



Honourable Member of the European Parliament, Maria-Manuel Leitão-Marques,
Honourable Member of the European Parliament, Samira Rafaela
European Parliament
Rue Wiertz 60 1000 Brussels

Re: Enabling action in cases of systemic forced labour

Dear Ms. Leitão-Marques,
Dear Ms. Rafaela,

As part of the setting up of an EU framework to combat forced labour (the Regulation to prohibit products made with forced labour on the union market (2022/0269(COD) - the Forced Labour Regulation)), Europêche and the Environmental Justice Foundation - having a joint objective of securing sustainable and human rights abuse free fisheries - encourage Members of the European Parliament to enable the EU to take measures in cases where forced labour practices are systemic.¹

In particular, by advocating for an already approved Amendment 53 of the PECH opinion on the Forced Labour Regulation² you would be paving the way for engagement with non-cooperating third countries, and introduction of bans, where necessary, not only for individual products but specific product groups from specified countries, regions or operators outside the EU.

The amendment would fill an important gap under the original Forced Labour Regulation proposal. Without it, the EU would lack means to credibly encourage third countries with cases of systemic violations of human rights and labour conditions to improve meaningful compliance with international labour and human rights obligations and instil long-term changes in policy and implementation. Conversely, such an amendment would enable the EU to take limited, specific trade measures against third countries that place themselves outside the international legal order by consistently failing to take action against entities under their jurisdiction that engage in forced labour. The EU could thus have a strong tool for promoting compliance with international rules bilaterally, wherever multilateral negotiations have not yet been able to do so.

The system introduced by Amendment 53 draws inspiration from a well-established and functional EU scheme against illegal fishing. The scheme - which is enshrined in Council Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing - has enabled the Commission to enter into dialogues with more than 60 countries³ to improve their systems to fight illegal fishing and to take action to encourage reform. The European Court of Auditors has found *“these actions had proven useful and triggered positive reform in most of*

¹ Long Distance Advisory Council (2023) Support to the Resolution of the social partners in the sea-fisheries sector on the fight against forced labour, https://ldac.eu/images/EN_LDAC_Letter_Support_Resolution_EU-Social-Partners_Forced_Labour_29May2023.pdf.

² European Parliament (2023) Opinion of the Committee on Fisheries for the Committee on International Trade and the Committee on the Internal Market and Consumer Protection on the proposal for a regulation of the European Parliament and of the Council on prohibiting products made with forced labour on the Union market (COM(2022)0453 - C9-0307/2022 - 2022/0269(COD)), https://www.europarl.europa.eu/doceo/document/PECH-AD-739691_EN.html.

³ European Commission (2023) Identification of Trinidad and Tobago as a non-cooperating country in the fight against IUU fishing, https://ec.europa.eu/commission/presscorner/detail/en/qanda_23_4590.

the countries concerned".⁴ However, the framework aims to tackle environmental fishing offences, not human rights violations.

The FLR should therefore ensure that products from operators that are profiting from human suffering no longer have a market in the EU. We know first-hand that there is an urgent need for this Regulation to level the playing field and protect EU fisheries sector jobs.


This has been repeatedly requested by the large and small-scale fishing fleets represented by Europêche, as part of its strong commitment with the social dimension of the Common Fisheries Policy. Similarly, the Long Distance Advisory Council (LDAC), an EU fisheries stakeholder body, expressed support for this Regulation in their [letter](#) in May 2023 to the European Commission, as did the EU Social Partners in the sea fisheries sector in a [resolution](#) in January 2023. In an earlier piece of advice, the [LDAC](#) recommends to level the playing field by:

- *"establishing a list of third countries that fail to take action to prevent, deter and eliminate abuse against fundamental labour [...] rights in the fishing sector"; and*
- *"tak[ing] steps against non-compliant fishing vessels and non-cooperating third countries [...]."*

We strongly believe that fighting systems which allow forced labour to thrive is something that should unite us all, regardless of economic motivation or political persuasion.

We would welcome the opportunity to discuss this with you further and remain at your disposal should you require any further information.

Yours sincerely,
The undersigned



Javier Garat
President of Europêche



Steve Trent,
Founder / CEO,
Environmental Justice Foundation

Cc:

European Parliament shadow rapporteurs on 2022/0269(COD)
Chair of the Committee on Internal Market and Consumer Protection
Chair of the Committee on International Trade

⁴ European Court of Auditors (2022) Special Report EU action to combat illegal fishing, https://www.eca.europa.eu/Lists/ECADocuments/SR22_20/SR_Illegal_fishing_EN.pdf.