

**Question for oral answer O-xxx/2022**

**to the Commission**

Rule 136

**Bernd Lange on behalf of the Committee on International Trade**

**Subject: A new trade instrument to ban products made by forced labour**

1. The Commission has announced a new legislative instrument to ban products made by forced labour. In the Decent Work Worldwide Communication it is stated that which will prohibit the placing on the EU market of products made by forced labour, including forced child labour. The initiative will cover both domestic and imported products and combine a ban with a robust, risk-based enforcement framework. Can the Commission elaborate on the design of this new instrument and what will be its legal basis? How will the forced labour be defined?
2. Which Commissioners will lead the legislative proposal and which DGs are involved in the definition of the instrument? What is the Commission's timetable? Will there be a public consultation and, or an impact assessment?
3. What is the planned scope for this new instrument?
4. How is the Commission planning to support SMEs in the implementation of the new instrument?
5. How will the Commission address circumvention to ensure goods are not rerouted to third country markets after the identification of forced labour in the supply chain?
6. Other countries, notably the US and Canada, already have a system in place to ban the import of products made with forced labour. What lessons has the Commission learned from these systems to contribute to the design of the EU instrument? How will the interoperability with such systems be factored in the design of the new EU instrument?
7. Will the Commission ensure that the new EU instrument requires the responsible companies to provide remediation to the affected workers and communities prior to import restrictions being lifted and if so, how?
8. How will the Commission ensure coherence with other instruments such as corporate sustainability and due diligence?
9. Which different options for the enforcement of the new instrument is the Commission considering? How will the EU system ensure sufficient transparency to both companies and civil society regarding the enforcement process?
10. How is the Commission going to ensure that sufficient resources are allocated for

effective implementation of the new instrument?

11. Who will bear the investigation duty and how will coordination be ensured between Member States? Is the Commission considering an EU body to facilitate the investigation process and to coordinate inputs from enforcement authorities from diverse sectors across the EU?
12. Who will be allowed to bring evidence of forced labour to open an investigation, and will it be possible to lodge anonymous complaints?
13. Can you confirm that the risk analysis will not rely on audits/certification that have been proven as inadequate for identifying forced labour cases?
14. What will happen with products which have already been distributed on the single market from a producer later identified as using forced labour and who will bear the responsibility for this?
15. How will the Commission ensure the traceability of products made or transported with forced labour throughout the production process the supply chain from raw material to the final product? Is the Commission considering initiatives such as a digital traceability systems?
16. In cases of state-imposed forced labour, will the Commission impose regional or country-wide import controls to ensure systemic impact?

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