

INDIA PROFILE

Main seafood products and exports

According to provisional figures from the Marine Products Export Development Authority (MPEDA), India's seafood exports were valued at US\$ 4.5 billion in 2013-2014, for the first time exceeding a million tonnes in weight. This was some 30% higher than the previous year. Aquaculture shrimp exports accounted for more than half the total, and have been growing rapidly. Cashing in on the EMS syndrome in East and Southeast Asian countries, India was able to significantly increase its global market share for this product. Processing plants in East Asian countries had to depend on shrimp imports from India in order to meet their commitments to U.S. and European importers. The U.S. was the largest market by value for Indian shrimp exports, accounting for more than half of all shrimp exports, followed by Southeast Asian countries (16.1%), the EU (15.82%) and Japan (4.94%).

The Seafood Exports Association of India observes the growing importance of seafood processing. Out of the 350 processing facilities in India at present, at least 150 have received EU approval. The factories are located in 20 clusters along the East and West Coast of India, and need to be developed into international seafood processing hubs. India is now considered on track to supply valued seafood products in convenience packs, using the latest technology. While exports to Japan may still consist of raw materials for reprocessing, seafood exports to countries such as the U.S. now increasingly comprise high value products for direct use in the food service industry, or for retail sale by supermarkets.

Other seafood exports also include crabs, lobsters and other kinds of fish.

Traditionally, the Indian seafood industry has comprised almost exclusively of small and medium sized family enterprises. Very recently, large corporate companies have begun to invest in the seafood industry.

Seafood exports to the UK

In 2014 the UK imported just under 13 million kilos of seafood valued at just under UK£ 65 million. By value, almost all was accounted for by warm water shrimps and prawns (£61,636,972) and prepared and preserved shrimps and prawns (£ 2,752,598). Other species were: crabs (£ 349,013); cold water shrimps and prawns (£ 61,182); mackerel (£ 34,383); monkfish (£25,517); *Nephrops* (£25,137); and small amounts of scallops and salmon.

Employment in fisheries and seafood

Recent national data are not available. According to the Indian Livestock Census, 2003, some 14.49 million people were engaged in fisheries related activities. A National Marine Fisheries Census (NMFC) was conducted in 2005, estimating that some 3.5 million people depend on marine fisheries for their livelihoods. The survey also provided information on the work of women in marine fisheries. It found that they dominate both marketing and processing activities, contributing some three quarters of the labour.

A recent research paper observes that the seafood processing sector is entirely dependent on women, who comprise more than 90% of the workforce in shrimp peeling, and 70% in the processing of other fish products¹.

Human trafficking and forced labour: indicators, ranking and reports

India is ranked Tier 2 in the U.S. Government's 2015 Trafficking in Persons² (TIP) report. Forced labour constitutes India's largest trafficking problem with 90% of India's trafficking problem being internal. Trafficking within India continues to rise due to increased mobility and growth in industries utilising forced labour, such as construction, steel, textiles, wire manufacturing for underground cables, biscuit factories, pickling, floriculture, fish farms, and boat cutting.

The Walk Free Foundation ranks India No. 5 (the fifth worst position) in its 2014 Global Slavery Index³, with no less than 14,285,700 persons (or 1.141% of the total population) in modern slavery. In terms of absolute numbers, this is very much higher than any other country. The country analysis observes that India's modern slavery challenges are "immense". Evidence suggests that "members of lower castes and tribes, religious minorities and migrant workers are disproportionately affected by modern slavery". Once again, there is no mention of the fishing or seafood industry.

There have been a number of Indian NGO and academic reports on severe labour conditions experienced by workers, particularly women and migrant workers, in the fish and shrimp processing industry. Most of these are now quite dated. An example is a 1999 report on the legal rights of workers in the fish processing industries⁴. This study focused in particular on the migrant labour force. The main processing activity was almost all handled by migrant women workers, originally from the southern State of Kerala, though more recently migrant workers from other States including Andhra Pradesh, Karnataka and Tamil Nadu had also begun to work in this sector. They were recruited by agents and contractors who deployed them at the processing units, while retaining control over their work and life. This rigorous study observes that processing units in different parts of the country employed large numbers of migrant women, mainly on a short-term basis (though there were some long-term and permanent workers). The contracts were not directly with the workers, but with labour contractors. The women all came from poverty-ridden households, belonging to families that traditionally depended on fishing or casual and agricultural labour. Women were transported from their village to the processing units by labour contractors "through a pyramidal network of sub-agents, agents, contractors and, at the top, the company". A large section of the women were "unaware of the method of recruitment, the name of the company for which they worked or the name of the contractor". While wage rates varied between the different units, a large number of women migrants did not receive the legal minimum wage.

¹ Dhanya G, "Status of women employed in seafood pre-processing units of Alaphuza, Kerala", Fishing Chimes, Vol. 33, No.7/October 2013. http://eprints.cmfri.org.in/9944/1/Dhanya_Fishing_Chimes.pdf

² United States Trafficking in Persons Report 2015 <http://www.state.gov/j/tip/rls/tiprpt/>

³ Global Slavery Index 2014 http://d3mj66ag90b5fy.cloudfront.net/wp-content/uploads/2014/11/Global_Slavery_Index_2014_final_lowres.pdf

⁴ Devaki Panini, *Legal Rights of Workers in Fish Processing Industries*, Centre for Education and Communication (CEC) Working Paper, New Delhi, March 1999. <http://www.cec-india.org/archs/Legal-Rights-of-Workers-in-Fish-Processing-Industries,-1999.pdf>

While many of such reports are now dated, in its 2015 report the NGO publication *SAMUDRA* carried an article describing the “neobondage” experienced by migrant fishers in the southern State of Andhra Pradesh⁵.

The India-based International Collective in Support of Fishworkers (ICSF) observes on its website that currently there is no single legal framework covering the labour issues of fish workers. Some of the key issues on labour include: conditions of work, conditions of work on board fishing vessels, minimum age, safety at sea and social security. Moreover Indian fishers are often arrested in South Asian countries for unauthorised fishing.

Ratification of international human rights and labour instruments

United Nations treaties and procedures

India has ratified most of the UN’s key human rights instruments. These include, with the date of ratification:

- International Convention on the Elimination of All Forms of Racial Discrimination (1968)
- International Covenant on Civil and Political Rights (1979)
- International Covenant on Economic, Social and Cultural Rights (1979)
- Convention on the Rights of the Child (1992)
- Convention on the Elimination of All Forms of Discrimination against Women (1993)

India has also accepted country visits under the UN’s special procedures. Examples are a visit by the Special Rapporteur on the freedom of religion and belief (2008); and by the Special Rapporteur on violence against women, its causes and consequences (2013).

International Labour Organization (ILO) Conventions⁶

India is a founder member of the ILO, and has ratified 43 ILO Conventions and one Protocol. It has ratified four of the ILO’s eight core human rights Conventions, including the two instruments on forced labour. It has not so far ratified the Conventions on child labour and its worst forms, or on freedom of association and collective bargaining.

Fisheries policy and management

Under the Indian Constitution, the Central Government has jurisdiction over fisheries in the EEZ, while the State Governments have jurisdiction over the territorial waters. This means that fisheries management is in large part a State concern. At the central level, fisheries development and management is undertaken through the Five Year Plans formulated since 1951. According to an ICSF assessment, the initial plans focused more on the economic development of the sector and increased production, while more recent plans have explicitly recognized the need for conservation.

The Central Government’s annual report for 2013-2014 gives some idea of emerging policies and priorities, and Central Government schemes⁷. Freshwater aquaculture

⁵ *SAMUDRA Report*, No. 70, March 2015. <http://aquaticcommons.org/17058/>

⁶ The International Labour Organization’s Fundamental Conventions
[http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---
declaration/documents/publication/wcms_095895.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_095895.pdf)

has developed as a major fish producing system, as a result of government initiatives. Recent measures have targeted intensive aquaculture in ponds and tanks (through integrated fish farming, carp polyculture, freshwater prawn culture, running fish culture and development of riverine fisheries) focussing on quality seed and feed. The setting up of broad banks and hatcheries across the country is therefore a priority for the Department. Ongoing schemes of the Department include:

- Development of Inland Fisheries and Aquaculture
- Development of Marine Fisheries, Infrastructure, and Post-Harvest Operations
- National Scheme for Welfare of Fishermen
- Strengthening of Database and Geographical Information System for Fisheries
- National Fisheries Development Board (NFDB)

The National Fisheries Development Board (NFDB) was set up in 2006 to realise the untapped potential of the fisheries sector in inland and marine fish capture, culture, processing and marketing of fish; and overall growth of the fisheries sector with application of modern research tools and development, including biotechnology, for optimising production and productivity. NFDB activities aim to enhance the export of fish and fishery products, to provide employment to more than 3.5 million persons, and to act as a platform for public-private partnerships for fisheries.

State level fisheries management is undertaken mainly through licensing, prohibitions on certain fishing gear, regulations on mesh size, and establishment of closed seasons and areas, under the Marine Fishing Regulation Act (MFRA).

Overall risk assessment

Given the very large incidence of bonded and forced labour in India today, it will inevitably be a high risk country on ethical grounds. Certain social groups are seen to be at particular risk, for example migrant workers away from their communities of origin, religious minorities, and the Dalit or tribal peoples officially referred to as the Scheduled Castes and Scheduled Tribes.

While the overall risk is high, in recent times severe labour abuse has not been documented in the seafood and seafood processing industries, either by the active Indian NGO community, or in the rankings of the TIP reports and Walk Free Foundation. This does not mean that problems are not necessarily there, only that they have not so been high on media or NGO radar screens.

The UK industry is increasingly importing from India, notably from its shrimp industry, at a time when India's export-led industry is undergoing rapid expansion with some official support. Some UK companies have invested in modern plants, and report that their audits have not detected labour abuse. UK importing companies will need a very thorough understanding of recruitment and employment characteristics, and features of the labour force, in the Indian plants from which they source. What

⁷ *Annual Report 2013-2014*, Department of Animal Husbandry, Dairying and Fisheries, Ministry of Agriculture, Government of India.
<http://dahd.nic.in/dahd/WriteReadData/FINAL%20ANIMAL%20AR%202013-14%20FOR%20WEB.pdf>

percentage are migrant workers? How are they recruited? Do they have direct contracts of employment?

At a broader level, as part of risk prevention and analysis UK companies might raise with the Indian State governments of the areas from which they source, the need for updated surveys on labour conditions and recruitment practices, particularly in the seafood processing industry. India has a strong capacity to conduct such surveys. And as the UK is likely to grow in importance as an export market for India's seafood products, it would be in its interest to conduct such surveys as an important aspect of risk prevention.

For further information

- **United States Trafficking in Persons Report 2015**
<http://www.state.gov/j/tip/rls/tiprpt/>
The Department places each country in this Report onto one of four tiers, as mandated by the Trafficking Victims Prevention Act (TVPA). This placement is based more on the extent of government action to combat trafficking than on the size of the country's problem. The analyses are based on the extent of governments' efforts to reach compliance with the TVPA's minimum standards. Tier one is the best ranking and Tier 3 the worst.
- **Global Slavery Index 2014**
http://d3mj66ag90b5fy.cloudfront.net/wp-content/uploads/2014/11/Global_Slavery_Index_2014_final_lowres.pdf
The Global Slavery Index estimates the prevalence of modern slavery country by country, the absolute number by population, how governments are tackling modern slavery, and what factors explain or predict the prevalence of modern slavery. Rankings range from 1 to 167 - with 1 the worst and 167 the best, in terms of the prevalence of the population in modern slavery. This is based on three factors: estimated prevalence of modern slavery by population, levels of child marriage and levels of human trafficking into and out of the country. This gives a 'weighted measure'.
- **The International Labour Organization's Fundamental Conventions**
http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_095895.pdf
Ratifications of fundamental Conventions and Protocols by country
http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:10011:0::NO::P10011_DISPLAY_BY,P10011_CONVENTION_TYPE_CODE:1,F

This is an information service provided by Seafish for industry and key stakeholders. To the best of our knowledge this information is factually correct at the date of publication.

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