- [ ] Social enterprise
- [ ] Agricultural cotton producer / enterprise
- [ ] Manufacturing enterprise
- [ ] Smallholder farmer
- [ ] Medium farm operation
- [ ] Large farm operation
- [ ] Ginner
- [ ] Trader
- [ ] Textile manufacturer
- [ ] Auditing firm including specialized industry auditing firm
- [ ] Fairtrade body
- [ ] Farmer producer organization
- [ ] Farmer producer company

- [ ] Small producer organization, or Fairtrade producer organization
- [ ] Handloom organization
- [ ] Employers organization
- [ ] Farmer group
- [ ] Other (please specify)

13. If you represent a farmer producer organization or company, then what is the size of your producer organization? (Please specify)

| | |
|---|---|
| Number of staff | |
| Number of local representatives | |
| Number of state locations | |
| Number of district locations | |
| Number of village locations | |
| Total Number of Farmer Interest Groups (FIGs) | |
| Total Number of Women Farmer Interest Groups (FIGs) | |
| Number of farmer shareholders | |
| Proportion of farmer shareholders who are women | |

14. Identify if you have experience with any of these topics:

- [ ] Corporate social responsibility policies
- [ ] Certification standards or auditing
- [ ] Human resources
- [ ] Working conditions or labour standards
- [ ] Human rights
- [ ] Children in employment, child labour, adolescent labour, or young workers
- [ ] Community engagement
- [ ] Gender equality and non-discrimination
- [ ] None of the above

15. Rank your knowledge and experience of corporate social responsibility, working conditions, child labour, certification standards and community engagement.

| | Novice | Advanced beginner | Competent | Proficient | Expert | N/A |
|---|---|---|---|---|---|---|
| Corporate social responsibility | ○ | ○ | ○ | ○ | ○ | ○ |
| Working conditions | ○ | ○ | ○ | ○ | ○ | ○ |
| Child labour and adolescent labour | ○ | ○ | ○ | ○ | ○ | ○ |
| Certification standards | ○ | ○ | ○ | ○ | ○ | ○ |
| Community relations | ○ | ○ | ○ | ○ | ○ | ○ |

16. Does your organization have any of the following departments?

| | We have a department or team | We have one or more dedicated staff | We do not have this function at our organization | We rely on external consultants for this function |
|---|---|---|---|---|
| Human resources department | ○ | ○ | ○ | ○ |
| Corporate social responsibility team | ○ | ○ | ○ | ○ |
| Supply chain department | ○ | ○ | ○ | ○ |
| Legal department | ○ | ○ | ○ | ○ |

17. Does your business enterprise have any of the following policies or reporting programs in place? Are they publicly available on your website, or not? Would you be willing to share these policies or reports?

| | We have this policy or reporting program | This policy or report is publicly available on our website | This policy or report is available upon request |
|---|---|---|---|
| Corporate social responsibility (CSR) policy | | | |
| Business Responsibility Reporting (BRR under SEBI) | | | |
| Environmental, Social and Corporate Governance (ESG) framework | | | |
| Supplier code of conduct | | | |
| Forced and child labour policy | | | |
| IIuman rights policy | | | |
| Sexual harassment policy | | | |

18. Choose all that apply to your business, enterprise or certification body:

- [ ] We do not have a child labour policy, and I can say with confidence that there is no child labour in our supply chains
- [ ] We do not have a child and adolescent labour policy, and I can say with confidence that there is no child labour and hazardous adolescent labour in our supply chains
- [ ] We do not have a child and adolescent labour policy but the prohibition of child labour and hazardous adolescent labour is mentioned in other policies.
- [ ] We do not have a child and adolescent labour policy but we are working toward drafting one
- [ ] We have a child labour policy, but it does not include hazardous adolescent labour
- [ ] We have a child and adolescent labour policy
- [ ] We have a child and adolescent labour policy and our supplier code of conduct explicitly refers to child and adolescent labour

19. Does your business or enterprise have an industry certification standard in place? Select as many as apply:

- [ ] No - no certification standard
- [ ] Better Cotton Initiative (BCI) Standard
- [ ] Fairtrade
- [ ] Organic Content Standard (OCS)
- [ ] Global Organic Textile Standard (GOTS)
- [ ] Recycled cotton (Recycled Claim Standard (RCS), Global Recycled Standard (GRS) or SCS Recycled Content Standard
- [ ] SA8000 Standard certified
- [ ] European Union (EU) Eco Label or Organic Regulation
- [ ] bio-Re
- [ ] Oeko-Tex Standards, including OEKO-TEX Standard 100 and Made in Green
- [ ] Other (please specify)

20. What is the position of the authority that monitors or audits social compliance in your business supply chain? Which of the following are most accurate?

- [ ] We use an internal self-assessent process (i.e. first-party audit) by an employee in our organization or a consultant who we have hired.
- [ ] We use an internal second-party validation process (i.e., second-party audit), which includes a formalized review of documents submitted by contractors/suppliers.
- [ ] We use a third-party verification process.
- [ ] We have a certified standard in place, which uses independent third-party auditing or monitoring (i.e. an independent external audit.
- [ ] We use a combination of different actors.
- [ ] We use external monitoring by NGOs.
- [ ] We comply with external monitoring by government legal authorities, including labour inspectors.
- [ ] Other (please specify)

21. Is anything specific to child and adolescent workers covered in your contracts with suppliers? Please specify:

- [ ] No
- [ ] Yes (please specify)

22. Have there been any awareness programmes on the following in the 12 months?

- [ ] Child labour and forced labour
- [ ] Forced labour and involuntary labour
- [ ] Occupational health and safety
- [ ] Other (please specify)

## Closing questions

23. Would you like the information that you have shared through this screener survey to remain entirely anonymous in the study, or can I quote you and your organization?

- ◯ Yes, I am giving my permission for attribution: you can quote me and my organization
- ◯ Anonymous identity: you can quote my organization, but my identity should not be revealed
- ◯ Entirely anonymous: you may not quote or me or my organization
- ◯ I don't want to answer at this time (this means that we will not reveal you or your organization unless you provide consent at a later time)
- ◯ Other (please specify)

24. Address

| | |
|---|---|
| **Full name (first name and last name)** | |
| **Name of organization** | |
| **Position in organization** | |
| **City/Town/Village** | |
| **State** | |
| **Postal Index Number or Pincode** | |
| **Country** | |
| **Email address** | |
| **Phone number** | |

25. Are you and your organization able and willing to participate in a second phase of the research project in February or March? This would require you to commit 20-30 minutes of your time to an interview, which will take place over a Zoom call.

- ◯ Yes, definitely would
- ◯ Maybe - probably would
- ◯ No
- ◯ Other (please specify)

26. For the second phase of this study, are you able and willing to be interviewed where your computer/phone and internet connection are located and used?

- ◯ Yes - I am able and willing
- ◯ Yes, I am willing to be interviewed, however my access to the Internet and a computer/phone is limited
- ◯ No
- ◯ Other (please specify)

Thank you very much for your participation in this survey.
We hope to get in touch with you for the follow-up interviews.

Please click "Done to submit the survey".

## B3. Interview Guide (Sample)

### Interview Questions for Business Enterprises with Certification and for Certification Standard-Setting Bodies

#### *Introduction: About the organization*

1. Who are your suppliers? Can you describe your supply chain? (list all below Textile: Ginning companies (b) Spinning mills (c) Farmers.

#### *Section 1: Social relations*

**Corporate social responsibility**

1. Could you describe some of the different ways that your business engages in corporate social responsibility (CSR) or sustainability issues for children and adolescents in the community?
   - Does this include compulsory education for children?
   - Does this include apprenticeship programs or vocational skills development for adolescent workers, or the adolescent children of labourer families?
   - Does this include a focus on girls or women?
   - Does this include a focus on working children? (below age 14)
   - Does this include a focus on adolescent labour or young workers? (ages 14-17)
   - Does this include the prohibition and eradication of child labour and hazardous adolescent labour?
   - Does this include social premiums to the community?
2. Which industry stakeholders are you talking to?
   a. Are these stakeholders making an effort to address the working conditions for children and adolescents?
   b. How effective do you think that these efforts have been?
   c. Does your organization engage in multi-stakeholder working groups? Please describe which.
3. Are you talking to any industry associations? If so, which?
   a. Are these industry associations making an effort to address the working conditions of children and adolescents in employment?
   b. How effective do you think that these efforts have been?
4. Have any social organizations or worker groups caused problems for your business?
   a. What problems did they cause?
   b. How did you resolve these?
5. *What is the anticipated impact of COVID-19 on the working conditions of children and adolescents (including girls) in the cotton industry?

**Certification standards**

6. What certification standard do you follow?
7. Why has your business decided to adopt certification?

**Policy on child and adolescent labour**

8. Please let me know which statement is most accurate for your business:
   - ❒ We do not have a child labour policy, and I can confidently say there is no child labour in our supply chain.
   - ❒ We do not have a child and adolescent labour policy, and I can say with confidence that there is no child labour and hazardous adolescent labour in our supply chain.
   - ❒ We do not have a child and adolescent labour policy, but the prohibition of child labour and hazardous adolescent labour is mentioned in other policies.
   - ❒ We do not have a child and adolescent labour policy, but we are working toward drafting one.
   - ❒ We have a child labour policy, but it does not include hazardous adolescent labour.
   - ❒ We have a child and adolescent labour policy.
   - ❒ We have a child and adolescent labour policy, and our supplier code of conduct explicitly refers to child and adolescent labour.

**Policy on child and adolescent labour: specificity criteria (email them if required)**

9. Does your business enterprise or organization have a human resources (HR) department?
10. Could you describe some of the different ways that your business demonstrates responsibility for the human rights of child and adolescent labour?
11. What is your business's minimum age for employment?
12. Do your business's hiring practices respect minimum-age standards to ensure that:
    - ❍ No children are hired.
    - ❍ No adolescents under the age of 18 are employed in any hazardous work.
    - ❍ Does your business specify the number of hours of work that adolescents may undertake?
    - ❍ Does your business recognize the different forms of work performed by children and adolescents, including distinctions by the status of employment, such as non-market production activities or work where the child helps their family or family enterprise after school hours or during vacations?
    - ❍ Does your business have procedures for identifying and addressing the "worst forms of child labour" for all children below age 18?
    - ❍ Does your business have a policy or code of conduct on protection from discrimination, violence, exploitation, and abuse (including sexual harassment), which aims to protect workers, including children and adolescents, from harm? Do you provide training to managers and employees on this policy?

**Compliance monitoring and disclosure**

13. Since 2016, when the Government of India changed the Child and Adolescent Labour (Prohibition and Regulation) Act of 1986, what, if any, has been the process for updating your child labour policy?
14. Is anything specific to child and adolescent workers covered in your contracts with suppliers? Please specify:
15. Do you monitor or audit your supplier companies to make sure that (a) no children below age 14 are hired and (b) no adolescents below age 18 are employed to work in any hazardous work, as outlined in the 2016 amendment to the Child and Adolescent Labour (Prohibition and Regulation) Act of 1986?

16. Have you encountered any instances in which children under 14 were reported to be working at your supplier companies? If yes, how did you investigate, manage, and respond to this report or grievance?
17. Did you have any cases of adolescents under 18 being reported as engaged in hazardous work? If yes, how did you investigate, manage, and respond to this report or grievance?
18. What is the position of the authority that monitors or audits child and adolescent labour in your business supply chain? Which of the following is most accurate?
    - ❒ We use an internal audit process (i.e., a first-party audit) conducted by an employee in our organization or by a consultant we have hired.
    - ❒ We use an internal second-party validation process (i.e., a second-party audit) that includes a formalized review of documents submitted by contractors/suppliers.
    - ❒ We use a third-party auditing or monitoring process (i.e., an independent or external audit). (Note: this may include a certification or re-certification audit).
    - ❒ We use a combination of different actors (Note: 4th party)
    - ❒ We use external monitoring by NGOs (Note: 5th party)
    - ❒ We comply with external monitoring by legal authorities, including labour inspectors (Note: 6th party).
19. What actions does your business take in the case of non-conformity by contractors and subcontractors to the rules or policy on child and adolescent labour prohibition?
    - ❒ None. We do not take any action.
    - ❒ Warnings only. Measures have no other implications.
    - ❒ Contractors: Exclusion of membership (mild)
    - ❒ Subcontractor measures may include fines or demands for corrective action (mild)
    - ❒ Contractors: We may use a threat to their business activities (severe)
    - ❒ Subcontractors: We may sever the relationship, cancellation of contract (severe)
20. Does your business website disclose if you have a policy and processes in place to assess risks for child and adolescent labour?

### *Section 2: The role of public policies and enforcement*

1. Is any part of the state putting pressure on businesses to address the working conditions of children and adolescents? (i.e., which ministries/departments, which focal points)?
2. How often do government regulators come?
3. What are some of the gaps in public policies as they relate to the working conditions of children and adolescents in the cotton industry?
    a. Are there particular gaps in public policies for adolescent girls working in the cotton sector?
4. Could you describe for me some of the different ways that the state government demonstrates its capacity to address child labour, hazardous adolescent labour, and the worst forms of child labour in the community?

**Labour laws**

a. **Labour inspections**: How would you describe the state's capacity for labour inspections, including inspections for child and adolescent labour?
b. **Labour law penalties and instruction**: How would you describe the state's capacity to respond with penalties and other tools to child and adolescent labour law violations?

c. **Information about violations**: How would you describe the state's capacity to generate information about child and adolescent labour law violations?

**Criminal laws**

d. **Criminal investigation, penalties, and instruction**: How would you describe the state's capacity to respond with criminal investigations into child and adolescent labour violations, including the worst forms of child labour?
e. **Information about criminal law violations**: How would you describe the state's capacity to generate information about criminal law enforcement to enforce child and adolescent labour laws, including laws related to the worst forms of child labour?

### *Section 3: Closing request, including request for data*

1. Do you have any suggestions for other people that I could interview for this research project?
2. Would it be possible for you to give me a copy of the certification standards or the child and adolescent labour policy (or rules) that you have adopted? (Only if not previously shared)
3. Do you have any other procedures to avoid and mitigate child and adolescent labour risks beyond this that you might share with me?

## Interview Questions for Non-Governmental Organizations

### *Introduction: About the organization*

1. How would you describe your organization and the priority issues that it works on?
2. Who is your membership? (Children? Adolescents? At what age? Women?)
3. How do you decide which issues to prioritize for the community?
4. Could you please describe the different ways that your organization addresses the working conditions of children and adolescents?
    a. How are adolescent girls (14 to 18) in the cotton industry a priority for your organization?

### *Section 1: Social relations*

1. Which industry stakeholders are you talking to?
    a. What pressure are you putting on them to address the working conditions of children and adolescents?
    b. How effective do you think that these efforts have been?
    c. Does your organization engage in multi-stakeholder working groups? Please describe which.
2. Are you talking to any industry associations? If so, which?
    a. What pressure are you putting on them to address the working conditions of children and adolescents?
    b. How effective do you think that these efforts have been?
3. Are you talking to any allies? If so, which?
    a. What pressure are you putting on them to address the working conditions of children and adolescents?
    b. How effective do you think that these efforts have been?
4. Do you feel that you have had any influence on the state?

a. What pressure are you putting on them to address the working conditions of children and adolescents?
b. Why have you tried to influence the state?
c. Are you talking to any activist bureaucrats? Where are you getting access in the state (i.e., which part? … which ministries/departments, which focal points)?
d. How effective do you think that these efforts have been?

5. What is the anticipated impact of COVID-19 on the working conditions of children and adolescents (including among adolescent girls aged 14 to 18) in the cotton industry?

### *Section 2: The role of public policies and enforcement*

**Child labour policies/rules**

1. How do you see the changing role of business enterprises and certification standards in tackling child and adolescent labour in India's cotton garment supply chain, including since the Child and Adolescent Labour (Prohibition and Regulation) Act of 1986 was amended in 2016?
2. Do you see any changes in the willingness of business enterprises operating in India's cotton supply chain to address child and adolescent labour? Are there challenges in the willingness to:
   a. Adopt a child labour policy?
   b. Include a child labour clause in contracts with suppliers?
   c. Have these clauses been updated to cover adolescent labour since 2016? (Minimum age).
   d. Include safeguard measures for both child labour (e.g., education) and adolescent labour (OHS, including on safe use of pesticides, and skills development and vocational training)?
   e. Tackle the worst forms of child labour or severe forms of child labour that have irremediable effects.
   f. Work with district and state committees to do field inspections and report violations.
3. Do you feel that monitoring and auditing processes can be effective in making sure that (a) No children below age 14 are hired, and (b) no adolescents below age 18 are employed to do any hazardous work, as outlined in the 2016 amendment to the Child and Adolescent Labour (Prohibition and Regulation) Act of 1986.
   a. When situations involving children under 14 working with supplier companies are reported, how are they investigated, managed, and responded to?
   b. When adolescents under 18 are reported to be in hazardous work, how are these situations investigated, managed, and responded to?
4. Do you think that the position of the authority that monitors or audits child and adolescent labour in business supply chains makes a difference?
   - ❒ First-party audit: e.g., an internal audit process by an employee in our organization or a consultant whom we have hired.
   - ❒ Second-party audit: We use an internal second-party validation process, which includes a formalized review of documents submitted by contractors/suppliers.
   - ❒ Independent or external audit: We use a third-party auditing or monitoring process (Note: this may include a certification or re-certification audit).
   - ❒ 4th party: We use a combination of different actors
   - ❒ 5th party: We use external monitoring by NGOs
   - ❒ 6th party: We comply with external monitoring by legal authorities, including labour inspectors

5. What actions are businesses taking in the case of non-conformity by contractors and subcontractors to the rules or policy on child and adolescent labour prohibition?
   - ❒ None. They do not take any action.
   - ❒ Warnings only. Measures have no other implications.
   - ❒ Contractors: Exclusion of membership (mild)
   - ❒ Subcontractor measures may include fines or demands for corrective action (mild)
   - ❒ Contractors: They may use a threat to their business activities (severe)
   - ❒ Subcontractors: They may sever the relationship, cancellation of contract (severe)

**Labour laws**

6. How do you view the Child and Adolescent Labour (Prohibition and Regulation) Act of 1986, as amended in 2016?
7. What are some of the gaps in public policies as they relate to the working conditions of children and adolescents in the cotton industry?
   a. Are there particular gaps in public policies for adolescent girls (14 to 18) working in the cotton sector?
8. Could you describe for me some of the different ways that the state is demonstrating its capacity to address child labour, hazardous adolescent labour, and the worst forms of child labour in the community?
   a. **Labour inspections**: How would you describe the state's capacity for labour inspections, including inspections for child and adolescent labour?
   b. **Labour law penalties and instruction**: How would you describe the state's capacity to respond with penalties and other tools to child and adolescent labour law violations?
   c. **Information about violations**: How would you describe the state's capacity to generate information about child and adolescent labour law violations?

**Criminal laws**

   d. **Criminal investigation, penalties, and instruction**: How would you describe the state's capacity to respond with criminal investigations into child and adolescent labour violations, including the worst forms of child labour?
   e. **Information about criminal law violations**: How would you describe the state's capacity to generate information about criminal law enforcement to enforce child and adolescent labour laws, including laws related to the worst forms of child labour?

### *Section 3: Closing request, including request for data*

1. Do you have any suggestions for other people that I could interview for this research project?
2. Could you provide me with a list of occasions when NGOs, civil society actors, workers' organizations, and unions have protested against business enterprises based on working conditions (including child and adolescent labour) outside formal institutional mechanisms? What were the dates, reasons, and results?

# Appendix C

## Reassessing State-Level Labour Market Regimes and Case Selection

The appendix situates the analysis within India's labour market and explains why legacy classifications of states as "pro-worker" or "pro-employer" are inadequate for this study. Originating in the Industrial Disputes Act (IDA) of 1947, the amendment-coding dichotomy mainly captures statutory design in the formal sector. For this study's purpose, it does not reflect the breadth of India's labour laws or the practical realities of enforcement and outcomes in largely informal labour markets.

The discussion outlines the limitations of this binary and then introduces outcome-based and multidimensional measures—particularly the Employment Condition Index (ECI)—that better capture realized labour market conditions. Applied to the focal states, former unified Andhra Pradesh and Gujarat, the ECI places them in a similar mid-to-high range rather than at opposite ends. The appendix concludes by noting the implications for research design and linking these insights to the explanatory variables used in Chapters 6 and 7.

**Terminology.** Following consultation with Indian researchers, the *former unified Andhra Pradesh* refers to the pre-2014 state encompassing Andhra Pradesh and Telangana.

### Limitations of the Pro-Worker / Pro-Employer Typology

Early studies in India's labour economics used state amendments to the Industrial Disputes Act (IDA), which is often described as a "metaphor for Indian labour law" (Singh, 2012, para. 1), to classify states as "pro-worker", "pro-employer," or "neutral." More pro-worker amendments were linked to declining economic growth, higher levels of informal manufacturing, and rising urban poverty (Besley & Burgess, 2004, p. 99). Besley and Burgess (2004) coded 113 state amendments to the IDA from 1958 to 1992 to construct a comparative index of labour regulation, thereby grounding their analysis in the registered (formal) manufacturing sector, which accounted for approximately 9% of state manufacturing output. This scope excludes the vast unregistered (informal) manufacturing sub-sector below IDA thresholds, as well as agriculture, services, and other non-manufacturing sectors where most workers—and nearly all working children—are located. (Besley and Burgess, 2004, p. 94; Bhattacharjea, 2006, 2019)

Besley and Burgess' index links pro-worker and pro-employer classifications to the broader industrial relations climate using workdays lost to strikes and lockouts as a proxy for lost working days and argue that pro-worker amendments increased rigidity, weakened the business investment climate, undermined manufacturing performance, and contributed to jobless growth during the 1980s (Besley & Burgess, 2004, pp. 92, 99; Betcherman, 2015, pp. 139-140; Roychowdhury, 2018, p. 43).

Besley and Burgess contend that too much bargaining power for organized labour contributed to an unfavourable investment climate (2004, p. 92). Their index echoed a wider narrative equating "labour market flexibility" with improved economic performance during a period of global liberalization, yet critiques across law and economics show it is conceptually narrow and poorly aligned with India's highly informal economy. Five limitations recur across critiques:

**(1) Misinterpretation and conflation with employment protection legislation.** The index is often treated as a measure of labour market flexibility or a proxy for the strength of employment protection legislation (EPL) [100], even though it codes only the direction of amendments to an industrial relations statute concerned with dispute resolution, strikes, lockouts, layoffs, and retrenchments. [101] This conflation reduces a varied institutional landscape to a binary (Ahsan and Pagés, 2009; Bhattacharjea, 2021, p. 20).

**(2) Narrow analytical scope excluding major labour laws.** India had more than 45 central labour laws prior to 2020. Several statutes shape employment protections and can supersede, bypass, or overlap with the IDA—such as the Contract Labour (Regulation and Abolition) Act (1970), the Bombay Industrial Relations Act (1946), Uttar Pradesh Industrial Disputes Act (1947), and Madhya

[100] Employment protection legislation (EPL) varies widely across jurisdictions. More "protective/rigid" regimes, restrict employers' ability to use fixed-term contracts to hire workers and impose higher dismissal costs and procedures (severance pay; government approvals for layoffs), safeguarding permanent jobs and enhancing job security. More "flexible" or less regulated regimes permit wider use of non-permanent contracts (temporary, fixed-term contracts) and lower dismissal constraints, often at the expense of long-term employment stability. The core trade-off is between workers' employment security and employers' contractual flexibility. (Betcherman, 2012, pp. 19-22, 2015, pp. 139–142)

[101] Besley and Burgess acknowledged that their index might reflect "labour regulations per se or the consequences of a poor climate of labour relations (i.e., union power and labour/management hostility), which affect the trend rate of growth within a state" (2004, p. 125).

Pradesh Industrial Relations Act (1960)—yet are excluded from the index (Bhattacharjea, 2006, pp. 15-16). (Betcherman, 2015, pp. 139-140) [102]

**(3) Methodological blind spots regarding enforcement.** Measuring formal amendments ignores *de facto* enforcement. Labour inspection is often under-resourced, administrative capacity for enforcement is uneven, and compliance is inconsistent across states. Gujarat and Maharashtra—labelled pro-workers in the index—record roughly half as many factory inspections as Kerala, which is labelled as pro-employer, revealing contradictions between the index's assumptions and enforcement realities (Anant et al., 2006; Hasan et al., 2007; World Bank, 2002). Related empirical studies show that stricter *de jure* rules can coincide with weaker enforcement (Storm, 2019, p. 6, citing Chatterjee and Kanbur, 2015; Srivastava, 2016; Kanbur and Ronconi, 2016).

**(4) Coding concerns and extreme counterfactuals:** Scholars identified numerous coding problems that oversimplify or misrepresent the content and intent of state-level legal reforms. Gujarat's pro-worker label rests on a single 1973 amendment imposing a minor INR 50 per day penalty on employers for failing to nominate representatives to firm-level joint management councils—weakly connected to employment protection. Former unified Andhra Pradesh's pro-employer label rests on three amendments, two of which (1968, 1982) were either non-EPL or misclassified as EPL. In 1987, the state enacted eight IDA amendments (six coded as pro-worker, two as pro-employer), yet the index assigns only one score, obscuring their complexity (Bhattacharjea, 2006).

**(5) Disconnect with de jure reforms, labour market outcomes, and economic trends.** The weak linkage between formal reforms and actual labour market outcomes undermines attempts to relate IDA amendments to economic performance. With minimal *de jure* change (until the 2020 labour codes), labour market outcomes for industrial workers deteriorated; regulation often increased where output was already declining (Bhattacharjea, 2019, p. 30). Controlling for this declining trend in output drives the estimated effect of IDA amendments toward zero (Angrist & Pischke, 2009, p. 241, as cited by Bhattacharjea, 2019, p. 20). Whether the aim is to assess flexibility or workers'

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[102] Attention has particularly focused on Chapter V-B of the IDA, which imposes conditions on industrial-manufacturing establishments prior to retrenchment dismissals, including the requirement of prior government approval. Amendments in 1976 and 1982 applied the provisions for layoffs, retrenchment dismissals, and closures initially to firms with at least 300 workers, and later to those employing 100 or more. Additionally, the *Contract Labour (Regulation and Abolition) Act* (1970) has also drawn much attention, particularly Section 10, which gives state governments discretion in permitting firms to employ contract labour, which firms may use to bypass obligations under the IDA.

bargaining power, failing to account for underlying economic trends renders the policy relevance of the typology questionable. As Bhattacharjea (2021, p. 29) concludes, "These findings constitute a standing reproach to the entire body of literature that seeks to relate the two."

**Misclassification in Besley-Burgess State Labels: Gujarat, Andhra Pradesh, Kerala**

Empirically, the labels generated by the Besley and Burgess (2004) index often invert the actual direction of regulatory change. The index classifies Gujarat, Maharashtra, Odisha, and West Bengal as "pro-worker," and the former unified Andhra Pradesh, Karnataka, Kerala, Madhya Pradesh, Rajasthan, and Tamil Nadu as "pro-employer." These labels frequently run counter to a substantial body of empirical evidence. Despite being among India's most industrialized and pro-business states, Gujarat and Maharashtra are labelled as pro-worker, whereas Kerala—characterized by its limited industrial base, strong social protections, and comparatively high inspection rates—is labelled as pro-employer. Scholars have described these labels as "strange" and "bizarre" (Bhattacharjea, 2006, p. 11; Hasan et al., 2007; Roychowdhury, 2018, pp. 59, 61, 109; Storm, 2019, p. 10, citing D'Souza, 2010). When enforcement and inspection data are integrated with legal amendment data, these rankings reverse: Gujarat and Maharashtra appear more "flexible" (pro-employer) and Kerala more "inflexible" (pro-worker) (Hasan et al., 2007; World Bank, 2002, 2004). Reconstruction of headline counterfactuals also fails to replicate the results, casting doubt on claims that IDA amendments could have driven changes in manufacturing output, employment, or poverty (Storm, 2019). [103] In short, *de jure* categories fail to capture *de facto* governance in state-level contexts marked by pervasive informality and uneven labour enforcement.

Gujarat's pro-worker label rests on a single IDA amendment, yet research documents labour practices inconsistent with this classification (Bhattacharjea, 2006). Studies of southern Gujarat's textile industry describe widespread casualization, workforce feminization, and the expansion of contract labour between 1974 and 1998, with factory inspectors often indifferent or corrupt, and

[103] According to Besley and Burgess (2004), the data suggests that without pro-employer reforms, Andhra Pradesh's 1990 manufacturing output and employment would have been about 72–73% of actual levels, with 199,000 fewer jobs and 640,000 more urban poor. In contrast, without pro-worker reforms, West Bengal's output and employment would have been 24% and 23% higher, respectively, and urban poverty 11% lower, which is equivalent to 520,000 fewer urban poor (pp. 112, 124). However, Storm (2019) found these claims implausible: his reconstructions showed Andhra Pradesh's registered manufacturing output would have reached 93% of its actual level, while West Bengal's projected gains were much less credible (Storm was unable to replicate the findings). Storm's reconstruction showed that West Bengal's projected output gains were unrealistically high: up to 1000% above actual figures, thereby calling the Besley and Burgess results "meaninglessness" (p. 27).

many workers denied statutory benefits (Streefkerk, 2001; Breman, 2004). As Streefkerk (2001, p. 2404) observed, "For many workers, the state did not, and still does not exist." The collapse of Ahmedabad's textile factories in the 1980s and 1990s left thousands of workers without wages and entitlements such as bonuses, gratuities, or earned leave—conditions that contradict the pro-worker label (Bhattacharjea, 2006, p. 18, 30-31). These employment conditions illustrate exploitative labour practices that are invisible within indices based solely on statutory amendments.

Former unified Andhra Pradesh's pro-employer classification is likewise based on narrow and misleading coding. Several amendments tagged as pro-employer were non-EPL provisions or misclassified, and a cluster of pro-worker amendments enacted in 1987 was collapsed into a single score, masking their significance (Bhattacharjea, 2021; Storm, 2019). Notably, several of Andhra Pradesh's reforms mirrored those of West Bengal—the archetypal pro-worker state—highlighting internal inconsistency in the coding logic. The index also relies on extreme counterfactuals, positing that without Andhra Pradesh's pro-employer reforms, registered manufacturing output and employment would have been significantly lower and urban poverty would have been markedly higher in 1990, and that without West Bengal's pro-worker reforms, manufacturing output and employment would have grown substantially and urban poverty declined (Besley and Burgess, 2004, pp. 112, 224). However, the similarity of the reforms across the two states undermines these claims and illustrates the fragility of the underlying causal inferences (Bhattacharjea, 2021, p. 13).

The critiques underscore the flaws in the Besley-Burgess approach. As Bhattacharjea (2019) notes, the index has become a "malleable unit of measurement" (2019, p. 30), a tool whose meaning has been distorted over time by overreliance on *de jure* legal frameworks while ignoring *de facto* enforcement, overlooking broader socio-economic policy orientations, and failing to capture the lived realities of informal and precarious work. Any meaningful classification of states as pro-worker or pro-employer must go beyond statutory amendments.

**The Besley–Burgess Legacy in Doing Business and BRAP Indicators**

The influence of the Besley and Burgess framework extends beyond academic debates: their findings helped legitimize a broader policy narrative that linked deregulation, simplified licensing procedures, and labour-market "flexibility" to productivity gains. This logic shaped global benchmarking instruments—notably the World Bank's *Doing Business* reports (2003-2020) and India's Business Reform Action Plan (BRAP)—which equated simplified business registration, licensing, and hiring rules with improved competitiveness. The *Doing Business* project

operationalized this logic through the Employing Workers Indicator, which assessed employment regulations primarily by treating hiring and firing restrictions as rigidities and benchmarked countries on the ease of terminating contracts rather than on worker protections. [104] Although these tools offered valuable insights into business facilitation and administrative efficiency, they focused on process reform rather than the substantive quality of employment or the realities of labour enforcement, particularly in predominantly informal labour markets.

In India, this narrative dovetailed with a strong political drive to improve global business rankings. Like China and Morocco, India integrated the World Bank's *Doing Business* indicators into its reform strategy (World Bank, 2022a, p. 15). India ranked 142nd in the *Doing Business* 2014 report; by 2015, the government had set an explicit target to position India among the top 50 economies by 2020 (World Bank, 2014, p. 4; World Bank 2020, p. 10). [105] Domestically, this ambition translated into the creation of the BRAP system, a subnational scorecard designed by India's Department for Promotion of Industry and Internal Trade and the World Bank to accelerate administrative simplification through competitive federalism. Andhra Pradesh, Telangana, and Gujarat rapidly emerged as "Top achievers", reflecting high uptake of procedural reforms aimed at business investment facilitation rather than improvements in worker protections. BRAP thus reinforced a procedural, pro-business view of reform, without assessing enforcement capacity or labour conditions—particularly in informal labour and contract-sensitive sectors.

Following the discontinuation of *Doing Business* in 2021, [106] the World Bank introduced the *Business Ready* (B-READY) framework, which widens the labour pillar to include both *de jure* and *de facto* indicators on workers' legal and social protections and certain public service dimensions (World Bank, 2022b, pp. 22–25). While this has the potential to mark a partial course

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[104] The World Bank included the Employing Workers Indicator in its *Doing Business* ranking from 2004 to 2010. After repeated revisions and sustained criticism from labour economists, trade unions, international organizations such as the ILO, ITUC, and internal World Bank reviews, it was removed from the aggregate index in 2011 (Aleksynska & Cazes, 2014; ILO Governing Body, 2007, p. 5; ITUC/Global Unions, 2007).

[105] India's Ease of Doing Business (EoDB) ranking rose 142nd in 2014 to 63rd in 2020, largely reflecting reforms in starting a business, paying taxes, and resolving insolvency. However, several of the most dramatic improvements—such as the jump from 130th in 2016 and 2017 to 100th in 2018 and 77th in 2019—were attributed primarily to methodological changes rather than substantive policy reforms, raising concerns about transparency in how rankings were constructed (World Bank, 2020, p. 9).

[106] The *Doing Business* report was discontinued in 2021 following an independent review that identified data irregularities affecting several country rankings. India's data were not implicated. See: WilmerHale (2021); World Bank. (2021); Center for Global Development. (n.d.).

correction, B-READY still evaluates regulatory design rather than enforcement or outcomes for informal workers—features that continue to define most employment relationships in India. Consequently, high BRAP or prospective B-READY scores cannot be interpreted as evidence of pro-worker regimes. They capture administrative reform, not labour governance. This tension—between strong business-climate rankings and weak substantive worker protections—underscores the limitations of binary pro-worker/pro-employer classifications and reinforces the need for outcome-based approaches that incorporate informality, enforcement, and workers' lived realities.

At the same time, India's 2019–2020 labour reforms consolidation merged 29 central laws into four new codes, framed by the government as a means of modernizing the labour market and improving ease of doing business. While heralded as empowering enterprises by reducing compliance burdens, red tape, and the "Inspector Raj," interviews for this study flagged risks of weakened government oversight—especially in the informal sector—given the shift toward web-based, randomized self-inspection under the "Inspector-cum-Facilitator" model. Although India's child labour statutes were not consolidated, stakeholders cautioned that a broader deregulatory orientation could indirectly dilute protections. In parallel, the World Bank's 2024 Business Ready redesign expands attention to labour rights and regulatory quality—describing "the basic rights and protections that workers should be granted in the workplace" and aligning indicators with the ILO Fundamental Principles and Rights at Work (World Bank, 2024, p. 235, 273)—yet it still stops short of assessing on the ground enforcement or outcomes.

## An Alternative Lens: Employment Quality and India's Employment Condition Index

To assess employment quality rather than legal reform, this study draws on the Employment Condition Index (ECI) developed by the Institute for Human Development (IHD) in partnership with the ILO. The ECI is a composite, outcome-based index for 22 Indian states built from seven labour market indicators aligned with the ILO's Decent Work Agenda. Because the ECI reflects labour outcomes, rather than laws, it is better suited to gauge *de facto* labour market conditions relevant to household decisions and vulnerabilities.

The ECI indicators cover the proportion of regular formal workers and casual workers, poverty among the self-employed, average casual wages, work participation rates, youth unemployment, and NEET (not in employment, education, or training) rates—each disaggregated by gender and age (15 years and above). Each indicator contributes to a composite score reflecting

each state's overall employment condition. These indicators use the Usual Principal Activity Status to reflect employment conditions and stability over a longer duration within the year.

Nationally, employment conditions and quality improved gradually and steadily from 2005 to 2019—marked by increased labour force participation and declining unemployment rates—then dipped with the COVID-19 pandemic and subsequent lockdowns, and partially recovered by 2022, with some persisting effects (ILO & IHD, 2024). The employment score improved from 0.40 in 2005 to 0.65 in 2022.

Despite progress, employment conditions in India remain poor, with structural weaknesses persisting: 55.8% of workers are self-employed, 22.7% are in casual employment (typically daily), and only 21.5% hold regular, waged, or salaried jobs (ILO & IHD, 2024, p. 22). Real wages for casual workers have slightly increased, but earnings for regular and self-employed workers have declined (pp. 27, 184). Widespread minimum-wage noncompliance means many workers do not receive the prescribed daily minimum wage, including 62% of unskilled agricultural workers (pp. xx, 29-30). Gender inequality persists, with low female labour force participation (p. 184).

**Comparative Labour Market Positioning of the Three States**

Applied to Andhra Pradesh, Gujarat, and Telangana, the ECI places all three in the mid-to-high range of the national distribution—Gujarat and Telangana in the top quintile and Andhra Pradesh in the third quintile—rather than at opposing ends of a regulatory spectrum (ILO & IHD, 2024, pp. 38, 51, 184–185). This clustering reduces the regulatory contrast required for Mill's method of difference or a most similar system design setup (Meckstroth, 1975; Przeworski & Teune, 1970) based on early pro-worker/pro-employer labels. Their scores show consistent improvements over time, despite a dip in 2019 scores, and also reveal persistent weaknesses that cut across gender, formality, and youth labour market outcomes (ILO & IHD, 2024, pp. 234-256; see Table C2).

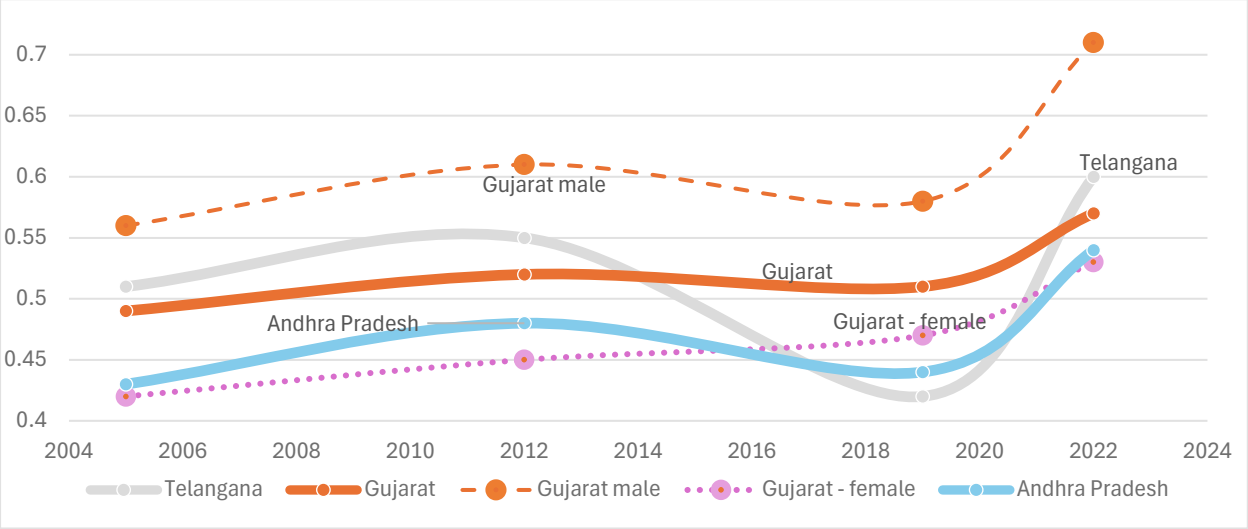
Gujarat ranks in the top quintile in 2022 with an employment quality score of 0.57 (up from 0.49 in 2005). Gains are driven by increased regular formal employment (from 9.0% in 2005 to 10.4% in 2022, rank 12) and reduced poverty among self-employed workers (from 26.1% in 2005 to 24.8% in 2022) (ILO & IHD, 2024, p. 50).

However, these aggregate improvements mask several structural weaknesses. Gujarat has a substantially higher proportion of self-employed workers living below the poverty line (24.8%) than Andhra Pradesh (5.5%) and Telangana (8.4%), and lower wages for casual workers (INR 7,354) than Andhra Pradesh (INR 8,520) and Telangana (INR 8,201). Gender disparities are pronounced: while male workforce participation is high (77.6%, rank 3) and male employment quality consistently ranks

in the top three, female participation (27.7%, rank 9) and female employment quality (ranks 11-15) remain comparatively weak. Gujarat's NEET rates further underscore this disparity: although it has the lowest unemployment rate among educated youth (10.7%), male NEET rates are low (8.5%, rank 5), while female NEET rates are among the highest in India (55.4%, rank 16).

**Table C1**

*Employment Condition Index, 2005–2022 (Gujarat, Andhra Pradesh, Telangana)*




*Note.* Computed indicators are derived from various years of the NSS Employment and Unemployment Survey and the Periodic Labour Force Survey unit-level data, using the Usual Principal Activity Status.
*Source.* ILO & IHD (2024).

Andhra Pradesh performs slightly below the national average, improving from 0.43 in 2005 to 0.54 in 2022 and ranking in the third quintile. The state shows relatively strong workforce participation (56.2%, rank 4)—with female participation at 38.9% (rank 4) and male participation at 73.6% (rank 8)—and notably gender parity in employment quality, especially in 2019 and 2022. However, its labour market remains characterized by a high share of casual workers (31.7%) and low levels of formal employment (9.0%), indicating persistent employment precarity. Nonetheless, Andhra Pradesh displays relatively low female NEET rates (43.7%, rank 4), outperforming both Gujarat and Telangana.

Telangana, despite being a relatively new state, records substantial gains in employment quality, rising from 0.51 (2005) to 0.60 (2022) and ranking in the top quintile alongside Gujarat. Workforce participation is comparatively high (56.3%), and female participation is among the strongest nationally (41.3%, top 3), while male participation is 71.9% (rank 13). Challenges persist

in gendered labour market outcomes: female youth (15-29) unemployment remains elevated (30.3%), nearly double the male rate (18.3%).

Although it holds a fifth-overall ECI position, Gujarat ranks 13th in female employment, has 10.4% of regular salaried formal workers (rank 12), and a female youth NEET rank of 16, alongside lower casual wages and higher poverty risks than in Andhra Pradesh and Telangana.

Taken together, these results show that the ECI provides a more comprehensive, outcome-oriented measure of labour market governance than *de jure* legal classification. While some states have improved their ECI scores, long-standing structural challenges—including informality, casualization, low compliance with minimum wage laws, limited skills development, and gender disparities—continue to shape employment quality across India.

**Table C2**

*Employment Condition Index and Indicators (2022, Selected States)*

| Indicator: | India | Gujarat | | Andhra Pradesh | | Telangana | |
|---|---|---|---|---|---|---|---|
| Workforce participation rate (aged 15+) | 49.25% | 53.66% | 7 | 56.23% | 4 | 56.31% | 3 |
| | M: 72.38%, | M: 77.58% | 3 | M: 73.61% | 8 | M: 71.90% | 13 |
| | F: 25.22% | F: 27.65% | 9 | F: 38.92% | 4 | F: 41.26% | 3 |
| Regular formal workers (aged 15+) | 10.18% | 10.44% | 12 | 8.95% | 14 | 10.97% | 11 |
| | M: 7.98% | M: 11.76% | 11 | M: 13.98% | 9 | M: 10.17% | 13 |
| | F: 8.77% | F: 6.41% | 15 | F: 6.66% | 13 | F: 5.92% | 16 |
| Casual workers (aged 15+) | 22.96% | 14.25% | 5 | 31.65% | 21 | 15.06% | 6 |
| | M: 23.22% | M: 13.14% | 3 | M: 28.06% | 17 | M: 10.60% | 2 |
| | F: 21.19% | F: 17.60% | 11 | F: 38.42% | 22 | F: 22.54% | 13 |
| Self-employed workers living below the poverty line (aged 15+) | 22.80% | 24.80% | 16 | 5.49% | 3 | 8.38% | 6 |
| | M: 22.39% | M: 24.31% | 15 | M: 5.39% | 3 | M: 8.64% | 6 |
| | F: 23.93% | F: 25.96% | 15 | F: 5.68% | 3 | F: 7.93% | 5 |
| Average monthly wage among casual workers (aged 15+) (INR, ₹) | INR 8,421 | INR 7,354 | 19 | INR 8,520 | 12 | INR 8,201 | 15 |
| | M: INR 9,086 | M: INR 8,185 | 17 | M: ₹10,321 | 9 | M: ₹10,175 | 10 |
| | F: INR 5,548 | F: INR 5,326 | 6 | F: INR 5,734 | 20 | F: INR 6,642 | 21 |
| Unemployment rate of educated youths (aged 15–29) | 21.84% | 10.66% | 1 | 24.45% | 12 | 21.71% | 10 |
| | M: 20.28% | M: 10.77% | 1 | M: 23.26% | 14 | M: 18.34% | 9 |
| | F: 27.58% | F: 10.24% | 1 | F: 27.64% | 12 | F: 30.35% | 15 |
| Youth (aged 15-29) not in employment, education, or training (NEET) | 30.77% | 30.15% | 11 | 28.11% | 8 | 27.54 | 7 |
| | M: 10.59% | M: 8.48% | 5 | M: 12.61% | 15 | M: 9.43% | 9 |
| | F: 52.70% | 55.36% | 16 | F: 43.72% | 4 | F: 45.78% | 9 |
| Employment condition index | 0.65 | 0.57 | 5 | 0.54 | 11 | 0.60 | 3 |
| | 0.57 | M: 0.71 | 3 | M: 0.53 | 9 | M: 0.63 | 2 |
| | 0.68 | F: 0.53 | 13 | F: 0.54 | 11 | F: 0.58 | 7 |

*Note.* Using computed indicators from various years of the NSS Employment and Unemployment Survey and the Periodic Labour Force Survey unit-level data, using the Usual Principal Activity Status. *Source.* ILO & IHD (2024).

## Implications for Research Design

Three implications follow for this monograph:

1. **No valid test of the pro-worker/pro-employer dichotomy.** Because the three states are not opposites on an outcome-based measure of worker protection or employment quality (ECI), this study does not test the moderating effect of a "pro-worker" public policy environment on business employment practices or reducing child labour risks relative to a "pro-employer" public policy environment. The earlier classification of former unified Andhra Pradesh as "pro-worker" and Gujarat as "pro-employer," while supported in some literature, is not sustained once enforcement realities and outcomes are considered (Besley & Burgess, 2004; Hasan et al., 2003; Bhattacharjea, 2006, 2019, 2021; ILO & IHD, 2024).
2. **Refined explanatory focus.** Given the inadequacy of binary regime labels, the analysis centres on employment practices as the primary explanatory pathway (see Chapter 3). These comprise:
    - child labour specificity criteria;
    - public-private compliance and enforcement arrangements; and,
    - ethical capability.

    The composition of the meso-level business population and the sampling frame used to observe these employment practices are specified in Section 4.3.
3. **Public policy as a condition variable.** Because the three states do not form a meaningful contrast in regulatory regimes, the study does not adopt a Most Similar System Design (MSSD). The analysis proceeds using condition variables related to India's public policy context, which are more directly linked to child labour. As summarized in Chapter 4, this includes empirical evidence on:
    - Employment quality and informality (ECI indicators).
    - State engagement with the National Child Labour Project (NCLP) as a proxy for government commitment to child labour rescue and rehabilitation.
    - Education deprivation and rural multidimensional poverty as structural drivers of child labour risks.

In addition, consistent with the logic of society-dependent enforcement (Amengual, 2016), labour law regulation and enforcement is treated as socially embedded—shaped by bureaucratic-administrative capacity and state-society linkages (active NGOs, civil society organizations,

community networks, and local political will). In this appendix, this is a plausible mechanism and empirical expectation; its role in shaping outcomes underpins H4 and is examined with interview and case-based evidence in Chapter 7.

**Political Economy Orientations and Labour Outcomes (Kohli)**

As Kohli (2004, 2012) and Mehrotra (2019) argue, India's states exhibit durable variation in public policy, investment priorities, and social sector outcomes that binary regulatory labels cannot capture. Since the 1970s, clear patterns have emerged: southern states such as Kerala, Tamil Nadu, Andhra Pradesh, and Karnataka have advanced significantly on social indicators despite ranking in the middle to lower range of per capita income, while high-income states, such as Punjab, Haryana, and Maharashtra, also performed above the national average. However, states such as Bihar, Odisha, Uttar Pradesh, Madhya Pradesh, and Rajasthan have lagged in both economic and social indicators. By the 1990s, differences in indicators of well-being (such as child mortality, life expectancy, and literacy) had consolidated into clear patterns.

Kohli (2004) explains these differences through a typology of pro-business states (supporting established capital, often at labour's expense), pro-market states (promoting competition and benefiting new entrants and consumers), and redistributive or social-democratic states (prioritizing equity, welfare, and labour protections, even at the cost of slower growth). He argues that India's shift from a reluctant pro-capitalist state with a socialist ideology to a more assertively pro-capitalist orientation—anchored in a dominant state-capital alliance—has constrained the state's capacity to implement pro-poor redistributive policies (Kohli, 2004, pp. 2-3).

Viewed through this framework, Kerala reflects a redistributive model, Gujarat a growth-first pro-business orientation, and Andhra Pradesh and Telangana fall between these poles, combining industrial promotion with selective welfare initiatives. These patterns underscore that the most meaningful distinctions in India's context lie not in "pro-worker/pro-employer" labels but in broader developmental orientations and in how states are embedded within specific state-society configurations. For this study, Kohli's typology underscores why regulatory classifications alone are insufficient indicators of governance quality and why explanatory variables should instead focus on the intersection of legal frameworks, enforcement mechanisms, and structural deprivation, especially as these factors shape business employment practices and child labour risks.

## Summary and Implications

The Besley and Burgess (2004) dichotomy of "pro-worker" versus "pro-employer"—rooted in IDA amendment coding and amplified by discourse on business climate rankings—does not provide a reliable basis for comparative inference in this study. A more appropriate, outcome-based approach (the Employment Condition Index), combined with indicators of child labour governance (notably NCLP engagement) and structural deprivation (education and rural MPI) in Chapter 4, clarifies why the three states do not form a contrasting pair for testing the effect of a regime type on child labour risks. This reframing strengthens the thesis by aligning measures with mechanisms and by avoiding over-interpretation of legal form where enforcement, informality, and household constraints dominate child labour outcomes (Bhattacharjea, 2019, 2021; ILO & Institute for Human Development, 2024). For broader political-economy interpretation, Kohli's typology (pro-business, pro-market, redistributive) provides a more meaningful lens than "pro-worker/pro-employer," especially for explaining the coexistence of business investment promotion with uneven social outcomes (Kohli, 2004, 2012).

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# Appendix D

# India's Child Labour Governance & Standards (Extended Evidence)

## D1. India's Child Labour Regulatory Framework

This appendix consolidates India's child labour governance system and its recent operational performance. Part A sets out the central and state legal instruments and the program administration through which the Child and Adolescent Labour (Prohibition and Regulation) Act is implemented, noting the 2021 subsumption of the National Child Labour Project (NCLP) under Samagra Shiksha and the resulting transition of rescue-to-education pathways from labour to education lines. Part B documents program outputs and funding trends using parliamentary records (state-wise grants released and children rescued/withdrawn, rehabilitated, and mainstreamed) and highlights the sharp post-2020–21 contraction that followed the merger period.

State-level operations for Andhra Pradesh, Gujarat, and Telangana illustrate uneven coverage and utilization of Special Training Centres (STCs) and funding flows direct to districts, alongside differences in mainstreaming during the wind-down transition period from April 2021 through March 2023. Enforcement under the CALPR is described using criminal case data and administrative counts: while penalties exist in statute, reported FIRs, prosecutions, and convictions remain low and variable across states, warranting cautious interpretation due to under-reporting and data gaps. Where relevant, civil society analyses (e.g., KSCF) are cited to contextualize observed gaps between legal design and implementation capacity.

Together, the materials in this Appendix provide the legal and administrative framework (Part A) and a comparable evidence base on outputs, funding, state operations, and enforcement (Part B) needed to interpret the thesis's state case analyses and national trends.

### Instruments, Program Architecture, and Administration

#### *Central Instruments (In Force)*

The Child and Adolescent (Prohibition and Regulation) Act of 1986. Parliament of India. — newly consolidated CALPR, as amended in 2016

The Child Labour (Prohibition and Regulation) Amendment Act of 1986. — original Act.

The Child Labour (Prohibition and Regulation) Amendment Act, 2016. — Renames the Act, creates a general prohibition for children below age 14, and regulatory requirements for adolescents (14–18) in hazardous work.

The Schedule to the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986. — Part A (hazardous occupations/processes in which adolescents are prohibited from working, and children are prohibited from helping) and Part B (list of occupations/processes where children are prohibited from helping in family or family enterprises, in addition to Part A).

Ministry of Labour and Employment. (2017b). *Standard Operating Procedure for Enforcement of the Child and Adolescent Labour Prohibition and Regulation Act, 1986*.

The Occupational Safety, Health and Working Conditions Code, 2020. — Cross-references CALPR, provisions for adolescent workers.

**Central Government – Statutory and Technical Bodies.** India's central framework for regulating child labour is led by the Ministry of Labour and Employment, which administers the CALPR, supported by statutory and technical bodies that guide enforcement and policy coordination (Government of India, Ministry of Labour and Employment, 2017a). The Central Advisory Board on Child Labour, reconstituted in 2017, reviews implementation of the legislation and recommends welfare measures. Its multistakeholder composition brings together 45 representatives from relevant ministries, employers' and workers' organizations, trade unions, industry bodies (including Chambers of Commerce), and child-focused NGOs.

Notably, the board includes leading NGOs and research institutions. Representatives Venkat Reddy (MV Foundation, Vice Chairperson, non-official), Rakesh Senger (Bachpan Bachao Andolan), Puja Marwaha (Child Rights and You), a representative from Save the Children India, Aruna Jyoti (Marga Darshini), and Dr. Vasantha Lakshmi (Vasantha Lakshmi Charitable Trust). From the research sector, Dr. Helen R. Sekar (V. V. Giri National Labour Institute) and Dr. Suman Chandra (National Institute of Rural Development and Panchayati Raj) contribute insights on labour studies, rural development, and child protection, supporting evidence-based policy deliberations.

Specialized bodies support this work. The Child Labour Technical Advisory Committee, a ten-member statutory committee, periodically updates the Schedule of hazardous occupations and processes prohibited under the CALPR. In parallel, the Central Monitoring Committee, chaired by the Secretary of the Ministry of Labour and Employment and comprising representatives from state

governments and relevant ministries, coordinates the implementation and oversight of the National Child Labour Projects.

The V. V. Giri National Labour Institute (VVGNLI) provides ongoing technical support at both national and state levels—contributing to policy development, research, and coordination centrally, and to training, awareness-, and convergence-building among enforcement agencies, NGOs, and community actors through its National Resource Centre on Child Labour, which is tasked with aligning efforts toward the progressive elimination of child labour.

***State Instruments (In Force)***

**Table D1**

*Selected state instruments and scope*

| State | Instrument | Year | What changed |
|---|---|---|---|
| Gujarat | The Child and Adolescent Labour (Prohibition and Regulation) (Gujarat Amendment) Act. | 2021 | Raised fine ceiling; broadened authorities (ss. 14D/17A) |
| Telangana | The Telangana Child and Adolescent Labour (Prohibition and Regulation) (Amendment) Rules, 2020 | 2021 | Rule 2B guardrails on family-help; multi-agency roles |
| Andhra Pradesh | The Child Labour (Prohibition and Regulation) Rules (Andhra Pradesh) | 1995 | Health/safety rules under the Central Act |

***Telangana Rule § 2B. Child to help his family without affecting education:***

(1) Subject to the provisions of section 3, a child may, without affecting his school education, in any manner,

(a) help his family in his family enterprise, subject to the condition that such help

(i) shall not be in any hazardous occupation or process listed in Part A and Part B of the Schedule to the Act.

(ii) shall not include work or occupation or process at any stage of the manufacturing, production, supply or retail chain that is remunerative for the child or his family or the family enterprise.

(iii) shall only be allowed to help in his family, or in a family enterprise, where his family is the occupier.

(iv) shall not perform any tasks during school hours and between 7 p.m. and 8 a.m.

(v) shall not be engaged in such tasks of helping which hinders or interferes with the right to education of the child, or his attendance in the school, or which may adversely affect his

education including activities which are inseparably associated to complete education such as homework or any extra-curricular activity assigned to him by the school.

(vi) shall not be engaged in any task continuously without rest which may make him tired and shall be allowed to take rest to refresh his health and mind, and a child shall not help for more than three hours excluding the period of rest in a day.

(vii) shall not include in anyway substitution of the child for an adult or adolescent while helping his family or family enterprise; and

(viii) shall not be in contravention to any other law for the time being in force.

(b) aid or assist his family in such manner which is not incidental to any occupation, work, profession, manufacture or business, or for any payment or benefit to the child or any other person exercising control over the child, and which is not detrimental to the growth, education and overall development of the child.

**Explanation 1.-** For the purposes of this rule, only, (a) biological brother and sister of the child; (b) brother or sister of the child through lawful adoption by parents of the child; and (c) biological brother and sister of parents of the child, shall be included for comprising the family of a child. **Explanation 2.-** For the purposes of Explanation 1, it is hereby clarified that preliminarily, any doubt as to whether a person is a biological brother or sister, may be removed by examining the pedigree of such person issued by the concerned Local Authority as the case may be, or any other legal document issued by concerned authority of the appropriate Government.

(2) Where a child receiving education in a school remains absent consecutively for thirty days without intimation to the Principal or Headmaster of the school, then, the Principal or Headmaster shall report such absence to the concerned nodal officer referred to in clause (i) of sub-rule (1) of rule 17C for information.

***State Action Plans on Child Labour***

Across India, only 12 states developed State Action Plans for the Elimination of Child Labour, including Andhra Pradesh, Gujarat, Telangana, Bihar, Delhi National Capital Territory, Jharkhand, Karnataka, Maharashtra, Meghalaya, Odisha, Punjab, and Tamil Nadu. Most plans are outdated, uneven in quality, and difficult to access. The U.S. Department of Labor notes that the central government does not systematically collect state-level data on child labour activities—such as funding, inspectors, or implementation progress—and has recommended that states publish annual reports to improve transparency and accountability. (U.S. DOL, 2020)

Among the few documented plans, Gujarat issued one for 2008-10, Andhra Pradesh released an action plan in 2009 (revised in 2013), and Telangana approved an action plan in 2017, the only known plan issued following the 2016 updates to the CALPR amendment. Overall, the landscape suggests fragmented state-level commitment and significant information gaps that limit the reliability of these plans as indicators of regulatory strength.

**Table D2**

*State Action Plans – issuance and status*

| State | Year | Status note |
|---|---|---|
| Gujarat | 2008–10 | Pre-2016; likely outdated |
| Andhra Pradesh | 2009 (revised 2013) | Targets to Dec 2015 |
| Telangana | 2017 | The only action plan issued post-2016 |

***National Policy Framework***

India's National Plan of Action for Children (2016), released 24 January 2017, operationalizes the National Policy for Children (2013) and is framed to support Sustainable Development Goals commitments.

**Toward a Model National Action Plan.** India currently lacks a consolidated national action plan on child labour, though recent developments indicate a shift toward coordinated national planning. In March 2022, the Minister of Labour and Employment announced work on a model State Action Plan intended to guide national, state, and district-level strategies on addressing child labour, including strategies for migrant children, girls, and Scheduled Castes/Scheduled Tribes (Government of India, Lok Sabha, 2022). The Parliamentary Standing Committee on Labour, Textiles and Skills Development (2022-2023) further recommended the adoption of a national action plan, following its review of the National Policy on Child Labour and subsequent report tabled in December 2023, which emphasized cross-ministerial coordination across education, enforcement, livelihood support, and awareness campaigns.

A draft national plan is under inter-ministerial review (The Economic Times, 2022). It includes strategies for district-level drives to identify out-of-school children under the *Samagra Shiksha* scheme (India's education program), and ministries such as Textiles and Commerce have explored supply chain measures (including potential "Child Labour Free" branding) as part of a broader national framework (PRS Legislative Research, n.d.).

***NCLP Program Design, Roles, Outputs***

This appendix complements Chapter 4's discussion on the 1987 convergence approach and the CALPR's focus on withdrawal, bridge supports, and mainstream education enrolment. (See Chapter 4.2: "Implementing India's Child Labour Law: Institutions, Programs, and Convergence.")

The National Child Labour Project (NCLP) organized roles and outputs at the district level and describes how those operating roles shifted after subsumption into Samagra Shiksha (effective April 2021). Following the NCLP's subsumption into Samagra Shiksha, no new NCLP Special Training Centres or enrolments were permitted after 31 March 2021, and residual, previously approved STC centres were allowed to continue only until enrolled children were mainstreamed.

**Table D3**

*National Child Labour Project – Objectives and Operational Approach*

| Objective | In practice | Primary roles | Intended outputs |
|---|---|---|---|
| Identification, withdrawal, bridge, leading to mainstream education | District survey/inspection (intake)<br>Special Training Centres bridge supports age-appropriate enrolment to education (ages 5-8; 9-14) | Labour/Police Task Force<br>Child Welfare Committees under the Integrated Child Protection Scheme<br>Education (Samagra Shiksha)<br>District Magistrate-chaired Project Society | Child withdrawn<br>Bridge to education completed<br>School enrolment and retention<br>Family linked to schemes |
| Adolescents (14–18) from hazardous work | Detect adolescents in prohibited processes<br>Withdraw<br>Refer to vocational training and skills development | Labour/Inspectorate<br>Special Juvenile Police Unit/Police<br>Department of Skill Development. | Withdrawal<br>Referral to skills<br>CALPR compliance |
| Awareness & frontline orientation | Standard Operating Procedure refreshers<br>Community meetings | Labour/Police<br>Child Welfare Committees<br>Schools/School Management Committees<br>Panchayats<br>NGOs | More reports<br>Faster referrals<br>Reduced school, technical, and vocational education and training dropouts |
| Monitoring, tracking & coordination | Monthly District Magistrate-chaired review<br>PENCIL dashboards | District Nodal Officer<br>Project Society<br>Line departments | Timely follow-up<br>Bottleneck resolution<br>Administrative reporting |

*Source.* Lok Sabha Secretariat. (2023). National Policy on Child Labour—An Assessment (pp. 14-22).

### *District-Level Implementation and Monitoring*

This section documents operational mechanisms at the district level—District Magistrate-chaired Project Societies, the Task Force Against Child Labour (labour and police), Child Welfare Committees providing a gateway to the Integrated Child Protection Scheme, Education (Samagra

Shiksha) for school enrolment and retention, and the PENCIL portal for complaint handling and case tracking—aligned to the 2017 Standard Operating Procedures for the CALPR. (See Chapter 4.2 for the broader program rationale and enforcement interfaces.)

**Identification and reporting.** Identification and reporting rely on district surveys, inspections, absenteeism alerts from schools, and complaints received through the PENCIL portal, police, Childline 1098 [107], Child Welfare Committees, NGOs, and community sources, which together trigger verification and case initiation. District-level surveys help identify children or adolescents engaged in hazardous work, bonded labour, or out-of-school situations, who are then prioritized as the target group for withdrawal. [108]

**Pre-rescue.** Rescue operations are conducted by a multi-agency team (Task Force Against Child Labour) assembled by the District Magistrate, typically including Police/Special Juvenile Police Units, the District Nodal Officer or labour inspectors, Child Welfare Committees / District Child Protection Unit representatives, legal services authorities, women police officers, child helpline services/NGO partners, and translators or counsellors. This team structure anticipates overlapping offences (e.g., child labour, adolescent hazardous work, bonded labour, trafficking) and ensures specialized skills are available during operations.

**Rescue.** Each operation is treated case-by-case, with priority placed on securing all child and adolescent victims, preserving evidence, and ensuring immediate safety. Every rescued child must be produced before the Child Welfare Committee within 24 hours (excluding travel time).

**Post-rescue.**

- ***First Information Report (FIR) registration:*** Police register FIRs with all relevant sections, recognizing that, in addition to child labour or adolescent hazardous work, the child or adolescent could also be a victim of trafficking, kidnapping, sexual exploitation, or economic offences where applicable.

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[107] The Ministry of Women and Child Development operates Childline 1098, a 24/7 telephone helpline for children in distress, with outreach at railway stations, bus terminals, and urban hotspots. Additionally, the TrackChild portal facilitates the tracking and reunification of missing and vulnerable children, enabling coordination among police, child protection units, and service providers.

[108] As per NCLP Scheme guidelines (2016), surveys conducted under Sarva Shiksha Abhiyan may also be utilized under NCLP scheme. Under Samagra Shiksha Abhiyan, survey is conducted annually in each district to identify the number of "out of school children" which may also include child labourers/adolescents (Government of India, Ministry of Labour & Employment, 2016)

- ***Child Welfare Committee (CWC) proceedings:*** The CWC undertakes age determination, medical examination, interim care and protection, tracing parents or possible home verification for safe placement, and a social investigation report to be completed within 15 days. The CWC may direct that additional charges be filed through the Juvenile Justice Board under the Juvenile Justice (Care and Protection of Children) Act, 2015.
- ***Counselling of the victim:*** Trained counsellors, social workers, NGOs, or District Legal Services Authority staff assess trauma, support the child's participation in proceedings, and communicate needs to the Child Welfare Committee.
- ***Legal aid:*** District or State Legal Services Authority-empanelled lawyers provide legal support at police stations and places of safety, including advice to parents where appropriate.
- ***Economic rehabilitation:*** Children and adolescents receive back wages (at least the minimum wage). Bonded labour survivors receive immediate assistance under the Central Sector Scheme (₹30,000 minimum, up to ₹300,000 based on proof).

**Rehabilitation.**

- ***Social rehabilitation:*** All rescued persons under 18 are produced before the Child Welfare Committee, which determines care arrangements following inquiry.
- ***Educational rehabilitation:***
    - Ages 5–8: directly referred to the Samagra Shiksha Abhiyan to access their right to education.
    - Ages 9–14: attend two-year bridge education in Special Training Centres, then mainstreamed under the Samagra Shiksha Abhiyan programme.
    - Ages 14–18: referral to a skill-development program run by the Government of India or by the state government.
    - Progress is recorded through PENCIL index cards updated by the District Project Society.

**Monitoring.** Enforcement of the Act is monitored internally (MoLE mechanisms) and by external independent agencies. [109]

**Roles and responsibilities.**

- District Labour Office: labour inspections and compliance notices.
- District Nodal Officer: responsible for monitoring cases via the PENCIL portal and convening monthly coordination meetings: prevention, identification, pre-rescue planning, rescue, post-rescue coordination, rehabilitation follow-up.
- Police/Special Juvenile Police Unit: prevention, identification, planning, rescue, post-rescue investigation.
- District Magistrate: oversight of prevention, identification, rescue preparation, rescue operations, post-rescue actions, and rehabilitation.
- NCLP Project Director: prevention, identification, assistance in rescue, rehabilitation, and follow-up.
- State Labour Departments: prevention, identification, rescue assistance, rehabilitation follow-up.
- State or District Legal Services Authorities: support in rescue and rehabilitation.
- Child Welfare Committees: rescue authorisation, inquiry, and rehabilitation orders. Child Welfare Committees are the district-level bodies legally mandated to make "best-interest" determinations under the Juvenile Justice Act.
- Department of Education and Schools: prevention (absenteeism alerts), identification, and educational rehabilitation.
- The Vigilance Committee under the Bonded Labour System (Abolition) Act, 1976, operates alongside schools and Panchayats.

[109] As part of the monitoring process, the National Human Rights Commission and State Human Rights Commissions oversee unresolved human-rights violations, including child and adolescent labour in hazardous sectors. The National and State Commissions for Protection of Child Rights, together with District Child Protection Units, monitor child-protection systems nationwide. While national and state commissions review policy implementation, District Child Protection Units oversee field-level institutions and community monitoring bodies. The National, State, and District Legal Services Authorities monitor inter-agency coordination, implementation of child-labour laws and schemes, and children's access to justice. (Ministry of Labour and Employment, 2017)

## Program Outputs, Funding, State Operations, and Enforcement

### *Program Outputs*

Significant data gaps persist in the implementation and monitoring of the National Child Labour Project. While the Ministry of Labour and Employment reports administrative series to Parliament, and the National Crime Records Bureau publishes statistics on criminal enforcement, inconsistencies across parliamentary replies and published datasets complicate year-to-year comparisons and reduce confidence in trend inference. As part of this study, an analysis of parliamentary replies to both starred and unstarred questions in the Lok Sabha (the lower house of India's bicameral Parliament) and Rajya Sabha (its upper house) since the late 1980s shows frequent gaps and unexplained fluctuations in reported child labour data across states and over time. [110]

The post-merger transition period—NCLP's subsumption into Samagra Shiksha with effect from 1 April 2021—further affects series comparability: no new Special Training Centre or enrolments were permitted after 31 March 2021, and residual, previously approved STCs were allowed to continue only until enrolled children were mainstreamed. As a result, program and enforcement output counts contracted sharply in 2021-22 and 2022-23 while residual grants were still being released to close operations—these conditions indicate a decline in the administrative total even without changes in underlying child labour incidence.

In this context, enforcement counts are used as supporting indicators rather than decisive measures of prevalence or program effectiveness. Independent reviews underscore that the number of child labour rescues culminating in prosecution is "grossly inadequate" relative to estimated child labour prevalence. For example, a secondary analysis of National Crime Records Bureau (NCRB) data for 2016-2018 conducted by the Kailash Satyarthi Children's Foundation (KSCF's, 2020a) found that fewer than 0.02% of estimated child labourers were rescued during that period. (See the section "Enforcement Outputs under the CALPR" for the aligned caveats and the descriptive comparative figures used in this Annex.)

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[110] In India's Parliament, starred questions require an oral response from the minister and allow supplementary questions from other members, whereas unstarred questions receive a written reply and do not permit follow-up questions. See the *Questions and Answers* (Lok Sabha Secretariat, 2023). https://sansad.in/ls/questions/questions-and-answers. Key data sources consulted include: Rajya Sabha Unstarred Question No. 1347 (5 December 2012); Rajya Sabha Starred Question No. 243 (12 August 2015); Lok Sabha Starred Question No. 116 (11 February 2019); Lok Sabha Unstarred Question No. 1522 (1 July 2019); Lok Sabha Starred Question No. 108 (18 November 2019); Lok Sabha Unstarred Question No. 4134 (28 March 2022, data from 2018–2020); and National Crime Records Bureau (n.d.), Crime in India reports for 2016–2020.

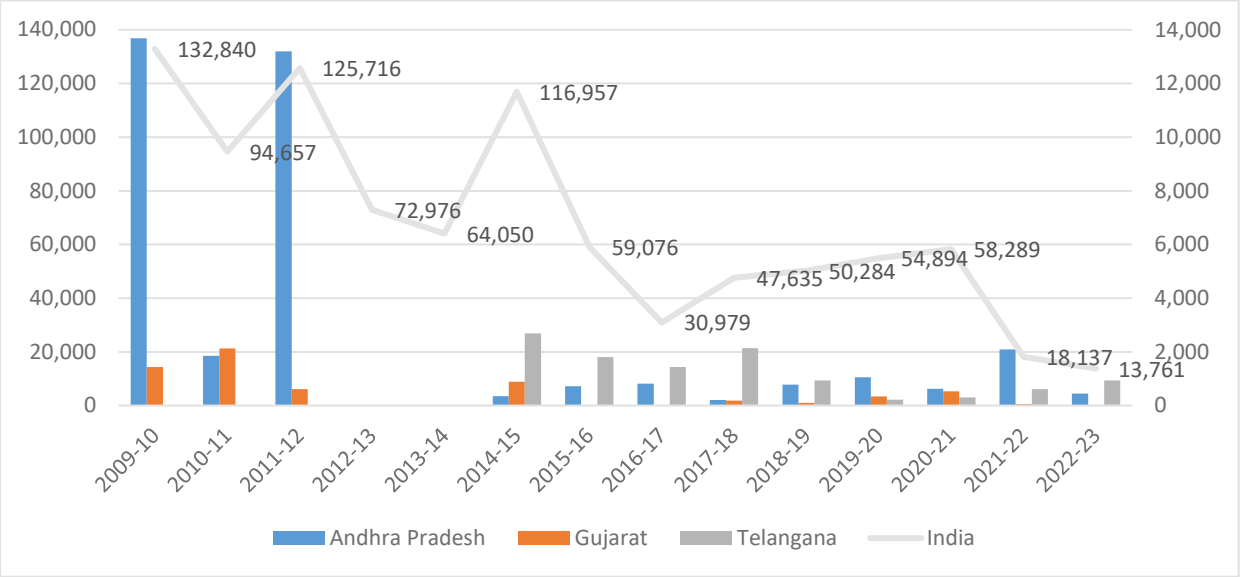
**Geographic Scope and Special Training Centres.** Special Training Centres (STCs), previously known as NCLP schools, were established to provide short-term basic education and services to children rescued from child labour before mainstreaming into formal schools, in line with the Right to Education Act (2009), which enrolls out-of-school children into age-appropriate grades following bridge education. Each STC typically accommodates 15-50 children. NGOs and local agencies often run Special Training Schools and provide bridge education for 3 months to 3 years, depending on individual needs, to help children catch up with their cohort; after this period, children are mainstreamed into the formal education system. In addition to education, children receive nutrition and health services, vocational training, craft activities, and a monthly conditional cash transfer of INR 150, paid directly to the child and contingent on at least 75% school attendance.

In 2016, 2,975 STCs were functioning across India, increasing to 3,250 by March 2018. According to the Kailash Satyarthi Children's Foundation (KSCF, 2022a), if fully operational, they could have served approximately 163,000 children. In reality, only about 61,250 children were reached in 2021-22, highlighting the program's limited coverage and underutilization of capacity. Following the merger with Samagra Shiksha (effective 1 April 2021), no new NCLP Special Training Centres could be opened and no new children enrolled; by July 31, 2022, operations remained in only eight districts across four states (Madhya Pradesh, Odisha, Assam, and West Bengal) with 7,422 children enrolled. Most rescued children will now be mainstreamed into formal education through STCs operating under the Samagra Shiksha Abhiyan scheme.

**Coverage Trends and Operational Performance.** In 2020-21, the National Child Labour Project Scheme rescued and rehabilitated 58,289 children from child labour and mainstreamed them into education across 13 states. Since its inception (1988), approximately 1.4 million children have been rescued/withdrawn, rehabilitated, and mainstreamed under the NCLP. National totals have steadily decreased from 132,840 (2009-10) to 116,957 (2014-15) and 30,979 (2016-17) as shown in Figure D1. Between 2016-17 and 2020-21, 242,081 children were rescued, rehabilitated, and mainstreamed across 18 states (an average of 48,416 children per year). After the scheme's merger, totals fell further to 18,137 (2021-22) and 13,861 2022-23). While the program initially demonstrated broader reach, the data show a sustained decline in its scale, particularly after 2015-16. These reductions align with the 2016 updates to the CALPR and the 2021 transition to Samagra Shiksha, indicating a shift in implementation pathways and resource allocation rather than a verified decline in underlying child labour incidence.

**Figure D1**

*Children Rescued, Rehabilitated, and Mainstreamed under NCLP Scheme, 2009–10 to 2022–23*




*Note.* NCLP = National Child Labour Project.
*Sources.* Compiled from replies to: Lok Sabha Unstarred Question No. 25033 dated 9 August 2010 (data 2007-11); Lok Sabha Unstarred Question No. 1665, dated 16 December 2013 (data from 2010-14); Lok Sabha Starred Question No. 116, dated 11 February 2019 (data from 2014-18); and Lok Sabha Unstarred Question No. 930, dated 29 July 2024 (data 2018-23).

### *Funding and Resourcing*

Over the past decade, NCLP funding has declined sharply, and the scheme was formally subsumed into Samagra Shiksha effective 1 April 2021, with only residual Special Training Centres remaining in operations. NCLP allocations tightened during the transition. In budget terms, Union allocations fell from INR 2.5 billion in 2015-16 to INR 1.2 billion in 2021-22 and further to INR 0.3 billion in 2022-23; the Child Budget share declined from 2.46% (2021-22) to 2.35% (2022-23)—lowest since 2008 (KSCF, 2022b).

**Table D4**

*Union Government Allocations to NCLP-related Lines (Selected Years)*

| FY | INR million | USD (approx.) | Notes |
|---|---|---|---|
| 2015–16 | 2,500.0 | $30.1 million | Pre-merger |
| 2021–22 | 1,200.0 | $14.5 million | Transition year |
| 2022–23 | 300.0 | $3.6 million | Post-merger |

*Note.* Financial figures are initially presented in ₹ lakh. Approximate USD equivalents based on an exchange rate of ₹82.85 per USD (as of March 2024).
*Sources:* Lok Sabha Secretariat (n.d.) Lok Sabha Unstarred Question No. 930, dated 29 July 2024, and Lok Sabha Starred Question No. 116, dated 11 February 2019, and retrieved from https://sansad.in/ls/questions/questions-and-answers.

Union transfers under the NCLP flow directly to District Project Societies, bypassing state budgets—placing primary financial responsibility at the district level while complicating consolidated tracking. The Union child labour line historically covered: (a) the NCLP scheme itself, (b) grants-in-aid to voluntary agencies, and (c) reimbursement for bonded labour assistance, but child-focused organizations argue that allocations are insufficient to sustain District Project Societies and Special Training Centres, stipends, and rehabilitation functions (KSCF, 2021).

State-wise Union releases illustrate uneven uptake: Andhra Pradesh received INR 96.68 million (4.96% of national NCLP funds) between 2018-19 and 2022-23, Telangana INR 65.57 million (3.36%), and Gujarat INR 32.73 million (1.68%). While Andhra Pradesh and Telangana accounted for relatively higher shares, Gujarat's low receipts suggest limited program utilization or priority during the period. Overall, official releases and parliamentary replies confirm a contraction of NCLP financing and operations alongside the merger into education lines.

**Table D5**

*Grant Released under NCLP Scheme, State-Wise, (2018–2023) (INR million)*

| | Andhra Pradesh | | Gujarat | | Telangana | |
|---|---|---|---|---|---|---|
| | INR million | USD (approx.) | INR million | USD (approx.) | INR million | USD (approx.) |
| 2018-19 | ₹3.0946 | $37,352 | ₹0.9941 | $12,000 | ₹2.0456 | $24,690 |
| 2019-20 | ₹2.0268 | $24,46**4** | ₹1.5431 | $18,625 | ₹1.3211 | $15,946 |
| 2020-21 | ₹3.0629 | $36,969 | ₹0.6136 | $7,406 | ₹1.5286 | $18,450 |
| 2021-22 | ₹0.3201 | $3,864 | ₹0.1223 | $1,476 | ₹0.7156 | $8,637 |
| 2022-23 | ₹1.1637 | $14,046 | 0 | 0 | ₹0.9465 | $11,424 |
| Total | ₹9.6681 | $116,695.00 | ₹3.2731 | $39,506 | ₹6.5574 | $79,148 |

*Note.* Data on the grant released under the NCLP Scheme (INR million) are sourced from the Ministry of Labour and Employment. Original government statements present amounts in ₹ lakh; figures here are converted to INR million for consistency across Annex tables. Year labels refer to financial years (FY). USD values are indicative for reader convenience; the INR million values are authoritative for analysis and shares. Approximate USD equivalents based on an exchange rate of ₹82.85 per USD (as of March 2024).

*Sources.* Lok Sabha Secretariat (n.d.) Lok Sabha Unstarred Question No. 930, dated 29 July 2024, and Lok Sabha Starred Question No. 116, dated 11 February 2019, and retrieved from https://sansad.in/ls/questions/questions-and-answers. Last retrieved 27 February 2026.

### *State Level Operations: Andhra Pradesh, Gujarat, and Telangana*

This section summarizes operational capacity, district coverage, and program outputs.

**Andhra Pradesh.** Table D6 shows that the NCLP in Andhra Pradesh recorded some of its highest numbers of children rescued and mainstreamed in 2009-10 (13,689 children) and 2011-12

(13,202 children). However, these numbers fluctuated significantly. Excluding peaks, from 2010-11 to 2020-21, the state averaged 1,688 children rescued and mainstreamed per year (88% below the earlier highs). Between 2016-17 and 2020-21 3,466 children were rescued and mainstreamed (an average of 693 per year). The number of children rescued and mainstreamed rose to 2,090 in 2021–22, then fell to 441 children in 2022-23 as NCLP was winding down.

In 2016, 60 Special Training Centres operated, which implies a minimum capacity of 900 and a maximum of 3,000 children. The data in Table D6 indicate that Andhra Pradesh exceeded its minimum capacity in 2019-20 and 2021–22 but operated below it in 2018-19 and 2020-21.

**Table D6**

*Rescue and Rehabilitation Data under NCLP and the CALPR*

| Year | India | Andhra Pradesh | Gujarat | Telangana |
|---|---|---|---|---|
| 2009-10 | 132,840 | 13,689 | 1,437 | * |
| 2010-11 | 94,657 | 1,858 | 2,129 | * |
| 2011-12 | 125,716 | 13,202 | 609 | * |
| 2012-13 | 72,976 | — | — | — |
| 2013-14 | 64,050 | — | — | — |
| 2014-15 | 116,957 | 346 | 892 | 2,691 |
| 2015-16 | 59,076 | 716 | 0 | 1,810 |
| 2016-17 | 30,979 | 814 | 0 | 1,431 |
| 2017-18 | 47,635 | 203 | 187 | 2,137 |
| 2018-19 | 50,284 | 778 | 101 | 935 |
| 2019-20 | 54,894 | 1,049 | 341 | 214 |
| 2020-21 | 58,289 | 622 | 531 | 300 |
| 2021-22 | 18,137 | 2,090 | 50 | 618 |
| 2022-23 | 13,761 | 441 | 0 | 935 |

Notes: * Telangana became a separate state in June 2014; no disaggregated data exist for Telangana prior to the 2014–2015 financial year; all child labour outputs for earlier years were reported under undivided Andhra Pradesh. Data on the number of children rescued/withdrawn from work, rehabilitated, and mainstreamed under the NCLP Scheme, as well as state-wise grants released, are sourced from the Ministry of Labour and Employment. MoLE did not publish state-level NCLP rescue/mainstreaming data for 2012–13 or 2014–15. These years appear only in all-India summaries (Press Information Bureau/MoLE), not in disaggregated state tables.

*Sources:* Lok Sabha Unstarred Question No. 930 (29 July 2024) and Lok Sabha Starred Question No. 116 (2 November 2019), retrieved from the Lok Sabha Secretariat (https://sansad.in/ls/questions/questions-and-answers). Data for 2009–10 to 2011–12 sourced from Rajya Sabha Unstarred Question No. 4341 (16 May 2012): State-wise number of child labourers benefited under NCLP scheme during 2009–10 to 2011–12 (https://rsdebate.nic.in/bitstream/123456789/605994/2/PQ_225_16052012_U4341_p42_p43.pdf).

As of March 31, 2021, six districts remained operational; 13 districts remained sanctioned by the Union government to implement the NCLP Scheme (Anantapur, Chittor, Kadapa, Guntur, Kurnool, Nellore, Prakasam, Srikakulam, Vizianagaram, Vishakhapatnam, West Godavari, East Godavari, Krishna). After the merger, 885 children rescued before 31 March 2022 were mainstreamed through 120 STCs in six districts.

**Gujarat.** The NCLP in Gujarat served far fewer children than Andhra Pradesh but showed a similar pattern of fluctuation over time (Table D6). From 2010-11 to 2020-21, the state averaged 536 children rescued and mainstreamed per year, well below levels recorded in the early 2010s. Between 2016-17 and 2020-21, 1,160 children were rescued and mainstreamed (an average of 232 children per year). The program reached 531 children in 2020–21, then fell sharply to 50 in 2021-22, and to zero in 2022-23 as the program was fully wound down.

In 2016, Gujarat had 66 Special Training Centres in operation, implying a minimum capacity of 990 children and a maximum of 3,300 children. The data indicate that Gujarat operated well below capacity during 2018 and 2019, before phasing down entirely by 2022–23. As of March 31, 2021, no districts remained operational; nine districts remained sanctioned by the Union government (Surat, Panchmahal, Kachchh (Bhuj), Banaskantha, Dahod, Vadodara, Bhavnagar, Ahmedabad, and Rajkot). No children were rescued through the NCLP after 2021-22.

**Telangana.** The NCLP in Telangana recorded some of its highest numbers of children rescued and mainstreamed in the mid-2010s, followed by fluctuations across the decade (see Table D6). Between 2014-15 and 2020-21, the state rescued and mainstreamed an average of 1,360 children per year. Between 2016-17 and 2020-21, 5,017 children were rescued and mainstreamed (an average of 1,003 per year). The number of children rescued and mainstreamed decreased from 935 in 2018-19 to 214 in 2019-20, then rose to 618 in 2021-22 and returned to 935 in 2022-23.

In 2016, Telangana had 167 Special Training Centres in operation, indicating a minimum capacity of 2,500 children and a maximum of 8,350. The data indicate that Telangana operated below its capacity in 2018-19 and showed a marked dip in 2019–20, before returning to higher activity levels by 2022-23. As of March 31, 2021, four districts in Telangana remained operational; the Union government sanctioned 31 districts to implement the NCLP scheme (Hyderabad, Karimnagar, Khammam, Nizamabad, Rangareddy, Warangal, Nalgonda, Medak, Mahabubnagar, Adilabad, Mancherial, Nirmal, Komuram Bheem Asifabad, Jagtiyal, Warangal (Urban), Jayashankar

Bhupalpally, Jangaon, Sangareddy, Siddipet, Wanaparthy, Nagarkurnool, Jogulambab Gajwal, Suryapet, Medchal Malkajgiri, Vikarabad, Mahabubabad, Pedapally, Rajanna Sircilla, Bhadradri Kothagudem, Yadadri Bhuvanagiri and Kamareddy). In 2021-22, 222 children were mainstreamed through 71 STCs.

During 2018-19 to 2020-21, Special Training Centres under Samagra Shiksha enrolled/mainstreamed 478,000, 507,000, and 326,000 children, respectively, compared to NCLP STCs at 50,000, 55,000, and 58,000 children, underscoring the shift of bridge-education to the Ministry of Education. (Lok Sabha Secretariat, 2023, p. 59)

The Ministry of Labour and Employment informed Parliament that, after absorption within Samagra Shiksha, only residual NCLP-labelled Special Training Centres (STCs) continued; approximately 18,000 children were enrolled/mainstreamed in 2021-22, and approximately 13,000 children in 2022–23 at NCLP-labelled STCs.

***Enforcement Outputs Under the CALPR***

State labour departments report administrative enforcement outputs—violations detected, prosecutions launched, and convictions—based on labour inspections under the CALPR and transmit them to the Ministry of Labour and Employment (MoLE) for parliamentary reporting. Separately, police register criminal cases (FIRs) under the CALPR; these are reported as the number of incidents/cases (I) with victims (V) and the crime rate (R) per 100,000 population in the NCRB's *Crime in India* series. The two streams capture different parts of the enforcement process and are not directly interchangeable. Under the CALPR, enforcement is carried out by State Governments—except in railway administration, major ports, mines, and oil fields, where the Central Government is the 'appropriate government'—detailed violation and fine data are therefore maintained at the States and Union Territories (State/UTs) level rather than centrally.

The Platform for Effective Enforcement for No Child Labour (PENCIL) portal, launched in 2017, supports complaint intake, inter-agency coordination, and legal NCLP case tracking, with District Nodal Officers using dashboards during monthly convergence meetings. The portal connects the Central and State governments and District Project Societies through a unified Child Tracking System, supporting cross-jurisdictional coordination and monitoring of CALPR enforcement. It also includes a national Complaint Corner through which citizens report child labour and adolescent labour, which are routed to District Nodal Officers for verification and action. As of February 2026,

5,164 citizen complaints had been received and 4,485 closed across India since its 2017 launch. [111] The PENCIL portal's tracking function also supports preventing re-entry into illegal work by monitoring schooling and follow-up actions through quarterly updates.

Despite statutory penalties increasing—ranging from six months to two years of imprisonment and/or fines of INR 20,000 to 50,000, with one to three years' imprisonment for repeat offences—enforcement volumes remain low relative to the estimated prevalence. Parents are exempt for a first offence but may be fined up to INR 10,000 for subsequent violations, a provision intended to avoid penalizing poverty while preventing re-entry into hazardous work.

**Administrative Penalties (Labour Inspectorates).** Illustratively, in 2018, Parliamentary records show India's total of 809 violations detected, 536 prosecutions, and 580 convictions; that year, Gujarat reported 133 violations, 70 prosecutions, and zero convictions, and Telangana 116 violations, 41 prosecutions, and four convictions, while Andhra Pradesh recorded no administrative activity (Table D7**).** From 2015 to 2018, Andhra Pradesh reported 11 violations, three prosecutions, and 15 convictions; in Gujarat, enforcement was more active (422 violations, 287 prosecutions), yielding only five convictions; Telangana recorded 747 violations, 591 prosecutions, and 67 convictions, indicating comparatively stronger activity. These administrative indicators are not police data.

**Table D7**

*Violations, Prosecutions, and Convictions under Child and Adolescent Labour Act, 2015–2018*

| Year | India | | | Andhra Pradesh | | | Gujarat | | | Telangana | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Viol. | Pros. | Conv. | Viol. | Pros. | Conv. | Viol. | Pros. | Conv. | Viol. | Pros. | Conv. |
| 2015 | 4320 | 2482 | 749 | 9 | 1 | 2 | 142 | 100 | 0 | 315 | 312 | 31 |
| 2016 | 3991 | 1730 | 678 | 2 | 2 | 13 | 79 | 76 | 0 | 241 | 166 | 5 |
| 2017 | 1697 | 1279 | 699 | NA | NA | NA | 68 | 41 | 5 | 75 | 72 | 27 |
| 2018 | 809 | 536 | 580 | NA | NA | NA | 133 | 70 | 0 | 116 | 41 | 4 |
| Total | | | | 11 | 3 | 15 | 422 | 287 | 5 | 747 | 591 | 67 |

*Note.* Administrative figures are compiled from information received from State/UTs and tabled in Parliament by MoLE; they are not FIRs and should not be compared directly to the NCRB *Crime in India* series.

[111] Lok Sabha, *Unstarred Question No. 450*, answered on 2 February 2026, concerning the Platform for Effective Enforcement for No Child Labour (PENCIL).

*Source.* Lok Sabha Unstarred Question No. 1522 (01 July 2019) — "Child Labour." https://sansad.in/getFile/loksabhaquestions/annex/171/AU1522.pdf?source=pqals; and, Rajya Sabha, Unstarred Question No. 391 (Session 248): "State/UT-wise Number of Violations Detected, Prosecutions Launched and Convictions made under the Child Labour Act from 2015 to 2018 (from Ministry of Labour and Employment)" https://www.data.gov.in/resource/stateut-wise-number-violations-detected-prosecutions-launched-and-convictions-made-under#api

Abbreviations: Viol. = Violations detected; Pros. = Prosecutions launched; Conv. = Convictions (MoLE/Parliament administrative returns).

**Criminal Enforcement (Police/NCRB).** Police-registered FIRs (cases registered), victims (V), and rates (R) under the CALPR—presented in Table D8 using data from the NCRB's *Crime in India*—show consistently low, uneven criminal enforcement across states. For example, from 2019 to 2021, India recorded 770, 476, and 613 FIRs, respectively, under the CALPR; across those years, Telangana recorded 314, 147, and 224 FIRs, Gujarat 64, 39, and 40 FIRs, and Andhra Pradesh 2, 37, and 12 FIRs. More specifically, in 2020, Andhra Pradesh registered 37 cases (37 child victims), Gujarat registered 39 cases (104 victims) and Telangana 147 cases (188 victims); the corresponding crime rates in the *Crime in India* are 0.2%, 0.2% and 1.3%, respectively, placing Andhra Pradesh lowest, Gujarat mid-range, and Telangana highest in that year, mirroring the broader patterns across 2019-21 reported in Table D8. Even in major destination (e.g., Maharashtra) or source (e.g., Jharkhand, Chhattisgarh) states for child trafficking and forced labour, police-recorded FIR counts and rates under the CALPR remain strikingly low: Maharashtra recorded 29 FIRs (0.1%), Jharkhand 27 FIRs (0.2%), and Chhattisgarh reported no cases in 2020.

**Institutional capacity and interpretation.** Across most states, inspections, case registrations, prosecutions, and convictions occur at levels far below what would be expected under full implementation of the legal framework (KSCF, 2020, p. 3). Reviews highlight four recurring constraints: (a) insufficient resources and incomplete public data on inspectorate staffing, inspection volumes, and budgets; (b) delays from labour complaints to inspection; (c) low prosecution and conviction rates; and (d) corruption or procedural misclassification, which fosters impunity, undermines deterrence, and can depress recorded offences (U.S. DOL, 2016, 2022, 2023). Civil society also highlights uneven Standard Operating Procedures and training across states, as well as the infrequent use of maximum administrative penalties. To address growing pendency, the Kailash Satyarthi Children's Foundation (2020, p. 3) recommends creating an exclusive, dedicated court for the trial of CALPR cases.

**Table D8**

*Cases, Child Victims, and Rates under Child and Adolescent Labour Act, 2015–2023*

| Year | India | | | Andhra Pradesh | | | Gujarat | | | Telangana | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | FIRs | V | R % | FIRs | V | R % | FIRs | V | R % | FIRs | V | R % |
| 2015 | 251 | 449 | 0.1 | 0 | 0 | 0.0 | 4 | 4 | 0 | 5 | 8 | 0.0 |
| 2016 | 204 | 384 | 0.0 | 2 | 2 | 0.0 | 7 | 25 | 0 | 6 | 9 | 0.1 |
| 2017 | 462 | 685 | 0.1 | 0 | 0 | 0.0 | 3 | 3 | 0.0 | 58 | 151 | 0.5 |
| 2018 | 464 | 810 | 0.1 | 0 | 0 | 0.0 | 35 | 72 | 0.2 | 125 | 143 | 1.1 |
| 2019 | 770 | 1215 | 0.2 | 2 | 3 | 0.0 | 64 | 106 | 0.3 | 314 | 459 | 2.8 |
| 2020 | 476 | 705 | 0.1 | 37 | 37 | 0.2 | 39 | 104 | 0.2 | 147 | 188 | 1.3 |
| 2021 | 613 | 982 | 0.1 | 12 | 12 | 0.1 | 40 | 84 | 0.2 | 224 | 305 | 2.0 |
| 2022 | 751 | 1169 | 0.2 | 15 | 15 | 0.1 | 42 | 52 | 0.2 | 175 | 257 | 1.5 |
| 2023 | 1390 | 2167 | 0.3 | 25 | 56 | 0.2 | 85 | 95 | 0.4 | 168 | 202 | 1.5 |

*Note.* Sourced from *Crime in India*, published by the National Crime Records Bureau (NCRB), various volumes 2015-2023. All values are extracted from the NCRB *Crime in India* volumes for 2015–2023; where earlier press releases or parliamentary answers show divergent numbers, *Crime in India* values are used for consistency.

Abbreviations:
- FIR = "cases registered" under the CALPR in the NCRB Crime in India series.
- V = number of child victims recorded under those FIRs.
- R = crime rate per 100,000 relevant population as published in the Crime in India tables.

Given these measurement limitations, both data sources (Crime in India and MoLE/Parliament) are best treated as supporting indicators in the study's evidence base; they track enforcement effort and capability, rather than underlying child labour incidence. On that view, the persistently low FIRs, prosecutions, and convictions in 2016-17 to 2020-21 indicate systemic constraints in detection, registration, and prosecution, rather than a verified decrease in child labour incidence.

Against this backdrop, Parliament and MoLE highlighted changes since 2016 that were intended to strengthen on-the-ground enforcement. In evidence before the Standing Committee on Labour, Textiles, and Skills Development (2023), MoLE representatives explained that: offences were made cognizable, recognizing the seriousness of the crime and granting increased police

authority for investigation and arrest; [112] penalties were increased and for the first time parents may be penalized for repeat violations; and direct responsibility for CALPR implementation was assigned to the District Magistrates (MoLE, 2023, 35). These points are consistent with the text of the 2016 Amendment Act and subsequent Government statements on enforcement.

***Targeted Rescue Campaigns***

Several Indian states launched targeted rescue campaigns to locate and rehabilitate missing and exploited children, including those trafficked or in bonded labour. Initiatives like Operation Smile and Operation *Muskaan*, led by the Ministry of Home Affairs in collaboration with the Ministry of Women and Child Development, mobilize police teams to rescue children from high-risk environments, such as railway stations, bus stops, traffic junctions, brick kilns, mechanic shops, and tea stalls. These month-long campaigns involve specially trained police officers who identify and rescue missing children from high-risk sites. Rescued children are either reunited with families or referred to Child Welfare Committees or rehabilitation centres.

According to *The Protector* magazine, Indian states have reported rescuing 19,742 children under Operation Muskaan (January) and 9,146 children under Operation Smile (July), highlighting the scale and impact of these initiatives.

States such as Andhra Pradesh, Telangana, and Gujarat actively participate. In January 2024, Telangana alone rescued nearly 3,500 children (The Hindu Bureau, 2014). Gujarat's *Sahiyari Kooch* program, launched in 2016, similarly coordinates police and NGOs to identify and rescue children from exploitative conditions.

These episodic surges in enforcement complement, but do not replace, routine labour inspections and child protection systems.

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[112] In India, under the Code of Criminal Procedure, 1973, a *cognizable offence* is an offence for which a police officer may arrest without a warrant (Section 2(c)); when information discloses such an offence, police must register a FIR and may begin investigating without prior magistrate approval. Typical cognizable offences include grievous assault, robbery, rape, and murder, in contrast to non-cognizable offences under the Penal Code.

## D2. Voluntary Sustainable Cotton Standards: Policies and Effects

This appendix presents the detailed assessment of voluntary sustainable cotton standards using the Business and Child Labour Tool. It summarizes how each standard addresses child labour specificity, public-private compliance and enforcement, and alignment with national and international norms. The full coding and scoring rules, along with the operational definitions for generating scores, are provided in the coding book (Annex).

### Policies and Rules: Key Characteristics of Sustainable Cotton Standards

Multiple stakeholders develop policies and rules to regulate the cotton sector. This section summarizes the policy commitments embedded in four sustainable cotton standards used in India—Better Cotton, Fairtrade International, the Global Organic Textile Standard (GOTS), and the Textile Exchange's Organic Content Standard (OCS)—with a focus on the specificity of child labour policies and public-private compliance and enforcement provisions.

Because standards change periodically, the analysis is anchored to versions in force during the study period (September 2016 to August 2022), enabling a comparative assessment of governance mechanisms and identifying gaps in policy clarity, specificity, and guidance on compliance enforcement.

Each standard-setting body—Better Cotton, Fairtrade International, GOTS, and Textile Exchange— uses different terminology and serves different functions. Key characteristics of each standard relevant to this thesis—including stakeholder structure, social and environmental considerations, verification systems, farm requirements, chain-of-custody models, and product claims—are summarized in Table D9.

#### *Histories and Governance Approaches of the Four Standards*

These histories and missions illustrate differences in governance models that shape policy design, enforcement guidance, and scoring results:

**Better Cotton**: Established in 2005 and officially launched in 2009, Better Cotton aims to help cotton communities thrive while protecting and restoring the environment. Better Cotton's core mission is to promote sustainable farming, focusing on soil health, water stewardship, and decent working conditions. The first harvests of Better Cotton took place in 2011 in Brazil, India, Mali, and Pakistan. With support from major organizations, Better Cotton began as a commitment developed during a roundtable convened by the World Wildlife Fund for Nature (WWF). Better Cotton is a

non-profit multi-stakeholder group headquartered in Switzerland and the UK, with members from civil society, producer groups, suppliers, manufacturers, retailers, and brands. Membership is required for cotton traders, spinners, non-lint traders, and retailers/brands. This initiative garnered support from prominent organizations, including adidas, Gap, H&M, the Interchurch Organisation for Development Cooperation (ICCO, now part of Cordaid), the International Federation of Agricultural Producers, IKEA, International Finance Corporation (IFC), Textile Exchange, Oxfam, and the Pesticides Action Network UK.

**Fairtrade International**: Emerging from the Max Havelaar Foundation for coffee in the Netherlands and formalized as a global initiative in 1997, Fairtrade promotes fair trading conditions and producer empowerment. In 2004, Fairtrade cotton became the first non-food Fairtrade commodity, launched with smallholder producers in Mali, Senegal, Cameroon, and Burkina Faso, and subsequently expanded to India. FLOCERT, an independent certifier, audits Fairtrade compliance. Fairtrade International is a non-profit multi-stakeholder association headquartered in Germany, with 22 member organizations, three producer networks, and 19 national Fairtrade organizations and marketing organizations. [113] Fairtrade includes farmers in its membership and supports over two million farmer-producers and labourers globally. Its governance structure and long-standing producer networks shape the clarity and enforceability of its child labour and labour-rights criteria.

**GOTS - Global Organic Textile Standard**: Founded in 2002, with the first certification completed in 2006, GOTS was established through collaboration among four international organizations—the Organic Trade Association (U.S.), the Japan Organic Cotton Association, the International Association of Natural Textile Industry (Germany), and the Soil Association (U.K.)—to create a unified global standard for organic textiles. It harmonizes organic textile standards and ensures environmental and labour conditions throughout the supply chain. By 2021, there were more than 12,000 certified facilities. GOTS certification ensures that cotton is produced in accordance with organic farming practices, excluding synthetic pesticides and fertilizers. GOTS outlines minimum social criteria aligned with ILO conventions and OECD Due Diligence Guidance for

[113] Fairtrade International (n.d.), *Our mission and vision*. Last retrieved October 24, 2021, https://www.fairtrade.net/about/mission

Responsible Supply Chains in the Garment and Footwear Sector. [114] GOTS is not membership-driven; it is a self-funded non-profit operated by Global Standard Global gGmbH based in Germany. The organization includes regional representatives, a standards committee, and a certifiers council. Its strong environmental framework and unified global governance contribute to consistent child labour prohibitions, though enforcement guidance remains oriented toward facility-level systems.

**Textile Exchange**: Founded in 2002 as Organic Exchange, with the first certification of organic cotton fibres completed the same year, it focuses on fibres and preferred materials. [115] Since 2010, it has expanded to other fibres and preferred materials. It is a non-profit membership organization headquartered in the U.S. connecting brands, suppliers, and companies across the textile value chain. Its standards primarily focus on traceability rather than social criteria, which affects how child labour risks are addressed within its system.

To contextualize these governance models across all four standards, Better Cotton is often viewed as cost-effective and scalable due to its integration with conventional cotton markets. In contrast, Fairtrade represents a different economic model, emphasizing equitable trade relationships, minimum pricing, and community development premiums, which can lead to higher costs but potentially greater social impact. As a non-profit, Textile Exchange relies on membership fees, grants, philanthropic contributions, and brand partnerships for funding. This structure influences its strategic priorities, particularly its emphasis on environmental criteria over social dimensions. GOTS likewise emphasizes ecological sustainability through strict regulation of chemical use, permitting only non-toxic, biodegradable, and environmentally friendly substances (e.g., dyes, auxiliaries, and additives) and requiring clear separation of organic from conventional materials throughout processing to ensure traceability and consumer safety. [116]

**Comparative Overview of Child Labour Policy Content**

**Better Cotton**. Child labour provisions appear under Principle 6 (Decent work) of the *Principles and Criteria*. Criterion 6.1 addresses child labour below the minimum age, and Criterion 6.2 covers hazardous work by children under 18. Farmers are required to have a written child labour policy that is communicated to farmers/workers/employees.

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[114] Global Organic Textile Standard (n.d.), *Philosophy*. Last retrieved October 24, 2021, https://globalstandard.org/the-standard/philosophy

[115] Textile Change (n.d.), *Home*. Last retrieved January 24, 2022, https://textileexchange.org

[116] Interviews #04IN1N21 and #15IN1N21.

## Table D9

*Key Characteristics of Four Sustainable Cotton Standards in India*

| *Stakeholder type* | *Social and environmental considerations* |
|---|---|
| **Better Cotton** | |
| **A multi-stakeholder group includes members of civil society, producer groups, suppliers and manufacturers, retailers, and brands.** | The beneficiaries of the Better Cotton standard are farmers. Better Cotton Farmers must have a child labour policy. Principle 6 is "BCI Farmers promote decent work" and includes two criteria on child labour. "Crop protection" provides protection against harmful pesticides for children under 18 years old and for pregnant/nursing women. |
| **Fairtrade International Standards** | |
| **A multi-stakeholder association includes member organizations, national Fairtrade organizations, and marketing organizations.** | Fairtrade has stringent social criteria that ensure freedom from discrimination, forced and compulsory labour, and child labour, as well as freedom of association and collective bargaining. It also has child labour and forced labour guidelines. Each standard integrates child labour (i.e., SPO, Fibre, Trader, and Textile standards). Premiums paid over and above the price can be invested in social, economic, and environmental projects. |
| **GOTS – *Global Organic Textile Standard*** | |
| **GOTS is not structured as a membership organization.** | GOTS defines requirements to ensure the organic status of textiles, from harvesting of raw materials through environmentally and socially responsible manufacturing up to labelling to provide a credible assurance to the end consumer. Key provisions include a ban on the use of GMOs, highly hazardous chemicals, and child labour, as well as requirements for social compliance management systems and wastewater treatment practices. Minimum social criteria are based on the key ILO norms. |
| **Textile Exchange *Content Claim Standard* and *Organic Content Standard*** | |
| **Membership organization connecting organizations to other brands, suppliers, and companies across the textile value chain.** | Textile Exchange expects all organizations certified under its standards to comply with applicable local, national, and international laws and regulations, with zero tolerance for violations of ILO C029 and ILO C182. However, the Organic Content Standard itself does not include social or labour-related criteria. It focuses solely on verifying organic content and the chain of custody. |

Figures: 2017/2018 data from Textile Exchange, 2025 Sustainability Challenge: Second Annual Report (2020).
* Better Cotton has a position of being 'technology neutral' and will not encourage farmers to grow genetically modified cotton or seek to restrict access to it.
** Verified organic content coming off the farm, which is outside GOTS' remit

| *Verification system* | *Farm requirements* | *Chain-of-custody model* | *Product Claims* |
|---|---|---|---|
| **Better Cotton** | | | |
| **A standard system that combines 1st party self-assessment, 2nd party credibility checks, and 3rd party verification** | Farmers (small-holder, medium farms, or large farms) obtain a license to grow and sell Better Cotton. * Farmers are program beneficiaries. | Between farm and gin: segregated model (cotton bales 100% Better Cotton can be traced back to farmers). Beyond ginning: mass balance model. | "BCI's product is sourced via mass balance and may not contain Better Cotton." |
| **Fairtrade International** | | | |
| **3rd-party certified: FLOCERT audits** | Farmers are certified to Fairtrade standards and organized as Small Producer Organizations to produce Fairtrade seed cotton. In India, farmers are democratically organized as Small Producer Organizations. | At a minimum, physically traceable cotton using a segregated model until lint leaves the gin.<br>The mass balance model is allowed from the spinner stage using volume reconciliation. | "Fairtrade Cotton" uses a segregated model.<br>"Fairtrade Sourced Cotton" uses the mass balance model.<br>"Fairtrade Textile Production" using segregated or mass balance cotton models. |
| **GOTS – *Global Organic Textile Standard*** | | | |
| **3rd-party certified: independent audits** | Farmers who grow organic cotton** must have a valid scope certificate issued by the certification body in India. GOTS does not certify farms directly; it requires that organic fibre inputs be certified to standards in the IFOAM family of standards, which includes the USDA National Organic Program (USDA-NOP). | From the gin onwards, Scope Certificates (SCs) prove that businesses/facilities meet the criteria to process goods. Transaction Certificates (TCs) prove the goods meet product criteria. | "Organic" or "organic-in conversion" contains a minimum of 95% certified organic fibres.<br>"Made with (x%) organic materials" or "made with (x% %) organic - in conversion materials" contain a minimum of 70% organic fibres. |
| **Textile Exchange *Content Claim Standard and Organic Content Standard*** | | | |
| **3rd-party certified – independent audits** | Farmers who grow organic cotton* must have a valid scope certificate issued by a certification body in India. Recognized accreditations are the USDA-NOP, Regulation EC 834/2007, EU 2018/848, and IFOAM. | From the gin onwards, the Content Claim Standard includes certificates at each stage (Scope and Transaction Certificates) to support traceability. | "OCS 100" includes 95-100% certified content.<br>"OCS Blended" allows 5% to 95% of other fibres. |

IFOAM = International Federation of Organic Agriculture Movements

**Fairtrade International**. Child labour safeguards are embedded across Fairtrade's standards for small farmer-producer organizations, contract production, fibre crops, and traders. Certified organizations must develop a child labour policy with child protection procedures to guide the withdrawal of children found in child labour and ensure their safety. Fairtrade also requires organizations to implement remediation projects and maintain internal control systems to monitor and respond to child labour.

**GOTS**. Child labour criteria appear under social requirements. The standard stipulates that "child labour shall not be used", including provisions on young workers' health and safety. Certifiers must consider local and national conditions in risk assessments during inspections and audits.

**Textile Exchange**. Textile Exchange does not maintain a standalone child labour policy. Certified organizations must comply with applicable laws and ensure accountability for violations of fundamental human rights, including those under ILO C029 and ILO C182. Standards are built on the *Content Claim Standard*, a chain-of-custody standard that ensures material integrity from inputs to the final product.

**List of Sustainable Cotton Standards Evaluated**

This study evaluated child labour policies and rules in these four main sustainable cotton standards used in India:

- Better Cotton: *Principles and Criteria, version 2.1* (2018)
- Fairtrade International: *Standard for Small Producer Organisations* (2019), *Standard for Contract Production* (2011), *Standard for Fibre Crops* (2011), *Child Labour and Forced Labour Guidelines* (2015), *Trader Standard (2015), Textile Standard* (2016)
- Global Standard gGmbH's: *Global Organic Textile Standard, version 6.0* (2020)
- Textile Exchange: *Content Claim Standard, version 3.0* (2021), *Content Claim Standard Certification Procedures, version 2.1* (2021), *Human Rights Policy* (2020), *and Organic Content Standard, version 3.0* (2020).

**Evaluation of Child Labour Specificity Criteria for Policy Relevance**

***Dimension 1: Minimum-age Standards***

**Integrative Normative Framework.** This dimension evaluates whether each standard aligns with international norms on minimum age for employment, as defined by ILO C138. These

norms aim to progressively eliminate child labour and uphold the child's rights to education and full development. The ILO Minimum Age Convention sets two thresholds, with flexibility provisions:

- ***General (or basic) minimum age:*** Not less than the age of completion of compulsory schooling and, in any case, not less than 15 years. National laws may set it at 14 years if economic and educational conditions are underdeveloped.
- ***Hazardous-work minimum age:*** Not less than 18 years, or 16 years under strict national regulations that ensure full worker protections of health, safety, and morals.

India's 2016 amendments to the Child and Adolescent Labour (Prohibition and Regulation) Act (CALPR) of 1986 set the minimum age for employment at 14 years and for hazardous work at 18 years. Therefore, standards should reflect both the lower age threshold (15, or 14 years as an exception) and the higher age threshold for hazardous work (18, or 16 years as an exception), in alignment with national law and internationally recognized human rights.

**Assessment Findings and Scores.** Each standard was evaluated using four benchmark criteria, aggregated into a composite score for this dimension.

- ***Better Cotton:*** Regulates hazardous work, stipulating that such work shall not be performed by children or young workers under 18. Refers to both the general minimum age of 15 and a lower threshold of 14 years. Score: 1.0 / 1.0.
- ***Fairtrade:*** Regulates hazardous work, stipulating that such work shall not be performed by children or young workers under 18. Sets the minimum age at 15; however, it does not recognize the 14-year exception. For example, the Small Producer Organization Standard (2019) states: "You and your members do not employ children below the age of 15 or under the age defined by local law, whichever is higher." Score: 0.9 / 1.0.
- ***GOTS:*** Regulates hazardous work, stipulating that such work shall not be performed by children or young workers under 18. Does not specify an exact minimum age. Score: 0.9 / 1.0.
- ***Textile Exchange:*** Lacks a child labour policy and therefore does not specify minimum thresholds. Score: 0.0 / 1.0.

These scores, detailed in Table D10, show that Better Cotton aligns most closely with both international and national standards. Fairtrade and GOTS fall slightly short due to omissions in the

general minimum-age requirement. Textile Exchange is a process standard; it does not regulate social issues, including child labour.

**Table D10**

*Minimum-age Standards in Four Sustainable Cotton Standards*

| Name of organization (Child labour policy sheet) | Reference to general minimum age to employment | Age specified: general minimum age to employment | Reference to hazardous work minimum age | Age specified: hazardous work | Minimum age standards (Scale A to E) | |
|---|---|---|---|---|---|---|
| Textile Exchange (Organic Content Standard (OCS)) | False | | N/A | | E | 0.000 |
| Better Cotton Initiative | True | 15 (or 14 as the exception) | True | 18 | A | 1.000 |
| Fairtrade International | True | 15 | True | 18 | A | 0.875 |
| GOTS - Global Organic Textile Standard | True | | True | 18 | B | 0.875 |

*Note.* While Textile Exchange has no child labour policy, its *Content Claim Standard* includes zero tolerance for ILO C029 and ILO C182 violations. Certification bodies can withdraw certification if such practices occur. The Organic Content Standard (OCS) does not embed social or labour criteria.

**Interpretive Provisions**. Here are illustrative examples of how the standards operationalize general minimum-age-for-employment requirements and related safeguards.

***Better Cotton.*** According to the Better Cotton Principles and Criteria:

> The Producer must ensure there is no child labour, in accordance with ILO Convention 138. In the case of family smallholdings, children may help on their family's farm provided that the work is not liable to damage their health, safety, well-being, education, or development, and that they are supervised by adults and given appropriate training.

Better Cotton thereby integrates fundamental human rights (ILO C138) with locally responsive employment practices. The commentary in the standard clarifies:

> Contracted child labour is employed in some cotton-producing regions, including those regions where children's contributions are commonly described as 'family-based work'. There are no workers below the age of 15 (14 in certain specified countries), or below the

> minimum age for employment defined by local law (whichever is higher). There is agreement that national and international standards should apply to the employment of children, governed by ILO Convention 138 on minimum age, or where national legislation sets a higher minimum age, by the law of the country in question. The minimum age of employment is at least 15 years of age, except in those developing countries that have temporarily set a lower threshold of 14 years, in accordance with ILO Convention 138.

***GOTS*** also integrates fundamental human rights with locally responsive employment practices, albeit with fewer details than Better Cotton. According to GOTS, child labour procedures must, at a minimum, comply with ILO C138 and ILO C182, or with national laws, whichever offer greater protection. No specific minimum employment age is specified.

***Dimension 2: Nature of Work***

**Integrative Normative Framework.** Understanding the nature and circumstances of children's work is crucial for identifying and regulating child labour risks, while ensuring the prohibition of its worst forms. This dimension evaluates how standards differentiate between acceptable children's work—such as light work and family-based work—and unacceptable, hazardous work. These distinctions are grounded in the flexibility clauses of ILO C138, which outline the following:

- ***Light work.*** Permitted for children below the minimum age, provided it does not interfere with schooling or child development.
- ***Exemptions.*** Certain work categories and economic activities, including agricultural work activities on family farms, may be excluded from prohibition; however, hazardous work is never exempt.
- ***Household services.*** Unpaid household chores may be excluded, but long hours of home-based work not for own-use production cannot be exempted.

In addition, ILO C182 categorically prohibits all worst forms of child labour, including slavery, trafficking, forced and bonded labour, and any work likely to harm the health, safety, or morals of children.

India's 2016 updates to the CALPR permit children under 14 to assist in family enterprises, provided the work is non-hazardous and performed outside school hours. Standards should therefore reflect these distinctions and align with national regulation and internationally recognized human rights, including under ILO C138 and ILO C182.

**Better Cotton: Interpretive Provisions.** Better Cotton's core indicators for smallholder farmers demonstrate best practices for integrating flexibility requirements into standards. The Principles and Criteria (2018, p. 76) specify that children below the minimum age may only work under the following conditions:

> i. The child is helping on his/her own family's farm.
> ii. The child's work is structured to enable him/her to attend school.
> iii. The child's work should not be so demanding as to undermine his/her education.
> iv. The child should not perform tasks that are hazardous for him/her because of his/her age.
> v. The child must be guided—both in terms of learning skills and supervision of tasks—by a family member.
> vi. The child has received appropriate training.

Better Cotton provisions reflect a nuanced approach, balancing protection with recognition of local socio-economic realities.

**Assessment Findings and Scores.** Standards were evaluated using five benchmark criteria.

- ***Better Cotton:*** Recognizes acceptable family-based work, including helping around the home or on a family farm. Recognizes ILO C182; however, it does not explicitly state zero-tolerance for the worst forms of child labour. Score: 0.8/1.0.
- ***Fairtrade:*** Explicitly distinguishes child labour from acceptable family-based work and light tasks. Acknowledges that not all work done by children is classified as child labour and includes a zero-tolerance policy for the worst forms. Score: 1.0/1.0.
- ***GOTS:*** Recognizes acceptable family-based work, including home-workers. Recognizes ILO C182; however, it does not state a zero-tolerance policy for the worst forms. Score: 0.8/1.0.
- ***Textile Exchange:*** Recognizes zero tolerance for ILO C182 violations in the context of human rights commitments, but lacks a child labour policy, and therefore does not detail provisions distinguishing acceptable from unacceptable forms of children's work. Score: 0.6/1.0.

Scores are summarized in Table D11, showing that Fairtrade provides the greatest specificity in alignment with both international and national legal standards. Better Cotton and GOTS offer

partial recognition, while Textile Exchange's scope limits its coverage beyond zero-tolerance of ILO C029 and ILO C182 violations.

**Table D11**

*Nature of Work in Four Sustainable Cotton Standards*

| Name of organization | Reference to different forms of work by children | Which different forms? | Reference to the worst forms of child labour | Nature of work - missing | Nature of work (Scale A to F) | |
|---|---|---|---|---|---|---|
| **Better Cotton** | True | Family worker | True | There is no reference to zero tolerance for the worst forms of child labour. | B | 0.8 |
| **Fairtrade International** | True | Family worker | True | - | A | 1.0 |
| **GOTS - Global Organic Textile Standard** | True | Family worker | True | There is no reference to zero tolerance for the worst forms of child labour. | B | 0.8 |
| **Textile Exchange*** | False* | --- | True | All are missing except zero tolerance for the worst forms of child labour. | C | 0.6 |

*Note.* While Textile Exchange has no child labour policy, its *Content Claim Standard* includes zero tolerance for ILO C029 and ILO C182 violations. Certification bodies can withdraw certification if such practices occur. The Organic Content Standard (OCS) does not embed social or labour criteria.

### *Dimension 3: Circumstances of Work*

**Integrative Normative Framework.** This dimension evaluates how standards address the conditions under which children work, drawing on ILO Recommendation 190 (ILO R190), which identifies hazardous-work conditions, exposure to abuse, and long hours or night work as key indicators of child labour. Standards were assessed based on their recognition of these criteria and alignment with national legislation and international conventions.

India's CALPR and its 2017 Schedule identify hazardous-work types prohibited for children and adolescents below 18 years. Part A lists hazardous occupations and processes where adolescents are prohibited from working, and children are prohibited from helping. Part B extends these prohibitions to family enterprises, specifying that children may not assist in dyeing processes, in any handloom or powerloom occupation, in processes such as cloth printing, weaving, cotton ginning and processing, hosiery production, or in the manufacturing or handling of pesticides and insecticides.

Standards vary in how they define and operationalize hazardous work:

- ***Better Cotton*** defines hazardous work as any activity that jeopardizes children's physical or psychological well-being due to the nature or conditions of the work. Examples include

heavy lifting, excessive manual labour, long hours, early-morning or late-evening work, and exposure to dangerous chemicals (Better Cotton, 2018, p. 79)

- ***Fairtrade*** **(**Standard for Small-scale Producer Organisations, 2015) identifies hazardous work as including unhealthy environments, excessively long hours, night hours, handling toxic chemicals, work at dangerous heights, operating dangerous equipment, and work involving abusive punishment or exploitation. Small Producer Organizations are encouraged to use the national list of hazardous work prohibited for all children below 18 as published by the relevant government authority (Fairtrade, 2015, p. 41).
- ***GOTS*** child labour policy focuses primarily on risks related to the circumstances of work. Relevant sub-clauses read: "… (2) Young workers (from the minimum age up to 18 years) shall not be employed at night or in hazardous conditions. (3) A young worker cannot work for more than 8 hours in a day or the legal limit for young workers, whichever is lower. Overtime is prohibited and a minimum consecutive period of 12 hours' rest as well as customary weekly rest days shall be provided." (GOTS, 2020, p. 22)

**Assessment Findings and Scores:** Each standard was assessed using three benchmark criteria: (a) hazardous conditions, (b) exposure to abuse, and (c) long hours/night work.

- ***Better Cotton, Fairtrade,*** *and* ***GOTS*** explicitly recognize all criteria. Score: 1.5 / 1.5.
- ***Textile Exchange –*** *Content Claim Standard* did not score due to the absence of a standalone child labour policy and criteria. Score: 0.0 / 1.5.

Scores are summarized in Table D12, showing that Better Cotton, Fairtrade, and GOTS demonstrate strong alignment with international norms and national law.

**Table D12**

*Circumstances of Work in Four Sustainable Cotton Standards*

| Name of organization | Hazardous-work conditions | Exposure to abuse | Long hours and night work | Circumstances of work (Scale A to D) | |
|---|---|---|---|---|---|
| **Better Cotton** | True | True | True | A | 1.5 |
| **Fairtrade International** | True | True | True | A | 1.5 |
| **GOTS - Global Organic Textile Standard** | True | True | True | A | 1.5 |
| **Textile Exchange*** | False | False | False | D | 0.0 |

*Note.* While Textile Exchange has no child labour policy, its *Content Claim Standard* includes zero tolerance for ILO C029 and ILO C182 violations. Certification bodies can withdraw certification if such practices occur. However, the Organic Content Standard (OCS) itself does not embed social or labour criteria.

***Dimension 4: Harmful Consequences of Work***

**Integrative Normative Framework.** Understanding the harmful consequences of work on children is crucial to distinguishing between children's work and child labour. A business and human rights (BHR) approach requires companies to identify, prevent, mitigate, and account for adverse impacts of child labour. This dimension assesses the extent to which the standards incorporate the harmful consequences of work into their requirements. It evaluates the presence and nature of safeguard mechanisms, occupational health and safety (OHS) considerations, and the prioritization of severe-harm mitigation, consistent with international human rights standards (such as the right to education) and the fundamental "do no harm" principle.

This dimension evaluates each standard against three benchmark criteria. Table D13 shows that Fairtrade is the only standard that includes all three benchmarks related to the harmful consequences of work:

- Broad reference to child labour safeguard standards to help prevent and respond to child labour, including education, skills development, social protection and/or social security measures, and child protection services.
- Consideration of OHS impact on children.
- Prioritized response based on the severity of harm, requiring all children below age 18 identified in the unconditional worst forms of child labour to be reported to Fairtrade for further action to trigger child protection.

**Textile Exchange: Interpretive Provisions.** Textile Exchange's zero-tolerance policy is clearest among the standards. Although Textile Exchange does not include a child labour policy, it recognizes that the worst forms of child labour (ILO C182) and forced labour (ILO C029) violate fundamental human rights as afforded by customary international law. Its *Content Claim Standard* states:

> Specific to the worst forms of child labor, as defined by ILO C182 – Worst Forms of Child Labour Convention, 1999 (No. 182) and forced labor, as defined by ILO C029 – Forced Labour Convention, 1930 (No. 29), it is expected that no organization certified under Textile Exchange standards violates these fundamental human rights as afforded by Customary International Law. Certification bodies have the authority to withdraw certification should such practices be taking place, and Textile Exchange has the authority to ban such organizations from future certification (Textile Exchange, 2021a, p. 7)

**Assessment Findings and Scores.** Each standard was assessed using three benchmark indicators aggregated into a composite score:

- ***Fairtrade:*** Meets all three benchmark criteria. Score: 1.5 / 1.5.
- ***Better Cotton and GOTS:*** Meet two benchmark criteria (safeguard mechanisms; OHS), but do not include prioritized severe-harm mitigation. Score: 1.0 / 1.5.
- ***Textile Exchange –*** *Content Claim Standard:* Recognizes ILO C182 and C029 violations but lacks a child labour policy and broader safeguards. Score: 0.5 / 1.5

Scores are summarized in Table D13, showing that Fairtrade aligns most closely with international standards on the harmful consequences of work, while Better Cotton and GOTS offer partial recognition. Textile Exchange's zero-tolerance enforcement mechanism is notable, but its lack of broader child labour safeguards limits its score.

**Table D13**

*Harmful Consequences of Work in Four Sustainable Cotton Standards*

| Name of organization | Safeguard mechanisms | OHS standard | Priority action based on the severity of harm | Harmful consequences of work (Scale A to D) | |
|---|---|---|---|---|---|
| **Better Cotton** | Yes - broad | True | False | B | 1.0 |
| **Fairtrade International** | Yes – broad | True | True | A | 1.5 |
| **GOTS - Global Organic Textile Standard** | Yes – broad | True | False | B | 1.0 |
| **Textile Exchange*** | None | False | True | C | 0.5 |

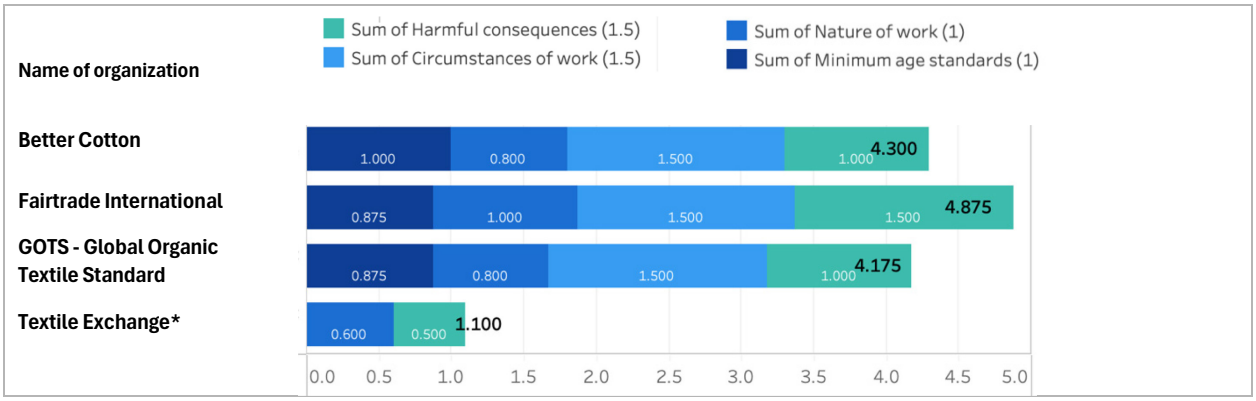
*Note.* While Textile Exchange has no child labour policy, its *Content Claim Standard* includes a zero-tolerance policy for violations of ILO C029 and ILO C182. Certification bodies can withdraw certification if such practices occur. OCS does not embed social or labour criteria.

## Preview of Findings on Child Labour Specificity

So far, this section evaluates how each sustainable cotton standard performs against child labour specificity criteria. As shown in Figure D2, Fairtrade scored highest (4.9 out of 5 points, or 97.5%), followed by Better Cotton (4.3 points, or 86%), GOTS (4.2 points, or 83.5%), and Textile Exchange (1.1 points, or 22%).

**Figure D2**

*Specificity Criteria in Four Sustainable Cotton Standards*




*Note.* While Textile Exchange has no child labour policy, its *Content Claim Standard* includes a zero-tolerance approach to violations of the ILO Conventions 029 and 182. Certification bodies can withdraw certification if such practices occur. The Organic Content Standard (OCS) does not embed social or labour criteria.

## Evaluation of Public-Private Compliance and Enforcement Arrangements

Effective implementation depends on credible public–private compliance and enforcement arrangements. Accordingly, this section evaluates standards along a public–private compliance–enforcement continuum and focuses on mechanisms embedded in the standards themselves.

See Section 6.2 for further analysis of legal referencing and functional compliance criteria in the context of public-private compliance and enforcement arrangements.

### *Dimension 5: Public Governance*

**Integrative Normative Framework.** Building on and reframing "applicability," "reference," and "organization targeted" criteria, this criterion assesses public-private compliance and enforcement criteria: whether standards embed legal obligations and governance responsibilities across business relationships—including suppliers, subcontractors, vendors, and manufacturers—and identify applicable legal requirements under public law, international conventions, or private contractual mechanisms to enforce child labour safeguards. More specifically, this dimension evaluates each standard against six benchmark criteria, aggregated into a composite score. It assesses the extent to which the standard provides clear insight into (a) the applicability of its child labour policy and (b) the organizations targeted by that policy. The analysis focuses on whether the standard:

- Identifies universal and country-specific minimum-age thresholds;
- Explicitly references international and national legal frameworks; and

- Applies its child labour safeguards to business relationships across the supply chain.

**Assessment Findings and Scores.**

***Organization targeted.*** All four standards target their child labour policies to both a business's internal operations and its relationships with suppliers, sub-contractors, vendors, and manufacturers, embedding contractual governance beyond human resource management and into global supply chains (Buller and McEvoy, 1999).

***Applicability and reference.*** All four standards explicitly state that compliance with applicable host-country laws takes precedence. This aligns with ISO guidance, which emphasizes that voluntary standards must not substitute for legal requirements: "legislation, given that it is mandatory, will always take precedence over ISO standards, which are voluntary in nature… In addition, including statements about the need to comply with the law in some standards, but not others, could create the impression that there are two classes of standards advocating two different levels of compliance with the law." (ISO, 2019)

Explicit legal references—such as statutory or regulatory requirements, and ILO conventions (for example, minimum-age thresholds)—serve a functional purpose: they may identify applicable laws and enable auditors and procurers to verify legal awareness and conformity.

Specific findings include:

- **Textile Exchange –** *Content Claim Standard***:** Lacks a standalone child labour policy; includes a policy on fundamental human rights under customary international law, with zero tolerance for violations of ILO C029 and ILO C182. Certification bodies are authorized to withdraw certification if such violations occur.
- **Better Cotton, Fairtrade, and GOTS:** Presuppose compliance with legal requirements and explicitly reference ILO conventions and national statutes and regulations related to minimum-age standards. All three cite:
    a. ILO Convention 138—Minimum Age Convention (1973)
    b. ILO Convention 182—Worst Forms of Child Labour Convention (1999)
    c. ILO Convention 29 and ILO Convention 105 (Forced labour conventions)
- **Fairtrade** also references the UN Convention on the Rights of the Child (1989).
- ILO Recommendation 190 (R190) is central to interpret hazardous work under ILO C182.
    - **GOTS** explicitly references ILO R190 in its auditor guidance.

- **Better Cotton** and **Fairtrade** incorporate R190 implicitly through their Principles and Criteria, and Child Labour and Forced Labour Guidelines.

Scores are summarized in Table D14: Better Cotton and GOTS (both 1.5/1.5) demonstrate the strongest alignment. In contrast, Fairtrade scores 1.3/1.5, and Textile Exchange scores 1.0/1.5.

**Table D14**

*Public Governance Criteria in Four Sustainable Cotton Standards*

| Name of organization | Reference: host or home-country laws | Applicable minimum-age standards | Reference: international standards | Governance (Scale A to G) | |
|---|---|---|---|---|---|
| **Better Cotton Initiative** | Host-country laws | both international and country-specific | Explicit: ILO C138; C182; C029; C105 | A | 1.5 |
| **Fairtrade International** | Host-country laws | both international and country-specific* | Explicit: ILO C138; C182; C029; C105; UNCRC | A | 1.3 |
| **GOTS - Global Organic Textile Standard** | Host-country laws | both international and country-specific | Explicit: ILO C138; C182; C029; C105 | A | 1.5 |
| **Textile Exchange** | Host-country laws | n/a | Explicit: ILO C182; C029 | C | 1.0 |

*Note.* Fairtrade requires the application of a uniform general minimum age of 15 globally (work under 15 is prohibited even where national law allows 14); see Section 6.2 for implications.

### *Dimensions 6 and 7: Compliance and Disclosure Mechanisms*

**Integrative Normative Framework.** This section combines compliance and disclosure to assess how the standards require adherence to their operationalized enforcement and transparency. It evaluates four elements:

- Presence of child labour monitoring systems and processes
- Independence, role, and type of monitoring actor
- Severity and enforceability of child labour-related sanctions
- Disclosure requirements on child labour risks (presence/absence)

Monitoring actors in the coding framework include: first-party verification (internal employees or consultants), second-party validation (contractors or suppliers), third-party verification (uncertified), third-party certification (audited, attested), and NGO external monitoring. In some cases, monitoring compliance is left to government authorities (e.g., labour inspectors) rather than embedded within the standard.

**Assessment Findings and Scores.** Compliance monitoring was assessed on three indicators (monitoring systems/processes; independence of monitoring actor; severity/enforceability of sanctions), aggregated into a composite score:

- ***Better Cotton***: Employs hybrid monitoring (first-, second-, and third-party verification); both mild enforcement measures and severe sanctions; no formal certification audits; and less explicit child labour safeguards. Score: 1.8 / 2.0
- ***Fairtrade*:** Meets all three criteria. It includes explicit child labour monitoring systems for child labour safeguarding; third-party certification audits; and severe sanctions (including contract termination) alongside milder measures. Score: 2.0 / 2.0.
- ***GOTS*:** Meets all three benchmark criteria. It applies compliance monitoring of social criteria from ginning facilities onward, with social requirements across all processing stages; third-party certification audits; both mild enforcement measures and severe sanctions available for child labour violations. Score: 2.0 / 2.0.
- ***Textile Exchange*:** No embedded child labour monitoring; relies on compliance with legal requirements via government authorities. References ILO C182/C029 violations and authorizes severe sanctions (decertification/ban), but not through a standard-embedded audit process; therefore, child labour safeguards are not functionally embedded. Score: 1.0 / 2.0

Scores are summarized in Table D15. Fairtrade and GOTS align most strongly; Better Cotton is robust though non-certified; Textile Exchange's lower score reflects a process-standard without embedded child labour audit protocols or internal oversight over child labour.

**Table D15**

*Compliance Monitoring in Four Sustainable Cotton Standards*

| Name of organization | Child labour monitoring systems and processes | Position of the monitoring actor | Sanctions related to child labour | Compliance (Scale A to K) | |
|---|---|---|---|---|---|
| **Better Cotton Initiative** | Clear - Good insight into child labour monitoring systems and processes | Combines:<br>• 1st party self-assessment<br>• 2nd party credibility checks<br>• 3rd party verification | Severe | B | 1.8 |
| **Fairtrade International** | Clear - Good insight into child labour monitoring systems and processes | 3rd party certification | Severe | A | 2.0 |
| **GOTS - Global Organic Textile Standard** | Clear - Good insight into child labour monitoring systems and processes | 3rd party certification | Severe | A | 2.0 |
| **Textile Exchange – *Content Claim Standard*** | None – No reference to child labour monitoring systems and processes* | Comply with external monitoring through government legal authorities | Severe | C | 1.0 |

*Note.* Textile Exchange does not include a child labour policy; its *Content Claim Standard* includes a zero-tolerance policy for ILO C029 and ILO C182 violations and allows decertification/ban. OCS does not embed social or labour criteria.

**Disclosure of child labour and forced labour risk management.** None of the standards require business enterprises, whether producers, suppliers, or facilities, to publicly disclose whether child labour constitutes a significant risk within their operations or supply chains.

**Overall Business and Child Labour Index Scores (Summary and Cross-Reference)**

This appendix reports the detailed scoring results for each dimension of the Business and Child Labour Tool. The assessment uses two sets of criteria, following the framework described in Chapter 3, which evaluate alignment with national laws and international labour standards.

***Child labour specificity criteria***

*(minimum age; nature of work; circumstances of work; harmful consequences)*

- Fairtrade: 4.9 out of 5 points (97.5%)
- Better Cotton: 4.3 out of 5 points (86%)
- GOTS: 4.2 out of 5 points (83.5%)
- Textile Exchange: 1.1 out of 5 points (22%)

***Public–private compliance and enforcement criteria***

*(public governance; compliance monitoring; disclosure)*

- GOTS: 3.5 out of 5 points (70%)
- Better Cotton: 3.3 out of 5 points (66%)
- Fairtrade: 3.3 out of 5 points (66%)
- Textile Exchange: 2.0 out of 5 points (40%)

***Overall index scores***

- Fairtrade: 8.1 out of 10 points
- GOTS: 7.7 out of 10 points
- Better Cotton: 7.6 out of 10 points
- Textile Exchange: 3.1 out of 10 points

Interpretation of these results is provided in Chapter 6. This appendix reports only the scoring methods and component results.

## D3. Business Employment Practices

This appendix presents the empirical evidence supporting the assessment of business employment practices in Chapter 7. Using the Business and Child Labour Tool, it documents firm's policies, standards participation, and compliance-enforcement arrangements related to child labour risk across India's cotton value chain. Full coding procedures and definitions are provided in the coding book (Annex).

### Table D16

*Summary of Business Employment Practices in India's Cotton Value Chain (n=40)*

| ID# of the business enterprise [2] | Type of business | Summary of data collected on the business's certification standards (Standards per certified business)[3] | Summary of data collected on business employment practices [4] | CSR Policy Identified | BRR identified | Human Rights Policy Identified | Child Labour Policy Disclosed | Code of Conduct identified | Internal Policy Provided | Implementation Guidance Provided | Business and Child Labour Index |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | *(a+b+c+d+e+f+g)* | *a* | *b* | *c* | *d* | *e* | *f* | *g* | *(out of 10)* |
| 156IN22 | 2 Textiles | **Better Cotton; GOTS; OCS;** Oeko-Tex; SA8000 (3/4) | BRR, CSR policy, Human Rights Policy, ESG policy, and internal and supplier codes of conduct were identified. Factories are SA8000 certified. Explicit commitment against child labour. GRI 408-1 used for disclosure. | yes | yes | yes | yes | yes | no | no | 3.20 + 3.30 = 6.50 |
| 113IN22 | 4 Cottonseed | Not disclosed | BRR and CSR policy identified. Human Rights Policy. Supplier Code of Conduct. Stop Child Labour Principles (India). Child Care Program (India). Sustainable Crop Solution Principles (India). Sustainability Report. | yes | yes | yes | no | yes | no | no | 1.55 + 4.45 = 6.00 |
| 145IN22 | 4 Cottonseed | ISTA | Child labour policy identified. One internal policy was identified through interview. Human Rights Policy and CSR policy identified—implementation guidance via the Good Seed and Plant Practices manual. | yes | no | yes | yes | no | yes | yes | 2.45 + 2.00 = 4.45 |

| ID# of the business enterprise [2] | Type of business | Summary of data collected on the business's certification standards (Standards per certified business)[3] | Summary of data collected on business employment practices [4] | CSR Policy Identified | BRR identified | Human Rights Policy Identified | Child Labour Policy Disclosed | Code of Conduct identified | Internal Policy Provided | Implementation Guidance Provided | Business and Child Labour Index |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | *(a+b+c+d+e+f+g)* | *a* | *b* | *c* | *d* | *e* | *f* | *g* | *(out of 10)* |
| 154IN22 | 4 Cottonseed | ISTA | No specific child labour policy disclosed. One internal policy—contractual clause on child labour in the Agreement and field report —was identified through interview. | no | no | no | no | no | yes | no | 1.50 + 2.50 = 4.00 |
| 123IN22 | 3 Spinning | **Better Cotton; Fairtrade; GOTS; OCS;** Oeko-Tex; Recycled Cotton Standards (4/4) | BRR and CSR policy identified. Fair labour practices and compliance management are emphasized, including minimum wage payments and the prevention of child labour and forced labour. | yes | yes | no | no | no | no | no | 0.95 + 1.27 = 2.22 |
| 152IN22 | 3 Spinning | **Fairtrade; GOTS; OCS;** Oeko-Tex; SA8000 (3/4) | BRR and CSR policy identified. Generic statements on human rights and child labour in BRR and CSR policy. | yes | yes | no | no | no | no | no | 1.00 + 0.85 = 1.85 |
| 108IN22 | 2 Textiles | **Better Cotton; GOTS; OCS;** Recycled Cotton Standards; SA8000 (3/4) | BRR and CSR policy identified. Human Rights Policy, ESG policy. Child labour messaging linked to Better Cotton and NGO partnerships. Factories are SA8000 certified. GRI 408-1 used for disclosure. | yes | yes | yes | no | no | no | no | 0.50 + 1.10 = 1.60 |
| 148IN22 | 4 Growing | **Fairtrade; GOTS; OCS;** NPOP (3/4) | No child labour policy disclosed. No CSR policy identified. | yes | no | no | no | no | no | no | 0.00 + 0.50 = 1.50 |
| 142IN22 | 2 Processing textile | Not disclosed | BRR and CSR policy identified. Explicit commitment against child labour: 'No hiring of child labour, forced labour, involuntary labour'. | yes | yes | no | yes | no | no | no | 0.20 + 1.27 = 1.47 |
| 102IN22 | 3 Spinning | **Fairtrade; GOTS; OCS;** Oeko-Tex; SA8000 (3/4) | BRR and CSR policy identified. The Business Responsibility Policy affirms ethical standards, including the prohibition of child and forced labour. | yes | yes | no | no | no | no | no | 0.20 + 1.18 = 1.38 |

| ID# of the business enterprise [2] | Type of business | Summary of data collected on the business's certification standards (Standards per certified business)[3] | Summary of data collected on business employment practices [4] | CSR Policy Identified | BRR identified | Human Rights Policy Identified | Child Labour Policy Disclosed | Code of Conduct identified | Internal Policy Provided | Implementation Guidance Provided | Business and Child Labour Index |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | *(a+b+c+d+e+f+g)* | *a* | *b* | *c* | *d* | *e* | *f* | *g* | *(out of 10)* |
| 104IN22 | 3 Spinning | **Better Cotton; GOTS;** Oeko-Tex; Supima (2/4) | BRR and CSR policy identified. | yes | yes | no | no | no | no | no | 0.00 + 1.22 = 1.22 |
| 136IN22 | 4 Cottonseed | ISTA | CSR-driven approach. No specific child labour policy disclosed. CSR policy identified. One internal policy—contractual clause on child labour—was identified through interview. | yes | no | no | no | no | yes | no | 0.50 + 0.63 = 1.12 |
| 131IN22 | 4 Cottonseed | Not disclosed | Child labour and forced labour policy identified. CSR policy identified. | yes | no | no | no | no | no | no | 0.70 + 0.25 = 0.95 |
| 116IN22 | 2 Processing textile | Not disclosed | BRR and CSR policy identified. | yes | yes | no | no | no | no | no | 0.20 + 0.00 = 0.20 |
| 138IN22 | 2 Textiles | **Better Cotton; Fairtrade; GOTS;** OCS; Oeko-Tex; Recycled Cotton Standards; SA8000 (4/4) | No child labour policy disclosed. One internal policy—contractual clause on child labour—was identified through interview. *ESG reporting identified through the interview. | no | no* | no | no | no | yes | no | nil |
| 135IN22 | 2 Textiles | **Better Cotton; GOTS;** OCS; **Oeko-Tex** (3/4) | No child labour policy disclosed. No CSR policy identified. Better Cotton certification is referenced in the sustainability narrative. | yes | no | no | no | no | no | no | nil |
| 110IN22 | 2 Processing textile | **GOTS; OCS;** Oeko-Tex (2/4) | No child labour policy disclosed. Risk management framework in place. CSR policy identified. The ethics page prioritizes OHS and the prevention of child labour. | yes | no | no | no | no | no | no | nil |
| 146IN22 | 2 Processing textile | Oeko-Tex | No child labour policy disclosed. Code of conduct and CSR policy identified. | yes | no | no | no | yes | no | no | nil |

| ID# of the business enterprise [2] | Type of business | Summary of data collected on the business's certification standards (Standards per certified business)[3] | Summary of data collected on business employment practices [4] | CSR Policy Identified | BRR identified | Human Rights Policy Identified | Child Labour Policy Disclosed | Code of Conduct identified | Internal Policy Provided | Implementation Guidance Provided | Business and Child Labour Index |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | *(a+b+c+d+e+f+g)* | *a* | *b* | *c* | *d* | *e* | *f* | *g* | *(out of 10)* |
| 121IN22 | 1 Retail | India Organic; SGS Certification | No child labour policy disclosed. CSR policy identified. Annual report unavailable. | yes | no | no | no | no | no | no | nil |
| 144IN22 | 2 Textiles | **Better Cotton; GOTS; OCS;** Oeko-Tex (3/4) | No child labour policy disclosed. CSR policy identified. | yes | no | no | no | no | no | no | nil |
| 127IN22 | 2 Textiles | **GOTS;** Oeko-Tex (1/4) | | | | | | | | | |
| 101IN22 | 2 Textiles | Oeko-Tex; BSCI; SGS Standard | | | | | | | | | |
| 125IN22 | 3 Spinning | Not disclosed | | | | | | | | | |
| 141IN22 | 3 Spinning | Oeko-Tex | | | | | | | | | |
| 149IN22 | 3 Spinning | Not disclosed | | | | | | | | | |
| 111IN22 | 4 Ginning | **Better Cotton; GOTS;** Primark Cotton (2/4) | | | | | | | | | |
| 103IN22 | 4 Ginning | **Better Cotton; OCS** (2/4) | | | | | | | | | |
| 155IN22 | 4 Ginning | **GOTS;** Oeko-Tex; Control Union (1/4) | | | | | | | | | |
| 105IN22 | 4 Ginning | ISO 9001 | | | | | | | | | |
| 106IN22 | 4 Ginning | Not disclosed | | | | | | | | | |
| 133IN22 | 4 Cottonseed | ISTA | | | | | | | | | |
| 126IN22 | 4 Cottonseed | ISTA | | | | | | | | | |
| 140IN22 | 4 Cottonseed | Not disclosed | | | | | | | | | |
| 107IN22 | 4 Cottonseed | Not disclosed | | | | | | | | | |
| 128IN22 | 4 Cottonseed | Not disclosed | | | | | | | | | |
| 130IN22 | 4 Cottonseed | Not disclosed | | | | | | | | | |

| ID# of the business enterprise [2] | Type of business | Summary of data collected on the business's certification standards (Standards per certified business)[3] | Summary of data collected on business employment practices [4] | CSR Policy Identified | BRR identified | Human Rights Policy Identified | Child Labour Policy Disclosed | Code of Conduct identified | Internal Policy Provided | Implementation Guidance Provided | Business and Child Labour Index |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | *(a+b+c+d+e+f+g)* | *a* | *b* | *c* | *d* | *e* | *f* | *g* | *(out of 10)* |
| 134IN22 | 4 Growing | **Better Cotton; GOTS** (2/4) | No child labour policy disclosed. The website contains broken or empty CSR links. | no | no | no | no | no | no | no | nil |
| 109IN22 | 2 Textiles | ISO 9001 | | | | | | | | | |
| 132IN22 | 3 Spinning | Not disclosed | | | | | | | | | |
| 120IN22 | 4 Growing | Not disclosed | | | | | | | | | |

*Notes:*

1. Out of 42 usable desk reviews of businesses, 40 yielded sufficient data for scoring and analysis, forming the basis for the analysis presented in this table.
2. Desk reviews were anonymized to protect confidentiality and reflect responsible research practice.
3. **Abbreviations**:
   - BRR = Business Responsibility Report, replaced by Business Responsibility and Sustainability Reporting (BRSR)
   - CSR = Corporate Social Responsibility
   - GRI 408-1 = Global Reporting Initiative indicator on child labour.
4. This table lists certification schemes, audit standards, and other accreditations relevant to cotton and textile production in India's value chain.

**Certification and Audit Standards:**

- Better Cotton standard
- Fairtrade certified
- GOTS (Global Organic Textile Standard) certified
- India Organic – certified under the National Programme for Organic Production (NPOP)
- OCS certified (Textile Exchange's Organic Content Standard)
- Certified recycled cotton (Textile Exchange's Recycled Cotton Standards: Recycled Claim Standard (RCS), Global Recycled Standard (GRS) or SCS Recycled
- Oeko-Tex (including MADE IN GREEN)
- Primark Cotton (CottonConnect)
- REEL (Responsible Environment Enhanced Livelihoods) framework
- SA8000 (Social Accountability 8000) standard and certification program
- Supima certificate from the Supima Association

**Audit Standards and Certifying Bodies:**

- Control Union
- Amfori BSCI (Business Social Compliance Initiative)
- SGS (International Audit Standards and System Certification

**Other Standards / Accreditations:**

- ISO 9001 (Quality Management System)
- International Seed Testing Association (ISTA)-accredited seed testing lab

# Appendix E
# Synthesis & Reference Tools

## E1. Glossary of Terms and Definitions

This section defines key terms used throughout this thesis and in the coding tool. These terms may not have well-known or universally recognized meanings. Many of these terms can be interpreted differently, though international law often provides clear definitions. Rather than paraphrasing, this glossary cites definitions directly from international law, legal instruments, and relevant literature to ensure consistency with human rights norms. The following are some of the definitions used in this thesis:

**"Adolescent"** refers to a period within childhood and lacks a clear definition, as maturation occurs at different ages for individual children. The UN Committee on the Rights of the Child, in its General Comment No. 20, does not define adolescence by specific years. Instead, adolescence marks the transition from childhood to adulthood at age 18, influenced by biological and social contexts, reflected in diverse cultural expectations and national legislation (OHCHR, 2016).

In this research, the definition of adolescents aligns mainly with the ILO definition (ICLS & ILO, 2008; 2018), where adolescents are older children engaged in hazardous and other worst forms of child labour. The cut-off of 15 years corresponds to the general minimum employment age specified in ILO C138, with a lower age of 14 years allowed for less developed countries (ILO C138, article 2.4). Depending on the national laws, adolescents aged 14, 15, or 16 may work under appropriate conditions, provided it is not hazardous and does not interfere with compulsory education. There is an overlap between the definitions of adolescents and young workers. Paragraph 2 of India's Child and Adolescent Labour (Prohibition and Regulation) Act of 1986 (CALPR), as amended in 2016, defines an "adolescent" as "a person who has completed his fourteenth year of age but has not completed his eighteenth year" (i.e., a person from 14 to 18 years old), not recognizing adolescence as part of childhood.

**"Adverse human rights impact"** means an impact occurring when an action or omission removes or reduces the ability of an individual to enjoy their human rights. Impacts can be either potential human rights impacts (i.e., risks that may or are likely to occur in the future) or actual

human rights harms (i.e., those that have already occurred or are occurring). Potential impacts require ceasing, preventing, and mitigating the risk to the extent possible. Actual impacts also require remediation if the company caused or contributed to them. (OHCHR, 2012b, p. 15)

**"Child":** This research operationalizes the concept of the child consistent with the UN Convention on the Rights of the Child (1989) and ILO definitions. The UNCRC, which is nearly universally ratified, defines a child as "every human being below the age of 18 years unless the age of majority is attained earlier under the law applicable to the child." ILO Convention 138 – Minimum Age Convention (1973) recognizes age ranges in establishing the boundaries for child labour. According to the International Conference of Labour Statisticians and ILO (2018), the children's age ranges are 5–11 years inclusive, 12–14 years inclusive, and 15–17 years inclusive, although the latter can be lowered to 14-17 years inclusive. As noted above, this research acknowledges India's Child and Adolescent Labour (Prohibition and Regulation) Act of 1986 (CALPR), as amended in 2016, does not recognize adolescence as part of childhood. Paragraph 2 of the CALPR defines a child as "a person who has not completed his fourteenth year of age or such age as may be specified in the Right of Children to Free and Compulsory Education Act (2009), whichever is more."

Definitions of the terms 'child' and 'adolescent' in India's child labour law do not align with the UNCRC. The Government of India is a signatory to the UNCRC. However, the government has not withdrawn its declaration on child labour. Upon ratifying the UNCRC in 1992, India declared "being aware that it is not practical immediately to prescribe minimum ages for admission to each and every area of employment in India, the Government of India undertakes to take measures to progressively implement the provisions of article 32, particularly paragraph 2 (a), in accordance with its national legislation and relevant international instruments to which it is a State Party" (UN Office of Legal Affairs, n.d.). The commitment to progressively implement the UNCRC provisions on child labour is consistent with Articles 2 and 3 of ILO C138. Chapter 4 details these characteristics of India's public governance context.

**"Child labour"** means economic exploitation and any work that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral, or social development (UNCRC, 1989, Article 32). More specifically, child labour refers to the engagement of children below age 18 in undesirable work activities that may cause harm or in prohibited work as guided by national legislation, ILO C138 Minimum Age Convention (1973) and ILO C182 Worst Forms of Child Labour Convention (1999), and their supplementing

recommendations (ILO R146 and ILO R190). For statistical purposes, children engaged in child labour include all persons aged 5 to 17 years involved in work to be eliminated. Child labour could fall into one or more of the following categories of activities: work below the minimum age, hazardous work, or the worst forms of child labour.

In this research, the concept of child labour is primarily operationalized through a legal definition. However, definitions of child labour vary from country to country, based on national legislation and the socio-cultural context. As noted above, three international Conventions establish the general criteria for drawing boundaries for child labour (i.e., the UNCRC, ILO C138, and ILO C182). This research recognizes that India's Child and Adolescent Labour (Prohibition and Regulation) Act of 1986 (CALPR), as amended in 2016, does not acknowledge adolescence as part of childhood. For the Government of India, "child labour" refers to children below the age of 14, and "adolescent labour" refers to persons aged 14 up to 18. Hence, for the Indian context, it is essential to clarify that under international standards ratified by the Government of India, the term "child labour" refers to children below the age of 18, consistent with the UNCRC and ILO child labour conventions.

**"Child labour risks"** are defined as risks arising from a business enterprise's operations, supply chains, and business relationships that may lead to one or more adverse human rights impacts related to child labour. Child labour risks are potential adverse impacts on human rights (not actual adverse impacts).

**"Designated hazardous occupations and industries for children":** hazardous occupations and industries for children are designated by national laws or regulations where they exist. Laws may prohibit children from working in specific designated industries, such as construction, mining, and quarrying. Additionally, competent consultative bodies may identify designations in recommendations or through analysis of the hazard content of occupations. Firms/entities should gather information on the tasks performed by children to determine whether the work is hazardous.

**"Forced labour of children"** is defined as work performed by a child during a specified reference period falling under one of the following categories:

1. work performed for a third party, under threat or menace of any penalty applied by a third party (other than the child's own parents) either on the child directly or the child's parents; or

2. work performed with or for the child's parents, under threat or menace of any penalty applied by a third party (other than the child's parents) either on the child directly or the child's parents; or
3. work performed with or for the child's parents where one or both parents are themselves in a situation of forced labour; or
4. work performed in any one of the "unconditional worst forms of child labour" as according to Article 3 (a), (b) and (c) of ILO Convention No. 182.

Moreover, preambular provisions of ILO C182 recall that some of the worst forms of child labour are covered by ILO Convention 29 – Forced Labour Convention (1930) and the UN Supplementary Convention on the Abolition of Slavery (1956). ILO C182 Article 3(a) defines the worst forms of child labour to include, inter alia, forced or compulsory labour. Consistent with ILO C182, any commercial sexual exploitation is forced labour when children are involved. (ICLS & ILO, 2018b)

**"Forced or compulsory labour":** ILO Convention 29 – Forced Labour Convention (1930) sets out the definition of forced or compulsory labour to mean "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily." Overall, eleven indicators cover the elements of forced labour situations.

**"Harm":** The fundamental principle to assess "likely harm" to draw the boundaries of child labour is consistent with ILO C138, ILO C182, and the UNCRC. For all age groups, indicators of the nature of work, its circumstances, and its harmful consequences prioritize and target policy interventions to monitor progress in addressing child labour (ICLS & ILO, 2008, para. 29).

**"Hazardous work":** According to Article 3 of ILO Convention No. 138 and also Article 3 (d) of ILO Convention No. 182, work that is likely to harm the health, safety, or morals of a child, either because of the nature or the circumstances in which it is carried out. National legislation may create limited exceptions for children over 16 when their health, safety, and morals are protected and they receive instruction on relevant activities. Hazardous work should not be performed by people under 18 (or 16 years of age as an exception). According to ILO Recommendation No. 190 accompanying ILO Convention No. 182, the following criteria should be taken into account when determining hazardous-work conditions of children: (a) work which exposes children to physical, psychological or sexual abuse; (b) work underground, under water, at dangerous heights or in confined spaces; (c) work with dangerous machinery, equipment and tools, or which involves the

manual handling or transport of heavy loads; (d) work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health; and (e) work under harsh conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.

**"Human rights":** Under the United Nations Guiding Principles on Business and Human Rights (OHCHR, 2011) and the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (2023), the responsibility of business enterprises to respect human rights refers to "internationally recognized human rights," which is understood at a minimum as those expressed in the International Bill of Human Rights and the principles concerning fundamental rights set out in the ILO's Declaration on Fundamental Principles and Rights at Work. The ILO's Declaration on Fundamental Principles and Rights at Work pertains to freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; and the elimination of discrimination in respect of employment and occupation. Child labour is covered by two ILO fundamental conventions, specifically ILO Convention 138 – Minimum Age Convention (1973), and ILO Convention 182 – Worst Forms of Child Labour Convention (1999).

**"Light work":** According to Article 7 of ILO Convention No. 138, work that children can do if it does not threaten their health, safety, and morals or hinder their education (generally, non-hazardous work for fewer than 14 hours per week). When permitted by national legislation, light work should only be performed by children aged 13 or over (or, provisionally, age 12 in particular developing countries).

**"Modern slavery,"** also referred to as "contemporary forms of slavery," comprises a range of issues, including, but not limited to, traditional slavery, forced labour, debt bondage, serfdom, children working in slavery or slavery-like conditions, domestic servitude, sexual slavery, and servile forms of marriage. Traditional slavery as a legally permitted labour system has been abolished globally, but it has not been completely eradicated. Efforts to combat modern slavery are grounded in a robust international legal framework. Key instruments include ILO Forced Labour Conventions (C029 and C105), the 2014 to the Forced Labour Convention (P029) and supplementary measures in the 2014 Forced labour Recommendation (R203), ILO Worst Forms of Child Labour Convention

(C182); the UN Supplementary Convention on the Abolition of Slavery (1956) [117]; the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons (2000) [118]; the United Nations Convention on the Rights of the Child (UNCRC); and the UN Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). (ILO, 2022, pp. 6, 199; OHCHR, 1991)

**"Severe human rights impact":** An adverse human rights impact that is severe by one or more characteristics: its scale, scope, or irremediability. Scale means the gravity of the effects on human rights. Scope refers to the number of individuals who are or could be affected. "Irremediability" means any limits on restoring those affected to a situation at least the same as, or equivalent to, their situation before the adverse impact. (OHCHR, 2012b, p. 8)

**"Unconditional worst forms of child labour"** comprises the worst forms of child labour other than hazardous work consistent with Article 3 (a), (b), and (c) of ILO Convention No. 182. The unconditionally worst forms of child labour are the most egregious manifestations of child labour and often a form of forced labour (Blackett, 1999, p. 31). Children should never be involved in such activities. (ICLS & ILO, 2008)

**"Work below the minimum age":** According to Article 2 of ILO Convention No. 138, any work performed by a child who is below the minimum age specified for that kind of work (as defined by national legislation in accordance with accepted international standards) is likely to impede the child's education and full development. The minimum age should not be lower than 15 years (or 14 years in certain developing countries).

**"Working children":** Children who work for at least 1 hour a week are considered working children. The working child population comprises children in child labour, children aged 12 to 14 years engaged in permissible light work, and adolescents aged 15 to 17 years engaged in work not designated as hazardous. The terms "working children," "children in economic activity," and "children in employment" are sometimes used interchangeably to refer to a broader concept than child labour. The broad notion of work corresponds to the definition of employment in paragraph 9 of the Resolution concerning statistics of the economically active population, employment,

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[117] Full title: United Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery.

[118] Full title: Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (New York, 15 November 2000). This instrument establishes the first common international definition of "trafficking in persons". Commonly known as the UN TIP Protocol.

unemployment, and underemployment, adopted by the 13th International Conference of Labour Statisticians (1982). Accordingly, being "at work" covers persons engaged in any activity that contributes to producing goods or services falling within the production boundary of the System of National Accounts (ICLS & ILO, 2008, p. 59; ILCS & ILO, 2018a).

**"Worst forms of child labour":** According to Article 3 of ILO Convention No. 182, the worst forms of child labour are internationally defined to comprise: (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict; (b) the use, procuring or offering of a child for prostitution, for the production of pornography or pornographic performances; (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties; and (d) work that is likely to harm the health, safety or morals of a child, either because of the nature or the circumstances in which it is carried out.

**"Young workers"**: a child who is above the minimum legal working age and engaged in economic activity. Young workers below the age of 18 are an age group subject to designation as child labour if the work or working conditions are hazardous. This research uses the ILO's definition of young workers as those aged 15-24. In the ILO's Decent Work Indicators: Concepts and Definitions (ILO, 2012, p. 57), it is recommended that "youth labour force" refer to all persons aged 15−24 who are either employed or unemployed. However, in practice, many national statistics offices apply definitions that differ from this international standard.

### E2. Summary of Policy Recommendations

This appendix summarizes policy recommendations developed from empirical analysis in Chapters 6 and 7, addressing child labour risks through public regulation, business practices, and hybrid governance arrangements.

## A. For researchers, government bodies, and multilateral organizations

- Pilot and assess the integration of child labour indicators within India's Multidimensional Poverty Index (MPI), with careful attention to measurement validity, overlapping deprivations, and alignment with Sustainable Development Goal 8.7.

## B. For public authorities and firms

The following actions apply jointly to government bodies (policy design, inspection, enforcement) and businesses and standards systems (standards design, implementation).

- Embed education-centred remediation into compliance frameworks, making school attendance a mandatory compliance criterion aligned with India's legal minimum age (14 years), ILO Convention 138 – Minimum Age Convention (1973), and the UN Convention on the Rights of the Child (1989).
- Specify minimum-age requirements with context-sensitive application, avoiding rigid global thresholds where they conflict with India's legal minimum age and lawful protective exemptions, while maintaining compliance with international norms through explicit reference to ILO C138 flexibility clauses and other internationally recognized human rights.
- Strengthen ethical capability via public-private compliance and enforcement by:

  - Aligning minimum-age and school attendance requirements in voluntary sustainability standards and reporting frameworks with binding legal and human rights obligations, so that compliance triggers prevention, mitigation, and remediation, rather than prohibition alone.

  - Requiring responses to child labour violations to include school re-enrolment, bridging support, and corrective-action plans.

  - Integrating ILO Convention 182 – Worst Forms of Child Labour Convention (1999) norms through escalation procedures for severe or irremediable risks.

## C. For voluntary sustainability standards

- Mandate removal from hazardous work and education-centred remediation, guided by the best interests and views of the child, with particular attention to vulnerable groups.
- Leverage social premiums and program resources to fund community-based education and prevention.
- Adopt hybrid governance models that combine enforcement, cooperation, and participatory approaches with local stakeholders.
- Prioritize capacity-building by pairing national institutional strengths and local expertise with international standard-setting bodies, ensuring measurement frameworks capture both compliance outcomes and developmental outcomes.
- Require independent, longitudinal evaluations that feed into human rights due diligence (HRDD) and sustainability reporting, with public data access, where feasible, to strengthen accountability.

## D. Disclosure and accountability (standards, companies, government regulators)

- Integrate child labour risk indicators with safeguards into ESG disclosure systems aligned with HRDD. Disclosure should expand beyond formal compliance to include education access, remediation practices, and credible oversight—reflecting actual exposure to adverse impacts and corrective actions taken.
- Treat Global Reporting Initiative (GRI) 408: Child Labour as the minimum disclosure standard, extending reporting beyond Tier 1 cover farmer-producers, intermediaries, subcontractors, and informal or seasonal labour. In line with GRI 408-1, disclosures should identify operations and suppliers at significant risk of incidents of child labour and hazardous work for young workers (including operational and geographic risk factors), and measures taken to contribute to the effective abolition of child labour.
- Mandate proportionate public disclosure of high-risk suppliers and corrective actions taken, including suspensions and termination where warranted, through periodic reporting that balances transparency with legal and due diligence considerations.

# Appendix F

## Coding Book for Business and Child Labour Measurement and Analysis

This annex presents the coding framework used to analyze business employment practices and child labour, including cultural context and practical measurement. The framework is intended for research and policy analysis and may be of interest to practitioners working on responsible business conduct, business and human rights, and ethical sourcing. *Disclaimer: The tool supports analysis of legal regulations and voluntary standards, but does not constitute legal advice and should not be used as a substitute for professional or regulatory judgment.*

The coding book is divided into four parts:

**1. Business and Child Labour Tool**. A one-page coding tool for assessing child labour risks in business operations and supply chains, organized into seven dimensions drawn from international standards, national laws, voluntary sustainability standards, and codes of conduct. It is designed for flexibility across industries and geographies.

**2. Adapting the Tool to Cultural Context**. Shows how the tool can be adapted to local cultures and institutional settings. In this research project, key terms were translated into Gujarati, Hindi, and Telugu to reflect regional realities. This section underscores the importance of cultural sensitivity and validation of local norms in coding and analysis.

**3. Domains, Criteria, and Indicators**. Details the seven dimensions, associated criteria, indicators, benchmarks, and standards used to assess employment practices, compliance, and child labour risks. It also outlines the analytical procedure applied in this study, including the integration of qualitative coding with quantitative weighting to provide a transparent, replicable method for assessing risk patterns.

**Advancing Normative Frameworks: Justification for a New Tool**. Outlines the rationale for the instrument, positioning indicators as normative benchmarks for analyzing child labour risks in the cotton value chain. Existing frameworks often struggle to operationalize broad principles; the tool incorporates indicators aligned with definitions from the International Conference of Labour Statisticians (ICLS) and the International Labour Organization (ILO).

Together, these component parts form the coding framework used in this study.

## Business and Child Labour Tool

A practical coding tool intended to support the identification, assessment, and mitigation of child labour risks in business operations and supply chains.

**Table F1**

*Business and Child Labour Tool*

| Dimension | Indicators |
|---|---|
| Specificity criteria | |
| Minimum-age standards | • The general (or basic) minimum working age is identified as 15 years, with 14 years as the exception.<br>• The minimum age for hazardous work is 18 years, with 16 years as the exception. |
| Nature of work | • Different forms of work by children, including distinctions by status of employment<br>• Unconditional worst forms of child labour |
| Circumstances of work | • Hazardous-work conditions<br>• Exposure to abuse<br>• Hours of work and night work |
| Harmful consequences of work | • Nature of safeguard mechanisms (e.g., education, social protection, referral to child protection services)<br>• Nature of occupational health and safety standards<br>• Priority action based on the severity of harm |
| Public-private compliance and enforcement criteria | |
| Public governance | • Organization targeted<br>• Applicability of universal and country-specific minimum-age standards<br>• Reference to national laws and international standards |
| Compliance | • Monitoring systems and processes<br>• Position of the monitoring actor<br>• Regulatory approach for non-compliance (suppliers and contractors)<br>• Regulation of third parties (sub-contractors and sub-suppliers)<br>• Classification and graduated, remediation-capable enforcement |
| Disclosure of child labour and forced labour risk management | • Internal accountability standards<br>• Training for employees and management<br>• Third-party verification of supply chains<br>• Unannounced audits to evaluate suppliers<br>• Compliance with host country laws |

*Note.* This table presents the Business and Child Labour Tool, developed by the author.

The tool's conceptual structure is adapted from "Child Labor and Multinational Conduct: A Comparison of International Business and Stakeholder Codes," by A. Kolk and R. van Tulder, 2002a. *Journal of Business Ethics*, 36(3), p. 294, Copyright 2002; and from *Child labour statistics: 18th International Conference of Labour Statisticians*, by the ILO, 2008. These sources informed the organization of dimensions and indicators.

Suggested citation. Khan, A. C. (2026). *Higher is not better: An economic sociology of business and child labour in India's global cotton value chain* [Doctoral dissertation, University of Ottawa].

## Adapting the Business and Child Labour Tool to Cultural Context

This section shows how the coding tool was adapted to reflect local cultural norms, languages, and institutions. Flexibility was built in to reflect sectoral variation, with key terms translated into Gujarati, Hindi, and Telugu to enhance local relevance.

### Table F2

*Business and Child Labour Tool—Key Terms (Gujarati, Hindi, Telugu)*

| English \| અંગ્રેજી \| अंग्रेज़ी \| ఆంగ్ల | ગુજરાતી \| Gujarati | हिंदी \| Hindi | తెలుగు \| Telugu |
|---|---|---|---|
| **Child labour policy** | બાળ મજૂરી નીતિ | **बाल श्रम नीति** | **బాల కార్మిక విధానం** |
| Does the business enterprise have a child labour policy? | શું વ્યવસાયિક સાહસમાં બાળ શ્રમ/મજૂરી. નીતિ છે? | क्या व्यावसायिक उद्यम के पास बाल श्रम नीति है? | వ్యాపార సంస్థలో బాల కార్మిక విధానం ఉందా? |
| **Specificity criteria** | વિશિષ્ટતા | **विशेषता** | **విశిష్టత** |
| Minimum-age standards | ન્યૂનતમ વય ધોરણો | न्यूनतम आयु मानक | కనీస వయస్సు ప్రమాణాలు |
| General (or basic) minimum working age | સામાન્ય (અથવા મૂળભૂત) લઘુતમ કાર્યવય | सामान्य (या बुनियादी) न्यूनतम काम करने की उम्र | సాధారణ (లేదా ప్రాథమిక) కనీస పని వయస్సు |
| Hazardous-work minimum age | જોખમી કામ ન્યૂનતમ ઉંમર | खतरनाक काम न्यूनतम उम्र | ప్రమాదకర పనికి కనీస వయస్సు |
| Nature of work | કામની પ્રકૃતિ | कार्य की प्रकृति | పని స్వభావం |
| Different forms of work by children, including distinctions by status of employment | આર્થિક ઉત્પાદન અથવા રોજગારની સ્થિતિ | आर्थिक उत्पादन या रोजगार की स्थिति | ఆర్థిక ఉత్పత్తి లేదా ఉపాధి స్థితి |
| Worst forms of child labour | બાળ મજૂરીના સૌથી ખરાબ સ્વરૂપો | बाल श्रम के सबसे बुरे रूप | బాల కార్మికుల అధ్వాన్న రూపాలు |
| Circumstances of work | કામના સંજોગો | काम की परिस्थितियां | పని పరిస్థితులు |
| Hazardous-work conditions | જોખમી કામ કરવાની પરિસ્થિતિઓ | खतरनाक काम करने की स्थिति | ప్రమాదకర పని పరిస్థితులు |
| Exposure to abuse | દુરુપયોગનો આધીન | दुर्व्यवहार के अधीन | దుర్వినియోగానికి బహిర్గతం |
| Long hours and night work | લાંબા કલાકો અને રાતનું કામ | लंबे घंटे और रात का काम | ఎక్కువ గంటలు మరియు రాత్రి పని |
| Harmful consequences of work (i.e., harm) | કામના હાનિકારક પરિણામો (એટલે કે નુકસાન) | काम के हानिकारक परिणाम (यानी, नुकसान) | పని యొక్క హానికరమైన పరిణామాలు (అనగా, హాని) |
| Nature of safeguard mechanisms | સલામતી વ્યવસ્થાની પ્રકૃતિ | सुरक्षा तंत्र की प्रकृति | రక్షణ యంత్రాంగాల స్వభావం |
| Nature of occupational health and safety standard | વ્યવસાયિક આરોગ્ય અને સલામતી ધોરણની પ્રકૃતિ | व्यावसायिक स्वास्थ्य और सुरक्षा मानक की प्रकृति | వృత్తిపరమైన ఆరోగ్యం మరియు భద్రతా ప్రమాణాల స్వభావం |
| Priority action based on severity of harm | નુકસાનની ગંભીરતાના આધારે પ્રાથમિકતાની ક્રિયા | नुकसान की गंभीरता के आधार पर प्राथमिक कार्रवाई | హాని తీవ్రత ఆధారంగా ప్రాధాన్యత చర్య |

| English \| અંગ્રેજી \| अंग्रेज़ी \| ఆంగ్ల | ગુજરાતી \| Gujarati | हिंदी \| Hindi | తెలుగు \| Telugu |
|---|---|---|---|
| **Public-private and enforcement compliance continuum** | જાહેર બિન-સરકારી/વ્યક્તિગત અનુપાલન સાતત્ય | **सार्वजनिक निजी अनुपालन निरंतरता** | **పబ్లిక్ ప్రైవేట్ సమ్మతి కొనసాగింపు** |
| Governance | સત્તા | शासन | పరిపాలన |
| Organization targeted | લક્ષિત સંસ્થા | संगठन लक्षित | సంస్థ లక్ష్యం |
| Applicability | લાગુ પડવું તે | प्रयोज्यता | వర్తింపు |
| Reference | સંદર્ભ/ઉલ્લેખ | संदर्भ | సూచన |
| International standards and national/subnational laws | આંતરરાષ્ટ્રીય ધોરણો અને રાષ્ટ્રીય/પેટારાષ્ટ્રીય કાયદાઓ | अंतरराष्ट्रीय मानक और राष्ट्रीय/उपराष्ट्रीय कानून | అంతర్జాతీయ ప్రమాణాలు మరియు జాతీయ/ఉప జాతీయ చట్టాలు |
| Host or home-country laws | યજમાન અથવા સ્વદેશ કાયદાઓ | मेजबान या गृह-देश कानून | హోస్ట్ లేదా స్వదేశీ చట్టాలు |
| Compliance and disclosure | અનુપાલન અને જાહેરાત | अनुपालन और प्रकटीकरण | సమ్మతి మరియు బహిర్గతం |
| Monitoring systems and processes | મોનિટરિંગ /દેખરેખ-નિયંત્રણ સિસ્ટમ્સ અને પ્રક્રિયાઓ | निगरानी प्रणाली और प्रक्रियाएं | పర్యవేక్షణ వ్యవస్థలు మరియు ప్రక్రియలు |
| Position of monitoring actor | મોનિટરિંગ /દેખરેખ-નિયંત્રણ કર્મચારીઓની સ્થિતિ | निगरानी सहयोगी की स्थिति | పర్యవేక్షణ ఉద్యోగి స్థానం |
| Sanctions | મંજુરી | प्रतिबंध | ఆమోదం |
| Sanctions to third parties | તૃતીય પક્ષોને મંજુરી/મંજૂરીઓ | तीसरे पक्ष को प्रतिबंध | థర్డ్ పార్టీలకు ఆమోదాలు |
| Disclosure on forced and child labour | બળજબરીઅને બાળ મજૂરી પર ખુલાસો/ જાહેરાત | जबरन और बाल श्रम पर खुलासा/प्रकटीकरण | బలవంత మరియు బాల కార్మికులపై బహిర్గతం |
| **Government enforcement** | સરકારી અમલીકરણ | **सरकारी प्रवर्तन** | **ప్రభుత్వ అమలు** |
| Labour law enforcement | મજૂર કાયદા અમલીકરણ | श्रम कानून प्रवर्तन | కార్మిక చట్ట అమలు |
| Labour law violations | શ્રમ/મજૂર કાયદાનું ઉલ્લંઘન | श्रम कानून का उल्लंघन | కార్మిక చట్ట ఉల్లంఘనలు |
| Labour inspections | શ્રમ/મજૂર નિરીક્ષણ | श्रम निरीक्षण | కార్మిక తనిఖీలు |
| Labour law penalties and instruction | શ્રમ/મજૂર કાયદા દંડ અને સૂચના | श्रम कानून दंड और निर्देश | కార్మిక చట్టం జరిమానాలు మరియు సూచనలు |
| Criminal law enforcement | ગુનાહિત/ફોજદારી કાયદો અમલીકરણ | आपराधिक कानून प्रवर्तन | క్రిమినల్ చట్ట అమలు |
| Criminal violations | ફોજદારી/ગુનાહિત ઉલ્લંઘન | आपराधिक उल्लंघन | నేర ఉల్లంఘనలు |
| Criminal investigations | ગુનાહિત/ફોજદારી તપાસ | आपराधिक जांच | క్రిమినల్ పరిశోధనలు/ఇన్వెస్టిగేషన్స్ |
| Criminal law penalties | ફોજદારી કાયદાનો દંડ | आपराधिक कानून दंड | క్రిమినల్ చట్ట పరమైన జరిమానాలు |
| Social relations and reinforcement of social norms | સામાજિક સંબંધો અને સામાજિક ધોરણોની મજબૂતીકરણ | सामाजिक संबंध और सामाजिक मानदंडों का सुदृढीकरण | సామాజిక సంబంధాలు మరియు సామాజిక నిబంధనల బలోపేతం |

## Child Labour in Business: Dimensions, Indicators and Benchmarks

This section presents the core framework for assessing child labour risks in business environments. It outlines seven key dimensions. Each dimension is supported by a structured set of criteria, indicators, and benchmarks that, together, enable consistent analysis across industries and cultural contexts. To facilitate implementation, users should use the one-page tool alongside this framework.

The coding framework uses the following components:

- **Dimensions** – Principal areas of focus for analyzing child labour risks.
- **Indicators** – Measurable elements that translate criteria into observable and codable tasks. Indicators provide data points for assessing business employment practices and related processes, as well as for identifying potential risks.
- **Benchmarks** – Groups of indicators used for comparative analysis. Benchmarks help assess how a business complies relative to industry standards, legal norms, international standards, and human rights norms.
- **Standards** – Represent best practices or minimum requirements for ethical and effective implementation of child labour policies. Standards guide business enterprises in aligning their operations with international human rights frameworks and labour standards.
- **Criteria** – Conditions used to assess each dimension. Responses are recorded using predefined answer categories.

Responses to indicators are recorded using a set of predefined categories, including “Yes”, “No”, “True”, “False”, “F/A” (further attention required), “N/A” (not applicable), and “Unknown”. Users are encouraged first to read the question and its explanation before reviewing and responding to the indicators.

Together, these components form a structured tool for identifying, evaluating, and mitigating child labour risks in diverse business contexts.

## Table F3

*Framework for Assessing Child Labour Risks in Business Operations and Global Value Chains*

| | |
|---|---|
| **Child labour policy** | |
| **Child labour policy** | Does the business enterprise or organization have a child labour policy or rules that include adolescent labour?<br>❍ We do not have a child labour policy or rules, and I can confidently say there is no child labour in our supply chain.<br>❍ We do not have a child and adolescent labour policy or rules, and I can say with confidence that there is no child labour and hazardous adolescent labour in our supply chain.<br>❍ We do not have a child and adolescent labour policy or rules, but the prohibition of child labour and hazardous adolescent labour is mentioned in other policies.<br>❍ We do not have a child and adolescent labour policy or rules, but we are working toward drafting one.<br>❍ We have a child labour policy or rules, but it does not include hazardous adolescent labour.<br>❍ We have a child and adolescent labour policy or rules.<br>❍ We have a child and adolescent labour policy or rules, and our supplier code of conduct explicitly refers to child and adolescent labour. |
| **Specificity criteria** | |
| **Dimension 1: Minimum-age standards (1 point)** - Does the business enterprise have a policy or certification standard that clearly states the minimum ages for employment, including the hazardous-work minimum age? | |
| **Benchmark indicator** | The extent to which the business enterprise has a policy or certification standard that clearly states the minimum ages for employment:<br>❍ A clear reference to the basic or general minimum age for employment.<br>❍ The basic minimum age for employment is 15 (or 14 as an exception).<br>❍ A clear reference to the hazardous-work minimum age.<br>❍ The minimum age for hazardous work is 18 years (or 16 years as an exception). |
| **Standard** | Measured as a composite indicator (Scale A to E, aggregated from the next level of indicators):<br>A. All four benchmark criteria (1.0 / 1.0 point)<br>B. Three benchmark criteria (0.75 / 1.0 point)<br>C. Two benchmark criteria (0.5 / 1.0 point)<br>D. One benchmark criterion only (0.25 / 1.0 point)<br>E. No reference to the minimum age for employment (0 / 1.0 point) |
| **CRITERIA:** | |
| **The general (or basic) minimum working age is identified as 15 years, or 14 years as an exception.** | |
| 1. | The business enterprise has a policy that clearly states the general minimum age for employment, also known as the basic minimum working age:<br>r True r False r F/A r N/A |
| 2. | The general (or basic) minimum age specified is:<br>❒ 15 years (or 14 years as an exception) ❒ 15 years<br>❒ 14 years ❒ Other (specify): _____ |
| **The hazardous-work minimum age is set at 18 years, or 16 years as an exception.** | |
| 3. | The business enterprise has a policy that clearly states the hazardous-work minimum age:<br>❒ True ❒ False ❒ F/A ❒ N/A |
| 4. | The hazardous-work minimum age is:<br>❒ 18 years (or 16 years as the exception)<br>❒ Other (specify): _____ |

| **Dimension 2: Nature of work (1 point)** - Does the business enterprise recognize the nature of children's work in its policies or certification standards? | |
|---|---|
| **Benchmark indicator** | The extent to which the business enterprise recognizes both the different forms of work performed by children, including the worst forms of child labour, in its policies or certification standards:<br>❒ There is a reference to the different forms of work performed by children, including work on family farms where cotton is produced, or home-based work<br>❒ There is a clear reference to zero tolerance for the worst forms of child labour<br>❒ There is an explicit reference to the "worst forms of child labour."<br>❒ The term "hazardous work" is identified, or there is a clear reference to "work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children."<br>❒ There is a reference to forced labour. |
| **Standard** | Measured as a composite indicator (Scale A to E, aggregated from the next level of coding):<br>A. All five benchmark criteria (1.0 / 1.0) D. Two benchmark criteria only (0.4 / 1.0)<br>B. Four benchmark criteria (0.8 / 1.0) E. One benchmark criterion (0.2 / 1.0)<br>C. Three benchmark criteria (0.6 / 1.0) F. None (0 / 1.0) |
| **CRITERIA:** | |
| **Different forms of work by children, including distinctions by status of employment** | |
| 1. | The business enterprise has a policy or certification standard that recognizes distinctions in children's work by status in employment: ❒ True ❒ False ❒ F/A ❒ N/A |
| | Which different forms of market and non-market production activities are included?<br>❒ Family workers (also called contributing family workers or unpaid family workers).<br>❒ Paid worker/employee/wage earner. This is employment work by children, comprising work performed for others in exchange for pay (cash or in kind) or profit.<br>❒ Unpaid trainee work by children. This is work performed for others without pay to acquire workplace experience or skills.<br>❒ Domestic worker for an employer (paid or unpaid).<br>❒ Own-account worker (i.e., self-employment).<br>❒ Own-use production work (i.e., production of goods and services for own final use).<br>❒ Volunteer work by children. This is non-compulsory work performed for others without pay.<br>❒ Other (i.e., persons not classifiable by status in employment). |
| **Unconditional worst forms of child labour** | |
| 2-5. | The business policy or certification standard identifies the unconditional worst forms of child labour, including forced child labour. The following worst forms of child labour are recognized in the policy or certification standard:<br>❒ Reference to zero tolerance of the worst forms of child labour.<br>❒ The term "worst forms of child labour" is used.<br>❒ Forced child labour is identified, e.g., trafficked children, child slavery, or bonded child labour (consistent with article 3a).<br>❒ The term "hazardous work" is used in reference to "work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children" (consistent with article 3d).<br>❒ Other worst forms of child labour are identified (i.e., commercial sexual exploitation of children, use of children for illicit activities) (consistent with Articles 3b and 3c). |

| | |
|---|---|
| **Dimension 3: Circumstances of work (1.5 points)** - Does the business enterprise recognize the circumstances in which work by children is carried out in its policies or certification standards? | |
| **Benchmark indicator** | The extent to which the business enterprise recognizes the circumstances in which work by children is carried out in its policies or certification standards. |
| **Standard** | Benchmark is "The extent to which …". Measured as a composite indicator (Scale A to D)<br>A. All three benchmark criteria (1.5 / 1.5)<br>B. Two benchmark criteria (1.0 / 1.5)<br>C. One benchmark criterion (0.5 / 1.5)<br>D. No reference to the circumstances of work (0 / 1.5) |
| **CRITERIA:** | |
| **Hazardous-work conditions** | |
| 1. | The business policy identifies work that is prohibited as hazardous, i.e., harmful to the health, safety, or morals of young workers under age 18, in accordance with national law or the relevant ILO standard, whichever is stricter ❒ True ❒ False ❒ F/A ❒ N/A |
| **Exposure to abuse** | |
| 2. | The business policy, certification standard, or code of conduct includes a focus on protection from discrimination, violence, exploitation, and abuse (including sexual harassment) to protect workers, including children and adolescents, from harm.<br>❒ Yes ❒ No ❒ F/A ❒ N/A |
| **Long hours and night work** | |
| 3. | The policy or certification standard specifies the number of hours of work that may be undertaken as established in legislation for the age, industry, or type of work.<br>❒ True ❒ False ❒ F/A ❒ N/A |
| **Dimension 4: Harmful consequences (1.5 points)** - Does the business enterprise recognize the concept of harmful consequences of work in its policies or certification standards? | |
| **Benchmark indicator** | The extent to which the business enterprise recognizes the harmful consequences of work in its policies or certification standards. |
| **Standard** | Benchmark is "The extent to which …". Measured as a composite indicator (Scale A to D, aggregated from the next level of coding):<br>A. All three benchmark criteria (1.5 / 1.5 points)<br>B. Two benchmark criteria (1.0 / 1.5 points)<br>C. One benchmark criterion (0.5 / 1.5 points)<br>D. No reference to the circumstances of work (0 / 1.5 points) |
| **CRITERIA:** | |
| **Nature of safeguard mechanisms** | |
| 1. | Does the policy or certification standard include broader measures in the code? Or does the code strictly prohibit child labour? ❒ Yes, broad ❒ No, strict ❒ F/A ❒ N/A<br>A. The strict prohibition of child labour could include a reference to national lists of hazardous work prohibited for children.<br>B. Reference to education to ensure children under the minimum age of employment are in education consistent with relevant standards, or there are other education measures.<br>C. Reference to skills development for young (adolescent) workers through apprenticeships and vocational training.<br>D. Reference to social protection and/or social security measures.<br>E. Reference to child protection services.<br>F. Other (specify): _____ |

| | |
|---|---|
| **Occupational health and safety standards** | |
| 2. | The policy or certification standard considers the impact of work on children's occupational health and safety. ❒ Yes ❒ No ❒ F/A ❒ N/A |
| **Priority action based on the severity of harm** | |
| 3. | The policy or certification standard includes immediate measures to prioritize actions to prevent and mitigate the most severe adverse human rights impacts or those where a delayed response would render them irremediable. ❒ Yes ❒ No ❒ F/A ❒ N/A |
| **Interpretive Notes** | |
| • Recognition of harmful consequences is not limited to prohibiting child labour but also includes broader child-centred safeguards.<br>• Policies that reference education, vocational training, or social protection reflect a more comprehensive understanding of harm.<br>• Standards that prioritize severe harm mitigation demonstrate ethical responsiveness and risk-aware governance. | |
| **Public-private compliance and enforcement criteria** | |
| **Dimension 5: Governance (1.5 points)** - Does the business enterprise provide clear insight into the applicability and organization targeted by their child labour policy? | |
| **Benchmark indicator** | The extent to which the business enterprise provides clear insight into the applicability and organization targeted by their child labour policy:<br>❒ The standard mentions universal minimum ages for admission to employment<br>❒ The standard mentions country-specific ages for admission to employment<br>❒ The standard targets business relationships such as suppliers, subcontractors, vendors, and manufacturers<br>❒ The standard includes an explicit reference(s) to ILO C138<br>❒ The standard includes an explicit reference(s) to ILO C182<br>❒ The standard includes a reference to host-country laws |
| **Standard** | Measured as a benchmark indicator (Scale A to G, aggregated from the next level of coding:<br>A. All six benchmark criteria (1.5 / 1.5)<br>B. Five benchmark criteria (1.5 / 1.5)<br>C. Four benchmark criteria (1.0 / 1.5)<br>D. Three benchmark criteria (0.75 / 1.5)<br>E. Two benchmark criteria (0.5 / 1.5)<br>F. One benchmark criterion (0.25 / 1.5)<br>G. None (0 / 1.5) |
| **CRITERIA:** | |
| **Applicability of universal and country-specific minimum-age standards** | |
| 1-2. | Does the business policy specify universal minimum employment ages, and are country-specific exceptions noted?<br>❒ Universal minimum ages for employment<br>❒ Country-specific ages to employment<br>❒ Both<br>❒ None, the policy does not mention the minimum ages of employment |
| **Organization targeted** | |
| 3. | To whom is the child labour policy addressed? The child labour policy and supplier code of conduct are targeted at the following actor categories, which are identified in the policy:<br>❒ Actors in general (provide exact wording): _____<br>❒ Internal operations of specific firms (provide exact wording): _____<br>❒ Business relationships such as suppliers, subcontractors, vendors, and manufacturers (provide exact wording): _____<br>❒ Other (provide exact wording): _____ |

| Reference to international standards and national laws | |
|---|---|
| 4-6. | Is the reference made to international standards, either implicitly or explicitly, and/or home-country or host-country laws?<br>❒ Explicit reference(s) to international standards<br>o ILO C138 Minimum Age Convention (1973)<br>o UN Convention on the Rights of the Child (1989)<br>o ILO C182 Worst Forms of Child Labour Convention (1999)<br>o ILO C029 Forced Labour Convention (1930)<br>o ILO C105 Abolition of Forced Labour Convention (1957)<br>o ILO R190 Worst Forms of Child Labour Convention (1999)<br>❒ Implicit reference(s) to international standards<br>❒ Reference(s) to home-country laws (optional: specify explicit reference)<br>❒ Reference(s) to host-country laws (optional: specify explicit reference) |

**Interpretive Notes**

- Standards that reference both universal and country-specific age thresholds demonstrate contextual sensitivity and legal alignment.
- Explicit references to ILO conventions and national laws signal normative clarity and legal coherence.
- Targeting business relationships beyond internal operations reflects a broader governance scope, essential for addressing child labour risks in global supply chains.

**Dimension 6: Compliance monitoring (2 points)** - To what extent does the business enterprise provide attention to the monitoring systems, processes, and sanctions to ensure compliance with the policy or certification standard?

| | |
|---|---|
| **Benchmark indicator** | The extent to which the business enterprise provides attention to the monitoring systems, processes, and sanctions to ensure compliance with the policy or certification standard. |
| **Standard** | Measured as a benchmark indicator (Scale A to K), aggregated from the next level of coding:<br>A. All benchmark criteria (1.82-2.0 pt)<br>B. Ten benchmark criteria only (1.64-1.82 pt)<br>C. Nine benchmark criteria (1.45-1.64 pt)<br>D. Eight benchmark criteria (1.27-1.45 pt)<br>E. Seven benchmark criteria (1.09-1.27 pt)<br>F. Six benchmark criteria only (0.91-1.09 pt)<br>G. Five benchmark criteria (0.73-0.91 pt)<br>H. Four benchmark criteria (0.55-0.73 pt)<br>I. Three benchmark criteria only (0.36-0.55 pt)<br>J. Two benchmark criteria (0.18-0.36 pt)<br>K. One benchmark criterion (0.0-0.18 pt) |
| **CRITERIA:** | |
| **Monitoring systems and processes** | |
| 1-3 | How much attention does the policy or certification standard have on monitoring systems and processes to assess and ensure compliance with the policy or certification standard? Measured as a regular indicator (select one):<br>❒ General reference to monitoring without details<br>❒ Reference to some parts of the monitoring systems and processes<br>❒ The criteria for assessment are described<br>❒ Time frames are provided |
| **Standard** | The following aspects are described (select one):<br>❍ Clear - Good insight into monitoring systems and processes (=3)<br>❍ Clear to vague - Reference to some systems and parts, but criteria/time frames lacking (=2)<br>❍ Vague - Only general reference to monitoring without details (vague) (=1)<br>❍ None – No reference to monitoring systems and processes |

| | |
|---|---|
| **Position of the monitoring actor** | |
| 2. | What is the role and authority of the entity that monitors or audits child labour in your business supply chain? Measured as a regular indicator (select as many as apply):<br>❒ Firms themselves. We use an internal audit process (i.e., 1st-party audit) conducted by an employee in our organization or by a consultant we have hired.<br>❒ We use an internal second-party validation process (e.g., a 2nd-party audit) that includes a formalized review of documents submitted by contractors/suppliers.<br>❒ We use a third-party verification or monitoring process (not certified, e.g., Better Cotton)<br>❒ We use third-party certification, auditing, and monitoring processes (i.e., an independent or external audit). (Note: this may include a certification or re-certification audit, e.g., Fairtrade, GOTS, or Textile Exchange).<br>❒ We use external monitoring by NGOs.<br>❒ Combination: We use a combination of different actors.<br>❒ We comply with external monitoring through government legal authorities, including labour inspectors. |
| **Regulatory approach for non-compliance (suppliers, contractors)** | |
| 3. | What measures are applied to suppliers, contractors, or other direct business relationships in case of non-compliance with the policy or certification standard? Measured as a regular indicator (select one):<br>❍ None - Measures have no large implications<br>❍ Mild – Corrective action required, formal warning, temporary suspension from membership (0.25)<br>❍ Moderate: Financial penalties, temporary restriction from bidding for contracts (0.375)<br>❍ Severe – Termination of membership, termination of contract, blacklisting, threat to business activities, legal action (0.5) |
| **Regulation approach for non-compliance (third parties)** | |
| 4. | What are the measures applied to subcontractors and other third parties in case of non-compliance with the policy or certification standards? Measured as a regular indicator (select one):<br>❍ None - Measures have no large implications<br>❍ Mild – Corrective action plan required, small fines (0.25)<br>❍ Moderate: Temporary suspension of work, larger fines (0.375)<br>❍ Severe - Severance of relationship, cancellation of contract (0.5) |
| **Classification and graduated enforcement** | |
| 5. | To what extent does the policy or certification standard classify verified entities (compliant/non-compliant) and apply proportionate enforcement measures in cases of non-compliance? Measured as a composite indicator (Select as many as apply):<br>❒ None – No graduated or proportionate enforcement is specified.<br>❒ Mild (Corrective) - Corrective actions focused on prevention and mitigation—such as schooling policies, risk-reduction measures, or remediation plans—without sanctions.<br>❒ Moderate (Enforcement with sanctions) - Enforcement actions, including escalation to warnings and sanctions such as temporary suspension or conditional continuation of certification following escalation.<br>❒ Severe (Critical non-conformity) –Sanctions for irremediable violations, including immediate suspension or termination of certification for critical non-conformities (e.g., violations of ILO C029; ILO C182) |

| **Dimension 7: Disclosure (1.5 points)** - Does the business have public supply chain disclosure on child labour and forced labour risk management, including required training, monitoring, and reporting? | |
|---|---|
| **Benchmark indicator** | The extent to which the business has public supply chain disclosure on child labour and forced labour risk management, including required training, monitoring, and reporting. |
| **Standard** | Measured as a benchmark indicator (Scale A to F), aggregated from the next level of coding):<br>A. All five benchmark criteria (1.5 / 1.5)<br>B. Four benchmark criteria (1.2 / 1.5)<br>C. Three benchmark criteria (0.9 / 1.5)<br>D. Two benchmark criteria (0.6 / 1.5)<br>E. One benchmark criterion (0.3 / 1.5)<br>F. None (0 / 1.5) |
| CRITERIA: | |
| **Internal accountability standards & procedures** | |
| 1. | The business discloses the extent, if any, to which it maintains internal accountability standards and procedures for employees or contractors who fail to meet company standards regarding child labour and forced labour. ❒ Yes ❒ No ❒ F/A ❒ N/A |
| **Training for employees and management** | |
| 2. | The business discloses to what extent, if any, it provides business employees and management, who have direct responsibility for supply chain management, with training on child labour and forced labour, particularly to mitigate risks within the supply chains of products. ❒ Yes ❒ No ❒ F/A ❒ N/A |
| **Third-party verification of supply chains** | |
| 3. | The business enterprise discloses the extent, if any, to which it engages in verifying product supply chains to evaluate and address the risks of child labour and forced labour. The disclosure shall specify whether a third party conducted the verification.<br>❒ Yes + 3rd party verification. ❒ Yes, but not 3rd-party verification<br>❒ No ❒ F/A ❒ N/A |
| **Independent, unannounced audits to evaluate suppliers** | |
| 4. | The business discloses the extent, if any, to which it conducts supplier audits to evaluate supplier compliance with its company standards on child labour and forced labour in supply chains. The disclosure shall specify if the verification was not an independent, unannounced audit.<br>❒ Yes + independent unannounced audit. ❒ Yes, but not an independent, unannounced audit<br>❒ No ❒ F/A ❒ N/A |
| **Compliance with host country laws** | |
| 5. | The business discloses to what extent, if any, it requires direct business relationships (suppliers, contractors, subcontractors, vendors, manufacturers) to certify that materials incorporated into the product comply with the laws regarding child labour, forced labour, and slavery in the country or countries in which it is doing business. ❒ Yes ❒ No ❒ F/A ❒ N/A |

## Data Analysis Using the Business and Child Labour Tool

This subsection presents the analytical procedure for applying the Business and Child Labour Tool. It integrates qualitative codes with quantitative weights to provide a transparent and replicable method for evaluating business employment practices and identifying aspects of heightened child labour risk. Originally developed in the Methodology chapter, the procedure is reproduced here to ensure this document functions as a standalone reference for researchers and practitioners.

### Table F4

*Data Analysis Using Business and Child Labour Tool: Codes, Criteria, and Weighted Indicators*

| | | |
|---|---|---|
| Identifier Number: | | |
| NAME OF ORGANIZATION: | Organization type: | • Business or business enterprise<br>• Certification body or standard-setting body<br>• Farmer producer organization or family producer company<br>• Multistakeholder organization<br>• Social enterprise |
| Location: | [State where located]<br>[State(s) where operations]<br>[District or City where located] | |
| Business type: | • Family-owned company<br>•Indian-owned company<br>• Limited company<br>• Multinational enterprise<br>• National organization<br>• Social enterprise | |
| Supply chain focus: | • Hybrid cottonseed production<br>• Cotton growing and harvesting of organic seed cotton (i.e., to produce raw fibre)<br>• Ginning of cotton lint (i.e., to remove seed to produce baled fibre)<br>• Trading (i.e., of baled cotton fibre)<br>• Spinning cotton fibres (i.e., to make yarn)<br>• Weaving or knitting cotton yarn (i.e., to make bolts of fabric/textile)<br>• Processing (dyeing and finishing) of fabric/textile (i.e., to make bolts of fabric)<br>• Garment production (i.e., including cutting, sewing, trimming_<br>• Embroidery<br>• Garment printing, garment washing<br>• Warehousing, shipping of garments, and retail<br>• Other (please specify) | |
| CERTIFICATION STANDARDS | | |
| Certification standard(s): | • Better Cotton Initiative<br>• Fairtrade<br>• GOTS - Global Organic Textile Standard<br>• Organic Content Standard<br>• Other (please specify) | |
| POLICIES & RULES | | |
| Child labour policy | • The child and adolescent labour policy and the supplier code of conduct explicitly address child and adolescent labour.<br>• Child and adolescent labour policy.<br>• Child labour policy does not include hazardous adolescent labour.<br>• No child and adolescent labour policy, but working toward drafting one.<br>• No child and adolescent labour policy, but the prohibition of child labour and hazardous adolescent labour is mentioned in other policies.<br>• No child and adolescent labour policy.<br>• No child labour policy.<br>• F/A<br>• N/A | |

| | | |
|---|---|---|
| Public disclosure | List of policies disclosed (e.g., ESG framework, policies on CSR, human rights, forced labour, child labour)<br>Description of policies disclosed<br>Number of relevant policies disclosed<br>Is the company a Top 1000 company responsible for producing a Business Responsibility Report?<br>Are the following publicly disclosed: Annual report, Business Responsibility Report, and CSR policy?<br>Did the company share any Internal policies in follow-up to the interview (if relevant)?<br>The number of relevant policies analyzed, including internal policies shared. | |
| Child labour policy: | Approach: | Descriptive: |
| SPECIFICITY CRITERIA | | |
| - Minimum-age standards: | [Scale A to E] (1.0 pts) | Reference to the general or basic minimum age for employment |
| | | Minimum age for employment |
| | | Reference to the hazardous-work minimum age |
| | | Hazardous-work age (years) |
| - Nature of work: | [Scale A to F] (1.0 pts) | Reference to different forms of work by children |
| | | Which forms of work (Concatenated value) |
| | | Reference to the worst forms of child labour (ILO C182) |
| | | Nature of work (what is missing?) |
| - Circumstances of work: | [Scale A to D] (1.5 pts) | Hazardous-work conditions |
| | | Exposure to abuse |
| | | Long hours and night work |
| - Harmful consequences: | [Scale A to D] (1.5 pts) | Safeguard mechanisms |
| | | Safeguard mechanisms (Concatenated value) |
| | | Nature of occupational health and safety standards |
| | | Priority action based on the severity of harm |
| Subtotal: | (5.0 pts) | |
| PUBLIC–PRIVATE COMPLIANCE CONTINUUM | | |
| - Public governance: | [Scale A to G] (1.5 pts) | Organization targeted |
| | | Applicable minimum-age standards |
| | | Reference to international standards Reference (Concatenated value) |
| | | International standards and national/ subnational laws (Concatenated value) |
| | | Reference to host or home-country laws |
| - Compliance monitoring: | [Scale A to J] (2.0 pts) | Child labour monitoring systems and processes |
| | | Position of the child labour monitoring actor |
| | | Sanctions related to child labour |
| | | Sanctions against third parties on child labour |
| -- Disclosure on child labour and forced labour risk management: | [Scale A to F] (1.5 pts) | Disclosure of internal accountability standards and procedures |
| | | Disclosure of training for employees and management |
| | | Disclosure of third-party verification of supply chains |
| | | Disclosure of independent, unannounced audits to evaluate suppliers |
| | | Disclosure of compliance with host country laws |
| Subtotal: | (5.0 pts) | |

Legend:

| | |
|---|---|
| Blue | links with screener survey, if applicable |
| Yellow | pull-down menu |
| Orange | composite or benchmarked indicators |
| Green | TEXTJOIN (Please select TRUE or FALSE in the text aside, and then delete the preceding words, so only the formula remains) |
| Light gold | textual description or from another cell |

## Advancing Normative Frameworks: Justification for a Contemporary Business and Child Labour Tool

This section summarizes the justifications for changing the Kolk and van Tulder model. Given the shortcomings of existing indicators and data-collection tools for operationalizing child labour risks, I developed a tool for business and child labour measurement and analysis for this research. The instrument includes a package of indicators used as the basis for the normative positions to be developed, which regulate the behaviours of local economic actors in the cotton value chain regarding child labour risks.

A textual analysis of a plethora of child labour measures and indicators for business enterprises identified commonalities. Ultimately, the Business and Child Labour Tool was developed in alignment with jurisprudence in various international laws, including ILO C138 and the accompanying ILO R146 – Minimum Age Recommendation (1973), the UN Convention on the Rights of the Child (1989) along with the Optional Protocol to the UNCRC on the involvement of children in armed conflict (2000) and the Optional Protocol to the UNCRC on the sale of children, child prostitution and child pornography (2000), ILO Declaration on the Fundamental Principles and Rights at Work (1998/2022), ILO C182 and accompanying ILO R190 – Worst Forms of Child Labour Recommendation (1999), ILO Protocol 29 - Protocol of 2014 to the Forced Labour Convention, 1930 (2014), and the UN Guiding Principles on Business and Human Rights (OHCHR, 2015). Additional reference materials included the *Implementation Handbook for the Convention on the Rights of the Child* (Hodgkin & Newell, 2007) and the Roadmap to Eliminate the Worst Forms of Child Labour (ILO, 2010).

As part of the textual analysis, the following guidance to business enterprises were also reviewed: the World Bank's *Environmental and Social Framework* (2016), the ILO and International Finance Corporation's *Zero Tolerance Protocol* (n.d.), UNICEF and Save the Children's *Child Rights and Business Principles* (2013, 2014; 2013), and the *SDG Compass* developed by the Global Reporting Initiative (GRI), UN Global Compact and World Business Council for Sustainable Development (2015), the Ethical Trading Initiative (ETI)'s *Base Code Guidance on Child Labour* (2017), the Danish Institute for Human Rights' *Human Rights Compliance Assessment Tool: Human Resources* (2016), and the ILO and International Organisation of Employers' *How to do Business With Respect for Children's Right to be Free From Child Labour: ILO-IOE Child Labour Guidance Tool for Business* (2015).

The four specificity dimensions emerged from the ILO and International Conference of Labour Statisticians (2008), *Report III: Child Labour Statistics,* which outlines core indicators for identifying child labour under the headings "nature of work," "circumstances of work," and "harmful consequences of work" (2008, p. 19, see Table 5.1). The ICLS (2008, para. 29) clarifies the normative rule, explaining that, for all age groups, indicators of the nature of work, its circumstances, and its harm to the child's health, safety, or morals are needed to prioritize and target policy interventions and monitor progress. The two resolutions on child labour statistics adopted at the International Conferences of Labour Statisticians (ICLS) in 2008 and 2018 serve as key references for this study.

What follows is the justification of the changes made to each heading and each criterion.

**Specificity Criteria**

This heading remains a first-level heading; there is no change.

***Dimension 1: Minimum-age Standards to Operationalize "Underage"***

This new second-level heading operates in this study as "underage." The normative rationale for adding the header is that ILO C138 and ILO C182 identify two "minimum-age standards" to measure, analyze, and compare minimum ages for employment as a dimension: a general minimum age for employment and a hazardous-work minimum age. It is discussed in Section 3.2 that, in contrast to this present study, Kolk and van Tulder (2002a, 2002b, 2004) conducted their analysis focusing only on one minimum age for employment, namely age 15. Kolk and van Tulder focus on the age thresholds for younger working children under the general minimum employment age; the minimum age for "hazardous work" is excluded. Kolk and van Tulder (2002a, p. 295) excluded ILO C138 from the analysis of codes and demonstrated difficulty reconciling how and why minimum-age standards for employment include exceptions for developing countries to the universal minimum age of 15.

Based on the rationale provided above, this heading includes these criteria:

**General (or basic) minimum working age.** Kolk and van Tulder's criteria "minimum age to employment" (i.e., indicator 1.1) were revised, consistent with the report on *Child Labour Statistics* agreed upon at the 18th International Conference of Labour Statisticians (2008). The ICLS report identifies a "general minimum age for admission to work" not lower than the end of compulsory education and generally at least 15 years of age (C138, Article 2, para. 3), with an option to specify a lower general minimum age of 14 years for countries whose economy and educational

systems are insufficiently developed. However, some countries have set it at 16 years (C138, Article 2, para. 4). ILO C138 also includes flexibility clauses for light work for children below the minimum age, provided it does not interfere with schooling. (ICLS & ILO, 2008, para. 23-24)

**Hazardous-work minimum age.** This criterion is added. ILO C138 (1973) identifies a higher minimum age of not less than 18 years, which applies to "work which by its nature or the circumstances in which it is carried out is likely to jeopardise the health, safety or morals of young persons," which is usually referred to as hazardous work (C138, Article 3, para. 1), with an option for countries to specify a lower hazardous-work minimum age of 16 years on condition that the health, safety and morals of the young persons are protected and that young persons receive instruction or vocational training (C138, Article 3, para. 3). National authorities are responsible for developing a list of hazardous work in consultation with employers and workers (C138, Article 3, para. 2).

Under India's Child and Adolescent Labour (Prohibition and Regulation) Act of 1986 (CALPR), as amended in 2016, the minimum age for employment is 14 years, and the minimum age for hazardous work is 18. Section 5.1 provides a detailed description of India's child labour laws.

***Dimension 2: Nature of Work to Operationalize "No Distinction"***

This is a new second-level heading, which this study operationalized as "no distinction." Kolk and van Tulder's model does not integrate criteria related to the nature of work. As explained in Section 2.1, the rationale for adding the header "nature of work" is that it is crucial to have a good understanding of the work that children are doing along a spectrum of work arrangements from legitimate work to illegitimate work, including work with uncertain status (Phillips et al., 2014; Zelizer, 1985).

The concept of work by children is the broadest and comprises "any activity to produce goods or to provide services for use by others or for own use" (ICLS, 2018a, para. 11-13). Narrower constructs include child labour, hazardous work, and the unconditional worst forms of child labour. However, the nature of work also varies depending on whether the work is in the formal or informal economy, on family farms, or in large-scale agricultural enterprises. While Kolk and van Tulder express concern about child labour in the informal sector, which employs the majority of children and adolescents (2002a, pp. 293, 297, 298; 2002b, pp. 261–263), their model excludes this criterion.

The ICLS (2008) clarified that the nature of children's work should include information on occupation and industry, while a distinction by employment status and the inclusion of non-market production (e.g., dressmaking and tailoring for self-consumption) help show how work is carried

out. The concept of "no distinction" emphasizes that understanding the nature and circumstances of children's work is crucial because ILO C138 includes flexibility clauses for different forms of work.

Based on ICLS (2008, Table 5.1; 2018a, para. 11-13), this heading includes these criteria:

**Different forms of work by children**. This criterion is added to focus on activities that produce goods sold on the market. According to the 18th at the 18th International Conference of Labour Statisticians (2008, pp. 52-53), information on market economic production should include information about the occupation and industry (4-digit occupation and industry classification) and information on status in employment, which includes:

- ***Employment work by children*** (SNA): work performed for others in exchange for pay or profit.
- ***Own-use production work by children***: production of goods (SNA) and provision of services for own final use (non-SNA).
- ***Work in family enterprises and unpaid household-based production services*** (non-SNA), which may exempt specific work categories and economic activities. For example, some agricultural work on family farms may be excluded provided it is not hazardous work. Work in household services may be excluded including unpaid household chores. However, hazardous work and long hours of home-based work that is not for own-use production cannot be excluded (ILO, 2018a).
- ***Unpaid trainee work by children*** (SNA): work performed for others without pay to acquire workplace experience or skills
- ***Volunteer work by children*** (SNA): non-compulsory work performed for others without pay, comprising volunteer work in market and non-market units (including governments and non-profit institutions serving households) and volunteer work in households producing goods.
- ***Volunteer work in households producing services*** (non-SNA).
- ***Other work activities by children*** include unpaid community services.

**Unconditional worst forms of child labour.** This criterion is added. According to ILO C182 Article 3, paragraphs (a) to (c), the unconditional worst forms of child labour are:

a. All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage, serfdom, and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict

b. The use, procuring, or offering of a child for prostitution, for the production of pornography, or pornographic performances
c. The use, procuring, or offering of a child for illicit activities, in particular for the production and trafficking of drugs

Kolk and van Tulder's model does not refer to the worst forms of child labour. However, their research acknowledges the rapid ratification of ILO C182 and the broad consensus on the unacceptability of the worst forms of child labour (Kolk & van Tulder, 2002b, pp. 261–262). All countries ratified ILO C182 by August 4, 2020; it is the first universally ratified ILO convention.

***Dimension 3: Circumstances of Work to Further Operationalize "No Distinction"***

This new second-level heading also operates as "no distinction." The rationale for adding work circumstances is that this information is needed to identify hazardous work (ICLS, 2018a, para 20-31), as reflected in ILO Recommendation 190 – the Worst Forms of Child Labour Recommendation. Hazardous-work activities are defined as either activities of a hazardous nature (i.e., designated hazardous occupations and industries) or work under hazardous conditions that may not be hazardous on their own. Kolk and van Tulder's model does not include any criteria related to work circumstances.

This study recommends that this heading include these criteria as organizing principles:

**Exposure to abuse.** This criterion is newly added. ILO R190, paragraph 3 (a), indicates that in determining hazardous work, consideration should be given to:

a. "Work which exposes children to physical, psychological, or sexual abuse"

While the ICLS (2018a, para. 21-27) does not group exposure to abuse into a category of its own, this study recommends treating it as a unique criterion. Exposure to physical, sexual, or psychological abuse is not about engaging children in work activities of a hazardous nature. Rather, the protection of children from abuse, including sexual abuse, when in the care of any person, is related to human dignity and the concept of children as rights holders. This is consistent with the UNCRC Article 19 and Sustainable Development Goals 16.2, 5.2, and 5.3 to end violence, exploitation, and abuse of children, women, and girls. The ICLS could address this omission, in view of ILO C190 - Violence and Harassment Convention, 2019.

**Hazardous-work conditions.** This criterion is newly added. ILO standards require governments to decide what work is hazardous for children following consultation with employers' and workers' organizations, and to prohibit such work. ILO Recommendation No.190

includes suggested elements to be considered when determining a "list of hazardous work" prohibited for children. Specifically, ILO Recommendation 190, paragraph 3(b-d) indicates that in determining hazardous work, consideration should be given to the following types of work activities, which may be identified through survey questions to identify designated hazardous occupations and industries for children:

b. "Work underground, underwater, at dangerous heights, or in confined spaces."
c. "Work with dangerous machinery, equipment, and tools, or which involves the manual handling or transport of heavy loads."
d. "Work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health."

**Long hours and night work.** This criterion is newly added. ILO R190, paragraph 3 (e), indicates that in determining hazardous work, consideration should be given to:

e. "Work under particularly difficult circumstances, such as work for long hours or during the night, or work where the child is unreasonably confined to the premises of the employer."

A child under 18 works long hours at all jobs during any week if the hours worked exceed a specified threshold. That threshold may be based on the maximum number of hours permitted for children who have reached the minimum working age (as set out under national law or regulation), or it may be determined by applying the regulation on adults' normal working time, in line with international standards. (ICLS, 2018a, paras 28-29)

The thresholds for night work permitted by children are expected to be set similarly to long work or based on the ILO Night Work Convention 171 (1990), particularly Articles 1 (a-b), which identifies night work as work performed "during a period of not less than seven consecutive hours, including the interval from midnight to 5 a.m." The time children spend commuting between work and home should be considered part of the work schedule (ICLS, 2018a, para 30).

***Dimension 4: Harmful Consequences of Work to Operationalize "Lacking Adequate Safeguards"***

This new second-level heading operates as "lacking adequate safeguards." The normative rationale for adding this heading is that information on the "actual harm to children caused by work" (ICLS, 2008, para. 63) is needed to develop public policies and business employment practices associated with lowering child labour risk. Edmonds (2008) explained that various

aspects of child labour's theories and definitions are not informative for solving the counterfactual problem. "If child labour is understood to refer to activities in which child participation makes the child worse off, it is impossible to know … what children would be doing in the absence of work" (ILO-IPEC, 2008, p. 1).

The UN Convention on the Rights of the Child (1989) sets a high standard to describe the harmful consequences of work, which builds on the jurisprudence of ILO child labour standards in place since 1919 (Dahlén, 2007; Hodgkin & Newell, 2007). According to the UNCRC, Article 32.1: States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

ICLS (2008, Table 5.1) outlines seven "core indicators" to be included in national statistical programs to identify the harmful consequences of work: work-related injury and illness; late entry rate to education; attendance rate; repetition rate; drop-out rate; education attainment; and learning achievement. ICLS (2018a, para. 38-58) outlines various data-collection methods for child labour. Household and establishment surveys, baseline surveys, rapid assessment studies, and supplemental data sources are used to collect child labour data.

The heading "harmful consequences of work" includes these criteria:

**Nature of safeguard mechanisms.** This criterion revises Kolk and van Tulder's model. Kolk and van Tulder used the term "nature of the code" (i.e., criteria 1.5), and their short elaboration poses the question, "Are alternative measures included in the code (such as education for children)? Alternatively, does the code only prohibit child labor?" Their indicator was binary: either the code was strict (prohibited only child labour), or broad (including alternative measures, such as education). Only three out of 40 MNE codes—such as Hennes & Mauritz and WE Fashion—took a "broad" approach (Kolk & van Tulder, 2002a, p. 297, 2002b, p. 265).

The link Kolk and van Tulder made between child labour and education is consistent with international standards. ILO C138, Article 2.3, aligns the minimum age for admission to employment with the age of completion of compulsory schooling, and States Parties to the UNCRC are urged to equalize the age for school completion and the age for admission to employment (Hodgkin & Newell, 2007, p. 489).

Compared to Kolk and van Tulder, this research uses the term "nature of safeguard mechanisms" to refer to alternative measures that businesses may include in policies. In this thesis,

the nature of safeguard mechanisms refers to the presence of measures that prevent foreseeable harmful consequences for children—such as school access, income continuity, safe withdrawal and rehabilitation, and other child-centred protections—which are assessed within the public–private compliance and enforcement continuum. These measures align with a human rights approach, the concept of decent work, ILO C138, the UNCRC, and the outcome documents from recent global conferences on child labour (ILO, 2010, 2013, 2017a).

Article 12.2 of the ILO C138 stresses that: "Measures should likewise be taken to safeguard and supervise the conditions in which children and young persons undergo vocational orientation and training and to formulate standards for their protection and development." Alternative measures suitable for adolescents include fair remuneration, skills development (e.g., apprenticeships and vocational training), child protection and child welfare support, and social protection and/or social security measures, which, according to ILO R146, para 13.1 (e), could include children's allowances, employment injury, medical care, and sickness benefit schemes.

**Nature of occupational health and safety standards.** This criterion is newly added. Kolk and van Tulder found no references to child labour and health and safety, although their earlier work included health and safety in their framework for analyzing codes of conduct (Kolk et al., 2000, pp. 154, 158). The commitment to maintaining "satisfactory standards of safety and health and appropriate instruction and supervision" for working children is emphasized in paragraph 13.1 (d) of ILO Recommendation 146 – Minimum Age Recommendation (1973). Since adopting the ILO C155 – Occupational Safety and Health Convention (1981), there has been progress in enhancing international standards for children's safety and health in agriculture. The increased use of hazardous chemicals, pesticides, and motorized machinery has led to higher injury and poisoning rates among child workers. Key milestones include the Rotterdam Convention (1998), ILO C182 (1999), ILO C184 – Safety and Health in Agriculture Convention (2001), and ILO C187 (2006), which committed member states to establish national policies, systems, and programs for occupational safety and health. [119]

[119] According to the ILO, along with ILO C182, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (1998) provides a strong platform for advocating and protecting young people's health and safety in agriculture (ILO, 2012). The Rotterdam Convention was

**Priority action based on the severity of harm.** This criterion is newly added. Kolk and van Tulder do not consider the severity of the harm. Section 3.5 discusses the justification for adding this criterion, based on the UNGPs.

**Factoring in the Public-Private Compliance and Enforcement Continuum**

"Public-private compliance and enforcement criteria" is a new first-level heading. The rationale for adding this new header is that it underscores the importance of promoting and verifying compliance with national laws and international standards in the design of effective private regulation. As discussed in Section 3.2, Kolk and van Tulder (2002b; 2004) argued that child labour norms are relativistic—country specific, based on host-country laws and local contexts (pp. 53, 66).

However, integrative social contract theory (Donaldson & Dunfee, 1994, 1999) challenges this view by recognizing that *hypernorms*—such as the norm "not to be subject to child labour"—constitute the fundamental ethical standards by which businesses are judged (Donaldson & Thomas W. Dunfee, 1999b, p. 60). This perspective aligns with the UN Guiding Principles on Business and Human Rights, which affirm "the responsibility of business enterprises to respect human rights refers to internationally recognized human rights, understood, at a minimum, as those expressed in the International Bill of Human Rights and the principles concerning fundamental rights set out in the [ILO] Declaration on Fundamental Principles and Rights at Work (OHCHR, 2011, p. 13).

The "public-private compliance and enforcement criteria" heading includes three second-level headings (governance, compliance monitoring, and disclosure criteria) described below.

***Dimension 5: Public Governance to Operationalize "Ethical Capability"***

This new second-level heading is operationalized in this study as "ethical capability." The rationale for adding the "public governance" header is that the associated criteria address an organization's ability to balance global consistency and local responsiveness in applying child labour rules (Buller & McEvoy, 1999). Thus, public governance criteria concern the ability of businesses to shift their contractual relationships from principles (macrosocial contracts) to localized and

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adopted to protect human health and the environment from risks of pesticides and industrial chemicals. It establishes that workers have a right to know about the chemicals they use and encourages policies based on information about exposure effects. The Rotterdam Convention is designed to ensure that any international trade of a substance that has been banned or is severely restricted in any country does not proceed without the prior consent of the government of the country to which the substance is being exported.

context-specific norms (microsocial contracts) that underpin their business relationships (Donaldson & Dunfee, 1994, pp. 260–262).

"Organization targeted," "applicability," and "reference" are moved from the specificity criteria in Kolk and van Tulder's model to the public-public compliance and enforcement criteria in my instrument, under a second-level heading entitled "public governance." No changes were made to the requirements' names, although Kolk and van Tulder's elaboration and classification were slightly revised. These indicators correspond to indicators 1.2, 1.3, and 1.4, respectively, in Kolk and van Tulder's model.

**Organization targeted**. No changes were made to the name of this criterion; Kolk and van Tulder developed elaboration and classification. Information on the "organization targeted" by the policy helps understand whether certification schemes or business enterprises have identified child labour as a policy priority for their internal operations and business partners in their value chains. Some child labour policies are focused solely on internal business operations through human resource management strategies. In contrast, other business employment practices may not require child labour policies as part of the company's broader international strategy, which targets business relationships with direct suppliers, vendors, and manufacturers (Buller & McEvoy, 1999; Kolk & van Tulder, 2004). Some businesses may focus only on direct relationships with the principal or prime contractor, while others may ignore subcontracted arrangements. However, some companies have begun to extend their supply chain policies to include Tier 2, 3, and 4 suppliers in the cotton garment value chain. Additionally, some businesses may overlook informal contracted arrangements, including family workers and home-based work.

**Applicability**. No changes were made to the name of this criterion. Minor changes were made to the short elaboration and classification developed by Kolk and van Tulder, as this criterion has a different operationalization. Rather than selecting only one option (i.e., a universal minimum age *or* country-specific exceptions), this criterion permits multiple selections. The revised indicator in the coding book reads, "Applicability of universal *and* country-specific minimum-age standards."

**Reference**. No changes were made to the name of this criterion. The operationalization of this indicator links to the "applicability" (Kolk & van Tulder, 2004). Therefore, as with "applicability," minor changes were made to this indicator's short elaboration and classification, developed by Kolk and van Tulder. Rather than selecting only one option (e.g., reference to international standards, home-country, or host-country laws), this criterion allows multiple

selections. The revised indicator in the coding book reads “Reference to international standards *and* national laws.”

**Specificity criteria: coding considerations.** Specificity criteria operationalize minimum-age rules, lawful family-based exceptions, school-attendance requirements, and zero-tolerance for irremediable worst forms of child labour. These criteria carry a maximum of 5 points, distributed across all four dimensions in this category; coded in terms of the extent to which a standard defines these elements with full clarity to distinguish harmful child labour from permitted children’s work; otherwise, “0 points”. ***Rationale:*** Specificity is a necessary (but not sufficient) condition for applying child-labour rules consistently.

**Public–private compliance enforcement: coding considerations.** Public–private enforcement refers to the presence of credible monitoring, corrective action, and enforcement arrangements. Indicators include procedures for identifying child labour, corrective-action requirements, and follow-up and escalation. These criteria carry a maximum of 5 points, distributed across all four dimensions in this category; coded where these arrangements are explicit and verifiable; otherwise, “0 points”. ***Rationale:*** Effective enforcement is associated with the adoption of practices that reduce child-labour risk (H3).

***Dimension 6: Compliance***

Compliance criteria move from a first-level heading in Kolk and van Tulder’s model to a second-level heading in my instrument. No changes were made to their four criteria or to their short elaboration and classification. These correspond to indicators 2.1, 2.2, 2.3, and 2.4 in their model:

- **Monitoring systems and processes.**
- **Position of the monitoring actor.**
- **Regulatory approach for non-compliance (suppliers and contractors).** Kolk and van Tulder used the term “sanctions”
- **Regulatory approach for non-compliance (third parties).** Kolk and van Tulder used the term “sanctions against third parties”

A fifth indicator—**classification and graduated enforcement**—was added to reflect how verified entities are assessed and how proportionate responses are applied. It captures whether entities are classified as compliant or non-compliant and whether appropriate responses (e.g., corrective actions, enforcement actions, or immediate suspension for critical non-conformities) are specified.

***Dimension 7: Disclosure of Child Labour and Forced Labour Risk Management***

This criterion is newly added. The rationale for adding "disclosure" is that supply chain legislation and voluntary standards increasingly rely on transparency requirements that were not prevalent when Kolk and van Tulder developed their framework. The front-runner jurisdictions that have introduced public supply chain disclosure requirements include California, which passed the Transparency Supply Chains Act (2010), requiring retail sellers and manufacturers doing business in the state to disclose their efforts to eradicate slavery and human trafficking from their direct supply chains for goods offered for sale. This law was followed by the UK Modern Slavery Act (2015), Australia's Modern Slavery Act (2018), and Canada's Fighting Against Forced Labour and Child Labour Act (2023).

**Disclosure on child labour and forced labour risk management.** The framing of this benchmarked indicator is based on California's Transparency in Supply Chains Act, which requires businesses to publicly disclose to what extent, if any, they are making efforts in five areas: third-party verification of supply chains, independent unannounced audits to evaluate suppliers, compliance with host country laws, maintain internal accountability standards and procedures, and training for employees and management. This criterion includes "compliance with host country laws" as an indicator. This indicator includes the rule that the business discloses to what extent, if any, it requires direct business relationships (suppliers, contractors, sub-contractors, vendors, manufacturers) to certify that materials incorporated into the product comply with the laws regarding child labour and forced labour, slavery in the country or countries in which they are doing business.