

## **RISKY GOODS**

# **SUPPLY CHAIN RISK REPORT 2023**

**Aotearoa New Zealand Imports Linked to Child and Forced Labour**

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## Foreword

### Have you ever wondered whose hands assemble your electronics, sew your clothes or make your children's toys?

None of us want to be an unwitting part of enslaving people. Yet many of the 50 million children, women and men trapped in modern slavery are making many of the products that fill our supermarkets, workplaces and homes.

This research has an urgent message for New Zealanders. As households, we spend an average of \$77 per week on products implicated in modern slavery – more than we spend on electricity. As a country, a staggering 10% of our annual imports are linked to forced labour and child labour.

We live in a time where the compounding impacts of COVID-19, conflicts and climate change have left the millions of people working in our supply chains, and their families, more vulnerable to exploitation. And paradoxically, the rapid growth of the *clean* energy industry to tackle the climate crisis has inadvertently exacerbated exploitation, relying heavily on minerals mined by children and manufacturing by people trapped in slavery.

Right now, New Zealand has a don't-ask, don't-tell approach. Companies are not required to check, report or take action to address modern slavery in their supply chains. For those businesses that do the right thing anyway, there is no level playing field requiring their competitors to do the same. New Zealand also does not prohibit the imports of goods with known links to modern slavery. This means we cannot be confident that what we buy and use is slavery free.

In July 2023, the New Zealand Government announced its plan to draft a modern slavery disclosure law requiring companies to publicly disclose the risks of modern slavery within their supply chains. While this is a good first step, the proposed legislation must go further and include due diligence from the start so that New Zealand organisations and businesses are required to take *action*. The point can never be just to report on modern slavery, it must be to address and mitigate it. We owe this to the people who make the goods we use.

Across OECD countries, legislation requiring not only disclosure, but also due diligence and import bans targeting forced labour is rapidly becoming the standard. It is critical that the New Zealand Government takes advantage of these learnings from modern slavery laws in other countries to ensure New Zealand does not continue to lag behind. Not just for New Zealand's reputation, but because it is the right thing to do for the people around the world who make the goods we use.



Kia tau te rangimārie – peace to you,

A handwritten signature in black ink that reads "Grant Bayldon".

Grant Bayldon  
National Director  
World Vision New Zealand



## Executive summary

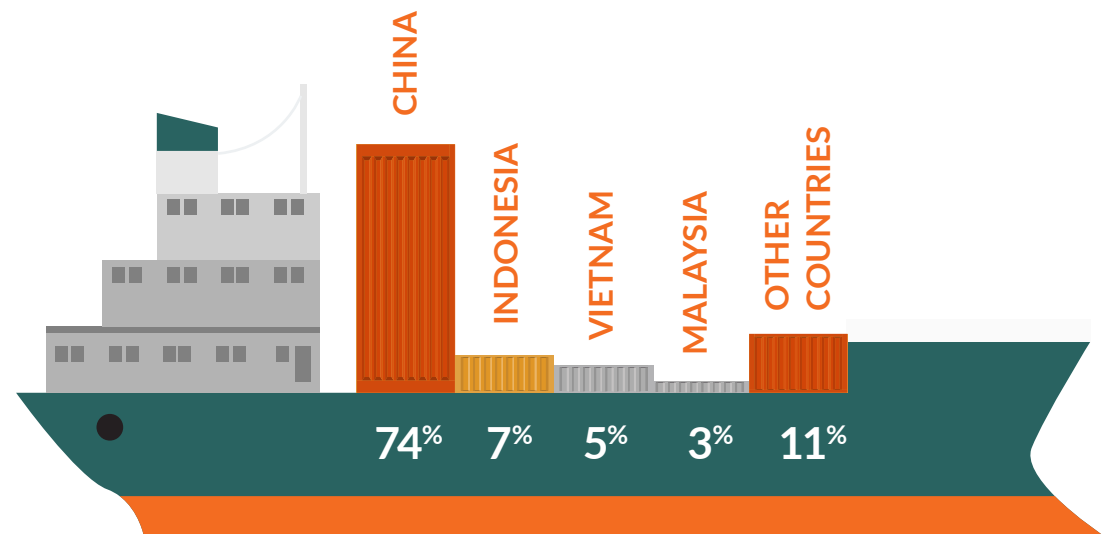
Child labour and forced labour is a New Zealand problem. New Zealand companies are likely supporting child and forced labour through the products they import. Consequently, New Zealanders may be contributing to the exploitation of children and adults every time they go shopping.

This report highlights New Zealand's most risky imports and examines how other countries are scrutinising their supply chains and addressing imports linked to child labour and forced labour. This is an update of World Vision's 2021 *Risky Goods Report*.

## Key findings

- In 2022, New Zealand imported **\$7.9B<sup>1</sup>** of risky goods associated with child and forced labour. This amounts to 10% of New Zealand's total imports.
- The total amount of imports increased from \$61B in 2019 to \$80B in 2022; the amount of risky goods also increased from \$6.1B in 2019 to \$7.9B in 2022. The percentage of risky goods imported is 10%.
- Each week, a New Zealand household spends about **\$77 on risky products<sup>2</sup>** – more than it spends on electricity.
- New Zealand imported products from 74 risky categories from 39 countries globally in 2022.
- Most risky goods came from **China (74%, \$5.8B)**, followed by **Indonesia (7%, \$585M)**, **Vietnam (5%, \$432M)** and **Malaysia (3%, \$270M)**.

**\$7.9**  
billion of risky goods  
imported in 2022





- \$1.9B in imports was linked to forced labour, \$764M to child labour, and **\$5.2B to both forced labour and child labour**.
- **Electronics were our highest-spend risky good in 2022.** New Zealand imported \$3.6B of risky electronics, or **46%** of the value of all risky products imported. Most risky electronics (**93%**) came from China, where the electronics industry is associated with both child labour and forced labour. The remaining risky electronics came from Malaysia and Pakistan.
- **The next four highest-spend risky goods imported** were **garments** from Argentina, Bangladesh, Brazil, China, India, Malaysia, Mexico, Myanmar, Pakistan, Thailand, Türkiye and Vietnam; **textiles** from Bangladesh, Cambodia, China, Ghana, Pakistan and Vietnam; **palm oil** from Indonesia; and **footwear** from Bangladesh, Brazil, China, India, Indonesia, Türkiye and Vietnam.

In July 2023, the New Zealand Government announced it will begin drafting a modern slavery disclosure law that will require companies and the public sector to assess the modern slavery risks within their supply chains and produce a disclosure statement that will be available to the public.

The proposed law doesn't include due diligence obligations however, which means companies won't have to take any action to ensure their products haven't been made by children or people who are trapped in slavery. Further, New Zealand has no law banning the import of products linked to child labour or forced labour.

World Vision New Zealand has been advocating for the New Zealand Government to incorporate due diligence obligations into the proposed modern slavery legislation for three years. Such obligations would motivate companies and the public sector to take concrete steps towards identifying and mitigating child labour and forced labour within their supply chains. It would keep New Zealand in step with international trade partners. It would also give New Zealanders a greater level of confidence that they aren't supporting modern slavery through their purchases.

## Recommendations

1. The New Zealand Government should prioritise enacting **modern slavery due diligence legislation**, which requires public and private entities to report on the risks of modern slavery, including the worst forms of child labour, in their businesses and supply chains, and take action to address, mitigate and prevent those risks.
2. New Zealand's modern slavery legislation should include **due diligence provisions in its first draft, instead of the proposed sequenced approach** where legislation to introduce a disclosure responsibility is introduced ahead of additional legislation that includes due diligence and "take action" duties.<sup>3</sup>
3. The New Zealand Government should ensure the New Zealand definition of modern slavery includes conduct that would constitute "the worst forms of child labour" as defined in Article 3 of the ILO Convention (No. 182) concerning the *Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour*, enacted at Geneva on 17 June 1999 ([2007] ATS 38)145.
4. The New Zealand Government should consider amending the **Customs and Excise Act 2018** to include prohibition of imports made by child or forced labour.
5. Further research should be conducted into New Zealand's imports linked to forced labour and child labour. Specifically, research should be carried out into the forced labour and child labour risks in the coffee, footwear, furniture, banana, electronics and renewable technology industries.
6. New Zealand businesses should take action ahead of modern slavery legislation being enacted to identify, address and mitigate modern slavery and child labour risks in their supply chains, and take a proactive stance on due diligence according to international law.

## Methodology

The risky goods identified in this report are based on the US Department of Labor's (USDOL) 2022 *List of Goods Produced by Child Labor or Forced Labor* ("List of Goods"), which includes 161 goods (including downstream goods) from 78 countries with documented risks of child and/or forced labour.<sup>4</sup> For the first time in 2022, the List of Goods included downstream goods that were produced with inputs associated with forced or child labour to account for labour exploitation in supply chains. For example, if fabric produced by child labour in one country was imported by another country to produce garments, then garments would be on the List of Goods for that country. Using the Better Trade Tool, the USDOL matched each risky good on the List of Goods with a Harmonised Systems (HS) code,<sup>5</sup> an internationally standardised system of names and numbers to classify traded products. The methodology for this report is as follows:

1. World Vision New Zealand obtained 2022 New Zealand import data from Stats NZ Tatauranga Aotearoa.<sup>6</sup>
2. The US HS codes and descriptions provided by the Better Trade Tool<sup>7</sup> and associated dashboard<sup>8</sup> were used to cross-reference the 161 risky goods against the New Zealand HS codes within the 2022 NZ import data. Where there wasn't a direct match between the US and NZ HS codes, a keyword search was used to classify risky goods if they closely aligned with the inclusion criteria in the Better Trade Tool methodology or had been included in a Better Trade Tool risky good category.
3. Risky coded goods in the NZ import data were reviewed relative to their listed country of origin and classified as either produced with (1) child labour (2) forced labour, or (3) both child and forced labour, based upon the data in the List of Goods.
4. The 2022 NZ list of risky goods was produced. Where risky goods fell into more than one category (e.g., gloves being included under both "garments" and "gloves"), the risky good was placed into the most specific category.

This report focuses on the top 10 risky imports to New Zealand, with an import spend of more than \$10M per good. All risky goods imported to New Zealand in 2022 are outlined in [Appendix A](#) (74 goods from 39 countries).

The term "Risky Goods" as identified in this report doesn't necessarily mean that child and/or forced labour was used in the production of each of these products imported into New Zealand; it means there are well-documented cases and risks within their supply chains.

To find background information and statistics, we reviewed online material, including NGO and industry reports, human rights and international labour reports, and academic publications.

See [Appendix B](#) for limitations.

## Changes in methodology since the previous Risky Goods report

The methodology for this report has improved from the 2021 report, which covered import data from 2019. The USDOL's Better Trade Tool and harmonised system codes have allowed for the more accurate categorisation of risky goods. This explains why some of the key findings are different.<sup>9</sup> This also means New Zealand can now make comparisons with other country data. For example, in 2021, Canada imported \$60B<sup>10</sup> of risky goods,<sup>11</sup> and in 2022, the USA imported \$621B<sup>12</sup> of risky goods.<sup>13</sup>

### Comparisons using new methodology: 2019 and 2022 datasets

	2019 imports	2022 imports
<b>Total risky goods spend</b>	\$6.1B	\$7.9B
<b>Weekly spend</b>	\$66 <sup>14</sup>	\$77
<b>Top 10 risky products by spend</b>	<ul style="list-style-type: none"> <li>• Electronics</li> <li>• Garments</li> <li>• Textiles</li> <li>• Footwear</li> <li>• Palm oil</li> <li>• Toys</li> <li>• Tobacco</li> <li>• Bananas</li> <li>• Furniture</li> <li>• Coffee</li> </ul>	<ul style="list-style-type: none"> <li>• Electronics</li> <li>• Garments</li> <li>• Textiles</li> <li>• Palm oil</li> <li>• Footwear</li> <li>• Toys</li> <li>• Furniture</li> <li>• Coffee</li> <li>• Bananas</li> <li>• Tobacco</li> </ul>

See [Appendix C](#) for further detail, including a snapshot of the 2019 data with the updated methodology applied.

## Key terms and definitions

**Modern slavery** is severe exploitation that a person cannot leave due to threats, violence, coercion, deception and/or abuse of power. It includes forced labour, child labour, debt bondage, forced marriage, slavery and slavery-like practices, and human trafficking.<sup>15</sup> This report is concerned with instances of modern slavery in supply chains, which means it is primarily focused on forced labour and child labour.

**Supply chain** is the network of people, organisations, activities and resources involved in the creation of a product or service. It includes all elements that are part of creating, providing or commercialising a good or service, from the supplier sourcing the raw materials to the manufacturer through to the final delivery to the customer.<sup>16</sup> Supply chains can include many touchpoints (tiers) and be difficult to follow. For example, cotton may be grown in one country, shipped elsewhere to be spun into fabric, sent to another facility to be sewn into a T-shirt, be packaged in a different facility, and make a few additional stops before being shipped to New Zealand. A child labourer involved in any step can connect the product, and the consumer, to child labour.

**Risky good** means a product linked to high instances of child labour and/or forced labour.

**Forced labour** under international standards means all work or service which is exacted from any person under the menace of any penalty for its nonperformance and for which the worker does not offer themselves voluntarily; it includes indentured labour. Forced labour includes work provided or obtained by force, fraud or coercion, including: (1) by threats of serious harm to, or physical restraint against, any person; (2) by means of any scheme, plan or pattern intended to cause the person to believe that, if the person did not perform such labour or services, the person or another person would suffer serious harm or physical restraint; or (3) by means of the abuse or threatened abuse of law or the legal process.<sup>17,18</sup>

**State-imposed forced labour** is when state authorities force people to work. This might be for financial gain; to punish them for expressing their views or participating in strikes; or as some other means of control, or racial, religious or other discrimination.<sup>19</sup>

**Child labour**, using the same definition as the USDOL, means all work performed by a person under the age of 15. It also includes all work performed by a person under the age of 18 in the following practices: (1) all forms of slavery or practices similar to slavery, such as the sale or trafficking of children, debt bondage and serfdom, or forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict; (2) the use, procuring or offering of a child for prostitution, the production of pornography or pornographic purposes; (3) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs; and (4) work that, by its nature or the circumstances under which it is carried out, is likely to harm the health, safety or morals of children.<sup>20</sup> Child labour excludes children who carry out work in accordance with international labour standards in safe conditions.



## Modern slavery

Worldwide, at least 49.6 million people are trapped in modern slavery, with 27.6 million people in forced labour and 22 million in forced marriage.<sup>21</sup>

Of the 27.6 million in forced labour, 17 million people are forced into labour in private sectors, such as the global agricultural, construction, domestic, mining and manufacturing industries.<sup>22</sup> Six million are in forced commercial sexual exploitation, and 4 million people are forced into state-imposed forced labour.<sup>23</sup> There are 3.5 people in forced labour for every 1,000 people in the world.<sup>24</sup>



**49.6 million**  
people are trapped in  
modern slavery

## Women and girls

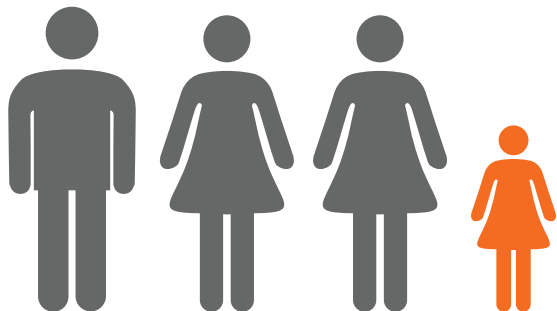
More females than males are in modern slavery, with 26.7 million women and girls accounting for 54% of the total number.<sup>25</sup> Nearly four out of every five people trapped in commercial sexual exploitation are girls or women.<sup>26</sup> They make up 68% of those forced into marriage, and 22% of those in state-imposed forced labour.<sup>27</sup> Women are more likely than men to be forced into slavery through non-payment of wages and abuse of vulnerability, and are more likely to experience physical and sexual violence.<sup>28</sup>



of all people in modern slavery are women and girls

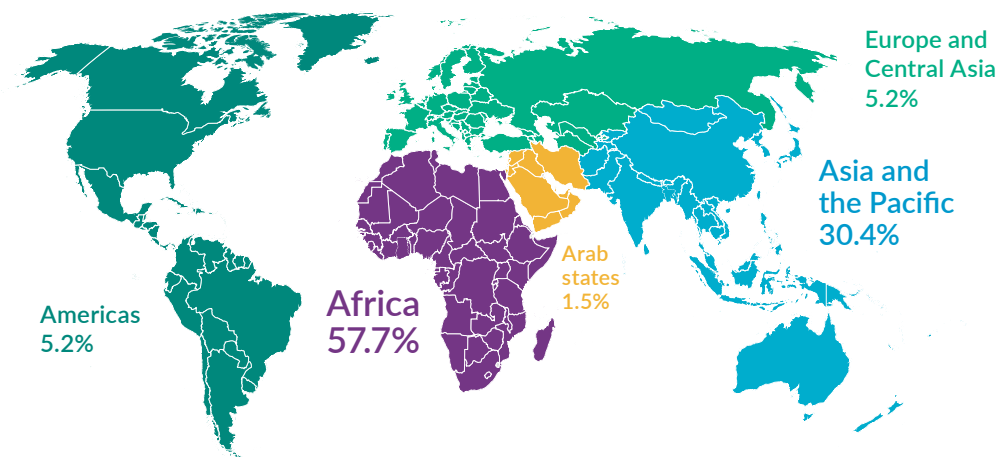
## Child labour

One in four people in modern slavery is a child, totalling 12.3 million children.<sup>29</sup> Children make up 12% of people forced into labour overall, and 8% of those in state-imposed forced labour.<sup>30</sup> They make up 41% (9 million) of people forced to marry.<sup>31</sup>



One in four people in modern slavery is a child

Almost one in five African children are involved in child labour, the highest of any region globally. This equates to an estimated 92 million children. Asia and the Pacific ranks second with 6% of children in the region working, accounting for 49 million children.<sup>32</sup>



Most children in child labour do farm work, with 70% of children working in subsistence or commercial farming and livestock herding.<sup>33</sup> Almost 50% of those in child labour are forced to do hazardous work, putting their lives and health at risk.<sup>34</sup> However, there is some good news. In the past 20 years, the number of children in child labour has fallen overall by 35%, with about 90 million fewer children now working. In 2000, about 246 million children were involved in child labour. This fell to 152 million in 2016 but increased again to 160 million in 2022, likely due to COVID-19.<sup>35</sup>



## Modern slavery is increasing

### The four C's - COVID-19, Climate Change, Conflict and China

Since 2016, the number of people in modern slavery and child labour has increased by approximately 10 million to 49.6 million<sup>36</sup> and 160 million,<sup>37</sup> respectively. These increases can be attributed to the social and economic insecurity exacerbated by compounding crises, including the COVID-19 pandemic, the climate crisis and armed conflicts.<sup>38</sup>

The disruption to people's incomes through job loss, wage theft and rising debts during COVID-19 left millions of workers and their families vulnerable to exploitation, debt bondage and forced labour. In the Asia-Pacific region, it's estimated that 81 million jobs were lost in 2020.<sup>39</sup> Further, an estimated 10 million children lost at least one parent to the pandemic, which put financial stress on families.<sup>40</sup> With parents facing unemployment and even death, their children became more susceptible to child labour, trafficking, forced marriage, and sexual exploitation.<sup>41</sup>

Escalating political instability and armed conflicts globally have also increased people's risk of exploitation. In situations of conflict, child labour is 77% higher than the global average.<sup>42</sup> Moreover, migrants fleeing crisis, whether due to conflicts, natural disasters or the consequences of climate change, are particularly vulnerable to modern slavery. Migrants often lack the same employment protections as other workers, making them more susceptible to forced labour and debt bondage. The number of migrant workers in forced labour is three times higher than non-migrant workers.<sup>43</sup>

There are **10 million more people** in **modern slavery** than in 2016

### State-imposed forced labour in China

China accounts for 74% of New Zealand's risky goods import by spend, amounting to \$5.8B of the total \$7.9B, due to its links to both child and forced labour. There is growing body of evidence of China's state-imposed forced labour of Uyghurs and other ethnic and religious minorities in the Xinjiang Uyghur Autonomous Region (Xinjiang) and beyond. This is outlined in the 2022 List of Goods report;<sup>44</sup> numerous reports by human rights organisations, including OHCHR,<sup>45</sup> ILO,<sup>46</sup> Amnesty International<sup>47</sup> and Walk Free;<sup>48</sup> as well as academic research,<sup>49,50</sup> government statements,<sup>51,52,53</sup> and both local<sup>54,55,56,57</sup> and global media.<sup>58,59</sup>

China has arbitrarily detained more than 1 million Uyghurs and other ethnic and religious minorities in Xinjiang, and forced them to carry out state-imposed labour to produce many of the finished goods and raw materials imported by countries around the world.<sup>60,61</sup> Reports show that forced labour extends beyond Xinjiang to farms and factories throughout China under the Chinese Government's labour transfer programme.<sup>62</sup> People are forced to work excessive hours, live within restricted areas under constant surveillance, and are unable to leave or communicate with those outside of the detention camps.<sup>63</sup> Reports further indicate evidence of forced sterilisations and abortions, as well as efforts to erase Uyghur culture and religion.<sup>64</sup>

Several countries, including the USA, Canada, the United Kingdom and Australia, and the European Union have enacted or are developing laws or regulations to stop imports from Xinjiang. In May 2021, the New Zealand Government unanimously issued a motion to work with all relevant instruments of international law to bring abuses (against Uyghurs) to an end and called on China to uphold its human rights obligations.<sup>65</sup>

### Goods linked to forced labour in Xinjiang<sup>66</sup>



Cotton



Electronics



Footwear



Garments



Gloves



Hair products



Electric cars



Textiles



Thread/Yarn



Solar panels



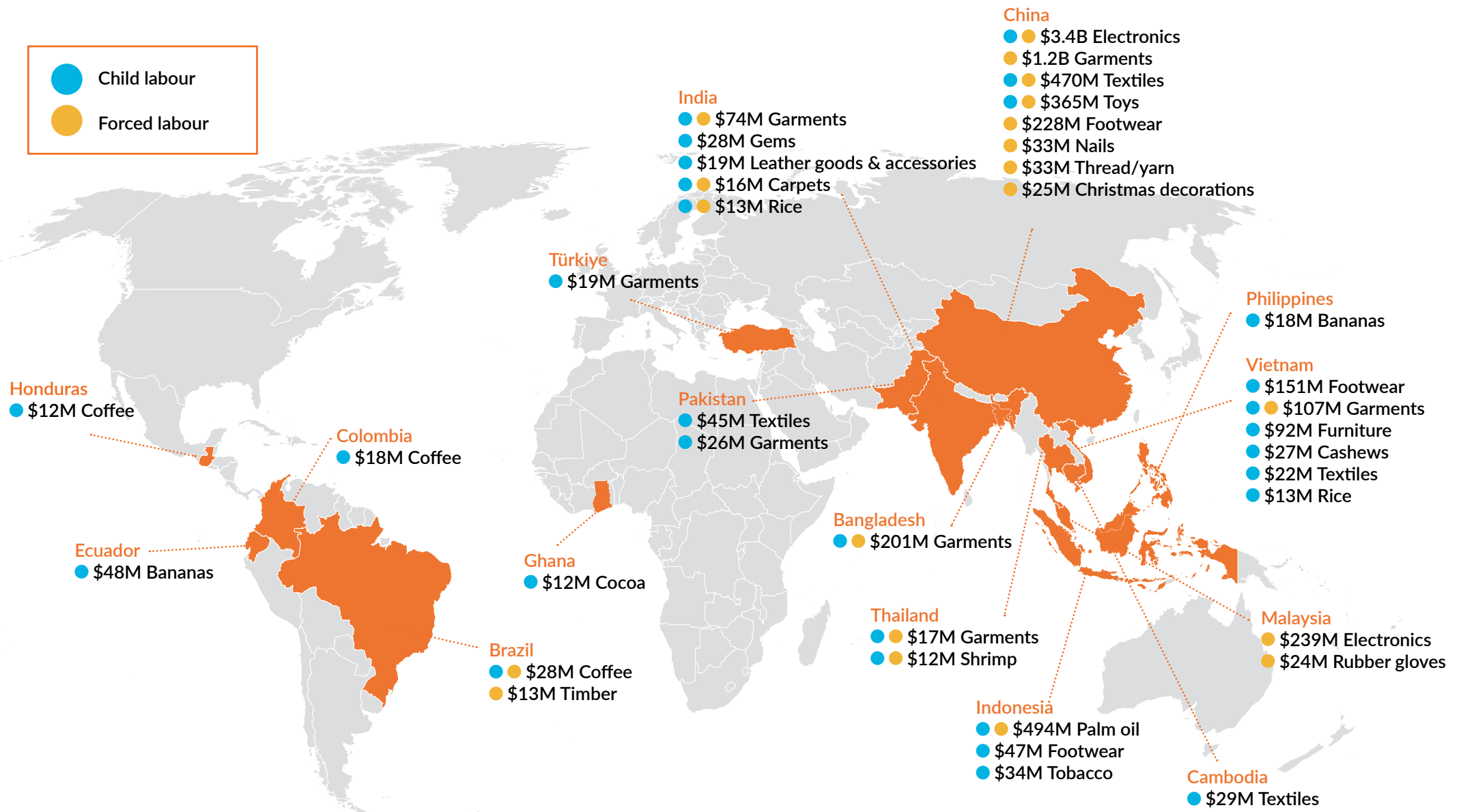
## New Zealand imports of risky goods

New Zealand imported more than \$7.9B of risky goods from 39 countries in 2022. More than two-thirds, or \$5.2B, is associated with both forced and child labour. The remaining \$1.9B is connected to forced labour and \$764M is linked to child labour.

### Top risky goods by import spend, 2022



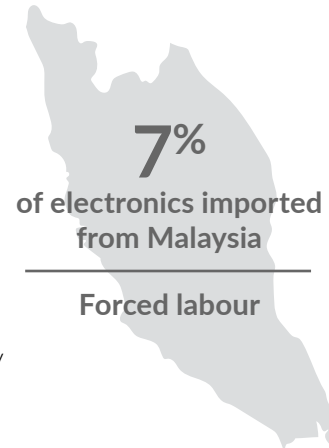
Good	Electronics	Garments	Textiles	Palm oil	Footwear	Toys	Furniture	Coffee	Bananas	Tobacco	Other
2022 imports to New Zealand	\$3.6B	\$1.7B	\$567M	\$492M	\$448M	\$365M	\$99M	\$85M	\$66M	\$34M	\$322M
% of risky goods imported by price	46.3%	21.7%	7.2%	6.3%	5.7%	4.6%	1.3%	1.1%	0.9%	0.4%	4.1%

Figure 2. Top countries for risky imports into New Zealand<sup>67</sup>

## New Zealand's top 10 risky imports

### 1. Electronics

In 2022, electronics were the highest-spend risky good category imported to New Zealand, totalling more than \$3.6B. This includes electronics such as smartphones, laptops, e-Bikes and electric vehicles (EVs), as well as electrical components including batteries, graphics processing units and semiconductors – the basis of microchips, diodes and transistors, which are in virtually every electronic device. Most risky electronics (93%) came from China, where the electronics industry is associated with both child labour and forced labour.<sup>68</sup> Approximately 7% of risky electronics were from Malaysia, where forced labour and debt bondage are a known issue within electronics manufacturing.<sup>69</sup> The remaining less than 1% were from Pakistan, where electronics are associated with child labour.<sup>70</sup> In Pakistan, an estimated 23,500 children under the age of 14 work in electronics manufacturing.<sup>71</sup>



#### High-risk consumer electronics:

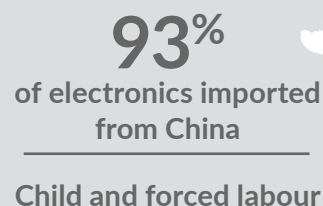
99% of clothes dryers

97% of toasters

97% of irons

91% of microwaves

90% of hair dryers



New Zealand imported **\$781M of smartphones** associated with child and forced labour in 2022

### Case study: Malaysia's electronics industry

Malaysia is a leading exporter of information and communications technology (ICT), with its electronics industry accounting for more than 40% of the country's exports and one-quarter of its employment.<sup>72</sup> Major international electronic brands source electrical appliances, electronic parts and components (such as semiconductors) from Malaysia, where the industry depends heavily on cheap, temporary migrant labour from Bangladesh, Myanmar, Nepal and Indonesia.<sup>73</sup> It's estimated 20–30% of the electronics industry workforce are migrants, of which two-thirds are women.<sup>74</sup> This has created a systemic and widespread risk of forced labour due to workers paying excessive recruitment fees and becoming trapped in debt bondage.<sup>75</sup>

A 2019 study conducted among migrant workers into Malaysian factories supplying semiconductors to Europe's and the USA's largest manufacturers of computer chips revealed instances of forced labour. The study found workers had their passports confiscated by their employers, were held against their will, and were prevented from returning to their home countries.<sup>76</sup> The workers were also subjected to excessive amounts of overtime and experienced intimidation, threats and physical violence if they complained about unfair wage deductions.<sup>77</sup>

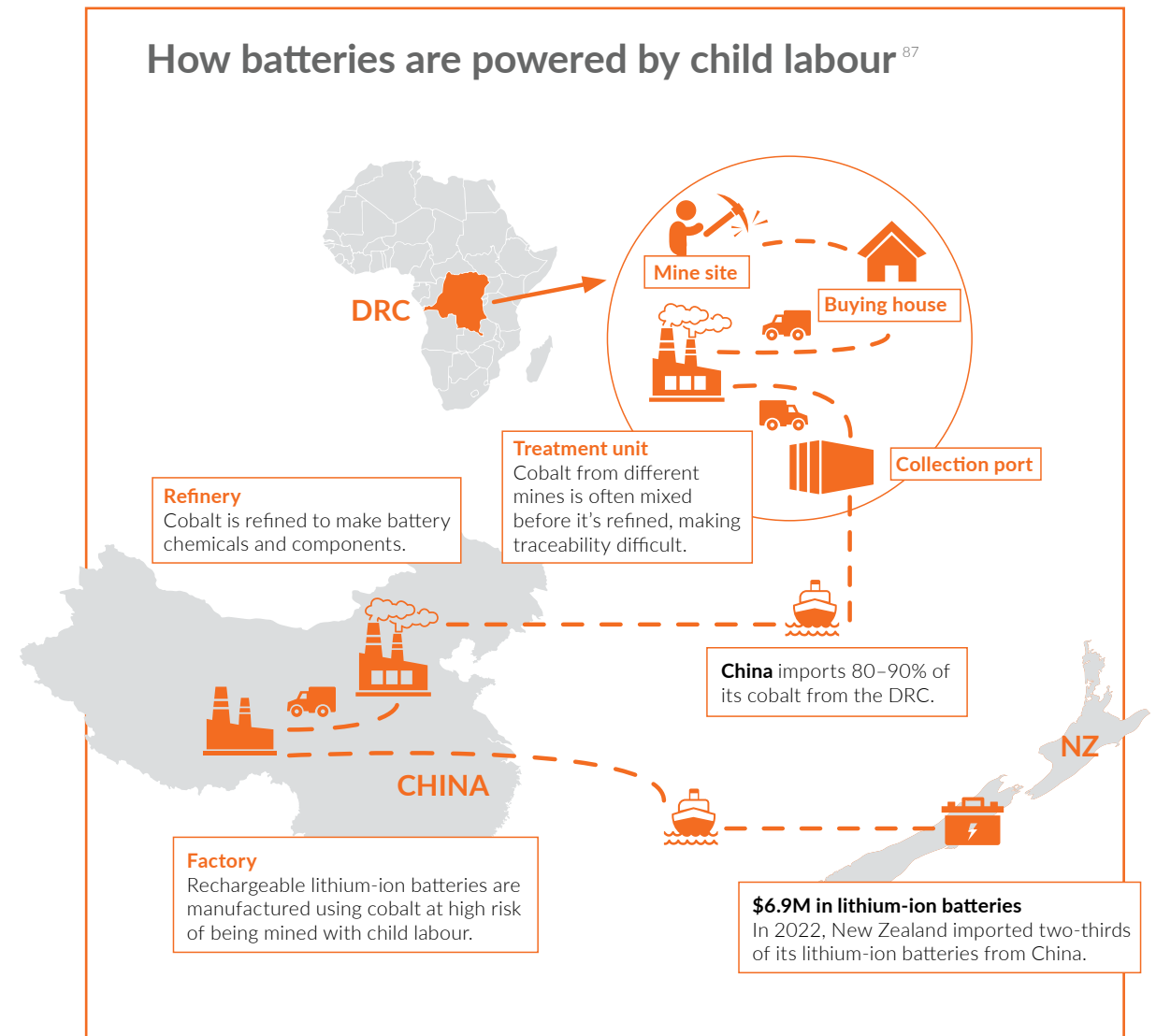


## Child and forced labour powers our smartphones and EVs

Mines in the Democratic Republic of the Congo (DRC) are largely owned or controlled by China<sup>78</sup> and supply China's lithium-ion battery manufacturing industry, which supplies the rest of the world.<sup>79</sup> In the DRC, which produces more than 70% of the world's cobalt ore, more than 40,000 children work deep underground to mine the cobalt needed to produce the lithium-ion batteries that power our smartphones, laptops, electric cars, e-Bikes and a variety of other electronics.<sup>80</sup> This is dangerous work, with children and adults carrying heavy loads and risking death from toxic dust, collapsed tunnels and falling down mine shafts.<sup>81,82</sup> It's estimated that cobalt demand will double by 2030, increasing the risk of child and forced labour for hundreds of thousands of people.<sup>83</sup>

**Of the 3.4 million lithium-ion batteries imported into New Zealand in 2022, two-thirds came from China (\$6.9M),** making them high risk of being made using child labour and forced labour. Reports also show that Uyghurs in China are trapped in state-imposed forced labour to manufacture electronics for global brands.<sup>84,85</sup> **Of the 22,000 electric cars imported into New Zealand, half came from China.**<sup>86</sup>

**New Zealand companies should conduct thorough due diligence when importing lithium-ion batteries from China, because this supply chain likely includes cobalt at a high risk of being extracted by child and forced labour.**



## 2. Garments

New Zealand imported 212 million risky garments in 2022 valued at \$1.7B. This accounts for 86% of the total garments imported and was 8 million more risky garments than in 2019.

China was the largest source of risky garments, with 73% – 150 million garments (\$1.2B) – linked to forced labour. Bangladesh was the second-largest source of risky garments, with 12% (\$201M) linked to child labour and forced labour. The remaining risky garments came from Vietnam, India, Pakistan, Türkiye, Thailand, Malaysia, Myanmar, Mexico, Brazil and Argentina.

Risky garment imports increased by **8 million items** between 2019 and 2022.



Biggest exporters of risky garments to NZ

Most garment categories (e.g., men's and women's clothing, baby clothes, swimwear, and sleepwear) were considered risky; however, the percentage of risky baby clothes imported was particularly high. Nearly all (99%) of baby items were considered risky, totalling more than \$51M, with almost three-quarters linked to forced labour.



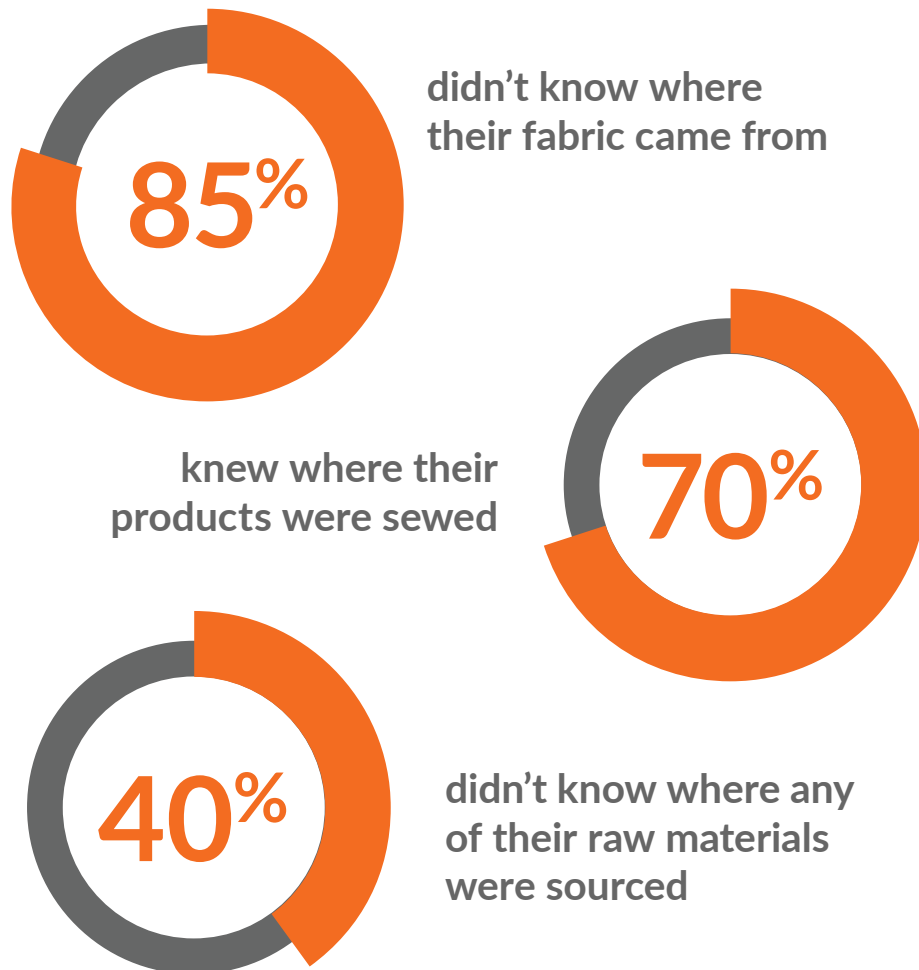
In the last 15 years, the clothing industry has doubled in size, largely due to the shift towards rapidly changing trends and the fast-fashion business model.<sup>88</sup> To meet consumer demand, brands pressure factories to lower their costs and speed up their turnaround times.<sup>89</sup> This downward pressure causes suppliers to cut corners on safety and rely on exploitative practices, such as forced labour and child labour, to meet the demands.<sup>90</sup> From raw materials harvesting through to manufacturing, the global fashion industry relies on exploitation in every part of the supply chain to keep costs down and profits high.<sup>91</sup> Garment workers face forced labour, debt bondage, withheld wages, unpaid overtime, physical and verbal abuse, and unsafe factories.<sup>92</sup> While tolerance for child labour in the formal sector has decreased in countries like Vietnam, this has pushed the problem into lower tiers of the supply chain, including subcontracting factories and home-based workspaces.<sup>93</sup> An ILO survey estimated that more than 48,000 children are working in Vietnam's garment supply chains, accounting for 3.2% of all child labour in Vietnam.<sup>94</sup>

## Case study: Rana Plaza collapse

In Bangladesh, the Rana Plaza building that housed five garment factories notoriously collapsed in 2013. This was one of the largest industrial disasters in history, killing 1,138 people and injuring another 2,500. Still, over the next five years, the price paid by lead UK companies to suppliers in Bangladesh declined by 13%, resulting in a 13.3% decrease in profit margins for suppliers from 2011 to 2016. When brands ask suppliers to comply with international employment standards, but pay them less, it's difficult for suppliers to improve working conditions.<sup>95</sup> Globally in the garment industry, more than 90% of workers can't negotiate their wages and conditions.<sup>96</sup> This means they can't claim a fair share of the value their work creates.<sup>97</sup>



Many clothing companies don't know how their goods are produced. One survey found that, of 581 brands, only 70% could trace where their products were sewed, 85% didn't know where all their fabrics and inputs came from, and 40% didn't know where any of their raw materials were sourced.<sup>98</sup>



COVID-19 has had a large impact on the working and living conditions of garment workers, severely exacerbating worker exploitation, sexual and gender-based violence, and modern slavery.<sup>99</sup> A survey conducted across four countries found that more than one-third of garment workers endured verbal abuse, threats and intimidation, and nearly one-quarter faced unfair wage deductions and restrictions on their movement.<sup>100</sup> In the initial weeks of the pandemic, fashion brands cancelled US\$40B in finished and in-production orders, resulting in many workers being illegally fired.<sup>101</sup> It's estimated that garment workers lost more than half a billion dollars to severance theft throughout the pandemic.<sup>102</sup>

As brands began to increase orders following lockdowns, they were determined to cut costs. A survey spanning 15 countries revealed that more than half (56%) of all garment suppliers experienced buyers forcing them to accept order prices below their production costs, thereby reducing worker income and heightening the risks of exploitation.<sup>103</sup> Based on estimated wage gaps across seven countries, an estimated 50 million garment workers lost nearly US\$12B in wages between March 2020 and March 2021.<sup>104</sup> Lower wages meant going hungry. By the end of 2020, 77% of workers reported not having enough food to eat and 75% had accrued debt to buy food.<sup>105</sup>

**56%** of suppliers were forced to accept order prices below their cost of production



### 3. Textiles

Of the \$1.1B worth of textiles<sup>106</sup> imported in 2022, 51% (\$567M) were associated with child and forced labour. Textiles include fabric, blankets, curtains, bed linen, sacks and bags. More than 83% (\$470M) of risky textiles came from China, where the textile industry is linked to both child labour and forced labour. Pakistan accounted for 8% of risky textiles, with the rest from Cambodia, Vietnam, Bangladesh and Ghana.

Child labour is highly prevalent in yarn and spinning mills.<sup>107</sup> A study of Indian mills found that 60% of workers were under 18 when they started working there, with some workers as young as 15.<sup>108</sup> In some parts of India, recruiters lure young women and girls into working at textile mills by promising them a lump sum at the end of their multi-year labour contracts.<sup>109</sup> Because they must complete the contract to receive their earnings, which often serve as their dowries, they are highly vulnerable to exploitative conditions, including excessive working hours, restrictions on their movement, and physical and sexual abuse.<sup>110</sup> In Ghana, an estimated 24,000 children aged 5 to 14 work to weave textiles.<sup>111</sup> In Pakistan, approximately 46,000 children are involved.<sup>112</sup>

In Ghana and Pakistan,  
**70,000**  
children work in textiles

In China, textile manufacturing and raw materials production are associated with child and forced labour and are particularly linked to state-imposed forced labour of the Uyghur people.<sup>113,114</sup> However, research reports outline that it's hard to prove links to forced Uyghur labour in China because authorities obscure the traceability of goods and components.<sup>115,116</sup> Further, the Chinese Government passed a law in 2021 that prohibits auditors from conducting supply chain due diligence regarding Uyghur forced labour and the Xinjiang region.<sup>117,118,119,120</sup>

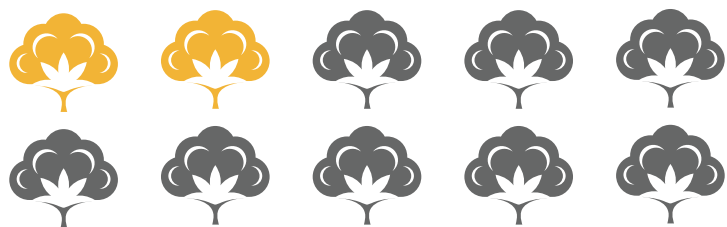


**60%**  
of workers at textile mills  
in India were **under 18**  
when they started working

## Forced labour in the cotton industry

China is the world's largest cotton producer, with the Xinjiang region producing 84% of China's cotton and 20% of the world's cotton.<sup>121</sup> In 2020, an investigation uncovered that more than 570,000 Uyghur people and other ethnic and religious minorities have been forced into labour to pick cotton and work in textile mills and factories under constant surveillance.<sup>122</sup> In Pakistan, a 2021 survey found that 27% of workers on a cotton farm were not allowed to leave.<sup>123</sup> This has a knock-on effect to other countries and brands that import cotton and cotton fabric from China to manufacture garments, adding modern slavery into their supply chains.<sup>124</sup>

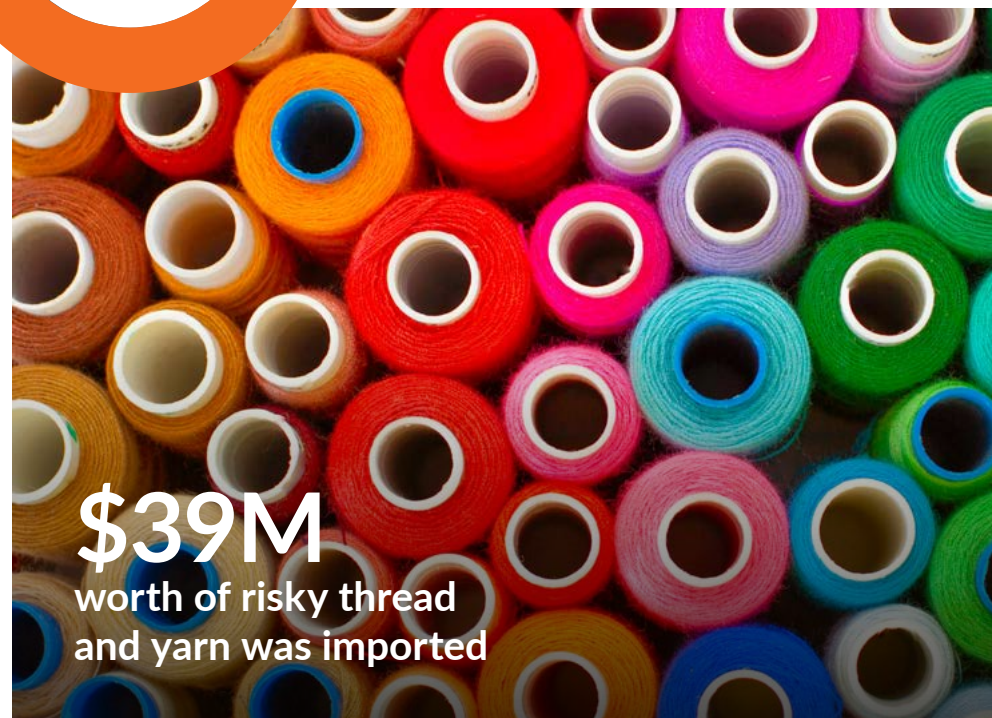
**Of the 201,000 kilograms of cotton imported into New Zealand, 96% was risky, with 98% (\$2.6M) imported from China, and the rest from Pakistan and India.**



**Xinjiang produces 20% of the world's cotton**



**of cotton was linked with child or forced labour**



**\$39M**

**worth of risky thread and yarn was imported**

More than 5 million kilograms of thread and yarn imported in 2022 was risky, a decrease from 6 million kilograms in 2019. The majority of risky thread and yarn (82%) came from China, where it is linked to forced labour. The remaining 18% was imported from India, where thread and yarn are connected to forced and child labour.

## 4. Palm oil

Of the 2 billion litres of palm oil<sup>125</sup> imported in 2022, two-thirds (68%, \$493M) was risky, coming from Indonesia where palm oil harvesting is linked to child and forced labour.



**2 out of 3** litres of palm oil was linked to child and forced labour

Palm oil is the most widely used vegetable oil in the world, a globally traded commodity used in approximately half of all consumer goods, from bakery items to toiletries and cosmetics.<sup>126</sup> In food products, such as peanut butter, it is often listed as “vegetable oil”. In cosmetics, including lipstick, foundation and shampoo, it can be difficult to identify because there are at least 200 derivative names, such as palmitate and sodium laureth sulphate. This can make palm oil difficult to trace.

In Indonesia, the world's largest exporter of refined palm oil, children as young as 5 years old work on plantations collecting loose palm fruits, carrying heavy 10-kilogram sacks, and pushing wheelbarrows over uneven terrain and narrow bridges to a collection point.<sup>127</sup> Most children do not wear protective equipment and often suffer cuts and health issues from exposure to the highly toxic herbicide paraquat.<sup>128</sup> One investigation reported that 68% of children working in palm oil experienced heat exhaustion.<sup>129</sup>

Plantation expansion due to the growth in demand for palm oil in cosmetics and grocery products (a 900% increase since 1990 in the USA alone)<sup>130</sup> has caused a scramble for workers, increasing child labour, forced labour and trafficking of migrant workers.<sup>131</sup> Because workers on the plantations are given excessive daily quotas, workers have little choice but to involve their children to meet targets and avoid penalties.<sup>132</sup> While 68% of New Zealand's palm oil comes from Indonesia, it is likely that many finished products imported to New Zealand from places like China and the USA also contain risky palm oil sourced in Indonesia.



**Two-thirds of children working on palm oil plantations experience heat exhaustion**

## 5. Footwear

In 2022, more than 20 million pairs of risky shoes were imported into New Zealand – four pairs for every New Zealander.<sup>133</sup>

92%  
of shoes  
were risky



New Zealand imported more than 20 million pairs of risky shoes in 2022, totalling \$448M. This accounted for 92% of all imported shoes. Of these, 71% came from China (\$228M), where the footwear industry is linked to forced labour. Almost 3.9 million pairs of risky shoes came from Vietnam (\$151M). The other 2.1 million pairs of shoes came from India, Bangladesh, Brazil, Indonesia and Türkiye, all countries where the footwear industry is linked with child labour.

Globally, the garment and footwear sectors employ more than 60 million workers.<sup>134</sup> The United Nations International Children's Emergency Fund (UNICEF) estimates that, worldwide, the garment and footwear supply chain affects more than 100 million children – either as workers, children of working parents, or children living near farms and factories.<sup>135</sup> In addition to child labour issues, children suffer because their working mothers often don't get maternity leave, garment factories lack childcare and breastfeeding support, and garment worker villages have poor living conditions, sometimes without access to clean water or safe toilets.<sup>136</sup>

9 out of 10 pairs of shoes  
were linked to child or forced labour



Like clothing brands, many footwear companies don't know where their materials are coming from. One survey of 90 footwear brands found that only 40% knew where their shoes were manufactured, 25% didn't know where any of their fabrics came from, and more than half didn't know where any of their raw materials were sourced.<sup>137</sup>



## Missing school to make shoes

In 2022, New Zealand imported more than 256,000 pairs of shoes from India, totalling more than \$9.2M.

In India, children as young as 8 years old miss school to make shoes in dangerous conditions, hand-stitching, gluing and packing shoes in small informal workshops and homes.<sup>138</sup> Despite measures taken by shoe factories in India to curb child labour, the outsourcing of shoe manufacturing to small workshops or home businesses means many of these workplaces are overlooked, leaving the children who work there unprotected.<sup>139</sup>

It's estimated that more than 6,000 children are engaged in hazardous work in Vietnam's footwear industry.<sup>140</sup> Because wages are insufficient for supporting a basic standard of living, most workers rely on significant amounts of overtime to make ends meet, sometimes working more than 60 hours per week.<sup>141</sup>



# 6,000

children are engaged in hazardous work in Vietnam's footwear industry

In addition to the risks involved with manufacturing shoes, raw materials including rubber, leather and cotton have known issues of forced labour and child labour in their supply chains. Of all leather goods imported in 2022, totalling more than \$320M, 6% from India and Mexico were associated with child labour.

## 6. Toys

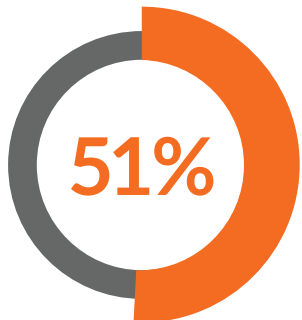
Approximately 71% of the \$518M worth of imported toys in 2022 came from China, where child labour and forced labour are reported in the toy-making industry. This equates to more than \$365M worth of toys. More than 93% of all toy cameras, construction sets, dolls' carriages, scooters and portable electronic education devices were risky.



China produces 75% of all toys globally, with most manufactured in the coastal region of Guangdong.<sup>142</sup> This US\$30B industry employs about 6 million mainland Chinese workers.<sup>143</sup> A 2020 investigation into a US-owned toy factory in Guangdong found that workers routinely exceeded the legally permitted weekly working hours, sometimes working 80 hours per week for less than US\$2 per hour, and are sometimes forced to work unpaid hours to meet excessive production quotas.<sup>144</sup> Further, numerous cases of sexual harassment, as well as verbal and physical abuse, were reported.<sup>145</sup>

## 7. Furniture

In 2022, New Zealand imported more than 389,000 pieces of risky furniture, valued at \$99M, 129,000 more pieces than 2019. The largest amount by spend came from Vietnam (93%, \$92M), where the furniture industry is associated with child labour. About \$4.6M came from Türkiye, where child labour is linked to the furniture industry. The remaining \$2M of risky furniture was imported from Pakistan, a new addition to the risky goods list, where furniture is associated with child labour.



**51%** of the \$11M spent on wooden outdoor furniture was from Vietnam where furniture production is linked to child labour.

The wooden furniture industry in Vietnam has skyrocketed in the past decade, employing more than 400,000 people, 40% of whom are women.<sup>146</sup> Two of the biggest issues in the furniture manufacturing industry are excessive and forced overtime, which occurs primarily due to last-minute order changes from brands, and low wages that necessitate overtime pay to earn enough to survive on.<sup>147</sup> A Vietnamese labour inspectorate report revealed that 87.5% of furniture factories violated legal overtime limits.<sup>148</sup> But without overtime pay, an average furniture worker earns the equivalent of just \$50 per week.<sup>149</sup> As of 2018, there were nearly 16,000 children working in Vietnam's furniture industry.<sup>150</sup>

In Pakistan, about 26,000 children work in furniture production.<sup>151</sup> Children work to assemble sofas and chairs for less than \$2 per day, and some perform hazardous tasks, including harvesting bamboo, reeds and straw by hand.<sup>152</sup> Further, constant exposure to sawdust in factories causes chronic respiratory illnesses among children.<sup>153</sup>

### The rise of “fast furniture”

Similar to fast fashion, there's been rise in a mass-production furniture model that churns out cheap furniture at lightning speeds to keep up with consumer trends. This rise has also coincided with COVID-19, where sales on patio and office furniture increased by more than \$4B in the USA alone.<sup>154</sup> Like fast fashion, a furniture industry that relies on quick turnaround times, high output and cheap production will inevitably exacerbate the already existing risks of exploitation. Between 2019 and 2022, there was a 50% increase in furniture imported into New Zealand.

## 8. Coffee

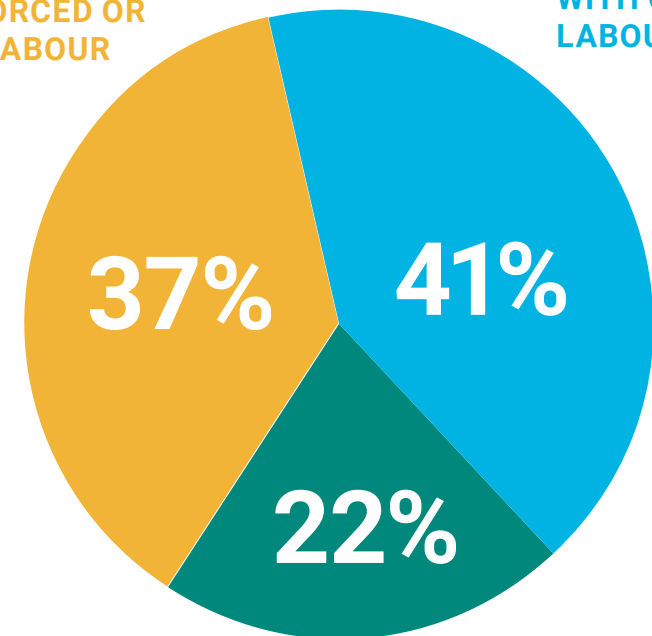
On average in 2022, every adult<sup>155</sup> in New Zealand drank **four cups of coffee<sup>156</sup> a week** associated with child and forced labour.



In 2022, New Zealand imported nearly 17 million kilograms of coffee — about 600,000 kilograms, or 43 million cups, more than in 2019. About 63% of this coffee was risky, totalling about \$85M and equating to 870 million cups of coffee. The top sources of risky coffee were Brazil (34%), Vietnam (21%), Colombia (17%) and Honduras (11%). Coffee from Brazil is associated with both child labour and forced labour, while coffee from the other countries, including Vietnam, Colombia and Honduras, is associated with child labour.

COFFEE NOT  
ASSOCIATED  
WITH FORCED OR  
CHILD LABOUR

COFFEE  
ASSOCIATED  
WITH CHILD  
LABOUR



COFFEE ASSOCIATED  
WITH BOTH CHILD AND  
FORCED LABOUR

In Brazil, a growing proportion of coffee exports are produced using forced labour. In 2018, Brazilian authorities found more than 300 coffee workers in slave-like conditions.<sup>157</sup> Further, a 2019 investigation exposed extensive forced labour on coffee plantations, producing coffee deemed "slavery free" by certification schemes and subsequently sold by major coffee brands.<sup>158</sup>

## 9. Bananas



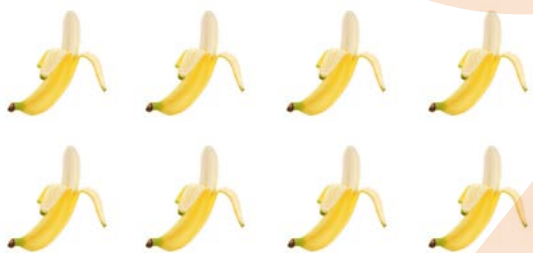
**6 out of every 7 bananas  
New Zealanders ate in  
2022 were associated  
with child labour**

In 2022, New Zealand imported more than 564 million bananas<sup>159</sup>, valued at \$78M. Of these, 85% came from Ecuador and the Philippines, where the banana industry uses child labour.

While Ecuador remains our largest source of bananas, the proportion of bananas from Ecuador has decreased from 80% in 2019 to 65% in 2022. The number of bananas imported from the Philippines has doubled.



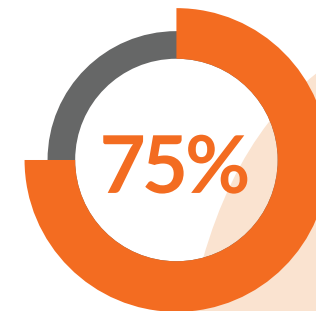
Bananas are the world's most popular fruit, with people consuming more than 100 billion bananas annually.<sup>161</sup> In New Zealand, the average person eats 13 kilograms of bananas a year. An investigation into banana plantations in the Philippines found people packing bananas headed for New Zealand were forced to work 18-hour days for as little as 30 cents per hour, and experienced threats of violence and death.<sup>162</sup>



**On average, New Zealanders  
ate 8 bananas associated with  
child labour every month<sup>160</sup>**

## 10. Tobacco

In 2022, \$34M (or 69%) of all tobacco imported into New Zealand came from Indonesia and the Philippines, where the tobacco industry uses child labour. Almost all risky tobacco (\$34M) came from Indonesia, with a small amount from the Philippines (\$41,000). Indonesia is the world's fifth-largest tobacco producer.<sup>163</sup> Nationwide, it is home to more than 500,000 tobacco farms.<sup>164</sup>



**75%  
of children surveyed  
started working  
before the age of 12**

A 2016 Human Rights Watch investigation into child labour on Indonesian tobacco farms found that three-quarters of children had started working before the age of 12.<sup>165</sup> Typically, children worked on their parents' or relatives' small plots of land, but many also worked on community members' land. While some children received small wages for their labour, others worked without compensation, either for their own families or through labour exchanges with other families.<sup>166</sup>

### A sickening harvest

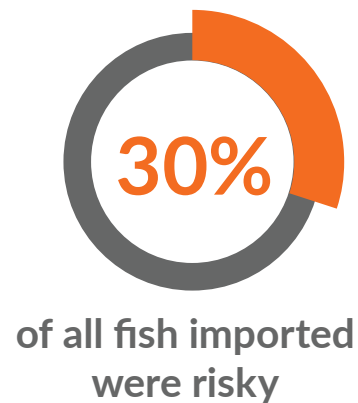
"When I was so tired from harvesting and carrying the [harvested tobacco] leaf, I was throwing up," says Ayu, 13 years old. "My stomach was like – I can't explain – it's stinky in my mouth. I threw up so many times... My dad carried me home. This happened when we were harvesting. It was so hot, and I was so tired... The smell isn't good when we're harvesting. I'm always throwing up every time we're harvesting."<sup>167</sup>



## Other products linked to modern slavery in New Zealand

### Fish

In 2022, New Zealand imported 2.4M kilograms of risky fish (\$17M), including fish fillets, dried fish, frozen fish, smoked fish and salted fish. This accounted for 30% of all imported fish. The sources of risky fish included China (\$9M), Vietnam (\$4M), Taiwan (\$1M), Indonesia (\$1M), the Philippines (\$500,000), Thailand (\$250,000) and Cambodia (\$2,000). Fish from China, Taiwan and Thailand is associated with forced labour; fish from the Philippines, Vietnam and Cambodia is associated with child labour; and fish from Indonesia is associated with both forced labour and child labour.



Modern slavery at sea is pervasive in the fishing industry, with cases reported aboard fishing vessels in Southeast Asian waters and within New Zealand waters.<sup>168,169</sup> Forced labour is being used to meet the growing global demand for seafood while attempting to reduce costs amidst declining profits caused by overfishing.<sup>170,171</sup> In many instances, fishers are deceived into false employment opportunities, only to find themselves trapped in forced labour at sea for extended periods, sometimes years.<sup>172</sup> They endure threats of violence, withheld wages, recruitment-related debt and the confiscation of their passports, leaving them unable to escape when the vessel eventually reaches port.<sup>173</sup> Estimates suggest there are 128,000 fishers trapped in forced labour aboard fishing vessels.<sup>174</sup> However, the difficulty of measuring forced labour at sea means that this figure is likely a substantial underestimate of the issue's true extent.<sup>175</sup>

### Solar panels

In 2022, New Zealand imported \$44M in assembled solar panels from 22 countries. Approximately 81% (\$28M) of solar panels were imported from China and 8% (\$7M) were imported from Australia. Australia reportedly imports more than 90% of its solar panels from China.<sup>176,177,178</sup>

Approximately 35% of the world's solar-grade polysilicon is produced in Xinjiang by Uyghurs and other Muslim minorities at high risk of being in state-imposed forced labour, with another 54% produced in other regions in China.<sup>179,180</sup> Research indicates that all four of Xinjiang's polysilicon manufacturers have reported their participation in labour transfer programmes and/or are supplied raw materials to companies that have.<sup>181</sup> Polysilicon, derived from mined quartz, is used to produce photovoltaic wafers and ingots, which ultimately become solar panels and cells. It's estimated that China produces more than 75% of the world's solar products.<sup>182</sup> China's dominance in global polysilicon production and solar product supply chains makes solar panels, as well as other silica-based products like semiconductors, extremely risky.<sup>183,184</sup> This means that any New Zealand business importing solar products without conducting thorough due diligence could inadvertently be profiting from forced labour.

While the clean energy sector has grown rapidly to mitigate climate change, this growth has, in many cases, relied on exploitation and the perpetuation of modern slavery.<sup>185</sup> **The use of state-imposed forced labour within renewable technology supply chains can prevent a just transition and mean meeting sustainability targets comes at the expense of people being forced into modern slavery.**

## Cocoa

Of the 9.8M kilograms of cocoa (\$55M) imported into New Zealand in 2022, 28% was risky (\$12M). Most risky cocoa was from Ghana (\$12M, 98%) and included cocoa beans, butter and paste. The remaining risky cocoa was from Cote d'Ivoire and Brazil. Cocoa from Cote d'Ivoire is associated with both child labour and forced labour, while cocoa from Ghana and Brazil is associated with child labour.

About 70% of the world's cocoa comes from West Africa, where approximately 6 million people work on cocoa farms, one-third of whom are children.<sup>186</sup> They work gruelling hours in the jungle, hacking down cocoa pods with machetes, using agrochemicals and lugging heavy sacks long distances.<sup>187</sup> Over the past decade, there has been a 13% increase in hazardous child labour on cocoa farms, corresponding with a 62% increase in cocoa production driven by rising consumer demand for inexpensive chocolate.<sup>188</sup>

Of the 6 million workers, a significant number are in forced labour, including an estimated 16,000 children.<sup>189</sup> Traffickers persuade children onto buses with the promise of a brighter future, only to transport them to cocoa regions in neighbouring countries where they are forced into labour and subjected to physical violence if they try to escape.<sup>190</sup>

It is likely that 28% is an underestimate because New Zealand's second-largest supplier of cocoa is Australia, which is not a commercial cocoa-producing country. Therefore, even when New Zealand imports cocoa from countries with fewer instances of child labour, the lack of transparency around where these countries are importing their cocoa from significantly increases the risk that New Zealand's chocolate is produced using child labour.

## Cashews

In 2022, **97% of the 2.9 million kilograms of cashews imported were risky.** These cashews were imported from Vietnam, where child labour is common in the cashew industry.

## Christmas decorations

**Of the \$27M Christmas decorations imported in 2022, 96% were risky.** These came from China, where reports show that Uyghurs have been forced into labour to assemble Christmas decorations,<sup>191</sup> including Christmas crackers, Christmas tree lights and aerosol cans containing artificial snow.



# International response to modern slavery linked to imports

## Global supply chain laws

Internationally, there is growing movement towards legislating for supply chain transparency.<sup>192</sup> More people are demanding that businesses and governments act ethically and ensure their supply chains are free from modern slavery.

There are three key types of laws that address modern slavery in supply chains: public disclosure, due diligence, and banning imports that are linked to child and forced labour.

### Supply chain laws (actual and in progress)

Disclosure	Due diligence	Import ban
California	Netherlands	USA
UK	Switzerland	Australia
Australia	Germany	Canada
Canada	Finland	EU
New Zealand	EU	
Norway		

### Public disclosure laws

Public disclosure laws, also known as supply chain transparency laws, put an onus on entities to identify and report on the risk of modern slavery within their supply chains. Generally, the results of these assessments are published in a publicly accessible register that can be searched and scrutinised by consumers and investors. These laws are most effective when they include penalties for non-compliance.<sup>193</sup>

The benefit of this type of legislation is that it raises awareness of modern slavery in supply chains and provides insights to consumers and investors that can be used to make purchasing or investment decisions. The shortcoming of this type of legislation is that it does not require entities to take action to address and mitigate modern slavery.<sup>194</sup>

### Due diligence legislation

Due diligence legislation goes a step further and requires entities to proactively take action and develop plans to prevent and mitigate the risks of modern slavery in their supply chains.<sup>195</sup> This approach aligns closely with the United Nations *Guiding Principles on Business and Human Rights*<sup>196</sup> and the OECD *Due Diligence Guidance for Responsible Business Conduct*.<sup>197</sup> Due diligence is a more comprehensive way of addressing modern slavery risks because it puts an onus on entities to embed responsible business conduct into policies and management systems.<sup>198</sup> It also requires entities to identify and assess actual and potential adverse impacts associated with their operations, products or services.<sup>199</sup> Most importantly, entities have to cease, prevent and mitigate adverse impacts and then transparently communicate how they are addressing this.<sup>200</sup> Finally, organisations must track and improve implementation and results and provide or cooperate in remediation if the organisation is found to be responsible for causing harm.<sup>201</sup>

### Import bans related to forced labour

Import bans are laws or codes that prevent goods linked to child and forced labour from entering a country. Examples of this type of law include Section 307 of the *United States Tariff Act* of 1930 and Canada's recently enacted Bill S-211 (*Fighting Against Forced Labour and Child Labour in Supply Chains Act*). Bill S-211 amends Canada's Customs Tariff, which currently bans the import of goods made by prison labour or forced labour, to also ban goods that are "mined, manufactured or produced wholly or in part by forced labour or child labour".<sup>202</sup> There have also been specific laws passed to prohibit goods linked to Uyghur labour in China. For example, the *United States Uyghur Forced Labour Prevention Act* limits imports from the Xinjiang Uyghur Autonomous Region.<sup>203</sup> Australia considered a Customs Amendment (Banning Goods Produced by Forced Labour) Bill in 2022<sup>204</sup> but this did not proceed.

At the time of publishing this report, the New Zealand Government has expressed "grave concerns" at the human rights abuses of Uyghurs taking place in Xinjiang and welcomed sanctions by the UK, USA, EU and Canada. However, they have not announced any sanctions.<sup>205</sup>

It has been suggested that New Zealand's *Customs and Excise Act 2018* could be amended to include all forms of forced labour because it currently does not include or reference any forms of forced labour or child labour.<sup>206</sup>

## Regulating modern slavery in supply chains in Aotearoa New Zealand<sup>207</sup>

In July 2023, the New Zealand Government announced its plan to introduce a disclosure law to address modern slavery in Aotearoa New Zealand's supply chains. It's estimated that the disclosure law will receive royal assent in 2025, with the first statements due in 2026.

Entities in the public and private sector with an annual revenue of more than \$20M will be required to submit a disclosure statement.

### An entity must report on:

1. its structure, operations, and supply chains
2. risks in its operations and supply chains, and any entities it owns or controls, relating to:
  - modern slavery in international operations and supply chains
  - worker exploitation and modern slavery in domestic operations and supply chains
3. the actions taken to prevent, mitigate and remediate those risks
4. how it assesses the effectiveness of such actions
5. the process of consultation with any entities that it owns or controls
6. any other matter considered relevant.

An entity will have to report on all tiers of its supply chain, not just direct suppliers.



### Accountability

These statements must be signed off by the highest governing body in an organisation, such as a board of directors, and will be published in a public digital register. This will allow for greater transparency because all New Zealanders will be able to go online and read the statements.



### Penalties

There will be financial penalties for not complying with the law or providing false information, and a regulator will have the ability to publish the name of non-compliant entities.





## How New Zealand's proposed law compares with other Commonwealth laws

This reporting criteria is similar to the Australian, Canadian and UK's Modern Slavery Acts, except that Canada's Act specifies "forced labour" and "child labour" instead of "modern slavery" and outlines that disclosure must also cover an organisation's policies and due diligence processes.

	New Zealand	Australia	Canada	United Kingdom
Entitles captured by legislation	NZ\$20M	AU\$100M	CA\$20M in assets; CA\$40M in revenue; 250 or more employees	£36M
Penalties	NZ\$10,000 infringement fee  Up to NZ\$200,000 for providing false or misleading information	X	Fines of up to CA\$25,000 for failure to report, obstructing an official in investigations, or knowingly providing false or misleading statements.	The Secretary of State can seek an injunction against non-compliant companies – but this has never been used.

### New Zealand's law needs to include due diligence

New Zealand's proposed modern slavery legislation does not include due diligence and "take action" requirements, which would require New Zealand entities to identify, prevent, mitigate and account for modern slavery in their supply chains. The proposed law provides an obligation to report on aspects of due diligence, but not meaningfully carry out due diligence. This means that an adequate response to comply with the law would be "we have taken no action to prevent, mitigate or remediate any modern slavery risk over the reporting period."

Reviews and critiques of the Australian,<sup>208</sup> United Kingdom<sup>209</sup> and Canadian Acts have culminated in strong recommendations for the laws to be strengthened to include due diligence. Germany, France, Norway, Switzerland and the European Union have laws (or are soon to introduce laws) focused on due diligence. The New Zealand Government has committed to incorporating due diligence requirements in the future, but it hasn't provided a timeline for this.

Clearly, New Zealanders want due diligence legislation. Consultation feedback for modern slavery legislation in 2022 demonstrated:<sup>210</sup>

- 90% of submitters support the requirement for all entities to undertake due diligence to prevent, mitigate and remedy modern slavery and worker exploitation by New Zealand entities where they are the parent or holding company, or have significant contractual control over the New Zealand entity.
- 94% of submitters support the requirement for large entities to meet due diligence obligations to prevent and mitigate modern slavery in their supply chains.

**New Zealand modern slavery legislation should consider key learnings from other jurisdictions and all global developments taking place, including human rights due diligence in Europe, reviews of the Australian, United Kingdom and Canadian laws, and the banning of imports linked to forced labour.**

## Appendix A: All risky imports into New Zealand by country

● Child and forced labour products
 ● Forced labour products
 ● Child labour products

[illegible]

**Child labour products**

[illegible]

Child and forced labour products

Forced labour products

Child labour products

74	Polysilicon	China												
75	Glass	Bangladesh												
76	Cottonseed (hybrid)	India												
77	Sugar beets	Türkiye												
78	Onions	Mexico												

## Appendix B: Research limitations

- This report is based on USDOL data, which is informed by a variety of primary and secondary sources.<sup>211</sup> We acknowledge there may be limitations in relying on USDOL data because it could be tainted by potential bias or policy preferenes. It is important to note that this dataset is validated through research conducted by independent international organisations, such as the International Labour Organization,<sup>212,213</sup> United Nations and Walk Free.<sup>214</sup>
  - Various research reports have linked certain products with child and/or forced labour, which have not been categorised as “risky” in the List of Goods. For example, it is unclear whether the List of Goods includes goods from the Pacific. It also does not include goods such as palm oil from Malaysia, which World Vision research has found to be linked with child labour.<sup>215</sup> This could result in an underestimation of the extent of risky imports entering New Zealand.
  - The 2022 New Zealand imports data set accounts for the direct import country, not the complete supply chain of a product. This could lead to an underestimation of the true value of risky imports entering New Zealand. For example, while New Zealand imports cocoa from Australia and Malaysia, which are not considered risky in the List of Goods, both countries import their cocoa from regions the List of Goods deems risky.
- Another inherent limitation of the List of Goods is that it doesn’t capture all downstream goods where child or forced labour was used in an earlier, upstream stage of processing. For example, sugarcane (the raw product) is included in the List of Goods, whereas cane sugar (the refined product) is not. By only tracking imports of sugarcane and not cane sugar, we risk excluding another product that has a high likelihood of being produced by child labour.
  - In this report, comparisons are made between imports figures from 2019 and 2022 without adjusting for inflation. Note that the impacts of inflation may hinder precise comparisons.
  - In cases where the USDOL Better Trade Tool risky good categories did not directly align with the New Zealand import data set, judgments were made based on item descriptions.



## Appendix C: Key changes in methodology from 2021 to 2023 report

The USDOL introduced the Better Trade Tool<sup>216</sup> in 2022, which allows for more accurate categorisation of imported goods. Using the Better Trade Tool, the USDOL matched each risky good on the List of Goods with a Harmonised Systems (HS) code, an internationally standardised system of names and numbers to classify traded products. As such, the USDOL's methodology could be applied to New Zealand imports data for the first time. This means that this report now uses the same methodology for the classification of imported goods as the USA.

World Vision New Zealand's (WVNZ) 2021 *Risky Goods* report found that New Zealand imported \$3.1B of risky goods in 2019. For this report, WVNZ had to manually match the List of Goods with New Zealand imports based upon item descriptions. Due to the manual nature of this methodology, a conservative approach to identifying risky goods was taken.

With the creation of the Better Trade Tool in 2022, the manual matching element has been removed. WVNZ has applied the updated methodology to the 2021 report (2019 dataset), which shows that New Zealand imported \$6.1B risky goods in 2019.

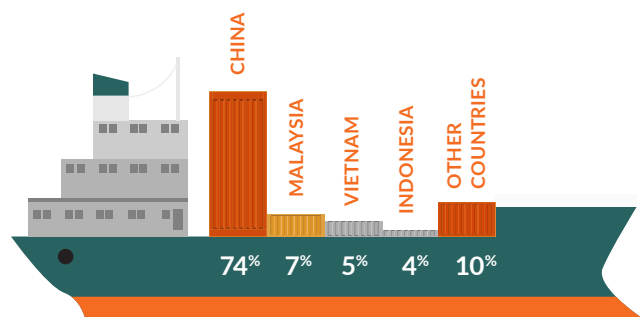
Table summarising key changes in methodology from the 2021 to 2023 report.

	A	B	C
	2021 report (old methodology)	2021 report (new methodology applied)	2023 report (new methodology)
Source of List of Goods	2020 USDOL List of Goods <sup>217</sup>	No change	2022 USDOL List of Goods <sup>218</sup>
NZ Import Dataset	2019 NZ import list	No change	2022 NZ import list
Methodology	<ol style="list-style-type: none"> <li>1. WVNZ manually matched the List of Goods with NZ HS import codes based upon item descriptions.</li> <li>2. The relevant NZ HS codes were matched to the NZ imports list to identify risky import goods.</li> <li>3. Risky coded items in the NZ imports data set were matched with identified risky origin countries to produce the 2019 list of NZ risky goods.</li> </ol>	<p>New methodology as outlined in column C.</p> <p>Key change: WVNZ did not have to manually match List of Goods because the Better Trade Tool now matches goods with standardised HS import codes.</p>	<ol style="list-style-type: none"> <li>1. The USDOL matched the List of Goods with US HS import codes using the Better Trade Tool.</li> <li>2. WVNZ cross-referenced the risky goods US HS codes with NZ HS import codes and matched the data accordingly.</li> <li>3. Risky coded items in the NZ imports data set were matched with identified risky origin countries to produce the 2022 list of NZ risky goods.</li> </ol>
Risky imports by spend	\$3.1B	\$6.1B	\$7.9B

## A snapshot of 2021 report (using 2019 import data) with new methodology applied

- New Zealanders imported more than **\$6.1B of risky products in 2019**, which accounted for 10% of the country's total imports.
- \$1.7B in imports were linked to forced labour, \$625M with child labour, and **\$3.7B with both forced and child labour**.
- New Zealand imported risky products from 42 countries globally in 2019.
- We spent the most on risky goods from **China (74%, \$4.5B)**, followed by **Malaysia (7%, \$420M)**, **Vietnam (5%, \$297M)** and **Indonesia (4%, \$271M)**.

### Risky goods by country:



- Electronics were our highest-spend risky good in 2019.** New Zealand imported \$2.7B of risky electronics, or **44%** of the value of all risky products imported. Most risky electronics (91%) came from China, where the electronics industry is associated with both child labour and forced labour. The remaining risky electronics came from Malaysia.
- The next five highest-spend risky goods imported were **garments** from Argentina, Bangladesh, Brazil, Cambodia, China, India, Malaysia, Mexico, Myanmar, Thailand, Türkiye, and Vietnam; **textiles** from China, Cambodia, Vietnam and Bangladesh; **footwear** from China, Vietnam, Indonesia, India, Brazil, Bangladesh and Türkiye; **palm oil** from Indonesia and Malaysia; and **toys** from China.

### Top 10 risky goods by import value, 2019 (new methodology)



Good	Electronics	Garments	Textiles	Footwear	Palm oil	Toys	Tobacco	Bananas	Furniture	Coffee	Other
2019 imports to New Zealand	\$2.7B	\$1.5B	\$384M	\$367M	\$339M	\$265M	\$74M	\$68M	\$65M	\$50M	\$344M
% of risky goods imported by price	44%	24%	6%	6%	6%	4%	1%	1%	1%	1%	6%

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4. US Department of Labor (2022). *2022 List of risky goods produced by child labor or forced labor* [online]. Available at: [https://www.dol.gov/sites/dolgov/files/ILAB/child\\_labor\\_reports/tda2021/2022-TVPR-List-of-Goods-v3.pdf](https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2021/2022-TVPR-List-of-Goods-v3.pdf) (Accessed 30 May 2023)
5. Harmonised System codes were developed by the World Customs Organization to ensure a standardised numerical method of classifying internationally traded goods. The first six digits of the codes are universally standard; countries can add further numbers following the universal code for more detailed classification. The more digits the code, the more detailed the description of the products. Similarly to the USA, New Zealand uses up to a 10-digit code to classify imports and exports.
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9. World Vision's 2021 *Risky Goods* report found that New Zealand imported \$3.1B of risky goods in 2019. Because the methodology improved in 2022, allowing for more accurate categorisation of risky goods in relation to the USDOL's List of Goods, the new methodology was applied to the 2019 dataset (2021 report), revealing that New Zealand imported \$6.1B risky goods in 2019.
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12. US\$360B
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