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Department:
Trade, Industry and Competition
REPUBLIC OF SOUTH AFRICA

THE NATIONAL ASSEMBLY

QUESTION FOR WRITTEN REPLY

QUESTION NO. 2414

Mr M M Mdluli (DA) to ask the Minister of Trade, Industry and Competition:

Whether, with reference to the investigation initiated by the United States (US) under section 301 of the US Trade Act of 1974, his department has been given an opportunity to provide evidence and/or respond; if not, what is the position in this regard; if so, what (a) are the relevant details of the response and (b) specific trade practices and/or policies has the US placed under scrutiny? NO2331E

REPLY:

On 12 March 2026, Minister Tau received a letter from the United States Trade Representative (USTR) Ambassador Jamieson Greer indicating that the United States decided to initiate Section 301 Investigations of Acts, Policies, and Practices of Various Economies Related to the Failure to Impose and Effectively Enforce a Prohibition on the Importation of Goods Produced with Forced Labour. The investigation covers 60 countries, including South Africa. The United States further requested bilateral technical consultations on the matter. Government response has been twofold: a letter by Minister to Ambassador Greer; and a submission to the request for public comments.

Minister Tau responded to the letter from the USTR indicating that, among others, South African law strictly prohibits forced labour, anchored in the Constitution's Bill of Rights, which forbids slavery, servitude, and forced labour. The Minister requested the USTR to share data or information on imports into South Africa that are produced using forced labour. Further, Government has legislation through Section 6 of the International Trade Administration Act, Act No. 71, 2002 to regulate the import of goods for various reasons. This is done through ITAC in conjunction with SARS. However, the Constitution of the Republic provides for due process, in that, any administrative action requires a lawful,



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reasonable and procedural fair process. *Prima facie* evidence will be needed to demonstrate that a particular foreign product that is imported into the Republic, is produced using forced labour. Furthermore, the importer must be given an opportunity to be heard and reasons must be given for any decision taken to ensure procedural fairness. Finally, the Minister agreed to the technical consultation for the two countries to discuss this matter. The consultations are scheduled for May 2026.



ANNEX A

Additional information

Section 301 of the US Trade Act of 1974 authorizes the President to take all appropriate action, including tariff-based and non-tariff-based retaliation, to obtain the removal of any act, policy, or practice of a foreign government that violates an international trade agreement or is unjustified, unreasonable, or discriminatory, and that burdens or restricts US commerce.

Is this investigation a US effort to punish South Africa given the geopolitics?

- The investigation covers 60 countries:
1. Algeria, 2. Angola, 3. Argentina, 4. Australia, 5. The Bahamas, 6. Bahrain, 7. Bangladesh, 8. Brazil, 9. Cambodia, 10. Canada, 11. Chile, 12. China, People's Republic of , 13. Colombia, 14. Costa Rica, 15. Dominican Republic, 16. Ecuador, 17. Egypt, 18. El Salvador, 19. European Union, 20. Guatemala, 21. Guyana, 22. Honduras, 23. Hong Kong, China, 24. India, 25. Indonesia, 26. Iraq, 27. Israel, 28. Japan, 29. Jordan, 30. Kazakhstan, 31. Kuwait, 32. Libya, 33. Malaysia, 34. Mexico, 35. Morocco, 36. New Zealand, 37. Nicaragua, 38. Nigeria, 39. Norway, 40. Oman, 41. Pakistan, 42. Peru, 43. Philippines, 44. Qatar, 45. Russia, 46. Saudi Arabia, 47. Singapore, 48. South Africa, 49. South Korea, 50. Sri Lanka, 51. Switzerland, 52. Taiwan, 53. Thailand, 54. Trinidad and Tobago, 55. Türkiye, 56. United Arab Emirates, 57. United Kingdom, 58. Uruguay, 59. Venezuela, 60. Vietnam
- In Africa, apart from South Africa it also covers Algeria, Angola, Egypt and Nigeria.
- Therefore, we do not believe that South Africa was specifically targeted.

What is the likely penalty that the US might impose?

- Following the US Supreme Court ruling that struck down the reciprocal tariffs, the US indicated that it will consider conducting investigations that may result in tariffs being imposed.
- A pronouncement regarding the outcome, however, remains speculation until conclusion of the process.

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