

Child Labor Prevention and Supply Chain Sustainability: Evidence from German Outdoor Textile Companies

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ABSTRACT:

The aim of this article is to present the measures that German textile companies in the outdoor industry are taking to minimize the risk of child labor in their supply chains. To this end, five company sustainability reports and a company assessment by the independent Fair-Wear-Foundation are evaluated as examples. The measures are assigned to predefined categories in accordance with the OECD guidelines. In a second step, subcategories are formed for the measures assigned to the main categories. The data analysis shows that companies are already taking a variety of measures to minimize the risk of child labor in their supply chains. The measures mainly focus on the companies' direct suppliers (Tier-1). Only few measures are taken regarding the deeper supply chain, even though the risk of child labor is rated as particularly high here. Contractual obligations between suppliers and audits along the entire supply chain are discussed as a measure that can contribute to reducing the risk in the deeper supply chain.

Keywords: child labor, supply chain, garment industry, OECD guidelines

1. Introduction

According to a report published in 2021 by the International Labour Organization (ILO) and the United Nations Children's Fund (UNICEF), 160 million children and adolescents aged 5 to 17 were affected by child labor worldwide in 2020 (International Labour Office and United Nations Children's Fund, 2021, 8). This number of child workers worldwide is often associated with advanced globalization (e.g. Davies & Voy, 2009; Castillo & Sotelsek, 2016). An empirical study by Castillo and Sotelsek confirmed that globalization has a negative impact on the rate of child labor in countries with a low income, while in countries with a high average income, globalization has a positive effect on child labor, as the child labor rate in these countries can be kept at a relatively low level (Castillo & Sotelsek, 2016, 136 ff.). It follows that developing countries, in particular, are affected by child labor, where low income prevails and therefore individual production steps are relocated to enable low-cost production (Harsanto et al., 2023, 2).

Against the backdrop of increasing global networking and the fragmentation of production steps, the social responsibility of those companies which are closer to the beginning of the supply chain and which are therefore responsible for the working conditions in their supply chain is becoming ever more important. The economic sociologist Gereffi (Gereffi, 2005, 175) criticizes the fact that politicians have so far largely failed to reflect this responsibility in legislation. Instead, politicians have concentrated on regulations to favor the export market and make rights such as intellectual property rights globally enforceable.

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In contrast, legal obligations for companies with complex supply chains regarding the protection of human rights or the environment have been pushed less. It therefore remains primarily the task of the companies themselves to become aware of the effects of their business practices and to be constant and take measures to avoid or reduce the negative effects of their business activities as far as possible. However, according to a study by the European Commission, especially European small and medium-sized enterprises (SMEs) do not take sufficient appropriate measures in social responsibility (European Commission, 2021, 12). Only around 55 % of companies were found to have activities related to human rights in the supply chain. The lower level of activity among SMEs is often attributed to a lack of human and financial resources (European Commission, 2021, 49). For this reason, pooling expertise, for example through membership of sector-specific alliances or partnerships, proves to be particularly advantageous for small and medium-sized enterprises. In the textile industry, SMEs make particular use of such partnerships or alliances. This is probably also one reason why an above-average number of activities in the textile industry can be observed among SMEs (European Commission, 2021, 118). This paper will outline the concrete measures that companies in the textile industry are currently taking to fulfill their corporate responsibility to respect human rights in the textile production supply chain and thereby reduce the incidence of human rights abuses, particularly child labor, in their value chain. The type of measures will also be discussed in relation to the company size.

2. Current state of research

A study conducted by the Business & Human Rights Resource Centre in 2018 confirms the assumption that the textile industry represents a significant risk area for child labor with concrete examples from practice (Business & Human Rights Resource Centre, 2018, 4-5). As part of this same study, 62 statements were requested from German textile companies between June 2011 and August 2018, asking them to submit a declaration regarding human rights violations in their supply chain if the company concerned had not already made a corresponding public statement (Business & Human Rights Resource Centre, 2018, 3).

The companies reported that they have also been accused of employing child labor, which remains a pervasive issue in many regions (Business & Human Rights Resource Centre, 2018, 5). Due to the chosen observation period, which covers the years between 2011 and 2018, the development of child labor in the context of the corona pandemic could not be considered in the study. Due to the increasing financial burden on families because of lockdowns and school absences due to the coronavirus pandemic, there is a justified danger that the risk has increased since 2020 (Chanani et al., 2022, 361).

As regards reducing this risk of human rights violations in supply chains in general through sustainable manufacturing and distribution processes, outdoor companies in the textile industry are particularly active (Wang et al., 2022, 657). The literature has already addressed the reasons for this. Companies are often motivated by the expectations of consumers, who have developed a greater awareness of sustainability in recent years (Yang, 2017, 1). Although price is still the decisive criterion for a purchase decision, there is also a trend that consumers are willing to pay a higher price for sustainable clothing (Ellis et al., 2012,

1820-1821). Consumers primarily look for labels as symbols of sustainable practices in the company to be able to relate to the production conditions (Wang et al., 2022, 663). In a comparison between a Bluesign and a Fairtrade label, consumers generally consider the Bluesign label to be more relevant for their purchasing decision (Wang et al., 2022, 663). The Blue label is an environmental label that is fundamentally aimed at conserving resources, minimizing environmental impact and ensuring workplace safety; it does not focus on social standards (Labelchecker, n.d.). The Fairtrade label, on the other hand, focuses on compliance with social standards (Labelchecker, n.d.-a). The focus of consumers is therefore on aspects of ecological sustainability when making purchasing decisions.

The literature also focuses primarily on the objectives and corresponding concrete measures of textile companies in the outdoor industry regarding ecologically sustainable corporate management. M. Gossen and M. I. Kropfeld see a well-known and proven objective for ecologically sustainable resource and energy consumption in the reduction of consumption by consumers (Gossen & Kropfeld, 2022, 721). To achieve this goal, textile companies in the outdoor industry regularly focus on offering durable and high-quality products to extend the use phase of the respective product to a certain duration (Gossen & Kropfeld, 2022, 727). In addition to the durability of the product, an important aspect for the long use of a product is the timelessness of its design; seasonal fashion colors are therefore largely avoided in the design (Gossen & Kropfeld, 2022, 727). The reparability of products is also important for companies to achieve the goal of a long-lasting product (Gossen & Kropfeld, 2022, 727). To repair a product, many companies offer in-house repair services or tips on how customers can do it themselves on their social media (Gossen & Kropfeld, 2022, 727-728).

There is currently a lack of detailed literature in the field of socially sustainable practices of companies, especially in the outdoor industry. In research on sustainability, the social dimension is often overshadowed by the environmental and economic dimensions. While much literature addresses the environmental and economic aspects of sustainability, social sustainability often remains underrepresented (Fernando et al., 2022, 160).

Chanani et al. (2022) make it clear that to take measures against child labor, it should first be determined to what extent children are used in production in the supply chain. The authors collected data on child labor in the informal garment sector from October 2020 to April 2021 (Chanani et al., 2022, 364). The informal sector is characterized by the fact that labor and social law *de facto* does not apply in this sector (Ahuja, 2014, 355). For this reason, the informal sector of the textile industry employs a large proportion of working children (Quattri & Watkins, 2019, 9). The data was collected through media-supported interviews in two selected textile factories in Bangladesh, in which the workers were asked about the working conditions on site. The workers in the factories were given an instruction card with a local telephone number (Chanani et al., 2022, 364). By dialing the telephone number, the respondents were asked to listen to the pre-recorded questions and answer options and to give the answers that applied to the respondent anonymously by selecting the corresponding telephone buttons (Chanani et al., 2022, 364). As the researchers found during the survey that a large part of the target group did not have access to a telephone and that some respondents also had insufficient knowledge of how a telephone works, additional on-site supporters of the survey were equipped with tablets at

short notice, on which the workers could also participate anonymously in the survey (Chanani et al., 2022, 364). A total of 11,555 workers from the two selected factories took part in the survey. Around 20 % (2,229 people) of the respondents stated that they were between 14 and 17 years old and worked more than five hours a day in the factory (Chanani et al. 2022, 369). 7 % (813 people) of the examined workers stated that they were younger than 14 years old (Chanani et al., 2022, 369). The authors see this "worker voice technology" as a way of identifying the existing risks of child labor in multi-stage supply chains as part of the risk analysis and of using this knowledge to make informed decisions when choosing suppliers (Chanani et al. 2022, 371). However, Chanani et al. also admit that the tool has some weaknesses in terms of data collection. Of note here is the fact that the target group of children generally does not yet have a cell phone with which to participate in the survey (Chanani et al., 2022, 369). It was also observed that some workers stated a higher age in the survey than they were; this was partly because they were suspicious of the interviewers and feared retaliation from the factory management and partly because they did not know their actual age at all (Chanani et al., 2022, 369-370). There is currently a research gap in the literature in that there is no overall view of the variety of measures currently used by German textile companies in the outdoor industry to avoid child labor in their supply chains.

3. Research Method

Since the term "child labor" can be interpreted differently in various contexts and is of central importance in this article, a general definition will precede the further explanations of the research project:

Not all employment of children can be subsumed under the concept of child labor. According to the International Labour Organization, more stringent criteria must be met to assume the existence of child labor. These criteria are manifested in ILO Conventions 138 and 182. Only if certain criteria in the conventions are fulfilled it can be called "child labor" in the sense of the ILO, otherwise the term "child work" is applicable (International Labour Office, 2002, 15-16). The conventions number 138 and 182 are part of the ILO core labor standards (International Labour Organization, 1998, 4). According to Convention No. 138, the minimum age for working children is generally 15 years. Exceptionally, the minimum age is 13 years, provided that the work is light, is not likely to endanger health or development and is of such a nature that it does not interfere with the children's school attendance. The definition of child labor was completed by the subsequently adopted Convention No. 182. According to this Convention, child labor also includes any activity in the form of slavery or practices like slavery, prostitution, drug trafficking or any other activity that is harmful to the health, safety or morals of children.

4. Research design

The aim of the research is to present the measures that German outdoor companies currently report to eliminate or reduce child labor in their supply chains. To investigate these measures selected outdoor companies are identified that aim to prevent child labor and promote socially responsible practices. By identifying and evaluating these initiatives,

a more comprehensive understanding of the challenges and progress in this area can be gained.

4.1 Units of investigation

The research is carried out based on five selected companies (units of investigation). The companies were selected by the following restrictions:

a) It is a company in the outdoor industry.

Initially, it was considered to focus the research on companies in the fast fashion sector. The fast fashion segment is characterized by the fast pace and low prices of the products to be sold. The fast fashion industry reacts quickly to current fashion trends by reproducing them quickly with low production costs to be able to offer them to customers on the clothing market in a timely manner (James, 2022, 246). The products are often of lower quality, as the garments are not designed for the long term but are only intended to match the current trend for a certain period.

In the so-called "race to the bottom", orders for the production of particularly cost-intensive garments are awarded to suppliers, among others, who are often compelled to utilize child labor in order to meet the cost pressures imposed by clients (James, 2022, 246). However, the fast fashion industry is generally non-transparent and not very profitable for a research project due to the lack of basic data. This observation can also be confirmed by the SOMO (Dutch Centre for Research on Multinational Corporations) together with the ALR (Action Labour Rights) and the LRDP (Labour Rights Defenders and Promoters), which observed in a 2017 study that companies in the fast fashion industry often only make very general and unspecific data on their corporate policy and activities in relation to the supply chain publicly available (Theuws & Overeem, 2017, 114). It was also found that, particularly in the fast fashion sector, there are often contradictions between the information published by companies and the actual conditions observed on the site (Theuws & Overeem, 2017, 92-104). Due to the lack of insufficient or inadequate data, the fast fashion sector was therefore not included as the textile sector to be investigated.

Instead, this research work is dedicated to companies in the outdoor industry as the object of investigation. This industry is often described as a pioneer in terms of sustainable forms of production and distribution (Wang *et al.*, 2022, 657), which ensured a sufficient data basis for the present research work.

b) The company is headquartered in Germany.

As a further limiting criterion, it was specified in advance that only companies with their registered office in Germany should be selected for the research. The company's registered office is the place where the actual management is located and where the management bodies make all significant business decisions and implement these in business acts (Ghassemi-Tabar, 2024, § 1 LkSG, marginal number 8). According to Section 24 of the German Civil Code, this is the place where the company is managed. The nationally uniform registered office is intended to create better comparability, as the companies are subject to the same legal provisions. As the author of the article is active in Germany, Germany was determined as the place of the companies' registered office.

c) The company reports publicly on its own sustainability practices.

Finally, the study is limited to companies that provide publicly available information on the internet about their own measures to prevent child labor in their supply chains. This information is usually contained in sustainability reports or special social reports published by the company. Currently, the German CSR Directive Implementation Act only requires companies in Germany to report on their sustainability practices, including measures against child labor, if they have more than 500 employees, are capital-market oriented and either generate a turnover of more than 40 million euros or have a balance sheet total of more than 20 million euros. In order to adequately reflect the diversity of measures depending on company size, the study is not limited to companies that are legally obliged to report. In fact, the number of companies that voluntarily publish reports beyond the legal obligation has steadily increased in recent years (Huang et al., 2023, 1). As a result, many reports on sustainability practices are also publicly available from companies with fewer than 500 employees.

For this study, it was necessary to select units of investigation that matched the previously defined criteria. To this end, all members of the GermanFashion Modeverband e.V. were first recorded. This association, which has around 350 members and is the largest trade association in the German fashion industry (Deutscher Bundestag, n.d.), served as the basis for the selection. In this way, an objective selection of companies was made for the further investigation. In doing so, placing a special focus on sustainability when selecting the research units was deliberately avoided. This allows to ensure that the selection is not limited to particularly proactive companies that have already taken extensive sustainable measures. Rather, a representative result can be achieved that reflects the entire range of companies in terms of social sustainability. In the next step, only those members of the association that manufacture and sell outdoor clothing were selected. Finally, these companies were compared with the other criteria mentioned above. It had to be ensured that the company was not only a textile company in the outdoor industry based in Germany, but also that the company made specific information on its sustainability practices publicly available.

No restriction was made regarding company size. In order to gain an overview of the diversity of measures, both SMEs and large companies were selected as adequate units of investigation. According to the European Commission's recommendation of 2003 on the definition of micro, small and medium-sized enterprises, SMEs are companies that employ fewer than 250 persons, have an annual turnover not exceeding 50 million euros and/or an annual balance sheet total not exceeding 43 million euros (European Commission, 2003). Conversely, all companies that do not meet the requirements of an SME are considered large companies.

The following table provides an overview of the five units selected for the study:

Table 1: Selected units of investigation

The company	Company headquarter	Size of company
Ortovox GmbH	Taufkirchen	Small and medium-sized enterprise

Jack Wolfskin GmbH & Co. KGaA	Idstein	Large company
Deuter Sports GmbH	Gersthofen	Small and medium-sized enterprise
VAUDE Sport GmbH & Co. KG	Tettngang	Large company
Schöffel Sportswear GmbH	Schwabmünchen	Small and medium-sized enterprise

During the analysis of the reports published by the companies, it was found that all selected companies are also members of the independent organization Fair-Wear-Foundation (FWF). The FWF is an independent organization of the textile industry with currently around 140 members, which has set itself the goal of improving working conditions worldwide (FWF, n.d.-a). An essential component of the FWF are the annual audits, which are carried out by a professional audit team of the organization at the members' companies, the so-called Brand Performance Check. The audit data is based on interviews with management and employees as well as reviews of submitted documents and inspections carried out at the factories' workplaces (Meier, 2015, 34). The FWF publishes the results of the audits on its own website. In addition, the brand performance checks can also be found on the websites of the audited companies. The assessment portal "Siegelklarheit", developed on the initiative of the German government, certifies the independence and credibility of the organization, so that reliable information in the audit reports can be assumed for the present research.

To verify the data published by the companies themselves and to obtain additional information, it was therefore decided to also include the reports published by the FWF in the data collection.

For the selected companies, the following publicly available online reports were reviewed for the study (as at March 2024):

Table 1: Data basis per unit of investigation

Company	Available reports
Ortovox	<ul style="list-style-type: none"> Ortovox: People Report 2023 FWF: Ortovox Brand Performance Check 2024
Jack Wolfskin GmbH & Co. KG	<ul style="list-style-type: none"> Jack Wolfskin: Social Report 2021 FWF: Jack Wolfskin Brand Performance Check 2022
Deuter Sports GmbH	<ul style="list-style-type: none"> Deuter: Promise Report 2022-2023 FWF: Deuter Brand Performance Check 2023
VAUDE Sport GmbH & Co. KG	<ul style="list-style-type: none"> VAUDE: Sustainability Report 2022 FWF: VAUDE Brand Performance Check 2023

Schöffel Sportswear GmbH	<ul style="list-style-type: none"> • Schöffel: Sustainability Report 2022 • FWF: Schöffel Brand Performance Check 2023
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The documents listed all contain comprehensive statements on the measures taken by companies to eliminate or reduce child labor in their supply chains. The reports listed in the table are analyzed using Kuckartz's qualitative content analysis.

4.2 Categorization

The evaluation method according to Kuckartz is based on the formation of main categories, which are derived from the theory (Kuckartz, 2022, 133). These categories serve to clearly structure a complex amount of evaluation material without losing essential content (Kuckartz, 2022, 133). For the research project, the main categories are formed based on the Organization for Economic Cooperation and Development (OECD) guidance relevant for the textile industry on the implementation of the OECD guidelines. The OECD guidelines contain principles and standards for responsible business conduct to which the 36 OECD member states and twelve other countries have committed themselves under international law (Hammerschmid, 2019, 44). Implementation of the principles by companies is voluntary and not legally binding (OECD, 2023, 12). It is at the discretion of the companies whether they follow the recommendations of the guidelines. No sanctions can be imposed for non-compliance with the guidelines.

Due diligence is a central theme of the OECD guidelines. This term refers to the process by which companies identify, prevent and mitigate the actual and potential negative impacts of their business activities (Hammerschmid, 2019, 44). Negative impacts include the effects on human rights along the entire supply chain. The Guidelines call on companies to uphold international human rights by taking appropriate measures to identify the impacts of their business activities, prevent potential impacts, mitigate and remedy actual adverse impacts and account for the measures taken (OECD, 2023, 19). This applies to the handling of child labor in a company's supply chain. One of the aims of the OECD guidelines is for a company, regardless of its size, to assume its own corporate responsibility and ensure that human rights are respected throughout the supply chain (OECD, 2023, 25). This also relates to the exploitation of child labor. To implement these principles, the OECD has developed sector-specific guidance to support companies in establishing responsible supply chains in accordance with the specific challenges of the respective sector (OECD 2018a, 4). These specific guidance documents were created for the conflict minerals, agriculture, mining, oil and gas, textiles, and finance sectors. As this research is limited to companies in the textile industry, the OECD Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector (OECD, 2018a) is used to form the main categories. The guidance document developed specifically for the textile industry pays particular attention to the typical risks in this sector. According to the guide, child labor in the textile industry is a specific industry risk (OECD, 2018a, 105). The guidance document therefore contains specific recommendations for companies to specifically address this risk and promote responsible practices.

These recommendations to reduce child labor through business practices along the entire supply chain in conjunction with the general OECD guidelines are divided into the following six main categories:

- Corporate strategy

According to the recommendation of the OECD guidance document, the company should anchor its corporate responsibility in the corporate strategy. A central aspect of the strategy should be that the company consistently opposes child labor in its supply chains. Responsibilities for monitoring and implementing the strategy should be clearly defined within the company. The person or department responsible should also be involved in the company's key decision-making processes to continue to pursue the strategy effectively (OECD, 2018a, 42). Suppliers working for the company should also receive further training in line with the corporate strategy so that they also can understand and apply the strategy that has been introduced (OECD, 2018, 23).

- Risk analysis

According to the OECD guidance document, the textile industry shows a particularly high risk of child labor (OECD, 2018a, 48). This is partly due to the fact that many children from countries where garment production, finishing and raw material production are based are still unable to receive an education. (OECD, 2018a, 107). In some of these countries, the age at which compulsory education ends is below the minimum employment age (OECD, 2018a, 107). A significant risk of child labor can also be assumed if subcontracting is permitted in the supply chain, as this makes it more difficult to ensure transparency and control of the company (OECD, 2018a, 108). The OECD recommends identifying and reviewing the risks of child labor (OECD, 2018a, 47). The identified risks must be considered when selecting suppliers (OECD, 2018a, 54-55). The selected suppliers must also be regularly reviewed, for example in the form of audits (OECD, 2018a, 57-58).

- Mitigating harm

According to the OECD guidance, companies should cease all activities that cause or facilitate harm within their own operations (OECD, 2018a, 69). If a company becomes aware of a case of child labor in the context of its business practices, the child should be immediately released from the job. A corrective action plan must be developed to prevent further cases of child labor in the future. Specific time periods must be set for the implementation of the measures (OECD, 2018a, 70). In particular, the company must check whether it can make its own contribution to preventing further harm. The company should not only support its suppliers, but also review and adapt its own procurement practices to help minimize harm (OECD, 2018a, 110). It is important to establish a long-term business relationship with suppliers and conduct fair price negotiations to ensure a certain degree of planning security for suppliers (OECD, 2018a, 75). When awarding contracts, suppliers that are particularly committed should be given greater consideration by the company as an incentive (OECD, 2018a, 76).

- Tracking

The company should track measures to prevent and mitigate the negative effects of its business practices (OECD, 2018, 82). If a case of child labor in the supply chain has become known, any measures that have been taken in accordance with the developed remediation plan need to be tracked. To this end, the company must use various sources

of information, including findings from discussions with affected stakeholders, such as workers, worker representatives and trade unions (OECD, 2018, 83). In this context, the company can also draw conclusions from annual assessment data, submitted complaints and audit reports on its suppliers (OECD, 2018, 83).

- **Communication**

The OECD guidance document stipulates that the company must inform the public about potential risks of harm and appropriate measures to prevent harm. Communication can take the form of an annual sustainability report, for example. The report should contain information on corporate strategy, risks of harm in the company's own business activities and in its supply chain, as well as measures to avoid and prevent harm (OECD, 2018a, 90). An important aspect of communication relates to transparency in relation to the company's supply chain (OECD, 2018a, 91).

- **Remediation**

The company should, in accordance with the OECD guidance, remedy any actual harm caused by the company's business practices by providing compensation or support (OECD, 2018, 34). If knowledge of a case of child labor in the company's supply chain becomes known, the child should be immediately excluded from the work process for their own protection and instead, in consultation with the child's guardians, financial support should be provided to enable the child to attend school (OECD, 2018a, 114). Another aspect of redress is the implementation of a complaints system. Since children can rarely make use of the complaints system themselves, access to this system should be open to all persons or groups of persons who wish to raise a concern on behalf of the child (OECD, 2018a, 113).

3.4 Category assignment

As part of an initial coding process, relevant sections of text with specific measures taken by the companies to prevent child labor, which are described in the sustainability reports of the companies and the audit reports of the FWF, are sequentially assigned to the categories described above. Measures of the companies not relating to child labor that are described in the documents under investigation remain uncoded.

To further differentiate the initially still very general main categories, subcategories are inductively formed in a second step based on the available data, to which the measures can be assigned more specifically (Kuckartz, 2022, 138). For this process, all text passages that are assigned to a specific main category and for which a subgroup is to be created are collected in an unsorted list. In a subsequent step, this list is organized by bringing together thematically similar elements and grouping them under a common generic term to form a subcategory.

5. Results

Based on the measures which were taken by the companies to combat child labor in their supply chains, and which were assigned to the main categories mentioned above, the following subcategories could be derived:

6. Corporate strategy

As part of the data analysis, the following subcategories were formed inductively for the main category of corporate strategy:

- Code of Conduct

All the examined companies have a company Code of Conduct in which they commit themselves to the prohibition of child labor (Deuter, 2022; Jack Wolfskin, 2011; Ortovox, 2023; Schoeffel Sport, 2023, 34; VAUDE, 2023). The Code of Conduct summarizes the key principles with which the company aligns not only its own business activities, but also those of its contractual partners (Deuter, 2022, 2). In doing so, companies regularly refer to ILO Conventions 138 and 182. In addition to their own Code of Conduct, all examined companies also recognize the Code of Labour Practices of the FWF and encourage its implementation (Deuter, 2022, 7; Jack Wolfskin, 2011, 3; Ortovox, 2023, 9; Schoeffel Sport, 2023, 34, VAUDE, 2023). The FWF's Code of Labour Practices also refers to the ILO conventions 138 and 182 (FWF, n. d., 1). The companies submit this Code of Labour Practices to their direct suppliers (Tier-1) and obtain a signature from them confirming that they also guarantee the principles formulated in the Code. Any company does not contractually regulate sanctions for violations of the Code of Conduct. Two of the examined companies ensure that not only the direct suppliers comply with the FWF's Code of Conduct, but also that the Tier-2 suppliers sign an undertaking to comply with the principles specified in the Code of Conduct (FWF, 2024, 39; FWF, 2023c, 38).

- Policy statement

Four of the five examined companies also publish a policy statement in which they advocate the prohibition of child labor in connection with their business practices (Deuter, 2021; Ortovox, 2023a, Schoeffel Sport, 2023, 37; VAUDE, 2023). Deuter, for example, commits itself in its policy statement to preventively counteracting negative impacts. (Deuter, 2021, 3). Should negative effects nevertheless occur, the company is willing to mitigate and remedy them (Deuter, 2021, 3). The policy statements set out the principles of corporate behavior in abstract form. As a rule, the declarations of principle are almost identical in content to the companies' Codes of Conduct, though more general.

- CSR team

Each of the examined companies has a CSR team that is responsible for corporate social responsibility (Deuter, 2023, 5; FWF, 2023, 18; Ortovox, 2023a, 7; Schoeffel Sport, 2023, 41; VAUDE, 2023d). Among the examined companies, this team regularly consists of two to five members. The CSR-team of VAUDE has 19 members who are originally employed in different specialist departments (VAUDE, 2023d). Some German companies have additional employees in the production countries in Asia (FWF, 2023, 11; Schoeffel Sport, 2023, 68; VAUDE; 2023d). These employees can visit factories unannounced to ensure closer monitoring of suppliers. The CSR team is involved to varying degrees in the company's key procurement processes.

- Training

The FWF provides a comprehensive training program to raise awareness of the principle of the prohibition of child labor among both the factory management of the producing suppliers and the employees there. In addition, the FWF offers communication training that is intended to encourage employees to enter into a dialogue with factory management in the event of child labor. All examined companies make use of this training offer for

their direct suppliers (FWF, 2023a, 40-41; Jack Wolfskin, 2022, 49; FWF, 2024, 37; Schoeffel Sport, 2023, 21; VAUDE, 2023e). No further training courses are offered. Only two companies follow up on the results of the discussions with the training participants and derive further measures if necessary (FWF, 2023b, 41; FWF, 2023a, 41). To assess the extent to which the knowledge imparted in training courses is actually put into practice, the German company uses the measures described below.

7. Risk analysis

As part of the data evaluation, the following subcategories were formed inductively for the main category of risk analysis:

- Subcontractor

All examined companies require the producer to be transparent with the company about the extent to which subcontractors are used (Deuter, 2023, 5; FWF, 2023, 33; FWF, 2024, 20; FWF, 2023b, 20; VAUDE, 2023b). Four of the five examined companies (FWF, 2023, 33; FWF, 2024, 20; FWF, 2023b, 8; VAUDE, 2023b) only allow direct suppliers to subcontract if they have first obtained the corresponding approval from the German company. In recent years, violations of the ban on unauthorized subcontracting have been observed at most of the companies investigated. Adequate monitoring of the ban on unauthorized procurement cannot be guaranteed by the companies. All examined companies rely on on-site visits during production for monitoring (FWF, 2023a, 41; FWF, 2023, 33; FWF, 2024, 20; FWF, 2023b, 20; FWF, 2023c, 19). Only one company provides for the imposition of sanctions in the event of a violation (FWF, 2023b, 20). In contrast, some companies work towards reducing the number of subcontractors to reduce the risk of child labor (Deuter, 2023, 21; FWF, 2023c, 19).

- Country-specific risk analysis

All companies carry out country risk analysis to assess the risks in the countries in which they commission factories to produce their goods (Deuter, 2023, 34; FWF, 2023, 10; FWF, 2024, 12; FWF, 2023b, 4; VAUDE, 2023d). In this case, the companies focus on Vietnam, China, Cambodia and Myanmar (Deuter, 2023, 21; Jack Wolfskin, 2022, 40-41; Ortovox, 2023a, 21; Schoeffel Sport, 2023, 18-19; VAUDE, 2023k). These countries are important production locations for many companies, particularly in Asia. The examined companies regularly source their goods from ten to fourteen different production countries (Jack Wolfskin, 2022, 40-41; Ortovox, 2023a, 21; Schoeffel Sport, 2023, 18-19; VAUDE, 2023k). One of the companies deviates from this by limiting itself to only three production countries (Deuter, 2023, 21).

The sector-specific risk of child labor is also considered as part of the risk analysis. The companies base their assessment on various sources, including country studies by the FWF, Amfori, CSR risk checks, stakeholder discussions and data from audits and complaints. The companies assess the risk of child labor in Vietnam, China, Cambodia and Myanmar differently. While some companies see a low risk, others rate it as medium or even high (Deuter, 2023, 34; Jack Wolfskin, 2022, 44-45; Ortovox, 2023a, 34; Schoeffel Sport, 2023, 44-47; VAUDE, 2023f). Only two of the examined companies take the results of the risk analysis into account in their procurement decisions (FWF, 2023a, 13; FWF, 2024, 13).

- Supplier selection

All the examined companies have defined an onboarding process, which is used when selecting new direct suppliers (Deuter, 2023, 17; Jack Wolfskin, 2022, 14; FWF, 2024, 15; Schoeffel Sport, 2023, 28-29; FWF, 2023c, 14). This process serves to ensure that suppliers meet the company's requirements and standards. The common feature of the selection processes of the various companies is that they collect information about the new potential supplier in advance and evaluate this information. As part of this assessment, the risk of child labor at the production site is also evaluated. For this purpose, the companies refer to previous audit reports on the production site. Only one company conducts its own social audit at the production site before awarding the contract (Jack Wolfskin, 2022, 14). As a rule, the company visits the potential factory before awarding the contract to gain its own impression of the working conditions on site (Deuter, 2023, 17; Jack Wolfskin, 2022, 14; FWF, 2024, 15; FWF, 2023c, 14). Although the onboarding process must generally be complied with according to the company's specifications, there are indications in the documents reviewed, that the onboarding process is sometimes not carried out before the contract is awarded (FWF, 2023c, 15).

- Audits

To ensure compliance with social standards, all companies regularly audit a majority of direct suppliers (Deuter, 2023, 25; Jack Wolfskin, 2022, 29; Ortovox, 2023a, 6; Schoeffel Sport, 2023, 42-43; VAUDE, 2023b). Often, there is no auditing of factories where the company only uses a very small part of the factory's product capacity. Some companies audit not only the direct suppliers, but also the subcontractors (Jack Wolfskin, 2022, 31; FWF, 2024, 20; VAUDE, 2023b), while others leave this to the supplier who commissions the subcontractor (Deuter, 2023, 62; Schoeffel Sport, 2023, 42-43). During an audit, a violation of the ban on child labor was identified at one supplier (Schoeffel Sport, 2023, 33). No violations were identified for the other suppliers.

In addition to the audits, monitoring visits are also carried out by the companies themselves (Deuter, 2023, 54; FWF, 2023, 10; FWF, 2024, 17; FWF, 2023b, 17; VAUDE, 2023h). In some cases, the frequency of monitoring visits depends on the results of the risk analysis and previous audits (Jack Wolfskin, 2022, 31; FWF, 2024, 17); in other cases, a standardized monitoring system is used (Deuter, 2023, 54; FWF, 2023b, 17; VAUDE, 2023h). Both the audits and the monitoring visits by the companies themselves are usually announced in advance.

8. Mitigating harm

As part of the data analysis, the following subcategories were formed inductively for the main category of mitigating harm:

- Remediation plan

A remediation plan is developed following the audit to prevent future damage. During an audit, a violation of the ban on child labor was identified in one of the examined companies (Schoeffel Sport, 2023, 33). Therefore, a remediation plan was developed that defines specific measures to ensure that no exploitation of child labor takes place in the future (Schoeffel Sport, 2023, 33). The young people received special training in which their rights

in the workplace were explained (Schoeffel Sport, 2023, 33). An evaluation of the recruitment process and age verification was carried out to avoid the risk of minors being employed illegally again (Schoeffel Sport, 2023, 33).

- **Supplier evaluation**

All the examined companies regularly evaluate their direct suppliers (Deuter, 2023, 25; Jack Wolfskin, 2022, 15; FWF, 2024, 19; Schoeffel Sport, 2023, 25; FWF, 2023c, 18). A key criterion in these assessments is respect for human rights at the production sites. However, the importance of the supplier assessment varies from company to company. At some companies, the result of the supplier assessment influences procurement practices (FWF, 2023, 10; FWF, 2024, 19; FWF, 2023c, 18). These companies have developed incentive systems for suppliers: Depending on the necessary production capacities and the supplier's capacities, they aim to increase orders for particularly well-rated suppliers. In contrast, other companies do not allow the result of the supplier evaluation to have a direct impact on the awarding of contracts (Deuter, 2023, 25; FWF, 2023b, 19). Only if a violation of the prohibition of child labor is identified and the supplier shows no willingness to act over a certain period, all examined companies stipulate that business relations with the supplier concerned must be terminated (FWF, 2023a, 20; FWF, 2023, 10; FWF, 2024, 13; FWF, 2023b, 19; FWF, 2023c, 38).

- **Pricing**

For the examined companies, pricing is a decisive factor in combating child labor in the supply chain. While they have precise information on material costs, they often lack knowledge of the specific production costs, as these are at the discretion of the suppliers and are not disclosed to the contractual partners. As a result, German companies regularly have no precise insight into the wages paid to employees in the factories. Only occasionally do the factories disclose details of their cost calculations. Two of the examined companies explicitly state that they do not negotiate the production costs specified by the producers (FWF, 2023a, 26; FWF, 2024, 25).

- **Production planning**

The contracted manufacturers are involved in their production planning at an early stage by all examined companies (Deuter, 2023, 18; Jack Wolfskin, 2022, 17; FWF, 2024, 24; FWF, 2023b, 24; FWF, 2023c, 22). The planning considers the lead times and production capacities that the factory managers specify to the companies in advance. To enable the factories to effectively allocate their production capacities, the factories receive information about the planned orders twelve months before the actual order is placed. One company has also adapted its purchasing practices in that it grants its customers discounts for early orders and does not accept late orders from its customers, as the companies' production planning in turn depends on their customers' orders (FWF, 2023a, 25). Of the examined companies, only one company provides for contractual penalties for delays in delivery regardless of whether the supplier is at fault (FWF, 2023b, 22). This contractual penalty increases the pressure on the producer to resort to unfair working methods if necessary.

- **Supplier relationship**

The examined companies work with 21 to 49 direct suppliers, including subcontractors (FWF, 2023a, 10; Jack Wolfskin, 2022, 13; FWF, 2024, 10; Schoeffel Sport, 2023, 18-19;

VAUDE, 2023h). The less production capacity the companies use from contracted factories, the less influence the companies have on these factories. On average, companies produce 23 % of their products in factories that manufacture less than 2 % of their total product variety (FWF, 2023a, 10; FWF, 2023, 8; FWF, 2024, 10; FWF, 2023b, 10; FWF, 2023c, 10). One company has decided to focus exclusively on two direct suppliers, which gives it considerable influence in the two factories (Deuter, 2023, 16). However, these two suppliers award contracts to up to 19 subcontractors over whom the company has little influence (FWF, 2023a, 10). All the examined companies see securing long-term business relationships as an important measure to combat child labor (Deuter, 2023, 16; Jack Wolfskin, 2022, 16; Ortovox, 2023a, 20; Schoeffel Sport, 2023, 17; VAUDE, 2023h). The companies do not make use of the option to secure long-term business relationships through long-term contracts.

9. Tracking

As part of the data analysis, the following subcategories were formed inductively for the main category of tracking:

- Review

If a violation of the prohibition of child labor has been identified during an audit, all companies have implemented a system to review the implementation of measures specified in the remediation plans to prevent further violations (FWF, 2023a, 46; FWF, 2023, 20; FWF, 2024, 43; FWF, 2023b, 46; FWF, 2023c, 43). The measures are primarily aimed at the factories taking action to remedy the identified violation. The companies must be provided with evidence that the specified measures have been implemented by the factories. This can be done, for example, by sending pictures or documents. A final review is to be carried out regularly by means of a new audit. Only the suppliers who have awarded a subcontract are regularly responsible for monitoring the implementation of the remediation plan regarding the subcontractors.

- Preventive measures

Four of the five companies carry out a further investigation into the causes of the harm that has been done (FWF, 2023a, 33-35; FWF, 2024, 30; FWF, 2023b, 31-34; FWF, 2023c, 29). The companies regularly share their findings with the suppliers and jointly discuss preventive measures that can be implemented in their business activities to avoid future harm in the factories contracted. This measure makes it possible to adjust systematic conditions for awarding contracts that represent an increased risk. As part of the root cause analysis conducted by Ortovox, for example, it was found that extending the production cycle and hiring additional workers from suppliers can also help to reduce the risk of child labor (FWF, 2023b, 31).

- On-site inspections

The implementation of the measures defined in the remediation plans is additionally checked by most of the companies analyzed through on-site inspections (Deuter, 2023, 62; FWF, 2024, 30; Schoeffel Sport, 2023, 68, FWF, 2023c, 28). Often the employees of the company's CSR team carry out these checks. In some cases, the companies also have

their own team in the production countries that can support and monitor the suppliers on site (Schoeffel Sport, 2023, 68; VAUDE, 2023g).

10. Communication

As part of the data analysis, the following subcategories were formed inductively for the main category of communication:

- Disclosure of production sites

All except one company (FWF, 2024, 8) fully disclose a list of their directly contracted suppliers (Deuter, 2023, 25; Jack Wolfskin, 2022, 42-45; Schoeffel Sport, 2023, 20-21; VAUDE, 2023k). In addition, one company also publishes detailed data on the risk assessment of child labor in the respective factories where the company's goods are manufactured (Jack Wolfskin, 2022, 42-45). Each of the company's garments contains a supplier code so that the specific factory where the garment was produced can be easily traced (Jack Wolfskin, 2022, 63). A transparent presentation of the deeper supply chain (Tier-2 - Tier-4) is regularly missing.

- Reporting

Each of the companies analyzed provides information on key elements of responsible management in the form of a report (Deuter, 2023, 78-79; Jack Wolfskin, 2022, 9; Ortovox, 2023a, 33; FWF, 2023b, 45; FWF, 2023c, 41). The companies present the risks of their business activities either in a sustainability report or in a separate social report. In particular, the reports also show the deficits identified in the respective production facilities as part of audit checks and the measures taken to remedy the deficits identified. The level of detail in the report varies from company to company. Corresponding current reports are available for almost all the examined companies; the most recent report published by Jack Wolfskin is from 2021.

- Cooperation

The audited companies cooperate with other companies that also have their goods manufactured in the factories (FWF, 2023a, 31; Jack Wolfskin, 2022, 33; FWF, 2024, 29; FWF, 2023b, 30; FWF, 2023c, 28). This cooperation is particularly important when violations are detected in the factories or when complaints about inadequate conditions in the factories arise. Since, for reasons of practicability, one company regularly takes the lead in following up on the remedial measures, it can happen that the other companies are not informed about the status (FWF, 2023a, 31). One company therefore prefers to divide the required efforts among the cooperating companies instead of selecting a lead company (FWF, 2023, 25).

11. Remediation

As part of the data analysis, the following subcategories were formed inductively for the main category of remediation:

- Internal complaints system

Four of the five examined companies evaluate and monitor the internal grievance mechanisms of their direct suppliers (FWF, 2023a, 30-31; FWF, 2024, 29; FWF, 2023b,

29; FWF, 2023c, 27). Very few production facilities have an effective complaints system through which affected underage employees of the factories can report violations of the ban on child labor. Analyzing the causes of submitted complaints and developing follow-up measures for recurring organizational weaknesses at suppliers is done only partially.

- External complaints system

Each of the examined companies enables employees of the directly contracted supplier to use the FWF's independent complaints system to report grievances in the first link of a company's supply chain (Deuter, 2023, 60-61; Jack Wolfskin, 2022, 57; Ortovox, 2023a, 26; Schoeffel Sport, 2023, 48; VAUDE, 2023i). Once a complaint has been submitted via the complaints hotline, the company in question is informed of the complaint submitted and is involved in the investigation of the complaint. On average, the companies only received four complaints during the reporting period (Deuter, 2023, 64-65; Jack Wolfskin, 2022, 58; FWF, 2024, 37; Schoeffel Sport, 2023, 50; VAUDE, 2023i). None of the complaints involved a violation of the ban on child labor. A mechanism that also allows employees in the deeper supply chain to submit a complaint, was developed by two of the five companies investigated (Deuter, 2023, 66-68; Ortovox, 2023a, 26). However, this complaint system is based on an app, with the consequence that the person concerned must be in possession of a smartphone to report a complaint.

- Assistance

In the event of a violation of the ban on child labor by a direct supplier, the companies concerned help with remediation. It goes without saying that this measure could only be analyzed for those companies where such a violation was identified. According to the documents analyzed, such a violation has so far been identified at two of the five companies investigated (Schoeffel Sport, 2023, 33; VAUDE, 2023j). The companies concerned worked with the suppliers to ensure that the child was immediately removed from the workplace and that the children and their families received long-term financial support. One of the two companies also supervised and monitored the school education of the child concerned (Schoeffel Sport, 2023, 33; VAUDE, 2023j).

12. Conclusion

German companies in the outdoor industry have already implemented numerous strategies to combat child labor in their supply chains. The categories of measures are very similar, it is only the specific implementation of each measure that varies. A differentiation between the measures in terms of the size of the companies is only partially discernible. The main difference manifests itself primarily in the quantity of suppliers involved: the larger the company, the greater the number of different suppliers. This can be explained by the fact that larger companies regularly offer a wider range of products. Because of the diverging specifics of the products, the circle of direct suppliers also varies depending on the respective products. As a result, larger companies also require a more complex risk analysis. In addition, a certain superiority of large companies over SMEs can be observed at the human resource. For example, the large companies in the study have the largest number of CSR team member, while the SMEs have a smaller number of employees in this field. Furthermore, it can be observed that mainly large companies are able to employ local staff in important production countries who can regularly and effectively monitor the

production conditions in the factories. Due to the lack of human resources, cooperation with other companies that produce in the same factories is particularly important for SMEs. This cooperation can compensate the lower production capacity of individual SMEs and thus increase the companies' ability to exert influence. Transferring responsibility for controlling and monitoring the implementation of risk-reducing measures to just one company regularly reduces the workload for the other SMEs. An unwillingness by SMEs to implement measures due to a lack of financial resources compared to large companies was not found in the examination. Both SMEs and large companies benefit from the pooling of expertise of sector-specific alliances, e.g. by using the FWF's training or complaints system.

All of the measures taken by the companies focus mainly on the activities of companies in relation to their direct suppliers, as only the selection of a direct supplier can be decided by the company, as no separate contractual relationship is entered into with indirect suppliers deeper in the supply chain. For the most part, companies are aware of the risk of child labor in their supply chains and take this into account when selecting their suppliers. It is worth noting that the risk of child labor in the same countries is rated differently in some cases. Despite the existing risk of child labor in Asian countries, German companies mainly contract factories in these countries for the production of their goods. Due to the high production costs and the lack of know-how in European countries, companies do not pursue production largely or exclusively in Europe. The direct suppliers are regularly monitored and checked by the company. If the company becomes aware of a case of child labor at a direct supplier, appropriate measures are taken to remedy the situation. Sanctions, such as the termination of contractual relationships, are only taken if the supplier repeatedly exhibits deficiencies and makes no effort to rectify them. As the depth of the supply chain increases, the influence of the company at the beginning of the chain decreases, which is also reflected in the measures taken. In some cases, companies even lack knowledge of the deeper supply chain. This is particularly problematic as the risk of child labor is particularly high in the lower levels (raw material inputs, raw material processing and material transformation) of the textile industry supply chain. The lack of measures in relation to the deeper supply chain is also recognized by German companies. Companies are therefore also increasingly taking measures with regard to indirect suppliers, even if the sphere of influence of German companies is much more limited here. Effective implementation would require awareness and active action on the part of direct suppliers, who themselves have direct contractual relationships with their suppliers and can therefore exert greater leverage than German companies at the beginning of the supply chain. Therefore it is important to sensitize direct suppliers to the risks of the deeper supply chain in particular. This could be achieved through training and education measures. A focus should also be placed on making the deeper supply chain of a company visible, because only with sufficient knowledge an actual assessment of the risk of child labor can be made and - if necessary - appropriate measures to preventively reduce the risk be derived. A contractual agreement could be made that the direct supplier discloses its suppliers to the German company. If the supplier repeatedly fails to comply with this obligation, the company can use its leverage to terminate the business relationship responsibly. In addition, German companies can obligate their direct suppliers to demand certain standards from indirect suppliers (Tier-2), which are agreed with the company in

advance. This approach has already been observed in a few companies in the study. The influence on the downstream supply chain (Tier-3-n) is in turn dependent on the action of the Tier-2 supplier. It is important that the Tier-2 supplier also demands compliance with the agreed standards from its supplier (Tier-3) and that this commitment is passed on along the entire supply chain. In this context, it would make sense to use a digital platform that maps the entire supply chain and enables suppliers to be networked. The contractual agreements on compliance with the agreed standards could be uploaded to the platform by each supplier so that the agreements are traceable for everyone among the supply chain. However, such a platform solution offers no control function to ensure that all suppliers are included in the database and that their contractually agreed standards are complied with. This can only be achieved by auditing every supplier within the supply chain. This article provides an overview of the measures taken by German companies in the outdoor industry to combat child labor in their supply chain. This article does not evaluate the effectiveness of the measures identified. The question of effectiveness, particularly in the long term could be the subject of further research. As a result of this in-depth study, mechanisms could be developed to ensure continuous compliance and monitoring of the implemented measures.

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