

Multinational Corporations and Civil Society: A Case Study Comparison of H&M and Hoang Anh Gia Lai Group in Cambodia

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This paper examines the impact both positive, and negative of two multinational corporations (MNCs), H&M and Hoang Anh Gia Lai Group both of whom operate extensively in Cambodia. It examines the important role domestic civil society plays in resisting the worst predatory tendencies in MNCs, and how the capacity to resist may be curbed by authoritarian regimes. Furthermore, the essay examines the role of international groups as well as consumer society on holding MNCs accountable for their actions. Particular attention is paid to the impact these multinational corporations have on women and indigenous communities, who are in the Cambodia context two of the most vulnerable groups in society. Moreover, it is suggested that while multinational corporations may ameliorate their practices in some areas, this often requires sustained pressure from a variety of actors, with this being especially true when governments cannot or are unwilling to regulate the behaviour of corporations. Lastly, it is suggested that civil society in the host state is the most important actor for bringing pressure to bear on MNCs, they must be supported by either international actors, or the domestic government to truly reign in the most predatory behaviour of MNCs.

Introduction

Multinational corporations (MNCs) are undeniably powerful actors on the international stage possessing economic, political, environmental, and sociocultural influence that is unavoidable in today's globalized world. Their power has drawn a considerable amount of attention and debate from both critics and supporters, especially regarding their actions in the Global South¹. Critics, such as Monshipouri, argue that the structure of the neoliberal global economy permits MNCs to exploit workers in the Global South as cheap labour, capitalizing on lower standards on labour rights and environmental regulations (Monshipouri, Welch, & Kennedy, 2003). As a result, MNCs low labour and environmental standards create concerns that MNCs exert pressure on states in the Global South to suppress wages, curtail labour

¹ "Global South" is a deeply contested term within the literature, lacking any universally accepted definition. Nevertheless, for this paper I define it as follows: The Global South indicates generally the regions of Latin America, Asia, Africa, and Oceania; it is more than a mere metaphor for underdevelopment, rather, it alludes to a shared history of colonialism, neo-imperialism, and continued economic and social exploitation rooted in the global economic system.

rights, and relax environmental regulations with the goal of attracting the jobs and investment that these corporations provide (Monshipouri, Welch, & Kennedy, 2003). Advocates, conversely, view MNCs as a relatively benign vehicle for promoting development and enhancing domestic living conditions by generating employment, income and wealth, as well as introducing and distributing advanced technologies throughout the Global South (Monshipouri, Welch, & Kennedy, 2003). Despite the clear value in this debate, it runs the risk of obfuscating important nuances in the individual encounters that occur between MNCs, states, and civil society.

In this paper, I will argue that the role of civil society in both the state that is hosting the MNC's operations and in the region that the MNC is based is critical in constraining the aforementioned predatory behaviour of these corporations (Thuon, 2017). Moreover, when civil society is incapable of adequately regulating this behaviour, global governance, in the form of international organizations and NGOs, can play a key role by assisting civil society within the host state in holding the MNC accountable through the lobbying of investors. This will be achieved through a case study examination of the economic, environmental, and social impact of two MNCs operating in Cambodia, the Vietnamese Hoang Anh Gia Lai Group (HAGL) and the Swedish H&M.

H&Ms Impact on Cambodia

Economic Consequences: Low Wages and Lack of Ownership

The garment sector is vital to Cambodia's economy and future economic growth, accounting for an estimated 13% of Cambodia's GDP and 80% of exports, employing approximately 700,000 Cambodians. Furthermore, Cambodia has been the sixth fastest expanding economy in the world over the past two decades, with an average GDP growth rate of 7.6%, which is driven largely by growth in the garment sector (International Labour Organization [ILO], 2017). H&M plays an important part in this for two reasons. First, as the second largest global corporation, with around 4,500 stores in 62 countries and annual revenues of \$26.8 billion USD in 2016, H&M has significant influence over both its own supply chain, and through isomorphic pressures over trends and practices throughout the garment industry (H&M, 2018).² Second, in terms of the garment industry, H&M has a particularly large presence in Cambodia, enabling them to exert pressure on the state (H&M, 2018).

H&M itself does not own any of the factories it operates globally; instead, they prefer to license out production to third-party corporations that are often based in East Asia. In Cambodia, H&M sources from 69 factories, 43 of which are engaged in manufacturing while 26 are engaged in processing (H&M, 2018). As previously stated, these factories are rarely owned by Cambodians, but rather, by investors from larger, more developed East Asian economies such as China, South Korea, and Taiwan (Asia Floor Wage Alliance [AFWA], 2016). This system has been criticized because foreign owners have very little

² Isomorphic pressures are an explanation of why and how organizations in similar industries begin to look and act alike. Institutional theory claims that isomorphism occurs predominantly through coercive, mimetic, and normative pressures (DiMaggio and Powell, 1983). Coercive pressures are those exercised by powerful organisations within industry networks as well as cultural or societal pressures. Mimetic pressures occur when an organisation, due to unpredictably, mimics the actions of successful rivals in the industry. Normative pressure relates to professionalization, principally the expansion of formal education and professional networks (DiMaggio and Powell, 1983).

incentive to pour money into the Cambodian garment sector, consequently limiting the creation of a more advanced domestic supply chain (Natsuda, Goto, & Thoburn, 2010).

In terms of labour force, these sixty-nine factories employ between 107,968 and 142,399 workers directly involved in the production of H&M garments, with 90-95% of whom are women between the ages of 18 and 35 (H&M 2018; Human Rights Watch [HRW], 2015). These factories provide an important source of employment for women, especially those from rural areas who often migrate to garment producing hubs such as in Phnom Penh (AFWA, 2016). However, despite their prevalence within the industry, women are often stuck in low skill positions with little chance at advancement (AFWA, 2016). Moreover, despite claims H&M made in 2013 that by 2018 they would ensure workers are paid a living wage of \$216 USD per month, they are still predominantly sourcing from factories that pay just above, or at, the \$140 USD minimum wage as of 2016 (AFWA, 2016). Consequently, numerous workers have been forced to seek overtime to support their families (Board, 2016). This has generated intense criticism from a combination of actors, including Cambodian labour unions and activists, concerned consumers in the Global North, and international organizations and NGOs, who have called on H&M to honour its promise to provide a living wage (Board, 2016). However, it has been acknowledged by some NGOs that H&M is making a visible effort to implement changes which focus on reduced overtime, higher wages, and increased worker satisfaction (Board, 2016). Nonetheless, H&M still has significant issues that must be addressed regarding the treatment of workers involved in garment production.

Social impact: Gendered Discrimination

Despite providing a much-needed source of employment for women, there are several structural factors that directly have a negative impact on women. Predominant amongst these is that most contracts in H&M factories are short-term, ranging between 1 to 4 months (HRW, 2015). Numerous studies have demonstrated that employment insecurity, resulting from short term contracts, causes greater perceptions of workplace fatigue and greater psychological stress; increasing the propensity for drug abuse, and suicide (Moscone, Tosetti, & Vittadini, 2016). Furthermore, although the Cambodian labour code regulates working conditions including minimum age, pregnancy entitlements, leave and occupational health and safety standards, these are rarely enforced due, in part, to “inefficient labour inspections, corruption and the rapid expansion of the number of factories in Cambodia” (AFWA, 2016). This confluence of factors has had severe consequences on women, including reports of bathroom breaks being monitored or outright denied by male supervisors, even in cases of illness (HRW, 2015). The same occurs for food and water breaks, even when employees are working 12+ hour shifts (HRW, 2015). Lack of food and water breaks, as well as extreme food budgeting caused by low wages, has been correlated with numerous health concerns, as 32.6% of female garment workers are underweight, 26.9% suffer from anemia, and 22.1% are iron-deficient (Makurat, et al., 2016). These health concerns have serious long-term social implications as most of these women are in their reproductive years and malnutrition during pregnancy is strongly correlated with increased morbidity, post-partum cognitive impairment, prematurity, and intrauterine growth retardation (Abu-Ouf & Jan, 2015). Further issues surrounding pregnancy are rife with employers generally refusing to hire pregnant women (HRW, 2015). Additionally, women who become pregnant “are routinely denied sick leave to visit doctors, terminated from their contracts early, or left without any maternity leave when their short-contracts are not

renewed” (AFWA, 2016) This creates extreme pressure on pregnant women, often leading to them seeking out risky ‘back alley’ abortions (AFWA, 2016). Beyond just health associated risks and discriminatory working conditions, women also report being subject to an unsafe work environment.

Female workers are often exposed to sexual harassment and assault by their male coworkers and supervisors, with 20% of women reporting experiences of violence in the workplace (ILO, 2012). Creating an atmosphere of fear in which women report feeling intimidated but are unwilling to speak out as they fear retaliation in the form of termination, and industry blacklisting. (ILO, 2012). Although these issues are widespread throughout the industry and H&M is not solely responsible for labour conditions in the factories they source from, they have the financial resources and power within the industry to be a leader in improving labour standards and the treatment of women throughout both their suppliers and the garment sector more generally.

Environmental Impact: A Partial Success Story

H&M, as previously mentioned, has been at the forefront of environmental reform. They were the first major garment producer to ban perfluorocarbons (PFCs) across all products, one of the first to ban the sandblasting of denim, and is the world’s largest consumer of organic cotton (Shen, 2014). Additionally, H&M was at the forefront in partnering with Greenpeace with the goal of achieving zero discharge on hazardous chemicals across the supply chain (Shen, 2014). H&M has also been working with the World-Wide Fund for Nature (WWF) in creating a strategy to improve their management of water resources throughout the textile production cycle (Shen, 2014). Further, H&M aims at sending zero waste from the organization to landfill through the extensive use of recycled materials such as cotton, plastic, wool, polyamides and polyester (Shen, 2014). Supporting their recycling initiative is an extensive garment recollection program that turns garments that are no longer suitable for wear into a variety of products including cleaning cloths, textile fibres, or components used to manufacture industrial products such as insulating material for the auto industry (Shen, 2014). H&M’s focus on sustainability has helped to reduce its environmental impact on Cambodia, but there are still areas of concern, especially related to the high levels of air pollution caused in part by the intensive operations of the garment industry (San, Spoann, & Schmidt, 2018). Furthermore, despite 4 million people in Cambodia lacking access to safe water, H&M’s factories continue to consume vast quantities of water to meet the intensive demands of production (San, Spoann, & Schmidt, 2018). Notwithstanding these persistent issues, H&M’s relatively progressive environmental practices are laudable and can be attributed to a confluence of factors: market pressure from environmentally conscious consumers in the Global North, advocacy by civil society in Global South countries that H&M sources from, and the presence of international institutions such as the ILO and Greenpeace supporting H&M’s improvements in environmental sustainability (Mak, 2016; Pimentel, Aymar, & Lawson, 2018). This clearly stands in stark contrast to the area of wage concerns and women’s issues, which have unfortunately failed to garner the same level of prominence among consumers, in conjunction with the unwillingness, or inability, of international institutions to bring pressure on H&M (Pfeffer, 2013). Thus, Cambodian civil society, which is often heavily suppressed by the government, lacks meaningful international support in their lobbying of H&M to improve conditions at the factories they source from. These issues in Cambodia are not unique to H&M but can also be observed in the interaction between HAGL, Cambodian civil society, the State and Global Governance organizations.

HAGL's Impact on Cambodia

Economic Concerns: Issues of Transparency

It is difficult to accurately determine HAGL's economic impact in Cambodia, as much of their financial documentation and reporting is opaque and remains unverified by reputable third-party sources. Therefore, the data that HAGL does provide should be viewed with a degree of skepticism. Further complicating matters is that HAGL operates numerous subsidiaries and shell companies allowing it to circumvent Cambodian laws surrounding limitations on the amount of land any one company can lease (Reuters, 2013). According to HAGL "once their projects enter stable operations, they will employ approximately 8,000 workers with an average monthly salary of \$250 USD each" (Vietnam Chamber of Commerce and Industry [VCCI], 2014). Additionally, evidence suggests that HAGL's total foreign investment in Cambodia is estimated to be in excess of \$100 million USD (Minh, 2013). Two iron mines comprise of \$40 million USD of this investment, while the rest is primarily in the rubber industry, with smaller investments in other agricultural products such as palm oil and bananas (Minh, 2013).

HAGL reports that in the areas where they operate these projects, primarily in Ratanakiri province, they have provided two infrastructure development packages, "the community support package" (CSP) and the "community investment infrastructure program" (CIIP) (VCCI, 2014). These projects both ran from 2013-2016 with \$10 million USD provided under the CSP for the construction of roads, houses, wells, schools and clinics, and \$3 million USD provided under the CIIP to "execute items agreed with the communities... mainly essential public works like roads, bridges, community houses, schools, water wells, toilets" (VCCI, 2014). HAGL's final major investment in Cambodia was their \$4 million USD sponsorship of the Cambodian Football Federation to build the National Football Academy in Bati, Takeo Province (VCCI, 2014). Although these numbers appear impressive, they are difficult to verify as previously noted. Furthermore, reports by the Cambodian government are equally dubious, owing to considerable evidence of corruption and reported high-level connections between HAGL and the Hun-Sen administration (Work, 2016). Additionally, concerns have been raised that illegal land and resource grabs have negatively impacted the economies of local farmers and Indigenous communities, as their ability to engage in traditional activities such as hunting, fishing, resin tapping, and sustainable agriculture has been impeded (Thuon, 2017). Although this has led to activism against HAGL and their international investors by Indigenous communities and global NGOs, progress towards a meaningful remedy has been slow (Work, 2017). This can be attributed to both the inability of Vietnamese civil society to bring pressure on HAGL and the persistent view by Cambodian policy makers "...that Indigenous peoples "waste" precious land that could be used to further the country's economic development" (Thuon, 2017). Beyond just economic concerns, HAGL's actions have had a disastrous impact on the traditional social and spiritual practices of Indigenous communities.

Social Impact: Indigenous Way of Life in Jeopardy

HAGL's operations have seen important spiritual sites of the Ratanakiri's Indigenous peoples polluted or destroyed, including spirit forests, burial grounds, and sacred streams, ponds, and fields

(Bugalski & Thuon, 2015). Spirit forests are central to the identity of Indigenous communities and play an integral role in traditional ceremonies (Thuon, 2017). Indigenous peoples make offerings to the spirits in these forests, and they believe that their inability to protect the forest will be punished through disease and natural disaster (Bugalski & Thuon, 2015). Moreover, HAGL has callously attempted to address these grievances through the promise of jobs on rubber plantations and gifts of rice, money, and other goods. This has caused great anger and concern among indigenous peoples who consider the gifts as insufficient given the extent of the devastation caused; they also view the new livelihood on the rubber plantations promised by the government and HAGL as “discordant with their traditional livelihood practices” (Bugalski & Thuon, 2015). These acts by HAGL, which impede the ability of Indigenous peoples to practice and enjoy traditional cultural acts and customs, amount to a violation of Articles 11 and 12 of the United Nations Declaration on the Rights of Indigenous Peoples to which both Cambodia and Vietnam are signatories (Bugalski & Thuon, 2015). Considerable pressure was brought upon HAGL and their international investor, the International Finance Corporation, a member of the World Bank Group, to remedy this situation by a combination of international NGOs such as Inclusive Development International and Global Witness on behalf of local indigenous groups (Work, 2016). In 2017, five years after initial reports showed the destruction of HAGL’s actions, a settlement was brokered between local communities and HAGL by the IFC’s Compliance Advisor Ombudsman (CAO) “to return nearly 20 community spirit mountains, restore streams filled or polluted by its activities and repair roads and bridges” (Seangly & Bourmount, 2017). Indigenous communities, although pleased by the resolution, maintained concerns over the possibility of similar future abuses, and the extent of environmental degradation (Work, 2016).

Environmental Degradation

As noted, HAGLs actions have caused widespread environmental devastation throughout Ratanakiri province. Intensive logging and the cultivation of plantations has caused the destruction of both dense old-growth forests and secondary evergreen and tropical forests (Bugalski & Thuon, 2015). Owing to the continued disappearance of the forests, numerous species, including the yellow-checked gibbon, the giant ibis, the gaur, and the Asian elephant, are increasingly endangered (Bugalski & Thuon, 2015). Additionally, although rubber trees function as a carbon sink, they are less effective in this role than the original forests they replaced. Furthermore, widespread water pollution has damaged fish habitats and poisoned drinking sources. In conjunction with significant air and soil pollution, this has caused a retrogression in health outcomes (Bugalski & Thuon, 2015). To counteract these health concerns, HAGL instituted a medical program under their CSP initiative providing much needed services to communities, with notable improvements for those who have received treatment for visual impediments and eye disease (Bugalski & Thuon, 2015). Additional issues exist in the significant water consumption required by mining and rubber plantations, further stressing water supplies in rural regions (Ziegler, Fox, & Xu, 2009). Although HAGL has been pressured by Cambodian civil society and NGOs to ameliorate its environmental practices, there has been only modest improvement beyond the area of Indigenous land dispute (Work, 2016). This can be potentially attributed to a lack of pressure from both the Cambodian state and international investors upon HAGL in the area of environmental sustainability (Thuon, 2017).

Conclusion

MNCs can function as an important engine for economic growth, providing jobs, investment, and infrastructure development. However, their operations often come with heavy consequences in terms of labour issues, sociocultural problems, and environmental degradation. Although the most desirable solution is for MNCs to move away from the prevailing culture of placing profit above all else, it is difficult to imagine this occurring soon. Thus, in situations where the state is unable or unwilling to regulate the most predatory actions of MNCs, thereby failing to ensure the rights and wellbeing of its citizens, other groups must apply pressure to such corporations (Work, 2016). Civil society within the host state is the most pivotal actor for change; even in the case of a repressive regime like Cambodia, it has played a principal role in publicizing the issues caused by both H&M and HAGL. However, there are limits to what civil society can achieve, especially in authoritarian states (Thuon, 2017). Therefore, civil society's effectiveness in lobbying for better conditions is bolstered by the assistance of international organizations and NGOs, and the ability of consumer/civil society in the region of the MNC's origin to place pressure on the MNC (Thuon, 2017). When one or more of these groups is incapable or unwilling to bring sustained pressure upon the MNC to improve their operations, especially if that MNC has support from the host state, it becomes difficult to achieve better conditions (Thuon, 2017). Tragically, it is often the most vulnerable in society who experience the greatest abuse and suffering at the hands of MNCs, as is evident in the impact that H&M and HAGL have had on women and indigenous communities, respectively.

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