

FESI speaking notes for 1st meeting of Expert Group on Forced Labour

8 December 2025

Key messages:

- 1) We strongly support the goals of the Regulation
- 2) Clear and up to date guidelines and risk-database are essential
- 3) Investigations must be transparent, predictable, and consistent
- 4) Standardised documentation templates + investigation/risk notification system should be developed from the start
- 5) The CSDDD value-chain cap must be addressed to avoid conflicting obligations

General intro

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

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

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

- **Ultimate goal:** A coherent and consistent application of the Regulation by all national authorities to eradicate forced labour collectively.
- **Reasoning:** Many sporting goods companies operate across multiple Member States. Divergent interpretations will create fragmentation, uncertainty, and inefficiency, potentially diverting efforts towards effective identification and prevention of forced labour within supply chains (see US implementation).
- **How to achieve this:** clear guidelines for both authorities and operators. This is especially important for companies operating across the EU.

Clear approach to risk-identification

Guidelines should reflect differences in operators' size, product categories, and sourcing regions. They should also align with and complement the **EU database on forced labour risk areas and products** (due June 2026). Both the guidelines and the database should be:

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

Ensuring transparency throughout investigation:

Companies need clarity on **how investigations begin, unfold, and conclude**. A transparent, predictable process encourages cooperation and increases the effectiveness of investigations. To avoid uncertainty or uneven treatment across Member States, guidelines should clarify:

1) Triggers for investigation

- What constitutes a risk
- What is meant by “independent and verifiable information”
- How allegations are assessed for credibility

2) Operator notification

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

3) Transparency of requests

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

4) Format of evidence

- Which documents or data points are appropriate at each phase
- Provision of standardised templates by authorities

Interplay with CSDDD/Omnibus

While the final shape of the revised CSDDD is not known, it could limit access to information companies in scope can access from suppliers (=value chain cap). If this is confirmed, guidelines should address:

- What alternative information sources companies should rely on if the information access is limited by law.
- Evidence/Information expected from companies when law constraints are present during pre-investigations and investigations phases.