



Media pack: Effectiveness of forced labour import bans

The Modern Slavery and Human Rights Policy and Evidence Centre (PEC) at the University of Oxford has published a [policy briefing](#) analysing the available evidence on the effectiveness of forced labour import bans, authored by Dr Sofia Gonzalez de Aguinaga from the Bingham Centre for the Rule of Law at the British Institute of International and Comparative Law (BIICL). The briefing is the Modern Slavery PEC's second briefing on this subject, following the first one published in 2021, and has been updated with more recent evidence. Read the briefing on the PEC website [here](#).

Key points:

- Forced labour import bans have only been developed by countries in the Global North to address forced labour, but only the U.S. has widely implemented them.
- Forced labour import bans are not homogenous. They differ in many ways including their scope and approach to enforcement.
- Forced labour import bans have not been developed or implemented in consultation with people affected by forced labour.
- There is evidence that import bans have prevented the entry of some products made with forced labour into a country that has implemented an import ban (mainly the U.S.) and influenced some changes in business and governments affected by the bans.
- Forced labour import bans may be part of a “smart mix” of measures to address modern slavery in global supply chains.

Quotes

Dr Sofia Gonzalez de Aguinaga from the Bingham Centre for the Rule of Law at BIICL, who authored the briefing published by the Modern Slavery and Human Rights Policy and Evidence Centre, said:

“Because of the limited, mixed and relatively low quality publicly available evidence, it is not yet possible to provide a conclusive answer as to the effectiveness of forced labour import bans.

“The evidence is expected to increase with time as the bans, especially in Canada and Mexico, are implemented, but more empirical research is needed, especially on their impact on workers.

“Forced labour import bans may be part of a “smart mix” of regulatory and voluntary measures to address forced labour in global supply chains.

“As currently designed, forced labour import bans are not a preventative but a mitigation measure, and in cases of privately imposed forced labour a tool that can enable remediation to affected workers”

“To effectively target state-imposed forced labour, forced labour import bans may need to be designed differently from those targeting privately imposed forced labour. The ILO indicators used to identify forced labour have been found to be ill suited to identify state-imposed forced labour due to its systemic coercive and pervasive nature.”

Jakub Sobik from the Modern Slavery and Human Rights Policy and Evidence Centre (PEC), said:

“There’s increasing interest in forced labour import bans as potentially effective measure to stop goods produced by forced labour from entering countries.

“At is stands, the amount of evidence on their effectiveness is limited as there hasn’t been lots of research into their impact. We will monitor their implementation as the bans get unrolled in Mexico, Canada and the EU to learn as much as we can to guide efforts to introduce and use them.”

Forced labour import bans around the world:

- US: [Section 307 of the Tariff Act of 1930v](#) – entered into force in 1932 but largely enforced only since 2016; and US: [Uyghur Forced Labor Prevention Act \(UFLPA\) 2021](#) (in force since 2022)
- Canada: [amendment in its Custom Tariff Act](#) (in force since 2020)
- Mexico: [Agreement that establishes the goods which importation is subject to regulation](#) (in force since 2023)
- EU: [Regulation of the European Parliament and of the Council on prohibiting products made with forced labour on the Union Market](#) (in force since 2024, but will only become applicable in 2027).

Findings of the evidence review

Effectiveness in stopping the importation of forced labour goods

- The limited evidence shows that forced labour import bans prevent the entry of some products made with forced labour into a country but importers have found ways to circumvent these bans using **transshipment** methods and the "**de minimis**" exception (a provision that allows for goods valued below \$800 USD to enter the U.S. without going through scrutiny by the enforcement authorities).
- There is no publicly available evidence of the Mexican or the Canadian bans preventing the entry of products made with forced labour into their countries
- Several factors may influence the effectiveness of forced labour import bans. These include the presence of a "**rebuttable presumption**" that shifts the burden of proof onto importers, the **enforcement resources and capacity** of authorities, and the alignment of the forced labour import ban laws with domestic trade policies. However,

more research is needed to confirm the role of these factors in preventing the entry of products made with forced labour into a country.

Impacts on workers

- There is limited evidence on the impacts of forced labour import bans on workers. So far, there is no evidence in practice of these having negative impacts on workers (e.g., job and wage losses).
- No existing forced labour import ban mandates **remediation** for affected workers as a condition for lifting a ban. However, when remediation was required in some cases under Section 307, it led to **economic compensation for affected workers**.
- Forced labour import bans allow importers investors to **re-export seized or banned goods** to other countries, questioning the effectiveness of the bans in reducing and preventing forced labour.
- Advocates (individuals and civil society organisations) may play a role in using forced labour import bans for to prevent forced labour. For instance, advocates can file a petition under section 307 of the US Tariff Act to shift power towards workers.

Impact on business

- There is evidence of the US section 307 influencing change in large suppliers in the Global South who were affected by a ban that directly targeted specific companies, including changes in corporate policy, governance, grievance mechanisms and remediation. However, it remains unclear whether and when these changes lead to **sustainable improvements in workers' conditions**
- The limited evidence suggests bans influence change in suppliers in the Global South via economic pressures that can be attributed to bans and other pressures.
- There is evidence of the Uyghur Forced Labour Prevention Act led to **some firms** in the **solar industry** beginning to shift their supply chains away from the **Uyghur Region**, but they have not divested entirely from this region.
- There is **no public evidence** of lead firms severing ties with specific suppliers due to bans under Section 307.
- Advocates may play a role in using forced labour import bans to exert positive changes on businesses. For instance, advocates have used Sec. 307 to file petitions that target lead firms at the top of the supply chain.

Impact on Governments

- There is evidence that forced labour import bans influence government behaviour in targeted industries (e.g., seafood in Taiwan, rubber gloves in Malaysia, cotton from Turkmenistan), leading to public policy reforms (Malaysia), prosecution of perpetrators (Taiwan), and a reduction in the use of state-imposed forced labour (Turkmenistan).
- However, in the Uyghur Region, the bans do not seem to have led to a reduction in state-imposed forced labour, likely due to the ethnopolitical nature of coercion in that region.

- Uzbekistan eliminated systemic forced labour due to economic pressures and boycotts, even though no ban was placed on its products. However, there are still instances of state-imposed and privately imposed forced labour partially related to the persistence of the state control system over the cotton harvest and the lack of freedom of association and bargaining power for farmers

Contact:

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About the PEC

The Modern Slavery and Human Rights Policy and Evidence Centre (PEC) at the University of Oxford exists to enhance understanding of modern slavery and transform the effectiveness of laws and policies designed to address it. The Centre funds and co-produces high quality research with a focus on policy impact, and brings together academics, policymakers, businesses, civil society and survivors to collaborate on solving this global challenge.

The Centre is a consortium of three Universities of [Oxford](#), [Liverpool](#) and [Hull](#), and is funded by the [Arts and Humanities Research Council](#) (AHRC) on behalf of [UK Research and Innovation](#) (UKRI). Read more about the Modern Slavery and Human Rights PEC at www.modernslaverypec.org.