

Trendy and ethical:
The evolution of the fashion industry in the US



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Introduction

According to the United Nations, climate change “refers to long-term shifts in temperatures and weather patterns. These shifts may be natural, such as through variations in the solar cycle. But since the 1800s, human activities have been the main driver of climate change, primarily due to burning fossil fuels like coal, oil and gas.”¹ Based on the figures provided by the National Oceanic and Atmospheric Administration (NOAA),² the temperature on earth has increased by 0.14° Fahrenheit (0.08° Celsius) each decade since 1880. This rate of warming has more than doubled since 1981, which represents 0.32° Fahrenheit (0.18° Celsius) each decade. The years from 2013 to 2021 are among the ten warmest years ever recorded. How does global warming manifest itself? The answer is: in many ways, such as changing temperature and precipitation patterns, increases in ocean temperatures, sea level and acidity, melting of glaciers and sea ice or even shifts in ecosystem characteristics.³

Climate change has consequently never been more worrying than today and our society is increasingly aware of the efforts it has to make in order to improve and stabilize the situation. I think it is important to mention the impact and investment in this change of mindset about global warming of the generation Z, referred to as “Gen Z”, especially as I am part of it myself. Generation Z represents all the people born in the mid to late 1990s, up to the early 2010s, i.e. people who have “inherited the challenges”⁴ of climate change and global warming. Gen Z is the generation that is most aware and concerned about this phenomenon, and is particularly well represented by activists such as Greta Thunberg, a young 20-year-old Swedish woman who has already made a name for herself around the world for defending the cause. This awareness, across all generations, is not only about climate change and global warming, but also about ethics and social responsibility, i.e. the working conditions and wages of employees for example.

In response to this emergency and awareness, companies in all sectors need to make changes, such as using recyclable materials and packaging, relocating production and having sustainable production chains. Companies are forced to make these changes because the

¹ “What Is Climate Change?”, *United Nations*.

² LINDSEY, Rebecca, DAHLMAN, Luann, “Climate change: global Temperature”, *National Oceanic and Atmospheric Administration (NOAA) Climate.gov*, January 18, 2023.

³ “Basics of Climate Change”, *United States Environmental Protection Agency (EPA)*, updated on August 19, 2022.

⁴ TIDSWELL, Emma, “Does Gen Z care about sustainability? Stats and facts in 2022”, *Good Maker Tales*.

urgency of the situation has pushed many governments to act and put in place laws and standards to try and reduce the carbon footprints of the different countries and to defend Human Rights. Moreover, the population is increasingly careful with its consumption, for example through the purchase of sustainable products whose production chain is also sustainable. As a result, businesses are under pressure to find alternatives in order to meet the demand. This can be referred to as corporate social responsibility (CSR). The HEC Paris business school gives the following definition of this term:

CSR is commonly defined as a business model in which companies integrate social and environmental concerns in their business operations and interactions with their stakeholders instead of only considering economic profits. CSR became mainstream in the 2000s.⁵

Today, CSR policies have become a selection criterion for a lot of customers, who first look for the brands' efforts and values before buying anything from them.

I have chosen to focus my research dissertation on the fashion industry, which was the fourth most polluting industry, the second biggest consumer of water and accounted for about 10% of the global carbon emissions in 2022.⁶ In addition to this, human rights and gender inequality are often neglected in this sector.⁷ Fast fashion, defined as “inexpensive clothing produced rapidly by mass-market retailers in response to the latest trends”⁸, strongly contributes to these phenomena. It uses production methods that are not sustainable, for example by making products out of cheap materials, and most of the time, employs workers who experience unsafe working conditions and poor pay.

How is the fashion industry attempting to become greener as well as more ethical?

To answer this question, I will first study the environmental and social impact of the fashion industry and how it is regulated in the United States. Secondly, I will focus on how companies can play a role to the greening of the fashion industry with Corporate Social Responsibility (CSR), which in the US is a voluntary practice for companies to go beyond current legislation by integrating social and environmental concerns into their business

⁵ “What is corporate social responsibility (CSR)?”, HEC Paris.

⁶ MAITI, Rashmila, “Fast Fashion and Its Environmental Impact”, *Earth.org*, December 1, 2022.

⁷ “Environmental Sustainability in the Fashion Industry”, *Geneva Environment Network*, updated on March 27, 2023.

⁸ “Fast fashion”, *Oxford Languages*.

operations and stakeholder relationships⁹, and which is becoming increasingly common. I will try to give a detailed understanding of what it is and how effective it is. I will also raise awareness of CSR-derived practices called greenwashing and social washing, which are unfortunately a fairly common practice for many companies. Finally, I will illustrate the societal awareness of climate change and ethics through a case study of the world-famous American brand Nike, which specializes in the manufacturing of sports goods and can, to a certain degree, be compared to fast fashion. After examining Nike's CSR policy as well as its issues, I will try to determine if it corresponds to greenwashing and social washing.

⁹ “Qu’est-ce que la responsabilité sociétale des entreprises (RSE) ?”, *Economie.gouv*, July 18, 2022.

I- The fashion industry: its impact in the world and its regulation in the US

The fashion industry is a big polluter, especially when it comes to fast fashion. In addition to the pollution it generates, this industry often neglects its workers' rights and working conditions. I will therefore first focus on fast fashion and its environmental and social consequences, before looking at the legislation that has been gradually put in place in the US to control and reduce them.

A. The environmental and social impact of the fashion industry

Fast fashion

I want to recall here that the Fast fashion, which is “the term used to describe clothing designs that move quickly from the catwalk to stores to take advantage of trends”¹⁰, is at the origin of the majority of the consumption and pollution caused by the fashion industry, because the very low prices, but also the less durable quality of these clothes have resulted in a sharp increase in the amount of clothes produced and then thrown away.¹¹ They are often made with little care and are not intended to be worn many times.¹² The clothes have lost their value in some way. We buy to be fashionable for a few weeks or months, not to acquire quality clothes that we will keep for a long time. That is the result of faster manufacturing and shipping methods, the fact that consumers want to be in fashion as trends are now constantly changing, as well as the increased purchasing power of consumers because of the low prices.¹³ Each year, 100 billion clothes are produced and 52 micro-collections are released by fast-fashion brands instead of the usual two seasons, which are spring/summer and fall/winter. This represents a 400% in clothing production compared to 20 years ago, which are worn seven times on average before being thrown away.¹⁴ Fast fashion offers affordable prices because of a continuous reduction of production costs¹⁵, “instant gratification for consumers, more profits

¹⁰ HAYES, Adam, “Fast Fashion Explained and How It Impacts Retail Manufacturing”, *Investopedia*, September 16, 2022.

¹¹ “The impact of textile production and waste on the environment (infographic)”, *European Parliament*, December 29, 2020, updated on April 26, 2022.

¹² HAYES, Adam, *op.cit.*

¹³ *ibid.*

¹⁴ CHARPAIL, Mathilde, “What’s wrong with the fashion industry?”, *Sustain Your Style*, 2017, updated in 2022.

¹⁵ *ibid.*

for companies and the democratization of stylish clothing.”¹⁶ But in the long run, its consequences are far worse than its benefits.

Environmental impact: facts and numbers

Some say the fashion industry is the fourth most polluting industry, others say it is the second most polluting. Either way, the fashion industry is highly ranked and is responsible for several harmful effects on the environment in terms of water consumption, water and air pollution among others due to the use of chemicals, soil degradation like deforestation, waste and landfill.¹⁷

The fashion industry is known to be the second biggest consumer of water.¹⁸ According to the European Parliament, 79 billion cubic meters of water are used by the textile and clothing industry. About 2,700 liters of fresh water are needed to produce only one T-shirt, which provides enough drinking water for one person for 2.5 years.¹⁹ This shows how excessive the consumption of water is in this industry. This freshwater is used in the dyeing and finishing process of the garments, but also to grow cotton.²⁰ In point of fact, cotton needs a lot of water and heat, which is why it is cultivated in warm and dry areas and therefore needs even more water. About 9,700 liters are reportedly required to produce a single kilogram of cotton. This consumption can lead to severe ecological disasters, such as the desertification of the Aral Sea²¹, which was the fourth largest lake in 1960. By 1999, it had already reduced to half its size due to unsustainable cotton cultivation that had begun less than 40 years before.²² This part is underlined by Beatrice Grabish in an article for the UN chronicle:

The Aral Sea paid the price for this success. As its volume precipitously dropped, the Aral's waters turned toxic for fish and wildlife - not to mention human - populations that depended on them. The soil around the sea has become more saline as well. In order to prepare fields for cultivation, which are mostly desert lands, farmers must first leach or rinse them, which brings

¹⁶ HAYES, Adam, *op.cit.*

¹⁷ “The impact of textile production and waste on the environment (infographic)”, *op.cit.*

¹⁸ MAITI, Rashmila, *op.cit.*

¹⁹ “The impact of textile production and waste on the environment (infographic)”, *op.cit.*

²⁰ CHARPAIL, Mathilde, *op.cit.*

²¹ *ibid.*

²² GRABISH, Beatrice, “Dry Tears of the Aral”, *United Nations (UN Chronicle)*, 1999.

*salty minerals to the surface. Moreover, as a result of the increased soil salinity, cotton harvests began to diminish.*²³

The desertification of the Aral Sea has made the remaining water toxic for fish, wildlife but also human populations living in the area. It also had consequences on the quality of the soils.²⁴ The health of the 3.5 million people living there was affected, as well as their jobs and living conditions. There was no more fishing but anemia, high infant and maternal mortality, debilitating and intestinal diseases instead.²⁵ Another example to underline how much water cotton cultivations need, is that according to Stephen Leahy in his article for The Guardian, “the water consumed to grow India’s cotton exports in 2013 would be enough to supply 85% of the country’s 1.24 billion people with 100 liters of water every day for a year”, while actually “more than 100 million people in India do not have access to safe water.”²⁶

On top of the enormous amount of water it is consuming, the fashion industry also accounts for a large percentage of global clean water pollution, i.e. 20%, again due to the dyeing and finishing process of the clothes.²⁷ In fact, around 280,000 tons of dyes²⁸ are released into the wastewater every year.²⁹ In most of the countries where clothing is produced, untreated toxic wastewater is discharged directly into rivers from textile factories. We are talking about 22,000 liters of toxic waste dumped into rivers in Bangladesh every day.³⁰ It is toxic because it contains heavy metals such as lead, mercury and arsenic. Water pollution also comes from the use of fertilizers in cotton production, which causes heavy pollution of runoff and evaporation water.³¹ Not only does all of this pollution harm the aquatic life, but it also affects the health of the all the people living near these rivers.³²

²³ *ibid.*

²⁴ *ibid.*

²⁵ *ibid.*

²⁶ LEAHY, Stephen, “World Water Day: the cost of cotton in water-challenged India”, *The Guardian*, March 20, 2015.

²⁷ “The impact of textile production and waste on the environment (infographic)”, *op.cit.*

²⁸ BERRADI, Mohamed, HSISSOU, Rachid, KHUDHAIR, Mohammed, ASSOUAG, Mohammed, CHERKAOU, Omar, EL BACHIRI, Abderrahim, EL HARFI, Ahmed, *Heliyon*, “Textile finishing dyes and their impact on aquatic environs”, Volume 5, Issue 11, November 2019, p.1.

²⁹ CHARPAIL, Mathilde, *op.cit.*

³⁰ *ibid.*

³¹ CHARPAIL, Mathilde, *op.cit.*

³² *ibid.*

Water pollution is also due to microplastics. Every year, between 200,000 and 500,000 million tons of microplastics, which represents between 16% and 35% of the world's total, are released into the ocean from washing synthetic textiles.³³

As you can see in Figure 1 below, every time we wash a synthetic clothing made out of polyester or nylon for example, especially the first few times, about 700,000 individual microfibers, which are the most common type of microplastics, are released into the water and end up in the oceans. They are then ingested by aquatic organisms, which in turn are ingested by fish, fish that we then eat.³⁴

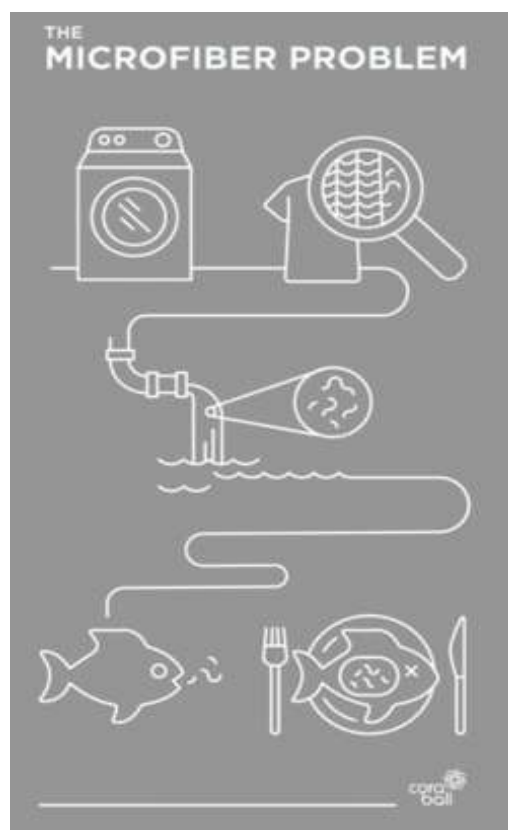


Figure 1: CHARPAIL, Mathilde, “What’s wrong with the fashion industry?”, *Sustain Your Style*, 2022.

Once again, fast fashion is at the origin of the main part of this phenomenon because as previously seen, the clothes are made from these cheap materials and are little worn, i.e. they are often renewed, and because they pollute especially when they are first washed.³⁵

³³ “Microplastics from textiles: towards a circular economy for textiles in Europe”, *European Environment Agency*, February 10, 2022, updated on February 10, 2023.

³⁴ CHARPAIL, Mathilde, *op.cit.*

³⁵ “Microplastics from textiles: towards a circular economy for textiles in Europe”, *op.cit.*

Chemicals are used a lot in the fashion industry whether it is during fiber production, dyeing, bleaching or wet processing of clothes and the cotton crop.³⁶ These chemicals have several consequences. The first significant one is the diseases and premature death among cotton farmers³⁷ and the people working in direct contact with the chemicals in general. These chemicals end up in freshwaters and oceans, but they also end up degrading soils, which I will elucidate later on.³⁸ Even the consumers of the clothes can be harmed by the chemicals. As a matter of facts, if chemicals are used during the whole process of production of garments, they remain in the finished products, which we wear. Our skin absorbs them and this can be very dangerous. Indeed, a Greenpeace study pointed out 11 chemicals that are frequently used during the production process of clothes that contain toxins, carcinogens and hormone disruptors.³⁹ Another Greenpeace study found hazardous chemicals in 63% of the items that were tested, that came from 20 different textile brands, including fashion giants.

The fashion industry pollutes water, but also air. To come back to the microfibers subject, a recent study conducted by scientists from the National Research Council of Italy and the University of Plymouth suggests that wearing clothes made out of synthetic fibers like polyester could release more microfibers into the environment than washing them.⁴⁰ Indeed, one person could release more than 900 million polyester microfibers into the air each year by wearing their clothes, and release around 300 million to the environment by washing them.⁴¹ But the main air pollution caused by the textile industry is the greenhouse gases emissions. The production of clothing and footwear accounts for 10% of them, which is “more than all international flights and maritime shipping combined.”⁴² These emissions are generated by the energy used during the production, the manufacturing and the transportation of all the clothes.⁴³ In addition, synthetic fibers such as polyester, nylon and acrylic, which are widely used in our clothes, are made from fossil fuel and therefore make production more energy consuming. Since almost everything is outsourced nowadays, most of the clothes are produced in China, Bangladesh or India, which are countries that are essentially powered by coal⁴⁴, and coal is

³⁶ CHARPAIL, Mathilde, *op.cit.*

³⁷ *ibid.*

³⁸ *ibid.*

³⁹ CHARPAIL, Mathilde, “Toxic Clothing”, *Sustain Your Style*, 2017, updated in 2022.

⁴⁰ WILLIAMS, Alan, “New study suggests wearing clothes could release more microfibres to the environment than washing them”, *University of Plymouth*, March 10, 2020.

⁴¹ *ibid.*

⁴² “The impact of textile production and waste on the environment (infographic)”, *op.cit.*

⁴³ CHARPAIL, Mathilde, *op.cit.*

⁴⁴ *ibid.*

considered to be the energy source with the biggest carbon footprint.⁴⁵ In addition to the air pollution, the fashion industry burns off 70 million oil barrels to produce polyester.⁴⁶

The fashion industry also plays a part in soil degradation through “the overgrazing of pastures by cashmere goats and sheep raised for their wool”, through once again, the heavy use of chemicals used to grow cotton and in the production process of the clothes, but also through deforestation that is caused by wood-based fibers such as rayon, viscose and modal.⁴⁷ Thousands of hectares of endangered and ancient forests are allegedly destroyed in order to plant trees to make precisely these kinds of wood-based fabrics.⁴⁸ We could also recall the story of the Aral Sea here.

Finally, I want to address the issue of waste and landfill. Nowadays, fashion is disposable. People constantly renew their wardrobe and change style by buying cheap and bad quality clothes. Our grand-parents or even parents used to take good care of their clothes, keep them for a long time, and donate them. Instead, people today tend to get rid of their clothes by throwing them away, and often after wearing them only a few times.⁴⁹ The plastic fibers are to be found in 69% of our clothes, are obviously non-biodegradable and can take up to 200 years to decompose.⁵⁰ Around 100 billion clothes are produced each year while 92 million tons of them end up being thrown away in landfills.⁵¹ It represents the equivalent of a rubbish truck full of clothes that unloads every second.⁵² In America, 11.3 million tons of textile waste is reportedly dumped in landfills each year.⁵³

Social impact: facts and numbers

After naming many consequences of the fashion industry on the environment, I will now show that this industry raises problems on the social level as well, more precisely with regard to its employees. As I mentioned earlier, most of our clothes are produced in countries such as

⁴⁵ SMOOT, Grace, “What Is the Carbon Footprint of Coal Energy? A Life-Cycle Assessment”, *Impactful Ninja*.

⁴⁶ CHARPAIL, Mathilde, *op.cit.*

⁴⁷ *ibid.*

⁴⁸ *ibid.*

⁴⁹ “The impact of textile production and waste on the environment (infographic)”, *op.cit.*

⁵⁰ CHARPAIL, Mathilde, *op.cit.*

⁵¹ IGINI, Martina, “10 Concerning Fast Fashion Waste Statistics”, *Earth.org*, August 2, 2022.

⁵² CHARPAIL, Mathilde, *op.cit.*

⁵³ IGINI, Martina, *op.cit.*

China, Bangladesh and India⁵⁴, which happen to be countries with limited or no worker’s rights, because companies want to have the cheapest labor costs possible. We can talk about exploitation here, and the European Parliament even uses the term “slave labor”⁵⁵ to talk about this forced labor, which is almost always associated with very poor working conditions. I am therefore going to talk about working conditions such as hours, wages, health and safety, child and forced labor as well as union restrictions in this particular industry.

Even when companies say they pay their workers the minimum wage, this information should be taken with caution. Indeed, minimum wages are not the same in all countries, especially in the countries mentioned above. There, the minimum wage can represent between half to a fifth of the living wage. On Figure 2 below, we can see the difference between the minimum wage and the living wage in manufacturing countries such as China, India, Bangladesh, Cambodia, Indonesia, Sri Lanka and Malaysia. For each of them, the living wage is way above the minimum wage.

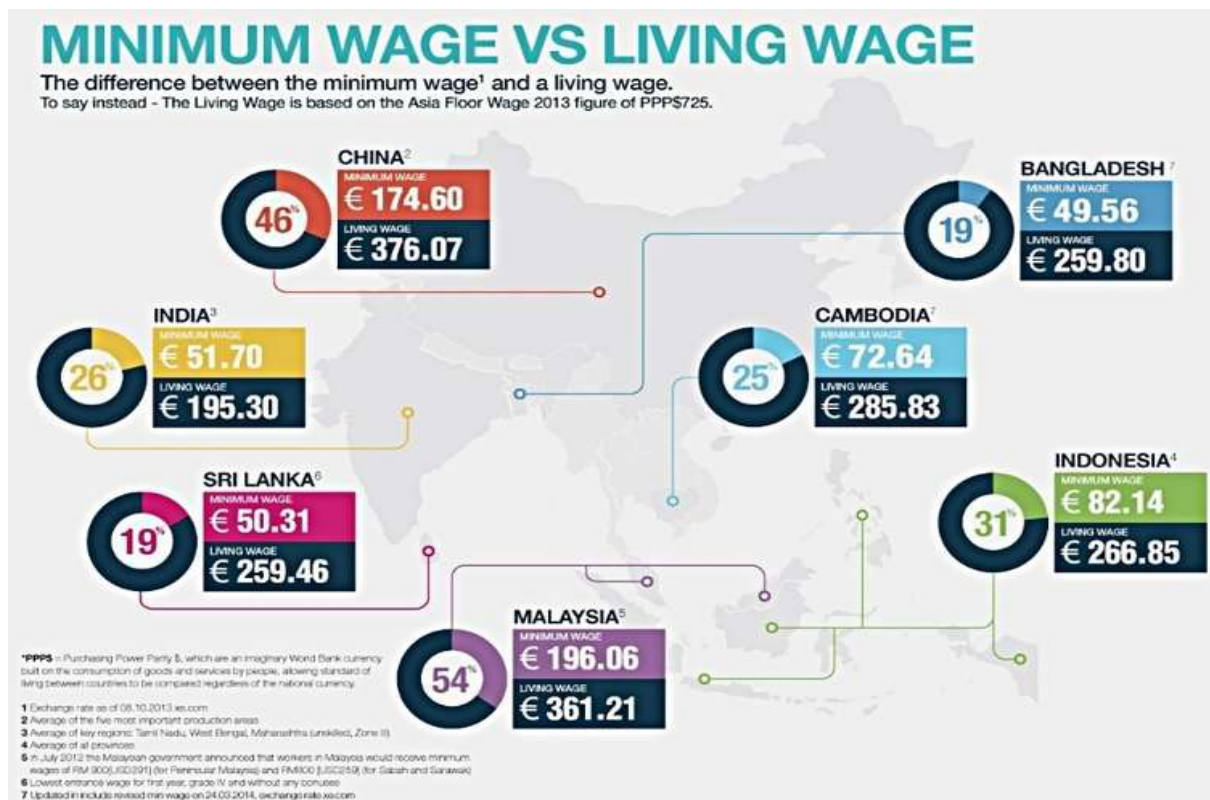


Figure 2: “Living Wage versus Minimum Wage”, *Clean Clothes Campaign*

⁵⁴ CHARPAIL, Mathilde, *op.cit.*

⁵⁵ *ibid.*

The living wage must be able to meet the needs for food, rent, health, education, clothing, transportation and there must be enough to save. That is what every worker should be able to afford, but obviously cannot in these countries.⁵⁶

The Fair Labor Standards Act (FLSA) states that the legal working hours in the United States are 40 hours, which means eight hours a day for five days.⁵⁷ It is different for the garment workers in manufacturing countries. They are often forced to work 14 to 16 hours a day and 7 days a week. Moreover, we must remember that they are paid very low wages that do not meet living wage standards and are therefore compelled to do so. During “peak season”, the brands usually have tight schedules to produce a lot of clothes, and the workers therefore have to work until 2 or 3 am. They have very little power and can be fired if they refuse to work overtime, which is sometimes not even paid.⁵⁸

According to the International Labour Organization, 160 million children in the world are forced to work.⁵⁹ The fashion industry requires low-skilled workers, which is why it often participates in child labor. The children have the same miserable working conditions as the adult workers. This forced labor not only concerns the garment workers and the children but also workers along the supply chain of the fashion industry. For example, the government in Uzbekistan forced around one million people to leave their jobs to go pick cotton every Autumn until recently, and among them were children who were taken out of school.⁶⁰ To give another example, we heard a lot about the Uyghur genocide several years ago. Uyghur are a predominantly Turkish-speaking ethnic group located mainly in Xinjiang, a northwestern region in China.⁶¹ It was discovered that since 2017, the Chinese government has been arbitrarily detaining more than a million Muslims in reeducation camps. In addition to these re-education camps, Uighurs are subject to high surveillance, forced labor and non-consensual sterilization and other rights abuses.⁶² It turned out that 83 global companies, many of them belonging to the textile industry, such as Nike, Inditex and Adidas benefited directly or

⁵⁶ *ibid.*

⁵⁷ “Employee Overtime: Hours, Pay and Who is Covered”, *OSHA Education Center*.

⁵⁸ CHARPAIL, Mathilde, *op.cit.*

⁵⁹ *ibid.*

⁶⁰ *ibid.*

⁶¹ MAIZLAND, Lindsay, “China’s Repression of Uyghurs in Xinjiang”, *Council on Foreign Relations*, updated on September 22, 2022.

⁶² *ibid.*

indirectly from this forced labor⁶³ and some of them never or only vaguely responded to the allegations, and probably still continue to benefit from the forced labor.

Health and safety conditions are also a major issue in these countries. 10 years ago, on April 23, 2013, the Rana Plaza building in Dhaka, Bangladesh, which housed five garment factories including major brands such as Mango, Benetton and Primark⁶⁴ collapsed, killing 1,132 people and injuring more than 2,500.⁶⁵ This happened and still happens because of the absence of a “well-functioning labor inspection system and of appropriate enforcement mechanisms.”⁶⁶ Workers work without ventilation, breathe in toxic substances as well as fiber dust, all of this in buildings that are not up to standards and thus unsafe, as the Rana Plaza has shown us. All these elements lead to accidents, fires, and diseases.⁶⁷ Workers in the fashion industry also face verbal and physical abuse.⁶⁸

These workers are often banned from constituting unions in order to defend their rights collectively. In Bangladesh for example, only 10% of the 4,500 clothing factories are part of a union. In addition to that, workers who are members of unions can be threatened or physically attacked, which is a source of discouragement.⁶⁹

⁶³ “China: 83 major brands implicated in report on forced labour of ethnic minorities from Xinjiang assigned to factories across provinces; Includes company responses”, *Business & Human Rights Resource Centre*, March 1, 2020.

⁶⁴ AZIZUL ISLAM, Muhammad, “OPINION: Social audits, modern slavery — Covid shows apparel industry did not learn from Rana Plaza disaster”, *Just Style*, April 25, 2022.

⁶⁵ “The Rana Plaza Accident and its aftermath”, *International Labour Organization*.

⁶⁶ *ibid.*

⁶⁷ CHARPAIL, Mathilde, *op.cit.*

⁶⁸ CHAMBERLAIN, Gethin, “India's clothing workers: 'They slap us and call us dogs and donkeys'”, *The Guardian*, November 25, 2012.

⁶⁹ CHARPAIL, Mathilde, *op.cit.*

B. Legislation in the US regulating the impact of the fashion industry on the environment and its workers

Over the years, countries have been introducing legislation to restrict and try to control these consequences. These countries include developed countries such as the European Union, the United Kingdom, Canada and the United States, where human rights are standardly respected. I will now present to you some of the legislations or future legislations of the fashion industry in the United States, a \$9 billion industry that employs 95,000 people.⁷⁰ Indeed, in 2021 the US took action towards ending the exploitation that garment workers face in Xinjiang, China and worldwide by adopting the Uyghur Forced Labor Prevention Act and California's Garment Worker Protection Act.⁷¹ The US is also beginning to take a closer look at the environmental consequences of the fashion industry. The particularity and difficulty of the United States is due to its federal structure with states that do not necessarily apply the same laws.

H.R.1155, Uyghur Forced Labor Prevention Act

After the disclosure of the Uyghurs genocide, the US decided to act. On the 23 of December 2021, the H.R.1155 bill called the Uyghur Forced Labor Prevention Act (UFLPA) was signed into law by President Biden on December 23, 2021. It was then received in the Senate on the 21st of June 2022.⁷² It ensures, among others, that “goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People's Republic of China do not enter the United States market.”

*The UFLPA prohibits goods from being imported into the United States that are either produced in China's Xinjiang region or by certain entities identified in the UFLPA Strategy, unless the importer can prove by clear and convincing evidence that the goods were not produced with forced labor.*⁷³

⁷⁰ “Fashioning Accountability and building Real Institutional Change: The FABRIC Act”, *Fact Sheet, The FABRIC Act*.

⁷¹ *ibid.*

⁷² “H.R.1155 – Uyghur Forced Labor Prevention Act”, *Congress.gov*, 2021-2022.

⁷³ “DHS Releases Uyghur Forced Labor Prevention Act Strategy”, *Homeland Security*, June 17, 2022.

Senate Bill 62, The Garment Worker Protection Act, California

In California, a law concerning the proper payment of employees in the garment industry and the responsibility for parties contracting to have garment operations performed has been effective since the first of January 2022. This law is the Senate Bill 62 (SB 62), called the Garment Worker Protection Act.⁷⁴ This bill states that “it is illegal for garment workers to be paid piece rate. Garment workers must be paid an hourly rate not less than the minimum wage.” It applies not only to the brands, but also to all parties contracting, regardless of the layers of contracting.⁷⁵ Even though the US is one of the developed countries where human rights are supposed to be respected, garment workers also face dangerous working conditions, wage theft and piecework wage.⁷⁶ Although most of them earn a middle class living in the US, “as a group they still suffer the second-highest rate of wage theft of all workers, with some earning as little as \$2.68 an hour, far below the federal minimum wage.”⁷⁷ That is possible because layers of contracting separate the brands from their garment workers, which end up in opaque supply chains with no oversight.⁷⁸

S.4212, The FABRIC Act

That leads us to the Fashion Accountability and Building Real Institutional Change (FABRIC Act) or S.4212, which was introduced on 12 May 2022 in the Senate of the United States⁷⁹, but has not yet been adopted. Its purpose is to amend the Fair Labor Standards Act of 1938, among others, “to prohibit employers from paying employees in the garment industry by piece rate and to require manufacturers and contractors in this industry to register with the Department of Labor”⁸⁰, here on a national level, not just in California. In addition to protecting American garment workers, this legislation would revitalize the US garment industry by improving working conditions, reforming the piece-rate pay scale and investing in national garment production. Indeed, offshoring and thus lack of investment in domestic production has

⁷⁴ “Garment Worker Protection Act”, *State of California*, 2022.

⁷⁵ *ibid.*

⁷⁶ “The Fabric Act”, *The Fabric Act*.

⁷⁷ “Fashioning Accountability and building Real Institutional Change: The FABRIC Act”, *op.cit.*

⁷⁸ *ibid.*

⁷⁹ “S.4213 – FABRIC Act”, *Congress.gov*, 2021-2022.

⁸⁰ “Fashioning Accountability and building Real Institutional Change: The FABRIC Act”, *op.cit.*

damaged the industry.⁸¹ The US currently export \$28.8 billion clothes from China, whereas this number amounted to \$2.8 billion 30 years ago.⁸²

The key provisions of the FABRIC act are the establishment of a nationwide garment industry registry through the Department of Labor. Its purpose is to promote transparency, to hold brands accountable, and to level the playing field.⁸³ It would establish new requirements for fashion brands and retailers, as well as their manufacturing partners, to be jointly accountable for workplace wage violations to encourage responsible production as well as the setting of hourly pay and thus eliminating piece rate pay until the minimum wage is met.⁸⁴ To make domestic relocation successful, the bill would provide \$40 million for a Domestic Garment Manufacturing Support Program in order to supply grants to manufacturers for equipment costs, safety improvements as well as training and workforce development. On top of that, it would introduce a 30% reshoring tax credit for garment manufacturers who want to relocate their manufacturing operations to the US.⁸⁵

Assembly Bill A8352/Senate Bill S7428A, The Fashion Sustainability and Social Accountability Act of New York

The Fashion Sustainability and Social Accountability Act of New York, also known as Assembly Bill A8352/Senate Bill S7428A was initially drafted in October 2021 and presented in January 2022.⁸⁶ According to the New York State Senate, it was introduced and is currently in committee as you can see in Figure 3 below.

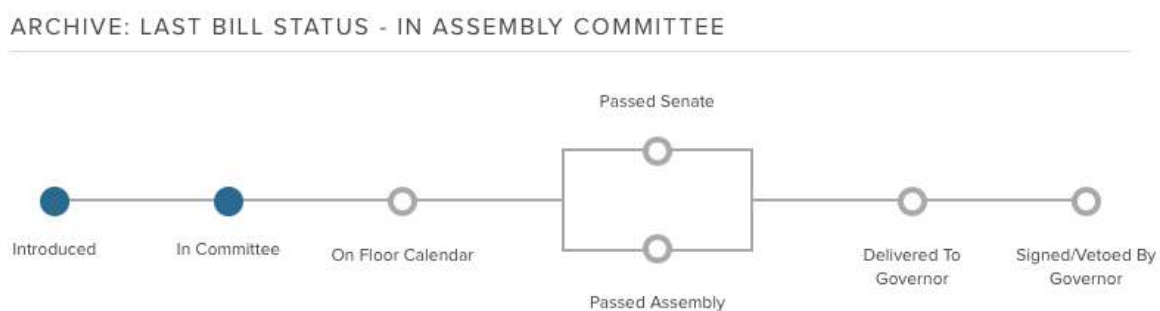


Figure 3: “New York State Senate Bill A8352”, The New York State Senate, 2021-2022.

⁸¹ “The Fabric Act”, *op.cit.*

⁸² “Fashioning Accountability and building Real Institutional Change: The FABRIC Act”, *op.cit.*

⁸³ *ibid.*

⁸⁴ *ibid.*

⁸⁵ *ibid.*

⁸⁶ ROBINSON, Roxanne, “Fashion Industry Reacts To New York Sustainability Legislation That Could Upend Transparency Practices”, *Forbes*, 11 January, 2022.

It now has to reach the floor calendar, to be passed by the Senate and the Assembly, to be delivered to the New York governor Kathy Hochul and finally to be signed by her in order to be official. Here is the summary of the Assembly Bill A8352:

(The bill) Requires fashion retail sellers and manufacturers to disclose environmental and social due diligence policies; establishes a community benefit fund for the purpose of implementing one or more environmental benefit projects that directly and verifiably benefit environmental justice communities.⁸⁷

This bill would require all New York fashion companies generating more than \$100 million in revenue to map at least half of their supply chains⁸⁸, as New York is a global fashion capital where many brands operate.⁸⁹ They would also be required to disclose environmental and social impacts in public reports and would be subject to fines for non-compliance with this requirement.⁹⁰ The main purpose of this law would be to force companies to control their supply chains.⁹¹

Here is the summary of the Senate Bill S7428A:

(The bill) Requires fashion sellers to be accountable to standardized environmental and social due diligence policies; establishes a fashion remediation fund for the purpose of implementing one or more environmental benefit projects or labor remediation projects that directly and verifiably benefit the workers and communities directly impacted, to the extent practicable, at the location the injury has occurred.⁹²

And here is the title of the bill according to the sponsor memo:

An act to amend the general business law, in relation to requiring fashion sellers to be accountable to environmental and social standards; and to

⁸⁷ “New York State Senate Bill A8352”, *The New York State Senate*, 2021-2022.

⁸⁸ BELL, Jenny, “Fashion rules: Why we need tougher laws and regulations in the fashion industry”, *Good Maker Tales*.

⁸⁹ ROBINSON, Roxanne, *op.cit.*

⁹⁰ BELL, Jenny, *op.cit.*

⁹¹ *ibid.*

⁹² “New York State Senate Bill S7428A”, *The New York State Senate*, 2021-2022.

*amend the state finance law, in relation to establishing a fashion remediation fund.*⁹³

On the internet site of the Senate Bill S7428A, we can see that the purpose of the bill is, among others, to identify, to prevent, to mitigate, to account for and to take remedial action “to address actual and potential adverse impacts to human rights and the environment in their own operations and in their supply chain.”⁹⁴ These laws and regulations are established in order to ensure that manufacturers, therefore brands, are held responsible for their production chain.⁹⁵ It is not because the laws are weak or non-existent in a country that we should take advantage of it. Maxine Bédard, founder and director of the New Standard Institute which self-describes as a “think and do tank using data and the power of citizens to turn the fashion industry into a force for good”, helped in the elaboration of the bill.⁹⁶ She thinks that New Yorkers “have a powerful role to play in ensuring industries practice ethical standards in labor and environmental sustainability, while at the same time ensuring a thriving local industry.”⁹⁷ This bill will allow authorities, consumers and stakeholders to identify the companies that are really involved and committed from those that only give nice speeches, which could be similar to greenwashing and social washing that I will discuss later in my dissertation. The penalties for a company’s non-compliance could reach two percent of its global turnover.⁹⁸

For now, as we have seen, the Fashion Sustainability and Social Accountability Act of New York only applies to companies generating more than \$100 million in revenue such as luxury giants like LVMH, American mass producers like PVH, fast fashion giants like H&M and sports giants like Nike.⁹⁹

In the U.S., current and upcoming legislation is increasingly taking into account the disasters that the fashion industry has on the environment and its workers, both within its own borders and in terms of the consequences that its companies have in other countries, especially on the workers of these countries.

⁹³ *ibid.*

⁹⁴ *ibid.*

⁹⁵ BELL, Jenny, *op.cit.*

⁹⁶ ROBINSON, Roxanne, *op.cit.*

⁹⁷ *ibid.*

⁹⁸ *ibid.*

⁹⁹ *ibid.*

II- How to act outside of legislation

A few decades ago, the world woke up and the notion and term of sustainable development was introduced, more precisely through the report “Our Common Future” by the Brundtland Commission in 1987. In 1992, the United Nations Conference on Environment and Development in Rio de Janeiro was the first time that governments tried to internationally establish action plans and strategies to move towards a more sustainable development.¹⁰⁰ Sustainable development is “the idea that human societies must live and meet their needs without compromising the ability of future generations to meet their own needs.”¹⁰¹ It includes the preservation of the environment as well as economic and social equity.¹⁰² Companies are concerned by this awareness and can carry out actions in favor of sustainable development. They are regulated by laws within the framework of the respect of the environment and human rights, at least in the developed countries. But even though legislation is also evolving in the right direction, there are still gaps. Setting up new laws is a long journey, which is why they are considered insufficient by some people who are asking brands to make more efforts on their own.¹⁰³ This is what is called Corporate Social Responsibility (CSR), which is a broad concept of corporate citizenship.¹⁰⁴ I will first give a detailed presentation of what CSR is, as well as its problems and limits. I will then introduce Nike’s CSR policy and see what its issues are to try to determine if the brand is using greenwashing and social washing.

A. Corporate Social Responsibility (CSR policy) in the US

What is CSR?

Corporate Social Responsibility (CSR) implies a concept, whereby companies decide voluntarily to contribute to a better society and a cleaner environment – a concept, whereby the companies integrate social and other useful concerns in their business operations for the betterment of their stakeholders and society in general in a voluntary way.¹⁰⁵

¹⁰⁰ “History of SD”, *Sustainable Development Commission*.

¹⁰¹ “Sustainable Development – What Is It? Definition, History, Evolution, Importance and Examples”, *You Matter*, updated on May 26, 2020.

¹⁰² *ibid.*

¹⁰³ BELL, Jenny, *op.cit.*

¹⁰⁴ HAYES, Adam, “Corporate Citizenship: What It Means, 5 Stages, and Examples”, Investopedia, updated on December 29, 2022.

¹⁰⁵ “Corporate Social Responsibility Under Section 135 of Companies Act 2013”, *Cleartax*, 2022.

The stakeholders include shareholders, employees, customers, suppliers, public authorities and citizens.¹⁰⁶ Corporate social responsibility is accessible to all companies, regardless of their status, size and industry.¹⁰⁷ Companies are indeed very involved in sustainable development, as they are at the heart of the economy and allow us to satisfy many of our needs. They are also responsible for a large part of the pollution. As society becomes more and more aware of the urgency of the situation, consumption patterns are changing and so are business operations. A company's only goal used to be to maximize profits. Today, maximizing profits is still important, but so is responsibility to the planet and to society.¹⁰⁸ CSR has indeed taken off over the past decade. While in 2011, only 20% of companies on the Standard & Poor's (S&P) 500 index had published a CSR report, they were 90% to do so in 2019.¹⁰⁹

As a matter of fact, in the European Union, CSR is mandatory through annual CSR reporting for most of the listed companies and large companies with a turnover of more than 100 million euros or more than 500 employees.¹¹⁰ Since 2023, a new European directive has been implemented, indicating that small and medium-sized enterprises (SMEs) with a turnover of more than 40 million euros or more than 250 employees are now also subject to this obligation.¹¹¹ To this day, it is still not compulsory in the US. CSR reporting is an “internal- and external-facing document companies use to communicate CSR efforts and their impact on the environment and community.”¹¹² CSR reports are usually divided into three categories which are environmental, social and economic responsibility and that I will develop further.¹¹³ Generally, CSR reports are presented in a digital format to facilitate distribution, but they can also be printed and presented to stakeholders in person.¹¹⁴ “A CSR report’s layout can range from a straightforward text document to a designed, visually stimulating packet.”¹¹⁵ It is therefore quite free, and unrestricted. Furthermore, there is a CSR international standard since

¹⁰⁶ SAFDIE, Stephanie, “Why Produce a CSR Report and How Should it be Presented?”, *Greenly*, updated on December 1, 2022.

¹⁰⁷ “Qu’est-ce que la responsabilité sociétale des entreprises (RSE)”, *op.cit.*

¹⁰⁸ STOBIEFSKI, Tim, “Types of Corporate Social Responsibility to be aware of”, *Harvard Business School Online*, April 8, 2021.

¹⁰⁹ COTE, Catherine, “What is a CSR report & why is it important?”, *Harvard Business School Online*, April 20, 2021.

¹¹⁰ “La RSE, est-ce obligatoire ?”, *Edenred*, July 6, 2020.

¹¹¹ “Ce qui va changer pour le Reporting RSE dans l'UE en 2023”, *Lakaa*, September 29, 2021.

¹¹² COTE, Catherine, *op.cit.*

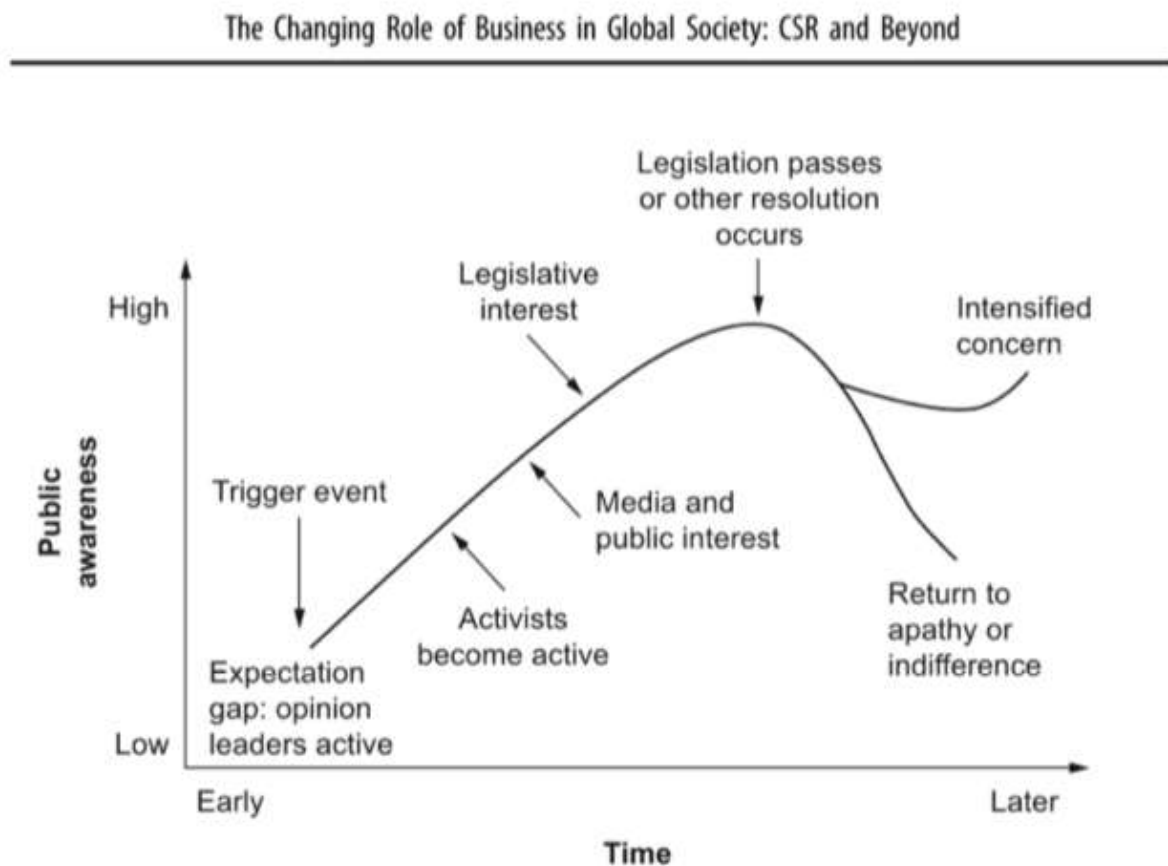
¹¹³ SAFDIE, Stephanie, *op.cit.*

¹¹⁴ COTE, Catherine, *op.cit.*

¹¹⁵ COTE, Catherine, *op.cit.*

2010, which is called ISO 26000 and that 99 countries worked on for five years. This standard provides guidance rather than requirements and helps clarify the meaning of social responsibility.¹¹⁶ The ISO website states that it “helps businesses and organizations translate principles into effective actions and shares best practices relating to social responsibility, globally.”¹¹⁷ The ISO 26000 international standard defines the scope of CSR around seven key themes, which are governance of the organization, human rights, labor relations and working conditions, environment, fair practices, consumer issues as well as communities and local development.¹¹⁸

The meaning of CSR evolves over time, along with society. Figure 4 below is a diagram taken from the book *Corporate Social Responsibility: Strategy, Communication, Governance* by Andreas Rasche, Mette Morsing and Jeremy Moon, and it illustrates this path.



Source: adapted and modified from Mahon and Waddock, 1992: 23.

Figure 4: RASCHE, Andreas, MORSING, Mette, MOON, Jeremy, *Corporate Social Responsibility: Strategy, Communication, Governance*, Cambridge University Press, 2017, United Kingdom, p.13.

¹¹⁶ “ISO 26000 Social responsibility”, *ISO*.

¹¹⁷ *ibid.*

¹¹⁸ “Responsabilité sociale des entreprises ou RSE”, *Chambre de Commerce et d’Industrie (CCI)*, 2022.

We understand that everything starts with a trigger event. Here we can take the Rana Plaza as an example. The book states that often, even before the trigger event, there are “pioneering activists” who see “a gap between desirable and actual corporate behaviour.”¹¹⁹ Then activists become active and little by little, the cause reaches the media and catches the attention of the public. It is from this moment that legislation will step in and try to regulate the matter.¹²⁰ The public has an important impact on the legislation to come. But as I was saying, legislation takes time to be implemented, which is why people need companies to introduce corporate social responsibility by themselves. Today, environmental and social issues seem to be heading in the direction of “intensified concern” rather than “return to apathy or indifference”, especially given the commitment of Gen Z.

The pillars of CSR

Environmental responsibility in the CSR report is one of the most common forms of corporate social responsibility.¹²¹ The companies have to be aware of their impact on the environment and try to reduce it. In order to do so, they can for example reduce pollution, greenhouse gas emissions, the use of single-use plastics, water consumption, and general waste, in the words of Tim Stobierski, a marketing specialist and contributing writer for Harvard Business School Online.¹²² Companies can also try and control their energy consumption through increased use of renewable energy, sustainable resources and recycled or partially recycled materials.¹²³ They can also undertake to offset their negative environmental impact, for example by planting trees, funding research and donating to causes.¹²⁴

Social responsibility refers to the implementation of an ethical behavior, by treating equally all the stakeholders, including, as I said earlier, leadership, investors, employees, suppliers and customers, and in terms of their gender, age and ethnicity. To do so, companies can decide to set their own minimum wage higher than the actual minimum wage of the state or federal

¹¹⁹ RASCHE, Andreas, MORSING, Mette, MOON, Jeremy, *Corporate Social Responsibility: Strategy, Communication, Governance*, Cambridge University Press, 2017, United Kingdom, p.13.

¹²⁰ *ibid.*, p.13.

¹²¹ STOBIERSKI, Tim, *op.cit.*

¹²² *ibid.*

¹²³ *ibid.*

¹²⁴ *ibid.*

government if it does not constitute a living wage. Previously I mentioned manufacturing countries, where the minimum wage is lower than the living wage. A US company that relocates some or all of its production to these countries can typically decide to implement its own minimum wage to help these workers.¹²⁵

Finally, economic responsibility is when the company establishes every financial decision based on its commitment to the environmental and social cause.¹²⁶ It is when a business is economically viable while respecting its environment¹²⁷, for example by having a production or supply chain that is as respectful as possible of these causes. Its goal is not only to maximize its profits.¹²⁸

In addition to the three most popular pillars of CSR, which are environmental responsibility, social responsibility and economic responsibility, there is also philanthropic responsibility. Philanthropic responsibility is when on top of undertaking actions for the environment and society, a company donates to charities and nonprofits that match its guiding mission, or to worthy causes that are not directly linked to its business.¹²⁹ Some companies even create their own charitable trust or organization.¹³⁰ According to Mark Anthony Camilleri, Ph. D., an associate professor in corporate communication at the University of Malta, philanthropic responsibility or corporate philanthropy is “a direct contribution by a corporation to a charity or cause, most often in the form of cash grants, donations/or in-kind services.”¹³¹

Labels and certifications

On the environmental and social level, businesses can choose to supply materials and products by labels such as Fairtrade or sustainable certifications. Free trade, which is “international trade left to its natural course without tariffs, quotas, or other restrictions”,¹³² has brought benefits, such as lower prices for the consumers. But it is also because of free trade

¹²⁵ *ibid.*

¹²⁶ *ibid.*

¹²⁷ “Qu’est-ce que la responsabilité sociétale des entreprises (RSE) ?”, *op.cit.*

¹²⁸ *ibid.*

¹²⁹ *ibid.*

¹³⁰ *ibid.*

¹³¹ CAMILLERI, Mark Anthony, Chapter “Corporate Social Responsibility Policy in the United States of America” p.129-143, *Corporate Social Responsibility in Times of Crisis*, Springer, 2017, Germany, p.4.

¹³² “Free trade”, *Oxford Languages*.

that there is the progressive relocation of manufacturing to the poorest developing countries, and the exploitation of their workers, which we have seen earlier.¹³³ Fair trade is a movement that was born to help these workers, but also to help the environment. It “ensures that manufacturers and workers can achieve sustainable trade relationships by being treated and paid fairly”¹³⁴, enabling everyone in a company’s production chain to work in ethical conditions, but also to be paid enough to live properly.¹³⁵ Buying from fair trade means that each participant in the chain, including workers in manufacturing countries, are paid accordingly for the work they provide, instead of half the money going to intermediaries. In the clothing industry, more specifically the fast fashion industry, we have seen that the working conditions are mostly bad. Fair trade precisely ensures that workers are not forced to work, have good working conditions and that no child labor has been used.¹³⁶ Moreover, we saw how disastrous the impact of fast fashion was on the environment. Fair trade supports sustainable development and therefore helps with the protection of the environment. As less intermediaries are used and the workers are paid as they should, fair trade also helps with the development of these poorer countries.¹³⁷ The production chain is transparent and everyone in it, whether it is the producers, the suppliers or the buyers, has a say. Last but not least, fair trade products are quality products.¹³⁸ Fair trade fashion brands “have to earn certification by a fair trade organization and must follow strict guidelines to do so.” This means that when you buy from a certified fair trade brand, you can be sure that it has been verified.

There is a difference between fair trade, which is, as I said, the movement, and Fairtrade, which is a business term that refers to Fairtrade International, which is an organization that sets standards and guidelines that brands must meet in order to obtain Fairtrade certifications.¹³⁹ Several fair trade organizations exist and some are specialized in fair trade clothing. The Fair Wear Foundation for example, ensures the proper treatment of workers in the clothing industry.¹⁴⁰ Some programs like Global Organic Textile Standard (GOTS) and Oeko-tex, that you have probably already seen around, are ensuring that cotton and other textiles are produced with respect for the environment but also for the workers as well as for the consumers.¹⁴¹

¹³³ MOORHOUSE, Julie, “What is Fair Trade Clothing and why should we care?”, *Good Maker Tales*.

¹³⁴ *ibid.*

¹³⁵ *ibid.*

¹³⁶ *ibid.*

¹³⁷ *ibid.*

¹³⁸ *ibid.*

¹³⁹ *ibid.*

¹⁴⁰ *ibid.*

¹⁴¹ *ibid.*

Cotton, which is primarily grown in lower-income countries, occupies a very important place in the fashion industry. It accounts for around 24% of all fiber use, thanks to its versatility.¹⁴² But as we have already seen, it also accounts for a big part of this industry's water consumption, as well as a large use of pesticides and chemicals. All of that makes the cotton not very sustainable and it is why the Global Organic Textile Standard (GOTS) exists.¹⁴³ The purpose of this certification is:

*Essentially a set of criteria that ensures the end-to-end garment production process is carried out sustainably and ethically. A set of requirements must be met for garments to be deemed GOTS certified.*¹⁴⁴

As the name suggests, this certification is not just for cotton but for the textile industry as a whole, to certify sustainability. The use of labels and certifications is a way for companies to ensure both environmental and ethical sustainability and a way for consumers to ensure that they are buying a fair and environmentally friendly product.

The benefits of CSR

People today expect brands to make efforts even though CSR is not mandatory in the US. The fact that it is not mandatory could even reflect a real commitment on behalf of the company, which is trying to do good. A study conducted by the American media company Nielsen showed that 66% of global consumers are likely to pay higher prices for more environmentally friendly products because they see companies as “socially responsible” for this pollution.¹⁴⁵ CSR can therefore be a marketing tool for a company that is going to improve its image in the eyes of its consumers but also of its investors and regulators.¹⁴⁶ It can also bring benefits within the company itself. Indeed, these CSR objectives can bond and motivate employees, who will consequently be more committed. In addition to motivating current employees, these initiatives can attract new ones who share the same beliefs that the brand

¹⁴² TIDSWELL, Emma, “Understanding who grows cotton for our clothes and why that matters”, *Good Maker Tale*.

¹⁴³ TIDSWELL, Emma, “What does GOTS certified mean? Your definitive guide”, *Good Maker Tales*.

¹⁴⁴ *ibid*.

¹⁴⁵ BLESSERHOLT, Josephine, “The ‘sins’ of greenwashing: A content analysis of greenwashing’s role in the fast fashion industry”, *Stockholm University*, 2021, p.6.

¹⁴⁶ STOBIERSKI, Tim, *op.cit*.

reflects and will find it to be a good fit.¹⁴⁷ The same applies to customers or investors, i.e. every stakeholder. In other words, CSR is a marketing tool that allows a company to differentiate itself commercially, to improve its image and reputation and to gain in competitiveness.¹⁴⁸ Not implementing a CSR approach today implies falling behind the competition.¹⁴⁹

Furthermore, a CSR commitment requires business leaders to consider practices associated with how they hire and manage their employees, how they source products or components, and how they deliver value to their customers.¹⁵⁰ In that way, they can come up with innovative and breakthrough solutions that allow them to meet their environmental and social responsibility objectives while increasing their profits.¹⁵¹ Tim Stobierski gives a clear example of what it can look like: a company that seeks to reconceptualize its manufacturing process to be less energy-intensive and more eco-friendly will end up reducing its energy and materials costs.¹⁵²

Finally, CSR could also influence the law because if a large number of companies adopt a CSR approach, legislation could evolve and introduce more extensive regulations. It is therefore a considerable lever to make the law evolve in terms of environmental protection and the evolution of workers' social rights. Companies have a real role to play when it comes to societal issues.¹⁵³

The problems of CSR: greenwashing and social washing

However, this reporting obligation in the EU constitutes a problem even though it is mandatory for many companies because of the lack of a sufficient framework regarding the information that has to be published. It makes it difficult, even impossible, to compare and monitor data between companies.¹⁵⁴ In the US, as there is no common set of CSR reporting standards, the problem is the same. As the companies are free to give the information they

¹⁴⁷ *ibid.*

¹⁴⁸ “Responsabilité sociale des entreprises ou RSE”, *op.cit.*

¹⁴⁹ *ibid.*

¹⁵⁰ STOBIEFSKI, Tim, *op.cit.*

¹⁵¹ *ibid.*

¹⁵² *ibid.*

¹⁵³ PELOIS, Joséphine, “RSE : piliers, buts et caractère obligatoire de la démarche”, *Le Figaro*, 2022.

¹⁵⁴ “Ce qui va changer pour le Reporting RSE dans l'UE en 2023”, *op.cit.*

want, in the format they want, it is very difficult to compare reports across companies.¹⁵⁵ Legal responsibilities require that companies fulfill their economic mission within existing regulations and legal parameters. As Mark Anthony Camilleri clearly states, “the legal component recognizes the obligation of the enterprise to obey laws”, whereas ethical responsibility is not as simple to assess.¹⁵⁶

This component is often referred to as a “grey area”, as it “involves behaviours and activities that are not embodied in law but still entail performance expected of business by society’s members.”¹⁵⁷

Moreover, the lack of framework around CSR reporting enables companies to bypass or hide the areas where they have failed, but also the areas where they did not really try, and as a consequence, damaged the environment and harmed people.¹⁵⁸

That is what can be referred to as greenwashing and social washing. The term greenwashing was invented by environmentalist Jay Westerveld in 1986¹⁵⁹ and is defined as “a marketing technique aimed at creating an illusion of ecological responsibility”¹⁶⁰, “to make people believe that your company is doing more to protect the environment than it really is.”¹⁶¹ And the same can be applied to social washing, but with social responsibility. Greenwashing and social washing mislead consumers, who think that they are buying from a responsible brand. These same clients then become skeptical, which affects brands that are genuine and really committed to being more eco-friendly¹⁶² as well as socially responsible. On top of misleading the consumers, greenwashing and social washing do not bring any improvement to the environment¹⁶³ or the people, which is in total contradiction with the promoted objective. These companies spend more time and money marketing how green they are rather than actually reducing their environmental impact.¹⁶⁴

¹⁵⁵ COTE, Catherine, *op.cit.*

¹⁵⁶ CAMILLERI, Mark Anthony, *op.cit.*, p.4.

¹⁵⁷ *ibid.*, p.4.

¹⁵⁸ COTE, Catherine, *op.cit.*

¹⁵⁹ BLESSERHOLT, Josephine, *op.cit.*, p.6.

¹⁶⁰ GARRET, Caroline, “Greenwashing: definition and examples”, *Climate Consulting by Selectra*, 2022.

¹⁶¹ *Cambridge Dictionary*.

¹⁶² GARRET, Caroline, *op.cit.*

¹⁶³ *ibid.*

¹⁶⁴ BLESSERHOLT, Josephine, *op.cit.*, p.7.

Currently, clothing brands provide two sources of sustainability information. The first one is CSR as well as Environmental Social and Governance (ESG) reports, defined as:

*Another non-standardized reporting method that companies can use to disclose information on their environmental, social and corporate governance.*¹⁶⁵

CSR and ESG reports are more geared towards investors and include “real, longform data.”¹⁶⁶ The second source of sustainability information used by clothing brands is the webpage of the brands that are this time more geared towards consumers. The webpage is the first thing a consumer is going to see and brands take advantage of that, using “non-specific language and greenwashing terms to put up an environmentally friendly front.”¹⁶⁷

To avoid being a “victim” of greenwashing, there are several forms of behavior you can adopt. First, you have to be careful with green packaging. The green color is indeed often used by brands to make themselves look eco-friendly, because it is often spontaneously associated with nature.¹⁶⁸ But that does not mean that the product itself is eco-friendly. You can also take a look at the composition of a product as it can be a means to see if it respects the environment or not¹⁶⁹, for example if a piece of clothing made with plastic fibers is going to pollute more than one made with linen. I mentioned labels above, and that companies can use them in order to improve the quality of their products or ensure that the workers in the chain production have respectable working conditions and are well paid. But they are not always safe. Indeed, labels can be difficult to verify and some brands even create their own labels which state that they are environmentally and socially friendly.¹⁷⁰ These labels do not have legal standing¹⁷¹, therefore no legal value. As for the green color on the packaging, you have to be careful with labels with green logos¹⁷² because they actually do not mean anything in regard to the responsibility of the label and therefore of the brand.

¹⁶⁵ KAELEIGH, James, “Goodbye greenwashing: envisioning the future of brand sustainability reporting in the apparel industry”, *Clarks Honors College, University of Oregon*, 2022, p.13.

¹⁶⁶ *ibid.*, p.22.

¹⁶⁷ *ibid.*, p.22.

¹⁶⁸ GARRET, Caroline, *op.cit.*

¹⁶⁹ *ibid.*

¹⁷⁰ *ibid.*

¹⁷¹ GARRET, Caroline, *op.cit.*

¹⁷² *ibid.*

B. Nike: a case study

Nike is a worldwide American sportswear brand, which was created in 1964 and is established in Beaverton in Oregon, United States. Nike is associated with fast-fashion in some aspects. It is not a fast fashion brand per se, but many of its actions correspond to what fast fashion brands are accused of¹⁷³, which I will explain later on. According to Brand Finance, it has won the title of the world's most valuable apparel brand¹⁷⁴, with a \$29.1 billion (26.3 billion euros) sales in 2022.¹⁷⁵ It owns more than 1,000 retail stores worldwide and has over 73,000 employees across 170 countries.¹⁷⁶ I thought it would be interesting to see how a brand of this renown was committed to sustainable development. I am therefore going to carry out a case study of Nike, presenting some of its CSR actions. I am also going to see if Nike is one of the brands using greenwashing and social washing to improve its image.

Nike Move to Zero

“Move to Zero” is the title of Nike’s sustainability initiative. This sustainability program has its own logo, which you can see in Figure 5 below, that was developed from the famous swoosh known to many.



Figure 5: “Move to Zero”, Nike.

“Move to Zero is Nike’s journey towards zero carbon and zero waste, helping to protect the future of sport.”¹⁷⁷ If you go on Nike’s webpage, in the sustainability section you will see a paragraph explaining what their objective is, which is the following:

¹⁷³ EDDY, Elizabeth, “Fast Fashion: Adjusting Nike’s Future in the Apparel Industry”, *Oklahoma State University*, 2022, p.21.

¹⁷⁴ *ibid.*, p.14.

¹⁷⁵ RICHTER, Felix, “Ahead of the game: Nike Rules the Sneaker World”, *Statista*, 2023.

¹⁷⁶ DEAN, Marissa, Ph.D., “Nike Corporate Social Responsibility (CSR) and Sustainability”, *Thomas*.

¹⁷⁷ “Move to Zero”, *Nike*.

*We all share the responsibility for our playground—Planet Earth. That’s why we’re reimagining things top to bottom through sustainability and circularity. We’re focusing on carbon, waste, water, and chemistry, aiming to hit targets by 2025. Check out our Impact Report to see our progress.*¹⁷⁸

In my opinion, the use of the pronoun “we” and the possessive adjective “our” was not chosen arbitrarily. It is formulated to include the consumer, to show that the brand is aware of the issues and that it shares the same values. Nike has three targets that it wants to reach by 2025.

The first one is to generate 0.5M tons less of greenhouse gas emissions by raising the use of environmentally friendly materials to 50% of all key materials, which are polyester, cotton, leather and rubber.¹⁷⁹ The integration of sustainable materials increased from 41% to 59% in its apparel lines in 2020, but the latter remained unchanged for footwear.¹⁸⁰ However, Nike is now shifting its focus to sustainable materials such as Flyleather, which is a material made from at least 50% recycled leather waste.¹⁸¹ Nike also offers alternative packaging solutions to replace corrugated cardboard with reusable shipping bags. It ensures that its suppliers and manufacturers are committed to achieving its goal of carbon neutrality by 2025 through the Supplier Climate Action.¹⁸² In early 2021, the company’s North American facilities¹⁸³, along with 48 percent of its global business operations, run on 100 percent renewable energy.¹⁸⁴

The second target is to have 100% of its waste diverted from landfills in its “extended supply chain” and to have at least 80% of its waste recycled into Nike products and other goods. Also in 2020, Nike reported that 99.9% of manufacturing waste from its Tier 1 suppliers, i.e. its direct suppliers, was diverted from landfills.¹⁸⁵

The third and final target Nike wants to reach by 2025 is to have a 25% reduction in fresh water consumption per kilogram in textile dyeing and finishing.¹⁸⁶

¹⁷⁸ *ibid.*

¹⁷⁹ *ibid.*

¹⁸⁰ DEAN, Marissa, Ph.D, *op.cit.*

¹⁸¹ *ibid.*

¹⁸² *ibid.*

¹⁸³ DRIVER, Robin, “Nike publishes 2020 Impact Report, sets new targets for 2025”, Fashion Network, March 13, 2021.

¹⁸⁴ *ibid.*

¹⁸⁵ *ibid.*

¹⁸⁶ “Move to Zero”, *op.cit.*

There is a link available to see Nike's Impact Report, in which the company talks about its commitment, diversity, equality, inclusion, responsible sourcing, empowering communities and protecting the planet. On top of the sustainable section of Nike's webpage, you can access four sustainability sections, which are called "materials", "circular solutions", "impact" and "products". And at the end, there are three more sections. The first one is "Recycling + Donation" and it states that instead of throwing away your pair of Nike shoes, you can take them back to the store so that they can recycle them or donate them. The second section is "Refurbished" and again it states that you can bring your pairs of Nike shoes back to the store, but this time if they have been worn a little and are still in very good condition. Indeed, they will then be cleaned and refurbished as new and resold in some Nike stores at affordable prices. The last one is "Re-creation" and also includes clothing. Vintage and dead stock items are collected locally to be used in the creation of new "locally designed and manufactured" products.¹⁸⁷ Nowadays we could call that "upcycling", which means reusing old pieces to create a new one, therefore giving a second life to a garment.

With this sustainable website section that is filled with information on how it intends to "Move to Zero", Nike gives the impression of being very committed to environmental sustainability and allows anyone to consult its impact report, in addition to having a website already rich with information.

Inclusion

But environmental sustainability is not the only area of focus for Nike to promote its CSR journey. Indeed, its other key area of focus is people, more specifically diversity and inclusion as well as community investment.¹⁸⁸ Nike's CSR is focused on creating a peaceful work environment for all employees.¹⁸⁹ In 2020 for example, the brand had launched two new programs which were the Juneteenth Learning Initiative and the Unconscious Bias Awareness training program, both to encourage a better understanding of racial equality.¹⁹⁰ During 2020 and 2021, Nike also introduced a plan to increase diversity in its workforce, also by 2025. The company wants to achieve 50% female and 35% racial and ethnic minority representation

¹⁸⁷ *ibid.*

¹⁸⁸ DEAN, Marissa, Ph.D, *op.cit.*

¹⁸⁹ *ibid.*

¹⁹⁰ *ibid.*

among its staff. To accompany this move, Nike shared that it would be investing \$125 million over the next five years to support companies that commit to “leveling the playing field”¹⁹¹, i.e. to compete fairly. Nike also deployed \$4 million to support diversity and inclusion in communities across North America through its “Until We All Win” program. Since FY22 (fiscal year 2022), Nike has been recommending \$5 million in annual grants, resulting in \$625,000 in donations for each community.¹⁹² In FY22 Nike donated \$625,000 to 13 nonprofits working to educate on the subject of disabilities.¹⁹³

In addition to its various programs to promote inclusion and diversity among its employees, Nike also implements actions to help countries in need. For example, the company has developed a community outreach program in which the brand is spending more than \$89 million in 2020 to help more than 17 million children around the world participate in sports.¹⁹⁴ In addition, the company has also decided to train about 100,000 trainers to help disadvantaged communities. Nike also extended its digital training tools to include the Coaching Girls program, which seeks to make sports more fun and more inclusive for girls, especially in countries such as Africa and Asia, through coach education and leadership training.¹⁹⁵ And last but not least, Nike pledged a CSR commitment of \$140 million over 10 years to support gender and racial equality, together with the Converse and the Jordan Brands, which is a brand that was created by Michel Jordan, a basketball player, in partnership with Nike. \$40 million of the \$140 million goes to support organizations and nonprofits that address systemic inequality.¹⁹⁶ The objectives that Nike has planned to achieve are concrete and announce a change in the right direction for Nike. The numbers so far are also positive.

Nike's CSR issues

However, according to Elizabeth Eddy's work, in 2020 Nike's carbon footprint was unchanged compared to 2015.¹⁹⁷ Both Elizabeth Eddy's and Lara Robertson's reports indicate that Nike has set a science-based target for reducing greenhouse gas emissions, but there is no real proof that the company will be able to achieve it by 2025.

¹⁹¹ *ibid.*

¹⁹² “Until We All Win Community Investment Program”, *Nike*, June 24, 2020.

¹⁹³ *ibid.*

¹⁹⁴ DEAN, Marissa, Ph.D, *op.cit.*

¹⁹⁵ *ibid.*

¹⁹⁶ *ibid.*

¹⁹⁷ *ibid.*

In addition to concerns about environmental impact, Nike has a history of not respecting the human rights of its employees. Indeed, back in 1991, Jeffrey Ballinger, who is an American labor organizer and writer, published a report accusing Nike of using sweatshops in Indonesia. A sweatshop is “a factory or workshop, especially in the clothing industry, where manual workers are employed at very low wages for long hours and under poor conditions.”¹⁹⁸ This definition is totally consistent with the working conditions in the manufacturing countries that I mentioned earlier. Throughout this report, Jeffrey Ballinger detailed the low wages and poor working conditions of Nike employees in these factories. On top of that, Jim Keady, who is an American activist, educator and politician, reported in 1996 that Nike was using child labor.¹⁹⁹ Jim Keady also released a 20 minutes documentary in 2011 together with Leslie Kretzu, entitled “Nike Sweatshops: Behind the swoosh.” In this documentary, they exposed Nike and its use of sweatshops in Indonesia. To do so, they “attempted to survive on a Nike worker’s wage in the industrial slums of Indonesia”. This wage was \$1.25 per day²⁰⁰, which, let us be honest, is insignificant, even if the cost of living in Indonesia is not the same as in the US. This documentary is really eye-opening and makes you think before you buy a new product from Nike.

According to Elizabeth Eddy, Nike’s current “policies to monitor its supply chain” are better and more transparent, which however does not guarantee the workers in their factories actually receive a decent living wage.²⁰¹ Indeed, in her article, Lara Robertson indicates that since 2022 a part, but not all of Nike’s supply chain, is certified by the Fair Labor Association (FLA).²⁰² Nike also pays huge amounts of money in sponsoring sports stars and in marketing in general, in contrast to the amount of money that goes to the workers.²⁰³ Moreover, as I mentioned above in my dissertation, it was discovered in 2017 that the Uyghur population was mistreated in China, and in 2020, a list of companies taking advantage of that forced labor was released, including Nike. Despite several sources pointing to Nike, the company refuted the accusations saying that, while it is “concerned about reports of forced labor, Nike does not source products from the Xinjiang Uyghur Autonomous Region.”²⁰⁴ However, Qingdao Taekwang Shoes

¹⁹⁸ EDDY, Elizabeth, *op.cit.*, p.15.

¹⁹⁹ *ibid.*

²⁰⁰ “Nike Sweatshops: Behind the Swoosh”, *Documentary Heaven*, July 28, 2011.

²⁰¹ EDDY, Elizabeth, *op.cit.*, p.15.

²⁰² ROBERTSON, Lara, “How Ethical is Nike?”, *Good on you*, June 29, 2022.

²⁰³ *ibid.*

²⁰⁴ DEAN, Marissa, Ph.D, *op.cit.*

Co.,LTD., which is Nike’s manufacturer allegedly employed around 600 Uyghur and Kazakh workers at the beginning of 2020, and was one of the main lobbyists in Congress to weaken “a bill that would ban imported Xinjiang products made with forced labor”²⁰⁵, that is the Uyghur Forced Labor Prevention Act, which went into effect on June 21, 2022 in the United States, as stated earlier. In 2017, Nike reportedly rescinded its commitment to the Workers' Rights Consortium (WRC), preventing labor rights experts from independently monitoring Nike's supplier factories.²⁰⁶

Although Nike has worked on the transparency of its supply chain as well as the working conditions of its employees in recent years and denies the recent accusations, doubts regarding the sincerity of the company remain, especially given its background.

In 2019, it was also accused of financially penalizing female athletes who become pregnant while they are under contract, revealing that they did not have pregnancy protection in their contracts with the brand.²⁰⁷ The company then changed its policy and now no longer penalizes the pregnant athletes by stopping paying them.²⁰⁸ Nike even made an advertisement about pregnancy in 2021, which, among others, stated “To every mother, everywhere: you are the toughest athlete.”²⁰⁹ However, the company continues to receive criticism, especially from the same athletes who complained in the first place. They consider that the company has not completely settled its issue because it has never apologized to women for its behavior in the past.²¹⁰ Alysia Johnson-Montaño, who is an American athlete specializing in the 800 meters claimed:

Yes. We want Nike to sponsor athletes and support them through pregnancy, and thereafter, but we want them to acknowledge the fight and the struggle that it took to get them to make a change. We DO NOT WANT them to use our women to make money and while doing so forcing their athletes that have been mistreated to post advertisements as a way of sweeping their struggles under the rug.²¹¹

²⁰⁵ EDDY, Elizabeth, *op.cit.*, p.16.

²⁰⁶ ROBERTSON, Lara, *op.cit.*

²⁰⁷ HAMBLETON, Brittany, “Athletes react to Nike pregnancy ad”, *Canadian Running*, March 16, 2021.

²⁰⁸ *ibid.*

²⁰⁹ *ibid.*

²¹⁰ *ibid.*

²¹¹ *ibid.*

This could suggest that Nike is using women and pregnancy only for marketing purposes and therefore for profit, in order to restore its image with the public.

Overall, it can be said that Nike has proven itself since 2020 in terms of its commitment to the planet but also to the people, whether they are its employees or not. The company has developed various programs but also a 5-year plan to achieve different sustainable goals. So far, the results are quite positive, which gives hope for the future of the brand. However, this has not always been the case and there are still some grey areas regarding Nike's activities. Indeed, although located at the top of the sportswear brand ranking, Nike has a very questionable past, especially when it comes to its employees. Moreover, I wonder if a company of this size, with a turnover of \$46.7 billion fiscal year FY22²¹², could not spend more money on its employees all over the world, including in its factories and a little less on sponsoring sports stars. Finally, it seems that the brand is reactive rather than proactive, as its actions are primarily aimed at restoring its image and less at actually helping people and the environment.

²¹² “Nike, Inc. Reports fiscal 2022 fourth quarter and full year results”, *Nike*, June 27, 2022.

Conclusion

The fashion industry generates a lot of pollution. As I said, it was the fourth most polluting industry and the second most water consuming in 2022, with a percentage of carbon emissions amounting to about 10% of global emissions. In addition to this, it is an industry in which many workers do not have access to good working conditions, whether it is the salary, the health conditions, the workplace or the working hours. In recent years, the fashion industry has been the subject of much discussion, but not in a good way. Between the Rana Plaza and the exploitation of the Uyghur people, fashion and especially fast fashion has attracted the wrath of the public.

Indeed, society is increasingly concerned about global warming and therefore the protection of the planet, but also the respect of human rights. There has been a change in history. Today, we are beginning to perceive a change, an improvement everywhere in the world and therefore also in this industry. Consumers, especially the younger generation, are changing their consumption patterns to be more sustainable. We are talking about buying local, organic, fair trade and so on. Today, the country of production, for example, has a meaning. “Made in China” or “Made in Indonesia” is often synonymous with non-respect of human rights and even forced labor, whereas if it is indicated “Made in Portugal”, we know that the workers have decent working conditions and wages. If the consumer lives in Europe, then it also has an ecological interest because it means that the finished product required less transport to the point of sale than if it came from China, which means it generated less pollution.

In the United States, more and more laws are being put in place or are trying to be put in place to reinforce the respect of human rights on the territory, such as the Garment Worker Protection Act, but also abroad, such as the Uyghur Forced Labor Prevention Act in order to protect the workers in manufacturing countries. The whole production chain, from the worker to the retailer, tends to be more and more transparent through these laws. These new bills obviously also concern the respect of the environment, such as the Social Accountability Act of New York. Legislation is a very good way to make things happen because companies have no choice: the law is the law, you have to comply with it. However, the implementation of a new bill is a long way to go since it must first be thought through, written and then approved by various government bodies. If it is approved, there is often a delay in its implementation as well. That is why people feel that it is not necessary to wait for legislation to be “updated” for

companies to take the planet and people into account in their activities. Today, companies have to show social responsibility through CSR actions, even if in the US, nothing compels them to do so. Indeed, the awareness of society forces brands to adapt to consumer demand.

Corporate social responsibility is a very positive initiative but like everything else, it has its limits. It is not supervised enough and can also lead to greenwashing and social washing. Nike, for example, buys itself a good image with the public by voluntarily giving money to associations, such as dedicating \$40 million to support organizations and nonprofits that address systemic inequality, and also by developing programs such as Juneteenth Learning Initiative. On the other hand, it apparently profited from the forced labor of the Uighur people in China about the same time, which seems a bit hypocritical.

CSR is a good way for fashion companies to become greener, but we must remain careful and check that their claims are legitimate. Nevertheless, it seems that little by little, we are really getting things moving. Big brands such as Nike, accused of human rights violations since the 1970s, are starting to take real measures and to take into account the planet as well as the people. Greenhouse gas emissions are reduced, production is sometimes relocated to the national territory, materials are recycled or eco-friendly, and many other actions are put in place by clothing companies.

The more the years go by, the more it will be the case. The young generation, which is the most concerned and involved in the cause, will take up more and more space in society, where there will be no more room for brands that do not take responsibility for their activity. The greening of an industry does not happen by itself. Society, laws and companies are linked, it is a vicious circle. Society has to become aware first, which will lead to a change in companies as well, until legislation is reached. Everyone has a role to play and we should not neglect our personal impact on these big changes.

Bibliography

I. Books

CAMILLERI, Mark Anthony, Chapter “Corporate Social Responsibility Policy in the United States of America” p.129-143, *Corporate Social Responsibility in Times of Crisis*, Springer, 2017, Germany.

RASCHE, Andreas, MORSING, Mette, MOON, Jeremy, *Corporate Social Responsibility: Strategy, Communication, Governance*, Cambridge University Press, 2017, United Kingdom.

II. Articles

BERRADI, Mohamed, HSISSOU, Rachid, KHUDHAIR, Mohammed, ASSOUG, Mohammed, CHERKAOUI, Omar, EL BACHIRI, Abderrahim, EL HARFI, Ahmed, *Heliyon*, “Textile finishing dyes and their impact on aquatic enviroins”, Volume 5, Issue 11, November 2019.

BLESSERHOLT, Josephine, “The ‘sins’ of greenwashing: A content analysis of greenwashing’s role in the fast fashion industry”, *Stockholm University*, 2021.

CHAMBERLAIN, Gethin, “India's clothing workers: 'They slap us and call us dogs and donkeys’”, *The Guardian*, November 25, 2012.

EDDY, Elizabeth, “Fast Fashion: Adjusting Nike’s Future in the Apparel Industry”, *Oklahoma State University*, 2022.

KAELEIGH, James, “Goodbye greenwashing: envisioning the future of brand sustainability reporting in the apparel industry”, *Clarks Honors College, University of Oregon*, 2022.

LEAHY, Stephen, “World Water Day: the cost of cotton in water-challenged India”, *The Guardian*, March 20, 2015.

PELOIS, Joséphine, “RSE : piliers, buts et caractère obligatoire de la démarche”, *Le Figaro*, 2022.

ROBINSON, Roxanne, “Fashion Industry Reacts To New York Sustainability Legislation That Could Upend Transparency Practices”, *Forbes*, January 11, 2022.

III. Internet sources

AZIZUL ISLAM, Muhammad, “OPINION: Social audits, modern slavery — Covid shows apparel industry did not learn from Rana Plaza disaster”, *Just Style*, April 25, 2022. [3 March 2023]

<https://www.just-style.com/comment/opinion-social-audits-modern-slavery-pandemic-shows-apparel-industry-did-not-learn-from-rana-plaza-disaster/>

“Basics of Climate Change”, *United States Environmental Protection Agency (EPA)*, updated on August 19, 2022. [11 January 2023]

<https://www.epa.gov/climatechange-science/basics-climate-change>

BELL, Jenny, “Fashion rules: Why we need tougher laws and regulations in the fashion industry”, *Good Maker Tales*. [3 March 2023]

<https://goodmakertales.com/laws-and-regulations-in-the-fashion-industry/>

Cambridge Dictionary.

“Ce qui va changer pour le Reporting RSE dans l'UE en 2023”, *Lakaa*, September 29, 2021. [28 March 2023]

<https://www.lakaa.io/blog/ce-qui-va-changer-pour-le-reporting-rse-dans-lue-en-2023>

CHARPAIL, Mathilde, “Toxic Clothing”, *Sustain Your Style*, 2017, updated in 2022. [3 March 2023]

<https://www.sustainyourstyle.org/en/toxic-clothing>

CHARPAIL, Mathilde, “What’s wrong with the fashion industry?”, *Sustain Your Style*, 2017, updated in 2022. [2 March 2023]

<https://www.sustainyourstyle.org/en/whats-wrong-with-the-fashion-industry>

“China: 83 major brands implicated in report on forced labour of ethnic minorities from Xinjiang assigned to factories across provinces; Includes company responses”, *Business & Human Rights Resource Centre*, March 1, 2020. [4 March 2023]

<https://www.business-humanrights.org/en/latest-news/china-83-major-brands-implicated-in-report-on-forced-labour-of-ethnic-minorities-from-xinjiang-assigned-to-factories-across-provinces-includes-company-responses/>

“Corporate Social Responsibility Under Section 135 of Companies Act 2013”, *Cleartax*, 2022. [16 March 2022]

<https://cleartax.in/s/corporate-social-responsibility>

COTE, Catherine, “What is a CSR report & why is it important?”, *Harvard Business School Online*, April 20, 2021. [29 March 2023]

<https://online.hbs.edu/blog/post/what-is-a-csr-report>

DEAN, Marissa, Ph.D., “Nike Corporate Social Responsibility (CSR) and Sustainability”, *Thomas*. [24 April 2023]

<https://www.thomasnet.com/articles/other/nike-csr/>

“DHS Releases Uyghur Forced Labor Prevention Act Strategy”, *Homeland Security*, June 17, 2022. [3 March 2023]

<https://www.dhs.gov/news/2022/06/17/dhs-releases-uyghur-forced-labor-prevention-act-strategy>

DRIVER, Robin, “Nike publishes 2020 Impact Report, sets new targets for 2025”, *Fashion Network*, March 13, 2021.

<https://us.fashionnetwork.com/news/Nike-publishes-2020-impact-report-sets-new-targets-for-2025,1287264.html>

“Employee Overtime: Hours, Pay and Who is Covered”, *OSHA Education Center*. [3 March 2023]

<https://www.oshaeducationcenter.com/articles/employee-overtime/>

“Environmental Sustainability in the Fashion Industry”, *Geneva Environment Network*, updated on March 27, 2023. [15 January 2023]

<https://www.genevaenvironmentnetwork.org/resources/updates/sustainable-fashion/>

“Fashioning Accountability and building Real Institutional Change: The FABRIC Act”, *Fact Sheet, The FABRIC Act*. [3 March 2023]

<https://static1.squarespace.com/static/6269a0251862e66ba01fc4b1/t/627e5e4946e16646c86c6984/1652448842251/FABRIC+ACT+-+FACT+SHEET.pdf>

“Fast fashion”, *Oxford Languages*. [12 January 2023]

<https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwjfiMO9j8L8AhVLVaQEHbrbAloQvecEegQICxAE&url=https%3A%2F%2Flanguages.oup.com%2Fgoogle-dictionary-en&usq=AOvVaw3kNBXVjbAIAFeyFQVCJmJF>

“Free trade”, *Oxford Languages*. [1 April 2023]

“Garment Worker Protection Act”, *State of California*, 2022. [3 March 2023]

<https://www.dir.ca.gov/DLSE/GarmentFAQs/>
<https://www.dir.ca.gov/dlse/Garment/>

GARRETT, Caroline, “Greenwashing: definition and examples”, *Climate Consulting by Selectra*, 2022. [3 April 2023]

<https://climate.selectra.com/en/environment/greenwashing>

GRABISH, Beatrice, “Dry Tears of the Aral”, *United Nations (UN Chronicle)*, 1999. [3 March 2023]

<https://www.un.org/en/chronicle/article/dry-tears-aral>

HAMBLETON, Brittany, “Athletes react to Nike pregnancy ad”, *Canadian Running*, March 16, 2021. [24 April 2023]

<https://runningmagazine.ca/the-scene/athletes-react-to-nike-pregnancy-ad/>

HAYES, Adam, “Corporate Citizenship: What It Means, 5 Stages, and Examples”, *Investopedia*, updated on December 29, 2022. [26 April 2023]

[https://www.investopedia.com/terms/c/corporatecitizenship.asp#:~:text=Corporate%20social%20responsibility%20\(CSR\)%20is,while%20boosting%20their%20own%20brands.](https://www.investopedia.com/terms/c/corporatecitizenship.asp#:~:text=Corporate%20social%20responsibility%20(CSR)%20is,while%20boosting%20their%20own%20brands.)

HAYES, Adam, “Fast Fashion Explained and How It Impacts Retail Manufacturing”, *Investopedia*, September 16, 2022. [2 March 2023]

<https://www.investopedia.com/terms/f/fast-fashion.asp>

“History of SD”, *Sustainable Development Commission*. [16 March 2022]

https://www.sd-commission.org.uk/pages/history_sd.html

“H.R.1155 – Uyghur Forced Labor Prevention Act”, *Congress.gov*, 2021-2022. [3 March 2023]

<https://www.congress.gov/bill/117th-congress/house-bill/1155/text>

IGINI, Martina, “10 Concerning Fast Fashion Waste Statistics”, *Earth.org*, August 2, 2022. [3 March 2023]

<https://earth.org/statistics-about-fast-fashion-waste/>

“ISO 26000 Social responsibility”, *ISO*. [31 March 2023]

<https://www.iso.org/iso-26000-social-responsibility.html>

“La RSE, est-ce obligatoire ?”, *Edenred*, July 6, 2020. [28 March 2023]

<https://www.edenred.fr/magazine/donner-du-sens/rse/la-rse-est-ce-obligatoire>

LINDSEY, Rebecca, DAHLMAN, Luann, “Climate change: global Temperature”, *National Oceanic and Atmospheric Administration (NOAA) Climate.gov*, January 18, 2023. [11 January 2023]

<https://www.climate.gov/news-features/understanding-climate/climate-change-global-temperature>

“Living Wage versus Minimum Wage”, *Clean Clothes Campaign*. [3 March 2023]

<https://cleanclothes.org/livingwage-old/living-wage-versus-minimum-wage>

MAITI, Rashmila, “Fast Fashion and Its Environmental Impact”, *Earth.org*, December 1, 2022. [12 January 2023]

<https://earth.org/fast-fashions-detrimental-effect-on-the-environment/>

MAIZLAND, Lindsay, “China’s Repression of Uyghurs in Xinjiang”, *Council on Foreign Relations*, updated on September 22, 2022. [3 March 2023]

<https://www.cfr.org/background/china-xinjiang-uyghurs-muslims-repression-genocide-human-rights>

“Microplastics from textiles: towards a circular economy for textiles in Europe”, *European Environment Agency*, February 10, 2022, updated on February 10, 2023. [3 March 2023]

<https://www.eea.europa.eu/publications/microplastics-from-textiles-towards-a>

MOORHOUSE, Julie, “What is Fair Trade Clothing and why should we care?”, *Good Maker Tales*. [1 April 2023]

<https://goodmakertales.com/what-is-fair-trade-clothing-and-why-should-we-care/>

“Move to Zero”, *Nike*. [28 April 2023]

<https://www.nike.com/sustainability>

“New York State Assembly Bill A8352”, *The New York State Senate*, 2021-2022. [3 March 2023]

<https://www.nysenate.gov/legislation/bills/2021/A8352>

“New York State Senate Bill S7428A”, *The New York State Senate*, 2021-2022. [3 March 2023]

<https://www.nysenate.gov/legislation/bills/2021/S7428>

“Nike, Inc. Reports fiscal 2022 fourth quarter and full year results”, *Nike*, June 27, 2022. [25 April 2023]

<https://investors.nike.com/investors/news-events-and-reports/investor-news/investor-news-details/2022/NIKE-Inc.-Reports-Fiscal-2022-Fourth-Quarter-and-Full-Year-Results/default.aspx>

“Nike Sweatshops: Behind the Swoosh”, *Documentary Heaven*, July 28, 2011. [24 April 2023]

<https://documentaryheaven.com/behind-the-swoosh/>

“Qu’est-ce que la responsabilité sociétale des entreprises (RSE) ?”, *Economie.gouv*, July 18, 2022. [31 March 2023]

<https://www.economie.gouv.fr/entreprises/responsabilite-societale-entreprises-rse>

“Responsabilité sociale des entreprises ou RSE”, *Chambre de Commerce et d’Industrie (CCI)*, 2022. [2 April 2023]

<https://www.cci.fr/ressources/developpement-durable/responsabilite-sociale-rse>

RICHTER, Felix, “Ahead of the game: Nike Rules the Sneaker World”, *Statista*, 2023. [20 April 2023]

<https://www.statista.com/chart/13470/athletic-footwear-sales/>

ROBERTSON, Lara, “How Ethical is Nike?”, *Good on you*, June 29, 2022. [24 April 2023]

<https://goodonyou.eco/how-ethical-is-nike/>

“S.4213 – FABRIC Act”, *Congress.gov*, 2021-2022. [3 March 2023]

<https://www.congress.gov/bill/117th-congress/senate-bill/4213/text?s=1&r=1&q=%7B%22search%22%3A%5B%22%22%5D%7D>

SAFDIE, Stephanie, “Why Produce a CSR Report and How Should it be Presented?”, *Greenly*, updated on December 1, 2022. [31 March 2023]

<https://greenly.earth/en-us/blog/company-guide/why-produce-a-csr-report-and-how-should-it-be-presented#anchor-22>

SMOOT, Grace, “What Is the Carbon Footprint of Coal Energy? A Life-Cycle Assessment”, *Impactful Ninja*. [3 March 2023]

<https://impactful.ninja/the-carbon-footprint-of-coal-energy/>

STOBIERSKI, Tim, “Types of Corporate Social Responsibility to be aware of”, *Harvard Business School Online*, April 8, 2021. [30 March 2023]

<https://online.hbs.edu/blog/post/types-of-corporate-social-responsibility>

“Sustainable Development – What Is It? Definition, History, Evolution, Importance and Examples”, *You Matter*, updated on May 26, 2020. [12 February 2023]

<https://youmatter.world/en/definition/definitions-sustainable-development-sustainability/>

“The Fabric Act”, *The Fabric Act*. [3 March 2023]

<https://thefabricact.org>

“The impact of textile production and waste on the environment (infographic)”, *European Parliament*, December 29, 2020, updated on April 26, 2022. [1 March 2023]

<https://www.europarl.europa.eu/news/en/headlines/society/20201208STO93327/the-impact-of-textile-production-and-waste-on-the-environment-infographic>

“The Rana Plaza Accident and its aftermath”, *International Labour Organization*. [3 March 2023]

https://www.ilo.org/global/topics/geip/WCMS_614394/lang--en/index.htm

TIDSWELL, Emma, “Does Gen Z care about sustainability? Stats and facts in 2022”, *Good Maker Tales*. [8 December 2022]

<https://goodmakertales.com/does-gen-z-care-about-sustainability/>

TIDSWELL, Emma, “Understanding who grows cotton for our clothes and why that matters”, *Good Maker Tale*.

<https://goodmakertales.com/who-grows-cotton-for-our-clothes/>

TIDSWELL, Emma, “What does GOTS certified mean? Your definitive guide”, *Good Maker Tales*. [1 April 2023]

<https://goodmakertales.com/what-does-gots-certified-mean/>

“Until We All Win Community Investment Program”, *Nike*, June 24, 2020. [27 April 2023]

<https://about.nike.com/en/newsroom/statements/until-we-all-win-community-investment>

“What Is Climate Change?”, *United Nations*. [8 December 2022]

<https://www.un.org/en/climatechange/what-is-climate-change>

“What is corporate social responsibility (CSR)?”, *HEC Paris*. [8 January 2023]

<https://www.hec.edu/en/faculty-research/centers/society-organizations-institute/think/society-organizations-institute-executive-factsheets/what-corporate-social-responsability-csr>

WILLIAMS, Alan, “New study suggests wearing clothes could release more microfibres to the environment than washing them”, *University of Plymouth*, March 10, 2020. [3 March 2023]

<https://www.plymouth.ac.uk/news/wearing-clothes-could-release-more-microfibres-to-the-environment-than-washing-them>