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Agreement reached on EU prohibition of goods produced through forced labour

The European Union has taken an important step towards combating forced labour by reaching a tentative agreement on new legislation that would prohibit products created using forced labour from accessing the EU market.

The new rules are designed to create a robust framework for enforcement, which includes conducting investigations into companies' supply chains, both within the EU and in third countries. If these investigations reveal the use of forced labour, the implicated products will be required to be withdrawn from the EU market and online marketplaces, and they will be confiscated at the borders. These products must then be either donated, recycled, or destroyed unless they are strategically important to the Union. In such cases, they may be withheld until the company removes forced labour from its supply chain.

To facilitate the enforcement of these rules, the EU will establish a Forced Labour Single Portal, which will provide guidelines, information on bans, and a database of risk areas and sectors. It will also include publicly available evidence and a portal for whistleblowers. A Union Network Against Forced Labour Products will also be set up to enhance cooperation between authorities.

The regulation also includes provisions for cooperation with third countries, which may involve sharing information on risk areas or products and best practices, especially with countries with similar legislation. The European Commission, acting as a lead competent authority, may conduct checks and inspections in third countries with the consent of the relevant company and the country's government.

Co-rapporteurs Samira Rafaela and Maria-Manuel Leitão-Marques have highlighted the significance of this law in human rights and its role in ensuring fair trade and clean supply chains while prioritizing human rights. They also pointed out the grim reality of forced labour, which affected an estimated 27.6 million people in 2021.

The following stages entail the provisional agreement receiving final approval from the European Parliament and the Council. Once adopted, the rule will be published in the EU's Official Journal. It will go into effect the next day. EU nations will then have three years to implement the new laws.

The EU has introduced a product-focused regulation that does not impose additional due diligence requirements on companies that do not use forced labour in their supply chains, unlike the directive on Corporate Sustainability Due Diligence, which is still awaiting final approval from the Council. This move demonstrates the EU's commitment to upholding human rights and ethical trade practices.