



Federation of the European
Sporting Goods Industry

FESI Position Paper

Consultation

on guidelines on the
implementation of the
**EU rules on forced
labour**

March 2026

SUMMARY

1. Supporting risk identification
2. Ensuring transparent investigations
3. Addressing interplay with revised CSDDD
4. Demonstrating elimination of forced labour
5. Index with practical examples of documentation type/best practices

The Sporting Goods Industry has a zero-tolerance policy on forced labour in all its forms. Our members work closely with suppliers to identify, prevent, and eliminate forced labour risks — both within and outside the European Union.

We have supported the objectives of this Regulation from its earliest stages, and we welcome this strong, clear, evidence-based framework rooted in ILO and UN guidelines.

Our priority now is ensuring that implementation is practical, predictable, and harmonised across the EU.

Ultimate goal: *A coherent and consistent application of the Regulation by all national authorities to eradicate forced labour collectively.*

Rationale: *Many sporting goods companies operate across multiple Member States. Divergent interpretations will create fragmentation, uncertainty, and inefficiency, potentially diverting efforts towards effective identification and prevention of forced labour within supply chains (see US implementation).*

How to achieve this: *Clear guidelines for both authorities and operators. This is especially important for companies operating across the EU.*

1. SUPPORTING RISK IDENTIFICATION

Guidelines should reflect differences in operators' size, product categories, and sourcing regions. They should also align with and complement the upcoming EU database on forced labour risk areas and products. Both the guidelines and the database should be:

- 1) Up to date and regularly reviewed and based on existing international guidelines and frameworks**
- 2) Include product, sector-specific and geographical risks**
- 3) Specific on the type of forced labour likely, including if state imposed**
- 4) Accompanied by a notification system** alerting operators when updates include new or materially relevant risk information

2. ENSURING TRANSPARENT INVESTIGATIONS

Companies need clarity on how investigations begin, unfold, and conclude. A transparent, predictable process encourages cooperation and increases the effectiveness of investigations. UFLPA and Section 307 enforcement in the United States shows that without harmonised documentation standards, suppliers face duplicate or conflicting requests, causing delays and diverting resources from substantive due diligence and remediation. The EU should avoid uneven treatment across Member States

UFLPA and Section 307 enforcement in the United States shows that when authorities lack harmonised documentation standards, suppliers face duplicate or contradictory requests, causing delays and diverting resources away from substantive due diligence and remediation. To avoid uncertainty or uneven treatment across Member States, guidelines should clarify:

1) Triggers for investigation

- What constitutes a risk
- What is meant by “independent and verifiable information”
- How authorities will evaluate whether due-diligence measures mitigate, prevent, and end forced-labour risks
- How allegations are assessed for credibility

2) Operator notification

- How and when companies are informed at different stages of an investigation

3) Transparency of requests

- Why a product or part of a product is being investigated
- Why specific evidence or documentation is required

In particular, requests for evidence should:

- **Provide a clear index consolidating required data by stage**, preferred enforcement and engagement strategies, and step-by-step actions for operators and authorities.
- **Limit information on supply chain mapping to relevant actors and operations** to ensure investigations target the actual or potential identified risk and operators can focus on fetching accurate documentation. This will ensure smooth investigations and targeted actions and remediation where breaches are found.
- Offer a possibility **for economic operators to submit the information in stages**, in line with the legitimate extension possibility, as some documents may be easier to locate than others. This is to give sufficient time to obtain accurate information from the manufacturers' partners, which may be many tiers removed from the main manufacturer partner. Priority for extension should be given to information on operations located further up the supply chain. In some cases, it may also require official translations, making the 30-day window extremely hard to achieve.

5) Format of evidence

- Which documents, data points, information should be disclosed at each phase of the investigation process
- Provision of (non-mandatory) standardised templates by authorities

3. ADDRESSING INTERPLAY WITH REVISED CSDDD

Following the Omnibus I simplification, the revised Corporate Sustainability Due Diligence Directive will limit access to information companies in scope can access from suppliers. Guidelines should therefore address:

- **Evidence/Information expected from companies when law constraints are present** during pre-investigations and investigations phases. For example, when companies cannot directly engage smaller suppliers under CSDDD.

4. DEMONSTRATING ELIMINATION OF FORCED LABOUR

The Regulation allows product ban decisions taken following investigations to be reversed if economic operators are able to demonstrate that they have eliminated forced labour from their affected product's supply chain. Guidelines should therefore address:

- **What kind of evidence should be provided** by companies to demonstrate they have eliminated forced labour from their product's supply chain.

5. INDEX WITH PRACTICAL EXAMPLES OF DOCUMENTATION TYPE/BEST PRACTICES

1. What are the main types of evidence that should be considered by the Commission and competent authorities during the investigative process?

It is important to have a clearly defined, uniform, and proportionate standard of evidence to avoid a reversal of the burden of proof. Investigations should be based on substantiated indications that make a concrete link between a product and forced labour plausible.

Primary external evidence to be considered:

- Official reports from governmental authorities with a concrete product or company reference
- Court decisions or official findings
- Reports from internationally recognized organizations, e.g., the International Labour Organization (ILO)
- Scientifically based studies with transparent methodology
- Validated audit reports with a clear audit methodology
- Documented statements from affected persons with verifiable sources

Not sufficient external evidence:

- General country or regional reports without a product reference
- Purely regional suspicion of forced labour
- Unverified reports without source disclosure
- Media reports without a reliable factual basis
- Unverified third-party notifications without supporting evidence

Evidence that can be provided by economic operators:

- Policy statements, codes of conduct, governance documentation and employee training materials demonstrating the embedding of due diligence into management systems;
- Supply chain mapping, risk assessments, audits and engagement with NGOs or trade unions used to identify adverse impacts;
- Action plans to prevent or mitigate risks, corrective action requests to suppliers and follow-up monitoring;
- Evidence demonstrating that forced labour has been brought to an end;
- Key performance indicators, audit documentation and self-assessments assessing effectiveness;
- External reporting aligned with OECD, ILO or UNGP frameworks and records of stakeholder engagement;
- Remediation documentation, including grievance mechanisms, compensation measures and stakeholder consultations.

Product and supply-chain traceability evidence may include:

- Product identification data (e.g. product descriptions, HS or CN codes, model or serial numbers);
- Bills of materials and certificates of origin;
- Chain-of-custody certificates and raw-material traceability data linking finished products to source materials;
- Supply chain maps covering relevant tiers and sub-tiers;
- Identification of manufacturers, suppliers and facilities involved in production;
- Transactional and logistics documentation such as purchase orders, invoices, payment records, shipping documentation and import/export records;
- Production and capacity evidence demonstrating consistency between inputs and outputs;
- Location verification evidence such as satellite imagery or geolocation data where available.

2. What are the main types of documentation that economic operators could provide in the preliminary phase of the investigation?

- Policy statements, codes of conduct, governance documents and employee training materials;
- Supply chain mapping, risk assessments, audits and stakeholder engagement records;
- Preventive and mitigation action plans and supplier corrective action plans;
- Evidence demonstrating engagement with business partners to address risks;
- Evidence showing that forced labour impacts were ceased or mitigated;
- Key performance indicators, audit results and self-assessments evaluating effectiveness;
- External communication records and reports aligned with OECD, ILO or UNGP frameworks;
- Stakeholder engagement summaries;
- Remediation information, including grievance mechanisms, compensation measures and corrective actions.

3. What types of documentation and evidence should stakeholders provide when submitting information on alleged cases of forced labour?

Third-party submissions should be substantiated and meet minimum requirements to ensure authorities and economic operators can target their efforts to actual real or potential risks. Evaluations should include:

- Clear identification of the product or production site concerned
- Indication of the relevant timeframe / temporal context of the alleged facts
- Disclosure of the methodology used
- Transparent and verifiable sources (e.g. third-party audits)
- Evidence demonstrating a direct link to the specific product

Type of evidence may include:

- Evidence derived from supply chain mapping, audits or risk assessments;
- Information obtained through engagement with affected stakeholders;

- Documentation or analysis demonstrating alleged forced labour risks at specific production stages, suppliers or facilities;
- Information consistent with international due diligence recommendations or recognised guidelines.

4. What best practices can be used for remediating forced labour and the harm caused by an economic operator?

- Implementing corrective action plans addressing identified forced labour impacts;
- Establishing accessible grievance mechanisms;
- Providing remediation measures, including compensation and corrective actions;
- Conducting stakeholder consultations to ensure remediation measures respond to affected persons' needs;
- Monitoring implementation through follow-up engagement and effectiveness assessments.

5. What best practices can be used for conducting forced-labour-related due diligence across product groups or economic sectors?

- Embedding due diligence into company policies and governance systems through policy statements, codes of conduct and employee training;
- Conducting supply chain mapping across relevant tiers;
- Performing risk assessments and audits
- Implementing preventive and mitigation action plans and supplier corrective action plans;
- Engaging with business partners to address risks collaboratively;
- Monitoring effectiveness through KPIs, audits and self-assessments;
- Communicating outcomes through reporting aligned with OECD, ILO or UNGP frameworks and stakeholder engagement.
- Cooperation with local organizations and stakeholders
- Support for affected employees (e.g., compensation or support measures)
- Adjustment of purchasing practices (awareness raising, strategies, consolidation, etc.)
- Ending the business relationship only as a last resort
- Supplier-oriented cooperation
- Training and awareness-raising measures

6. What complementary resources (e.g. FAQs) would be helpful in understanding and complying with the Regulation:

In addition to the guidelines, the following would be helpful:

- Industry-specific practical examples
- Flowcharts for the investigation and decision-making processes
- Standardised sample checklists for companies
- Guidance on customs procedures in case of suspension decisions
- Where applicable, an overview of interfaces with other EU legal acts
- How the “Forced Labour Portal” functions for economic operators and other external stakeholders

- Multi-stakeholder initiatives (e.g., international and local government representatives, industry associations, multinational companies, etc.) aimed at addressing and mitigating root causes in high-risk areas

7. What kind of training or capacity-building support would be most useful for economic operators to help them comply with the Regulation.

For economic operators, the following would be particularly helpful:

- Trainings on forced labour in the supply chain and its indicators
- EU-wide standardized webinars on the practical application of the Regulation
- Industry-specific workshops with case studies (e.g., sectoral risk profiles, best practices)
- Training for customs and market surveillance authorities to ensure consistent application
- Digital tools (e.g., self-assessment modules, risk indicator databases)
- IT guidance for interfaces with the market surveillance system
- Open and targeted (personal) exchanges with competent authorities

Founded in 1660 FESI - the Federation of the European Sporting Goods Industry represents the interests of approximately 1.800 sporting goods manufacturers (85% of the European market) through its National member Sporting Goods Industry Federations and its directly affiliated companies. 70-75% of FESI's membership is made up of Small and Medium Sized Enterprises. In total, the European Sporting Goods Industry employs over 700.000 EU citizens and has an annual turnover of some 81 billion euro.

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