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EU Forced Labour Regulation

Call for Strong Cooperation with Producing Countries and Stakeholders to End Forced Labour

The European Parliament has approved a milestone Regulation to eliminate forced labour from EU supply chains. To take a step further and ambition to end all forced labour risks, FEDIOL urges the Commission and Member States to work jointly with companies on identifying and eliminating risks, and crucially, to engage in meaningful and structured cooperation with governments of producing countries to tackle the roots of forced labour.

The provisional agreement on the Forced Labour Regulation provides a good framework for constructive cooperation between competent authorities and companies in the preliminary investigation and investigation phases, so we call on the Commission and Member States to take on a collaborative approach and to support companies' efforts to identify and eliminate forced labour risks in their supply chains.

FEDIOL strongly supports the EU and Member States collaborating with third countries to prevent economic operators from disengaging in high-risk areas and to support tackling the root causes of forced labour. While the provisional agreement does not make this mandatory for the Commission and Member States, it is crucial that they be proactive, as no lasting or meaningful improvements can be achieved without their involvement. Structured partnerships with producing countries with forced labour risks will ensure that economic operators can operate with confidence, knowing that the underlying root causes triggering instances of forced labour in supply chains are being addressed. Without such assurance, economic operators may withdraw from a region, jeopardising the effectiveness of the collaboration and failing to create lasting changes in working conditions.

We welcome the creation of the Union Network Against Forced Labour Products to ensure harmonised enforcement and implementation of the Regulation. The Network should specifically ensure that sanctions in case of non-compliance are uniform across all EU Member States, promote uniform risk-based approaches and administrative practices, and contribute to the development of guidelines by the European Commission. Overall, the processes and approaches should be both legally clear and coherent for economic operators as well as equal across Member States and the Commission.

Regarding the issuance of guidelines by the European Commission, it is imperative that the latter consults supply chain and forced labour risk experts for the development of practical and realistic solutions and best practices. Furthermore, the guidelines should be available to economic operators and competent authorities at least 1 year before entry into application, without delay, as experience with other EU legislation has shown the very damaging impact of not providing legal clarity sufficiently ahead of time. Aspects of the guidelines that should require thorough attention and clarification include guidance for

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operators with a focus on sector specificities (agriculture in our case), guidelines on the applicable standard of evidence, and guidance for economic operators and product suppliers on how to engage in dialogue with competent authorities, in particular on the type of information to be submitted. As stated in the provisional agreement, we emphasise that the guidelines should be consistent with guidelines provided in accordance with other relevant Union law.

The implementation of the Forced Labour Regulation should avoid duplication and redundancies with other EU legislation, including the Corporate Sustainability Due Diligence Directive. While the EU takes the lead on environmental, social, and governance ambitions, it should ensure that its companies can contribute to these goals without unnecessary loss of competitiveness. Avoiding duplication and overlaps is an essential means to avert this.

Overall, FEDIOL endorses the compromise reached between the co-legislators and now look to the Commission and Member States to effectively cooperate with companies and producing countries with the aim of not only eliminating forced labour from EU supply chains but creating the right governance conditions for ending forced labour globally.

FEDIOL, the EU vegetable oil and protein meal industry association, represents the interests of the European oilseed crushers, vegetable oil refiners and bottlers. FEDIOL members are 10 national associations and associated company members in 7 other EU countries. With about 180 facilities in Europe, the sector provides 20,000 direct employments. Its members process approximately 55 million tonnes of basic products a year, both of EU origin and imported from third country markets. The sector processes notably rapeseed, sunflower seed, soybeans and linseed into oils and meals for food, feed, technical and energy uses essentially on the European market.