End Uyghur Forced Labour

Comment to the Office of the U.S. Trade Representative on the Operation of the USMCA in Advance of the 2026 Joint Review

November 3, 2025

The Coalition to End Uyghur Forced Labor welcomes the opportunity to submit comments to the Office of the U.S. Trade Representative (USTR) in advance of the 2026 Joint Review of the United States-Mexico-Canada Agreement (USMCA). This review represents a critical opportunity to strengthen North American cooperation on labor standards, supply chain due diligence, and trade enforcement.

Our global coalition brings together civil society organizations, investors, and trade unions united to end state-imposed forced labor and other egregious human rights abuses against people from the Xinjiang Uyghur Autonomous Region of China (Uyghur Region).[1] We urge USTR to prioritize coordination with Mexico and Canada under the USMCA to ensure that goods made with forced labor do not enter or circulate within the North American market, thereby fulfilling the Agreement's treaty obligations and protecting workers and industries in North America from unfair competition.

Context: Forced Labor as a Competitiveness Distortion

The government of China is perpetrating widespread, state-organized abuses in the Uyghur Region, targeting Uyghurs and other Turkic and Muslim-majority peoples on the basis of their religion and ethnicity, which the U.S. State Department has determined to constitute genocide and crimes against humanity.[2] State-imposed forced labor occurs both within internment camps and through involuntary labor programs across the region and other parts of China.[3]

State-imposed forced labor in China is not only a human rights violation; it also functions as a non-market trade distortion that undermines fair competition to the detriment of manufacturers in North America. By coercively reducing labor costs in export-oriented sectors, including

[1] The list of members of the Coalition to End Forced Labour in the Uyghur Region is available at https://enduyghurforcedlabour.org. The Coalition may be contacted at contact@enduyghurforcedlabour.org.
[2] 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 U.S. Department of State, *2024 Country Reports on Human Rights Practices: China,* August 12, 2025, https://www.state.gov/reports/2024-country-reports-on-human-rights-practices/china/.
[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/.

extractives,[4] critical minerals,[5] automotive,[6] renewables,[7] solar,[8] and seafood processing,[9] the Chinese government artificially suppresses global prices and fuels industrial overcapacity. These distortions spill over into North America when goods tainted by forced labor are imported directly from China or are imported into third countries where they are used in the production of finished goods and subsequently exported to North America, eroding the competitiveness of firms in the United States, Mexico, and Canada that choose to operate supply chains free of forced labor. Strong, coordinated enforcement of forced-labor import bans under Article 23.6 of the USMCA is therefore essential to protecting domestic industries and leveling the playing field.

Legal and Policy Framework: Article 23.6 and UFLPA-Mandated Trilateral Enforcement

Article 23.6 of the USMCA requires each party to "prohibit the importation of goods into its territory from other sources produced in whole or in part by forced or compulsory labor, including forced or compulsory child labor." Paragraph 2 directs the parties to "establish cooperation for the identification and movement of goods produced by forced labor as provided for under Article 23.12.5(c)," creating a framework for trilateral collaboration in identifying, tracing, and preventing the circulation of such goods across North American borders.[10]

The United States has long prohibited imports made with forced labor under Section 307 of the Tariff Act of 1930, actively enforced since 2016, and reinforced, with respect to the Uyghur Region, through the Uyghur Forced Labor Prevention Act (UFLPA) of 2021. Section 1(3) of the UFLPA explicitly identifies coordination with Mexico and Canada as U.S. policy 'to effectively

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[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.

[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] USMCA, "Chapter 23: Labor," Article 23.6, https://ustr.gov/sites/default/files/files/agreements/FTA/USMCA/Text/23-Labor.pdf.

implement Article 23.6 of the United States-Mexico-Canada Agreement to prohibit the importation of goods produced in whole or in part by forced or compulsory labor, including those goods mined, produced, or manufactured wholly or in part in the Xinjiang Uyghur Autonomous Region.'[11]

This mandate provides a clear basis for trilateral collaboration to align standards and enforcement mechanisms and to prevent the importation into North America of goods produced with Uyghur forced labor.

Following the USMCA's entry into force, Canada and Mexico have each enacted bans on the importation of goods produced with forced labor.[12] Ongoing advocacy[13] is focused on ensuring these bans will be sufficiently implemented and enforced so that goods produced with Uyghur forced labor are prevented from entering these markets.[14]

Coordination and Implementation Gaps

Despite these actions, forced-labor goods continue to reach North American markets through re-export or processing in third countries. Shipments denied entry under the UFLPA are not systematically tracked once they leave U.S. ports, raising the risk that they are rerouted to Mexico or Canada.

In 2024, the Canada Border Services Agency stated that, since 2021, it has detained roughly 50 shipments suspected of being made with forced labor, only one of which was denied entry after

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[11] Public Law 117-78, 11th Congress, December 23, 2021, https://www.govinfo.gov/content/pkg/PLAW-117publ78/pdf/PLAW-117publ78.pdf.

[12] Angela M. Santos, Lucas A. Rock, and Birgit Matthiesen, "Canada and Mexico Take Steps to Eliminate Forced Labor From Supply Chains," ArentFox Schiff, April 20, 2023, https://www.afslaw.com/perspectives/alerts/canada-and-mexico-take-steps-eliminate-forced-labor-supply-chains; and Government of Canada, "Fighting Against Forced Labour and Child Labour in Supply Chains Act (S.C. 2023, c. 9)," Assented to 2023-05-11, Act current to 2025-09-29 and last amended on 2024-01-01, https://laws.justice.gc.ca/eng/acts/F-10.6/page-1.html.

[13] Uyghur Rights Advocacy Project, Time for Action: URAP Urges Canada to Ban Forced Labour Goods and Uphold Human Rights, October 21, 2025, https://www.urap.ca/press-releases/3djwiwcac27jw2pfzo63dtrpxfxfjm; Above Ground, "CAFLT calls on new Canadian PM to take action on forced labour," May 15, 2025, https://aboveground.ngo/caflt-calls-on-new-canadian-pm-to-take-action-on-forced-labour/; and Elizabeth Rosales, "Mexico is only USMCA country not to investigate forced labor; citizen request for action rejected," EMPOWER LLC, January 23, 2024, https://empowerllc.net/en/2024/01/23/mexico-usmca-forced-labor/.

[14] Jeremy Nuttall, "Is Canada becoming a dumping ground for goods made with Uyghur forced labour? Here's why some are raising the alarm," *Toronto Star*, April 21, 2023, https://www.thestar.com/news/canada/is-canada-becoming-a-dumping-ground-for-goods-made-with-uyghur-forced-labour-here-s/article_eebaf4d1-2309-5ace-b939-1872b88cc384.html; and Jeff Semple, "Canada a 'dumping ground' for products made by forced labour, Ottawa promises crackdown," *Global News*, June 13, 2023, https://globalnews.ca/news/9764074/canada-dumping-ground-products-forced-labour-ottawa-crackdown/.

review.[15] Canada has not released further data on this in the past year and Mexico has not released any comparable data.

The lack of coordinated tracking not only weakens enforcement but also distorts regional competition by allowing goods tainted with forced labor to circulate within the North American market. This demonstrates the need for stronger information-sharing, common standards for "clear and convincing evidence," and joint risk-screening for high-risk commodities.

The U.S. government should coordinate closely with Mexico and Canada through the USMCA's existing cooperation mechanisms to:

- Integrate forced-labor enforcement into the mandate of the North American Competitiveness Committee (Article 26.1) to align economic security with labor rights;
- Share information about shipments denied entry to the United States under the UFLPA, including entities and importers linked to state-imposed forced labor;
- Encourage Canada and Mexico to adopt the UFLPA Entity List as a shared screening tool for imports; and
- Coordinate trade enforcement at borders to prevent the diversion of UFLPA-denied shipments into the rest of the North American market.

Recent Coordination Efforts and Need for Renewal

Prior to 2025, preliminary efforts were underway to enhance trilateral coordination on forced-labor enforcement, including technical exchanges, knowledge-sharing initiatives, and draft memoranda of understanding (MOUs) between enforcement agencies. However, these efforts lost momentum following leadership transitions and shifting resource priorities.

The 2026 Joint Review offers an opportunity to revive and institutionalize these technical coordination mechanisms, ensuring sustained collaboration and information exchange among U.S., Mexican, and Canadian counterparts.

Recommendations for the 2026 Joint Review

USTR should use the Joint Review to advance a trilateral strategy that links forced labor enforcement to North American competitiveness. Specifically, the United States should:

1. Affirm that the elimination of forced labor is a core pillar of North American economic security and supply chain resilience;
2. Hold Mexico and Canada accountable for implementing their forced-labor import bans fully and transparently under Article 23.6;

[15] Ryan Tumilty, "U.S. legislators want Canada to do more to prevent slave-made goods from entering North America," *National Post*, September 24, 2024, https://nationalpost.com/news/politics/u-s-legislators-want-canada-to-do-more-to-prevent-slave-made-goods-from-entering-north-america.

3. Institutionalize trilateral information-sharing on UFLPA detentions, Entity List additions, and high-risk commodities;
4. Support joint capacity-building for customs and border officials to detect and intercept forced-labor goods; and
5. Ensure safeguards are in place so that goods denied entry to the United States, particularly those shipped from non-USMCA countries, do not succeed in entering the United States through transshipment via Canada or Mexico.

The inclusion in the USMCA of Article 23.6 on forced labor was a historic achievement, and Mexico and Canada's subsequent legislative actions are positive steps forward. However, to realize these commitments to prevent the importation into North America of goods made in whole or in part with forced labor, USTR must ensure strong, coordinated implementation that closes enforcement gaps and prevents the rerouting of forced-labor goods into neighboring countries. Such coordination will uphold the spirit of the Agreement, protect U.S. workers and manufacturers, and advance fair and ethical competition across the North American market.