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Designing Forced Labour Import Bans for Workers: Evidence from Malaysia's Palm Oil Sector

Research Report

British Institute of International and Comparative Law

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Executive Summary

In 2023, The Remedy Project examined the evolution of U.S. Customs and Border Protection's (CBP) forced labour enforcement regime and the growing significance of Withhold Release Orders (WROs) as a tool for driving corporate accountability and remediation in global supply chains. Building on that work, this study shifts the focus from regulatory frameworks and corporate responses to the perspectives of workers themselves. It examines how workers experienced changes following WRO-related remediation efforts in Malaysia's palm oil sector, their understanding of forced labour trade measures, and what their experiences reveal about the strengths and limitations of forced labour import bans (FLIBs) as a mechanism for improving labour conditions and preventing exploitation. This study specifically focuses on workers' experiences at Sime Darby Plantation Berhad/SD Guthrie.[1]

The findings suggest that interventions taken in response to, or as a result of, a WRO were associated with significant organisational changes that addressed a number of recognised forced labour risks. However, workers generally had limited awareness of the WROs themselves and FLIBs more generally, and rarely viewed workplace changes through a forced labour or trade enforcement lens.

More importantly, the study highlights a gap between the issues prioritised by forced labour enforcement frameworks and those prioritised by workers. While remediation efforts often focused on recognised forced labour indicators, workers placed greater emphasis on broader concerns relating to decent work, wages, healthcare, housing, occupational safety, family welfare and livelihood security. The findings therefore raise important questions about how the effectiveness of FLIBs should be assessed and whether they can deliver meaningful improvements for workers.

The research suggests that future FLIB regimes should adopt more worker-centred approaches to remediation and assessing whether conditions have improved sufficiently to lift import restrictions or revoke a WRO. In this context, worker-centred approaches place affected workers and their representatives at the centre of remediation, decision-making and evaluation processes, prioritising worker voice, consultation, protection from retaliation, and access to effective remedy. This implies greater worker participation in remediation efforts, broader conceptions of remedy, ongoing monitoring of worker outcomes, and a stronger focus on prevention alongside corrective action. As more jurisdictions introduce FLIBs, understanding worker perspectives will be essential to ensuring that these measures deliver lasting improvements and reduce the risk of future exploitation.

[1] Sime Darby Plantation Berhad officially changed its name to SD Guthrie Berhad in May 2024 following shareholder approval. References in this report to SD Guthrie and Sime Darby Plantation (SDP) refer to the same corporate entity unless otherwise stated. SD Guthrie, Sime Darby Plantation Rebrands to SD Guthrie, 28 May 2024, https://www.sdguthrie.com/press-releases/sime-darby-plantation-rebrands-to-sd-guthrie.

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1. Introduction

1.1 Background

Over the past decade, governments have increasingly sought to address forced labour in global supply chains through trade-based enforcement measures, including import prohibitions targeting goods produced wholly or in part with forced labour. The U.S. has been leading these efforts by applying Section 307 of the Tariff Act 1930, under which U.S. CBP may issue Withhold Release Orders (WROs) directing officials to detain imported goods when there is reasonable evidence that the goods were produced, wholly or in part, using forced labour.[2]

What began as a largely U.S.-led enforcement mechanism is increasingly evolving into a broader global regime of trade-based measures addressing forced labour in supply chains. The European Union's Forced Labour Regulation is due to become fully applicable from December 2027, while a growing number of countries have recently adopted, proposed, or committed to introducing forced labour import prohibitions. Recent U.S. trade policy developments have accelerated this trend. In 2026, the Office of the U.S. Trade Representative (USTR) imposed tariffs on countries deemed not to have adopted or effectively implemented forced labour import prohibitions, while several countries have recently committed to introducing such measures through reciprocal trade arrangements with the U.S..[3] As forced labour import bans (FLIBs), which restrict market access for goods linked to forced labour, become more widespread, it is worth evaluating whether they lead to improved outcomes for workers, avoid unintended harms, and support meaningful remediation and prevention.

This study aims to contribute to broader policy debates by examining worker experiences in one prominent instance of forced labour trade enforcement, specifically in Malaysia's palm oil sector. As the world's second largest producer of palm oil, an agricultural commodity embedded in global food, cosmetics, and biofuel supply chains, the sector is heavily dependent on migrant labour, with an estimated 80% of palm oil workers being migrants, primarily from Indonesia and Bangladesh. The sector has long been associated with allegations of labour rights abuses, including indicators of forced labour such as debt bondage, excessive overtime, retention of identity documents, restrictions on movement, and exploitative recruitment practices.[4] These concerns have been documented by civil society

[2] U.S. Tariff Act 1930, https://www.govinfo.gov/app/details/USCODE-2010-title19/USCODE-2010-title19-chap4/context.
[3] Center for Strategic and International Studies, A Global Forced Labor Import Regime Is Emerging—Can It Work?, 31 Jul. 2026, https://www.csis.org/analysis/global-forced-labor-import-regime-emerging-can-it-work.
[4] International Labour Organization, ILO Indicators of Forced labour, 2025 Revised Edition, https://www.ilo.org/sites/default/files/2025-11/ILO%20Indicators%20of%20Forced%20Labour%202025.pdf.

organisations, workers' organisations, researchers, and government agencies, contributing to heightened scrutiny of labour conditions within the industry.[5]

In response to these concerns, CBP issued WROs against two of Malaysia's largest palm oil producers: FGV Holdings Berhad ("FGV") in September 2020 and Sime Darby Plantation Berhad ("SDP") in December 2020. The WROs prohibited the importation of products made by these companies into the U.S. unless importers could demonstrate that the goods were not produced using forced labour.[6] After an investigation into SDP, CBP issued a formal Finding in January 2022, concluding that SDP's operations exhibited indicators of forced labour and determining that palm oil and derivative products made wholly or in part with palm oil produced by SDP, its subsidiaries and joint ventures, were being, or were likely to be, imported into the U.S..[7]

Following imposition of the WROs, each company implemented its own remediation programme aimed at addressing the labour risks identified and demonstrating compliance with international labour standards.[8] Remediation measures reported by SDP included reimbursement of recruitment fees, reforms to recruitment and employment practices, strengthening of grievance mechanisms, and commitments to responsible recruitment principles.[9] Both the reimbursement of recruitment fees and strengthening of grievance mechanisms were corroborated in the worker interviews conducted for this study, as well as in TRP's 2023 study. In the 2023 study, workers at SDP also confirmed that working hours and access to healthcare had improved since the WRO imposition.[10]

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[5] *See for example* International Organization for Migration, The Cost of Hope: Stories of Migrant Workers in Palm Oil Plantations in Malaysia, 2023, https://asiapacific.iom.int/sites/g/files/tmzbdl671/files/documents/The%20Cost%20of%20Hope%20Feb%2019.pdf ; U.S. Bureau of International Labor Affairs, The Department of Labor's Exposing Exploitation in Global Supply Chains Series: Palm Oil Storyboard, https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods/supply-chains/palm-oil; World Rainforest Movement, Modern-Day Slavery in Oil Palm Plantations: The Outstanding Cases of Malaysia and Indonesia, 23 Dec. 2013, https://www.wrm.org.uy/bulletin-articles/modern-day-slavery-in-oil-palm-plantations-the-outstanding-cases-of-malaysia-and-indonesia.

[6] U.S. Customs and Border Protection, CBP Issues Withhold Release Order on Palm Oil Produced by Forced Labor in Malaysia, 30 Dec. 2020, https://www.cbp.gov/newsroom/national-media-release/cbp-issues-withhold-release-order-palm-oil-produced-forced-labor.

[7] Federal Register, Notice of Finding that Certain Palm Oil and Derivative Products Made Wholly or In Part With Palm Oil Produced by the Malaysian Company Sime Darby Plantation Berhad Its Subsidiaries, and Joint Ventures, With the Use of Convict, Forced or Indentured Labor Are Being, or Are Likely To Be, Imported into the United States in Violation of 19 U.S.C. 1307, 28 Jan. 2022, https://www.federalregister.gov/documents/2022/01/28/2022-01779/notice-of-finding-that-certain-palm-oil-and-derivative-products-made-wholly-or-in-part-with-palm-oil.

[8] The Remedy Project, Putting Thing Rights: Remediation of Forced Labour under Tariff Act 1930, 28 Apr. 2023, https://static1.squarespace.com/static/67c727457ee5423479029462/t/67d796c511ccef30cd228e37/1742182586710/TRP%2B-%2BCBP%2BReport%2B-%2BFinal%2B-%2B20230428.pdf.

[9] Sime Darby Plantation, Sime Darby Plantation's Responsible Labour Practices and the USCBP, 15 Dec. 2020, https://www.sustainablepalmoilchoice.eu/resources/uploads/2022/12/SDP-USCBP-Overview_SPOC-Labour-Webinar-221207a.pdf; The Remedy Project, Putting Thing Rights: Remediation of Forced Labour under Tariff Act 1930, 28 Apr.2023.

[10] The Remedy Project, Putting Thing Rights: Remediation of Forced Labour under Tariff Act 1930, 28 Apr.2023.

CBP modified the WRO against SDP in February 2023, based on *"satisfactory evidence that Sime Darby Plantation Berhad, its subsidiaries, and joint ventures no longer produce palm oil and its derivative products using forced labour."*[11]

While considerable attention has been paid to the imposition and response to trade enforcement measures,[12] there remains limited empirical evidence about how company responses have been experienced by workers themselves. Much of the existing analysis focuses on corporate responses, regulatory developments, and compliance outcomes, with comparatively little research examining workers' perspectives on whether responses have resulted in meaningful improvements in their working and living conditions. Similarly, there is limited understanding of how workers perceive FLIBs and associated remediation, accountability, and corporate efforts to address forced labour risks.

There is also relatively little evidence on the potential and actual unintended consequences of trade-based enforcement mechanisms such as WROs. While these measures are designed to incentivise improved labour practices, they may also generate negative effects for workers, their families and surrounding communities, such as impacts on employment opportunities, income security, labour mobility, workplace relations, and access to remedies. Understanding these outcomes is important for informing the design of future enforcement measures.

This report seeks to address these evidence gaps by foregrounding worker perspectives on WRO responses in Malaysia's palm oil sector and examining the extent to which trade-based enforcement measures contribute to meaningful and sustainable improvements in workers' rights and well-being. In doing so, the study provides evidence that is relevant to the design and implementation of future FLIB regimes.[13] As a growing number of jurisdictions begin adopting such measures, understanding worker experiences, perceptions of remedy, and potential unintended consequences will be essential to ensuring that FLIBs deliver meaningful benefits for the workers they are ultimately intended to protect.

1.2 Research Objectives

The study aims to examine workers' experiences and perceptions of changes that have occurred following the imposition of WROs and subsequent remediation efforts in Malaysia's palm oil sector. Specifically, the research seeks to:

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[11] U.S. Customs and Border Protection, CBP Modifies Finding on Sime Darby Plantation Berhad in Malaysia, 3 Mar. 2023, https://www.cbp.gov/newsroom/national-media-release/cbp-modifies-finding-sime-darby-plantation-berhad-malaysia.

[12] An overview of the literature can be found at Modern Slavery and Human Rights Policy and Evidence Centre, Gonzalez De Aguinaga, S., Effectiveness of Forced Labour Import Bans in Addressing Modern Slavery in Global Supply Chains, Feb. 2025, https://files.modernslaverypec.org/production/assets/downloads/MSPEC-Import-Bans-Briefing.pdf?dm=1739286324; Governing Forced Labor in Supply Chains, Fanou, T., Literature Review: Forced Labour Import Bans, 5 Jan. 2023, https://gflc.ca/wp-content/uploads/2020/10/Forced-Labour-Import-Bans.pdf.

[13] A recent paper sets out a blueprint for FLIB design: Harvard Kennedy School Carr-Ryan Center for Human Rights, Murphy, L., An International Blueprint for Forced Labor Import Bans, https://www.hks.harvard.edu/sites/default/files/2026-05/26_Laura_Murphy_01.pdf.

1. Assess worker experiences of change following WRO-related remediation measures, including changes in recruitment practices, working conditions, access to remedy, and broader workplace experiences.
2. Examine worker perceptions of remediation efforts and business responses, including the extent to which workers consider these measures to be meaningful, effective, and responsive to their needs.
3. Understand worker awareness, attitudes, and expectations regarding WROs, forced labour laws, and trade-based enforcement mechanisms.
4. Explore the unintended consequences and limitations of FLIBs, including both positive and negative impacts on workers, their families, and surrounding communities.
5. Identify lessons that may inform the design, implementation, and enforcement of future forced labour trade measures and remediation initiatives.

1.3 Research Questions

The research is guided by the following questions:

1. What changes have workers experienced since the implementation of WRO-related remediation measures?
    - What changes have occurred in recruitment, employment conditions, worker representation, grievance mechanisms, living conditions, and access to remedy?
    - Which changes are perceived as most significant by workers?
2. How do workers perceive remediation efforts undertaken by companies in response to the WROs?
    - To what extent do workers believe remediation measures have addressed the issues that affected them?
    - How do workers assess the effectiveness, accessibility, and sustainability of these initiatives?
3. What impacts (positive or negative) do workers associate with WRO enforcement?
    - Have workers experienced improvements in working and living conditions, access to rights, or workplace treatment?
    - Have there been unintended consequences affecting employment, earnings, recruitment, mobility, family well-being, community livelihoods, or otherwise?
4. How do workers understand forced labour laws and trade restrictions?
    - What level of awareness do workers have of WROs and related forced labour regulations?
    - What attitudes do workers hold towards these measures?
    - What expectations do workers have regarding the role of governments, buyers, and companies in protecting labour rights?

5. What lessons can be drawn for the design and enforcement of future FLIBs?
    - What aspects of WRO-related interventions appear most effective from a worker perspective?
    - How can future FLIBs better support worker protection, meaningful remedy, and sustainable improvements in labour conditions?

By centring the voices and experiences of workers, this research aims to deepen understanding of the effectiveness of forced labour trade measures and provide evidence to support more worker-centred approaches to remediation, enforcement, and human rights due diligence.

2. Methodology

2.1 Research Approach

This study adopted a qualitative case study approach to explore workers' experiences and perceptions of changes associated with the imposition of WROs and subsequent remediation measures undertaken by palm oil companies in Malaysia.

In June 2026, The Remedy Project conducted a series of seven in-person focus group discussions (FGDs) with a total of 34 current workers, including both male and female, migrant and local workers with lengths of service ranging from 10 months to 25 years. Focus groups were selected as the primary method because they enabled workers to discuss shared experiences, compare perspectives, and collectively reflect on workplace changes. This approach was particularly well suited to identifying common patterns and areas of consensus or divergence across workers' experiences following remediation efforts. While one-to-one interviews may have provided greater depth on individual experiences, focus groups were preferred because they generated discussion among participants, allowing researchers to observe how workers collectively understood and evaluated changes in their working conditions.

The discussions were conducted across two plantation locations owned and operated by SD Guthrie Berhad (formerly Sime Darby Plantation Berhad) in Bukit Cherakah, Selangor and Temerloh, Pahang, Malaysia. These are two plantations out of a much larger estate portfolio,[14] and were covered by the WRO, which was company-wide. Each interview lasted between 1-2 hours.

A semi-structured thematic discussion guide was used to facilitate the focus groups. The guide covered workers' experiences before and after WRO-related remediation, perceptions of workplace changes, experiences of recruitment and employment practices, awareness of forced labour and trade restrictions, access to grievance mechanisms and remedy, and views on the broader impacts of the WROs. The interview guide is provided in **Annex 1.**

[14] According to its website, SD Guthrie operates 232 plantation estates in Malaysia, Indonesia, Papua New Guinea, and Solomon Islands. *See* https://www.sdguthrie.com/.

Access to workers was facilitated through a local community organiser, a plantation worker leader, and a trade union. Care was taken to ensure that no company management was present for the interviews. The research team sought to recruit participants from diverse backgrounds, gender, nationalities, migration statuses, job positions, and lengths of service, in order to capture a range of perspectives.

Worker safety and confidentiality were prioritised throughout the research process. Participants were informed of the purpose of the study, the voluntary nature of participation, and their right to decline to answer any question or withdraw from discussions at any time, and informed consent was obtained. No identifying information is disclosed in this report, and quotations have been anonymised to minimise the risk of retaliation or adverse consequences. Discussions were conducted in locations considered appropriate for confidential participation, including a community leader's home and a trade union office. Findings are reported at an aggregated level.

The study included both migrant and Malaysian workers. Migrant participants originated from Indonesia, India, Nepal, and Bangladesh. To promote trust and openness during discussions, focus groups were structured so that migrant and non-migrant workers were not grouped together. Similarly, female workers participated in separate focus groups from male workers. Participants represented a variety of occupational roles, including harvesters, general workers (who carry out tasks like distributing fertilizer, spraying pesticide, loading fruit, and maintenance of the plantation), drivers, and "mandurs" (field supervisors).

Focus group discussions were mostly conducted in Malay with little to no difficulty. Some translation into Tamil was provided where needed. Interviews were transcribed with the consent of participants.

Participants were provided with appropriate local standards of reimbursement to cover the time and incidental costs associated with participation, such as transportation and food. During the research design stage, consideration was given to the potential unintended effects of participant compensation. The reimbursement amount initially available under the project was assessed as being disproportionately high in the local context and risked creating unintended incentives for participation that could influence recruitment or responses. There were also concerns that relatively large payments could potentially generate tension or resentment towards participants from non-participating workers. To mitigate these risks, a lower and context-appropriate reimbursement arrangement was adopted, designed to recognise participants' time and expenses while avoiding undue influence and minimising the potential for negative impacts within the worker community.

2.2 Limitations

Several limitations should be considered when interpreting the findings of this study:

1. The research relied on a relatively small sample of workers: 34 participants from one employer, across two plantations. It is difficult to extrapolate findings from such a small sample across the wider palm oil sector or even across the estates operated by the company in question. This limitation was primarily due to resource, funding, and timing constraints, which affected the scale of fieldwork that could be undertaken. The

findings should therefore be understood as illustrative of worker experiences rather than statistically representative.

2. Similarly, access challenges limited the range of companies that could be included in the study. Despite efforts to engage workers employed by FGV, access proved difficult. Potential intermediaries indicated that worker engagement would require formal approval through company headquarters, which risked compromising the research's independence. Access through trade unions was also not considered appropriate, as FGV workers were reportedly in the process of seeking union recognition and there were concerns that any perceived external involvement or interference could affect those ongoing efforts.

3. The study is limited to current workers. Former workers were not included in the research due to logistical constraints of tracing and locating individuals within the allocated research timeframe. It is important to recognise that excluding former workers introduces the possibility of survivorship bias. Individuals who continue to work for a company may have different experiences and perspectives from those who have left, particularly if former workers experienced more severe labour rights concerns, dissatisfaction with remediation efforts, or barriers to obtaining remedy.

4. The only women interviewed were Malaysian nationals, while all migrant workers interviewed were male. This reflects the composition of the workers who were available and willing to participate in the study, as well as the predominantly male migrant workforce observed at the participating plantations. As a result, gender-specific experiences and concerns, including issues that may disproportionately affect female workers, may not have been fully captured in the findings.

5. The study did not include interviews with external stakeholders such as trade unions, civil society organisations, labour rights advocates, or government representatives. The research was intentionally designed to centre workers' voices and experiences within the available timeframe and resources. However, the absence of these stakeholder perspectives means that the study does not provide a comprehensive assessment of the wider policy, advocacy, or industrial relations context surrounding the WROs and remediation efforts. Future research could usefully triangulate worker perspectives with those of other relevant actors.

6. The findings are based on workers' perceptions, experiences, and recollections. As with all qualitative research, responses may be influenced by recall limitations, personal experiences, and individual interpretations of events. Participants varied significantly in their length of service, familiarity with company policies, and exposure to workplace changes. As a result, workers often had different levels of awareness both relating to previous working and living conditions, and remediation efforts.

7. While workers reported changes during the period following WRO enforcement, it is not possible to attribute these changes solely to the imposition of WROs or related

remediation measures. A range of external factors may have influenced company practices and worker experiences over the same time period, such as evolving regulatory expectations, industry-wide responsible recruitment initiatives, changes in buyer requirements, increased human rights due diligence, and reforms in labour migration governance in sending countries. Accordingly, the findings should be understood as reflecting workers' experiences of change during the post-WRO period rather than providing definitive evidence of causation.

With these limitations in mind, the study results should be interpreted as an initial exploration of worker experiences and perceptions, while recognising the need for additional research involving a broader range of workers and stakeholders.

3. Findings

3.1 Worker Reporting of Changes Aligned with Forced Labour Indicators

Workers reported a number of reforms which aligned with forced labour indicators, the clearest of which could be directly linked to WRO allegations.

- Recruitment Fee Reimbursement[15]

Reimbursement of recruitment fees was the most tangible form of remedy migrant workers described. Workers had been interviewed to ask what fees they had paid, if any: *"They asked us what we paid, not what we wanted."* Based on worker reports, the company reimbursed a fixed amount to workers depending on the country of origin. Participants in this study reported that workers from India received 4,800 MYR, and workers from Bangladesh received 4,200 MYR. Reported reimbursement amounts for Nepali workers varied between MYR 2,200 and MYR 4,800. According to SDP's own reports, it allocated MYR 82 million for reimbursement of recruitment fees to foreign workers, including reaching out to former workers to facilitate reimbursement.[16] No interviewed workers reported having paid recruitment fees in recent years.

In general, workers expressed satisfaction with the reimbursement of fees, with one stating *"the amount was sufficient to cover the fees we paid, and we are happy with it,"* and another stating: *"we are not asking for reasons or thinking about how much we should get. The amount is ok."* However, they were not generally aware of why the reimbursement had taken place and had received limited explanation from supervisors. Only two workers reported having been informed by a supervisor that the reimbursement was connected to an import ban.

[15] Liberty Shared's petition to CBP calling for a ban on imports by SDP alleged that workers incurred significant recruitment-related costs, including fees for job placement, transport, and entry into Malaysia. According to the petition, many workers financed these costs through loans, sometimes at high interest rates, resulting in debt burdens that the organisation characterised as indicators of debt bondage. *See* Liberty Shared, Summary of the Petition Submitted to CBP, 20 Apr. 2020, https://www.wilmar-international.com/docs/default-source/default-document-library/sustainability/grievance/grievance-case-report/summary-of-the-petition-submitted-to-cbp-on-20th-april-2020.pdf?sfvrsn=995e7096_2.

[16] Sime Darby Plantation, Sime Darby Plantation's Responsible Labour Practices and the USCBP, 15 Dec. 2020.

- Passport Retention and Freedom of Movement

Another reported change was that workers now retain control of their own passports.[17] Until a few years ago, the employer held workers' passports in the main office, although workers were permitted to access their documents at any time. Workers are now provided with personal lockers where they can store their passport as they choose. This has increased their confidence when encountering local police, who often ask to see their passports.

Some workers also reported having greater freedom of movement outside of the estates. Specifically, they are no longer required to sign out when they leave the worksite or dormitory, or report on where they are going.

- Reduction of Abuse

Workers generally felt that they were treated better by supervisors than they had been previously. In the past, supervisors used abusive language and threats towards workers, but supervisor conduct has improved in recent years. Workers tended to attribute this to greater accountability, including a functioning grievance mechanism with follow-up and disciplinary measures: *"Now we can make reports, so they are afraid."*

This aligns with the company's own reports of efforts to improve worker-manager relations through delivering training on "acceptable behaviours" including raising awareness and understanding of verbal and physical harassment, abuse, and threats.[18]

Taken together, these findings suggest that workers experienced a number of changes that align closely with the labour issues that featured prominently in the WRO allegations. The most visible improvements relate to recruitment practices, document retention, freedom of movement, grievance mechanisms, and the treatment of workers by supervisors. However, workers rarely associated these developments with the WROs themselves, instead attributing change to company policies, audits, NGO support, rights-awareness initiatives, or broader shifts in workplace culture. This distinction is important because it suggests that the effects of trade enforcement measures may not always be visible to workers as rights-based interventions, even where they contribute to meaningful workplace change.

3.2 Grievance Mechanisms and Remedy

Workers described a range of changes relating to grievance mechanisms, access to remedy, and the ways in which workplace concerns are addressed. The findings suggest that while workers perceive improvements in available reporting channels and responsiveness to certain complaints, their understanding of remedy remains relatively narrow and they reported limited involvement in remediation processes. The findings also highlight the important role played by trusted external actors in supporting workers to raise concerns and seek redress.

[17] Liberty Shared's petition to CBP cited audit findings that workers' passports were held by management. *See* Liberty Shared, Summary of the Petition Submitted to CBP, 20 Apr. 2020.
[18] Sime Darby Plantation, Sime Darby Plantation's Responsible Labour Practices and the USCBP, 15 Dec. 2020.

- Strengthened Grievance Mechanisms

Several workers described meaningful improvements in grievance channels and responsiveness. These included an expansion of channels, including the Suara Kami helpline as well as whistleblower systems. This corresponds with the company's own reports of efforts to enhance availability and awareness of grievance mechanisms among workers.[19]

Interviewees cited three instances in which reports of violence, sexual harassment, or abuse prompted action, including removal or disciplinary measures against the perpetrator in at least two cases. Workers reported increased trust in the grievance mechanism as a result.

Workers generally expressed greater confidence in reporting abuses, believing that complaints would result in some form of corrective action, although some continued to fear negative consequences, such as retaliation or conflict. When asked why they thought things had improved, some workers reported increased confidence due to rights awareness training, and support provided by a local NGO, with one worker stating: *"now we know our rights and we are brave."*

- Remedy as Recruitment Fee Reimbursement

Migrant workers appeared to have a narrow understanding of remediation, overwhelmingly associating remedy with recruitment fee reimbursement. There was little evidence of remediation for other harms. Although workers described occupational safety and health (OSH) concerns such as physical injuries and chemical exposure, as well as broader welfare concerns, they did not appear to connect these issues with potential remediation. For example, when describing harms resulting from chemical exposure, one worker said: *"Nothing is done about it. You still have to do the work that you are assigned to do."*

- Worker Participation in Remedy Design

Apart from being asked about what recruitment fee they had paid, no interviewed workers reported having been consulted regarding what remedy might be appropriate. Remediation appeared to be a top-down process with limited to no consultation of workers.

- The Importance of External Actors

The findings highlight the role of trusted external actors in facilitating access to remedy. Workers frequently referred to support received from Malaysian NGO Tenaganita, describing instances in which intervention by the organisation helped resolve cases of harassment, sexual harassment, bullying and retaliation: *"Tenaganita wrote a letter to the company, the company investigated my complaint and found out that it was true."* In several discussions, workers expressed greater confidence in approaching Tenaganita than relying solely on company-led grievance mechanisms.

Taken together, these findings suggest that workers perceive meaningful improvements in grievance mechanisms and responsiveness, particularly where complaints have resulted in

[19] Sime Darby Plantation, Sime Darby Plantation's Responsible Labour Practices and the USCBP, 15 Dec. 2020.

visible corrective action. However, workers' understanding of remedy remains relatively narrow and their participation in remediation processes remains limited. The findings also highlight the important role that trusted external actors can play in helping workers to access support and seek redress, particularly where confidence in company-led mechanisms is limited.

3.3 Increased Monitoring, Auditing, and Compliance

Another significant change perceived by workers over the past few years related to an increase in audits and monitoring, including internal, external, certification audits, and labour inspections. Audits were typically perceived by workers as compliance exercises rather than opportunities for engagement. One worker described the audits: *"When they come, they will ask us how many sacks of fertilizer we distribute in a day, how many people are working with us, is there an impact on our health. They tell us we have to wear our masks and goggles and gloves. When they ask us questions, we just answer them. There is no need to lie."*

While enhanced monitoring may be partially a response to enforcement action, it is also propelled by technological advances. For instance, workers described a new QR-code driven attendance system replacing a roll call, location tracking, and other electronic reporting and documentation systems. One worker commented on the QR-code attendance registration: *"It's good because it records your attendance properly."*

A number of workers described being photographed frequently throughout their working day, which they understand is for their "mandur" (supervisor) to document and report back to management. While some workers accept this as a necessary part of the work, a number of female workers expressed discomfort with increased surveillance and photography, highlighting privacy concerns and questioning how the information collected was being used. One female worker stated: *"Of course, we are embarrassed about these photos. We are not comfortable with it. Sometimes, you lift your shirt to wipe your sweat, they take a photo. When you bend over to pick up something, they take your photo from behind. Do we like it? We don't think about feelings when it comes to these things. It's just what you have to go through. What can we do? Everyone has to do it. If we complain, they will only report our non-cooperation to their bosses."* Another female worker agreed: *"We don't like it. You don't know who ends up having those photos, how they are distributed."*

The findings reveal a tension between compliance and worker experience. While monitoring, auditing, and documentation may be important for demonstrating adherence to labour standards and supporting remediation efforts, workers do not necessarily perceive these activities as benefiting them directly. In some cases, they generate privacy concerns. This highlights the importance of considering worker experiences when designing and evaluating compliance systems, and when requiring companies to undertake audits to lift FLIBs.

3.4 Worker Concerns and Priorities Beyond Forced Labour Indicators

Across both migrant and local worker groups, the issues workers prioritised were often different from those targeted by forced labour frameworks. Workers consistently raised concerns about decent work deficits, including wages, declining earning opportunities, healthcare access, housing conditions, transport, and practical welfare needs. Workers

frequently framed their priorities in terms of income security and living standards rather than labour rights compliance.

Interviews with local workers highlighted a disconnect between their experiences and the logic of forced labour-focused interventions. Their concerns included wage structures that leave workers vulnerable to income loss during poor weather, inadequate healthcare access, lack of emergency transport, and other welfare-related issues. While these concerns largely fall outside the forced labour indicators that underpin WROs and associated remediation efforts, they can create vulnerabilities which increase the risk of forced labour. Economic insecurity, inadequate access to essential services, poor working and living conditions, and limited social protection all contribute to worker vulnerability and increase dependence on employers, potentially creating conditions in which exploitation is more likely to occur. The findings therefore suggest that efforts to address forced labour should not focus solely on traditional forced labour indicators but should also consider broader decent work indicators and worker welfare concerns. Addressing these underlying vulnerabilities is critical both for remedying past harms, and for preventing forced labour from occurring or re-occurring in the future.

- Income and Livelihood Security/Decent Work

A key concern of workers was adequacy of earnings. Harvesters, who are paid on a piece-rate basis/by tonnage, complained that their earning capacity was heavily weather dependent, as they are unable to work if it rains, and will not be paid for their time. One interviewed group of local workers stated that they rarely receive their basic monthly wage of 1,700 MYR as a result, more frequently receiving closer to 1,300 MYR which is lower than the legal minimum wage. One migrant worker group stated that they received the basic monthly wage, but that overtime opportunities are limited.

While no firm conclusions can be drawn from the limited sample, the fact that only Malaysian workers reported earnings below the stated basic monthly wage is noteworthy. One possible explanation is that WRO-related remediation and auditing processes have concentrated primarily on risks affecting migrant workers, who have been the principal focus of forced labour allegations and related compliance efforts. This raises broader questions about whether improvements associated with forced labour remediation are experienced equally across different worker groups.

- Hiring Practices and Reduced Work Opportunities

Several workers reported a perceived recent increase in contract workers relative to direct employees (all workers interviewed were direct employees). Workers indicated that this had led to reduced allocation of harvests, in turn limiting earning capacity for direct-hire workers. This finding is at odds with the intended effect of forced labour trade enforcement, given the heightened risks of exploitation faced by workers under subcontracting arrangements.

A small number of workers reported that recruitment from Nepal and India has effectively ceased in recent years. This perception is broadly consistent with reports of a freeze on

recruitment of foreign migrant workers, with particularly notable impacts in Nepal.[20] As one worker explained: *"There haven't been new migrants from Nepal and India for many years now […] I have friends who want to come to work and I asked the manager if they wanted more workers, but they said they are not hiring from Nepal and India. Only Indonesian workers are coming now. After Covid, they stopped hiring from Nepal and India."*

- Health and Safety

Interviewed workers raised a number of health and safety concerns, which generally fall outside the remit of forced labour indicators and trade measures. A group of harvesters complained about chemical exposure from distributing fertilizer and using pesticides, and resulting injuries to their skin, without appropriate protection or medical assistance: *"One of the challenges we face is the chemical exposure from distributing fertilizer and using pesticide. It can get very bad. Our skin, our whole body will have rashes, it will peel and it will hurt. […] It is not just about the load that you have to carry when you are distributing fertilizer or spraying pesticide. What it does to your skin, you have to deal with it long term, the rashes all over your body."*

Workers at both sites complained about lack of access to emergency healthcare. Where previously the plantation they worked on had medical facilities, those no longer exist. The only hospital is hours away and there is no emergency transport available. Workers in Temerloh, Pahang stated that they used to have a qualified doctor on the estate, but now there is only a health assistant present during the day. More than one group complained about the health assistant, stating that he *"doesn't like to give us proper medicines,"* prescribing paracetamol for every concern, regardless of severity or symptoms. Some workers reported that they had complained to company headquarters about the health assistant, but he had not been replaced.

- Housing and Welfare

Some migrant workers who were overall satisfied with their working conditions nevertheless complained about living conditions. For example, they complained that mattresses were very thin and had not been replaced over the years: *"Even for those who have worked here for 13 years, the mattress is never replaced."*

One group of local workers stated that the company would only pay for an initial round of housing repairs, after which the workers had to pay themselves, or have deductions made from their salary. By contrast, one group of migrant workers said: *"they generally will repair what is broken."* Although the reasons for this difference are unclear, it may reflect a broader tendency for remediation efforts associated with forced labour enforcement to focus more heavily on migrant worker risks. This raises the possibility of an unintended consequence

[20] Malay Mail, Cabinet Agrees to Extend Freeze on Hiring of Foreign Workers says Home Minister, 31 Jan. 2024, https://www.malaymail.com/news/malaysia/2024/01/31/cabinet-agrees-to-extend-freeze-on-hiring-of-foreign-workers-says-home-minister/115620; New Business Age, Concerns in Nepal as Malaysia Freezes Foreign Workers Hiring, 16 May 2024, https://newbusinessage.com/news/39923/concerns-in-nepal-as-malaysia-freezes-foreign-workers-hiring/.

whereby compliance-driven improvements are experienced unevenly across different worker groups.

A number of workers, both local and migrant, highlighted the absence of petrol allowances for their motorbikes, which are self-bought but necessary to travel around the estate, with one worker stating: *"without the motorbikes, we cannot achieve our targets"* and another saying: *"it is too far to walk without a motorbike."*

Local workers complained of the lack of transportation, noting that *"only migrant workers get a ride into work."* This contributes to a perception among some local workers that improvements associated with labour rights and remediation initiatives are experienced more directly by migrant workers than by local worker communities. The same local workers expressed a related desire for transport to be provided for their children to access school.

Taken together, these findings reveal a gap between the issues that workers prioritise and those that are typically captured by forced labour enforcement frameworks. While many of the concerns identified in this study do not fall within traditional forced labour indicators, they nevertheless shape workers' day-to-day experiences, well-being, and vulnerability. In some cases, they may also contribute to the underlying conditions that increase risks of exploitation and forced labour. The findings therefore suggest that a narrow focus on forced labour indicators risks overlooking broader decent work deficits that workers themselves consider important.

3.5 Perceptions of the WROs

- Worker Awareness of WROs and Forced Labour Laws

Of the workers interviewed, most had never heard of WROs or of forced labour laws in general. A small number of workers were aware that the company had been subject to an import ban or was unable to sell its palm oil to overseas customers. Several workers mentioned having been informed by a manager that the company was having problems selling its palm oil but did not mention any sanction. Another had been told by their manager that *"if forced labour is present, foreign countries will not buy the palm oil."* Some workers were aware of the ban from online information or informal conversations: *"We knew that the company was caught up in a ban and that other countries did not want to buy oil from us. It was probably information online that was circulating at the time."* However, no workers reported having received formal communication from the company management regarding the trade ban.

Although workers reported some improvements in practices since the WRO, they did not tend to link those improvements with trade enforcement measures. Rather, they attributed changes to increased audits, NGO intervention, business decisions, and enhanced rights training.

- Positive Perceptions

When asked their opinions about trade enforcement measures and forced labour laws, workers generally expressed a belief that worker protection under the law is positive, noting that when companies are held accountable, they will treat workers better: *"I think a law like that is good because the company cannot do anything they like"* and *"I think the law helps workers feel safer, and ensures that labour rights are better protected."*

- Negative Perceptions

Importantly, participants rarely perceived import bans as a source of leverage or remedy. Where they were aware of restrictions on palm oil exports, workers often understood them primarily as a potential threat to jobs, overtime opportunities, and income. Despite this, no workers gave examples of this happening in practice, such as former co-workers losing their jobs.

Few participants could identify any direct benefits flowing from the restrictions themselves. Rather than viewing trade measures as a mechanism through which their concerns could be addressed, many saw them as distant processes with little connection to their daily realities: *"If there is such a law, it is good but it does not impact us."*

4. Discussion

This study sought to understand how workers experienced changes following the imposition of WROs and the implementation of associated remediation measures in Malaysia's palm oil sector. While the findings cannot establish direct causation, they provide important insights into how trade-based forced labour enforcement is experienced by workers and what lessons may be relevant for the design of future FLIB regimes.

Four overarching themes emerge from the research. First, WROs appear to have functioned as a catalyst for organisational change, even where workers themselves did not recognise them as such. Second, the findings highlight a range of unintended consequences associated with responses to WROs, including increased monitoring and workplace controls that were not always experienced by workers as beneficial, as well as uneven experiences across worker groups. Third, there is a notable disconnect between the issues prioritised by forced labour enforcement frameworks and the issues workers themselves identify as most important. This may partly reflect the success of remediation efforts in reducing some forced labour indicators, leading workers to place greater emphasis on other outstanding workplace concerns. Fourth, the findings reinforce the need to move beyond compliance-focused remediation towards approaches centred on worker outcomes and prevention.

4.1 WROs as a Catalyst for Change

One of the most striking findings is that workers generally had little awareness of WROs, forced labour laws, or the regulatory processes that shaped company responses. Most participants were unable to describe the trade restrictions or explain the connection between remediation measures and the company's efforts to secure revocation of the WRO.

This does not mean, however, that WROs lacked impact. Workers frequently attributed positive developments to company decisions, NGO engagement, audits, labour inspections, rights-awareness programmes and changing management practices; many of these interventions were themselves implemented in a context of heightened scrutiny following WRO issuance.

There is also the possibility that WROs strengthened the influence of external actors, particularly NGOs and worker-support organisations. Workers frequently identified these actors as trusted sources of support and assistance. Although the study was not designed to assess these relationships in depth, the findings suggest that trade-based enforcement

measures may have indirect effects by creating greater incentives for companies to engage with worker concerns and external stakeholders.

4.2 Unintended Consequences of WROs

While the study identified a range of positive changes, workers also described outcomes that were not necessarily anticipated by regulators, companies, or auditors. Several participants noted an increase in workplace audits, inspections, and monitoring activities following the WRO. These measures appear to have been introduced as part of efforts to demonstrate compliance and support remediation. However, workers did not always perceive them as improvements in their own working lives. In some cases, increased scrutiny was experienced as an intrusion on privacy rather than as a mechanism for improving well-being. The findings suggest a potential tension within forced labour trade measures. Because companies must demonstrate compliance to regulators and external stakeholders, remediation processes may incentivise activities that are highly visible and measurable, such as audits, training sessions, and documentation systems. While these interventions are important, they do not necessarily correspond with the issues workers consider most significant, including wages, healthcare, housing, family welfare, and economic security.

More broadly, the findings highlight the risk that compliance-driven remediation can shift organisational attention towards evidencing corrective action rather than addressing the underlying conditions that workers experience as most important. In addition, several local workers perceived that improvements associated with remediation efforts were more visible for migrant workers than for local workers, raising the possibility that the benefits of compliance-driven reforms may be experienced unevenly across different worker groups. This does not imply that compliance measures are unnecessary. Rather, it suggests that assessments of effectiveness should consider both intended outcomes and unintended impacts on workers' day-to-day experiences.

4.3 The Limits of a Forced Labour Framework

A third key finding concerns the relationship between forced labour-based enforcement and workers' own priorities. Current FLIB regimes are designed to identify and address specific indicators of forced labour. As demonstrated by the interviews, remediation efforts frequently concentrate on issues such as recruitment fees, passport retention, and audit systems. These are important interventions that address recognised risks of coercion and exploitation.

However, workers often framed their experiences in different terms. Rather than focusing primarily on forced labour indicators, they frequently discussed concerns relating to wages, healthcare, housing, workplace safety, family welfare, transportation, and long-term economic security. For many participants, these issues were more important in shaping their day-to-day well-being than the issues most prominently featured in remediation programmes.

This does not imply that forced labour frameworks are ineffective. Rather, it highlights an inherent limitation of forced labour trade measures that focus narrowly on forced labour indicators. As The Remedy Project's previous research has argued, reactive assessments centred on identifying forced labour indicators often overlook the wider structural and

workplace conditions that shape worker vulnerability and well-being.[21] The findings suggest that, from a worker perspective, the absence of forced labour is not necessarily equivalent to decent work. As a result, remediation efforts that successfully address forced labour indicators may still leave workers feeling that many of their most significant concerns remain unresolved. More importantly, where remediation fails to address the underlying sources of worker precarity and vulnerability, it may leave workers exposed to future forms of exploitation, including the risk of forced labour re-occurring.

The distinction was particularly evident among Malaysian workers, whose priorities often centred on welfare and living conditions rather than on issues traditionally associated with forced labour. This suggests that the concept of meaningful improvement may differ considerably between regulators, companies, and workers themselves.

4.4 Compliance Outcomes vs Worker-Level Outcomes

The findings also raise broader questions about how the success of FLIBs should be evaluated. Much of the current emphasis within WRO remediation and revocation processes is necessarily focused on compliance. Companies are expected to demonstrate that they have implemented corrective measures, strengthened systems, and addressed identified indicators of forced labour. These are important achievements and form an essential part of accountability.

However, workers experience these interventions through their practical effects rather than through compliance metrics. For example, many participants noted the increase in auditing, monitoring, inspections, and documentation requirements in the period since the WRO.

The findings therefore suggest that future assessments of FLIBs should place greater emphasis on worker-centred measures of success. These may include workers' confidence in grievance mechanisms, perceptions of fair treatment, access to healthcare and support services, income security, housing quality, and broader indicators of well-being. In addition, assessments should consider whether enforcement measures contribute to reducing the underlying vulnerabilities that give rise to forced labour risks in the first place. A compliance-focused approach can demonstrate that specific forced labour indicators have been corrected, but it may reveal little about whether the conditions that enabled exploitation have been meaningfully addressed.

More fundamentally, the research points to the importance of viewing remediation as a component of prevention. Addressing individual forced labour indicators is important corrective action, but it may not be sufficient to tackle the underlying conditions that create vulnerability to exploitation. Long-term prevention requires sustained attention to worker voice, trusted grievance mechanisms, responsible recruitment, decent working conditions, and broader welfare concerns. It also requires a shift from assessing whether harms have been

[21] The Remedy Project, Are We Fighting Forced Labour or Just Managing It?, Apr. 2025, https://static1.squarespace.com/static/67c727457ee5423479029462/t/67f5ece0f7db610258ee1f84/1768812111538/FL+Study+-+White+Paper.pdf.

remediated to evaluating whether future harms are less likely to occur. Effective prevention depends on combining top-down risk assessments with bottom-up worker insights, enabling a more credible and comprehensive understanding of both existing harms and emerging vulnerabilities.

As FLIBs become increasingly common across jurisdictions, their effectiveness should therefore be assessed not only by whether they drive compliance with forced labour standards, but also by whether they contribute to durable improvements in workers' lives and reduce the risk of exploitation re-occurring in the future.

5. Conclusion

The findings of this study suggest that WRO enforcement has coincided with meaningful improvements in several labour practices commonly associated with forced labour risk. Workers reported changes relating to passport retention, recruitment fee reimbursement, freedom of movement, and the availability of, and trust in, functioning grievance mechanisms. These findings add to a growing body of evidence suggesting that FLIBs can create powerful incentives for companies to address labour rights concerns and undertake significant reforms in areas linked to recognised indicators of forced labour.

At the same time, the findings reveal a notable disconnect between regulatory and corporate understandings of remediation and workers' own experiences of change. Awareness of WROs, forced labour laws, and associated remediation processes was generally low among research participants. Workers rarely attributed improvements directly to WRO enforcement and often understood positive changes as resulting from company policies, NGO engagement, audits, labour inspections, or broader shifts in management practices.

The findings also highlight important limitations in the current framing of remediation. Consistent with publicly reported WRO outcomes,[22] remediation efforts have largely focused on addressing identifiable and measurable indicators of forced labour, particularly reimbursement of recruitment fee and withheld wages. These interventions are important and have delivered tangible benefits to workers. However, workers frequently assessed workplace improvements through a much broader lens than forced labour indicators alone. Concerns relating to wages, healthcare access, OSH, housing quality, family welfare, and long-term livelihood security featured prominently in workers' accounts yet often remained outside the focus of remediation efforts.

This points to a broader question about what FLIBs are ultimately intended to achieve. If the objective is solely to eliminate specific indicators of forced labour from supply chains, the findings suggest that WROs can be an effective tool for driving corporate action and

[22] CBP reports that entities subject to its enforcement actions have repaid more than US$85 million in withheld wages and recruitment fees to workers to remediate forced labour indicators and restore access to U.S. markets. *See* U.S. Customs and Border Protection, Forced Labor Leveling the Playing Field, https://www.cbp.gov/trade/forced-labor/leveling-playing-field; The Remedy Project, Putting Thing Rights: Remediation of Forced Labour under Tariff Act 1930, 28 Apr. 2023.

compliance. However, if the objective is to improve workers' lives and reduce vulnerability to exploitation more broadly, then a narrower focus on forced labour indicators may be insufficient. The experiences described by workers suggest that the absence of forced labour does not necessarily equate to decent work, nor does correction of past harms necessarily address the conditions that can contribute to future exploitation. Where remediation fails to address broader decent work deficits and sources of worker vulnerability, it may reduce current forced labour risks without necessarily preventing their re-occurrence in the future.

The study therefore reinforces the importance of viewing remediation not simply as correction, but also as prevention. Recruitment fee reimbursement and similar corrective measures address important historical harms, but longer-term protection requires attention to the structural conditions that shape worker vulnerability. Effective prevention depends on trusted grievance mechanisms, meaningful worker voice and participation, responsible recruitment systems, decent working and living conditions, and sustained attention to worker welfare beyond compliance with minimum forced labour standards. FLIBs are likely to have the greatest long-term impact where remediation efforts identify and address underlying drivers and reduce the risk of forced labour re-occurring.

The findings also contribute to wider debates regarding the unintended consequences of FLIBs. Much of the existing discourse has focused on risks such as supplier disengagement, reduced employment opportunities, or the displacement of exploitation elsewhere in supply chains.[23] This study found limited evidence of such outcomes among participating workers. Instead, the more apparent consequences related to the compliance processes surrounding WRO enforcement, including increased auditing and monitoring, which sometimes give rise to privacy concerns. The study also identified some perceptions of uneven benefit across worker groups, particularly between migrant and local workers, which warrant further examination in future research. These observations do not undermine the value of FLIBs, but they do highlight the importance of monitoring worker experiences throughout the enforcement and remediation process and ensuring that worker perspectives inform evaluations of effectiveness.

These insights are particularly relevant at a time when FLIBs are rapidly emerging as a global regulatory tool. As governments introduce new import bans and incorporate forced labour prohibitions into trade agreements, attention will soon turn from questions of adoption to questions of effectiveness. The Malaysian experience suggests that future FLIB regimes should be assessed not only by their ability to detect and remove forced labour-tainted goods from markets, but also by their ability to produce meaningful worker-level outcomes and prevent forced labour from occurring. This requires worker-centred design, meaningful stakeholder engagement, effective and preventative remediation measures, ongoing monitoring of worker outcomes, and a broader focus on decent work alongside traditional forced labour indicators.

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[23] Governing Forced Labor in Supply Chains, Fanou, T., Literature Review: Forced Labour Import Bans, 5 Jan. 2023; Anti-Slavery International and European Center for Constitutional and Human Rights, Position on Import Controls to Address Forced Labour in Supply Chains, Jun. 2021, https://www.antislavery.org/wp-content/uploads/2021/06/Anti-Slavery-International-ECCHR-Import-Controls-Position-Paper-1.pdf.

Without such an approach, there is a risk that FLIBs become primarily mechanisms for demonstrating compliance rather than instruments for achieving lasting improvements in workers' lives.

6. Recommendations

The findings suggest that FLIBs can create important incentives for companies to address labour rights risks and strengthen remediation efforts. However, the effectiveness of these measures ultimately depends on whether they translate into meaningful improvements for the workers themselves. The recommendations below are intended to support more worker-centred approaches to the design, implementation, and assessment of FLIBs and related trade enforcement measures.

6.1 For Governments Designing and Enforcing Forced Labour Import Ban Regimes

- Strengthen worker-centred impact assessment

Governments should place greater emphasis on requiring businesses to centre workers' voices in human rights due diligence and remediation efforts. Governments should seek to understand how businesses' measures in response to FLIBs affect workers in practice, such as through changes in recruitment practices, working conditions, access to remedy, income security, and overall well-being.

- Engage local stakeholders in enforcement processes

Governments enforcing import bans should consider more systematic engagement with local civil society organisations, trade unions, worker representatives, and labour rights advocates. These stakeholders often have a deeper understanding of workers' priorities, concerns and lived realities, and can provide valuable insights into both remediation needs and implementation challenges.

- Require ongoing monitoring of worker outcomes

Verification processes should not be limited to policy reforms and procedural compliance. Companies seeking revocation of import restrictions should demonstrate evidence of sustained improvements in worker outcomes through direct worker engagement.

- Broaden risk assessments beyond forced labour indicators

While FLIBs focus on forced labour, workers often experience a range of interconnected labour and welfare concerns that may not meet legal thresholds for forced labour but nevertheless contribute to vulnerability. Governments should encourage broader assessment of working and living conditions, such as OSH, housing, and access to healthcare.

- Expand remediation expectations beyond recruitment fee reimbursement

The reimbursement of recruitment fees is an important component of remedy but should not be viewed as sufficient. Remediation expectations should also encompass non-financial harms, improvements in working and living conditions, strengthened worker representation, and measures that address the structural drivers of labour exploitation. Importantly,

responsibility for remediation of workers should be shared between suppliers and the brands sourcing from them.[24]

- Incorporate worker participation into remediation and verification processes

Workers should have meaningful opportunities to participate in the design, implementation, and evaluation of remediation measures. Evidence gathered directly from workers should form a central component of verification processes used to assess effectiveness of remedy.

- Promote remediation as prevention

While they are inherently reactive tools, FLIBs should encourage remediation approaches that address underlying risk factors before they develop into forced labour situations. Greater emphasis should be placed on requiring preventive measures including responsible recruitment, ensuring decent work, effective grievance mechanisms, and regular stakeholder engagement.

6.2 For Companies

- Improve transparency around compliance and remediation efforts

Many workers may be aware that changes have occurred without fully understanding why they were introduced or how they relate to labour rights commitments. Companies should communicate remediation measures clearly and regularly to workers, including the objectives of the measures, available remedies, and workers' rights and entitlements.

- Expand remediation beyond recruitment fees and prioritise prevention

Companies should adopt broader approaches to remedy that address both financial and non-financial harms. As part of this, companies should place greater emphasis on prevention, not only correction. Remediation efforts present an opportunity to identify and address the underlying drivers of forced labour risk. By combining corrective actions with preventive measures, companies can help ensure that improvements are sustained and that forced labour risks do not re-occur once external scrutiny or enforcement measures are removed. Beyond reducing human rights risks, these measures can strengthen organisational resilience by creating more stable and sustainable systems that are better equipped to withstand supply chain disruptions and other operational pressures.

- Involve workers in remedy design

Remediation measures are more likely to be effective and responsive when workers are involved in their design and implementation. Companies should establish structured mechanisms through which workers can share their needs and priorities, provide feedback, and shape remediation efforts. The United Nations Guiding Principles on Business and Human Rights (UNGPs) provide that operational-level grievance mechanisms should be based on engagement and dialogue, including consultation with intended users regarding

[24] Governing Forced Labor in Supply Chains, Fanou, T., Literature Review: Forced Labour Import Bans, 5 Jan. 2023.

both their design and performance.[25] Consistent with this principle, companies should move beyond top-down remediation models and ensure that workers are actively involved in determining what effective remedy looks like, how it is delivered, and how its effectiveness is assessed. Such an approach would also align with the human rights commitments publicly adopted by SDP through its references to the UNGPs and related international human rights standards.[26]

- Strengthen grievance mechanisms

The findings suggest that the existence of grievance mechanisms alone does not guarantee workers will use or trust them. Companies should assess their grievance mechanisms against the effectiveness criteria contained in the UNGPs.[27] Regular worker feedback should be used to identify and address barriers to effective use. Mechanisms should be regularly socialised with workers and supported by clear guarantees of confidentiality and protection from retaliation.

- Address decent work and welfare concerns beyond forced labour risks

Workers frequently identify concerns relating to decent work, healthcare, OSH, accommodation, sanitation, and family welfare. Employers should recognise that addressing these issues can contribute to reducing vulnerability, preventing further exploitation, and strengthening overall worker well-being. It is important to ensure that both local and migrant workers are considered in any improvement efforts.

- Strengthen engagement with civil society organisations and worker advocates

Constructive engagement with local NGOs, worker-support organisations, trade unions and other labour rights stakeholders can provide important insights into worker concerns and emerging risks. Such partnerships may also enhance the credibility and effectiveness of remediation efforts.

6.3 For Civil Society Organisations, Trade Unions and Worker Organisations

- Continue worker rights-awareness initiatives

Civil society organisations and worker representatives play a critical role in helping workers understand their rights, available remedies and avenues for raising concerns.

- Raise awareness of forced labour import bans

The study suggests that many workers have limited awareness of FLIBs and their potential implications. Awareness-raising initiatives could help workers better understand how import bans operate, why remediation efforts are implemented, and how these measures may create opportunities for workers to advocate for improved conditions and access to remedy.

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[25] United Nations Guiding Principles on Business and Human Rights, Principle 31(h), https://www.ohchr.org/sites/default/files/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf.
[26] Sime Darby Plantation, Human Rights Policy, https://www.simedarbyproperty.com/sites/default/files/2025-07/SDP-HUMAN-RIGHTS-POLICY.pdf.
[27] United Nations Guiding Principles on Business and Human Rights, Principle 31.

- Support workers in accessing and participating in remediation processes

As demonstrated from this research, NGOs can play an important role in helping workers to navigate grievance mechanisms, particularly where barriers relating to language, trust, documentation, or fear of retaliation exist. Worker organisations can also help ensure that workers' voices are represented in discussions around remediation, verification, and ongoing monitoring, helping to make these processes more responsive to workers' priorities and experiences.

- Use FLIBs as a source of leverage to advance worker rights[28]

FLIBs can create incentives for companies to engage more actively with worker concerns and demonstrate improvements in labour practices. CSOs and worker representatives may be able to use this leverage to advocate for broader reforms, stronger worker protections, and more meaningful forms of remedy that extend beyond regulatory minimum requirements.

6.4 For Research Funders and Researchers

- Invest in longitudinal research on worker outcomes

Further research is needed to understand whether improvements associated with FLIB-related remediation are sustained over time. Longitudinal studies could help identify which changes persist after the initial period of regulatory scrutiny and which improvements prove more difficult to maintain.

- Expand research to include a wider range of workers

Future studies should seek to engage a broader and more diverse sample of workers, including former employees, female migrant workers, and undocumented workers where ethically feasible.

- Examine unintended consequences of import bans

Additional research is needed to better understand the potential unintended effects of FLIBs on workers, families, and communities, such as through impact assessments and consultation with affected workers and their representatives. Areas for further exploration include impacts on employment security, earnings, recruitment pathways, labour mobility, family well-being, and community livelihoods.

- Triangulate worker perspectives with other stakeholder groups

Future studies should combine worker perspectives with those of civil society organisations, trade unions, labour recruiters, community representatives, auditors, buyers, and government actors to develop a more comprehensive understanding of the impact of FLIBs.

- Invest in methodological innovation

Qualitative worker interviews provide valuable insights but may not capture all dimensions of worker experience. Funders should support mixed methods approaches that combine qualitative research with worker surveys, participatory action research, digital worker voice

[28] *See guidance from* The Human Trafficking Legal Center, Importing Freedom: Using the U.S. Tariff Act to Combat Forced Labor in Supply Chains, June 2020, https://htlegalcenter.org/wp-content/uploads/Importing-Freedom-Using-the-U.S.-Tariff-Act-to-Combat-Forced-Labor-in-Supply-Chains_FINAL.pdf.

tools, and longitudinal data collection. Such approaches may reveal patterns, impacts, and perspectives that are difficult to identify through one-off qualitative studies alone.

- Support comparative studies across sectors and jurisdictions

Comparative research examining different industries, countries, and import ban regimes would help identify which approaches are most effective in improving worker outcomes and delivering meaningful remedy. Such evidence could make an important contribution to the future design and implementation of worker-centred forced labour trade enforcement measures.

Annex 1: Interview/focus group Guide

Pre-interview/focus group

Before the interview/focus group starts, the interviewer/focus group lead will:

1. Ask the participant(s) how they are doing.
2. Introduce themselves, the project and aim of the interview/focus group.
3. Ask if the participant has any questions regarding the interview/focus group and the **Inform and Consent sheet.**
4. Inform the participant that the conversation will take about **one hour** in the case of the interviews, or up to **3 hours** in the case of a focus group.
5. Inform the participant that there is a set of guiding questions to help structure the interview/focus group, none of which asks the participant(s) to recount in any detail their lived experience of forced labour or labour exploitation.
6. Remind the participant(s) that they do not need to answer every question and can speak generally instead of personally.
7. Remind the participant(s) that they have the right to **pause or stop** the interview or leave the focus group at any point without providing a reason and they will still be fully compensated.
8. Remind the participant(s) that you will be providing breaks and that you can signpost them to relevant, trusted and free support from organisations and Helplines in their region if they experience any distress.
9. If the interview/focus group takes place in person, remind the participant(s) that the location is safe for them.
10. Remind them that their participation is completely **confidential.**
11. Ask if the participant consents to the interview **being recorded and/or transcribed** to facilitate analysis.

Section 1: Introduction

Aim: To get a sense of the current work the participant undertakes, including if they are still working on the premises of the business that was affected by a forced labour import ban.

1. Can you tell us a little about what you are **currently involved** in? this could be work, community activities, supporting others, or any role you feel you are playing at the moment?
2. Are you **currently working at** [name of name of the business affected by the forced labour import ban/restriction either directly or indirectly through the supply chain]?
    - If yes, **how long** have you been working there?
    - If not, can you tell us since **when**?
3. **What activities** do you (or did you) do as part of your work in such business?

Section 2: Your lived experience of forced labour/labour exploitation

Aim: To understand the context of the lived experience of forced labour or labour exploitation of the participant in relation to a specific business affected by a forced labour import ban/restriction either directly or indirectly. Please remind the participant to share only as much detail as they feel comfortable doing. Remind them that they are not required to describe specific painful events.

1. If you feel comfortable, can you describe what the **work environment is like (or was like) at** [name of the business affected by the forced labour import ban/restriction either directly or indirectly through the supply chain]?
    - What were the **working conditions** you face (or faced) when working there?

Prompts for interviewer/focus group lead:

- Did the participant mention any of the following conditions?
    - Little or no pay
    - Delayed wages
    - Substandard, unsafe, dangerous or hazardous working conditions
    - Substandard, unsafe, dangerous or hazardous living conditions
    - Prohibited from leaving the workplace or restricted to move within the workplace.
    - Trapped in remote areas.
    - Employer intimidatated or threatened the worker.
    - Employer used physical or verbal violence.
    - Passport was confiscated.
    - Paid recruitment fees.
    - Forced to work to pay off the debt.

2. Have you **noticed** (or did you notice if no longer working there) **any positive changes to such conditions**]? If so, can you please tell us more about this.
3. Have you **noticed** (or did you notice if no longer working there) **any negative changes to such conditions**]? If so, can you please tell us more about this.

4. If you are **no longer** working at [name of name of the business affected by the forced labour import ban/restriction either directly or indirectly through the supply chain] can you please tells **why** that is?
5. Have you (or did you) receive any form of **remedy** for your lived experience of forced labour or labour exploitation from the [name of the business affected by the forced labour import ban/restriction directly or indirectly through the supply chain]?
6. If you did receive remedy, was this remedy **satisfactory**? Was it what you **expected?**

Prompts for interviewer/focus group lead:

- Did the participant mention any of the following types of remedy?
  - Financial compensation for injuries, harms, etc.
  - Restitution of unpaid wages.
  - Reimbursement of recruitment fees.
  - Return of personal belonging such as passports, identify documents, and phones confiscated.
  - Improvement in working or living conditions. Ask for concrete examples.
  - Apologies from employer.
  - Affiliation to a trade union or worker group.
  - Free psychological support.
  - Vauchers or gifts.
  - A collective agreement between workers and the company was established. If so, ask about the contents of such agreement.

7. If you did receive remedy, were you asked about **how you wanted to be remediated** by [name of the business affected by the forced labour import ban/restriction either directly or indirectly through the supply chain]?
8. If you did receive remedy, **when** did you receive it? Did you receive it when you wanted/were expecting to receive it?
9. If you did receive remedy, how can you explain that the company provided this remedy? What do you think **motivated/pressured** the company to do it?
10. If you did not receive any remedy, **why** do you think so?
11. If you did not receive any remedy, are you **expecting** to get it? Are you waiting for it or pursuing it? If not, **why**?

Section 3: Forced Labour Trade Ban Laws: Awareness, attitudes, and expectations.

Aim: To understand the awareness, attitudes, and expectations of affected workers of forced labour or labour exploitation in relation to forced labour trade ban laws.
The interviewer will provide the below background information before asking the questions in this section.

What are forced labour trade ban laws?

There are laws that **confiscate** the goods of companies when suspected or found to have been made wholly or in part with forced labour (e.g., electronics such as laptops, phones; agricultural products such as sugar, salt, oil, cotton; automobiles; garments and textile such as clothes, shoes, etc.). These laws **prevent companies from importing** such products into specific countries (such as the US) until they can prove that their goods are not or no longer made with forced labour. In some cases, the authorities implementing these laws have required companies to provide remediation to those harmed. Some of these laws assume from the start that all or certain goods made in certain countries or by certain businesses are made with forced labour unless proven otherwise. Some examples of forced labour trade ban laws include section 307 of the US Tariff Act (largely in force since 2016), the US Uyghur Forced Labour Prevention Act (UFLPA) in force since 2022 and the European Union's Forced Labour Regulation 2024 (to be implemented in 2027).

12. **Before today,** had you heard of companies having their goods **confiscated or prevented from being imported** because of forced labour?
    a. If yes, can you **tell us more** about what you have heard?
13. **Did you know** that the business where you work (or used to work) is/was affected by a forced labour import ban/restriction?
14. If so, can you tell us **what you know** and **how** you found out?
15. Do you think this type of law helped you or could help others obtain r**emediation for forced labour or labour exploitation**?
    a. If yes or no, please tell us **why** you think so.
16. Do you think these laws could have **prevented** you from experiencing forced labour or labour exploitation? Do you think it could prevent others from having such experiences?
    a. If yes or no, please tell us **why** you think so.
    b. If the answer is yes, please tell us **how** you think these laws could prevent forced labour or labour exploitation.

Prompts for interviewer:

- Did the participant mention any of the following prevention measures/outcomes?
  - Prohibiting payment of recruitment fees in specific countries through changes in national laws.
  - Establishing 'employer pays principle' or a similar approach where the employer absorbs the costs of recruitment.
  - Freedom of association and/or worker representation for migrant workers
  - Collective bargaining power and/or enforceable brand agreements.
  - Strict labour inspections by regulators
  - Establishing safe pathways for migrant workers
  - Increased awareness and capacity of workers

17. Did you experience any **positive impacts** in your working conditions that you think could be related to these laws? or what positive impacts **would you expect** these laws could have on workers affected by forced labour or labour exploitation?
18. Does knowing that these laws exist and are being implemented make you feel **safe** to report forced labour or labour exploitation conditions at work?
    a. If yes or no, **why**?
19. Are you concerned about any **negative consequences** these laws may have on former, current, or future workers?
    a. If yes or no, please tell us **why** you think so.
    b. If yes, what exactly are your **concerns**? and **what makes you** concerned?

Prompts for interviewer:

- Did the participant mention any of the following concerns?
  - Workers losing their jobs.
  - Retailiation against workers in the businesses affected by these laws.
  - Workers being forced into worse situations.
  - Wage reductions
  - Less work due to buyers no longer buying from supplier where they work

20. How would you expect these laws to **mitigate** these **potential negative impacts** on workers?
21. Do you think the forced labour import ban laws can influence **real change** in businesses? (changes that go beyond specific responses at a time).
    a. If yes or no, please tell us **why** you think so.
22. Would you like/expect to be **engaged** in any way in the design, implementation, enforcement or evaluation of these laws?
    a. If yes or no, please tell us **why**.
    b. If yes, please tell us **how** you would like to be engaged.

c. If yes, what would that need to look like for it to feel **safe and meaningful** for you?

23. Do you think there are **other laws** that could help workers affected or potentially affected by forced labour/labour exploitation?
    a. If not, **why**?
    b. If yes, **which** ones and **why**?

Section 4: Thank you and next steps

- Is there anything **we did not ask you** that **you would like us to know** or that you would like to **add**?
- Please **thank** the participant(s) for their time.
- Please ask them how they are feeling. If necessary, refer them to local support organisations.
- Please remind them (if they have not done so yet and it is within reason and possible for the participant) to confirm in writing that they have received their compensation payment (template to be circulated with them during the interview/focus group).
- Please ask them if they would like us to share any useful information or resources about this topic with them.

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