JOINT STATEMENT

The EU Forced Labour Ban requires clear and effective remediation measures

We, the undersigned organisations, welcome the objectives of the European Commission’s proposal for a Regulation (2022/0269 COD) on prohibiting products made with forced labour on the Union market, the so-called ‘EU Forced Labour Regulation’.

As Companies, Trade Unions, Civil Society Organisations, Certification Organisations and Multi-stakeholder Initiatives, we stress the need to have clear and effective provisions on remediation in the EU Forced Labour Regulation.

Remediation is a key step of human rights due diligence, as defined by the UN Guiding Principles on Business and Human Rights (UNGPs) and the OECD Due Diligence Guidance for Responsible Business Conduct (RBC). Provisions for remediation are also expected to be included in the EU Directive on Corporate Sustainability Due Diligence (CS3D).

Including remediation and other appropriate measures in the EU Forced Labour Regulation would enhance the legislation’s effectiveness in eradicating forced labour from supply chains.

Remediation provisions regarding forced labour are crucial for providing remedy to victims of forced labour. At the same time, they can support companies in building meaningful long-term relations with their suppliers to address and prevent forced labour risks in their operations and supply chains.

Consequently, the EU Forced Labour Regulation should indicate the possibility for companies to take remedial actions depending on their involvement in an identified case of forced labour. These remedial actions should be aligned with the cause, contribution and linkage “involvement framework” set out in the UNGPs and OECD Due Diligence Guidance for RBC and expected to be included in the EU CS3D.

Competent authorities or the European Commission should be required to lift the withdrawal of the concerned products from the market if they establish that companies took action to remediate forced labour cases in line with the above-mentioned involvement framework.

Brussels, 26 February 2024

Companies and Business associations

AIM - European Brands Association

amfori

Caobisco
European Solar Manufacturing Council

First Solar

Responsible Business Alliance

Tony’s Chocolonely

Multi-stakeholder Initiatives

Fair Wear

International Cocoa Initiative

Trade Unions

European Trade Union Confederation

Civil Society Organisations

Anti-Slavery International

Business & Human Rights Resource Centre
The Freedom Fund

The Remedy Project

Certification Organisations

Fairtrade International

Rainforest Alliance

World Fair Trade Organization - Europe