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Sustainability, Labour & Second-Hand Fashion



How to Use The Handbook:

This handbook is short and practical. Each section gives you essential knowledge, examples relevant to African contexts, and key takeaways. You don't need a legal background, just curiosity and a desire to protect and grow within fashion.

This handbook is part of a 10-part series by the Fashion Law Academy Africa (FLAA) to make fashion law accessible to African creatives and stakeholders.

Purpose:

To explore ethical and policy challenges in African fashion supply chains, with a focus on sustainability, labour, and the second-hand clothing economy.

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Sustainability, Labour & Second-Hand Fashion

Introduction

Sustainability and labour are at the heart of the global fashion debate. The industry is not only resource-intensive but also heavily reliant on human labour, often under harsh and unfair conditions. In Africa, these issues take on a unique shape. The continent is both a producer, through cotton, gemstones, and garment manufacturing, and a consumer of global second-hand waste. This dual position makes it crucial to examine policies that address worker protection, fair wages, child labour, sustainability claims, and the growing second-hand clothing economy.

Labour Laws and Worker Protections

Labour rights are a crucial but often neglected part of many fashion supply chains. Many garment workers face long hours, low wages, and unsafe conditions, particularly in informal sectors where oversight is weak.

- **Labour Laws in Africa:** Most African countries have statutory laws that regulate working hours, safety, and wages. For example, Ethiopia's Labour Proclamation outlines basic protections, yet enforcement is inconsistent.
- **Fair Wages:** Wages in many garment factories remain below living standards. Ethiopia, once promoted as a low-cost garment hub, has been criticised for paying the lowest wages in the global fashion

industry.

- **Worker Protections:** Trade unions and collective bargaining exist in some countries, but workers in informal sectors (like Nigeria's tailoring hubs) often remain unprotected.

Policy Note: Stronger enforcement of labour laws, worker education, and inclusion of informal workers under social protection schemes are key to creating a fairer fashion economy.

Child Labour and Mining in Supply Chains

Beyond textiles, fashion relies on minerals like gold (for jewellery) and gemstones (for luxury items). Unfortunately, mining in parts of Africa is closely tied to child labour and unsafe working conditions.

- **Child Labour:** Children are often found in artisanal and small-scale mines in countries like the Democratic Republic of Congo, Ghana, and Sierra Leone.

- **Legal Frameworks:**

International conventions, including the ILO Minimum Age Convention and the African Charter on the Rights and Welfare of the Child, prohibit child labour. However, gaps in monitoring and enforcement remain.

- **Corporate Responsibility:**

Global brands are increasingly pressured to carry out supply chain due diligence to ensure they are not sourcing from exploitative mines.

Policy Note: Governments must strengthen inspections, while brands must implement transparent sourcing policies and support community initiatives that reduce children's economic vulnerability.

Sustainability Claims vs Greenwashing

Sustainability is now a buzzword in fashion, but many claims are misleading. Greenwashing happens when brands exaggerate or falsely

advertise their sustainability efforts.

- **Legitimate Sustainability Tools:** Certifications like Fair Trade, GOTS (Global Organic Textile Standard), and OEKO-TEX help identify genuine eco-friendly practices.
- **Greenwashing in Practice:** Some brands claim to use “sustainable cotton” without traceable proof or run “conscious” collections that make up only a tiny fraction of their output.
- **African Dimension:** As global fashion giants expand into Africa, consumers must be equipped to question these claims and demand transparency.

Policy Note: African governments can strengthen consumer protection laws to monitor false advertising and introduce penalties for unverifiable sustainability claims.

The Second-Hand Clothing Economy

Second-hand clothing, often called “okirika”, “mitumba”, or “dead white man’s clothes”, dominates markets across Africa.

- **History:** These imports became widespread in the 1980s and 1990s during structural adjustment programmes.
- **Economic Impact:** The trade creates millions of jobs in resale and tailoring but also stifles local textile and garment industries.
- **Legal Restrictions:** Countries like Rwanda have imposed bans to protect local industries, while others (like Kenya and Ghana) continue to import due to strong consumer demand.
- **Social and Cultural Aspects:** For many, second-hand clothing is affordable and fashionable, but for local designers, it creates unfair competition.

Policy Note: Instead of blanket bans, African governments may adopt graded import restrictions, invest in local textile industries, and promote regional value chains.

Circular Fashion and Textile Waste

Africa faces growing challenges with textile waste, much of which comes from unusable second-hand clothing that ends up in landfills.

- **Circular Fashion Defined:** A system where clothes are designed, produced, and used in ways that extend their lifecycle (reuse, recycle, upcycle).
- **Textile Waste in Africa:** Ghana's Kantamanto Market receives tonnes of second-hand clothing weekly, much of it unsellable and dumped.
- **Opportunities:** African designers are leading in upcycling—turning waste into new products. Start-ups in Nigeria, Kenya, and South Africa are pioneering recycling solutions.
- **Policy Gaps:** Few African countries have waste management policies specifically for textiles.

Policy Note: Governments can support circular fashion by incentivising recycling start-ups, creating waste management regulations, and integrating circular practices into national sustainability strategies.

Key Takeaways

- Labour rights enforcement is weak, especially in informal garment sectors.
- Child labour in mining remains a pressing ethical concern.
- Sustainability claims must be regulated to prevent greenwashing.
- The second-hand trade provides jobs but undermines local industries.
- Textile waste is a rising crisis, but circular fashion offers solutions.

The Way Forward:

African governments, businesses, and fashion stakeholders must work together to strengthen labour laws, regulate imports, combat greenwashing, and promote sustainable local industries.

Glossary

Term	Meaning
Fair Wages	Pay that meets workers' basic needs and provides some discretionary income.
Informal Sector	Economic activity not regulated by formal laws (e.g., street tailoring).
Child Labour	Work that deprives children of education or harms their health and development.
Artisanal Mining	Small-scale, often manual mining practices with limited regulation.
Due Diligence	A process where companies investigate their supply chains for risks like exploitation.
Greenwashing	Misleading marketing about a company's environmental practices.
Fair Trade	Certification ensuring producers in developing countries receive fair compensation.
Consumer Protection Law	Laws that safeguard buyers from unfair or false business practices.
Structural Adjustment Programmes	Economic reforms of the 1980s–1990s that encouraged imports and reduced local protections.
Upcycling	Transforming waste materials into new, higher-value products.
Recycling	Converting waste into reusable materials.
Supply Chain Transparency	The disclosure of information about how products are made.
Waste Management Policy	Government frameworks for handling and reducing waste.
Second-Hand Clothing	Pre-owned clothing imported into Africa.
Value Chain	The full range of activities required to bring a product from design to consumer.

