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75inQ Public Comment:

Call for Evidence Forced Labour regulation implementation guidelines

This comment is submitted by 75inQ, TR number 919904250404-78. The contribution comes from 75inQ as an individual contributor but also as a member of the larger WO=MEN platform, which gathers the support of 58 organisations such as 75inQ in the Netherlands. This and the platform's contribution may hold resemblance therefore, yet 75inQ has individual interests vested in the topic, detailed in the introduction.

Introduction and background

75inQ welcomes the opportunity to provide input on the Guidelines on the Implementation of the EU 2024/3015 Forced Labour Regulation (FLR), because freedom from forced labour is a human right and essential to reach gender equality. Yet an estimated 27.6 million people are in forced labour globally (ILO 2024).

Women and girls are disproportionately affected by forced labour due to gendered discrimination, wage gaps, gender-segregated labour markets, informality, and heightened risks of sexual and gender-based violence (SGBV). Women's over-representation in precarious, informal or irregular employment, combined with restricted mobility, migration status, and care burdens, creates layered vulnerabilities that require explicit attention in FLR implementation.

In the clean energy sector, among others, women are exploited and forced labour leaves stain on certain EU imports of solar PV. As an organisation defending women's equal rights in the clean energy sector, 75inQ manifests great concern regarding the ethical production of the very mediums to the energy transition. The energy transition cannot come at the cost of forced labour from Uighur women in China.

75inQ applauds the EU Forced Labour Regulation as an important piece of legislation to prevent and eliminate forced labour from supply chains. It is product-based, and prohibits placing, making available or exporting products made with forced labour at any stage of production with a risk-based approach. This explicit focus on products, means unfortunately that forced labour in services fall outside of the scope of the Regulation. As a result, exclusion of specific types of exploitation where women are significantly overrepresented, including for instance domestic servitude, coercion and abuse in the hospitality sector, and sexual exploitation. It is, however, very positive that the FLR applies to all products, across all sectors, and to any EU or non-EU economic operator.

To be most effective, the FLR implementation guidelines must embed gender-responsive due diligence throughout all three guideline categories and all stages of evidence collection, investigation, enforcement, and remedy. Without a gender-responsive approach, the FLR risks missing hidden, informal, and coercive forms of forced labour disproportionately affecting women and girls. 75inQ welcomes continued engagement with the Commission and stands ready to support the development of gender-responsive tools, indicators, and training content.

1. Guidelines for competent authorities on practical implementation

1.1 Main types of evidence to be considered during investigations

To ensure investigations accurately reflect gender-differentiated risks, competent authorities should incorporate the following types of gender-specific evidence types:

A. Workforce and labour-market evidence

- Sex-disaggregated workforce data across all tiers of production, including analysis of gender (im)balance in management versus workers.
- Documentation reflecting recruitment pathways for women, including use of intermediaries or debt-bonding risks.

B. Evidence of gender-based violence and coercion

- Documentation of SGBV, sexual harassment, threats of sexual abuse, or quid-pro-quo arrangements.
- Testimony indicating coercive working conditions linked to pregnancy, maternity, or reproductive health (e.g. forced pregnancy testing, dismissal of pregnant workers).
- Reports from (local) women's rights organisations, shelters, and/or trade unions on violence against women workers.

C. Evidence on intersectional vulnerabilities

- Data on migrant women workers, ethnic or religious minority women, undocumented workers, LGBTQ+ workers, or women in conflict-affected areas.
- Evidence showing barriers women face in reporting abuse, including fear of retaliation, language barriers, residence permits tied to employment.

D. Evidence gathered through safe, confidential and gender-sensitive methods

- Confidential interviews with women workers carried out by trained women investigators.
- Testimonies collected by women-led organisations or trade unions.
- Documentation showing whether grievance mechanisms are accessible to women.

Recommended documentation includes:

- Sex-disaggregated workforce data on all tiers of the supply chain.

- Company policies on non-discrimination, GBV prevention, maternity protection, and equal pay, in line with OECD standards.
- Risk assessments with gender-specific indicators.
- Audit reports that include interviews with women workers conducted by trained gender-sensitive investigators.
- Evidence of grievance mechanisms designed to be accessible, confidential, and safe for women.
- Supplier codes of conduct aligned with EU guidelines on responsible business conduct.

1.2 Training and Capacity-Building for Competent Authorities

Effective enforcement of the FLR will require specific gender expertise and competencies at the competent authorities. Investigative bodies need to be trained to identify gendered indicators of forced labour. These trainings should be co-developed with women-led organisations, unions and women human rights and labour rights defenders.

Competent authorities should receive mandatory training and build their capacity on:

- Identifying gendered indicators of forced labour and SGBV.
- Conducting gender-sensitive interviews that minimise retraumatisation.
- Understanding how coercion and dependency (economic, migratory, familial) disproportionately affect women.
- Assessing risks in sectors with heavy female labour participation, including agriculture, garments, electronics.
- Supporting women's equal and meaningful participation in consultations and negotiations, and collaboration with women's rights organisations, women migrant-worker groups, SGBV service providers, and women human rights defenders.
- Protection of whistleblowers and (women) human rights defenders.
- Identifying limitations of traditional social-auditing practices and the need for triangulated evidence.

Adequate gender capacity and expertise of competent authorities should be part of monitoring and reporting and responsibility needs to be at management level.

2. Guidelines for economic operators on due diligence in relation to forced labour

2.1 Guidelines on gender-responsive due diligence

Gender-responsive due diligence must be embedded across all six stages of forced labour related due diligence. This is in line with international frameworks, including the OECD Guidelines for multinational enterprises:

1. Policy commitments and management systems: Include a zero-tolerance policy on forced labour that explicitly prohibits SGBV, discrimination, coercive practices related to pregnancy/maternity, and gender-based barriers to remedy.

2. Risk identification and assessment: Map supply chains using sex-disaggregated data, identify gendered risks, and analyse overlapping vulnerabilities.
3. Prevention and mitigation: Develop gender-sensitive warning systems and protection of whistle blowers, train suppliers on gender equality and SGBV prevention, and improve access to safe grievance mechanisms.
4. Tracking implementation and results: Require suppliers to report gender-disaggregated indicators, including retention, promotion, grievances filed, and SGBV cases.
5. Communication: Transparently report on gender impacts and corrective actions taken.
6. Remediation: Ensure remedies account for the specific needs and vulnerabilities of women and girls.

See www.genderduediligence.org for more information.

2.2 Risk Scoping Across Sectors and Product Groups

Economic operators must consider contexts where women face heightened risks:

- Contexts with severe gender discrimination or restrictive gender norms.
- Fragile, conflict, or post-conflict settings.
- Sectors and global supply chains with high concentrations of women: apparel, footwear, electronics, agriculture, flowers and food processing.
- Countries that have not ratified or are not implementing ILO fundamental conventions.
- Sectors reliant on migrant women workers or informalised subcontracting.

2.3 Inclusive Stakeholder Engagement

Economic operators should:

- Conduct meaningful, safe, and accessible consultations with women workers.
- Use women-only focus groups to facilitate disclosure of SGBV and coercion.
- Engage with independent trade unions (not employer-dominated committees).
- Support women's equal and meaningful participation in consultations and negotiations and partner with women-led CSOs, migrant-worker organisations, LGBTQ+ groups and women community leaders.
- Avoid relying solely on social audits, which routinely miss gendered and hidden forms of forced labour ([HRC](#)).

2.4 Effective Gender-Responsive Remedy

Remedy and grievance mechanisms must include:

- Access to medical, psychological, maternity, sexual-health and reproductive-health services.
- Gender-sensitive emergency protection for survivors of GBV and female whistleblowers.
- Restitution for withheld wages, recruitment fees, and financial exploitation.
- Measures preventing retaliation or deportation of (undocumented) migrant women.
- Support for women's collective bargaining and union participation.

- Long-term reintegration and economic-empowerment pathways.

2.5 Recommended training content

- How to identify gendered risk indicators of forced labour.
- How to conduct gender-sensitive audits and interviews.
- How to collect and analyse sex-disaggregated data.
- How to engage safely and effectively with women workers, unions, and feminist organisations.
- How to design gender-responsive grievance and remediation mechanisms.
- Awareness of FLR enforcement expectations, including robust due-diligence processes before investigations, as highlighted by FLR compliance guidance

2.6 Guidelines on inclusive stakeholder management and meaningful consultation processes

Companies should directly engage with other local stakeholders, including worker representatives, independent trade unions, communities, vulnerable and marginalized groups, and civil society groups, to facilitate and enrich the identification of existing or potential forced labor risks that cannot be identified through traditional auditing or certification processes (see for instance [HRW](#) or [Clean Clothes Campaign](#)). Women-only focus groups and confidential interviews to allow disclosure of coercion and harassment.

3. Guidelines for civil society organisations, victims and other stakeholders on how to submit information concerning potential violations

CSOs, unions, whistleblowers, and worker groups should be encouraged and supported to submit evidence by:

- Ensuring the Single Information Point accepts anonymous submissions, protected identities, and evidence from civil society organisations.
- Allowing submission of gender-specific documentation, including SGBV reports, worker testimonies, and shadow-monitoring reports.
- Providing templates and guidance explaining what constitutes actionable, high-quality evidence.
- Ensuring CSOs can provide contextual information on sectors, migration patterns, gender norms, or documented abuse.

The Commission should also ensure:

- Adequate funding for women's rights organisations and trade unions to effectively and independently conduct research and monitor forced labour.

About 75InQ:

The 75inQ foundation works to accelerate the transition to sustainable energy by promoting gender equality in line with the Sustainable Development Goals developed by the United Nations. The Dutch foundation conducts research, awareness campaigns, community outreach and facilitation to pursue these objectives. 75inQ focuses on SDG7 and SDG5 by accelerating diversity in the energy sector towards a more inclusive and sustainable energy transition. 75inQ has an active community of 1400 female professionals in the energy sector

Sources:

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