

A call for UK ban on products tainted with forced labour

Executive Summary

July 2024

To fulfil its commitment to eliminate forced labour from global value chains, the UK must introduce import controls on products tainted with forced labour. **Anti-Slavery International calls on the UK Government to introduce primary legislation to ban the import of goods tainted with forced labour. The ban should cover products made (in whole or in part) or transported using forced labour.** This briefing document outlines the rationale behind this call, as well as the elements that the proposed law must include.

In 2021, the International Labour Organization (ILO) estimated that 21.2 million people are in forced labour, either at the hands of private sector actors or governments. Forced labour is deeply embedded in the value chains of corporations around the world, including those operating in the UK. It is clear that voluntary initiatives have failed to protect workers or end forced labour in value chains.

The UK Modern Slavery Act 2015, with its Transparency in Supply Chains provision (TISC), was seen as a landmark legislative effort to address modern slavery in supply chains. However, in practice, it has not meaningfully changed corporate behaviour or succeeded in eradicating modern slavery from the UK's global supply chains. Ultimately, legislation that focuses solely on transparency and reporting is too weak to drive positive systemic change.

Without effective policies and practices in place, companies continue to profit from forced labour and goods tainted with forced labour continue to feature heavily among UK consumer purchases. The UK needs stronger laws that hold companies accountable and drive remedy for workers who have experienced harm. Adopting targeted measures to eliminate forced labour and protect the most vulnerable groups is therefore a matter of urgency.

Import control legislation is one such measure. A powerful tool, it can be used to enforce companies' obligation to identify and address forced labour in their value chains, remediate affected workers and introduce corrective measures to prevent further harm. It is integral to driving positive outcomes for victims of forced labour.

Import control legislation can also play a critical role in combating state-imposed forced labour, such as in Turkmenistan and the Xinjiang Uyghur Autonomous Region (Uyghur Region). By blocking market access, it puts pressure on perpetrating governments to end their abusive practices.

Support for import controls has been increasing among policymakers, businesses, the general public and civil society organisations. Many countries and regions – including the US and the European Union – have already acted on the need to implement stronger laws. The US Tariff Act, for example, bans the import of goods linked to forced labour and establishes a number of enforcement measures (such as Withhold Release Orders). The US Uyghur Forced Labor Prevention Act focuses specifically on goods from the Uyghur Region. It puts the onus on companies to prove their goods were not made with forced labour.

The UK's failure to keep pace with global efforts to address forced labour in value chains risks the UK becoming a dumping ground for goods tainted with forced labour.

Effective import controls would:

- Stop companies importing products tainted with forced labour into the UK.
- Stop companies profiteering from state-imposed forced labour, end UK corporate and government complicity in state-imposed forced labour and put meaningful pressure on perpetrating governments to end this practice.
- Compel companies to map and disclose their value chains.
- Incentivise meaningful corporate due diligence, by requiring companies to identify and remediate abuses, and implement corrective measures to prevent their reoccurrence.
- Facilitate immediate and effective remediation for victims of forced labour.
- Safeguard the UK from products tainted with forced labour that have been rerouted from countries with stronger legislation.

Recommendations for the UK Government on the introduction of import controls

Import control legislation to end forced labour in UK value chains must:

- Empower the relevant authorities to investigate and make determinations on whether goods have been made with forced labour, and enforce import controls.
- Provide for the potential to target specific entities or groups of entities and, in situations of state-imposed forced labour, entire regions or industries.
- Require determinations of forced labour to be qualified against the ILO's forced labour indicators and its handbook *Hard to see, harder to count: Handbook on forced labour surveys*.
- Establish a formal procedure for workers, communities or their representative groups to make complaints.
- Allow stakeholders to alert the authorities anonymously and ensure they are protected against retaliation.
- Oblige the relevant authorities to meaningfully and safely consult potentially affected workers and their representatives before enforcing any import controls. This would help make sure any controls imposed won't cause further harm.
- Require public disclosure of the results of investigations and the rationale for decisions to ban products from entering the UK.
- Place the onus on companies to prove that their goods were not made (in whole or in part) or transported using forced labour.
- Oblige companies to map and disclose their supply chains.
- Require companies to provide effective remedy to workers as a pre-condition of lifting any ban.

To end forced labour in UK value chains, import controls should be introduced as part of a broader, complementary mix of measures. Such measures include:

- Introducing a [Business, Human Rights and Environment Act](#) that requires companies, financial institutions and the public sector operating in the UK to conduct human rights and environmental due diligence;
- Improving domestic enforcement of labour rights and migrant worker protections;
- Other relevant trade and development policies.

The UK must play its part in ending forced labour in value chains by aligning UK policy with global developments and heeding the growing consensus on the need for import controls.