



## Comment to Forced Labor Enforcement Task Force (DHS Docket No. DHS-2022-001)

Communities and workers across the U.S and the globe are already experiencing the impacts of climate change, including extreme weather events such as wildfires, hurricanes, heat waves, droughts, and sea-level rise. Lower income workers and communities of color are both hit the hardest and are less able to deal with climate impacts as their economic mobility and power in the workplace has declined. While the urgency to rapidly reduce greenhouse gas emissions has never been greater, so too has the imperative to address climate change and build the clean energy economy in a way that supports good union jobs.

Our organizations strongly support efforts in the U.S. and around the world that reduce emissions and help build the clean energy economy in a way that supports worker and human rights and good union jobs. This includes holding both ourselves and our trading partners to this standard. Our trade policies should strengthen workers' rights, human rights, and environmental standards and support good union jobs, livable wages, healthy communities, clean air and water, and a more stable climate.

To that end, our organizations strongly denounce the use of forced labor in the production of polysilicon and other goods and raw materials, including but not limited to cotton, textiles, and electronics, in China's Xinjiang Uyghur Autonomous Region (XUAR), as has been documented through independent and government sources. The Uyghur Forced Labor Prevention Act (UFLPA) is an important step towards holding the government of the People's Republic of China (PRC) accountable for its actions and ensuring the U.S. is not complicit in importing solar panels and other goods made with forced labor and call for effective implementation and enforcement of the Act.

Comprehensive research from Sheffield Hallam University has documented forced labor in the production of polysilicon in the Uyghur Region. The research found that "labour transfer" programs, which the PRC has placed millions of indigenous Uyghur and Kazakh citizens from the Uyghur Region into, are deployed in the Uyghur Region within an environment of unprecedented coercion, undergirded by the constant threat of "re-education and internment."<sup>1</sup> Leaders in the U.S. solar industry have recognized these human rights abuses and are taking voluntary steps to eliminate these "abhorrent practices throughout its supply chain."<sup>2</sup>

The growing body of evidence demonstrating forced labor within the production of polysilicon in the XUAR is only one part of a broader systemic problem. In January 2021 U.S. Secretary of State Anthony Blinken affirmed that the PRC is committing genocide and crimes against humanity

against Uyghurs including imprisonment, torture, enforced sterilization, and persecution.<sup>3</sup> And independent sources, including from Human Rights Watch (HRW), have also documented China's "crimes against humanity" targeting the Uyghurs and other Turkic Muslims."<sup>4</sup>

Our organizations strongly condemn the ongoing genocide and crimes against humanity being perpetuated against the Uyghurs and members of other ethnic and religious minority groups in China. While not a comprehensive or sufficient solution, the UFLPA takes an important step to address one part of the problem by banning all imports of goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in the Uyghur Region of China unless the importer can prove they were not made with forced labor. The Act also specifically lists polysilicon as a high-priority sector for enforcement. Given the lack of transparency in the supply chains of China, such a presumption of illegality is necessary in order to help ensure that the U.S. is not complicit in importing solar panels and other goods made with forced labor.

Our organizations now call for swift and effective implementation of the bill, including:

- That the U.S. Customs and Border Protection (CBP), as required, develops and implements concrete strategy with respect to enforcement of the UFLPA;
- That the CBP focus not only on goods manufactured in Xinjiang, but also raw materials, including components such as polysilicon, that are mined or refined in the XUAR but may be manufactured elsewhere; and
- That the CBP commits to ongoing engagement with impacted stakeholders, including solar companies, worker organizations, human rights groups, and allies.

We further call on the U.S. to work with other governments to take strong, coordinated action to advance accountability of the PRC for human rights abuses and forced labor, including in the solar supply chain, and identify additional opportunities to address these human and workers' rights violations.

We recognize the urgency of solving the climate crisis and believe it is not only possible, but imperative, to do so in a way that supports workers' rights, human rights, and equity. The U.S. and countries across the globe have an opportunity to address climate change in a way that supports a healthy economy, thriving communities, and reduced inequality. Ensuring that any solar panels imported into the U.S. are free of forced labor is one way to demonstrate that commitment.

Sincerely,

American Federation of Teachers  
BlueGreen Alliance  
International Union of Bricklayers and Allied Craftworkers  
International Union of Painters and Allied Trades,

League of Conservation Voters  
National Wildlife Federation  
Service Employees International Union  
Sierra Club  
Union of Concerned Scientists  
United Association of Plumbers and Pipefitters  
United Steelworkers  
Utility Workers Union of America

## Endnotes

1. Sheffield Hallam University Helena Kennedy Centre for International Justice, *In Broad Daylight: Uyghur Forced Labour and Global Solar Supply Chains*. Available online: <https://www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/in-broad-daylight>
2. Solar Energy Industry Association, "Supply Chain Ethics & Sustainability." Available online: <https://www.seia.org/initiatives/supply-chain-ethics-sustainability>
3. U.S. Department of State. *2021 Report to Congress Pursuant to Section 5 of the Elie Wiesel Genocide and Atrocities Prevention Act of 2018 (P.L. 115-441)*, July 12, 2021. Available online: <https://www.state.gov/2021-report-to-congress-pursuant-to-section-5-of-the-elie-wiesel-genocide-and-atrocities-prevention-act-of-2018>
4. Human Rights Watch, *Break their Lineage, Break their Roots. China's Crimes Against Humanity Targeting Uyghurs and other Turkic Muslims*, April 2021. Available online: <https://www.hrw.org/report/2021/04/19/break-their-lineage-break-their-roots/chinas-crimes-against-humanity-targeting>