End Uyghur
Forced Labour

Comment to the Office of the U.S. Trade Representative on State-Imposed Forced Labor in China as a Foreign Trade Barrier

October 30, 2025

The Coalition to End Forced Labour in the Uyghur Region respectfully submits this comment in response to the Office of the U.S. Trade Representative's request for input on significant foreign trade barriers for inclusion in the *2026 National Trade Estimate Report on Foreign Trade Barriers*. 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]

This submission highlights how state-imposed forced labor by the government of China constitutes a significant unfair trade practice and non-market distortion that undermines responsible business conduct and fair competition. We encourage USTR to address these practices under Section 12 (Labor) and Section 11 (Other Non-Market Policies and Practices) of the notice.

Context: State-Imposed Forced Labor in the Uyghur Region

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] These abuses include mass arbitrary detention, systemic state-imposed forced labor, and related abuses such as pervasive surveillance, torture, sexual violence, forced sterilization, and family separation.[3]

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[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] United Nations Human Rights Office of the High Commissioner, *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; and Human Rights Watch, *"Break Their Lineage, Break Their Roots": China's Crimes against Humanity Targeting Uyghurs and Other Turkic Muslims*, April 19, 2021, https://www.hrw.org/report/2021/04/19/break-their-lineage-break-their-roots/chinas-crimes-against-humanity-targeting.

State-imposed forced labor occurs both within internment camps and through involuntary labor programs across the region and other parts of China.[4] Independent investigations across a broad array of industries, including extractives,[5] critical minerals,[6] automotive,[7] renewables,[8] solar,[9] and seafood processing,[10] demonstrate the pervasive extent to which state-imposed forced labor contaminates global supply chains.[11] The Xinjiang Government's "Pairing Assistance" program expanded cross-provincial labor transfers by 38 percent in 2023, moving Uyghurs thousands of miles from their homes to factories across China.[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]

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[4] 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/.

[5] C4ADS, *Fractured Veins: The World's Reliance on Minerals from the Uyghur Region*, October 11, 2023, https://c4ads.org/reports/fractured-veins.

[6] 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.

[7] 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.

[8] 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.

[9] 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.

[10] 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/.

[11] "Reports," Coalition to End Forced Labour in the Uyghur Region, https://enduyghurforcedlabour.org/home/reports.

[12] 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/.

[13] Daniel Murphy and Franz Wild, "China's Hidden Workers," Pulitzer Center, Accessed October 28, 2025, https://pulitzercenter.org/projects/chinas-hidden-workers.

The extreme levels of repression and surveillance in the Uyghur Region make human rights due diligence through "social audits" a practical impossibility,[14] and, due to the high risk of forced labor, companies must operate on the assumption that all products produced in part or in whole in the Region are tainted by forced labor.[15] These abuses translate directly into trade distortions that reward coercion over compliance, giving industries in China utilizing Uyghur forced labor and manufacturers in other countries sourcing inputs from China tainted with Uyghur forced labor an artificial cost advantage in global markets.

As documented in recent editions of the *USTR National Trade Estimate Report on Foreign Trade Barriers*, the government of China continues to violate internationally recognized labor rights and retaliate against companies that comply with U.S. and international due diligence standards. These actions, combined with systemic state-imposed forced labor, represent a sustained non-market distortion undermining fair compensation and the integrity of global supply chains.

Forced Labor as an Unfair Trade Distortion

Systemic labor rights violations in the Uyghur Region constitute a direct assault on fair competition. Through coercive "labor transfer" programs, arbitrary indefinite internment on a massive scale, and the suppression of independent labor representation, the Chinese government distorts labor costs across major export industries, including cotton, apparel, polysilicon, aluminum, PVC, and seafood. These coercive labor programs are embedded within state industrial policies designed to expand Chinese dominance in key export sectors. These programs also reinforce China's import substitution and domestic dominance objectives by incentivizing Chinese firms to rely on state-sponsored involuntary labor transfers instead of using recruitment methods that meet internationally recognized labor standards.

These practices artificially lower production costs, creating a state-engineered price advantage that no manufacturer operating under lawful labor standards can match. This distortion undermines U.S. businesses that comply with domestic labor law and invest in ethical supply chains. In effect, state-imposed forced labor operates as an illegal and non-market subsidy–a state backed mechanism that suppresses production costs and distorts global competition.

U.S. Law and the Need for Robust Implementation

Under the Uyghur Forced Labor Prevention Act (UFLPA), imports produced wholly or in part in the Uyghur Region or coming from companies that are included on the UFLPA Entity List because they receive labor transfers or for other reasons, are presumed to be made with forced

[14] Scott Nova, "Testimony before the Congressional Executive Commission on China," Worker Rights Consortium, April 30, 2024, https://www.cecc.gov/sites/evo-subsites/www.cecc.gov/files/documents/hearings/Testimony%20by%20Scott%20Nova%20for%20CECC%20Hearing%20on%204-30-2024_1.pdf.
[15] Coalition to End Forced Labour in the Uyghur Region, "Call to action on human rights abuses in the Xinjiang Uyghur Autonomous Region," Updated July 2025, https://enduyghurforcedlabour.org/wp-content/uploads/sites/44/Call-to-Action.pdf.

labor. This causes them to be barred from entry into the United States, because the presumption has never been rebutted successfully. Robust enforcement of this law is essential as a human rights measure, to uphold Section 307 of the U.S. Tariff Act of 1930, and to protect U.S. industries against unfair competition.

Accordingly, we recommend that USTR, in coordination with the Forced Labor Enforcement Task Force, Customs and Border Protection (CBP), the Department of Labor, and Homeland Security Investigations at DHS:

- Ensure rigorous and transparent UFLPA enforcement to prevent forced-labor-made goods from entering the U.S. through direct or indirect channels, thereby protecting U.S. producers from unfair competition;
- Continuously expand the UFLPA Entity List to include hundreds of additional entities implicated in state-imposed labor transfers or sourcing from those entities;
- Regularly review and update the UFLPA's high priority sectors to capture emerging areas of concern beyond those industries currently identified;
- Increase scrutiny of imports from third countries that incorporate materials or other inputs produced or processed in the Uyghur Region or in facilities in China receiving forced labor transfers;
- Leverage civil penalties as well as transshipment tariffs to penalize imports made contrary to the UFLPA and any withhold release orders issued in conjunction with the UFLPA; and
- Include provisions in all bilateral and plurilateral trade agreements that ensure the adoption, implementation, and enforcement of forced labor import bans and provide technical support to build the necessary government, trade community, and civil society capacity.

Strong enforcement of the UFLPA protects U.S. manufacturers from being undercut by coerced labor abroad and upholds Congress's intent that trade liberalization not come at the expense of basic human dignity.

Recommendations for the *2026 NTE Report*

The 2025 *National Trade Estimate Report on Foreign Trade Barriers* (NTE) provided a detailed account of China's non-market practices, highlighting state subsidies, industrial overcapacity, anticompetitive enforcement, and the outsized role of state-owned enterprises in distorting global markets. Separately, the report's Labor section documented state-imposed forced labor in the Uyghur Region and U.S. enforcement actions under the UFLPA.

The report treated these two issues in isolation, without recognizing how forced labor operates as a core feature of China's state-led industrial model, suppressing production costs and reinforcing overcapacity across export sectors such as cotton, apparel, polysilicon, aluminum, PVC, and seafood. However, forced labor is not only a human rights violation but also a non-market trade distortion that undermines fair competition and depresses global prices.

The *2026 NTE Report* should close this gap by explicitly linking labor repression to industrial policy, recognizing state-imposed forced labor as both a trade-distortion and a violation of international labor standards.

To ensure that the *2026 National Trade Estimate Report* both reaffirms and strengthens this foundation, USTR should:

Reiterate and expand upon existing coverage by:

1. Continuing to identify state-imposed forced labor in China as a key barrier to fair trade and a serious violation of international labor standards;
2. Maintaining attention to the role of coercive labor transfer schemes, surveillance, and restrictions of freedom of association and religion as integral to China's labor repression system; and
3. Sustaining coverage of ongoing U.S. enforcement under the UFLPA and coordination with partners through the Forced Labor Enforcement Task Force.

Strengthen the *NTE Report* by adding new analyses and recommendations:

1. Explicitly identify state-imposed forced labor in China as a non-market trade distortion that artificially lowers production costs across key export sectors;
2. Acknowledge that Uyghur forced labor directly affects cost competitiveness and constitutes an unfair trade practice under international norms;
3. Promote, and increase resources for, interagency coordination to ensure trade, labor, and customs policies operate cohesively to enforce the UFLPA;
4. Highlight transshipment and re-export risks from third countries (e.g., Vietnam, Malaysia, Cambodia, Thailand, Indonesia, and Mexico) that erode the efficacy of U.S. fair trade enforcement; and
5. Evaluate the economic impact of forced labor imports on key U.S. manufacturing sectors to quantify losses in competitiveness and market share.

We respectfully request that USTR incorporate these findings and recommendations into the *2026 National Trade Estimate Report*, identifying state-imposed forced labor in China as a non-market, trade distorting practice and reaffirming robust enforcement of U.S. law to protect American workers, manufacturers, and fair competition.