

End Uyghur Forced Labour

Submission to the Strengthening the Modern Slavery Act 2018 (Cth) Consultation

August 30, 2025

The Coalition to End Forced Labour in the Uyghur Region¹ welcomes consultations by the Australian government under the Modern Slavery Act 2018 (Act) to “enhance the framework, simplify and improve reporting, and target non-compliance.” These consultations offer an important opportunity to consider the impact of the Act and identify and remedy any gaps, particularly in light of key global developments. One such development is the exposure of Australian businesses and consumers to pervasive, state-imposed forced labour in the Xinjiang Uyghur Autonomous Region of China (Uyghur Region).

This submission will focus on questions relating to the following topics: the efficacy of the provisions of the Act relating to supply chains and whether the Act has kept up to date with developments in modern slavery in Australia and internationally.

Recommendations to the Australian government:

- **Implement standalone legislation that prohibits the import and sale of goods made in whole or in part with forced labour in the Australian market.** Import controls are particularly powerful in cases of state-imposed forced labour, where there is systemic forced labour across an entire industry or region, as with the Uyghur Region. Such a mechanism would help level the playing field among business, as it would place a legal obligation on all companies to ensure their supply chains are not exposed to, and therefore not benefitting from, systemic forced labour in specific regions or supply chains.
- **Shift the burden of proof to importers for goods made in whole or in part from regions or product lines linked to state-imposed forced labour.** Establish a presumption that products produced in regions with high prevalence of state-imposed forced labour cannot be imported into Australia. To rebut this presumption, require companies to provide evidence to customs authorities that their products do not have links to forced labour, including through mapping of supply chains and business relationships to the raw material level.
- **Make relevant customs data publicly available to enable robust enforcement of the law.** The government of Australia should publish data on any products denied entry due to links to forced labour, including on the value, origin, and product type of the goods

¹ The list of members of the Coalition to End Forced Labour in the Uyghur Region is available at <https://enduyghurforcedlabour.org>.

denied entry. The government, including the customs authorities, should share forced labour intelligence and import data with peer governments to enable effective enforcement of the Modern Slavery Act, including any forced labour import prohibition. The government should ensure harmonisation of approaches to exclude goods produced with forced labour.

- **Require reporting organizations to have a duty to prevent modern slavery through a mandatory human rights due diligence (mHRDD) approach.** For Uyghur forced labour, mHRDD would entail companies identifying the risks of being linked to Uyghur forced labour through supply chain mapping and traceability, employing all reasonable measures to do so, and ceasing relationships where such links are found; other prevention, mitigation, and remediation measures are not effective.

Context: State-Imposed Forced Labour in the Uyghur Region

The Government of China is perpetrating human rights abuses on a massive scale in the Uyghur Region targeting Uyghur and other Turkic and Muslim-majority peoples on the basis of their religion and ethnicity. This includes mass arbitrary detention and systemic state-imposed forced labour.² Forced labour has enabled, and been enabled by, other egregious human rights violations, such as mass surveillance, arbitrary detention, rape, torture, political ‘re-education’, and forced sterilisations.

State-imposed forced labour involves both detainee labour inside internment camps, prisons, and multiple forms of involuntary labour at workplaces across the Region and even in other parts of China.³ Research into extractives,⁴ critical minerals,⁵ the auto industry,⁶ renewables,⁷

² These abuses include arbitrary mass detention of an estimated range of 1 million to 1.8 million people and a program to “cleanse” ethnic groups of their “extremist” thoughts through re-education and forced labour.

³ Adrian Zenz, *Coercive Labor and Forced Displacement in Xinjiang’s Cross-Regional Labor Transfer Program*, The Jamestown Foundation, March 2021, <https://jamestown.org/product/coercive-labor-and-forced-displacement-in-xinjiangs-cross-regional-labor-transfer-program/>.

⁴ C4ADS, *Fractured Veins: The World’s Reliance on Minerals from the Uyghur Region*, October 11, 2023, <https://c4ads.org/reports/fractured-veins>.

⁵ Global Rights Compliance, *Risk at the Source: Critical Mineral Supply Chains and State-Imposed Forced Labour in the Uyghur Region*, June 2025, <https://globalrightscompliance.org/wp-content/uploads/2025/06/GRC-critical-minerals.pdf>.

⁶ Laura Murphy, Kendyl Salcito, Yalkun Uluyol, Mia Rabkin, et al., *Driving Force: Automotive Supply Chains and Forced Labor in the Uyghur Region*, December 2022 (Rev. October 2024), <https://enduyghurforcedlabour.org/wp-content/uploads/sites/44/Driving-Force-Auto-Supply-Chains-and-UFL-Oct24.pdf>; and Jim Wormington, *Asleep at the Wheel: Car Companies’ Complicity in Forced Labor in China*, Human Rights Watch, February 2024, https://www.hrw.org/sites/default/files/media_2024/01/china0224web_1.pdf.

⁷ Chloe Cranston, Anita Dorett, Edie Martin, Laura T. Murphy, et al., *Respecting Rights in Renewable Energy Addressing forced labour of Uyghurs and other Muslim and Turkic-majority peoples in the production of green technology*, Modern Slavery and Human Rights Policy and Evidence Centre, January 2024, https://www.antislavery.org/wp-content/uploads/2024/01/MSPEC_Uyghur_Research_Summary.pdf.

solar,⁸ and seafood processing⁹ evidence the extent and breadth to which state-imposed forced labour taints consumer goods.¹⁰

Research has documented the regional government's increased efforts to forcibly transfer Uyghurs and other targeted groups outside of the Region as well, finding "[i]n 2023, Xinjiang significantly expanded the scale of the Pairing Assistance program, which facilitates cross-provincial labour transfers, aiming to increase transfers to other Chinese regions by 38 percent—levels exceeding those of any year since the mid-2010s."¹¹ A 2023 investigation into the seafood industry found that over 1,000 Uyghurs were placed in at least ten seafood processing facilities after being forcibly transferred thousands of miles from the Uyghur Region.¹² A 2025 series of investigations found thousands of Uyghurs working under coercive conditions in factories across China, supplying goods to global supply chains.¹³

Given the widespread and systemic use of Uyghur forced labour and the breadth of production and manufacturing in the Uyghur Region and throughout China, there are significant risks of Uyghur forced labour in numerous global supply chains.

UN human rights experts have concluded that the human rights violations against the Uyghur people "may constitute international crimes, in particular crimes against humanity."¹⁴ The US

⁸ Alan Crawford and Laura T. Murphy, *Over-Exposed: Uyghur Region Exposure Assessment for Solar Industry Sourcing*, Sheffield, UK: Sheffield Hallam University Helena Kennedy Centre for International Justice, <https://enduyghurforcedlabour.org/wp-content/uploads/sites/44/Crawford-Murphy-et-al-Over-Exposed-November-2023.pdf>.

⁹ Ian Urbina, "The Uyghurs Forced to Process the World's Fish," The Outlaw Ocean Project, October 9, 2023, <https://theoutlawocean.com/investigations/china-the-superpower-of-seafood/the-uyghurs-forced-to-process-the-worlds-fish/>.

¹⁰ "Reports," Coalition to End Forced Labour in the Uyghur Region, <https://enduyghurforcedlabour.org/home/reports>.

¹¹ Adrian Zenz, *Forced Labor in the Xinjiang Uyghur Autonomous Region: Assessing the Continuation of Coercive Labor Transfers in 2023 and Early 2024*, Jamestown Foundation, China Brief Volume: 24 Issue: 5, February 14, 2024, <https://jamestown.org/program/forced-labor-in-the-xinjiang-uyghur-autonomous-region-assessing-the-continuation-of-coercive-labor-transfers-in-2023-and-early-2024/>.

¹² Ian Urbina, "The Uyghurs Forced to Process the World's Fish," The Outlaw Ocean Project, October 9, 2023, <https://theoutlawocean.com/investigations/china-the-superpower-of-seafood/the-uyghurs-forced-to-process-the-worlds-fish/>.

¹³ Daniel Murphy and Franz Wild, "China's Hidden Workers," Pulitzer Center, Accessed August 25, 2025, <https://pulitzercenter.org/projects/chinas-hidden-workers>.

¹⁴ Office of the United Nations High Commissioner for Human Rights, *OHCHR Assessment of human rights concerns in the Xinjiang Uyghur Autonomous Region, People's Republic of China*, August 31, 2022, <https://www.ohchr.org/en/documents/country-reports/ohchr-assessment-human-rights-concerns-xinjiang-uyghur-autonomous-region>.

government and legal and human rights experts have declared that the abuses amount to genocide.¹⁵ Many other governments have passed parliamentary resolutions.¹⁶

On October 22, 2024, Australia led a joint statement at the UN General Assembly's Third Committee acknowledging forced labour and other grave abuses against Uyghurs in the Uyghur Region. The statement cited UN findings of large-scale arbitrary detention, family separation, and systemic forced labour, urging China to end these practices and allow independent access to the Region.¹⁷

On August 5, 2025, Australian Anti-Slavery Commissioner Chris Evans called for urgent reforms to address the risk of forced labour in Australian supply chains, highlighting ongoing legal proceedings initiated by the Australian Uyghur Tangritagh Women's Association.¹⁸ Evans condemned China's systematic use of forced labour targeting Uyghurs and other Turkic and Muslim-majority peoples in the Uyghur Region, warning that Australia remains vulnerable due to opaque global supply chains and a lack of robust enforcement tools such as high-risk product lists or import bans. He called on both businesses and the government to take stronger action, including reforms to the Modern Slavery Act, to ensure Australian consumers are not complicit in modern slavery.

The extreme levels of repression and surveillance in the Uyghur Region make human rights due diligence a practical impossibility, and, due to the high risk of forced labour, companies must operate on the assumption that all products produced in part or in whole in the Region are tainted by forced labour.¹⁹

Developments on Approaches to Address Modern Slavery Internationally

The US Uyghur Forced Labor Prevention Act, enacted in 2021, establishes a rebuttable presumption that all products from the Uyghur Region, or from specific suppliers, are made with

¹⁵ Edward Wong and Chris Buckley, "U.S. Says China's Repression of Uighurs Is 'Genocide,'" *The New York Times*, January 19, 2021, <https://www.nytimes.com/2021/01/19/us/politics/trump-china-xinjiang.html>; and Patrick Wintour, "Uyghurs Subjected to Genocide by China, Unofficial UK Tribunal Finds," *Guardian*, December 9, 2021, <https://www.theguardian.com/world/2021/dec/09/uyghurs-subjected-to-genocide-by-china-unofficial-uk-tribunal-finds>.

¹⁶ Reuters, "Dutch Parliament: China's Treatment of Uighurs is Genocide," February 25, 2021, <https://www.reuters.com/article/world/dutch-parliament-chinas-treatment-of-uighurs-is-genocide-idUSKBN2AP2CH/>.

¹⁷ Permanent Mission of Australia to the United Nations, "UNGA79 Third Committee: Joint Statement on the Human Rights Situation in Xinjiang and Tibet," October 22, 2024, https://unmy.mission.gov.au/unmy/241022_UNGA79_Joint_statement_on_the_human_rights_situation_in_Xinjiang_and_Tibet.html.

¹⁸ Australian Anti-Slavery Commissioner, "Anti-Slavery Commissioner Calls for Urgent Action on Forced Labour in Australian Supply Chains," August 5, 2025, <https://www.antislaverycommissioner.gov.au/news/anti-slavery-commissioner-calls-urgent-action-forced-labour-australian-supply-chains>.

¹⁹ Ibid.

forced labour and bans them from importation into the US.²⁰ Since the UFLPA's implementation in June 2022, US Customs and Border Protection has detained nearly 17,000 shipments valued at nearly \$3.7 billion.²¹ The government has increased staffing for UFLPA inspections, developed isotopic testing labs, and created the necessary mechanisms for ensuring robust enforcement of the law. In recent months, the US government has identified five new sectors that are high priorities for enforcement because of the pervasive use of Uyghur forced labour in those industries.

The EU's Forced Labour Regulation, in force since December 2024 and applicable from December 2027, will ban any products made with forced labour from being placed on the EU market. The law empowers national and EU authorities to investigate supply chains, withdraw or block goods found to involve forced labour, and requires member states to designate enforcement bodies by December 2025, with an EU database of high-risk areas to follow in 2026.²²

Canada's Customs Tariff prohibits imports produced by forced labour, and Mexico's Forced Labour Regulation includes an obligation to prohibit the importation of goods produced in whole or in part by forced or compulsory labour.²³ The Canadian government has made commitments in its 2023²⁴ and 2024²⁵ budgets to address Uyghur forced labour in supply chains.

In the UK, the Court of Appeal ruled in June 2024 that companies that knowingly or with suspicion import goods made under criminal circumstances—such as through Uyghur forced labour—can now be prosecuted under the Proceeds of Crime Act for trading criminal property.²⁶ In July 2025, the UK Parliament's Joint Committee on Human Rights published a report including a series of recommendations calling for import bans on goods produced with forced

²⁰ Public Law No: 117-78 (12/23/2021), <https://www.govinfo.gov/app/details/PLAW-117publ78>; and US Customs and Border Protection, "Uyghur Forced Labor Prevention Act," <https://www.cbp.gov/trade/forced-labor/UFLPA>.

²¹ US Department of Homeland Security, "2025 Updates to the Strategy to Prevent the Importation of Goods Mined, Produced, or Manufactured with Forced Labor in the People's Republic of China," August 19, 2025, <https://www.dhs.gov/2025-updates-strategy-prevent-importation-goods-mined-produced-or-manufactured-forced-labor-peoples>.

²² European Commission, "The Forced Labour Regulation," https://single-market-economy.ec.europa.eu/single-market/goods/forced-labour-regulation_en.

²³ Sean Stephenson, "Canada Regulatory Review, Canada's prohibitions on forced and child labour: A customs perspective," September 7, 2023, <https://www.canadaregulatoryreview.com/canadas-prohibitions-on-forced-and-child-labour-a-customs-perspective/#%3A~%3Atext%3DThe%20USMCA%20treaty%20obligation%20was%2Cin%20part%20by%20forced%20labour>; and Baker McKenzie, "Mexico's Implementation of USMCA Forced Labor Import Ban" February 22, 2023, <https://www.lexology.com/library/detail.aspx?g=a635401e-753f-41ab-a2f9-217e07c8b8dc>.

²⁴ Budget 2023, Government of Canada, <https://budget.canada.ca/2023/report-rapport/toc-tdm-en.html>.

²⁵ Budget 2024, Government of Canada, <https://budget.canada.ca/2024/home-accueil-en.html>.

²⁶ Global Legal Action Network, "'Watershed' ruling confirms that UK companies trading in forced labour goods risk prosecution," June 27, 2024, <https://www.glanlaw.org/uyghur-forced-labour-uk-action>.

labour.²⁷ The report highlights the limitations of the current UK Modern Slavery Act in addressing forced labour in global supply chains and emphasizes the need for stronger, enforceable measures to prevent UK businesses from benefitting from forced labour.

Due diligence legislation is already in place or under development in several European states, including Austria, Belgium, Finland, France, Germany, the Netherlands, Norway, and Switzerland.

Exposure of Australian Businesses to Uyghur Forced Labour

In Australia, voluntary corporate reporting under the Modern Slavery Act has proven insufficient to address the risks of forced labour in supply chains, including those connected to the Uyghur Region. Research has documented links between Australian companies and forced labour in the Uyghur Region,²⁸ highlighting the urgent need for enforceable measures, including import bans on forced labour goods and mandatory human rights due diligence.

²⁷ Joint Committee on Human Rights, “Forced Labour in UK Supply Chains,” Sixth Report of Session 2024–25, HC 633 / HL Paper 159, London: House of Lords and House of Commons, July 2025, <https://committees.parliament.uk/publications/49011/documents/257592/default/>.

²⁸ Christopher Knaus and Helen Davidson, “Thousands of imports enter Australia from firms blacklisted by US over alleged Uyghur forced labour links,” *Guardian*, January 19, 2025, <https://www.theguardian.com/world/2025/jan/20/thousands-of-imports-enter-australia-from-companies-blacklisted-by-us-over-claimed-uyghur-forced-labour-links-ntwnfb>; and Ben Doherty, “Kmart supply chains under scrutiny for potential Uyghur forced labour links in Australian court case,” *Guardian*, August 23, 2025, <https://www.theguardian.com/law/2025/aug/24/kmart-supply-chain-federal-court-australia-modern-slavery-laws>.