

Fighting against forced labour and child labour in Supply Chains Act 2023 – 2024

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Introduction

This report is presented to the Minister of Public Safety and Emergency Preparedness (the Minister) to meet the Agency's requirement to prepare an annual report on the application of *Fighting Against Forced Labour and Child Labour in Supply Chains Act* (Act). It explains what the CBSA did last year to prevent and reduce the risk of forced labour or child labour in the making of goods produced, purchased or distributed by the CBSA.

In accordance with section 5 of the *Fighting Against Forced Labour and Child Labour in Supply Chains Act* (Act), this report must include:

- the CBSA's structure, activities and supply chains
- steps the CBSA has taken to assess and manage the risk of forced or child labour
- policies and due diligence processes at the CBSA in relation to forced labour and child labour
- the parts of the CBSA's activities and supply chains that carry a risk of forced labour or child labour being used
- any measures taken to remediate any forced labour or child labour
- any measures taken to remediate the loss of income to the most vulnerable families that results from any measure taken to eliminate the use of forced labour or child labour in its activities and supply chains
- training provided to employees on forced labour and child labour

- how the CBSA assesses its effectiveness in ensuring that forced labour and child labour are not being used in its activities and supply chains

This report describes activities that support the CBSA's compliance with *Fighting Against Forced Labour and Child Labour in Supply Chains Act* (Act) from April 1, 2023 to March 31, 2024.

The mandate and role of the CBSA

The CBSA is comprised of 9 branches and 7 regions, accountable to the Minister of Public Safety. The CBSA has a President and an Executive Vice-President. There are Vice-Presidents for each branch of the Agency and Regional Directors General for each region.

The Agency is responsible for supporting public safety and prosperity by providing integrated border services to manage the access of people and goods to and from Canada. The Agency does this by:

- facilitating the free flow of persons and goods (including animals and plants) that meet all requirements under the program legislation
- collecting applicable duties and taxes on imported goods
- administering trade legislation and trade agreements to meet Canada's international obligations
- enforcing trade rules that help protect Canadian industry

The CBSA has a mandate to maintain the safety and security of Canadians. This service must be available 24 hours a day, 7 days a week and 365 days a year. It is a key component of the Public Safety Portfolio, which is in charge of integrated national security, emergency management, law enforcement, corrections, crime prevention, and border management operations.

Structure, activities and supply chains

At the CBSA, approximately 20% of the annual value of our purchases were made without the use of PSPC tools such as Standing Offers and Supply Arrangements.

Since November, 2021, PSPC implemented anti-forced labour clauses in all goods contracts to ensure that it can terminate contracts where there is credible information that the goods have been produced in whole or in part by forced labour or human trafficking. Additionally, since November 20, 2023, all PSPC Standing Offers and Supply Arrangements for goods that have been issued, amended, or refreshed include anti-forced labour clauses.



As such, all of our contracts for goods resulting from the use of these tools include clauses relating to forced labour which set out, among other things, human rights and labour rights requirements. These clauses can be found in the [policy notification 150 – Anti-forced labour requirements](#).

Steps to prevent and reduce the risk of forced or child labour

The CBSA has used PSPC's tools, including Standing Offers and Supply Arrangements, and integrated PSPC's [Code of Conduct for Procurement](#) in our purchasing activities to prevent and reduce the risk of forced labour or child labour in our procurements.

These tools include: Task-Based Informatics Professional Services (TBIPS), Solution-Based Informatics Professional Services (SBIPS), Task and Solutions Professional Services (TSPS) and ProServices, Temporary Help Services (THS), and all other mandatory and non-mandatory commodity tools established by PSPC.

While PSPC supports government institutions in their daily operations by acting as the central purchasing agent for the Government of Canada, the CBSA undertakes activities under its own procurement authority, independently of the aforementioned PSPC tools.

The CBSA has integrated PSPC's updated General Conditions for goods contracts and PSPC's [Code of Conduct for Procurement](#) in our purchasing activities to prevent and reduce the risk of forced labour or child labour in our procurements.

During the previous fiscal year we purchased goods and services under our own procurement authority (which accounts for approximately 20% of the annual value of our purchases) in the following areas (note that this is not an exhaustive list):

- Purchase of canines
- Kennels
- Food products for canines

Policies and due diligence processes

Effective April 1, 2023, amendments to the [Treasury Board Directive on the Management of Procurement](#) require contracting authorities from all departments listed in Schedules I, I.1 and II of the [Financial Administration Act](#) (with the exception of the Canada Revenue Agency) and commissions established in accordance with the [Inquiries Act](#) and designated as a department

for the purposes of the [Financial Administration Act](#) to incorporate the [Code of Conduct for Procurement](#) (“the Code”) into their procurements.

Pursuant to the aforementioned amendments, the CBSA has integrated the [Code](#) into our procurements, with a view to safeguarding federal procurement supply chains from forced labour and child labour. Contracts that our organization has awarded included the Code through the General Conditions for goods.

The Code requires that vendors, providing goods and services to the Government of Canada and their sub-contractors, comply with all applicable laws and regulations. In addition, the Code requires vendors and their sub-contractors to comply with Canada’s prohibition on the importation of goods produced, in whole or in part, by forced or compulsory labour. This includes forced or compulsory child labour and applies to all goods, regardless of their country of origin.

The prohibition on the importation of goods produced wholly or in part by forced labour came into force under the *Customs Tariff* on July 1, 2020. This amendment implemented a commitment in the Labour Chapter of the Canada-United States-Mexico Agreement (CUSMA) and applies to all imports, regardless of origin.

Activities and supply chains that carry a risk of forced labour or child labour

In May 2021, a risk analysis of PSPC’s supply chains was completed by Rights Lab, of the University of Nottingham (U.K.), to determine which goods were at the highest risk of exposure to human trafficking, forced labour, and child labour. The analysis, and subsequent report, elaborated key strategies for PSPC to leverage public spending power to raise awareness about forced labour in supply chains.

We have familiarized ourselves with information on the risk assessment provided by PSPC, and are monitoring related follow-action, including the development of PSPC’s Policy on Ethical Procurement.

Measures taken to remediate any forced labour or child labour

The CBSA has not identified any forced labour or child labour in our activities and supply chains.



Measures taken to remediate loss of income

The CBSA has not identified any loss of income to vulnerable families resulting from measures taken to eliminate the use of forced labour or child labour in our activities and supply chains.

Training

The CBSA is aware that PSPC is currently developing awareness-raising guidance materials (including risk mitigation strategies) for suppliers, targeted towards high-risk sectors. We are monitoring the development of these materials and will leverage these resources upon their publication.

Assessment of effectiveness

PSPC has not yet released its guidance and resources to Departments to assess whether forced and/or child labour are being used in activities and supply chains.

The CBSA is monitoring the development of guidance and resources from PSPC, and will leverage these resources to develop our plan to best assess the effectiveness of the measures that have been put in place.