

# UFLPA Enforcement Efforts Must Address Labor Transfer Schemes

BY CHARLOTTE TATE    JULY 18, 2024 11:30AM



A UYGHUR FAMILY PICKING COTTON IN THE FIELDS AROUND KASHGAR, XINJIANG PROVINCE. DAVID HENLEY / UNIVERSAL IMAGES GROUP VIA GETTY IMAGES

The Uyghur [Forced Labor](#) Prevention Act ([UFLPA](#)) sets out to achieve a task that no other law has attempted: to end the state-sponsored forced labor of Uyghur and other Turkic and Muslim-majority peoples in supply chains.

When passed, the [UFLPA](#) codified into law central tenets of the Coalition to End Forced Labour in the Uyghur Region’s call to action. The Coalition continues to call on companies across all industries to fully map their supply chains, identify links to Uyghur forced labor inside and outside of the [Xinjiang](#) Uyghur Autonomous Region (UAR), and address those links.

As the law enters its third year of implementation, a key focus of the Forced Labor Enforcement Task Force (FLETF)—an interagency task force chaired by the Department of Homeland Security (DHS)—is making full use of the power of the UFLPA Entity List and, crucially, increasing efforts to identify and include companies that participate in the state-sponsored labor transfers of Uyghur and other Turkic and Muslim-majority peoples outside of the Uyghur Region.

The UFLPA establishes a rebuttable presumption that goods from companies on the UFLPA Entity List are tainted by [forced labor](#) and, therefore, prohibited from importation into the United States. The FLETF is tasked with maintaining this list. The government’s commitment to addressing Uyghur forced labor is reflected in its robust enforcement. Authorities targeted over \$3 billion in imported shipments for possible violations of the UFLPA, encompassing a multitude of industries including apparel and textiles, electronics, solar, automotive, aluminum, and recently, seafood.

The addition of 29 new companies to the [Entity List](#) in the last two months signals that there is an increased focus on this enforcement mechanism and demonstrates that resources are being allocated to maximize its impact. A majority of the companies recently added to the Entity List operate outside the Uyghur Region in other parts of [China](#), including cotton wholesalers and the first seafood processor, which sends a strong signal to importers that it is not enough to focus attention on direct sourcing from the Uyghur Region.

Yet more must be done to identify companies participating in labor transfer schemes, in particular outside of the Uyghur Region. There is growing evidence that Chinese government-led programs to transport Uyghurs to other parts of China, where the working conditions strongly indicate forced labor, are increasing. In the context of government control and coercion that Uyghurs and other Turkic and Muslim-majority peoples are experiencing in China, all state-sponsored labor transfers from the [Uyghur](#) Region should be considered coerced labor by companies. Individuals who refuse the government’s requirements risk being arbitrarily detained, along with their families.

Recent research has documented the government’s increased efforts to forcibly transfer Uyghurs outside of the Region, finding that in 2023, “Xinjiang significantly expanded the scale of the Pairing Assistance program, which facilitates cross-provincial labor transfers, aiming to increase transfers to other Chinese regions by 38 percent—levels exceeding those of any year since the mid-2010s.”

An investigation published by the Outlaw Ocean Project into the seafood industry, which was recently added as a high-priority sector for enforcement, found that over 1,000 Uyghurs were placed in at least 10 seafood processing facilities after being forcibly transferred thousands of miles from the Uyghur Region. This investigation found those same companies imported over 47,000 tons of seafood into the U.S. between 2018 and 2023. However, U.S. Customs and Border Protection ([CBP](#)) can only apply the UFLPA to future shipments if those seafood processors are included on the UFLPA Entity List, which may come as a surprise to some.

To date, much of the focus of the UFLPA has been the rebuttable presumption applied to goods manufactured in whole or in part in the UAR, and rightly so. But as we see the Entity List grow and new research on transfers of Uyghurs to workplaces outside of the Uyghur Region emerge, the extraordinary value of the Entity List is clear. In fact, the latest three additions to the Entity List were companies that participate in labor transfer schemes. The Outlaw Ocean Project’s investigation provides a case study on both the importance of the UFLPA Entity List to adequately combat Uyghur forced labor in supply chains and the need for processes that allow the FLETF to respond swiftly to new research.

Increasing UFLPA enforcement efforts on labor transfers outside of the Uyghur Region would send a strong signal to importers that they must focus attention beyond direct sourcing from the area. Companies should be urgently identifying any suppliers participating in state-sponsored labor transfer schemes of Uyghurs and addressing those ties.

The UFLPA remains the strongest statutory scheme globally to address state-sponsored forced labor of the Uyghur people. U.S. authorities must use every enforcement tool available to the fullest extent possible. This includes building on already robust enforcement efforts and dramatically expanding the Entity List, including prioritizing additions of companies participating in the state-sponsored labor transfers outside of the Uyghur Region. But as noted time and again by government officials, companies should not wait for UFLPA enforcement efforts. This is one of the most egregious human crises facing global supply chains today. It requires immediate attention from all companies in all industries, which the Coalition to End Forced Labour in the Uyghur Region will continue to call on the private sector to do.

*Charlotte Tate is the Advocacy Lead for the Coalition to End Forced Labour in the Uyghur Region.*

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