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From:	General Secretariat of the Council
To:	Delegations
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Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on prohibiting products made with forced labour on the Union market - 4-column document

Delegations will find attached the four-column document for the above-mentioned proposal,
containing the initial positions of the institutions.

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on prohibiting products made with forced labour on the Union market (Text with EEA relevance)

2022/0269(COD)

31-01-2024 at 18h14

	Commission Proposal	EP Mandate	Council Mandate
1	2022/0269 (COD)	2022/0269 (COD)	2022/0269 (COD)
2	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on prohibiting products made with forced labour on the Union market (Text with EEA relevance)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on prohibiting products made with forced labour on the Union market (Text with EEA relevance)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on prohibiting products made with forced labour on the Union market <u>and</u> <u>amending Directive (EU) 2019/1937</u> (Text with EEA relevance)
3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,
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		Commission Proposal	EP Mandate	Council Mandate	
		Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 and Article 207 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 and Article 207 thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 and Article 207 thereof,	
G	5	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	G
G	6	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	G
G	7	Having regard to the opinion of the European Economic and Social Committee ¹ , <u>1. OJ C , , p. .</u>	Having regard to the opinion of the European Economic and Social Committee ¹ , <u>1. OJ C , , p. .</u>	Having regard to the opinion of the European Economic and Social Committee ¹ , <u>1. OJ C , , p. .</u>	G
G	8	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	G
G	9	Whereas:	Whereas:	Whereas:	G
R	10				R

	Commission Proposal	EP Mandate	Council Mandate
	<p>(1) As recognised in the Preamble to the 2014 Protocol to Convention No. 29 on forced labour ('ILO Convention No. 29') of the International Labour Organization ('ILO'), forced labour constitutes a serious violation of human dignity and fundamental human rights. The ILO declared the elimination of all forms of forced or compulsory labour as a principle concerning the fundamental rights. The ILO classifies ILO Convention No. 29, the 2014 Protocol to Convention No. 29 and the ILO Convention No.105 on the abolition of forced labour ('ILO Convention No.105') as fundamental ILO Conventions¹. Forced labour covers a wide variety of coercive labour practices where work or service is exacted from persons that have not offered it themselves voluntarily.²</p> <p>1. https://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang--en/index.htm.</p> <p>2. The ILO definition of forced labour according to the ILO Forced Labour Convention, 1920 (No. 29), What is forced labour, modern slavery and human trafficking (Forced labour, modern slavery and human trafficking) (ilo.org).</p>	<p>(1) As recognised in the Preamble to the 2014 Protocol to Convention No. 29 on forced labour ('ILO Convention No. 29') of the International Labour Organization ('ILO'), forced labour constitutes a serious violation of human dignity and fundamental human rights, <u>contributes to the perpetuation of poverty and stands in the way of the achievement of decent work for all</u>. The ILO declared the elimination of all forms of forced or compulsory labour as a principle concerning the fundamental rights. The ILO classifies ILO Convention No. 29, <u>including the supplementing the 2014 Protocol to Convention No. 29 and the Forced Labour (Supplementary Measures) Recommendation No. 203 and the ILO Convention No.105 on the abolition of forced labour</u>¹⁶ <u>and issues recommendations to prevent, eliminate, and remedy forced labour</u>^{16a}. <u>Forced labour includes work and services, which is performed or provided along the value chain, and is exacted from any person under the threat of a penalty and for which the person has not offered himself or herself voluntarily</u>¹⁷. <u>According to the ILO and the UN, some economic activities in certain productive sectors such as processing, agriculture, garment and fisheries, and in certain services sector, such as transportation, storage and logistics, cleaning and seasonal work have a higher occurrence of forced</u> covers a wide variety of coercive labour^{17a}. <u>This definition applies to practices where work or service exacted by governments and public authorities as well as private bodies and individuals. The ILO has developed several indicators used to identify and indicate cases of forced labour, such as threats and actual physical and sexual harm, abuse of vulnerability, abuse of working and living conditions and excessive overtime, deception, restriction of movement or confinement to the workplace or a limited area,</u></p>	<p>(1) As recognised in the Preamble to the 2014 Protocol to Convention No. 29 on forced labour ('ILO Convention No. 29') of the International Labour Organization ('ILO'), forced labour constitutes a serious violation of human dignity and fundamental human rights. The ILO declared the elimination of all forms of forced or compulsory labour as a principle concerning the fundamental rights. The ILO classifies ILO Convention No. 29, the <u>with its</u> 2014 Protocol to Convention No. 29 and the ILO Convention No.105 on the abolition of forced labour ('ILO Convention No.105') as fundamental ILO Conventions¹. Forced labour covers a wide variety of coercive labour practices where work or service is exacted from persons that have not offered it themselves voluntarily.²</p> <p>1. https://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang--en/index.htm.</p> <p>2. The ILO definition of forced labour according to the ILO Forced Labour Convention, 1920 (No. 29), What is forced labour, modern slavery and human trafficking (Forced labour, modern slavery and human trafficking) (ilo.org).</p>

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		<p><u>isolation, debt bondages, withholding wages or excessive wage reduction, retention of passports and identity documents or threat of denunciation to the authorities when the worker has an irregular immigration status^{17b}. Forced labour is very often linked to poverty and discrimination. The manipulation of credit and debt, either by employers or by recruiting agents, is still a key factor that traps vulnerable workers in forced labour situations^{17c}. The European Court of Human Rights has repeatedly found that, under Article 4 of the European Convention on Human Rights, initial consent and voluntariness become null and void if there is an abuse of position of vulnerability^{17d}. According to the ILO supervisory bodies, prison labour, including where it is performed for private companies, is not in itself constitutive of forced labour provided that it is done on a voluntary basis, for the benefit of the prisoner and approximates the conditions of a free labour relationship². Community work as an alternative penal sanction to imprisonment should always be in the public general interest and should, under no circumstances, be abused by States as means to degrade the convicted person or deprive the person of their dignity^{17e}. In cases in which work or service is imposed by exploiting the worker's vulnerability, under the threat of a penalty, such threat does not need to take the form of a penal sanction but might take the form also of a loss of rights or benefits.</u></p> <p>¹⁶https://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang--en/index.htm.</p> <p>^{16a} <u>ILO Forced Labour (Supplementary Measures) Recommendation, 2014.</u></p>	

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		<p>¹⁷ <u>The ILO definition of forced labour according to the ILO Forced Labour Convention, 1920 (No. 29), What is forced labour, modern slavery and human trafficking (Forced labour, modern slavery and human trafficking) (ilo.org).</u></p> <p>^{17a} <u>UNODC (United Nations Office on Drugs and Crime), “Global Report on Trafficking In Persons ” 2020, https://www.unodc.org/documents/data-and-analysis/tip/2021/GLOTiP_2020_15jan_web.pdf</u></p> <p>^{17b} <u>https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_203832.pdf</u></p> <p>^{17c} <u>ILO, the Profits and Poverty: The economics of forced labour: https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_243391.pdf</u></p> <p>^{17d} <u>ECHR, Chowdury and Others v Greece (21884/15) and Zoletic and Others v. Azerbaijan (20116/12) cases.</u></p> <p>^{17e} <u>https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_089199.pdf</u> <u>Page 27</u></p> <p>1. https://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang-en/index.htm.</p> <p>2. The ILO definition of forced labour according to the ILO Forced Labour Convention, 1920 (No. 29), What is forced labour, modern slavery and human trafficking (Forced labour, modern slavery and human trafficking) (ilo.org).</p>	
y	11 (2) The use of forced labour is widespread in the world. It is estimated that about 27.6 million people were in forced labour in 2021. ¹ Vulnerable and marginalised groups in a society are particularly susceptible to be pressured	(2) The use of forced labour is widespread in the world. It is estimated that about 27.6 million people were in forced labour in 2021 ¹⁸ . ⁺ Vulnerable and marginalised groups in a society, <u>such as women, children, ethnic minorities, persons with disabilities, lower casters, indigenous and tribal people, migrants, especially if they are undocumented, have a</u>	(2) The use of forced labour is widespread in the world. It is estimated that about 27.6 million people were in forced labour in 2021. ¹ Vulnerable and marginalised groups in a society are particularly susceptible to be pressured

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	<p>into performing forced labour. Even when it is not state imposed, forced labour is often a consequence of a lack of good governance of certain economic operators.</p> <p>1. The 2021 Global Estimates of Modern Slavery, https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipec/documents/publication/wcms_854733.pdf.</p>	<p><u><i>precarious status and operate in the informal economy</i></u>, are particularly susceptible to be pressured into performing forced labour. Even when it is not state imposed, forced labour is often a consequence of the absence or lack of good governance of certain economic operators <u><i>and a demonstration of a state's failure to enforce social and labour rights, particularly for vulnerable and marginalised groups. Forced labour can also take place as a result of authorities' tacit consent. Women and girls account for 11.8 million of the total number of people engaged in forced labour. More than 3.3 million of all those engaged in forced labour are children. Between 2016 and 2021, the estimated number of people engaged in forced labour increased by 2.7 million^{18a}. Migrant workers who are not protected by law or are unable to exercise their rights face a higher risk of exposure to forced labour than other workers do. According to the ILO, 15 % of all adults engaged in forced labour are migrants^{18b}. The Union's Agency for Fundamental Rights has found that this is also the case within the Union. Abusive employers use the weak position of migrant workers to force them to work for endless hours with no or little pay, often in dangerous settings, and without the minimum safety equipment required by law^{18c}. The vast majority of forced labour occurs in the private sector, in particular through forced labour exploitation (17.3 million people), which accounts for 86 % of all forced labour cases^{18d}. The obligations of economic operators set out in this Regulation should be predictable and clear in order to ensure full and effective compliance and contribute to bringing forced labour to an end.</i></u></p> <p>¹⁸ <u><i>The 2021 Global Estimates of Modern Slavery, https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipec/documents/publication/wcms_854733.pdf</i></u></p>	<p>into performing forced labour. Even when it is not state imposed, forced labour is often a consequence of a lack of good governance of certain economic operators.</p> <p>1. The 2021 Global Estimates of Modern Slavery, https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipec/documents/publication/wcms_854733.pdf.</p>

	Commission Proposal	EP Mandate	Council Mandate
		<p>ipecc/documents/publication/wcms_854733.pdf ^{18a} <i>The 2021 Global Estimates of Modern Slavery,</i> https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipecc/documents/publication/wcms_854733.pdf ^{18b} <i>The 2021 Global Estimates of Modern Slavery,</i> https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipecc/documents/publication/wcms_854733.pdf ^{18c} https://fra.europa.eu/en/content/protecting-migrant-workers-exploitation-fra-opinions ^{18d} <i>The 2021 Global Estimates of Modern Slavery,</i> https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipecc/documents/publication/wcms_854733.pdf</p> <p>1. <i>The 2021 Global Estimates of Modern Slavery,</i> https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipecc/documents/publication/wcms_854733.pdf</p>	
12	<p>(3) The eradication of forced labour is a priority for the Union. Respect for human dignity and the universality and indivisibility of human rights are firmly enshrined in Article 21 of the Treaty on European Union. Article 5(2) of the Charter of Fundamental Rights of the European Union and Article 4 of the European Convention on Human Rights provide that no one is to be required to perform forced or compulsory labour. The European Court of Human Rights has repeatedly interpreted Article 4 of the European Convention on Human Rights as requiring Member States to</p>	<p>(3) The eradication of forced labour <u>in all its forms, including state imposed forced labour</u>, is a priority for the Union. Respect for human dignity and the universality and indivisibility of human rights are firmly enshrined in Article 21 of the Treaty on European Union. <u>In order to achieve Target 8.7 of the Sustainable Development Goals, the Union should uphold and promote its values and contribute to the protection of human rights, in particular the rights of the child.</u> Article 5(2)5 of the Charter of Fundamental Rights of the European Union <u>explicitly prohibits slavery, servitude, forced or compulsory labour and trafficking in human beings</u> and Article 4 of the European Convention on Human Rights provide that no one is to be required to perform forced or compulsory labour. The European Court of Human Rights has repeatedly interpreted Article 4 of the European</p>	<p>(3) The eradication of forced labour is a priority for the Union. Respect for human dignity and the universality and indivisibility of human rights are firmly enshrined in Article 21 of the Treaty on European Union. Article 5(2) of the Charter of Fundamental Rights of the European Union and Article 44(2)4 of the European Convention on Human Rights provide that no one is to be required to perform forced or compulsory labour. The European Court of Human Rights has repeatedly interpreted Article 4 of the European Convention on Human Rights as requiring Member States to</p>

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	<p>penalise and effectively prosecute any act maintaining a person in the situations described set out in Article 4 of the European Convention on Human Rights.¹</p> <p>1. For instance paras. 89 and 102 in Siliadin v. France or para. 105 in Chowdury and Others v. Greece.</p>	<p>Convention on Human Rights as requiring Member States to penalise and effectively prosecute any act maintaining a person in the situations described set out in Article 4 of the European Convention on Human Rights.¹⁹ <u>The right to effective remedies for violations of fundamental rights is a human right, and a fundamental element in the process of effective prosecution of crimes. Existing Union law, the UN Guiding Principles on the Business and Human Rights (UNGPs), the Council of Europe and the OECD affirm that victims have the right to an effective remedy for business-related human rights violations or abuses, including forced labour.</u></p> <p>¹⁹ <u>For instance paras. 89 and 102 in Siliadin v. France or para. 105 in Chowdury and Others v. Greece.</u></p> <p>1. For instance paras. 89 and 102 in Siliadin v. France or para. 105 in Chowdury and Others v. Greece.</p>	<p>penalise and effectively prosecute any act maintaining a person in the situations described set out in Article 4 of the European Convention on Human Rights.¹</p> <p>1. For instance, <u>Judgment of the European Court of Human Rights of XX, Siliadin v. France</u>, paras. 89 and 102 in Siliadin v. France or para. 105 in <u>Judgement of the European Court of Human Rights of XX</u>, Chowdury and Others v. Greece, <u>para. 105</u>.</p>
13	<p>(4) All Member States have ratified the fundamental ILO Conventions on forced labour and child labour.¹ They are therefore legally obliged to prevent and eliminate the use of forced labour and to report regularly to the ILO.</p> <p>1. https://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---ilo-brussels/documents/publication/wcms_195135.pdf f.</p>	<p>(4) All Member States have ratified the fundamental ILO Conventions on forced labour and child labour^{20, †}. They are therefore legally obliged to prevent and eliminate the use of forced labour and to report regularly to the ILO. <u>However, there are Member States which have not yet ratified the Protocol to ILO Convention No. 29, despite Council Decisions calling on Member States for a ratification and implementation^{20a}. The ILO estimates that there are 880 000 forced labour victims inside the Union, in addition to the forced labour involved inter alia in the Union's imports from the rest of the world^{20b}. Moreover, there continue to be shortcomings in the implementation of the fundamental ILO Conventions^{20c}. It is necessary that Member States fully implement the fundamental ILO conventions and correctly</u></p>	<p>(4) All Member States have ratified the fundamental ILO Conventions on forced labour and <u>ILO Convention No. 29 and ILO Convention No. 182 on worst forms of</u> child labour.[†] They are <u>They</u> therefore legally obliged <u>have the obligations</u> to prevent and eliminate the use of forced labour and to report regularly to the ILO.</p> <p>1. https://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---ilo-brussels/documents/publication/wcms_195135.pdf f.</p>

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		<p><u><i>transpose all the Union legislation aimed at combating forced labour, labour rights violations and human trafficking in order to enforce the import and export ban of any product or service using forced labour. This Regulation aims to legally bind Member States to prevent and bring to an end the use of forced labour, to provide to victims protection and access to remedy and effective remediation, such as compensations, to penalise non-compliance with decisions referred to in Article 6(4). According to the ILO, remediation remains one of the key policy priorities for addressing forced labour. In that regard, Protocol to ILO Convention No. 29 stipulates that all victims of forced or compulsory labour, irrespective of their presence or legal status in the national territory, should have access to appropriate and effective remedies, such as compensations. The third pillar of the UN Guiding Principles on Business and Human Rights stipulates that remediation is a fundamental right and may include apologies, restitution, rehabilitation, financial or non-financial compensation and punitive sanctions - whether criminal or administrative, such as fines -, as well as the prevention of harm through, for example, injunctions or guarantees of non-repetition.</i></u></p> <p>²⁰ <u><i>https://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---ilo-brussels/documents/publication/wcms_195135.pdf</i></u></p> <p>^{20a} <u><i>Council Decision (EU) 2015/2071 of 10 November 2015 authorising Member States to ratify, in the interests of the European Union, the Protocol of 2014 to the Forced Labour Convention, 1930, of the International Labour Organisation as regards Articles 1 to 4 of the Protocol with regard to matters relating to judicial cooperation in criminal matters (OJ L 301, 18.11.2015, p. 47) and Council Decision (EU)</i></u></p>	

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		<p><u>2015/2037 of 10 November 2015 authorising Member States to ratify, in the interests of the European Union, the Protocol of 2014 to the Forced Labour Convention, 1930, of the International Labour Organisation with regard to matters relating to social policy (OJ L 298, 14.11.2015, p. 23).</u></p> <p>^{20b} <u>ILO 2012 Global Estimate of Forced Labour: https://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---ilo-brussels/documents/genericdocument/wcms_184975.pdf</u></p> <p>^{20c} <u>20c The ILO supervisory bodies' comments on the application of Conventions on forced labour can be found under (https://www.ilo.org/dyn/normlex/en/f?p=1000:20010:::NO:::)</u></p> <p>1. https://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---ilo-brussels/documents/publication/wcms_195135.pdf.</p>	
14	<p>(5) Through its policies and legislative initiatives the Union seeks to eradicate the use of forced labour. The Union promotes due diligence in accordance with international guidelines and principles established by international organisations, including the ILO, the Organisation for Economic Co-operation and Development (hereinafter “OECD”) and the United Nations (hereinafter “UN”), to ensure that forced labour does not find a place in the value chains of undertakings established in the Union.</p>	<p>(5) Through its policies and legislative initiatives the Union seeks to eradicate the use of forced labour <u>and promote decent work and labour rights worldwide</u>. The Union promotes due diligence in accordance with international guidelines and principles established by international organisations, including the ILO, the Organisation for Economic Co-operation and Development (hereinafter “OECD”) and the United Nations (hereinafter “UN”), to ensure that forced labour does not find a place in the value<u>supply</u> chains of undertakings established in the Union.</p>	<p>(5) Through its policies and legislative initiatives the Union seeks to eradicate the use of forced labour. The Union promotes due diligence in accordance<u>line</u> with international guidelines and principles established by international organisations, including the ILO, the Organisation for Economic Co-operation and Development (hereinafter “OECD”) and the United Nations (hereinafter “UN”), to ensure that forced labour does not find a place in the value chains of undertakings established in the Union.</p>

	Commission Proposal	EP Mandate	Council Mandate
Y	15	<p>(6) Union trade policy supports the fight against forced labour in both unilateral and bilateral trade relationships. The trade and sustainable development chapters of Union trade agreements contain a commitment to ratify and effectively implement the fundamental ILO Conventions, which include ILO Convention No. 29 and ILO Convention No. 105. Moreover, unilateral trade preferences under the Union's General Scheme of Preferences could be withdrawn for serious and systematic violations of ILO Convention No. 29 and ILO Convention No. 105.</p>	<p>(6) Union trade policy supports the fight against forced labour in both unilateral and bilateral trade relationships. The trade and sustainable development chapters of Union trade agreements contain a commitment to ratify and effectively implement the fundamental ILO Conventions, which include ILO Convention No. 29 and ILO Convention No. 105. Moreover, unilateral trade^{tariff} preferences under the Union's General Scheme of Preferences¹ could be withdrawn for serious and systematic violations of ILO Convention No. 29 and ILO Convention No. 105.</p> <p><u>1. Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences and repealing Council Regulation (EC) No 732/2008, OJ L 303, 31.10.2012, p. 1-82.</u></p>
Y	15a	<p><u>(6a) Forced labour has a distinct impact on vulnerable and marginalised groups, such as children, women, migrants, refugees or indigenous peoples, and therefore an intersectional and gender sensitive approach is essential to combat forced labour effectively. This Regulation should therefore aim to achieve the objectives of the ILO Convention 182, Council of Europe Convention on</u></p>	

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		<u><i>Preventing and Combating Violence Against Women and Domestic Violence, the Beijing Declaration, the Global Compact for Safe, Orderly and Regular Migration, the Geneva Convention Relating to the Status of Refugees, the United Nations Declaration on the Rights of Indigenous Peoples, the ILO Convention 169, as well as other relevant international agreements and conventions.</i></u>	
16	<p>(7) The Anti-trafficking Directive (Directive 2011/36/EU) of the European Parliament and of the Council¹ (the Anti-trafficking Directive) harmonises the definition of trafficking in human beings, including forced labour or services, and establishes minimum penalties. Any rules laid down concerning the prohibition of placing and making available on the Union market domestic or imported products made with forced labour, or exporting such products, and the obligation to ensure that such products are withdrawn from the Union market ('the prohibition'), should be without prejudice to that Directive, and in particular to the competence of law enforcement and judicial authorities to investigate and prosecute offences on trafficking in human beings, including labour exploitation.</p> <p>¹. Directive 2011/36/EU of the European</p>	<p>(7) The Anti-trafficking Directive (Directive 2011/36/EU) of the European Parliament and of the Council¹ (the Anti-trafficking Directive) harmonises the definition of trafficking in human beings, including forced labour or services, and establishes minimum penalties. Any rules laid down concerning the prohibition of placing and making available on the Union market domestic or imported products made with forced labour, or exporting such products, and the obligation to ensure that such products are withdrawn from the Union market ('the prohibition'), should be without prejudice to that Directive, and in particular to the competence of law enforcement and judicial authorities to investigate and prosecute offences on trafficking in human beings, including labour exploitation.</p> <p>¹. Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA, OJ L 101, 15.4.2011, p.1.</p>	<p>(7) The Anti-trafficking Directive (Directive 2011/36/EU) of the European Parliament and of the Council¹ (the Anti-trafficking Directive) harmonises the definition of trafficking in human beings, including forced labour or services, and establishes <u>rules on</u> minimum penalties. Any rules laid down concerning the prohibition of placing and making available on the Union market domestic or imported products made with forced labour, or exporting such products, and the obligation to ensure that such products are withdrawn from the Union market ('the prohibition'), should be without prejudice to that Directive, and in particular to the competence of law enforcement and judicial authorities to investigate and prosecute offences on trafficking in human beings, including labour exploitation.</p> <p>¹. Directive 2011/36/EU of the European</p>

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	Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA, OJ L 101, 15.4.2011, p.1.		Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA, OJ L 101, 15.4.2011, p.1.
17	<p>(8) [In particular, Directive 20XX/XX/EU on Corporate Sustainability Due Diligence sets out horizontal due diligence obligations to identify, prevent, mitigate and account for actual and potential adverse impacts on human rights, including forced labour, and the environment in the company's own operations, its subsidiaries and in its value chains, in accordance with international human and labour rights standards and environmental conventions. Those obligations apply to large companies over a certain threshold in terms of number of employees and net turnover, and to smaller companies in high-impact sectors over a certain threshold in terms of number of employees and net turnover.^{1]}</p> <p>1. Directive 20XX/XX/EU of the European Parliament and of the Council on Corporate Sustainability Due Diligence and amending Directive (EU) 2019/1937, OJ XX, XX.XX.20XX, p. XX.</p>	<p>(8) [In particular, Directive 20XX/XX/EU on Corporate Sustainability Due Diligence sets out horizontal due diligence obligations <u>for companies</u> to identify, prevent, mitigate and account for actual and potential adverse impacts on human rights, including forced labour, and the environment in that they caused, contributed to or are directly linked to the company's own operations, <u>and</u> its subsidiaries and in its value chains, in accordance with international human and labour rights standards and environmental conventions. <u>That Directive also strengthens access to remedy for those affected by such impacts.</u> Those obligations apply to large companies over a certain threshold in terms of number of employees and net turnover, and to smaller companies in high-impact sectors over a certain threshold in terms of number of employees and net turnover.^{1]}²² <u>Consistency between that Directive and this Regulation should be ensured.</u></p> <p><u>²² Directive 20XX/XX/EU of the European Parliament and of the Council on Corporate Sustainability Due Diligence and amending Directive (EU) 2019/1937, OJ XX, XX.XX.20XX, p. XX.</u></p> <p>1. Directive 20XX/XX/EU of the European Parliament and of the Council on Corporate Sustainability Due Diligence and amending Directive (EU) 2019/1937, OJ XX, XX.XX.20XX, p. XX.</p>	<p>(8) [In particular, Directive 20XX/XX/EU on Corporate Sustainability Due Diligence sets out horizontal due diligence obligations to identify, prevent, and mitigate and account for actual and potential adverse impacts on human rights, including forced labour, and the environment <u>as well as bring to an end and minimise the extend of potential and actual adverse impacts</u> in the company's own operations, its subsidiaries and in its value chains, in accordance with <u>chain of activities on human rights, including forced labour, and on the environment, interpreted in line with with</u> international human and labour rights standards and environmental conventions. Those obligations apply to large companies over a certain threshold in terms of number of employees and net turnover, and to smaller companies in high-impact sectors over a certain threshold in terms of number of employees and net turnover.^{1]}</p> <p>1. Directive 20XX/XX/EU of the European</p>

	Commission Proposal	EP Mandate	Council Mandate
			Parliament and of the Council on Corporate Sustainability Due Diligence and amending Directive (EU) 2019/1937, OJ XX, XX.XX.20XX, p. XX.
18	<p>(9) In addition, Regulation (EU) 2017/821 of the European Parliament and of the Council¹ requires Union importers of minerals falling under the scope of that Regulation to carry out due diligence obligations consistent with Annex II to the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, and the due diligence recommendations set out therein. [Regulation (EU) No XX/20XX concerning batteries and waste batteries contains obligations for economic operators to carry out due diligence in their supply chains, including with respect to labour rights.²] [Regulation (EU) XX/20XX on making available on the Union market as well as export from the Union of certain commodities and products associated with deforestation and forest degradation³ requires due diligence regarding the legal and deforestation free character of products and commodities within its scope, including with respect to human rights.]</p> <p>1. Regulation (EU) 2017/821 of the European</p>	<p>(9) In addition, Regulation (EU) 2017/821 of the European Parliament and of the Council¹ requires Union importers of minerals falling under the scope of that Regulation to carry out due diligence obligations consistent with Annex II to the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, and the due diligence recommendations set out therein. [Regulation (EU) No XX/20XX concerning batteries and waste batteries contains obligations for economic operators to carry out due diligence in their supply chains, including with respect to labour rights.²] [Regulation (EU) XX/20XX on making available on the Union market as well as export from the Union of certain commodities and products associated with deforestation and forest degradation³ requires due diligence regarding the legal and deforestation free character of products and commodities within its scope, including with respect to human rights.]</p> <p>1. Regulation (EU) 2017/821 of the European Parliament and of the Council of 17 May 2017 laying down supply chain due diligence obligations for Union importers of tin, tantalum and tungsten, their ores, and gold originating from conflict-affected and high-risk areas, OJ L 130, 19.5.2017, p. 1. 2. REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL concerning batteries and waste batteries, repealing Directive 2006/66/EC and amending Regulation (EU) No 20XX/XX, OJ XX, XX.XX.20XX, p. XX. 3. Regulation of the European Parliament and of the Council on the making available on the Union market as well as export from the Union of certain commodities and products associated with deforestation and forest</p>	<p>(9) In addition, Regulation (EU) 2017/821 of the European Parliament and of the Council¹ requires Union importers of minerals <i>or metals</i> falling under the scope of that Regulation to carry out due diligence obligations consistent with Annex II to the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, and the due diligence recommendations set out therein. [Regulation (EU) No XX/20XX concerning batteries and waste batteries<i>No 2023/1542 of the European Parliament and of the Council</i>² contains obligations for economic operators to carry out due diligence in their supply chains, including with respect to labour rights.²] [Regulation (EU) XX/20XX on making available on the Union market as well as export from the Union of certain commodities and products associated with deforestation and forest degradation<i>2023/1115 of the European Parliament and of the Council</i>³ requires due diligence regarding the legal and</p>

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	<p>Parliament and of the Council of 17 May 2017 laying down supply chain due diligence obligations for Union importers of tin, tantalum and tungsten, their ores, and gold originating from conflict-affected and high-risk areas, OJ L 130, 19.5.2017, p. 1.</p> <p>2. REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL concerning batteries and waste batteries, repealing Directive 2006/66/EC and amending Regulation (EU) No 20XX/XX, OJ XX, XX.XX.20XX, p. XX.</p> <p>3. Regulation of the European Parliament and of the Council on the making available on the Union market as well as export from the Union of certain commodities and products associated with deforestation and forest degradation and repealing Regulation (EU) No XXX/20XX, OJ XX, XX.XX.20XX, p. XX.</p>	<p>degradation and repealing Regulation (EU) No XXX/20XX, OJ XX, XX.XX.20XX, p. XX.</p>	<p>deforestation free character of products and commodities within its scope, including with respect to human rights.]</p> <p>1. Regulation (EU) 2017/821 of the European Parliament and of the Council of 17 May 2017 laying down supply chain due diligence obligations for Union importers of tin, tantalum and tungsten, their ores, and gold originating from conflict-affected and high-risk areas, OJ L 130, 19.5.2017, p. 1.</p> <p>2. REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL <u>Regulation (EU) 2023/1542 of the European Parliament and of the Council of 12 July 2023</u> concerning batteries and waste batteries, repealing <u>amending</u> Directive 2006/66/EC and amending <u>2008/98/EC and Regulation (EU) No 20XX/XX, OJ XX, XX.XX.20XX, p. XX</u> <u>2019/1020 and repealing Directive 2006/66/EC, OJ L 191, 28.7.2023, p. 1-117.</u></p> <p>3. Regulation <u>(EU) 2023/1115</u> of the European Parliament and of the Council on the making available on the Union market as well as export from the Union of certain commodities and products associated with deforestation and forest degradation and repealing Regulation (EU) No XXX/20XX, OJ XX, XX.XX.20XX, p. XX <u>No 995/2010, OJ L 150, 9.6.2023, p. 206-247.</u></p>
19	<p>(10) Articles [XX] of Directive 2013/34/EU of the European Parliament and of the Council require Member States to ensure that certain economic operators annually publish non-financial</p>	<p>(10) Articles [XX] of Directive 2013/34/EU of the European Parliament and of the Council require Member States to ensure that certain economic operators annually publish non-financial statements in which they report on the impact of their activity on environmental, social and employee matters, respect for</p>	<p>(10) Articles [XX] <u>Article 19a</u> of Directive 2013/34/EU of the European Parliament and of the Council require <u>in its version of 21 November 2021 requires</u> Member States to ensure that</p>

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	<p>statements in which they report on the impact of their activity on environmental, social and employee matters, respect for human rights, including regarding forced labour, anti-corruption and bribery matters.¹ [Furthermore, Directive 20XX/XX/EU on Corporate Sustainability Reporting puts forward detailed reporting requirements for covered companies regarding the respect of human rights, including in global supply chains. The information that undertakings disclose about human rights should include, where relevant, information about forced labour in their value chains.²]</p> <p>1. Directive 2013/34/EU as regards disclosure of non-financial and diversity information by certain large undertakings and groups, OJ</p> <p>2. Directive 20XX/XX/EU of the European Parliament and of the Council amending Directive 2013/34/EU, Directive 2004/109/EC, Directive 2006/43/EC and Regulation (EU) No 537/2014, as regards corporate sustainability reporting, OJ XX, XX.XX.20XX, p. XX.</p>	<p>human rights, including regarding forced labour, anti-corruption and bribery matters.²⁶ [Furthermore, Directive 20XX/XX/EU on Corporate Sustainability Reporting puts forward detailed reporting requirements for covered companies regarding the respect of human rights, including in global supply chains. The information that undertakings disclose about human rights should include, where relevant, information about forced labour in their valuesupply chains.²⁷]</p> <p>²⁶ <u>Directive 2013/34/EU as regards disclosure of non-financial and diversity information by certain large undertakings and groups, OJ</u></p> <p>²⁷ <u>Directive 20XX/XX/EU of the European Parliament and of the Council amending Directive 2013/34/EU, Directive 2004/109/EC, Directive 2006/43/EC and Regulation (EU) No 537/2014, as regards corporate sustainability reporting, OJ XX, XX.XX.20XX, p. XX.</u></p> <p>1. Directive 2013/34/EU as regards disclosure of non-financial and diversity information by certain large undertakings and groups, OJ</p> <p>2. Directive 20XX/XX/EU of the European Parliament and of the Council amending Directive 2013/34/EU, Directive 2004/109/EC, Directive 2006/43/EC and Regulation (EU) No 537/2014, as regards corporate sustainability reporting, OJ XX, XX.XX.20XX, p. XX.</p>	<p>certain economic operators annually publish non-financial statements in which they report on the impact of their activity on environmental, social and employee matters, respect for human rights, including regarding forced labour, anti-corruption and bribery matters.¹ Furthermore, Directive 20XX/XX/EU (EU) 2022/2464 of the European Parliament and of the Council on Corporate Sustainability Reporting puts forwardamended that requirement by introducing detailed reporting requirements for covered companies regarding the respect of human rights, including in global supply chains. The information that undertakings disclose about human rights should include, where relevant, information about forced labour in their value chains.²</p> <p>1. Directive 2013/34/EU as regards disclosure of non-financial and diversity information by certain large undertakings and groups, OJ</p> <p>2. Directive 20XX/XX/EU of the European Parliament and of the Council amending Directive 2013/34/EU, Directive 2004/109/EC, Directive 2006/43/EC and Regulation <u>Regulation 2014/537/EU</u> (EU) No 537/2014, as regards corporate sustainability reporting, OJ XX, XX.XX.20XX, p. XX <u>L 322, 16.12.2022, p. 15.</u></p>
19a			

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		<p><u>(10a) As a member of the World Trade Organisation (WTO), the Union is committed to promoting a rules-based, open, multilateral trading system. Any measures introduced by the Union that affect trade should be WTO compliant. Furthermore, all measures introduced by the Union that affect trade should take into account the possible response of the Union's trade partners and ensure that the enforcement of the measure is not perceived as a unilateral, protectionist measure.</u></p>	
20	<p>(11) In July 2021, the Commission and the European External Action Service published guidance to assist Union businesses in taking appropriate measures to address the risk of forced labour in their operations and supply chains.¹</p> <p>¹ Guidance on due diligence for EU businesses to address the risk of forced labour in their operations and supply chains.</p>	<p>(11) In July 2021, the Commission and the European External Action Service published guidance to assist Union businesses in taking appropriate measures to address the risk of forced labour in their operations and supply chains.¹</p> <p>¹ Guidance on due diligence for EU businesses to address the risk of forced labour in their operations and supply chains.</p>	<p>(11) In July 2021, the Commission and the European External Action Service published guidance to assist Union businesses in taking appropriate measures to address the risk of forced labour in their operations and supply chains.¹</p> <p>¹ Guidance on due diligence for EU businesses to address the risk of forced labour in their operations and supply chains.</p>
21	<p>(12) As recognised in the Commission's Communication on decent work worldwide¹, notwithstanding the current policies and legislative framework, further action is needed to achieve the objectives of eliminating forced-labour products from the Union market and, hence, further contributing to the fight</p>	<p>(12) As recognised in the Commission's Communication on decent work worldwide¹, notwithstanding the current policies and legislative framework, further action is needed to achieve the objectives of eliminating forced-labour products from the Union market and, hence, further contributing to the fight against forced labour worldwide.</p> <p>¹ Communication 23 March 2022 from the Commission to the European Parliament, the Council and the European Economic and Social Committee</p>	<p>(12) As recognised in the Commission's Communication on decent work worldwide¹, notwithstanding the current policies and legislative framework, further action is needed to achieve the objectives of eliminating forced-labour products from the Union market and, hence, further contributing to the fight</p>

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		<p>against forced labour worldwide.</p> <p>1. Communication 23 March 2022 from the Commission to the European Parliament, the Council and the European Economic and Social Committee on decent work worldwide for a global just transition and a sustainable recovery (COM(2022) 66 final).</p>	<p>on decent work worldwide for a global just transition and a sustainable recovery (COM(2022) 66 final).</p>	<p>against forced labour worldwide.</p> <p>1. Communication 23 March 2022 from the Commission to the European Parliament, the Council and the European Economic and Social Committee on decent work worldwide for a global just transition and a sustainable recovery (COM(2022) 66 final).</p>
Y	21a		<p><u>(12a) Promoting decent work and a human-centred future of work ensuring the respect of fundamental principles and human rights, promoting social dialogue as well as the ratification and effective implementation of relevant ILO conventions and protocols, strengthening responsible management in global supply chains and access to social protection are core priorities of the Union as enshrined in the EU Action Plan on Human Rights and Democracy 2020-2024.</u></p>	
G	22	<p>(13) The European Parliament in its resolutions strongly condemned forced labour and called for a ban on products made with forced labour.¹ It is therefore a matter of public moral concern that products made with forced labour could be available on the Union market or exported to third countries without an effective mechanism to ban or withdraw such products.</p> <p>1. See Resolutions: MOTION FOR A</p>	<p>(13) The European Parliament in its resolutions strongly condemned forced labour and called for a ban on products made with forced labour.¹ It is therefore a matter of public moral concern that products made with forced labour could be available on the Union market or exported to third countries without an effective mechanism to ban or withdraw such products.</p> <p>1. See Resolutions: MOTION FOR A RESOLUTION on a new trade instrument to ban products made by forced labour (europa.eu), Texts adopted - Forced labour and the situation of the Uyghurs in the Xinjiang Uyghur Autonomous Region - Thursday, 17 December 2020 (europa.eu), Texts adopted - Forced labour in the Linglong factory and environmental protests</p>	<p>(13) The European Parliament in its resolutions strongly condemned forced labour and called for a ban on products made with forced labour.¹ It is therefore a matter of public moral concern that products made with forced labour could be available on the Union market or exported to third countries without an effective mechanism to ban or withdraw such products.</p> <p>1. See Resolutions: MOTION FOR A</p>

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	RESOLUTION on a new trade instrument to ban products made by forced labour (europa.eu), Texts adopted - Forced labour and the situation of the Uyghurs in the Xinjiang Uyghur Autonomous Region - Thursday, 17 December 2020 (europa.eu), Texts adopted - Forced labour in the Linglong factory and environmental protests in Serbia - Thursday, 16 December 2021 (europa.eu).	in Serbia - Thursday, 16 December 2021 (europa.eu).	RESOLUTION on a new trade instrument to ban products made by forced labour (europa.eu), Texts adopted - Forced labour and the situation of the Uyghurs in the Xinjiang Uyghur Autonomous Region - Thursday, 17 December 2020 (europa.eu), Texts adopted - Forced labour in the Linglong factory and environmental protests in Serbia - Thursday, 16 December 2021 (europa.eu).
G 23	(14) To complete the Union legislative and policy framework on forced labour, the placing and making available on the Union market products made with forced labour or exporting domestically produced or imported products made with forced labour should be prohibited and it should be ensured that those products are withdrawn from the Union market.	(14) To complete the Union legislative and policy framework on forced labour, the placing and making available on the Union market products made with forced labour or exporting domestically produced or imported products made with forced labour should be prohibited and it should be ensured that those products are withdrawn from the Union market.	(14) To complete the Union legislative and policy framework on forced labour, the placing and making available on the Union market products made with forced labour or exporting domestically produced or imported products made with forced labour should be prohibited and it should be ensured that those products are withdrawn from the Union market.
G 24	(15) Currently there is no Union legislation that empowers Member States' authorities to directly detain, seize, or order the withdrawal of a product on the basis of a finding that it was made, whether in whole or in part, with forced labour.	(15) Currently there is no Union legislation that empowers Member States' authorities to directly detain, seize, or order the withdrawal of a product on the basis of a finding that it was made, whether in whole or in part, with forced labour.	(15) Currently there is no Union legislation that empowers Member States' authorities to directly detain, seize, or order the withdrawal of a product on the basis of a finding that it was made, whether in whole or in part, with forced labour.
Y 25	(16) In order to ensure the effectiveness	(16) In order to ensure the effectiveness of the prohibition,	(16) In order to ensure the effectiveness

	Commission Proposal	EP Mandate	Council Mandate
	of the prohibition, such prohibition should apply to products for which forced labour has been used at any stage of their production, manufacture, harvest and extraction, including working or processing related to the products. The prohibition should apply to all products, of any type, including their components, and should apply to products regardless of the sector, the origin, whether they are domestic or imported, or placed or made available on the Union market or exported.	such prohibition should apply to products for which forced labour has been used at any stage of their production, manufacture, harvest and extraction, including working or processing related to the products. The prohibition should apply to all products, of any type, including their components, and should apply to products regardless of the sector, the origin, whether they are domestic or imported, or placed or made available on the Union market or exported.	of the prohibition, such prohibition should apply to products for which forced labour has been used at any stage of their production, manufacture, harvest and extraction, including working or processing related to the products. The prohibition should apply to all products, of any type, including their components, and should apply to products regardless of the sector, the origin, whether they are domestic or imported, or placed or made available on the Union market or exported. <u><i>This Regulation should not apply to the activities of a natural or legal person or association of persons domiciled in the European Union that provides transport services unless that person or association can be qualified as an economic operator as defined pursuant to this Regulation.</i></u>
R 26	(17) The prohibition should contribute to the international efforts to abolish forced labour. The definition of ‘forced labour’ should therefore be aligned with the definition laid down in ILO Convention No. 29. The definition of ‘forced labour applied by state authorities’ should be aligned with ILO Convention No. 105, which prohibits specifically the use of forced labour as punishment for the expression of	(17) <u><i>The market ban, which enables</i></u> the prohibition <u><i>of import and export of products and services made with forced labour,</i></u> should contribute to the international efforts to abolish forced labour. The definition of ‘forced labour’ should therefore be aligned with the definition laid down in ILO Convention No. 29. The definition of ‘forced labour applied by state authorities’ should be aligned with ILO Convention No. 105, which prohibits specifically the use of forced labour as punishment for the expression of political views, for the purposes of economic development, as a means of labour discipline, as a punishment for participation in strikes, or as a	(17) The prohibition should contribute to the international efforts to abolish forced labour. The definition of ‘forced labour’ should therefore be aligned with the definition laid down in ILO Convention No. 29. <i>The definition of ‘forced labour applied by state authorities’ should be aligned with ILO Convention No. 105,</i> <u><i>stating that forced or compulsory labour means all work or service which is exacted from any</i></u>

	Commission Proposal	EP Mandate	Council Mandate
	<p>political views, for the purposes of economic development, as a means of labour discipline, as a punishment for participation in strikes, or as a means of racial, religious or other discrimination.¹</p> <p>1. What is forced labour, modern slavery and human trafficking (Forced labour, modern slavery and human trafficking) (ilo.org) and the ILO Conventions No. 29 and No. 105 referred therein.</p>	<p>means of racial, religious or other discrimination³¹. <u>Article 3(a) of ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour refers to all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict. The UN Convention on the Rights of Persons With Disabilities prohibits exposing persons with disabilities to forced labour and requires that persons with disabilities are protected, on an equal basis with others, from forced or compulsory labour. The principle of equal treatment should also apply in sheltered workshops. Where products or services originating from geographic areas, production sites or economic activities in certain sectors in specific areas with systematic and wide spread forced labour practices listed in the database under Article 11 of this Regulation, competent authorities should presume that they were manufactured or provided using forced labour. In such cases, it should be the responsibility of the economic operator to demonstrate that its product or service was manufactured or provided without using forced labour, and that, in case of a decision under Article 6(4), any use of forced labour was remediated. In all cases, competent authorities should ensure that the burden of proof is not disproportionately high. The Commission, after engaging with relevant experts, including from the ILO, OECD, EEAS, social partners and civil society, should engage in the efforts to bring to an end forced labour by providing, in the database under Article 11 of this Regulation, regularly updated information on forced labour risks in specific geographic areas, production sites and economic activities in certain sectors in specific areas. The</u></p>	<p><u>person under the menace of any penalty and for which the said person has not offered himself voluntarily, with the exclusion of (a) any work or service exacted in virtue of compulsory military service laws for work of a purely military character; (b) any work or service which prohibits specifically the use of forced labour as punishment for the expression of political views, for the purposes of economic development forms part of the normal civic obligations of the citizens of a fully self-governing country; (c) any work or service exacted from any person as a consequence of a conviction in a court of law, provided that the said work or service is carried out under the supervision and control of a public authority and that the said person is not hired to or placed at the disposal of private individuals, companies or associations; (d) any work or service exacted in cases of emergency, that is to say, in the event of war or of a calamity or threatened calamity, such as fire, flood, famine, earthquake, violent epidemic or epizootic diseases, invasion by animal, insect or vegetable pests, and in general any circumstance that would endanger the existence or the well-being of the whole or part of the population; (e)</u></p>

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		<p><u>database should be clear and transparent in order to enable economic operators, and in particular SMEs and micro-enterprises, to use the data for their due diligence. Such data should be freely and easily accessible to the public, in a format also accessible to persons with disabilities and in all working languages of the Union.</u></p> <p>³¹ <u>What is forced labour, modern slavery and human trafficking (Forced labour, modern slavery and human trafficking) (ilo.org) and the ILO Conventions No. 29 and No. 105 referred therein.</u></p> <p>1. What is forced labour, modern slavery and human trafficking (Forced labour, modern slavery and human trafficking) (ilo.org) and the ILO Conventions No. 29 and No. 105 referred therein.</p>	<p><u>minor communal services of a kind which, being performed by the members of the community in the direct interest of the said community, can therefore be considered as normal civic obligations incumbent upon the members of the community, provided that the members of the community or their direct representatives shall have the right to be consulted in regard to the need for such services</u>as a means of labour discipline, as a punishment for participation in strikes, or as a means of racial, religious or other discrimination.¹</p> <p>1. What is forced labour, modern slavery and human trafficking (Forced labour, modern slavery and human trafficking) (ilo.org) and the ILO Conventions No. 29 and No. 105 referred therein.</p>
R 26a		<p><u>(17a) Based on the definition of forced labour specified in ILO Convention No. 29 and used in this Regulation, the ‘ILO Indicators of Forced Labour’ and the ‘Hard to See, Harder to Count’ ILO guidelines represent the most common signs that point to the possible existence of a forced labour case and should be taken into account when enforcing the prohibition. However, these indicators may be insufficient for the identification of forced labour imposed by state authorities. These practices of forced labour are based on systemic and global coercive policies that require additional, specifically designed indicators.</u></p>	<p><u>(17a) In the same line, the definition of ‘forced labour applied by state authorities’ should be aligned with the notion as found in ILO Convention No. 105, which prohibits specifically the use of forced labour or compulsory labour as a means of political coercion or education or as punishment for the expression of political views or views ideologically opposed to the established political, social or economic system, as</u></p>

	Commission Proposal	EP Mandate	Council Mandate
			<p><u>a method of mobilising and using it for the purposes of economic development, as a means of labour discipline, as a punishment for having participated in strikes, or as a means of racial, social, national or religious discrimination.¹</u></p> <p><u>1. What is forced labour, modern slavery and human trafficking (Forced labour, modern slavery and human trafficking) (ilo.org) and the ILO Conventions No. 29 and No. 105 referred therein.</u></p> <p>Second sentence of Recital 17 with amendments</p>
Y 26b			<p><u>(17b) Distance selling, including online selling, should also fall within the scope of this Regulation. In the case of a product offered for sale online or through other means of distance sales, the product should be considered to have been made available on the market if the offer for sale is targeted at [end-users] in the Union. In line with the applicable Union rules on private international law, a case-by-case analysis should be carried out in order to establish whether an offer is targeted at [end-users] in the Union. An offer for sale should be considered to be targeted at [end-users] in the Union if</u></p>



	Commission Proposal	EP Mandate	Council Mandate
			<u>the relevant economic operator directs, by any means, its activities to a Member State. For the case-by-case analyses, relevant factors, such as the geographical areas to which dispatch is possible, the languages available, used for the offer or for ordering, means of payment, the use of currency of the Member State or a domain name registered in one of the Member States should be taken into consideration. In the case of online sales, the mere fact that the economic operators' or the providers of online marketplaces' interface is accessible in the Member State in which the [end-user] is established or domiciled is insufficient. The fact that the product offered for sale online or through other means of distance sales is considered to have been made available on the market if the offer for sale is targeted at end-users in the Union should be without prejudice to rules regarding products entering or leaving the Union market.</u>
Y 26c			<u>(17c) Intermediary services, in particular online platforms have become increasingly used for the sale of products. In this regards, information related to the advertising, promotion and sale of products</u>

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			<u>contravening the prohibition established in this Regulation should be considered illegal content within the meaning of article 3(h) of Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act) and should be subject to the obligations and measures under that Regulation.</u>
Y	26d		<u>(17d) The application of the rules in this Regulation regarding distance sales is without prejudice to the rules on products entering or leaving the Union.</u>
Y	26e (19) The competent authorities of the Member States should monitor the market to identify violations of the prohibition. In appointing those competent authorities, Member States should ensure that those authorities have sufficient resources and that their staff has the necessary competences and knowledge, especially with regard to human rights, value chain management and due diligence processes. Competent		(19) ¹⁸ The competent authorities of the Member States should monitor the market to identify violations of the prohibition. In appointing those competent authorities, Member States should ensure that those authorities have sufficient resources and that their staff has the necessary competences and knowledge, especially with regard to human rights, value ^{supply} chain management and due diligence

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	<p>authorities should closely coordinate with national labour inspections and judicial and law enforcement authorities, including those responsible for the fight against trafficking in human beings in such a way as to avoid jeopardising investigations by such authorities.</p> <p>Moved reference text</p>		<p>processes. Competent authorities should closely coordinate with national labour inspections and judicial and law enforcement authorities, including those responsible for the fight against trafficking in human beings in such a way as to avoid jeopardising investigations by such authorities.</p> <p>Moved from row 28 [28 - 26e]</p>
26f	<p>(44) To ensure effective enforcement of the prohibition, it is necessary to establish a network aimed at structured coordination and cooperation between the competent authorities of the Member States and, where appropriate, experts from customs authorities, and the Commission. That network should also aim at streamlining the practices of the competent authorities within the Union that facilitate the implementation of joint enforcement activities by Member States, including joint investigations. That administrative support structure should allow the pooling of resources and maintain a communication and information system between Member States and the Commission, thereby helping to strengthen the enforcement of the prohibition.</p>		<p>(4419) To ensure effective enforcement of the prohibition, it is necessary to establish a network aimed at structured coordination and cooperation between the competent authorities of the Member States and, where appropriate, experts from customs authorities, and the Commission. That network should also aim at streamlining the practices of the competent authorities within the Union that facilitate the implementation of joint<u>on cross-border investigations and</u> enforcement activities by Member States, including joint investigations. That administrative support structure should allow the pooling of resources and maintain a communication and information system between Member States and the Commission, thereby helping to strengthen the enforcement of</p>

	Commission Proposal	EP Mandate	Council Mandate
	Moved reference text		<p>the prohibition. <u>Where the tasks of the network relate to customs, they shall be carried out in accordance with the Union Customs Code.</u></p> <p>Moved from row 53 [53 - 26f]</p>
26g	<p>(23) In order to ensure cooperation among competent authorities designated under this and other relevant legislation and in order to ensure consistency in their actions and decisions, competent authorities designated under this Regulation should request information from other relevant authorities, where necessary, on whether economic operators under assessment are subject to and carry out due diligence in relation to forced labour in accordance with applicable Union legislation or Member States legislation setting out due diligence and transparency requirements with respect to forced labour.</p> <p>Moved reference text</p>		<p>(23)²⁰ In order to ensure cooperation among competent authorities designated under this and other relevant legislation and in order to ensure consistency in their actions and decisions, competent authorities designated under this Regulation should request information from other relevant authorities, where necessary, on whether economic operators under assessment are subject to and carry out due diligence in relation to forced labour in accordance with applicable Union legislation or Member States legislation setting out due diligence and transparency requirements with respect to forced labour. <u>For the same purposes, and where appropriate, competent authorities designated under this Regulation should inform other relevant authorities, such as Market Surveillance authorities, of their actions and decisions.</u></p> <p>Moved from row 32 [32 - 26g]</p>

	Commission Proposal	EP Mandate	Council Mandate
Y	<p>26h</p> <p>(39) A uniform enforcement of the prohibition as regards products entering or leaving the Union market can only be achieved through systematic exchange of information and cooperation amongst competent authorities, customs authorities and the Commission.</p> <p>Moved reference text</p>		<p>(39²¹) A uniform enforcement of the prohibition as regards products entering or leaving the Union market can only be achieved through systematic exchange of information and cooperation amongst competent authorities, customs authorities and the Commission.</p> <p>Moved from row 48 [48 - 26h]</p>
Y	<p>26i</p> <p>(40) For the collection, processing and storage of information, in a structured form, on issues relating to the enforcement of the prohibition, the competent authorities should use ICSMS. The Commission, competent authorities and customs authorities should have access to that system to carry out their respective duties under this Regulation.</p> <p>Moved reference text</p>		<p>(40²²) For the collection, processing and storage of information, in a structured form, on issues relating to the <u>investigations, decision-making process, and</u> enforcement of the prohibition, the competent authorities should use ICSMS. The Commission, competent authorities and customs authorities should have access to that system to carry out their respective duties under this Regulation.</p> <p>Moved from row 49 [49 - 26i]</p>
G	<p>26j</p> <p>(41) In order to optimise and unburden the control process of products entering or leaving the Union market, it is</p>		<p>(41²³) In order to optimise and unburden the control process of products entering or leaving the Union market, it</p>



	Commission Proposal	EP Mandate	Council Mandate
	<p>necessary to allow for an automated data transfer between the ICSMS and customs systems. Three different data transfers should be distinguished in view of their respective purposes. Firstly, decisions establishing a violation of the prohibition should be communicated from the ICSMS to the Electronic Customs Risk Management System (CRMS) referred to in Article 36 of Commission Implementing Regulation (EU) 2015/2447¹, without prejudice to any future evolution of the customs risk management environment, for use by customs authorities to identify products that may correspond to such a decision. The available interfaces of the customs environment should be used for those first data transfers. Secondly, where customs authorities identify such a product, case management will be necessary to, among others, transfer the notification of the suspension, the conclusion of competent authorities and the outcome of the actions taken by customs. The EU Single Window Environment for customs should support those second data transfers between ICSMS and national customs systems. Thirdly, customs systems contain information on products entering and leaving the Union market that would be relevant for competent authorities to</p>		<p>is necessary to allow for an automated data transfer between the ICSMS and customs systems. Three different data transfers should be distinguished in view of their respective purposes. Firstly, decisions establishing a violation of the prohibition should be communicated from the ICSMS to the Electronic Customs Risk Management System (CRMS) referred to in Article 36 of Commission Implementing Regulation (EU) 2015/2447¹, without prejudice to any future evolution of the customs risk management environment, for use by customs authorities to identify products that may correspond to such a decision. The available interfaces of the customs environment should be used for those first data transfers. Secondly, where customs authorities identify such a product, case management will be necessary to, among others, transfer the notification of the suspension, the conclusion of competent authorities and the outcome of the actions taken by customs. The EU Single Window Environment for customs should support those second data transfers between ICSMS and national customs systems. Thirdly, customs systems contain information on products entering and leaving the Union market that would be relevant for competent authorities to</p>

	Commission Proposal	EP Mandate	Council Mandate
	<p>carry out their duties but that is not accessible to them. The relevant information should therefore be extracted and transmitted to the ICSMS. The three interconnections should be highly automated and easy-to-use, so as to limit any additional burden for customs authorities. The Commission should be empowered to adopt, in cooperation with customs authorities and competent authorities, the implementing acts necessary to determine the procedural rules, practical arrangements and data elements to be transferred between the ICSMS and customs systems and any other ancillary requirement.</p> <p>1. Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, OJ L 343, 29.12.2015, p. 558.</p> <p>Moved reference text</p>		<p>carry out their duties but that is not accessible to them. The relevant information should therefore be extracted and transmitted to the ICSMS. The three interconnections should be highly automated and easy-to-use, so as to limit any additional burden for customs authorities. The Commission should be empowered to adopt, in cooperation with customs authorities and competent authorities, the implementing acts necessary to determine the procedural rules, practical arrangements and data elements to be transferred between the ICSMS and customs systems and any other ancillary requirement.</p> <p>1. <u>II</u> Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, OJ L 343, 29.12.2015, p. 558.</p> <p>Moved from row 50 [50 - 26j]</p>
R 26k			<p><u>(23a) The Commission should set up a database, calling on external expertise if needed to provide a publicly available database with indicative, non-exhaustive, verifiable and regularly</u></p>



	Commission Proposal	EP Mandate	Council Mandate
			<u>updated information about forced labour risks in specific geographic areas or with respect to specific products. The database shall prioritise the identification of widespread and severe forced labour risks. The database will support the work of competent authorities in assessing possible violations of the prohibition and will facilitate that economic operators identify possible forced labour risks in their supply chains</u>
27	(18) Micro, small and medium-sized enterprises ('SMEs') can have limited resources and ability to ensure that the products they place or make available on the Union market are free from forced labour. The Commission should therefore issue guidelines on due diligence in relation to forced labour, which should take into account also the size and economic resources of economic operators. In addition, the Commission should issue guidelines on forced-labour risk indicators and on publicly available information in order to help SMEs, as well as other economic operators, to comply with the requirements of the prohibition.	(18) Micro, small and medium-sized enterprises ('SMEs') can have limited resources and ability to ensure that the products they place or make available on the Union market are free from forced labour. The Commission should therefore issue <u>thorough</u> guidelines on due diligence in relation to forced labour, which should take into account also the size and economic resources of economic operators. In addition, the Commission should issue <u>clear</u> guidelines on forced-labour risk indicators, <u>including how to identify them, which should be based on independent and verifiable</u> and on publicly available <u>information, including reports from international organisations, in particular the International Labour Organization, whose 'Hard to see, harder to count' guidelines are the current gold-standard for identification of forced labour</u> in order to help SMEs, as well as other economic operators, to comply with the requirements of the prohibition.	Moved to row 32c [27 - 32c]

	Commission Proposal	EP Mandate	Council Mandate
27a		<i><u>(18a) The Commission should also issue guidelines on how to engage in dialogue with competent authorities in order to help economic operators, and in particular SMEs, as well as other stakeholders, to comply with the requirements of the prohibition. Furthermore, the Commission should also issue guidelines to assist any person or association in submitting information.</u></i>	
27b		<i><u>(18b) Taking into account the variety of Union law dealing with forced labour issues, the Commission should provide additional guidance for economic operators, in particular SMEs, on how to apply the different obligations stemming from Union law. The Commission should also, where appropriate, prevent unnecessary administrative burdens on SMEs. In addition, the Commission should develop accompanying measures to support the efforts of economic operators and their business partners in the same supply chain, in particular the SMEs. Those measures shall include a one-stop shop for all matters related to the application of this Regulation and support to multi-stakeholder initiatives.</u></i>	
28	(19) The competent authorities of the Member States should monitor the market to identify violations of the prohibition. In appointing those competent authorities, Member States should ensure that those authorities have sufficient resources and that their staff has the necessary competences and	(19) The competent authorities of the Member States should monitor the market to identify violations of the prohibition. In appointing those competent authorities, Member States should ensure that those authorities have sufficient <i>human and financial</i> resources and that their staff has the necessary competences and knowledge, especially with regard to human rights, value <i>labour rights, gender equality, supply</i> chain management and due diligence processes. Competent	Moved to row 26e [28 - 26e]

	Commission Proposal	EP Mandate	Council Mandate
	knowledge, especially with regard to human rights, value chain management and due diligence processes. Competent authorities should closely coordinate with national labour inspections and judicial and law enforcement authorities, including those responsible for the fight against trafficking in human beings in such a way as to avoid jeopardising investigations by such authorities.	authorities should closely coordinate with national labour inspections and judicial and law enforcement authorities, including those responsible for the fight against trafficking in human beings in such a way as to avoid jeopardising investigations by such authorities.	
29	(20) In order to increase the effectiveness of the prohibition, competent authorities should grant reasonable time to economic operators to identify, mitigate, prevent and bring to an end the risk of forced labour.	(20) In order to increase the effectiveness of the prohibition, competent authorities should grant reasonable time to economic operators to identify, mitigate, prevent and bring to an end the risk of forced labour.	Moved to row 33a [29 - 33a]
30	(21) When identifying potential violations of the prohibition, the competent authorities should follow a risk-based approach and assess all information available to them. Competent authorities should initiate an investigation where, based on their assessment of all available information, they establish that there is a substantiated concern of a violation of the prohibition.	(21) When identifying potential violations of the prohibition, the <u>Commission or the</u> competent authorities should follow a risk-based approach and assess all information available to them. <u>In order to implement the risk-based approach in the prioritisation of their investigations, the Commission and competent authorities should take into account the size and economic resources of the economic operator, and in particular if this operator is a micro, small or medium-sized enterprise, the share of forced labour components in the final product, the quantity of products concerned, the scale of suspected forced labour, and whether forced labour imposed by state authorities could be a concern. They should</u>	Moved to row 32k [30 - 32k]

	Commission Proposal	EP Mandate	Council Mandate
		<p><u>also take into account if the economic operator is under the scope of Directive XXX [CSDD] and has to perform mandatory due diligence. The Commission or</u> competent authorities should initiate an investigation where, based on their assessment of all available information, <u>or on the basis of any other facts available where it was not possible to gather information and evidence,</u> they establish that there is a substantiated concern of a violation of the prohibition. <u>Before initiating an investigation, competent authorities should be able to request additional information from economic operators under assessment but also from other relevant stakeholders, including the persons or associations having submitted relevant information to competent authorities and any other stakeholder working on the products or regions related to the assessment, as well as from diplomatic representations of the Union in relevant third countries. Competent authorities should be able to opt for not requesting additional information from economic operators if they assess that this could lead to an attempt by those economic operators to hide a situation of forced labour and thus endanger the investigation.</u></p>	
31	<p>(22) Before initiating an investigation, competent authorities should request from the economic operators under assessment information on actions taken to mitigate, prevent or bring to an end risks of forced labour in their operations and value chains with respect to the products under assessment. Carrying out such due diligence in relation to forced labour should help the economic</p>	<p>(22) Before initiating an investigation, competent authorities should request from the economic operators under assessment information on actions taken to mitigate, prevent or bring to an end risks of forced labour <u>or remediate forced labour cases</u> in their operations and value<u>supply</u> chains with respect to the products under assessment. Carrying out such due diligence in relation to forced labour should help<u>contribute to helping</u> the economic operator to be at a lower risk of having forced labour in its operations and value<u>supply</u> chains. Appropriate due diligence means<u>could mean</u> that forced labour issues in the</p>	Moved to row 33b [31 - 33b]

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	operator to be at a lower risk of having forced labour in its operations and value chains. Appropriate due diligence means that forced labour issues in the value chain have been identified and addressed in accordance with relevant Union legislation and international standards. That implies that where the competent authority considers that there is no substantiated concern of a violation of the prohibition, for instance due to, but not limited to the applicable legislation, guidelines, recommendations or any other due diligence in relation to forced labour being applied in a way that mitigates, prevents and brings to an end the risk of forced labour, no investigation should be initiated.	value <u>supply</u> chain have been identified and addressed in accordance with relevant Union legislation and international standards. That implies that where the competent authority considers that there is no substantiated concern of a violation of the prohibition, <u>or that the reasons that motivated the existence of a substantiated concern have been eliminated,</u> for instance due to, but not limited to the applicable legislation, guidelines, recommendations or any other due diligence in relation to forced labour being applied in a way that mitigates, prevents and brings to an end the risk of forced labour, <u>and, where possible, demonstrates that remediation of forced labour cases has been provided,</u> no investigation should be initiated. <u>Economic operators, which are not within the scope of [Directive 20XX/XX/EU on Corporate Sustainability Due Diligence], shall not be disadvantaged for the sole fact of not having conducted due diligence in accordance with that Directive, including when they are faced with a reversed burden of proof as a consequence of the high risk of forced labour imposed by state authorities.</u>	
32	(23) In order to ensure cooperation among competent authorities designated under this and other relevant legislation and in order to ensure consistency in their actions and decisions, competent authorities designated under this Regulation should request information from other relevant authorities, where necessary, on whether economic operators under assessment are subject to and carry out due diligence in relation to forced labour in accordance with	(23) In order to ensure cooperation among <u>the Commission</u> <u>and</u> competent authorities designated under this and other relevant legislation and in order to ensure consistency in their actions and decisions, competent authorities designated under this Regulation should request information from other relevant authorities, where necessary, on whether economic operators under assessment are subject to and carry out due diligence in relation to forced labour in accordance with applicable Union legislation or Member States legislation setting out due diligence and transparency requirements with respect to forced labour. <u>When requesting information from economic operators, competent authorities should whenever possible</u>	Moved to row 26g [32 - 26g]

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	applicable Union legislation or Member States legislation setting out due diligence and transparency requirements with respect to forced labour.	<u>follow the Commission's once-only principle, through increased cooperation and dialogue between authorities who are engaged in overseeing product regulation.</u>	
32a		<u>(23a) Considering the robust amount of evidence available regarding forced labour cases, in particular products, regions or sectors, competent authorities should, after a risk-assessment, focus their investigations on situations that present a higher risk of use of forced labour and that have an increased societal and economic impact, due to the large dimension of economic operators or their presence in a large number of supply chains.</u>	
32b		<u>(23b) In order to ensure consistency in the actions and decisions by competent authorities, the Commission should closely coordinate with competent authorities.</u>	
32c	(18) Micro, small and medium-sized enterprises ('SMEs') can have limited resources and ability to ensure that the products they place or make available on the Union market are free from forced labour. The Commission should therefore issue guidelines on due diligence in relation to forced labour, which should take into account also the size and economic resources of		(18) <u>(24)</u> Micro, small and medium-sized enterprises ('SMEs') can have limited resources and ability to ensure that the products they place or make available on the Union market are free from forced labour. The Commission should therefore issue guidelines on due diligence in relation to forced labour, which should take into account also the size and economic resources of

	Commission Proposal	EP Mandate	Council Mandate
	<p>economic operators. In addition, the Commission should issue guidelines on forced-labour risk indicators and on publicly available information in order to help SMEs, as well as other economic operators, to comply with the requirements of the prohibition.</p> <p>Moved reference text</p>		<p>economic operators. In addition, the Commission should issue guidelines on forced-labour risk indicators and on publicly available information in order to help SMEs, as well as other economic operators, to comply with the requirements of the prohibition.</p> <p>Moved from row 27 [27 - 32c]</p>
32d	<p>(33) The Commission should issue guidelines in order to facilitate the implementation of the prohibition by economic operators and competent authorities. Such guidelines should include guidance on due diligence in relation to forced labour and complementary information for the competent authorities to implement the prohibition. The guidance on due diligence in relation to forced labour should build on the Guidance on due diligence for Union businesses to address the risk of forced labour in their operations and supply chains published by the Commission and the European External Action Service in July 2021. The guidelines should be consistent with other Commission guidelines in this regard and relevant international organisations' guidelines. The reports</p>		<p>(33)²⁵ The Commission should issue guidelines in order to facilitate the implementation of the prohibition by economic operators and competent authorities. Such guidelines should include guidance on due diligence in relation to forced labour and complementary information for the competent authorities to implement the prohibition. The <u>Commission should publish different sets of guidelines specifically targeted to economic operators and to competent authorities, as well as any other general guidelines that might be relevant for all parties.</u> The guidance on due diligence in relation to forced labour should build on the Guidance on due diligence for Union businesses to address the risk of forced labour in their operations and supply chains published by the Commission and</p>

	Commission Proposal	EP Mandate	Council Mandate
	<p>from international organisations, in particular the ILO, as well as other independent and verifiable sources of information should be considered for the identification of risk indicators.</p> <p>Moved reference text</p>		<p>the European External Action Service in July 2021. The guidelines should be consistent with other Commission guidelines in this regard and relevant international organisations' guidelines. <u>The guidelines should also rely on experience and best practices from relevant Member State authorities, such as helpdesks on business and human rights.</u> The reports from international organisations, in particular the ILO, as well as other independent and verifiable sources of information should be considered for the identification of risk indicators.</p> <p>Moved from row 42 [42 - 32d]</p>
R 32e	<p>(45) Since forced labour is a global problem and given the interlinkages of the global value chains, it is necessary to promote international cooperation against forced labour, which would also improve the efficiency of applying and enforcing the prohibition. The Commission should as appropriately cooperate with and exchange information with authorities of third countries and international organisations to enhance the effective implementation of the prohibition. International</p>		<p>(45)²⁶ Since forced labour is a global problem and given the interlinkages of the global value chains, it is necessary to promote international cooperation against forced labour, which would also improve the efficiency of applying and enforcing the prohibition. The Commission should as appropriately cooperate with and exchange information with authorities of third countries and international organisations to enhance the effective implementation of the prohibition. International</p>

	Commission Proposal	EP Mandate	Council Mandate
	<p>cooperation with authorities of non-EU countries should take place in a structured way as part of the existing dialogue structures, for example Human Rights Dialogues with third countries, or, if necessary, specific ones that will be created on an ad hoc basis.</p> <p>Moved reference text</p>		<p>cooperation with authorities of non-EU countries should take place in a structured way as part of the existing dialogue structures, for example Human Rights Dialogues with third countries, or, if necessary, specific ones that will be created on an ad hoc basis.</p> <p>Moved from row 54 [54 - 32e]</p>
Y	32f		<p><u>(26a) The Commission should take into due consideration the risk of disengagement by economic operators who are related to products or regions either in database or to risk indicators in the guidelines, or who have had their product removed from the Union market.</u></p>
R	32g		<p>(32) Any person, whether it is a natural or legal person, or any association not having legal personality, should be allowed to submit information to the competent authorities when it considers that products made with forced labour are placed and made available on the Union market and to be informed of the outcome of the assessment of their submission.</p> <p>(3227) Any person, whether it is a natural or legal person, or any association not having legal personality, should be allowed to submit information to the competent authorities when it considers that products made with forced labour are placed and made available on the Union market and to be informed of the outcome of the assessment of their submission. <u>This submission of information should be</u></p>

	Commission Proposal	EP Mandate	Council Mandate
	Moved reference text		<p><u>facilitated by the creation of a single online portal by the Commission.</u></p> <p>Moved from row 41 [41 - 32g]</p>
Y 32h			<p><u>(27a) Whistleblowers can bring new information to the attention of competent authorities to help them to detect infringements of this Regulation and enable them to take action. It should be ensured that adequate arrangements are in place to enable whistleblowers to alert the competent authorities to actual or potential infringements of this Regulation and to protect the whistleblowers from retaliation. For that purpose, it should be provided in this Regulation that Directive (EU) 2019/1937 of the European Parliament and of the Council¹ is applicable to the reporting of breaches of this Regulation and to the protection of persons reporting such breaches.</u></p> <p><u>1. Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law, OJ L 305, 26.11.2019, p. 17-56.</u></p>
Y 32i			



	Commission Proposal	EP Mandate	Council Mandate
			<u>(27b) To enhance legal certainty, the applicability, pursuant to this Regulation, of Directive (EU) 2019/1937 to reports of breaches of this Regulation and to the protection of persons reporting such breaches should be reflected in that Directive. The Annex to Directive (EU) 2019/1937 should therefore be amended accordingly. It is for the Member States to ensure that this amendment is reflected in their transposition measures adopted in accordance with Directive (EU) 2019/1937, although the adoption of national transposition measures is not a condition for the applicability of that Directive to the reporting of breaches of this Regulation and to the protection of reporting persons from the date of application of this Regulation.</u>
32j			<u>(27c) To ensure ease of access to relevant information on this Regulation, the Commission should set up a single webportal at the Union level, available to the public in all official languages. The links to the websites, portals or platforms dedicated to [Directive 20XX/XX/EU on Corporate Sustainability Due Diligence], and particularly human</u>

	Commission Proposal	EP Mandate	Council Mandate
			<u>rights due diligence, should also be available.</u>
R	32k (21) When identifying potential violations of the prohibition, the competent authorities should follow a risk-based approach and assess all information available to them. Competent authorities should initiate an investigation where, based on their assessment of all available information, they establish that there is a substantiated concern of a violation of the prohibition. Moved reference text		(21 28) When identifying potential violations of the prohibition, the competent authorities should follow a risk-based approach and assess all information available to them. Competent authorities should initiate an investigation where, based on their assessment of all available information, they establish that there is a substantiated concern of a violation of the prohibition. Moved from row 30 [30 - 32k]
R	32l		<u>(28a) To ensure a balanced approach between the Member States and the Commission, the notion of ‘Union interest’ should serve as an allocation key in the preliminary and investigation phases. In determining the Union interest, competent authorities and the Commission should assess all relevant, verifiable and credible information available to them. Union interest should be presumed if one or more of the following criteria are met: the scale and severity of suspected forced labour;</u>



	Commission Proposal	EP Mandate	Council Mandate
			<u>whether the risks of suspected forced labour are located outside the territory of the Union; and whether the products suspected to have been made with forced labour, including where the products concerned are of critical importance to the Union, have a significant impact on the internal market. Products suspected to have been made with forced labour are presumed to have a significant impact on the internal market where the products concerned are present in at least three Member States. A product shall be presumed to be present in three Member States in any of the following situations: (i) the product is manufactured in these Member States, (ii) the product is placed or made available or is to be placed or made available in order to reach the end-users of these Member States, (iii) the product is exported from these Member States, (iv) any combination of the situations under (i), (ii) and (iii) thereof.</u>
R 32m			<u>(28b) To ensure a uniform approach regarding submitted information, the Commission should assess whether the products concerned are of Union interest. If so, the Commission should</u>

	Commission Proposal	EP Mandate	Council Mandate
			<u>proceed with the preliminary phase of investigations. Otherwise, the submissions should be directed to competent authorities, based on fair and objective criteria.</u>
R	33 (24) During the preliminary phase of investigation, competent authorities should focus on the economic operators involved in the steps of the value chain where there is a higher risk of forced labour with respect to the products under investigation, also taking into account their size and economic resources, the quantity of products concerned and the scale of the suspected forced labour.	(24) During the preliminary phase of investigation, <u>the Commission and</u> competent authorities should focus on the economic operators involved in the steps of the value supply chain where there is a higher risk of forced labour with respect to the products under investigation, <u>while</u> also taking into account <u>the potential imbalance of power in the concerned supply chain. In</u> their <u>assessment, they should also take into account the</u> size and economic resources <u>of the economic operator</u> , the quantity of products concerned, <u>the share of forced labour components in the final product, and</u> the scale of the suspected forced labour <u>and whether forced labour imposed by state authorities could be a concern.</u>	(24 29) During the preliminary phase of investigation, competent authorities should focus on the economic operators involved in the steps of the value supply chain where there is a higher risk of forced labour with respect to the products under investigation, also taking into account their size and economic resources, the quantity of products concerned and the scale of the suspected forced labour. <u>To ensure subsidiarity, competent authorities may, at any time, request the Commission to proceed with the preliminary phase of investigation where the products concerned are of Union interest.</u>
Y	33a (20) In order to increase the effectiveness of the prohibition, competent authorities should grant reasonable time to economic operators to identify, mitigate, prevent and bring to an end the risk of forced labour.		(20 30) In order to increase the effectiveness of the prohibition, competent authorities should grant reasonable time to economic operators to identify, mitigate, prevent and bring to an end the risk of forced labour. <u>taking into account, among others, the</u>

	Commission Proposal	EP Mandate	Council Mandate
	Moved reference text		<u>complexity of the proceeding and the number of stakeholders involved.</u> Moved from row 29 [29 - 33a]
R 33b	(22) Before initiating an investigation, competent authorities should request from the economic operators under assessment information on actions taken to mitigate, prevent or bring to an end risks of forced labour in their operations and value chains with respect to the products under assessment. Carrying out such due diligence in relation to forced labour should help the economic operator to be at a lower risk of having forced labour in its operations and value chains. Appropriate due diligence means that forced labour issues in the value chain have been identified and addressed in accordance with relevant Union legislation and international standards. That implies that where the competent authority considers that there is no substantiated concern of a violation of the prohibition, for instance due to, but not limited to the applicable legislation, guidelines, recommendations or any other due diligence in relation to forced labour being applied in a way that mitigates, prevents and brings to an end		(22 <u>31</u>) Before initiating an investigation, competent authorities should request from the economic operators under assessment information on actions taken to mitigate, prevent or bring to an end risks of forced labour in their operations and value <u>supply</u> chains with respect to the products under assessment. Carrying out such due diligence in relation to forced labour should help the economic operator to be at a lower risk of having forced labour in its operations and value <u>supply</u> chains. Appropriate due diligence means that forced labour issues in the value <u>supply</u> chain have been identified and addressed in accordance with relevant Union legislation and/or in line with international standards. That implies that where the competent authority considers that there is no substantiated concern of a violation of the prohibition, for instance due to, but not limited to the applicable legislation, guidelines, recommendations or any other due diligence in relation to forced labour

	Commission Proposal	EP Mandate	Council Mandate
	<p>the risk of forced labour, no investigation should be initiated.</p> <p>Moved reference text</p>		<p>being applied in a way that mitigates, prevents and brings to an end the risk of forced labour, no investigation should be initiated.</p> <p>Moved from row 31 [31 - 33b]</p>
G	34	<p>(25) Competent authorities, when requesting information during the investigation, should prioritise to the extent possible and consistent with the effective conduct of the investigation the economic operators under investigation that are involved in the steps of the value chain as close as possible to where the likely risk of forced labour occurs and take into account the size and economic resources of the economic operators, the quantity of products concerned, as well as the scale of suspected forced labour.</p>	<p>(25³²) Competent authorities, when requesting information during the investigation, should prioritise to the extent possible and consistent with the effective conduct of the investigation the economic operators under investigation that are involved in the steps of the valuesupply chain as close as possible to where the likely risk of forced labour occurs and take into account the size and economic resources of the economic operators, the quantity of products concerned, as well as the scale of suspected forced labour.</p>
R	34a	<p><u>(25a) The Commission should call upon external expertise to provide an indicative, non-exhaustive, verifiable and regularly updated database of forced labour risks in specific geographic areas or with respect to specific products including with regard to forced labour imposed by state authorities. The database should be based on independent and verifiable information, including reports from international organisations, in particular the International</u></p>	

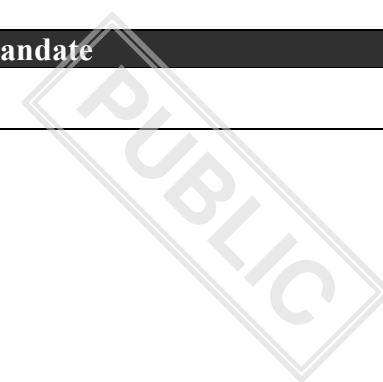
	Commission Proposal	EP Mandate	Council Mandate
		<u>Labour Organization, civil society, business organisations, social partners, and experience from implementing Union law setting out due diligence requirements with respect to forced labour. The database should include a list of all decisions of competent authorities, including information on the provision of remediation of forced labour cases that enabled the withdrawal of the ban.</u>	
R	34b	<u>(25b) Where there is clear, reliable and verifiable evidence that products produced in specific economic sectors within specific geographic areas present a high risk of having been made with forced labour imposed by state authorities, those sectors in those areas should be identified in the database established under this Regulation. In order to facilitate for the competent authorities the investigations of cases where there is evidence of high risk of forced labour imposed by state authorities, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission to supplement this Regulation by determining specific economic sectors in specific geographic areas, where such risk occurs. For the products coming from those areas and those sectors, economic operators concerned should bear the burden of establishing that forced labour has not been used at any stage of extraction, harvest, production, or manufacture of a product, including working or processing related to the product.</u>	
Y	34c		<u>(32a) Mutual assistance shall include, in particular, exchange of information and the duty of the competent</u>

	Commission Proposal	EP Mandate	Council Mandate
			<u>authorities to inform other competent authorities, the network and the Commission about their intention to initiate an investigation.</u>
35	(26) Competent authorities should bear the burden of establishing that forced labour has been used at any stage of production, manufacture, harvest or extraction of a product, including working or processing related to the product on the basis of all information and evidence gathered during the investigation, including its preliminary phase. To ensure their right to due process, economic operators should have the opportunity to provide information in their defence to the competent authorities throughout the investigation.	(26) <u>In all cases other than those falling within the areas and sectors determined as high risk of forced labour imposed by state authorities,</u> competent authorities should bear the burden of establishing that forced labour has been used at any stage of production, manufacture, harvest or extraction of a product, including working or processing related to the product on the basis of all information and evidence gathered during the investigation, including its preliminary phase. To ensure their right to due process, economic operators should have the opportunity to provide information in their defence to the competent authorities throughout the investigation.	(26 33) Competent authorities should bear the burden of establishing that forced labour has been used at any stage of production, manufacture, harvest or extraction of a product, including working or processing related to the product on the basis of all information and evidence gathered during the investigation, including its preliminary phase. To ensure their right to due process, economic operators should have the opportunity to provide information in their defence to the competent authorities throughout the investigation.
36	(27) Competent authorities that establish that economic operators violated the prohibition, should without delay prohibit the placing and making available of such products on the Union market and their export from the Union, and require the economic operators that have been investigated to withdraw the relevant products already made available from the Union market and have them	(27) <u>The Commission and</u> competent authorities that establish that economic operators violated the prohibition, should without delay prohibit the placing and making available of such products on the Union market and their export from the Union, and require the economic operators that have been investigated to withdraw the relevant products already made available from the Union market and <u>donate perishable products to charitable or public interest purposes. If such products are not perishable, economic operators should recycle those products, and if that is not possible, they should</u>	(27 34) Competent authorities that establish <u>Where the Commission establishes</u> that economic operators violated the prohibition, should without delay prohibit the placing and making available of such products on the Union market and their export from the Union, and require the economic operators that have been investigated to withdraw the relevant products <u>products concerned</u>

	Commission Proposal	EP Mandate	Council Mandate
	destroyed, rendered inoperable, or otherwise disposed of in accordance with national law consistent with Union law, including Union legislation on waste management.	<i><u>have the products</u></i> have them destroyed, rendered inoperable, or otherwise disposed of in accordance with national law consistent with Union law, including Union legislation on waste management. <i><u>The prohibition to place and make available the products on the Union market and to export them from the Union should only be lifted if economic operators are able to demonstrate that forced labour has been eradicated from the supply chain and forced labour cases have been remediated. The assessment of the fulfilment of such conditions should rest with the authority responsible for the decision. The prohibition and the subsequent withdrawal should concern the specific products identified in the decision.</u></i>	already made available from the Union market and have them destroyed, rendered inoperable, or otherwise disposed of in accordance with national law consistent with Union law, including Union legislation on waste management.
37	(28) In that decision, competent authorities should state the findings of the investigation, and the information underpinning the findings, and set a reasonable time within which the economic operators should comply with the decision, as well as information allowing for the identification of the product to which the decision applies. The Commission should be empowered to adopt the implementing acts necessary to specify the details about the information to be contained in such decisions.	(28) In that decision, <i><u>the Commission or</u></i> competent authorities should state the findings of the investigation, and the information underpinning the findings, and set a reasonable time within which the economic operators should comply with the decision, as well as information allowing for the identification of the product to which the decision applies. The Commission should be empowered to adopt the implementing acts necessary to specify the details about the information to be contained in such decisions. <i><u>The decisions from the Commission or competent authorities should be made publicly available.</u></i>	(28 <i>35</i>) In that decision, competent authorities <i>the Commission</i> should state the findings of the investigation, and the information underpinning the findings, and set a reasonable time within which the economic operators should comply with the decision, as well as information allowing for the identification of the product to which the decision applies. The Commission should be empowered to adopt the implementing acts necessary to specify the details about the information to be contained in such decisions.
38	(29) In setting a reasonable time to	(29) In setting a reasonable time to comply with the order, <i><u>the</u></i>	(29 <i>36</i>) In setting a reasonable time to

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	comply with the order, competent authorities should take into account the size and economic resources of the economic operators concerned.	<u>Commission and</u> competent authorities should take into account the size and economic resources of the economic operators concerned.	comply with the order, competent authorities <u>the Commission</u> should take into account the size and economic resources of the economic operators concerned.
R	38a (42) To ensure effective enforcement decisions taken by a competent authority in one Member State should be recognised and enforced by competent authorities in the other Member States regarding products with the same identification from the same supply chain for which forced labour has been found. Moved reference text		<i>deleted</i> Moved from row 51 [51 - 38a]
Y	38b (31) Economic operators should have the possibility to request a review of the decisions by the competent authorities, after having provided new information showing that it cannot be concluded that the relevant products have been made with forced labour. Competent authorities should withdraw their decision where they establish on the basis of that new information, that it cannot be established that the products have been made with forced labour.		(31 38) Economic operators should have the possibility to request a review of the decisions by the competent authorities <u>Commission</u> , after having provided new information showing that it cannot be concluded that the relevant products <u>products concerned</u> have been made with forced labour. Competent authorities <u>The Commission</u> should withdraw their <u>its</u> decision where they <u>it establishes</u> on the basis of that new information, that it cannot be

	Commission Proposal	EP Mandate	Council Mandate
	Moved reference text		established that the products have been made with forced labour. Moved from row 40 [40 - 38b]
39	(30) If the economic operators fail to comply with the decision of the competent authorities by the end of the established timeframe, the competent authorities should ensure that the relevant products are prohibited from being placed or made available on the Union market, exported or withdrawn from the Union market and that any such products remaining with the relevant economic operators are destroyed, rendered inoperable, or otherwise disposed of in accordance with national law consistent with Union law, including Union legislation on waste management at the expense of the economic operators.	(30) If the economic operators fail to comply with the decision of the <u>Commission or the</u> competent authorities by the end of the established timeframe, the <u>Commission or the</u> competent authorities should ensure that the relevant products are prohibited from being placed or made available on the Union market, exported or withdrawn from the Union market and that any such products remaining with the relevant economic operators are <u>donated to charitable or public interest purposes, in case they are perishable. If such products are not perishable, economic operators should recycle those products, and if that is not possible, they should have the products</u> destroyed, rendered inoperable, or otherwise disposed of in accordance with national law consistent with Union law, including Union legislation on waste management at the expense of the economic operators.	(30) ³⁹ If the economic operators fail to comply with the decision of the competent authorities <u>Commission</u> by the end of the established timeframe, the competent authorities should ensure that the relevant products <u>concerned</u> are prohibited from being placed or made available on the Union market, exported or withdrawn from the Union market and that any such products remaining with the relevant economic operators are destroyed, rendered inoperable, or otherwise disposed of in accordance with national law consistent with Union law, including Union legislation on waste management <u>and on ecodesign for sustainable products</u> at the expense of the economic operators. <u>Products deemed valuable for charitable or public interest, such as medical products, should in priority be donated. Where possible, competent authorities should ensure that the disposal or destruction method chosen has the smallest environmental impact possible of all the available options.</u>



	Commission Proposal	EP Mandate	Council Mandate
Y	39a		<p><u>(39a) The effect on animal welfare should be considered when enforcing the prohibition of the placing and making available of products made using forced labour in order to spare the animals concerned any avoidable pain, distress or suffering. In addition, this Regulation should be without prejudice to the legislation regarding animal welfare, such as Council Regulations (EC) No 1/2005¹ and (EC) No 1099/2009².</u></p> <p><u>1. Council Regulation (EC) No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations and amending Directives 64/432/EEC and 93/119/EC and Regulation (EC) No 1255/97, OJ L 3, 5.1.2005, p. 1–44.</u></p> <p><u>2. Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing, OJ L 303, 18.11.2009, p. 1–30.</u></p>
Y	39b		<p><u>(39b) Enforcement of the decisions, adopted by the Commission, lies within the Member States. After the decisions are communicated to the Member States, all competent authorities concerned with the specific decision shall proceed with enforcement</u></p>

	Commission Proposal	EP Mandate	Council Mandate
			<u>actions, foreseen in the Regulation.</u>
40	(31) Economic operators should have the possibility to request a review of the decisions by the competent authorities, after having provided new information showing that it cannot be concluded that the relevant products have been made with forced labour. Competent authorities should withdraw their decision where they establish on the basis of that new information, that it cannot be established that the products have been made with forced labour.	(31) Economic operators should have the possibility to request an administrative review of the decisions by the competent authorities <u>and by the Commission</u> , after having provided new <u>substantial</u> information showing that it cannot be concluded that the relevant products have been made with forced labour. Competent authorities <u>and the Commission</u> should withdraw their decision where they establish on the basis of that new information, that it cannot be established that the products have been made with forced labour. <u>The decisions adopted by the Commission under this Regulation are subject to review by the Court of Justice in accordance with Article 263 TFEU.</u>	Moved to row 38b [40 - 38b]
41	(32) Any person, whether it is a natural or legal person, or any association not having legal personality, should be allowed to submit information to the competent authorities when it considers that products made with forced labour are placed and made available on the Union market and to be informed of the outcome of the assessment of their submission.	(32) Any person, whether it is a natural or legal person, or any association not having legal personality, should be allowed to submit information to the competent authorities when it considers that products made with forced labour are placed and made available on the Union market and to be informed of the outcome of the assessment of their submission. <u>Submissions should be addressed to one or more competent authorities. Adequate protection measures should be put in place to ensure the safety of any person associated with the submission or the information contained within it, including from retaliation and reprisals. Where necessary, those protection measures could go beyond the provisions in Directive (EU) 2019/1937. To ensure ease of use for the submission of information and the standardisation of the information provided, the Commission should set up a</u>	Moved to row 32g [41 - 32g]

	Commission Proposal	EP Mandate	Council Mandate
		<u><i>mechanism for the submission of information, such as a designated webportal at the Union level, available in all official languages of the institutions of the Union, and free of charge, and ensure that it is user-friendly and easily accessible, including for persons with disabilities.</i></u>	
42	(33) The Commission should issue guidelines in order to facilitate the implementation of the prohibition by economic operators and competent authorities. Such guidelines should include guidance on due diligence in relation to forced labour and complementary information for the competent authorities to implement the prohibition. The guidance on due diligence in relation to forced labour should build on the Guidance on due diligence for Union businesses to address the risk of forced labour in their operations and supply chains published by the Commission and the European External Action Service in July 2021. The guidelines should be consistent with other Commission guidelines in this regard and relevant international organisations' guidelines. The reports from international organisations, in particular the ILO, as well as other independent and verifiable sources of information should be considered for the identification of risk indicators.	(33) The Commission should issue <u><i>detailed</i></u> guidelines in order to facilitate the implementation of the prohibition by economic operators and competent authorities. Such guidelines should include guidance on due diligence in relation to forced labour, <u><i>in particular for all economic operators that fall outside the scope of the [Directive 20XX/XX/EU on Corporate Sustainability Due Diligence], since they will not have to comply with any mandatory due diligence obligations,</i></u> and complementary information for the competent authorities to implement the prohibition. The guidance <u><i>for economic operators outside the scope of [CSDD] should focus in particular on compliance in cases where these economic operators are faced with a reversed burden of proof as a consequence of delegated acts adopted by the Commission of forced labour imposed by state authorities.</i></u> <u><i>The guidance</i></u> on due diligence in relation to forced labour should build on the Guidance on due diligence for Union businesses to address the risk of forced labour in their operations and supply chains published by the Commission and the European External Action Service in July 2021. The guidelines should be consistent with other Commission guidelines in this regard and relevant international organisations' guidelines. <u><i>The guidelines should provide tailored recommendations for different sectors of activity, taking into account specificities of the activities and the respective supply chains.</i></u> The reports from international	Moved to row 32d [42 - 32d]

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		organisations, in particular the ILO, as well as other independent and verifiable sources of information should be considered for the identification of risk indicators.	
43	<p>(34) Decisions of the competent authorities establishing a violation of the prohibition should be communicated to customs authorities, who should aim at identifying the product concerned amongst products declared for release for free circulation or export. The competent authorities should be responsible for the overall enforcement of the prohibition with regard to the internal market as well as products entering or leaving the Union market. Since forced labour is part of the manufacturing process and does not leave any trace on the product, and Regulation (EU) 2019/1020 covers only manufactured products and its scope is limited to release for free circulation, the customs authorities would be unable to act autonomously under Regulation (EU) 2019/1020 for the application and enforcement of the prohibition. The specific organisation of controls of each Member State should be without prejudice to Regulation (EU) No 952/2013 of the European Parliament and of the Council¹ and its general provisions on the control and</p>	<p>(34) Decisions of the <u>Commission or the</u> competent authorities establishing a violation of the prohibition should be communicated to customs authorities, who should aim at identifying the product concerned amongst products declared for release for free circulation or export. The <u>Commission and Member States should ensure that the customs authorities have sufficient resources to carry out these controls. The Commission and the</u> competent authorities should be responsible for the overall enforcement of the prohibition with regard to the internal market as well as products entering or leaving the Union market. Since forced labour is part of the manufacturing process and does not leave any trace on the product, and Regulation (EU) 2019/1020 covers only manufactured products and its scope is limited to release for free circulation, the customs authorities would be unable to act autonomously under Regulation (EU) 2019/1020 for the application and enforcement of the prohibition. The specific organisation of controls of each Member State should be without prejudice to Regulation (EU) No 952/2013 of the European Parliament and of the Council³² and its general provisions on the control and supervisory powers of customs authorities.</p> <p>³² <u>Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (recast) (OJ L 269, 10.10.2013, p. 1).</u></p>	<p>(34) Decisions of the competent authorities <u>Commission</u> establishing a violation of the prohibition should be communicated to customs authorities, who should aim at identifying the product concerned amongst products declared for release for free circulation or export. The competent authorities should be responsible for the overall enforcement of the prohibition with regard to the internal market as well as products entering or leaving the Union market. Since forced labour is part of the manufacturing process and does not leave any trace on the product, and Regulation (EU) 2019/1020 covers only <u>the</u> manufactured products <u>covered by the Union legislations listed in that Regulation</u> and its scope is limited to release for free circulation, the customs authorities would be unable to act autonomously under Regulation (EU) 2019/1020 for the application and enforcement of the prohibition. The specific organisation of controls of each Member State should be without prejudice to Regulation (EU) No 952/2013 of the European Parliament</p>

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	<p>supervisory powers of customs authorities.</p> <p>1. Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (recast) (OJ L 269, 10.10.2013, p. 1).</p>	<p>1. Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (recast) (OJ L 269, 10.10.2013, p. 1).</p>	<p>and of the Council¹ and its general provisions on the control and supervisory powers of customs authorities:</p> <p>1. Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (recast) (OJ L 269, 10.10.2013, p. 1).</p>
44	<p>(35) The information currently made available to customs authorities by economic operators includes only general information on the products but lacks information on the manufacturer or producer and product suppliers as well as specific information on products. In order for customs authorities to be able to identify products entering or leaving the Union market that may violate the Regulation and should accordingly be stopped at the EU external borders, economic operators should submit to customs authorities information allowing matching a decision of the competent authorities with the product concerned. This should include information on the manufacturer or producer and the product suppliers as well as any other information on the product itself. To this end, the Commission should be empowered to adopt delegated acts</p>	<p>(35) The information currently made available to customs authorities by economic operators includes only general information on the products but lacks information on the manufacturer or producer and product suppliers as well as specific information on products. In order for customs authorities to be able to identify products entering or leaving the Union market that may violate the Regulation and should accordingly be stopped at the EU external borders, economic operators should submit to customs authorities information allowing matching a decision of the <u>Commission or the</u> competent authorities with the product concerned. This should include information on the manufacturer or producer and the product suppliers as well as any other information on the product itself. To this end, the Commission should be empowered to adopt delegated acts identifying the products for which such information should be provided using, amongst others, the database established under this Regulation as well as the information and decisions of the competent authorities encoded in the information and communication system set out in Article 34 of Regulation (EU) 2019/1020 ('ICSMS'). Moreover, the Commission should be empowered to adopt, the implementing acts necessary to specify the details of the</p>	<p>(35)⁴¹ The information currently <u>provided or</u> made available to customs authorities by economic operators includes only general information on the products but lacks information on the manufacturer or producer and product suppliers as well as specific information on products. In order for customs authorities to be able to identify products entering or leaving the Union market that may violate the Regulation and should accordingly be stopped at the EU external borders, economic operators should submit to customs authorities information allowing matching a decision of the competent authorities with the product concerned. This should include information on the manufacturer or producer and the product suppliers as well as any other information on the product itself. To this end, the Commission should be empowered to</p>

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	<p>identifying the products for which such information should be provided using, amongst others, the database established under this Regulation as well as the information and decisions of the competent authorities encoded in the information and communication system set out in Article 34 of Regulation (EU) 2019/1020 ('ICSMS'). Moreover, the Commission should be empowered to adopt, the implementing acts necessary to specify the details of the information to be made available to customs by the economic operators. This information should include the description, name or brand of the product, specific requirements under Union legislation for the identification of the product (such as a type, reference, model, batch or serial number affixed on the product, or provided on the packaging or in a document accompanying the product, or unique identifier of the digital product passport) as well as details on the manufacturer or producer and the product suppliers, including for each of them their name, trade name or registered trademark, their contact details, their unique identification number in the country they are established and, where available, their Economic Operators Registration and Identification (EORI) number. The</p>	<p>information to be made available to customs by the economic operators. This information should include the description, name or brand of the product, specific requirements under Union legislation for the identification of the product (such as a type, reference, model, batch or serial number affixed on the product, or provided on the packaging or in a document accompanying the product, or unique identifier of the digital product passport) as well as details on the manufacturer or producer and the product suppliers, including for each of them their name, trade name or registered trademark, their contact details, their unique identification number in the country they are established and, where available, their Economic Operators Registration and Identification (EORI) number. The review of the Union Customs Code will consider introducing in the customs legislation the information required to be made available to customs by the economic operators for the enforcement of this Regulation and more broadly to strengthen the transparency of the supply chain. <u><i>The Commission should issue guidance and support to economic operators, especially SMEs, on how to collect the required information.</i></u></p>	<p>adopt delegated acts identifying the products for which such information should be provided using, amongst others, the database established under this Regulation as well as the information and decisions of the competent authorities <u>Commission</u> encoded in the information and communication system set out in Article 34 of Regulation (EU) 2019/1020 ('ICSMS'). Moreover, the Commission should be empowered to adopt, the <u>adopt</u> implementing acts necessary to specify the details of the information to be <u>provided or</u> made available to customs by the economic operators. This information should include the description, name or brand of the product, specific requirements under Union legislation for the identification of the product (such as a type, reference, model, batch or serial number affixed on the product, or provided on the packaging or in a document accompanying the product, or unique identifier of the digital product passport) as well as details on the manufacturer or producer and the product suppliers, including for each of them their name, trade name or registered trademark, their contact details, their unique identification number in the country they are established and, where available,</p>

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	review of the Union Customs Code will consider introducing in the customs legislation the information required to be made available to customs by the economic operators for the enforcement of this Regulation and more broadly to strengthen the transparency of the supply chain.		their Economic Operators Registration and Identification (EORI) number. The review of the Union Customs Code will consider introducing in the customs legislation the information required to be <u>provided or</u> made available to customs by the economic operators for the enforcement of this Regulation and more broadly to strengthen the transparency of the supply chain.
45	(36) Customs authorities that identify a product that may be covered by a decision communicated by competent authorities establishing a violation of the prohibition should suspend the release of that product and notify the competent authorities immediately. Competent authorities should reach a conclusion within a reasonable timeframe on the case notified to them by the customs authorities, either by confirming or by denying that the product concerned is covered by a decision. Where necessary the competent authorities should be authorised to require maintaining the suspension of its release. In the absence of a conclusion by competent authorities within the specified time limit, customs authorities should release the products if all other applicable requirements and formalities are fulfilled. Generally, the	(36) Customs authorities that identify a product that may be covered by a decision communicated by <u>the Commission or</u> competent authorities establishing a violation of the prohibition should suspend the release of that product and notify the competent authorities immediately. <u>The Commission or the</u> competent authorities should reach a conclusion within a reasonable timeframe on the case notified to them by the customs authorities, either by confirming or by denying that the product concerned is covered by a decision. Where necessary <u>and duly justified, the Commission or</u> the competent authorities should be authorised to require maintaining the suspension of its release, <u>taking into account the potential damage for the economic operator</u> . In the absence of a conclusion by competent authorities within the specified time limit, customs authorities should release the products if all other applicable requirements and formalities are fulfilled. Generally, the release for free circulation or export should also not be deemed to be proof of compliance with Union law, since such a release does not necessarily include a complete control of such compliance.	(36 <u>42</u>) Customs authorities that identify a product that may be covered by a <u>Commission</u> decision communicated by to competent authorities establishing a violation of the prohibition should suspend the release of that product and notify the competent authorities immediately. Competent authorities should reach a conclusion within a reasonable timeframe on the case notified to them by the customs authorities, either by confirming or by denying that the product concerned is covered by a <u>Commission</u> decision. Where necessary the competent authorities should be authorised to require maintaining the suspension of its release. In the absence of a conclusion by competent authorities within the specified time limit, customs authorities should release the products if all other

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	release for free circulation or export should also not be deemed to be proof of compliance with Union law, since such a release does not necessarily include a complete control of such compliance.		applicable requirements and formalities are fulfilled. Generally, the release for free circulation or export should also not be deemed to be proof of compliance with Union law, since such a release does not necessarily include a complete control of such compliance.
Y 46	(37) Where the competent authorities conclude that a product corresponds to a decision establishing a violation of the prohibition, they should immediately inform customs authorities which should refuse its release for free circulation or export. The product should be destroyed, rendered inoperable, or otherwise disposed of in accordance with national law consistent with Union law, including legislation on waste management, which excludes re-export in case of non-Union goods.	(37) Where the <u>Commission or the</u> competent authorities conclude that a product corresponds to a decision establishing a violation of the prohibition, they should immediately inform customs authorities which should refuse its release for free circulation or export. The product <u>should be donated to charitable or public interest purposes if it is perishable. If such products are not perishable, they should be recycled, and if that is not possible, they</u> should be destroyed, rendered inoperable, or otherwise disposed of in accordance with national law consistent with Union law, including legislation on waste management, which excludes re-export in case of non-Union goods.	(37) ⁴³ Where the competent authorities conclude that a product corresponds to a <u>Commission</u> decision establishing a violation of the prohibition, they should immediately inform customs authorities which should refuse its release for free circulation or export. The product should be destroyed, rendered inoperable, or otherwise disposed of in accordance with national law consistent with Union law, including legislation on waste management <u>and on ecodesign</u> , which excludes re-export in case of non-Union goods.
Y 46a		<u>(37a) The Commission should take into due consideration the risk of disengagement by economic operators who are either related to products or regions in the database, or who have had their product removed from the Union market, as well as the consequences on affected workers. The Commission should therefore, where appropriate, support economic operators in adopting and carrying out measures</u>	

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		<u><i>suitable and effective for bringing forced labour to an end. Responsible disengagement entails, as a minimum, complying with collective agreements and articulating escalation measures.</i></u>	
47	(38) The conditions applicable to products during the suspension of their release for free circulation or export, including their storage or destruction and disposal of in case of a refusal of release for circulation, should be determined by customs authorities, where applicable pursuant to Regulation (EU) No 952/2013. Should products entering the Union market require further processing, they are to be placed under the appropriate customs procedure allowing such processing in accordance with Articles 220, 254, 256, 257 and 258 of Regulation (EU) No 952/2013.	(38) The conditions applicable to products during the suspension of their release for free circulation or export, including their storage or destruction and disposal of in case of a refusal of release for circulation, should be determined by customs authorities, where applicable pursuant to Regulation (EU) No 952/2013. Should products entering the Union market require further processing, they are to be placed under the appropriate customs procedure allowing such processing in accordance with Articles 220, 254, 256, 257 and 258 of Regulation (EU) No 952/2013.	(38) (44) The conditions applicable to products during the suspension of their release for free circulation or export, including their storage or destruction and disposal of in case of a refusal of release for circulation, should be determined by customs authorities, where applicable pursuant to Regulation (EU) No 952/2013. Should products entering the Union market require further processing, they are to be placed under the appropriate customs procedure allowing such processing in accordance with Articles 220, 254, 256, 257 and 258 of Regulation (EU) No 952/2013.
47a	(43) Where, for the prohibition, it is necessary to process personal data, such processing should be carried out in accordance with Union law on the protection of personal data. Any processing of personal data under the prohibition should be subject to Regulation (EU) 2016/679 of the European Parliament and of the Council ¹		(43) (45) Where, for the prohibition, it is necessary to process personal data, such processing should be carried out in accordance with Union law on the protection of personal data. Any processing of personal data under the prohibition should be subject to Regulation (EU) 2016/679 of the European Parliament and of the Council ¹

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	<p>and Regulation (EU) 2018/1725 of the European Parliament and of the Council².</p> <p>1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p. 1.</p> <p>2. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39.</p> <p>Moved reference text</p>		<p>and Regulation (EU) 2018/1725 of the European Parliament and of the Council².</p> <p>1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p. 1.</p> <p>2. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39.</p> <p>Moved from row 52 [52 - 47a]</p>
47b	<p>(46) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the</p>		<p>(46) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the</p>

	Commission Proposal	EP Mandate	Council Mandate
	<p>Member States of the Commission's exercise of implementing powers, OJ L 55, 28.2.2011, p. 13.</p> <p>Moved reference text</p>		<p>Member States of the Commission's exercise of implementing powers, OJ L 55, 28.2.2011, p. 13.</p> <p>Moved from row 55 [55 - 47b]</p>
Y	<p>47c</p> <p>(47) In order to supplement or amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union (TFEU) should be delegated to the Commission. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.</p> <p>Moved reference text</p>		<p><i>deleted</i></p> <p>Moved from row 56 [56 - 47c]</p>
R	<p>47d</p> <p>(48) In order to ensure that the customs authorities are provided with all the necessary information about the product to act effectively, including the information identifying the relevant</p>		<p>(48) In order to ensure that the customs authorities are provided with all the necessary information about the product to act effectively, including the <u>able to act effectively the power to adopt acts in</u></p>

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	<p>product, information about the manufacturer or the producer and information about the product suppliers as regards products entering or leaving the Union market, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission. Customs authorities need to be enabled to obtain information rapidly on specific products, identified in the decisions of the competent authorities in order to take actions and measures effectively and swiftly. In such cases, delegated acts should be adopted in an urgent procedure.</p> <p>Moved reference text</p>		<p><u>accordance with Article 290 TFEU should be delegated to the Commission in respect of further specifying the additional</u> information identifying the relevant product, <u>concerned</u> (information about the manufacturer or the producer and information about the product suppliers as regards products entering or leaving the Union market, the power to adopt acts in accordance with Article 290 TFEU should be delegated) <u>that economic operators should make available or provide</u> to the Commission <u>customs authorities</u>.</p> <p>Customs authorities need to be enabled to obtain information rapidly on specific products, identified in the decisions of the competent authorities in order to take actions and measures effectively and swiftly. In such cases, delegated acts should be adopted in an urgent procedure.</p> <p>Moved from row 57 [57 - 47d]</p>
48	<p>(39) A uniform enforcement of the prohibition as regards products entering or leaving the Union market can only be achieved through systematic exchange of information and cooperation amongst competent authorities, customs</p>	<p>(39) A uniform enforcement of the prohibition as regards products entering or leaving the Union market can only be achieved through systematic exchange of information and cooperation amongst competent authorities, customs authorities and the Commission. <u>This cooperation should be coordinated by the Commission.</u></p>	<p>Moved to row 26h [48 - 26h]</p>

	Commission Proposal	EP Mandate	Council Mandate
	authorities and the Commission.		
49	(40) For the collection, processing and storage of information, in a structured form, on issues relating to the enforcement of the prohibition, the competent authorities should use ICSMS. The Commission, competent authorities and customs authorities should have access to that system to carry out their respective duties under this Regulation.	(40) For the collection, processing and storage of information, in a structured form, on issues relating to the enforcement of the prohibition, the competent authorities should use ICSMS. The Commission, competent authorities and customs authorities should have access to that system to carry out their respective duties under this Regulation.	Moved to row 26i [49 - 26i]
50	(41) In order to optimise and unburden the control process of products entering or leaving the Union market, it is necessary to allow for an automated data transfer between the ICSMS and customs systems. Three different data transfers should be distinguished in view of their respective purposes. Firstly, decisions establishing a violation of the prohibition should be communicated from the ICSMS to the Electronic Customs Risk Management System (CRMS) referred to in Article 36 of Commission Implementing Regulation (EU) 2015/2447 ¹ , without prejudice to any future evolution of the customs risk management environment, for use by	(41) In order to optimise and unburden the control process of products entering or leaving the Union market, it is necessary to allow for an automated data transfer between the ICSMS and customs systems. Three different data transfers should be distinguished in view of their respective purposes. Firstly, decisions establishing a violation of the prohibition should be communicated from the ICSMS to the Electronic Customs Risk Management System (CRMS) referred to in Article 36 of Commission Implementing Regulation (EU) 2015/2447 ¹ , without prejudice to any future evolution of the customs risk management environment, for use by customs authorities to identify products that may correspond to such a decision. The available interfaces of the customs environment should be used for those first data transfers. Secondly, where customs authorities identify such a product, case management will be necessary to, among others, transfer the notification of the suspension, the conclusion of competent authorities and the	Moved to row 26j [50 - 26j]

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	<p>customs authorities to identify products that may correspond to such a decision. The available interfaces of the customs environment should be used for those first data transfers. Secondly, where customs authorities identify such a product, case management will be necessary to, among others, transfer the notification of the suspension, the conclusion of competent authorities and the outcome of the actions taken by customs. The EU Single Window Environment for customs should support those second data transfers between ICSMS and national customs systems. Thirdly, customs systems contain information on products entering and leaving the Union market that would be relevant for competent authorities to carry out their duties but that is not accessible to them. The relevant information should therefore be extracted and transmitted to the ICSMS. The three interconnections should be highly automated and easy-to-use, so as to limit any additional burden for customs authorities. The Commission should be empowered to adopt, in cooperation with customs authorities and competent authorities, the implementing acts necessary to determine the procedural rules, practical arrangements and data elements to be transferred</p>	<p>outcome of the actions taken by customs. The EU Single Window Environment for customs should support those second data transfers between ICSMS and national customs systems. Thirdly, customs systems contain information on products entering and leaving the Union market that would be relevant for competent authorities to carry out their duties but that is not accessible to them. The relevant information should therefore be extracted and transmitted to the ICSMS. The three interconnections should be highly automated and easy-to-use, so as to limit any additional burden for customs authorities. The Commission should be empowered to adopt, in cooperation with customs authorities and competent authorities, the implementing acts necessary to determine the procedural rules, practical arrangements and data elements to be transferred between the ICSMS and customs systems and any other ancillary requirement.</p> <p>1. Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, OJ L 343, 29.12.2015, p. 558.</p>	

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	<p>between the ICSMS and customs systems and any other ancillary requirement.</p> <p>1. Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, OJ L 343, 29.12.2015, p. 558.</p>		
51	<p>(42) To ensure effective enforcement decisions taken by a competent authority in one Member State should be recognised and enforced by competent authorities in the other Member States regarding products with the same identification from the same supply chain for which forced labour has been found.</p>	<p>(42) To ensure effective enforcement decisions taken by a competent authority in one Member State should be recognised and enforced by competent authorities in the other Member States regarding products with the same identification from the same supply chain for which forced labour has been found.</p>	Moved to row 38a [51 - 38a]
51a		<p><u>(42a) Acknowledging current developments in traceability technology to facilitate monitoring of supply chains, the Commission should support economic operators in the uptake of such technology, including through financial and technical assistance.</u></p>	
52	<p>(43) Where, for the prohibition, it is</p>	<p>(43) Where, for the prohibition, it is necessary to process</p>	

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	<p>necessary to process personal data, such processing should be carried out in accordance with Union law on the protection of personal data. Any processing of personal data under the prohibition should be subject to Regulation (EU) 2016/679 of the European Parliament and of the Council¹ and Regulation (EU) 2018/1725 of the European Parliament and of the Council².</p> <p>1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p. 1.</p> <p>2. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39.</p>	<p>personal data, such processing should be carried out in accordance with Union law on the protection of personal data. Any processing of personal data under the prohibition should be subject to Regulation (EU) 2016/679 of the European Parliament and of the Council¹ and Regulation (EU) 2018/1725 of the European Parliament and of the Council².</p> <p>1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p. 1.</p> <p>2. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39.</p>	Moved to row 47a [52 - 47a]
53	<p>(44) To ensure effective enforcement of the prohibition, it is necessary to establish a network aimed at structured coordination and cooperation between the competent authorities of the Member States and, where appropriate, experts</p>	<p>(44) To ensure effective enforcement of the prohibition, it is necessary to establish a network, <u>coordinated by the Commission</u>, aimed at structured coordination and cooperation between the <u>Commission, the</u> competent authorities of the Member States and, where appropriate, experts from customs authorities, and the Commission. That network should also aim</p>	Moved to row 26f [53 - 26f]

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	from customs authorities, and the Commission. That network should also aim at streamlining the practices of the competent authorities within the Union that facilitate the implementation of joint enforcement activities by Member States, including joint investigations. That administrative support structure should allow the pooling of resources and maintain a communication and information system between Member States and the Commission, thereby helping to strengthen the enforcement of the prohibition.	at streamlining the practices of the competent authorities within the Union that facilitate the implementation of joint enforcement activities by Member States, including joint investigations, <u>facilitate capacity building activities, such as the organisation of training programmes for competent authorities and other relevant stakeholders, promote exchanges of personnel between competent authorities and, where appropriate, with the authorities of partner third countries or with international organisations, assist in the organisation of information campaigns and voluntary mutual visit programmes between competent authorities, involve and facilitate the diplomatic representations of the Union to assist in the information gathering efforts of this Regulation. The That administrative support structure to be provided by the Commission</u> should allow the pooling of resources and maintain a communication and information system between Member States and the Commission, thereby helping to strengthen the enforcement of the prohibition.	
53a		<u>(44a) The Commission should ensure the effective and uniform application of this Regulation and to that effect support and encourage cooperation between enforcement authorities through the Network.</u>	
54	(45) Since forced labour is a global problem and given the interlinkages of the global value chains, it is necessary to promote international cooperation against forced labour, which would also improve the efficiency of applying and	(45) Since forced labour is a global problem and given the interlinkages of the global value supply chains, it is necessary to promote international cooperation against forced labour, which would also improve the efficiency of applying and enforcing the prohibition. The Commission should as appropriately cooperate with and exchange information with	Moved to row 32e [54 - 32e]

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	<p>enforcing the prohibition. The Commission should as appropriately cooperate with and exchange information with authorities of third countries and international organisations to enhance the effective implementation of the prohibition. International cooperation with authorities of non-EU countries should take place in a structured way as part of the existing dialogue structures, for example Human Rights Dialogues with third countries, or, if necessary, specific ones that will be created on an ad hoc basis.</p>	<p>authorities of third countries and international organisations, <u>as well as with other actors</u>, to enhance the effective implementation of the prohibition. International cooperation with authorities of non-EU countries should take place in a structured way as part of the existing dialogue structures, for example Human Rights Dialogues with third countries, or, if necessary, specific ones that will be created on an ad hoc basis. <u>Existing dialogue structures with third countries include the (sub)committees on trade and sustainable development in trade agreements or the dialogue foreseen within the Generalised System of Preferences. The Commission should ensure coherence and synergies between relevant external policies, in particular development cooperation and projects focusing on the eradication of forced labour, and it should also foster the creation of enabling environments in third countries to promote and protect human rights, including capacity building to support workers and local communities in their efforts to root out forced labour from global supply chains. Additionally, the Commission should have regular contact and cooperation in particular with countries that have similar legislation in place, to share information of risk products or regions as well as best practices for bringing to an end forced labour. Union delegations should have an important role when it comes to disseminating information on this Regulation and should facilitate the possibility of third parties in third countries to provide information on the existence of forced labour on a determined product.</u></p>	
55	<p>(46) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those</p>	<p>(46) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011</p>	Moved to row 47b [55 - 47b]

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	<p>powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>¹ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers, OJ L 55, 28.2.2011, p. 13.</p>	<p>of the European Parliament and of the Council¹.</p> <p>¹ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers, OJ L 55, 28.2.2011, p. 13.</p>	
56	<p>(47) In order to supplement or amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union (TFEU) should be delegated to the Commission. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.</p>	<p>(47) In order to supplement or amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union (TFEU) should be delegated to the Commission. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.</p>	Moved to row 47c [56 - 47c]
57	<p>(48) In order to ensure that the customs</p>	<p>(48) In order to ensure that the customs authorities are</p>	

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	authorities are provided with all the necessary information about the product to act effectively, including the information identifying the relevant product, information about the manufacturer or the producer and information about the product suppliers as regards products entering or leaving the Union market, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission. Customs authorities need to be enabled to obtain information rapidly on specific products, identified in the decisions of the competent authorities in order to take actions and measures effectively and swiftly. In such cases, delegated acts should be adopted in an urgent procedure.	provided with all the necessary information about the product to act effectively, including the information identifying the relevant product, information about the manufacturer or the producer and information about the product suppliers as regards products entering or leaving the Union market, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission. Customs authorities need to be enabled to obtain information rapidly on specific products, identified in the decisions of the competent authorities in order to take actions and measures effectively and swiftly. In such cases, delegated acts should be adopted in an urgent procedure.	Moved to row 47d [57 - 47d]
57a		<u>(48a) In order to ensure that penalties are effective and fair and to prevent a distorted approach to penalties in the internal market, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission. The Commission should define the method for the calculation of financial penalties and the thresholds applicable, define where they are to be used, and specify mitigating and aggravating circumstances to guide Member States in designing their penalty regimes.</u>	
57b			

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		<p><u>(48b) The Commission should carry out an evaluation of this Regulation in light of the objective it pursues, and should submit a report thereon to the European Parliament, to the Council and to the European Economic and Social Committee. The report should assess whether this Regulation achieved its objectives, in particular with regard to reducing the number of products on the Union market made with forced labour, improving cooperation between competent authorities and strengthening the controls on products entering the Union market, the impact on business of administrative procedures, the cost of compliance, the impact on trade and on competitiveness of companies operating in the internal market, the alignment with other relevant Union law, the contribution to fight forced labour globally, and the overall cost-benefit and effectiveness.</u></p>	
58	<p>(49) Since the objective of this Regulation, namely, the prohibition, cannot be sufficiently achieved by the Member States but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.</p>	<p>(49) Since the objective of this Regulation, namely, the prohibition, cannot be sufficiently achieved by the Member States but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.</p>	<p>(49) Since the objective of this Regulation, namely, the prohibition, cannot be sufficiently achieved by the Member States but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.</p>

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Y	59 (50) In order to allow for the prompt application of the measures provided for in this Regulation, this Regulation should enter into force on the day following that of its publication in the Official Journal of the European Union,	(50) In order to allow for the prompt application of the measures provided for in this Regulation, this Regulation should enter into force on the day following that of its publication in the Official Journal of the European Union,	<i>deleted</i>
G	60 HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:
G	61 Chapter I General provisions	Chapter I General provisions	Chapter I General provisions
G	62 Article 1 Subject matter and scope	Article 1 Subject matter and scope	Article 1 Subject matter and scope
Y	63 1. This Regulation lays down rules prohibiting economic operators from placing and making available on the Union market or exporting from the Union market products made with forced labour.	1. This Regulation lays down rules prohibiting economic operators from placing and making available on the Union market or exporting from the Union market products made with forced labour, <u>and contributes to the fight against forced labour</u> .	1. <u>The purpose of</u> this Regulation lays down <u>is to contribute to the proper functioning of the internal market by laying down harmonised</u> rules prohibiting economic operators from placing and making available on the Union market or exporting from the Union market products made with forced labour.

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G	64	2. This Regulation shall not cover the withdrawal of products which have reached the end-users in the Union market.	2. This Regulation shall not cover the withdrawal of products which have reached the end-users in the Union market.	2. This Regulation shall not cover the withdrawal of products which have reached the end-users in the Union market.	G
Y	64a			<u><i>3. This Regulation shall not create additional due diligence obligations for economic operators besides those already provided by mandatory national or Union requirements, in particular national measures transposing [Directive 20XX/XX/EU of the European Parliament and of the Council on Corporate Sustainability Due Diligence].</i></u>	Y
G	65	Article 2 Definitions	Article 2 Definitions	Article 2 Definitions	G
G	66	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	For the purposes of this Regulation, the following definitions apply:	G
Y	67	(a) ‘forced labour’ means forced or	(a) ‘forced labour’ means forced or compulsory labour as	(a) ‘forced labour’ means forced or	Y

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	compulsory labour as defined in Article 2 of the Convention on Forced Labour, 1930 (No. 29) of the International Labour Organization, including forced child labour;	defined in <u>all work or service that is exacted from a person under the menace of a penalty and for which that person has not offered himself or herself voluntarily in accordance with</u> Article 2 of the Convention on Forced Labour, 1930 (No. 29) of the International Labour Organization, including forced child labour, <u>and can occur along the value chain</u> ;	compulsory labour, <u>including forced child labour</u> , as defined in Article 2 of the Convention on Forced Labour, 1930 (No. 29) of the International Labour Organization, including forced child labour ;
R 68	(b) ‘forced labour imposed by state authorities’ means the use of forced labour as described in Article 1 of the Convention on the Abolition of Forced Labour, 1957 (No. 105) of the International Labour Organization;	(b) ‘forced labour imposed by state authorities’ means the use of forced labour: <u>(i) as a means of political coercion or education or as a punishment for holding or expressing political views or opinions ideologically opposed to the established political, social or economic system;</u> <u>(ii) as a method of mobilising and using labour for purposes of economic development;</u> <u>(iii) as a means of labour discipline;</u> <u>(iv) as a punishment for having participated in strikes;</u> <u>(v) as a means of racial, social, national or religious discrimination;</u> <u>as listed</u> as described in Article 1 of the Convention on the Abolition of Forced Labour, 1957 (No. 105) of the International Labour Organization;	(b) ‘forced labour imposed by state authorities’ means the use of forced labour as described in Article 1 of the Convention on the Abolition of Forced Labour, 1957 (No. 105) of the International Labour Organization;
R 68a		<u>(ba) ‘remediation’ means both the process of providing remedy to victims of forced labour for a negative human rights impact and the substantive outcomes that can counteract, or make good, the negative impact of forced labour, such as public apologies, restitution, rehabilitation, compensation, contribution to investigations, and compliance with measures adopted by relevant public authorities, as well</u>	

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		<u>as prevention of additional harm;</u>	
69	(c) ‘due diligence in relation to forced labour’ means the efforts by economic operator to implement mandatory requirements, voluntary guidelines, recommendations or practices to identify, prevent, mitigate or bring to an end the use of forced labour with respect to products that are to be made available on the Union market or to be exported;	(c) ‘due diligence in relation to forced labour’ means the efforts by economic operator to implement mandatory requirements, voluntary guidelines, recommendations or practices to identify, prevent, mitigate or bring to an end the use of forced labour with respect to products that are to be made available on the Union market or to be exported;	(c) ‘due diligence in relation to forced labour’ means the efforts by economic operator to implement mandatory <u>national or EU</u> requirements, <u>in particular national measures transposing [Directive 20XX/XX/EU of the European Parliament and of the Council on Corporate Sustainability Due Diligence]</u> , voluntary guidelines, recommendations or practices to identify, prevent, mitigate or bring to an end the use of forced labour with respect to products that are <u>to be placed or</u> to be made available on the Union market or to be exported;
70	(d) ‘making available on the market’ means any supply of a product for distribution, consumption or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge and in the case where the product is offered for sale online or through other means of distance sales, the making available on the market is deemed to take place when the offer for sale is targeted at users in the Union;	(d) ‘making available on the market’ means any supply of a product for distribution, consumption or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge and in the case where the product is offered for sale online or through other means of distance sales, the making available on the market is deemed to take place when the offer for sale is targeted at users in the Union;	(d) ‘making available on the market’ means any supply of a product for distribution, consumption or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge and in the case where the product is offered for sale online or through other means of distance sales, the making available on the market is deemed to take place when the offer for sale is targeted at users in the Union;

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G	71	(e) 'placing on the market' means the first making available of a product on the Union market;	(e) 'placing on the market' means the first making available of a product on the Union market;
G	72	(f) 'product' means any product that can be valued in money and is capable, as such, of forming the subject of commercial transactions, whether it is extracted, harvested, produced or manufactured, including working or processing related to a product at any stage of its supply chain;	(f) 'product' means any product that can be valued in money and is capable, as such, of forming the subject of commercial transactions, whether it is extracted, harvested, produced or manufactured, including working or processing related to a product at any stage of its supply chain;
G	73	(g) 'product made with forced labour' means a product for which forced labour has been used in whole or in part at any stage of its extraction, harvest, production or manufacture, including working or processing related to a product at any stage of its supply chain;	(g) 'product made with forced labour' means a product for which forced labour has been used in whole or in part at any stage of its extraction, harvest, production or manufacture, including working or processing related to a product at any stage of its supply chain;
Y	73a	<u>(ga) 'supply chain' means the activities of the company's upstream business partners related to the extraction, harvest, production or manufacturing of a product, including working or processing related to the product at any stage of</u>	<u>(ga) 'supply chain' means the entire network of operators involved at all stages, upstream of the product being made available on the market, related</u>

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		<u>those activities;</u>	<u>to the extraction, harvesting, production, manufacturing and supply of a product or parts of the products to be incorporated in the final products to be made available;</u>
Y	74 (h) ‘economic operator’ means any natural or legal person or association of persons who is placing or making available products on the Union market or exporting products;	(h) ‘economic operator’ means any natural or legal person or association of persons who is placing or making available products on the Union market or exporting products;	(h) ‘economic operator’ means <u>the manufacturer, producer, product supplier, importer, exporter or</u> any natural or legal person or association of persons who is placing or making available products on the Union market or exporting products;
Y	75 (i) ‘manufacturer’ means the manufacturer of the product pursuant to the Union legislation applicable to that product;	(i) ‘manufacturer’ means the manufacturer of the product pursuant to the Union legislation applicable to that product;	(i) ‘manufacturer’ means the manufacturer of the <u>any natural or legal person who manufactures a</u> product pursuant to the Union legislation applicable to that product <u>or has a product designed or manufactured, and markets that products under its name or trademark;</u>
G	76 (j) ‘producer’ means the producer of agricultural products as referred to in Article 38(1) TFEU or of raw materials;	(j) ‘producer’ means the producer of agricultural products as referred to in Article 38(1) TFEU or of raw materials;	(j) ‘producer’ means the producer of agricultural products as referred to in Article 38(1) TFEU or of raw materials;

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77	(k) ‘product supplier’ means any natural or legal person or association of persons in the supply chain who extracts, harvests, produces or manufactures a product in whole or in part, or intervenes in the working or processing related to a product at any stage of its supply chain, whether as manufacturer or in any other circumstances;	(k) ‘product supplier’ means any natural or legal person or association of persons in the supply chain who extracts, harvests, produces or manufactures a product in whole or in part, or intervenes in the working or processing related to a product at any stage of its supply chain, whether as manufacturer or in any other circumstances;	(k) ‘product supplier’ means any natural or legal person or association of persons in the supply chain who extracts, harvests, produces or manufactures a product in whole or in part, or intervenes in the working or processing related to a product at any stage of its supply chain, whether as manufacturer or in any other circumstances;
77a			<u>(ka) ‘end user’ means any natural or legal person residing or established in the Union, to whom a product has been made available either as a consumer outside of any trade, business, craft or profession or as a professional end user in the course of its industrial or professional activities;</u>
78	(l) ‘importer’ means any natural or legal person or association of persons established within the Union who places a product from a third country on the Union market;	(l) ‘importer’ means any natural or legal person or association of persons established within the Union who places a product from a third country on the Union market;	(l) ‘importer’ means any natural or legal person or association of persons established within the Union who places a product from a third country on the Union market;
79	(m) ‘exporter’ means the exporter as defined in Article 1, point (19) of	(m) ‘exporter’ means the exporter as defined in Article 1, point (19) of Commission Delegated Regulation (EU)	(m) ‘exporter’ means the exporter as defined in Article 1, point (19) of

	Commission Proposal	EP Mandate	Council Mandate
	<p>Commission Delegated Regulation (EU) 2015/2446¹;</p> <p>1. Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code, OJ L 343, 29.12.2015, p. 1.</p>	<p>2015/2446¹;</p> <p>1. Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code, OJ L 343, 29.12.2015, p. 1.</p>	<p>Commission Delegated Regulation (EU) 2015/2446¹;</p> <p>1. Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code, OJ L 343, 29.12.2015, p. 1.</p>
G	79a	<p><u>(ma) 'end user' means any natural or legal person residing or established in the Union, to whom a product has been made available either as a consumer outside of any trade, business, craft or profession or as a professional end user in the course of his or her industrial or professional activities;</u></p>	
Y	80	<p>(n) 'substantiated concern' means a well-founded reason, based on objective and verifiable information, for the competent authorities to suspect that products were likely made with forced labour;</p>	<p>(n) 'substantiated concern' means a well-founded reason, <u>reasonable indication</u> based on objective and verifiable information, for the competent authorities to suspect that products were likely made with forced labour;</p>
Y	80a		<p><u>(na) 'Competent authority' means competent authority as designated pursuant to Article 5 of this Regulation;</u></p>

	Commission Proposal	EP Mandate	Council Mandate	
G	81 (o) ‘customs authorities’ means customs authorities as defined in Article 5, point (1), of Regulation (EU) No 952/2013;	(o) ‘customs authorities’ means customs authorities as defined in Article 5, point (1), of Regulation (EU) No 952/2013;	(o) ‘customs authorities’ means customs authorities as defined in Article 5, point (1), of Regulation (EU) No 952/2013;	G
Y	82 (p) ‘products entering the Union market’ means products from third countries intended to be placed on the Union market or intended for private use or consumption within the customs territory of the Union and placed under the customs procedure ‘release for free circulation’;	(p) ‘products entering the Union market’ means products from third countries intended to be placed on the Union market or intended for private use or consumption within the customs territory of the Union and placed under the customs procedure ‘release for free circulation’;	(p) ‘products entering the Union market’ means products from third countries intended to be placed on the Union market or intended for private use or consumption within the customs territory of the Union and <u>to be</u> placed under the customs procedure ‘release for free circulation’;	Y
Y	83 (q) ‘products leaving the Union market’ means products placed under the customs procedure ‘export’;	(q) ‘products leaving the Union market’ means products placed under the customs procedure ‘export’;	(q) ‘products leaving the Union market’ means products <u>to be</u> placed under the customs procedure ‘export’;	Y
G	84 (r) ‘release for free circulation’ means the procedure laid down in Article 201 of Regulation (EU) No 952/2013;	(r) ‘release for free circulation’ means the procedure laid down in Article 201 of Regulation (EU) No 952/2013;	(r) ‘release for free circulation’ means the procedure laid down in Article 201 of Regulation (EU) No 952/2013;	G
G	85 (s) ‘export’ means the procedure laid down in Article 269 of Regulation (EU) No 952/2013;	(s) ‘export’ means the procedure laid down in Article 269 of Regulation (EU) No 952/2013;	(s) ‘export’ means the procedure laid down in Article 269 of Regulation (EU) No 952/2013;	G

	Commission Proposal	EP Mandate	Council Mandate
86	(t) ‘EU Customs Single Window Certificates Exchange System’ or (EU CSW-CERTEX) means the system established by Article 4 of the [Regulation (EU) XX/20XX establishing the European Union Single Window Environment for Customs and amending Regulation (EU) No 952/2013 COM/2020/673 final];	(t) ‘EU Customs Single Window Certificates Exchange System’ or (EU CSW-CERTEX) means the system established by Article 4 of the [Regulation (EU) XX/20XX establishing the European Union Single Window Environment for Customs and amending Regulation (EU) No 952/2013 COM/2020/673 final];	(t) ‘EU Customs Single Window Certificates Exchange System’ or (EU CSW-CERTEX) means the system established by Article 4 of the Regulation (EU) XX/20XX 2022/2399 establishing the European Union Single Window Environment for Customs and amending Regulation (EU) No 952/2013 COM/2020/673 final ;
87	(u) “National single window environments for customs” means the national single window environments for customs as defined in point 9 of Article 2 of [Regulation (EU) XX/20XX of the European Parliament and of the Council] ¹ . 1. Regulation (EU) XX/20XX of the European Parliament and of the Council of ,OJ,	(u) “National single window environments for customs” means the national single window environments for customs as defined in point 9 of Article 2 of [Regulation (EU) XX/20XX of the European Parliament and of the Council] ¹ . 1. Regulation (EU) XX/20XX of the European Parliament and of the Council of ,OJ,	(u) “National single window environments for customs” means the national single window environments for customs as defined in point 9 of Article 2 of Regulation (EU) XX/20XX 2022/2399 of the European Parliament and of the Council ¹ . 1. Regulation (EU) XX/20XX 2022/2399 of the European Parliament and of the Council of OJ, 23 November 2022 establishing the European Union Single Window Environment for Customs and amending Regulation (EU) No 952/2013, OJ L 317, 9.12.2022, p.1.
88	Article 3 Prohibition of products made with forced labour	Article 3 Prohibition of products made with forced labour	Article 3 Prohibition of products made with forced labour

	Commission Proposal	EP Mandate	Council Mandate
G	89 Economic operators shall not place or make available on the Union market products that are made with forced labour, nor shall they export such products.	Economic operators shall not place or make available on the Union market products that are made with forced labour, nor shall they export such products.	Economic operators shall not place or make available on the Union market products that are made with forced labour, nor shall they export such products.
Y	89a		<u>Article 4</u> <u>Cases where the product is offered for distance sales</u>
Y	89b		<u>Products offered for sale online or through other means of distance sales shall be deemed to be made available on the market if the offer is targeted at end-users in the Union. An offer for sale shall be considered to be targeted at end-users in the Union if the relevant economic operator directs, by any means, its activities to one or more Member States.</u>
	90 Chapter II Investigations and decisions of competent authorities	Chapter II Investigations and decisions of competent authorities <u>and the Commission</u>	Chapter II deleted Investigations' Chapter moved to New Chapter III

	Commission Proposal	EP Mandate	Council Mandate
91	Article 4 Preliminary phase of investigations	Article 4 Preliminary phase of investigations	Article 4 <i>Preliminary phase of investigations</i> Preliminary phase of investigations moved to New Article 15
92	1. Competent authorities shall follow a risk-based approach in assessing the likelihood that economic operators violated Article 3. That assessment shall be based on all relevant information available to them, including the following information:	1. <i>The Commission and</i> competent authorities shall follow a risk-based approach in assessing the likelihood that economic operators violated Article 3. That assessment shall be based on all relevant <i>factual and verifiable</i> information available to them, including the following information:	Moved to row 180a [92 - 180a]
93	(a) submissions made by natural or legal persons or any association not having legal personality pursuant to Article 10;	(a) submissions made by natural or legal persons or any association not having legal personality pursuant to Article 10;	Moved to row 180c [93 - 180c]
94	(b) the risk indicators and other information pursuant to Article 23, points (b) and (c);	(b) the risk indicators and other information pursuant to Article 23, points (b) and (c) <i>point (b)</i> ;	Moved to row 180e [94 - 180e]
95	(c) the database referred to in Article 11;	(c) the database referred to in Article 11;	

	Commission Proposal	EP Mandate	Council Mandate
			Moved to row 180g [95 - 180g]
96	(d) information and decisions encoded in the information and communication system referred to in Article 22(1), including any past cases of compliance or non-compliance of an economic operator with Article 3;	(d) information and decisions encoded in the information and communication system referred to in Article 22(1), including any past cases of compliance or non-compliance of an economic operator with Article 3;	Moved to row 180i [96 - 180i]
97	(e) information requested by the competent authority from other relevant authorities, where necessary, on whether the economic operators under assessment are subject to and carry out due diligence in relation to forced labour in accordance with applicable Union legislation or Member States legislation setting out due diligence and transparency requirements with respect to forced labour.	(e) information requested by the <u>Commission or the</u> competent authority from other relevant authorities, where necessary, on whether the economic operators under assessment are subject to and carry out due diligence in relation to forced labour in accordance with applicable Union legislation or Member States legislation setting out due diligence and transparency requirements with respect to forced labour.	Moved to row 180j [97 - 180j]
97a		<u>(ea) any issues arising from meaningful consultations with relevant stakeholders.</u>	
98	2. In their assessment of the likelihood that economic operators violated Article	2. In their assessment of the likelihood that economic operators violated Article 3, <u>the Commission and</u> competent	Moved to row 188a [98 - 188a]

	Commission Proposal	EP Mandate	Council Mandate
	3, competent authorities shall focus on the economic operators involved in the steps of the value chain as close as possible to where the risk of forced labour is likely to occur and take into account the size and economic resources of the economic operators, the quantity of products concerned, as well as the scale of suspected forced labour.	authorities shall focus on the economic operators <u>and relevant product suppliers</u> involved in the steps of the value supply chain as close as possible to where the risk of forced labour is likely to occur and take into account the size and economic resources of the economic operators, the <u>share of forced labour component in the final product, the</u> quantity of products concerned, as well as the scale of suspected forced labour <u>and whether state-imposed forced labour could be a concern</u> .	
98a		<u>2a. The right of the economic operator to be heard shall be respected at all stages of the process.</u>	
99	3. Before initiating an investigation in accordance with Article 5(1), the competent authority shall request from the economic operators under assessment information on actions taken to identify, prevent, mitigate or bring to an end risks of forced labour in their operations and value chains with respect to the products under assessment, including on the basis of any of the following:	3. Before initiating an investigation in accordance with Article 5(1), the <u>Commission or the</u> competent authority shall request from the economic operators under assessment <u>and relevant product suppliers</u> information on actions taken to identify, prevent, mitigate or bring to an end risks of forced labour <u>and remediate forced labour cases</u> in their operations and value supply chains with respect to the products under assessment, including on the basis of any of the following:	Moved to row 188b [99 - 188b]
100	(a) applicable Union legislation or Member States legislation setting out due diligence and transparency	(a) applicable Union legislation or Member States legislation setting out due diligence and transparency requirements with respect to forced labour;	Moved to row 188c [100 - 188c]

	Commission Proposal	EP Mandate	Council Mandate
	requirements with respect to forced labour;		
101	(b) the guidelines issued by the Commission pursuant to Article 23, point (a);	(b) the guidelines issued by the Commission pursuant to Article 23, point (a);	Moved to row 188d [101 - 188d]
102	(c) due diligence guidelines or recommendations of the UN, ILO, OECD or other relevant international organisations;	(c) due diligence guidelines or recommendations of the UN, ILO, OECD or other relevant international organisations, <u>as well as of social partners, in particular those guidelines and recommendations relating to geographic areas, productions sites and economic activities in certain sectors, in specific areas with systematic and widespread forced labour practices</u> ;	Moved to row 188e [102 - 188e]
103	(d) any other due diligence in relation to forced labour.	(d) any other due diligence in relation to forced labour.	Moved to row 188f [103 - 188f]
103a		<u>The Commission and competent authorities may request information on those actions from other relevant stakeholders, including the persons or associations having submitted relevant information pursuant to Article 10 and any other stakeholder working on the products or regions related to the assessment, as well as from diplomatic representations of the Union in relevant third countries.</u>	

	Commission Proposal	EP Mandate	Council Mandate
103b		<u>3a. Notwithstanding paragraph 2a, the Commission and competent authorities may refrain from requesting information from the economic operator and relevant product suppliers if they have a well-founded reason to believe, based on objective information, that it represents a risk to the investigation.</u>	
104	4. Economic operators shall respond to the request of the competent authority referred to in paragraph 3 within 15 working days from the day they received such request. Economic operators may provide to competent authorities any other information they may deem useful for the purposes of this Article.	4. Economic operators <u>and relevant product suppliers</u> shall respond to the request of the <u>Commission or</u> competent authority referred to in paragraph 3 within 15 <u>30</u> working days from the day they received such request. Economic operators may provide to <u>the Commission or</u> competent authorities any other information they may deem useful for the purposes of this Article.	Moved to row 188g [104 - 188g]
105	5. Within 30 working days from the date of receipt of the information submitted by economic operators pursuant to paragraph 4, the competent authorities shall conclude the preliminary phase of their investigation as to whether there is a substantiated concern of violation of Article 3 on the basis of the assessment referred to in paragraph 1 and the information submitted by economic operators pursuant to paragraph 4.	5. Within 30 working days from the date of receipt of the information submitted by economic operators <u>and relevant product suppliers</u> pursuant to paragraph 4, the <u>Commission or the</u> competent authorities shall conclude the preliminary phase of their investigation as to whether there is a substantiated concern of violation of Article 3 on the basis of the assessment referred to in paragraph 1 and the information submitted by economic operators <u>and relevant product suppliers</u> pursuant to paragraph 4.	Moved to row 188h [105 - 188h]

	Commission Proposal	EP Mandate	Council Mandate
105a		<u>5a. Notwithstanding paragraph 5, the Commission or competent authorities may conclude that there is substantiated concern on the basis of any other facts available where it was not possible to gather information and evidence pursuant to paragraph 4, or where the competent authorities or the Commission have refrained from requesting information in accordance with paragraph 3a.</u>	
106	6. The competent authority shall duly take into account where the economic operator demonstrates that it carries out due diligence on the basis of identified forced labour impact in its supply chain, adopts and carries out measures suitable and effective for bringing to an end forced labour in a short period of time.	<i>deleted</i>	Moved to row 188i [106 - 188i]
107	7. Competent authorities shall not initiate an investigation pursuant to Article 5, and shall inform the economic operators under assessment accordingly, where, on the basis of the assessment referred to in paragraph 1 and the information submitted by economic operators pursuant to paragraph 4, the competent authorities consider that there is no substantiated concern of a violation of Article 3, for instance due to, but not limited to, the applicable legislation,	7. <u>The Commission or</u> competent authorities shall not initiate an investigation pursuant to Article 5, and shall inform the economic operators under assessment accordingly, where, on the basis of the assessment referred to in paragraph 1 and the information submitted by economic operators pursuant to paragraph 4, the <u>Commission or the</u> competent authorities consider that there is no substantiated concern of a violation of Article 3, <u>or that the reasons that motivated the existence of a substantiated concern have been eliminated</u> , for instance due to, but not limited to, the applicable legislation, guidelines, recommendations or any other due diligence in relation to forced labour referred to in paragraph 3 being applied in a way	Moved to row 188j [107 - 188j]

	Commission Proposal	EP Mandate	Council Mandate
	guidelines, recommendations or any other due diligence in relation to forced labour referred to in paragraph 3 being applied in a way that mitigates, prevents and brings to an end the risk of forced labour.	that mitigates, prevents and brings to an end the risk of forced labour.	
Y	107a		<u>Chapter II</u> <u>Governance</u>
Y	107b Article 12 Competent authorities Moved reference text		Article 12 ⁵ Competent authorities Moved from row 167 [167 - 107b]
Y	107c 1. Member States shall designate one or more competent authorities responsible for carrying out the obligations set out in this Regulation. Designated Member State competent authorities shall be responsible for ensuring the effective and uniform implementation of this Regulation throughout the Union. Moved reference text		1. Member States shall designate one or more competent authorities responsible for carrying out the obligations set out in this Regulation. Designated Member State ^{These} competent authorities shall be responsible for ensuring the work in <u>close cooperation with the Commission to ensure an</u> effective and uniform implementation of this Regulation throughout the Union. Moved from row 168 [168 - 107c]

	Commission Proposal	EP Mandate	Council Mandate
G	<p>107d</p> <p>2. Where Member States have designated more than one competent authority, they shall clearly demarcate the respective duties and establish communication and coordination mechanisms that enable those authorities to collaborate closely and exercise their duties effectively.</p> <p>Moved reference text</p>		<p>2. Where Member States have designated more than one competent authority, they shall clearly demarcate the respective duties and establish communication and coordination mechanisms that enable those authorities to collaborate closely and exercise their duties effectively.</p> <p>Moved from row 169 [169 - 107d]</p>
R	<p>107e</p> <p>3. No later than three months after the date of entry into force of this Regulation, Member States shall, through the information and communication system referred to in Article 22(1), provide the Commission and the other Member States with the following information:</p> <p>Moved reference text</p>		<p>3. No later than three<u>[OP enter DATE = 12]</u> months after the date of entry into force of this Regulation, Member States shall, through the information and communication system referred to in Article 22(1)<u>8(1)</u>, provide the Commission and the other Member States with the following information:</p> <p>Moved from row 170 [170 - 107e]</p>
G	<p>107f</p> <p>(a) the names, addresses and contact details of the designated competent authority or authorities;</p> <p>Moved reference text</p>		<p>(a) the names, addresses and contact details of the designated competent authority or authorities;</p> <p>Moved from row 171 [171 - 107f]</p>

	Commission Proposal	EP Mandate	Council Mandate
G	<div>107g</div> <div>(b) the areas of competence of the designated competent authority or authorities.</div> <div>Moved reference text</div>		<div>(b) the areas of competence of the designated competent authority or authorities.</div> <div>Moved from row 172 [172 - 107g]</div>
G	<div>107h</div> <div>Member States shall regularly update the information set out in points (a) and (b) of the first sub-paragraph of this paragraph.</div> <div>Moved reference text</div>		<div>Member States shall regularly update the information set out in points (a) and (b) of the first sub-paragraph of this paragraph.</div> <div>Moved from row 173 [173 - 107h]</div>
Y	<div>107i</div> <div>4. The Commission shall make the list of the designated competent authorities publicly available on its website and shall regularly update that list, based on the updates received from Member States.</div> <div>Moved reference text</div>		<div>4. The Commission shall make the list of the designated competent authorities publicly available on <u>the Forced Labour Single Portal referred to in Article 12</u> its website and shall regularly update that list, based on the updates received from Member States.</div> <div>Moved from row 174 [174 - 107i]</div>
Y	<div>107j</div> <div>5. Member States shall ensure that the designated competent authorities exercise their powers impartially,</div>		<div>5. Member States shall ensure that the designated competent <u>authority or</u> authorities exercise <u>its or</u> their powers</div>



	Commission Proposal	EP Mandate	Council Mandate
	<p>transparently and with due respect for obligations of professional secrecy. Member States shall ensure that their competent authorities have the necessary powers and resources to carry out the investigations, including sufficient budgetary and other resources and coordinate closely with the national labour inspections and judicial and law enforcement authorities, including those responsible for the fight against trafficking in human beings.</p> <p>Moved reference text</p>		<p>impartially, transparently and with due respect for obligations of professional secrecy. Member States shall ensure that their competent authorities have the necessary powers and resources to carry out the investigations, including sufficient budgetary and other resources and coordinate closely <u>and exchange information</u> with the <u>relevant</u> national <u>authorities such as the</u> labour inspections and judicial and law enforcement authorities, including those responsible for the fight against trafficking in human beings.</p> <p>Moved from row 175 [175 - 107j]</p>
y 107k			<p><u>6. Competent authorities may cooperate with other national authorities relevant for the implementation of this regulation, such as the authorities designated by the Member State under Directive (EU) [XXX/XXX] on Corporate Sustainability Due Diligence and Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law.</u></p>

	Commission Proposal	EP Mandate	Council Mandate
1071	<p>6. Member States shall confer on their competent authorities the power to impose penalties in accordance with Article 30.</p> <p>Moved reference text</p>		<p>67. Member States shall confer on their competent authorities the power to impose, <u>either directly, in cooperation with other authorities or by application to the competent judicial authorities</u>, penalties in accordance with Article 30<u>34</u>.</p> <p>Moved from row 176 [176 - 1071]</p>
108	Article 5 Investigations	Article 5 Investigations	<p><i>deleted</i></p> <p><i>Investigations Article moved to New Article 18</i></p>
109	1. Competent authorities that, pursuant to Article 4(5), determine that there is a substantiated concern of a violation of Article 3, shall decide to initiate an investigation on the products and economic operators concerned.	1. <u>The Commission or</u> competent authorities that, pursuant to Article 4(5) <u>or to the information contained in the delegated act referred to in Article 11a</u> , determine that there is a substantiated concern of a violation of Article 3, shall decide to initiate an investigation on the products and economic operators concerned.	<p><i>deleted</i></p> <p>Moved to row 195c [109 - 195c]</p>
110	2. Competent authorities that initiate an investigation pursuant to paragraph 1 shall inform the economic operators	2. <u>The Commission or</u> competent authorities that initiate an investigation pursuant to paragraph 1 shall inform the economic operators subject to the investigation, within 3 <u>2</u>	<i>deleted</i>

	Commission Proposal	EP Mandate	Council Mandate
	subject to the investigation, within 3 working days from the date of the decision to initiate such investigation about the following:	working days from the date of the decision to initiate such investigation about the following:	<i>Moved to row 203b [110 - 203b]</i>
111	(a) the initiation of the investigation and the possible consequences thereof;	(a) the initiation of the investigation and the possible consequences thereof;	<i>deleted</i> <i>Moved to row 203c [111 - 203c]</i>
112	(b) the products subject to the investigation;	(b) the products subject to the investigation;	<i>deleted</i> <i>Moved to row 203d [112 - 203d]</i>
113	(c) the reasons for the initiation of the investigation, unless it would jeopardise the outcome of the investigation;	(c) the reasons for the initiation of the investigation, unless it would jeopardise the outcome of the investigation;	<i>deleted</i> <i>Moved to row 203e [113 - 203e]</i>
114	(d) the possibility for the economic operators to submit any other document or information to the competent authority, and the date by which such information has to be submitted.	(d) the possibility for the economic operators to submit any other document or information to the competent authority <u>or the Commission</u> , and the date by which such information has to be submitted-;	<i>deleted</i> <i>Moved to row 203f [114 - 203f]</i>

	Commission Proposal	EP Mandate	Council Mandate
114a		<u>(da) the requirement for the economic operator to demonstrate that Article 3 has not been violated with regard to the products coming from the geographic areas and the economic sectors listed in the delegated act adopted pursuant to Article 11a.</u>	
115	3. Where requested to do so by competent authorities, economic operators under investigation shall submit to those competent authorities any information that is relevant and necessary for the investigation, including information identifying the products under investigation, the manufacturer or producer of those products and the product suppliers. In requesting such information, competent authorities shall to the extent possible:	3. Where requested to do so by <u>the Commission or</u> competent authorities, economic operators under investigation <u>and relevant product suppliers</u> shall submit to <u>the Commission or</u> those competent authorities any information that is relevant and necessary for the investigation, including information identifying the products under investigation, the manufacturer or producer of those products and the product suppliers. In requesting such information, <u>the Commission or</u> competent authorities shall to the extent possible:	<i>deleted</i> Moved to row 203g [115 - 203g]
116	(a) prioritise the economic operators under investigation involved in the steps of the value chain as close as possible to where the likely risk of forced labour occurs and	(a) <u>after identifying the individual responsibilities, along the supply chain, of different product suppliers down to the level where forced labour is taking place,</u> prioritise the economic operators under investigation <u>and relevant product suppliers</u> involved in the steps of the value <u>supply</u> chain as close as possible to where the <u>forced labour</u> likely risk <u>occurs and with the highest leverage to prevent, mitigate, bring to an end and remediate the use</u> of forced labour occurs , and	<i>deleted</i> Moved to row 203i [116 - 203i]

	Commission Proposal	EP Mandate	Council Mandate
117	(b) take into account the size and economic resources of the economic operators, the quantity of products concerned, as well as the scale of suspected forced labour.	(b) take into account the size and economic resources of the economic operators, <u>in particular whether the operator is an SME</u> , the quantity of products concerned, <u>the complexity of the supply chain</u> , as well as the scale of suspected forced labour.	deleted Moved to row 203j [117 - 203j]
118	4. Economic operators shall submit the information within 15 working days from the request referred to in paragraph 3 or make a justified request for an extension of that time limit.	4. Economic operators <u>and relevant product suppliers</u> shall submit the information within 15 <u>30</u> working days from the request referred to in paragraph 3 or make a justified request for an extension of that time limit.	deleted Moved to row 203k [118 - 203k]
119	5. When deciding on the time limits referred to in this Article, competent authorities shall consider the size and economic resources of the economic operators concerned.	5. When deciding on the time limits referred to in this Article, <u>the Commission and</u> competent authorities shall consider the size and economic resources of the economic operators concerned, <u>including whether the economic operator is an SME</u> .	deleted Moved to row 203l [119 - 203l]
120	6. Competent authorities may carry out all necessary checks and inspections including investigations in third countries, provided that the economic operators concerned give their consent and that the government of the Member State or third country in which the inspections are to take place has been officially notified and raises no	6. <u>The Commission and</u> competent authorities may carry out all necessary checks and inspections including investigations in third countries, provided that the economic operators concerned give their consent and that the government of the Member State or third country in which the inspections are to take place has been officially notified and raises no objection.	Moved to row 203n [120 - 203n]

	Commission Proposal	EP Mandate	Council Mandate
	objection.		
120a		<u>6a. The Commission and competent authorities may ask diplomatic representations of the Union in relevant third countries to provide information and support.</u>	
120b		<u>6b. The Commission and competent authorities may request relevant information from other stakeholders.</u>	
Y 120c	Article 24 Union Network Against Forced Labour Products Moved reference text		Article 24 6 Union Network Against Forced Labour Products Moved from row 240 [240 - 120c]
R 120d	1. A Union Network Against Forced Labour Products ('the Network') is established. The Network shall serve as a platform for structured coordination and cooperation between the competent authorities of the Member States and the Commission, and to streamline the practices of enforcement of this Regulation within the Union, thereby making enforcement more effective and coherent.		1. A Union Network Against Forced Labour Products ('the Network') is established. The Network shall serve as a platform for structured coordination and cooperation between the competent authorities of the Member States and the Commission, and to streamline the practices of enforcement of this Regulation within the Union, thereby making enforcement more effective and coherent.

	Commission Proposal	EP Mandate	Council Mandate
	Moved reference text		Moved from row 241 [241 - 120d]
Y	<p>120e</p> <p>2. The Network shall be composed of representatives from each Member States' competent authority, representatives from the Commission and, where appropriate, experts from the customs authorities.</p> <p>Moved reference text</p>		<p>2. The Network shall be composed of representatives<u>a representative</u> from each Member States' competent authority,<u>State and</u> representatives from the Commission. <u>On an ad hoc basis, Member State representatives may invite</u> -and, where appropriate, experts from the customs authorities <u>or other relevant Member State authorities. Where appropriate, external experts and stakeholders may be invited to participate in the meetings.</u></p> <p>Moved from row 242 [242 - 120e]</p>
Y	120f		<p><u>3. The Commission shall chair the Network and provide technical and logistical support to its members through an executive secretariat.</u></p>
Y	120g		<p><u>4. Members of the Network shall actively participate to ensure efficient coordination and cooperation, and contribute to uniform risk-based approaches and administrative</u></p>

		Commission Proposal	EP Mandate	Council Mandate	
				<u>practices for the implementation of this Regulation.</u>	
Y	120h	<p>3. The Network shall have the following tasks:</p> <p>Moved reference text</p>		<p>35. The Network shall have the following tasks:</p> <p>Moved from row 243 [243 - 120h]</p>	Y
Y	120i	<p>(a) facilitate the identification of common priorities for enforcement activities, to exchange information, expertise and best practices;</p> <p>Moved reference text</p>		<p>(a) facilitate the identification of common priorities for enforcement activities, to exchange information, expertise and best practices <u>to achieve the objective of prohibiting products made from forced labour on the Union market, providing guidance with a view to supporting the identification [by the Commission] of enforcement at Union level, thereby further contributing to the fight against forced labour;</u></p> <p>Moved from row 244 [244 - 120i]</p>	Y
Y	120j	<p>1. The Commission shall ensure efficient cooperation among the competent authorities of the Member States through facilitating and coordinating the exchange and collection of information and best practices with</p>		<p>1.(b) The Commission shall ensure efficient cooperation among the competent authorities of the Member States through facilitating and coordinating <u>facilitate and coordinate</u> the exchange and collection of</p>	Y

	Commission Proposal	EP Mandate	Council Mandate
	<p>regard to the application of this Regulation.</p> <p>Moved reference text</p>		<p>information and best practices with regard to the application of this Regulation.</p> <p>Moved from Article 13(1)</p> <p>Moved from row 178 [178 - 120j]</p>
Y	<p>120k</p> <p>(b) conduct joint investigations;</p> <p>Moved reference text</p>		<p>(b)(d) conduct joint <u>facilitate the coordination of</u> investigations <u>pursuant to Article 17, including the designation of the lead competent authority pursuant to Article 16;</u></p> <p>Moved from row 245 [245 - 120k]</p>
Y	<p>120l</p>		<p><u>(e) ensure the exchange of information and coordination between competent authorities and the Commission pursuant to Article 7;</u></p>
Y	<p>120m</p> <p>(c) facilitate capacity building activities and contribute to uniform risk-based approaches and administrative practices for the implementation of this Regulation in the Member States;</p>		<p><i>deleted</i></p> <p>Moved to point (h)</p> <p>Moved from row 246 [246 - 120m]</p>

	Commission Proposal	EP Mandate	Council Mandate
	Moved reference text		
Y	120n (d) contribute to the development of guidance to ensure the effective and uniform application of this Regulation; Moved reference text		deleted Moved from row 247 [247 - 120n]
Y	120o		<u>(g) facilitate the coordination between competent authorities for them to provide operational and technical assistance regarding the monitoring of information and communication systems referred to in Article 8,</u>
Y	120p		<u>(h) facilitate the organisation of training and capacity building activities for the competent authorities and customs authorities of the Member States;</u> Moved from Article 24(3)(c)
Y	120q		<u>(i) follow-up on the enforcement of decisions taken pursuant to Article 20;</u>

		Commission Proposal	EP Mandate	Council Mandate	
Y	120r	<p>(e) promote and facilitate collaboration to explore possibilities for using new technologies for the enforcement of this Regulation and the traceability of products;</p> <p>Moved reference text</p>		<p>(e)<u>(i)</u> promote and facilitate collaboration to explore possibilities for using new technologies for the enforcement of this Regulation and the traceability of products;</p> <p>Moved from row 248 [248 - 120r]</p>	Y
Y	120s			<p><u>(l) promote best practices in the application of penalties provided by Article 34;</u></p>	Y
Y	120t			<p><u>(m) cooperate, as appropriate, with other Union agencies or national authorities relevant for the implementation of this regulation, such as the authorities designated by the Member State under Directive (EU) [XXX/XXX] on Corporate Sustainability Due Diligence and Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law.</u></p>	Y
Y	120u	(f) to promote the cooperation and			Y

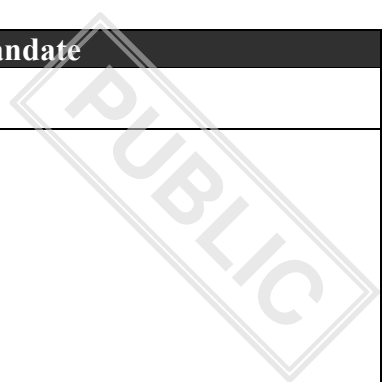
		Commission Proposal	EP Mandate	Council Mandate	
		exchange of expertise and best practices between competent authorities and customs authorities; Moved reference text		<i>deleted</i> Moved from row 249 [249 - 120u]	
Y	120v	4. The Commission shall support and encourage cooperation between enforcement authorities through the Network and participate in the meetings of the Network. Moved reference text		<i>deleted</i> Moved from row 250 [250 - 120v]	Y
Y	120w			<u>6. Upon request of the Commission, the Network may provide assistance in the following tasks:</u>	Y
Y	120x			<u>(b) be consulted and contribute to the development of guidance referred to in Article 11;</u>	Y
Y	120y			<u>(c) develop a coordinated approach to engage and cooperate with third countries pursuant to Article 13;</u>	Y

	Commission Proposal	EP Mandate	Council Mandate
120z	<p>5. The Network shall establish its rules of procedure.</p> <p>Moved reference text</p>		<p>57. The Network shall establish its rules of procedure.</p> <p>Moved from row 251 [251 - 120z]</p>
121	<p>Article 6</p> <p>Decisions of competent authorities</p>	<p>Article 6</p> <p>Decisions of competent authorities <u>and the Commission</u></p>	<p>Moved to row 212b [121 - 212b]</p>
122	<p>1. Competent authorities shall assess all information and evidence gathered pursuant to Articles 4 and 5 and, on that basis, establish whether Article 3 has been violated, within a reasonable period of time from the date they initiated the investigation pursuant to Article 5(1).</p>	<p>1. <u>The Commission or</u> competent authorities shall assess all information and evidence gathered pursuant to Articles 4 and 5 and, on that basis, establish whether Article 3 has been violated, within a reasonable period of time <u>90 working days</u> from the date they initiated the investigation pursuant to Article 5(1), <u>unless a duly justified request for the extension of the deadline in Article 5(4) was accepted.</u></p>	<p>Moved to row 212c [122 - 212c]</p>
123	<p>2. Notwithstanding paragraph 1, competent authorities may establish that Article 3 has been violated on the basis of any other facts available where it was not possible to gather information and evidence pursuant to Article 5(3) or (6).</p>	<p>2. Notwithstanding paragraph 1, <u>the Commission or</u> competent authorities may establish that Article 3 has been violated on the basis of any other facts available where it was not possible to gather information and evidence pursuant to <u>Article 4(3) and</u> Article 5(3) or (6).</p>	<p>Moved to row 212d [123 - 212d]</p>
123a		<p><u>2a. Notwithstanding paragraph 1, economic operators shall demonstrate that Article 3 has not been violated in cases</u></p>	

	Commission Proposal	EP Mandate	Council Mandate
		<u>concerning products coming from the geographic area and the economic sector listed in the delegated act adopted pursuant to Article 11a.</u>	
124	3. Where competent authorities cannot establish that Article 3 has been violated, they shall take a decision to close the investigation and inform the economic operator thereof.	3. Where <u>the Commission or</u> competent authorities cannot establish that Article 3 has been violated, they shall take a decision to close the investigation and inform the economic operator thereof. <u>The decision to close the investigation shall be without prejudice to the adoption of a new decision to open an investigation under Article 5(1), in the event that the Commission or the competent authority receive new information pursuant to Article 4. Such closed investigations shall not appear in the database.</u>	Moved to row 212e [124 - 212e]
125	4. Where competent authorities establish that Article 3 has been violated, they shall without delay adopt a decision containing:	4. Where <u>the Commission or</u> competent authorities establish that Article 3 has been violated, they shall without delay adopt a decision containing:	Moved to row 212h [125 - 212h]
126	(a) a prohibition to place or make the products concerned available on the Union market and to export them;	(a) a prohibition to place or make the products <u>or product components</u> concerned available on the Union market and to export them;	Moved to row 212i [126 - 212i]
127	(b) an order for the economic operators that have been subject to the investigation to withdraw from the	(b) an order for the economic operators that have been subject to the investigation to withdraw from the Union market the relevant products <u>or product components</u> that have already	Moved to row 212j [127 - 212j]

	Commission Proposal	EP Mandate	Council Mandate
	Union market the relevant products that have already been placed or made available on the market;	been placed or made available on the market;	
128	(c) an order for the economic operators that have been subject to the investigation to dispose of the respective products in accordance with national law consistent with Union law.	(c) an order for the economic operators that have been subject to the investigation to <u>i) if the products are perishable, donate the products concerned to charitable organisations or organisations that benefit public interest;</u> <u>ii) if the products are not perishable, recycle the products concerned;</u> <u>iii) where points (i) and (ii) are not possible,</u> dispose of the respective products in accordance with national law consistent with Union law.	Moved to row 212k [128 - 212k]
129	5. Where an economic operator has failed to comply with the decision referred to in paragraph 4, the competent authorities shall ensure all of the following:	5. Where an economic operator has failed to comply with the decision referred to in paragraph 4, the <u>Commission or the</u> competent authorities shall ensure all of the following:	Moved to row 212l [129 - 212l]
130	(a) that it is prohibited to place or make available the products concerned on the market;	(a) that it is prohibited to place or make available the products concerned on the market;	Moved to row 212m [130 - 212m]
131	(b) that the products already placed or	(b) that the products already placed or made available on the	

	Commission Proposal	EP Mandate	Council Mandate
	made available on the market are withdrawn from the Union market;	market are withdrawn from the Union market;	Moved to row 212n [131 - 212n]
132	(c) that any product remaining with the economic operator concerned is disposed of in accordance with national law consistent with Union law at the expense of the economic operator.	(c) <u>that any product remaining with the economic operator concerned is</u> <u>i) if the products are perishable, donated to charitable organisations or organisations that benefit public interest;</u> <u>ii) if the products are not perishable, recycled;</u> <u>iii) where points (i) and (ii) are not possible,</u> disposed of in accordance with national law consistent with Union law at the expense of the economic operator.	Moved to row 212o [132 - 212o]
133	6. Where economic operators provide evidence to the competent authorities that they have complied with the decision referred to in paragraph 4, and that they have eliminated forced labour from their operations or supply chain with respect to the products concerned, the competent authorities shall withdraw their decision for the future and inform the economic operators.	6. Where economic operators provide evidence to the competent authorities <u>the Commission or competent authorities establish that economic operators have demonstrated</u> that they have complied with the decision referred to in paragraph 4, and that they have eliminated forced labour from their operations or supply chain with respect to the products concerned <u>and that relevant forced labour cases have been remediated, the Commission or</u> the competent authorities shall withdraw their decision for the future and inform the economic operators.	Moved to row 212p [133 - 212p]
133a	Article 9 Information obligations of the competent authorities Moved reference text		Article 9 <u>7</u> Information obligations of the competent authorities <u>and the Commission</u> Moved from row 149 [149 - 133a]



	Commission Proposal	EP Mandate	Council Mandate
Y	133b 1. The competent authority shall without delay inform the Commission and the competent authorities of other Member States using the information and communication system referred to in Article 22(1) about the following: Moved reference text		1. The competent authority shall without delay inform the Commission and the competent authorities of other Member States, <u>and where relevant, other relevant Member State authorities</u> , using the information and communication system referred to in Article 22(1) <u>8(1)</u> about the following: Moved from row 150 [150 - 133b]
Y	133c		<u>(aa) any request for information made in accordance with Article 15(2)</u>
Y	133d (a) any decision not to initiate an investigation following a preliminary phase of investigation, referred to in Article 4(7); Moved reference text		(a) any decision not to initiate an investigation following a preliminary phase of investigation, referred to in Article 4(7) <u>15(6)</u> ; Moved from row 151 [151 - 133d]
Y	133e		<u>(ba) any result of the preliminary phase of investigation referred to in Article 15(7);</u>

	Commission Proposal	EP Mandate	Council Mandate	
Y	133f		<u>(bb) any intention to initiate an investigation made in accordance with Article 16(3);</u>	Y
Y	133g (b) any decision to initiate an investigation referred to in Article 5(1); Moved reference text		(b) any decision to initiate an investigation referred to in Article 5(1) <u>18(1)</u> ; Moved from row 152 [152 - 133g]	Y
Y	133h (c) any decision to prohibit placing and making available of the products on the market and their export, as well as to order the withdrawal of the products already placed or made available on the market and their disposal referred to in Article 6(4); Moved reference text		(c) any decision to prohibit placing and making available of the products on the market and their export, as well as to order the withdrawal of the products already placed or made available on the market and their disposal <u>result of an investigation</u> referred to in Article 6(4) <u>18(6)</u> ; main content moved to paragraph 2(c) Moved from row 153 [153 - 133h]	Y
Y	133i (d) any decision to close the investigation referred to in Article 6(3);		<i>deleted</i>	Y

	Commission Proposal	EP Mandate	Council Mandate
	Moved reference text		<i>moved to paragraph 2(d)</i> <i>Moved from row 154 [154 - 133i]</i>
Y	133j (e) any withdrawal of the decision referred to in Article 6(6); Moved reference text		<i>deleted</i> <i>moved to paragraph 2(e)</i> <i>Moved from row 155 [155 - 133j]</i>
Y	133k (f) any request of an economic operator for a review referred to in Article 8(1); Moved reference text		<i>deleted</i> <i>Moved from row 156 [156 - 133k]</i>
Y	133l (g) any result of the review referred to in Article 8(4). Moved reference text		<i>deleted</i> <i>moved to paragraph 2(g)</i> <i>Moved from row 157 [157 - 133l]</i>
Y	133m		<u>2. The Commission shall without delay</u>

	Commission Proposal	EP Mandate	Council Mandate	
			<u>inform the competent authorities, and where relevant, other relevant Member State authorities, using the information and communication system referred to in Article 8(1) about the following:</u>	
Y	133n		<u>(aa) any request for information made in accordance with Article 15(2);</u>	Y
Y	133o		<u>(ab) any decision not to initiate an investigation following a preliminary phase of investigation, referred to in Article 15(6);</u>	Y
Y	133p		<u>(a) any result of the preliminary phase of investigation referred to in Article 15(7);</u>	Y
Y	133q		<u>(b) any decision to initiate an investigation referred to in Article 18(1);</u>	Y
Y	133r		<u>(c) any decision referred to in Article 20(4);</u>	Y

		Commission Proposal	EP Mandate	Council Mandate	
Y	133s			<u>(d) any information referred to in Article 20(3);</u>	Y
Y	133t			<u>(e) any withdrawal of the decision referred to in Article 20(8);</u>	Y
Y	133u			<u>(g) any result of the review referred to in Article 20(7);</u>	Y
Y	133v			<u>(h) any result of the judicial review referred to in Article 21(1e).</u>	Y
Y	133w	2. The Commission shall make available the decisions, and the withdrawals referred to in the paragraph 1, points (c), (d), (e) and (g) on a dedicated website. Moved reference text		<i>deleted</i> Moved from row 158 [158 - 133w]	Y
R	134	Article 7 Content of the decision	Article 7 Content of the decision	Moved to row 214a [134 - 214a]	R

	Commission Proposal	EP Mandate	Council Mandate
R	135	1. The decision referred to in Article 6(4) shall contain all of the following:	Moved to row 214b [135 - 214b]
R	136	(a) the findings of the investigation and the information underpinning the findings;	Moved to row 214c [136 - 214c]
R	137	(b) a reasonable time limit for the economic operators to comply with the order, which shall not be less than 30 working days and no longer than necessary to withdraw the respective products. When setting such a time limit, the competent authority shall take into account the economic operator's size and economic resources;	Moved to row 214d [137 - 214d]
R	138	(c) all relevant information and in particular the details allowing the identification of the product, to which the decision applies, including details about the manufacturer or producer and the product suppliers;	Moved to row 214e [138 - 214e]

	Commission Proposal	EP Mandate	Council Mandate
R 139	(d) where available and applicable, information required under customs legislation as defined in Article 5(2) of Regulation (EU) No 952/2013.	(d) where available and applicable, information required under customs legislation as defined in Article 5(2) of Regulation (EU) No 952/2013.	Moved to row 214f [139 - 214f]
R 140	2. The Commission shall adopt implementing acts further specifying the details of the information to be included in the decisions. Those details shall as a minimum include details of information to be made available to customs authorities in accordance with Article 16(3). Those implementing acts shall be adopted in accordance with the examination procedure pursuant to Article 29.	2. The Commission shall adopt implementing acts further specifying the details of the information to be included in the decisions. Those details shall as a minimum include details of information to be made available to customs authorities in accordance with Article 16(3). Those implementing acts shall be adopted in accordance with the examination procedure pursuant to Article 29.	Moved to row 214h [140 - 214h]
R 141	Article 8 Review of decisions	Article 8 Review of decisions	<i>deleted</i>
R 142	1. Competent authorities shall provide economic operators affected by a decision adopted pursuant to Article 6(4) the possibility of requesting a review of that decision within 15 working days from the date of receipt of that decision. In case of perishable goods, animals and	1. Competent authorities <u>and the Commission</u> shall provide economic operators affected by a decision adopted pursuant to Article 6(4) the possibility of requesting a review of that decision within 15 working days from the date of receipt of that decision, <u>and inform them of such possibility</u> . In case of perishable goods, <u>including foodstuffs</u> , animals and plants, that time limit shall be 5 working days. The request for review	<i>deleted</i>

	Commission Proposal	EP Mandate	Council Mandate
	plants, that time limit shall be 5 working days. The request for review shall contain information which demonstrates that the products are placed or made available on the market or to be exported in compliance with Article 3.	shall contain information which demonstrates that the products are placed or made available on the market or to be exported in compliance with Article 3.	
R 143	2. A request for a review of a decision adopted pursuant Article 6(4) shall contain new information that was not brought to the attention of the competent authority during the investigation. The request for a review shall delay the enforcement of the decision adopted pursuant to Article 6(4) until the competent authority decides on the request for the review.	2. A request for a review of a decision adopted pursuant Article 6(4) shall contain <u>substantial</u> new information that was not brought to the attention of the competent authority during the investigation. The request for a review shall delay the enforcement of the decision adopted pursuant to Article 6(4) until the competent authority <u>or the Commission</u> decides on the request for the review.	<i>deleted</i>
R 144	3. A competent authority shall take a decision on the request for review within 15 working days from the date of receipt of the request. In case of perishable goods, animals and plants that time limit shall be 5 working days.	3. A competent authority <u>or the Commission</u> shall take a decision on the request for review within 15 working days from the date of receipt of the request. In case of perishable goods, animals and plants that time limit shall be 5 working days.	<i>deleted</i>
R 145	4. Where a competent authority considers that after taking into account the new information provided by the	4. Where a competent authority <u>or the Commission</u> considers that after taking into account the new information provided by the economic operator in accordance with paragraph 1 it	<i>deleted</i>

	Commission Proposal	EP Mandate	Council Mandate
	economic operator in accordance with paragraph 1 it cannot establish that the products have been placed or made available on the market or are being exported in violation of Article 3, it shall withdraw its decision adopted pursuant to Article 6(4).	cannot establish that the products have been placed or made available on the market or are being exported in violation of Article 3, it shall withdraw its decision adopted pursuant to Article 6(4) <u>and remove the decision from the database referred to in Article 11.</u>	
R 146	5. Economic operators that have been affected by a decision of a competent authority pursuant to this Regulation shall have access to a court to review the procedural and substantive legality of the decision.	5. Economic operators that have been affected by a decision of a competent authority pursuant to this Regulation shall have access to a court to review the procedural and substantive legality of the decision.	<i>deleted</i>
R 147	6. Paragraph 5 shall be without prejudice to any provision of national law which requires that administrative review procedures be exhausted prior to recourse to judicial proceedings.	6. Paragraph 5 shall be without prejudice to any provision of national law which requires that administrative review procedures be exhausted prior to recourse to judicial proceedings.	<i>deleted</i>
R 148	7. Decisions adopted by competent authorities pursuant to Article 6 and to this Article are without prejudice to any decisions of a judicial nature taken by national courts or tribunals of the Member States with respect to the same economic operators or products.	7. Decisions adopted by competent authorities pursuant to Article 6 and to this Article are without prejudice to any decisions of a judicial nature taken by national courts or tribunals of the Member States with respect to the same economic operators or products.	<i>deleted</i>

	Commission Proposal	EP Mandate	Council Mandate
Y	<p>Article 22</p> <p>148a Information and communication systems</p> <p>Moved reference text</p>		<p>Article 228</p> <p>Information and communication systems</p> <p>Moved from row 221 [221 - 148a]</p>
Y	<p>148b</p> <p>1. For the purposes of Chapters II and III, competent authorities shall use the information and communication system referred to in Article 34 of Regulation (EU) 2019/1020. The Commission, competent authorities and customs authorities shall have access to that system for the purposes of this Regulation.</p> <p>Moved reference text</p>		<p>1. For the purposes of Chapters Hand IIII, IV, and V, competent authorities <u>and the Commission</u> shall use the information and communication system referred to in Article 34 of Regulation (EU) 2019/1020. The Commission, competent authorities and customs authorities shall have access to that system for the purposes of this Regulation.</p> <p>Moved from row 222 [222 - 148b]</p>
R	148c		<p><u>1a. Notwithstanding paragraph 1, competent authorities may use other existing communication systems with other authorities within their own Member State.</u></p>
Y	148d	2. The decisions communicated	2. The decisions communicated

	Commission Proposal	EP Mandate	Council Mandate
	<p>pursuant to Article 15(3) shall be entered in the relevant customs risk management environment.</p> <p>Moved reference text</p>		<p>pursuant to Article 15(3)<u>25(3)</u> shall be entered in the relevant customs risk management environment.</p> <p>Moved from row 223 [223 - 148d]</p>
R	<p>148e</p> <p>3. The Commission shall develop an interconnection to enable the automated communication of decisions referred to in Article 15(3) from the information and communication system referred to in paragraph 1 to the environment referred to in paragraph 4. That interconnection shall start operating no later than two years from the date of the adoption of the implementing act referred to in paragraph 7, point (b), in respect of that interconnection.</p> <p>Moved reference text</p>		<p>3. The Commission shall develop an interconnection to enable the automated communication of decisions referred to in Article 15(3)<u>25(3)</u> from the information and communication system referred to in paragraph 1 to the environment referred to in paragraph 4<u>2</u>. That interconnection shall start operating no later than two years from the date of the adoption of the implementing act referred to in paragraph 7, point (b), in respect of that interconnection.</p> <p>Moved from row 224 [224 - 148e]</p>
Y	<p>148f</p> <p>4. Requests and notifications exchanged between competent authorities and customs authorities pursuant to Articles 17 to 20 of this Regulation as well as the ensuing messages shall take place by means of the information and communication system referred to in paragraph 1.</p>		<p>4. Requests and notifications exchanged between competent authorities and customs authorities pursuant to Articles 17 to 20<u>Chapter V Title II</u> of this Regulation as well as the ensuing messages shall take place by means of the information and communication system referred to in paragraph 1.</p>



	Commission Proposal	EP Mandate	Council Mandate
	Moved reference text		Moved from row 225 [225 - 148f]
R 148g	<p>5. The Commission shall interconnect the national single window environments for customs with the information and communication system referred to in paragraph 1 to enable the exchange of requests and notifications between customs and competent authorities pursuant to Articles 17 to 20 of this Regulation. That interconnection shall be provided through [EU CSW-CERTEX pursuant to Regulation XX/20XX]¹ within four years from the date of adoption of the implementing act referred to in paragraph 7(c). The exchanges referred to in paragraph 4 shall take place through that interconnection as soon as it is operational.</p> <p>1. Established by the Regulation on the EU Single Window Environment for Customs (EU SWE-C).</p> <p>Moved reference text</p>		<p>5. <u>An interconnection between the information and communication system referred to in paragraph 1 and the EU</u>The Commission shall interconnect the national Single Window environments <u>Environment</u> for Customs with the information and communication system referred to in paragraph 1 to enable the exchange of <u>shall be regulated by Regulation (EU) 2022/2399¹ for the purposes of exchanging the</u> requests and notifications between customs and competent authorities pursuant to Articles 17 to 20 <u>Chapter IV Title II</u> of this Regulation. That interconnection shall be provided through [EU CSW-CERTEX pursuant to Regulation XX/20XX]¹ <u>established at the latest</u> within four years from the date of adoption of the implementing act referred to in paragraph 7(c) <u>7(a)</u>. The exchanges referred to in paragraph 4 shall take place through that interconnection as soon as it is operational.</p> <p>1. Established by the Regulation on the EU <u>[1] Regulation (EU) 2022/2399 of the European</u></p>

	Commission Proposal	EP Mandate	Council Mandate
			<p><u>Parliament and of the Council of 23 November 2022 establishing the European Union Single Window Environment for Customs and amending Regulation (EU) No 952/2013, OJ L 317, 9.12.2022, p. 1</u> (EU-SWE-C).</p> <p>Moved from row 226 [226 - 148g]</p>
G	<p>148h</p> <p>6. The Commission may extract from the surveillance system referred to in Article 56(1) of Commission Implementing Regulation (EU) 2015/2447 information on products entering or leaving the Union market related to the implementation of this Regulation and transmit it to the information and communication system referred to in paragraph 1.</p> <p>Moved reference text</p>		<p>6. The Commission may extract from the surveillance system referred to in Article 56(1) of Commission Implementing Regulation (EU) 2015/2447 information on products entering or leaving the Union market related to the implementation of this Regulation and transmit it to the information and communication system referred to in paragraph 1.</p> <p>Moved from row 227 [227 - 148h]</p>
Y	<p>148i</p> <p>7. The Commission is empowered to adopt implementing acts in accordance with the examination procedure pursuant to Article 29 to specify the procedural rules and the details of the implementation arrangements for this Article, including:</p> <p>Moved reference text</p>		<p>7. The Commission is empowered to adopt implementing acts in accordance with the examination procedure pursuant to Article 29 <u>33(2)</u> to specify the procedural rules and the details of the implementation arrangements for this Article, including:</p> <p>Moved from row 228 [228 - 148i]</p>

	Commission Proposal	EP Mandate	Council Mandate
G	<p>148j</p> <p>(a) the functionalities, data elements and data processing, as well as the rules on the processing of personal data, confidentiality and controllership, of the information and communication system referred to in paragraphs 1 and 4;</p> <p>Moved reference text</p>		<p>(a) the functionalities, data elements and data processing, as well as the rules on the processing of personal data, confidentiality and controllership, of the information and communication system referred to in paragraphs 1 and 4;</p> <p>Moved from row 229 [229 - 148j]</p>
G	<p>148k</p> <p>(b) the functionalities, data elements and data processing, as well as the rules on the processing of personal data, confidentiality and controllership for the interconnection referred to in paragraph 3;</p> <p>Moved reference text</p>		<p>(b) the functionalities, data elements and data processing, as well as the rules on the processing of personal data, confidentiality and controllership for the interconnection referred to in paragraph 3;</p> <p>Moved from row 230 [230 - 148k]</p>
Y	<p>148l</p> <p>(c) the data to be transmitted between the information and communication system referred to in paragraph 1 and the national single window environments for customs for the purposes of paragraph 5;</p> <p>Moved reference text</p>		<p><i>deleted</i></p> <p>Moved from row 231 [231 - 148l]</p>

	Commission Proposal	EP Mandate	Council Mandate
148m	<p>(d) the data to be transmitted, as well as the rules on its confidentiality and controllership, in accordance with paragraph 6.</p> <p>Moved reference text</p>		<p>(d) the data to be transmitted, as well as the rules on its confidentiality and controllership, in accordance with paragraph 6.</p> <p>Moved from row 232 [232 - 148m]</p>
149	<p>Article 9</p> <p>Information obligations of the competent authorities</p>	<p>Article 9</p> <p>Information obligations of the competent authorities</p>	<p>Moved to row 133a [149 - 133a]</p>
150	<p>1. The competent authority shall without delay inform the Commission and the competent authorities of other Member States using the information and communication system referred to in Article 22(1) about the following:</p>	<p>1. <u>The Commission and</u> the competent authority shall without delay inform the Commission and the other competent authorities of other Member States using the information and communication system referred to in Article 22(1) about the following:</p>	<p>Moved to row 133b [150 - 133b]</p>
150a		<p><u>(-a) any decision to open a preliminary investigation as referred to in Article 4, based on one or several submissions of information through the mechanism referred to in Article 10;</u></p>	
150b		<p><u>(-b) the existence of substantiated concern following the preliminary phase of investigation, referred to in Article 4(5);</u></p>	

	Commission Proposal	EP Mandate	Council Mandate
151	(a) any decision not to initiate an investigation following a preliminary phase of investigation, referred to in Article 4(7);	(a) any decision not to initiate an investigation following a preliminary phase of investigation, referred to in Article 4(7);	Moved to row 133d [151 - 133d]
152	(b) any decision to initiate an investigation referred to in Article 5(1);	(b) any decision to initiate an investigation referred to in Article 5(1);	Moved to row 133g [152 - 133g]
153	(c) any decision to prohibit placing and making available of the products on the market and their export, as well as to order the withdrawal of the products already placed or made available on the market and their disposal referred to in Article 6(4);	(c) any decision to prohibit placing and making available of the products on the market and their export, as well as to order the withdrawal of the products already placed or made available on the market and their <u>donation, recycling or disposal</u> referred to in Article 6(4);	Moved to row 133h [153 - 133h]
154	(d) any decision to close the investigation referred to in Article 6(3);	(d) any decision to close the investigation referred to in Article 6(3);	Moved to row 133i [154 - 133i]
155	(e) any withdrawal of the decision referred to in Article 6(6);	(e) any withdrawal of the decision referred to in Article 6(6);	Moved to row 133j [155 - 133j]

	Commission Proposal	EP Mandate	Council Mandate
156	(f) any request of an economic operator for a review referred to in Article 8(1);	(f) any request of an economic operator for a review referred to in Article 8(1);	Moved to row 133k [156 - 133k]
157	(g) any result of the review referred to in Article 8(4).	(g) any result of the review referred to in Article 8(4).	Moved to row 133l [157 - 133l]
158	2. The Commission shall make available the decisions, and the withdrawals referred to in the paragraph 1, points (c), (d), (e) and (g) on a dedicated website.	2. The Commission shall make available the decisions, and the withdrawals referred to in the paragraph 1, points (c), (d), (e) and (g) on a dedicated website.	Moved to row 133w [158 - 133w]
158a		<u>2a. Any decision referred to in Article 6(4) and 6(6) shall be communicated to the public by the competent authority who adopted it or, if the decision has been adopted by the Commission, by the Commission.</u>	
Y 158b	Article 11 Database of forced labour risk areas or products Moved reference text		Article 11 9 Database of forced labour risk areas or products Moved from row 163 [163 - 158b]
R 158c	1. The Commission shall call upon		1. The Commission shall call

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	Commission Proposal	EP Mandate	Council Mandate
	<p>external expertise to provide an indicative, non-exhaustive, verifiable and regularly updated database of forced labour risks in specific geographic areas or with respect to specific products including with regard to forced labour imposed by state authorities. The database shall be based on the guidelines referred to in Article 23, points (a), (b) and (c), and relevant external sources of information from, amongst others, international organisations and third country authorities.</p> <p>Moved reference text</p>		<p>upon<u>establish a database, with the assistance of</u> external expertise to<u>if needed. This database shall</u> provide an indicative, non-exhaustive, verifiable and regularly updated database<u>information</u> of forced labour risks in specific geographic areas or with respect to specific products including with regard to forced labour imposed by state authorities. The database shall <u>prioritise the identification of widespread and severe forced labour risks. The database shall</u> be based on the guidelines referred to in Article 23<u>11</u>, points (a), (b) and (c), and relevant external sources of information from, amongst others, international organisations and third country authorities. <u>It shall not publicly disclose information that directly names economic operators. The database shall be made available in all official languages of the Union.</u></p> <p>Moved from row 164 [164 - 158c]</p>
R 158d	<p>2. The Commission shall ensure that the database is made publicly available by the external expertise at the latest 24 months after the entry into force of this Regulation.</p>		<p>2. The Commission shall ensure that the database is made publicly available by the external expertise at the latest 24<u>no later than [OP office: 18</u> months after the entry into force of this Regulation].</p>

	Commission Proposal	EP Mandate	Council Mandate
	Moved reference text		Moved from row 165 [165 - 158d]
Y	<p>158e</p> <p>3. Economic operators placing or making available on the Union market or exporting products which are not mentioned in the database referred to in paragraph 1 of this Article, or which come from areas that are not mentioned in that database, shall also be required to comply with Article 3.</p> <p>Moved reference text</p>		<p><i>deleted</i></p> <p>Moved from row 166 [166 - 158e]</p>
Y	<p>159</p> <p>Article 10 Submission of information regarding violations of Article 3</p>	<p>Article 10 Submission of information regarding violations of Article 3</p>	<p>Article 10 Submission of <u>Single</u> information regarding violations of Article 3 <u>submission point</u></p>
Y	159a		<p><u>1. The Commission shall set up a single information submission point, available on the forced labour single window referred to in Article 12. Information submission shall be possible in all official languages of the Union.</u></p>

	Commission Proposal	EP Mandate	Council Mandate
R 160	1. Submissions of information by any natural or legal person or any association not having legal personality, to competent authorities on alleged violations of Article 3 shall contain information on the economic operators or products concerned and provide the reasons substantiating the allegation.	1. Submissions of information by any natural or legal person or any association not having legal personality, to <u>the Commission or a competent authority</u> on alleged violations of Article 3 shall contain information on the economic operators or products concerned and provide the reasons substantiating the allegation. <u>Submissions may be addressed to more than one competent authority.</u>	12. Submissions of information <u>on alleged violations of Article 3 to competent authorities may only be made via the single information submission point referred to in paragraph 1</u> by any natural or legal person or any association not having legal personality, to competent authorities on alleged violations of Article 3 <u>located in the EU and</u> shall contain information on the economic operators or products concerned and provide the reasons <u>and evidence substantiating the allegation, and where applicable, supporting documents. The Commission is empowered to adopt implementing acts to specify the procedural rules, templates and details of the submissions. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 33(2).</u>
160a		<u>1a. The Commission shall set up a dedicated centralised mechanism for the submission of information pursuant to paragraph 1. This mechanism shall be available in all official languages of the institutions of the Union, and it shall be user friendly and free of charge.</u>	
R 160b			

		Commission Proposal	EP Mandate	Council Mandate
				<u>3. The Commission shall assess whether the products concerned by the submission referred to in paragraph 2 are of Union interest pursuant to Article 14(3). Where the products concerned are of Union interest, the Commission shall proceed with the preliminary phase of investigation pursuant to Article 15.</u>
Y	160c		<u>1b. In order to ensure uniform conditions for the submission of information, the Commission shall adopt implementing acts establishing templates for the submission of information. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 29.</u>	
R	160d			<u>4. Where the products concerned are not of Union interest, the submission referred to in paragraph 2 shall be directed to a competent authority in a way to ensure a fair and balanced distribution of submissions. Such distributions among competent authorities shall be based on objective criteria, including the location of the registered office, the central administration or principal place of business of the economic operator concerned, and the territory in which</u>

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	Commission Proposal	EP Mandate	Council Mandate
			<p><u>the product concerned is placed or made available, exported or manufactured.</u></p> <p><u>The Commission shall adopt implementing acts setting out the process to designate the competent authority to which the submission shall be directed. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 33(2). The first such implementing act shall be adopted by [OP enter date = 35 months after the entry into force].</u></p>
Y	161 2. The competent authority shall, as soon as possible, inform the person or association referred to in paragraph 1 of the outcome of the assessment of their submission.	2. <u>The Commission or</u> the competent authority shall <u>diligently and impartially assess the information and</u> , as soon as possible, inform the person or association referred to in paragraph 1 of the outcome of the assessment of their submission.	25. The competent authority <u>or the Commission</u> shall, as soon as possible <u>within a reasonable period of time</u> , inform the person or association referred to in paragraph 12 of the outcome of the assessment of their submission.
Y	161a	<u>2a. In cases where there is a significant time interval between the submission of information and the outcome of the assessment, the Commission or competent authorities shall confirm with such person or association that the situation has, to the best of their knowledge, not significantly changed.</u>	

	Commission Proposal	EP Mandate	Council Mandate
Y	162 3. Directive (EU) 2019/1937 of the European Parliament and of the Council ¹ shall apply to the reporting of all breaches of this Regulation and the protection of persons reporting such breaches. 1. Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law, OJ L 305, 26.11.2019, p. 17.	3. Directive (EU) 2019/1937 of the European Parliament and of the Council ¹ shall apply to the reporting of all breaches of this Regulation and the protection of persons reporting such breaches. 1. Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law, OJ L 305, 26.11.2019, p. 17.	36. Directive (EU) 2019/1937 of the European Parliament and of the Council ¹ shall apply to the reporting of all breaches of this Regulation and the protection of persons reporting such breaches. 1. Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law, OJ L 305, 26.11.2019, p. 17.
Y	162a		<u>6a. The identity of the natural or legal person or any association not having legal personality making a submission pursuant to paragraph 2 shall not be made available to the public.</u>
	163 Article 11 Database of forced labour risk areas or products	Article 11 Database of forced labour risk areas or products	Moved to row 158b [163 - 158b]
	164 1. The Commission shall call upon external expertise to provide an indicative, non-exhaustive, verifiable and regularly updated database of forced	1. The Commission shall call upon external expertise to provide an indicative, non-exhaustive, verifiable <u>evidence-based</u> and regularly updated database of forced labour risks in specific geographic areas, <u>sectors</u> , or with respect to specific	Moved to row 158c [164 - 158c]

	Commission Proposal	EP Mandate	Council Mandate
	labour risks in specific geographic areas or with respect to specific products including with regard to forced labour imposed by state authorities. The database shall be based on the guidelines referred to in Article 23, points (a), (b) and (c), and relevant external sources of information from, amongst others, international organisations and third country authorities.	products including with regard to forced labour imposed by state authorities. The database shall be based on the guidelines referred to in Article 23, points (a), (b) and (c), and relevant external sources of information from, amongst others, international organisations and third country authorities.	
164a		<u>1a. The database shall be based on independent and verifiable information, including reports from international organisations, in particular the International Labour Organization, civil society, business organisations, social partners, and relevant experience from implementing Union law setting out due diligence requirements with respect to forced labour.</u>	
164b		<u>1b. Based on reliable and verifiable evidence, the database shall, in particular, identify specific economic sectors in specific geographic areas, where there is high risk of forced labour being imposed by state authorities.</u>	
164c		<u>1c. The database shall include a list of all decisions of the Commission and competent authorities pursuant to Article 6(4) and Article 6(6).</u>	

	Commission Proposal	EP Mandate	Council Mandate
164d		<u>1d. The database shall include a list of publicly available information sources of relevance for the implementation of this Regulation, including sources which make available disaggregated data on the impact and victims of forced labour, such as gender-disaggregated data or data about forced child labour, allowing to identify age- and gender-specific trends.</u>	
165	2. The Commission shall ensure that the database is made publicly available by the external expertise at the latest 24 months after the entry into force of this Regulation.	2. The Commission shall ensure that the database is <u>easily accessible, including for persons with disabilities, and</u> made publicly available, <u>in all official languages of the institutions of the Union,</u> by the external expertise at the latest 24 <u>12</u> months after the entry into force <u>before the date of application</u> of this Regulation.	Moved to row 158d [165 - 158d]
166	3. Economic operators placing or making available on the Union market or exporting products which are not mentioned in the database referred to in paragraph 1 of this Article, or which come from areas that are not mentioned in that database, shall also be required to comply with Article 3.	<i>deleted</i>	Moved to row 158e [166 - 158e]
<i>R</i> 166a		<u>Article 11a</u> <u>Forced labour imposed by state authorities</u>	<i>R</i>

	Commission Proposal	EP Mandate	Council Mandate
		<p><u>Based on the information included in the database referred to in Article 11(1b), or on the information and decisions encoded in the information and communication system referred to in Article 22(1), the Commission is empowered to adopt delegated acts in accordance with Article 27 to supplement this Regulation by determining specific economic sectors in specific geographic areas, where a high risk of forced labour imposed by state authorities has been identified.</u></p>	
Y	<p>Article 23 Guidelines</p> <p>Moved reference text</p>		<p>Article 23<u>11</u> Guidelines</p> <p>Moved from row 233 [233 - 166b]</p>
R	<p>The Commission shall issue guidelines no later than 18 months after the entry into force of this Regulation, which shall include the following:</p> <p>Moved reference text</p>		<p><u>1. The Commission, in consultation with relevant stakeholders, shall issuemake available and regularly update</u> guidelines, no later than <u>10P enter DATE</u> = 18 months after the entry into force of this Regulation, <u>for competent authorities, customs authorities, economic operators, with a specific focus on SMEs, and relevant stakeholders. These guidelines, which</u> shall include the following <u>elements, adapted as necessary to the relevant addressees:</u></p>

	Commission Proposal	EP Mandate	Council Mandate
			Moved from row 234 [234 - 166c]
R	166d (a) guidance on due diligence in relation to forced labour, which shall take into account applicable Union legislation setting out due diligence requirements with respect to forced labour, guidelines and recommendations from international organisations, as well as the size and economic resources of economic operators; Moved reference text		(a) guidance on due diligence in relation to forced labour, which shall take into account applicable Union legislation setting out due diligence requirements with respect to forced labour, guidelines and recommendations from international organisations, as well as the size and economic resources of economic operators, <u>such guidance should include information and best practices on how to bring to an end and remediate forced labour;</u> Moved from row 235 [235 - 166d]
Y	166e		<u>(aa) information on how this Regulation relates to other due diligence legislation, in particular [Directive 20XX/XX/EU of the European Parliament and of the Council on Corporate Sustainability Due Diligence];</u>
Y	166f		<u>(ab) guidance for the practical implementation of Article 26 and, where appropriate, any other provision</u>

	Commission Proposal	EP Mandate	Council Mandate
			<u>laid down in Title II of Chapter V of this Regulation;</u>
Y	<p>166g</p> <p>(b) information on risk indicators of forced labour, which shall be based on independent and verifiable information, including reports from international organisations, in particular the International Labour Organization, civil society, business organisations, and experience from implementing Union legislation setting out due diligence requirements with respect to forced labour;</p> <p>Moved reference text</p>		<p>(b) information on risk indicators of forced labour, which shall be based on independent and verifiable information, including reports from international organisations, in particular the International Labour Organization, civil society, business organisations, <u>trade unions</u> and experience from implementing Union legislation setting out due diligence requirements with respect to forced labour;</p> <p>Moved from row 236 [236 - 166g]</p>
Y	<p>166h</p> <p>(c) a list of publicly available information sources of relevance for the implementation of this Regulation;</p> <p>Moved reference text</p>		<p>(c) <u>guidance on the use of the database referred to in Article 9 and</u> a list of publicly available information sources of relevance for the implementation of this Regulation;</p> <p>Moved from row 237 [237 - 166h]</p>
Y	166i		<u>(d) guidance as to submission of information or evidence pursuant to articles 16(4), 18(2);</u>

	Commission Proposal	EP Mandate	Council Mandate
Y	<p>166j</p> <p>(e) guidance for the practical implementation of Article 16 and, where appropriate, any other provision laid down in Chapter III of this Regulation.</p> <p>Moved reference text</p>		<p>(e) guidance for the practical implementation of Article 16 and, where appropriate, any other provision laid down in Chapter III of this Regulation <u>on how to submit information pursuant to Article 10(2);</u></p> <p>Moved from row 239 [239 - 166j]</p>
R	<p>166k</p> <p>(d) further information to facilitate the competent authorities' implementation of this Regulation;</p> <p>Moved reference text</p>		<p>(d) <u>(f)</u> further information to facilitate the competent authorities' implementation of <u>and the economic operator's compliance</u> this Regulation;</p> <p>Moved from row 238 [238 - 166k]</p>
	<p>167</p> <p>Article 12 Competent authorities</p>	<p>Article 12 Competent authorities</p>	<p>Moved to row 107b [167 - 107b]</p>
	<p>168</p> <p>1. Member States shall designate one or more competent authorities responsible for carrying out the obligations set out in this Regulation. Designated Member State competent authorities shall be responsible for ensuring the effective</p>	<p>1. Member States shall designate one or more competent authorities responsible for carrying out the obligations set out in this Regulation. Designated Member State competent authorities shall be responsible for ensuring the effective and uniform implementation of this Regulation throughout the Union.</p>	<p>Moved to row 107c [168 - 107c]</p>

	Commission Proposal	EP Mandate	Council Mandate
	and uniform implementation of this Regulation throughout the Union.		
169	2. Where Member States have designated more than one competent authority, they shall clearly demarcate the respective duties and establish communication and coordination mechanisms that enable those authorities to collaborate closely and exercise their duties effectively.	2. Where Member States have designated more than one competent authority, they shall clearly demarcate the respective duties and establish communication and coordination mechanisms that enable those authorities to collaborate closely and exercise their duties effectively.	Moved to row 107d [169 - 107d]
170	3. No later than three months after the date of entry into force of this Regulation, Member States shall, through the information and communication system referred to in Article 22(1), provide the Commission and the other Member States with the following information:	3. No later than three months after the date of entry into force of this Regulation, Member States shall, through the information and communication system referred to in Article 22(1), provide the Commission and the other Member States with the following information:	Moved to row 107e [170 - 107e]
171	(a) the names, addresses and contact details of the designated competent authority or authorities;	(a) the names, addresses and contact details of the designated competent authority or authorities;	Moved to row 107f [171 - 107f]
172	(b) the areas of competence of the	(b) the areas of competence of the designated competent	

	Commission Proposal	EP Mandate	Council Mandate
	designated competent authority or authorities.	authority or authorities.	Moved to row 107g [172 - 107g]
173	Member States shall regularly update the information set out in points (a) and (b) of the first sub-paragraph of this paragraph.	Member States shall regularly update the information set out in points (a) and (b) of the first sub-paragraph of this paragraph.	Moved to row 107h [173 - 107h]
174	4. The Commission shall make the list of the designated competent authorities publicly available on its website and shall regularly update that list, based on the updates received from Member States.	4. The Commission shall make the list of the designated competent authorities publicly available on its website and shall regularly update that list, based on the updates received from Member States.	Moved to row 107i [174 - 107i]
175	5. Member States shall ensure that the designated competent authorities exercise their powers impartially, transparently and with due respect for obligations of professional secrecy. Member States shall ensure that their competent authorities have the necessary powers and resources to carry out the investigations, including sufficient budgetary and other resources and coordinate closely with the national labour inspections and judicial and law enforcement authorities, including those	5. Member States shall ensure that the designated competent authorities exercise their powers impartially, transparently and with due respect for obligations of professional secrecy. Member States shall ensure that their competent authorities have the necessary powers, <u>expertise</u> and resources to carry out the investigations, including sufficient budgetary and other resources and coordinate closely with the national labour inspections and judicial and law enforcement authorities, including those responsible for the fight against trafficking in human beings.	Moved to row 107j [175 - 107j]

	Commission Proposal	EP Mandate	Council Mandate	
	responsible for the fight against trafficking in human beings.			
	176 6. Member States shall confer on their competent authorities the power to impose penalties in accordance with Article 30.	6. Member States shall confer on their competent authorities the power to impose penalties in accordance with Article 30.	Moved to row 107I [176 - 107I]	
Y	176a		<u>Article 12</u> <u>Forced Labour Single Portal</u>	Y
Y	176b		<u>The Commission shall set up and regularly update a single website making available to the public, in the same place and in all the official languages of the Union, the following items:</u>	Y
Y	176c		<u>(a) the list of the designated competent authorities referred to in Article 5;</u>	Y
Y	176d		<u>(aa) the guidelines referred to in Article 11;</u>	Y

	Commission Proposal	EP Mandate	Council Mandate	
Y	176e		<u>(b) the database referred to in Article 9;</u>	Y
Y	176f		<u>(c) the single information submission point referred to in Article 10;</u>	Y
Y	176g		<u>(d) a non-confidential summary of any information referred to in Article 20(3);</u>	Y
Y	176h		<u>(e) a non-confidential summary of any decision referred to in Article 20(4).</u>	Y
Y	177 Article 13 Administrative cooperation and communication among competent authorities	Article 13 Administrative cooperation and communication among competent authorities	deleted	Y
Y	178 1. The Commission shall ensure efficient cooperation among the competent authorities of the Member States through facilitating and coordinating the exchange and collection of information and best practices with	1. The Commission shall ensure efficient cooperation <u>and coordination</u> among the competent authorities of the Member States through facilitating and coordinating the exchange and collection of information and best practices with regard to the application of this Regulation.	deleted Moved to row 120j [178 - 120j]	Y

	Commission Proposal	EP Mandate	Council Mandate
	regard to the application of this Regulation.		
179	2. Competent authorities shall actively participate in the Network referred to in Article 24.	2. Competent authorities shall actively participate in the Network referred to in Article 24.	<i>deleted</i>
179a	Article 26 International Cooperation Moved reference text		Article 26 ¹³ International Cooperation Moved from row 257 [257 - 179a]
179b	1. In order to facilitate effective implementation and enforcement of this Regulation, the Commission may as appropriate cooperate, engage and exchange information with, amongst others, authorities of third countries, international organisations, civil society representatives and business organisations. International cooperation with authorities of third countries shall take place in a structured way as part of the existing dialogue structures with third countries or, if necessary, specific ones that will be created on an ad hoc basis.		1. In order to facilitate effective implementation and enforcement of this Regulation, the Commission may ^{shall} as appropriate cooperate, engage and exchange information with, - amongst others, authorities of third countries, international organisations, civil society representatives, ^{trade unions} and business organisations. International cooperation with authorities of third countries shall take place in a structured way as part of the existing dialogue structures with third countries or, if necessary, specific ones that will be created on an ad hoc basis.

	Commission Proposal	EP Mandate	Council Mandate
	Moved reference text		Moved from row 258 [258 - 179b]
Y	179c		<u>(a) International cooperation with authorities of third countries shall take place in a structured way as part of the existing dialogue structures with third countries or, if necessary, specific ones that will be created on an ad hoc basis.</u>
Y	179d		<u>(b) The Commission shall have regular contact and cooperation in particular with countries that have similar legislation in place, to share information of forced labour risk areas or products as well as best practices for bringing to an end forced labour.</u>
Y	179e 2. For the purposes of paragraph 1, cooperation with, amongst others, international organisations, civil society representatives, business organisations and competent authorities of third countries may result in the Union developing accompanying measures to support the efforts of companies and partner countries efforts and locally available capacities in tackling forced labour.		2. For the purposes of paragraph 1, cooperation with, amongst others, international organisations, civil society representatives, business organisations and competent authorities of third countries may result in the Union developing accompanying measures to support the efforts of companies <u>to comply with this regulation and of</u> and partner countries efforts and to tackle forced labour, as well as supporting

	Commission Proposal	EP Mandate	Council Mandate
	Moved reference text		locally available capacities in tackling forced labour <u>for that purpose</u> . Moved from row 259 [259 - 179e]
179f	Chapter III Products entering or leaving the Union market Moved reference text		Chapter III Products entering or leaving the Union market <u>Investigations</u> Moved from row 187 [187 - 179f]
180	Article 14 Recognition of decisions	Article 14 Recognition of decisions Original Article 14 (from EP and Commission) moved to line 180r. Below lines are New Article 14 from the Council	Article 14 Recognition of decisions <u>Information on the likelihood of a violation of Article 3</u>
180a	1. Competent authorities shall follow a risk-based approach in assessing the likelihood that economic operators violated Article 3. That assessment shall be based on all relevant information available to them, including the following information: Moved reference text		1. <u>The Commission and</u> competent authorities shall follow a risk-based approach in assessing the likelihood that economic operators violated Article 3. That assessment shall be <u>confidential, verifiable, and credible</u> information available to them, including, <u>but not limited to</u> , the following information:

	Commission Proposal	EP Mandate	Council Mandate
			<p>Council Article 14(1), lines 180a to 180j refer to Article 4(1)</p> <p>Moved from row 92 [92 - 180a]</p>
Y	180b		<p><u>(a) information and decisions encoded in the information and communication system referred to in Article 8(1), including any past cases of compliance or non-compliance of an economic operator with Article 3;</u></p> <p>This point was previous point (d)</p>
Y	180c	(a) submissions made by natural or legal persons or any association not having legal personality pursuant to Article 10; Moved reference text	<p><i>deleted</i></p> <p>This point has become point (d)</p> <p>Moved from row 93 [93 - 180c]</p>
Y	180d		<p><u>(b) the database referred to in Article 9;</u></p> <p>This point was previous point (c)</p>

	Commission Proposal	EP Mandate	Council Mandate
Y	180e (b) the risk indicators and other information pursuant to Article 23, points (b) and (c); Moved reference text		deleted <i>This point became point (c)</i> Moved from row 94 [94 - 180e]
Y	180f		<u>(c) the risk indicators and other information pursuant to Article 11, point (b);</u> <i>This point was previous point (b)</i>
Y	180g (c) the database referred to in Article 11; Moved reference text		deleted <i>This point became point (b)</i> Moved from row 95 [95 - 180g]
Y	180h		<u>(d) submissions made pursuant to Article 10;</u> <i>This point was previous point (a)</i>

	Commission Proposal	EP Mandate	Council Mandate
Y	<p>180i</p> <p>(d) information and decisions encoded in the information and communication system referred to in Article 22(1), including any past cases of compliance or non-compliance of an economic operator with Article 3;</p> <p>Moved reference text</p>		<p><i>deleted</i></p> <p><i>This point became point (a)</i></p> <p>Moved from row 96 [96 - 180i]</p>
Y	<p>180j</p> <p>(e) information requested by the competent authority from other relevant authorities, where necessary, on whether the economic operators under assessment are subject to and carry out due diligence in relation to forced labour in accordance with applicable Union legislation or Member States legislation setting out due diligence and transparency requirements with respect to forced labour.</p> <p>Moved reference text</p>		<p>(e) information requested<u>received</u> by the competent authority from other <u>authorities</u> relevant authorities, where necessary, on whether the economic operators under assessment are subject to and carry out due diligence in relation to forced labour<u>for the implementation of this regulation, such as national due diligence, labour, health or fiscal authorities, on the products and economic operators under assessment unless the sharing of such information is not</u> in accordance with applicable-Union legislation or Member States legislation setting out due diligence and transparency requirements with respect to forced labour<u>law or national law in compliance with Union law substantially impairs the execution of the activities of such authorities;</u></p>

	Commission Proposal	EP Mandate	Council Mandate
			Moved from row 97 [97 - 180j]
Y	180k		<u>(ea) consultations with civil society organisations and trade unions.</u>
R	180l		<u>2. In their assessment of the likelihood that economic operators violated Article 3, competent authorities may, at any time, request the Commission to conduct the preliminary phase of investigations pursuant to Article 15, where the products concerned are of Union interest. The Commission shall proceed with the preliminary phase of investigation pursuant to Article 15 accordingly.</u>
R	180m		<u>3. The determination of the Union interest shall be based on all relevant, verifiable and credible information available to competent authorities or to the Commission for the purposes of Article 10(3). Union interest shall be assumed if one or more of the following criteria are met:</u>

	Commission Proposal	EP Mandate	Council Mandate	
R	180n		<u>(a) the scale and severity of suspected forced labour is significant;</u>	R
R	180o		<u>(b) the risks of suspected forced labour are located outside the territory of the Union;</u>	R
R	180p		<u>(c) the products suspected to have been made with forced labour have a significant impact on the internal market.</u>	R
R	180q		<u>Products suspected to have been made with forced labour are presumed to have a significant impact on the internal market where the products concerned are present in at least three Member States.</u>	R
R	180r	<u>EP Article 14</u> <u>Recognition of decisions</u>	<u>deleted</u>	R
R	181	1. Decisions taken by a competent	1. Decisions taken by a competent authority in one Member	R

	Commission Proposal	EP Mandate	Council Mandate
	authority in one Member State shall be recognised and enforced by competent authorities in the other Member States in so far as they relate to products with the same identification and from the same supply chain for which forced labour has been found.	State shall be recognised and enforced by competent authorities in the other Member States in so far as they relate to products with the same identification and from the same supply chain for which forced labour has been found. <u>Decisions taken by the Commission shall be enforced by competent authorities in all Member States.</u>	<i>deleted</i>
<i>R</i> 182	2. A competent authority that has received, through the information and communication system referred to in Article 22(1), a request from a competent authority of another Member State for information to verify any evidence provided by an economic operator shall provide that information within 15 working days from the date of receipt of the request.	2. A competent authority that has received, through the information and communication system referred to in Article 22(1), a request from a competent authority of another Member State for information to verify any evidence provided by an economic operator, shall provide that information within <u>as soon as possible and at the latest</u> 15 working days from the date of receipt of the request.	<i>deleted</i>
<i>R</i> 183	3. Where two or more competent authorities initiate investigations concerning the same products or economic operators, the lead authority shall be the one which first informed the Commission and the competent authorities of other Member States of the decision to initiate an investigation in accordance with Article 9(1), point (b).	3. Where two or more competent authorities initiate investigations concerning the same products or economic operators, the lead authority shall be the one which first informed the Commission and the competent authorities of other Member States of the decision to initiate an investigation in accordance with Article 9(1), point (b).	<i>deleted</i>

	Commission Proposal	EP Mandate	Council Mandate
R 184	4. Before initiating an investigation in accordance with Article 5, a competent authority shall verify in the information and communication system referred to in Article 22(1) whether there is a lead authority referred to in paragraph 3 investigating the same product and economic operator.	4. Before initiating an investigation in accordance with Article 5, a competent authority shall verify in the information and communication system referred to in Article 22(1) whether there is a lead authority referred to in paragraph 3 investigating the same product and economic operator.	<i>deleted</i>
R 185	5. Where there is a lead authority as referred to in paragraph 3, competent authorities shall share all the evidence and information they may have with that lead authority to facilitate the investigation and shall not start a separate investigation.	5. Where there is a lead authority as referred to in paragraph 3, competent authorities shall share all the evidence and information they may have with that lead authority to facilitate the investigation and shall not start a separate investigation.	<i>deleted</i>
R 186	6. The lead authority shall carry out the investigation and adopt a decision in accordance with Article 6 on the basis of the assessment of all evidence before it.	6. The lead authority shall carry out the investigation and adopt a decision in accordance with Article 6 on the basis of the assessment of all evidence before it.	<i>deleted</i>
R 186a		<u>6a. Before initiating a preliminary investigation in accordance with Article 4, a competent authority shall verify in the information and communication system referred to in Article 22(1) whether there are one or more authorities assessing the same product and the same economic operator.</u>	

	Commission Proposal	EP Mandate	Council Mandate
		<i><u>Where there is at least one other competent authority conducting such assessment, only the competent authority which first informed the Commission and the competent authorities of other Member States of the decision to open a preliminary investigation in accordance with Article 9(1), point (-aa), shall request the information referred to in Article 4(3) from the economic operator and relevant product suppliers. That competent authority shall share all information collected with the other competent authorities assessing the same products or the same economic operators.</u></i>	
R	186b	<i><u>6b. Where competent authorities are mentioned in paragraphs 2, 3, 4, 5, 6 and 6a, they shall be deemed to include the Commission, when it acts on the basis of Chapter II of this Regulation.</u></i>	
	187 Chapter III Products entering or leaving the Union market	Chapter III Products entering or leaving the Union market	Moved to row 179f [187 - 179f]
Y	188 Article 15 Controls	Article 15 Controls Original Article 15 (from EP and Commission) moved to line 188m. Below lines are New Article 15 from the Council	Article 15 Controls <i><u>Preliminary phase of investigations</u></i>

	Commission Proposal	EP Mandate	Council Mandate
R 188a	<p>2. In their assessment of the likelihood that economic operators violated Article 3, competent authorities shall focus on the economic operators involved in the steps of the value chain as close as possible to where the risk of forced labour is likely to occur and take into account the size and economic resources of the economic operators, the quantity of products concerned, as well as the scale of suspected forced labour.</p> <p>Moved reference text</p>		<p>21. In their assessment of the likelihood that economic operators violated Article 3, competent authorities, <u>or where applicable the Commission acting pursuant to Article 10(3) or acting upon a request pursuant to Article 14(2),</u> shall focus on the economic operators involved in the steps of the value<u>supply</u> chain as close as possible to where the risk of forced labour is likely to occur. <u>They shall also</u> and take into account the size and economic resources of the economic operators <u>concerned, as well as the share of the component in the final product,</u> the quantity of products concerned, as well as that is made available on the Union Market, <u>and</u> the scale of suspected forced labour.</p> <p>Moved from row 98 [98 - 188a]</p>
R 188b	<p>3. Before initiating an investigation in accordance with Article 5(1), the competent authority shall request from the economic operators under assessment information on actions taken to identify, prevent, mitigate or bring to an end risks of forced labour in their operations and value chains with respect to the products under assessment,</p>		<p>32. Before initiating an investigation in accordance with Article 5(1) <u>18(1),</u> <u>competent authorities, or where applicable the Commission acting pursuant to Article 10(3) or acting upon a request pursuant to Article 14(2),</u> the competent authority shall request from the economic operators under assessment information on <u>its</u></p>

		Commission Proposal	EP Mandate	Council Mandate	
		including on the basis of any of the following: Moved reference text		<u>current</u> actions taken to identify, prevent, mitigate or bring to an end risks of forced labour in their operations and value supply chains with respect to the products under assessment, including on the basis of any of the following: Moved from row 99 [99 - 188b]	
Y	188c	(a) applicable Union legislation or Member States legislation setting out due diligence and transparency requirements with respect to forced labour; Moved reference text		(a) applicable Union legislation or Member States legislation setting out due diligence and transparency requirements with respect in relation to forced labour; Moved from row 100 [100 - 188c]	Y
Y	188d	(b) the guidelines issued by the Commission pursuant to Article 23, point (a); Moved reference text		(b) the guidelines issued by the Commission pursuant to Article 23 , point (a) II; Moved from row 101 [101 - 188d]	Y
R	188e	(c) due diligence guidelines or recommendations of the UN, ILO, OECD or other relevant international organisations;		(c) due diligence guidelines or recommendations of the UN, ILO, OECD or other relevant international organisations;	R

	Commission Proposal	EP Mandate	Council Mandate
	Moved reference text		Moved from row 102 [102 - 188e]
R	188f (d) any other due diligence in relation to forced labour. Moved reference text		(d) any other due diligence <u>or information</u> in relation to forced labour <u>in their supply chain</u> . Moved from row 103 [103 - 188f]
R	188g 4. Economic operators shall respond to the request of the competent authority referred to in paragraph 3 within 15 working days from the day they received such request. Economic operators may provide to competent authorities any other information they may deem useful for the purposes of this Article. Moved reference text		43. Economic operators shall respond to the request of the competent authority referred to in paragraph 32 within 1530 working days from the day they received such request. Economic operators may provide to competent authorities any other information they may deem useful for the purposes of this Article. Moved from row 104 [104 - 188g]
R	188h 5. Within 30 working days from the date of receipt of the information submitted by economic operators pursuant to paragraph 4, the competent authorities shall conclude the preliminary phase of their investigation as to whether there is a substantiated concern of violation of		5. Within 3060 working days from the date of receipt <u>day of the notification</u> of the information submitted by economic operators pursuant to paragraph 4, the competent authorities <u>request referred to in paragraph 2, the competent authorities, or where applicable the</u>

	Commission Proposal	EP Mandate	Council Mandate
	<p>Article 3 on the basis of the assessment referred to in paragraph 1 and the information submitted by economic operators pursuant to paragraph 4.</p> <p>Moved reference text</p>		<p><u>Commission acting pursuant to Article 10(3) or acting upon a request pursuant to Article 14(2)</u>, shall conclude<u>decide</u> the preliminary phase of their investigation as to whether there is a substantiated concern of violation of Article 3, on the basis of the assessment referred to in paragraph 1 and, <u>if any</u>, the information submitted by economic operators pursuant to <u>paragraph 3, as well as the consultation in</u> paragraph 4.</p> <p>Moved from row 105 [105 - 188h]</p>
Y	<p>188i</p> <p>6. The competent authority shall duly take into account where the economic operator demonstrates that it carries out due diligence on the basis of identified forced labour impact in its supply chain, adopts and carries out measures suitable and effective for bringing to an end forced labour in a short period of time.</p> <p>Moved reference text</p>		<p>6. The competent authority shall duly take into account where the economic operator demonstrates that it carries out due diligence on the basis of identified forced labour impact in its supply chain, adopts and carries out measures suitable and effective for bringing to an end forced labour in a short period of time.</p> <p>Moved from row 106 [106 - 188i]</p>
Y	<p>188j</p> <p>7. Competent authorities shall not initiate an investigation pursuant to Article 5, and shall inform the economic</p>		<p>76. Competent authorities shall not initiate an investigation pursuant to Article 5, and shall inform the economic</p>



	Commission Proposal	EP Mandate	Council Mandate
	<p>operators under assessment accordingly, where, on the basis of the assessment referred to in paragraph 1 and the information submitted by economic operators pursuant to paragraph 4, the competent authorities consider that there is no substantiated concern of a violation of Article 3, for instance due to, but not limited to, the applicable legislation, guidelines, recommendations or any other due diligence in relation to forced labour referred to in paragraph 3 being applied in a way that mitigates, prevents and brings to an end the risk of forced labour.</p> <p>Moved reference text</p>		<p>operators under assessment accordingly, where, on the basis of the assessment referred to in paragraph 1 and the information submitted by economic operators pursuant to paragraph 4, the competent authorities consider that there is no substantiated concern of a violation of Article 3<u>Where the competent authority, or where applicable the Commission acting pursuant to Article 10(3) or acting upon a request pursuant to Article 14(2), considers that there is no substantiated concern of violation of Article 3, or that the reasons that motivated the existence of the substantiated concern have been eliminated</u>, for instance due to, but not limited to, the applicable legislation, guidelines, recommendations or any other due diligence in relation to forced labour referred to in paragraph 3<u>2</u> being applied in a way that mitigates, prevents and brings to an end the risk of forced labour, <u>it shall not initiate an investigation in accordance with Article 18(1) and inform the economic operators under assessment accordingly.</u></p> <p>Moved from row 107 [107 - 188j]</p>



	Commission Proposal	EP Mandate	Council Mandate
R 188k			<p><u>4. If the competent authority, or where applicable the Commission acting pursuant to Article 10(3) or acting upon a request pursuant to Article 14(2), determines that further information is needed to carry out its assessment, the competent authority, or where applicable the Commission acting pursuant to Article 10(3) or acting upon a request pursuant to Article 14(2), shall invite the economic operator under assessment for consultations. These consultations shall take place within 60 working days from the day the request referred to in paragraph 2 is notified to the economic operators under assessment.</u></p> <p>this paragraph should come after paragraph 3 (188g)</p>
Y 188l			<p><u>7. The competent authority, or where applicable the Commission acting pursuant to Article 10(3) or acting upon a request pursuant to Article 14(2), shall communicate through the information and communication system referred to in Article 8(1) the outcome of its assessment pursuant to paragraph 5 Article 8(1).</u></p>

	Commission Proposal	EP Mandate	Council Mandate
188m		<u>EP Article 15 Controls</u>	
189	1. Products entering or leaving the Union market shall be subject to the controls and measures laid down in this Chapter.	1. Products entering or leaving the Union market shall be subject to the controls and measures laid down in this Chapter.	Moved to row 253a [189 - 253a]
190	2. The application of this Chapter is without prejudice to other Union legislation governing the release for free circulation or export of products, in particular Articles 46, 47, 134 and 267 of Regulation (EU) No 952/2013.	2. The application of this Chapter is without prejudice to other Union legislation governing the release for free circulation or export of products, in particular Articles 46, 47, 134 and 267 of Regulation (EU) No 952/2013.	Moved to row 253f [190 - 253f]
191	3. The competent authority shall without delay, where no request for a review has been introduced within the time limits referred in Article 8(1) or the decision is definitive in case of a request for a review as referred to in Article 8(3), communicate to the customs authorities of Member States:	3. <u>The Commission or</u> the competent authority shall without delay, where no request for a review has been introduced within the time limits referred in Article 8(1) or the decision is definitive in case of a request for a review as referred to in Article 8(3), communicate to the customs authorities of Member States:	Moved to row 253b [191 - 253b]

	Commission Proposal	EP Mandate	Council Mandate
192	(a) any decision to prohibit the placing or making available of the products on the Union market and their export, as well as to order the withdrawal of the products already placed or made available on the Union market and their disposal referred to in Article 6(4);	(a) any decision to prohibit the placing or making available of the products on the Union market and their export, as well as to order the withdrawal of the products already placed or made available on the Union market and their disposal referred to in Article 6(4);	Moved to row 253d [192 - 253d]
193	(b) any decision following the review referred to in Article 8(3).	(b) any decision following the review referred to in Article 8(3).	Moved to row 253e [193 - 253e]
194	4. Customs authorities shall rely on the decisions communicated pursuant to paragraph 3 to identify products that may not comply with the prohibition laid down in Article 3. For that purpose, they shall carry out controls on products entering or leaving the Union market in accordance with Articles 46 and 47 of Regulation (EU) No 952/2013.	4. Customs authorities shall rely on the decisions communicated pursuant to paragraph 3 to identify products that may not comply with the prohibition laid down in Article 3. For that purpose, they shall carry out controls on products entering or leaving the Union market in accordance with Articles 46 and 47 of Regulation (EU) No 952/2013. <u><i>The Commission and Member States shall ensure that the customs authorities have sufficient resources to carry out these controls.</i></u>	Moved to row 253c [194 - 253c]
195	5. The competent authority shall without delay communicate to the customs authorities of Member States a withdrawal of the decision referred to in Article 6(6).	5. <u><i>The Commission or</i></u> the competent authority shall without delay communicate to the customs authorities of Member States a withdrawal of the decision referred to in Article 6(6).	Moved to row 253g [195 - 253g]

	Commission Proposal	EP Mandate	Council Mandate
R 195a			<u>Article 16</u> <u>Designation of the lead competent authority</u>
R 195a	<p>1. Competent authorities that, pursuant to Article 4(5), determine that there is a substantiated concern of a violation of Article 3, shall decide to initiate an investigation on the products and economic operators concerned.</p> <p>Moved reference text</p>		<p>43. <u>Where</u> competent authoritiesthat, pursuant to Article 4(5)<u>15(5)</u>, determine that there is a substantiated concern of a violation of Article 3, <u>they</u> shall decide to initiate<u>communicate through the information and communication system referred to in Article 8(1) their intention of initiating</u> an investigation on the products and economic operators concerned.</p> <p>Moved from row 109 [109 - 195c]</p>
R 195b			<p><u>2. Where the Commission acting pursuant to Article 10(3) or acting upon a request pursuant to Article 14(2), determines that there is a substantiated concern of a violation of Article 3, pursuant to Article 15(5), or where the Commission acts upon a request pursuant to Article 16(4)(b), it shall lead the investigation in accordance with Article 18(1) ('lead competent authority').</u></p>

	Commission Proposal	EP Mandate	Council Mandate	
R	195d		<u>4. Other competent authorities may, within 10 working days from the date of the communication of the intention of initiating an investigation, object to such intention through the information and communication system referred to in Article 8(1), only in one of the following situations:</u>	R
R	195e		<u>(a) they have reasonable grounds to believe that they are better placed to lead the investigation;</u>	R
R	195f		<u>(b) they demonstrate that the products concerned are of Union interest, and request the Commission to act as lead competent authority.</u>	R
R	195g		<u>5. Where competent authorities do not agree on the designation of the lead competent authority pursuant to paragraph 4, they may consult the Network for an opinion on the designation.</u>	R
R	195h			R

	Commission Proposal	EP Mandate	Council Mandate
			<u>6. Where no objection is raised on the designation of the lead competent authority pursuant to paragraph 4, the competent authority that communicated its intention of initiating the investigation pursuant to paragraph 3 shall act as lead competent authority.</u>
196	Article 16 Information to be made available to customs authorities	Article 16 Information to be made available to customs authorities	Moved to row 256a [196 - 256a]
197	1. The Commission is empowered to adopt delegated acts in accordance with Article 27 to supplement this Regulation by identifying the products or product groups for which the information referred to in paragraph 2 shall be provided to customs authorities, amongst others, on the basis of the database referred to in Article 11 or f information and decisions encoded in the information and communication system referred to in Article 22(1).	1. The Commission is empowered to adopt delegated acts in accordance with Article 27 to supplement this Regulation by identifying the products or product groups for which the information referred to in paragraph 2 shall be provided to customs authorities, amongst others, on the basis of the database referred to in Article 11 or f information and decisions encoded in the information and communication system referred to in Article 22(1).	Moved to row 256b [197 - 256b]
198	2. Customs authorities shall be provided with information identifying the product, information about the manufacturer or	2. Customs authorities shall be provided with information identifying the product, information about the manufacturer or the producer and information about the product suppliers as	Moved to row 256c [198 - 256c]

	Commission Proposal	EP Mandate	Council Mandate
	the producer and information about the product suppliers as regards products entering or leaving the Union market that have been identified by the Commission pursuant to paragraph 1, unless the provision of such information is already required pursuant to customs legislation referred to in Article 5(2) of Regulation (EU) No 952/2013.	regards products entering or leaving the Union market that have been identified by the Commission pursuant to paragraph 1, unless the provision of such information is already required pursuant to customs legislation referred to in Article 5(2) of Regulation (EU) No 952/2013.	
199	3. The Commission may adopt implementing acts further specifying the details of the information to be made available to customs authorities pursuant to paragraph 1.	3. The Commission may adopt implementing acts further specifying the details of the information to be made available to customs authorities pursuant to paragraph 1.	Moved to row 256d [199 - 256d]
200	4. The implementing acts referred to in paragraph 3 shall be adopted in accordance with the examination procedure pursuant to Article 29.	4. The implementing acts referred to in paragraph 3 shall be adopted in accordance with the examination procedure pursuant to Article 29.	Moved to row 256e [200 - 256e]
201	5. Where a specific product has been identified in a decision referred to in Article 6(4), in order for the customs authorities to be able to act immediately, the procedure provided for in Article 28 shall apply to delegated acts adopted pursuant to this Article.	5. Where a specific product has been identified in a decision referred to in Article 6(4), in order for the customs authorities to be able to act immediately, the procedure provided for in Article 28 shall apply to delegated acts adopted pursuant to this Article.	Moved to row 256f [201 - 256f]

	Commission Proposal	EP Mandate	Council Mandate
R	201a		<u>Article 17</u> <u>Coordination of investigations and mutual assistance</u>
R	201b		<u>1. The Commission and competent authorities shall cooperate closely between them and provide each other with mutual assistance in order to implement this Regulation in a consistent and efficient manner.</u>
R	201c		<u>2. The lead competent authority may, where appropriate, request the support of other relevant competent authorities. Other competent authorities, that have an interest in the investigation, may request to be closely involved in the investigation.</u>
R	201d		<u>3. A competent authority that has received, through the information and communication system referred to in Article 8(1), a request from a competent authority of another Member State for information or to verify any evidence</u>

	Commission Proposal	EP Mandate	Council Mandate
			<u>provided by an economic operator shall provide an answer within 30 working days from the date of receipt of the request.</u>
R 201e			<u>4. The requested authority may ask the requesting authority to complement the information contained in the request if it concludes that the information provided initially not sufficient.</u>
R 201f			<u>5. A requested competent authority may refuse to comply with a request only in one of the following situations:</u>
R 201g			<u>(a) the requested information cannot be gathered on the territory of the Member State of the requested competent authority;</u>
R 201h			<u>(b) the requested authority demonstrates reasonable grounds showing that complying with the request would substantially impair the execution of its own activities.</u>

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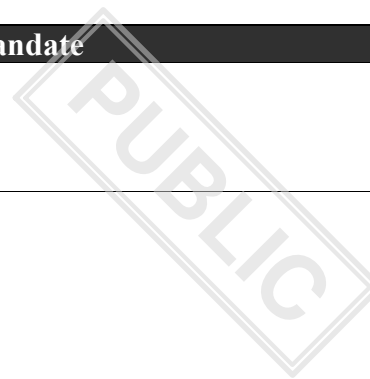
	Commission Proposal	EP Mandate	Council Mandate
201i			<p><u>6. Before initiating an investigation in accordance with Article 18, a competent authority shall verify in the information and communication system referred to in Article 8(1) whether there is a lead competent authority investigating the product with the same identification and from the same supply chain or same economic operator. Where there is a lead competent authority, other competent authorities shall share all the relevant evidence and information they may have with that lead competent authority to facilitate the investigation, in compliance with Union law or national law in compliance with Union law, and shall not start a separate investigation.</u></p>
202	Article 17 Suspension	Article 17 Suspension	Moved to row 256g [202 - 256g]
203	Where customs authorities identify a product entering or leaving the Union market that may, in accordance with a decision received pursuant to Article 15(3), be in violation of Article 3, they shall suspend the release for free circulation or the export of that product.	Where customs authorities identify a product entering or leaving the Union market that may, in accordance with a decision received pursuant to Article 15(3), be in violation of Article 3, they shall suspend the release for free circulation or the export of that product. Customs authorities shall immediately notify the relevant competent authorities <u>or the Commission</u> of the suspension and transmit all relevant	Moved to row 256h [203 - 256h]

	Commission Proposal	EP Mandate	Council Mandate
	Customs authorities shall immediately notify the relevant competent authorities of the suspension and transmit all relevant information to enable them to establish whether the product is covered by a decision communicated pursuant to Article 15(3).	information to enable them to establish whether the product is covered by a decision communicated pursuant to Article 15(3).	
Y	203a		<u>Article 18</u> <u>Investigations</u>
R	203b 2. Competent authorities that initiate an investigation pursuant to paragraph 1 shall inform the economic operators subject to the investigation, within 3 working days from the date of the decision to initiate such investigation about the following: Moved reference text		<u>21. Lead</u> competent authorities that initiate an investigation pursuant to paragraph 1 shall <u>shall communicate it through the information and communication system referred to in Article 8(1) and</u> inform the economic operators subject to the investigation, within 3 <u>5</u> working days from the date of the decision to initiate such investigation, <u>unless it would jeopardise the outcome of the investigation,</u> about the following: Moved from row 110 [110 - 203b]
G	203c (a) the initiation of the investigation and the possible consequences thereof;		(a) the initiation of the investigation and the possible consequences thereof;

	Commission Proposal	EP Mandate	Council Mandate
	Moved reference text		Moved from row 111 [111 - 203c]
G	203d (b) the products subject to the investigation; Moved reference text		(b) the products subject to the investigation; Moved from row 112 [112 - 203d]
Y	203e (c) the reasons for the initiation of the investigation, unless it would jeopardise the outcome of the investigation; Moved reference text		(c) the reasons for the initiation of the investigation, unless it would jeopardise the outcome of the investigation; Moved from row 113 [113 - 203e]
R	203f (d) the possibility for the economic operators to submit any other document or information to the competent authority, and the date by which such information has to be submitted. Moved reference text		(d) the possibility for the economic operators to submit any other document or information to the competent authority, and the date by which such information has to be submitted. Moved from row 114 [114 - 203f]
R	203g 3. Where requested to do so by competent authorities, economic operators under investigation shall submit to those competent authorities		3 2. Where requested to do so by competent authorities, economic operators under investigation shall submit to those competent

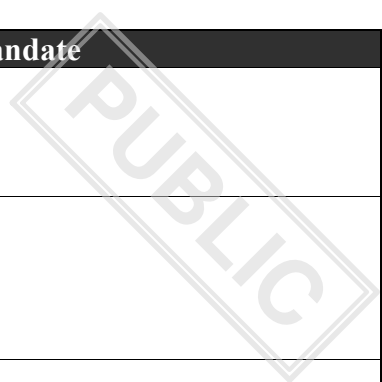
		Commission Proposal	EP Mandate	Council Mandate
		<p>any information that is relevant and necessary for the investigation, including information identifying the products under investigation, the manufacturer or producer of those products and the product suppliers. In requesting such information, competent authorities shall to the extent possible:</p> <p>Moved reference text</p>		<p>authorities<u>have at least 30 working days to submit</u> any information that is relevant and necessary for the investigation, including. <u>It shall include</u> information identifying the products under investigation, the manufacturer or producer of those products and the product suppliers. In requesting such information, competent authorities shall to the extent possible:</p> <p>Moved from row 115 [115 - 203g]</p>
Y	203h			<p><u>3. In requesting such information, and defining the time limit to submit it, competent authorities shall to the extent possible:</u></p>
R	203i	<p>(a) prioritise the economic operators under investigation involved in the steps of the value chain as close as possible to where the likely risk of forced labour occurs and</p> <p>Moved reference text</p>		<p>(a) prioritise the economic operators under investigation involved in the steps of the value<u>supply</u> chain as close as possible to where the likely risk of forced labour occurs and</p> <p>Moved from row 116 [116 - 203i]</p>
Y	203j	<p>(b) take into account the size and economic resources of the economic</p>		<p>(b) take into account the size and economic resources of the economic</p>

	Commission Proposal	EP Mandate	Council Mandate
	<p>operators, the quantity of products concerned, as well as the scale of suspected forced labour.</p> <p>Moved reference text</p>		<p>operators, the quantity of products concerned <u>put on the market</u>, as well as the scale of suspected forced labour.</p> <p>Moved from row 117 [117 - 203j]</p>
R	<p>203k</p> <p>4. Economic operators shall submit the information within 15 working days from the request referred to in paragraph 3 or make a justified request for an extension of that time limit.</p> <p>Moved reference text</p>		<p>4. Economic operators shall submit the information within 15 working days from the<u>may</u> request referred to in paragraph 3 or make a justified request for an extension of that time limit<u>a justified extension of that time limit, which shall not exceed 15 working days.</u></p> <p>Moved from row 118 [118 - 203k]</p>
R	<p>203l</p> <p>5. When deciding on the time limits referred to in this Article, competent authorities shall consider the size and economic resources of the economic operators concerned.</p> <p>Moved reference text</p>		<p>5. When deciding on the time limits referred to in this Article, competent authorities shall consider the size and economic resources of the economic operators concerned.</p> <p>Moved from row 119 [119 - 203l]</p>
Y	<p>203m</p>		<p><u>5. Competent authorities may decide, where needed, to conduct field</u></p>



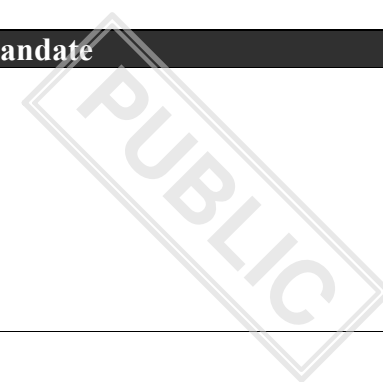
	Commission Proposal	EP Mandate	Council Mandate
			<u>inspections, in accordance with Article 19.</u>
R 203n	<p>6. Competent authorities may carry out all necessary checks and inspections including investigations in third countries, provided that the economic operators concerned give their consent and that the government of the Member State or third country in which the inspections are to take place has been officially notified and raises no objection.</p> <p>Moved reference text</p>		<p>6. Competent authorities may carry out all necessary checks and inspections including investigations in third countries, provided that the economic operators concerned give their consent and that the government of the Member State or third country in which the inspections are to take place has been officially notified and raises no objection.</p> <p>Moved from row 120 [120 - 203n]</p>
R 203o			<p><u>6. Once the lead competent authority has finalised its investigation, it shall communicate its complete findings, including all information and evidence gathered pursuant to Article 15, 18 and 19, and a proposition as to the conclusion to be drawn through the information and communication system referred to in Article 8(1).</u></p>
204	Article 18 Release for free circulation or export	Article 18 Release for free circulation or export	Moved to row 266a [204 - 266a]

	Commission Proposal	EP Mandate	Council Mandate
205	1. Where the release for free circulation or the export of a product has been suspended in accordance with Article 17, the product shall be released for free circulation or exported where all the other requirements and formalities relating to such a release or export have been fulfilled and where either of the following conditions is satisfied:	1. Where the release for free circulation or the export of a product has been suspended in accordance with Article 17, the product shall be released for free circulation or exported where all the other requirements and formalities relating to such a release or export have been fulfilled and where either of the following conditions is satisfied:	Moved to row 266b [205 - 266b]
206	(a) within 4 working days of the suspension, if the competent authorities have not requested the customs authorities to maintain the suspension. In case of perishable products, animals and plants that time limit shall be 2 working days;	(a) within 4 working days of the suspension, if the <u>Commission or the</u> competent authorities have not requested the customs authorities to maintain the suspension. In case of perishable products, animals and plants that time limit shall be 2 working days;	Moved to row 266c [206 - 266c]
207	(b) the competent authorities informed the customs authorities of their approval for release for free circulation or export pursuant to this Regulation.	(b) <u>the Commission or</u> the competent authorities informed the customs authorities of their approval for release for free circulation or export pursuant to this Regulation.	Moved to row 266d [207 - 266d]
208	2. The release for free circulation or export shall not be deemed proof of	2. The release for free circulation or export shall not be deemed proof of compliance with Union law and, in particular,	Moved to row 266e [208 - 266e]



	Commission Proposal	EP Mandate	Council Mandate
	compliance with Union law and, in particular, with this Regulation.	with this Regulation.	
R 208a			<u>Article 19</u> <u>Field inspections</u>
R 208b			<u>1. In exceptional situations where the lead competent authority may deem it necessary to conduct field inspections, it shall undertake this with consideration to where the risk of forced labour is located.</u>
R 208c			<u>2. In cases where the risk of forced labour is located in the territory of a Member State of which the competent authority is the lead competent authority, it may conduct its own inspections. If needed, the lead competent authority may ask the cooperation of other national authorities relevant for the implementation of this regulation, such as labour, health or fiscal authorities.</u>
R 208d			<u>3. In cases where the risk of forced</u>

	Commission Proposal	EP Mandate	Council Mandate
			<u>labour is located in the territory of a Member State of which the competent authority is not the lead competent authority, the lead competent authority may request that competent authority to conduct an inspection or to provide information or verify evidence provided by economic operators in accordance with Article 17(3) and (4).</u>
R 208e			<u>4. In cases where the risk of forced labour is located outside the territory of the Union and the Commission is not acting pursuant to Article 10(3) or upon a request pursuant to Article 14(2) or pursuant to Article 16(4)(b), the lead competent authority may ask the Commission to request the government of the third country where the risk of forced labour is located to conduct an inspection, to provide relevant information or verify evidence provided by economic operators.</u>
R 208f			<u>4a. In cases where the risk of forced labour is located outside the territory of the Union and the Commission is acting pursuant to Article 10(3) or upon a request pursuant to Article 14(2) or pursuant to Article 16(4)(b), it</u>



	Commission Proposal	EP Mandate	Council Mandate
			<u>may request the government of the third country where the risk of forced labour is located to conduct an inspection, to provide relevant information or verify evidence provided by economic operators.</u>
R 208g			<u>4b. The Commission may request assistance from the European External Action Service, as appropriate, to facilitate such contacts.</u>
R 208h			<u>5. The findings of the inspections carried out pursuant to paragraphs 3, 4 and 4a shall be communicated through the information and communication system referred to in Article 8(1).</u>
209	Article 19 Refusal to release for free circulation or export	Article 19 Refusal to release for free circulation or export	Moved to row 269a [209 - 269a]
210	1. Where the competent authorities conclude that a product that has been notified to them in accordance with	1. Where the <u>Commission or the</u> competent authorities conclude that a product that has been notified to them in accordance with Article 17 is a product made with forced	Moved to row 269b [210 - 269b]

	Commission Proposal	EP Mandate	Council Mandate
	Article 17 is a product made with forced labour pursuant to a decision referred to in Article 6(4), they shall require customs authorities not to release it for free circulation nor to allow its export.	labour pursuant to a decision referred to in Article 6(4), they shall require customs authorities not to release it for free circulation nor to allow its export.	
211	2. Competent authorities shall immediately enter that information in the information and communication system referred to in Article 22(1) and notify the customs authorities accordingly. Upon such notification, customs authorities shall not allow the release for free circulation or export of that product and shall also include the following notice in the customs data-processing system and, where possible, on the commercial invoice accompanying the product and on any other relevant accompanying document:	2. Competent authorities shall immediately enter that information in the information and communication system referred to in Article 22(1) and notify the customs authorities accordingly. Upon such notification, customs authorities shall not allow the release for free circulation or export of that product and shall also include the following notice in the customs data-processing system and, where possible, on the commercial invoice accompanying the product and on any other relevant accompanying document:	Moved to row 269e [211 - 269e]
212	‘Product made with forced labour - release for free circulation/export not authorised - Regulation (EU) XX/20XX’ [OP to indicate reference of this Regulation].	‘Product made with forced labour - release for free circulation/export not authorised - Regulation (EU) XX/20XX’ [OP to indicate reference of this Regulation].	Moved to row 269f [212 - 269f]
R 212a	Chapter IV		Chapter IV R

	Commission Proposal	EP Mandate	Council Mandate
	<p>Information systems, guidelines and coordinated enforcement</p> <p>Moved reference text</p>		<p>Information systems, guidelines and coordinated enforcement <u>Decisions</u></p> <p>Moved from row 220 [220 - 212a]</p>
R 212b	<p>Article 6</p> <p>Decisions of competent authorities</p> <p>Moved reference text</p>		<p>Article 6<u>20</u></p> <p>Decisions of competent authorities <u>the Commission</u></p> <p>Moved from row 121 [121 - 212b]</p>
R 212c	<p>1. Competent authorities shall assess all information and evidence gathered pursuant to Articles 4 and 5 and, on that basis, establish whether Article 3 has been violated, within a reasonable period of time from the date they initiated the investigation pursuant to Article 5(1).</p> <p>Moved reference text</p>		<p>1. <u>Once</u> competent authorities shall assess all information and evidence gathered <u>acting as lead competent authority have finalised their investigations</u> pursuant to Articles 4 and 5 and <u>Article 18(6), the Commission shall establish</u> on that basis, establish whether Article 3 has been violated <u>whether the products concerned have been placed or made available on the market or are being exported in violation of Article 3</u>, within a reasonable period of time from the date they initiated the investigation pursuant <u>received the information from the competent authorities according</u> to Article 5(1) <u>18(6)</u>.</p>

	Commission Proposal	EP Mandate	Council Mandate
			Moved from row 122 [122 - 212c]
R	<p>212d</p> <p>2. Notwithstanding paragraph 1, competent authorities may establish that Article 3 has been violated on the basis of any other facts available where it was not possible to gather information and evidence pursuant to Article 5(3) or (6).</p> <p>Moved reference text</p>		<p>2. Notwithstanding paragraph 1, competent authorities<u>paragraphs 1 and 1a, where it was not possible to gather information and evidence pursuant to Article 15, 18(2) or 19, the Commission</u> may establish that Article 3 has been violated<u>the products concerned have been placed or made available</u> on the basis of any other facts available where it was not possible to gather information and evidence pursuant to Article 5(3) or (6)<u>market or are being exported in violation of Article 3 on the basis of any other relevant and verifiable information.</u></p> <p>Moved from row 123 [123 - 212d]</p>
R	<p>212e</p> <p>3. Where competent authorities cannot establish that Article 3 has been violated, they shall take a decision to close the investigation and inform the economic operator thereof.</p> <p>Moved reference text</p>		<p>3. Where competent authorities<u>the Commission</u> cannot establish that <u>the products concerned have been placed or made available on the market or are being exported in violation of</u> Article 3 has been violated, they shall take a decision to close<u>it shall inform the economic operators that have been subject to</u> the investigation and <u>the</u></p>

	Commission Proposal	EP Mandate	Council Mandate
			<p><u>relevant competent authorities. The Commission shall inform all competent authorities through the information and communication system referred to in Article 8(1) . Such information shall not preclude competent authorities to launch a new investigation into the same product and the economic operator thereof in case new relevant information arises.</u></p> <p>Moved from row 124 [124 - 212e]</p>
R 212f			<p><u>1a. Notwithstanding paragraph 1, once the Commission acting pursuant to Article 10(3) or acting upon a request pursuant to Article 14(2) or pursuant to Article 16(4)(b) has finalised its investigation, it shall establish on that basis whether the products concerned have been placed or made available on the market or are being exported in violation of Article 3, within a reasonable period of time from the date it received the request pursuant to Article 14(2) or pursuant to Article 16(4)(b).</u></p>
R 212g			<p><u>3a. Before adopting the decision referred to in paragraph 4, the</u></p>

	Commission Proposal	EP Mandate	Council Mandate
			<u>Commission shall communicate its preliminary findings to the economic operators concerned by the decision and relevant competent authorities. The concerned economic operators may submit their observations to the Commission on their preliminary finding, within a time limit set by the Commission, which shall not be less than 30 working days or, in case of perishable goods, animals and plants, not less than 5 working days. The Commission may request the support of the relevant competent authorities. The Commission shall base its decisions referred to in paragraph 4 only on preliminary findings on which economic operators have been able to comment.</u>
R 212h	<p>4. Where competent authorities establish that Article 3 has been violated, they shall without delay adopt a decision containing:</p> <p>Moved reference text</p>		<p>4. Where competent authorities establish that Article 3 has been violated, they<u>the Commission establishes that the products concerned have been placed or made available on the market or are being exported in violation of Article 3, it</u> shall without delay adopt <u>an implementing act in the form of</u> a decision containing:</p> <p>Moved from row 125 [125 - 212h]</p>

	Commission Proposal	EP Mandate	Council Mandate
R	212i (a) a prohibition to place or make the products concerned available on the Union market and to export them; Moved reference text		(a) a prohibition to place or make the products concerned available on the Union market and to export them; Moved from row 126 [126 - 212i]
R	212j (b) an order for the economic operators that have been subject to the investigation to withdraw from the Union market the relevant products that have already been placed or made available on the market; Moved reference text		(b) an order for the economic operators that have been subject to the investigation to withdraw from the Union market the relevant products <u>products concerned</u> that have already been placed or made available on the market <u>and/or to remove content from an online interface referring to the products or listings of the products concerned</u> ; Moved from row 127 [127 - 212j]
R	212k (c) an order for the economic operators that have been subject to the investigation to dispose of the respective products in accordance with national law consistent with Union law. Moved reference text		(c) an order for the economic operators that have been subject to the investigation to dispose of the respective <u>products concerned</u> in accordance with national law consistent with Union law <u>Article 24</u> .

	Commission Proposal	EP Mandate	Council Mandate
			Moved from row 128 [128 - 212k]
R	212l 5. Where an economic operator has failed to comply with the decision referred to in paragraph 4, the competent authorities shall ensure all of the following: Moved reference text		<i>deleted</i> Moved from row 129 [129 - 212l]
R	212m (a) that it is prohibited to place or make available the products concerned on the market; Moved reference text		<i>deleted</i> Moved from row 130 [130 - 212m]
R	212n (b) that the products already placed or made available on the market are withdrawn from the Union market; Moved reference text		<i>deleted</i> Moved from row 131 [131 - 212n]
R	212o (c) that any product remaining with the economic operator concerned is disposed of in accordance with national law consistent with Union law at the expense		<i>deleted</i>

	Commission Proposal	EP Mandate	Council Mandate
	<p>of the economic operator.</p> <p>Moved reference text</p>		<p>Moved from row 132 [132 - 212o]</p>
R 212p	<p>6. Where economic operators provide evidence to the competent authorities that they have complied with the decision referred to in paragraph 4, and that they have eliminated forced labour from their operations or supply chain with respect to the products concerned, the competent authorities shall withdraw their decision for the future and inform the economic operators.</p> <p>Moved reference text</p>		<p><i>deleted</i></p> <p>Moved from row 133 [133 - 212p]</p>
R 212q			<p><u>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 33(2).</u></p>
R 212r			<p><u>5. The Commission shall endeavour to adopt its decision referred to in paragraph 4 within 6 months from the transmission of all information and evidence referred to in paragraph 1.</u></p>

	Commission Proposal	EP Mandate	Council Mandate
R 212s			<u>5a. The Commission shall notify the final decision to all economic operators to which it is addressed and communicate it to all competent authorities, through the information and communication system referred to in Article 8(1).</u>
R 212t			<u>7. The Commission may, on its own initiative or upon request by an economic operator concerned by a decision and who is able to submit new information that was not brought to the attention of the competent authority during the investigation and included in the file referred to in paragraph 1, reconsider, amend or repeal at any moment a decision adopted pursuant to Article 20(4) for one of the following reasons:</u>
R 212u			<u>(a) there has been a substantial change in any of the facts on which the decision was based;</u>
R 212v			<u>(b) the decision was based on incomplete, incorrect or misleading</u>

	Commission Proposal	EP Mandate	Council Mandate
			<u>information.</u>
213	Article 20 Measures on products refused for release for free circulation or export	Article 20 Measures on products refused for release for free circulation or export	<i>deleted</i>
214	Where the release for free circulation or export of a product has been refused in accordance with Article 19, customs authorities shall take the necessary measures to ensure that the product concerned is disposed of in accordance with national law consistent with Union law. Articles 197 and 198 of Regulation (EU) No 952/2013 shall apply accordingly.	Where the release for free circulation or export of a product has been refused in accordance with Article 19, customs authorities <u>in cooperation with the Commission or the competent authorities</u> shall take the necessary measures to ensure that the product concerned is <u>donated to charitable or public interest purposes if it is perishable. If such products are not perishable, they should be recycled, and if that is not possible, they should be</u> disposed of in accordance with national law consistent with Union law. Articles 197 and 198 of Regulation (EU) No 952/2013 shall apply accordingly.	Moved to row 269c [214 - 269c]
214a	Article 7 Content of the decision Moved reference text		Article 7 <u>21</u> Content of the decision Moved from row 134 [134 - 214a]
214b	1. The decision referred to in Article 6(4) shall contain all of the following: Moved reference text		1. The decision referred to in Article 6(4) <u>20(4)</u> shall <u>also</u> contain all of the following:

	Commission Proposal	EP Mandate	Council Mandate
			Moved from row 135 [135 - 214b]
Y	214c (a) the findings of the investigation and the information underpinning the findings; Moved reference text		(a) the findings of the investigation and the information underpinning the findings; Moved from row 136 [136 - 214c]
R	214d (b) a reasonable time limit for the economic operators to comply with the order, which shall not be less than 30 working days and no longer than necessary to withdraw the respective products. When setting such a time limit, the competent authority shall take into account the economic operator's size and economic resources; Moved reference text		(b) a reasonable time limit <u>limits</u> for the economic operators to comply with the order, which shall not be less than 30 working days and no longer than necessary to withdraw the respective products <u>from the date of notification of the decision referred to in Article 20(4).</u> When setting such a time limit, the competent authority <u>Commission</u> shall take into account the economic operator's size and economic resources <u>and the availability of alternative sources of supply. In case of perishable goods, animals and plants, the time limit shall be no less than 10 working days and no longer than necessary to withdraw the products concerned and to dispose of them;</u> Moved from row 137 [137 - 214d]

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Y	<p>214e</p> <p>(c) all relevant information and in particular the details allowing the identification of the product, to which the decision applies, including details about the manufacturer or producer and the product suppliers;</p> <p>Moved reference text</p>		<p>(c) all relevant information and in particular the details allowing the identification of the product, to which the decision applies, including details about the manufacturer or producer and the product suppliers;</p> <p>Moved from row 138 [138 - 214e]</p>
G	<p>214f</p> <p>(d) where available and applicable, information required under customs legislation as defined in Article 5(2) of Regulation (EU) No 952/2013.</p> <p>Moved reference text</p>		<p>(d) where available and applicable, information required under customs legislation as defined in Article 5(2) of Regulation (EU) No 952/2013.</p> <p>Moved from row 139 [139 - 214f]</p>
Y	214g		<p><u>(e) information on the possibilities for a judicial review against a decision.</u></p>
Y	<p>214h</p> <p>2. The Commission shall adopt implementing acts further specifying the details of the information to be included in the decisions. Those details shall as a minimum include details of information to be made available to customs authorities in accordance with Article 16(3). Those implementing acts shall be</p>		<p>2. The Commission shall adopt implementing acts further specifying the details of the information to be included in the decisions. Those details shall as a minimum include details of information to be <u>provided or</u> made available to customs authorities in accordance with Article 16(3) <u>26(3) to enable the</u></p>

	Commission Proposal	EP Mandate	Council Mandate
	<p>adopted in accordance with the examination procedure pursuant to Article 29.</p> <p>Moved reference text</p>		<p><u>identification of products requested by Article 25(4)</u>. Those implementing acts shall be adopted in accordance with the examination procedure pursuant to Article 29 <u>33(2)</u>.</p> <p>Moved from row 140 [140 - 214h]</p>
215	<p>Article 21</p> <p>Exchange of information and cooperation</p>	<p>Article 21</p> <p>Exchange of information and cooperation</p>	<p>Moved to row 272a [215 - 272a]</p>
216	<p>1. To enable a risk-based approach for products entering or leaving the Union market and to ensure that controls are effective and performed in accordance with the requirements of this Regulation, competent authorities and customs authorities shall cooperate closely and exchange risk-related information.</p>	<p>1. To enable a risk-based approach for products entering or leaving the Union market and to ensure that controls are effective and performed in accordance with the requirements of this Regulation, <u>the Commission</u>, competent authorities and customs authorities shall cooperate closely and exchange risk-related information, <u>in which the Commission will take on a coordination role</u>.</p>	<p>Moved to row 272b [216 - 272b]</p>
217	<p>2. Cooperation among authorities and exchange of risk information necessary for the fulfilment of their respective functions under this Regulation, including through electronic means, shall take place between the following authorities:</p>	<p>2. Cooperation among authorities and exchange of risk information necessary for the fulfilment of their respective functions under this Regulation, including through electronic means, shall take place between the following authorities:</p>	<p>Moved to row 272c [217 - 272c]</p>

	Commission Proposal	EP Mandate	Council Mandate
218	(a) customs authorities in accordance with Article 46(5) of Regulation (EU) No 952/2013;	(a) customs authorities in accordance with Article 46(5) of Regulation (EU) No 952/2013;	Moved to row 272d [218 - 272d]
219	(b) competent authorities and customs authorities in accordance with Article 47(2) of Regulation (EU) No 952/2013.	(b) competent authorities and customs authorities in accordance with Article 47(2) of Regulation (EU) No 952/2013.	Moved to row 272e [219 - 272e]
220	Chapter IV Information systems, guidelines and coordinated enforcement	Chapter IV Information systems, guidelines and coordinated enforcement	Moved to row 212a [220 - 212a]
221	Article 22 Information and communication systems	Article 22 Information and communication systems	Moved to row 148a [221 - 148a]
222	1. For the purposes of Chapters II and III, competent authorities shall use the information and communication system referred to in Article 34 of Regulation (EU) 2019/1020. The Commission, competent authorities and customs authorities shall have access to that system for the purposes of this	1. For the purposes of Chapters II and III, competent authorities shall use the information and communication system referred to in Article 34 of Regulation (EU) 2019/1020. The Commission, competent authorities and customs authorities shall have access to that system for the purposes of this Regulation.	Moved to row 148b [222 - 148b]

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	Regulation.		
223	2. The decisions communicated pursuant to Article 15(3) shall be entered in the relevant customs risk management environment.	2. The decisions communicated pursuant to Article 15(3) shall be entered in the relevant customs risk management environment.	Moved to row 148d [223 - 148d]
224	3. The Commission shall develop an interconnection to enable the automated communication of decisions referred to in Article 15(3) from the information and communication system referred to in paragraph 1 to the environment referred to in paragraph 4. That interconnection shall start operating no later than two years from the date of the adoption of the implementing act referred to in paragraph 7, point (b), in respect of that interconnection.	3. The Commission shall develop an interconnection to enable the automated communication of decisions referred to in Article 15(3) from the information and communication system referred to in paragraph 1 to the environment referred to in paragraph 4. That interconnection shall start operating no later than two years <u>one year</u> from the date of the adoption of the implementing act referred to in paragraph 7, point (b), in respect of that interconnection.	Moved to row 148e [224 - 148e]
225	4. Requests and notifications exchanged between competent authorities and customs authorities pursuant to Articles 17 to 20 of this Regulation as well as the ensuing messages shall take place by means of the information and communication system referred to in paragraph 1.	4. Requests and notifications exchanged between competent authorities and customs authorities pursuant to Articles 17 to 20 of this Regulation as well as the ensuing messages shall take place by means of the information and communication system referred to in paragraph 1.	Moved to row 148f [225 - 148f]

	Commission Proposal	EP Mandate	Council Mandate
226	<p>5. The Commission shall interconnect the national single window environments for customs with the information and communication system referred to in paragraph 1 to enable the exchange of requests and notifications between customs and competent authorities pursuant to Articles 17 to 20 of this Regulation. That interconnection shall be provided through [EU CSW-CERTEX pursuant to Regulation XX/20XX]¹ within four years from the date of adoption of the implementing act referred to in paragraph 7(c). The exchanges referred to in paragraph 4 shall take place through that interconnection as soon as it is operational.</p> <p>¹ Established by the Regulation on the EU Single Window Environment for Customs (EU SWE-C).</p>	<p>5. The Commission shall interconnect the national single window environments for customs with the information and communication system referred to in paragraph 1 to enable the exchange of requests and notifications between customs, <u>the Commission</u> and competent authorities pursuant to Articles 17 to 20 of this Regulation. That interconnection shall be provided through [EU CSW-CERTEX pursuant to Regulation XX/20XX]¹⁴⁰ within four <u>two</u> years from the date of adoption of the implementing act referred to in paragraph 7(c). The exchanges referred to in paragraph 4 shall take place through that interconnection as soon as it is operational.</p> <p><u><i>1 Established by the Regulation on the EU Single Window Environment for Customs (EU SWE-C).</i></u></p> <p><i>1. Established by the Regulation on the EU Single Window Environment for Customs (EU SWE-C).</i></p>	Moved to row 148g [226 - 148g]
227	<p>6. The Commission may extract from the surveillance system referred to in Article 56(1) of Commission Implementing Regulation (EU) 2015/2447 information on products entering or leaving the Union market related to the implementation of this</p>	<p>6. The Commission may extract from the surveillance system referred to in Article 56(1) of Commission Implementing Regulation (EU) 2015/2447 information on products entering or leaving the Union market related to the implementation of this Regulation and transmit it to the information and communication system referred to in paragraph 1.</p>	Moved to row 148h [227 - 148h]

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	Regulation and transmit it to the information and communication system referred to in paragraph 1.		
228	7. The Commission is empowered to adopt implementing acts in accordance with the examination procedure pursuant to Article 29 to specify the procedural rules and the details of the implementation arrangements for this Article, including:	7. The Commission is empowered to adopt implementing acts in accordance with the examination procedure pursuant to Article 29 to specify the procedural rules and the details of the implementation arrangements for this Article, including:	Moved to row 148i [228 - 148i]
229	(a) the functionalities, data elements and data processing, as well as the rules on the processing of personal data, confidentiality and controllership, of the information and communication system referred to in paragraphs 1 and 4;	(a) the functionalities, data elements and data processing, as well as the rules on the processing of personal data, confidentiality and controllership, of the information and communication system referred to in paragraphs 1 and 4;	Moved to row 148j [229 - 148j]
230	(b) the functionalities, data elements and data processing, as well as the rules on the processing of personal data, confidentiality and controllership for the interconnection referred to in paragraph 3;	(b) the functionalities, data elements and data processing, as well as the rules on the processing of personal data, confidentiality and controllership for the interconnection referred to in paragraph 3;	Moved to row 148k [230 - 148k]
231			

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	(c) the data to be transmitted between the information and communication system referred to in paragraph 1 and the national single window environments for customs for the purposes of paragraph 5;	(c) the data to be transmitted between the information and communication system referred to in paragraph 1 and the national single window environments for customs for the purposes of paragraph 5;	Moved to row 148l [231 - 148l]
232	(d) the data to be transmitted, as well as the rules on its confidentiality and controllership, in accordance with paragraph 6.	(d) the data to be transmitted, as well as the rules on its confidentiality and controllership, in accordance with paragraph 6.	Moved to row 148m [232 - 148m]
233	Article 23 Guidelines	Article 23 Guidelines	Moved to row 166b [233 - 166b]
234	The Commission shall issue guidelines no later than 18 months after the entry into force of this Regulation, which shall include the following:	The Commission shall issue guidelines no later than 18 <u>12</u> months after the entry into force <u>before the date of application</u> of this Regulation, which shall include the following:	Moved to row 166c [234 - 166c]
235	(a) guidance on due diligence in relation to forced labour, which shall take into account applicable Union legislation setting out due diligence requirements with respect to forced labour, guidelines and recommendations from international organisations, as well as the size and	(a) guidance on due diligence in relation to forced labour, <u>including forced child labour</u> , which shall take into account applicable Union legislation setting out due diligence requirements with respect to forced labour, guidelines and recommendations from international organisations, as well as the size and economic resources of economic operators, <u>different types of suppliers along the supply chain, different</u>	Moved to row 166d [235 - 166d]

	Commission Proposal	EP Mandate	Council Mandate
	economic resources of economic operators;	<u>sectors and the particular risks associated with forced labour imposed by state authorities;</u>	
235a		<u>(aa) guidance on how to submit information pursuant to Article 10;</u>	
235b		<u>(ab) guidance for economic operators and product suppliers on how to engage in dialogue with competent authorities pursuant to Articles 4 and 5;</u>	
235c		<u>(ac) guidance for economic operators on measures that are suitable and effective for bringing to an end different types of forced labour;</u>	
236	(b) information on risk indicators of forced labour, which shall be based on independent and verifiable information, including reports from international organisations, in particular the International Labour Organization, civil society, business organisations, and experience from implementing Union legislation setting out due diligence requirements with respect to forced labour;	(b) information on risk indicators of forced labour, <u>including how to identify them</u> , which shall be based on independent and verifiable information, including reports from international organisations, in particular the International Labour Organization, civil society, business organisations, and experience from implementing Union legislation setting out due diligence requirements with respect to forced labour;	Moved to row 166g [236 - 166g]

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237	(c) a list of publicly available information sources of relevance for the implementation of this Regulation;	<i>deleted</i>	Moved to row 166h [237 - 166h]
238	(d) further information to facilitate the competent authorities' implementation of this Regulation;	(d) further information to facilitate the competent authorities' implementation of this Regulation;	Moved to row 166k [238 - 166k]
239	(e) guidance for the practical implementation of Article 16 and, where appropriate, any other provision laid down in Chapter III of this Regulation.	(e) guidance for <u>competent authorities on the practical implementation of application of Articles 4 and 5, Article 11, Article 16 and, where appropriate, any other provision laid down in Chapter III of this Regulation, including benchmarks for assisting competent authorities in their risk-based assessments of investigations and guidelines on the applicable standard of evidence and on how to ensure that economic operators can use the official language of their place of establishment.</u>	Moved to row 166j [239 - 166j]
239a		<u>The guidance referred to in paragraph 1, point (a), shall focus in particular on assisting small and medium-sized enterprises (SMEs) and economic operators outside the scope of [Directive 20XX/XX/EU on Corporate Sustainability Due Diligence] in complying with this Regulation, and in particular with regard to cases referred to in Article 5(2), point (da).</u>	

	Commission Proposal	EP Mandate	Council Mandate
239b		<u>Furthermore, the Commission shall develop accompanying measures to support the efforts of economic operators and their business partners in the same supply chain, in particular the SMEs. Those measures shall include a one-stop shop for all matters related to the application of this Regulation and support to multi-stakeholder initiatives.</u>	
239c		<u>National competent authorities shall support micro, small and medium-sized enterprises (SMEs) by organizing trainings on forced labour risk indicators and on engagement with authorities during investigations, and set up a hotline for questions related to this Regulation.</u>	
239d		<u>The Commission shall consult relevant stakeholders and partners when elaborating the guidelines referred to in this Article.</u>	
239e		<u>The guidelines shall be consistent with guidelines provided in accordance with other relevant Union law.</u>	
240	Article 24 Union Network Against Forced Labour Products	Article 24 Union Network Against Forced Labour Products	Moved to row 120c [240 - 120c]

	Commission Proposal	EP Mandate	Council Mandate
241	1. A Union Network Against Forced Labour Products ('the Network') is established. The Network shall serve as a platform for structured coordination and cooperation between the competent authorities of the Member States and the Commission, and to streamline the practices of enforcement of this Regulation within the Union, thereby making enforcement more effective and coherent.	1. A Union Network Against Forced Labour Products ('the Network') is established. The Network shall serve as a platform for structured coordination and cooperation between the competent authorities of the Member States and the Commission, and to streamline the practices of enforcement of this Regulation within the Union, thereby making enforcement more effective and coherent. <u><i>The Commission shall coordinate the work of the Network.</i></u>	Moved to row 120d [241 - 120d]
241a		<u><i>1a. The Commission and the Member States shall ensure that the Network has the necessary resources to carry out the tasks referred to in paragraph 3, including sufficient budgetary and other resources.</i></u>	
242	2. The Network shall be composed of representatives from each Member States' competent authority, representatives from the Commission and, where appropriate, experts from the customs authorities.	2. The Network shall be composed of representatives from each Member States' competent authority, representatives from the Commission and, where appropriate, experts from the customs authorities.	Moved to row 120e [242 - 120e]
242a		<u><i>2a. A representative from the Commission shall chair the meetings of the Network.</i></u>	

	Commission Proposal	EP Mandate	Council Mandate
242b		<u><i>2b. The Network shall have a secretariat. It shall be provided by the Commission. The secretariat shall organise the meetings of the Network and provide technical and logistical support to the Network.</i></u>	
243	3. The Network shall have the following tasks:	3. The Network shall have the following tasks:	Moved to row 120h [243 - 120h]
244	(a) facilitate the identification of common priorities for enforcement activities, to exchange information, expertise and best practices;	(a) facilitate the identification of common priorities for enforcement activities, to exchange information, expertise and best practices;	Moved to row 120i [244 - 120i]
245	(b) conduct joint investigations;	(b) conduct joint investigations;	Moved to row 120k [245 - 120k]
245a		<u><i>(ba) commission research and monitor situations of systemic use of forced labour;</i></u>	
246	(c) facilitate capacity building activities and contribute to uniform risk-based approaches and administrative practices for the implementation of this	(c) facilitate capacity building activities and contribute to uniform risk-based approaches and administrative practices for the implementation of this Regulation in the Member States;	Moved to row 120m [246 - 120m]

	Commission Proposal	EP Mandate	Council Mandate
	Regulation in the Member States;		
246a		<u>(ca) facilitate capacity building activities, such as the organisation of training programmes for competent authorities and other relevant stakeholders;</u>	
246b		<u>(cb) promote cooperation, exchange of expertise, exchanges of personnel and voluntary mutual visit programmes between competent authorities and, where appropriate, with the authorities of partner third countries or with international organisations, especially with the authorities of low and lower middle-income countries;</u>	
246c		<u>(cc) assist in the organisation of information campaigns about this Regulation inside and outside the Union;</u>	
246d		<u>(cd) involve and organise training for the diplomatic representations of the Union to assist in the information gathering and dissemination efforts of this Regulation;</u>	
247	(d) contribute to the development of guidance to ensure the effective and uniform application of this Regulation;	(d) contribute to the development of guidance to ensure the effective and uniform application of this Regulation, <u>and identify discrepancies between enforcement at the level of different Member States;</u>	Moved to row 120n [247 - 120n]

	Commission Proposal	EP Mandate	Council Mandate
248	(e) promote and facilitate collaboration to explore possibilities for using new technologies for the enforcement of this Regulation and the traceability of products;	(e) promote and facilitate collaboration to explore possibilities for using new technologies for the enforcement of this Regulation and the traceability of products;	Moved to row 120r [248 - 120r]
249	(f) to promote the cooperation and exchange of expertise and best practices between competent authorities and customs authorities;	(f) to promote the cooperation and exchange of expertise and best practices between competent authorities and customs authorities, <u>as well as between those authorities and competent authorities of third countries and international organisations, including the World Customs Organisation</u> ;	Moved to row 120u [249 - 120u]
249a		<u>(fa) maintain regular contact with the Commission's relevant services to receive information from other Union initiatives that support the eradication of forced labour and provide relevant information about the application of this Regulation.</u>	
250	4. The Commission shall support and encourage cooperation between enforcement authorities through the Network and participate in the meetings of the Network.	4. The Commission shall support and encourage cooperation between enforcement authorities through the Network and participate in the meetings of <u>ensure the effective and uniform application of this Regulation and to that effect support and encourage cooperation between enforcement authorities through</u> the Network.	Moved to row 120v [250 - 120v]

	Commission Proposal	EP Mandate	Council Mandate
250a		<u>4a. The Network may invite experts and stakeholders, including social partners and other workers' representatives, civil society and human rights organisations representatives, businesses representatives, international organisations, third countries' competent authorities, the European Agency for Fundamental Rights, the European Labour Authority or other Union agencies with relevant expertise in the areas covered by this Regulation to attend meetings of the Network or to provide written contributions. Where appropriate, diplomatic representations of the Union, particularly based in countries with regions identified having a high risk of forced labour occurring, shall also be involved in the work of this Network.</u>	
250b		<u>4b. The Network shall meet at regular intervals and, where necessary, at the duly motivated request of the Commission or a Member State.</u>	
251	5. The Network shall establish its rules of procedure.	5. The Network shall establish its rules of procedure.	Moved to row 120z [251 - 120z]
252	CHAPTER V Final provisions	CHAPTER V Final provisions	CHAPTER V Final provisions <u>Enforcement</u> Final provisions Chapter moved to Chapter VI

	Commission Proposal	EP Mandate	Council Mandate	
Y	252a		<u>Title I</u> <u>Competent authorities</u>	Y
Y	252b		<u>Article 22</u> <u>Enforcement of the decisions by competent authorities</u>	Y
Y	252c		<u>1. Where within the reasonable time limit referred to in Article 21(1)(b) an economic operator has failed to comply with the decision referred to in Article 20(4), the competent authorities shall be responsible of the enforcement of the decision and shall ensure all of the following:</u>	Y
Y	252d		<u>(a) that it is prohibited to place or make available the products concerned on the Union market [and to export them];</u>	Y
Y	252e		<u>(b) that the products concerned already placed or made available on the market</u>	Y

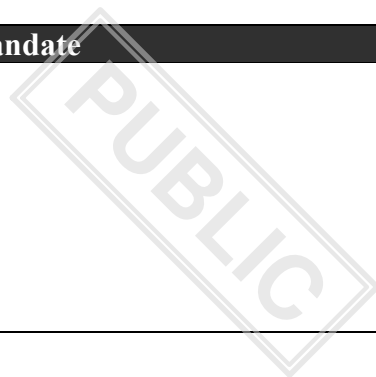
		Commission Proposal	EP Mandate	Council Mandate	
				<u>are withdrawn from the Union market by relevant authorities, in accordance with Union and national laws;</u>	
Y	252f			<u>(c) that the products concerned remaining with the economic operator are disposed of in accordance with Article 24, at the expense of the economic operator;</u>	Y
Y	252g			<u>(d) that access to the online interface displaying the content referring to the products concerned is restricted by requesting the relevant third party to implement such measures.</u>	Y
Y	252h			<u>2. If the economic operator has failed to comply with the decision, the competent authority shall impose either directly, in cooperation with other authorities or by application to the competent judicial authorities, penalties on the economic operator pursuant to Article 34.</u>	Y
Y	252i			<u>Article 23</u>	Y

		Commission Proposal	EP Mandate	Council Mandate	
				<u>Withdrawal of products made with forced labour</u>	
Y	252j			<u>1. Any decision to order the withdrawal of the products already placed or made available on the Union market and their disposal referred to in Article 20(4) shall be communicated, through the information and communication system referred to in Article 8(1), to the Market surveillance authorities as referred to in Article 10 of Regulation (EU) 2019/1020 or the other authorities relevant for the product concerned.</u>	Y
Y	252k			<u>2. The enforcement of the withdrawal of products shall be of the responsibility of the competent authority, in coordination with any other relevant authorities for the product concerned.</u>	Y
Y	252l			<u>Article 24</u> <u>Disposal of products made with forced labour</u>	Y
Y	252m			<u>1. In line with the waste hierarchy set</u>	Y

		Commission Proposal	EP Mandate	Council Mandate	
				<u>out in Directive 2008/98/EC, economic operators and competent authorities responsible for the disposal of products, pursuant to Article 20(4)c shall include at least one of the following measures that have to be considered in that order:</u>	
R	252n			<u>(a) donation of the products concerned for charitable or public interest purposes;</u>	R
Y	252o			<u>(aa) recycling of the products;</u>	Y
Y	252p			<u>(c) rendering the products concerned inoperable.</u>	Y
	252q			<u>Title II</u> <u>Customs authorities</u>	
Y	253	Article 25 Confidentiality	Article 25 Confidentiality Original Article 25 (from EP and Commission) moved to	Article 25 Confidentiality <u>Controls by customs authorities</u>	Y

	Commission Proposal	EP Mandate	Council Mandate
		line 253h. Below lines are New Article 25 from the Council	
Y	253a 1. Products entering or leaving the Union market shall be subject to the controls and measures laid down in this Chapter. Moved reference text		1. Products entering or leaving the Union market shall be subject to the controls and measures laid down in this Chapter <u>Title</u> . Moved from row 189 [189 - 253a]
Y	253b 3. The competent authority shall without delay, where no request for a review has been introduced within the time limits referred in Article 8(1) or the decision is definitive in case of a request for a review as referred to in Article 8(3), communicate to the customs authorities of Member States: Moved reference text		3. The competent authority <u>Commission</u> shall without delay, where no request for a review has been introduced within the time limits referred in Article 8(1) or the decision is definitive in case of a request for a review as referred to in Article 8(3), <u>communicate to the customs authorities of Member States: communicate to the customs authorities of Member States, decisions to prohibit the placing or making available of the products on the Union market and their export, pursuant to Article 20(4).</u> Moved from row 191 [191 - 253b]
Y	253c		

	Commission Proposal	EP Mandate	Council Mandate
	<p>2. The application of this Chapter is without prejudice to other Union legislation governing the release for free circulation or export of products, in particular Articles 46, 47, 134 and 267 of Regulation (EU) No 952/2013.</p> <p>Moved reference text</p>		<p>2. The application of this Chapter<u>Title</u> is without prejudice to any other Union legislation governing the release for free circulation or export of products, in particular Articles 46, 47, 134 and 267 of legal acts governing customs risk management, customs controls and the release for free circulation of goods and export, under Regulation (EU) No 952/2013.</p> <p>Moved from row 190 [190 - 253f]</p>
R	<p>253d</p> <p>4. Customs authorities shall rely on the decisions communicated pursuant to paragraph 3 to identify products that may not comply with the prohibition laid down in Article 3. For that purpose, they shall carry out controls on products entering or leaving the Union market in accordance with Articles 46 and 47 of Regulation (EU) No 952/2013.</p> <p>Moved reference text</p>		<p>4. Customs authorities shall rely on the decisions communicated pursuant to paragraph 3 to identify products that may not comply with the prohibition laid down in Article 3. For that purpose, they shall carry out controls on products entering or leaving the Union market in accordance with Articles 46 and 47 of <u>based on risk management as laid down in</u> Regulation (EU) No 952/2013.</p> <p>Moved from row 194 [194 - 253c]</p>
Y	<p>253e</p> <p>(a) any decision to prohibit the placing or making available of the products on the Union market and their export, as</p>		<p><i>deleted</i></p>



	Commission Proposal	EP Mandate	Council Mandate
	well as to order the withdrawal of the products already placed or made available on the Union market and their disposal referred to in Article 6(4); Moved reference text		Moved from row 192 [192 - 253d]
Y	253f (b) any decision following the review referred to in Article 8(3). Moved reference text		deleted Moved from row 193 [193 - 253e]
Y	253g 5. The competent authority shall without delay communicate to the customs authorities of Member States a withdrawal of the decision referred to in Article 6(6). Moved reference text		5. The competent authority <u>Commission</u> shall without delay communicate to the customs authorities of Member States any withdrawal of the decision referred to in Article 6(6) <u>20(4) pursuant to Article 20(8)</u> . Moved from row 195 [195 - 253g]
	253h	<u>EP Article 25</u> <u>Confidentiality</u>	
	254 1. The competent authorities shall only use information received pursuant to this	1. The competent authorities shall only use information received pursuant to this Regulation for the purpose of	Moved to row 273a [254 - 273a]

	Commission Proposal	EP Mandate	Council Mandate
	Regulation for the purpose of applying this Regulation.	applying this Regulation.	
255	2. Where requested, the Commission, Member States and competent authorities shall treat the identity of those who provide information, or the information provided, as confidential. A request for confidentiality shall be accompanied by a non-confidential summary of the information supplied or by a statement of the reasons why the information cannot be summarised in a non-confidential manner.	2. Where requested, The Commission, Member States and competent authorities shall treat the identity of those who provide information, or the information provided, as confidential. A request for confidentiality shall be accompanied by a non-confidential summary of the <u>unless stated otherwise by those who provide</u> information supplied or by a statement of the reasons why the information cannot be summarised in a non-confidential manner.	Moved to row 273c [255 - 273c]
256	3. Paragraph 2 shall not preclude the Commission from disclosing general information in a summary form, provided such general information does not contain any information which allows the identification of the provider of the information. Such disclosure of general information in a summary form shall take into account the legitimate interest of the parties concerned in preventing the disclosure of confidential information.	3. Paragraph 2 shall not preclude the Commission from disclosing general information in a summary form, provided such general information does not contain any information which allows the identification of the provider of the information. Such disclosure of general information in a summary form shall take into account the legitimate interest of the parties concerned in preventing the disclosure of confidential information.	Moved to row 273d [256 - 273d]
256a			

	Commission Proposal	EP Mandate	Council Mandate
	<p>Article 16</p> <p>Information to be made available to customs authorities</p> <p>Moved reference text</p>		<p>Article 16²⁶</p> <p><u>Additional</u> information to be <u>provided</u> <u>or</u> made available to customs authorities</p> <p>Moved from row 196 [196 - 256a]</p>
Y 256b	<p>1. The Commission is empowered to adopt delegated acts in accordance with Article 27 to supplement this Regulation by identifying the products or product groups for which the information referred to in paragraph 2 shall be provided to customs authorities, amongst others, on the basis of the database referred to in Article 11 or f information and decisions encoded in the information and communication system referred to in Article 22(1).</p> <p>Moved reference text</p>		<p>1. The Commission is empowered to adopt delegated acts in accordance with Article 27³¹ to supplement this Regulation by identifying the products or product groups for which the information referred to in paragraph 2 shall be provided to customs authorities. <u>The products or product group concerned shall be chosen on a risk-based approach, building</u> amongst others, on the basis of^{information} <u>available in</u> the database referred to in Article 11 or f⁹, <u>on the decisions taken on the basis of Article 20(4), on information exchanged in the Union Network Against Forced Labour Products and on</u> and decisions encoded in the information and communication system referred to in Article 22(1)⁸⁽¹⁾.</p> <p>Moved from row 197 [197 - 256b]</p>
Y 256c	<p>2. Customs authorities shall be provided</p>		<p>2. Customs authorities shall be</p>



	Commission Proposal	EP Mandate	Council Mandate
	<p>with information identifying the product, information about the manufacturer or the producer and information about the product suppliers as regards products entering or leaving the Union market that have been identified by the Commission pursuant to paragraph 1, unless the provision of such information is already required pursuant to customs legislation referred to in Article 5(2) of Regulation (EU) No 952/2013.</p> <p>Moved reference text</p>		<p>provided with information identifying the product, information about the manufacturer or the producer and information about the product suppliers as regards products entering or leaving the Union market that have been identified by the Commission pursuant to paragraph 1<u>The person intending to place a product covered by a delegated act adopted pursuant to paragraph 1 of this Article under the customs procedures ‘release for free circulation’ or ‘export’ shall provide or make available to customs authorities information identifying the product, information about the manufacturer or the producer and information about the product suppliers</u>, unless the provision of such information is already required pursuant to customs legislation referred to in Article 5(2) of Regulation (EU) No 952/2013.</p> <p>Moved from row 198 [198 - 256c]</p>
Y 256d	<p>3. The Commission may adopt implementing acts further specifying the details of the information to be made available to customs authorities pursuant to paragraph 1.</p>		<p>3. The Commission may adopt implementing acts further specifying<u>specifying the detailed arrangements for implementing paragraphs 1 and 2 of this Article, and defining</u> the details of the information to</p>

	Commission Proposal	EP Mandate	Council Mandate
	Moved reference text		be <u>provided or</u> made available to customs authorities pursuant to paragraph 1. Moved from row 199 [199 - 256d]
Y	256e 4. The implementing acts referred to in paragraph 3 shall be adopted in accordance with the examination procedure pursuant to Article 29. Moved reference text		4. The <u>Those</u> implementing acts referred to in paragraph 3 shall be adopted in accordance with the examination procedure pursuant to Article 29 <u>33(2)</u> . Moved from row 200 [200 - 256e]
Y	256f 5. Where a specific product has been identified in a decision referred to in Article 6(4), in order for the customs authorities to be able to act immediately, the procedure provided for in Article 28 shall apply to delegated acts adopted pursuant to this Article. Moved reference text		5. Where a specific product has been identified in a decision referred to in Article 6(4) <u>20(4)</u> , in order for the customs authorities to be able to act immediately <u>on that specific product</u> , the procedure provided for in Article 28 <u>32</u> shall apply to delegated acts adopted pursuant to this Article <u>paragraph 1</u> . Moved from row 201 [201 - 256f]
Y	256g Article 17 Suspension		Article 17 <u>27</u> Suspension

	Commission Proposal	EP Mandate	Council Mandate
	Moved reference text		Moved from row 202 [202 - 256g]
256h	<p>Where customs authorities identify a product entering or leaving the Union market that may, in accordance with a decision received pursuant to Article 15(3), be in violation of Article 3, they shall suspend the release for free circulation or the export of that product. Customs authorities shall immediately notify the relevant competent authorities of the suspension and transmit all relevant information to enable them to establish whether the product is covered by a decision communicated pursuant to Article 15(3).</p> <p>Moved reference text</p>		<p>Where customs authorities identify, <u>through their relevant risk management system</u>, a product entering or leaving the Union market that may, in accordance with <u>according to</u> a decision received <u>communicated</u> pursuant to Article 15(3) <u>25(3)</u>, be in violation of Article 3, they shall suspend the release for free circulation or the export of that product. Customs authorities shall immediately notify the relevant competent authorities of the suspension and transmit all relevant information to enable them to establish whether the product is covered by a decision communicated pursuant to Article 15(3) <u>25(3)</u>.</p> <p>Moved from row 203 [203 - 256h]</p>
257	Article 26 International Cooperation	Article 26 International Cooperation	Moved to row 179a [257 - 179a]
258	1. In order to facilitate effective	1. In order to facilitate effective implementation and	

	Commission Proposal	EP Mandate	Council Mandate
	implementation and enforcement of this Regulation, the Commission may as appropriate cooperate, engage and exchange information with, amongst others, authorities of third countries, international organisations, civil society representatives and business organisations. International cooperation with authorities of third countries shall take place in a structured way as part of the existing dialogue structures with third countries or, if necessary, specific ones that will be created on an ad hoc basis.	enforcement of this Regulation, the Commission may <u>shall</u> as appropriate cooperate, engage and exchange information with, amongst others, authorities of third countries, international organisations, civil society representatives, <u>including trade unions, workers' rights organisations, NGOs and networks of affected stakeholders, and business organisations and other relevant stakeholders, through new and existing dialogue structures.</u> International cooperation with authorities of third countries shall take place in a structured way as part of the existing dialogue structures with third countries or, if necessary, specific ones that will be created on an ad hoc basis, <u>and shall, where appropriate, facilitate the exchange of information on investigations, including the reasons and evidence for decisions taken to ban products from their jurisdictions. The Commission shall have regular contact and cooperation in particular with third countries that have similar laws in place, to share information on risk products or regions as well as best practices for bringing forced labour to an end.</u>	Moved to row 179b [258 - 179b]
258a		<u>1a. Cooperation with third countries shall be integrated with other Union policies and instruments that include measures to eradicate forced labour, including trade agreements, the Generalised Scheme of Preferences, and development cooperation projects led by the Commission.</u>	
258b		<u>1b. The Commission and Member States shall develop cooperation and partnership mechanisms with third countries to address the root causes of forced labour, prevent and eliminate forced labour practices, and build the capacity</u>	

	Commission Proposal	EP Mandate	Council Mandate
		<u><i>of upstream economic actors to respond to the requirements set out in this Regulation.</i></u>	
259	2. For the purposes of paragraph 1, cooperation with, amongst others, international organisations, civil society representatives, business organisations and competent authorities of third countries may result in the Union developing accompanying measures to support the efforts of companies and partner countries efforts and locally available capacities in tackling forced labour.	2. For the purposes of paragraph 1, cooperation with, amongst others, international organisations, civil society representatives, business organisations and competent authorities of third countries may result in the Union developing accompanying measures to support the efforts of companies, <u><i>and in particular SMEs, civil society organisations,</i></u> and partner countries' efforts and locally available capacities in tackling forced labour <u><i>and its root causes.</i></u>	Moved to row 179e [259 - 179e]
259a		<u><i>Article 26a</i></u> <u><i>Amendment of Directive (EU) 2019/1937</i></u> <u><i>In Part I.C.1 of the Annex to Directive (EU) 2019/1937, the following point is added:</i></u> <u><i>‘(iv) Regulation (EU) XXXX/XXXX of the European Parliament and of the Council of [date] on prohibiting products made with forced labour on the Union market and amending Directive (EU) 2019/1937.’</i></u>	
260	Article 27 Delegated Acts and Exercise of the Delegation	Article 27 Delegated Acts and Exercise of the Delegation	Moved to row 276s [260 - 276s]

	Commission Proposal	EP Mandate	Council Mandate
261	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	Moved to row 276t [261 - 276t]
262	2. The power to adopt delegated acts referred to in Article 16(1) shall be conferred on the Commission for an indeterminate period of time from date of entry force of this Regulation.	2. The power to adopt delegated acts referred to in Article <u>11a, Article 16(1), and in Article 30(4)</u> 16(1) shall be conferred on the Commission for an indeterminate period of time from date of entry force of this Regulation.	Moved to row 276u [262 - 276u]
263	3. The delegation of power referred to in Article 16(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	3. The delegation of power referred to in Article <u>11a, Article 16(1) and in Article 30(4)</u> 16(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	Moved to row 276v [263 - 276v]
264	4. Before adopting a delegated act, the Commission shall consult experts	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in	Moved to row 276w [264 - 276w]

	Commission Proposal	EP Mandate	Council Mandate
	<p>designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016¹.</p> <p>1. Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 123, 12.5.2016, p. 1)</p>	<p>accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016¹.</p> <p>1. Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 123, 12.5.2016, p. 1)</p>	
265	<p>5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.</p>	<p>5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.</p>	Moved to row 276x [265 - 276x]
266	<p>6. A delegated act adopted pursuant to Article 16(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.</p>	<p>6. A delegated act adopted pursuant to Article 11a, Article 16(1) and in Article 30(4) 16(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.</p>	Moved to row 276y [266 - 276y]
Y 266a			Y

	Commission Proposal	EP Mandate	Council Mandate
	<p>Article 18</p> <p>Release for free circulation or export</p> <p>Moved reference text</p>		<p>Article 18²⁸</p> <p>Release for free circulation or export</p> <p>Moved from row 204 [204 - 266a]</p>
Y	<p>266b</p> <p>1. Where the release for free circulation or the export of a product has been suspended in accordance with Article 17, the product shall be released for free circulation or exported where all the other requirements and formalities relating to such a release or export have been fulfilled and where either of the following conditions is satisfied:</p> <p>Moved reference text</p>		<p>1. Where the release for free circulation or the export of a product has been suspended in accordance with Article 17²⁷, the product shall be released for free circulation or exported where all the other requirements and formalities relating to such a release or export have been fulfilled and where either of the following conditions is satisfied:</p> <p>Moved from row 205 [205 - 266b]</p>
Y	<p>266c</p> <p>(a) within 4 working days of the suspension, if the competent authorities have not requested the customs authorities to maintain the suspension. In case of perishable products, animals and plants that time limit shall be 2 working days;</p> <p>Moved reference text</p>		<p>(a) within 4 working days of the suspension, if the competent authorities have not requested the customs authorities to maintain the suspension. In case of perishable products, animals and plants that time limit shall be 2 working days;</p> <p>Moved from row 206 [206 - 266c]</p>
Y	266d		

	Commission Proposal	EP Mandate	Council Mandate
	<p>(b) the competent authorities informed the customs authorities of their approval for release for free circulation or export pursuant to this Regulation.</p> <p>Moved reference text</p>		<p>(b) the competent authorities informed the customs authorities of their approval for release for free circulation or export pursuant to this Regulation.</p> <p>Moved from row 207 [207 - 266d]</p>
266e	<p>2. The release for free circulation or export shall not be deemed proof of compliance with Union law and, in particular, with this Regulation.</p> <p>Moved reference text</p>		<p>2. The release for free circulation or export shall not be deemed proof of compliance with Union law and, in particular, with this Regulation.</p> <p>Moved from row 208 [208 - 266e]</p>
267	<p>Article 28</p> <p>Urgency procedure</p>	<p>Article 28</p> <p>Urgency procedure</p>	<p>Moved to row 276z [267 - 276z]</p>
268	<p>1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.</p>	<p>1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.</p>	<p>Moved to row 276aa [268 - 276aa]</p>
269			

	Commission Proposal	EP Mandate	Council Mandate
	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 27 (6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.	2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 27 (6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.	Moved to row 276ab [269 - 276ab]
Y	269a Article 19 Refusal to release for free circulation or export Moved reference text		Article 19 29 Refusal to release for free circulation or export Moved from row 209 [209 - 269a]
Y	269b 1. Where the competent authorities conclude that a product that has been notified to them in accordance with Article 17 is a product made with forced labour pursuant to a decision referred to in Article 6(4), they shall require customs authorities not to release it for free circulation nor to allow its export. Moved reference text		1. Where the competent authorities conclude that a product that has been notified to them in accordance with Article 17 27 is a product made with forced labour pursuant to a decision referred to in Article 6(4) 20(4), they shall require customs authorities not to release it for free circulation nor to allow its export. Moved from row 210 [210 - 269b]
Y	269c 2. Competent authorities shall		2. Competent authorities shall

		Commission Proposal	EP Mandate	Council Mandate	
		<p>immediately enter that information in the information and communication system referred to in Article 22(1) and notify the customs authorities accordingly. Upon such notification, customs authorities shall not allow the release for free circulation or export of that product and shall also include the following notice in the customs data-processing system and, where possible, on the commercial invoice accompanying the product and on any other relevant accompanying document:</p> <p>Moved reference text</p>		<p>immediately enter that information in the information and communication system referred to in Article 22(1)<u>8(1)</u> and notify the customs authorities accordingly. Upon such notification, customs authorities shall not allow the release for free circulation or export of that product and shall also include the following notice in the customs data-processing system and, where possible, on the commercial invoice accompanying the product and on any other relevant accompanying document:</p> <p>Moved from row 211 [211 - 269e]</p>	
G	269d	<p>‘Product made with forced labour - release for free circulation/export not authorised - Regulation (EU) XX/20XX’ [OP to indicate reference of this Regulation].</p> <p>Moved reference text</p>		<p>‘Product made with forced labour - release for free circulation/export not authorised - Regulation (EU) XX/20XX’ [OP to indicate reference of this Regulation].</p> <p>Moved from row 212 [212 - 269f]</p>	G
Y	269e	<p>Where the release for free circulation or export of a product has been refused in accordance with Article 19, customs authorities shall take the necessary measures to ensure that the product</p>		<p><u>3.</u> Where the release for free circulation or export of a product has been refused in accordance with Article 19<u>paragraph 1</u>, customs authorities shall take the necessary measures to ensure</p>	Y



	Commission Proposal	EP Mandate	Council Mandate
	<p>concerned is disposed of in accordance with national law consistent with Union law. Articles 197 and 198 of Regulation (EU) No 952/2013 shall apply accordingly.</p> <p>Moved reference text</p>		<p>that dispose of the product concerned is disposed of in accordance with national law consistent <u>in compliance</u> with Union law. Articles 197 and 198 of Regulation (EU) No 952/2013 shall apply accordingly.</p> <p>Moved from row 214 [214 - 269c]</p>
269f			<p><u>4. Upon request of a competent authority and on behalf and under the responsibility of that competent authority, customs authorities may alternatively seize that product and put it at the disposal of and under the authority of that competent authority. In such cases, that competent authority shall take the necessary measures to ensure that the product concerned is disposed of in accordance with Article 24.</u></p>
270	Article 29 Committee procedure	Article 29 Committee procedure	Moved to row 276ac [270 - 276ac]
271	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Article	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Article 3(2) of Regulation (EU) No 182/2011.	Moved to row 276ad [271 - 276ad]

	Commission Proposal	EP Mandate	Council Mandate
	3(2) of Regulation (EU) No 182/2011.		
272	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	Moved to row 276ae [272 - 276ae]
272a	Article 21 Exchange of information and cooperation Moved reference text		Article 21 29a Exchange of information and cooperation Moved from row 215 [215 - 272a]
272b	1. To enable a risk-based approach for products entering or leaving the Union market and to ensure that controls are effective and performed in accordance with the requirements of this Regulation, competent authorities and customs authorities shall cooperate closely and exchange risk-related information. Moved reference text		1. To enable a risk-based approach analysis for products entering or leaving the Union market and to ensure that controls are effective and performed in accordance with the requirements of this Regulation, competent authorities and customs authorities shall cooperate closely and exchange risk-related information. Moved from row 216 [216 - 272b]
272c	2. Cooperation among authorities and exchange of risk information necessary		2. Cooperation among authorities and exchange of risk risk-related information

	Commission Proposal	EP Mandate	Council Mandate
	<p>for the fulfilment of their respective functions under this Regulation, including through electronic means, shall take place between the following authorities:</p> <p>Moved reference text</p>		<p>necessary for the fulfilment of their respective functions under this Regulation, including through electronic means, shall take place between the following authorities <u>in accordance with Regulation (EU) No 952/2013</u>:</p> <p>Moved from row 217 [217 - 272c]</p>
Y	<p>272d</p> <p>(a) customs authorities in accordance with Article 46(5) of Regulation (EU) No 952/2013;</p> <p>Moved reference text</p>		<p>(a) <u>between</u> customs authorities in accordance with Article 46(5) of Regulation (EU) No 952/2013;</p> <p>Moved from row 218 [218 - 272d]</p>
Y	<p>272e</p> <p>(b) competent authorities and customs authorities in accordance with Article 47(2) of Regulation (EU) No 952/2013.</p> <p>Moved reference text</p>		<p>(b) <u>between</u> competent authorities and customs authorities in accordance with Article 47(2) of Regulation (EU) No 952/2013.</p> <p>Moved from row 219 [219 - 272e]</p>
	272f		<p><u>Chapter VI</u></p> <p><u>Final provisions</u></p>
Y	<p>273</p> <p>Article 30</p>	Article 30	Article 30

	Commission Proposal	EP Mandate	Council Mandate
	Penalties	Penalties Original Article 30 (from EP and Commission) moved to line 273e. Below lines are New Article 30 from the Council	Penalties <u>Confidentiality</u>
Y	273a 1. The competent authorities shall only use information received pursuant to this Regulation for the purpose of applying this Regulation. Moved reference text		1. The competent authorities shall only use information received pursuant to this Regulation for the purpose of applying this Regulation, <u>unless otherwise required by EU or national law in compliance with Union law.</u> Moved from row 254 [254 - 273a]
Y	273b		<u>2. Member States and the Commission, their officials and other persons working under their supervision shall ensure the protection of confidential information acquired in application of this Regulation in accordance with the relevant applicable rules. To that end, they shall not disclose information covered by the obligation of professional secrecy that they have acquired pursuant to this Regulation.</u>
Y	273c		

	Commission Proposal	EP Mandate	Council Mandate
	<p>2. Where requested, the Commission, Member States and competent authorities shall treat the identity of those who provide information, or the information provided, as confidential. A request for confidentiality shall be accompanied by a non-confidential summary of the information supplied or by a statement of the reasons why the information cannot be summarised in a non-confidential manner.</p> <p>Moved reference text</p>		<p>23. Where requested, the Commission, Member States and competent authorities shall treat the identity of those who provide information, or the information provided, as confidential, <u>in accordance with EU or national law in compliance with Union law</u>. A request for confidentiality shall be accompanied by a non-confidential summary of the information supplied or by a statement of the reasons why the information cannot be summarised in a non-confidential manner.</p> <p>Moved from row 255 [255 - 273c]</p>
273d	<p>3. Paragraph 2 shall not preclude the Commission from disclosing general information in a summary form, provided such general information does not contain any information which allows the identification of the provider of the information. Such disclosure of general information in a summary form shall take into account the legitimate interest of the parties concerned in preventing the disclosure of confidential information.</p> <p>Moved reference text</p>		<p>34. Paragraph 2 shall not preclude the Commission from disclosing general information in a summary form, provided such general information does not contain any information which allows the identification of the provider of the information. Such disclosure of general information in a summary form shall take into account the legitimate interest of the parties concerned in preventing the disclosure of confidential information.</p> <p>Moved from row 256 [256 - 273d]</p>

	Commission Proposal	EP Mandate	Council Mandate
273e		<u>EP Article 20 Penalties</u>	
274	1. The Member States shall lay down the rules on penalties applicable to non-compliance with a decision referred to in Article 6(4) and shall take all measures necessary to ensure that they are implemented in accordance with national law.	1. The Member States shall lay down the rules on penalties applicable to non-compliance with a decision referred to in Article 6(4) and shall take all measures necessary to ensure that they are implemented in accordance with national law.	Moved to row 276c [274 - 276c]
275	2. The penalties provided for shall be effective, proportionate and dissuasive.	2. The penalties provided for shall <u>take the form of pecuniary fines and</u> be effective, proportionate and dissuasive.	Moved to row 276d [275 - 276d]
276	3. The Member States shall, by [OP enter DATE = 24 months from entry into force of this Regulation], notify those provisions to the Commission, where they have not previously been notified, and shall notify it, without delay, of any subsequent amendment affecting them.	3. The Member States shall, by [OP enter DATE = 24 months from entry into force of this Regulation], notify those provisions to the Commission, where they have not previously been notified, and shall notify it, without delay, of any subsequent amendment affecting them.	Moved to row 276j [276 - 276j]
276a		<u>3a. The Commission shall be empowered to adopt delegated acts in accordance with Article 27 in order to supplement this Regulation by establishing further detailed conditions</u>	

	Commission Proposal	EP Mandate	Council Mandate
		<u>applicable to the penalties referred to in paragraph 1, defining the method for calculating financial penalties and the thresholds applicable, when such penalties are to be used, and specifying mitigating and aggravating circumstances. The first delegated act shall be adopted by ... [6 months from the entry into force of this Regulation].</u>	
Y	Article 27 Delegated Acts and Exercise of the Delegation Moved reference text		Article 27 ³¹ Delegated Acts and Exercise of the Delegation Moved from row 260 [260 - 276s]
G	276b 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article. Moved reference text		1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article. Moved from row 261 [261 - 276t]
Y	276b		<u>Article 34</u> <u>Penalties</u>
Y	276c 2. The power to adopt delegated acts referred to in Article 16(1) shall be conferred on the Commission for an indeterminate period of time from date		2. The power to adopt delegated acts referred to in Article +6(1) ²⁶⁽¹⁾ shall be conferred on the Commission for an indeterminate period of time from <u>five</u>

	Commission Proposal	EP Mandate	Council Mandate
	<p>of entry force of this Regulation.</p> <p>Moved reference text</p>		<p><u>years from [OP ENTRY DATE] = date of entry force of this Regulation</u>. <u>The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</u></p> <p>Moved from row 262 [262 - 276u]</p>
Y	<p>276c</p> <p>1. The Member States shall lay down the rules on penalties applicable to non-compliance with a decision referred to in Article 6(4) and shall take all measures necessary to ensure that they are implemented in accordance with national law.</p> <p>Moved reference text</p>		<p>1. The Member States shall lay down the rules on penalties applicable to non-compliance with a decision referred to in Article 6(4)<u>20(4)</u> and shall take all measures necessary to ensure that they are implemented in accordance with national law.</p> <p>Moved from row 274 [274 - 276c]</p>
Y	<p>276d</p> <p>3. The delegation of power referred to in Article 16(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put</p>		<p>3. The delegation of power referred to in Article 16(1)<u>26(1)</u> may be revoked at any time by the European Parliament or by the Council. A decision to revoke</p>

	Commission Proposal	EP Mandate	Council Mandate
	<p>an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.</p> <p>Moved reference text</p>		<p>shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.</p> <p>Moved from row 263 [263 - 276v]</p>
R	<p>276d</p> <p>2. The penalties provided for shall be effective, proportionate and dissuasive.</p> <p>Moved reference text</p>		<p>2. The penalties provided for shall be effective, proportionate and dissuasive.</p> <p><u>Competent authorities shall ensure that the penalties referred to in paragraph 1 give due regard to the following, as applicable:</u></p> <p>Moved from row 275 [275 - 276d]</p>
Y	<p>276e</p> <p>4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016¹.</p> <p>¹ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better</p>		<p>4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016¹.</p> <p>¹ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission</p>

	Commission Proposal	EP Mandate	Council Mandate
	<p>Law-Making (OJ L 123, 12.5.2016, p. 1)</p> <p>Moved reference text</p>		<p>on Better Law-Making (OJ L 123, 12.5.2016, p. 1)</p> <p>Moved from row 264 [264 - 276w]</p>
R	<p>276e</p> <p>3. The Member States shall, by [OP enter DATE = 24 months from entry into force of this Regulation], notify those provisions to the Commission, where they have not previously been notified, and shall notify it, without delay, of any subsequent amendment affecting them.</p> <p>Moved reference text</p>		<p>3. The Member States shall, by [OP enter DATE = 24 months from entry into force of this Regulation], notify those provisions to the Commission, where they have not previously been notified <u>of those rules and of those measures</u>, and shall notify it, without delay, of any subsequent amendment affecting them.</p> <p>Moved from row 276 [276 - 276j]</p>
G	<p>276f</p> <p>5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.</p> <p>Moved reference text</p>		<p>5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.</p> <p>Moved from row 265 [265 - 276x]</p>
R	<p>276f</p>		<p><u>Article 35</u> <u>Review</u></p>

	Commission Proposal	EP Mandate	Council Mandate
Y	<p>276g</p> <p>6. A delegated act adopted pursuant to Article 16(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.</p> <p>Moved reference text</p>		<p>6. A delegated act adopted pursuant to Article 16(1)26(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.</p> <p>Moved from row 266 [266 - 276y]</p>
R	<p>276g</p>		<p><u>By 5 years after the start of the application of this Regulation and every 5 years thereafter, the Commission shall carry out an evaluation of the enforcement and the implementation of the Regulation. The Commission shall present a report on the main findings to the European Parliament and the Council. The evaluation shall in particular include an assessment of:</u></p>
Y	<p>276h</p>		

	Commission Proposal	EP Mandate	Council Mandate
	<p>Article 28 Urgency procedure</p> <p>Moved reference text</p>		<p>Article 28³² Urgency procedure</p> <p>Moved from row 267 [267 - 276z]</p>
G	<p>276i</p> <p>1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.</p> <p>Moved reference text</p>		<p>1. Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.</p> <p>Moved from row 268 [268 - 276aa]</p>
Y	<p>276j</p> <p>2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 27 (6). In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.</p> <p>Moved reference text</p>		<p>2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 27(6)³¹⁽⁶⁾. In such a case, the Commission shall repeal the act immediately following the notification of the decision to object by the European Parliament or by the Council.</p> <p>Moved from row 269 [269 - 276ab]</p>
Y	276k		

	Commission Proposal	EP Mandate	Council Mandate
	<p>Article 29 Committee procedure</p> <p>Moved reference text</p>		<p>Article 29³³ Committee procedure</p> <p>Moved from row 270 [270 - 276ac]</p>
Y	<p>276l</p> <p>1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Article 3(2) of Regulation (EU) No 182/2011.</p> <p>Moved reference text</p>		<p>1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Article 3(2)^{Article 33} of Regulation (EU) No 182/2011.</p> <p>Moved from row 271 [271 - 276ad]</p>
G	<p>276m</p> <p>2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.</p> <p>Moved reference text</p>		<p>2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.</p> <p>Moved from row 272 [272 - 276ae]</p>
Y	<p>276n</p>		<p><u>Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.</u></p>
Y	<p>276o</p>		<p><u>Article 33a</u></p>

	Commission Proposal	EP Mandate	Council Mandate
			<u>Amendment to Directive (EU) No 2019/1937</u>
Y	276p		<u>In Point C.1 of Part I of the Annex to Directive (EU) No 2019/1937, the following point is added:</u>
Y	276q		<u>‘(iv) [Regulation XXX...and amending Directive (EU) 2019/1937]’.</u>
	276r	<u>Article 30a</u> <u>Evaluation and review</u> <u>1. By ... [one year after the date of application] and every four years thereafter, the Commission shall carry out an evaluation of this Regulation taking account of its objectives and shall submit a report thereon to the European Parliament, to the Council and to the European Economic and Social Committee.</u> <u>2. The report shall assess whether and how this Regulation achieved its objectives, in particular with regard to:</u> <u>i) the reduction of the number of products made with forced labour on the Union market;</u> <u>ii) the improvement of cooperation between competent authorities and strengthening the controls on products entering the Union market;</u>	

	Commission Proposal	EP Mandate	Council Mandate
		<p><u>iii) the impact on businesses, and in particular on SMEs, of the administrative procedures related to the investigations and decisions;</u></p> <p><u>iv) the cost of compliance for economic operators, and in particular SMEs;</u></p> <p><u>v) the impact on the competitiveness of companies operating in the internal market;</u></p> <p><u>vi) the impact on trade;</u></p> <p><u>vii) the alignment with other relevant Union legislation;</u></p> <p><u>viii) the contribution to fight forced labour globally;</u></p> <p><u>ix) the overall cost-benefit and effectiveness of the ban.</u></p> <p><u>3. The report shall be accompanied, where appropriate, by a legislative proposal.</u></p> <p><u>4. The report shall also assess whether the scope should be enlarged to include services ancillary to the extraction, harvesting, production or manufacturing of products.</u></p> <p><u>5. The Commission shall continuously monitor the impact of this Regulation on victims of forced labour, also paying particular regard to the situation of women and children. The monitoring shall be based on a scientific and transparent methodology and shall take into account information provided by stakeholders.</u></p>	
R 276u			<u>(a) the gravity and duration of the infringement;</u>
R 276v			

	Commission Proposal	EP Mandate	Council Mandate
			<u>(b) any relevant previous infringements by the economic operator;</u>
R 276w			<u>(c) the degree of cooperation with the competent authorities;</u>
R 276x			<u>(d) any other mitigating or aggravating factor applicable to the circumstances of the case, such as financial benefits gains, or losses avoided, directly or indirectly, from the infringement.</u>
R 276y			<u>2a. The pecuniary penalties provided by this article shall amount to not more than [5%] of the economic operator's total annual Union-wide turnover in the financial year preceding the fining decision, calculated in accordance with the calculation of aggregate turnover for undertakings laid down in Article 5(1) of Council Regulation (EC) No 139/2004¹.</u> <u>1. [1] Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (the EC Merger Regulation), OJ L 024 , 29.01.2004, p. 1.</u>

	Commission Proposal	EP Mandate	Council Mandate	
R	276ac		<u>(a) whether the mechanism in place effectively contributes to the objectives of the Regulation, as set out in Article 1;</u>	R
R	276ad		<u>(b) the effectiveness of international cooperation to contribute to the elimination of forced labour from global supply chains;</u>	R
R	276ae		<u>(c) the impact on businesses, and in particular on SMEs, of the procedures related to the investigations and decisions;</u>	R
R	276af		<u>(d) the cooperation between competent authorities, including within the Network, as well as all other relevant authorities in applying the Regulation;</u>	R
R	276ag		<u>(e) the overall cost-benefit and effectiveness of the prohibition.</u>	R
Y	277			Y

		Commission Proposal	EP Mandate	Council Mandate	
		Article 31 Entry into force and date of application	Article 31 Entry into force and date of application	Article 34 36 Entry into force and date of application	
Y	278	This Regulation shall enter into force on the day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the <u>twentieth</u> day following that of its publication in the Official Journal of the European Union.	Y
R	279	This Regulation shall apply from [OP enter DATE = 24 months from its entry into force].	This Regulation shall apply from [OP enter DATE = 24 months from its entry into force].	This Regulation It shall apply from [OP enter DATE = 24 36 months from its entry into force].	R
R	279a			<u>However, Articles 5(3), 9, 10(4), 11, 33 and 34(3) shall apply from [OP enter DATE = entry into force].</u>	R
G	280	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	G
G	281	Done at Brussels,	Done at Brussels,	Done at Brussels,	G
G	282				G

		Commission Proposal	EP Mandate	Council Mandate	
		For the European Parliament	For the European Parliament	For the European Parliament	
G	283	The President	The President	The President	G
G	284	For the Council	For the Council	For the Council	G
G	285	The President	The President	The President	G