

Kmart faces court over Uyghur labor claims

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A federal court case has been filed in Australia against retailer **Kmart**, with allegations that its supply chains may include factories linked to the forced labor of China's Uyghur minority. The action was launched by the Australian Uyghur Tangritagh Women's Association (AUTWA), seeking preliminary discovery of documents that could reveal whether goods sold in Kmart stores are tied to conditions flagged by international human rights experts.

At the center of the case is the Jiangsu Guotai Guosheng garment factory in China's Xinjiang region. In 2021, United Nations rapporteurs sent a letter raising concerns about

reports of Uyghurs being forcibly transported, detained, and required to work under surveillance in restrictive conditions. The letter described treatment that could amount to torture or other inhumane practices. The factory did not respond to the UN inquiry, but it appeared in Kmart's 2025 supplier list.

Guotai has also been listed by other retailers operating in Australia, including Target, Big W, and Uniqlo. There is currently no legal prohibition in Australia against sourcing products from such suppliers.

Australia's Modern Slavery Act, introduced seven years ago, requires companies to report on supply chain risks but does not enforce penalties or ban imports linked to forced labor. A 2023 review led by Professor John McMillan concluded that the law has not yet delivered meaningful change. The review recommended stronger obligations, including penalties for non-compliance and bans on imports from high-risk regions.

The federal government did not formally respond until late 2024 and has since launched a consultation process, although advocates argue reforms remain overdue. Critics warn that Australia risks falling behind the United States and European Union, which have imposed stricter import restrictions.

Australia's Anti-Slavery Commissioner, Chris Evans, said that forced labor in Xinjiang is well-documented and urged both the government and businesses to act. "Australian businesses must do more to understand their supply chains and take action to address known risks," Evans said.

AUTWA President Ramila Chanisheff said the case aims to force greater transparency from Kmart. "The state-sanctioned mass imprisonment, repression, and forced labor of Uyghur people is a known phenomenon," she said. "We're demanding answers from Kmart so we know whether its actions live up to its words about addressing forced labor risks."

Chanisheff emphasized that Australia's Uyghur community continues to suffer. Many have lost contact with relatives due to restrictions and fear of reprisals in Xinjiang.

"Kmart is a go-to store for many Australians. If the company has profited from repression, Australians would be horrified," she said.

The case is expected to test whether existing modern slavery laws in Australia are adequate to address such allegations or whether tougher measures will be required.

