



European Commission's Call for Evidence on an EU forced labour instrument

Pro Ethical Trade Finland is a Finnish non-profit organisation that promotes trade justice, sustainable value chains and ethical consumption. Pro Ethical Trade Finland welcomes the European Commission's initiative to effectively ban products produced, extracted or harvested with forced labour and the opportunity to contribute to this Call for Evidence.

It is our view that, to be efficient and impactful, such ban on products linked to forced labour should include the following elements:

- A border mechanism that enables the blocking of products at the EU port of entry should be complemented with a market mechanism that would allow products to be removed or recalled from circulation across the EU market; such a combination should be prioritised over a purely market-based mechanism.
- The mechanism should include a remedy mechanism to ensure justice for victims of forced labour, as expressed also by the European Parliament. Remediation should be a prerequisite for lifting any ban. Such remediation must be designed in collaboration with workers, trade unions, labour rights organisations and other legitimate representatives.
- In addition to blocking products imported by specific companies, the public authorities should be able to impose regional restrictions, to be used eg. in cases of state imposed forced labour where due diligence cannot be performed.
- There should be a mechanism in place to allow stakeholders to submit complaints and concerns on forced labour to public authorities on companies, products, containers, or regions.
- Regarding the identification of forced labour in supply chains, the ILO forced labour indicators should be considered.
- Currently, the EU does not disclose custom data, nor is an obligation to map and disclose supply chain information included sufficiently in the CSDDD initiative. Transparency in both would be crucial for monitoring of human rights violations, in particular regarding forced labour. The Union Customs Code should be amended to ensure customs data is not confidential and can be disclosed publicly, as well as to require importing companies to disclose the name and address of the manufacturer to the relevant customs authorities. Considering the limited scope of the current CSDDD proposal, the instrument should also include supplementary requirements for supply chain transparency. The instrument should be complimentary to the iterative due diligence process required in the CSDDD.
- It should be ensured that relevant public authorities have sufficient capacity and resources to effectively implement the ban. They should collaborate with equivalent authorities in countries implementing similar bans, eg. Canada and USA.