WHITE PAPER

on Remediation of Forced Labour in the Private Economy



SCOPE & DRIVERS

LEGAL FRAMEWORK

EFFECTIVE REMEDY

PREVENTION

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About this publication

This publication has been prepared by a coalition of civil society organisations (CSOs) and trade unions working on forced labour. Coalition members bring together diverse sectoral and thematic expertise, experiences and perspectives from across the globe. Some members also represent networks of CSOs based in non-EU producer countries, including organisations in Sri Lanka, India, Bangladesh, Türkiye, Thailand and Brazil as part of the EU co-funded project *Towards Forced Labour Free Clothes: A Multi-Country Civil Society Initiative*.

The publication explores key concepts relating to the remediation of forced labour, presents an analysis of relevant issues, and proposes approaches to remediation. It aims to contribute to discussions on the implementation of the EU Forced Labour Regulation and to strengthen access to remedy.

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EXECUTIVE SUMMARY

Forced labour remains a pervasive human rights violation in global supply chains, affecting an estimated 17.3 million people in the private economy worldwide. It is sustained by structural vulnerabilities and business practices, including irresponsible purchasing, exploitative recruitment, inadequate wages, discrimination, restrictions on freedom of association and weak labour protections. Eliminating it requires more than identifying abuses or removing products from the market: affected workers need effective remedies, and the root causes of exploitation need to be addressed and eliminated to prevent recurrence.

International standards recognise workers' right to effective remedy and the complementary responsibilities of states and businesses. The United Nations Guiding Principles on Business and Human Rights (UNGPs) and the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct establish remediation and human rights due diligence as distinct but mutually reinforcing responsibilities. In the European Union, the Corporate Sustainability Due Diligence Directive (CSDDD) and the Forced Labour Regulation (FLR) further shape corporate accountability and enforcement in relation to egregious human rights abuses. As implementation of these instruments advances, a central challenge is ensuring that actions to eliminate forced labour deliver meaningful, accessible and lasting remedy for those harmed.

This white paper presents a practical, worker-centred approach to remediation in the private economy. Prepared by a coalition of civil society organisations, it examines international and EU standards, structural drivers of forced labour, and sets out characteristics of effective remedies and prevention, helping companies address forced labour and competent authorities in assessing the credibility of remediation efforts.

The paper advances five principles of an effective remedy:

Responsibility should reflect the company's relationship to the harm. Under the UNGPs,

businesses that cause or contribute to an adverse human rights impact should provide for or cooperate in remediation. Where an impact is directly linked to a company's operations, products, or services through a business relationship, the company should use leverage to encourage those responsible to provide remedy. Because involvement can evolve over time depending on a company's own acts or omissions, the nature of a company's involvement needs, therefore, to be reassessed in context and translated into operational and financial commitments and resources.

Effective remediation needs to address both the harm suffered and its underlying causes. Remedy is both a process and an outcome, centred on affected workers' experiences, needs and expectations. Remedy may include ending abusive practices, restitution, reimbursement of recruitment fees and related costs, payment of unpaid wages, compensation, medical, psychological and legal support, and guarantees of non-repetition. Remedy should be proportionate to the severity and consequences of the harm, responsive to individual circumstances and vulnerabilities and designed, as far as possible, to restore workers to the position they would have occupied without the abuse. Both collective and systemic harms need to be addressed.

Worker participation is fundamental. Workers and their legitimate representatives should participate in identifying and investigating abuses, defining remedy, monitoring implementation and assessing outcomes. Grievance mechanisms must be accessible, trusted, safe and effective, ensuring confidentiality and protection against retaliation. Migrant workers and other marginalised rightsholders often face higher risks resulting from recruitment debt, insecure immigration status, language barriers, discrimination and fear of dismissal, detention or deportation. They must be able to participate meaningfully in the remedy process without endangering their safety, livelihoods or legal status.

Remedy and prevention need to be pursued together. Addressing forced labour effectively requires structural reform and ongoing verification of outcomes. Rather than shifting remediation costs to suppliers or affected workers, companies should address the structural and commercial conditions that increase the risk of forced labour through responsible purchasing, prices that reflect the cost of decent work (such as the provision of living wages or recruitment costs), reasonable production timelines, and respect for freedom of association and collective bargaining. Independent worker representation and meaningful engagement with trade unions and other legitimate worker representatives are vital for identifying risks, raising grievances and securing lasting improvements.

Remediation should be integrated into due diligence, governance and enforcement: Companies should integrate remediation into governance, commercial decision-making and human rights due diligence, while competent authorities, under instruments such as the FLR, should consider whether remediation delivers meaningful outcomes for workers and prevents future harm.

To operationalise these principles, the paper proposes a practical five-stage approach for companies:

1. **Prepare and anticipate**: Assign governance responsibilities; resource remediation procedures and grievance mechanisms; prevent all retaliation; and establish cooperation with suppliers, workers and other stakeholders.

2. **Identify and investigate:** Investigate allegations and any indications of forced labour identified through human rights due diligence, determine the scope of abuse, identify all affected workers—including former workers where feasible—and assess the company's involvement and the full consequences of the harm.

3. **Alleviate imminent danger:** Protect workers' physical and psychological safety, prevent further abuse and provide urgent assistance without delaying full remediation.

4. **Deliver full remediation:** Use time-bound, accountable corrective and preventative action plans to provide appropriate financial and non-financial remedy and reform the practices that enabled forced labour.

5. **Document, monitor and verify impact:** Record actions and outcomes; follow up with workers, assess their satisfaction and verify that harm has been addressed and recurrence prevented.

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Introduction

International human rights law and standards establish the right of all workers affected by forced labour to effective remedy.

Ensuring a remedy is effective in practice is a complex undertaking, requiring remediation efforts to account for diverse operating environments and the varying needs and circumstances of affected workers. The possibilities for individuals and groups to claim and obtain remedy often depend on the characteristics of the specific forced labour situation, including but not limited to the location where the forced labour occurred[1], the national legal context[2], victims' nationality[3], internal or international migration movement[4] and their personal situation. It also entails a comprehensive process to identify the actors responsible for the harm, assess how they can be held accountable and determine the remedy to be provided.

Providing access to an enforceable remedy for human rights violations is a central state obligation enshrined in key international and regional human rights instruments, including the International Covenant on Civil and Political Rights[5] (ICCPR), the European Convention on Human Rights[6] (ECHR) and the EU Charter on Fundamental Rights[7] (CFR).

Increasingly, the remedial responsibilities of companies are also clarified in soft law instruments as well as legislation, in particular the Directive (EU) 2024/1760 on Corporate Sustainability Due Diligence[8] (CSDDD) and incentivised by the Regulation (EU) 2024/3015 on prohibiting products made with forced labour on the Union market[9] (the Forced Labour Regulation (FLR)). Reflecting the complementary but distinct role between states and companies, the United Nations Guiding Principles on Business and Human Rights[10] (UNGPs) have dedicated a standalone pillar on access to remedy while the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct[11] (OECD GL) stress remedy as independent from, but critical to the human rights due diligence process.

As implementation guidance for the EU CSDDD and Forced Labour Regulation[12] continues to emerge, the application of effective, worker-centred remedy has never been more central to responsible business conduct. This white paper serves as a practical resource to support companies in identifying risks of forced labour, and in delivering effective, rightsholder-centred remedy for workers affected by forced labour. It also provides guidance to EU competent authorities enforcing the Forced Labour Regulation across global supply chains in assessing the credibility of remediation claims.

1 Danish Institute for Human Rights (2024), Case studies: access to remedy in the context of corporate transboundary human rights impacts in the ASEAN region

2 Haapasaari S, Davis T, Lietonen A, Ollus N, Jokinen A, Pekkarinen A-G. & Risberg M (2024), From rights on paper to rights in action: Exploited migrant workers' access to remedy in the Baltic Sea Region, HEUNI Report Series, no. 109. Helsinki: European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI).

3 The Remedy Project (2025), Breaking the Circuit: Why Malaysia's Electronics Supply Chains Must Shift from Reactive Compliance to Proactive Prevention.

4 Anti-Slavery International and La Strada (2023), Human rights due diligence: risks of modern slavery for displaced workers.

5 International Covenant on Civil and Political Rights (1966).

6 European Convention for the Protection of Human Rights and Fundamental Freedoms (1950).

7 Charter of Fundamental Rights of the European Union, (2016) OJ C 202/389.

8 European Parliament and Council of the European Union (2024), Directive (EU) 2024/1760 of the European Parliament and of the Council of 13 June 2024 on corporate sustainability due diligence and amending Directive (EU) 2019/1937 and Regulation (EU) 2023/2859. Official Journal of the European Union, L 1760, 5 July 2024.

9 European Parliament and Council of the European Union (2024) Regulation (EU) 2024/3015 of the European Parliament and of the Council of 27 November 2024 on prohibiting products made with forced labour on the Union market and amending Directive (EU) 2019/1937, Official Journal of the European Union, L 2024/3015, 12 December 2024.

10 UN Human Rights Council (21 March 2011), Report of the Special Representative of the Secretary General on the issue of human rights and transnational corporations and other business enterprises, UN Doc A/HRC/17/31.

11 Organisation for Economic Co-operation and Development (2023), OECD Guidelines for Multinational Enterprises on Responsible Business Conduct.

12 European Commission (2026), Guidelines on the application of Regulation (EU) 2024/3015 on prohibiting products made with forced labour on the Union market, C(2026) 4386 final; OJ C, C/2026/4637, 3 September 2026. Hereafter also referred to as Guidelines on the Implementation of the Forced Labour Regulation.

Methodology

This white paper has been prepared by a coalition of CSOs and trade unions working on the preparation and future implementation of the FLR.

The analysis and recommendations provided are based on desk-based reviews of existing legal frameworks and cases as well as on previous research and documentation efforts and the shared expertise of coalition members. It is not a comprehensive analysis, nor is it the result of survey or on-site research efforts and does not constitute legal advice.

While the International Labour Organisation (ILO) Convention 29 on Forced Labour requires that forced labour be criminalised by all ratifying countries, the reality is patchier. Legal definitions of exploitation, forced labour and Trafficking in Human Beings (THB), as well as interpretations, differ at national level across the European Union (EU) and thresholds for a case to qualify as the crime of forced labour or THB can differ considerably from one jurisdiction to another. They might also be spread over separate offences. Most EU countries do not have a standalone offence for forced labour but have included forced labour under a human trafficking offence and/or have criminalised specific dimensions of forced labour.

With EU law on THB in place since 2011, enforcement, implementation efforts, jurisprudence, research and good practices have been developed around preventing and combating THB including protection and assistance for victims that do not yet exist on forced labour, mostly for lack of focus and funding. As a result, this white paper draws in part on THB literature, reflecting the significant overlap between the indicators and experiences of forced labour and THB.

The term "affected worker" is used throughout to encompass both the concepts of a victim (as a legally defined victim of a crime/a rights-holder) and survivor (as having survived the crime of forced labour and retaining the agency to control their own life and future). The term 'affected worker' is not timebound and can cover workers previously in situations of forced labour or currently experiencing it. The term "victim" is used exclusively when referring to a legal definition, context or finding.

The white paper focuses solely on **remediation of forced labour cases in the private economy**.

The term "private economy" is synonymous with "private supply chains" and aligns with the terminology adopted by the International Labour Organisation (ILO), Walk Free, and International Organisation for Migration (IOM) in the 2022 Global Estimates of Modern Slavery.[13]

In addition to forced labour in the private economy (see Section A), the ILO estimates that 3.9 million people are victims of State-imposed forced labour (SIFL) globally. The UN High Commissioner for Human Rights (OHCHR) has assessed the presence of SIFL in areas such as the Xinjiang Uyghur Autonomous Region in China[14], Turkmenistan[15] and North Korea.[16]

While forced labour in the private economy is difficult but achievable to remediate, this is often far more challenging in cases of systemic SIFL. With limited exceptions, including incidental instances of SIFL associated with prison labour, when the state is responsible for the abuse, **it is often not possible to provide remediation to victims on the ground**.[17] Private sector actors become connected to SIFL, where governments or state-owned enterprises compel labour through statutory or administrative obligations, legal or penal systems, or ethnic/religious policies, primarily by sourcing raw materials, components, or finished goods from geographic regions or state-dominated sectors where SIFL is institutionalised. Model Guidance prepared by specialist CSOs on how to address SIFL is available to stakeholders.[18]

Finally, while this white paper is intended to apply to companies of all sizes, the proposed actions are primarily tailored to larger companies, though many remain relevant and applicable to small and medium-sized enterprises (SMEs).

13 International Labour Organisation, Walk Free, and International Organisation for Migration. (2022) Global Estimates of Modern Slavery: Forced Labour and Forced Marriage.

14 Office of the High Commissioner for Human Rights (OHCHR) (2022), OHCHR Assessment of human rights concerns in the Xinjiang Uyghur Autonomous Region, People's Republic of China.

15 Cotton Campaign, Leading the Fight Against State-Imposed Forced Labor in the Cotton Fields of Turkmenistan.

16 OHCHR (2024), Forced labour by the Democratic People's Republic of Korea.

17 Guidelines on the implementation of the EU Forced Labour Regulation, see Section 6.4.6.2

18 Anti-Slavery International et al. (2025), Conducting Human Rights Due Diligence in relation to State Imposed Forced Labour. Implications for the upcoming EU Regulation on Forced Labour.

A. Forced labour prevalence, drivers and vulnerabilities

The 2022 *Global Estimates of Modern Slavery* estimated that 17.3 million people are victims of forced labour in the private economy worldwide, an 8% increase between 2016 and 2021.[19] According to the ILO's 2024 report *Profits and Poverty: The Economics of Forced Labour*, companies generate an estimated US$ 63.9 billion in profits from forced labour in the private economy each year (excluding commercial sexual exploitation).[20]

Forced labour is defined by the ILO as any work or service exacted from a person under the threat of a penalty (coercion) and for which they have not offered themselves voluntarily (involuntariness).

Case law has further established that the threatened 'penalty' may be psychological as well as physical.[21] While psychological coercion is most commonly associated with victims of human trafficking,[22] the same mechanisms of control and influence can also be present in situations of forced labour, given the significant overlap in how threats and coercion are experienced. The European Court of Human Rights (ECtHR) has also found instances of forced labour in situations where the victim could move freely and, in some cases, had initially consented to the employment relationship. In these cases, employers exploited vulnerabilities linked to irregular immigration status, including workers' fear of denunciation to authorities, to coerce them into remaining in the situation.[23]

Forced labour in the private economy does not appear in isolation. Nor is it generally the result of bad behaviour of individual actors but rather part of a continuum of labour exploitation and rooted in contextual drivers. For example, Genevieve LeBaron identifies several "supply side" factors, under control of the State and often linked to weak governance, which include poverty, identity and discrimination, limited labour protections, and restrictive mobility regimes.[24] Forced labour can both stem from and be exacerbated by **structural, and often intersecting, factors of discrimination, privilege, marginalisation or otherwise unequal power relations**. These factors include, among others, gender, race, age, ethnicity, class, caste, education, insecure migration status and/or informality of employment, disability, as well as social and economic status.

19 International Labour Organisation, Walk Free, and International Organisation for Migration. (2022) Global Estimates of Modern Slavery: Forced Labour and Forced Marriage.

20 International Labour Organisation (2024), Profits and Poverty: The economics of forced labour.

21 C.N. and V. v. France (2012), European Court of Human Rights, Application no. 67724/09. See Table 18 on assessing exposure to coercion in International Labour Organisation (2025), Hard to see, harder to count: Handbook on forced labour surveys.

22 Korkman J (2023), Trafficking in human beings: Psychological coercion and investigative interviewing, Policy brief 2/2023. Helsinki: HEUNI, and Baldwin S, Fehrenbacher A & Eisenman D (2015), Psychological Coercion in Human Trafficking, Qualitative Health Research, 25, pp. 1171-1181.

23 Keith L (2022), Guide to Undocumented Workers' Rights at Work under International and EU Law, PICUM.

24 LeBaron G (2021), The role of supply chains in the global business of forced labour, Journal of Supply Chain Management, 57, 2, pp. 29-42.

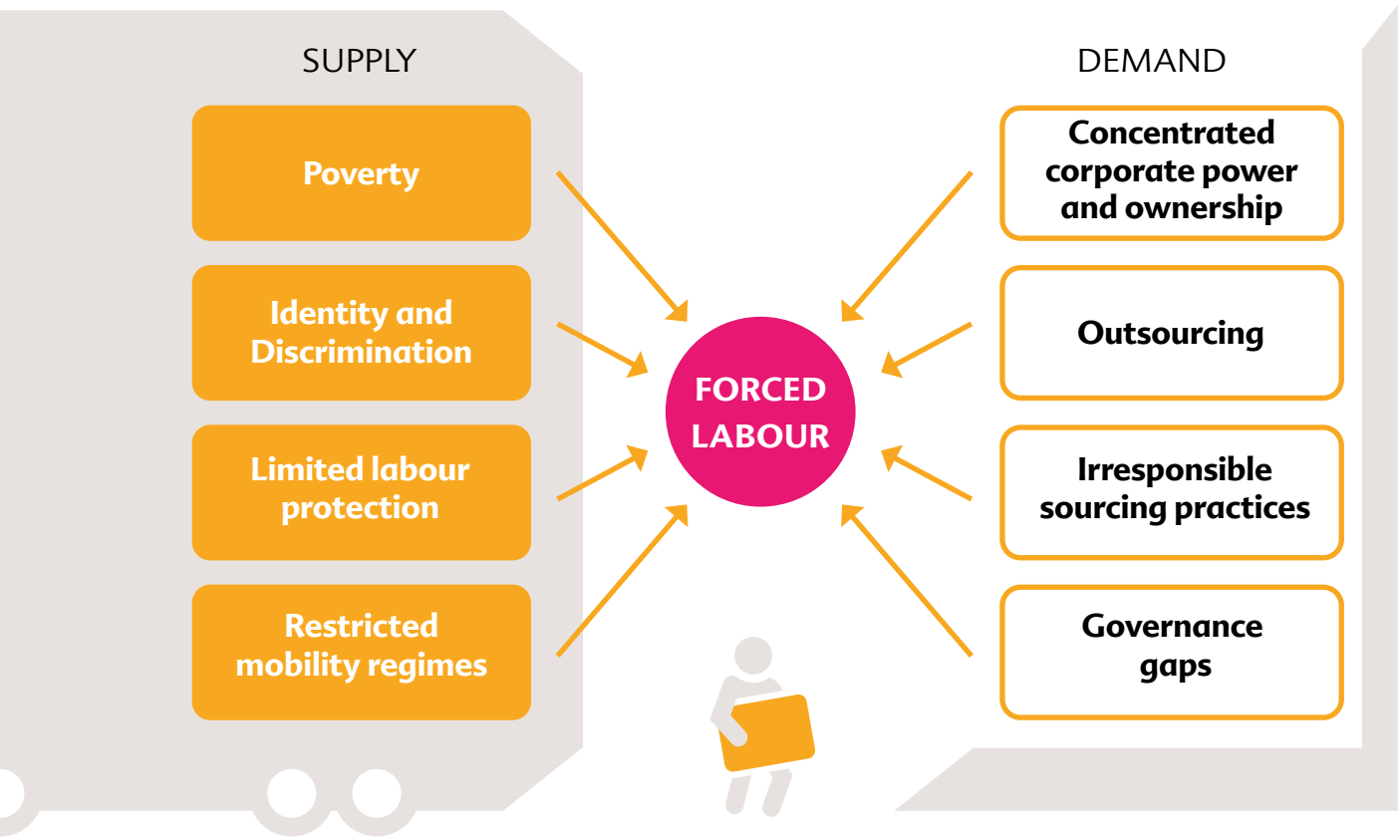


Figure 1: Supply and demand factors of forced labour[25]

On the "demand side" LeBaron identifies factors under the brand/buyers' control, that "create pressure within the market for highly exploitable forms of labour." Those drivers are concentrated corporate power and ownership, outsourcing, irresponsible sourcing practices, and governance gaps (see Figure 1).

Other research has showcased how both national laws and practices and company policies, and factory-level practices can interact to create conditions for labour exploitation.[26] Case studies from India's sugarcane industry and Malaysia's electronics supply chains illustrate how forced labour is often rooted in a broader context of decent work deficits and structural business practices that allow exploitation to flourish.[27]

Preventing forced labour therefore requires looking beyond individual indicators of abuse to address structural vulnerabilities and business practices that make forced labour predictable and preventable.

The prevalence of forced labour in the private economy, together with the corporate practices that can drive it, makes it essential for companies to understand and trace their relationship to labour conditions throughout their supply chains.

Supply chain visibility, traceability and robust due diligence are also increasingly important under forced labour enforcement mechanisms. Forced labour that occurs at any stage of production, manufacture, harvest or extraction of a product placed, or made available on the EU market or for export can lead to enforcement action under the FLR. The FLR Guidelines state that the complete lack of, or inability to provide, traceability information where a product, raw material or component may have been mixed with one at high risk of forced labour may weigh negatively in the overall assessment of evidence.[28]

25 Graph inspired by a table from LeBaron G (2021), The role of supply chains in the global business of forced labour, Journal of Supply Chain Management, 57, 2, pp. 29-42.

26 The Remedy Project (2026), Testing a Forced Labour Indicators Framework: Insights from Taiwan's Manufacturing Sector.

27 See for example The Remedy Project (2025), The Bitter Price of Sweetness: Why Traditional Approaches Fail to Address Forced Labour in India's Sugarcane Fields and The Remedy Project (2025), Breaking the Circuit: Why Malaysia's Electronics Supply Chains Must Shift from Reactive Compliance to Proactive Prevention.

28 Guidelines on the implementation of the EU Forced Labour Regulation, Section 4.8.1.

FOCUS: ILO indicators of forced labour and beyond

The identification of forced labour has historically relied on 11 indicators, developed by the ILO,[29] which represent the most common "clues" or warning signs that a worker may be in a situation of forced labour. These indicators encompass: *abuse of vulnerability, deception, restriction of movement, isolation, physical and sexual violence, intimidation and threats, retention of identity documents, withholding of wages, debt bondage, abusive working and living conditions and excessive overtime*. The presence of one or more of these indicators does not automatically constitute forced labour but rather indicates a high likelihood of its occurrence.

Designed to support frontline actors in detecting potential victims of forced labour, the ILO indicators are limited when interpreting appropriate remedy as they highlight symptoms, rather than root causes of abuse, and often do not adequately address the overall experience, consequences and compounded/aggregated effect of forced labour.

It is therefore important, when assessing forced labour, that businesses should undertake a holistic assessment and root-cause analysis to identify not only the presence of the ILO indicators but also how different individual, circumstantial and contextual factors interact and enable exploitative conditions.

FOCUS: Migrant workers' exposure to forced labour risk

Migrants face a significantly higher risk of experiencing a range of labour rights violations, starting during the recruitment phase when many workers are charged extortionate recruitment fees, which can lead to debt bondage, and forced labour. Often, recruitment agencies may deceive migrant workers by promising good working conditions and high wages that do not materialise upon arrival.

Migrants' vulnerability to abuse continues after arrival in the destination state. Low-income migrants are particularly over-represented in sectors with high degrees of informality that lack labour rights protection. These workers often have limited knowledge of their labour rights in the host nation, thus encountering key barriers to support and remedy. Migrants' immigration status also compounds insecurity. For example, the temporary nature of migrants' work and residency reduces migrants' ability to bargain collectively for improved conditions and, in some jurisdictions, workers cannot vote or become members of local unions. Sponsorship policies tying migrants' right to remain in the country to their employment contract lead to workers remaining silent on abuse for fear of reprisals, and in particular of being deported. This fear is exacerbated for undocumented workers. Employers may further control workers by withholding their passports.

29 International Labour Organisation (2012) ILO indicators of forced labour.

B. Legal Framework

1. Key International Legal background

The UNGPs establish that where businesses identify that they have caused or contributed to adverse impacts, they should provide for, or cooperate in their remediation through legitimate processes (Principle 22).[30] The OECD Guidelines require more explicitly that companies should use leverage to encourage business relationships to remediate impacts to which the company is directly linked. Both frameworks recognise human rights due diligence and remedy as mutually reinforcing.[31] In practice, effective due diligence should identify actual impacts requiring remedy; take appropriate measures to address adverse impacts; and provide for or cooperate in the provision of remedy where the company has caused or contributed to the impact. Lessons from remediation should help improve future due diligence.

The concept of remedy refers to both (i) the processes of providing remedy for an adverse human rights impact, and (ii) the substantive outcomes that can counteract or make good the adverse impact.[32] The outcomes of remedy may include apologies, restitution, rehabilitation, financial or non-financial compensation and punitive sanctions (whether criminal or administrative, such as fines), as well as the prevention of harm through, for example, injunctions or guarantees of non-repetition (Principle 25).

The OECD Guidelines explain that providing or enabling remedy should, where possible, seek to restore affected individuals to the position they would have been in had the adverse impact not occurred, and should be proportionate to the severity of the harm, taking into account the scale, scope, and whether the adverse impact is remediable. To this end, the guidance highlights types of remedy, such as apologies, restitution or rehabilitation, and financial or non-financial compensation, that may be appropriate depending on the nature and extent of the adverse impact.

The UN Business and Human Rights Working Group clarifies that rightsholders should be central to the entire remedy process.[33] This means that remedial mechanisms are responsive to the diverse experiences and expectations of rightsholders, that remedy is accessible, adequate, effective and prompt from the perspective of those seeking them, that affected rightsholders are not

30 UN Human Rights Council (21 March 2011), Report of the Special Representative of the Secretary General on the issue of human rights and transnational corporations and other business enterprises, UN Doc A/HRC/17/31.

31 as exemplified in the OECD Due Diligence Guidance. See also International Labour Organisation and International Organisation of Employers (2025), Combating forced labour: A handbook for employers and business (3rd ed.).

32 OHCHR (2024), Access to Remedy in Cases of Business-Related Human Rights Abuse: An Interpretive Guide.

33 UN General Assembly (2017) Report of the Working Group on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises (A/72/162).

FOCUS: **Involvement framework**

According to the UNGPs, the responsibility to remediate an adverse impact varies according to a business' involvement in the adverse impact (see Figure 2). Businesses should provide for or cooperate in remediation when they "cause" or "contribute to" a human rights impact.[35]

A business causes an impact when its acts or omissions, without the involvement of other parties, reduce the realisation of a right. A business "contributes" where its conduct, together with that of others, negatively impacts a right.

Where a business neither causes nor contributes to a harm, its operations, products or services may nevertheless be directly linked to the harm through its business relationships. Here a company should instead use its "leverage" to affect change in its business partners e.g., to encourage those company(ies) that caused/contributed to the adverse impact to prevent, mitigate or remediate that impact. Leverage is considered to exist where a business has the ability to effect change in the wrongful practices of the entity that causes or contributes to the harm.

A business relationship to forced labour is dynamic. Its own acts or omissions may change the nature of its involvement, requiring the company to reassess whether it is causing, contributing to, or directly linked to the impact — for example, in situations of severe abuse, and where sustained inaction results in its continuation or exacerbation, a company may go from being in a situation of 'directly linked' to 'contributing', with associated remedial obligations.

In contrast to the international norms, which establish broader expectations on the use of leverage, the CSDDD provides that where a business partner of an in-scope company causes an actual adverse impact, the in-scope company *may* provide voluntary remediation and *may* use its leverage with the business partner to provide remediation.

The involvement-based framework determines who bears responsibility for remediation under due diligence laws such as the CSDDD. The FLR has no equivalent mechanism: it is a product-focused obligation of result, irrespective of a company's degree of involvement. As such, it does not by itself ensure or apportion remedy.

victimised when seeking remedy; and that a suite of preventive, redressive and deterrent remedy is available for each business-related human rights abuse (para. 81).[34]

Contemporary human rights practice also recognises remedy for systemic harms. Courts and UN human rights mechanisms (such as treaty bodies, Special Procedures, or complaint mechanisms) are increasingly remedying collective injustices, and some elements of remedy (e.g. truth seeking, collective bargaining agreements, industry-regulation) are de facto collective in nature.

In practice, remedy relies upon an 'ecosystem' of actors and instruments ranging from state-based and non-state-based mechanisms to operational-level grievance procedures as well as laws, policies, regulatory systems and structures that enable these mechanisms to exist and function effectively in a wider context. Each mechanism should operate in a way that is both mutually reinforcing and complementary to enable access to effective remedies for human rights violations.[36]

34 In addition to instruments that tackle corporate responsibility explicitly, other (UN and regional) human rights instruments, interpretation, doctrine and jurisprudence, have provided valuable insights into what constitutes an appropriate and effective remedy. Of particular note are the UN Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations, which provides that remedy should be constituted of: restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition; and the UN Human Rights Committee's General Comment No. 31 on "The Nature of the General Legal Obligation Imposed on States Parties to the Covenant", which equally provides elements on how to fulfil the obligation to provide an effective remedy.

35 Under the CSDDD, the formulation (but not the meaning) of these concepts varies slightly: while "causing" and "directly linked" are used in both frameworks, "contributing" is replaced by "jointly causing" in the CSDDD.

36 OHCHR (2024), Access to Remedy in Cases of Business-Related Human Rights Abuse: An Interpretive Guide.

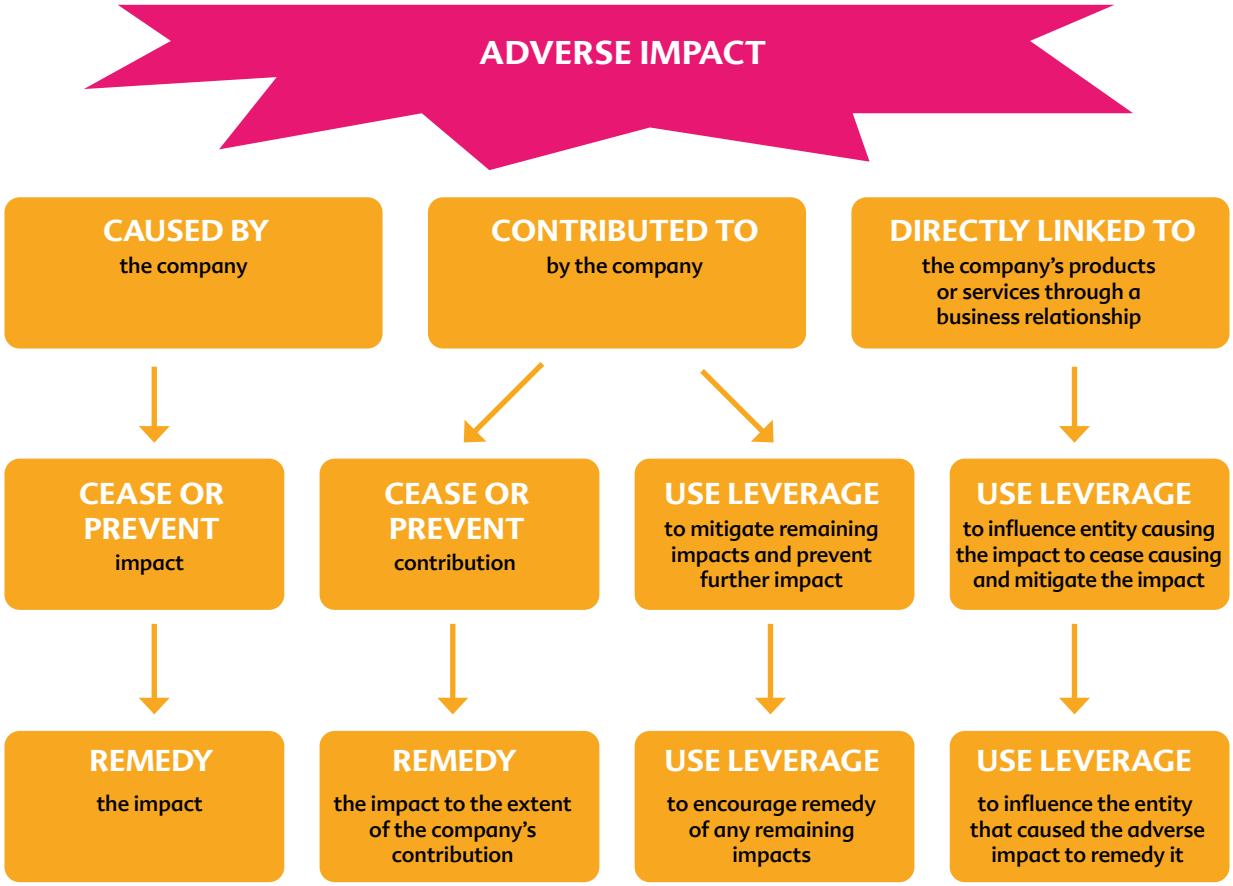


Figure 2: Company relationship to adverse impacts and expected behaviour

2. EU Legal Framework — State and company responsibilities

The remedial landscape for victims of forced labour within the EU remains fragmented despite an expanding body of legislation aimed at preventing severe forms of labour exploitation, including human trafficking, and strengthening victims' rights. Access to remedy is dispersed across multiple legal regimes at Member State or EU level, including criminal law, labour law, migration law, and corporate accountability frameworks, each pursuing distinct objectives and offering different forms of redress. Consequently, affected workers and those assisting them often have to navigate overlapping, yet often disconnected legal frameworks with different logics.

While most obligations to provide remedy remain with Member States, companies are increasingly subject to legal obligations at EU level, including obligations related to the provision of remedy. For example, Directive 2011/36/EU on trafficking in human beings, as amended in 2024,[37] establishes victims' rights to assistance, protection, and compensation in cases of human trafficking.[38] Directive 2012/29/EU (Victims' Rights Directive), as amended in 2026,[39] provides a general framework guaranteeing victims of criminal offences access to information, support services, participation in criminal proceedings, and respectful treatment throughout the justice process as well as access to compensation. The EU

37 European Parliament and Council of the European Union (2024) Directive (EU) 2024/1712 of the European Parliament and of the Council of 13 June 2024 amending Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, OJ L 1712. Hereafter also referred to as EU Anti-Trafficking Directive.

38 UK Independent Anti-Slavery Commissioner (2022), IASC policy paper: Access to compensation and reparation for survivors of trafficking.

39 European Parliament and Council of the European Union (2026), Directive (EU) 2026/1472 of the European Parliament and of the Council of 17 June 2026 amending Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA.

Anti-Trafficking Directive does not explicitly require that companies compensate victims; instead, Member States have an obligation to ensure that victims have access to existing schemes. This may include compensation from offenders, including from legal persons where national law recognises their liability.

In the field of migration and employment, the Single Permit Directive[40] and the Seasonal Workers Directive[41] explicitly reaffirm migrant workers' right to legal redress for labour rights violations through effective complaints mechanisms, regardless of their residence status. The Employer Sanctions Directive[42] has specific provisions to facilitate the payment of unpaid wages to undocumented workers.

Most recently, companies that fall within scope of the CSDDD have a legal obligation to provide remedy to all victims when the company is either causing or jointly causing (equivalent to "contributing" under international norms) the harm. While CSDDD's terminology ("cause" and "jointly cause") differs from the soft-law instruments (which both use "cause" and "contribute to"), the recitals to the CSDDD refer to the UNGPs and explain that the interpretation of these concepts is consistent with the involvement framework in soft law instruments.[43]

Importantly, this approach is mirrored within the FLR: the European Commission appears to treat the term "jointly cause" and "contribute to" interchangeably in the Guidelines on the application of Regulation 2024/3015 on prohibiting products made with forced labour on the Union market (FLR Guidelines), where it states that "companies that cause or contribute to (i.e. jointly cause) a forced labour impact should provide or cooperate in the remediation of the impact".[44]

In cases of forced labour, this means that the companies concerned are required to take appropriate measures, divide responsibilities in line with their own contribution to harm in cases of joint responsibility, and provide for the technical and financial means to assume these responsibilities. Failing to remediate victims could be considered by the competent authorities as a failure to implement appropriate due diligence measures[45] and equally open the door for civil liability.

Separately — and operating independently of any such civil-liability proceedings — the Forced Labour Regulation (FLR), whose enforcement will begin on 14 December 2027, bans products made with forced labour from being sold, imported, exported, or made available on the EU market. It covers all companies, sectors and all supply chain tiers and contexts.[46]

Where an investigation is opened under the FLR (see Figure 3), the competent authorities are required to identify the company(ies) that will be the primary subject of the investigation, based on the specificities of the case, available information, and prioritisation criteria defined in the regulation.[47] For forced labour cases outside the EU, the European Commission, as the competent authority, will likely focus on the importer,[48] while for cases within the EU, Member States' competent authorities will likely focus on the company where forced labour is occurring, as field inspections are easier to implement.[49]

While the FLR does not require companies to provide a remedy, it partially creates the incentive to do so. During the pre-investigation stage, authorities may decide not to proceed with a full investigation where a company can demonstrate that the reasons that motivated the substantiated concerns have been eliminated, such as through the outcomes of a robust application of human rights due diligence to mitigate, prevent and bring to an end the risk of forced labour.[50] The FLR Guidelines[51] also clarify that competent authorities

40 European Parliament and Council of the European Union (2024), Directive (EU) 2024/1233 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State (recast).
41 European Parliament and Council of the European Union (2014), Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers.
42 European Parliament and Council of the European Union (2009), Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals.
43 CSDDD, Recitals 5, 37 and 45.
44 Guidelines on the implementation of the EU Forced Labour Regulation, Section 6.4.6.
45 CSDDD, Article 3(1)(o).
46 For a more substantive analysis, see Anti-Slavery International and ECCHR (2025), Understanding the EU Forced Labour Regulation Assessment and recommendations and DIHR (2025), Strengthening the EU's Stand Against Forced Labour and Human Rights Watch and Cornell Global Labor Institute (2025), EU: New Law Requires Companies to Tackle Forced Labor.
47 Guidelines on the implementation of the EU Forced Labour Regulation, Section 4.3.2.
48 Ibid, Section 4.3.2.
49 Ibid, Section 4.6.3.1.
50 Forced Labour Regulation, Article 2(16).
51 Ibid, Section 4.5.3.2

may extend the pre-investigation stage to allow companies a reasonable period of time to complete credible steps to end forced labour. The guidelines also list as examples of evidence to be provided by companies "remediation information evidencing workers' satisfaction, compensation, corrective and prevention measures", which will be taken into account by the competent authorities in issuing a decision to prohibit a product.[52]

In practice, in situations of bonded labour linked to recruitment fees, for example, the repayment of such fees will be necessary to "bring forced labour to an end", thus providing a (partial) remedy to workers. In other situations, bringing an end to forced labour may not result in full remedy, e.g. when workers are terminated but the recruitment debt persists.

Besides the importance of remedy during the investigation process, remediation is not expressly obliged either for lifting a ban on products made with forced labour, or a requirement for releasing "goods of critical or strategic importance" but, in both cases, the FLR requires that companies demonstrate the elimination[53] of forced labour. The express recognition of due diligence as a useful tool to address forced labour in the FLR Guidelines as well as the strengthened role for credible due diligence actions to avoid a full investigation, reinforces the expectation to provide for remediation where forced labour materialises. Companies are also expected to provide, or cooperate with remediation mechanisms and to establish operational-level grievance mechanisms.[54]

Moreover, the amended EU Anti-Trafficking Directive, effective July 2026, may equally apply to specific instances within the EU that involve products made with forced labour. The Directive introduces an offence that criminalises the use of services provided by trafficked persons when the user of the services knows that the person providing the service is a victim.[55] The Directive also clarifies that legal persons can be held liable for the offence of trafficking in human beings, or the offence of knowingly using the services of trafficked people and mandates criminal and non-criminal sanctions or measures on legal persons in case of misconduct.[56] It also encourages a broader toolbox of sanctions that can restrict access to public money, prevent companies from operating, revoke licences, or even dissolve the company in the most serious cases. The publication of judgments is intended to add a reputational deterrent alongside financial and operational penalties.

52 Guidelines on the implementation of the EU Forced Labour Regulation, section 4.7.2"
53 Ibid, Section 4.9.2.2.
54 Ibid, Sections 6.4.6.2 and 6.4.6.3.
55 EU Anti-Trafficking Directive, Article 18(a).
56 Ibid, Article 6.

FOCUS: **Are Forced Labour import bans creating incentives for remedy?**

Over the last decade, governments have increasingly moved beyond transparency and voluntary due diligence requirements toward trade-based enforcement measures, particularly import bans on goods made with forced labour. The most well-known instrument is the United States (US) Tariff Act, under which product-specific import bans have been imposed pursuant to Section 307.

While the US Tariff Act does not require remediation as a condition for lifting an import ban, some enforcement actions have nevertheless created incentives for companies to undertake at least partial remediation efforts:

- Withhold Release Orders (WROs) on the Malaysian glove industry led to more than US$120m[57] being paid through remediation to Bangladeshi, Nepalese, Indian, Indonesian and Myanmar workers in the gloves sector in Malaysia and Thailand from 2021.

- WROs on the Taiwanese bicycle industry led to an estimated US$10 million[58] being reimbursed to migrant workers across the sector and to ten manufacturers having at least adopted no-fee recruitment policies.[59]

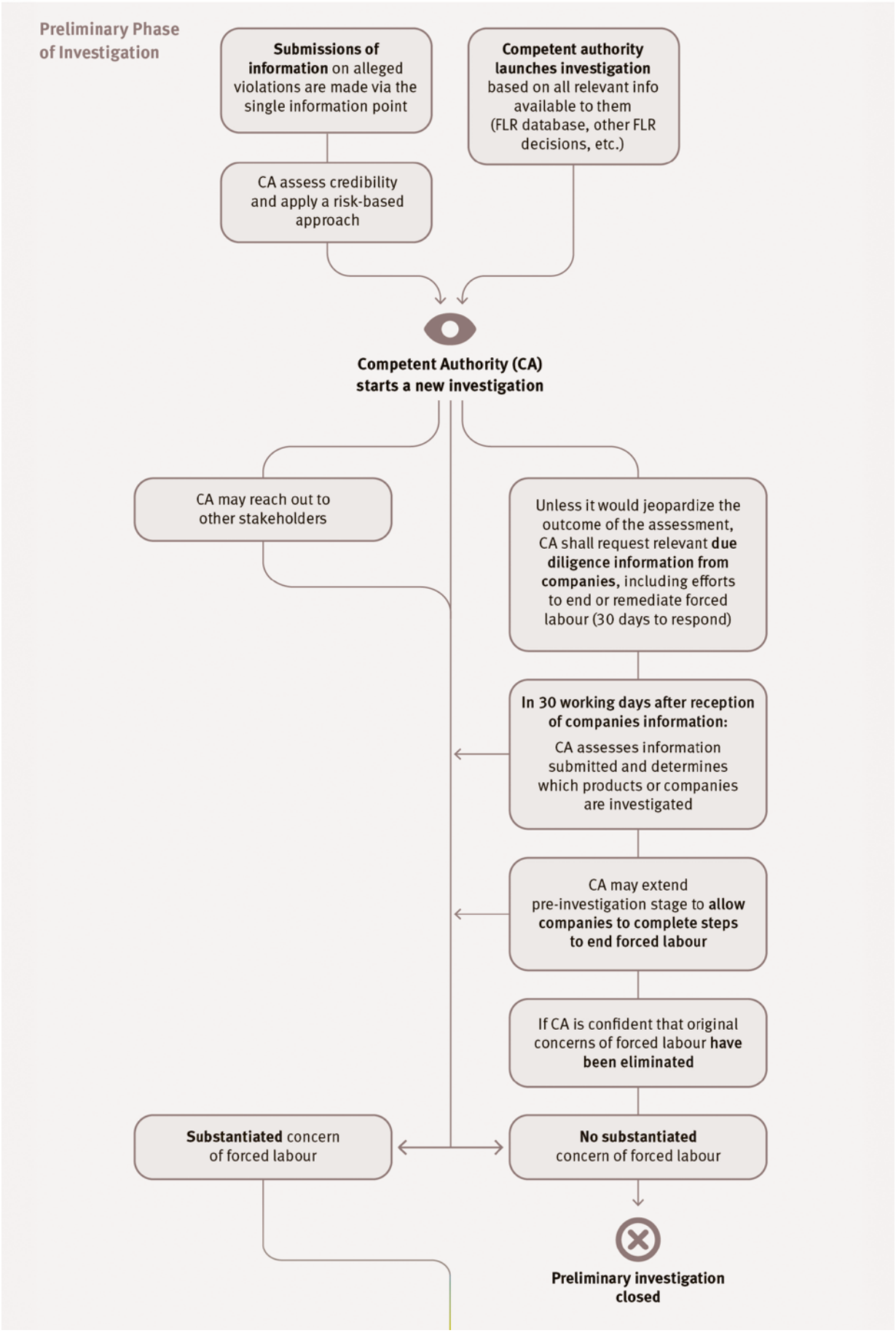
The relationship between import bans and remedy is increasingly being researched by academics, UN agencies and civil society organisations:

- **In 2026,** the ILO published a research brief finding that import bans can play a role in tackling forced labour, especially when accompanied by policies that address underlying structural issues and that they can, in some cases, contribute to remedial action and generate momentum for change.[60]

- **In 2026,** a study funded by the Modern Slavery and Human Rights Policy and Evidence Centre (Modern Slavery PEC) assessed progress made in the Malaysian glove industry in the wake of the WROs applied to prominent industry actors and found, among other results, that workers paying recruitment fees fell from 92% (2020-21) to 3% (2025-26), while reliance on recruitment-related loans declined from 43% to 3%. All workers recruited prior to Employer Pays Principle implementation received full reimbursement of fees and loan interest, significantly reducing financial vulnerability and increasing labour mobility.[61]

- **In 2023,** The Remedy Project analysed companies' actions to remediate forced labour in response to WROs, finding that remediation mainly took the form of reimbursement of recruitment fees, while few other forms of direct remedy have been provided to affected rightsholders. In many cases, companies had also introduced changes to their management, human rights, recruitment, and employment policies and practices, which could constitute a form of forward-looking remedy. In addition, the report found discrepancies between remedy reported by the company and the experiences of workers interviewed in the case studies.[62]

57 Migrant Workers Rights Network (2025), Two decades of grass-roots impact towards migrant justice.
58 Peter Bengtsen, BICYCLE WRO Development Tracker
59 Baumann-Pauly D (2026), Progress Under Pressure: Forced Labor Remediation in Taiwan's Bicycle Industry, NYU Stern Center for Business and Human Rights.
60 International Labour Organisation (2026), Import bans can help tackle forced labour.
61 Brown J, Hughes A, Agg H, Prosser L, Bostock B & Trueba M (2026), Responsible recruitment in the Malaysian medical gloves industry: impacts, challenges and recommendations, University of Sussex.
62 The Remedy Project (2023), Access to remedy and forced labour 'import bans': Recommendations for U.S. Customs and Border Protection.


Preliminary Phase of Investigation
Submissions of information on alleged violations are made via the single information point
Competent authority launches investigation based on all relevant info available to them (FLR database, other FLR decisions, etc.)
CA assess credibility and apply a risk-based approach
Competent Authority (CA) starts a new investigation
CA may reach out to other stakeholders
Unless it would jeopardize the outcome of the assessment, CA shall request relevant due diligence information from companies, including efforts to end or remediate forced labour (30 days to respond)
In 30 working days after reception of companies information:
CA assesses information submitted and determines which products or companies are investigated
CA may extend pre-investigation stage to allow companies to complete steps to end forced labour
If CA is confident that original concerns of forced labour have been eliminated
Substantiated concern of forced labour
No substantiated concern of forced labour
Preliminary investigation closed

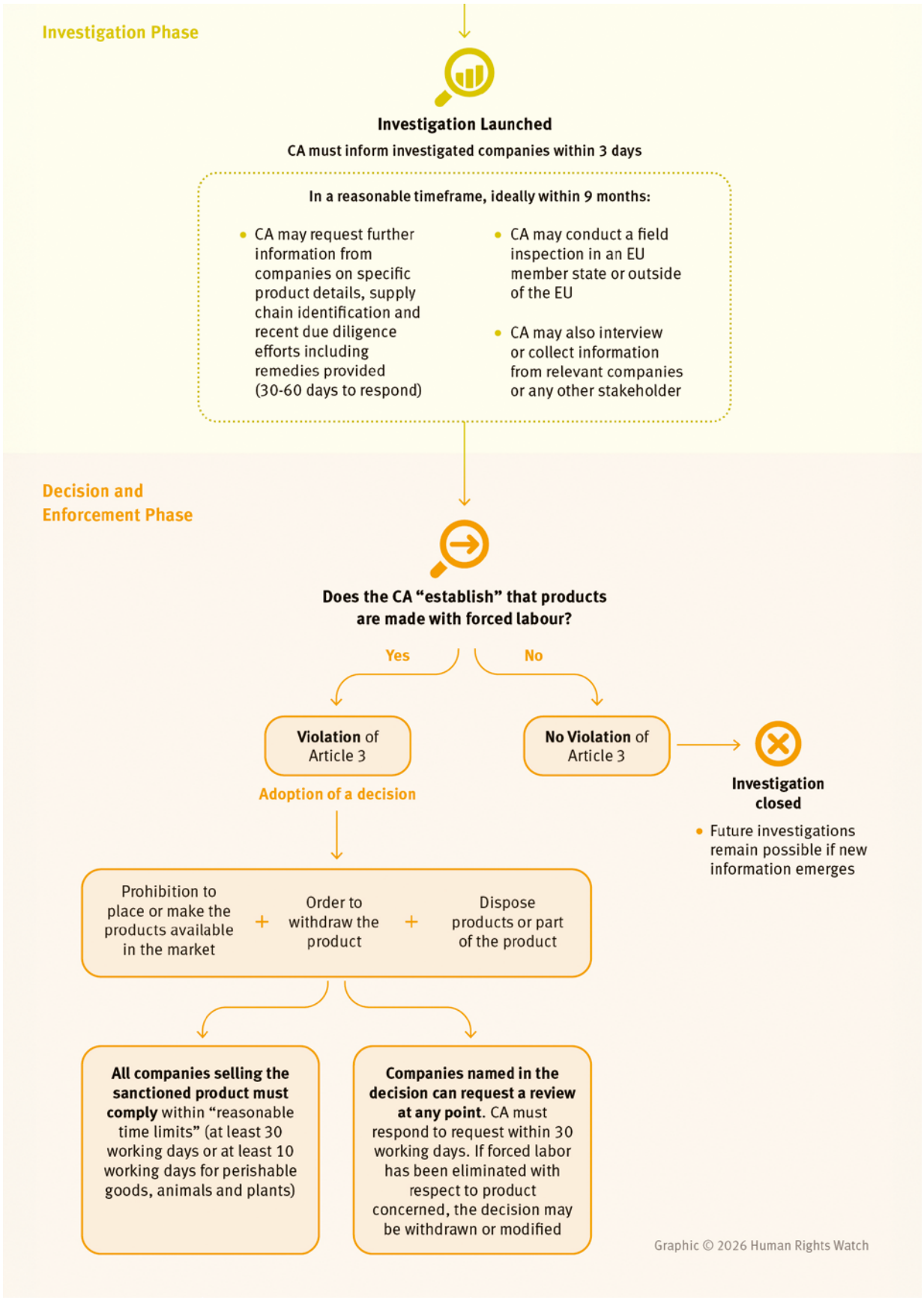


Figure 3: EU Forced Labour Regulation investigation process

C. An approach to remedy: What makes remediation appropriate and effective



Remediation should be viewed as **both a process and an outcome** and should always be centred around the victims' individual experience of harm, needs and expectations, ensuring that their best interests are at the heart of the process.

1. Remedy as an outcome

The substantive outcome of effective remedies needs to address the root causes of forced labour as well as its overall costs and consequences for the affected workers, rather than treating individual harms in isolation. Remedy must be **adequate**, namely proportional to the **gravity** of harm suffered; **context-specific**, reflecting the individual circumstances of the case, and the broader legal and political context; and be **victim-centred**, taking account of the personal circumstances and specific vulnerabilities of the victims.[63] Where restitution or rehabilitation are feasible, the remedy process should prioritise these; where such measures are insufficient or impracticable, appropriate compensation shall be provided to ensure no harm is left unremedied. Ensuring the remediation process is undertaken in an ethical manner constitutes, in and of itself, an element of the remediation (see also below).

While providing remedy can be complex in practice, scholars of international law[64] are nevertheless clear about remediation being both:

A. Backward looking: to restore affected workers (as the direct victims) and their relatives (as indirect victims) to a position as if the harm had not occurred (where possible) or as close to it as possible. This means addressing the immediate, past and indirect consequences of forced labour for workers, including accumulated debts and their consequences, health and safety concerns.

B. Forward looking: to change the conditions or practices that brought about the forced labour in the first place, to ensure it does not recur. Specific attention should be given to adverse impacts on trade union rights, which play an essential role in protecting workers' rights, as well as the role of restrictive immigration systems and immigration-enforcement practices (e.g. visa sponsorship tied to a single employer, or the threat of detention or deportation) that increase workers' vulnerability to exploitation.

Addressing these structural and contextual drivers also implies that irresponsible disengagement

63 UN Human Rights Committee (2004), General Comment No. 31: The nature of the general legal obligation imposed on States Parties to the Covenant, CCPR/C/21/Rev.1/Add.13, El-Masri v. the former Yugoslav Republic of Macedonia, European Court of Human Rights, Application no. 39630/09 2012; Kudła v. Poland (2000) European Court of Human Rights, Application no. 30210/96, Đorđević v. Croatia (2012), European Court of Human Rights, Application, no 41526/10; Van Oosterwijck v. Belgium, (1980) European Court of Human Rights, Application No. 7654/76.

64 Shelton D (2015), Remedies in International Human Rights Law (3rd ed.), Oxford University Press and Roach K (2021), Remedies for Human Rights Violations, Cambridge University Press.

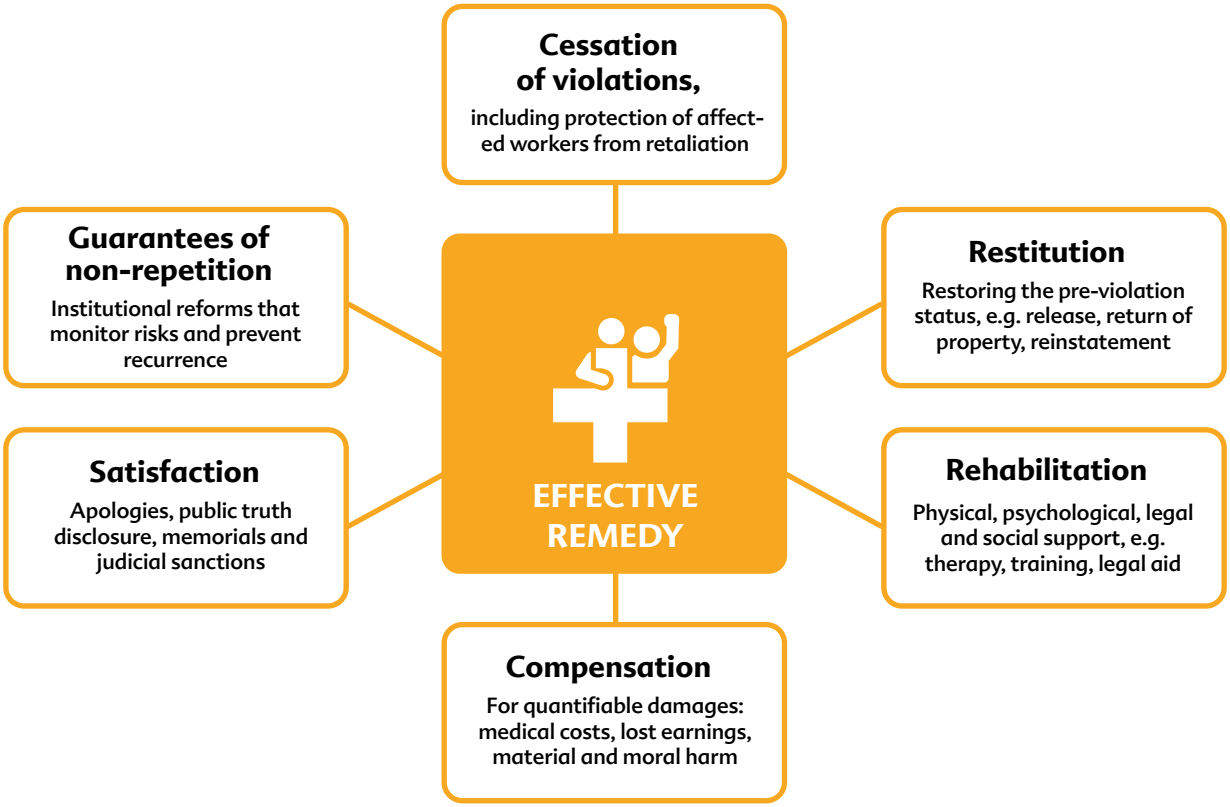


Figure 4: The Components of Remedy

and 'cut and run' approaches should be avoided at all costs, as this often worsens the situation rather than preventing repetition (see also Section D).

Remedy must be effective and implementable;[65] to bring an end to actions and other factors giving rise to the abuse and to restore affected persons to a position as if the harm had not occurred (where possible), or as close to it as possible.[66] **Effective remedy can consist of multiple components**, and its quality should be assessed holistically.

These can include (see Figure 4):

a. The **cessation** of violations, including by ensuring that affected workers are protected from any retaliation.

b. Full **restitution** or reparation, namely restoration of pre-violation status (e.g. release, return of property, reinstatement). This should, where possible, be a full restitution, and if not possible, be as close as possible to it.

c. **Rehabilitation**, namely physical, psychological, and legal/social support (therapy, job training, legal aid, residence[67] and work permits if applicable).

d. **Compensation for quantifiable damages** (medical costs, lost earnings, material and moral harm). In addition, and subordinate to full restitution, compensation for the part that could not be fully restituted.

e. **Satisfaction**, which can include apologies, public truth disclosure, memorials, and judicial sanctions.

f. **Guarantees of non-repetition**, which can include institutional reforms to monitor and mitigate systemic risks and prevent recurrence, in particular in sectors or geographies at risk.

65 Charter of Fundamental Rights of the European Union, Article 47, European Convention on Human Rights, Article 13; UN Human Rights Committee (2004), General Comment No. 31: The nature of the general legal obligation imposed on States Parties to the Covenant, CCPR/C/21/Rev.1/Add.13; Kudła v. Poland (2000) European Court of Human Rights, Application no. 30210/96; Aksoy v. Turkey (1996), European Court of Human Rights, Application no. 21987/93; Unibet (London) Ltd and Unibet (International) Ltd v Justitiekanslern (2007) European Court of Justice, Case C-432/05; Velásquez Rodríguez v. Honduras (1988), Inter-American Court Human Rights, Series C, No. 4; Sir Dawda K. Jawara v. The Gambia (2000) African Commission on Human and Peoples' Rights, Communications 147/95 and 149/96.

66 OHCHR (2024), Access to Remedy in Cases of Business-Related Human Rights Abuse: An Interpretive Guide.

67 See Group of Experts on Action against Trafficking in Human Beings (GRETA) (2026), Guidance note on residence permits for victims of trafficking in human beings, Council of Europe..

Companies should recognise that recovery from forced labour is a **multifaceted process** and should provide comprehensive support to both the affected workers (as the direct victims) and their relatives (as indirect victims) addressing all legal, psychological, social, financial, and health needs, as far as possible.

For example, in the case of **debt-bondage**, the initial amount of debt incurred, whether through recruitment fees and related costs, or for undue wage deductions for food, accommodation, transport, or for unpaid wages or extra hours etc., should be calculated and repaid in full. In addition, to restore affected workers as closely as possible to the position they would have been in absent the forced labour, companies should calculate and repay in full an amount equal to the interest accrued on the debt and for consequential harms suffered for their inability to repay it, such as the loss of a property pledged as collateral.

2. Remedy as a process

"Effective" remedy has the following procedural components:

1. Remedy should be **available**, not only in law or theory, but also in practice, offering reasonable prospects of success;[68]

2. Remedy should be **prompt**[69] to prevent further escalation and avoid additional harm. In certain cases, interim measures may be appropriate to avoid continuation of harm.[70] This involves providing immediate relief to various manifestations of forced labour, in particular when the health and safety of the workers are at risk, while also ensuring that there are systems in place as early as possible to swiftly address any instance of forced labour.

3. **Victims should be empowered to engage in the remedy process**,[71] namely to present evidence, access files, participate in defining the modalities of remedy, receive information about results, and contribute to the verification process to ensure their satisfaction, without fear of retaliation.

Applied to companies, these procedural elements require companies to establish or participate in grievance mechanisms[72] accessible to individuals and communities who may be adversely impacted by their operations, activities, products, or business relationships. Such mechanisms should enable concerns, including allegations of forced labour, to be raised safely, addressed promptly, and resolved with the meaningful participation of affected individuals. When designed and implemented effectively, grievance mechanisms can help companies identify forced labour risks in their operations and supply chains and address them as early as possible. However, a grievance mechanism cannot on its own fulfil a company's duty to proactively identify and address forced labour risks through human rights due diligence.

In setting up and operating a grievance mechanism, businesses should refer to the effectiveness criteria for non-judicial grievance mechanisms under Principle 31 of the UNGPs: *legitimate, accessible, predictable, equitable, transparent, rights-compatible, a source of continuous learning, based on engagement and dialogue.* In practice these criteria are best met when such mechanisms are jointly governed by workers or their representatives.

i. Workers' role in remediation

Individual remediation processes should be grounded in meaningful rightsholder engagement,

68 UN General Assembly (2005), Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, Resolution 60/147, New York; UN Human Rights Council (21 March 2011), Report of the Special Representative of the Secretary General on the issue of human rights and transnational corporations and other business enterprises, UN Doc A/HRC/17/31, UN Human Rights Committee (2004), General Comment No. 31: The nature of the general legal obligation imposed on States Parties to the Covenant, CCPR/C/21/Rev.1/Add.13; McFarlane v. Ireland (2010) European Court of Human Rights, Application no. 31333/06; Riccardi Pizzati v. Italy (2006) European Court Human Rights, Application no. 62361/00; Kudła v. Poland (2000) European Court Human Rights, Application no. 30210/96; Ilhan v. Turkey (2000), European Court Human Rights, Application no. 22277/93; Akdivar v. Turkey (1996), European Court Human Rights, Application no. 21893/93; Airey v. Ireland (1979), European Court Human Rights, Application no. 6289/73; Velásquez Rodríguez v. Honduras (1988), Inter-American Court Human Rights, Series C, No. 4.

69 UN Human Rights Committee (2004), General Comment No. 31: The nature of the general legal obligation imposed on States Parties to the Covenant, CCPR/C/21/Rev.1/Add.13; McFarlane v. Ireland (2010) European Court of Human Rights, Application no. 31333/06; Kudła v. Poland (2000) European Court Human Rights, Application no. 30210/96; Aksoy v. Turkey (1996), European Court Human Rights, Application no. 21987/93; Čonka v Belgium (2002), European Court Human Rights, Application no. 51564/99.

70 UN Human Rights Committee (2004), General Comment No. 31: The nature of the general legal obligation imposed on States Parties to the Covenant, CCPR/C/21/Rev.1/Add.13

71 UN General Assembly (2005), Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, Resolution 60/147, New York.

72 Romis M (2026), Navigating Grievance Mechanisms: A Pathway to Robust Accountability for Rightsholders, Oxfam America.

Workers are central to effective remediation.

which seeks to understand the overall experience of affected workers and ensure remedy is effective from their perspective. Interviews may be conducted individually where possible, and in a manner that is trauma-informed, ensuring workers' dignity and safety are protected, and allowing for meaningful dialogue. Affected workers should be given the opportunity to provide and/or withdraw informed consent, and to influence decisions relating to both the remediation process and its outcomes, thereby preserving their agency throughout. The assessment should include an extensive evaluation of the material and financial losses suffered, as well as the related psychological and reputational harms endured. It should also consider the extent to which the trauma experienced may affect workers' ability to function in society, secure decent employment in the future and support their families. In addition, affected workers should guide understanding of what appropriate remedy looks like in practice, and how it should be delivered. After remedies have been provided, companies should follow up with affected workers to verify that they have been received, and that they are adequate and satisfactory to workers. This feedback should inform adjustments and further actions as necessary.

Workers and their legitimate representatives should have **access to all the information** required for them to effectively participate in the remediation process. This could include training on their entitlements/rights as part of this process and is particularly important to migrant workers who are often less familiar with these rights. Absent such training, where abuses are normalised, labour standards are poor and workers do not have access to accessible information about their rights, affected workers may have difficulties in recognising that their situation amounts to labour exploitation.

Worker representation in the design, governance, and operation of grievance and remedial mechanisms should recognise that workers affected by business activity are not homogeneous and may have different needs and priorities. Understanding **both individual and collective grievances**, and the different impacts they may have on specific groups of workers, including women, migrants, young people, lower-caste workers, and other marginalised groups, is essential. Participation from different cohorts of workers, including temporary, or undocumented migrant workers, representing the full demographic spectrum, is also important.

While some remediation measures can be considered appropriate for the collective, such as improving accommodation conditions for example, others need to be addressed individually, in particular where a person's financial, physical or psychological safety and integrity have been harmed or remain at risk.

Affected workers face a wide variety of barriers to participating meaningfully in a remediation process. Barriers can include intimidation and threats of retaliation, risks of being forced to leave the country, being subjected to immigration enforcement actions including detention or deportation, the opaque nature of the remediation process, insufficient resources to participate, and the onerous evidentiary burdens of proof. **These barriers should be removed.**

ii. Protecting workers from retaliation

Beyond states' obligations, companies have a responsibility to take appropriate measures to safeguard affected workers throughout the remediation process and to prevent retaliation.

Retaliation can occur where workers raise a complaint about their working conditions and/or legally protected rights, or by supporting an investigation as a witness. Retaliation can take many forms that can vary from subtle pushbacks (ostracising staff, preventing them from accessing some staff advantages, denying promotions) to intimidation, harassment, dismissal, blacklisting, denunciation to authorities (or threat thereof) for false charges or for immigration issues up to, in extreme cases, torture.[73]

Preventing retaliation is therefore essential and should be part of the overall preparedness package of company policies and grievance mechanisms. Non-retaliation should apply to all workers regardless of their employment or legal status. Protecting

73 Moses D, Semins W, Hawthorne J, Walczak H (2025), Dyson Forced Labour Case Proceeds to Trial: Key Lessons on Compliance in Global Supply Chains, K&L Gates UK Policy and Regulatory Alert.

rightsholders from retaliation and guaranteeing confidentiality are also essential to the design of an operational-level grievance mechanism. It is key to building workers' trust in the mechanism and ensuring it is legitimate and accessible.

Practical actions that companies can take to manage risks of retaliation, including for workers of indirect business partners:

- Establish and disseminate **written anti-retaliation policies** that include clear disciplinary sanctions for perpetrators up to and including termination.
- Ensure staff and suppliers receive appropriate and regular training about these policies.
- Establish complementary systems to **prevent** retaliation such as confidential reporting channels, escalation mechanisms, processes ensuring complaints are managed by an independent and limited number of parties, privacy and data protection mechanisms, as well as **temporary relief measures** such as witness protection, emergency removal, referrals to counselling, and safeguarding measures.
- **Engage, on an ongoing basis, with affected workers** on concerns of retaliation to fully understand the risks. Where retaliation has occurred, clearly establish the chain of events, how the worker has been affected and any additional remedy needed.

3. Practical suggestions for companies

The following 5 stages provide detailed guidance for companies in preparing for, investigating and remediating forced labour.

STAGE 1: Prepare and anticipate

1

As part of the overall company's governance and sustainability efforts, ensure that due diligence and remediation principles are **approved at board and management level** and that all of the company's departments (legal, compliance, commercial, sourcing,[74] procurement, CSR, etc.) are aware of, and abide by these principles.

2

Engage with local stakeholders to gain a clearer understanding of the context in which forced labour occurred, including the underlying vulnerabilities and structural factors that may have contributed to the abuse. This can include local trade unions and workers groups, local communities, vulnerable group representatives, third parties that can act as mediators, etc.

3

Establish a process to assess, address, respond to complaints and provide remedy. This should include transparent managerial responsibility, timeframes for engagement and approval procedures. The process needs to be adequately resourced as part of business strategies, including contingency for the provision of remedy itself, to ensure promptness.

The process can include the establishment of an independent formal grievance mechanism, preferably worker-led or co-designed with them, to ensure trust and

74 Shift (2026), Responsible Contracting: From Policing to Partnership.

accessibility. The grievance mechanism should be accessible to all stakeholders who may be adversely impacted by the company's activities to report complaints, including grievances regarding labour conditions in the company's supply chains to an impartial entity.

Companies should ensure that their suppliers across supply chain tiers and contexts communicate its existence to all their workers and legitimate representatives in their preferred language or in a manner that allows illiterate workers to understand it.

Companies should ensure that this mechanism is safe, accessible, available, and predictable. For the mechanism to be safe, it needs to guarantee that workers will not face retaliation or negative consequences as a result of filing a complaint and seeking remedy, including receiving assurance that their information will not be shared with immigration enforcement.

Companies should also periodically evaluate the effectiveness of the grievance mechanism to identify opportunities to improve the mechanism and strengthen its ability to identify and manage adverse human rights impacts (including forced labour).

Principle 31 of the UNGPs provides a useful framework for a company to design and monitor its grievance mechanism to ensure its effectiveness. The eight effectiveness criteria are: *legitimate, accessible, predictable, equitable, transparent, rights-compatible, a source of continuous learning, based on engagement and dialogue.*

4

Establish the following **additional policies and procedures**:

- Comprehensive policies banning workplace harassment and violence, including sexual harassment and physical violence, with clear provisions on consequences of violation, for example termination, no option for re-hire and other disciplinary measures; and
- Non-retaliation policies as described in Section "Protecting workers from retaliation" (C. 2.ii).

5

Embed a **framework for joint responsibility for remediation** as part of the contractual obligations in the buyer/supplier relationship, based on their degree of responsibility (see "involvement framework" box above) to avoid delays when a forced labour case is identified. This may act as a double-sided deterrent as suppliers are made aware, upon signing the contract, of their own financial responsibility in remediating forced labour cases. At the same time, buyers are prevented from disengaging irresponsibly and commit to continue sourcing from this supplier as they are remediating the abuse.

The framework should serve as a model, while allowing for adaptations to reflect the specific circumstances of each case.

Some examples, though not comprehensive, can include:

- Establish with suppliers, independent trade unions and legitimate workers' representatives **practical and financial parameters** to ensure that key remedial actions, in particular immediate relief measures, are defined and ready to be implemented if necessary. In sectors characterised by complex supply chains involving multiple suppliers and brands, collaboration between brands and buyers can be particularly effective in ensuring that shared

corrective or remedial actions are implemented consistently and adequately across the industry.

- Buyers should discuss and agree with their suppliers on the **"Employer Pays Principle" (EPP)** for (migrant) workers - establishing in line with international standards that no recruitment fees or related costs should be charged to, or otherwise borne by, workers or jobseekers - and work with their suppliers to ensure its implementation.
- In cases where workers paid recruitment fees[75] but the suppliers lack sufficient funds to reimburse workers in full, buyers could agree to **shared responsibility for remediation**. For example, a supplier (as the employer) could agree to reimburse 50% of the recruitment fees while its buyers collectively cover the remaining 50%. Each buyer's contribution could be determined in proportion to its purchasing volume from the supplier relative to the supplier's total production output. (This example is based on a real-world scenario.)

6

Buyers should **proactively assess how their prices, payment terms, order changes and production deadlines may have contributed to the harm**. Prices should be assessed against recognised living wage and living income benchmarks, and where such benchmarks are lacking, buyers should support expert coalitions in developing these benchmarks. This assessment should be reflected in the allocation of remediation responsibilities and costs. Any future contribution to remediation should not be recovered through lower prices, wage or income reductions or other measures that transfer the burden to affected workers or smallholder producers. Purchasing arrangements should enable suppliers to implement agreed remedies and sustain improvements.

7

Unremedied human rights impacts may persist following mergers or acquisitions and companies should assess their relationship to potential legacy violations. This includes adverse impacts that occurred prior to the transaction but were not identified or addressed at the time — as a latent defect. Acquisition agreements should therefore include specific provisions addressing such legacy issues, including the allocation of responsibility for remediation costs associated with forced labour conditions that the previous owner caused or contributed to.

Whether or not such clauses are established to define the responsibility, a change in ownership should not in itself prevent affected workers from accessing remedy. The new owner should still assess its relationship to any identified or unremediated adverse impacts and take appropriate action in accordance with that involvement.

Affected workers should receive remedy regardless of who caused the harm and when it occurred.

75 See for example, International Organisation for Migration (2021), Operational guidelines for businesses in remediating migrant workers grievances; International Labour Organisation (2018), Report Tripartite Meeting of Experts on Defining Recruitment Fees and Related Costs; Institute for Human Rights and Business, Employer Pays Principle.

STAGE 2:
Identify and investigate

8

Upon allegations being uncovered, **launch the investigation process and allocate responsibility/assign clear internal ownership**. Ensure that evidence[76] is collected from sites as well as from all relevant sources and stakeholders to inform ensuing remediation processes.

This stage should involve ascertaining the scope of affected workers, which should include all current and former workers employed since the point at which the forced labour conditions are assessed to have begun (not merely the date they were first identified). Former affected workers should be included in the investigation, where feasible, and informed of their right to a remedy.

On smaller sites, affected workers should be interviewed individually in a confidential and secure manner to understand the manifestation and consequences of their experience and to define an appropriate remedy. In bigger sites, companies should create a methodology that ensures remediation/verification includes worker interviews covering a representative sample of workers. A stratified sampling, by dividing the total workforce based on shared characteristics, such as nationality, gender, recruitment year and other factors can help capture a broader range of recruitment experiences, including vulnerable groups, along with geographic diversity across worksites so that investigation and verification do not solely occur at model sites. This methodology should be combined with an opportunity for affected workers to submit individual grievances or report retaliation through the grievance mechanism.

Remediation processes should not exclude affected workers solely because they lack written contracts, payslips or recruitment receipts. Investigators should assess workers' testimonies, consistent patterns across accounts and information documented by independent trade unions and trusted CSOs alongside company records. Discrepancies should be investigated, taking account of power imbalances and risks of intimidation.

Companies should disclose relevant supplier and subcontracting information to those investigating the case so that workers in informal and lower-tier production are not overlooked.

While protecting the confidentiality of the whistleblowers and complainants, companies should communicate about the allegations to other potentially affected workers and invite them to reach out to the investigators, directly or through a trusted person or entity, so that the exploitative situation can be addressed for all affected workers.

9

Extend assessment to identify not only the presence of the forced labour conditions, but also other adverse human rights impacts, vulnerabilities and surrounding circumstances and how they interact to create conditions of exploitation affecting the rightsholders concerned. For example, in situations where forced labour is found, it is very likely that there are also barriers to freedom of association.

76 Guidelines on the implementation of the EU Forced Labour Regulation, Section 4.7.2.

STAGE 3:
Alleviate imminent danger

10

Upon discovery of forced labour, based on the specificities of the case, as soon as practicable and ideally within no more than 2 weeks, **companies should take immediate action to ensure the affected workers' health and safety**.

The examples below illustrate how immediate relief measures can be tailored to address different manifestations of forced labour and the urgent risks faced by affected workers. These examples are illustrative rather than exhaustive:

- If affected workers are found being forced to live in indecent lodging, companies should ensure that they are all moved immediately upon discovery to more suitable/appropriate temporary accommodation or housing as a temporary relief measure until appropriate and more sustainable accommodation can be provided.
- If affected workers are found being forced to live in isolation (for lack of transport or communication means, or being restrained in their ability to move), companies should immediately provide affected workers with the means to break that isolation (distribute phones and provide free access to a Wi-Fi network/internet, hire a bus to transport affected workers out of the workplace, dismantle the barriers, gates and/or security units preventing them from exiting, etc.).
- If workers are subject to, or at risk of retaliation, they should be offered protection by way of temporary relief measures, for example emergency accommodation, immediate partial payment, or return of identity documents.
- If workers' wages have not been paid, each affected worker should receive immediately a lump sum roughly corresponding to the amount necessary for them to cover their immediate living expenses until a full payment plan is devised, finalised and put into effect.
- If identity papers have been withheld, the company should immediately ensure that they are returned to each worker, without delay or excuses.
- Refer affected workers to specialist CSOs or other service providers for them to have immediate access to necessary health care, individualised legal and social support and advice, including immigration advice; etc.

11

Where a company is informed of harms (such as sexual, physical or psychological violence) or threats thereof, it should:

- Ensure the identities and personal information of affected workers are protected, ensuring that any actions taken are done with the affected workers' safety and privacy in mind.
- Ensure the physical safety of affected workers is immediately protected;
- Ensure that the medical and psychological safety of affected workers is addressed by providing them with psychological and medical advice as a direct rehabilitation measure. This measure also ensures that breadth and scope of the abuse is established and documented in a trauma-informed manner; and
- Suspend the suspected offender(s) to prevent any repetition or aggravation, until the case is properly investigated.

The provision of immediate relief should not delay the definition and provision of full remedy in a reasonable time, but should run in parallel.

STAGE 4:
Towards full remediation — Mid to long-term relief measures

12

Beyond immediate relief measures, other forced labour conditions and related concerns should be promptly addressed in a Corrective Action Plan (CAP). The CAP should include measures that are both:

- **backward-looking (corrective):** address the forced labour and its consequences for the affected workers, including through compensation and other remedial measures where still outstanding; and
- **forward-looking (preventative):** change the conditions or practices that brought about the forced labour risk - to prevent its recurrence - and develop and implement policies and practices to prevent and mitigate forced labour risk.

Such a CAP should be developed and implemented jointly with affected workers and their representatives.

Corrective actions should address issues relating to contract terms and conditions, wage discrimination and deduction practices, deceptive recruitment and information gaps. These indicators compound the immediate risks addressed in the earlier stage and require systematic review and remediation.

The goal is to ensure that affected workers can benefit from improved conditions in the mid to long-term. A timeline with shared accountability for completion should be negotiated with all parties.

Some examples of corrective actions, though not comprehensive, can be:

- Affected workers suffering from physical or mental health impacts of forced labour, including long-term health impairment, psychological trauma, the death of a breadwinner, or reduced earning capacity requiring retraining or new qualifications etc., should be provided with free, comprehensive medical and mental health support until they have recovered to the fullest extent.
- In relation to the payment of unpaid wages, a calendar of payment, including interest, should be established beyond the immediate provision of living expenses. This calendar should follow a reasonable timeline and should ideally not be longer than 6 months. Additional fines should be established for the non-payment on due dates and where possible these fines should be used for the compensation of affected workers;
- Any other needs should be identified and meaningfully addressed.

Companies should engage with independent unions or workers' representatives, to establish a collective remediation framework and rules that can be applied to all individuals to determine the individual remedy, including recruitment fees, to be paid. A specific committee, with representatives from all parties, can be established to ensure open dialogue with affected workers and facilitate the process.

Some examples, though not comprehensive, are:

- The Rana Plaza Arrangement,[77] an agreement between garment brands, trade unions, NGOs and the Bangladesh government to compensate victims

77 Rana Plaza Arrangement, https://ranaplaza-arrangement.org/

of the Rana Plaza collapse, which drew on the principles in ILO Convention No. 121 (Employment Injury Benefits Convention, 1964) such as death, survivor, % of injury, age, number of dependants, etc., to determine apportionment rules per person.
- Where there is no documentation on the exact amount paid for recruitment fees and related costs, companies can establish an average amount per migration corridor to be repaid to each affected worker. Former and current affected workers who paid more than the average can submit a request to the committee.

13

To determine appropriate preventative actions, **companies should also conduct a comprehensive analysis of the structural conditions** present in the sectors and regions of their operations and supply chains to identify the underlying drivers of vulnerability to exploitation. This includes examining cultural, economic and legal factors affecting the operations in a specific context, in particular where they create intersectional vulnerabilities affecting workers (such as being a lower-caste woman in South Asia or an irregular migrant subjected to discrimination in Europe). This analysis should be paired with an examination of how the company's own business practices including purchasing practices and support for freedom of association and collective bargaining rights (see Section D), interact with external structural conditions.

Once the root causes of forced labour are established — both external and internal — and recognising that responsibility for preventing forced labour is shared across brands, suppliers, sub-suppliers, and recruitment agents, companies should review their own and supplier-level internal systems and policies to address the root causes and guarantee non-repetition. These reviews should be conducted ideally every 6 months, but at minimum on a yearly basis.

Depending on the root cause(s) identified, preventative measures can include:
- Robust policies on prohibition and prevention of forced labour, and ethical recruitment based on Employer Pays Principle. This includes codes of conduct for business partners, such as suppliers and recruitment agencies;
- Comprehensive policies on wage, working hours, leave, and other employment rights and entitlements in line with applicable local and international standards;
- Anti-forced labour sensitisation for workers and training for management of the company and its business partners;
- Mapping recruitment pathways and strengthening due diligence and monitoring of recruitment agencies;
- Enhancing grievance mechanism for rightsholders to report issues relating to forced labour; and
- Review and revision of purchasing practices and production planning to improve working conditions in supply chains.

Please refer to Section D below for more details.

Remediation does not end with the provision of a remedy; follow-up is essential.

STAGE 5:
Documenting, monitoring and verifying impact

14

The process and outcomes of remediation should be documented and transparent, allowing affected workers to appeal decisions where they are not happy with the results.

Subject to confidentiality and data privacy safeguards, companies should also periodically publicly report anonymised data, including the number of grievances received and resolved, the types of grievances reported, the remedy provided and how many affected workers were satisfied with the remedy received. The company should also report on preventative actions taken, including any changes to internal structures and policies to prevent repetition.

15

Timely remediation, followed by post-remedy monitoring, is essential to verify the implementation and effectiveness of a corrective action plan. Each CAP item should include a corresponding post-remedy monitoring action and timeline. Longer-term monitoring is required for preventative measures to ensure forced labour does not recur, and workers do not remain trapped in precarious or retaliatory situations after the CAP is implemented.

When **conducting post-remedy monitoring of CAP**, companies should:

- Follow up with affected workers to verify actual, appropriate, and timely implementation of remediation. For example, where it is confirmed that workers paid recruitment fees and remediation involves reimbursement of fees to workers, companies should confirm with workers if they received the reimbursed amount; and
- Solicit feedback from affected individuals on their satisfaction with the remedy received and integrate their feedback for continuous improvement. For example, workers' feedback on the effectiveness of measures taken (e.g. policy change, restitution, training) could help inform necessary adjustments and further actions to prevent or mitigate the risk of forced labour occurring or recurring.

Documentation of the remediation process and its outcomes supports companies in enacting robust human rights due diligence by:

- Identifying root causes of forced labour and how to address them.
- Monitoring affected workers' satisfaction with the remediation process and its outcomes at different stages over time, including several months after implementation. This can inform adjustments where remedies have not achieved their intended outcomes or where new needs arise, such as medical or psychological support that only becomes apparent after the acute phase of the crisis has passed.
- Monitoring the efficiency of the remediation process itself with the purpose of improving it and resolving potential bottlenecks.
- Monitoring the potential resurgence of cases of forced labour and assessing whether the circumstances have sufficiently changed to effectively guarantee non-repetition.
- Clarifying indicators for monitoring and measuring impact over time as some will appear more relevant than others.

Documentation of forced labour due diligence and remediation efforts also supports compliance with EU corporate responsibility legislation. A well-documented due diligence and remediation process can help strengthen a company's position both in demonstrating to competent authorities the steps taken to prevent and eliminate forced labour and in defending against potential liability claims.

D. Preventative measures

To prevent forced labour from recurring, it is crucial that forward-looking measures are put into place to change the conditions or practices that make forced labour conditions more likely. As a foundational step, companies should conduct a root-cause analysis, by identifying structural drivers of forced labour and mapping them to business practices across the supply chain that exacerbate structural vulnerabilities. Doing so provides a roadmap for honest, evidence-based assessment and for the commercial, operational, and governance decisions that meaningful prevention of forced labour requires.

In their interrogation of business practices as part of forced labour remediation and prevention, companies should prioritise preventative measures that ensure responsible purchasing practices, freedom of association and collective bargaining, and worker engagement in remediation, as they reduce the likelihood of forced labour occurring.

1. Responsible Purchasing Practices

The review and revision of purchasing practices should form a key part of a company's preventative actions as they can have direct and indirect impacts on working conditions and labour rights across supply chains.[78]

A business that prices its contracts to reflect the costs of ethical recruitment and living wages and incomes can help mitigate the risk of forced labour. Conversely, a business that exerts price pressure that makes ethical recruitment and decent work economically unviable for suppliers can exacerbate those risks, even where it is not directly engaged in exploitation.

Some examples of responsible purchasing practices, though not comprehensive, can be:

- Buyers commit to prices and contract terms that reflect the cost of sustainable production and support progress towards a living income/living wage, measured against recognised benchmarks, and ensure that income-related payments reach the workers, smallholders and self-employed producers.
- Buyers and suppliers agree on reasonable production timelines and order volumes that mitigate the risks of excessive overtime, or sub-contracting arrangements.
- Buyers agree to committed order volumes and contractual relationships that allow suppliers to invest in decent work and improve facilities, including in relation to climate adaptation and mitigation measures.

78 Sheriff Wells N & Rosenthal C (2023), A Broken Partnership: How Clothing Brands Exploit Suppliers and Harm Workers — And What Can Be Done About It, NYU Stern Center for Business and Human Rights; Kuruvilla S & Li C (2025), Brand Purchasing Practices and Labor Outcomes in Apparel and Footwear Supply Chains: The Case of Multi-Buyer Suppliers.

FOCUS: **Living wages and living incomes**

Ensuring a living wage[79] for workers across supply chain tiers and contexts reduces the likelihood of them becoming victims of forced labour. Without a living wage, workers may be compelled to work excessive overtime or multiple jobs, or become bonded labourers. They may, as a result, be denied their basic human rights to food, nutrition, health, housing and education and be unable to withstand ill health and other personal afflictions.

The ILO defines living wage as "the wage level that is necessary to afford a decent standard of living for workers and their families, taking into account the country circumstances and calculated for the work performed during the normal hours of work".[80]

The Global Living Wage Coalition defines living wage as "the remuneration received for a standard work week by a worker in a particular place sufficient to afford a decent standard of living for the worker and her or his family. Elements of a decent standard of living include food, water, housing, education, health care, transportation, clothing, and other essential needs including provision for unexpected events."[81]

WageIndicator Foundation highlights that living wage estimates typically cover the most essential costs, such as food, housing, clothing, transport, healthcare, childcare, as well as modest allowance for emergency expenses or leisure (i.e. focus on immediate living costs), while generally excluding significant savings for property ownership, debt repayment, retirement or education.[82]

Although definitions and methodologies for calculating a living wage differ, they generally share the objective of ensuring that workers and their families can afford a decent standard of living. This includes meeting essential material and social needs, taking account of local circumstances and providing for unexpected expenses.[83]

Smallholders and other self-employed producers do not earn wages, but face comparable risks where their income falls below a living income. A living wage is set per employee for work done in normal working hours, while a living income is assessed at household level and can come from several sources. Prices and purchasing practices that leave producers below a living income can increase their vulnerability to exploitation, including forced labour. Where forced labour has occurred, addressing an income gap does not replace the need for appropriate remediation for those affected.

2. Freedom of Association and collective bargaining

Freedom of association and collective bargaining are core safeguards against forced labour because they give workers the collective power to monitor conditions, raise grievances, and negotiate improvements without fear of retaliation. When workers can organise independently and bargain collectively, they create the oversight and accountability needed to prevent coercion, abusive practices, and other exploitative conditions across supply chains.

Companies therefore need to assess early in any business relationship whether these rights can be exercised in practice and what barriers may exist.

Where joining or forming a union is allowed and accessible to workers, companies should engage with union representatives and respond promptly and substantively to unions' requests to further improve freedom of association and promote workplace dialogue at suppliers' factories. Companies should take appropriate measures including using their leverage to encourage formal registration and recognition of independent unions pursuant to local legal framework and remove barriers to workers' participation in unions' activities and reduce retaliation risk. Where they exist, companies

79 International Labour Organisation (2024), A methodology to estimate the needs of workers and their families for the purpose of wage setting, including living wages.
80 International Labour Organisation (2024), Report of the Meeting of Experts on Wage Policies, including Living Wages, GB.350/POL/1, Appendix, para 5.
81 Global Living Wage Coalition (GLWC), What is a Living Wage?
82 WageIndicator Foundation (2026) FAQ — Living Wage.
83 International Labour Organisation (2024), Report of the Meeting of Experts on Wage Policies, including Living Wages, GB.350/POL/1, Appendix, para 5.

FOCUS: Examples of worker-driven social responsibility models

Example 1: Fair Food Program (FFP)[84]

Workers employed at Fair Food Program farms learn about their rights through multiple educational mechanisms, including interactive sessions led by Coalition of Immokalee Workers' Worker Education Committee, whose members are former and current farmworkers themselves and are paid for participation. The training equips all workers with the knowledge they need to identify and safely report abuses and dangers in the workplace without fear.

The FFP provides for a worker-triggered complaint resolution mechanism leading to investigation, corrective action plans, and, if necessary, suspension of a farm's Participating Grower status, and thereby its ability to sell to Participating Buyers. Complaints are investigated and resolved by the Fair Food Standards Council, and, whenever possible, complaint resolutions include an educational component, consisting of meetings with relevant supervisors and crews, so that all workers on the farm can see that complaints are heard and resolved without retaliation.

Example 2: Dindigul Agreement[85]

Signed in 2022 and closed in 2025, the agreement consisted of two interlocking sets of agreements. The first was between Eastman Exports Global Clothing Ltd and labour stakeholders - Dindigul trade union, Asia Floor Wage Alliance and U.S.-based Global Labor Justice-International Labor Rights Forum (GLJ-ILRF). The second involved individual agreements between each garment brand, H&M Group, Gap Inc., and PVH, and the labour stakeholders. The Agreement implemented a worker-driven approach to combatting and remediating gender-based violence and harassment.

It included a multi-tier monitoring system consisting of: shop floor monitors (workers with extensive protections) who monitored conditions and supported workers to access grievance reporting and remediation as needed; Internal Complaints Committees (ICCs) and assessors (independent women lawyers and feminist activists paid for by the agreement); an escalation ladder; and union-management dialogue.

The agreement included that workers have determined the problem and are involved directly in implementing solutions; the agreement was enforceable through arbitration; brands provided suppliers the commercial conditions necessary to comply with the agreement; suppliers faced commercial sanctions for non-compliance and the Agreement's verification of compliance was rigorous and independent.

Example 3: The Central Java Gender Justice Agreement[86]

The Agreement, which draws on best practices from two enforceable supply chain agreements focused on the rights of women garment workers: the 2019 Lesotho Agreement to End Gender-Based Violence and Harassment (GBVH)[87] and the 2022 Dindigul Agreement, provides for GBVH Elimination Committees at each factory with equal representation from unions and management and a majority of women members.

The Agreement was signed in July 2024 and establishes a worker-centred system to prevent and address GBVH. A training team made up largely of factory workers delivers comprehensive education on GBVH and workplace rights to the entire workforce. Unions can appoint Worker Shop Floor Monitors, who form part of an Anti-GBVH Task Force responsible for monitoring, reporting, and helping remediate GBVH cases.

Workers can raise concerns through a multi-channel grievance mechanism that offers several safe reporting options. Strong anti-retaliation and freedom-of-association protections ensure complainants, witnesses, and monitors can act without fear, recognising that independent worker organisation is essential to tackling GBVH. Complaints are handled through fair, timely, survivor-centred investigations and remediation processes, and management's failure to implement required remedy can trigger a material default with business consequences for the supplier, Ontide Corporation.

84 See: https://fairfoodprogram.org/.
85 Kuruvilla S (2025), The Dindigul Agreement to Eliminate Gender-Based Violence and Harassment: Has it Worked?, ILR Labour Institute, Cornell.
86 Worker Rights Consortium (2025), Fact Sheet: Central Java Gender Justice Agreement.
87 Worker-Driven Social Responsibility Network (2020), Fact Sheet: Gender Justice in Lesotho.

should sign on to Global Framework Agreements and national or sectoral binding agreements that cover supply chain workers.

Where unions and exercise of the right to freedom of association are restricted — whether by repressive political regimes or by union structures that exclude segments of the workforce such as female workers, lower-caste, or migrant workers — the risk of forced labour increases significantly. Without independent worker representation, grievance mechanisms are weaker, abuses may be unreported, and workers lack the agency needed to report and resist coercive practices.

In contexts where trade unions are banned, suppressed, or structurally limited, workers may, of their own choosing, rely on alternative forms of representation such as workplace committees or communication tools (surveys, hotlines, apps). These should not, and cannot, replace independent unions, but they can help surface concerns, and companies should ensure workers can access and engage with these platforms in a meaningful manner. Companies should, however, be cautious that support for employer-driven alternatives does not amount to union busting, especially in contexts where unions are legally permitted.

Having co-determined structures and effective worker dialogue in place allows workers to play a critical role in identifying, ending, and preventing forced labour, and in providing independent oversight to ensure abuses do not recur.

These processes are most advanced in the context of enforceable labour rights agreements and worker-driven[88] social responsibility models. Where they exist, or are established as part of remediation efforts, they can strengthen a company's ability to respond to and remedy forced labour findings. The Dindigul Agreement[89] provides a notable example, with its mandatory and enforceable structure contributing to the swift lifting of a US import ban imposed on allegations of forced labour.

88 Electronics Watch (2024), Principles for Worker-Driven Remedy, NEW SOLUTIONS 33(4), pp. 248-254, doi:10.1177/10482911231218590; Gordon J (2024), Worker organising as a remedy for forced labour, Business and Human Rights Centre.

89 International Labour Organisation (2026), Import bans can help tackle forced labour.

ANNEX: **Glossary of terms**

AFFECTED WORKER: the term encompasses both the concepts of victim (as a legally defined victim of a crime/a rightsholder) and survivor (as having survived the crime of forced labour itself and retaining the agency to control their own life and future). The notion of affected worker is not limited in time and can cover workers previously in situations of forced labour or currently experiencing it.

COMPENSATION: Compensation is monetary or material redress for both pecuniary (financial) and non-pecuniary (emotional or psychological) harm. It covers losses such as medical expenses, lost income, or suffering caused by the violation. Compensation alone is insufficient and is usually combined with other reparations to ensure comprehensive redress.

GRIEVANCE MECHANISM: A mechanism — judicial or non-judicial, company-based or multi-stakeholder — through which individuals or communities can raise concerns and seek remedy. Under UNGP Principle 31, an effective grievance mechanism should be: legitimate, accessible, predictable, equitable, transparent, rights-compatible, a source of continuous learning, and based on engagement and dialogue.

GUARANTEES OF NON-REPETITION: Guarantees of non-repetition are measures to prevent future violations. These include legal reforms, institutional changes, training for authorities, and systemic safeguards. The goal is to ensure that the harm does not recur, addressing both individual and structural causes of the violation.

HUMAN RIGHTS DUE DILIGENCE: Human rights due diligence is a continuous risk-based process for businesses to identify, address, remediate, monitor and account for how they address actual and potential adverse human rights impacts on people.

LIVING INCOME: The net annual income required for a household in a particular place to afford a decent standard of living for all members of that household. Elements of a decent standard of living include: food, water, housing, education, healthcare, transport, clothing, and other essential needs including provision for unexpected events.

LIVING WAGE: The remuneration received for a standard workweek by a worker in a particular place sufficient to afford a decent standard of living for the worker and her or his family. Elements of a decent standard of living include food, water, housing, education, health care, transportation, clothing, and other essential needs including provision for unexpected events.

REHABILITATION: Rehabilitation involves measures to restore the victim's physical, psychological, and social well-being. This can include medical care, psychological support, legal assistance, and educational or vocational programs. Rehabilitation addresses the ongoing effects of the harm and helps victims regain autonomy and dignity.

RESTITUTION: Restitution seeks to restore the victim to the situation they were in before the violation occurred. This can include returning property, reinstating employment, restoring legal status, or returning access to homes or lands that were unlawfully taken. When full restoration is impossible, restitution may be symbolic or partial, often accompanied by other forms of reparation to address structural harms.

SATISFACTION: Satisfaction refers to symbolic or moral remedy that acknowledges the harm and restores dignity. Examples include public apologies, truth-telling, memorials, or judicial recognition of wrongdoing. Satisfaction aims to validate the victim's experience and promote societal acknowledgment of the violation.

STAKEHOLDERS: This covers any person, group, or organisation that has an interest in a business, project, or decision, and can either affect it or be affected by its results. The term is used widely to refer to a wide range of experts, groups and representatives across the spectrum of actors, from workers along with their families and representatives, civil society, trade unions, but also companies, SMEs, third-country authorities and various EU institutions or national organisations.

SUBSTANTIATED CONCERN: According to the FLR definition, the term "substantiated concern" means a reasonable indication based on objective, factual and verifiable information for the Commission or competent authorities to

suspect that it is likely that a product was made with forced labour.

VICTIM: A person that suffers a form of harm, including physical harm, emotional distress, financial loss, damage, or death as a result of forced labour. According to the EU Victims' Rights Directive, a victim is "a natural person who has suffered harm, including physical, mental or emotional harm or economic loss which was directly caused by a criminal offence", as well as "family members of a person whose death was directly caused by a criminal offence and who have suffered harm as a result of that person's death". See Victims' Rights Directive, Article 2 (1)(a).

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